

DAPTO VARIATION OF TRUST ORDINANCE 1989

No 4, 1989

AN ORDINANCE to vary the trusts of the surplus held under Ordinance No 16 of 1986 and the proceeds held under Ordinance No 58 of 1986.

WHEREAS

- A. By Dapto Ordinance 1986 (No 16, 1986) (hereinafter called the "1986 Ordinance") the Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") was authorised to sell certain land at Dapto as described in the Schedule of such Ordinance.
- B. The 1986 Ordinance directed pursuant to clause 3(1)(k) thereof (inter alia) that part of the net proceeds arising from the sale of such land be applied towards meeting the costs of purchasing a site at West Dapto.
- C. A site has been purchased leaving a surplus of funds (hereinafter called "the surplus").
- D. By Dapto Land Sale Ordinance 1986 (No 58, 1986) (hereinafter called the "Craig Crescent Ordinance") the Corporate Trustee was authorised to sell certain other land at Dapto as described in the Schedule of such Ordinance.
- E. The Craig Crescent Ordinance directed (inter alia) that the net proceeds arising from the sale or sales of such land (hereinafter called "the proceeds") be applied in accordance with clause 3 of such Ordinance.
- F. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the surplus and the proceeds are held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

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 surplus and the proceeds are held it is inexpedient to carry out and observe the same and it is expedient that such trusts be varied as hereinafter set out.
2. The Corporate Trustee shall consolidate the surplus and proceeds into one sum and apply such sum towards the costs of acquiring additional land in the Parish of Dapto or towards the costs of the construction of or alterations or additions to buildings on land held upon trust for the Parish of Dapto and pending any such application the Corporate Trustee shall invest the balance and:-
  - (a) capitalise fifty per centum of the income arising therefrom; and
  - (b) pay the remaining fifty per centum thereof 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 Variation of Trust Ordinance 1989".

**DAPTO VARIATION OF TRUST ORDINANCE 1989**

**I CERTIFY that this 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 20th day of March 1989.**

**W.G.S. GOTLEY**  
**Secretary**

**I ASSENT to this Ordinance!**

**DONALD ROBINSON**  
**Archbishop of Sydney**  
**20 / 3 / 89**