

ST. PAUL'S CANLEY HEIGHTS LEASE
ORDINANCE 1981

No. 13 1981

AN ORDINANCE to authorise the leasing of certain land and to provide for the application of the rents therefrom.

WHEREAS

A. Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is the registered proprietor of the land described in the schedule hereto.

5 B. By a declaration of trust dated the 26th day of May, 1915, the Corporate Trustee declared that it held 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 for such purposes in connection with the Church of England at Canley Vale.

10 C. The said trusts were varied by the St. Paul's Canley Vale Leasing Ordinance, 1964 to the extent provided therein.

D. The said trusts were further varied by the St. Paul's Canley Vale Leasing Ordinance, 1974 and the St. Paul's Canley Vale Leasing Ordinance 1964-1974 Amending Ordinance 1978.

15 E. The Corporate Trustee proposes to grant a lease in respect of the said land for a term of three years which lease shall contain three options for renewal for terms each of three years.

F. By reason of circumstances which have arisen subsequent to the creation of the said trusts, it is inexpedient to carry out and observe the same to the extent that the same are hereby further varied.

20 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:-

25 1. This Ordinance may be cited as "St. Paul's Canley ^{Heights} ~~Vale~~ Lease Ordinance 1981".

2. (1) By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the schedule hereto is

held, it is expedient that the said land be leased.

(2) By reason of circumstances which have arisen subsequent to the creation of the trusts on which the said land is held, it is inexpedient to carry out the same and it is expedient that the same be varied to the extent hereinafter provided and, insofar as any of the rents from the said land are directed hereafter to be dealt with and applied for the use and benefit of the Church of England in Australia outside of the provisional parish of Canley Heights, it is inexpedient to deal with or apply the same within the said provisional parish.

3. (1) The Corporate Trustee is hereby authorised to grant any lease or leases in respect of the said land for such terms, reserving such rents and containing such covenants and conditions as the Corporate Trustee may consider appropriate including, but without limiting the generality of the foregoing, a lease for a term of three years containing three options for renewal for terms each of three years.

(2) The rents from the said lease proposed to be granted and from any lease granted pursuant to any option for renewal contained in the said lease or in any such lease shall be applied by the Corporate Trustee as follows:-

- (a) ten per centum (10%) shall be paid to the churchwardens of the church known as St. Paul's Canley Heights for the use and benefit of the Church of England in Australia outside of the said provisional parish, as shall be determined by the Parish Council.
- (b) five per centum (5%) shall be paid to the said churchwardens for the purposes of the said provisional parish other than the payment of the stipend payable to the curate-in-charge of the said provisional parish.
- (c) ten per centum (10%) shall be paid to the said churchwardens for the purpose of maintaining the said church building and other buildings within the said provisional parish,
- (d) sixty per centum (60%) shall be retained by the Corporate Trustee and, until applied, shall be invested and the amount so retained and all income derived from such investments shall be applied by resolution of the Parish Council of the said parish and approved by

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resolution of the Standing Committee in or towards meeting the cost of any church buildings to replace the existing church buildings known as St. Paul's Church and the cost of all furnishing fittings and lawful ornaments within such church buildings,

- (e) fifteen percentum (15%) shall be paid to the Sydney Diocesan Secretariat and applied in equal proportions for the benefit of the Sydney Anglican Home Mission Society, Sydney Church of England New Areas Committee and Moore College Committee.

All rents derived from any lease other than the said leases shall be retained by the Corporate Trustee and pending any application invested and the rents retained and the income from such investments shall be applied for such purposes as may be approved by the said Standing Committee and the said parish council.

SCHEDULE

The land comprised in Certificates of Title Volume 928 Folio 198 and Volume 2565 Folio 25.

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 29th day of June 1981.

W.G.S. Gotley,

Secretary

I ASSENT to this Ordinance.

M.L. Loane,

Archbishop of Sydney
29/6/1981