

KIAMA LAND SALE ORDINANCE 1986 AMENDMENT ORDINANCE 1989

No 22, 1989

AN ORDINANCE to amend Kiama Land Sale Ordinance 1986 (No 59, 1986).

WHEREAS

A. By Kiama Land Sale Ordinance 1986 (No 59, 1986) (hereinafter called "the principal ordinance") Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") was authorised to sell certain land at Foxground as described in the Schedule of such Ordinance.

B. The principal ordinance directed (inter alia) that the nett proceeds arising from the sale or sales of such land be applied in accordance with Clause 3 of the principal ordinance.

C. By reason of circumstances which have arisen subsequent to the creation of the trusts of such proceeds it is inexpedient to carry out and observe the same to the extent the same are hereby varied.

D. It is expedient that the principal ordinance be amended as hereinafter set out.

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. By reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the proceeds of the sale of the said land are to be held it is inexpedient to carry out and observe the same to the extent that they are hereby varied.

2. Clause 3 of the principal ordinance is amended by omitting subclause (1) and inserting in lieu thereof the following subclause:-

(1) The proceeds arising from the sale after complying with the terms of the consent order made in Supreme Court Equity Division Matter No. 2314 of 1987 on 22 May 1989 and paying thereout the costs of and incidental to this Ordinance and the cost of and incidental to the sale shall be applied as follows:

(a) First towards the costs of and incidental to Supreme Court Equity Division Matter No. 2314 of 1987;

(b) Secondly, to the Sydney Church of England Finance and Loans Board in reduction of the indebtedness of the provisional parish of Gerringong in connection with the Gerringong rectory;

(c) Thirdly, as to the balance to be applied for such of the purposes of the provisional parish of Gerringong as approved by Standing Committee pursuant to a resolution of the Parish Council of the said provisional parish.

3. Clause 3(2) of the principal ordinance is amended by omitting the words "subparagraphs 1(b) and (c)" and inserting in lieu thereof "subparagraph 1(c)".

4. (i) The principal ordinance as amended by this ordinance may be cited as the "Kiama Land Sale Ordinance 1986" and in any reprint of the principal ordinance Clause 3 shall be amended accordingly.

(ii) This Ordinance may be cited as the "Kiama Land Sale Ordinance 1986 Amendment Ordinance 1989".

KIAMA LAND SALE ORDINANCE, 1986 AMENDMENT ORDINANCE 1989

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

E.D. CAMERON
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on this 31st day of July 1989.

W.G.S. GOTLEY
Secretary

I ASSENT to this Ordinance.

DONALD ROBINSON
Archbishop of Sydney
31/7/89