No 24, 2018

Long Title

An Ordinance to amend the Mission Property Ordinance 2002.

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

1. Name

This Ordinance is the Mission Property Ordinance 2002 Amendment Ordinance 2018.

2. Amendment

The Mission Property Ordinance 2002 is amended as follows -

- (a) by deleting the Preamble in its entirety,
- (b) by deleting each occurrence of the words "Standing Committee" and inserting instead "Corporation", excluding when the words appear in
 - (i) the phrase "The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows" immediately below the Long Title,
 - (ii) clause 2(1) in the definition of "diocesan organisation", or
 - (iii) within clause 7,
- (c) by amending clause 2 as follows -
 - (i) insert a new definition in clause 2(1) as follows –

"Corporation" means the body constituted pursuant to the Anglican Church Growth Corporation Ordinance 2018.',

- (ii) insert a new definition in clause 2(1) as follows -
 - "NCNC" means NCNC Fund Limited (ACN 606 270 357)"
- (iii) delete the definition of "New Sites Ordinance",
- (iv) amend the definition of "parochial unit" by inserting the words "or a provisional recognised church" after the words "Parishes Ordinance 1979 and a recognised church",
- (v) insert a new definition in clause 2(1) as follows -

"Specified Property" means:

- real property which comprises part of the capital of the Mission Property Fund or which is to be acquired as an addition to that capital, and
- (b) real property held on trust for the purposes of a parochial unit or a diocesan organisation which is to be acquired or developed through the exercise of the Corporation's functions, provided the Regional Bishop and a majority of the members of the parish council of the parochial unit, or the council of the diocesan organisation, as the case may be, have consented to such acquisition or development under clause 17(2) of the Anglican Church Growth Corporation Ordinance 2018; and
- (c) any other real property which is, or is to be, acquired or developed, in whole or part, using funds provided by NCNC or through the exercise of the Corporation's functions."
- (d) by amending clause 5 as follows -
 - (i) delete the matter in clause 5(a) and insert instead
 - "(a) the real property listed in the Schedule, and",
 - (ii) insert a new clause 5(b) as follows (and consequently reletter the remaining paragraphs) –

- "(b) the personal property which, at the date of assent to the Mission Property Ordinance 2002 Amendment Ordinance 2018, is comprised in ACPT Client Funds 0380, 0381, 0383, 0388, 0390, 0392, 0396, and 0398 and any accumulated or undistributed income (whether or not capitalised) derived from such property, and",
- (iii) insert the matter "(including personal property received for projects involving the acquisition of development of Specified Property or the proposed acquisition or development of property which is or may become Specified Property)" in clause 5(b) (relettered as clause 5(c)) after the matter "as an addition to the Mission Property Fund",
- (e) by amending clause 5B(1) as follows -
 - insert the matter "(including projects involving the acquisition of development of Specified Property or the proposed acquisition or development of property which is or may become Specified Property)" in clause 5B(1)(a) after the word "projects", and
 - (ii) insert the matter "(including projects involving the acquisition of development of Specified Property or the proposed acquisition or development of property which is or may become Specified Property)" in clause 5B(1)(b) after the word "projects",
- (f) by amending clause 9(1) as follows -
 - (i) delete subclause 9(1)(a) in its entirety (and consequently reletter the remaining paragraphs),
 - (ii) delete subclause 9(1)(d) (relettered as clause 9(1)(c)) in its entirety (and consequently reletter the remaining paragraphs),
 - (iii) insert the words "subject to any strategy or policies determined by the Corporation," at the beginning of subclause 9(1)(e) (relettered as clause 9(1)(c)),
 - (iv) delete the matter "11 from the property of the Mission Property Fund," from clause 9(1)(f) (relettered as clause 9(1)(d)) and insert instead "10,"
 - (v) delete the matter "the loans referred to in clause 14," in clause 9(1)(g) (relettered as clause 9(1)(e)) and insert instead "loans, and", and
- (g) by deleting subclause 9(3) in its entirety,
- (h) by amending clause 9A(1) as follows -
 - (i) delete the matter "For the purpose of implementing the completion of projects under clause 9(1)(b),"
 - (ii) insert the words "or funds provided by the NCNC or through the Corporation" in clause 9A(1)(a) after the words "Mission Property Fund",
 - (iii) substitute the words "land held on trust for the purposes of the Diocese" in clause 9A(1)(b) for "Specified Property",
 - (iv) substitute the words "land held on trust for the purposes of the Diocese" in clause 9A(1)(c) for "Specified Property",
 - (v) substitute the words "land or other property of the Mission Property Fund" in clause 9A(1)(e) for Specified Property.
- (i) by substituting the word "organisation" in clause 9A(3) for the word "corporation" in all instances in which it appears within that clause,
- (j) by amending clause 9A(4) as follows -
 - (i) insert the words "Mission Property" in clause 9A(4)(a) before the word "Fund",
 - (ii) insert the word "personal" in clause 9A(4)(c) after the words "remains contractually uncommitted and the value of any other",
 - (iii) insert the words "Mission Property" in clause 9A(4)(c) before the second occurrence of the word "Fund",
- (k) by deleting clause 10 (and consequently renumbering the remaining clauses),

- (I) by deleting the words "property of the Mission Property Fund" in clause 11 (renumbered as clause 10) and inserting instead "personal property comprising the Mission Property Fund to the extent the trusts of that property permit such application",
- (m) by substituting the matter "13(3) in clause 13(1) (renumbered as clause 12(1)) for the matter "12(3)",
- (n) by inserting the words "or from the proceeds of the development or sale of Specified Property" in clause 13(3)(b) (renumbered as clause 12(3)(b)) after the words "Mission Property Fund",
- (o) by deleting clauses 15, 16 and 17 (renumbered as clauses 14, 15 and 16),
- (p) by amending the table in the Schedule so that it appears as follows -

| Real Property of the Mission Property Fund | |
|---|--|
| Description | Title Reference |
| 57 Moxham Street, Cranebrook | Lot 332 in Deposited Plan 705900 |
| Cnr Hunter & Emmett Street, Callala Bay | Lot 1271 in Deposited Plan 836301 |
| 13 Gibson Crescent, Sanctuary Point | Lot 2754 in Deposited Plan 235301 |
| 5 Lintina Avenue, Tahmoor | Lot 1 in Deposited Plan 584474 |
| Part Lot 100 Hyatts & Jersey Road, Oakhurst | Lot 1001 in a proposed plan of subdivision of Lot 100 in Deposited Plan 845891 (excepting the improvements thereon and a 31.45% interest in the land held by the Anglican Schools Corporation) |
| Lots 25-26 Lintina Street, Tahmoor | Lots 25 and 26 in Deposited Plan 246832 |
| 500 Bringelly Road, Austral | Lot 5 in DP1203674 |
| Stanhope Parkway, Kellyville Ridge | Lot 701 in DP1157579 |
| 33 Hamilton Street Riverstone | A 54% interest in Lots 111, 113, 114, 124, 125, 126 in DP1224241 |
| 30 Heath Road, Leppington | Lot 49 in DP8979 |
| 49-51 Excelsior Avenue, Marsden Park | Lot 9 in DP1225976 |
| 12 Fingleton Close, Rouse Hill | Lot 221 in DP876409 |
| 162 Badgerys Creek Road, Bringelly | Lot 31 in Section 3 of DP2650 |
| Holy Innocent's Rossmore Church, hall, rectory and cemetery, corner of Church Street and Rossmore Avenue West, Rossmore | Lots 1, 2, 3 and 4 in DP 117688 |

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

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 24 September 2018.

D GLYNN Secretary

I Assent to this Ordinance.

GN DAVIES Archbishop of Sydney 25/09/2018