



The Macarthur Region Anglican Church School Land Sale Ordinance 1998

No 45, 1998

Long Title

An Ordinance to authorise the sale of certain land at Narellan and the application of the proceeds of sale.

Preamble

A. The Macarthur Region Anglican Church School (the "School") is the registered proprietor of Lot 3 in Deposited Plan 737284 and Lot 6 in Deposited Plan 859872 (respectively "Lot 3" and "Lot 6" and collectively the "Land").

B. By certain trusts existing immediately prior to the Narellan Variation of Trusts (Macarthur School) Ordinance 1983 (the "1983 Ordinance") Lot 3 was held for the sole benefit of the Parish of Narellan (the "Parish").

C. In view of the Parish being desirous of assisting the establishment of the School, a majority of its parish council consented to Lot 3 being held on trust for the sole benefit of the School.

D. By clause 4 of the 1983 Ordinance Lot 3 is held on trust for the sole benefit of the School, which at the date of the 1983 Ordinance, was to be established by the Council of the Macarthur Region Anglican Church School (the "Council"), being the Council constituted by the Macarthur Region Anglican Church School Ordinance 1982 (the "1982 Ordinance"), and the management and the use of the Land was henceforth to be governed and controlled by the Council.

E. By the Macarthur Region Anglican Church School Incorporation Ordinance 1984 the Council was constituted as a body corporate under the Anglican Church of Australia (Bodies Corporate) Act 1938.

F. Lot 6 was acquired by the Council in 1996 for the purposes of the School and is church trust property under the terms of the 1982 Ordinance.

G. The Council has resolved to sell the Land and use and apply the proceeds of sale for the purposes of the School.

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

Name

1. This Ordinance is the Macarthur Region Anglican Church School Land Sale Ordinance 1998.

Declaration of Inexpediency

2. 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 and observe those trusts and it is expedient that the Land be sold and that the proceeds of sale be applied in the manner set out in this Ordinance.

Sale Authority

3. (1) The Council is authorised to sell the Land free from all trusts by public auction or private contract at such time and at such price upon and subject to such terms and conditions as it may think fit.

(2) No such sale may be effected after the 3rd anniversary of the date on which assent is given to this Ordinance without the consent of the Standing Committee given by resolution.

Application of Proceeds

4. After the payment of all outgoings to which the Land may be subject, including the costs of and incidental to the promotion of this Ordinance and the sale of the Land, the remaining proceeds shall be applied by the Council for such purposes of the School as it may from time to time determine pursuant to the powers set out in the Macarthur Region Anglican Church School Ordinance 1982.

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

N.M. CAMERON

Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 16 November 1998.

M.A. PAYNE

Secretary

I Assent to this Ordinance.

R.H. GOODHEW

Archbishop of Sydney

19/11/1998