

# Sutherland Land Sale Ordinance 2013

No 25, 2013

## Long Title

An Ordinance to authorise the sale of certain land at Sutherland 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 46/27973 and known as 51 Acacia Road, Sutherland (the "Land").

B. The Land is Church Trust Property and held on trust for the purposes of the parish of Sutherland (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 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 Sutherland Land Sale Ordinance 2013.

### 2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is expedient that the Land be sold and that the proceeds be applied in the manner set out in clause 4.

### 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. Application of the Proceeds of Sale

(1) The proceeds of sale, after payment of the costs 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, in payment of any goods and services tax (as defined in "A New Tax System (Goods & Services Tax) Act 1999") payable in connection with the sale,
- (b) second, in and towards the costs and expenses of and incidental to the purchase of land and the construction of a residence thereon or the purchase of a residence and the cost of any alterations considered necessary to render the residence suitable for housing a minister, assistant minister or a person employed by the Wardens of St John's Sutherland, and
- (c) any remaining balance, in and towards the maintenance and upkeep of the said residence.

(2) Pending application of the sale proceeds, the sale proceeds (or the balance remaining from time to time) are to be invested and the income capitalised.

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

PG KELL  
Chairman of Committees

**Sutherland Land Sale Ordinance 2013**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 22 July 2013.

R WICKS  
Secretary

I Assent to this Ordinance.

ROBERT FORSYTH  
Administrator  
23/07/2013