

Wahroonga (St Paul's) Land Sale Ordinance 2003

No 37, 2003

Long Title

An Ordinance to permit the sale of certain land at Wahroonga.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land comprised in Folio Identifier 2/SP15189 known as 2/1709 Pacific Highway, Wahroonga (the "Land").

B. The Land is church trust property and forms part of the property of the Wahroonga (St Paul's) Trust which, under the Wahroonga (St Paul's) Trust Ordinance 2003, is held for the purposes of the parish of St Paul's Wahroonga (the "Parish").

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.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Wahroonga (St Paul's) 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, it is expedient that the Land be sold.

3. Power of sale

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

4. Allocations from the Wahroonga (St Paul's) Trust

(1) Subject to clauses 4(2), the Property Trust is directed that it may make the following payments from the capital of the Wahroonga (St Paul's) Trust -

- (a) first, the costs and expenses of and incidental to this Ordinance and the sale of the Land;
- (b) second, in 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
- (c) third, towards the costs of and incidental to constructing and fitting out or purchasing a residence for a minister, assistant to the minister or person employed by the churchwardens of the church of the Parish; and
- (d) any balance remaining thereafter to be used for the capital purposes of the Parish as determined from time to time by resolution of the parish council of the Parish.

(2) No payment is to be made under clause 4(1) until the Land has been sold and the proceeds of sale paid to the Property Trust.

5. Commencement

This Ordinance commences on the date assent is given to Wahroonga (St Paul's) Trust Ordinance 2003.

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

PG KELL
Chairman of Committees

Wahroonga (St Paul's) Land Sale Ordinance 2003

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 29 September 2003.

MA PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
30/9/2003