

Frenchs Forest Subdivision and Leasing Ordinance 2016

No 34, 2016

Long Title

An Ordinance to authorise a subdivision of certain land at Frenchs Forest and to authorise the granting of a lease over that same land.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "ACPT") is the registered proprietor of the whole of the land contained in Certificate of Title Folio Identifier 100/1127533 known as the corner of Fitzpatrick Avenue and Bantry Bay Road Frenchs Forest (the "Land").

B. The Land is church trust property and forms part of the property of the ACPT – Frenchs Forest Trust (the "trust fund") which, under the Frenchs Forest Trust Ordinance 2016, is held for the purposes of the parish of Frenchs Forest (the "Parish").

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is inexpedient to carry out or observe those trusts or to deal with or apply the Land for the same or like purposes as those trusts or to deal with or apply the Land wholly for the purposes of the Parish, and it is expedient that a subdivision be made in respect of the Land and that a lease be granted over one of the lots created by the subdivision.

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

1. Name

This Ordinance is the Frenchs Forest Subdivision and Leasing Ordinance 2016.

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is inexpedient to carry out or observe those trusts or to deal with or apply the Land for the same or like purposes as those trusts or to deal with or apply the Land wholly for the purposes of the Parish, and it is expedient that a subdivision be made in respect of the Land in the manner set out in clause 3 and that a lease be granted over one of the lots created by the subdivision in the manner set out in clause 4.

3. Authority to subdivide the land

The ACPT is authorised to execute a plan of subdivision or any other ancillary documents to enable the registration of a subdivision of the Land in approximately the form shown on the plan in the Schedule (the "Subdivided Land").

4. Authority to lease the land

(1) The ACPT is authorised to grant a lease over the whole or any part of proposed Lot 2 of the Subdivided Land for a term not exceeding 40 years (including any options to renew) on such terms and conditions as the ACPT shall determine after consultation with the Rector and Wardens of St Alban's Frenchs Forest.

(2) The ACPT is authorised to enter into any incidental arrangements that are necessary to facilitate the said lease.

5. Application of Proceeds from lease

The income from any lease granted under clause 4 shall be applied as directed in clause 7(3) of the Frenchs Forest Trust Ordinance 2016.

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

R TONG
Chair of Committees

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I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 19 September 2016.

R WICKS
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
20/09/2016

Schedule

