

St George's Paddington Leasing Ordinance 2012

No 26, 2012

Long Title

An Ordinance to authorise the leasing of certain land at Paddington, to provide for the application of the income and to repeal the St George's Glenmore Road Mortgaging and Leasing Ordinance 1930.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land in folio identifier Auto Consol 8657-230 upon portion of which land is erected premises known as 241A and 241B Glenmore Road, Paddington (the "Land").

B. The Land is church trust property and by declaration of trust dated 18 April 1889 is held on trust for the use and benefit of the Church of England.

C. The leasing of the Land is currently authorised by the St George's Glenmore Road Mortgaging and Leasing Ordinance 1930 (the "Existing Ordinance"). It is proposed that this ordinance be repealed.

D. It is expedient that the Land be leased and the proceeds applied 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 St George's Paddington Leasing Ordinance 2012.

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 that the Land be leased in the manner set out in clause 3 and proceeds thereof be applied in the manner set out in clause 4.

3. Authority to Lease

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

4. 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) firstly in payment of all outgoings in respect of the Land, including but not limited to rates, taxes, assessments, repairs, maintenance, costs and expenses,
- (b) 15% of the remaining balance to the Sydney Diocesan Synod Fund, for the use and benefit of the Anglican Church of Australia in the Diocese of Sydney as determined from time to time by the Synod, and
- (c) the balance to be paid to the wardens of St George's Paddington to be applied, after having made prudent provision for the future capital needs of the shop premises on the Land, for such purposes of the Parish of Paddington (the "Parish") as may be determined from time to time by resolution of the Parish Council of the Parish except the stipend, allowances or benefits in lieu thereof paid or provided to the minister of the Parish.

5. Repeal of Existing Ordinance

The Existing Ordinance is hereby repealed without affecting the validity of any action undertaken pursuant to the provisions of the Existing Ordinance.

6. Review Date

(1) The authority to apply income under clause 4(c) earned after the review date terminates on the review date.

(2) For the purposes of subclause (1) "review date" means the date which is 5 years after the date this Ordinance commences or such later date as the Standing Committee approves from time to time by resolution.

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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 17 September 2012.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
09/10/2012