

REDFERN ORDINANCE 1975No. 53 1975

AN ORDINANCE to vary the trusts on
which certain property is held

WHEREAS

5 A. By virtue of the St. Silas' Waterloo Surrender Ordinance 1949, Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is holding the sum of \$600 (hereinafter called "the first sum") being the consideration received on the surrender of certain leases, upon trust for the Incumbent and Churchwardens for the time being of St. Silas' Church of England Waterloo to be used and applied by them in connection with and for the purposes of the said church as they should think fit.

10 B. By virtue of the Alexandria Land and Golden Grove Investments Sale Ordinance 1960, the Corporate Trustee is holding the sum of \$6,237.14 (hereinafter called "the second sum") on trust for the Parish of St. Paul Sydney, the income from the said sum to be paid to the Churchwardens of the Parish of St. Paul Sydney for general church purposes.

15 C. The Corporate Trustee is holding the sum of \$41.25 or thereabouts (hereinafter called "the third sum") being income which has accumulated on the second sum and which has not been distributed.

20 D. By virtue of the St. Paul's (Sydney) Land Resumption Ordinance 1911, the Corporate Trustee is holding a sum (hereinafter called "the fourth sum") on trust to pay the income to the Churchwardens for the time being of the Church of St. Paul Redfern to be held and applied by them in accordance with the Sydney Church Ordinance as Parochial Church Funds and property ~~and~~ not excluded from control by the said Churchwardens within the meaning of Sections 27 and 28 of the said Ordinance or any Ordinance
25 or Ordinances amending or made in lieu of the same.

E. By virtue of the St. Paul's (Sydney) Land Resumption Amendment Ordinance 1930 the trusts on which the fourth sum is held were varied

- 2 -

to allow for the payment of an annuity which has since lapsed.

30 F. By virtue of the St. Paul's (Sydney) Land Resumption Ordinance
1911 Further Amendment Ordinance 1963, the Corporate Trustee was
authorised to apply part of the fourth sum, such part not to exceed
\$8,800, in meeting the costs of and incidental to that ordinance and the
sale of certain securities, the cost of repairing the building formerly
known as St. Paul's Redfern, and the repayment of a debt incurred by
35 the Parish of St. Paul Redfern and was directed to accumulate from
the income of the balance of the fourth sum the sum of \$200 each year
until the accumulations equalled the part actually so applied. Any
amount so accumulated is hereinafter included in the expression "the
fifth sum".

40 G. By virtue of the St. Paul's Sydney Variation of Trusts and Land
Sale Ordinance 1967, the Corporate Trustee is holding a sum (hereinafter
called "the sixth sum") such sum being part of the proceeds from certain
land held upon a trust in connection with the Parish of St. Paul Redfern,
upon trust to apply the income as determined from time to time by
45 resolution of the Standing Committee and the Parish Council of the said
Parish.

H. Certain land vested in the Corporate Trustee and held upon a
trust for the Parish of St. Paul Redfern and St. Silas Waterloo has
been resumed for road widening purposes. All moneys received by the
50 Corporate Trustee as compensation for that land, after all costs in
connection therewith payable by the Corporate Trustee have been met
therefrom, are hereinafter included in the expression "the sixth sum".

I. The Corporate Trustee is at present holding the sum of \$30,737.39
(hereinafter called "the seventh sum") which is believed to be the
55 balance of the fourth sum and the fifth sum and the sixth sum.

J. The Corporate Trustee is at present holding the sum of \$15,705.77
or thereabouts (hereinafter called "the eighth sum") which is believed to
be income which has accumulated on the seventh sum and which has not been

distributed.

60 K. The parishes formerly known as St. Paul Redfern, St. Saviour Redfern and St. Silas Waterloo have been amalgamated and are now known as the Parish of St. Paul's with St. Saviour's Redfern and St. Silas' Waterloo.

L. The church building known as St. Saviour's Church Redfern is in 65 poor condition and repair and a sum of the order of \$25,000 is needed to effect basic repairs to the same.

M. The Inner City Committee has \$10,000 under its control which it is willing to apply towards meeting the said repairs.

N. By reason of circumstances which have arisen subsequent to the 70 creation of the trusts as to capital and income on which the first sum, the second sum, the third sum, the seventh sum and the eighth sum are held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

NOW the Standing Committee of the Synod of the Diocese of Sydney in 75 the name and place of the said Synod HEREBY ORDAINS DECLARES RULES AND DIRECTS as follows:

1. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the capital and income on which the first 80 sum, the second sum, the third sum, the seventh sum and the eighth sum are held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

2. In this ordinance, the expression "approved repairs" means such repairs to the fabric, furnishings and fittings of the church building known as St. Saviour's Redfern as may be agreed upon by

- 85 (a) the Parish Council of the said Parish and
(b) the Inner City Committee

or, in the event that agreement is not reached, are approved by the archdeacon of the archdeaconry in which the Parish of Redfern is situated.

- 4 -

90 3. The Corporate Trustee shall apply

- (a) the third sum, and
- (b) the eighth sum

as follows:-

- 95 (i) first, in meeting any costs of or incidental to this ordinance,
- (ii) second, an amount not exceeding \$3,000 shall be paid to the churchwardens of the church building known as St. Silas Waterloo for the purpose of meeting the cost of repairs to the premises known as 73-75 George Street,
- 100 Redfern, and
- (iii) third, the balance shall be applied in meeting the cost of approved repairs, after the Inner City Committee has met, from moneys under its control, the first \$10,000 of the cost of those repairs.

105 4. The Corporate Trustee shall hold

- (a) the first sum,
- (b) the second sum, and
- (c) the seventh sum

110 on trust to apply the first three thousand dollars of the income therefrom for approved repairs and to pay the balance of the income therefrom to the churchwardens of St. Saviour's Church to be applied by them for the purposes of the Parish of St. Paul's with St. Saviour's Redfern and St. Silas' Waterloo.

5. This ordinance may be cited as "Redfern Ordinance 1975".

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

D. Cameron

Deputy Chairman of Committees

- 5 -

I CERTIFY that this Ordinance was passed by the Standing Committee
of the Synod of the Diocese of Sydney on the 15th day of December 1975.

W.G.S. Gotley
Secretary

I ASSENT to this Ordinance.

M.L. Loane
Archbishop of Sydney
15/12/1975