
*St. John's Camden Land Sale Leasing and Variation of
Trust Amendment Ordinance 1969*

No. 57, 1969

AN ORDINANCE to amend Ordinance No. 28, 1966 entitled
"St. John's Land Sale Leasing and Variation of Trust
Ordinance 1966".

WHEREAS by St. John's Camden Land Sale Leasing and Variation of Trust Ordinance 1966 (No. 28, 1966) (hereinafter called the "Principal Ordinance") Church of England Property Trust Diocese of Sydney (therein referred to as the "Corporate Trustee") was authorised and empowered to subdivide develop sell or lease the lands described in the Schedule thereto and to apply the proceeds arising from any sale or sales as therein set out AND WHEREAS since the passing of the Principal Ordinance certain additional land adjacent to that described in the Second Part of the said Schedule has been purchased specifically for the purpose of re-sale on subdivision and it is also proposed to include in the land to be subdivided and sold other portions of the rectory land in substitution for that part described in the Third Part of the Schedule in order to more effectively provide for the most advantageous subdivision into residential allotments AND WHEREAS the proposed subdivision will involve provision for certain public roads or streets and the dedication thereof for such purposes AND WHEREAS by reason of the acquisition of the additional land it will be possible to obtain the proceeds of sale of approximately nine additional residential allotments from subdivision and it is now desired to amend the Principal Ordinance by providing for the application of the net proceeds of sale of such allotments as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES RULES AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which that part of the land formerly comprised in Certificate of Title Volume 4640 Folio 223 (being the Rectory land) as is now described in the Third Part of the said Schedule is held it is inexpedient to carry out and observe the same and it is expedient that such land be sold freed from all trusts.

2. The Second Part of the said Schedule is hereby amended by deleting the description contained therein and by inserting the following description namely:—

"ALL THAT piece or parcel of land situated as aforesaid being
Lot 1 D.P. 534569 excluding the land formerly comprised in

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Certificate of Title Volume 4640 Folio 223 (being known as the rectory land) and now being part of the land comprised in Certificate of Title Volume 11129 Folio 178".

3. The Third Part of the said Schedule is hereby amended by deleting the description contained therein and by inserting the following description in lieu thereof namely:—

"ALL THAT piece or parcel of land situated as aforesaid containing about 1 acre 17 perches commencing at the junction of the eastern side of Menangle Road with the south-western corner of Certificate of Title Volume 4640 Folio 223 and bounded on the west by the eastern boundary of Menangle Road, bearing 11 degrees 58 minutes 62' 4 $\frac{1}{2}$ " bounded on the north 139 degrees 27 minutes 11' 8" again on the north 84 degrees 45 minutes 231' 5 $\frac{1}{2}$ " again on the north 77 degrees 46 minutes 4 0seconds 85' 0 $\frac{1}{2}$ " bounded on the west 352 degrees 0 minutes 213' 1 $\frac{1}{2}$ " bounded on the north 30 degrees 42 minutes 10 seconds 100' 9 $\frac{1}{2}$ " to the north-eastern corner of Certificate of Title Volume 4640 Folio 223 bounded wholly on the east 172 degrees 0 minutes 396' 0" bounded on the south 262 degrees 0 minutes 249' 0" bounded on the west 11 degrees 58 minutes 56' 0" bounded again on the south 264 degrees 45 minutes 177' 1 $\frac{1}{2}$ " to the point of commencement being part of the land formerly comprised in Certificate of Title Volume 4640 Folio 223 and now being part of Lot 1 D.P. 534569".

4. The Corporate Trustee is hereby empowered to dedicate to the Council of the Municipality of Camden such land as may be required for public streets or roads associated with the subdivision of the lands hereby authorised to be sold and also if the Corporate Trustee shall think fit to dedicate or transfer to the said Council as a public park all land lying between the residential allotments comprising such subdivision and the Nepean River which land is subject to flooding and unfit for residential occupation.

5. The Principal Ordinance is amended as follows:—

(i) In clause 3 by:—

(a) Omitting the words "held for the Incumbent for the time being of St. John's Church Camden on account" and inserting in lieu thereof the words "paid to the Churchwardens for the time being of St. John's

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Church Camden (hereinafter referred to as the 'Churchwardens') to be applied by them in payment".

- (b) Omitting the word "him" thereafter appearing and inserting in lieu thereof the words "the incumbent of the said Church".
 - (c) Omitting from the end of such clause the words "held upon like trusts as are hereinafter provided in respect of the land in the Second and Third Parts of the Schedule herein" and inserting in lieu thereof the words "applied by the said Churchwardens for general parochial purposes".
- (ii) By omitting clause 4 and inserting the following clause in lieu thereof:—
- "4. (i) The proceeds arising from the sale or sales of Lots 41 to 49 inclusive of the proposed plan of subdivision which lots are comprised in and form part of the land described in the Second and Third Parts of the Schedule shall after paying thereout so much thereof as the said Churchwardens shall deem to be a proper proportion of the costs of and incidental to this Ordinance or any amendment thereof and the transfer or transfers of the land in pursuance thereof and the rates charges and outgoings to which it may be subject and in payment of the costs of and incidental to the subdivision construction of roads footways and the like (or the repayment of any moneys previously advanced for such purposes and interest thereon) be applied to pay thereout all outstanding Diocesan Assessments, outstanding rates on the Rectory Glebe, the sum of Five thousand dollars (\$5,000) to the said Churchwardens towards the repair of St. John's Church, Camden and any remaining balance set aside towards the erection of a new Parish Hall.
- (ii) The proceeds arising from the sale or sales of Lots 2 to 7 25 to 35 and 50 to 54 inclusive of the proposed plan of subdivision which lots are comprised in and form part of the land described

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in the Second and Third Parts of the Schedule shall after paying thereout so much thereof as the said Churchwardens shall deem to be a proper proportion of the costs of and incidental to this Ordinance or any amendment thereof and the transfer or transfers of the land in pursuance thereof and the rates charges and outgoings to which it may be subject and in payment of the costs of and incidental to the subdivision construction of roads footways and the like (or the repayment of any moneys previously advanced for such purposes and interest thereon) be invested by the Corporate Trustee and the income arising therefrom together with any net rents and profits which may arise from the letting or leasing of the said land or any part thereof shall be paid to the said Churchwardens to be applied by them for general parochial purposes in the Parish of St. John, Camden".

6. This Ordinance may be cited as "St. John's Camden Land Sale Leasing and Variation of Trust Amendment Ordinance 1969".

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

ATHOL RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 24th day of November, 1969.

W. L. J. HUTCHISON,
Secretary.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

24/11/1969.