

PROVISIONAL DISTRICT OF GREENACRE ORDINANCE 1978No. 141 1978

AN ORDINANCE to vary the trusts and to authorise the sale of certain lands at Greenacre 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 the registered proprietor of the whole of the lands comprised in Certificates of Title Volume 10019 Folio 248 and Volume 5741 Folio 185 more particularly described in the First Schedule hereto AND

5 WHEREAS the said lands are church trust property held for the benefit of the Provisional District of Greenacre but no trusts in writing had been declared concerning the same AND WHEREAS the Corporate Trustee is also the registered proprietor of the whole of the land comprised in Certificate of Title Volume 9142 Folio 64 more particularly described in the Second Schedule hereto AND

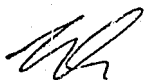
10 WHEREAS the said lands described in the Second Schedule are church trust property held upon trust to permit the same to be used for a Church Parsonage or Parish Hall or partly for one and partly for another or others of such purposes in connection with the Church of England at Greenacre in the Provisional District of St. Barnabas' Punchbowl AND WHEREAS there are erected on the said

15 lands respectively a dwelling known as The Rectory No. 207 Noble Avenue Greenacre, a Church and Hall known as St. David's Church Greenacre and a Church and two Halls known as St. John's Greenacre 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 to

20 which the same are hereby varied and 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 the said Synod HEREBY DECLARES ORDAINS RULES AND DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation

25 of the trusts upon which the said lands are 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 the said lands be sold.



2. The Corporate Trustee is hereby empowered to sell the said lands by public auction or private treaty at such time or times and at such price or prices and upon such terms and conditions as the Corporate Trustee may determine freed from any trusts whatsoever.

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 transfer in pursuance thereof and all outgoings to which the said lands may be subject shall be applied:-

(a) in and towards repayment of loans entered into with the Sydney Church of England Finance and Loans Board and other sundry persons to enable completion of the purchase of the property known as No. 219 Waterloo Road Greenacre being Lot 16 of Section 6 in Deposited Plan No. 845 being part of the land comprised in Certificate of Title Volume 650 Folio 122 which shall henceforth be held upon trust for a:-

(i) church;

(ii) residence for a minister, assistant to the minister or person employed by the churchwardens;

(iii) hall or halls;

(iv) school or other place of assembly; or party 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 Greenacre or any parish or ecclesiastical district into which it may subsequently be formed or form a part.

(b) as to any surplus thereafter remaining for all or any of the following purposes:-

(i) erection of a Church Hall and/or Rectory on the said property known as No. 219 Waterloo Road Greenacre;

(ii) demolition renovation repair reconstruction or extension of the building presently existing on the said property known as No. 219 Waterloo Road Greenacre;



60 (iii) any other purpose requested by the majority of the Parish Council of the Provisional District of Greenacre and approved by resolution of the Standing Committee.

4. This Ordinance may be cited as the "Provisional District of Greenacre Ordinance 1978".

FIRST SCHEDULE

ALL THESE parcels of land in the Municipality of Bankstown and State of New South Wales, being:-

- (a) Lot 4 in Deposited Plan No. 103570 having a frontage of about 41 feet to Noble Avenue Greenacre and a depth of about 132 feet being the whole of the land comprised in Certificate of Title Volume 10019 Folio 248, together with the dwelling thereon known as The Rectory No. 207 Noble Avenue Greenacre.
- (b) Part of Lot 32 of Section 12 in Deposited Plan No. 6175 having a frontage of about 80 feet to Noble Avenue Greenacre and a depth of about 132 feet being the whole of the land comprised in Certificate of Title Volume 5741 Folio 185, together with the Church and Hall thereon known as St. David's Church Greenacre.

SECOND SCHEDULE

ALL THAT piece or parcel of land being Lot 1 in Deposited Plan No. 208413 having a frontage of about 50 feet to Wilbur Street Greenacre and a depth of about 159 feet, being the whole of the land comprised in Certificate of Title Volume 9142 Folio 64, together with the Church and two Halls thereon known as St. John's Church Greenacre.

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 30th day of October 1978.

Secretary

I ASSENT to this Ordinance.

Archbishop of Sydney
30/10/1978