

Question: 9 October 2017

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

1. What (briefly) were the circumstances surrounding the seven land sale ordinances passed by Standing Committee since 31 October 2016?

To which the President replied –

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

The 7 land sales since 31 October 2016 concerned the parishes of:

Brighton/Rockdale,

Dural District,

Camden,

Huskisson,

St Ives,

Watsons Bay, and

St Andrew's Cathedral.

In summary, the reasons for the sale of land were:

- selling a residence to purchase a replacement residence, and
- selling land to purchase other land or undertake developments where strategic opportunities have arisen, such as acquiring land adjoining an existing church site or a new site for ministry use.

Summaries of the circumstances surrounding each of the 7 land sales will be posted with this answer on the notice board in the foyer.

Attachment to Question 1 - Summary of the Circumstances of each land sale ordinance since 31 October 2016

The **Brighton/Rockdale Land Sale Ordinance 2016** authorised the sale of the land known as 431-431A Princes Highway Rockdale, being the site of St John's church and hall. The land was proposed to be sold to allow acquisition of space within a proposed development which would secure a 'fit for purpose' building in the Rockdale area which will provide new ministry opportunities.

The **Dural District Land Sale Ordinance 2016** authorised the sale of the land known as 5 St Jude's Terrace Dural, being the site of a residence. The proposal arose from the adjoining lot to the parish coming onto the market and the parish's desire to purchase the land. Following this, the rectory would be sold and a new rectory built on a different plot of land held on trust for the parish.

The **Camden Land Sale Ordinance 2017** authorised the sale of the land known as 22 Menangle Road Camden being the site of a rectory, and the land known as 22 Menangle Road Camden being the site of a vacant plot, and the land known as 43 Alpha Road Camden and the site of a residence. The sale was proposed for a number of reasons – the current rectory would require a sum in excess of \$1,000,000 to be brought to a satisfactory standard for a rectory and the vacant paddock is a large sloping block that would be difficult to develop and is currently under-utilised. The sale proceeds will be used to build a new 400 seat Worship Centre to better provide for the mission of the Parish.

The **Huskisson Land Sale Ordinance 2017** authorised the sale of the land known as 17 Hawke Street Huskisson being the site of Holy Trinity Church, a hall and rectory and the land at Paradise Beach Road, Sanctuary Point being the site of St Peters Sanctuary Point. This ordinance is one part of a complex plan to build a new multi-purpose church centre, requiring the sale of the current 2 church sites, purchase of a new site, and the construction of a church, together with the potential purchase of a rectory.

The **St Andrew's Cathedral Land Sale Ordinance 2017** authorised the sale of the land known as 27B Pemberton Street, Strathfield West being the site of a residence. After resolving the question of long term housing for the Dean, it was concluded that the land was not in an optimal position as a residence for someone who was in ministry at the Cathedral and the property was intended to be sold with sale proceeds used to purchase one or more residences considered more suitable for housing a minister, assistant minister or person employed by the Chapter.

The **St Ives Land Sale Ordinance 2017** authorised the sale of the land known as 20 Edgewood Place St Ives being the site of a residence. An assessment was made by the wardens and Parish Council on whether the Edgewood Place property was suitable for future ministry needs, and they have determined that it would be a better strategic decision to sell the land and buy another which is able to service our current needs better as well as having more flexibility for the future. Some of the relevant factors were that the dwelling was small and unsuitable for hospitality ministry and council regulations prevented the property from being extended. The sale proceeds will be used to acquire a new property more suitable as a ministry residence.

The **Watsons Bay Land Sale Ordinance 2017** authorised the sale of 32B Fitzwilliam Road, Vaucluse, being the site of the Wentworth Memorial Church. The primary reason for the sale was the compelling opportunity to convert this currently unproductive asset into an income-generating property/investment for the parish as well as for diocesan church-building enterprise on a greater scale in an area of need. The Parish Council is mindful of the needs of the diocese, especially with respect to the New Churches for New Communities (NCNC) project in the context of Mission 2020, and is committed to equitably sharing proceeds of the prospective sale in support of the NCNC.

Question: 9 October 2017

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

2. Is the Endowment of the See considering the disposal of its interest in St Andrew's House Corporation for similar reasons to that of the Diocesan Endowment?

To which the President replied –

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

One half share in St Andrew's House Trust is owned by the Property Trust and is held for the purposes of the EOS Capital Fund. Neither the EOS Committee nor the Property Trust has given any consideration to disposing of this interest.

St Andrew's House Corporation is an independent body corporation, established by ordinance and managed by a board appointed in accordance with the ordinance. The Board of St Andrew's House Corporation has arranged to make a presentation to Standing Committee seeking Standing Committee's opinion on a long term strategy for St Andrew's House.

Question: 9 October 2017

Dr Robert Tong AM asked the following question –

3. With reference to item 6.7 of the Supplementary Report of the Standing Committee ‘Participation in References to the Appellate Tribunal’ and in respect to each reference –
 - (a) What is the text of the questions referred to the Appellate Tribunal?
 - (b) Who made the references?
 - (c) Were the references made at the request of a person or body?
 - (d) If yes, who is the person or body who made the request?

To which the President replied –

3. I am informed that the answer is as follows –
 - (a) There are two references to the Appellate Tribunal which are referred to in the Supplementary Report of the Standing Committee.

The full text of the questions for each reference will be posted with this answer on the notice board in the foyer.

The first reference concerns the consecration of bishops in a church that is not a member of the Anglican Communion or in communion with the Anglican Church of Australia. The reference is expressed as being in the context of the Rt Rev Richard Condie and my attending the consecration of Bishop Andy Lines as a bishop for Europe in the Anglican Church of North America (ACNA).

The second reference concerns the affiliation of non-Anglican Churches with our Diocese under the provisions of the *Affiliated Churches Ordinance 2005*.

- (b) The Primate of the Anglican Church of Australia, Archbishop Philip Freier.
- (c) Yes.
- (d) The ACNA reference was made at the request of:
 - The Rt Rev’d Andrew Curnow, Bishop of Bendigo
 - The Rt Rev’d Bill Ray, Bishop of North Queensland
 - The Rt Rev’d Kay Goldsworthy, Bishop of Gippsland
 - The Rt Rev’d John Stead, Bishop of Willochra.

The Affiliated Churches reference was made at the request of the Rt Rev'd Peter Stuart, Administrator of the Diocese of Newcastle, on behalf of that Diocese.

Question: 9 October 2017

Dr David Oakenfull asked the following question –

4. What steps have been taken to implement Resolution 16 passed by the 2015 session of Synod requesting the Diocesan Doctrine Commission to revisit its report “A theology of Christian assembly (4 September 2008), noting that this report makes no reference to prayer or worship?

To which the President replied –

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

The Resolution was brought to the attention of the Doctrine Commission on 2 November 2015. At that time, the Doctrine Commission was working on the following reports –

- (a) Human sexuality and the ‘Same Sex Marriage’ Debate,
- (b) Community and Catholicity,
- (c) A Theology of Gender and Gender Identity, and
- (d) Domestic Violence

and as a consequence, the Doctrine Commission has not yet had a chance to provide a response.

Question: 9 October 2017

The Rev Michael Armstrong asked the following question –

5. (a) (i) Noting that “trusts” are included within the proposal for a Property Receipts Policy (point 35), and the rationale of trusts given at point 7, does this mean that all trusts, including those with specified purposes, will be included in this proposal?
 - (ii) If the answer to the above is yes, will this require the trustees to change each Trust by Ordinance, and if so will, as per current practice, each Parish have the opportunity for its members to respond to such a change?
 - (iii) If the answer is yes, has any research been conducted or modelling been undertaken into any impact there may be upon the establishment of trusts in the future, especially should potential donors understand that a trust may be varied in such a way?
- (b) Has research been carried out, data collected or modelling done on the impact upon current mission and ministry within Parishes, particularly the impact upon those who may fund mission and ministry from property income and/or trusts? If so, could this information be distributed to the Synod?
 - (c) Has research been carried out, data collected or modelling done, on any potential impact upon current staffing across the Diocese, especially positions such as Assistant Clergy and Youth and Children’s Ministers? Did Standing Committee consider allowing such ministry positions to be “offset” against the levy in order to ensure there is no net loss of ministry in “urban” areas? If so, could this information be distributed to the Synod?
 - (d) It is noted that those who lease buildings for worship (39b) are able to “offset” these costs against their income, while Parishes which own their buildings in which worship is conducted are unable to offset such property costs (43). Has Standing Committee conducted any research or modelling upon what impact this may have on Parishes who currently do not lease facilities and are seeking to revitalise their urban plant, especially those who may have aged or heritage buildings that often have higher costs than those who lease? If so, could this information be distributed to the Synod?

To which the President replied –

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

- (a) (i) No. The levy will apply to income from a trust only when it is received by the parish. This will not require the alteration of parish trusts.
- (a) (ii) Not applicable.
- (a) (iii) Not applicable.
- (b) The modelling provided in the report is based on data from the 2015 Annual Financial Statements from parishes. This is necessarily incomplete, because the proposed Property Receipts Levy allows deductions for various property-related expenses that were not separately captured in 2015 parish returns. The expectation of the Committee is that actual contributions under the levy will be materially less than the data as modelled, once these deductions are taken into account. The Annual Financial Statements will be changed for 2017 parish returns, so that more accurate modelling can be undertaken in 2018. Given the highly provisional nature of the indicative parish contributions provided in Appendix 4 and the Committee's expectation that actual contributions under the levy will be materially less, no detailed modelling has been done on the impact upon current mission and ministry within parishes.
- (c) No research has been carried out on the potential impact upon current staffing across the Diocese. Standing Committee considered allowing a range of parish ministry costs to be admitted as offsets under the levy proposal, but did not proceed on the basis that these were inconsistent with the 'equality' principle as detailed in the report in paragraphs 21 to 22. Where a parish has special needs or is unfairly burdened by the levy, it has the option of the provision made available for all parishes, as detailed at paragraphs 47 to 49 of the report, to seek relief by promotion of an ordinance to Standing Committee.
- (d) The rationale for not allowing ministry facility costs as offsets under the levy proposal are set out in the report in paragraph 43. On this basis, no modelling has been provided. A parish with special building needs (for example, Heritage) has the option of promoting an ordinance to Standing Committee to vary the impact of the Property Receipts Levy, as explained in the report in paragraphs 47 to 49.

Question: 9 October 2017

Archdeacon Deryck Howell asked the following question –

6.

- (a) How much of the \$1,000,000 allocated by Standing Committee from the Diocesan Endowment to support the 'No' campaign in the Marriage Survey has already been spent?
- (b) What reasons were given for how the figure of \$1,000,000 was arrived at?
- (c) To whom is the spending organisation or person(s) accountable for the way the money is spent?
- (d) Will the Synod receive a report as to how the money will have been spent?

To which the President replied –

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

- (a) The full amount has been transferred to Coalition for Marriage and has been spent or committed to secure television and other media buys.
- (b) The diocesan contribution was a reflection of the expenses of running a national advertising campaign.
- (c) Coalition for Marriage Limited is accountable to its members. Each of the 4 founding member organisations appoint 1 director to the Board of the Company. Bishop Michael Stead has been appointed by our Diocese as a director. He is also chairman of the Board. Strict accounting and other controls are in place to ensure that all funds are used for the purposes for which they have been given.
- (d) No.

Question: 9 October 2017

Mr Roger Collison asked the following question –

7.

- (a) How much money has/will be spent by the Sydney Diocese supporting the “No” case?
- (b) What will our response be if the proposed legislation gets up?

To which the President replied –

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

- (a) The Standing Committee authorised expenditure of \$50,000 for the production and distribution of the booklet *What has God Joined Together?* Sydney Diocese made a contribution of \$1,000,000 to Coalition for Marriage in support of the ‘No’ campaign, funded by a one-off draw down in the Diocesan endowment. It is not anticipated that there will be further funding from diocesan sources for the ‘No’ case.
- (b) The ‘No’ campaign has successfully raised awareness of the consequences of same-sex marriage for freedom of speech and freedom of religion. While it is hoped that this will result in a majority ‘No’ vote, the alternative outcome does not mean that our participation in the ‘No’ campaign was in vain. In the event of a majority ‘Yes’ vote, both major political parties are now acknowledging the need for any legislation to include protections for freedom of speech and freedom of religion. We are in a better position to argue for robust protections as a result of the ‘No’ campaign.

Question: 9 October 2017

Mr Matthew Robson asked the following question –

8.

- (a) Are any incumbents of full parishes (i.e. not provisional parishes) in the Diocese licensed or otherwise authorised by the Archbishop to discharge their responsibilities for the cure of souls in the parish on a part-time basis?
- (b) For each incumbent so licensed or authorised –
 - (i) who are the incumbents and which are their parishes?
 - (ii) what proportion of their time are they expected to be working in their parish?
 - (iii) what other role or ministry are they authorised to undertake?
 - (iv) what impact do such incumbents have on Parish Cost Recoveries for their parishes? and
 - (v) what impact do such arrangements have on the incumbents Long Service Leave, Insurance and Superannuation?

To which the President replied –

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

- (a) The licences for incumbents of parishes do not specify whether the appointment is full time or part time.
- (b) Not applicable.

During the vacancy in a parish the Rector of an adjacent parish may be appointed as the Acting Rector of the neighbouring parish. Alternatively the Regional Bishop may be appointed as the Acting Rector. In both these cases there are no PCR or leave entitlements accruing because of the appointment as Acting Rector.

There are some parishes which do not have the financial resources to pay their Rector a full stipend and allowances. The Parish and Rector then agree that the appointment is for a fixed proportion of days based on a 6 day week. In these circumstances the remuneration, PCR, leave and superannuation is calculated based on the agreed proportion of a 6 day week.

Question: 9 October 2017

Ms Lyn Bannerman asked the following question –

9. In order to help Synod members to understand and prepare for debate on this matter, could clarification be provided this week on the following matters –
 - (a) What does the word “property” mean in this paper?
 - (i) Just income from buildings and land?
 - (ii) Or, also income from all investments, including bank accounts as paragraph 3(c)(iii) and paragraph 35 imply?
 - (iii) But not income from regular giving, donations and bequests as paragraph 3(c)(i) implies?
 - (b) If the answer to question (a)(iii) above is yes, does that mean that any income from investments (bank or other) held across financial year(s) from regular givings, donations or bequests will be exempted on an ongoing basis from the proposed Property Receipts Levy (e.g. in the case of a very generous bequest, all or some of which the parish wishes to hold in investment for a time for future needs/plans)?
 - (c) If the answer to question (b) above is yes, how will this be managed/accounted for over years if a parish, say, wishes to enhance interest to be received, by combining this unlevied income with invested income from other sources, that is to be levied?
 - (d) If the answer to question (b) above is no, what is the justification for that?
 - (e) Appendix 4 of the paper shows the indicative impact on parishes of the possible three models, against 2015 data for “property income”. What “property income” does that column for each parish include?
 - (i) Just income from buildings and land,
 - (ii) Or (i) combined with some or all investments?
 - (f) There are some parishes who receive income from running their own businesses (in some cases doing so rather than leasing out a building to other companies to run a business). Possible examples are child care, book publishing etc. Why is income, after reasonable expenses, from such parish-run businesses apparently not included in this levy proposal, and how is this justified?

To which the President replied –

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

- (a) Property means assets under the control of a parish that generate income for the parish, including liquid assets such as bank accounts. This is further explained in paragraph 35 of the report.
- (b) Any property or investment income received by a parish and returned in its annual financial returns would be subject to the levy provisions.
- (c) If investment income is capitalised and not received as income by a parish then that income would not be subject to the levy provisions.
- (d) If investment income is received by a parish and returned as income on its annual financial return then it would be subject to the levy provisions. I note that the proposed levy does not touch the underlying value or corpus of the investments but only the income from the capital that is received by the parish.
- (e) The property income listed in Appendix 4 includes all income from buildings, land, bank accounts and investments that parishes included in their 2015 annual financial return. The Committee is aware that the data presented in Appendix 4 is incomplete, because the proposed Property Receipts Levy allows deductions for various property-related expenses that were not separately captured in 2015 parish returns.
- (f) Any non-personal income that a parish returns in its annual financial return would be subject to the proposed levy. This would include the net income – i.e. profit – generated by a parish-run business such as a child-care centre.

Question: 9 October 2017

Ms Lyn Bannerman asked the following question –

10. In 2015, Synod, in answer to Question 17, was provided with information on those parishes then contributing, via Ordinances, to Diocesan funds, Diocesan organisations, other organisations and for some other unspecified purposes. Could Synod please be given a revised list including all parishes which currently contribute monies, via an Ordinance, to the Diocese, its organisations and/or other organisations, including –
- (a) the name of the parish,
 - (b) the recipients of the monies from each parish, and
 - (c) the amount specified in each Ordinance to be allocated to each recipient?

If the information cannot be provided in answer to either point (b) or (c) above, please explain why the Ordinance was not specific about these matters.

To which the President replied –

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

An answer to this question cannot be readily compiled in the time available as there is no register of the parishes that contribute via ordinance to diocesan funds, diocesan organisations, other organisations or other unspecified purposes.

The parishes that contribute via ordinance to Synod are listed in Note 2 of the Synod Funds – Amalgamated Annual Financial Report for 2016 (on page 23 of Book 1).

There are a number of reasons the answers to parts (b) and (c) of the question are not straightforward –

- (a) The recipient specified in the ordinance may not be the ultimate recipient. For example, the *Hunters Hill (Woolwich Sale Proceeds) Ordinance 2016* specified that "...15% of the balance remaining to be paid to the capital of the Sydney Diocesan Synod Fund" and that "... the sum of \$25,000 to be paid to the Northern Region Council" but in 2017 Standing Committee passed the *Synod Appropriations and Allocations Ordinance 2017* which accepted that the surplus from the sale of surplus property in established areas of Sydney would be more appropriately used to help establish churches in new growth areas of Sydney and accordingly redirected the 15% of net proceeds

(some \$379,000) to the capital of the funds managed by New Churches for New Communities.

- (b) The ordinance may specify the allocation of funds not by amount but by reference to a percentage of the balance remaining after other amounts have been calculated.

Question: 9 October 2017

The Rev Philip Bradford asked the following question –

11.

- (a) Since Bishopscourt was sold, what progress has there been in buying a new residence for the Archbishop? Are the sale proceeds still being held in investment for the express purpose of purchasing a new one? When is it anticipated that a new residence will be purchased?
- (b) Is it true that, in the last 20 years, other properties owned by the Diocese and being used as residences for Bishops have been sold? If so, which ones and what were the total proceeds from these? Also, if true, why were these residences sold?
- (c) How many Bishops are now living in Diocesan owned properties and, where they are not, how many live in their own home and how many in property rented by the Diocese?
- (d) Does the Diocese plan to acquire residences again for the purpose of housing our Bishops or does it intend to continue renting in the foreseeable future? If there is not a clear intention to acquire our own property for this purpose, why not?
- (e) Is there any thought that the proposed Property Receipts Levy will be used for such purposes?

To which the President replied –

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

- (a) In my Presidential Address yesterday I announced the arrangements which have been made to provide a future residence for the Archbishop. The whole of the net proceeds from the sale of Bishopscourt at Darling Point are invested by the Property Trust and are earning income. The sale ordinance provided for the sum of \$7 million to be set aside to fund the acquisition of the new residence to pay costs of providing interim accommodation and other expenses. After payment of rent plus removal and other costs, and with the addition of income earned the sum of \$6,914,477 was available as at 31 August 2017.
- (b) In the time available it has not been possible to find all the information requested, however the information for the last 10 years is set out below. If the questioner needs to know the details of property sales from 1997 to 2006 it would be best to contact the Property Trust to seek this information.

Over the past 20 years the Property Trust has sold the following EOS residences, each time in accordance with an ordinance passed by the Standing Committee:

Kieraville	\$555,000
Bellevue Hill	\$3.2 million
Greenacre	\$843,000
Chatswood	\$1.668 million

In each case the residence was sold because it was considered that the property no longer suited the purposes for which it had been owned.

- (c) Bishop Ivan Lee lives in a house in the Western Sydney Region which is owned by the EOS Capital Fund.

Bishop Peter Hayward lives in a house he owns in the Wollongong Region. He is provided with a housing allowance.

Bishop Chris Edwards lives in a house he owns in the Western Sydney Region. He is provided with a housing allowance. On 1 September 2017, the Property Trust exchanged contracts to purchase a house in the Northern Region to become the residence for the Bishop of North Sydney. The purchase is awaiting settlement. In due course Bishop Edwards will move into this house and he will no longer be provided with a housing allowance.

Bishop Peter Lin lives in a house in the Georges River Region which is the Rectory for the parish where he was formerly the Rector. The EOS pays rent to the parish for this house. Before a new Rector is appointed to the parish Bishop Lin will move from his current home.

Bishop Michael Stead lives in a house he owns in the North Sydney Region. He is provided with a housing allowance. For family reasons the Archbishop and Bishop Stead came to an arrangement for Bishop Stead to live outside the South Sydney Region for the initial years of his appointment. This was disclosed to the Standing Committee at the time it was considering giving consent to Bishop Stead's appointment. The EOS Committee expects to acquire a residence in the South Sydney Region in due course for Bishop Stead.

- (d) The EOS Committee has a long term plan to own a residence for the relevant Regional Bishop in each of the five regions of the diocese. It is expected that funds will be available to provide for a residence for the Bishop of North Sydney and the Bishop of South Sydney. Additional money will need to become available to fund the two further residences to be acquired.

- (e) There has been no suggestion that the proposed Property Receipts Levy be used to fund the acquisition of residences for Regional Bishops.

Question: 9 October 2017

Mr Peter Hanson asked the following question –

12. Regarding Parish Funds 951, 952, 953, 954, and 955 –

- (a) What was the maximum aggregate cash balance held in these funds in the period 1 January to 31 December 2016 (to the nearest \$100,000) and in what month was this?
- (b) What was the minimum aggregate cash balance held in these funds in the period 1 January to 31 January 2016 (to the nearest \$100,000) and in what month was this?
- (c) What was the maximum aggregate cash balance held in these funds in the period 1 January to 30 September 2017 (to the nearest \$100,000) and in what month was this?
- (d) What was the minimum aggregate cash balance held in these funds in the period 1 January to 30 September 2017 (to the nearest \$100,000) and in what month was this?
- (e) Does the \$2.2 million average cash balance in these funds earn less than 1.00% - $\$17,658 / ((\$2,318,074 + \$2,124,484) / 2)$?
- (f) What is the purpose of holding between \$1.785 million and \$1.839 million in Equity in these funds?
- (g) Has the Standing Committee Finance Committee asked any questions regarding these funds since January 2016? How have these questions altered the management of these funds?

To which the President replied –

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

- (a) \$2,318,000 in December 2016.
- (b) \$740,000 in February 2016.
- (c) \$1,814,000 in September 2017.
- (d) \$899,000 in February 2017.
- (e) Yes, prior to July 2017 the majority of these funds were held in Glebe Income Accounts earning 1%, although since July 2017 the funds have been transferred to the Diocesan Cash Investment Fund which is currently earning in excess of its benchmark of 1.56%.
- (f) This amount is required for working capital. The balance reaches a peak at end of the calendar year, drops in January and February and grows through the rest of the year.
- (g) There have been no questions in the period, however there was extensive work in the establishment of the levels. It is measured back

to the projected cashflow on a quarterly basis by the Finance Committee on behalf of the Standing Committee.

Question: 9 October 2017

Mr Peter Hanson asked the following question –

13. Regarding Synod Funds 127, 128, 129, 130, 131, 132, 133, 153 and 189 –
- (a) What was the maximum aggregate cash balance held in these funds in the period 1 January to 31 December 2016 (to the nearest \$100,000) and in what month was this?
 - (b) What was the minimum aggregate cash balance held in these funds in the period 1 January to 31 January 2016 (to the nearest \$100,000) and in what month was this?
 - (c) What was the maximum aggregate cash balance held in these funds in the period 1 January to 30 September 2017 (to the nearest \$100,000) and in what month was this?
 - (d) What was the minimum aggregate cash balance held in these funds in the period 1 January to 30 September 2017 (to the nearest \$100,000) and in what month was this?
 - (e) Does the \$1.5 million average cash balance in these funds earn only 1.25% - $\$18,215 / ((\$1,659,003 + \$1,451,727) / 2)$?
 - (f) What is the reason in 2016 for Appropriations in Fund 129 exceeding Receipts by \$205,000?
 - (g) What is the purpose of holding between \$1.351 million and \$1.546 million in Equity in these funds?
 - (h) Has the Standing Committee Finance Committee asked any questions regarding these funds since January 2016? How have these questions altered the management of these funds?

To which the President replied –

13. I am informed that the answer is as follows –
- (a) \$1,791,000 in February 2016.
 - (b) \$1,574,000 in January 2016.
 - (c) \$2,748,000 in April 2017.
 - (d) \$1,823,000 in January 2017.
 - (e) Yes, prior to July 2017 the majority of these funds were held in Glebe Income Accounts earning 1%, although since July 2017 these funds have been transferred to the Diocesan Cash Investment Fund which is currently earning in excess of its benchmark of 1.56%.

- (f) Principally, it is due to a special application of funds in this year to meet the cost of responding to the Royal Commission into Institutional Responses to Child Sexual Abuse.
- (g) The Synod Funds group of funds includes Fund 131 known as the Synod Diocesan Synod Fund. Standing Committee has determined as a matter of policy, to establish a holding fund for the purpose of holding a 'risk reserve' of a suitable minimum amount.
- (h) There have been no questions in the period, however there was extensive work in the establishment of the levels. It is measured back to the projected cashflow on a quarterly basis by the Finance Committee on behalf of the Standing Committee.

Question: 9 October 2017

Mr Wesley Fairhall asked the following question –

14.

- (a) Paragraph 56 of the proposal for a Property Receipts Levy states that it was outside the terms of reference of the drafting committee to develop a detailed proposal for the use of the additional funds raised from the levy. It also states that the funds to be raised (estimating around \$2.5 million in 2018) are to be “additional” to existing funding arrangements. Who asked the committee to draw this proposal up; what did that person/group have in mind would be the main purpose of these funds so raised; and did that person/group indicate to the drafting committee the level of funding needed to be met by this levy?
- (b) Paragraph 56 further states that the funds raised by this Levy should be used to build the “capital base” of the Diocese, and in existing urban areas. Does this mean both buildings, and land? Where is the business case that demonstrates this need in 2018, and on into future years (noting that this amount is far in excess of the needs identified in brownfields in one year by the Mission Property Committee of \$500,000)?
- (c) Why has Synod never been presented with the business case for the funds to be raised by this levy, including a justified target based on that business case over the foreseeable future?
- (d) Should not a business case first be prepared, before any new funding levy is imposed on parishes for capital purposes, including an analysis of the impact of decline in church attendance, current occupation rate (attendance etc) in existing parishes, the capacity of transport for people to travel to church buildings in neighbouring parishes (public transport; car parking etc) etc?

To which the President replied –

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

- (a) A Synod resolution 22/15, based on input from parishes during multiple consultation sessions with parish representatives, determined that a levy on non-offertory income may be preferable to the existing Large Property Receipts Policy. Some of the reasons for this are listed in the report in paragraphs 10 and 27 to 31. The following year, synod resolution 4/16 asked the committee to model a proposal that provides significant additional funding for ministry initiatives. This resolution is reproduced in paragraph 15 of

the report. In order to maintain the integrity of the current synod budget, and to honour the stated desire of the four parishes that currently between them contribute an average of \$1.31m every year to the synod fund for them to be included in levy proposal along with other parishes, it was necessary to set contribution rates that would raise more than \$1.31m p.a.

To set contribution rates at a level that would raise only this sum would shift the burden of funding from our wealthiest parishes to all other less well-endowed parishes. This was seen as a violation of the biblical principles of equality and stewardship as set out in the report at paragraphs 21 to 24, as well as a disregarding of the mind of Synod expressed in motions 22/15 and 4/16.

- (b) The capital base of the diocese includes both land and buildings. As all parishes contribute to the expansion of the land component of the diocesan capital base via the Greenfields levy, the committee considered investment in the buildings component of the diocesan capital base as an appropriate and complementary application of levy proceeds. There is evidence-based research that indicates that one of the key blockers to churches growing in size is the inability to invest in their buildings. The case for brownfields investment will be made by the movers of the levy application motion.
- (c) See the previous answer.
- (d) The committee has prepared the Property Receipts Levy in response to multiple requests from the Synod to do so.

Question: 9 October 2017

Ms Holly Raiche asked the following question –

15. In the light of strong community expectations about female representation on Boards, and also Moore College's own statements, in Synod papers, in recent years, including this year, that it has question of gender balance on the Board "under active consideration" –
- (a) Why is there only one female member out of 16 members, being the student elected representative, currently on the Board (according to the College's website as of 30 September 2017)?
 - (b) What does the College mean by "under active consideration"?
 - (c) What precisely does the College do to actively seek out suitable female members?
 - (d) What would be a "suitable" female member, in the Board's view?
 - (e) Does complementarian theology impact on the ability to achieve greater gender balance on the Board, and if so, in which way?
 - (f) Does the fact that women may not be appointed as Rectors in the Diocese impact on the ability to achieve greater gender balance on the Board, and if so, in which way?
 - (g) Can the Board advise on any other specific factors which might, or do, get in the way of low female representation on the Board?
 - (h) How often has the Board considered this matter in the last 12 months?

To which the President replied –

15. I am informed that the answer is as follows –
- (a) There are currently two female members of the Moore College Governing Board (Dr D Warren and Miss T Khatchoyan). The position to be filled by a nominee of Anglican Deaconess Ministries is currently vacant and a woman has been approached to fill this post.
 - (b) The question of Board composition has been discussed at various points, most recently in connection with a proposed revision of the Moore College Ordinance.
 - (c) The College pursues suitably qualified candidates from its contacts in the Diocese and in the academic sector. The principal concerns are for members who share the College's vision and values, are able to sign the statement of faith, and who have the requisite skill for a Board seeking to provide good governance to a twenty-first century Higher Education Provider.

- (d) A suitable female member of the Governing Board would be someone with knowledge of theological education at a tertiary level, who is enthusiastic about the College's vision and values, is able to sign the statement of faith, and who has the specific skills necessary at the time the vacancy occurs on the Board. This is the same whether the prospective member was male or female.
- (e) No.
- (f) No. The Moore College Ordinance specifies that at least three persons elected by the synod as members of the Council (and so members of the Governing Board) must be incumbents of parishes within the Diocese. Including the Archbishop, this means that the Ordinance requires only 4 members (out of 16) to be male.
- (g) No.
- (h) There have been at least three conversations about Board composition at meetings of either the Governing Board or its Executive in the past twelve months.

Question: 9 October 2017

Mr Rick Stevens asked the following question –

16. Concerning the Anglican Schools Corporation Report to Synod 2017 –
- (a) Did the former Loquat Valley School exist in its own right as a school of the Anglican Schools Corporation until the end of June, 2016?
 - (b) If the answer to the above question is “yes”, was Loquat Valley School listed in the report, naming the Principal (Mr Keith Dalleywater) and the members of the School Council?
 - (c) Was Mr Keith Dalleywater the Principal of Loquat Valley School until the end of June, 2016?
 - (d) If the answer to the above question is “yes” was Mr Dalleywater acknowledged anywhere in the report for his contributions to the school and to the corporation?

To which the President replied –

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

In answer to the specific questions:

- (a) Yes
- (b) No
- (c) Yes
- (d) No

At the end of term 2, 2016, Mr Keith Dalleywater ceased to act as the principal of Loquat Valley Anglican School Pittwater and the school effectively became a campus of St Luke's Grammar School, Dee Why. For the purposes of registration only, the school became a campus of St Luke's Grammar School at the end of 2016. Reference is made to the Loquat Valley/Bayview Campus of St Luke's in the St Luke's Grammar School Report.

The Anglican Schools Corporation Report to Synod is also used by the Corporation in communications with other parties, such as the Commonwealth and State education ministers and education departments and will be used until September 2018. The view was taken that it was appropriate to include the school in this manner.

That said, the Chairman of the Board of the Corporation acknowledges that a separate report reflecting the whole year of operation for Loquat Valley School including the departure of Mr Dalleywater would have been beneficial and apologises on behalf of the Board for this oversight.

Question: 9 October 2017

The Rev Caitlin Hurley asked the following question –

17. Noting that –

(a) the Diocesan Year Book has been published annually for the last 150 or so years, and

(b) the last Diocesan Year Book was published in 2015,

Is there a plan to publish a hardcopy version in 2017 or 2018 and/or is there any plan to make the information contained therein available online?

If so, is it intended that the diocesan statistics, obituaries, ordinations, and presidential addresses of the years from 2015 to 2017, which are currently not published in Year Books, also be included?

To which the President replied –

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

Generally a Year Book has been published annually although there was a combined Year Book for the years 2013 and 2014 and at various times in the past.

Since early 2016 the Diocesan Registry and SDS have been developing and implementing a new database which is being used to record clergy licences, lay minister authorities and other information. Casual staff have been employed to enable a detailed review to be undertaken of the relevant information in the new database with a view to most of the content of Year Books being produced automatically. The new system will also provide a facility for individuals and parish authorities to update information online. It had been hoped that a combined 2016 – 2017 Year Book would be produced before the end of this year but this now seems unlikely. The current plan is to issue a combined Year Book in the first quarter of 2018. This will include the diocesan statistics, obituaries, ordinations, and presidential addresses since the 2015 Year Book was produced. My 2017 Presidential Address is available on the sydneyanglicans.net website and the Presidential Addresses for previous sessions of Synod are available on the SDS website.

Question: 9 October 2017

The Rev Dr Andrew Ford asked the following question –

18. Given the Diocesan *Governance Policy for Diocesan Organisations* which calls for gender balance of its members (Appendix 1, F(a)(i)), could the President inform the Synod of –
- (a) the percentage of current Synod members who are women,
 - (b) the percentage of women members of the previous Standing Committee,
 - (c) the percentage of the anticipated members of Standing Committee following this session of Synod who are women,
 - (d) the percentage of members of Standing Committee sub committees, whether formal or ad hoc, that are women,
 - (e) the number and percentage of these Standing Committee sub committees, whether formal or ad hoc, that are chaired by women,
 - (f) the overall percentage of Standing Committee elected positions on boards, councils and committees currently held by women,
 - (g) the overall percentage of Synod elected positions on boards, councils and committees held by women following the elections at the beginning of the 50th Synod,
 - (h) the overall percentage of Synod elected positions on boards, councils and committees that are expected to be held by women following this session of Synod,
 - (i) any plans or strategies to increase the representation of women on these elected bodies, and
 - (j) any plans or strategies to increase the representation of women on other bodies within the Diocese called together on an ad hoc basis?

To which the President replied –

18. I am informed that the answer is as follows –
- (a) 18.7%
 - (b) 16.7%
 - (c) 20.4%
 - (d) The percentage of members of formal Standing Committee subcommittees that are women is 22.3%. Ad hoc committee membership is less certain and a percentage cannot be determined at this time.
 - (e) The percentage of members of formal Standing Committee subcommittees that are chaired by women is 9.1%. Some committees

do not have Chairs, and these have been excluded. Ad hoc committee membership is less certain and a percentage cannot be determined at this time.

- (f) 24.6%
- (g) 19.5%
- (h) 23.3%
- (i) The Synod's strategy to increase the representation of women on bodies to which it elects members is largely reflected in changes made to the Synod Elections Ordinance in 2013 and in the Governance Policy passed by the Synod in 2014.

Under its Governance Policy (paragraph F(a)(i)), the Synod's expectation is that each diocesan board must develop effective processes to ensure, among other things, that the gender balance of its members is adequate. This policy builds on amendments made to the Synod Elections Ordinance in 2013 which require that where a Synod elected vacancy on the board arises, the chair or other responsible officer of the board is to be invited to provide a statement to the Synod or the Standing Committee as to whether the gender balance on the board is adequate, among other things. Members of the Synod and the Standing Committee are able to take such statements into account in identifying and nominating suitable candidates to fill the vacancy.

It is fair to say that the chairs of many boards do not take up the opportunity to provide such statements. I would encourage them to do so.

In the time available, it has not been possible to survey each diocesan board to determine whether each has developed effective processes to ensure adequate gender balance. However, it would not be unreasonable to infer from the information provided earlier in this answer, that there is still some work to do in this area.

- (j) I believe there are a number of members of the Standing Committee who are already pursuing such plans and strategies.

Question: 9 October 2017

Ms Sue Radkovic asked the following question –

19. Can you confirm that in November 2016, the General Synod Standing Committee made amendments to *Faithfulness in Service*, which included adding the following sentence at the end of paragraph 6.3: “Abuse in a family or domestic context is commonly known as “family and domestic violence”?”

To which the President replied –

19. Yes, in November 2016, the General Synod Standing Committee made amendments to *Faithfulness in Service*, which included adding the following sentence at the end of paragraph 6.3: “Abuse in a family or domestic context is commonly known as “family and domestic violence”. The separate report of Standing Committee on these amendments did not comment specifically on this in its report, but did recommend its adoption among the changes tabled in Appendix 4 of its report. The Synod adopted these changes yesterday.

Question: 9 October 2017

The Rev Dr David Hohne asked the following question –

20. With regard to the employment of stipendiary lay workers within the context of a Parish of the Diocese, could the President inform the house of –
- (a) Under what legislative framework are stipendiary lay workers within a parish context employed?
 - (b) Who employs the stipendiary lay worker within the parish?
 - (c) If the employment of a stipendiary lay worker is terminated, who would write the letter of termination?
 - (d) What guidance is given to the employers of stipendiary lay workers with respect to the employment responsibilities and obligations under the relevant legislation (asked about in part 1)?

To which the President replied –

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

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

Nonetheless I make the following comments.

Stipendiary lay workers are under the general legislative framework that is applicable to employees in New South Wales. The principal legislation is the *Fair Work Act 2009 (Cth)*, though there are many other legislative instruments that also regulate their employment.

Under rule 3.13A of the *Parish Administration Ordinance 2008*, the wardens appoint lay ministers with the concurrence of the rector of the parish. The wardens are the employer if they sign the employment contract. The standard-form of employment contract recommended by SDS provides for the wardens to sign as employer. It also stipulates that the lay minister is responsible to the rector for the day to day performance of the duties associated with the position, but responsible to the wardens in relation to all administrative matters.

A lay minister must also hold an authority from the Archbishop under the *Authorisation of Lay Ministry Ordinance 2015* in order to exercise the office of lay minister in a parish. The standard-form letter of appointment makes the offer of employment conditional upon the authority being granted.

A letter of termination would be signed by the employer, typically the wardens. However under the *Parish Administration Ordinance 2008*, a

decision to remove a lay minister from their position must be made with the concurrence of the rector, so the rector will be involved in the termination, though not necessarily a signatory to the termination letter.

SDS publishes *Employment Relations Guidelines*, including standard-form employment contracts for parish staff and other resources. These are available through the Parishes Extranet. The standard-form contracts are also available on the main SDS website.

Question: 9 October 2017

Professor Bernard Stewart asked the following question –

21.

- (a) In respect of the Model Parish Trust Ordinance that has been adopted by particular parishes, have any such Ordinances varied from the Model in respect of –
 - (i) the Parish (through the Wardens) rather than the Anglican Church Property Trust (ACPT), receiving income from the hire of a church hall (as specified under 6(1)(c) as included in the Trust Property?, and
 - (ii) payment to the ACPT of 30% of the net income from the hire of such a hall(s)?
- (b) In respect of payments made for rates, taxes and charges payable, together with the requirement of the ACPT for any parish hall under the Model Ordinance presently adopted, which the following services and consequential charges be made prior to any funds being provided to the Parish –
 - (i) a property manager (in respect of repairs and maintenance), and
 - (ii) an administrative charge for services rendered through the ACPT (in respect of rates, taxes)?

To which the President replied –

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

- (a) Yes, however the general practice is for parishes to administer leases and licences at the local parish level in any case. This involves receiving the lease or licence income, either directly or through a managing agent, if one has been appointed.

It is assumed that the reference to “30% of the net income” in the question is a reference to the capitalisation provision in the Model Parish Trust Ordinance. This does not apply to lease or licence income, only investment income which is not invested in the Property Trust’s Long Term Pooling Fund.

- (b) The Property Trust does not deduct amounts from lease and licence income on account of rates, taxes or charges.

If a managing agent has been appointed by the Property Trust at the request of the relevant parish, the agent will deduct a management

fee from the lease or licence income in accordance with the applicable agency agreement before passing it on to the parish.

Parishes are responsible remitting amounts on account of any rates, taxes or charges that are payable in connection with the real property of the parish trust fund.

Question: 9 October 2017

Professor Bernard Stewart asked the following question –

22. How many Parishes are now subject to a Parish Trust Ordinance as propounded by the Manager, Legal Services to all parishes on 21 December 2012, and
- (a) What proportion of all Parishes in the Diocese does this number represent?
 - (b) Given that 12 new Trust Ordinances are listed as Ordinances passed by Standing Committee in the year to 30 August 2017 (p117, Report of Standing Committee, Book 1), at this rate of progress, when will all Parishes in the Diocese be subject to such an Ordinance?

To which the President replied –

22. I am informed that the answer is as follows –
- (a) 120 parishes currently have a Parish Trust Ordinance, being 44% of the Parishes of the Diocese.
 - (b) At a rate of 12 trust ordinances per year, it would take a further 12.5 years for all parishes to have a trust ordinance put in place.

Question: 9 October 2017

Mr Paul Fitzpatrick asked the following question –

23. Would the President please provide the Synod with –
- (a) the average population per parish in each of the five diocesan regions, and
 - (b) the average population per active parish clergy in each of the five diocesan regions,
- in the years 2001, 2011 and 2016 according to census and diocesan data from these years (where active parish clergy is taken to mean all ordained ministers on the paid staff of a parish within that region)?

To which the President replied –

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

Population data has been sourced from the Australian Bureau of Statistics Estimated Resident Population by Local Government Area dataset rather than the census.

The figures are set out in tabular form and will be posted on the notice board in the foyer –

Average Population per Parish by Region

Region	2001	2006	2011	2016
South Sydney	13,600	14,100	16,400	18,000
Northern	11,900	12,100	12,800	13,700
Wollongong	16,800	16,500	16,800	16,800
Western Sydney	20,700	20,200	21,300	23,500
Georges River	19,400	21,300	23,600	26,200

Average Population per Active Parish Clergy

Region	2001	2006	2011	2016
South Sydney	10,200	10,200	9,100	10,900
Northern	7,800	7,600	6,200	6,500
Wollongong	10,700	10,100	8,800	8,400
Western Sydney	12,400	11,800	10,700	11,100
Georges River	16,400	17,200	14,400	15,400

Question: 9 October 2017

The Rev Jason Ramsay asked the following question –

24. In the schedule of elections sent out on August 9, it was noted that a vacancy was created on the Trinity Grammar School Council due to a resignation which took effect on 31/12/16. Why did Standing Committee not fill that vacancy during 2017?

To which the President replied –

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

The vacancy was the result of a resignation by Mr John Rudd effective on 31 December 2016. However, the Diocesan Secretary was not notified of this vacancy at that time. The Diocesan Secretary became aware of the vacancy on 3 July 2017 as a result of the advice from the Council of Trinity regarding positions on the Council to be elected by Synod at this session. A vacancy was declared at the Standing Committee meeting held on 31 July 2017. At that same meeting, as is its practice, the Standing Committee agreed to defer consideration of the vacancy until after Synod, allowing Synod to fill the vacancy through the elections process.