



Parramatta North Variation of Trusts Ordinance 1995

No 5, 1995

An Ordinance to vary the trusts on which certain land at Parramatta North is held and for other purposes.

Whereas

A. Under the All Saints' Parramatta North Crawford Village Constitution Ordinance 1986 the land being lot 101 in deposited plan 786056 (the "Church Land") is 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; and
- (d) a school or other place of assembly;

or partly for one or another or other 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 All Saints' Parramatta North or any parish or ecclesiastical district into which it may subsequently be formed or of which it may form a part.

B. Under the All Saints Parramatta North Crawford Village Constitution Ordinance 1986 the land being lot 100 in deposited plan 786056 (the "Village Land") is held upon trust for the purposes of the construction, development, ownership, disposition, sale, transfer, lease, license, establishment, management and control of a residential village thereon to be managed, governed and controlled by Crawford Village Parramatta ("CVP").

C. Certain property (the "Crawford Property") is or will be church trust property held by CVP upon trust for the charitable purposes of CVP although there are no written trusts.

D. By reason of circumstances which have arisen after the creation of the trusts on which the Church Land, the Village Land and the Crawford Property are respectively held it is inexpedient to carry out and observe those trusts and it is expedient to amend the trusts in the manner set out in this ordinance.

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.

Citation

1. This ordinance may be cited as the "Parramatta North Variation of Trusts Ordinance 1995".

Declarations of Inexpediency

2. By reason of circumstances which have arisen after the creation of the trusts on which the Church Land, the Village Land and the Crawford Property are respectively held it is inexpedient -

- (a) to carry out and observe those trusts;

(b) to deal with or apply all that land or property for the same or like purposes as the trusts on which that land and property are currently held; and

(c) in relation to the Church Land, to apply that land for the use or benefit of the parish of Parramatta North.

Declaration of Trusts

3. (1) The land specified in the first schedule shall henceforth be held upon trust for the purposes of construction, development, ownership, disposition, sale, transfer, lease, license, establishment, management and control of a residential village thereon to be managed, governed and controlled by CVP.

(2) The land specified in the second and third schedules shall henceforth 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; and

(d) a school or other place of assembly;

or partly for one or another or other of those purposes in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the parish of Parramatta North or any parish or ecclesiastical district into which it may subsequently be formed or of which it may form a part.

4. The trusts on which the Crawford Property are held are hereby varied so as to permit the application of an amount not exceeding \$550,000, or such other amount as CVP and the churchwardens of All Saints' Parramatta North (the "Churchwardens") may agree, for the purposes of -

(a) the purchase or construction, or both, of a residence approved by the Churchwardens and the Archbishop's architectural panel for Parramatta to be held upon trust as a rectory for the parish of Parramatta North; and

(b) the construction of a parish hall, or works associated therewith, on the land specified in the fourth schedule in accordance with plans approved by the Churchwardens.

5. The trustees of the land specified in each of the schedules are authorised to create such easements and covenants as may reasonably be required for the benefit of land specified in one or more of the other schedules.

First Schedule

The land marked "Crawford Village Parramatta" in the plan annexed hereto, excepting therefrom the land described in the Second Schedule.

Second Schedule

The land marked "Parish Hall" in the plan annexed hereto which comprises a ground and first floor stratum lot.

Third Schedule

The land marked "All Saints'" in the plan annexed hereto.

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

N.M. Cameron
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 27 February 1995.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
15/3/1995