

Lawson (Woodford) Land Sale Ordinance 1994

No 3, 1994

Long Title

An Ordinance to authorise the sale of land at Woodford and to provide for the application of the proceeds of sale.

Preamble

Whereas

- A. The Property Trust is the registered proprietor of the land ("Land") described in the schedule.
- B. The Land is church trust property and, by declaration of trust made by the Property Trust on 8 June 1928, is held upon trust to permit the same to be used for a church, parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the parish of Lawson ("Parish") at Woodford.
- 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 and observe those trusts 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.

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.

Citation

1. This ordinance may be cited as the "Lawson (Woodford) Land Sale Ordinance 1994".

Declaration of Inexpediency

2. By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the Land be sold and it is inexpedient to deal with or apply the proceeds of sale for the same or like purposes as the trusts on which the Land is held.

Authority to Sell

3. (1) The Property Trust is authorised and empowered to sell the Land at any time within 3 years from the date of assent to this ordinance and thereafter only with the consent by resolution of the Standing Committee.
(2) Such sale may be by public auction or private agreement in one or more lots and for such price or prices and subject to such terms and conditions as the Property Trust may consider appropriate.

Application of Proceeds

4. (1) The costs of and incidental to this ordinance and the sale and transfer of the Land shall be paid from the proceeds of sale of the Land.
(2) The remaining balance of the proceeds of sale shall be paid to the Property Trust and applied for all or any of the following purposes -
 - (a) in and towards the costs of the construction and furnishing of a hall complex on church trust property at Lawson and the undertaking of alterations and renovations to the rectory erected on that land;
 - (b) in and towards the costs of the redevelopment of the land on which the buildings known as St James' church and hall Hazelbrook are erected including the construction and furnishing of new buildings on that land and/or the alteration and renovation of existing buildings;
 - (c) in and towards the purchase of land situated in the Parish and the construction and furnishing of a parish centre thereon; and
 - (d) in and towards the purchase of a residence to be used to accommodate an assistant minister or person employed by the churchwardens of any church in the Parish or for the purchase of land and the construction thereon of a suitable residence for such purpose.

Investment

5. Pending the application of the proceeds of sale under clause 4, the proceeds shall be invested and the income applied as follows -
 - (a) so much of the income derived in any financial year as is required in payment of any assessment imposed upon the Parish in respect of that financial year to the extent that the assessment is increased by the inclusion of such income in the assessable receipts of the Parish shall be applied for that purpose; and
 - (b) the balance of the income is to be capitalised.

Minimum Sum

6. (1) If the balance of the proceeds of sale and any capitalised income, after any application or applications under clause 4 is less than the Minimum Sum, such balance is to be paid to the churchwardens of the principal church of the Parish and is to be applied in accordance with clause 4.
(2) The expression "Minimum Sum" means, at any time, 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

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All That piece or parcel of land at Woodford in the City of the Blue Mountains Parish of Woodford and County of Cook being part of Lots 12 and 13 in Deposited Plan No 3762 and also part of portion 71/XXIV (24 of Parish) and being the whole of the land comprised in Certificate of Title Volume 2694 Folio 247.

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 21 February 1994.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
21/2/1994