

Anglican Youth and Education Division (Deer Park) Ordinance 2003

No 42, 2003

Long Title

An Ordinance to authorise the leasing or licencing of certain land known as Deer Park.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of land (the "Land") comprised in certificate of title folio identifier 8/57765 known as "Deer Park".

B. By clause 9 of the Anglican Youth and Education Diocese of Sydney Ordinance 1997 the Land is held on trust for the charitable purposes of the Anglican Youth and Education Division Diocese of Sydney ("AYE").

C. Optus Networks Pty Limited proposes to construct a transmission tower on part of the Land and has agreed to enter into a lease or licence and to pay rent.

D. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient to lease or licence the Land in the manner set out in this Ordinance.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Anglican Youth and Education Division (Deer Park) Ordinance 2003.

2. Declaration of expediency

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient to lease or licence the Land in the manner set out in this Ordinance.

3. Power to lease

The Property Trust is authorised to lease or licence the Land or any part or parts of the Land to allow the construction and maintenance of a transmission tower. The terms of such lease or licence are to be those agreed by the Property Trust upon the request of the Council of AYE after consultation between the Property Trust and the Chief Executive Officer of AYE. The initial term of the lease or licence together with any option or options to renew is not to exceed 20 years in total.

4. Application of rentals

The income from any lease or licence granted under clause 3 is to be paid to the Property Trust and applied as follows –

- (a) firstly, in payment of any goods and services tax (as defined in *A New Tax System (Goods and Services Tax) Act 1999*) payable in connection with the lease or licence, and
- (b) the balance, to be paid to AYE and applied for purposes consistent with the trusts on which the Land is held.

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

R TONG
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 29 September 2003.

MA PAYNE
Secretary

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I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
30/9/2003