

St Ives Land Sale Ordinance 2017

No 06, 2017

Long Title

An Ordinance to permit the sale of certain land at St Ives.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land comprised in folio identifier 101/517837 known as 20 Edgewood Place, St Ives and the site of a residence (the "Land").

B. The Land is church trust property and each portion of the Land specified in column 1 of the table in the Schedule is held on the trusts described in the corresponding cell in column 2 of the Schedule.

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 St Ives Land Sale Ordinance 2017.

2. Declarations

By reason of circumstances which have arisen after the creation of 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

The Property Trust is authorised to sell the Land subject to such terms and conditions as it may think fit within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution.

4. Application of proceeds

(1) The proceeds of sale are to be applied as follows –

- (a) first, the costs and expenses of and incidental to this Ordinance and the sale of the land,
- (b) second, in and towards the costs and expenses of and incidental to the purchase of a residence and the cost of any alterations considered necessary to render the residence suitable for housing a minister, assistant minister or a person employed by the wardens of the parish of St Ives.

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

Schedule

Column 1	Column 2
81%	By clause 4 of the Christ Church St Ives Ordinance 1978 the land is held upon trust to permit the same to be used for a residence for a minister or full time lay worker or parish hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia in the said Parish of Christ Church, St Ives or any parish or district into which such parish shall be formed or divided and to be subject to the provisions of the Sydney Church Ordinance 1912 or any other ordinance of the diocese of

St Ives Land Sale Ordinance 2017

Column 1	Column 2
	Sydney for the time being in force and applicable to the said property provided however that in the event of the Archbishop in Council at any time hereafter determining in his or their absolute discretion that the said property can no longer be used for the purposes aforesaid or any one or more of them in the parish of Christ Church, St Ives or any parish into which such parish shall be formed or divided upon trust to permit the same to be used for and by the Home Mission Society of the Church of England in the Diocese of Sydney for the general purposes thereof absolutely.
19%	The land is held on trust for the parish of St Ives although there are no written trusts.

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

R TONG
Chair of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 20 March 2017.

R WICKS
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
22/03/2017