

# Willoughby Land Sale Ordinance 2020

No 69, 2020

## Long Title

An Ordinance to permit the sale of certain land at 86 Laurel Street, Willoughby, and to provide for the application of the proceeds of sale.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "ACPT") is the registered proprietor of the land contained in folio identifier 1/165454 known as 86 Laurel Street, Willoughby and the site of a residence (the "Land").

B. The Land is church trust property and forms part of the property of the ACPT – Willoughby Trust which, under the *Willoughby Trust Ordinance 2020*, is held for the purposes of the parish of Willoughby (the "Parish").

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 Willoughby Land Sale Ordinance 2020.

### 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 ACPT 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. Allocations from the ACPT – Willoughby Trust

(1) Subject to clause 4(2) the ACPT is directed that it may make the following payments from the capital of the ACPT – Willoughby Trust –

- (a) firstly, the costs, charges and expenses of and incidental to this Ordinance and the sale of the land,
- (b) secondly, the costs of and incidental to –
  - (i) acquiring two further residences suitable for housing ministry staff, including the costs of and incidental to any renovations necessary to render the acquired properties suitable for ministry staff, and
  - (ii) leasing a property suitable for the Assistant Minister in the interim period between the sale of the Land and the purchase of the residences, and
- (c) fourthly, the costs of and incidental to making improvements to any of the existing buildings on the site of folio identifier 4/246192 and 5/246192 known as 211 Mowbray Road, Chatswood and the site of a St Stephen's Church and a residence.

(2) No payment is to be made under clause 4(1) until the Land has been sold and the proceeds of sale paid to the ACPT.

### 5. Capitalisation of income

Notwithstanding clause 7 of the *Willoughby Trust Ordinance 2020*, all income arising from the investment of that part of the ACPT – Willoughby Trust which comprises proceeds from the sale of the Land is to be capitalised.

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

D S MARR  
Chair of Committee

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 23 November 2020.

D GLYNN  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney

23/11/2020