

Woodville Road (Old Guildford) Land Sale Ordinance 2002

(Reprinted under the Interpretation Ordinance 1985.)

The Woodville Road (Old Guildford) Land Sale Ordinance 2002 as amended by the Woodville Road (Old Guildford) Land Sale Ordinance 2002 Amendment and Variation of Trusts Ordinance 2007.

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Long Title

An Ordinance to provide for the subdivision and sale of certain land at the corner of Orchardleigh and Broughton Streets, Old Guildford and for the application of the sale proceeds.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the registered proprietor in fee simple of the land contained in folio identifier 1/1011331 being Lot 1 in Deposited Plan 1011331 at and known as Christ Church, Old Guildford corner Broughton and Orchardleigh Streets Old Guildford (the "Land").

B. By clause 2 of the Christ Church Old Guildford Sale Ordinance 1956, the Land is church trust property and is held upon trust by the Property Trust to permit the same to be used for a church, parsonage or parish hall or partly for one and partly for another or others of such purposes in connection with the Church of England in the Provisional District of Villawood or any other parish hereafter formed in the place thereof.

C. The Provisional District of Villawood now forms part of the parish of Woodville Road (the "Parish").

D. The licence of Christ Church, Old Guildford being the church situated on the Land was revoked in December 1999.

E. 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 the Land be subdivided and sold and the proceeds from the sale applied as provided herein.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Woodville Road (Old Guildford) Land Sale Ordinance 2002.

2. Declaration

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 or to apply the land for the same or like purposes as those trusts and it is expedient that the Land be subdivided and sold and the proceeds from the sale applied as provided herein.

3. Authority to Grant

(1) The Property Trust is authorised to subdivide and sell the Land, or any part or parts of the Land, provided that no such sale shall be made 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) Any sale authorised under clause 3(1) may be by public auction or private agreement and for such price and subject to such terms and conditions as the Property Trust may determine.

4. Application of Proceeds of Sale

The proceeds from any sale authorised by clause 3(1) shall be applied by the Property Trust, after deduction of the costs and fees of and incidental to this Ordinance (and any ordinance to amend this Ordinance), the sale and any subdivision of the Land as follows -

- (a) first, the payment of any goods and services tax (as defined in *A New Tax System (Goods and Services Tax) Act 1999*) payable in connection with the sale; and
- (b) second, an amount of up to \$700,000 in or towards the costs and expenses of purchasing the land in folio identifier 33/9557 known as 40 Shackle Ave, Guildford, demolishing the existing structures thereon and constructing and fitting out a new ministry residence for the parish of Guildford with Villawood on that land; and
- (c) the balance, in or towards the cost of an incidental to constructing or purchasing one or more new residences for an assistant minister or any other person employed by the churchwardens of St Anne's, Merrylands including but not limited to the development of part or all of the land comprised in Folio Identifiers A/404913 and B/404913 known as 191-193 Fowler Road, West Guildford for this purpose.

5. Investment

Pending the application of the proceeds of the sale referred to in clause 4, the proceeds are to be invested by the Property Trust and the income applied upon written request of the Churchwardens of St Anne's Merrylands (the "Churchwardens") toward the cost of accommodation for any assistant minister licenced to the Parish or other full time ministry staff employed by the Churchwardens.

Table of Amendments

Clause 4 Amended by Ordinance No 30, 2007.

STEVE LUCAS
Manager, Legal Services

ROBERT WICKS
Diocesan Secretary

9 May 2008