
*St. Andrew's Cathedral Site and Glebes Estates Variation
of Trusts Ordinance 1971*

No. 28, 1971

AN ORDINANCE to vary the trusts upon which the St. Andrew's Cathedral Site and certain estates vested in the Glebe Administration Board are held.

WHEREAS the land described in the First and Second Schedules of the St. Andrew's Cathedral Site Development Ordinance 1970 (which land is hereinafter called the "Cathedral Site" and which Ordinance is hereinafter called the "1970 Ordinance") is held upon trust for all or any of the following purposes, that is to say, a site for a Cathedral Church, a residence for the Chief Officiating Minister of the Cathedral, a Church House and offices and otherwise in connection with the Cathedral and the administration of the affairs of the Church of England in the Diocese of Sydney and for such additional purposes (if any) as are provided for by the 1970 Ordinance AND WHEREAS the Cathedral Site is vested in Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") AND WHEREAS it is proposed to demolish some or all of the improvements on the part of the Cathedral Site (such part being described and defined in the 1970 Ordinance and therein and hereinafter called "Lot A") and to erect one or more new buildings thereon AND WHEREAS the Glebe Administration Board (hereinafter called the "Board") proposes to demolish some or all of the improvements on parts of the lands vested in it and to erect new buildings thereon AND WHEREAS it is proposed to borrow monies for those purposes on the security of Lot A and of certain of the lands vested in the Board AND WHEREAS by reason of circumstances which have arisen since the creation of the trusts upon which Lot A and the land hereinafter defined as the Glebes are held it is inexpedient to carry out and observe the same to the extent to which those trusts are hereby varied NOW the Synod of the Diocese of Sydney HEREBY DECLARES RULES ORDAINS AND DIRECTS as follows:—

1. This Ordinance may be cited as "St. Andrew's Cathedral Site and Glebes Estates Variation of Trusts Ordinance 1971".
2. In this Ordinance:—
 - (a) the term "church trust property" has the meaning attributed thereto in the Church of England Trust Property Act 1917 (as amended),
 - (b) the word "Glebes" means all church trust property which, on the date on which this Ordinance is assented to, is vested in the Board or is subject to the management and control of the Board,
 - (c) the term "Glebe Estates" means the Glebes and all other real property acquired by or vested in the Board,
 - (d) the term "redevelopment purposes" includes:—
 - (i) the exercise of all or any of the powers and authorities conferred on the Standing Committee (whether delegated or not) by the 1970 Ordinance,

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- (ii) the demolition of improvements on all or any part of the Glebe Estates, the excavation of all or any part of the Glebe Estates, the construction of buildings and/or other improvements on all or any part of the Glebe Estates, the renovation and reconstruction of buildings on all or any part of the Glebe Estates and all matters incidental thereto,
 - (iii) the investing of moneys borrowed on the security of Lot A and/or on all or any part of the Glebe Estates in any of the modes of investment authorised by the Glebe Administration Board Ordinance 1930 (as amended),
 - (iv) the placing of any of such moneys on short call deposit with organisations which are constituted by ordinance of Synod, and
 - (v) the repayment by such moneys of moneys borrowed on the security of Lot A and/or all or any part of the Glebe Estates and the payment on interest payable on any of such borrowed moneys.
3. (a) By reason of circumstances which have arisen subsequent to the creation of the trusts upon which Lot A is held it has become inexpedient to carry out and observe the same and it is expedient that such trusts be varied to permit Lot A to be mortgaged or charged at any time and from time to time hereafter for the purpose of enabling the Board to borrow moneys on the security thereof for redevelopment purposes.
- (b) The Corporate Trustee shall mortgage or charge the whole or any part of Lot A as the Standing Committee may direct at any time and from time to time hereafter by resolution and the moneys borrowed on the security thereof shall be applied for redevelopment purposes.
- (c) The powers conferred and obligations imposed by this clause shall be additional to the powers conferred and the obligations imposed by Clause 9 of the 1970 Ordinance.
4. (a) By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the Glebes are held it has become inexpedient to carry out and observe the same and it is expedient that such trusts be varied to permit the Glebes to be mortgaged or charged at any time and from time to time hereafter for the purpose of enabling the Board to borrow moneys on the security thereof for redevelopment purposes.
- (b) The Board shall have power to mortgage or charge the whole or any part of the Glebes at any time and from time to time hereafter and to borrow moneys on the security thereof for redevelopment purposes.
- (c) The powers conferred by this clause shall be additional to the powers conferred on the Board by the Glebe Administration Board Ordinance 1930 (as amended).

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

ATHOL RICHARDSON,
Chairman of Committees.

We certify that this Ordinance was passed by the Synod of the Diocese of Sydney on this 14th day of October, 1971.

W. L. J. HUTCHISON,
K. N. SHELLEY,
Secretaries of Synod.

I assent to this Ordinance.

MARCUS LOANE,
Archbishop of Sydney.

14/10/1971.