

# Robertson (Kangaloon and Glenquarry) Land Sale Ordinance 1993

No 9, 1993

An Ordinance to provide for the sale of certain land situated at Kangaloon and Glenquarry in the Parish of Robertson and to provide for the application of the proceeds of sale of those lands.

Whereas

- A. The Property Trust is the registered proprietor of the land at Kangaloon ("Kangaloon Land") being the land comprised in Certificate of Title Volume 4431 Folio 12 and being the land on which is erected the building known as St Mark's Church, Kangaloon.
- B. The Kangaloon Land is church trust property held to permit the same to be used for a church parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Parish of Wingecarribee at Kangaloon.
- C. The Kangaloon Land is now situated in the Parish of Robertson ("Parish").
- D. The Property Trust is the registered proprietor of the land at Glenquarry ("Glenquarry Land") being the land comprised in Certificate of Title Volume 2170 Folio 246 and being the land on which is erected the building known as St Luke's Church, Glenquarry.
- E. The Glenquarry Land is church trust property held for the purposes of the Anglican Church in the Parish although no trusts have been declared in writing.
- F. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the Kangaloon Land and the Glenquarry Land are respectively held it is expedient that the Kangaloon Land and the Glenquarry Land be sold and further it is inexpedient to deal with or apply the proceeds of sale of the Kangaloon Land and the Glenquarry Land for the same or like purposes and it is expedient to amend those trusts so as to permit the application of the proceeds of sale in the manner set out in this ordinance.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows.

1. This ordinance may be cited as the "Robertson (Kangaloon and Glenquarry) Land Sale Ordinance 1993".
2. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the Kangaloon Land and the Glenquarry Land are respectively held it is expedient that the Kangaloon Land and the Glenquarry Land be sold and further it is inexpedient to deal with or apply the proceeds of sale of the Kangaloon Land and the Glenquarry Land for the same or like purposes and it is expedient to amend the trusts on which such lands are held so as to permit the application of the proceeds of sale in the manner set out in this ordinance.
3. The Property Trust is hereby authorised to sell the Glenquarry Land and the Kangaloon Land within 3 years after the date of assent to this ordinance and thereafter only with the consent of the Standing Committee by resolution, by public auction or private contract in one or more lots at such time and at such price or prices and upon such terms and conditions as the Property Trust may determine.
4. The proceeds of sale of the Kangaloon Land and the Glenquarry Land, and any income capitalised under clause 5, must be applied by the Property Trust in the following order of priority -
  - (a) First, to pay the costs and fees of and incidental to the preparation and passing of this ordinance, the preparation for sale of the Kangaloon Land and the Glenquarry Land and the subsequent sale or sales of those lands.
  - (b) Secondly, from the proceeds of sale of the Glenquarry Land, an amount equal to 10% of the sale price of that land for such extra parochial purposes as may be determined by the majority of the parish council of the Parish.
  - (c) Thirdly, to repay the outstanding balance of the loan made by the Sydney Church of England Finance and Loans Board to the Parish for the renovation of the Parish rectory.
  - (d) Fourthly, as to any balance, for such purposes of the Parish as may be determined by the majority of the parish council of the Parish from time to time and approved by resolution of Standing Committee.
5. Pending application of the proceeds of sale under clause 4, the proceeds must be invested and the income in each year must be applied as follows -
  - (a) an amount of 11% of the amount of the income must be paid to the churchwardens of St John's Church Robertson to be applied to diocesan assessments on that income; and
  - (b) the balance of the income must be capitalised.

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

N.M. Cameron  
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 27th day of April 1993.

W.G.S. Gotley  
Secretary

I Assent to this Ordinance.

J.R. Reid  
Administrator of the Diocese of Sydney  
27/4/1993