

THORNLEIGH (DMR) SALE AND VARIATION  
OF TRUSTS ORDINANCE 1985

NO. 12, of 1985

AN ORDINANCE to authorise the variation of  
trusts and sale of certain land at Thornleigh.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (now known as Anglican Church Property Trust Diocese of Sydney) (hereinafter called "the corporate trustee") is registered as proprietor in fee simple of the land described in the Schedule. 5

B. By Declaration dated 21st July 1924 the land was declared to be held on trust for a church parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Anglican Church of Australia in the Parish of Beecroft cum Carlingford, Pennant Hills, Thornleigh and Cheltenham. 10

C. The Commissioner for Main Roads now wishes to acquire by purchase the land described in the Schedule for the purposes of road widening.

D. By reason of circumstances which have arisen subsequent to the creation of the said trusts it is inexpedient to carry out and observe the same to the extent that they are hereby varied and it is expedient to sell the said land. 15

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: 20

1. This ordinance may be cited as "Thornleigh (DMR) Sale and Variation of Trusts Ordinance 1985".
  2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described is held it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied. 25
  3. The corporate trustee is hereby authorised and empowered to sell to the Commissioner for Main Roads the land described for at
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least Thirty three thousand Dollars (\$33,000) plus costs.

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4. The proceeds arising from the sale shall be applied as follows:

(a) First to pay the costs of noise abatement and other works, including improvements to car parking facilities, on or immediately adjacent to the land impacted by the road widening; and

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(b) Secondly the balance for such purposes within the Parish of Thornleigh/Pennant Hills as the Standing Committee at the written request of a majority of the St Luke's Thornleigh Church Committee may by resolution from time to time determine provided that in default of agreement either party may refer the question of the application to the Synod for determination.

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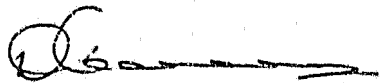
Pending such application as aforesaid the balance shall be invested and the interest capitalised.

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#### SCHEDULE

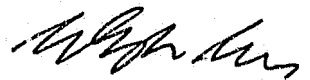
ALL THAT land at Thornleigh being Lot 58 in Deposited Plan 263536 and being part of the land contained in Certificate of Title Volume 14338 Folio 179.

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



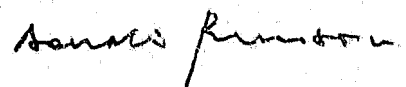
Chairman of Committees.

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of July 1985.



Secretary.

I ASSENT to this Ordinance.

  
Archbishop of Sydney.  
29/11/85

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