

Sutherland Land Sale Ordinance 2012

(Reprinted under the Interpretation Ordinance 1985.)

The Sutherland Land Sale Ordinance 2012 as amended by the Sutherland Mortgaging Ordinance 2012.

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Long Title

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

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land contained in folio identifier 112/816813 and known as 61 Ninth Avenue, Loftus (the "Land").

B. The Land is Church Trust Property and held on trust for the purposes of the parish of Sutherland (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 Sutherland Sale Ordinance 2012.

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

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 given before or after that date.

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 costs of and incidental to this Ordinance and incurred in selling the Land,
- (b) second, in payment of any goods and services tax (as defined in "A New Tax System (Goods & Services Tax) Act 1999") payable in connection with the sale, and
- (c) as to the balance in and towards the costs of and incidental to the purchase of land and construction of a residence thereon, or 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 St John's Sutherland, or in repayment of a loan or loans taken out for such purposes.

(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.

Notes

The original form of ordinance was assented to on 9 October 2012.

Table of Amendments

Clause 4 Amended by Ordinance No 42, 2012.

STEVE LUCAS
Manager, Legal Services

ROBERT WICKS
Diocesan Secretary

15 November 2012