

# Hunters Hill (Woolwich Sale Proceeds) Variation of Trusts Ordinance 2016

No 51, 2016

## Long Title

An Ordinance to authorise the application of the proceeds of sale of certain land at 13 Margaret Street Woolwich.

## Preamble

A. The Hunters Hill Land Sale Ordinance 2016 authorised the sale of the land comprised in folio identifier 1/853596 known as 13 Margaret Street, Woolwich and the site of St John's Church (the "Land").

B. Clause 4 of the Hunters Hill Land Sale Ordinance 2016 requires the parish of Hunters Hill (the "Parish") to promote a further ordinance to the Standing Committee to apply the proceeds of sale of the Land.

C. The Land is church trust property and forms part of the ACPT – Hunters Hill Trust, which under the Hunters Hill Trust Ordinance 2014, is held for the purposes of the parish of Hunters Hill.

D. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is inexpedient to carry out or observe those trusts or to deal with or apply part of the Land for the use or benefit of the Parish.

E. In anticipation of the Land being sold, the Parish is promoting the Hunters Hill (Woolwich Sale Proceeds) Ordinance 2016.

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

### 1. Name

This Ordinance is the Hunters Hill (Woolwich Sale Proceeds) 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 inexpedient to carry out or observe those trusts or to deal with or apply part of the Land for the use or benefit of the Parish.

### 3. Variation of Trusts

The trusts are varied to the extent necessary to permit the application of the funds in clause 4(1)(b) and clause 4(1)(c).

### 4. Application of proceeds

(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 – Hunters Hill Trust which comprises the proceeds of sale of the Land and the capitalised income therefrom –

- (a) firstly, the costs and expenses of and incidental to this Ordinance and the sale of the Land,
- (b) secondly, 15% of the balance remaining to the capital of the Sydney Diocesan Synod Fund, for the use and benefit of the Anglican Church of Australia in the Diocese of Sydney as determined from time to time by the Synod,
- (c) thirdly, the sum of \$25,000 to be paid to the Northern Regional Council to be applied for the purposes of the said Council, and
- (d) fourthly, the costs of and incidental to the purchase of a residence or residences and the cost of any alterations considered necessary to render any such residence suitable for leasing as a source of income and/or for housing a minister, assistant minister or a person employed by the Wardens 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.

## Hunters Hill (Woolwich Sale Proceeds) Ordinance 2016

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

R TONG  
Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 5 December 2016.

R WICKS  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney

6/12/2016