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LALOR PARK AND SEVEN HILLS ORDINANCE 1980

No. 47 . 1980

AN ORDINANCE to vary the trusts on which certain land is held and to authorise the sale of part of that land and to provide for the application of the proceeds therefrom.

WHEREAS:

- 5. A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Property Trust") is the owner in fee simple or registered as proprietor (as the case may be) of the land described in the First and Second Schedules hereto.
- B. The land described in the First Schedule hereto is held upon the trusts set forth in the Seven Hills Sale Ordinance 1977.
- 10. C. The land described in the Second Schedule hereto is held upon trust for a church parsonage or parish hall or partly for one or partly for another of such purposes in connection with the Church of England in Australia in the Parish of Lalor Park and Seven Hills.
- 15. D. By reasons of circumstances which have arisen subsequent to the creation of the said trusts, it is inexpedient to carry out and observe the same to the extent that the same are hereby varied and it is expedient that the land described in the Second Schedule hereto be sold.

20. NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS DIRECTS AND RULES as follows:-

- 1. This ordinance may be cited as "Lalor Park and Seven Hills Ordinance 1980".
- 25. 2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the Schedules hereto is held, it is inexpedient to carry out and

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observe the same to the extent that the same are hereby varied and it is expedient that the land described in the Second Schedule hereto be sold.

3. The Seven Hills Sale Ordinance 1977 is hereby amended by the insertion of the following words after the words "upon the following trusts" where secondly appearing in Clause 6:-

"(1) As to \$85,000 or one half of the said balance (whichever is the greater) - on trust to apply the said sum in or towards all or any of the following:-

(a) the purchase of a residence for an assistant minister within the said Parish,

(b) the improvement of the Rectory within the said Parish,

(c) the improvement of other buildings within the said Parish,

(d) the purchase of real property situated within the said Parish,

and to pay the income which accrues thereon pending such application to the said churchwardens to be applied for the purposes of the said Parish, and

(2) As to the residue - in or towards the following:- "

and by the insertion of the words "on the recommendation of the Bishop in Parramatta" after the words "Regional Council" where lastly appearing in that clause.

4. The Property Trust is hereby authorised and empowered to sell the land described in the Second Schedule hereto by public auction or private treaty and for such price and on and subject to such terms and conditions as the Property Trust considers to be appropriate. The proceeds from such sale, after all costs of and incidental to this ordinance and to the sale of the said land have been met therefrom shall be applied, together with all income derived from the investment of the said proceeds pending any application authorised by this clause, in or towards all or any of the following:-

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- (a) the purchase of a residence for an assistant minister within the said Parish,
- (b) the improvement of the Rectory within the said Parish,
- (c) the improvement of other buildings within the said Parish,
- (d) the purchase of real property situated within the said Parish,
- (e) such diocesan purpose or purposes as may be agreed upon by the Parish Council and the Standing Committee from time to time.

FIRST SCHEDULE

The land being the whole of the land comprised in Certificate of Title Volume 4971 Folio 1, the land conveyed by Conveyance Registered No. 40 Book 470 and part of the land conveyed by Conveyance Registered No. 370 Book 194 and also being the land described in Miscellaneous Plan of SUBDIVISION (O.S.) Registered No. 9430 and (R.P.) Registered No. 82393.

SECOND SCHEDULE

All that land being Lot 2 in Deposited Plan 537515 and the whole of the land in Certificate of Title Volume 11151 Folio 172 and known as 18 First Avenue, Seven Hills.

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

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 15th day of December 1980.

...W.G.S. Gotley.....
Secretary

I ASSENT to this Ordinance.

...M.L. Loane.....
Archbishop of Sydney
15/ 12/ 80