

# North Sydney Leasing Ordinance 2011

No 14, 2011

## Long Title

An Ordinance to authorise the leasing of certain land at North Sydney and to provide for the application of the income.

## Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the whole of the land contained in Certificate of Title Folio Identifier 2/1042467 known as St Thomas Pre-School at corner of Church and McLaren Streets, North Sydney (the "Land").

B. The Land is church trust property and by clause 2 of the St Thomas' North Sydney Trust Property Ordinance 1919 is held on trust for a parish hall and residences for the minister and assistant minister and for such other purposes in connection with the Parish of St Thomas as the Synod shall from time to time determine.

C. 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 North Sydney Leasing Ordinance 2011.

### 2. Declaration

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 and the 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 for a term not exceeding 8 years (including any options to renew).

### 4. Application of Proceeds from Lease

(1) The income from any lease granted under clause 3 shall be paid to the Property Trust and applied as follows –

- (a) in payment of all rates, taxes and charges incurred by the Property Trust in relation to the Land and the leasing of the Land, and
- (b) the balance to the Wardens of St Thomas' Anglican Church, North Sydney to be applied for the purposes of the Parish as determined by resolution of the Parish Council of the Parish of North Sydney except payment of the stipend, allowances and benefits paid or provided to the Minister of the Parish.

(2) If the Property Trust by resolution directs, the Wardens are authorised and directed to make the payments referred to in paragraph 4(1)(a) as agent of the Property Trust and for that purpose –

- (a) all income arising from the lease is be paid directly to the Wardens in that capacity, and
- (b) after the application of moneys under paragraph 4(1)(a), the remaining balance is taken to have been paid to the Wardens pursuant to paragraph 4(1)(b).

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

R TONG  
Deputy Chairman of Committees

**North Sydney Leasing Ordinance 2011**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 30 May 2011.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
31/05/2011