

Narrabeen (Collaroy Plateau) Land Sale Ordinance 1995

No 15, 1995

Long Title

An ordinance to authorise the sale of certain land at Collaroy Plateau.

Preamble

Whereas

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of Lot 1 in deposited Plan 718621 and being the whole of the land comprised in Certificate of Title Folio Identifier 1/718621 ("the Land") situated on the corner of Claudare and Acacia Streets Collaroy Plateau.

B. The Land is held upon trust for the purposes of the parish of Narrabeen ("Parish") although there are no written trusts.

C. 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 provision made for the application of the proceeds of sale.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows -

Citation

1. This ordinance may be cited as "Narrabeen (Collaroy Plateau) Land Sale Ordinance 1995".

Declarations 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 the proceeds of sale applied as provided in this ordinance.

Sale Authority

3. (1) The Property Trust is empowered to sell the Land by public auction or private contract at such time and at such price upon and subject to such terms, conditions, covenants and reservations 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. (1) The proceeds of sale of the Land shall be applied by the Property Trust as follows -

(a) First, in payment of all costs of and incidental to this ordinance and the sale of the Land.

(b) Second, the balance is to be applied towards acquiring a site in the Ingleside area and erecting improvements for a church and associated buildings.

(2) An application of the proceeds under clause 4(1)(b) may only be made -

(a) on the written request of the churchwardens of St Faith's Church Narrabeen acting by authority of a resolution of the parish council of the Parish supported by the written consent of the Bishop and Archdeacon of North Sydney; and

(b) in the event such application is to be made after 2 years from the date of completion of the sale of the Land, with the approval of the Standing Committee given by resolution.

5. Pending application under clause 4, the proceeds of sale must be invested and the income capitalised.

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 31 July 1995.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

R.H. Goodhew
Archbishop of Sydney
31/7//1995