

Windsor Land Sale Ordinance 2012

No 9, 2012

Long Title

An Ordinance to authorise the sale of certain land at Windsor 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 contained in Folio Identifier 2/38773 known as 2 Claremont Crescent, Windsor (the "Land").

B. The Land is church trust property and by the Will of the late Adelaide Alice Killen is held on trust for St Matthews Church of England Windsor.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is inexpedient to carry out or observe those trusts and it is expedient that those trusts be varied and that the Land be sold and the proceeds of sale 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 Windsor Land Sale Ordinance 2012.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Land is held, it is inexpedient to carry out or observe those trusts and it is expedient that those trusts be varied and that the Land be sold and the proceeds of sale applied in the manner set out in clause 5.

3. Variation of Trusts

The Land is held on trust for the purposes of the parish of Windsor (the "Parish").

4. Authority to Sell

The Property Trust is authorised 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 given by resolution, whether given before or after this date.

5. Application of proceeds of sale

- (1) The proceeds of sale are to be paid to the Property Trust and applied as follows –
 - (a) first, the costs of and incidental to this Ordinance and the sale of the Land,
 - (b) second, in payment of goods and services tax (as defined in A New Tax System (Goods and Services Tax) Act 1999) payable in connection with the sale, and
 - (c) as to the balance in and towards the costs of and incidental to the purchase of land and construction of a residence thereon, or the purchase of a residence and the cost of any alterations considered necessary to render the residence suitable for housing a minister, assistant minister or a person employed by the Wardens of St Matthew's Windsor.
- (2) Pending application of the sale proceeds, the sale proceeds (or the balance remaining from time to time) are to be invested and, for a period of 12 months from the date of sale of the Land (or such longer period as the Standing Committee may approve by resolution), the income is to be applied as follows –
 - (a) 30% is to be capitalised, and
 - (b) the balance is to be applied for the purposes of the Parish except for payment of the stipend, allowances or benefits of the minister of the Parish.

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

PG KELL
Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 23 July 2012.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
20/08/2012