

Eastwood Land Sale Ordinance 2018

No 49, 2018

Long Title

An Ordinance to permit the sale of certain land at Eastwood and to provide for the application of the sale proceeds.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in folio identifier C/323851 known as 8A Clanwilliam St, Eastwood and the site of a residential property (the "Land").

B. The Land is church trust property and forms part of the property of the ACPT – Eastwood Trust which, under the Eastwood Trust Ordinance 2018, is held for the purposes of the parish of Eastwood (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.

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

1. Name

This Ordinance is the Eastwood Land Sale Ordinance 2018.

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.

3. Power of sale

The Property Trust is authorised to sell the Land subject to such terms and conditions as it may think fit 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. Allocations from the ACPT – Eastwood Trust

(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 – Eastwood Trust comprising the sale proceeds –

- (a) first, the costs and expenses of and incidental to this Ordinance and the Eastwood Trust Ordinance 2018
- (b) second, the costs and expenses of and incidental to the sale of the Land,
- (c) third, the costs of and incidental to the provision of temporary housing for an Assistant Minister of the Parish for a period of up to 12 months or such other period determined by the Standing Committee by resolution,
- (d) fourth, in and towards the costs of and incidental to the purchase of land and the construction of a residence thereon or the purchase of a residence and the cost of any alterations necessary to render the residence suitable for housing a Minister, Assistant Minister or any person employed by the wardens of a church of the Parish, and
- (e) the balance, in and towards the costs of and incidental to further ministry housing through the purchase of land and the construction of a residence thereon or the construction of a residence on existing land held as part of the capital of the ACPT-Eastwood Trust or the purchase of a residence and the cost of any alterations necessary to render the residence suitable for housing a Minister, Assistant Minister or any person employed by the wardens of a church of the Parish.

(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.

5. Capitalisation of income

Notwithstanding clause 7 of the Eastwood Trust Ordinance 2018, all income arising from the investment of that part of the ACPT – Eastwood Trust which comprises the proceeds of sale is to be capitalised.

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

P COLGAN
Deputy Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 10 December 2018.

D GLYNN
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
10/12/2018