

Dapto (Byamee Street) Land Sale Ordinance 2013

No 66, 2013

Long Title

An Ordinance to authorise the sale of certain land at Dapto and to provide for the application of the proceeds of sale.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the Property Trust) is the registered proprietor of the land in Folio Identifier 3/SP60868 known as Unit 3, 92-94 Byamee Street Dapto (the "Land").

B. The Land is church trust property and by clause 5 of the Dapto Trust Ordinance 2013 is held upon trust for the purposes of the parish of Dapto (the "Parish").

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is expedient to sell the Land and to apply the proceeds 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 Dapto (Byamee Street) Land Sale Ordinance 2013.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out or observe those trusts and it is expedient to sell the Land and to apply the proceeds in the manner set out in clause 4.

3. Authority to Sell

The Property Trust is authorised to sell the Land by auction or private treaty any time during the 3 years following the date on which assent is given to this Ordinance (and thereafter only if approved by resolution of the Standing Committee) for such price and on and subject to such terms and conditions as the Property Trust considers appropriate.

4. Application of Proceeds of Sale

(1) Subject to clause 4(2) the Property Trust is directed to make the following payments from that part of the capital of the ACPT – Dapto Trust comprising proceeds from sale of the Land –

- (a) first, the costs of and incidental to this Ordinance and sale of the Land, and
- (b) second, in payment of any Goods and Services Tax payable in connection with the sale, and
- (c) third, in discharge (either partial or full) of any loan or loans to the Parish, including all amounts borrowed from the Parish Long Service Leave account, and
- (d) fourth, to carry out repairs or renovations on, and to upgrade any existing improvements to, land or buildings used by the Parish, and
- (e) the balance for such purposes of the Parish as the Parish Council by resolution determine.

(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.

K SOWADA
Deputy 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 9 December 2013.

S LUCAS
Acting Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
19/12/2013