



## **Castle Hill (Castle Hill and Baulkham Hills) Land Sale Ordinance 1999**

No 4, 1999

### **Long Title**

An Ordinance to authorise the sale of land at 16 Helen Court, Castle Hill and 18 Brucedale Drive, Baulkham Hills and provide for the application of the proceeds.

### **Preamble**

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land in the Schedule ("the Land").

B. The Land is church trust property and is held upon trust for the purposes of and in connection with the Anglican Church of Australia in the parish of Castle Hill (the "Parish") although there are no written trusts.

C. By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is expedient that the lots comprising the Land be sold and the proceeds applied as provided herein.

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

#### **1. Name**

This Ordinance is the Castle Hill (Castle Hill and Baulkham Hills) Land Sale Ordinance 1999.

#### **2. Declarations**

By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is expedient that the lots comprising the Land be sold.

#### **3. Power to Sell**

The Property Trust is authorised to sell each lot comprising the Land within 3 years after the date of assent to this Ordinance and after that day only with the consent of the Standing Committee given by resolution, by public auction or private agreement for such price and on and subject to such terms and conditions as to the Property Trust may seem appropriate.

#### **4. Application of Sale Proceeds**

The proceeds from the sale of the Land or any part or parts thereof shall be applied -

(a) first to pay all outgoings to which the Land may be subject and the costs of and incidental to this Ordinance and of any sale of the Land or part or parts thereof; and

(b) secondly, the balance is to be applied towards one or more of the following -

(i) the costs in relation to the extension and refurbishment of church, halls, parsonage or other church buildings of the Parish;

- (ii) the costs in relation to the development and implementation of the Parish master plan; and
- (iii) the cost of the development of the church grounds and site works associated with the Parish master plan.

#### **5. Investment of Proceeds**

Pending application of the proceeds of sale referred to in clause 4, the proceeds of any sale must be invested and the income capitalised.

#### **6. Payment to Churchwardens**

If the balance of the proceeds of sale and any capitalised interest, after any application or applications made pursuant to clause 4, is less than the minimum sum, such balance is to be paid to the churchwardens of the Parish and applied for the purposes set out in clause 4. The expression "minimum sum" at any time means the amount last determined prior to that time by the Property Trust to be the smallest sum in relation to which the Property Trust wishes to act as trustee.

#### **Schedule**

16 Helen Court, Castle Hill Folio Identifier 16/225948

18 Brucedale Drive, Baulkham Hills Folio Identifier 408/235327

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 22 February 1999.

#### ***M A PAYNE***

*Secretary*

I Assent to this Ordinance.

#### ***P R WATSON***

*Commissary*

24/2/1999