

Leichhardt Leasing Ordinance 1993

No 54, 1993

Long Title

An Ordinance to authorise the leasing of land at the corner of Norton & Marlborough Streets, Leichhardt known as 126A Norton Street, Leichhardt.

Preamble

Whereas

A. The land in Certificate of Title Folio Identifier 1/502105 known as 126A Norton Street, Leichhardt ("the Property") is vested in the Property Trust and is, pursuant to the All Souls Leichhardt Leasing Ordinance 1962, held upon trust for the Anglican Church in Australia in the parish of Leichhardt ("the Parish") for use as a service station.

B. By reason of circumstances which have arisen after the creation of the trusts on which the Property is held it is inexpedient to carry out and observe those trusts and it is expedient that the trusts be varied so as to enable the Property to be leased for such purposes as may be determined from time to time.

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 -

Citation

1. This ordinance may be cited as the "Leichhardt Leasing Ordinance 1993".

Declaration of Inexpediency

2. By reason of circumstances which have arisen after the creation of the trusts on which the Property is held it is inexpedient to carry out and observe those trusts and it is expedient that the trusts be varied so as to enable the Property to be leased for such purposes as may be determined from time to time.

Power to Lease

3. Upon request in writing by the minister of the Parish and churchwardens of All Souls' Church Leichhardt (the "Churchwardens") the Property Trust is authorised to grant a lease or license in respect of the Property upon such terms and conditions as may be agreed between the Property Trust and the Churchwardens.

4. (1) Rents, licence fees and any other receipts from any leasing of the Property shall be first applied in payment of all outgoings in respect of the Property, including but not limited to rates, taxes, assessments, repairs, maintenance, costs and expenses.

(2) The balance of any rents, licence fees and other receipts earned in the first year after the date of assent to this ordinance shall be paid to the Churchwardens and must be applied for any purpose of the Parish as may be determined from time to time by resolution of the parish council of the Parish.

(3) The balance of any income earned during the period commencing on the day immediately following the first anniversary of the date of assent to this ordinance and ending on the 5th anniversary of the date of assent shall be paid to the Churchwardens and applied for any purpose of the Parish as may be determined from time to time by resolution of the parish council of the Parish.

5. The Churchwardens shall, on or before the 5th anniversary of the date of assent to this ordinance, present an ordinance to the Standing Committee to provide for the application of the rent, licence fees and any other receipts from the leasing of the Property earned after that date.

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

N.M. Cameron
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 13 December 1993.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
21/12/1993