



## **New Areas Variation of Trusts Ordinance 1999**

No 16, 1999

### **Long Title**

An Ordinance to vary the trusts upon which certain land is held and to provide for the assumption of certain liabilities and obligations.

### **Preamble**

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land described in item numbers 1 to 10 inclusive of the table in Schedule 1 to this Ordinance.

B. By clause 2 the Sydney Anglican Home Mission Society (Sydney Church of England New Areas Committee) Ordinance 1986 the land described in each of item numbers 1 to 7 inclusive of the table in Schedule 1 is held upon trust for the Sydney Anglican Home Mission Society ("HMS") to be held and applied in providing a pastoral ministry in areas which by reason of rapid increase in population are or were unable in their early development to support a ministry.

C. The land described in each of item numbers 8 to 10 inclusive of the table in Schedule 1 is believed to be held upon the same trusts as the land described in each of items 1 to 7 inclusive, but there are no written trusts.

D. The loans described to in items 1 to 6 inclusive of Schedule 2 were made for the purposes of new areas work and are repayable to the Sydney Church of England Finance and Loans Board.

E. The regional council of each region in the Diocese is now responsible for the new areas work in its region and, as a consequence, it is expedient to vary the trusts of the land described in the table in Schedule 1 and provide for the assumption of the liabilities and obligations arising under the loans described in the table in Schedule 2.

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

### **1. Name of Ordinance**

This Ordinance is the New Areas Variation of Trusts Ordinance 1999.

### **2. Declarations**

By reason of circumstances which have arisen after the creation of the trusts upon which the land described in item numbers 1 to 10 inclusive of the table in Schedule 1 is held it is inexpedient to carry out and observe those trusts and it is expedient to amend the trusts in the manner set out in this Ordinance.

### **3. Declaration of Trusts**

The land described in the column headed "Description of Land" adjacent to each item number of the table in Schedule 1 shall henceforth be held upon trust for the regional council named in the column headed "Regional Council", to be applied in providing a pastoral ministry in areas which by reason of rapid increase in population are or were unable in their early development to support a ministry.

### **4. Loans made for New Areas Purposes**

All liabilities and obligations of HMS under each of the loans identified by the loan number in the column headed "Loan Number" in Schedule 2 shall be assumed by the regional council named in the column headed "Regional Council" and -

(a) that regional council must comply with and perform those liabilities and obligations to the full extent of the liabilities and obligations of HMS thereunder; and

(b) HMS is released from all liabilities and obligations in respect of such loans.

### Schedule 1

Item Number	Description of Land	Regional Council
1.	Lot 489 in Deposited Plan 242536 being the land known as No. 8 Devaney Street, Mount Druitt.	Western Sydney Regional Council.
2.	Lot 30 of Section 14 in Deposited Plan 1391 being the land situated near the corner of Second Avenue and Edgar Street, Macquarie Fields.	Georges River Regional Council.
3.	Lot 46 of Section 14 in Deposited Plan 1993 being the land situated at the corner of Second Avenue and Edgar Street, Macquarie Fields.	Georges River Regional Council.
4.	Lot 1 in Deposited Plan 999928 being the land described in Deed of Conveyance Book 1425 No. 130 situated in Canterbury Road, Glenfield.	Georges River Regional Council.
5.	Lots 123 and 124 in Deposited Plan 238568 being the land known as No. 105 Ellsworth Drive, Tregear.	Western Sydney Regional Council.
6.	Lot 9 of section A in Deposited Plan 13341 being the land known as No. 6 Blanche Street, Minto.	Wollongong Regional Council.
7.	Lot 694 in Deposited Plan 223956 being the land known as 3 Tunbridge Street, Busby.	Georges River Regional Council.
8.	Lot 11 in Deposited Plan 793739 being the land known as 21 Athens Avenue, Hassall Grove.	Western Sydney Regional Council.
9.	Lot 298 in Deposited Plan 8982 being the land known as 7 King Street, Tahmoor.	Wollongong Regional Council.
10.	Lot 4180 in Deposited Plan 261630 being the land known as 28 Serpentine Place, Eagle Vale.	Wollongong Regional Council.

### Schedule 2

Item Number	Loan Number	Regional Council
1.	Loan No. 0172	South Sydney Regional Council.
2.	Loan No. 0158	Western Sydney Regional Council.
3.	Loan No. 0110	Western Sydney Regional Council.
4.	Loan No. 0030	Western Sydney Regional Council.
5.	Loan No. 0109	Wollongong Regional Council.
6.	Loan No. 0046	Wollongong Regional Council.

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

**K R HANDLEY**  
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 21 June 1999.

**M A PAYNE**  
*Secretary*

I Assent to this Ordinance.

**P R WATSON**  
*Commissary*  
21/6/1999