

Croydon, Burwood and Concord Variation of Trusts and Amendment Ordinance 2024

No 15, 2024

Long Title

An Ordinance to vary the trusts on which certain property is held, to consolidate the property in the ACPT – Croydon Trust, and make consequential amendments to the *Croydon Trust Ordinance 2016*.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

Preamble

- A. The Anglican Church Property Trust Diocese of Sydney (the 'ACPT') is the trustee of the property described in the First Schedule (the 'Croydon Property').
- B. By clause 5 of the *Croydon Trust Ordinance 2016*, the Croydon Property is held on trust for the purposes of the Parish of Croydon (the 'Parish of Croydon').
- C. The ACPT is the trustee of the property described in the Second Schedule (the 'Concord and Burwood Property').
- D. By clause 5 of the *Concord and Burwood Trust Ordinance 2003*, the Concord and Burwood Property is held on trust for the purposes of the Parish of Concord and Burwood (the 'Parish of Concord and Burwood').
- E. The Parish of Croydon and the Parish of Concord and Burwood have been amalgamated under the *Parishes Ordinance 1979* to form a parish under the name 'Parish of Croydon, Burwood and Concord' (the 'Current Parish').
- F. By reason of circumstances which have arisen after the creation of the trusts on which the Croydon Property and the Concord and Burwood Property are held, it is inexpedient to carry out and observe those trusts and it is expedient to vary those trusts in the manner set out in this Ordinance.

1. Name of ordinance

This Ordinance is the Croydon, Burwood and Concord Variation of Trusts and Amendment Ordinance 2024.

2. Declarations

- (1) By reason of circumstances which have arisen after the creation of the trusts on which the Croydon Property is held, it is inexpedient to carry out or observe those trusts, or to deal with or apply such property for the same or like purposes as those trusts or wholly for the purposes of the Parish of Croydon, and it is expedient that those trusts be varied in the manner set out in clause 4.
- (2) By reason of circumstances which have arisen after the creation of the trusts on which the Concord and Burwood Property is held, it is inexpedient to carry out or observe those trusts, or to deal with or apply such property for the same or like purposes as those trusts or wholly for the purposes of the Parish of Concord and Burwood, and it is expedient that those trusts be varied in the manner set out in clause 4.

3. Amendment

The *Croydon Trust Ordinance 2016* is amended as follows –

- (a) in the title and in clause 1, after "Croydon", insert ", Burwood and Concord"
- (b) delete the matter "ACPT - Croydon Trust" in the Long Title and clause 4 and insert instead the matter "ACPT – Croydon, Burwood and Concord Trust",
- (c) insert a new recital C in the Preamble as follows (and consequentially renumber the existing recital C as recital D) –
"The Parish of Croydon and the Parish of Concord and Burwood were amalgamated under the *Parishes Ordinance 1979* on 1 July 2024 to form a parish under the name 'Parish of Croydon, Burwood and Concord' (the "Parish").", and
- (d) in clause 5 delete the matter "parish of Croydon (the "Parish")", and insert instead the matter "Parish".

4. Variation of trusts

The trusts of the Croydon Property and the Concord and Burwood Property are varied so that they are held on the trusts set out in clause 5 of the *Croydon, Burwood and Concord Trust*

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Ordinance 2016 (as amended by this Ordinance) as part of the capital of the ACPT – Croydon, Burwood and Concord Trust.

5. Parish Report

The Rector of the Parish is to provide a report to the Standing Committee on or before the date that is three years after the date of assent to this Ordinance (or such longer period if determined by the Regional Bishop), for the purpose of the Standing Committee reviewing progress against the goals set out in the Ministry and Evangelism Plan prepared upon amalgamation of the Parishes of Croydon and Concord and Burwood.

6. Repeal

The *Concord and Burwood Trust Ordinance 2003* is repealed without affecting or invalidating any act undertaken under that ordinance prior to the repeal.

First Schedule

Column 1	Column 2
The land in folio identifiers 1/1/979702, 2/1/979702, 3/1/979702, 33/1/979702 and 34/1/979702 known as the corner of Liverpool Road and Edwin Street Croydon and the site of St James' Church.	The property is held on trust for the Parish of Croydon by clause 5 of the <i>Croydon Trust Ordinance 2016</i> .
The land in folio identifier 4/1/979702, 5/1/979702, 6/1/979702 and 7/1/979702 known as 2 Highbury Street Croydon and the site of a parish hall and residence.	The property is held on trust for the Parish of Croydon by clause 5 of the <i>Croydon Trust Ordinance 2016</i> .
The land in folio identifier 8/1/979702 known as 6 Highbury Street Croydon and the site of a residence.	The property is held on trust for the Parish of Croydon by clause 5 of the <i>Croydon Trust Ordinance 2016</i> .
The land in folio identifier 41/811603 known as 80 Acton Street Croydon and the site of the rectory.	The property is held on trust for the Parish of Croydon by clause 5 of the <i>Croydon Trust Ordinance 2016</i> .
ACPT Client Fund 493	The property is held on trust for the Parish of Croydon by clause 5 of the <i>Croydon Trust Ordinance 2016</i> .

Second Schedule

Column 1	Column 2
Folio Identifiers – (1) 2/538607, and (2) 4/538607 known as the site of St Luke's church and rectory, situated at 17 Burton Street, Concord.	The property is held on trust for the Parish of Concord and Burwood by clause 5 of the <i>Concord and Burwood Trust Ordinance 2003</i> .

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

R TONG
Chair of Committee

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 22 July 2024.

B BOUNDS
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

22/07/2024