

Glenquarie Land Sale Ordinance 2002

No 38, 2002

Long Title

An Ordinance to permit the sale of certain land at Glenquarie and to amend the Glenquarie Trust Ordinance 2001.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land comprised in Certificate of Title Folio Identifier 84/226591 known as 9 Brooks Street Macquarie Fields (the "Land").

B. The Land is church trust property and forms part of the property of the Glenquarie Trust which, under the Glenquarie Trust Ordinance 2001 (the "Principal Ordinance"), is held for the purposes of the parish of Glenquarie (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.

D. By reason of circumstances which have arisen after the creation of the trusts on which the property of the Glenquarie Trust is held it is inexpedient to carry out or observe those trusts.

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

1. Name

This Ordinance is the Glenquarie Land Sale Ordinance 2002.

2. Declarations

(1) By reason of circumstances which have arisen after the creation of the trusts on which the property of the Glenquarie Trust is held it is expedient that the Land be sold.

(2) By reason of circumstances which have arisen after the creation of the trusts on which the property of the Glenquarie Trust is held it is inexpedient to carry out or observe those trusts and it is expedient that they be varied in the manner set out in clause 5.

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 Glenquarie Trust

(1) Subject to clause 4(2), the Property Trust is directed to make the following payments from the capital of the Glenquarie Trust for any one or more of the following purposes:

- (a) first, in payment of the costs and expenses of and incidental to this ordinance and the sale of the Land; and
- (b) second, to reimburse the churchwardens of St Alban's, Glenquarie for moneys expended on the Land to prepare it for sale;
- (c) third, towards the costs of refurbishing and fitting out of the existing residence for the minister of the Parish;
- (d) fourth, towards the costs of purchasing a new residence for the assistant minister or any other person employed by the churchwardens of a church in the parish of Glenquarie.

(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. Amendment to the Principal Ordinance

The Principal Ordinance is amended as follows -

- (a) delete the word "legislation" in clause 6(2)(b) and insert the matter "Act, Regulation, Order or other law" instead.
- (b) By the inclusion of the following new subclause 8(3):
 - "8(3) Any review of the application of income under clause 7(1)(b) must take into account the repair and maintenance of any building or other improvement situated on any real property which forms part of the capital of the trust fund in order to comply with the Heritage Act 1977".

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

N M CAMERON
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 29 July 2002.

M A PAYNE
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
29/7/2002