

SOUTH SYDNEY SALE ORDINANCE 1979

No. 52 1979

AN ORDINANCE to authorise the sale of certain lands at Redfern and Waterloo and to vary the trusts on which the sale proceeds of the same shall be held.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as the proprietor of the land described in the First Schedule hereto.

5 B. The land described in the First Schedule hereto is held on trust for the Parish of South Sydney.

C. The Corporate Trustee is registered as the proprietor of the lands described in the Second Schedule hereto.

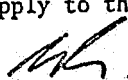
10 D. The lands described in the Second Schedule hereto are church trust property within the meaning of the Church of England Trust Property Act, 1917 as amended and are held upon trust to permit the same to be used as a church, parsonage or parish hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia at Waterloo in the Parish of South Sydney.

15 E. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the lands described in the Schedules hereto are held, it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold and that the trusts on which the proceeds from the sale of the same will be held be varied to the extent hereinafter provided.

20 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 the "South Sydney Sale Ordinance 1979".

2. By reason of the circumstances which have arisen subsequent to the creation of the trusts on which the lands described in the Schedules hereto are held it is inexpedient to carry out and observe the same and it is expedient that the  
25 said lands be sold, and that the said trusts, insofar as the same apply to the



proceeds from the sales of the said lands, be varied to the extent hereinafter provided.

30 3. The Corporate Trustee is hereby authorised to sell the whole of the lands described in the Schedules hereto by public auction or private agreement and in one or more lots and for such price or prices and on and subject to such terms and conditions as, to the Corporate Trustee, may seem appropriate.

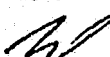
4. The proceeds from the sale of the lands described in the Schedules hereto shall be applied as follows:-

- 35 (a) firstly, in meeting the costs of and incidental to this Ordinance and to such sale and sales;
- (b) secondly, in repaying the amount owing to the Sydney Church of England Finance and Loans Board in respect of loans made by that Board relative to the Parish of South Sydney;
- 40 (c) thirdly, in paying all arrears of general assessments and special purpose assessments in respect of the Parish of South Sydney; and
- (d) fourthly, in meeting all costs in connection with the purchase of a suitable residence for a minister working in the Parish of South Sydney, putting the same in good order and condition and making
- 45 such alterations as may be appropriate.

The residue and any amount to be applied pursuant to paragraph (d) pending such application, shall be invested by the Corporate Trustee and until the 31st of December 1990 the income therefrom shall be applied as follows:-

- 50 (a) the first two thousand dollars (\$2,000) derived during each calendar year shall be paid to the Inner City Committee and applied by that Committee for the purposes thereof; and
- (b) any amount remaining thereafter shall be paid to the Churchwardens of the Church building known as St. Saviour's South Sydney and applied by them for the purposes of the Parish of South Sydney as determined
- 55 by the Parish Council thereof;

and thereafter applied as the Inner City Committee and the said Parish Council may determine.



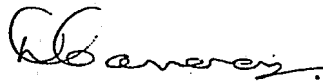
FIRST SCHEDULE

All that land situated at Redfern in the Municipality of South Sydney Parish of Alexandria and County of Cumberland being the whole of the land in Certificate of Title Volume 11504 Folio 4 and known as 45 Pitt Street, Redfern.

SECOND SCHEDULE


All that land situated at Waterloo in the Municipality of South Sydney Parish of Alexandria and County of Cumberland being, as to part, that comprised in Certificate of Title Volume 11195 Folio 40 and, as to the balance, that bounded by the southern boundary of the land comprised in the said Certificate of Title, Botany Road, McEvoy Street and Botany Street.

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



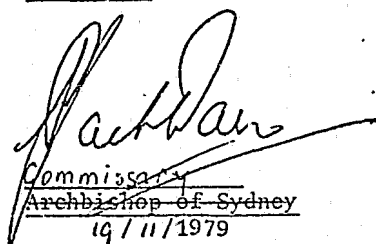
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 19<sup>th</sup> day of November 1979.



Secretary

I ASSENT to this Ordinance.

  
Commissary  
Archbishop of Sydney  
19/11/1979