

SUTHERLAND (KIRRAWEE) VARIATION OF TRUSTS  
AND LAND SALE ORDINANCE 1982

No. 51 1982

AN ORDINANCE to authorise the variation of Trusts and to permit the sale of certain land at Kirrawee in the Shire of Sutherland and to provide for the application of the proceeds thereof.

WHEREAS

- A. Church of England Property Trust Diocese of Sydney (now called the Anglican Church Property Trust Diocese of Sydney) (hereinafter called "the Corporate Trustee") is the registered proprietor of the whole of the land comprised in Certificate of Title Volume 11232 Folio 188 more particularly described in the Schedule hereto.
- B. The land is church trust property within the meaning of Anglican Church of Australia Trust Property Act, 1917 (as amended) held upon the trust to permit the same to be used for a church parsonage or parish hall or partly for one or partly for another of such purposes in connection with the Anglican Church of Australia in the Parish of St. John the Baptist Sutherland or any Parish into which it may subsequently be formed.
- C. By reason of circumstances which have arisen subsequent to the creation of the trusts it is inexpedient to carry out and observe the same to the extent that they are hereby varied and it is expedient to sell the land.

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

1. By reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the land in the Schedule is held it is inexpedient to carry out and observe the same and it is expedient that such trusts be varied as hereinafter set out.

2. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Schedule is held it is inexpedient to carry out and observe the same and it is inexpedient to deal with or apply such property or any part thereof for the same or like purposes and it is expedient that the land be sold

3. The Corporate Trustee is hereby authorised to sell the land described in the Schedule hereto within three years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private agreement in one or more lots and for such price or prices and on and subject to such terms and conditions as, to the Corporate Trustee, may seem appropriate.

4. The proceeds arising from the sale of the land in the Schedule after paying thereout the costs of and incidental to this Ordinance and the costs of and incidental to the sale shall be paid to the churchwardens for the time being of the Church of St. John the Baptist Sutherland and applied by them:-

1. First, towards discharging the indebtedness of the Parish to parishioners arising from the costs of the construction of a residence for a minister, assistant to the minister or person employed by the churchwardens of the land known as Lot 112 Ninth Avenue, Loftus; and
2. Secondly, towards the cost of repairs and renovations to parish properties.

5. This Ordinance may be cited as "Sutherland (Kirrawee) Variation of Trusts and Land Sale Ordinance 1982".

#### SCHEDULE

ALL THAT piece or parcel of land at Kirrawee in the Shire of Sutherland Parish of Sutherland and County of Cumberland being Lot 21 in Deposited Plan 539507 and the whole of the land in Certificate of Title Volume 11232 Folio 188.

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

E.D. CAMERON  
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 13th day of December 1982.

W.G.S. GOTLEY  
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON  
Archbishop of Sydney  
13 / 12 / 1982