

*St. Luke's, Sydney, Land Sale.*

211904

AN ORDINANCE to authorise the sale of the land and premises or any part or parts thereof situate in Sussex Street Sydney being allotment six of section fifty-four and upon part of which land St. Luke's Church is erected and to provide for the application of the proceeds thereof.

*(Assented to 6 October, 1904.)*

WHEREAS by Crown Grant under the hand of Sir Augustus William Frederick Spencer Loftus Governor of the Colony of New South Wales dated the first day of March one thousand eight hundred and eighty-one the land described in the Schedule hereto was granted unto the Right Reverend Frederic Barker Lord Bishop of Sydney being the Trustee nominated and appointed under and by virtue of the Act to regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales and his Successors upon trust for the erection thereon of a Church in connection with the United Church of England and Ireland. And whereas the said land has been transferred to and is now vested in the Church of England Property Trust Diocese of Sydney a Corporation duly incorporated under the provisions of the "Church of England Trust Property Incorporation Act 1881." And whereas the Church known as "St. Luke's" has been erected on part of the said land in conformity with the said trust. And whereas the said Church has been consecrated as a Church in connection with the United Church of England and Ireland. And whereas by reason of the decrease of resident population in the neighbourhood of the said Church and of the proximity of other Churches and of other circumstances which have occurred since the consecration of the said Church it has become inexpedient to carry out or observe the particular purpose to which the said land Church building and hereditaments are by such

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consecration and trust as aforesaid devoted. And whereas it is expedient that the said land Church-building and hereditaments or some part or parts thereof should be sold and that the proceeds thereof should be applied in manner hereinafter provided. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the "Church of England Property Act of 1889" ordains declares directs and rules as follows:—

1. By reason of circumstances which have occurred since the consecration of the said St Luke's Church in Sussex Street Sydney aforesaid and since the creation of the said trust in the said recited Grant contained it has become inexpedient to carry out or observe the particular purpose to which the said land and Church-building in the said Schedule hereto described is by such consecration and trust devoted.

2. The buildings erected upon the land described in the Schedule hereto may with the sanction of the Bishop of Sydney for the time being or his Commissary or of the Guardian of the Spiritualities during a vacancy of the See be pulled down and demolished whenever the said Church of England Property Trust Diocese of Sydney deems it expedient and the material of which such buildings are constructed may be sold or disposed of upon such terms and conditions as the said Church of England Property Trust Diocese of Sydney may think fit.

3. The said land described in the Schedule hereto may be sold either by public auction or private contract and either in one lot or in several lots at such price or prices and upon such terms and conditions as the said Church of England Property Trust Diocese of Sydney may deem expedient freed from such trust as aforesaid.

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4. The purchase money arising from the said sale or sales shall be paid to the said Church of England Property Trust Diocese of Sydney and shall be applied with the sanction of the Bishop of Sydney for the time being or of his Commissary or of the Guardian of the Spiritualities during a vacancy of the See (after payment thereout of the expenses of and incidental to this Ordinance and the said sale or sales and the transfer of the said land in pursuance thereof) in or towards the purchase of a site or sites in or in the vicinity of the City of Sydney and in the erection thereon of a building or buildings for Public Worship in connection with the Church of England.

5. Any part of the said purchase money not immediately required to be applied as aforesaid may until such application be invested by the said Church of England Property Trust Diocese of Sydney in any Public funds or Government stock or Government securities or in Real securities in any part of New South Wales and pending such investment may be deposited at interest with the Savings Bank of New South Wales or with any Government Savings Bank or with any Joint Stock Company carrying on the business of Bankers in Sydney and the income arising from any such investment or deposit shall be applied with the sanction of the Bishop of Sydney for the time being or of his Commissary or of the Guardian of the Spiritualities during a vacancy of the See in and towards any of the following purposes:—

- (a) The maintenance and repair of any building or buildings which may have been erected as aforesaid.
- (b) The hiring a building or buildings for the purpose of carrying on evangelistic work.
- (c) The maintenance and support of any Clergyman or Clergymen Catechist or Catechists, duly licensed by the Bishop of Sydney for the time being to carry on evangelistic work in or in the vicinity of the City of Sydney.

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6. The St. Luke's Church Sydney Land Leasing Ordinance of 1898" is hereby repealed.

7. This Ordinance shall be styled and cited as the "St. Luke's Church Sydney Land Sale Ordinance of 1904."

SCHEDULE.

All that piece or parcel of land in the Colony of New South Wales containing by admeasurement thirty-six perches and three-fourths of a perch be the same more or less situated in the County of Cumberland and Parish of St. Philip City of Sydney allotment six of section fifty-four commencing on the Eastern building line of Sussex Street at the South Western corner of allotment five and bounded thence on the West by that building line bearing Southerly one chain twenty-two links and half a link. On the South by the Northern boundary of allotment seven and a line dividing it from allotment eighteen in all bearing North seventy-eight degrees East one chain ninety links and half a link. On the South East by a line dividing it from the latter allotment bearing North eighteen degrees thirty minutes East thirty-five links and half a link. On the North-East and again on the South East by lines dividing it from allotment nineteen bearing North seventy-one degrees West sixty-two links and one-fourth of a link North thirty-five degrees West twelve links and half a link and thence North twenty-five degrees East forty-six links. Again on the North East by part of the South Western boundary of allotment twenty bearing North fifty-one degrees thirty minutes West twenty-four links and on the North West by the South Eastern boundary of allotment five aforesaid bearing South seventy-four degrees West about one chain seventy-four links to the point of commencement.

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