

Gladesville Land Sale Ordinance 1992

No 10, 1992

An Ordinance to authorise the subdivision and sale of certain land at Gladesville.

Whereas

- A. The Property Trust is the registered proprietor of the land ("Land") described in the Schedule.
- B. Under the Gladesville Ordinance 1981, the Land is held on trust for use as a rectory in connection with the Parish of Gladesville.
- C. 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 those trusts and it is expedient that those trusts be varied and that the Land be subdivided and part of the Land be sold.

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.

1. This Ordinance may be cited as "Gladesville Land Sale Ordinance 1992".
2. 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 to the extent that those trusts are hereby varied and it is expedient that the Land be subdivided and part thereof be sold and the proceeds of sale applied as provided herein.
3. (1) The Property Trust is hereby empowered to subdivide the Land into two lots and to sell the southern most lot by public auction or private contract at such time and at such price upon and subject to such terms, conditions, covenants and reservations as it may think fit provided that no such sale may be effected after the third anniversary of the date on which assent is given to this Ordinance without the consent of the Standing Committee given by resolution.

(2) The Property Trust is directed to ensure that on registration of any plan of subdivision there will be created in favour of the lot to be retained, a right of way for access to Pile Street, a right of way and easement for services to the river and a height covenant restricting development on the lot to be sold to a maximum height of 11.5 A.H.D.
4. The proceeds from the sale authorised by this Ordinance shall be applied by the Property Trust as follows -
 - (a) Payment of all costs of and incidental to this Ordinance the subdivision and the sale of the southern most lot.
 - (b) An amount not exceeding \$500,000.00 for all or any of the following purposes -
 - (i) for the purchase of a residence suitable for an assistant minister or other person or persons employed by the Churchwardens of Christ Church Gladesville and engaged in ministry;
 - (ii) for the purchase of a residence suitable for a youth minister or other person or persons employed by the Churchwardens of Christ Church Gladesville and engaged in ministry;
 - (iii) for the reduction of the loan presently secured by registered mortgage over the Land; and
 - (iv) for the necessary restoration and improvement of the lot on which the rectory is situated following subdivision to make the same suitable for Ministry including the erection of fencing, the construction of pathways and decking and the undertaking of landscaping as may be required consequent upon the subdivision.
 - (c) Up to \$50,000.00 to be applied by resolution of the Standing Committee upon the request in writing of a majority of the members of the Parish Council of the Parish of Gladesville for all or any of the purposes in clause 4(b)(i)-(iv).
 - (d) Any remaining balance to be paid to the Synod for distribution through the Income and Expenditure Ordinance.

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5. Pending application of the proceeds of sale in accordance with clause 4, the proceeds shall be invested by the Property Trust and the income arising therefrom capitalised.

6. The residences acquired pursuant to clause 4(b)(i) and (ii), if not required for the purposes specified in those clauses, must be let. All net rents from such letting must be applied in accordance with clause 4(d).

Schedule

All that land known as 14 Pile Street Gladesville situated in the Municipality of Ryde Parish of Hunters Hill County of Cumberland being Lot 9 in Deposited Plan 201 and being the whole of the land comprised in Certificate of Title Volume 9476 Folio 81.

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

E.D. Cameron
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of June 1992.

W.G.S. Gotley
Secretary

I Assent to this Ordinance.

Donald Robinson
Archbishop of Sydney
16/7/1992