

South Hurstville Land Sale Ordinance 2002

(Reprinted under the Interpretation Ordinance 1985.)

The South Hurstville Land Sale Ordinance 2002 as amended by the South Hurstville Trust Ordinance 2002.

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XXXXXX

Long Title

An Ordinance to authorise the sale of certain land at South Hurstville.

Preamble

Whereas

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of the land comprised in folio identifier 2/326088 known as 31 The Mall, South Hurstville (the "Land").

B. The Land is church trust property and is held for the purposes of the parish of South Hurstville (the "Parish") as part of the trust fund established by the South Hurstville Trust Ordinance 2002.

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 of Ordinance

This Ordinance is the South Hurstville Land Sale Ordinance 2002.

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 this Ordinance.

3. Authority to Sell

The Property Trust is authorised to sell the Land by public auction or private treaty any time during the 3 years following the date on which assent is given to this Ordinance (and thereafter only if approved by resolution of the Standing Committee) for such price and on and subject to such terms and conditions as the Property Trust considers appropriate.

4. Allocations from the South Hurstville Trust

(1) Subject to clause 4(2), the Property Trust is directed to make the following payments from the capital of the South Hurstville Trust for any 1 or more of the following purposes -

- (a) first, in payment of the costs of and incidental to this Ordinance and the sale of the Land; and
- (b) second, in payment of any goods and services tax (as defined in *A New Tax System (Goods and Services Tax) Act 1999*) in connection with the sale of the Land; and
- (c) third, towards the costs of and incidental to the purchase and fitting out of a residence to be used for the Parish including the repayment of any amount

borrowed for the purposes of the purchase; and

- (d) fourth, towards such other capital purposes of the Parish as the parish council of the Parish may by resolution determine including modifications and alterations to the residence referred to in clause 4(1)(c).

(2) No payment is to be made under clause 4(1) until the Land has been sold and the proceeds of sale paid to the Property Trust.

5.

Table of Amendments

Recital B	New recital inserted by Ordinance No 77, 2002.
Clause 4	New clause inserted by Ordinance No 77, 2002.
Clause 5	Deleted by Ordinance No 77, 2002.

ROBERT WICKS
Legal Officer

MARK PAYNE
Diocesan Secretary

27 February 2008