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*St. Mark's Darling Point and Glebe Administration Board  
Ordinance 1967*

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No. 25, 1967.

AN ORDINANCE to appoint Glebe Administration Board as the trustee of the land described in the First Schedule in Ordinance No. 14, 1928 to vary the trusts of such land in certain respects and for purposes incidental thereto.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is seised in fee simple of certain land at Edgecliff more particularly described in the first Schedule of St. Mark's Darling Point School Lands Ordinance 1928 (No. 14, 1928) and for the purpose of convenience is set out in the Schedule hereto AND WHEREAS the said land is held by the Corporate Trustee as trustee for and on behalf of the Parish of St. Mark Darling Point upon the trusts set out in the said Ordinance as amended by Ordinance No. 4, 1954 AND WHEREAS the Corporate Trustee is desirous of retiring as the trustee of the said land in favour of Glebe Administration Board (hereinafter called "the Board") and the Board has advised its acceptance of the said Trusts AND WHEREAS it is expedient that the Board be appointed as trustee and that the land be now vested in it AND WHEREAS by reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is now held it is inexpedient to carry out and observe the same in their entirety and it is expedient that such trusts be now varied as hereinafter set out AND WHEREAS the Board proposes to include the land with adjoining land vested in it for the purpose of leasing all such land and it is also the intention of the Board to provide a sum of Two hundred thousand dollars (\$200,000) to be applied as hereinafter set out NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod hereby DECLARES ORDAINS AND RULES as follows:-

1. That the Board be and is hereby appointed to be the Trustee of the land known as 251 New South Head Road and 2 Herbert Street Edgecliff and described in the first Schedule of St. Marks Darling Point School lands Ordinance 1928 in the stead of the Corporate Trustee.

2. That the said land be and the same is hereby vested in the Board.

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3. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the said land is held it is inexpedient to carry out and observe the same and it is expedient that the said trusts be varied as hereinafter set out.

4. The said land or any part or parts thereof may be leased in conjunction with any other land vested in the Board pursuant to the powers and subject to the conditions in that behalf contained in the Glebe Administration Ordinance 1930-1967 or any amendment or amendments thereof and the rents income and profits arising from any such lease or leases applied for the purposes of the Board as provided by the said Ordinance or any amendment or amendments thereof.

5. The Board shall provide to the Corporate Trustee a sum of two hundred thousand dollars (\$200,000) to be applied firstly in discharging from the income thereof the existing indebtedness to The Mutual Life and Citizens Assurance Company Limited and paying the costs of such discharge and of this Ordinance and subject thereto shall hold such sum which shall be provided to the Corporate Trustee at or before the expiration of ten years from the date hereof in two separate capital funds in the proportions of two thirds and one third respectively Provided that the Board may in the meantime on any half yearly interest date pay to and establish part of the said capital funds amounts in any multiple of ten thousand dollars (\$10,000) and in accordance with the Church Trust Property Investment Ordinance 1944 or any amendment or amendments thereof.

6. Subject to the provisions of clause 5 hereof income from the two thirds fund shall from time to time be paid to the Churchwardens for the time being of St. Mark's Church Darling Point to be applied by them for religious and educational purposes in connection with the Parish of St. Mark Darling Point in such manner as the Rector and Churchwardens of that parish may determine from time to time subject to the confirmation thereof by resolution of the Standing Committee and income from the one third fund shall from time to time be paid to the Board of Education Diocese of Sydney for religious education.

7. Subject to the provisions of clause 5 hereof until the investment of the said funds or any part thereof commences to accrue the Board shall at the end of each period of six calendar months from the date hereof pay interest at the rate of Seven

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dollars per centum in the proportions of two thirds and one third to the said Churchwardens and Board of Education respectively on the amount remaining unpaid to such funds.

8. This Ordinance may be cited as "St. Mark's Darling Point and Glebe Administration Board Ordinance 1967."

SCHEDULE

All that piece or parcel of land containing by admeasurement three roods five perches or thereabouts situated at Paddington in the Parish of Alexandria County of Cumberland and State of New South Wales be the hereinafter several dimensions a little more or less and being part of Lot Eight of a subdivision or part of St. James Glebe commencing at a point on the Southern building line of the New South Head Road at the North East corner of land leased by E. T. Beilby and recently applied to be brought under the Real Property Act and referred to in application Plan 12698 and bounded thence on the North West by old fenced lines bearing South Westerly ninety eight feet two inches and one hundred and fifty feet as per application Plan 12698 thence on the South West by a fenced line bearing South East one hundred and twenty five feet eight inches thence on the South East and North East by Herbert Street as now occupied bearing North Easterly two hundred and twelve feet six inches sixty four feet six inches and ten feet two inches and North Westerly thirty three feet one inch to the Southern building line of the New South Head Road aforesaid and thence towards the North by that building line bearing Westerly one hundred and seven feet four inches to the point of commencement.

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

H. G. S. BEGBIE,

Deputy Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 21st day of August, 1967.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

21/8/1967.