

PROPERTY IN THE DIOCESE

OWNERS AND BENEFICIARIES

Under New Zealand law, a parish is not a legal entity and as such can't be the title holder of property. Under the Anglican Trusts Act 1981 Trust Boards are authorised to hold property on trust for and in connection with Anglican Churches. In the Diocese of Waikato and Taranaki, there are two trust boards, the Waikato Diocesan Trust Board (WDTB) and the Taranaki Anglican Trust Board (TATB). The WDTB holds properties and investments on behalf of parishes in Waikato as well as on behalf of Standing Committee. The TATB holds property on behalf of parishes in Taranaki. Both trusts are non-operating trusts and as such have no assets of their own.

Although the trust boards are the legal owners of the property, they hold it on behalf of the parishes who are the beneficiaries. Both owners and beneficiaries have rights and obligations vested in them. The beneficiaries have the full right of use with very few restrictions on them. This right comes with the obligation to maintain the property and pay for all the outgoings. The restrictions that are in place are there to protect the trustees and the beneficiaries. As owners, the trustees are liable and therefore need assurance of compliance from the beneficiaries.

PROPERTY CHALLENGES

Several challenges cause the property portfolio of the diocese to be perceived as more of a liability than an asset. This includes:

1. **Earthquake challenges:** Different earthquake challenges exist. Some parishes need to get Detailed Seismic Assessments done. These assessments are expensive and hard to afford for small parishes. Other parishes have to do strengthening work to bring buildings up to sufficient ratings. This ranges from smaller work to parts of buildings up to whole buildings being closed due to risk. Both Cathedrals need strengthening work worth millions of dollars with Meri Tapu currently unusable.
2. **Maintenance challenges:** The cost of building maintenance and the availability of parishioners to organise, supervise or help with maintenance is an increasing challenge. Several parishes have deferred maintenance that is causing a significant financial burden and health and safety risk.
3. **Health and Safety challenges:** Compliance regarding health and safety is getting stricter while the ability of parishioners to comply with requirements is diminishing.

SUMMARY

The diocese is blessed with a big property portfolio that includes some wonderful, useful buildings. It is not without its challenges, especially for small parishes with financial constraints.