

ST. JOHN'S MT. DRUITT ORDINANCE 1982

No. 10 1982

AN ORDINANCE to authorise the sale of certain property at Callagher Street, Mt. Druitt and to provide for the application of the proceeds of such sale.

WHEREAS:

- A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land and buildings described in the Schedule hereto (herein called "the subject property").
- B. The subject property is church trust property within the meaning of the Anglican Church of Australia Trust Property Act, 1917 (as amended).
- C. The subject property has been used for a residence for a curate or assistant minister in relation to the parish of Mt. Druitt but no trusts appear to have been expressly declared in relation thereto.
- D. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the subject property is held it is expedient that the said property be sold and that the sale proceeds be used in or towards the purposes hereinafter set forth.

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 "St. Johns Mt. Druitt Ordinance 1982".
2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the subject property is held it is expedient that the said property be sold.
3. (1) The Corporate Trustee is hereby empowered to sell the subject property in one or more parcels, by public auction or

private treaty, and for such consideration and on and subject to such terms and conditions as, in the opinion of the Corporate Trustee, may be appropriate.

(2) The proceeds from the sale of the subject property shall be applied firstly in meeting all costs of and incidental to this ordinance and to the sale of the subject property and then in or towards the purchase of a residence principally for the curate or assistant minister of the said parish which residence is known as No. 5 Narelle Street, Mt. Drutt provided that if for any reason it is in the opinion of the parish council of the said parish not possible or desirable or expedient to acquire such residence then in such event the balance of the said proceeds shall be applied in or towards the purchase or construction and furnishing of another residence for the same purposes within the said parish.

4. The land and residence acquired pursuant to the provisions of Clause 3 hereof shall hence forth be held upon trust for:-

- (a) a church,
- (b) a residence for a minister of an assistant to the minister or person employed by the churchwardens,
- (c) a hall or halls,
- (d) a school or other place of assembly,

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 Mt. Drutt or any parish or ecclesiastical district of which the Church of St. John at Mt. Drutt may subsequently form a part.

5. Pending any application pursuant to this ordinance the said proceeds shall be invested by the Corporate Trustee and all income therefrom capitalized.

SCHEDULE

ALL THAT land being Lot 14 in Deposited Plan 2042 and being the whole of the land in Certificate of Title Volume 2063 Folio 185 and known as No. 44 Callagher Street, Mt. Drutt.

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 27th day of April 1982.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop
27/4/1982