

Mulgoa (Warragamba) Land Sale Ordinance 2008

(Reprinted under the Interpretation Ordinance 1985.)

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Long Title

An Ordinance to permit the sale of certain land at Weir Road Warragamba.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the property known as 4 Weir Road Warragamba and St Paul's Warragamba, comprised in folio identifier 78/210649 (the "Land").

B. The Land is church trust property and forms part of the property of the Mulgoa Trust, which, under the Mulgoa Trust Ordinance 2006, is held on trust for the purposes of the Parish of Mulgoa.

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.

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

1. Name

This Ordinance is the Mulgoa (Warragamba) Land Sale Ordinance 2008.

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.

3. Power of Sale

(1) Subject to subclause (2), the Property Trust is authorised to sell the Land at any time within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution whether before or after that date.

(2) The authority to sell the Land arises only after the licence or sentence of consecration of the church on the Land has been revoked.

4. Application of the Proceeds of Sale

(1) Subject to clauses 4(2), the Property Trust is directed to make the following payments from the capital of the Mulgoa Trust –

- (a) firstly, the costs and expenses of and incidental to this Ordinance,
- (b) secondly, in payment of any goods and services tax (as defined in *A New Tax System (Goods & Services Tax) Act 1999*) payable in connection with any sale authorised by clause 3,
- (c) thirdly, in payment of costs for the construction of a new church centre at 2265 Silverdale Road, Silverdale including planning, development application, council requirements, construction, furnishings, fittings and landscaping, and
- (d) fourthly, for the repayment of loans taken out in connection with the construction of the new church referred to in clause 4(1)(c).

(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.

Notes

1. The original form of ordinance was assented to on 9 December 2008.
2. At its meeting on 20 March 2017, the Standing Committee resolved under clause 3 to extend the period in which the land can be sold to 20 March 2020.

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