

Miranda Leasing Ordinance 1995

(Reprinted under the Interpretation Ordinance 1985.)

The Miranda Leasing Ordinance 1995 as amended by the Miranda Leasing Ordinance 1995 Amendment Ordinance 2000, the Miranda Leasing Amendment Ordinance 2002, the Miranda Leasing Ordinance 1995 Amendment Ordinance 2010 and the Miranda Trust Ordinance 2015.

Table of Provisions

Clause	
1Citation
2Declaration
3Authority to Lease
4Application of Rental Monies

+ + + + + + + + + +

Long Title

An Ordinance to authorise the leasing of certain land at Miranda and to provide for the application of the rental proceeds.

Whereas

- A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in Certificate of Title Folio Identifier 2/809270 (the "Land").
- B. The St Luke's Miranda Declaration and Variation of Trusts and Lease Ordinance 1970 (the "1970 Ordinance") authorised and empowered the Property Trust to lease part of the Land (the "Leased Site") for a term not exceeding 25 years.
- C. The Leased Site was leased for use as a service station under a lease which expires on 30 June 1996.
- D. The Leased Site is otherwise held on trust for the sole purposes of the parish of St Luke's Miranda (the "Parish") although there are no written trusts.
- E. The parish council of the Parish wishes that the Property Trust be given authority to lease the Leased Site for a further 25 years.
- F. By reason of circumstances which have arisen after the creation of the trusts on which the Leased Site is held it is expedient to direct that it be further leased and to provide for the application of the rental moneys and other moneys arising from a lease granted pursuant to that direction.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the Synod Ordains Declares Directs and Rules as follows.

1. Citation

This ordinance may be cited as the "Miranda Leasing Ordinance 1995".

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the Leased Site is held it is expedient to direct that such land be further leased and that the rental moneys and other moneys arising from any lease granted pursuant to such direction be applied in the manner set out in this ordinance.

3. Authority to Lease

(1) The Property Trust is authorised and empowered to lease the Leased Site for a term which does not exceed 25 years, or for 2 or more terms which in aggregate do not exceed 25 years, to such person or corporation as the Property Trust may approve following the written request of the majority of the parish council of the Parish.

(2) The authority to lease in subclause (1) expires on that day (the "End Day") which is 25 years from the date of commencement of the first lease granted pursuant to that authority and the Property Trust must not enter into any lease for a term which expires after the End Day or grant any option for a lease which, if exercised, would mean that the term of the resulting lease would expire after the End Day.

4. Application of Rental Monies

The rental moneys arising from or incidental to any lease authorised by this ordinance and all other moneys accruing to or payable to the Property Trust is to be applied in accordance with clause 7(3) of the Miranda Trust Ordinance 2015.

Notes

1. The original form of ordinance was assented to on 31 July 1995.
2. The expiry date in clause 3(2) on the authority to lease is 30 June 2021.

Table of Amendments

Clause 4 Amended by Ordinances Nos 14, 2000; 16, 2002 and 17, 2010. Omitted and new clause inserted by Ordinance No 28, 2015.

MARTIN THEARLE
Manager, Diocesan Finance

29 September 2015

ROBERT WICKS
Diocesan Secretary