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*St. Philip's Sydney York Street Property Leasing Ordinance  
Amendment Ordinance 1966*

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No. 20, 1966.

AN ORDINANCE to amend Ordinance No. 10, 1966 entitled  
"St. Philip's Sydney York Street Property Leasing  
Ordinance 1966."

WHEREAS since the passing of Ordinance No. 10, 1966 entitled "St. Philip's Sydney York Street Property Leasing Ordinance 1966" it has become inexpedient to carry out and observe in certain respects the provisions of such Ordinance in connection with the land thereby authorised to be leased and it has become expedient to amend such Ordinance and in so far as such amendment may vary further the said trusts to now vary the same AND WHEREAS it is expedient that the option for lease and any lease pursuant thereto be granted to Bambro (No. 11) Pty. Limited in lieu of Bambro (No. 9) Pty. Limited AND WHEREAS it is also desirable to provide for the evidencing of certain consents required by the said Ordinance 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. The said Ordinance No. 10 of 1966 is amended by inserting in the preamble thereof the name "Bambro (No. 11) Pty. Limited" in lieu of the name "Bambro (No. 9) Pty Limited" where the same now appears therein and also by making a like amendment to Clause 4.

2. By reason of circumstances which have arisen subsequent to the variation of the trusts declared in Ordinance No. 10, 1966 it has become inexpedient to carry out and observe the same to the extent (if any) to which such trusts are hereby varied and it is expedient (so far as it may be a variation of trusts) that the said trusts be varied further as hereinafter set out.

3. The said Ordinance is amended as follows:-

- (i) by adding at the end of sub-clause (o) of clause 3 the following words "Provided that in the case of any auditorium such consent may be given by the Rector and Church Committee of the Parish of St. Philip Sydney.
- (ii) by deleting sub-clause (iii) of sub-clause (p) of clause 3 and inserting in its place the following sub-clause (ii) namely:-

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“(iii) for the sale or distribution on the premises of

(aa) liquor (construed in this sub-clause (iii) as it is at present defined in the Liquor Act, 1912 but so as to exclude liquor produced and sold or distributed for medicinal purposes or for uses other than human consumption) in any of the following ways:

- (1) in a restaurant;
- (2) at social functions held in premises used commercially as reception rooms;
- (3) on the premises of a club or any like association; or
- (4) in or from any hotel, shop or other point of delivery.

(bb) Otherwise (to the extent to which it is not referred to in sub-paragraph (aa) of this sub-clause (iii) for the manufacture sale or distribution of any liquor except in the course of or incidental to a business of a lessee or other occupier not being carried on as the main or one of the main businesses of such lessee or other occupier for the manufacture sale or distribution of liquor.”

4. The following clauses shall be inserted after clause 7:-

“8. When the consent or approval of the Standing Committee is required to any matter or thing herein specified a certificate by the Diocesan Secretary that such consent or approval was given to the matter or thing specified in such certificate shall in favour of any person corporation or lessee or anyone taking any estate or interest under the lease be conclusive evidence that such consent or approval was duly given.

“9. When the consent or approval of the Corporate Trustee is required in accordance with the provisions of the Option referred to in clause 2 hereof or of the lease annexed to such Option referred to in clause 3 hereof a certificate by the Secretary of the Corporate Trustee that such consent or approval was given by the Corporate Trustee to the matter or thing specified in such certificate shall in favour of the Optionee or Lessee or anyone

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Amendment Ordinance 1966*

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taking any estate or interest under the Lease be conclusive evidence that such consent or approval was duly given."

5. By deleting the figure "8" at the commencement of clause 8 and inserting the figure "10" in lieu thereof.

6. This Ordinance may be cited as "St. Philip's Sydney York Street Property Leasing Ordinance Amendment Ordinance 1966."

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

ATHOL RICHARDSON,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 22nd day of August 1966.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

22/8/1966.