
*St. Paul's Sydney Variation of Trusts and Land Sale
Ordinance 1967*

No. 14, 1967.

AN ORDINANCE to vary the trusts and to authorise the sale of certain lands situate at Cleveland Street Redfern and to provide for the application of the proceeds.

WHEREAS Robert Tooth, George James Armytage and The Reverend William Horatio Walsh as Trustees were registered as proprietors of the lands comprised in Deeds of Grant all dated the 28th day of August 1857 and registered respectively No. 1 Folio 45.57/1, No. 3 Folio 45.57/1 and No. 5 Folio 45.57/1 in the Surveyor Generals' Office, Sydney being the lands more particularly described in the first Schedule hereto AND WHEREAS such lands are Church Trust Property held upon trust respectively for a Church, Parsonage or Parish Hall as more particularly declared therein AND WHEREAS by Deeds of Consent respectively dated 10th day of August 1887 Registered No. 399 Book 958 Deed of Consent dated 14th day of July 1891 Registered No. 691 Book 474 and Deed of Consent dated 10th day of August 1887 Registered No. 400 Book 958 the lands described in the first Schedule hereto were vested in the Church of England Property Trust Diocese of Sydney its successors and assigns (hereinafter called "the Corporate Trustee") AND WHEREAS by Indenture dated 25th April 1912 made between the Corporate Trustee of the one part and the Chief Commissioner for Railways and Tramways of the other part portion of the said lands (being part of the land described in Notification of Resumption published in the Government Gazette on 1st, March 1911) was conveyed and released to the said Chief Commissioner AND WHEREAS there is now erected on the said land the Church known as St. Paul Sydney together with a Parsonage and Parish Hall AND WHEREAS the said Church has been consecrated AND WHEREAS by reason of the decrease of members of the Church of England in Australia residing in the neighbourhood of the said Church and of the proximity of other Churches and other circumstances which have since occurred it has become inexpedient to continue to use the same as a Church of the Church of England in Australia AND WHEREAS by reason of circumstances as aforesaid it is expedient that the residue described in the second Schedule hereto together with the improvements thereon hereinbefore mentioned be sold and the proceeds thereof applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS AND DIRECTS as follows:-

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1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the residue described in the second Schedule and the Church of St. Paul Sydney together with the Parsonage and Parish Hall erected thereon is held, it is inexpedient to carry out and observe the same and it is expedient that the said residue and such improvements be sold.

2. The Corporate Trustee is hereby empowered to sell the said residue described in the second Schedule hereto to the Greek Orthodox Church of the Archdiocese of Sydney for use by that Church as a Chapel connected with a Theological College and other purposes of that Church at such time or times and at such price and upon such term or terms and conditions as the Parish Council of the said Parish and the Corporate Trustee may determine freed from any trusts whatsoever and the Order of Consecration of the said Church.

3. The proceeds arising from the sale of the said lands after paying thereout the costs of and incidental to this Ordinance and of the sale or sales and transfers in pursuance thereof and all outgoings to which the said land may be subject shall be held by the Corporate Trustee to be applied towards the purchase of other premises known as 73-75 George Street, Redfern and for the discharge of outstanding debts, assessments and any other monies owing to diocesan organisations and thereafter as shall be determined from time to time by resolution of the Standing Committee and the Parish Council.

4. The provisions of Clauses 1 to 3 of this ordinance shall not be acted upon unless and until the Synod by resolution shall express its consent thereto.

5. This ordinance may be cited as "St. Paul's Sydney Variation of Trusts and Land Sale Ordinance 1967."

FIRST SCHEDULE

All that piece or parcel of Land in our said Territory, containing by admeasurement one acre, be the same or less, situated in the County of Cumberland and Parish of Saint Lawrence in the City of Sydney at Chippendale commencing at the south East corner of the school allotment, and bounded on the south by the building line of Cleveland Street Easterly two chains fifty six links and one half link on the East by a line at right angles to Cleveland Street Northerly Three chains ninety two links, on the north by a line at right angles

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to the East boundary Westerly two chains fifty six links and one half link to the North East corner of the Parsonage allotment, and on the West by a line dividing it from that allotment and the School Allotment aforesaid at right angles to the North boundary Southerly Three chains ninety two links to the commencing corner.

All that piece or parcel of land in our said Territory, containing by admeasurement two roods be the same more or less, situated in the County of Cumberland and Parish of Saint Lawrence in the City of Sydney at Chippendale, commencing on the building line of George Street at the North West corner of the School allotment and bounded on the south by the North boundary line of that allotment Easterly parallel to Cleveland Street two chains fifty eight links, on the East by a line dividing it from part of the Church Allotment at right angles to the South boundary Northerly two chains twelve links, on the north by a line at right angles to the East boundary Westerly two chains twelve links and one half link to George Street; and on the West by the building line of that street southerly two chains eighteen links to the commencing corner.

All that piece or parcel of land in our said Territory, containing by admeasurement two roods be the same more or less, situated in the County of Cumberland and Parish of Saint Lawrence in the City of Sydney at Chippendale, commencing at the intersection of George Street with Cleveland Street and bounded on the South by the building line of Cleveland Street two chains ninety seven links easterly; on the East by a line dividing it from part of the Church allotment at right angles to Cleveland Street Northerly one chain eighty links; on the North by a line dividing it from the Parsonage allotment at right angles to the East boundary Westerly two chains fifty eight links to George St., and on the West by the building line of that street southerly one chain eighty three links to Cleveland Street aforesaid.

SECOND SCHEDULE

All that piece or parcel of land at Redfern in the City of Sydney Parish of St. Lawrence County of Cumberland and State of New South Wales being part of the land described in Deeds of Consent Registered No. 399 Book 958 and Registered No. 691 Book 474.

Commencing at point on the northern alignment of Cleveland Street bearing 279 degrees 08 minutes 55 seconds distant 134 feet $4\frac{3}{8}$ inches bearing 279 degrees 10 minutes 15 seconds distant 867 feet $11\frac{1}{2}$ inches from the intersection of the northern alignment of Cleveland Street aforesaid with the western alignment of Chalmers

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Street and bounded thence on the south by part of the northern alignment of Cleveland Street aforesaid bearing 279 degrees 37 minutes 00 seconds distant 170 feet 3 inches and bearing 279 degrees 40 minutes 40 seconds distant 79 feet 10 inches thence on the north west by the south eastern boundary of land acquired for Railway purposes on 1st March, 1911 being part of a circular curved line of radius 660 feet 0 inches with an arc length of 385 feet 3 inches thence on the east by part of the western boundary of Prince Alfred Park dedicated for Public Recreation on 22nd December, 1865 being a line bearing 189 degrees 32 minutes 35 seconds distant 286 feet 3 inches to the point of commencement and containing by admeasurement 3 roods 11½ perches be the aforementioned dimensions a little more or less.

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

H. G. S. BEGBIE,
Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of May, 1967.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

29/5/1967.