

# Shellharbour City Centre Land Sale Ordinance 2010

No 39, 2010

## Long Title

An Ordinance to authorise the sale of certain land at Blackbutt and to provide for the application of the proceeds of sale.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land in folio identifier 4160/804877 known as 20 Platypus Way, Blackbutt (the "Land").

B. The Land is church trust property and is held on trust for the parish of Shellharbour City Centre (the "Parish") although there are no written trusts.

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 Shellharbour City Centre Land Sale Ordinance 2010.

### 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 Property Trust is authorised to sell the Land at any time within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution whether given before or after that date.

### 4. Application of the Proceeds of Sale

The proceeds of sale, after payment of the costs of and incidental to this Ordinance and the sale of the Land, are to be paid to the Property Trust and applied as follows –

- (a) first, in payment of any goods and services tax (as defined in A New Tax System (Goods & Services Tax) Act 1999) payable in connection with the sale,
- (b) second, in and towards the purchase of a residence or residences, or the purchase of land and construction of a residence or residences thereon, and the cost of any alterations considered necessary to make the residence comply with Diocesan standards for ministry residences, and
- (c) the balance for such capital purposes of the Parish as the Standing Committee may determine by resolution on application from the Wardens of Shellharbour City Church.

(2) Pending application of the sale proceeds, the sale proceeds (or the balance remaining from time to time) are to be invested and the income capitalised.

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

PG KELL  
Chairman of Committees

**Shellharbour City Centre Land Sale Ordinance 2010**

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 6 December 2010.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
21/12/2010