

Rozelle Ordinance 1994

No 50, 1994

Long Title

An Ordinance to authorise the granting of leases and licenses of signs and space for signs on Victoria Road, Rozelle and to vary certain trusts.

Preamble

Whereas

A. The Property Trust is the registered proprietor of the land in Folio Identifier 1/740389 and, under the St Thomas' Rozelle Ordinance 1986, holds that land upon trust -

- (i) for the purposes of worship in connection with the Anglican Church of Australia and subject to the regulations (so far as they may be applicable) contained in the Church Administration Ordinance 1990 and the Church Grounds and Building Ordinance 1990; and
- (ii) to be leased in accordance with the provisions of the St Thomas' Balmain West (Rozelle) Land Leasing Ordinance 1909 and the St Thomas' Rozelle Leasing Ordinance 1954.

B. The Property Trust is also the registered proprietor of the land in Certificate of Title Volume 7971 Folio 100 and, although no written trusts have been created in connection with that land, it has been held and used for the benefit of the provisional parish of St Thomas' Rozelle (the "Parish") for many years.

C. The land in Folio Identifier 1/740389 and in Certificate of Title Volume 7971 Folio 100 (collectively, the "Land") has a frontage to Victoria Road, Rozelle.

D. For many years signs have been erected along that frontage and licensed or leased and the proceeds from such licensing or leasing have been applied by the Churchwardens of St Thomas' Rozelle (the "Churchwardens") for parochial purposes.

E. 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 and observe those trusts and it is expedient that the trusts be varied.

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 "Rozelle Ordinance 1994".

Declaration of Inexpediency

2. By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that those trusts be varied in the manner set out in this ordinance.

Declaration of Trusts

3. Subject to clause 4 the land is to be held upon trust for -
 - (a) a church;
 - (b) a residence for a minister, assistant to the minister or person employed by the Churchwardens;
 - (c) a hall or halls;
 - (d) a school or other place of assembly,

or partly for one or another or other of such purposes or any other ancillary purposes in connection with the Anglican church of Australia in the Diocese of Sydney for the sole benefit of the Parish or any parish or ecclesiastical district into which it may be subsequently formed or forms part.

Licences and Leases

4. The Property Trust is authorised and empowered to grant leases or licenses in respect of signs or space for signs along the frontage of the Land to Victoria Road, Rozelle.

Application of Proceeds

5. The proceeds from all such licenses and leases, after meeting any costs in connection with the same, shall be paid by the Property Trust to the Churchwardens and applied by them for the purposes of the Parish.

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

N.M. Cameron
Chairman of Committees

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