

# Panania Land Sale Ordinance 2005

No 42, 2005

## Long Title

An Ordinance to permit the sale of certain land at Milperra.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in lots 193, 194, 195 of deposited plan 236031 and known as St Matthews Milperra (the "Land").

B. The Land is church trust property and is held on trust for the parish of Panania (the "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 expedient that the Land be sold and that the proceeds be applied in the manner set out in this ordinance.

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

### 1. Name

This Ordinance is the Panania Land Sale Ordinance 2005.

### 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 and that the proceeds be applied in the manner set out in clause 4.

### 3. Power of Sale

(1) Subject to subclause (2), the Property Trust is authorised to sell the Land by tender or private treaty 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.

(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The authority to sell the Land arises only after the licence or sentence of consecration of the church on the Land has been revoked.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) The proceeds of sale, after payment of the costs of and incidental to this Ordinance and the sale of the Land, are to be paid to the Property Trust and applied as follows –

- (a) first, the purchase of a residence or residences to be used to house the assistant minister, youth minister or such other ministry staff as are employed to render service in the Parish from time to time,
- (b) second, the renovation and improvement of the existing church buildings and facilities at Holy Trinity, Panania, and
- (c) third, repayment of all, or part of, the loan obtained to finance the construction of the current parish rectory.

(2) Pending application of the sale proceeds, the sale proceeds (or the balance remaining from time to time) are to be invested and the income capitalised.

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

PG KELL  
Chairman of Committees

**Panania Land Sale Ordinance 2005**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 14 November 2005.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
1/12/2005