

PORT MACQUARIE (OXLEY COUNTY COUNCIL)

ORDINANCE 1956

PREAMBLE

WHEREAS the lands described in the Schedule hereto (hereinafter called "the said lands") are vested in the Corporate Trustees of the Diocese of Grafton (hereinafter called "the Corporate Trustees") AND WHEREAS the Council of the Oxley County District (a County Council duly incorporated under the provisions of the Local Government Act 1919-1953 and the Acts amending the same and having its office at Wauchope in the said state and hereinafter called "the Council") in pursuance of the powers vested in it under the said Act is desirous of entering upon the said lands with vehicles plant and workmen for the purpose of carrying out the work of construction of electric transmission lines which will include clearing the route thereof and the erection of poles wires and other equipment for the transmission and distribution of electrical energy together with the right to maintain the same over the said lands AND WHEREAS it is expedient that the said Council should be granted the necessary powers so to do

AND WHEREAS by Act of Parliament passed in the eighth year of the reign of His Majesty King George the Fifth entitled "Church of England" Trust Property Act 1917, No 21" it was enacted that during the recess of the Synod a Committee Council or other body of persons appointed for that purpose by Ordinance might in place of the Synod of the Diocese exercise such powers and functions and do and make such of the things referred to in the said Act as should be determined by Ordinance of the Synod of such Diocese AND WHEREAS by an Ordinance of the Synod of the Diocese of Grafton passed in the year One thousand nine hundred and thirty four the Bishop-in-Council was appointed for the purpose of exercising and might accordingly during the recess of such Synod of the said Diocese exercise in the place of such Synod any or all of the powers and functions and do and make ^{any} or all of the things

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referred to in Section 26 of the said Act as may be done by the Synod AND WHEREAS such Synod is now in recess NOW THEREFORE the Bishop-in-Council of the Synod of the Diocese of Grafton in pursuance of the powers in that behalf conferred upon it by the said Act and Ordinance and of the powers vested in the said Synod by the constitution for the management and good government of the Church of England within the State of New South Wales and by the "Church of England Trust Property Act 1917" or otherwise in the name and in the place of such Synod ordains, directs and rules as follows:-

OPINION

1. It has become and is expedient to grant to the said Council a right licence and easement to enter upon the said lands and to construct and maintain thereon transmission lines for the transmission or conduct of electrical energy.

POWER TO GRANT EASEMENT

2. The Corporate Trustees in whom the said lands are vested are hereby empowered and directed to grant to the said Council a right license and easement over the said lands or any part or parts thereof for the purposes hereinbefore recited upon such terms and conditions as may be determined by the Corporate Trustees with full power at all times and from time to time to vary and amend the same or to cancel and determine the said grant and generally to carry out and if necessary enforce the provisions thereof.

3. The said Council shall not be bound or concerned to enquire whether the powers hereby conferred shall have been duly and properly exercised or be affected by any notice to the contrary.

4. The Corporate Trustees are hereby authorised to execute and do all necessary deeds assurances and other instruments acts and things for giving effect to the provisions of this Ordinance according to its true intent and meaning.

SHORT TITLE

5. This Ordinance may be cited and known as the Port Macquarie

(Oxley County Council) Ordinance 1956.

THE SCHEDULE

ALL THOSE 40 acres or thereabouts being Portions 126, 127, 128 and 129 situate in the Parish and County of Macquarie and being part of the lands comprised in Deed of Conveyance dated 31st day of January 1953 from Leila Lindsay and Leslie Macquarie Bassingthwaite to the said Corporate Trustees Registered No. 741 Book 2241.