



## **Leichhardt Leasing Ordinance 1993 Amendment Ordinance 1999**

No 20, 1999

### **Long Title**

An Ordinance to amend the Leichhardt Leasing Ordinance 1993.

### **Preamble**

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land comprised in Certificate of Title Folio Identifier 1/502105 known as 126A Norton Street, Leichhardt (the "Property").

B. The Property is church trust property and is held for the benefit of the provisional parish of Leichhardt (the "Parish") on the trusts specified in the Leichhardt Leasing Ordinance 1993 (the "Principal Ordinance").

C. The Principal Ordinance provides that the balance of any income earned from the Property for the period ending on the 5th anniversary of the date of assent of the Principal Ordinance shall be paid to the churchwardens of the Parish (the "Churchwardens") and applied for any purpose of the Parish as may be determined from time to time by resolution of the parish council of the Parish.

D. The Principal Ordinance provides that the Churchwardens shall on or before the 5th anniversary of the date of assent of the Principal Ordinance present an ordinance to the Standing Committee to provide for the application of income earned after that date.

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

### **1. Name**

This Ordinance is the Leichhardt Leasing Ordinance 1993 Amendment Ordinance 1999.

### **2. Declarations of Inexpediency**

By reason of circumstances which have arisen after the creation of the trusts on which the Property is held -

(a) it is inexpedient to carry out and observe those trusts; and

(b) it is inexpedient to deal with or apply part of the income earned from the Property for the same or like purposes as those trusts; and

(c) it is expedient to vary those trusts as provided in this Ordinance.

### **3. Amendment of Principal Ordinance**

The Principal Ordinance is amended by deleting clauses 4 and 5 and inserting instead the following -

"4. (1) The rent, licence fees and any other receipts earned from the leasing or licensing of the Property on and from 22 December 1998 shall be applied as follows -

(a) firstly in payment of all outgoings in respect of the Property, including but not limited to rates, taxes, assessments, repairs, maintenance, costs and expenses; and

(b) the balance of any such income shall be applied as follows -

(i) 5% to the South Sydney Regional Council;

(ii) 5% to the Anglican Counselling Centre; and

(iii) 90% to the Churchwardens for any purpose of the Parish as may be determined from time to time by resolution of the Parish Council of the Parish.

(2) If the South Sydney Regional Council or the Anglican Counselling Centre cease to exist the amount which would otherwise be payable to the organisation which has ceased to exist is to be paid to an organisation which the Standing Committee (after consulting with the Parish) by resolution decides has purposes similar to those of the organisation which has ceased to exist.

5. The Churchwardens shall on or before the 5th anniversary of the date of assent of the Leichhardt Leasing Ordinance 1993 Amendment Ordinance 1999 present an ordinance to the Standing Committee to provide for the application of the rent, licence fees and any other receipts from the leasing or licensing of the Property earned after that date.”.

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

**P KELL**

*Deputy Chairman of Committees*

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 26 July 1999.

**M A PAYNE**

*Secretary*

I Assent to this Ordinance.

**R H GOODHEW**

*Archbishop of Sydney*

26/7/1999