

# Ulladulla (Milton) Licensing Ordinance 2005

No 44, 2005

## Long Title

An Ordinance to provide for the licensing of certain land at Milton and for purposes incidental thereto.

## Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land comprised in folio identifier 1/780778 known as the Church of St Peter and St Paul Milton (the "Land").

B. The Land is church trust property and by clause 2 of the Milton Variation of Trusts and Land Sale Ordinance 1977, is held upon trust for a church, church hall and rectory or partly for one or another or others of such purposes in connection with the Church of England in Australia at Milton in the parish of St Peter and St Paul Milton.

C. The parish of St Peter and St Paul Milton now forms part of the parish of Ulladulla (the "Parish").

D. The Parish wishes to licence part of the Land for a term in excess of 5 years.

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 or observe those trusts or to deal with or apply the Land for the same or like purposes as those trusts and it is expedient that those trusts be varied and that the Land be licensed and the income from the licence be applied in the manner set out in this Ordinance.

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

### 1. Name

This Ordinance is the Ulladulla (Milton) Licensing Ordinance 2005.

### 2. Declarations and Direction

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 and it is expedient that those trusts be varied in the manner set out in clause 3 and that the Land be licensed and the income from the licence be applied in the manner set out in clause 5.

### 3. Trusts

The Land is held on trust for the purposes of the Parish.

### 4. Authority to license

The Property Trust is authorised to grant a licence over the approximate area of the Land shown in the plan dated 8 November 2005 and signed by the Diocesan Secretary to the Shoalhaven City Council or such other licensee as the Standing Committee may by resolution determine for a period of up to 10 years or such further period as the Standing Committee may by resolution determine.

### 5. Application of licence proceeds

The proceeds of any licence authorised under clause 4 (after payment of GST) are to be paid to the churchwardens of the church of St Peter and St Paul Milton and applied for such purposes of the Parish as the parish council may from time to time determine, except the payment of the stipends, allowances and benefits paid or provided to the minister.

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

P G KELL  
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 14 November 2005.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
21/11/2005