

Wollongong Land Sale Ordinance 2020

(Reprinted under the Interpretation Ordinance 1985.)

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Long Title

An Ordinance to permit the sale of certain land at Wollongong and Keiraville.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the “ACPT”) is the registered proprietor of the land contained in folio identifier 39/30903 known as 24 Georgina Avenue, Keiraville and the site of a residence and the land contained in folio identifier B/417675 known as 40A Mangerton Road, Wollongong and the site of a residence (collectively, the “Land”).

B. The Land is church trust property and forms part of the property of the ACPT – Wollongong Trust which, under the *Wollongong Trust Ordinance 2016*, is held for the purposes of the parish of Wollongong (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 of sale 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 Wollongong 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 of sale 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 – Wollongong Trust

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

- (a) first, the costs and expenses of and incidental to this Ordinance and the sale of the Land,
- (b) second, repayment of the Parish’s existing loan from Sydney Anglican Loans, Loan 292, on the land contained in folio identifier 39/30903,
- (c) the balance, in and towards the costs of and incidental to –
 - (i) the purchase of land and the construction of a residence thereon (including the demolition of any existing improvements on the land) or the purchase of a

- residence and the cost of any alterations necessary to render the residence suitable for housing a Rector of the Parish, and
- (ii) the purchase of other land and the construction of a residence thereon (including the demolition of any existing improvements on the land) or the purchase of another residence and the cost of any alterations necessary to render the residence suitable for housing an Assistant Minister or any person employed by the wardens of a church of the Parish.

(2) Payments may only be made under clause 4(1) to the extent that proceeds arising from the sale of the land have been paid to the ACPT.

5. Capitalisation of income

Notwithstanding clause 7 of the *Wollongong Trust Ordinance 2016*, all income arising from the investment of that part of the ACPT – Wollongong Trust which comprises proceeds from the sale of the Land is to be capitalised.

Notes

1. The original form of ordinance was assented to on 17 February 2020.
2. At its meeting on 5 December 2022, Standing Committee resolved, under clause 3 of this ordinance, to extend the period within which the land contained in folio identifier 39/30903 known as 24 Georgina Avenue, Keiraville and the site of a residence, and the land contained in folio identifier B/417675 known as 40A Mangerton Road, Wollongong and the site of a residence can be sold by a further 3 years to 17 February 2026.

Table of Amendments

MARTIN THEARLE
Manager, Diocesan Services

BRIONY BOUNDS
Diocesan Secretary

14 December 2022