

PENRITH LANDS ORDINANCE 1978

No. 5 1978

AN ORDINANCE to vary the trusts on which certain land at Penrith is held.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of the land described in the First and Third Schedules to the Penrith Lands Variation of Trusts and Sale Ordinance 1975 (which ordinance is hereinafter called "the 1975 Ordinance").

B. Glebe Administration Board (hereinafter called "GAB") is the registered proprietor of the land described in the Second Schedule to the 1975 Ordinance.

C. The land described in the Fourth Schedule to the 1975 Ordinance (which land is held as to part by the Corporate Trustee and as to the balance by GAB) is held upon the trusts set forth in Clause 1(3) of the 1975 Ordinance. The land described in the Fourth Schedule to the 1975 Ordinance is hereinafter called "Lot 1" and the said trusts are hereinafter called the "Penrith and PARC trusts".

D. Clause 2 of the 1975 Ordinance authorises the sale of all of the land described in the First Second and Third Schedules to the 1975 Ordinance other than Lot 1. The land so authorised to be sold is hereinafter called "Lot 2".

E. By reason of circumstances which have arisen since the 1975 Ordinance was assented to it is desirable that the boundaries of Lot 1 and Lot 2 be altered and hence that the respective trusts on which Lot 1 and Lot 2 are held be varied to permit such alteration.

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 subsequent to the creation of the trusts on which Lot 1 and Lot 2 are held it is inexpedient to carry out the same to the extent that the same are hereby varied.

2. If in the opinions of the Corporate Trustee and of GAB some part

*Ad.*  
*M.*

of the land described in the First Second and Third Schedules to the 1975 Ordinance other than Lot 1 should be retained then

(a) the Corporate Trustee and GAB are hereby authorised and empowered to sell the whole of the land so described other than the part which in their opinion should be retained,

(b) such sale may be effected in such manner and in such parcels upon such terms and conditions and for such price or prices as they may think fit,

(c) the proceeds from such sale or sales shall be held upon the same trusts as the trusts on which Lot 2 is held and

(d) the part of the land described in the First Second and Third Schedules which in the opinions of the Corporate Trustee and the Board should be retained shall be held upon the Penrith and PARC trusts provided that

(i) the area of the part of the said land which is retained shall be not less than the area of Lot 1 and

(ii) the part of the said land which is retained shall comprise at least four fifths of Lot 1.

3. This Ordinance may be cited as "Penrith Lands Ordinance 1978".

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

*Norman Jenkyns*  
.....  
Acting Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27<sup>th</sup> day of February 1978.

*Wynne*  
.....  
Secretary

I ASSENT to this Ordinance

*Mr. L. Evans*  
.....  
Archbishop of Sydney 9/3/78