

Denham Court Variation of Trusts and Repayment Ordinance 2024

No 31, 2024

Long Title

An Ordinance to provide for payments from the provisional parish of Denham Court to the Wollongong Regional Council in respect to a demountable on certain land at Denham Court, and to vary the trusts of that demountable.

Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the “ACPT”) is the trustee of a demountable building (the “Demountable”) installed on land at the Corner of Church Road and Denham Court Road, Denham Court (the “Land”).

B. The Demountable is held on trust for the purposes of the Anglican Church of Australia in the Wollongong Region, although there are no written trusts.

C. By clause 5 of the *Denham Court Trust Ordinance 2024*, the Land is held on trust for the purposes of the provisional parish of Denham Court (the “Parish”).

D. In 2009, the Demountable was purchased by the Wollongong Regional Council (the “WRC”) and installed on the Land at the Parish’s cost. Following a change in regional boundaries, the Parish is no longer within the Wollongong Region, but is instead part of the South Western Region.

E. It is proposed that the Parish makes the payments set out in this Ordinance to the WRC and that the trusts of the Demountable be varied, so that the Demountable is held on trust for the purposes of the Parish.

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

1. Name

This Ordinance is the Denham Court Variation of Trusts and Repayment Ordinance 2024.

2. Payments to the WRC in respect of the Demountable

(1) The Wardens of the principal church of the Parish must pay the amounts to the WRC in respect of the Demountable as follows –

Payment year	Amount to be paid
2025	\$24,000
2026	\$30,000
2027	\$36,000
2028	\$42,000
2029	\$48,000

(2) The payment is to be made by 31 December each year.

(3) The first payment is to be made by 31 December 2025, and the payments cease when the total \$180,000 has been paid.

(4) With the consent of the Finance Committee given by resolution, the Parish may apply to the WRC to extend the payment schedule to up to 3 years beyond 31 December 2029 if necessary. The WRC, together with the South Western Regional Council, will consult with the Parish to determine a new payment plan in this event.

(5) In the event of a dispute arising under subclause (4), the Diocesan Ordinance Review Panel shall convene to determine the appropriate payment plan.

3. Variation of Trusts of the Demountable

The trusts of the Demountable are varied to be held for the purposes of the Parish as a part of the ACPT – Denham Court Trust.

Denham Court Variation of Trusts and Repayment Ordinance 2024

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

R TONG
Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 21 October 2024.

B BOUNDS
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

21/10/2024