

# Beecroft Land Sale Ordinance 1992

No 8, 1992

An Ordinance to enable the sale of certain land situate in the Parish of Beecroft and to provide for the application of the proceeds thereof.

## Whereas

A. Anglican Church Property Trust Diocese of Sydney (formerly Church of England Property Trust Diocese of Sydney) ("the Corporate Trustee") is the registered proprietor of the land referred to in the schedule hereto ("the Land").

B. The Land is church trust property held upon trust to permit the same to be used for a church, parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Anglican Church of Australia at Beecroft in the Parish of St John Beecroft.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held, it is inexpedient to carry out and observe the same and it is expedient to vary the trusts to the extent necessary to enable the land to be sold and to deal with and apply the proceeds of sale in the manner hereinafter set forth.

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.

1. This Ordinance may be cited as the "Beecroft Land Sale Ordinance 1992".
2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the Land is held it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied to the extent necessary to enable the Land to be sold and to make provision for the application of the proceeds of sale as hereinafter provided.
3. The Corporate Trustee is hereby authorised and empowered to sell the Land within three years after the date of assent to this Ordinance and thereafter only with the consent by resolution of the Standing Committee by public auction or private contract in one or more lots at such time and at such price or prices and upon such terms and conditions as it may determine freed from the trusts upon which the Land is held.
4. The Corporate Trustee shall apply the proceeds arising from the sale of the Land and any income derived therefrom as follows -
  - (a) First, in payment of the costs and fees of and incidental to the preparation and passing of this ordinance, the preparation for sale of the Land and all costs incurred in respect of the sale of the Land;
  - (b) Secondly, to apply the residue of the proceeds of sale together with all income earned thereon toward either wholly for one purpose or partly for one purpose and partly for another -
    - (A) (i) the purchase of a residence,
    - (ii) the purchase of land and construction of a residence thereon, or
    - (iii) the construction of a residence,for a minister, assistant to the minister or person employed by the churchwardens of St John's church in the Parish of Beecroft; or
  - (B) for the construction of a hall or improvements to an existing hall or halls or other buildings in the Parish of Beecroft; or
  - (C) such other purpose or purposes as may be requested in writing by a majority of the Parish Council of the Parish of Beecroft and as determined from time to time by resolution of the Standing Committee or failing such determination as may be determined by resolution of the Synod,

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and pending such application the income earned thereon shall be applied as follows -

- (i) as to an amount sufficient to pay any assessments levied with respect to such income to the churchwardens of St John's church in the Parish of Beecroft;
- (ii) as to an amount requested from the Corporate Trustee in writing from time to time by a majority of the Parish Council of the Parish of Beecroft to pay rent for accommodation for an assistant minister or a parish worker employed by the churchwardens of St John's church in the Parish of Beecroft from time to time; and
- (iii) the balance of such income shall be capitalised.

### Schedule

The whole of the land contained in Folio Identifier 1/545215 and known as 21 Hannah Street, Beecroft.

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 the 6th day of April 1992.

W.G.S. Gotley  
Secretary

I Assent to this Ordinance.

Donald Robinson  
Archbishop of Sydney  
6/4/1992