

# East Sydney (Kings Cross) Leasing Distribution Ordinance 1994

No 49, 1994

## Long Title

An Ordinance to authorise the distribution of certain rental moneys.

## Preamble

### Whereas

A. Under the St John's Kings Cross Leasing Ordinance 1992 (the "Leasing Ordinance") the Property Trust was authorised to lease the Leased Site (as described in the Leasing Ordinance) upon the terms and conditions as to payment of rental and otherwise for a term of 5 years as set forth in the Leasing Ordinance.

B. The St John's Kings Cross Leasing Distribution Ordinance 1992 provided for the application of the rental moneys arising from and incidental to the lease authorised by the Leasing Ordinance for the first and second years thereof and provided that the moneys arising in respect of the third and fourth years of the term of the lease were to be distributed in accordance with a further ordinance a bill for which was to be presented by the churchwardens for the time being of St John's Kings Cross ("Churchwardens") before 30 November 1994.

C. This ordinance is presented by the Churchwardens in compliance with that obligation.

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 "East Sydney (Kings Cross) Leasing Distribution Ordinance 1994".

## Application of Proceeds

2. The rental moneys referred to in clause 5(b) of the Leasing Ordinance shall be applied by the Property Trust in payment of the costs of and incidental to this ordinance and subject to such administrative charges and commissions properly payable to the Property Trust, then such moneys shall be held and paid upon trust as follows -

- (a) as to each of the third, fourth and fifth years of the term of the lease authorised by the Leasing Ordinance such moneys shall be paid -
  - (i) as to 12½%, to the Inner City Committee for the purposes of that Committee;
  - (ii) as to 1%, to the Church Missionary Society to be used in such manner as the New South Wales General Committee of the that Society shall determine from time to time; and
  - (iii) as to the balance, in accordance with the provisions of clause 3.

3. The balance of the rental moneys shall be applied as follows -

- (a) a sum -
  - (i) not exceeding \$150,603 in the third year;
  - (ii) not exceeding \$154,190 in the fourth year; and
  - (iii) not exceeding \$167,874 in the fifth year,shall be applied in or towards the payment of stipends, allowances or remuneration of clerical and/or lay persons (other than the stipend or allowances of the rector) working on a full or part-time basis within the parish of East Sydney ("Parish") or within adjacent areas in the diocese; and
- (b) a sum not exceeding \$18,000 in each of the third, fourth and fifth years shall be paid to the Churchwardens and be applied by them in or towards estimated diocesan assessments payable by the Parish during 1997, 1998 and 1999 provided that if the amount of such assessments is less than the amount of such provision an amount equal to the excess shall be paid to Sydney Diocesan Secretariat for application through an Income and Expenditure Ordinance of the Synod for the maintenance of historical buildings in the South Sydney region; and
- (c) any balance in each of the third and fourth years of the term of the lease shall be paid to the Churchwardens for payment in or towards the maintenance, refurbishment, repair, renovation and restoration of St John's Church building, church organ and other fittings, fixtures and furniture, the rectory and church hall, and fencing and walls adjacent to the Church; and
- (d) as to the residue of such moneys in the fifth year of the term of the lease as the capital and any income therefrom, the whole of such moneys shall be held or applied for such purposes of the Parish as the Standing Committee may by resolution approve upon request of the majority of the Parish Council of the Parish.

4. Pending the application of the rental moneys under clauses 2 and 3 those moneys shall be invested by the Property Trust.

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

N.M. Cameron  
Chairman of Committees

## **East Sydney (Kings Cross) Leasing Distribution Ordinance 1994**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 24 October 1994.

W.G.S. Gotley  
Secretary

I Assent to this Ordinance.

R.H. Goodhew  
Archbishop of Sydney  
24/10/1994