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*St. Matthew's West Pennant Hills (St. James' West Beecroft)  
Variation of Trust and Land Sale Ordinance 1969*

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No. 12, 1969

AN ORDINANCE to vary the trusts upon which certain land in Mahers Road West Pennant Hills Shire of Baulkham Hills is held, to authorise the sale of such land and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 6011 Folio 185 more particularly described in the Schedule hereto AND WHEREAS by Declaration of Trust dated 3rd November, 1949 the Corporate Trustee declared that it stood seized of interested in and registered as proprietor of such land 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 in the Parish of St. John Beecroft AND WHEREAS the said land is and has for some time past been situated in the Provisional Parish of St. Matthew West Pennant Hills and the Church of St. James West Beecroft (also known as West Pennant Hills and being a branch church of the said Provisional Parish) is erected thereon AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is expedient firstly to vary the trusts thereof in favour of the said Provisional Parish of St. Matthew West Pennant Hills to which variation a majority of the Parish Council of the Parish of St. John Beecroft has consented and secondly to authorise the sale of such land and to apply the net proceeds 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 DECLARES RULES AND ORDAINS as follows:—

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule hereto is held it is inexpedient to carry out and observe the same and it is expedient firstly to vary the trusts as hereinafter set out and secondly to authorise the sale of the said land.

2. The Corporate Trustee shall as from the passing of this ordinance hold the said land upon trust to permit the same to be used for a church parsonage or parish hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia in the Provisional Parish of St. Matthew West Pennant Hills.

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3. The Corporate Trustee is hereby authorised and empowered to sell the said land but excluding the building known as St. James Church now erected thereon by public auction or private contract at such time and at such price and upon such conditions as it shall think fit freed from all trusts whatsoever.

4. The money arising from any sale hereby authorised shall after paying thereout any outgoings to which the said land may be subject and the costs of and incidental to this ordinance and the sale and transfer in pursuance thereof and the costs of removal and re-erection of the building on another site in North Rocks so far as the same may not be paid by the purchaser shall be paid to the Sydney Church of England Finance and Loans Board in reduction or repayment of the purchase money and expenses incurred in the acquisition of another site at North Rocks in the said Provisional Parish comprising Lots 6, 7, 8 and 9 Deposited Plan No. 233450.

5. This Ordinance may be cited as "St. Matthew's West Pennant Hills (St. James' West Beecroft) Variation of Trust and Land Sale Ordinance 1969".

**SCHEDULE**

All that piece or parcel of land situated at South Beecroft in the Shire of Baulkham Hills Parish of Field of Mars County of Cumberland having a frontage to Mahers Road of 227 2/10th links by similar depth being Lot A in plan annexed to Transfer No. D974287 and the whole of the land comprised in Certificate of Title Volume 6011 Folio 185.

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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 26th day of May, 1969.

**W. L. J. HUTCHISON,**  
Secretary.

I assent to this Ordinance.

**MARCUS LOANE,**  
Archbishop of Sydney.

26/5/1969.