

# Douglas Park Land Sale Ordinance 2000

No 6, 2000

## Long Title

An Ordinance to permit the sale of certain land at Douglas Park and to provide for the application of the proceeds of sale.

## Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land in Certificate of Title Auto Consol 1803-117 being the land known as lots 5 and 6 of section 12 in deposited plan 1320 situated at the corner of Camden and Dowle Streets, Douglas Park (the "Land").

B. The Land is church trust property held on trust to permit a school church to be erected upon the Land to be called St Alban's School Church Douglas Park within the Provisional Parish of Cataract with Ambarvale (the "Provisional Parish").

C. By reason of circumstances which have arisen after the creation of the trusts upon which the Land is held it is inexpedient to carry out and observe the same to the extent that the same are hereby varied.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows -

### 1. Name

This Ordinance is the Douglas Park Land Sale Ordinance 2000.

### 2. Declaration

By reason of the circumstances which have arisen after the creation of the trusts upon which the Land is held it is inexpedient to carry out and observe those trusts or to deal with or apply the Land solely for the purposes of the Provisional Parish or for the same or like purposes and it is expedient that the Land be sold and that the proceeds of sale be applied in the manner set out in this Ordinance.

### 3. Power of Sale

(1) The Property Trust is authorised and empowered to sell the Land within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution.

(2) Such sale may be by public or private agreement in one or more lots and for such price or prices and subject to such terms and conditions as the Property Trust may deem appropriate.

(3) The power granted in subclause (1) shall not be exercised until the Archbishop has revoked the licence of consecration of St Alban's Church Douglas Park erected on the Land.

### 4. Application of Proceeds

The proceeds arising from the sale of the land after payment of all outgoing to which the Land may be subject, the costs of and incidental to this Ordinance and sale are to be applied by the Property Trust -

- (a) towards the repayment to the Property Trust's Fund 390 - New Sites Advisory Committee of all monies applied by the New Sites Committee to the purchase of the property at Lot 1003 Camden Road, Douglas Park;
- (b) towards the repayment to the Property Trust's Fund 390 - New Sites Advisory Committee of all monies applied by the New Sites Committee to the purchase of the property at 20 Cleopatra Drive, Rosemeadow; and
- (c) towards the repayment of all monies owing to the Sydney Church of England Finance and Loans Board in respect of the acquisition of land and construction of St Timothy's Ambarvale comprised in loans 103 and 104; and
- (d) the balance remaining thereafter to be applied by the Property Trust towards the construction of a worship centre on Lot 1003 Camden Road, Douglas Park provided that any monies not so applied are to be held upon trust for the Provisional Parish and used towards the acquisition of Land to be held upon trust for the Provisional Parish or towards the cost of refurbishment, renovation or construction of buildings on Land held upon trust for the Provisional Parish.

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 3 April 2000.

M A PAYNE  
Secretary

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I Assent to this Ordinance.

R H GOODHEW  
Archbishop of Sydney  
6/4/2000