

All Saints' Parramatta North Crawford Village Constitution Ordinance 1986 Amendment Ordinance 1992

No 12, 1992

An Ordinance to amend the constitution of the Board of Management of the Crawford Village Parramatta, to amend the trusts upon which the property owned by or subject to the management, government and control of such Board is held and for other purposes.

Whereas

- A. By the All Saints' Parramatta North Crawford Village Constitution Ordinance 1986 (the "Principal Ordinance"), the board of management of Crawford Village Parramatta ("the Board") was constituted and provision was made for the regulation of the affairs of the Board.
- B. By the Crawford Village Parramatta Incorporation Ordinance 1986, the Board was constituted a body corporate pursuant to the Bodies Corporate Act under the name "Crawford Village Parramatta".
- C. The property owned by or subject to the management, government and control of the Board is church trust property held on the trusts set out in the Principal Ordinance.
- D. Circumstances have arisen rendering it expedient to effect amendments to the constitution of the Board.
- E. By reason of circumstances which have arisen since the creation of the trusts on which the property owned by or subject to the management, government and control of the Board is held, it is inexpedient to carry out or observe the same and it is expedient that such trusts be varied in the manner set out in this Ordinance.

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. This Ordinance may be cited as the "All Saints' Parramatta North Crawford Village Constitution Ordinance 1986 Amendment Ordinance 1992".
2. By reason of circumstances which have arisen since the creation of trusts upon which property owned by or subject to the management, government and control of the Board is held it is inexpedient to carry out and observe the same and it is expedient that such trusts be varied in the manner set out in this Ordinance.
3. All positions on the Board are declared vacant.
4. The Principal Ordinance is amended as follows –
 - (a) Clause 3(3) is deleted.
 - (b) Clause 3(4)(b) is deleted and is replaced with the following –

“(b) Subject to the provisions of subclause (a) hereof the Board shall pay the net surplus in respect of the said property or moneys from time to time to the Corporate Trustee to be held by the Corporate Trustee upon such trusts as may be declared by ordinance of Standing Committee”.
 - (c) Clause 3(5) is deleted.
 - (d) Clause 7(d) is amended by inserting a full stop after the word "principles" and deleting the remaining words of that clause.
 - (e) Clause 8(a) is amended by deleting the words "one million dollars (\$1,000,000)" and inserting instead the words "two million five hundred thousand dollars (\$2,500,000)".
 - (f) Clause 9 is deleted and is replaced with the following –

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3. (1) The Board consists of three persons appointed by the Standing Committee.

(2) Any vacancy on the Board is to be filled by the Standing Committee.

(3) A person of or above the age of 72 years is not eligible to be elected or appointed to or act as a member of the Board."

(g) New clause 9A is inserted in the following terms -

"9A. Any member or members of the Board may be appointed a proxy or proxies for any other member or members of the Board. Any instrument appointing a proxy shall be in writing under the hand of the appointor and a vote given in accordance with the terms of such instrument shall be valid notwithstanding the previous death of the appointor or revocation of the proxy provided that no written notice of such death or revocation shall have been received by the chairman of the meeting prior to its commencement."

(h) Clause 10 is deleted and is replaced with the following -

"10. A quorum at meetings of the Board shall comprise two members present in person or by proxy."

(i) Clause 11 is deleted and is replaced with the following -

"11. The Board shall elect from among its members a chairman of the Board who shall preside at meetings provided that in the absence of the chairman the meeting may appoint one of its members present to act as chairman of such meeting. The chairman or the acting chairman while chairing a meeting shall have both a deliberative and casting vote at that meeting."

(j) Clause 13(1)(a) is deleted and is replaced with the following -

"(a) resigns by writing under his or her hand addressed to the secretary of the Standing Committee;"

(k) Clause 14 is deleted and is replaced with the following -

"The Board shall meet at such times as it thinks fit."

(l) Clause 16 is deleted.

5. The Board shall apply the proceeds arising from the assignment or grant of any leasehold estate of a unit in Crawford Village Parramatta (after deduction of all costs relating thereto) toward repayment, firstly, of any unsecured indebtedness of the Board to the Property Trust and thereafter toward repayment of any secured indebtedness of the Board to the Property Trust.

6. The Board shall make application for all such approvals as are necessary in order that -

(a) units numbered 2, 3 and 4 and units 7, 8 and 9 in Crawford Village Parramatta may be converted into two five-bedroom units in which persons under the age of 55 may reside; and

(b) adequate parking facilities may be provided for the units referred to in clause 6(a).

If all such approvals are obtained the Board shall, at its cost, cause all necessary alterations to the units to be made and shall cause the parking facilities to be constructed. Upon completion of such works, the Board shall give written notice of the same to the Property Trust and thereafter shall grant to the Property Trust a leasehold estate in such altered units on such terms as are generally offered to other residents of Crawford Village except that the consideration for the grant shall be the reduction of the indebtedness of the Board to the Property Trust of the amount and in the manner referred to in clause 6 of the Endowment of the See (Crawford Village Parramatta) Ordinance 1992.

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

M.N. 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 27th day of April 1992.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

Donald Robinson
Archbishop of Sydney
21/5/1992