

Chatswood Land Sale Ordinance 2009

No 13, 2009

Long Title

An Ordinance to permit the sale of certain land at De Villiers Avenue, Chatswood.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the property comprised in folio identifier 22/578743 and known as 5A De Villiers Avenue, Chatswood (the "Land").

B. The Land is church trust property and forms part of the property of the Chatswood Trust, which, under the Chatswood Trust Ordinance 2008, is held on trust for the purposes of the Parish of Chatswood.

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 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

This Ordinance is the Chatswood Land Sale Ordinance 2009.

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 and that the proceeds be applied in the manner set out in clause 4.

3. Power of Sale

The Property Trust is authorised to sell the Land at any time within 3 years from the date of assent to this Ordinance (the "Expiry Date") and thereafter only with the consent by resolution of the Standing Committee whether given before or after the Expiry Date.

4. Application of the Proceeds of Sale

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

- (a) firstly, the costs and expenses of and incidental to this Ordinance and the sale of the Land;
- (b) secondly, in payment of any goods and services tax (as defined in A New Tax System (Goods & Services Tax) Act 1999) payable in connection with any sale authorised by clause 3;
- (c) thirdly, the costs and expenses of any repairs and maintenance or demolition works required to facilitate the sale of the Land;
- (d) fourthly, in and towards the purchase of a residence or residences, or the purchase of land and construction of a residence thereon, and the cost of any alterations considered necessary to make the residence or residences comply with Diocesan standards, for housing a rector, assistant minister or a person employed by the Wardens of St Paul's Chatswood.

(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.

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

PG KELL
Chairman of Committees

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I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 10 August 2009.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
11/08/2009