

Anglican Church Growth Corporation (Pilot Program Enabling No 5) Ordinance 2024

No 34, 2024

Long Title

An Ordinance to vary the trusts on which certain property is held for the purposes of enabling the development of such property pursuant to a program being managed by the Anglican Church Growth Corporation.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "ACPT") is the trustee of the property (the "Development Property") described in each of the cells in column 1 of the table in the Schedule (the "Schedule").

B. The Development Property described in a cell in column 1 of the Schedule is held on certain trusts for the purposes of the parish mentioned in the corresponding cell in column 2 of the Schedule.

C. The Development Property is part of a pilot program (the "Pilot Program") being offered by the Anglican Church Growth Corporation (the "ACGC") to certain parishes which give their consent (the "Clause 17(2) Consent") to participate in the Pilot Program under clause 17(2) of the *Anglican Church Growth Corporation Ordinance 2018* ("Participating Parishes").

D. By reason of circumstances which have arisen after the creation of the trusts on which the Development Property is held, it is inexpedient to carry out and observe those trusts or to apply the revenue generated from the Development Property described in column 1 of the Schedule wholly for the purposes of the Participating Parish mentioned in the corresponding cell in column 2 of the Schedule.

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

1. Name

This Ordinance is the Anglican Church Growth Corporation (Pilot Program Enabling No 5) Ordinance 2024.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which the Development Property is held –

- (a) it is inexpedient to carry out and observe those trusts or to apply the revenue generated from the Development Property described in column 1 of the Schedule wholly for the purposes of the Participating Parish mentioned in the corresponding cell in column 2 of the Schedule, and
- (b) it is expedient to vary the trusts of the Development Property in the manner described in clause 3.

3. Variation of Trusts

The trusts of the Development Property described in a cell in column 1 of the Schedule are varied to the extent necessary to enable the revenue generated from that Development Property to be applied at the direction of the ACGC for the purpose of reimbursing the costs associated with the development of any property in the Pilot Program pursuant to the terms of the relevant agreement referred to in clause 17A of the *Anglican Church Growth Corporation Ordinance 2018*.

4. Authority to deal with church trust property

(1) A trustee of Development Property is authorised to sell, lease, mortgage and raise funds or capital against the whole or any part of the Development Property of which it is trustee and may apply the proceeds arising in and towards the costs of and incidental to the development of property that is part of the Pilot Program.

(2) For the purposes of this clause, property is part of the Pilot Program if a parish has provided a consent in respect to the property under clause 17(2) of the *Anglican Church Growth Corporation Ordinance 2018*.

Anglican Church Growth Corporation (Pilot Program Enabling No 5) Ordinance 2024

5. Procedural Requirements

A Clause 17(2) Consent given by a Participating Parish mentioned in column 2 of the Schedule is taken to meet any of the procedural requirements of the *Ordinance Procedure Ordinance 1973* that would otherwise apply to the promotion of this Ordinance.

6. Application of Ordinance

(1) This Ordinance has no application to the Development Property described in a cell in column 1 of the Schedule unless and until the Participating Parish mentioned in the corresponding cell in column 2 of the Schedule –

- (a) gives its Clause 17(2) Consent to participate in the Program with that Development Property, and
- (b) has in place a suitable master trust ordinance in relation to property held on trust for the Participating Parish.

(2) A master trust ordinance mentioned in subclause 1(b) is or will, when in place, be subject to this Ordinance.

Schedule

Development Property	Parish
17-19 Crawford St, Berala being Lots 8 and 9 in Section 3 in DP 435.	Berala
66 Park Rd, Bulli being Lot 801 in DP 774190.	Bulli
1-7 View St, Chatswood, being: a) Lots 11, 13, 14 and 15 in DP 3435, b) Lot 1 in DP 928041, c) Lot 1 in DP 928773, and d) Lot A in DP 368698.	Chatswood
57 Princes Highway, Kogarah being: a) Lot 1 in DP 1037176, b) Lot 1 in DP 1049742, and c) Lot B2 in DP 397422.	St George (Kogarah)
172 Richardson Rd, Spring Farm being Lot 299 in DP 1217382.	Narellan
250-258 High St and 15 Fulton St, Penrith being: a) Lot 101 in DP 597910, b) Lot 61 in DP 133322, and c) Lots 1, 2, 3, 15, 16 and 17 in Section 4 in DP1582.	Penrith
203-211 Mowbray Rd, Willoughby being Lots 4 and 5 in DP 246192.	Willoughby

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

R TONG
Chair of Committee

Anglican Church Growth Corporation (Pilot Program Enabling No 5) Ordinance 2024

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 18 November 2024.

B BOUNDS
Secretary

I Assent to this Ordinance.

KANISHKA RAFFEL
Archbishop of Sydney

18/11/2024