

# **PPEP Property Seminar**

## **Nov 16, 2024**



# PPEP Property Seminar



Uniting Church in Australia  
SYNOD OF VICTORIA AND TASMANIA

Good morning to you all.

This morning we will be discussing the following topics:

- Responsible Body
- Church and Halls – in place
- Essential Safety Measures (ESMs)
- Church and Halls – maintenance
- Context and Challenges
- Capital Works
- Land Tax and Council Rates
- Manse inspections
- Alternative use of vacant manses
- Sale of property in excess
- Investing in the Money For Mission Fund
- Insurance costs and Property Services fees
- Further assistance



# Purpose

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Purpose of the seminar is to improve our understanding of Responsible Body responsibilities.

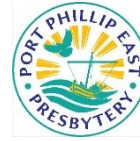
The Uniting Church in Australia Property Trust (Victoria) is the legal owner of the properties we use. Congregations hold **Responsibility Body Status** for the properties they use.

The PPEP Property Committee wishes to ensure that PPEP congregations understand the Synod and State Government requirements with regard to the 'Responsible Body Status' i.e. their stewardship of the church property for which they are RESPONSIBLE.

This includes:

- Maintenance and care of Church property
- Maintenance and care of attached Church Halls
- Maintenance of Manses
- Maintenance and upkeep of Church grounds





# ■ Comments or Questions?



# UCA regulations



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## *UCA Regulations and Responsible Body*

- Responsible body means any body of the Church to which specific responsibilities are assigned by the Constitution or by any UCA Regulation, bylaw or rule;
- 4.1 Responsible body means a body that is responsible for the management and administration of property, and which either itself carries out those responsibilities or appoints another body to undertake them either in whole or in part;
- 4.4.1 Subject to the UCA regulations, the by-laws of the Synod and the rules of Presbytery, **the Church Council shall be responsible for the management and administration of all Church property acquired or held for the use of the congregation.**





# ■ Comments or Questions?



# Church and Halls



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Public Buildings, Class 9B Buildings under Building Code, Workplace.

## In place:

- ESMs
  - Maintenance Determination
  - Annual Essential Safety Measures Report (AESMR) – in the prescribed form.
  - Associated engagement of contractors for above – eg Statcom, fire service contractors, electrician.
- Asbestos register (Div 5), reviewed every 5 years.
- Evacuation Diagrams (reviewed every 5 years and in the compliant format)
- 'Test and tag' electrical appliances and cords – OHS requirement keeping workplace safe.

All of above to be completed and certified by qualified trade persons and recorded.  
Synod require notification of ESM compliance.

Contractor induction needed <https://www.linksafe.com.au/uca/>

- Hall hirer agreements and insurance in place for hall hirers (12 monthly with termination clauses).

Councils are starting to check....

**CITY OF GREATER GEELONG**

PO Box 104, Geelong VIC 3220 E: [contactus@geelongcity.vic.gov.au](mailto:contactus@geelongcity.vic.gov.au)  
P: 03 5272 5272 [www.geelongaustralia.com.au](http://www.geelongaustralia.com.au)



31/10/2024

Uniting Church In Australia Property Trust (Vic)  
Level 2  
130 Lonsdale Street  
MELBOURNE VIC 3000

RE:

[REDACTED]  
Annual Essential Safety Measure Report – [REDACTED]

Dear Sir/Madam,

Council is undertaking a proactive program to check for compliance under State Government legislation (Building Regulations 2018) that applies to your property. This program is to ensure that all essential safety measures required under the Occupancy Permit, are being regularly maintained and checked that they function appropriately should an emergency situation occur within the building.

As the building owner, you must prepare an Annual Essential Safety Measures Report (**AESMR**) on the building's essential safety measures and submit the required information by the requested date. You may authorize an agent, such as a specialist maintenance contractor, to complete the report. The annual essential safety measures report needs to be in accordance with the approved form. An example of the **AESMR** form is attached for your reference. I would ask that this is filled out correctly and submit this to the Municipal Building Surveyor (MBS) for further consideration.





Accordingly, you are now being requested to provide to provide a copy of an Annual Essential Safety Measures Report (**AESMR**) along with the accompanying documents, to the Council Municipal Building Surveyor by **5.00pm on 05 December 2024** confirming that the Essential Safety Measures located at your property are being maintained and function correctly.

Please Note: Council may conduct an inspection where an **AESMR** is not submitted by the due date. Note: non-compliance or breaches of the Building Act or Building Regulations can result in enforcement actions being taken against the owner.


You must also keep records of maintenance checks, safety measures and repair work so they can be inspected by a MBS or chief officer of the fire brigade. You must make these documents and the annual reports available on request after 24 hours' notice has been given.

Adequate maintenance is the best way to ensure that fire safety systems will operate reliably if an emergency arises. Meeting these requirements will help you have greater knowledge of the safety and condition of your building.

Should you not have the required documents available, it is recommended that you contact your Building Surveyor to prepare the required **Maintenance Determination** which they will identify the various Essential Safety Measures in your building and the frequency at which they are required to be maintained.

Further information can be found on the VBA web site -  
<https://www.vba.vic.gov.au/consumers/guides/essential-safety-measures>

Should you require further clarification I can be contacted by email or telephone as provided below.

A handwritten signature in black ink, appearing to read "Carey Patterson".

**Carey Patterson,**  
Municipal Building Surveyor  
Building Services  
03 5272 5236 [cpatterson@geelongcity.vic.gov.au](mailto:cpatterson@geelongcity.vic.gov.au)





# ■ Comments or Questions?



# Church and Halls

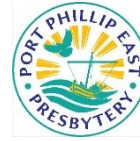


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## Maintenance:

- Gutters and downpipe cleaning and repair
- Addressing drainage and water ingress issues promptly
- Switchboard upgrades
- Servicing heating and cooling systems
- Pest control regime
- Maintaining grounds and vegetation
- Inspecting and addressing risks for slips, trips and falls interior and exterior (aging congregation)
- Example Maintenance program on website, see link - [Maintenance of Church & Hall Buildings](#)
- Contractor induction needed <https://www.linksafe.com.au/uca/>





# ■ Comments or Questions?



# Context and Challenges

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There are 54 congregations within the Port Phillip East Presbytery.

Many of these have attendances between 20 and 50 regular members.

In almost all cases congregational members are aging.

Larger or more complex maintenance issues on church property can no longer be completed by church members.

In addition most members are on a Retirement Income with limited financial resources.



# Context and Challenges



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The implication of this is twofold:

1. Property Maintenance can no longer be safely done by church members:
  - People over 60 cannot continue to use ladders; NO ONE should use a ladder for work above 2 metres. Work above 2 metres is 'working at heights'
  - Lifting and moving of heavy church furniture is difficult;
  - Church cleaning particularly of high windows and ceilings is either difficult or impossible.
2. The increasing costs of Trades Persons is making it difficult for their use to complete simple maintenance e.g. electrical testing and plumbing or drainage issues.





# ■ Comments or Questions?



# Capital works



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Works needing a permit, using property sale proceeds or over \$20,000 need approval by Presbytery.

Always start with a 'Form 1 – Getting Started' and submit to the Presbytery.

Following this a 'Form 3H – Application to Build' should be completed in consultation with Property Services appointed resource and Presbytery.

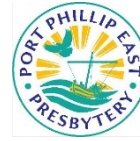
Commercial builders (not domestic) required for works to church and hall – Class 9B building.

Contractor induction needed <https://www.linksafe.com.au/uca/>

All permits to be signed by the Property Trust. Permits cannot be signed without an approval/property services involvement in place.







# ■ Comments or Questions?



# Manses



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Manses are part of a Congregation's responsibility as the Responsible Body. When a minister (and family) OR a tenant are in residence it is often difficult to find opportunities to maintain and/or update the property.

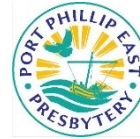
A vacant Manse is problematic since it still needs to be maintained or else deterioration occurs often compounding any existing issues.

To offset the costs of maintaining a vacant manse a traditional approach has been to:

1. Lease the property through a Real Estate Agent (full council rates and land tax will apply)
2. Lease the property to a family-at-risk (often at low rent) as a missional outreach (full council rates and land tax will apply if there are no wrap around services provided).

Leasing – complete 'Form 3ER – Application to Lease' and submit to Presbytery. Engage a Real Estate Agent to manage the lease and assist with legal requirements (disclosures, bond management). All document to be signed by the Property Trust.

# Manse inspections



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## Excerpt – Manse information handbook Oct 2024

Existing manses require regular inspection of their general condition and attention paid to maintenance needs.

### 5.1 INSPECTION PRIOR TO OCCUPATION BY A MINISTRY AGENT

Inspections need to be done prior to vacancies of ministry, with all adjustments and repairs completed before the new ministry agent takes up residence. Such inspections are the responsibility of the presbytery.

**Appendix 1** contains a sample detailed inspection checklist.

### 5.2 ANNUAL CONGREGATION INSPECTIONS

A placement needs to plan for an annual manse inspection, which should be undertaken by the congregation. Inspections should be arranged in advance at a mutually agreed time.

**Appendix 2** contains a sample annual inspection checklist.

Other than for emergencies, this means that manse households are relieved of the need to initiate complaints and allows the placement congregation to budget efficiently for maintenance.

### 5.3 CARE OF THE MANSE PROVIDED

Ministry agents are expected to take care of the manse in the same way they would be required to if they were living in a leased property, and are responsible for damage beyond fair wear and tear.



# Manse inspections



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## Excerpt – Manse information handbook Oct 2024

Appendix One - Manse Inspection Report

Page 1



### Presbytery of .....

## Manse Inspection Report

#### Purpose:

- To report on an assessment of the current condition and standard of the manse property.
- To assess and address maintenance requirements
- The intention of Presbytery is to ensure that manse properties are maintained in a sound and safe condition for the occupants

#### About this template:

- This template has been designed to cover all possible manse configurations. It is quite possible that some of the options/rooms do not exist in the manse approved for the current ministry placement. Sections not applicable should be deleted. A separate template is provided for annual inspections by the congregation.

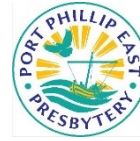
#### Who inspects when?

- Church Council inspects annually
- Presbytery inspects both at the end of a Placement and prior to the commencement of a new Placement
- Prior to an inspection, it is often helpful to ask the incumbent and family, what matters they are aware of that need attention

#### Who keeps copies of the reports?

- Church Council keeps copies of its reports and the Presbytery keeps copies of Church Council & Presbytery reports
- Church Council indicates in its Minutes that the inspection has been undertaken and items, where attention is required, have been programmed for attention by specific dates

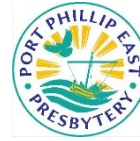




# ■ Comments or Questions?



# Vacant Manses



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A vacant manse is not eligible for exemption for full land tax and council rates.

Further, if the manse has either been leased or vacant for a period of time back land taxes may be charged up to 5 years.

Land tax notification to Steve Abonyi [steve.abonyi@victas.uca.org.au](mailto:steve.abonyi@victas.uca.org.au)

## *Options:*

1. Make the manse available for use by other congregations
2. Sell the Property and invest the proceeds.



# Manse Sharing



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A Congregation (A) may Call a Minister who requires accommodation, but does not have a suitable manse.

An adjacent Congregation (B) may have a vacant manse which could be used to house a Minister from another congregation.

If such an arrangement was undertaken, a Payment of the standard Synod Manse Allowance from Congregation A, would need to be made to Congregation B, to enable the upkeep of the property to be maintained.





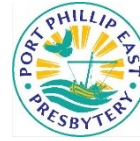
# ■ Comments or Questions?





# Sale of excess property

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If a manse is no longer required to house a Minister-in-Placement, it can be sold.

This will mean that further maintenance of that property will no longer be required.

The whole of the SALE Proceeds can be set aside for future purchase of another manse – Manse for Manse policy (or payment of manse allowance if minister has own home)

The SALE Proceeds, after sharing with the Wider Church, may be invested in the Synod Money For Mission Fund.





# ■ Comments or Questions?



# Investment in the MFMF



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The Money for Mission Fund (MFMF) Program, has been established with the monies raised from the sale of properties excess to missional needs.

The sale proceeds are shared between the congregation and the Wider Church investing in the MFMF.

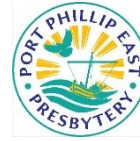
If the congregation requires funding for capital works an amount from the sale may be allowed, a Local Initiative Proceeds (LIP) payment of \$40,000 is also available. These amounts are from the Responsible Body share. This will of course reduce the amount to be invested.

The investment in the MFMF will be for at least 7 years with payments in January, July and a payment in approximately Oct for franking credits.

**Generally, invested net sales proceeds will generate returns greater than net rental income in the case of rental properties,** or for other property sales, greater than the income that would be received by investing after sharing in an Interest Only Mission Fund (IOMF).

MFMF A completion allows the option to be explored without committing to the sale until a MFMF B is approved.





# ■ Comments or Questions?



## **Insurance costs**

With the withdrawal of the Synod Insurer the VicTas Synod has had to seek a new Insurance Agency.

As the General Secretary notified Presbyteries and Congregations this has resulted in up to 20% increase in Insurance costs for the 2023-2024 insurance period. Insurance for the 2024-25 period is in the process of being finalised.

Some congregations may well be unable to meet increases.

## **Property Services fees**

As a result of an increased and more complex work load Synod Property Services, as of July 1, 2024, has introduced charges for some of its services.

Again this decision will impact on all congregations.





# ■ Comments or Questions?



# For Further Assistance



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## **PPEP Property Committee:**

Chair: Gavin Faichney - Mob 0438 140 702;

Email: [gwif44@gmail.com](mailto:gwif44@gmail.com)

Secretary: Rev Ian Cayzer – Mob 0409 860 427;

Email: [ianrcayzer@Hotmail.com](mailto:ianrcayzer@Hotmail.com)

Correspondence and Electronic Submission of Property Applications -

Port Phillip East Presbytery Secretary – Email: [secretary@ucappep.org](mailto:secretary@ucappep.org)

