

# Strathfield and Homebush Variation of Trusts and Amendment Ordinance 2023

No 28, 2023

## Long Title

An Ordinance to vary the trusts on which certain property is held and to amend the *Strathfield and Homebush Land Sale Ordinance 2015*.

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

## Preamble

A. The Anglican Church Property Trust (the "ACPT") is the trustee of the funds held in the Client Fund 0679 (the "Fund"), being the balance of proceeds from the sale of St Columba's church, hall and rectory.

B. The Fund is church trust property and forms part of the capital of the ACPT - Strathfield and Homebush Trust which, under the *Strathfield and Homebush Trust Ordinance 2003*, is held on trust for the purposes of the parish of Strathfield and Homebush (the "Parish").

C. By reasons of circumstances which have arisen after the creation of the trusts on which the Fund is held, it is inexpedient to carry out or observe those trusts or to deal with or apply part of the Fund for the use or benefit of the Parish and it is expedient that those trusts be varied in the manner set out in this Ordinance.

### 1. Name of ordinance

This Ordinance is the Strathfield and Homebush Variation of Trusts and Amendment Ordinance 2023.

### 2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Fund is held, it is inexpedient to carry out or observe those trusts or to deal with or apply the part of the Fund for the use or benefit of the Parish and it is expedient that those trusts be varied in the manner set out in clause 4.

### 3. Amendment

The *Strathfield and Homebush Land Sale Ordinance 2015* is amended by deleting clause 4, and consequentially renumbering the remaining clauses.

### 4. Variation of Trusts

The trusts of the Fund are varied to the extent necessary to permit the payment in clause 5(c).

### 5. Allocations from the ACPT – Strathfield and Homebush Trust

The ACPT is directed that it may make the following payments from that part of the capital of the ACPT – Strathfield and Homebush comprising the Fund as follows –

- (a) first, the costs and expenses of and incidental to this Ordinance,
- (b) second, an amount of up to \$1,000,000, to be applied to the costs of and incidental to one or more of the following –
  - (i) the replacement of the roof and removal of asbestos in the crypt area of St Anne's Church,
  - (ii) the renovation of the St Anne's Church site to provide new toilets, accessible ramps, pathways and terrace areas,
  - (iii) the renovation of existing buildings on the St Anne's Church site to provide for meeting rooms, and
- (c) the balance to be paid to NCNC Funds Limited to fund the construction of new ministry centres in the Diocese.

**Strathfield and Homebush Variation of Trusts and Amendment Ordinance 2023**

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

R TONG  
Chair of Committee

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 14 August 2023.

B BOUNDS  
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL  
Archbishop of Sydney

14/08/2023