

Petersham Licensing Ordinance 2008

No 37, 2008

Long Title

An Ordinance to authorise the licensing of certain land at Petersham and to provide for the application of the income.

Preamble

A. 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 73/52804 known as 325 Stanmore Road Petersham (the "Land").

B. The Land is church trust property and by the preamble to the All Saints' School Petersham Land Sale Ordinance 1925 states that the land is held upon trust to permit the same to be used for a church parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the parish of All Saints Petersham in the state of New South Wales though no specific trust document has been executed with regard thereto.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is expedient to licence part of the Land and apply the proceeds 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 Petersham Licensing Ordinance 2008.

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 to license part of the Land and apply the proceeds in the manner set out in clause 4.

3. Authority to license

The Property Trust is authorised to license that part of the Land as shown in the sketch signed by the Diocesan Secretary for identification dated 4 November 2008 prepared by 2M Design Pty Ltd drawing number A01, from time to time for a term not exceeding 15 years (including any options to renew).

4. Application of proceeds from lease

The income from any licence 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 licensing of the Land, and
- (b) the balance to be paid to the churchwardens of All Saints Petersham, to be applied for such capital and property maintenance purposes of the Parish as the parish council may from time to time determine by resolution.

5. Review

The authority to apply the income referred to in clause 4(b) terminates on the 16th anniversary of the date of assent of this ordinance and the Churchwardens of All Saints Petersham must promote an ordinance to the Standing Committee to provide for the application of the income from that date.

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

PG KELL
Chairman of Committees

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I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 10 November 2008.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
11/11/2008