
*St. Thomas' Moorebank Land Sale and Variation of Trusts
Ordinance 1971*

No. 46, 1971

AN ORDINANCE to authorise the sale of certain lands at Chipping Norton and Moorebank and to vary the trusts on which the proceeds are to be held.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of the lands comprised in the Schedule hereto AND WHEREAS no trusts in writing have been declared concerning the land firstly described AND WHEREAS Ordinance No. 27 of 1964 directed that the land secondly described in the Schedule be held upon trust to permit the same to be used for a church, parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Church of England at Moorebank in the Provisional District of Hammondville or any Provisional Parish or Parish in which it may subsequently be situated AND WHEREAS there is erected upon the land secondly described a consecrated building known as the Church of St. Aidan, Moorebank AND WHEREAS the said lands are church trust property held for the sole benefit of the Provisional Parish of St. Thomas, Moorebank AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same and it is expedient that such lands be sold and the proceeds applied as hereinafter set forth AND WHEREAS the Synod has consented to the sale or lease of the secondly described land NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the Schedule hereto are held it is inexpedient to carry out and observe the same to the extent to which they are hereby varied and it is expedient that the said lands be sold freed from any trusts whatsoever.

2. The Corporate Trustee is hereby empowered to sell the said lands by public auction or private contract at such time or times and at such price or prices and upon such terms and conditions as it may determine.

3. The proceeds arising from the sale of the said lands after paying thereout the costs of and incidental to this Ordinance and the sale or sales and transfers in pursuance thereof and all outgoings

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to which the said lands may be subject shall be paid to the Churchwardens of St. Thomas' Church Moorebank and shall be applied by them towards the erection of or additions to any church, parsonage, Christian education centre, parish hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia in the Provisional Parish of St. Thomas' Moorebank.

4. This Ordinance may be cited as the "St. Thomas' Moorebank Land Sale and Variation of Trusts Ordinance 1971".

SCHEDULE

ALL THAT piece or parcel of land situate in Childs Road, Chipping Norton in the City of Liverpool Parish of Holsworthy and County of Cumberland being Lot B in Plan lodged with Transfer No. D388100 having a frontage of about 80 feet by a depth on both sides of about 200 feet and being the whole of the land comprised in Certificate of Title Volume 10972 Folio 99.

ALL THAT piece of parcel of land situate in Church Road, Moorebank in the City of Liverpool Parish of Holsworthy and County of Cumberland being Lot 2 in Deposited Plan Number 212600 having a frontage of about 152 feet 9 inches by a depth one side of 111 feet 4½ inches and a depth on the other side of 226 feet 4¼ inches and being the whole of the land comprised in Certificate of Title Volume 9355 Folio 128.

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

ATHOL RICHARDSON,
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 13th day of December, 1971.

W. GOTLEY,
Acting Secretary.

I ASSENT to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

13/12/1971.