

# West Wollongong Land Sale Ordinance (No 2) 1994

No 58, 1994

## Long Title

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

## Preamble

### Whereas

- A. The Property Trust is the registered proprietor of the land (the "Land") described in the schedule.
- B. The land is church trust property held for the sole benefit of the Anglican Church of Australia Diocese of Sydney in the parish of West Wollongong (the "Parish") but no trusts have been declared in writing concerning the same.
- C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the trusts be varied 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 Hereby Ordains Declares Directs and Rules as follows.

## Citation

1. This ordinance may be cited as the "West Wollongong Land Sale Ordinance (No 2) 1994".

## Declaration of Inexpediency

2. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held it is inexpedient to carry out and observe those trusts and it is expedient that the Land be sold.

## Authority to Sell

3. (1) The Property Trust is authorised to sell the Land, free from the trusts on which it is held, at any time within 3 years after the date of assent of this ordinance and thereafter only with the consent of the Standing Committee given by resolution.  
(2) Such sale may be by public auction or private agreement at such time and at such price and upon such terms and conditions as the Property Trust may determine appropriate.

## Application of Proceeds

4. (1) The proceeds arising from the sale of the Land shall be applied as follows -
  - (a) in payment of all costs, expenses and outgoings in relation to or arising from the preparation and promotion of this ordinance and the sale of the Land and all outgoings to which the Land may be subject; and
  - (b) the balance shall be applied towards the cost of purchasing a residence for a minister, assistant to the minister or person employed by the Churchwardens or the furnishing of such a residence and pending such application such funds shall be invested.
- (2) Pending application of the proceeds arising from the sale of the Land under subclause (1), those proceeds shall be invested and the income shall be capitalised.

## Schedule

The land known as 30 London Drive, West Wollongong being lot 90 in deposited plan 26385.

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 12 December 1994.

W.G.S. Gotley  
Secretary

I Assent to this Ordinance.

R.H. Goodhew  
Archbishop of Sydney  
1312/1994