

ST. PAUL'S RIVERSTONE ORDINANCE

No. 30 1979

AN ORDINANCE to authorise the sale of certain lands situate at Richmond Road, Marsden Park and Windsor Road, Vineyard and to vary the trusts and 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 lands comprised in the Schedule hereto AND WHEREAS the said lands are church trust property within the meaning of Church of England Trust Property Act 1917 as amended and are held for the sole benefit of the Parish of St. Paul's Riverstone AND WHEREAS the land described in the first part of the Schedule is held upon trust to permit a Church, School and Rectory to be erected on the said land and to be subject to the regulations contained in the Sydney Church Ordinance or in any other ordinance of the Synod of the Diocese of Sydney altering or modifying that ordinance AND WHEREAS the land described in the second part of the Schedule is held upon trust to permit a Church to be erected on the said land to be called St. Andrew's Church Hall AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said lands are held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied AND WHEREAS it is expedient that the said lands be sold and the proceeds applied as hereinafter set forth NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

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

2. The Corporate Trustee is hereby authorised and empowered to sell the land comprised in the first part of the Schedule hereto by public auction or private contract and to sell the land comprised in the second part of the Schedule hereto to the Reformed Churches of Australia or such other party as

may be determined by the Standing Committee of the Synod of the Diocese of Sydney by resolution thereof at the request of the Parish Council of the said Parish for such price and upon such terms and conditions as the Corporate Trustee may think fit freed from the trusts upon which the same are held and to do any such act or execute any such document as may be necessary to give effect to the provisions of this Ordinance.

3. The proceeds arising from any sale hereby authorised shall be applied towards any outgoings to which the land may be subject and the cost of selling and transferring the said land and the balance derived from such sale or sales shall be applied to the cost of purchasing land in the Parish for future development, such land to 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
- (d) a school controlled by the Parish Council of the said Parish for the full-time education of children to primary and secondary level,
- (e) an old peoples retirement village

or partly for one or another or others of those purposes in connection with the Church of England in Australia within the Diocese of Sydney for the sole benefit of the parish or other ecclesiastical district of Riverstone or any parish or ecclesiastical district into which it may subsequently be formed or form a part or such other purposes as the Standing Committee of the Synod of the Diocese of Sydney at the written request of the majority of the Parish Council of the said Parish may by resolution from time to time determine provided that such land shall not be used for either of the purposes described in paragraphs (d) and (e) of this clause, nor shall any building or buildings designed for either or both of those purposes be erected on such land, except where and to the extent approved by the Standing Committee and by the trustees of such land.

4. In the event that the said lands are sold and the balance of the proceeds cannot be applied for the time being towards the principal or other purposes referred to in Clause 3, then the proceeds of the sale shall be invested by the

60 Corporate Trustee and the income arising from such investment shall be added to the capital sum held or applied for such other purposes as the Standing Committee of the Synod of the Diocese of Sydney at the written request of the majority of the Parish Council of the said Parish may by resolution from time to time determine.

5. This ordinance may be cited as "St. Paul's Riverstone Ordinance 1979".

SCHEDULE

FIRST PART

ALL THAT piece or parcel of land situate at Marsden Park being the whole of the land comprised in Indenture of Conveyance No. 228 Book 702.

SECOND PART

ALL THAT piece or parcel of land situate in the Shire of Blacktown Parish of St. Matthew and County of Cumberland being part of Lot Four of Section K of the Riverstone Estate commencing at a point on the South Western side of Windsor Road at the Easternmost corner of the Public School site and bounded thence on the North East by that side of that road bearing One hundred and thirty seven degrees Fifty seven and a half minutes Sixty Six feet Four inches on the South East by a line bearing Two hundred and thirty nine degrees Eighteen minutes Three hundred and thirty five feet and One eighth of an inch and on the South West by a line bearing Three hundred and seventeen degrees Fifty seven and a half minutes Sixty six feet Four inches to the South Eastern boundary of the Public School site and on the North West by that boundary being a fenced line bearing fifty nine degrees eighteen minutes three hundred and thirty five feet and one eighth of an inch to the point of commencement and containing an area of two roods (which land was inter alia conveyed to the said John McLean by Indenture dated second day of February One thousand nine hundred and twenty nine registered Number 836 Book 1546).

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

E.D. Cameron

Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27th day of August 1979.

W.G.S. Gotley

Secretary

I ASSENT to this Ordinance.

M.L. Loane

Archbishop of Sydney
27/ 8/1979