
*The Christ Church St. Lawrence Sydney Church Rectory
and Parish Hall Ordinance 1950.*

No. 6, 1950.

AN ORDINANCE to authorise the mortgaging of portion of certain lands being Church Trust Property partly Diocesan and partly Parochial situate in the Parish of Christ Church St. Lawrence and City of Sydney and to provide for the application of the proceeds thereof and to vary the trusts of such lands; and for purposes connected therewith.

WHEREAS the land described in the First Schedule hereto is Church Trust Property held in trust as a site for a Church and Rectory for the Parish of Christ Church St. Lawrence in the City of Sydney (hereinafter called the said Parish) by virtue, inter alia, of an Act of the Governor and Legislative Council of the territory of New South Wales passed in the sixteenth year of Her late Majesty Queen Victoria intituled "An Act to enable the trustees of Christ Church and the Parsonage adjoining in the City of Sydney to dispose of and convey either by way of absolute sale or by exchange or to demise or lease the site of such Parsonage and to purchase or erect another Parsonage in a more convenient situation in the said Parish and for other purposes therein mentioned" assented to on the twenty-first day of December one thousand eight hundred and fifty two and of the Crown Grants therein mentioned.

AND WHEREAS in the year one thousand nine hundred and one the Minister of Public Works resumed large areas of land in the vicinity of the land described in the said First Schedule some of which was held in trust for the Church of England in the Diocese of Sydney and in respect whereof large sums of money by way of compensation were paid into The Supreme Court of New South Wales in Equity.

AND WHEREAS portion of the moneys so paid into Court represented compensation paid in respect of the lands comprised and described in Crown Grant to the Bishop of Australia dated the twenty-fifth day of June one thousand eight hundred and forty-six entered of record in the Register of Grants of the United Church of England and Ireland No. 79 page 37 Crown Grant to the said Bishop dated the fourteenth day of January one thousand eight hundred and forty-eight entered of record in the said

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Register No. 79 page 47 and Crown Grant to Michael Metcalfe William Thomas and Edwin Haviland dated the twenty-fifth day of January one thousand eight hundred and eighty four recorded and enrolled in the Registrar-General's Office Sydney in Land Grant Register Book Volume 691 Folio 174 which were granted upon trust for the erection thereon of a School House in connection with the United Church of England and Ireland as by Law established

AND WHEREAS with the approval of the Court two several sums amounting in all to Twenty five thousand pounds (£25,000) and being portion of the last mentioned compensation money were spent in purchasing from the said Minister of Public Works portion of the said resumed lands which had become superfluous land within the meaning of the Public Works Act 1900 namely the land described in the Second Schedule hereto and in building thereon a new School.

AND WHEREAS a small part of the said School encroached and was built upon portion of the land described in the First Schedule hereto.

AND WHEREAS the balance of the said compensation money was paid out of Court to Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trust) and now constitutes and forms part of the fund designated "The Schools Compensation Money" in the Christ Church St. Lawrence Sydney Resumptions Ordinance 1929.

AND WHEREAS another portion of the moneys so paid into Court as aforesaid was in respect of land which at the date of the said resumption was held upon trust as a site for the Rectory of the said Parish and with the approval of the said Court a certain part thereof was spent in purchasing the land described in the Third Schedule hereto in trust as a site for a new Rectory for the said Parish and the erection thereof.

AND WHEREAS the said new Rectory was erected partly on the last mentioned land and partly on the land described in the First Schedule hereto.

AND WHEREAS the said Parish has no School or Parish Hall but for many years past has been permitted to use the said new School for parochial purposes.

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AND WHEREAS it is expedient to raise by way of mortgage the sum of Six thousand pounds (£6,000) upon mortgage of the said School and to apply the same by way of augmentation of the said Fund designated "The Schools Compensation Money" to be applied in such manner and for such purpose as for the time being shall be determined by or under Ordinance of Synod and that the obligations of such mortgage should be undertaken and satisfied by the said Parish.

AND WHEREAS by reason of circumstances subsequent to the creation of the trusts to which the lands described respectively in the First, Second and Third Schedules hereto are subject it has in the opinion of Synod become impossible or inexpedient to carry out or observe such trusts in their entirety.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod declares and ordains as follows:—

1. By reason of circumstances subsequent to the creation of the trusts of the land described in the Fourth Schedule hereto being the whole of the land described in the Second Schedule hereto and portion of the land described in the First Schedule hereto it is expedient that such land should be mortgaged to raise thereon the sum of Six thousand pounds (£6,000) and such mortgage is hereby directed and authorised.

2. The said sum of Six thousand pounds (£6,000) shall be added to and held upon the same trusts as the said Fund designated "The School Compensation Money" is for the time being held.

3. By reason of circumstances subsequent to the creation of the trusts upon which the lands described in the First, Second and Third Schedules hereto are held that it has become impossible or inexpedient to observe the same so far as they are hereinafter varied and they are hereby varied accordingly.

4. Subject to and from and immediately after the execution of the said mortgage the obligations whereof shall be undertaken and satisfied by the said Parish, the whole of the lands described in the First, Second and Third Schedules hereto shall in the aggregate be held upon trust for the sole benefit of the said Parish as a site for a Church, Parsonage and Parish Hall or partly for one and partly for another or others of such purposes.

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5. All costs charges and expenses incurred by the Standing Committee or the Corporate Trust of and incidental to this Ordinance and the said Mortgage and all negotiations and legislation preliminary and incidental thereto shall be a charge upon and payable out of the said fund designated "The School Compensation Money."

6. The Corporate Trust is hereby authorised in its discretion to bring the whole of the lands described in the Schedules hereto under the provisions of the Real Property Act 1900 and to pay all costs charges and expenses of and incidental to so doing out of the funds respectively designated "Church Compensation Money" and "Rectory Compensation Money" in the Christ Church St. Lawrence Sydney Resumptions Ordinance 1929 in such proportions as they shall determine.

7. Where any prior ordinance is inconsistent with this ordinance the latter shall prevail and the former shall to the extent of the inconsistency cease to have effect.

8. This Ordinance may be cited as "The Christ Church St. Lawrence Sydney Church Rectory and Parish Hall Ordinance 1950."

THE FIRST SCHEDULE.

All that piece or parcel of land situated in the City of Sydney in the Parish of St. Lawrence County of Cumberland and State of New South Wales be the hereinafter mentioned several dimensions a little more or less containing by admeasurement one rood seventeen and three quarter perches more or less commencing on the Eastern building line of George Street at the North Western corner of five and sixty four hundredths perches of land conveyed by the Minister for Public Works to the Christ Church Rectory Trustees (said commencing point being also distant fifteen degrees forty nine minutes fifty seconds fifteen feet from the North Western corner of Lot five of Section one of the new Government Sub-division) and bounded thence on the West by the said Eastern building line of George Street bearing fifteen degrees forty nine minutes fifty seconds One hundred and fourteen feet six and three quarter inches to the South Western corner of Lot six of Section one of the said new Government Sub-division thence on the North by a line first forming the

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Southern boundary of that land and then the Southern boundary of twenty two and seven tenths perches of land conveyed by the Minister of Public Works to the Church of England Property Trust bearing in all One hundred and six degrees eighteen minutes forty five seconds One hundred and sixty nine feet five and a half inches to the North Western building line of Pitt Street thence on the South East by the said North Western building line of Pitt Street bearing two hundred and twenty four degrees fifty minutes ten seconds One hundred and twenty nine feet seven inches to the North Eastern corner of the five and sixty four hundredths perches of land first mentioned and thence on the South by the Northern boundary of that land bearing two hundred and eighty five degrees fifty six minutes twenty seconds One hundred and six feet seven and three quarter inches to the point of commencement and being the land described in Deed of Consent of the Trustees thereof to the vesting of the same in Church of England Property Trust Diocese of Sydney dated 23rd August 1906 Registered No. 760 Book 810.

THE SECOND SCHEDULE.

All that piece or parcel of land in the Parish of St. Lawrence County of Cumberland State of New South Wales Commencing on the North West building line of Pitt Street at a point bearing two hundred and twenty four degrees fifty minutes ten seconds and distant three hundred and forty five minutes ten seconds and distant three hundred and forty five feet five inches from the intersection of the South building line of Gipps Street and North West building line of Pitt Street and bounded thence on the East by part of the said North West building line of Pitt Street bearing two hundred and twenty four degrees fifty minutes and ten seconds forty eight feet thence on the south by a line bearing two hundred and eighty six degrees eighteen minutes and forty five seconds ninety three feet thence on the West by a line bearing thirty three degrees seven minutes and eighty five feet five and three quarter inches to a lane twenty feet wide thence on the North by part of the South side of the said lane by a line bearing one hundred and twenty nine degrees forty eight minutes forty five seconds ninety nine feet five and a half inches to the point of commencement be the said several dimensions all a little more or less containing an area of twenty two decimal seven perches or thereabouts and being the land described in the Schedule to a Conveyance dated the 13th June, 1905, Registered No. 169, Book 784, from the Minister of Public Works to Church

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of England Property Trust Diocese of Sydney of certain superfluous land purchased for the purpose of the erection thereon of a School House in connection with the Church of England.

THE THIRD SCHEDULE.

All that piece or parcel of land in the Parish of Saint Lawrence County of Cumberland State of New South Wales commencing on the eastern building line of George Street at a point bearing Fifteen degrees forty nine minutes fifty seconds One hundred and seven feet five and a half inches from the intersection of the said building line of George Street and the north building line of the frontage between George and Pitt Street being the north west corner of Lot Five Section One of the new Sub-division and bounded thence on the West by the said building line of George Street Fifteen degrees forty nine minutes fifty seconds fifteen feet to the southern boundary of Christ Church property thence on the north along that boundary by a line bearing One hundred and five degrees fifty six minutes twenty seconds One hundred and six feet seven and three quarter inches to the Western building line of Pitt Street thence on the East along that boundary line Two hundred and twenty four degrees fifty minutes ten seconds seventeen feet one and a half inches to the north east corner of the aforesaid Lot Five thence on the South along the northern boundary of Lot Five by a line bearing Two hundred and eighty five degrees fifty six minutes twenty seconds ninety eight feet four and a quarter inches to the point of commencement be the said several dimensions all a little more or less containing an area of Five decimal sixty four perches or thereabouts and being the land described in the Schedule to a Conveyance dated 13th June, 1905, Registered No. 166, Book 784, from the Minister of Public Works to the Archbishop of Sydney and others of certain superfluous land purchased for the purpose of enlarging the Rectory site and also described in the Deed of Consent of Trustees to the vesting of such land in Church of England Property Trust Diocese of Sydney dated 23rd August, 1906, and Registered No. 759, Book 810.

THE FOURTH SCHEDULE.

All that piece of land containing twenty-seven and three quarter perches Commencing at the intersection of the North Western alignment of Pitt Street with the South Western alignment of Rawson Lane and bounded thence on the South East by part of

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the North Western alignment of Pitt Street being a line bearing two hundred and twenty four degrees fifty three minutes ten seconds for eighty one feet ten and three quarter inches thence on the South West by a line bearing three hundred and seven degrees twenty nine minutes for eighty two feet three inches to the South Eastern corner of Lot 6, Section 1, on plan lodged with the Registrar General No. 1970 (L) thence on the North West by the South Eastern boundary of said Lot 6 being a line passing along the South Eastern face of a wall bearing thirty three degrees and seven minutes for twenty four feet eight and three quarter inches and the South Eastern alignment of a lane twenty feet wide bearing thirty three degrees three minutes twenty seconds for sixty feet nine and a quarter inches to the South Western alignment of Rawson Lane and thence on the North East by part of the South Western alignment of Rawson Lane being a line bearing one hundred and twenty nine degrees forty eight minutes for ninety nine feet five and a half inches to the point of commencement, being the whole of the land described in the Second Schedule and portion of the land described in the First Schedule hereto.

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

(Sgd.) ARTHUR L. WADE,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 23rd day of April, 1950.

(Sgd.) H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

(Sgd.) HOWARD SYDNEY,
28/4/1950.