

# Dural District Land Sale Ordinance 2016

No 46, 2016

## Long Title

An Ordinance to provide for the sale of certain land at Dural and for purposes incidental thereto.

## Preamble

A. The Anglican Church Property Trust (the "Property Trust") is the registered proprietor of the land comprised in certificate of title folio identifier 23/1104018 known as 5 St Jude's Terrace, Dural and the site of a residence (the "Land").

B. The Land is church trust property and by clause 5 of the Dural District Trust Ordinance 2015 is held on trust for the purposes of the Parish of Dural District (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 that the Land be sold and that the proceeds of such 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.

### 1. Name

This Ordinance is the Dural District Land Sale Ordinance 2016.

### 2. Declaration

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 of such sale be applied in the manner set out in clause 4.

### 3. Power of Sale

The Property Trust is authorised to sell the Land within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution.

### 4. Application of proceeds of sale

(1) Subject to clause 4(2), the Property Trust is directed that it may make payments from that part of the capital of the ACPT – Dural District Trust comprising the sale proceeds for the following purposes –

- (a) the costs and expenses of and incidental to this Ordinance and sale of the Land,
- (b) the costs of and incidental to the purchase of the land comprised in certificate of title folio identifier 1/386259, known as 967 Old Northern Road, Dural and the site of vacant land (the "New Land"),
- (c) the costs of and incidental to the construction of residence on land held on trust for the Parish that is suitable for housing a Minister, Assistant Minister or any person employed by the wardens of a church of the Parish (the "Project"), and
- (d) the repayment of a loan or loans from the Sydney Church of England Finance and Loans Board to finance any of the purposes set out in this clause 4.

(2) No payment is to be made under clause 4(1) until the Land has been sold and the proceeds of sale have been paid to the Property Trust.

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

R TONG  
Chair of Committees

**Dural District Land Sale Ordinance 2016**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 14 November 2016.

R WICKS  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
15 /11/2016