

ST. PAUL'S RIVERSTONE FURTHER SALE ORDINANCE 1982

No. 12 1982

AN ORDINANCE to authorise the sale of certain land situate at Richmond Road, Marsden Park known as Clydesdale and to vary the trusts and provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land comprised in the Schedule hereto AND WHEREAS the said land is church trust property within the meaning of Anglican Church of Australia Trust Property Act, 1917, as amended, and is held for the sole benefit of the Parish of St. Paul's, Riverstone AND WHEREAS no trusts in writing have been created in respect of the land described in the schedule AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied AND WHEREAS it is expedient that the said land be sold and the proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. By reason of circumstances that have arisen subsequent to the creation of the trusts upon which the land comprised in the Schedule hereto is held it is inexpedient to carry out and observe the same to the extent that they are hereby varied and it is expedient that the said land be sold.
2. The Corporate Trustee is hereby authorised and empowered to sell the land comprised in the Schedule hereto by public auction or private contract for such price and upon such terms and conditions as the Corporate Trustee may think fit freed from the trusts upon which the same is held and to do any such act or execute any such document as may be necessary to give effect to the provisions of this Ordinance.

3. The proceeds arising from any sale hereby authorised shall be applied towards any outgoings to which the land may be subject and the cost of selling and transferring the said land and the balance derived from such sale or sales shall be applied to the cost of purchasing land in the Parish for future development, such land to be held upon trust for:

- (a) a church
- (b) a residence for a minister, assistant to the minister or person employed by the churchwardens
- (c) a hall or halls
- (d) a school controlled by the Parish Council of the said Parish for the full time education of children to primary and secondary level
- (e) an old peoples retirement village

or partly for one or another or others of those purposes in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the parish or other ecclesiastical district of Riverstone or any parish or ecclesiastical district into which it may subsequently be formed or form a part or such other purposes as the Standing Committee of the Synod of the Diocese of Sydney at the written request of the majority of the Parish Council of the said parish may by resolution from time to time determine provided that such land shall not be used for either of the purposes described in paragraphs (d) and (e) of this clause, nor shall any building or buildings be erected on such land, except where and to the extent approved by the Standing Committee and by the trustee of such land.

4. In the event that the said land is sold and the balance of the proceeds cannot be applied for the time being towards the purposes referred to in Clause 3, then the proceeds of the sale shall be invested by the Corporate Trustee and the income arising from such investment shall be added to the capital sum held or applied for such other purposes as the Standing Committee of the Synod of the Diocese of Sydney at the written request of the majority of the Parish Council of the said Parish may by resolution from time to time determine.

5. This ordinance may be cited as "St. Paul's Riverstone Further Sale Ordinance 1982".

SCHEDULE

ALL THAT piece or parcel of land situate at Clydesdale City of Blacktown Parish of St. Matthew and County of Cumberland being Lot 1 in Deposited Plan 584309 and being the whole of the land in Certificate of Title Volume 13380 Folio 29.

I CERTIFY that the Ordinance as printed is in accordance with the Ordinance as reported.

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 24th day of May 1982.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
24 / 5 / 1982