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*St. Andrew's Dundas Declaration of Trust, Subdivision  
Land Sale Ordinance 1963*

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No. 28, 1963.

AN ORDINANCE to declare the trusts and to authorise the subdivision and sale of certain land situate at Calder Road Rydalmere and to provide for the application of the proceeds thereof.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is registered as proprietor of the land comprised in Certificate of Title Volume 9161 Folio 88 and Volume 9302 Folio 11 more particularly described in the first and second Parts of the Schedule hereto respectively AND WHEREAS the said land is Church Trust property held for the sole benefit of the Provisional District of St. Andrew's Dundas with St. Stephens Telopea but no trusts in writing have been declared concerning the same AND WHEREAS part of the said land was purchased for the purpose of the erection thereon of a Church Parsonage and Parish Hall and for the purpose of subdivision and resale AND WHEREAS certain moneys were borrowed for the purchase of the said land by the said Provisional District from the Sydney Church of England Finance and Loans Board AND WHEREAS it is inexpedient to carry out and observe the trusts upon which the said land is held and it is expedient that part of the same be sold and the proceeds applied firstly towards the repayment of the loan to the Sydney Church of England Finance and Loans Board and secondly towards the erection of a Church, Parsonage and Parish Hall and Rectory for such Provisional District NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS AND DIRECTS as follows:-

1. The land described in the Schedule hereto shall be held by the Corporate Trustee upon trust to permit the same to be used for a Church, Parsonage and Parish Hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia at Dundas.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is expedient that part of the said land be sold.

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3. The Corporate Trustee is hereby empowered to subdivide the said land to grant or reserve any easements as may be necessary and to dedicate any portion to the public as may be reasonably required by the Council of the City of Parramatta in connection with any such subdivision and to sell such land in lots or parcels at such time or times at such price or prices and upon such terms and conditions as it may think fit freed from the trusts upon which it is now held.

4. The proceeds arising from the said sale or sales shall after payment thereof of all outgoings to which the said land may be subject and the costs of and incidental to this Ordinance and the subdivision and the sale or sales and transfer or transfers in pursuance thereof and the loan by the said Sydney Church of England Finance and Loans Board be paid to the Churchwardens for the time being of St. Andrew's Dundas who shall apply the same in and towards the erection of Church, Parsonage and Parish Hall and Rectory and necessary furnishings thereof or partly for one and partly for another of such purposes as the Parish Council of such Provisional District may determine.

5. This Ordinance may be cited as the "St. Andrew's Dundas Declaration of Trust, Subdivision Land Sale Ordinance 1963."

SCHEDULE HEREINBEFORE REFERRED TO  
FIRST PART

All that piece or parcel of land situate at Rydalmerc in the City of Parramatta Parish of Field of Mars and County of Cumberland containing an area of about one acre three roods twelve perches having a frontage of approximately 118 feet to Calder Road by a depth of 535 feet 7½ inches on the Eastern side having a rear line of approximately 177 feet and being an irregular shaped block being Lot 2 in Deposited Plan 206242 and being the whole of the land comprised in Certificate of Title Volume 9161 Folio 88.

SECOND PART

All that piece or parcel of land situate at Rydalmerc in the City of Parramatta Parish of Field of Mars and County of Cumberland containing an area of about 9½ perches having a frontage of approximately 12 feet 3 inches to Dudley Street by a depth on the Western side of approximately 92 feet 4 inches and by a depth

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on the Northern side of approximately 61 feet 10 inches and having a rear line of approximately 65 feet 10 inches being Lot 2 in Deposited Plan 215527s and being the whole of the land in Certificate of Title Volume 9302 Folio 11.

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

J. R. L. JOHNSTONE,  
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 30th day of September, 1963.

W. L. J. HUTCHISON,  
Secretary.

I assent to this Ordinance.

30/9/1963.

HUGH SYDNEY,  
Archbishop of Sydney.