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*S. John's, Parramatta.*

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3/1909

AN ORDINANCE to authorise the leasing of certain land situate in the County of Cumberland Parish of S. John in the Town of Parramatta and to provide for the application of the rents and profits thereof.

WHEREAS by Deed Poll or Grant from the Crown bearing date the 19th day of September 1842 under the hand of His Excellency Sir George Gipps Knight Governor for the time being of the territory of New South Wales and under the Seal of the said Territory Her Most Gracious Majesty Queen Victoria did grant unto the Right Reverend William Grant Broughton D.D. Bishop of Australia or the Bishop of Australia for the time being the Reverend Henry Hodgkinson Bobart John Blaxland Hannibal Hawkins Macarthur and John Betts being respective Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of the said Territory made and passed in the 8th year of the reign of His late Majesty King William the Fourth intituled "An Act to regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales" and to their heirs and assigns certain lands and hereditaments of which the piece of land more particularly described in the Schedule hereunder written forms part To hold unto the said Bishop of Australia or the Bishop of Australia for the time being the Reverend Henry Hodgkinson Bobart John Blaxland Hannibal Hawkins Macarthur and John Betts and to their heirs and assigns upon trust for the appropriation thereof as the Glebe annexed to the United Church of England and Ireland as by law established erected at Parramatta and known as "St. John's" in conformity with the provisions of the said Act and of a certain other Act of the Governor and Legislative Council of the said Territory made and passed in the 7th year of the reign of His late Majesty King William the Fourth intituled "An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales" so far as the same might apply to the trusts of the said Grant and for no other purpose whatsoever AND WHEREAS the land comprised and described in the Schedule hereunder written is now unoccupied and it is expedient that the same should be leased for any term not exceeding 50 years for the purpose of obtaining income therefrom in furtherance or aid

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of the trusts attached to the same. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the Church of England within the State of New South Wales and of all powers vested in the said Synod by the "Church of England Property Act of 1889" ordains declares directs and rules as follows:—

1. That it is expedient to let the said land of which a description is comprised in the Schedule hereunder written on building or occupation leases.

2. The said land comprised and described in the Schedule hereto or any portion or portions thereof may at any time hereafter and from time to time be demised or leased upon building or occupation leases or for such other suitable purpose or purposes as the Trustees of the said Glebe may determine with power for the said Trustees to lay out and dedicate roads upon and through the said land or any part thereof Provided that the term of any such Lease or Leases shall not exceed Fifty years to take effect in possession at such rent or rents and upon and subject to such terms covenants and conditions as the said Trustees may deem expedient but so that there be reserved in every such lease or leases the best rent or rents whether fixed variable or progressive that can reasonably be obtained for the same having regard to the nature of the covenants entered into by the Lessee or Lessees without any fine or foregift for the making thereof and so as there be contained in every such Lease or Leases a covenant that every Lessee or Lessees of any part or parts of the said land shall not use or permit to be used the premises erected or placed on any part of the land mentioned or described in any such Lease or Leases for the purpose of carrying on the trade or business of a publican distiller brewer or seller of wines ales beers or spirituous liquors or any dangerous noxious or offensive trade or business whatsoever and also that every said Lessee or Lessees shall not use or permit to be used the said premises for Sunday trade in any form and also a condition for re-entry by the Lessors for non-payment of rent by the Lessee or Lessees within a reasonable time to be therein specified or a breach or non-performance of any of the covenants therein contained and so as the Lessee or Lessees do execute a Counterpart and do thereby covenant for payment of the rent thereby reserved.

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3. The rents profits and income payable under or derivable from any such Lease or Leases as aforesaid shall be held by the said Trustees after payment thereof of the expenses of and incidental to this Ordinance and any Lease or Leases of the said land or portions thereof and all other necessary outgoings upon trust, to apply the same in or towards the purposes towards which the rents and profits received from the leasing of Glebe lands are directed to be applied by Section 34 of "The Sydney Church Ordinance" or any amendment thereof so far as the said clause or any amendment thereof may be within the power of Synod.

4. This Ordinance shall be styled and cited as the "S. John's (Parramatta) Glebe Land Leasing Ordinance 1909."

**THE SCHEDULE HEREINBEFORE REFERRED TO.**

ALL THAT piece or parcel of land containing by admeasurement 2 acres 3 roods and 34 perches more or less situated lying and being in the Municipality of Parramatta Parish of S, John County of Cumberland and State of New South Wales Commencing at a point on the Northern side of the Great Western Road distant 323 feet 11 inches Westerly from Marsden Street and bounded thence on the South by the aforesaid Great Western Road being a line bearing Westerly 387 feet 11 inches thence on the West by a fenced line bearing Northerly 335 feet 5 inches to Campbell Street thence on the North by the aforesaid Campbell Street being a line bearing Easterly 385 feet 8 inches and thence on the East by a fenced line bearing Southerly 332 feet 5 inches to the point of commencement.

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

EDW. H. ROGERS,

*Chairman of Committees.*

We certify that this Ordinance was passed this 9th day of December, 1909.

A. G. STODDART, { *Secretaries of*  
W. R. BEAVER, { *Synod.*

I assent to this Ordinance.

JOHN CHURCHES SYDNEY.

16th December, 1909.