

Property Use Policy

A Policy of the Synod of the Diocese of Sydney

Introduction

1. The Synod has from time to time passed ordinances and resolutions to articulate the kinds of uses of church property that are (and are not) consistent with the purposes of the Anglican Church of Australia in the Diocese of Sydney.¹ These ordinances and resolutions seek to ensure that church property is not used for inappropriate purposes.
2. The purpose of this policy is to bring these various policy resolutions into a single document, and to clarify the theological rationale.
3. The doctrines, tenets and beliefs of the Diocese include, but are not limited to, the doctrines, tenets and beliefs set out in this policy. A Church body conforms to the doctrines, tenets and beliefs of the Diocese if it undertakes or authorises an act or practice which –
 - (a) is consistent with this policy, or
 - (b) involves not allowing church property to be used for an activity that is inconsistent with this policy.

From time to time there are certain actions and practices that a Church body will need to undertake in order to avoid injury to the religious susceptibilities of a significant proportion of Anglicans in the Diocese. However the Synod, as the governing body representing Anglicans in the Diocese, considers that, as a minimum, these include any act or practice undertaken to conform to the doctrines, tenets and beliefs set out in this policy.

4. On 23 October 2018, the Synod approved this policy in respect to Diocesan bodies under the *Sydney Anglican Use of Church Property Ordinance 2018*. The policy also applies to an Anglican body that chooses to adopt it as a policy of the body.

Interpretation

5. In this Policy –

“Anglican body” means a body which has charitable purposes that include purposes for or in relation to the Anglican Church of Australia, which is not a Diocesan body, but is situated in the Diocese and the governing body of the body has resolved to adopt this policy as amended from time to time as a policy of the body.

“Diocese” means the Anglican Church of Australia in the Diocese of Sydney.

“Diocesan body” means –

- (a) a parish,
- (b) any body corporate, organisation, school or association that exercises ministry within or on behalf of the Anglican Church of Australia in the Diocese –

¹ Examples include:

- (a) The *Anglican Church Property Trust Diocese of Sydney Ordinance 1965* prohibits the corporate trustee of the Diocese from licensing or allowing property to be used for purposes the Synod and Standing Committee may be resolution disapprove (clause 10(1)). The disapproved purposes are set out in the Social Covenants Policy - section 11.2
https://www.sds.asn.au/sites/default/files/ACPT%20User%20guide.Leasing.and.Licensing.Church.Trust.Property.Current_1.pdf
- (b) Use of churches by non-Anglican congregations - see s5.6 of the *Parish Administration Ordinance 2008* - only if "the profession of faith of the non-Anglican congregation is Bible-based"
- (c) The Ethical Investment Policy of the ACPT, defines “prohibited activities” as
 - (i) The manufacture or sale of Abortifacient or abortifacient-like contraceptives, or Alcohol, or Armaments, or Pornography, or Tobacco.
 - (ii) Undertaking medical and/or surgical elective abortions.
 - (iii) Undertaking stem cell research involving the destruction of embryos.
 - (iv) Gambling.The Glebe Administration Board, the trustee of the Diocesan Endowment, is subject to similar ethical investment requirements.
- (d) Yoga and other such activities: <https://www.sds.asn.au/sites/default/files/reports/Y/Yoga.OtherSuchActivities.Rep2015.pdf>

- (i) which is constituted by ordinance or resolution of the Synod,
- (ii) in respect of whose organisation or property the Synod may make ordinances, or
- (iii) which is a trustee of Church trust property.

“Church body” means a body that is an Anglican body or a Diocesan body.

“Church property” means –

- (a) Church trust property, and
- (b) the property of an Anglican body.

“Church trust property” has the same meaning as in section 4 of *Anglican Church of Australia Trust Property Act 1917*, being property that is held “for the use, benefit, or purposes” of the Anglican Church of Australia in a particular diocese.

“Synod” includes the Standing Committee of the Synod.

Policy Principles

6. The priority use of church property is for Christian ministry conducted in accordance with the doctrines, tenets and beliefs of the Diocese.
7. Where church property is not suitable for ministry, is temporarily not required for current ministry purposes, or there are periods of time during the week in which a ministry property is not required for ministry purposes, it may be good stewardship of these resources to employ them for the general benefit of the community or for income-producing purposes, provided that all such income is used for the “use, benefit or purposes” of some part of the Diocese.
8. However, it is inappropriate for church property to be used to facilitate, or generate income from, activities which are inconsistent with the doctrines, tenets or beliefs of the Diocese. As a matter of policy, therefore, **church property must not be used for purposes which contravene the doctrines, tenets and beliefs of the Diocese**. Without limiting the generality of this principle, the following sections provide a theologically grounded application of this policy to specific examples, in order to provide guidance for wardens, ministers, members of governing boards and others involved in decisions involving the use of church property.
9. The application of this policy is intended to be informed by other policies and guidelines endorsed by the Synod, including
 - Sydney Anglican Policy on Responding to Domestic Abuse
 - Ethical Investment Policy
 - Gender Identity Policy for Churches, Schools and Organisations.
10. For the avoidance of doubt,
 - (a) This policy is not intended to require a withdrawal from, or the exclusion of, those who do not share our doctrines, tenets and beliefs. Rather, we should welcome to our properties those who do not share our doctrines, tenets and beliefs, to the fullest extent possible, yet in a way that does not cause our doctrines, tenets and beliefs to be contravened or compromised. The mere presence of those who do not share our beliefs or the mere expression of beliefs we do not share, will not contravene this policy. However allowing our property to be used for the promotion or propagation of such beliefs does. For example, it does not contravene our doctrines, tenets and beliefs for a resident of an Anglican retirement village who is an adherent of another faith to practise their faith in the privacy of their own residence, but it would be a contravention if the retirement village were to allow a service of public worship for those of that faith to be held.
 - (b) This policy does not prevent discussion and debate about contentious issues on church property, including dissent from the doctrinal statements in this policy. As Articles 20 and 21 remind us, Christians have erred in the past “in things pertaining to God”, and therefore as a church we must always be open to reform our doctrine, if that doctrine is contrary to God’s Word written.
 - (c) This policy does not override the terms of residential tenancy or occupancy agreements, commercial leases and contractual and statutory requirements for retirement living or residential aged care. The conformity with the doctrines, tenets and beliefs of the Diocese in relation to leased and licensed property is administered through the inclusion of the relevant

“social covenants” in the lease or licence document pursuant to the *Church Trust Property (Declaration of Certain Purposes and Objects) Ordinance 1979*. In relation to the investment of church property, such conformity is administered through the *Investment of Church Trust Property Ordinance 1990*.

- (d) This policy does not prevent an act or practice on Church property that is necessary for a body or person to comply with the law.

The Application of this Policy

Doctrine of Salvation

11. We believe in one God, who is Father, Son and Spirit. Our triune God alone is to be worshipped, in the way he requires. There is only one way of salvation, which comes through faith in the atoning work of Jesus Christ. The gospel calls us to turn from sin and abandon our idolatrous or syncretistic worship, and to worship the true God, through Jesus Christ, by the Holy Spirit.
12. Church property must therefore not be used for the worship of other gods, or to profess and promote a different doctrine of salvation.
13. The use of a church building by another Christian congregation for the purposes of worship is only allowed if “the profession of faith of the non-Anglican congregation is Bible-based” (section 5.6 of the *Parish Administration Ordinance 2008*). This “Bible-based” profession of faith must (at least) conform to the 4 core principles articulated in the statement of faith required of those who serve on the boards of our diocesan organisations - that is:
 - (a) The Christian faith as set forth in the Apostles’ and Nicene Creeds;
 - (b) That God's word written, the canonical Scriptures of the Old and New Testaments, is the supreme authority in all matters of faith and conduct;
 - (c) That there is only one way to be reconciled to God which is through his Son, Jesus Christ, who died for our sins and was raised for our justification; and
 - (d) That we are justified before God by faith only.
14. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:
 - (a) Use of church property for the promotion of non-Christian religions such as Hinduism, Buddhism and Islam, or for events the purpose of which is to attack, denigrate or undermine Christian beliefs;
 - (b) Use of church property by other (Christian) groups, whose basis of faith differs from the four principles articulated above;
 - (c) Use of church property for activities which promote a spirituality that is in conflict with true Christian Spirituality. For example, those yoga classes which go beyond mere “positional yoga” and involve spiritual practices such as meditative practices and chants derived from Hinduism.

Doctrine of the Human Person

15. We believe that all human beings are uniquely created in the image of God, loved by God and precious to him. We believe that God created humanity with two complementary sexes – male and female – and that both male and female are equally made in God's image. We believe that God made people of all races and abilities as equal in his sight, and offers salvation through faith in the atoning work of Jesus Christ to all people without distinction. We believe that God alone determines the beginning and end of life.
16. Church property must therefore not be used for purposes which destroy human life or devalue the inherent worth of human beings in the image of God.
17. A detailed statement of the doctrines, tenets, beliefs and teachings of the Diocese with respect to gender identity is set out in the Doctrine Statement on Gender Identity affirmed and adopted by the Synod at its session in 2019.
18. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:

- (a) Abortion advocacy;
- (b) Undertaking or making referrals for medical and/or surgical elective abortions;
- (c) Production of abortifacient or abortifacient-like contraceptives;
- (d) Undertaking any activity that involves or leads to the destruction of human embryos;
- (e) Advocacy for, or assistance with, euthanasia;
- (f) Manufacture of armaments or other weapons of war;
- (g) Activities that incite racial hatred;
- (h) Advocacy of or activities that incite discrimination against people with disabilities;
- (i) Events which advocate for expressions of gender identity contrary to our doctrine that gender manifests biological sex.

Doctrine of Marriage and Human Sexuality

- 19. We believe that there are only two expressions of faithful sexuality: marriage between a man and a woman or abstinence in singleness.
- 20. Church property must therefore not be used for activities which promote sexual intimacy outside of marriage, or which promote a version of marriage that is inconsistent with God's plan for marriage. The use of an Anglican Church building for a wedding by those from another denomination is only appropriate where the marriage rites to be used are consistent with authorised Anglican marriage services.
- 21. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:
 - (a) Production or distribution of pornography;
 - (b) Commercialisation of sexual services (e.g., a brothel);
 - (c) Solemnisation or blessing of a same-sex wedding;
 - (d) A reception venue for a same-sex wedding;
 - (e) Events for the purpose of advocacy for expressions of human sexuality contrary to our doctrine of marriage.

Doctrine of Christian Freedom

- 22. We believe that the gospel of salvation brings freedom from our captivity to sin. Christian freedom is not a freedom to indulge the sinful nature. Rather, Christians should seek to throw off everything that hinders and the sin that so easily entangles and should seek not to cause others to sin by leading them into temptation.
- 23. Church property must therefore not be used for activities which profit from addictive desires, or which will cause others to become entrapped by addictive desires.
- 24. Some examples of property use which would be inconsistent with the doctrines, tenets and beliefs of the Diocese:
 - (a) The production, promotion or sale by wholesale of tobacco;
 - (b) The commercial manufacture, distribution or sale of liquor (other than the sale and consumption of liquor on premises where the liquor is intended to be consumed with food sold on those premises for consumption on those premises);
 - (c) Any use in connection with narcotic drugs (including any prohibited drug, prohibited plant or drug of addiction) except as part of the normal trading practices of a registered medical practitioner, accredited residential aged care facility, pharmacist, chemist, dental or veterinary surgeon;
 - (d) For the purposes of gambling or betting.

Amendments

- Paragraph 9 Amended by Synod resolution 77/19 (22 October 2019)
- Paragraph 10 Amended by Synod resolution 5/19 (22 October 2019)
- Paragraph 17 New paragraph inserted by Synod resolution 77/19 (22 October 2019)
- Paragraph 18 Renumbered and amended by Synod resolution 77/19 (22 October 2019)

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