

# Blacktown Land Sale Ordinance 2006

No 11, 2006

## Long Title

An Ordinance to authorise the sale of certain land at Blacktown and the application of the proceeds of sale.

## Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor of folio identifier 7/29187 situated at 7 Moren Street Blacktown (the "Moren Street residence"), the current rectory of the parish of Blacktown (the "Parish").

B. The Moren Street residence is church trust property held on trust for the purposes of 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 Moren Street residence is held it is expedient that it 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 Blacktown Land Sale Ordinance 2006.

### 2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Moren Street residence is held it is expedient to sell the Moren Street residence and to apply the proceeds of sale in the manner set out in clause 4.

### 3. Sale Authority

The Property Trust is empowered to sell the Moren Street residence by public auction or private contract at such time and at such price upon and subject to such terms and conditions as it may think fit provided that no such sale may be effected after the 3rd anniversary of the date on which assent is given to this Ordinance without the consent of the Standing Committee given by resolution.

### 4. Application of Proceeds of Sale

(1) The costs of and incidental to this Ordinance and the sale of the Moren Street residence are to be paid from the proceeds of the sale.

(2) The remaining balance of the proceeds of sale are to be paid to the Property Trust and applied as follows –

- (a) firstly, 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) secondly, to reimburse the churchwardens of Christ Church Blacktown (the "Churchwardens") all moneys spent in preparation for the sale of the Property,
- (c) thirdly, toward the acquisition of a suitable property, or the acquisition of land and the construction of a suitable property, to replace the Moren Street residence,
- (d) fourthly, toward the cost of so modifying the acquired property to meet the requirements for use as a rectory, and
- (e) the balance of any funds shall be applied to the reduction of Finance and Loans Board loans of the Parish.

(3) Pending application of the sale proceeds, the sale proceeds (or the balance remaining from time to time) are to be invested and the income applied for two years after settlement of sale as follows –

- (a) 30% is to be capitalised,
- (b) the balance is to be paid to the churchwardens of the church of the Parish for the sole purpose of meeting the cost of housing the assistant minister,

thereafter, 100% is to be capitalised.

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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 29 May 2006.

R WICKS  
Secretary

I Assent to this Ordinance.

PETER F JENSEN  
Archbishop of Sydney  
13/6/2006