St Andrew's House Ordinance 1975

(Reprinted under the Interpretation Ordinance 1985.)

The St Andrew's House Ordinance 1975 as amended by and in accordance with the St Andrew's House Ordinance 1975 Amending Ordinance 1977, the St Andrew's House Ordinance 1975-1977 Amending Ordinance 1979, the St Andrew's House Ordinance 1975-1979 Amending Ordinance 1981, the Interpretation Ordinance 1985, the Diocesan Officers (Retirement) Ordinance 1987, the St Andrew's House Ordinance 1975 1975 Amendment Ordinance 1994, the Town Hall Arcade Ordinance 1998, the St Andrew's House Ordinance 1975 Amending Ordinance 2000, the Diocesan Officers (Retirement) Repeal Ordinance 2001, the St Andrew's House Ordinance 1975 Amendment Ordinance 2012, the St Andrew's House Ordinance 1975 Amendment Ordinance 2013 and the St Andrew's House Trust Ordinance 2015.

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Long Title
An Ordinance to provide for the management of certain land and for the investment of certain church trust property.

Preamble
Whereas –

A. Glebe Administration Board (hereinafter called the “Board”) is registered as the proprietor of the land described in the First Schedule hereto which land is hereinafter called “the said land”.

B. By virtue of various ordinances of the Synod of the Diocese of Sydney and of the Standing Committee thereof, the management and use of the said land is vested in Glebe Administration Board which, by virtue of the Glebe Administration Ordinance 1930 Further Amendment Ordinance 1972, is obliged to exercise and perform all of the powers, authorities, duties and functions conferred or imposed upon it in relation to the said land only to the extent to which the same are authorised by the Standing Committee and subject to the direction of the Standing Committee given from time to time by resolution thereof.

C. The said land is church trust property held upon various trusts for the Diocese of Sydney.

D. A substantial building and other improvements are being erected on the said land.

E. to . . . . 

H.
I. It is expedient that a committee of management be constituted for the purpose of governing and controlling the management and user of the said land.

J. It is expedient that the said committee of management be constituted a body corporate under the Anglican Church of Australia (Bodies Corporate) Act 1938.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows –

Object

1. There shall be constituted a Council (hereinafter called the “Council”) whose object is to advance the purposes of the Anglican Church of Australia in the Diocese of Sydney by governing and controlling the management and user of the said land.

Land to be managed by Council

2. . . . . .

Constitution of Council

3. (1) The members of the Council shall be four persons appointed by the Standing Committee (hereinafter called “the See Nominees”) and four persons appointed by the Board (hereinafter called “the Board Nominees”).

(2) The Standing Committee shall not appoint any person as a See Nominee unless the name of that person has been recommended to the Standing Committee by the Archbishop as being a person suitable to be appointed as a See Nominee.

Term of office of members

4. Subject to clause 5, the members of the Council hold office for a period of 4 years but are eligible for reappointment.

Casual vacancies

5. (1) A casual vacancy in the office of a See Nominee may, subject to clause 3(2), be filled by the Standing Committee and arises –

(a) if the Standing Committee, by resolution, revokes the person’s appointment to that office, or

(b) if a circumstance set out in rule 7.1(2)(a) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

(2) A casual vacancy in the office of a Board Nominee may be filled by the Board and arises –

(a) if the person resigns by notice in writing to the Board, or

(b) if the Board, by resolution, revokes the person’s appointment to that office, or

(c) if a circumstance set out in rule 7.1(2)(a) (except rule 7.1(2)(a)(i)) of the Schedule to the Synod Elections Ordinance 2000 occurs in respect of that person.

(3) A person appointed to fill a casual vacancy in the office of a member of the Council holds office until the day on which the person whose vacancy he or she fills would have retired had the vacancy not occurred.

Meetings of the Council

6. (1) At meetings of the Council, four members, two being Board Nominees and two being See Nominees shall constitute a quorum.

(2) The Council shall select from their number a chairman for each meeting who shall have a deliberative but not a casting vote.

(3) At each meeting of the Council, each See Nominee who is present shall exercise votes equal to the number of Board Nominees who are then present and each Board Nominee shall exercise votes equal to the number of See Nominees who are then present. Should the Council be unable to reach a decision on any question due to the number of votes cast in favour of the question being equal to the number of votes cast against the question, the question shall be referred to the Standing Committee for determination and the decision of the Standing Committee on any such question shall be final and binding on the members of the Council.
(4) A meeting of the Council may be called or held using any technology consented to by all the members of the Council provided that all members taking part in such meeting can hear and be heard by one another. Any member of the Council who is absent from the place assigned for a meeting of the Council may attend that meeting by using any technology consented to by all members of the Council provided that absent members can hear and be heard by, not only one another, but also the other members present at the place of meeting. All proceedings conducted with the aid of technology under this subclause are as valid and effective as if they had been conducted at a meeting at which all those members were physically present.

(5) The members of the Council may pass a resolution without a meeting of the members being held if –

(a) a document setting out the proposed resolution and containing a statement that a member is in favour of the proposed resolution is provided or sent to each member either personally or at the last postal or electronic mailing address provided by the member for the purpose of receiving material in connection with meetings of the Council, and

(b) all members who would be entitled to vote on a motion for the resolution at a meeting of the Council (excluding any member who, at the time the statement is provided or sent, is on leave of absence formally approved by the Council) notify the person who provided or sent the statement that they are in favour of the proposed resolution by returning to that person a signed copy of the statement or otherwise confirming the statement to that person by electronic means.

Separate copies of a document may be used for the purposes of this subclause if the wording of the resolution and statement is identical in each copy. A resolution passed under this subclause is to be recorded in the minutes of the next meeting of the Council.

(6) Subject to the foregoing provisions, the members of the Council may meet and regulate their affairs as they consider appropriate.

Powers of the Council

7. . . . .

Records, Auditor and Reports

8. The Council shall –

(a) cause to be kept such accounting records as correctly record and explain the financial dealings and transactions of the Council,

(b) appoint an auditor who is a registered company auditor under the Companies Act 1961 (as amended),

(c) furnish to the Synod and to the Standing Committee any information as to the affairs of the Council which Council may be requested to furnish by a resolution of the Synod or the Standing Committee, and

(d) at least once in each year present to the Synod and to the Standing Committee a report of its activities and a financial statement which has been reported upon by its auditor.

9. to 11. . . . .

Authority to Exchange Land

12. The Board and the Council are hereby authorised to effect the exchange of land authorised by Ordinance No 20 of 1972.

Application of St Andrew’s Cathedral Site Development Ordinance

13. The provisions of clauses 5 to 9 inclusive of the St Andrew’s Cathedral Site Development Ordinance 1970-1973 shall apply subject to the provisions of this Ordinance.

Cathedral School to Occupy top floors

14. The Council shall permit the school known as St Andrew’s Cathedral School to occupy the top two floors of the said building for so long as the council, committee or body corporate which manages the said school pays to the Council a proper and reasonable rent for those floors. Any dispute or difference between the Council and the said council, committee or body corporate as to what constitutes a proper and reasonable rent for those floors shall be determined by the Standing Committee.
**Citation**

15. This Ordinance may be cited as “St Andrew's House Ordinance 1975”.

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**First Schedule**

All That land situated in the City of Sydney Parish of St Andrew and County of Cumberland being the whole of the land in Certificates of Title Volume 12100 Folio 74, Volume 12100 Folio 75 and Volume 12572 Folio 246.

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**Second Schedule**

All That land situated as aforesaid being the whole of the land in Certificate of Title Volume 12100 Folio 72 and the land comprised in Real Property Application 52792.

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**Notes**

Under the Anglican Church of Australia (Bodies Corporate) Act 1938, the Council was incorporated under the name “St Andrew's House Corporation” by Order published in the Government Gazette on 15 August 1975.

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Second Schedule  Amended by Ordinance No. 18, 1977.

STEVE LUCAS
Legal Counsel

ROBERT WICKS
Diocesan Secretary

26 March 2015