



# ANGLICAN CHURCH

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## PROPERTY TRUST

### DIOCESE OF SYDNEY

Dear Minister and Wardens,

This circular contains important information that will streamline the processes that deal with church trust property. This circular covers -

1. **Revised Building Works Kit;**
  2. **Increased threshold for construction and other contracts;**
  3. **Increased threshold for licence agreements;**
  4. **ACPT Approved Polling Place Licence Agreement; and**
  5. **ACPT Statements of Account**
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#### 1. **Revised Building Works Kit**

In consultation with a number of parishes, the ACPT's [Building Works Kit](#) has been thoroughly revised and updated. The Kit is an important resource for parishes that are contemplating minor renovations to church trust property or major building work. The Kit also contains information covering all stages of a project from "pre-DA" to completion.

#### 2. **Increased threshold for construction and other contracts**

In recognition that the threshold within which Wardens may enter contractual obligations involving church trust property has not been reviewed for many years - and also in response to feedback received from parishes and senior clergy - the Board of the ACPT recently resolved to raise the delegated threshold within which Wardens may enter into contracts directly as Principals (using the powers given to Wardens under Clause 3.11 of Schedule 1 or Clause 3.10 of Schedule 2 of the [Parish Administration Ordinance](#)).

The threshold for Wardens has been raised from the sum of **\$20,000** to the new contract sum limit of **\$100,000**. However, please note that –

- (a) Regardless of the value of proposed works, the [Local Government Act](#) requires "Owner's Consent" on development applications, construction certificate applications etc. Therefore, as the ACPT is the legal owner and trustee of most parish property, the requirement for the ACPT to sign the "Owner's Consent" section of development applications is unchanged by the adjustment of the wardens' contract threshold. For more information about obtaining ACPT "Owner's Consent" for development applications and other statutory forms please refer to the [Building Works Kit](#);

- (b) The ACPT Board strongly encourages Wardens to use the Building Works Kit as a guide for contracts under \$100,000 in value being signed by Wardens; and
- (c) The new increased contract threshold does not vary the need for all proposed building alterations or proposed new buildings to be considered by the regional architectural panel. Please contact your [Regional Bishop or Archdeacon](#) for more information about architectural panels.

### **3. Increased threshold for licence agreements**

In response to representations made by parish representatives and senior clergy, the ACPT Board recently considered a request to raise the fee threshold for licence agreements that can be entered into directly by Wardens.

Subsequently, at the request of the Board of the ACPT, the Standing Committee of Synod recently raised the licence fee threshold for licence agreements that can be entered into by Wardens (see 2010 Circulars [“Schedule 1”](#) or [“Schedule 2”](#)) from **\$20,000pa to \$50,000pa**.

In conjunction, the Standing Committee has also determined that Wardens can no longer enter into licence agreements for pre-schools, kindergartens, childcare centres, long day care centre and the like operating on church trust property. Furthermore, all proposed “child services” licence agreements (either new agreements or the renewal of expired agreements) are now required to be considered by the Board of the ACPT. A resolution of the Board approving the proposal will be required before the licence agreement can be entered into by the ACPT.

In the light of the above, we recommend that proposals for “child services” licence agreements be sent to the ACPT at least three months before the new or renewed licence agreement is due to commence. This will provide sufficient time for the matter to be considered by the Board of the ACPT (which meets monthly) and also for the outcome to be communicated to the parish, as well as the proposed licensee.

It is still a requirement for [ACPT approved standard form licence agreements](#) to be used, regardless of the amount of the licence fee.

We also takes this opportunity to note that a wide range of feedback has been received from various parishes and senior clergy about the need for a short-form licence agreement that might be used for casual or one-off hiring of church halls and / or church grounds. In response to the feedback received, we have been in discussions with our diocesan insurance broker and insurers about the types of arrangements that would be required to make a short-form licence agreement a reality.

We are now pleased to be able to advise that a short-form licence agreement for use with one-off hire of church halls / grounds (excluding a church building) - together with associated enhanced insurance arrangements - will soon be finalised. Once the new short-form licence agreement has been finalised and approved by the ACPT Board, a circular to all parishes will be issued and the new short-form licence agreement will be uploaded to the [leasing and licensing section](#) of the [SDS website](#).

#### 4. ACPT Approved Polling Place Licence Agreement

In response to Parish enquiries, we also take this opportunity to clarify that the [Approved ACPT Polling Place Licence Agreement](#) is the *only* licence agreement that has been approved by both the Board of the ACPT, and, electoral commissions (both federal and state) for the use of an Anglican hall or rooms as a Polling Place.

#### 5. ACPT Statements of Account

ACPT Statements of Account are now available online to all parishes (for whom funds are held in trust by the ACPT) via the [SDS Extranet](#) (the SDS Extranet is the same “online portal” that is used for the Risk Management Returns and Annual Insurance Questionnaires).

The User Name and Password for the SDS Extranet is the same as the user name / password issued to all parishes by the Manager Clergy and Support Services on 15 April 2010 (unless the password has been changed by the parish since that date).

Key benefits of the ACPT Statements of Account being online are –

- More freely available, with real time financial information;
- A plain English glossary of terms is now provided as a handy reference guide;
- Inclusion of more detailed schedules to make reconciliations easier;
- No “time lag” for parishes to receive statements (which will no longer be posted);
- No delays in distribution of ACPT financial data amongst parish office holders;
- Greater transparency of financial information being more freely available to wardens, treasurers and parish auditors; and
- Prescribed Financial Statements “mapping tool” of key Statement of Account data now provided to assist wardens and treasurers.

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We appreciate the written feedback that parishes continue to provide about ACPT policies, processes and procedures and encourage this to continue. We also encourage parish representatives to contact the [ACPT Manager](#) assigned to your region “early and often” in relation to any proposed parish property transactions, and / or to discuss anything contained in this circular that might require clarification.

Yours sincerely,



**[GREG ELLEM](#)**

**Head of Anglican Church Property Trust Diocese of Sydney  
30 July 2010**