



# ANGLICAN DIOCESE OF GRAFTON POLICIES AND PROCEDURES

<b>SUBJECT: BUILDING AND PROPERTY PROJECTS – APPROVAL PROCESS</b>		<b>REFERENCE NUMBER</b> MUP-004
<b>DATE APPROVED</b> 5 May 2022 by Bishop-in-Council		<b>VERSION 3</b> replacing Version 2 dated 16 September 2021
<b>IMPLEMENTATION DATE</b> Immediate	<b>REVIEW FREQUENCY</b> As required but at least 3 yearly	<b>RESPONSIBLE FOR REVIEW</b> Bishop-in-Council

## 1. PURPOSE

The purpose of this policy and procedure is to define the process for obtaining approval for projects relating to parish buildings and property 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 clauses 100.3 and 100.4 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:
- Sale and/or purchase of property;
  - Subdivision, boundary realignment or other change to a property title;
  - 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 \$50,000 in value 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. Such may be actioned by a Parish Council without further approval.
- 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.
- 2.5 This procedure does not apply to work conducted as part of a property insurance claim to the extent that that work reinstates damaged facilities.

- 2.6 This procedure does not apply to parishes seeking to mortgage property or lease property for periods of greater than 12 months. Parishes contemplating such actions need to make contact with the Registrar to discuss and to organise an application to the Bishop-in-Council and Corporate Trustees, as appropriate, for necessary approvals.

### **3. DEFINITIONS**

“**Diocese**” – the Anglican Diocese of Grafton.

“**Parish**” – a Parish of the Diocese as defined by Chapter 10 of the Grafton Diocesan Governance Ordinance 2008 including a Transitional Ministry District.

### **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.
- 4.3 Changes with a significant impact on the life of a parish are to be advertised within the parish and an opportunity provided for comment and discussion of the impact of the proposed change.

### **5. REQUIREMENTS**

#### **5.1 STEP ONE – INITIAL INVESTIGATION**

- 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) an outline of the project
  - (b) seeks technical advice on the project
  - (c) further develops the project outline and creates a cost estimate
  - (d) identifies funding for the project
  - (e) determines on the basis of the above and other parish priorities whether to apply for permission to proceed with the project
- 5.1.2 The Parish Council may form a special Building Committee (or delegate to an existing Building Committee) the consideration of 5.1.1 (a) to (c) above.

#### **5.2 STEP TWO – SEEKING APPROVAL TO PROCEED**

- 5.2.1 Where the project impacts on an existing Faculty or requires a new Faculty, the Incumbent shall contact the Bishop to discuss. Subject to positive discussions, a formal application for a Faculty or a change to a Faculty will be required. The timing of that application will be dependent on any other approval required for the project and the project timeline.
- 5.2.2 Application shall be made to the Bishop-in-Council by submitting the Application For Building Or Property Project form (Schedule A).

- 5.2.3 The Bishop-in-Council shall consider the application submitted as per 5.2.2 and may provide approval where there is assurance that:
- (a) The project is well conceived and appropriate to the mission of the parish
  - (b) The project will be well managed
  - (c) The parish can fund the project
- 5.2.4 In consideration of submissions under 5.2.2, the Bishop-in-Council may:
- (a) Approve the project
  - (b) Approve an initial phase or phases of the project
  - (c) Provide 'in principle' approval of the project subject to one or more of the following:
    - (i) Advertising and consultation within the parish
    - (ii) Approvals from relevant regulatory bodies
    - (iii) The Bishop granting a Faculty
    - (iv) The passing of an Ordinance
    - (v) The parish providing further information
    - (vi) The parish obtaining the required funding
    - (vii) Any other factor or condition
  - (d) Reject the project
  - (e) Delay any decision to seek further information from the parish or another source.
- 5.2.5 In providing its decision, the Bishop-in-Council may include special conditions or instructions especially with regard to the signing of major contracts, submitting applications to authorities, appointing of agents and requiring progress reporting from the parish.
- 5.2.6 Where 'in principle' approval has been provided as per 5.2.4 (c) above, the parish will need to resubmit the Application For Building Or Property Project form (Schedule A) with updated information to obtain approval for the project.

### **5.3 PARISH CONSULTATION**

- 5.3.1 Where a project involves the expenditure of greater than \$50,000 and the construction, demolition, extension or significant alteration of a building or the sale or purchase of property, a parish consultation is required prior to the project being implemented.
- 5.3.2 In addition to 5.3.1, Bishop-in-Council may require that a parish consultation be conducted prior to approval of a project.
- 5.3.3 Regardless of the applicability of 5.3.1 or 5.3.2 above, the Incumbent or a Parish Council may decide to conduct a parish consultation before taking any further action on a project.
- 5.3.4 The requirement for a parish consultation does not prevent a Parish Council from conducting reasonable investigations to examine the suitability and feasibility of the project except where those investigations make structural changes or otherwise commit the parish to a particular course.
- 5.3.5 Where the Bishop-in-Council has provided 'in principle' approval for a project, 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.

- 5.3.6 The relevant information must include:
- (a) Notice that any objection to the proposal shall be given to the Parish Secretary within 28 days and the closing date of such; and:
  - (b) The date (being after 28 days), the time and the place of any general meeting of parishioners to be convened to discuss the proposal should there be substantial objections.
- 5.3.7 The Parish Council shall convene any necessary meeting of parishioners and ensure that minutes of the meeting are kept.
- 5.3.8 Any resolution made by the meeting of parishioners shall be included in the resubmission of the Application For Building or Property Project referred to in 5.2.6 above.

#### **5.4 SPECIAL REQUIREMENTS**

- 5.4.1 No contract may be entered into until final approval in writing to proceed has been issued by the Registrar.
- 5.4.2 No substantial variation to the project may be made without approval.
- 5.4.3 Any sale or extended lease requires 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.
- 5.4.4 Where a major contract or sales 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. The cost of legal advice and legal services will form part of the project costs borne by the parish.
- 5.4.5 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.

## **6. FORMS**

- 6.1 Application For Building Or Property Project (Schedule A). Applicants are to use the version available for download on the website of the Diocese.



## SCHEDULE A

THE ANGLICAN DIOCESE OF GRAFTON  
PO Box 4  
GRAFTON NSW 2460  
[admin@graftondiocese.org.au](mailto:admin@graftondiocese.org.au)

### APPLICATION FOR BUILDING OR PROPERTY PROJECT

**PARISH:**

**PROPERTY DESCRIPTION:** (Building and/or land to which the project relates)

**PROJECT DESCRIPTION:** Please tick appropriate box (or boxes) below and provide a description of the project that impacts on parish buildings and/or property

- Repair/maintain/conservation of existing structure    Internally modify existing structure
- Change of use    Upgrade of facilities    Heritage sensitive    Demolition of structure
- Change of property boundaries (incl. subdivision and strata titling)
- Purchase and/or sale of property    Other (please specify below)

**Description of project:** (Attach extra documents including sketches or plans, if necessary)

**Cost Estimate:** Has there been an estimate of the likely cost of completing this project? If so, please provide the cost estimate below. (Please attach extra documents such as quotes and provide costs excluding GST except where GST is not recoverable. Please also include the value of any donated labour, material or services.)

What confidence do you have in the cost estimate at this time?

- High confidence    Reasonable confidence    Low confidence
- No understanding of costs at this time

**Is this a stand-alone project (i.e. no further related building or property projects are envisaged)?**

Yes    No

Please provide details:

**Has this project been considered and approved by Parish Council?**

Yes, full approval given    Yes, 'in principle' approval given to allow further investigation    No  
(If Yes, please attach written confirmation. If No, please have this request appropriately considered)

In providing support for the project has Parish Council confirmed how the project will be funded?

Yes    No

Please note that if funding requires borrowing, a separate application is to be lodged with Bishop-in-Council and if the funding requires trust funds, a separate application is to be lodged with the Corporate Trustees.

**Please advise what technical advice has been used to date and what technical advice will be used to guide the project to completion.** (Attach extra documents including reports and proposals, if necessary.)

**Please outline the expected phases and timeframes of the project** (to the extent currently known)  
(Attach extra documents, if necessary.)

**If this project requires a Faculty or impacts on an existing Faculty, please advise whether this project has been discussed with the Bishop and the status of those discussion.**

**Parish contact person for questions concerning this request**

**Name:**

**Phone:**

**Email:**

**Person completing this form**

**Name:**

**Signature:**

**Date:**

**Please submit to: [admin@graftondiocese.org.au](mailto:admin@graftondiocese.org.au)**