

# Willoughby Land Sale Ordinance 2020

(Reprinted under the Interpretation Ordinance 1985.)

The Willoughby Land Sale Ordinance 2020 as amended by the Willoughby Land Sale Ordinance 2020 Amendment Ordinance 2021.

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## Long Title

An Ordinance to permit the sale of certain land at 86 Laurel Street, Willoughby, and to provide for the application of the proceeds of sale.

The Synod of the Diocese of Sydney Ordains as follows.

### 1. Name

This Ordinance is the Willoughby Land Sale Ordinance 2020.

### 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 ACPT is authorised to sell the Land subject to such terms and conditions as it may think fit within 3 years after the date of assent to this Ordinance and thereafter only with the consent of the Standing Committee given by resolution.

### 4. Allocations from the ACPT – Willoughby Trust

(1) Subject to clause 4(2) the ACPT is directed that it may make the following payments from the capital of the ACPT – Willoughby Trust –

- (a) firstly, the costs, charges and expenses of and incidental to this Ordinance and the sale of the land,
- (b) secondly, 7.5% of the difference between the initial projected sale price of \$2,700,000 and the actual sale price is to be paid to New Churches for New Communities for the support of projects in greenfields areas,
- (c) thirdly, the costs of and incidental to –
  - (i) either of the following property plans –
    - i. acquiring two or three further residences suitable for housing ministry staff, including the costs of and incidental to any renovations necessary to render the acquired properties suitable for ministry staff, or
    - ii. acquiring one or two further residences suitable for housing ministry staff, including the costs of and incidental to any renovations necessary to render the acquired properties suitable for ministry staff, and the planning, development and construction of new facilities (including but not limited to residences suitable for ministry staff) on the existing Parish land of folio numbers 4/246192 and 5/246192 known as 211 Mowbray Road Chatswood, including any incidental costs that arise from the project, and

- (ii) leasing a property suitable for the Assistant Minister in the interim period between the sale of the Land and the purchase of the residences, and
- (d) fourthly, the costs of and incidental to making improvements to any of the existing buildings on the site of folio identifier 4/246192 and 5/246192 known as 211 Mowbray Road, Chatswood and the site of a St Stephen's Church and a residence.

(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 ACPT.

#### **5. Capitalisation of income**

Notwithstanding clause 7 of the *Willoughby Trust Ordinance 2020*, all income arising from the investment of that part of the ACPT – Willoughby Trust which comprises proceeds from the sale of the Land is to be capitalised.

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#### **Note**

The original form of the ordinance was assented to on 23 November 2020.

#### **Table of Amendments**

Clause 4 Amended by Ordinance No 52, 2021.

STEVE LUCAS  
**Senior Legal Counsel**

9 December 2021

DANIEL GLYNN  
**Diocesan Secretary**