

# Mulgoa Land Sale Ordinance 2015

No 20, 2015

## Long Title

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

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land in folio identifier 1/928151 known as Silverdale Road, Silverdale and the site of the All Saints Silverdale church (the "Land").

B. The Land is church trust property and forms part of the property of the Mulgoa Trust which, under the Mulgoa Trust Ordinance 2006, is held for the purposes of the parish of Mulgoa.

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 Mulgoa Land Sale Ordinance 2015.

### 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

(1) Subject to clause 3(2), 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.

(2) The authority to sell the Land arises only after the licence or sentence of consecration of the church on the Land has been revoked.

### 4. Allocations from the Mulgoa Trust

(1) Subject to clause 4(2), the Property Trust is directed to make the following payments from the capital of the Mulgoa Trust –

- (a) first, the costs and expenses of and incidental to this Ordinance and the sale of the Land,
- (b) second, if authorised by the Parish Council, in payment of costs for the removal and relocation of the All Saints Silverdale building to 2265 Silverdale Road, Silverdale, including planning, development application, council requirements, re-piering, reconnection to electricity and landscaping,
- (c) third, in payment of costs for the construction of a new church centre at 2265 Silverdale Road, Silverdale including planning, development application, council requirements, construction, furnishings, fittings and landscaping,
- (d) fourth, for the repayment of loans taken out in connection with the construction of the new church referred to in clause 4(1)(c), and
- (e) the balance to be applied in accordance with clause 6 of the Mulgoa Trust Ordinance 2006.

(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. Capitalisation of income

Notwithstanding clause 7 of the Mulgoa Trust Ordinance 2006, all income arising from the investment of that part of the Mulgoa Trust which comprises the proceeds of sale is to be capitalised.

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

R TONG  
Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 24 August 2015.

R WICKS  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
25/08/2015