

**ANGLICAN CHURCH OF AUSTRALIA
DIOCESE OF CANBERRA AND GOULBURN**

PARISH OF BINDA SALE ORDINANCE 2018¹

AN ORDINANCE to authorise the sale of certain land in the Parish of Binda in the Diocese of Canberra and Goulburn.

RECITALS

1. The Land within the Parish of Binda and described in the Schedule to this Ordinance is owned by the Property Trust. It includes the Rectory for the Parish.
2. The Rectory is not currently occupied and would require substantial expenditure to render it compliant with the standards for rectories in the Diocese.
3. The other property included in the Land is not presently required for the purposes of the Parish.
4. The Parish currently has financial difficulty in supporting ministry in the Parish at the present time.
5. The proceeds of the sale of the Land will provide substantial support to ministry in the Parish.
6. The Churchwardens and the members of the Parish Council have consented to this Ordinance.

BISHOP-IN-COUNCIL, in its capacity as the Standing Committee of the Synod and in exercise of its powers under section 26 of the Anglican Church of Australia Trust Property Act 1917 (NSW) and section 3 of the Synod (Delegation of Functions) Ordinance 1998, enacts:

1. Name of Ordinance

- 1.1 This Ordinance is the Parish of Binda Sale Ordinance 2018.

2. Dictionary

- 2.1 In this Ordinance, unless it is clear that another meaning is intended:

Land means the real property described in the Schedule to this Ordinance;

¹ Please note that the Original Ordinances included in this Consolidation are recorded in the Ordinance books of the Diocese of Canberra and Goulburn. If you have any concern about this consolidation please email: ordinances@anglicands.org.au

This version of the Ordinance has been authorised by the Chancellor in accordance with section 75 of the Diocesan Legislation Ordinance 2007.

Parish means the Parish of Binda in the diocese of Canberra and Goulburn.

Note: *The Dictionary to the Diocesan Legislation Ordinance 2007 provides a definition of the following terms:*

- *Anglican Diocesan Services*
- *Bishop-in-Council*
- *Parish Council*
- *Pelican Foundation*
- *Property Trust*
- *Synod*

3. Sale of Land

3.1 The Property Trust is directed and authorised to sell the Land at the time, in the manner and in accordance with the terms and conditions, including as to price, negotiated by Anglican Diocesan Services in consultation with the Parish and the Property Trust.

3.2 Any two members of the Property Trust are authorised to execute on behalf of or for the Property Trust any documents reasonably required or desirable for the purpose of the sale negotiated as provided for in sub-section 3.1, on production of a certificate of the General Manager of Anglican Diocesan Services that they are documents that are so required or desirable.

4. Application of Proceeds

4.1 The Property Trust shall pay out of the proceeds of the sale:

- (a) the costs of this Ordinance; and
- (b) the costs of the sale.

4.2 Subject to sub-section 4.1, the Property Trust shall hold the net proceeds of the sale for the purpose of ministry in the Parish, in particular to support the deployment of ministry personnel and leaders to work in the Parish.

5. Expiry

5.1 This Ordinance expires 30 months² after it is made.

5.2 Despite sub-section 5.1, section 4 is a provision to which sub-section 47.3 of the Diocesan Legislation Ordinance 2007 applies.

² Amended by the Anglican Parish of Binda Sale Amendment Ordinance 2019

SCHEDULE

All that piece or parcel of land being Lot 5 in Deposited Plan 1119746 in the Parish of Binda, County Georgiana in the State of New South Wales

All those pieces or parcels of land being Lots 2, 3, 4 and 6 in Section 32 in Deposited Plan 758110 in the Parish of Binda, County of Georgiana in the State of New South Wales

NOTES:

Passed with amendment by Bishop-in-Council on 9 February 2018 and assented to by Bishop Stuart on 9 February 2018.

Amendment Ordinance passed without amendment by Bishop-in-Council on 8 February 2019 and assented to by Bishop Trevor on 8 February 2019.