

# Gerringong (Shackleton Street) Land Sale Ordinance 2004

No 31, 2004

## Long Title

An Ordinance to permit the sale of certain land at Shoalhaven Heads 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 comprised in Folio Identifier 232/245684 and known as 36 Shackleton Street, Shoalhaven Heads (the "Land").

B. The Land is church trust property and forms part of the property of the Gerringong Trust which, under the Gerringong Trust Ordinance 2004, is held for the purposes of the parish of Gerringong ("the Parish").

C. By reason of circumstances which have arisen after the creation of those trusts 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 Gerringong (Shackleton Street) Land Sale Ordinance 2004.

### 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 of sale be applied in the manner set out in clause 4(1).

### 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. Allocations from the Gerringong Trust

(1) Subject to clause 4(2), the Property Trust is directed that the capital of the Gerringong Trust may be applied in the following order of priority -

- (a) firstly, the costs and expenses of and incidental to this Ordinance and the sale of the Land;
- (b) secondly, in payment of any taxes or duties payable in connection with the sale of the Land;
- (c) thirdly, to repay the current indebtedness of the Parish to the Sydney Church of England Finance & Loans Board, unless the Board certifies in writing to the Property Trust that such loan, or part of such loan, is not required to be repaid from the capital of the Gerringong Trust;
- (d) fourthly, in or towards the costs of and incidental to constructing or purchasing a residence or the land upon which to erect a residence for an assistant minister or any other person employed by the churchwardens of a church of the Parish;
- (e) the balance for such capital purposes of the Parish as the parish council of the Parish direct by resolution.

(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. Commencement

Clauses 3 and 4 commence on the date assent is given to the Gerringong Trust Ordinance 2004. All other clauses commence on the date of assent.

**Gerringong (Shackleton Street) Land Sale Ordinance 2004**

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

NM CAMERON  
Acting Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 27 September 2004.

MA PAYNE  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
27/9/2004