

Carlingford and North Rocks Easement Ordinance 2023

No 12, 2023

Long Title

An Ordinance to authorise an easement over certain land at Carlingford and to provide for the application of the proceeds.

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

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "ACPT") is the registered proprietor of the land contained in Folio Identifiers 1/1023389 and 2/1023389 known as 233 Marsden Road Carlingford and the site of St Paul's Anglican Carlingford Cemetery (the "Land").

B. The Land is church trust property and by clause 5 of the *Carlingford and North Rocks Trust Ordinance 2017* is held upon trust for the purposes of the Parish of Carlingford and North Rocks (the "Parish").

C. It is proposed to grant an easement over a part of the Land to allow for a stormwater line between neighbouring parcels of land (the "Easement").

D. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient that the Easement be granted 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 of ordinance

This Ordinance is the Carlingford and North Rocks Easement Ordinance 2023.

2. Declarations

By reasons of circumstances which have arisen after the creation of trusts on which the Land is held it is expedient that the Easement be granted and that the proceeds be applied in the manner set out in clause 4.

3. Authority to Grant

The ACPT is authorised to grant the Easement, subject to such terms and conditions as the ACPT considers appropriate, provided that no such grant is to be made after the third anniversary of the date on which assent is given to the Ordinance without the consent of the Standing Committee given by resolution.

4. Application of the Proceeds of Grant

The proceeds from the grant of the Easement are to be paid to the ACPT and applied as follows-

- (a) first, in the payment of any taxes (including in the nature of goods and services tax) payable by reason of the grant of the Easement, and
- (b) second, towards the costs and expenses of and incidental to the grant of the Easement and the promotion of this Ordinance, and
- (c) third, the balance is to be paid to the wardens of St Paul's Church, Carlingford to be applied for such purposes of the Parish as the parish council may from time to time determine, except payment of the stipend, allowances and benefits paid or provided to the Rector.

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

P COLGAN
Chair of Committee

Carlingford and North Rocks Easement Ordinance 2023

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 23 May 2023.

B BOUNDS
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

22/05/2023