

South Sydney Land Sale Ordinance 2011

No 25, 2011

Long Title

An Ordinance to vary the trusts of certain land at Redfern, to authorise the sale of that land and to provide for the application of the proceeds of sale.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in folio identifier A/110077 and known as 73-75 George Street Redfern (the "Land").

B. The Land is church trust property and is held on trust for the parish of South Sydney (the "Parish") although there are no written trusts.

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 or to deal with or apply the Land for the same or like purposes as those trusts or to deal with or apply the Land wholly for the benefit of the Parish, and it is expedient that the Land be sold and that the proceeds 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 South Sydney Land Sale Ordinance 2011.

2. Declarations

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 or to deal with or apply the Land for the same or like purposes as those trusts or to deal with or apply the Land wholly for the benefit of the Parish, and it is expedient that the Land be sold and that the proceeds be applied in the manner set out in clause 5.

3. Power of Sale

The Property Trust is authorised to sell the Land at any time within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution whether given before or after that date.

4. Variation of Trusts

The trusts of the Land are varied to the extent necessary to permit the application under clause 5(a).

5. Application of the Proceeds of Sale

The proceeds of sale, after payment of the costs and expenses of and incidental to this Ordinance and the sale of the Land, are to be paid to the Property Trust and applied as follows –

- (a) first, 20% of the remaining balance to be added to the capital of the funds held under the Sydney Anglican Indigenous Peoples' Ministry Ordinance 2002,
- (b) second, in and towards the costs and expenses of or incidental to the discharge of the rights of the NSW Government and its tenants to occupation and use of the building located at the corner of Young Street and Ogden Lane, Redfern known as the "Redfern Centre",
- (c) third, in and towards the purchase of residential property within the Parish, and
- (d) fourth, the balance is to be invested and the income applied towards the costs and expenses of or incidental to –
 - (i) the alteration, extension, addition, demolition, redevelopment and/or capital maintenance of buildings and structures erected on land held on trust for the general or specific purposes of the Parish; and

South Sydney Land Sale Ordinance 2011

- (ii) the provision of fixtures and fittings in, or adjacent to, or incidental to such alteration, extension, addition, demolition, redevelopment and/or capital maintenance,
at the request of the Parish Council of the Parish.

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

PG KELL
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 22 August 2011.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
23/08/2011