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*St. Barnabas' Sydney Further Variation of Trusts  
Ordinance 1968*

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No. 29, 1968

AN ORDINANCE to provide for the application of the rents and profits of certain land held for the Parish of St. Barnabas' Sydney and to vary the provisions of the "St. Barnabas' Sydney Lease Ordinance 1952" as amended by the "St. Barnabas' Sydney Further Variation of Trusts and Sale Ordinance 1963".

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the "Corporate Trustee") is seised of an estate in fee simple of the land described in the Schedule hereto AND WHEREAS *in pursuance of the "St. Barnabas' Sydney Mortgaging and Leasing Ordinance 1912"* as varied by the provisions of the "St. Barnabas' Sydney Lease Ordinance 1952" (hereinafter called "the 1952 Ordinance") as further varied by the "St. Barnabas' Sydney Further Variation of Trusts and Sale Ordinance 1963" (hereinafter called "the 1963 Ordinance") the Corporate Trustee did lease the land described in the Schedule to Grace Bros. Pty. Limited at the yearly rental of \$3,800 payable by equal monthly instalments of \$300 commencing from the First day of July, 1963 and for payment of a premium payable by instalments of \$116.67 per month AND WHEREAS Clause 2 of the 1952 Ordinance as amended by the 1963 Ordinance provides for the application of the said rents and profits AND WHEREAS it is expedient that the said Clause 2 as amended be varied with regard to the application of the said rent as hereinafter provided AND WHEREAS it is necessary and expedient that the capital and income moneys accumulated in the "St. Barnabas' Sydney Endowment Fund" be applied as hereinafter provided 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 DIRECTS as follows:—

1. The Corporate Trustee is hereby empowered to apply the capital and income which have now accumulated in "the St. Barnabas' Sydney Endowment Fund" as follows:—

- (a) As to a sum not exceeding One thousand eight hundred dollars (\$1,800) or such part thereof as is necessary in effecting renovations and repairs to the St. Barnabas' Sydney Rectory.
- (b) As to the balance of the accumulation of such Fund, in reduction of the amount of the overdraft account of the said Churchwardens with the National Bank of Australasia Limited.

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2. Clause 3 of the 1952 Ordinance is hereby varied by deleting the whole of such Clause and inserting the following Clause 3 in substitution therefor:—

"3. The moneys paid to the said "St. Barnabas' Sydney Endowment Fund" shall be held both as to capital and income in a current account with the Bankers of the said Churchwardens or if the said Churchwardens in writing so request be invested by the Corporate Trustee provided that the Synod or the Standing Committee thereof may from time to time upon application thereto by the said Churchwardens by ordinance determine that any portion of the said capital and income of such Fund be paid to such Churchwardens and applied by them in such manner and for such purposes as such ordinance may direct."

3. This Ordinance may be cited as "St. Barnabas' Sydney Further Variation of Trust Ordinance 1968".

**SCHEDULE**

All that piece or parcel of land situate in St. Barnabas Lane City of Sydney Parish of Petersham County of Cumberland State of New South Wales containing by admeasurement 20¼ perches commencing at a point on the Southern side of St. Barnabas Lane distant 84' 2" Westerly from Mountain Street (late Athlone Place) and bounded on the North by St. Barnabas Lane bearing Westerly 64' on the West by a line bearing Southly 86' to land in application No. 9213 thence on the South by the Northern boundary of said application and a line in prolongation thereof bearing Easterly 65' on the East by a line bearing Northerly 88' to the point of commencement be the said several dimensions a little more or less.

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

H. C. 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 23rd day of September, 1968.

W. L. J. HUTCHISON,

Secretary.

I assent to this Ordinance.

MARCUS LOANE,

Archbishop of Sydney.

23/9/1968