

Christ Church Inner West Variation of Trusts and Amendment Ordinance 2022

No 49, 2022

Long Title

An Ordinance to vary the trusts on which certain property is held, to consolidate the property in the ACPT – Christ Church Inner West and make consequential amendments to the amend the *Ashfield, Five Dock and Haberfield Trust Ordinance 2001*.

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

Preamble

A. The Anglican Church Property Trust (the **ACPT**) is the trustee of the property described in the First Schedule (the **Drummoyne Property**).

B. The Drummoyne Property is held on trust for the purposes of the Parish of Drummoyne under the trusts described in the First Schedule.

C. The ACPT is trustee of the property described in the Second Schedule (the **Ashfield, Five Dock and Haberfield Property**).

D. By clause 5 of the *Ashfield, Five Dock and Haberfield Trust Ordinance 2001*, the Ashfield, Five Dock and Haberfield Property is held on trust for the purposes of the Parish of Ashfield, Five Dock and Haberfield.

E. The Parish of Drummoyne and the Parish of Ashfield, Five Dock and Haberfield have been amalgamated under the *Parishes Ordinance 1979* to form the Parish of Christ Church Inner West.

F. By reason of circumstances which have arisen after the creation of the trusts on which the Drummoyne Property and the Ashfield, Five Dock and Haberfield Property are held, it is inexpedient to carry out and observe those trusts and it is expedient to vary those trusts in the manner set out in this Ordinance

1. Name of ordinance

This Ordinance is the Christ Church Inner West Variation of Trusts and Amendment Ordinance 2022.

2. Declarations

(1) By reason of circumstances which have arisen after the creation of the trusts on which the Drummoyne Property is held, it is inexpedient to carry out or observe those trusts, or to deal with or apply such property for the same or like purposes as those trusts or wholly for the purposes of the Parish of Drummoyne, and it is expedient that those trusts be varied in the manner set out in clause 4.

(2) By reason of circumstances which have arisen after the creation of the trusts on which the Ashfield, Five Dock and Haberfield Property is held, it is inexpedient to carry out or observe those trusts, or to deal with or apply such property for the same or like purposes as those trusts or wholly for the purposes of the Parish of Ashfield, Five Dock and Haberfield, and it is expedient that those trusts be varied in the manner set out in clause 4.

3. Amendment

The Ashfield, Five Dock and Haberfield Trust Ordinance 2001 is amended by –

- (a) substituting the words “Ashfield, Five Dock and Haberfield” with the words “Christ Church Inner West” wherever they appear excluding when the words appear in the Schedule, and
- (b) insert a new subclause 6(2)(c), and consequently renumber the remaining subclauses, as follows –
 - (c) to the extent such personal property arises from a payment made to the ACPT by the wardens of a church in the Parish for the purposes of the ACPT investing the amount, for such purposes as a majority of the parish council may from time to time determine; and’.

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4. Variation of trusts

The trusts of the Drummoyne Property and the Ashfield, Five Dock and Haberfield Property are varied so that they are held on the trusts set out in clause 5 of the *Christ Church Inner West Trust Ordinance 2001* (as amended by this Ordinance) as part of the capital of the ACPT – Christ Church Inner West Trust.

5. Repeal

The *Drummoyne Trust Ordinance 2020* is repealed without affecting or invalidating any act undertaken under that ordinance prior to the repeal.

First Schedule

Column 1	Column 2
The land in folio identifier 1/176004 known as Cnr of Church Street and College St, Drummoyne and the site of St Bede's Church.	The property is held on trust for the Parish of Drummoyne by clause 5 of the <i>Drummoyne Trust Ordinance 2020</i> .
The land in folio identifier autoconsol 3735-82 (39 & 41/2/967 and B/311845) known as 19-21 College St, Drummoyne and the site of a hall and rectory.	The property is held on trust for the Parish of Drummoyne by clause 5 of the <i>Drummoyne Trust Ordinance 2020</i> .

Second Schedule

Column 1	Column 2
The land in folio identifier 4/17324 known as 1A Henry Street, Five Dock and the site of a residence.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
The land in folio identifier 1/927849 known as 8 Dickson Street, Haberfield and the site of a rectory.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
The land in folio identifier D/158552 known as Great North Road, Five Dock and the site of St Alban's Church.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
The land in folio identifier 2/208481 known as 64 Bland Street, Ashfield and the site of a parish hall.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .

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Column 1	Column 2
The land in folio identifier Auto Consol 4045-84 known as Cnr Dickson Street and Dalhousie Street, Haberfield and the site of St Oswald's Church and a parish hall.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
The land in folio identifier Auto Consol 4908-160 known as 179 Great North Road, Five Dock and the site of a parish hall and a rectory.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
The land in folio identifier 1/208481 known as Cnr Alt Street and Bland Street, Ashfield and the site of St John the Baptist Church, a rectory and a cemetery.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
The land in folio identifier 5/17324 known as 1b Henry Street, Five Dock and the site of a residence.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
The land in folio identifier 9/17324 known as Henry St, Five Dock and the site of a laneway.	The property is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .
ACPT Client Fund 312	The fund is held on trust for the Parish of Ashfield, Five Dock and Haberfield by clause 5 of the <i>Ashfield, Five Dock and Haberfield Trust Ordinance 2001</i> .

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

R TONG
Chair of Committee

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 7 November 2022.

B BOUNDS
Secretary

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I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

08/11/2022