

**A NEWCASTLE EPISCOPAL RESIDENCE LEASING ACT (VARIATION OF TRUST)
ORDINANCE 2017**

BE IT ORDAINED AS FOLLOWS

Short title

1. This Ordinance may be cited as the Newcastle Episcopal Residence Leasing Act (Variation of Trust) Ordinance 2017.

Power to lease to Newcastle Grammar School Limited for two further terms of 25 years

2. ¹ The Trustees of Church Property is hereby authorised to grant to Newcastle Grammar Schools Limited a new lease for the lands described in the Schedule (including the Cathedral Hall and Verger's Cottage) to replace any existing lease and licence and for the balance the current term provided that a new lease shall
 - a. allow the School two options to renew the lease for a further period of 25 years;
 - b. provide the School with the first right of refusal to purchase the land in the event that the Synod or the Diocesan Council approve an Ordinance which is assented to by the Bishop for the sale of the land, andprovided further that no other covenant, agreement or provision contained in the lease or licence may be amended without the express agreement of the Bishop in writing.

Variation of Trust

3. By reason of circumstances which have arisen after the creation of the trust it is impossible or inexpedient to carry out and observe that trust, the trust shall be held in the following manner

The rents, income, and payments from the said lands shall be received by the Trustees of Church Property for the Diocese of Newcastle (the Trustees), and after payment of all related and necessary expenses, shall be held by the Trustees upon trust for the purpose of

 - a. providing by lease or purchase and any other expenditure that may be required, and of maintaining and supporting an episcopal residence for the Bishop of Newcastle and his successors,and upon further trust if the Bishop of Newcastle shall so direct to apply any money so directed
 - b. towards making a distribution to the Diocesan Council to be used for the purpose of meeting the stipend, allowances or other expenses of the Bishop of Newcastle and any assistant Bishop,
 - c. towards making a distribution to the Newcastle Anglican Schools Corporation for the purpose of supporting educational activities or chaplaincy ministry in a school operated by the Corporation or in Newcastle Grammar School, or
 - d. towards the Cathedral revenue of Christ Church Cathedral, NewcastleProvided that all expenditure upon the maintenance and support of a residence for the Bishop shall be made with the consent of the Bishop.

SCHEDULE

¹ Folio Identifier 1/198892 being 60 Newcomen Street Newcastle

SCHEDULE OF AMENDMENTS:

¹ Amended b the Newcastle Grammar School Lease Consolidation Ordinance 2019