

Cambridge Park Land Sale Ordinance 2004

No 13, 2004

Long Title

An Ordinance to authorise the sale of certain land situated at Werrington and to provide for the application of the proceeds of sale.

Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in Folio Identifier 276/245374 known as 14 Charles Todd Crescent, Werrington (the "Land").

B. The Land is church trust property and is held upon trust for the parish of Cambridge Park (the "Parish") although there are no written trusts.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient to sell the Land and to apply the proceeds of sale 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 Cambridge Park Land Sale Ordinance 2004.

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient to sell the Land and to apply the proceeds of sale in the manner set out in this Ordinance.

3. Authority to sell

(1) The Property Trust is authorised to sell the Land within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution.

(2) The sale authorised by clause 3(1) may be by public auction or private treaty and for such price and subject to such terms and conditions as the Property Trust may determine.

4. Application of proceeds

The proceeds from the sale authorised by clause 3(1), after payment of the costs of and incidental to this Ordinance and sale of the Land, are to be paid to the Property Trust and applied as follows –

- (a) first, in payment of any goods and services tax (as defined in *A New Tax System (Goods and Services Tax) Act 1999*) payable in connection with the sale, and
- (b) secondly, to carry out extensions and renovations to the principal church of the Parish, and
- (c) thirdly, for the costs of landscaping and fitting out the church building, and
- (d) fourthly, to pay out any existing loans of the Parish, and
- (e) fifthly, the balance, if any, is to be applied for such capital purposes of the Parish as determined by the resolution of the majority of the parish council of the Parish.

5. Investment and application of income

Pending the application of the proceeds of sale referred to in clause 4, the proceeds or the balance remaining from time to time are to be invested by the Property Trust and the income applied towards the costs of providing accommodation for an assistant minister or person employed by the churchwardens of a church of the Parish to undertake ministry in the Parish.

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

PG KELL
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 31 May 2004.

MA PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
15/6/2004