



ANGLICAN DIOCESE OF GRAFTON POLICIES AND PROCEDURES

SUBJECT: EXTENSIONS AND ALTERATIONS OF BUILDINGS – APPROVAL PROCESS		REFERENCE NUMBER MUP-004
DATE APPROVED 16 September 2021		VERSION 2 replacing original version dated 17 May 2017
IMPLEMENTATION DATE 16 September 2021	REVIEW DATE AND FREQUENCY As required but at least 3 yearly	RESPONSIBLE FOR REVIEW Buildings and Property Committee

1. PURPOSE

The purpose of this policy and procedure is to define the process for obtaining approval for extensions and alterations of buildings in the Anglican Diocese of Grafton.

2. SCOPE

- 2.1 This procedure is applicable to property of The Corporate Trustees of the Diocese of Grafton that is in the use and care of parishes.
- 2.2 Consistent with clause 189.1 of the Diocesan Governance Ordinance 2008, this procedure applies for the following actions at the request or initiation of the parish or one of its representatives or agents:
- The construction of any new structure;
 - The demolition or removal of any structure or part of a structure;
 - Any change to the property that requires an application to the relevant local government;
 - Any alteration to an existing structure that exceeds \$25,000 in expenses or impacts on the strength of the structure, or changes the use of the structure; and
 - Any repair, restoration or conservation of a major nature or that requires an application to the relevant authority for heritage work.
- 2.3 This procedure does not apply to minor alterations, routine repairs and maintenance of buildings and structures.
- 2.4 This procedure does not apply to emergency actions taken in the event of an accident or incident to ensure the safety of volunteers, workers or the general public and to lessen the likelihood of further damage occurring.

3. DEFINITIONS

“BPC/Committee” – Diocesan Buildings and Property Committee

4. PRINCIPLES

- 4.1 The real property of the Anglican Diocese of Grafton, whether it is used and cared for by parishes or other agencies, is held in the name of The Corporate Trustees of the Diocese of Grafton (excepting where the property has been formally placed in the trust of another trustee or a church body corporate).
- 4.2 As part of exercise of this trust responsibility, major changes require approval at an appropriate level. This principle is consistent with clause 100.3 of the Diocesan Governance Ordinance 2008 “The Parish Council or its Building Committee must conform to regulations approved by Bishop-in-Council for obtaining the necessary approvals for substantial building work including alterations, demolition and other property matters described in Chapter 16 of this Ordinance.”

5. REQUIREMENTS

5.1 STEP ONE – PRELIMINARY CONSULTATION

- 5.1.1 Before committing significant resources in developing a full application and seeking formal agreement of the parish members, the Parish Council develops a written outline of the proposal including its estimated cost and submits this to the Bishop and the Diocesan Buildings and Property Committee (BPC or Committee).
- 5.1.2 The BPC will consider the proposal and where appropriate make site visits and ask questions for the purpose of better understanding the project, the processes involved, and the alternatives considered.
- 5.1.3 The BPC will provide feedback based on the outline and the initial consultation and after receiving the views of the Bishop on the proposal.

5.2 STEP TWO – ADVERTISING AND CONSULTATION

- 5.2.1 Where the Bishop has authorised the progress of the application, the Parish Council shall cause a notice of the intended works and relevant information to be prominently exhibited for a continuous period of 28 days upon the main entrance to the principal church and the relevant district church of the parish, or on the main entrance to any other building which is the subject of the application.
- 5.2.2 The relevant information must include:
- (a) Notice that any objection to the proposal shall be given to the Parish Secretary within 28 days and:
 - (b) The date (being after 28 days), of the time and place of any general meeting of parishioners (or in the case of other entities a meeting of relevant interested people) proposed to be convened to discuss the proposal should there be substantial objections.
- 5.2.3 The Parish Council shall convene any necessary meeting of parishioners and ensure that minutes of the meeting are kept.
- 5.2.4 If the meeting resolves not to proceed with the proposal, that fact shall be reported to the Committee, which may after consultations with the Parish Council or other governing body advise what further action, if any, should be taken.
- 5.2.5 If the meeting carries a resolution approving the proposal, or if there are no substantial objections so that no meeting is required, the Parish Council may make an application to the Committee as per Step Three of this procedure.

5.3 STEP THREE – APPLICATION

- 5.3.1 After satisfying Step Two, an application may be made to the Committee for Approval or Recommendation.
- 5.3.2 The application to the Committee shall be supported by:
- (a) A precise description of the transaction (i.e. sale, purchase, sub division or lease) or work to be undertaken;
 - (b) The Bishop’s Authority to Submit an application;
 - (c) Material concerning the Parish Meeting conducted as part of Step Two:
 - (i) the Minutes of the Meeting (if any);
 - (ii) any letters or emails of objection to the proposal;
 - (iii) any sketch plan and site plan submitted to the meeting or developed in the meeting; and
 - (iv) a declaration signed by the Rector and two Wardens that all conditions concerning advertising and consultation have been complied with.
 - (d) Material concerning the Proposal:
 - (i) in the case of a building, a plan of the proposal (with details relevant to the size of the undertaking);
 - (ii) in the case of purchase of real estate, a full property description and the zoning where applicable;
 - (iii) a site plan showing the location of the proposal or purchase;
 - (iv) a description of the proposal or purchase and the materials (if any) to be used;
 - (v) a calculation of the cost of and the method of financing the proposal; and
 - (vi) in the case of a sale or lease a statement as to the proposed use of funds raised or received: and
 - (e) Any other material that may be relevant and could assist the Committee.

5.4 STEP FOUR – FINAL APPROVAL OR RECOMMENDATION

- 5.4.1 The BPC may:
- (a) Approve, Reject or Recommend the application; or
 - (b) Grant a Conditional Approval or Conditional Recommendation subject to one or more of the following conditions:
 - (i) submission of detailed (or more detailed) plans and/or specifications;
 - (ii) provision of further evidence of the financial viability of the proposal;
 - (iii) provision of such further information or evidence that the Committee reasonably believes is necessary to allow it to determine the matter;to the satisfaction of the Committee.
- 5.4.2 No contract may be entered into until final approval in writing to proceed has been issued by the Corporate Trustees or the Committee.
- 5.4.3 No substantial variation to the proposal may be made without the approval of the Committee.
- 5.4.4 In the case of sale or lease, no further steps may be taken in the transaction until Bishop-in-Council has passed an Ordinance authorising the transaction. Any Ordinance permitting a leasing or sale of land shall contain a clause stating the purpose the funds raised or received may be put.

- 5.4.5 Where a transaction is authorised, the Registrar shall inform and brief the Diocesan Advocate or such other Solicitor as may be deemed appropriate with such information and documentation as the solicitor shall require implementing the transaction.
- 5.4.6 Any Contract or Agreement for Purchase, Sale, Subdivision, Transfer, Lease or other legal documentation in relation to any transaction shall be submitted to the Registrar for execution in the name of The Corporate Trustees of the Diocese of Grafton.