



Robertson Land Sale Ordinance 1997

No 28, 1997

Long Title

An Ordinance to authorise the sale of certain land at May Street, Robertson and the application of the proceeds thereof and for matters incidental thereto.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land at Robertson comprised in Certificate of Title Folio Identifier 118/751302 (the "Land").

B. The land is held on trust by the Property Trust for the purpose of the Anglican Church in the parish of Robertson (the "Parish") although no written trusts exist.

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 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 -

Name of Ordinance

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

Declarations of Inexpediency

2. 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 it is inexpedient to deal with or apply the proceeds of sale wholly for the use or benefit of the Parish or for the same or like purposes as the trusts on which the Land is held.

Authority to Sell

3. The Property Trust may sell the Land at any time within 3 years after the date of assent of this Ordinance, or such longer period as the Standing Committee may approve by resolution, by private treaty or otherwise and on such terms as the Property Trust may consider appropriate.

Application of Proceeds

4. (1) The proceeds of the sale of the Land, after paying or reimbursing the Parish for the costs of and incidental to this Ordinance and the costs of sale, shall be applied by the Property Trust as follows -

(a) first, an amount equal to 10% of the sale price of the Land shall be applied for such extra parochial purposes as may be determined by the majority of the parish council of the Parish;

(b) secondly, the balance shall be applied for either or both of the following -

(i) the cost of building or altering or refurbishing buildings upon land held upon trust for the Parish;

(ii) the acquisition of other land in the Parish to be held upon trust for the purposes of the Parish; and

(iii) such other purposes as the Standing Committee may approve by resolution following a request from the majority of the parish council of the Parish.

(2) Pending the application of the proceeds of sale under subclause (1) the Property Trust shall invest the proceeds and apply the income as follows -

(a) an amount equal to 25% of the income is to be paid to the churchwardens of St John's Church, Robertson to be applied by them for such purposes of the Parish as are determined from time to time by the majority of the parish council of the Parish other than the payment of the stipend, allowances and benefits of the minister;

(b) an amount equal to 25% of the income is to be applied toward assessments and arrears of assessments owed by the Parish from time to time; and

(c) 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 22 September 1997.

W.G.S. GOTLEY

Secretary

I Assent to this Ordinance.

P.R. WATSON

Commissary for the Archbishop of Sydney
22/9/1997