

DAPTO ORDINANCE 1986

No. 16 1986

AN ORDINANCE to vary the trusts on the proceeds of monies held under the Dapto Variation of Trusts, Land Sale, Mortgaging and Dedication Ordinance No. 51 of 1985 and to provide for the application thereof.

WHEREAS

- A. The Dapto Variation of Trusts, Land Sale, Mortgaging and Dedication Ordinance No. 51 of 1985 empowered Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") to sell certain lands and after the payment out of the proceeds arising from such sales of certain costs and indebtedness hold the balance upon the trusts set out therein.
- B. The land has been sold and the balance of proceeds is now held by the Corporate Trustee upon those trusts.
- C. By reason of circumstances which have arisen subsequent to the creation of the trusts it is inexpedient to carry out and observe the same to the extent to which the same are hereby varied and it is also inexpedient to deal with or apply the same or the income therefrom for the sole use or benefit of the Parish of Dapto.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY ORDAINS DECLARES DIRECTS AND RULES as follows:-

1. By reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the said proceeds are held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied and it is also inexpedient to deal with or apply the whole of the same or the income therefrom for the sole use or benefit of the Parish of Dapto and it is expedient that such trusts be varied as hereinafter set out.
2. (1) The balance of the proceeds held under Ordinance No. 51 of 1985 shall be applied as follows:
 - (a) first, in payment of the costs of and incidental to this Ordinance;
 - (b) secondly, three hundred thousand dollars (\$300,000) be allocated towards the costs of the construction on the land described in the Schedule hereto of a residence for a Minister and for a pre-school kindergarten provided that if any monies have been applied for these purposes from the proceeds of any mortgage permitted under Ordinance No. 51 of 1985 then the sum allocated under this paragraph shall be reduced by the sum advanced under such mortgage or mortgages;
 - (c) thirdly, one hundred thousand dollars (\$100,000) to be allocated to the Archbishop of Sydney's Vision for Growth Church Planting and Expansion 1984-1990 programme;
 - (d) fourthly, twenty thousand dollars (\$20,000) to be paid to the Federal Council of the Church Missionary Society of Australia to be used by it for the purchase of a vehicle for use in Zaire;

- (e) fifthly, ten thousand dollars (\$10,000) to be paid to the Anglican Counselling Centre to be used by it to extend its work in Wollongong;
- (f) sixthly, five thousand dollars (\$5,000) to be paid to Scripture Union of New South Wales to be used by it in Wollongong;
- (g) seventhly, five thousand dollars (\$5,000) to be paid to Moore Theological College Council to be used by it for the general purposes of Moore Theological College;
- (h) eighthly, up to three hundred and fifty thousand dollars (\$350,000) to be paid to the churchwardens of St. Luke's Church Dapto to be applied by them towards modifications and extensions to the parish hall on the land in the Schedule hereto;
- (i) ninthly, up to one hundred and sixty one thousand (\$161,000) to be paid to the churchwardens of St. Luke's Church Dapto to be applied by them towards car parking, groundworks, water and power reticulation, sewerage works, architectural, engineering, legal and other fees associated with the erections modifications and extensions referred to in the sub-paragraphs (b) and (h) hereof;
- (j) tenthly, up to forty nine thousand dollars (\$49,000) to be paid to the churchwardens of St. Aidan's Church Mt. Brown to be applied by them to the cost of extending that church;
- (k) eleventhly, as to the balance to be allocated towards meeting the costs of purchasing a site at West Dapto for a:
- (i) church;
 - (ii) residence for a minister, assistant to the minister, or person employed by the churchwardens;
 - (iii) hall or halls;
 - (iv) a school or other place of assembly, or partly for one or another or other of those purposes in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the Parish of Dapto or any parish or ecclesiastical district into which it may subsequently be formed or form a part provided that pending this application the Corporate Trustee shall invest the balance and capitalise the income less a sum each year equal to the amount of any assessments imposed by Ordinance of Synod thereon which sum shall be paid to the churchwardens provided further that if such balance has not been used for this purpose by the tenth anniversary of the passing of this Ordinance on or before that anniversary the Parish Council of the Parish of Dapto shall promote a bill for an ordinance to provide further for the distribution of that balance.

(2) Pending each of the applications set out in sub-clause (1) of this clause except the application in sub-clause (1) (k) the Corporate Trustee shall invest the sum or sums and pay the income arising therefrom to the churchwardens of St. Luke's Dapto to be applied by them for general parochial purposes.

3. This Ordinance may be cited as the "Dapto Ordinance 1986".

SCHEDULE

ALL THAT piece or parcel of land at Dapto in the City of Wollongong Parish of Calderwood and County of Camden being Lot 2 in Deposited Plan No. 73300.

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

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 30 day of June 1986.

W.G.S. GOTLEY
Secretary.

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney.
30/6/1986