

Campbelltown Leasing Ordinance 2006

No 28, 2006

Long Title

An Ordinance to authorise the leasing of certain land at Campbelltown and to provide for the application of the income.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the whole of the land contained in Certificate of Title Folio Identifier B/410404 known as 3 Lithgow Street Campbelltown (the "Land").

B. The Land is church trust property and by clause 2(c) of the St Peters Campbelltown Subdivision and Land Sale Ordinance 1972 is held on trust for the use of the Parish of Campbelltown (the "Parish").

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is inexpedient to carry out or observe those trusts or to deal with or apply the Land wholly for the use or benefit of the Parish or wholly for the same or like purposes as those trusts and it is expedient to vary those trusts and lease the Land and apply the proceeds 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 Campbelltown Leasing Ordinance 2006.

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 inexpedient to carry out or observe those trusts or to deal with or apply the Land wholly for the use or benefit of the Parish or wholly for the same or like purposes as those trusts and it is expedient to vary those trusts and lease the Land and apply the proceeds in the manner set out in clause 5.

3. Variation of Trusts

The trusts of the Land are varied to the extent necessary to permit the application under clause 5(b).

4. Authority to Lease

The Property Trust is authorised to lease the whole or any part of the Land from time to time for a term not exceeding 5 years (including any options to renew).

5. Application of Proceeds from Lease

The income from any lease granted under clause 4 shall be paid to the Property Trust and applied as follows -

- (a) in payment of all rates, taxes and charges incurred by the Property Trust in relation to the Land and the leasing of the Land,
- (b) an amount equal to 5% of gross lease income to be added to the capital of the property held under the Diocesan Endowment Ordinance 1984, and
- (c) the balance to be paid to the churchwardens of St Peter's Campbelltown, to be applied for such purposes of the Parish as the parish council may from time to time determine, except the payment of the stipend, allowances or benefits paid or provided to the minister.

6. Review

The authority to apply the income referred to in clause 5(c) terminates on the 5th anniversary of the date of assent of this ordinance and the Churchwardens of St Peter's Campbelltown must promote an ordinance to the Standing Committee to provide for the application of the lease income from that date.

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

PG KELL
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 25 September 2006.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
4/10/2006