
St Andrew's Lane Cove Ordinance 1988

(Reprinted under the Interpretation Ordinance 1985.)

The St Andrew's Lane Cove Ordinance 1988 as amended by the St Andrew's Lane Cove Ordinance Amendment Ordinance 1991.

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Long Title

An Ordinance to authorise the sale of certain land at Lane Cove and to provide for the application of the proceeds thereof.

Preamble

Whereas

A. The land described in the Schedule hereto (hereinafter called "the land") is vested in the Anglican Church Property Trust Diocese of Sydney (hereinafter called "the Corporate Trustee") and is held upon trust for the Anglican Church of Australia in the Diocese of Sydney in the Parish of Lane Cove for use as -

- (a) church;
- (b) residence for a minister, assistant to the minister or person employed by the churchwardens;
- (c) hall or halls;
- (d) school or other place of assembly;

or partly for one or other or others of those purposes in connection with the Anglican Church of Australia within the Diocese of Sydney for the sole benefit of the parish or other ecclesiastical district of Lane Cove or any parish or ecclesiastical district into which it may subsequently be formed or form a part.

B. By reason of circumstances which have arisen subsequent to the creation of the said trusts upon which the land is held it is expedient to sell the land and to apply the proceeds of such sale in the manner herein set forth.

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.

Declaration of expediency

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land is held it is expedient that the land be sold.

Authority to sell land

2. The Corporate Trustee is hereby authorised to sell the land within three (3) years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private agreement in one or more lots and for such price or prices and on the subject to such terms and conditions as to the Corporate Trustee may seem appropriate freed from the trusts upon which the land is now held.

Application of Proceeds

- ¹ 3. The proceeds arising from the sale or sales shall be applied by the Corporate Trustee as follows -
- (1) first, in payment of the costs of and incidental to this Ordinance and of any sale or sales of the land;
 - (2) secondly, to be applied in the acquisition of such land as the Parish Council of the said Parish may by resolution determine to be held on the same trusts as set forth in the preamble hereto;
 - (3) thirdly, the net balance to be applied towards repayment of interest free loans made to the churchwardens of St Andrew's Church, Lane Cove, by parishioners of the parish;
 - (4) fourthly, pending any application as aforesaid the proceeds shall be invested and the income capitalised.
4. This Ordinance may be cited as the "Lane Cove Ordinance 1988".

Schedule

All That piece of parcel of land situated in the Municipality of Lane Cove, Parish of Willoughby, County of Cumberland being the whole of the land comprised in Certificate of Title Volume 6491 Folio 177.

Endnotes

1. Amended by Ordinance No 47 of 1991.

M.A. PAYNE
Legal Officer

W.G.S. GOTLEY
Diocesan Secretary

30 October 1991