

Parramatta Land Sale Ordinance 2005

No 5, 2005

Long Title

An Ordinance to authorise the sale of certain land situate at Toongabbie and to provide for the application of the proceeds of sale.

Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in Folio Identifier 1/809501 known as 56 Scott Street, Toongabbie (the "Land").

B. The Land is church trust property and is held upon trust for the parish of Parramatta (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 the proceeds of sale 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 Parramatta Land Sale Ordinance 2005.

2. Declaration

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 the proceeds of sale be applied in the manner set out in this Ordinance.

3. Authority to Sell

(1) The Property Trust is authorised to sell the Land 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 sale authorised by clause (1) may be by public auction or private treaty and for such price and subject to such terms and conditions as the Property Trust may determine.

4. Application of Proceeds

The proceeds from the sale authorised by clause 3(1), after payment of the costs of and incidental to this Ordinance and sale of the Land, are to be paid to the Property Trust and applied as follows –

- (a) first, in payment of any goods and services tax (as defined in *A New Tax System (Goods and Services Tax) Act 1999*) payable in connection with the sale, and
- (b) secondly, to purchase a house for the senior canon or an assistant minister of the Parish or to purchase land and to construct a house thereon for the senior canon or assistant minister, and
- (c) the balance, if any, is to be applied for such purposes of the Parish as are determined by resolution of the Standing Committee at the request of the parish council of the Parish.

5. Investment

Pending the application of the proceeds of sale referred to in clause 4, the proceeds or the balance remaining from time to time are to be invested by the Property Trust and the income capitalised.

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

R TONG
Deputy Chairman of Committees

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

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
15/3/2005