

ANGLICAN RETIREMENT VILLAGES DIOCESE OF SYDNEY  
(ROSEBANK-WARATAH VILLAGE) SALE ORDINANCE 1983

NO. 23 1983

AN ORDINANCE to vary the trusts relating to and authorise the sale of Rosebank-Waratah Home for Elderly Ladies and to make provision for the application of proceeds.

WHEREAS:

5 A. Anglican Retirement Villages Diocese of Sydney is registered as proprietor of the land described in the Schedule (hereinafter called "the land") upon trust for the establishment and maintenance of homes for aged women in necessitous circumstances.

10 B. By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land is held it is inexpedient to carry out and observe the same and it is expedient that the trusts be varied as hereinafter provided.

NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the Synod HEREBY ORDAINS as follows:-

- 15 1. By reason of the circumstances which have arisen subsequent to the creation of the trusts on which the land is held it is inexpedient to carry out and observe the same.
- 20 2. Anglican Retirement Villages Diocese of Sydney is hereby authorised and empowered to sell the land within three years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee by public auction or private contract at such time and at such price and upon such terms and conditions as it may determine freed from the trusts
- 25 upon which it is held.
3. The proceeds arising from the sale shall be applied as follows:-

- 30 (a) First to pay all outgoing to which the land may be subject and the costs of and incidental to this Ordinance and the sale pursuant thereto.

(b) Second the net balance to be paid to Anglican Retirement Villages Diocese of Sydney and applied by them as set out in Clause 4.

- 35 4. The net proceeds arising out of the sale of the land shall be held by Anglican Retirement Villages Diocese of Sydney upon trust to provide in a Christian environment for the housing, accommodation, maintenance and welfare of men and women of pensionable age irrespective of creed who are destitute or indigent or who are unable to afford fees normally charged for private accommodation preference being given to people in Australia who are in necessitous circumstances and to bring such under the Pastoral care of the Church.
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- 45 5. Anglican Retirement Villages Diocese of Sydney in recognition of the former interest of the Church of England Homes in the land shall perpetuate the name "Rosebank-Waratah" in another one of the Villages or part thereof to be established by Anglican Retirement Villages Diocese of Sydney in the future.
- 50 6. This Ordinance may be cited as Anglican Retirement Villages Diocese of Sydney (Rosebank-Waratah Village) Sale Ordinance 1983.

SCHEDULE

55 ALL THAT land at Drummoyne being Lots 1, 2 and 3 in Deposited Plan 18024 and being the whole of the land comprised in Certificate of Title Volume 6937 Folio 111.

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

*[Signature]*  
Chairman of Committees

I CERTIFY that this Ordinance was passed by the Standing Committee of the Diocese of Sydney on this *22nd* day of *August* 1983.

*[Signature]*  
Secretary

I ASSENT to this Ordinance.

*[Signature]*  
Archbishop of Sydney  
*22/8/1983*