



## **Vaucluse and Rose Bay (North Bondi) Land Sale Ordinance 1995**

No 7, 1995

An Ordinance to provide for the sale of a property at North Bondi held on trust for the parish of Vaucluse and Rose Bay and to provide for the application of the proceeds thereof.

Whereas

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the whole of the land comprised in Certificate of Title Folio Identifier 14/802296 being situated at 136 Clyde Street North Bondi (the "Property").

B. The Property is church trust property held for use as a residence for a minister or person employed by the churchwardens of the parish of Vaucluse and Rose Bay (the "Parish") in the ministry conducted in the area deanery of East Sydney pursuant to trusts declared in the Rose Bay Sale Ordinance 1991.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Property is held, it is inexpedient to carry out and observe those trusts and it is expedient that the Property be sold and the proceeds of sale be applied in the manner set out in this ordinance.

D. Certain money was set aside for the maintenance and repair of the Property under the Vaucluse (North Bondi Property) Ordinance 1994 (the "Money").

E. By reason of circumstances which have arisen after the creation of the trusts on which the Money is held, it is inexpedient to carry out and observe those trusts and it is expedient that the trusts be varied and the Money be dealt with and applied in the manner set out in this ordinance.

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

### **Citation**

1. This ordinance may be cited as "Vaucluse and Rose Bay (North Bondi) Land Sale Ordinance 1995".

### **Declarations of Expediency**

2. (1) By reason of circumstances which have arisen after the creation of the trusts on which the Property is held, it is inexpedient to carry out and observe those trusts and it is expedient to vary the trusts to permit the Property to be sold and to apply the proceeds of sale in the manner hereinafter provided.

(2) By reason of circumstances which have arisen after the creation of the trusts on which the Money is held, it is inexpedient to carry out and observe those trusts and to apply the Money for the same or like purposes as the trusts on which the Money is presently held and it is expedient that the trusts be varied and the Money be dealt with in the manner set out in clause 5 of this ordinance.

### **Power of Sale**

3. The Property Trust is authorised and empowered to sell the Property within 3 years after the date of assent to this ordinance, and thereafter only with the consent of the Standing Committee given by resolution, by public

auction or private treaty at such time and at such price or prices and upon such terms and conditions as it may determine free from the trusts upon which the Property is sold.

#### **Application of Proceeds**

4. (1) The Property Trust shall apply the proceeds arising from the sale of the Property and any income derived therefrom as follows -

(a) first, to pay the costs and fees of and incidental to the preparation and passing of this ordinance, the preparation for the sale of the Property and the costs of the subsequent sale thereof;

(b) secondly, any balance shall be applied in accordance with a resolution of the Standing Committee upon the request of a majority of the parish council of the Parish.

(2) Pending the application of the proceeds of sale under subclause (1) the proceeds must be invested and any income earned thereon capitalised.

#### **Application of the Money**

5. The Money shall be payable to the churchwardens of St Michael's Anglican Church, Vacluse for the maintenance and repair, renovation and alteration from time to time of St Michael's Church Vacluse.

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 24 April 1995.

W.G.S. Gotley  
Secretary

**I Assent to this Ordinance.**

**R.H. Goodhew**  
**Archbishop of Sydney**  
**22/5/1995**