

ST. MICHAEL'S SYDNEY (ST. DAVID'S SURRY HILLS DEVELOPMENT)  
ORDINANCE 1972 AMENDING ORDINANCE 1976

No. 18 1976

AN ORDINANCE to authorise the sale of certain land to provide for the management of the same and to vary the trusts.

WHEREAS Glebe Administration Board has been appointed the Trustee of the land described in the First Schedule of the St. Michael's Sydney (St. David's Surry Hills Development) Ordinance 1972 AND WHEREAS it is expedient that other provision be made for the management of the said land AND WHEREAS it is expedient that the said land be sold AND WHEREAS it is expedient that the trusts on which the land described in the Schedules of that Ordinance be varied to the extent (if at all) that the same are hereby varied NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY  
10 ORDAINS DIRECTS RULES AND DECLARES as follows:-

1. (1) This Ordinance may be cited as "St. Michael's Sydney (St. David's Surry Hills Development) Ordinance 1972 Amending Ordinance 1976".

(2) The St. Michael's Sydney (St. David's Surry Hills Development) Ordinance 1972 is hereinafter referred to as the "Principal Ordinance".

15 (3) The Principal Ordinance, as amended by this Ordinance, may be cited as "St. Michael's Sydney (St. David's Surry Hills Development) Ordinance 1972 - 1976".

2. (1) By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the First  
20 Schedule of the Principal Ordinance is held it is expedient that the said land be sold.

(2) By reason of circumstances which have arisen subsequent to the creation of the trusts on which the land described in the First and Second Schedules of the Principal Ordinance is held it is expedient that  
25 the trusts be varied to the extent (if at all) that the same are hereby varied.

3. The Principal Ordinance is hereby amended as follows:-

- (a) By the insertion of the following clause as Clause 1A:-

30 "1A On and from the twenty eighth day of June 1976  
the provisions of clauses 2, 3 4 and 5 of this  
Ordinance and the powers conferred thereby shall  
apply in relation to the land described in the  
Second Schedule hereto only."

- (b) By the insertion of the following clause as Clause 5A:-

35 "5A The provisions of Clause 5B of this Ordinance  
and the powers conferred thereby shall apply on  
and from the twentyeighth day of June 1976."

- (c) By the insertion of the following clause as Clause 5B:-

40 "5B (1) Clause 13 of the Glebe Administration Ordinance  
1930-1976 (and any clause amending or replacing that  
clause) shall apply in relation to the land described  
in the First Schedule hereto.

(2) Subject to sub-clause (3) the Glebe Administration  
Board is authorised and empowered to sell the whole or  
45 any part or parts of the land described in the First  
Schedule hereto.

(3) In the case of the properties known as 14 and 16  
Arthur Street the same shall not be sold, ~~until six (6)~~  
~~months after the Glebe Administration Board has given~~  
50 ~~written notice to the Rector and churchwardens of St.~~  
~~Michael's Church, Sydney of its intention to sell~~  
~~these properties.~~

(4) The proceeds from any such sale or sales shall be  
applied in meeting all costs of and incidental to the  
55 same and in repaying any moneys borrowed on the security  
of the land thereby sold (being moneys which the lender  
required to be repaid on the sale) and the balance shall  
be applied in the acquisition of units in the fund

established by the Investment Ordinance 1975. All such units so acquired shall be deemed to be included in the expression 'the land described in the First Schedule hereto' in Clause 6A."

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- (d) By the insertion of the words "described in the Second Schedule hereto" after the word "land" where first appearing in Clause 6,
- 65 (e) By the omission of the word "lands" in paragraph (b) of Clause 6 and by the insertion in lieu thereof of the words "land described in the Second Schedule hereto",
- (f) By the omission of the words "so borrowed" from paragraph (c) of Clause 6 and by the insertion in lieu thereof of the words
- 70 "borrowed on the security of the land described in the Second Schedule hereto", and
- (g) By the insertion of the following clause as Clause 6A:-
- "6A The rents issues and profits from the land described in the
- First Scheddle** hereto shall be applied by Glebe
- 75 Administration Board:-
- (a) first, in meeting all costs and expenses incurred by Glebe Administration Board in exercising its power hereunder,
- (b) second, in meeting interest payable on moneys borrowed on the security of the land described in the First
- 80 Schedule hereto,
- (c) third, in providing for the repayment of moneys borrowed on the security of the land described in the First Schedule hereto to such extent as may be determined by the Glebe Administration Board from time to time,
- 85 (d) fourth, as to such part thereof as is approved from time to time by the Archbishop - to the Churchwardens for the time being of St. Michael's Church Sydney to be applied by them towards the stipends of clergy

working full-time in the said Parish,

- (e) fifth, as to such part thereof as is approved from time to time by the Archbishop - towards the stipends salaries and allowances of ordained and lay people working full-time or part-time in the said Parish or the inner city area as defined in the Inner City Ordinance 1972 Provided that such amount or amounts shall be paid to the respective person or persons responsible for meeting such stipends salaries or allowances,
- (f) sixth, in maintaining buildings in the said Parish which, in the opinion of the said Archdeacon, ought to be maintained, and
- (g) lastly, for such other purposes as the Standing Committee may approve by resolution."

(h) By the insertion of the following clause as Clause 6B:-

"6B The trustee for the time being of the lands described in the second schedule to this ordinance shall govern and control the management and use of the same. The said trustee shall retain all income derived from the said land until such time as the Standing Committee by resolution approves of the distribution of the same."

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

D. Cameron  
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 28th day of June 1976.

W. Gotley  
Secretary

I ASSENT to this ordinance.

M.L. Loane  
Archbishop of Sydney  
28/ 6/76