

# Church Land Acquisition Levy (Leppington Project) Application Ordinance 2020

(Reprinted under the Interpretation Ordinance 1985.)

The Church Land Acquisition Levy (Leppington Project) Application Ordinance 2020 as amended by the Church Land Acquisition Levy (Leppington Project) Application Ordinance 2020 Amendment Ordinance 2023.

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## Long Title

An Ordinance to provide for the application of certain property in the Ministry Infrastructure Development Fund and for matters incidental thereto.

## Preamble

A. The Anglican Church Growth Corporation (the “ACGC”) is the trustee of the Ministry Infrastructure Development Fund held on the trusts set out in *the Ministry Infrastructure Development Fund Ordinance 2022* (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 Ministry Infrastructure Development 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 ACGC is authorised to apply an amount of up to \$3,000,000 from that part of the Ministry Infrastructure Development 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

(1) Notwithstanding any provisions to the contrary in the *Ministry Infrastructure Development Fund Ordinance 2022*, if the ACGC makes any applications under clause 4, the ACGC is to credit the income and capital inflows of the Fund to that part of the Fund comprising the proceeds from the Levy until –

- (a) completion of the development of the land in folio identifier 31/3/2650 known as 162 Badgerys Creek Road, Bringelly, or
- (b) a later date determined by Standing Committee by resolution.

(2) The credits made under subclause 5(1) are to be made until such time as the amount credited is equal to the applications made under clause 4, except that during this period of time the ACGC 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.

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### Notes

1. The date of assent of this ordinance was 24 August 2020.

### Table of Amendments

Long Title	Amended by Ordinance No 39, 2023.
Preamble	Amended by Ordinance No 39, 2023.
Clause 4	Amended by Ordinance No 39, 2023.
Clause 5	Amended by Ordinance No 39, 2023.

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3 November 2023