

# Camden Ordinance 2000

No 9, 2000

## Long Title

An Ordinance to authorise the sale of certain lands in the parish of Camden to provide for the application of the proceeds of sale, and to vary the trusts on certain monies invested and for incidental purposes.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the lands specified in Part 1 of Schedules 1, 2 and 3 to this Ordinance (the "Land") and holds the same upon the trusts set out in the corresponding Part 2 of Schedules 1, 2 and 3.

B. The Property Trust holds the monies specified in Part 1 of Schedule 4 to this Ordinance (the "monies") upon the trusts set out in Part 2 of Schedule 4.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Land be sold and it is inexpedient to apply the proceeds of sale for the same or like purposes as the trusts on which the Land is held.

D. By reason of circumstances which have arisen after the creation of the trusts on which the monies are held, it is inexpedient to deal with or apply the monies for the same or like purposes as the trusts on which the monies are held.

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

## 1. Name

This Ordinance is the Camden Ordinance 2000.

## 2. Declarations

(1) By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Land be sold and it is inexpedient to apply the proceeds of sale for the same or like purposes as the trusts on which the Land is held.

(2) By reason of circumstances which have arisen after the creation of trusts on which the monies are held it is inexpedient to deal with or apply the monies for the same or like purposes as the trusts on which the monies are held.

## 3. Authority

(1) The Property Trust is authorised and empowered to sell the Land or any part or parts thereof within 3 years from the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution.

(2) The sale or sales authorised under clause 3(1) may be by public auction or private agreement and for such price or prices and subject to such terms and conditions as the Property Trust may determine freed from the trusts upon which the Land or the applicable part or parts thereof are held.

## 4. Application of Proceeds

(1) The proceeds arising from the sale or sales authorised under clause 3, after deduction of costs and fees of and incidental to this Ordinance and the sale or sales, are to be applied -

- (a) first, towards the costs of purchasing or erecting on land held upon trust for the parish of Camden (the "Parish") a residence or residences for the minister or an assistant to the minister or person employed by the churchwardens of any church in the Parish; and
- (b) secondly, towards the costs of refurbishing the rectory and extending and modifying the church halls in the Parish; and
- (c) the balance towards such other capital works of the Parish as the parish council of the Parish considers by resolution to be appropriate.

(2) The monies shall be held upon and applied in accordance with the same trusts as the proceeds of sale under clause 4(1).

## 5. Investment

Pending the application of the proceeds of sale and the monies under clause 4, the proceeds of sale and the monies (or the balance remaining from time to time) are to be invested and the income capitalised.

### Schedule 1

Part 1: The whole of the land in Certificate of Title Folio Identifier 1/1009303 known as 10 View Street, Camden.

Part 2: Pursuant to the will of the Late Michael Charles Louis Brien upon trust for the sole purpose of housing a minister or curate of the parish of Camden

### Schedule 2

Part 1: The whole of the land in Certificate of Title Folio Identifier 165/260493 known as 10 Cranfield Place, Camden.

Part 2: Upon trust for the parish of Camden although there are no written trusts.

## **Camden Ordinance 2000**

### **Schedule 3**

Part 1: The whole of the land in Certificate of Title Folio Identifier 145/234814 known as 11 Cowper Drive, Camden.

Part 2: Pursuant to clause 4(1) the St Peter's Theresa Park Variation of Trusts and Land Sale Ordinance 1991 to be used as a residence for an assistant to the minister or a person employed by the churchwardens in the parish of Camden.

### **Schedule 4**

Part 1: Anglican Church Property Trust Diocese of Sydney Client Fund 465

Part 2: Pursuant to the 6th Schedule of the Anglican Church Property Trust Diocese of Sydney (Sundry Accounts) Ordinance 1995 on trust to apply the income as follows -

- (a) as to 60% - to the churchwardens of St John's Church, Camden for the maintenance and improvement of parish buildings and property;
- (b) as to 10% - to the churchwardens of St John's Church Camden for the purposes of the parish of Camden; and
- (c) by capitalising the balance.

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 3 April 2000.

M A PAYNE  
Secretary

I Assent to this Ordinance.

R H GOODHEW  
Archbishop of Sydney  
6/4/2000