

# Blackheath (Medlow Bath) Land Sale Ordinance 2006

No 46, 2006

## Long Title

An Ordinance to authorise the sale of certain land at Medlow Bath 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 comprised in Folio Identifier 1/931571 and known as St Lukes Medlow Bath (the "Land").

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

C. By reason of circumstances that have arisen after the creation of the trusts on which the Land is held it is expedient that the land be sold and the proceeds of sale 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 Blackheath (Medlow Bath) Land Sale Ordinance 2006.

### 2. Declaration

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 the proceeds of sale be applied in the manner set out in this ordinance.

### 3. Authority to sell

(1) Subject to subclause (2) the Property Trust is authorised to sell the Land within 3 years after the date of assent to this ordinance and after this period only with the consent of the Standing committee given by resolution.

(2) The sale authorised by clause 3(1) may be by public tender or private treaty and for such price and subject to such terms and conditions as the Property Trust may determine.

### 4. Application of proceeds of sale

(1) The costs of and incidental to this ordinance and sale of the Land are to be paid from the proceeds of sale of the Land.

(2) The remaining balance of the proceeds are to be paid to the Property Trust and applied as follows -

- (a) in payment of any good and services tax (as defined in A New Tax System (Goods & Services Tax) Act 1999) payable in connection with the sale, and
- (b) the renovation and restoration of real property that is held on various trusts for the purposes of the Parish, and
- (c) the balance for such purposes of the Parish as the Standing Committee may determine by resolution at the request of the Parish Council of the Parish.

(3) The sale proceeds (or balance remaining from time to time) are to be invested and the income capitalised pending their application.

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

R TONG  
Deputy Chairman of Committees

**Blackheath (Medlow Bath) Land Sale Ordinance 2006**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 11 December 2006.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
20/12/2006