



Pymble Land Sale Ordinance 1997

No 38, 1997

Long Title

An Ordinance to authorise the sale of land at West Pymble and provide for the application of the proceeds.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land (the "Land") being Lot 3 in Deposited Plan 224474 which is known as 6 Par Close, West Pymble.

B. The Land is church trust property and under the Pymble Ordinance 1989 is held upon trust for the purposes of and in connection with the Anglican Church of Australia in the parish of Pymble (the "Parish").

C. By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the Land be sold but it is inexpedient to apply the proceeds of sale solely for the same or like purposes as the trusts on which the Land is held or solely for the purposes of the Parish.

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

Name of Ordinance

1. This Ordinance is the Pymble Land Sale Ordinance 1997.

Declarations

2. By reason of circumstances which have after the creation of the trusts upon which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the Land be sold but it is inexpedient to apply the proceeds of sale solely for the same or like purposes as the trusts on which the Land is held or solely for the purposes of the Parish.

Power to Sell

3. The Property Trust is authorised to sell the Land within 3 years after the date of assent to this Ordinance and after that day only with the consent of the Standing Committee, by public auction or private agreement for such price and on and subject to such terms and conditions as to the Property Trust may seem appropriate freed from the trusts upon which the Land is now held.

Application of Sale Proceeds

4. The proceeds arising from the sale, after payment of the costs of and incidental to this Ordinance and of any sale of the Land, shall be applied as follows -

(a) 15% of the balance remaining after the payment of the such costs shall be paid to the trustee of the Diocesan Endowment Fund to be added to the capital of that Fund;

(b) the balance shall be applied for one or more of the following purposes -

(i) the costs of or associated with erecting, landscaping and furnishing 2 dwellings on the land known as 4a Merrivale Road, Pymble;

(ii) the costs of or associated with purchasing 1 or more parcels of land to be held upon trust for the Parish for use as a residence for the rector, an assistant minister or person employed by the churchwardens of St Swithun's Church, Pymble or for Sunday School accommodation;

(iii) the costs of or associated with altering or extending any building or buildings erected upon the land referred to in (ii);

(iv) the costs of or associated with erecting a building or buildings on the land referred to in (ii); and

(v) the costs of or associated with altering, extending or repairing existing Parish buildings and property held upon trust for the general or specific purposes of the Parish.

Investment of Proceeds

5. Pending application under clause 4 the proceeds of sale shall be invested and the income capitalised.

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

R. TONG

Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 27 October 1997.

W.G.S. GOTLEY

Secretary

I Assent to this Ordinance.

R.H. GOODHEW

Archbishop of Sydney

27/9/1997