

Question: 10 October 2017

Mr Peter M.G. Young asked the following question –

1. Is any diocesan land directly affected by any proposed land transport corridor to or from Badgerys Creek Airport?

To which the President replied –

1. I am informed that the answer is as follows –

Yes.

The Anglican Schools Corporation owns land at Rossmore that is adversely affected by the proposed South West Rail Link extension corridor.

The various diocesan land holdings at Oran Park and the Mission Property Committee sites at Rossmore and Bringelly are not directly affected but will all benefit by being within walking distance of proposed railway stations for the South West Rail Corridor to serve Badgerys Creek Airport. St James Luddenham and the Mission Property Committee site at Austral are also not directly affected but will benefit from proposed road upgrades at the Northern Road and Bringelly Road respectively.

Question: 10 October 2017

Mr Tom Mayne asked the following question –

2.

- (a) Why, during the pre-Synod briefing, did Archdeacon Kara Hartley representing the Domestic Violence Task Force, decline to mention 'female submission' when asked by the Diocesan Secretary to comment on complementarianism? Is belief in female submission no longer a pre-requisite for dealing with Domestic Violence?
- (b) Is belief in female submission a pre-requisite of the diocese for addressing Domestic Violence as stated in clause (b) of the original Canon Grant motion passed by Synod in 2013?

To which the President replied –

2. I am informed that the answer is as follows –

- (a) Part (a) of the question is out of order under business rules 6.3(4)(a) and (d) as it makes assertions and inferences. The questioner may wish to speak to Archdeacon Hartley about the matter.
- (b) While the answer is No, this part of the question is also out of order under business rule 6.3(4)(a) and (d) because it contains an assertion and makes an imputation, which on the evidence is plainly false, since resolution 33/13, moved by Canon Grant and passed by the Synod, made no reference to 'female submission'. On the contrary, the relevant part of the resolution reads:

...consideration ought to be given to ensuring that upholding the Bible's good teaching on submission and sacrificial love – both in preaching and teaching, and in marriage education or counselling – is not easily twisted as a cover for abuse.

Question: 10 October 2017

Ms Nicky Fortescue asked the following question –

3. With regard to the Property Receipts Levy, if a church owns a property of some form that could be sold for the purposes of a much-needed building project for a ministry centre (where church gatherings would take place, administration, etc.) would the costs associated with this centre be deductible against the income earned?

To which the President replied –

3. I am informed that the answer is as follows -

The proposed property receipts levy would not apply to the proceeds from the sale of property, as per paragraph 33 of the Committee's report. However, any income earned on the investment of sale proceeds, would be subject to the proposed levy. That said, because the sale of church property requires an ordinance, a parish may consider relying on the process outlined in paragraph 48 of the report and seek relief from the policy as it would apply to those investment earnings when it brings its sale ordinance to Standing Committee.

Question: 10 October 2017

Ms Nicky Fortescue asked the following question –

4. With regard to the Property Receipts Levy –
 - (a) In the situation that in any given year expenses for maintenance and repair of a given property exceeds receipts, was it considered that costs of property maintenance and improvement could be carried over to following years as deductible expenses?
 - (b) If yes, what was considered and why was it not included in the proposal?
 - (c) If no, could this please be considered?

To which the President replied –

4. I am informed that the answer is as follows -

It was considered that costs associated with an income-generating property might be offset against income from other income-generating property, but rejected for the same reasons marshalled in society against negative gearing, namely that this financial advantage is available only to the wealthy.

The possibility of a net loss in any one year from an income-generating property being carried forward to a future year as a deductible expense against future income generated by that property was considered by the committee. When the committee considered the costs of administering such a provision, it was rejected in light of the provision available to parishes to seek relief under ordinance.

Question: 10 October 2017

Ms Nicky Fortescue asked the following question –

5. With regard to the Property Receipts Levy, what consideration has been given to the socio-economic diversity of parishes?

To which the President replied –

5. I am informed that the answer is as follows -

In responding to the requests of Synod for a property receipts levy, the biblical principal of stewardship, referenced in paragraphs 23 and 24 of the report, influenced the committee's decision to recommend a progressive scale of contribution bands for the proposed levy. This ensures that the more property income a parish earns, the greater will be their contribution under the proposed levy.

Question: 10 October 2017

The Rev Dr James Collins asked the following question –

6. The Moore Theological College Ordinance 2009, at clause 25.3, reads “The Council is to provide at least once in each year a report, to the Synod together with an income and expenditure account and a balance sheet duly audited and such other information as may be required from time to time by resolution of the Synod. The report is to include a report on high level outcomes as required by the Commonwealth including a report on risk management within the College.”
 - (a) Could Synod be given a copy of the Risk Management Report for 2016, noting that Synod has been advised to see the website of the Australian Charities and Not-for-Profits Commission for the financial report but the risk management report is not provided at that web link?
 - (b) Could this report be provided to all Synod members by way of hard copy distribution or by email to all members, during this Synod session?
 - (c) If not, why not?

To which the President replied –

6. I am informed that the answer is as follows –

Due to an oversight, the annual report to Synod for 2016 does not include a report on risk management within the College. This will be rectified in the report for 2017.

The Governing Board of Moore Theological College has responsibility to assess and manage risks that may arise in the life of the College. In doing so it has appointed a Risk and Compliance subcommittee of the Governing Board. This subcommittee reviews reports prepared by College management on risk and compliance. The Governing Board retains oversight of these issues by a standing agenda item at each meeting.

Question: 10 October 2017

The Rev Simon Flinders asked the following question –

7. What progress, if any, has been made by the Diocesan Doctrine Commission in producing the report on the purpose and nature of episcopal leadership requested by the Synod in 2015 (in motion 6/15)? If other matters have necessarily taken precedence, when might the Synod now reasonably expect this report?

To which the President replied –

7. I am informed that the answer is as follows –

The Doctrine Commission expects to provide this report within the period of the 51st Synod.

Question: 10 October 2017

Mr Malcolm Purvis asked the following question –

8. Regarding the Syrian and Iraqi refugee response mentioned in the presidential address –
 - (a) To what services has the funding been allocated, and how much has been allocated to each service?
 - (b) What have been the results of the Anglicare Refugee Training Program, specifically:
 - (i) How many people has Anglicare trained?
 - (ii) How many of those have gone on to participate in providing help to refugees?
 - (iii) Of those who have gone on to provide help to refugees, how many were directly linked by Anglicare to parishes?
 - (c) In light of the Diocesan vision of seeing Christ honoured as Lord and Saviour in every community, what impact has the project had on the ministry of the parishes in areas where these refugees have settled?

To which the President replied –

8. I am informed that the answer is as follows –
 - (a) There were two appeals as part of the Syrian Iraqi Refugee Response. The General appeal raised \$571,000 and a major donor appeal to specifically to Early Learning Through Play programs targeted towards Syrian and Iraqi Refugees raised \$179,000. In addition, Anglicare provided \$200,000 bringing the total funding for the response to \$946,000.

The funding has been allocated up until July, 2018 in the following ways:

- \$137,000 for a Project Manager;
- \$370,000 directed to Early Learning Through Play programs;
- \$150,000 directed to trauma and relationship counselling;
- \$84,000 directed to community settlement;
- \$65,000 directed to community engagement;
- \$63,000 directed to funding a program communications officer; and
- \$72,000 directed to client support services (the provision of food, clothing and essentials cards etc.)

(b)

- (i) 450 church volunteers have been trained to date and there are more volunteers registered for sessions later this year in 2018.
- (ii) Anglicare are currently working on a report to analyse how many people who have been trained have been involved in working or supporting refugees.

However, to date there have been –

- Volunteer opportunities have been communicated through the Sydney Anglicans website;
- Volunteers have been contacted via phone and email directly from the training list and have been placed in church based programs such as ESL and Mobile Community Pantries;
- Volunteers have attended a refugee picnic event in Cabramatta; and
- Many Volunteers have been followed up and have organised donations of food, clothing, heaters that have then been distributed to refugee families.

- (iii) Anglicare will incorporate this information into the aforementioned report that is being produced on the response.

(c) As there has been significant Syrian and Iraqi refugee settlement in the Georges River Region we have seen churches in that region working actively to reach out to connect with Syrian and Iraqi communities.

Local church initiatives to connect include –

- The Bankstown, Fairfield, and Liverpool parishes which have all commenced new food ministry initiatives to connect with their communities;
- Hoxton Park Anglican Church which has been supported in their Arabic ministry;
- The distribution of over 1000 Arabic/English bibles provided by the Bible Society; and
- Bankstown, Ashbury, Parramatta and Newton parishes have all established an Early Learning Through Play ministries targeted towards vulnerable refugee children.

Some of these initiatives were also supported by micro-grants from Anglican Deaconess Ministries.

Anglicare is still keen to hear from parishes who wish to become involved with refugees in their local communities or supporting the initiatives of other parishes who already have established programs serving refugees.

Question: 10 October 2017

Mr Mark Boyd asked the following question –

9.

- (a) How are each of the three Anglican residential University Colleges in Sydney, being St Paul's College at the University of Sydney, New College at the University of NSW and Robert Menzies College at Macquarie University, constituted?
- (b) Does the Synod of the Diocese or the Archbishop elect or appoint any of the members of the Governing Boards of any of these Colleges? If so, how?
- (c) Do any of these three Colleges have membership as of right on the Synod of the Diocese of Sydney? If so, how are they represented?

To which the President replied –

9. I am informed that the answer is as follows –

- (a) St Paul's College is constituted and incorporated under the *Saint Paul's College Act 1854*, an Act of the NSW Parliament. New College and Robert Menzies College are companies limited by guarantee.
- (b) In the case of St Paul's College, no.

In the case of both New College and Robert Menzies College, the Standing Committee elects 8 members of the governing board and the Archbishop is also a member. The remaining member on each board is appointed by the relevant university.

- (c) Yes.

The Warden of St Paul's College and two qualified members of the College Council who are elected by the Council. Neither New College nor Robert Menzies College have membership on Synod as of right.

Question: 10 October 2017

Mr Peter Hanson asked the following question –

10. I am informed that the answer is as follows –

- (a) Who were/are the members of the Standing Committee Finance Committee in –
 - (i) 2016?
 - (ii) 2017?
- (b) What is the charter/terms of reference for the Standing Committee Finance Committee?
- (c) When did the Finance Committee meet in –
 - (i) 2016?
 - (ii) 2017?
- (d) What subjects were discussed in each year?
- (e) What were the tangible outcomes from these meetings?

To which the President replied –

10. I am informed that the answer is as follows –

- (a) The membership for both 2016 and 2017 comprised: Mr Rodney Cosier, Mr James Flavin (Chair), Mr Doug Marr, Mr John Pascoe (Deputy Chair), Mr Mark Robinson, Mr Ian Steward and Ms Nicola Warwick-Mayo.

The membership of the Finance Committee is set out on the SDS website.

- (b) The Finance Committee's terms of reference are –
 - (i) reporting on matters of a financial nature affecting the Synod,
 - (ii) prudential oversight of the Synod funds (including the parish cost recovery group) and liaising with the external auditors of the Synod Fund, and
 - (iii) exercising powers delegated by Standing Committee under numerous ordinances.

The delegations to the Finance Committee are set out on the SDS website.

- (c) In 2016 and 2017, the Finance Committee generally met 10 days prior to each meeting of the Standing Committee.
- (d) In summary, the Finance Committee considered matters directly affecting the financial affairs of the Synod and Standing Committee,

Diocesan Organisations, and parishes. Any action taken under delegated authority was reported to the next meeting of the Standing Committee. From time to time the Finance Committee brought recommendations to the Standing Committee in relation to matters falling within its terms of reference. The Finance Committee also responded to specific requests from the Standing Committee.

- (e) It is not practical to list out the outcomes from all meetings of the Finance Committee over a 2 year period. The information is available to Synod members in the Finance Committee's reports to the Standing Committee which are contained in the minutes of the Standing Committee.

Question: 10 October 2017

Mr James Balfour asked the following question –

11.

- (a) Why is the distribution of more than \$200,000 made by St James' Hall to Synod funds in 2016 not recorded in the table on page 18 of the financial report, nor in note 2 on page 23?
- (b) Where is this significant receipt recorded in the accounts?

To which the President replied –

11. I am informed that the answer is as follows –

Beginning in 2016 the distribution from the parish of St James is being deposited with the Property Trust in a central fund along with similar funds from other parishes before being released to Synod the following year. The effect is that the money has been received and will be made available to Synod, but the particular distribution from St James Hall in 2016 will appear as part of the total coming from the Property Trust in the 2017 financial statements of the Synod. The distribution will be detailed in note 2 and identified as being from St James Hall.

Question: 10 October 2017

Mr Doug MacLennan asked the following question –

12.

- (a) My understanding is that Parishes currently under an Ordinance for the purpose of receiving a share of income with the Diocese from property leasing agreements, will not be affected by the introduction of the 'Proposed Property Receipts Levy' and that such ordinances will remain in force until the expiry date of such ordinances. Is this correct?
- (b) My understanding is that Parishes currently under an Ordinance for the purpose of receiving a share of income with the Diocese from property leasing agreements, will have the option to either –
 - (i) renegotiate a new ordinance at the expiry of their current ordinance or
 - (ii) elect to accept the terms and conditions of the 'Proposed Property Receipts Levy'.

Is this correct?

To which the President replied –

12. I am informed that the answer is as follows –

- (a) Yes. Paragraph 48 of the report proposes that parishes receiving property income under ordinance will not be impacted by the proposed levy.
- (b) Yes.

Question: 10 October 2017

Professor Bernard Stewart asked the following question –

13. With respect to the procedure anticipated in the report ‘Proposal for a Property Receipts Levy’ whereby Synod requests Standing Committee to pass an Ordinance with respect to property income (clause 3e of the report), please advise in respect of the content of relevant Ordinances, and without reference to legal opinion or inference –
- (a) Is this procedure provided for in any Ordinance determining the operation of Standing Committee, and if so what is laid down?
 - (b) Irrespective of any information provided under (a), is the procedure applicable to all Ordinances (apart from Canons of the Anglican Church of Australia) which might otherwise be addressed by Synod, and if not, what limitations apply?
 - (c) Can all or some of the limitations specified under (b) be suspended by the Standing Committee in respect of any particular Ordinance by passage of a motion to that effect and which Ordinance provides for this?

To which the President replied –

13. I am informed that the answer is as follows –

This question is out of order under business rule 6.3(4)(f) as it seeks a legal opinion.

Nonetheless I make the following comments for the education of the Synod on this matter.

- (a) Yes. The *Standing Committee Ordinance 1897* and the *Delegation of Powers Ordinance 1998* give the Standing Committee broad functions and powers to make ordinances for the order and good government of the church in the Diocese of Sydney pursuant to powers of delegation contained in the Acts of Parliament that constitute the Anglican Church of Australia in the Diocese of Sydney.
- (b) Clause 5 of the *Delegation of Powers Ordinance 1998* provides that during the recess of the Synod, the Standing Committee may exercise all or any of certain powers and functions of the Synod set out in these Acts of Parliament, subject to certain limitations.

In summary, the Standing Committee's ordinance-making power is equivalent to that of the Synod except that the Standing Committee may not make:

- Ordinances dealing with cases of incapacity or inefficiency in the discharge of ministerial duty by clergy.
- Ordinances determining the cases in which the licence of a member of clergy may be suspended or revoked.
- Ordinances determining the membership of the Synod or rules for the conduct of the business of Synod.

In addition, the Standing Committee may not make an ordinance authorising the sale of land held for the sole benefit of a particular parish unless the majority of the parish council of that parish have consented in writing to the ordinance.

The Delegation of Powers Ordinance also provides that any ordinance proposed to be made by the Standing Committee can be referred to the Synod by the Archbishop or upon a request in writing from any 3 members of the Standing Committee.

(c) No.

Question: 10 October 2017

The Rev Greg Burke asked the following question –

14. Can the President please inform the Synod about the process and rationale behind the decision to contribute \$1 million to the Coalition for Marriage's Same Sex Marriage advertising campaign?

To which the President replied –

14. *The Archbishop answered the question by reading the attached letter dated 11 October 2017 to the members of the Synod.*

Question: 10 October 2017

The Rev Mark Tough asked the following question –

15. Is financial assistance available from the Diocese to spouses of clergy who have separated from their spouses due to domestic abuse and are struggling to make ends meet as a result?

To which the President replied –

15. I am informed that the answer is as follows –

When domestic abuse in a clergy marriage becomes known, the relevant Regional Bishop and the Archdeacon for Women's Ministry are usually involved in ministering to one or both people. The most immediate need is for the provision of accommodation, usually for the wife and any children.

The Regional Bishop usually comes to an arrangement with the parish for the wife and children to remain in the parish residence for an initial period and helps to arrange the available government finance support.

The Archbishop has access to some money which can be used at his discretion but the available funds are limited and can only provide short term assistance.

Question: 10 October 2017

Ms Joanna Hayes asked the following question –

16. Should Synod expect Standing Committee to make donations of a similar size to the 'no' campaign on other vital social issues such as Domestic Violence, Climate Change, response to Aboriginal Rights, and if not, why not?

To which the President replied –

16. I am informed that the answer is as follows –

It is not possible to speculate on what the Standing Committee may do in the future, as all matters are dealt with on a case-by-case basis.

Question: 10 October 2017

Mr Jonathan Miller asked the following question –

17. Since its adoption by Synod, what is the total amount received and spent, to date, of the 'Greenfield' levy?

To which the President replied –

17. I am informed that the answer is as follows -

The total amount received from the Greenfield land acquisition levy since its establishment in 2013 to date is \$10,104,970 million. All funds have been exhausted to purchase land at Riverstone (\$2.6 million) and Marsden Park (\$3 million) in North West Sydney, and Leppington (\$2.75 million) and Bringelly (\$4.65 million) in South West Sydney. The levy raises approximately \$2 million p.a. The levy funds have been supplemented by \$2.9 million raised through land sales to complete the acquisition of these 4 properties which cost a total of approximately \$13 million. The Mission Property Committee is currently searching for suitable land in other identified growth corridors so that it is ready to make further acquisitions as soon as funds become available.

Question: 10 October 2017

Mr Jonathan Miller asked the following question –

18. Is it possible for the salaries of the SDS staff of all levels, by sufficient grouping/banding to provide meaningful analysis and enabling personal anonymity, be made available?

To which the President replied –

18. I am informed that the answer is as follows –

SDS provides in its annual financial reports to Synod the aggregate compensation paid to its key management personnel (namely, the CEO, CFO, and Head of Diocesan & Corporate Services). This reflects the disclosure requirements that apply to listed companies which SDS has adopted despite not being a listed company.

Given the relatively small number of SDS staff, it is not appropriate to disclose more information about staff salaries than what has currently been disclosed. However, Synod can be assured that the SDS board's policy in setting staff salaries, is implemented with some care, by which staff positions are remunerated to an externally referenced benchmark for equivalent positions in Sydney, subject to some variation to reflect individual performance.

Question: 10 October 2017

Mr Allan Piper asked the following question –

19. On Monday, 39 annual reports were tabled under Item 14.1 of Monday's Business Paper. Of these, the five Regional Council reports are included in Book 1, and two other reports have been mailed out to Synod members. To my knowledge, the other 32 reports have not been explicitly made available to Synod members.

In the interests of transparency and accountability, is it possible in future years for all annual reports to be made available to Synod members, either by inclusion in one of the Synod books, circulation of web links, or some other electronic means?

To which the President replied –

19. I am informed that the answer is as follows –

The obligations that apply to Regional Councils in providing their annual reports to Synod under clause 9(2) of the *Regions Ordinance 1995* are different to those that apply generally to diocesan organisations in providing their annual reports to Synod under the *Accounts, Audits and Annual Reports Ordinance 1995*.

The Regional Council reports are to be included in the report of the Standing Committee to the Synod for that year. In contrast, the reports provided under the Accounts Ordinance are to be tabled by the Standing Committee at the next ordinary session of Synod.

Some of the annual financial reports tabled at Synod are also publicly available from the website of the Australian Charities and Not-for-profits Commission. The availability of such information is indicated on the business paper for the first day of the session.

Some diocesan organisations voluntarily publish their annual reports and financial statements online, for example SDS and GAB.

However there remains a number of diocesan organisations whose annual reports are not made available beyond being tabled at Synod.

Under the Synod's Governance Policy (in Governance Standard (D)(d)), members of the Synod must have reasonable access to the annual reports of diocesan organisations tabled at Synod. It is recognised that reviewing the tabled annual reports on the Synod stage while the Synod is in session may not always be regarded as reasonable access. So, in order to give

meaningful effect to the policy, members have for some years been able to arrange with the Diocesan Secretary a mutually convenient time during the Synod session to review the annual reports tabled at Synod.