

Lindfield Land Sale Ordinance 2008

No 20, 2008

Long Title

An Ordinance to permit the sale of certain land at in Pacific Highway, Lindfield 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 identifiers 4/SP2109 and 18/SP2109 known as 4/468 Pacific Highway, Lindfield (the "Land").

B. The Land is church trust property and is held on trust for the purposes of the parish of Lindfield (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 Lindfield Land Sale Ordinance 2008.

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

- (a) in and towards the purchase of a residence, or the purchase of land and construction of a residence thereon, and the cost of any alterations considered necessary to make the residence comply with diocesan standards, for housing the Minister of the Parish,
- (b) in and towards the purchase of a residence, or the purchase of land and construction of a residence thereon, and the cost of any alterations considered necessary to make the residence comply with diocesan standards, for housing an assistant minister of the Parish or a person employed by the churchwardens of the principal church of the Parish, and
- (c) the balance to be applied in and towards the costs and expenses of or incidental to –
 - (i) the alteration, extension, addition, demolition and/or redevelopment of buildings and structures erected on land held on trust for the general or specific purposes of the Parish,
 - (ii) the construction of new buildings or structures whether inside or adjacent to, or in replacement of, the residences on the land held on trust for the general or specific purposes of the Parish, and
 - (iii) the provisions of fixtures and fittings in, or adjacent to, or incidental to, such alteration, extension, addition, redevelopment or construction.

(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.

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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 September 2008.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
23 /09/2008