

ST. BARNABAS' SYDNEY ORDINANCE 1974

No. 52 1974

AN ORDINANCE to authorise the sale of certain land and to vary the trusts on which certain land is held.

WHEREAS the land described in the first and second schedules hereto is church trust property vested in Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") AND WHEREAS the title to the land described in the first schedule hereto has been in dispute AND WHEREAS Grace Bros Pty Limited accepted a lease of part of the land described in the second schedule hereto on the understanding that the land described in the first schedule hereto would be conveyed to Grace Bros Pty Limited in consideration of Grace Bros Pty Limited accepting the said lease AND WHEREAS the St. Barnabas' Sydney Lease Ordinance 1952 provides, inter alia, that moneys paid to the fund known as "St. Barnabas' Sydney Endowment Fund" shall be applied by the churchwardens of the church building known as St. Barnabas' Sydney in such manner and for such purposes as an ordinance of the Synod or the Standing Committee thereof may direct AND WHEREAS it is expedient that the trusts on which the said moneys are held be varied to the extent hereinafter provided 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. (1) By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the first schedule is held it is inexpedient to carry out and observe the same and it is expedient that the said land be sold.

(2) The Corporate Trustee is hereby directed to transfer the said land to Grace Bros Pty Limited or to such company as Grace Bros Pty Limited may nominate for such consideration (if any) as the said churchwardens may approve.

2. (1) By reason of circumstances which have arisen subsequent to the creation of the trusts on which the moneys paid to the St. Barnabas' Sydney Endowment Fund are held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

(2) The moneys paid to the said fund and all income thereon shall be applied for such purposes in the said parish as may be approved from time to time by the Standing Committee at the request of the Parish Council of the said Parish.

3. Any approval by the Standing Committee required for the purposes of this ordinance may be given by resolution thereof.

4. Any moneys to be applied pursuant to clauses 2 and 3 may be paid to the said churchwardens for application in accordance with any approval given pursuant to this ordinance.

5. This ordinance may be cited as "St. Barnabas' Sydney Ordinance 1974".

FIRST SCHEDULE

ALL THAT piece or parcel of land situated in the City of Sydney Parish of Petersham and County of Cumberland being Lot 2 in Deposited Plan 532489.

SECOND SCHEDULE

ALL THAT piece or parcel of land situated in the City of Sydney Parish of Petersham and County of Cumberland being Lot 1 in Deposited Plan 532489.

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

D. Cameron  
Deputy Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 16th day of December, 1974.

W.G.S. Gotley  
Secretary

I ASSENT to this Ordinance.

M.L. Loane  
Archbishop of Sydney  
16/12/1974.