
St. Mark's Darling Point School Lands Ordinance, 1928
(Amending Ordinance) 1954.

No. 4, 1954.

AN ORDINANCE to extend the purposes for which lands situated at New South Head Road, Edgecliff (formerly Paddington) near Sydney may under St. Mark's Darling Point School Lands Ordinance 1928 be mortgaged; to provide for repayment of moneys raised by mortgages for such extended purposes; to amend the said Ordinance; and for other purposes connected therewith.

WHEREAS by Ordinance styled St. Mark's Darling Point School Lands Ordinance 1928 (hereinafter called the said Ordinance) it was provided inter alia that the Church of England Property Trust Diocese of Sydney (hereinafter and in the said Ordinance called the said Trustee) might mortgage the land described in the first schedule to the said Ordinance or any part thereof for the purpose of raising money to be expended in erecting buildings fences or other improvements thereon and that the said land or any portion or portions thereof might be demised from time to time upon terms and conditions in the said Ordinance more fully set forth and it was provided by clause 6 of the said Ordinance that the rent income and profits of the said land should be applied by the said Trustee—(a) in defraying the expenses of and incidental to the obtaining the said Ordinance; (b) in defraying the expenses of leasing or mortgaging the said land; (c) in defraying the expenses of the removal of the buildings erected on the said land; (d) in paying off any mortgage from time to time existing on the said land And it was further by clause 7 of the said Ordinance provided that when the expenses referred to in the said clause 6 had been fully discharged the rents income and profits of the said land received by the said Trustee should thereafter be paid by the said Trustee to the Churchwardens for the time being of St. Mark's Church Darling Point and should be applied by them (1) (a) in the erection of a club house hall or school on portion of the said land with power to use the materials of the buildings so removed; (b) in the erection on the land described in the second schedule to the said Ordinance of a hall for educational and parochial purposes with rooms for

St. Mark's Darling Point School Lands Ordinance, 1928
(Amending Ordinance) 1954.

assistant clergy and caretaker's residence with power to use the materials of the buildings so removed and subject thereto

(2) (a) One third of the income should be applied by the said Churchwardens and paid to the Diocesan Board of Education for religious education, (b) Two thirds of the income should be applied for religious and educational purposes in connection with the Parish of Saint Mark Darling Point in accordance with regulations to be framed by the Rector and Churchwardens of the Parish of Saint Mark Darling Point and approved by the said Trustee AND WHEREAS certain moneys are available for or towards the purposes of clause 7 (1) (b) of the said Ordinance and plans and specifications of the building referred to in the said clause 7 (1) (b) have been prepared AND WHEREAS it is expedient now to proceed with the erection upon the land described in the said Second Schedule to the said Ordinance of a substantial part of the said building as planned and for the purpose of such erection it is expedient that the land described in the said first schedule to the said Ordinance should be mortgaged to raise the balance of the moneys required for the said purpose and further that provision be made for repayment of the moneys raised and for payment of expenses incidental to such mortgage and otherwise and for those purposes the provisions of the said Ordinance require amendment Now therefore the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

1. By reason of circumstances subsequent to the passing of the said Ordinance it is expedient that the purposes for which the said Trustee may mortgage the said land described in the first schedule to the said Ordinance should be extended and the objects to or for which application of the rents income and profits of the said land may or shall be made shall be amplified to extend to payment of the expenses of any such mortgage and repayment of moneys raised thereunder and otherwise.

2. The power granted by clause 5 of the said Ordinance to mortgage the land described in the first schedule thereof is extended to permit the said Trustee so to mortgage for the purpose of raising money to be expended in erecting buildings fences or improvements as well on the land described in the Second Schedule to the said Ordinance.

*St. Mark's Darling Point School Lands Ordinance, 1928
(Amending Ordinance) 1954.*

3. The application of the rents income and profits of the land described in the First Schedule to the said Ordinance as provided for in clause 6 of the said Ordinance is extended to include (a) defraying the expenses of and incidental to this Ordinance; (b) defraying the expenses of mortgaging for the additional purposes provided for in clause 2 hereof; (c) paying off any mortgage for such additional purpose.

4. The amount to be raised by mortgage for the purpose of erecting that part now to be erected of the building referred to in clause 7 (1) (b) of the said Ordinance shall be a sum not exceeding Eight thousand pounds (£8,000).

5. This Ordinance shall be styled "St. Mark's Darling Point School Lands Ordinance 1928 (Amending Ordinance 1954)."

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

(Sgd.) W. G. HILLIARD, Bishop,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 29th day of March, 1954.

(Sgd.) H. V. ARCHINAL,
Diocesan Secretary.

I assent to this Ordinance.

(Sgd.) HOWARD SYDNEY,
Archbishop of Sydney.

29/3/1954