

Church Land Acquisition Levy (Leppington Project) Application Ordinance 2020

No 43, 2020

Long Title

An Ordinance to provide for the application of certain property in the Mission Property Fund and for matters incidental thereto.

Preamble

A. The Anglican Church Property Trust Diocese of Sydney (the "ACPT") is the trustee of the Mission Property Fund held on the trusts set out in the *Mission Property Ordinance 2002* (the "Fund").

B. Under the *Parochial Cost Recoveries and Church Land Acquisition Levy Ordinance 2018* (the "Ordinance") each parochial unit of the Diocese is to pay a levy known as the 'Church Land Levy' (the "Levy"), which is, by subclause 4(3) of the Ordinance, paid as an addition to the Mission Property Fund and applied towards church land acquisition projects.

C. By reason of circumstances which have arisen after the creation of the trusts on which the Fund is held it is inexpedient to carry out or observe those trusts and it is expedient to vary those trusts 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 Church Land Acquisition Levy (Leppington Project) Application Ordinance 2020.

2. Declaration

By reason of circumstances which have arisen after the creation of the trusts on which the Fund is held it is inexpedient to carry out or observe those trusts and it is expedient to vary those trusts in the manner set out in clause 3.

3. Variation of Trusts

The trusts of that part of the Fund comprising proceeds from the Levy are varied to the extent necessary to permit the payments authorised under clauses 4 and 5.

4. Authorisation for payment

The ACPT is authorised to apply an amount of up to \$3,000,000 from that part of the Mission Property Fund comprising proceeds from the Levy in and towards the costs and expenses of and incidental to the construction of ministry centre and associated improvements on the land in folio identifier 49A/8979 known as 30 Heath Road Leppington.

5. Repayment of Levy Funds

Notwithstanding any provisions to the contrary in the *Mission Property Ordinance 2002*, if the ACPT makes any applications under clause 4 the ACPT is to credit the income and capital inflows of the Fund to that part of the Fund comprising the proceeds from the Levy until such time as the amount credited is equal to the applications made under clause 4, except that during this period of time the ACPT may also apply the Fund for other purposes to the extent necessary to comply with its legal and contractual obligations as trustee of the Fund.

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

D S MARR
Deputy Chairman of Committee

Church Land Acquisition Levy (Leppington Project) Application Ordinance 2020

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 24 August 2020.

D GLYNN
Secretary

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney

24/08/2020