

# Lawson Land Sale Ordinance 2003

No 19, 2003

## Long Title

An Ordinance to declare new trusts in respect of certain land at Hazelbrook, to authorise the sale of the land and to provide for the application of the sale proceeds.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land in folio identifiers B/402438 and 1/347038 at Hazelbrook (the "Land").

B. The Land is church trust property and by the St James' Hazelbrook Sale Ordinance 1957 is held on trust to permit the same to be used as and for a church, parsonage or parish hall or partly for one and partly for another or other of such purposes in connection with the Church of England at St James' Hazelbrook in the parish of Lawson with Hazelbrook Cum Woodford and Linden.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out or observe those trusts and it is expedient to declare new trusts in respect of the Land and it is expedient that the Land be sold and that the proceeds of sale be applied 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 Lawson Land Sale Ordinance 2003.

### 2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held -

- (a) it is inexpedient to carry out or observe those trusts and it is expedient to declare new trusts in respect of the Land, and
- (b) it is expedient that the Land be sold and that the proceeds of sale be applied in the manner set out in this Ordinance.

### 3. New trusts

The Land is held on trust for the parish of Lawson (the "Parish") to be used for one or more of the following purposes -

- (a) a church,
- (b) a parish hall,
- (c) a residence for the minister, an assistant minister or a person employed by the churchwardens of a church in the Parish.

### 4. Authority to sell

(1) The Property Trust is authorised to sell the Land by private treaty any time during the 3 years following the date on which assent is given to this Ordinance (and thereafter only if approved by resolution of the Standing Committee) for such price and on and subject to such terms and conditions as the Property Trust considers appropriate.

(2) The power granted in clause 4(1) is not to be exercised until the Archbishop has revoked the sentence of consecration of St James' Church Hazelbrook erected on the Land

### 5. Application of sale proceeds

The proceeds from the sale of the Land (and any income therefrom) after the 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 in or towards -

- (a) first, the payment of any goods and services tax (as defined in the *A New Tax System (Goods and Services Tax) Act 1999*) in connection with the sale of the Land; and
- (b) the proceeds (or the balance remaining from time to time) are to be invested and the income from such investment shall be capitalised.

**Lawson Land Sale Ordinance 2003**

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

R TONG  
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 26 May 2003.

MA PAYNE  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
16/6/2003