

---

*St. John's Sefton and St. Mark's Chester Hill Land Sale  
Ordinance 1972*

---

No. 26, 1972

AN ORDINANCE to vary the trusts upon which certain lands at Batt Street Sefton and Campbell Hill Road Chester Hill are held, to authorise the sale of the same and to provide for the application of the proceeds.

WHEREAS the Church of England Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") is the registered proprietor of the land comprised in the First Schedule hereto AND WHEREAS by the Sefton and Chester Hill with Regent's Park and Birrong Declaration of Trust and Mortgage Ordinance 1957 it was ordained and directed inter alia that the land described in the First Schedule hereto should thenceforth be held upon trust to permit the same to be used for a church, parsonage or parish hall or partly for one or partly for another or others of such purposes in connection with the Church of England in the Parochial District of Sefton and Chester Hill with Regent's Park and Birrong or any Parish into which it may subsequently be formed to be a part AND WHEREAS no trusts in writing appear to have been declared concerning the land described in the Second Schedule hereto AND WHEREAS the land described in the Third Schedule is held upon trust for the erection and maintenance thereon of a church or building to be used for the celebration of public worship according to the use of the United Church of England and Ireland within the said Colony subject however to the provisions (so far as they are applicable) of the "Sydney Church Ordinance" passed by the Synod of the Diocese of Sydney on the 6th day of August 1891 or in any other ordinance which may be passed by the Synod of the said Diocese repealing altering or modifying the said Synod Church Ordinance AND WHEREAS Regent's Park and Birrong have subsequently been excluded from the said Parochial District and all the lands described in the Schedules hereto have been used for the sole benefit of the Provisional Parish of Sefton and Chester Hill AND WHEREAS other land has been acquired fronting Proctor Parade Chester Hill and it is proposed to erect a new church hall and offices on such other land AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the Schedules hereto are held it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold and the proceeds applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of such Synod HEREBY

---

*St. John's Sefton and St. Mark's Chester Hill Land Sale  
Ordinance 1972*

---

DECLARES ORDAINS AND DIRECTS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the Schedules hereto are held it is inexpedient to carry out and observe the same to the extent to which they are hereby varied and the said lands shall be held in trust for the Provisional Parish of Sefton and Chester Hill.

2. By reason of other circumstances which have arisen subsequent to the creation of the trusts upon which the lands described in the Schedules hereto are held it is inexpedient to carry out and observe the same and it is expedient that the said lands be sold.

3. The Corporate Trustee is hereby authorised and empowered to sell the said lands in one or more parcels by public auction or private contract at such time or times at such price and upon such terms and conditions as it shall think fit free from the trusts upon which it is now held.

4. The proceeds arising from the said sales after paying thereout the costs of and incidental to this Ordinance and the sale and transfer pursuant thereto and of outgoings to which the said lands are subject shall be paid to the Churchwardens of St. John's Sefton and St. Mark's Chester Hill to be applied by them towards the cost of erecting a church, hall and offices upon the said land at Proctor Parade Chester Hill.

5. This Ordinance may be cited as "St. John's Sefton and St. Mark's Chester Hill Land Sale Ordinance 1972".

**FIRST SCHEDULE**

ALL THAT piece or parcel of land having a frontage of about 98' to Campbell Hill Road in the Municipality of Bankstown Parish of Liberty Plains and County of Cumberland being Lots 16 and 17 in Deposited Plan No. 15807 and being also part of the land comprised in Certificate of Title Registered Volume 4364 Folio 172 together with the improvements erected thereon comprising St. Mark's Church of England and a Church Hall.

**SECOND SCHEDULE**

ALL THAT piece or parcel of land having a frontage of about 65' to Batt Street Sefton situated as aforesaid with a rear width of about 114' 10" and of irregular shape and being Lot 4 in Deposited Plan Number 217143 and being also the whole of the land comprised in Certificate of Title Registered Volume 9515 Folio 15.

---

*St. John's Sefton and St. Mark's Chester Hill Land Sale  
Ordinance 1972*

---

THIRD SCHEDULE

ALL THAT piece or parcel of land situated as aforesaid being part of Lot 26 of the Auburn Park Heights Estate and also part of Lot 2 of Section 3 of the Auburn Park Estate also part of 614 acres granted to I. L. Spencer commencing on the South side of Batt Street at a point 264' Easterly from the Auburn Park Road and by the North-east corner of Lot 26 and bounded on the North by Batt Street being a line bearing Westerly 30' on the West by the other part of the said Lot 26 being Southerly 50' on the South by the other part of the said Lot 26 bearing Easterly 30' on the East by Lot 3 of the Auburn Park Estate bearing Northerly 50' to the point of commencement and being also the whole of the land comprised in Conveyance dated the 13th September 1894 from George Eveleigh Snow to the Church of England Property Trust Diocese of Sydney Registered Number 361 Book 544 AND being also Lot 5 in Deposited Plan Number 217143.

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 31st day of July, 1972.

W. L. J. HUTCHISON,  
Secretary.

I ASSENT to this Ordinance.

F. O. HULME-MOIR,  
Bishop Commissary.

31/7/1972.