

Glenhaven Land Sale Ordinance 2024

No 13, 2024

Long Title

An Ordinance to permit the sale of certain land at 31 Glenhaven Road Glenhaven, and to provide for the application of the proceeds of sale.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "ACPT") is the registered proprietor of the land contained in folio identifier 1/1240537 known as 31 Glenhaven Road Glenhaven and the site of a rectory, and church offices (the "Land").

B. The Land is church trust property and forms part of the property of the ACPT – Glenhaven Trust which, under the *Glenhaven Trust Ordinance 2015*, is held for the purposes of the parish of Glenhaven (the "Parish").

C. It is proposed that a small sliver of the Land bordering the adjacent property (the "Sale Land") be subdivided from the Land, and the Sale Land be sold.

D. By reason of circumstances which have arisen after the creation of the trusts on which the Sale Land is held, it is expedient that the Sale Land be sold. The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Glenhaven Land Sale Ordinance 2024.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Sale Land is held, it is expedient that the Sale Land be sold.

3. Power of Sale

(1) The ACPT is authorised to sell the Sale 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.

(2) The authority to sell the Sale Land arises only after it has been subdivided from the Land.

4. Allocations from the ACPT – Glenhaven Trust

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

- (a) first, the costs and expenses of and incidental to this Ordinance and sale of the Sale Land,
- (b) second, to the construction of a new carpark on the church site,
- (c) third, to demolish an onsite cottage, previously used as a residence and ministry space, that is no longer useable due to asbestos, and
- (d) the balance, to improvements on existing property, including a new church entrance, and improved onsite signage and lighting.

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

5. Capitalisation of income

Notwithstanding clause 7 of the *Glenhaven Trust Ordinance 2015*, all income arising from the investment of that part of the ACPT – Glenhaven Trust which comprises proceeds from the sale of the Sale Land is to be capitalised.

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

R TONG
Chair of Committee

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I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 22 April 2024.

B BOUNDS
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

22/04/2024