



Property Services Manual for Victoria and Tasmania

This manual will be updated online as new advice is received and any changes to guidelines are determined by the Synod of Victoria and Tasmania.



Uniting Church in Australia
SYNOD OF VICTORIA AND TASMANIA



Mission Resourcing Unit

Property Services

Acknowledgement of Country

We acknowledge the Traditional Owners and custodians of the land on which we live, work, gather and worship, and we pay our respects to their elders past and present. We acknowledge that the Church throughout this Synod meets on land for which First Peoples have ongoing spiritual sovereignty and custodianship, and we commit ourselves to respecting Country and to working for a more just future together.



Introduction

This property manual has been developed for the use of congregations and entities throughout Victoria and Tasmania who are responsible for managing property.

It is designed to be updated regularly by Synod Property Services in response to enquiries from congregations, new information and specialist advice.

Sources

A lot of the material in this manual, including the manual itself, can be found on the VicTas Synod website: <https://victas.uca.org.au/resources/property>

The VicTas Synod website and individual presbytery websites also host a range of other resources for church councils.

Changes

If you have any suggestions for updates to this manual, contact Property Services: property@victas.uca.org.au

Last updated July 2025

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With thanks to Reverend Greg Fry, Minister of the Word, Charman UC; Di Paterson, Pastor, Charman UC; David Higham, Chairperson of the Presbytery of Port Phillip East.

Property Services Manual for Victoria and Tasmania is a resource of the Uniting Church in Australia, Synod of Victoria and Tasmania, Property Services.

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A. Roles, Responsibilities and Support

1. Presbytery Support

This manual is provided for congregations as a comprehensive reference in all Church property matters. However, for all questions, proposals and advice, the Presbytery is the first point of contact. Each presbytery has a property committee that meets regularly and that is responsible for supporting congregations and liaising with the other Church governing bodies on their behalf.

Contacts

Presbytery of Tasmania

Resourcing and Development Committee
Meetings every 4–6 weeks
Contact: anouk.vittori@victas.uca.org.au

Presbytery of Gippsland

Property Committee
Meetings 4th Wednesday of the month
Contact: sec.ucagipps@gmail.com

Presbytery of North East Victoria

Property and Administration Committee, meetings on Zoom
2nd Tuesday of the month quarterly: February, May, August, November *and*
2nd Tuesday of other months if there are property applications to consider
Contact: stabb@iinet.net.au

Presbytery of Loddon Mallee

Presbytery Executive (as part of Presbytery in Council and local Standing Committee)
Meetings 4th Tuesday of the month (except January)
Contact: Impresbytery@lm.victas.uca.org.au

Presbytery of Port Phillip West

Administration, Property and Finance Committee
Meetings 2nd Tuesday of the month
Contact: heather.loader@ppw.victas.uca.org.au
Cc: Administration Support Officer marie.craw@ppw.victas.uca.org.au

Presbytery of Western Victoria

Administration Committee
Meetings 2nd Wednesday of the month
Contact: bronwyn.ballesty@pwv.victas.uca.org.au

Presbytery of Yarra Yarra

Resourcing Committee
Meetings 3rd Thursday of the month at the Presbytery Centre
Contact: pyy.secretary@victas.uca.org.au

2. The Uniting Church in Australia (UCA) Property Trust

The legal body that holds property in every Victorian presbytery is the Uniting Church in Australia Property Trust (Victoria). In Tasmania, it is the Uniting Church in Australia Property Trust (Tas.). Both are charitable trusts, and the legal title for all property of the Church is held by the trustees in trust to facilitate the Church's charitable purpose (advancing religion).

Whether or not a UCA property was originally donated by an individual or established by group fundraising or some other means, the title is now held by the relevant state trust.

The Property Trust acts in relation to property matters according to the recommendations of the Responsible Body after the completion of a formal process of approval (as described in this manual).

3. What and Who is a 'Responsible Body'?

As defined in the Uniting Church in Australia (UCA) Regulations (2018), 4.1:

'[A] Responsible Body...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...'

The Church used to use the term 'beneficial user' (or "beneficial owner") to differentiate between the legal ownership of a property and the localised responsibility for its use and maintenance. This term has been replaced by the term 'Responsible Body'.

The Responsible Body is the Congregation, Presbytery or other body that carries responsibility for a site, its management, maintenance, and Essential Safety Measures (ESMs). After undertaking a formal approval process with the Presbytery and Synod, the Responsible Body makes recommendations about leasing, sharing or sale to the Property Trust.

Proposals regarding property leases, sales, purchases and larger capital works are first considered at local level by the Church Council of the Responsible Body. The proposal is then referred to the Presbytery and later to the Synod as part of the approval process (inter-conciliar decision making) of the Uniting Church. Where there is agreement, the trustee will approve it.

Legal documents for purchase, sale and lease are signed by the Authorised Officer of the Uniting Church in Australia Property Trust (Victoria) or the Uniting Church in Australia Property Trust (Tas.).

No congregation member has authority to sign property documents on behalf of the Property Trust.

Uniting Church in Australia

Responsible Bodies and their Governance Groups

Assembly

Assembly Standing Committee

Synod of Victoria and Tasmania

Synod Standing Committee (SSC)

Property and Operations Committee (P&O) (which assumes the role of the Property Board as defined in UCA Regulations)

Ministry and Mission Committee (M&M)

PART (the Property Applications Review Team) – which is a delegated sub-committee of the Property and Operations Committee

Presbytery

Presbytery Standing Committee

Property/Admin/Resourcing Committee (or equivalent per Presbytery)

Congregation

Church Council

Incorporated Agency/Institution

(e.g. Uniting Vic.Tas, Uniting AgeWell, some UCA schools and colleges)

4a. Role of Church Council

The roles and responsibilities of the Church Council include managing and controlling property, as defined in the Uniting Church in Australia Regulations (2018) 3.1.2 (b) (ix). This is further detailed in Regulation 4.4.1. (see following page).

The Church Council is able to make decisions on behalf of the Congregation within certain limits.

These roles, responsibilities and limits are as follows:

- the Church Council is responsible for applications to lease, sell or purchase property. These actions can only proceed with the approval of the Presbytery Property Committee (or equivalent in each presbytery) and subsequently by the Property Applications Review Team of the Synod (PART) or its overseeing committee (P&O) if beyond PART's delegation. Such applications will frequently be assisted by advice from Synod Property Services personnel;
- the Church Council has authority to expend up to \$20,000 on individual projects without Presbytery or Synod approval, unless the projects are being funded by property sales proceeds or loans or the works require a permit (planning, building, heritage or other). However, the Presbytery Property Committee will welcome the opportunity to offer advice on significant projects under that limit;
- Applications to Build with costings above \$20,000 and up to \$50,000 on an individual project require Presbytery approval (and PART approval where works require a permit or are funded from sale proceeds);
- Applications to Build with costings greater than \$50,000 on an individual project require Presbytery approval and the approval of PART at the Synod;
- the Annual Property Review (Regulation 4.4.3) requires that at least once in every year the Church Council shall '...review the state of repair in respect of every property for which it is responsible'.

Congregation

In defining the role of the Congregation with respect to property matters, Regulation 4.4.1 (e) is relevant:

'The Church Council shall... :

(e) consult with a Congregation regarding any proposal concerning property that would have a substantial effect on the life, witness and service of the Congregation;'

Local People (Congregation/Church Council)

At a local level the Church Council may need to make significant decisions that affect the Congregation's budget, as well as long-term strategic decisions around property. The Church Council may delegate responsibilities for management of the property to individuals or committees. The following are examples of roles a church council may create to delegate responsibility:

- property coordinator/contact person(s);
- property committee (convenor);
- rental/booking administrator;
- representatives for repairs.

4b. Uniting Church in Australia Regulations (2018)

4.4.1 Church Council Responsibility for Property

Subject to the 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 property of the Church acquired or held for the use of the Congregation, and without limiting the generality of the foregoing shall:

- a) be responsible for the care and maintenance of property;
- b) subject to clause (e) of this Regulation, determine the use of land and buildings;
- c) deal with proposals for the acquisition or disposal of any property or the creation or extinguishment of any rights or interests in property by whatever means;
- d) consider and if thought fit make recommendations concerning erection, demolition, alteration or enlargement of church buildings and other buildings;
- e) consult with a Congregation regarding any proposal concerning property that would have a substantial effect on the life, witness and service of the Congregation;
- f) be responsible for the financial affairs and the management and investment of all funds related to property;
- g) do such other things as are necessary or appropriate for the use and management of all property acquired or held for the Congregation.

4.4.2 Notice of Business

- a) Unless at least seven days' notice convening the meeting and specifying the business that shall be dealt with at the meeting has been given it shall not be competent to pass any resolution recommending or resolving to:
 - i. erect, enlarge, demolish, remove or substantially alter any building;
 - ii. incur any expense for repairs exceeding such sum as may be determined by the Synod from time to time;
 - iii. sell, mortgage, exchange, lease, grant or extinguish any estate, right or interest in any land, or surrender or accept the surrender of any lease;
 - iv. acquire any land or interest in land;
 - v. alter the general purposes for which any land or building is or may be used;
 - vi. invest any funds other than on short-term deposit with any of the financial institutions approved by the Synod in accordance with Regulation 3.8.7(b);
 - vii. appropriate any funds except for current expenses.
- b) It shall be competent for the Church Council to deal with and resolve any of the matters referred to in Regulation 4.4.2(a), notwithstanding that the prescribed notice has not been given, if a majority of those present at the meeting of the Church Council resolve to waive such notice, provided that the majority of votes cast in favour of such waiver shall be not less than three-fifths of the total membership of the Church Council.

4.4.3 Annual Property Review

At least once in every year the Church Council shall receive the audited accounts and review the following matters in respect of each property for which it is responsible:

- i. the state of repair;
- ii. the adequacy of the insurance cover;

- iii. arrangements made in respect of public risk insurances and personal accident insurances for voluntary workers;
- iv. the financial position in respect of each property.

4.4.4 Council and Committees

In exercising the responsibilities set out in Regulation 4.4.1 the Church Council may itself carry out all these responsibilities or may appoint one or more committees to be responsible to the Church Council in respect of such one or more properties as the Church Council may specify for:

- i. the supervision and use of the property;
- ii. maintaining the property in good repair;
- iii. such other responsibilities as the Church Council may determine;
- iv. reporting in respect of such matters as the Church Council may require.

5a. Role of Presbytery

The roles and responsibilities of the Presbytery in relation to property are defined in the Uniting Church in Australia Regulations (2018) 3.1.3 (a) (i) and further detailed in Regulation 4.3.1 (see following page).

Regulation 4.3.1 requires a presbytery to have a Property Committee which has the responsibility to advise church councils with respect to property matters; and receive and consider applications and submit such proposals to the Synod Property Board (being either PART or the P&O Committee) with recommendations for approval.

The Presbytery Property Committee is also required to regularly inspect all congregational property within its bounds.

Presbytery Property Committee

The Presbytery Standing Committee delegates authority to the Property Committee to deal with all matters related to property.

The Property Committee works with the Presbytery, congregations, Synod Property Services, Risk and Insurance, and UCA Legal Services, to assess and complete property-related works in congregations, including documentation and processing of property applications.

The Property Committee finds people to support congregations in projects requiring a Project Control Group.

In the first instance, a Church Council should send applications to the Presbytery Property Committee.

5b. Uniting Church in Australia Regulations (2018)

4.3.1 PRESBYTERY PROPERTY COMMITTEE

- a) Each Presbytery shall appoint a Presbytery Property Committee and shall determine the membership and term of appointment of members of the Committee.
- b) A Presbytery Property Committee, subject to any relevant by-laws and directions of the Presbytery, shall:
 - i. advise Church Councils and other bodies within the bounds of the Presbytery with respect to property matters for which they are responsible;
 - ii. receive and consider applications from Church Councils and other bodies within the bounds of the Presbytery with respect to property matters as provided by these Regulations having regard to:
 - the mission of the Church within the bounds of the Presbytery,
 - the policies of the Synod and Presbytery,
 - financial feasibility,
 - design and location,
 - any other relevant matter;
 - iii. submit proposals from any Church Council or other body within the bounds of the Presbytery to the Synod Property Board with recommendations for final decision;
 - iv. initiate proposals with respect to property matters within the bounds of the Presbytery; and
 - v. regularly inspect or arrange for the regular inspection of properties for which the Presbytery and Church Councils and other bodies within the bounds of the Presbytery are responsible and propose and report to Presbytery such action as may seem desirable to ensure that the properties are maintained in good and safe condition.
- c) A Presbytery may authorise the Presbytery Property Committee or another committee or committees to take responsibilities in respect of such one or more of the properties for which the Presbytery is itself responsible, including:
 - i. the supervision and use of the property;
 - ii. maintaining the property in good repair;
 - iii. reporting in respect of such matters as the Presbytery may require; and
 - iv. such other matters as the Presbytery may determine.
- d) In a matter of extreme urgency the Presbytery Property Committee may remit any application received by it to the Synod Property Board which shall be entitled to deal with such application without any recommendation thereon having been made by the Presbytery Property Committee, and in cases where the Moderator certifies that circumstances of extreme urgency exist, the Moderator may authorise the Synod Property Officer and the Synod Secretary to make a decision and take action in the name of the Synod Property Board, such action to be subsequently reported to the Board and to the Presbytery Property Committee.

6a. Role of Synod

The Uniting Church in Australia Property Trust (Victoria) and The Uniting Church in Australia Property Trust (Tas.) are the legal entities or bodies representing the Synod in all legal and property matters in Victoria and Tasmania. All property is held in the name of a Property Trust and these are the legal bodies through which the Uniting Church purchases, sells and leases property.

The Property Trusts

When the Uniting Church was formed in 1977 the legal status of the denomination was constituted in each of the States of Australia through the *Uniting Church in Australia Act 1977*.

The Uniting Church in Australia Regulation 3.1.5 (k) (see page 18) provides for the establishment of a body to effectively supervise all property matters within its bounds according to the Acts and Ordinances of the State. Because our Synod covers two states there are separate Property Trusts for Victoria and Tasmania.

The Uniting Church in Australia Property Trust (Victoria) is the incorporated entity for properties in Victoria that are part of the Uniting Church in Australia. The Uniting Church in Australia Property Trust (Tas.) is the equivalent entity for properties in Tasmania.

The relevant Property Trust is listed on the title of all properties and at least one member of a Property Trust must sign all contracts relating to property. The Synod Property Trust Secretary, who is located at the Synod offices, is the person who usually signs on behalf of the Property Trust.

The role of the Property Trusts and the Synod Property Trust Secretary are explained in detail on the following pages.

Property and Operations Committee

The Synod Standing Committee has designated two primary subsidiary committees to coordinate all aspects of the governance and oversight of Synod operations.

One is the Property and Operations Committee, which has two main sub-committees: the Audit and Risk Committee and the Finance Committee, and the delegated property-specific sub-committee known as PART.

The other primary committee is the Ministry and Mission Committee.

Property Applications Review Team (PART)

The Regulations allow the Property Trusts to delegate certain matters. The Property and Operations Committee, which takes the role of the Property Board as defined in the Regulations, has delegated (within limits) certain of its powers to the Property Applications Review Team (PART). PART is chaired by the Synod Property Trust Secretary.

PART provides support and Synod council consideration for applications relating to property matters (including renovations, new builds, leases and sales).

Decisions on property are based on consensus agreement, which commonly sees a congregation making a proposal, their presbytery approving it and providing comment, and PART finally considering the application.

Financial matters considered by PART include applications for certain grants (e.g. Disability Access Fund or Emergency), and the use of property sale proceeds which may be invested in the Money for Mission Fund or an Interest Only Mission Fund. PART has the authority to make decisions within respective policies and authority limits set by the Property and Operations Committee.

For further information, please contact your Presbytery Property Committee.

Please never send forms directly to the Synod in an attempt to speed up the approval process. PART relies upon Presbytery comment and PART approval will not be given until Presbytery approval has been given.

Mission Resourcing Unit

The Synod of Victoria and Tasmania employs staff in their Mission Resourcing Unit to support the work of the Church. The unit is based at the Synod offices at Wesley Place, 130 Lonsdale St, Melbourne. It provides a variety of services and expertise in the following areas: Property; Risk Management; Insurance; Information Technology; People and Culture; and Accounting and Finance. Details on the key property-related areas and how they work with congregations are included later in this chapter: 7. Synod Property Services; 8. Synod Risk Management Services; 9. Synod Insurance Services; 10. Synod Legal Services; 11. Synod Property Trust.

equipping Leadership for Mission Unit (eLM)

equipping Leadership for Mission (eLM) is a pivotal unit in developing the capacity to undertake the mission-based activities of the Synod of Victoria and Tasmania. Based at the Centre for Theology and Mission (CTM), Parkville, this unit also includes the Missional and Property Grants Officer who oversees the resourcing of congregations through the administration of the Church's grants program.

6b. Uniting Church in Australia Regulations (2018)

3.1.5 RESPONSIBILITIES OF THE SYNOD

Without limiting the generality of the responsibilities of a Synod as set out in Paragraph 32 of the Constitution, a Synod shall be responsible for:

- k) providing for the effective supervision of property matters within the bounds, in accordance with the property Regulations, including:
 - i. appointing the elected members of the corporate trust in accordance with the provisions of the Acts or Ordinances (as amended) as the case may be in the State or Territory concerned;
 - ii. appointing the members of the Property Board and making any other appointments required under the provisions of the property Regulations;
 - iii. appointing an officer to administer property affairs and related matters;
 - iv. the general oversight and management of Synod funds and of Synod policy and procedures relating to property;

4.2.1 FUNCTIONS OF PROPERTY BOARD

Each Synod shall appoint a Property Board which shall:

- a) advise the Synod with respect to policies relating to property within the bounds of the Synod;
- b) supervise the implementation of the Synod's policies in regard to property within the bounds of the Synod;
- c) consult where appropriate and advise Presbyteries, Church Councils, institutions and other agencies of the Church with respect to property matters within their bounds;
- d) receive proposals with respect to property matters submitted to it by the Presbyteries, Church Councils, institutions or agencies, ensure that each proposal is in accordance with the policies of the Synod with respect to property matters, development and mission and give the final decision with respect to such proposals;
- e) initiate proposals with respect to property matters;
- f) carry out functions (b) to (e) above in respect of departmental, institutional and other property outside the jurisdiction of Presbyteries and Church Councils;
- g) only approve the transfer of any real estate vested in a Uniting Church Property Trust to any Aboriginal and Islander organisation with the prior approval of the National Executive of the Uniting Aboriginal and Islander Christian Congress; (See Reg. 3.2.6) and
- h) perform such other duties and functions with respect to property matters as may be referred or delegated to it by the Synod from time to time.

4.2.2 DELEGATION TO PRESBYTERY

- a) A Synod Property Board may delegate to:
 - i. the Property Committee of any Presbytery, or
 - ii. another body within the Synod, or
 - iii. a Church Council of a Congregation which is designated as a Parish Mission or a committee of that Church Council, or
 - iv. the Property Officer, and/or specified positions any of its powers of consent or approval in relation to property, provided that the financial liability involved, or the value of the property concerned, does not exceed such sum or sums as the Synod may determine from time to time.
- b) A Synod Property Board may withdraw such delegation, either generally or in a particular case, at any time.

- | |
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| c) The delegation shall be made subject to such conditions as the Assembly or the Synod Property Board shall determine from time to time. |
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7. Synod Property Services

Before contacting Property Services for advice on a new proposal, it is important that you first complete **Form 1 – Getting Started** to go through the process of examining how the project might meet missional objectives. An exception to this is in the case of a proposal to sell a property.

The Synod Property Services team will assist you in managing your properties for purchase, sale, build, lease and maintenance. This includes general property transactions, caveats, covenants, easements, lease negotiations, highest and best use of property and the ongoing management of assets. The purpose is to optimise assets and remain focused on mission directives.

Fees

To enable Property Services to meet the increasing workload of complex and longer-term property work as the Church ages and congregations' capacity to self-support decreases, a fee for service applies for property activities started after 1 July 2024. Also note that from 1 January 2024, the fee charged on property sales of more than \$500,000 increased from 0.5% to 0.75% of gross sale proceeds for properties in the metropolitan areas.

A schedule of fees is provided for reference at the end of this manual. This gives information about the pre-July 1 2024 fee structure, the current fee structure and what services each fee covers (see Appendix: Property Services Fees).

Property Services Contacts

Peter Thomas

Director Property Services

t (03) 9116 1948

m 0410 487 373

e peter.thomas@victas.uca.org.au

Leading the Property Services team, the Director:

- develops strategies to assist the missionally focused activation of the real property resource of the UCA, in partnership with church councils;
- receives and responds to complaints while also respectfully challenging past practices in today's world, especially regarding building maintenance and safety, operational practices and financial sustainability and sensibility of keeping property;
- supports and directs resource allocation to strategic initiatives of the Synod and Presbyteries.
- prepares and presents significant proposals to the Property and Operations Committee and Synod Standing Committee as and when required.
- provides sound counsel to assist the continuing journey into times where property must take a more active role in supporting and sustaining congregations and mission resourcing in a rapidly changing environment, made more challenging by diminishing human and financial resources.

Sarah Pick

Manager Assets and Administration

t (03) 9116 1957

m 0456 919 464

e sarah.pick@victas.uca.org.au

The Manager Assets and Administration provides:

- information, advice and assistance, as a first point of contact to presbyteries and congregations and supporting responses to OHS and safety measures as these relate to the usage management and care of property. This includes working with Responsible Bodies to ensure buildings are maintained and compliant with the Essential Safety Measures (ESMs) and that properties meet the relevant planning and building codes;
- information, advice and assistance regarding property transactions, leasing arrangements and residential relocations of Uniting Church ministry agents;
- administrative support for PART processes regarding leases, sales, purchases, construction activities, financial approvals for capital or revenue expenditure, and proposal reviews.

Steve Abonyi

Project Finance Business Manager

t (03) 9116 1946

m 0438 128 793

e steve.abonyi@victas.uca.org.au

The Project Finance Business Manager provides:

- specific advice and guidance on Land Tax issues (relevant in Victoria particularly)
- independent financial review of projects;
- assistance to presbyteries with strategies for long-term financial sustainability;
- assistance with project and congregation financial modelling and advice.

Russell Craig-Brown

Manager Development Projects

t (03) 9116 1943

m 0412 572 912

e russell.craig-brown@victas.uca.org.au

AND

Rina Neustroski

Manager Development Projects

t (03) 9116 1951

m 0438 772 613

e rina.neustroski@victas.uca.org.au

AND

Blake Kempthorne

Manager Development Projects

t (03) 9116 1945

m 0423 298 091

e blake.kempthorne@victas.uca.org.au

AND

David Brown

Manager Development Projects
m 0411 475 970
e david.brown@victas.uca.org.au

Lucia Fitzgerald

Property and Development Manager – Tasmania
m 0448 197 399
e lucia.fitzgerald@victas.uca.org.au

The Development Managers provide:

- advice and services to support property development/redevelopment and asset planning, including advice on site potential and commercial outcomes aligned with the UCA strategic direction;
- management of risk associated with property development;
- advice and services to ensure that property development, leasing arrangements and property maintenance comply with statutory requirements;
- complex technical advice for heritage, maintenance, restoration, refurbishment and evaluation of new and existing buildings.

Mark Buchanan

Project Manager
m 0407 266 623
e mark.buchanan@victas.uca.org.au

AND

Costas Englezos

Project Manager
m 0487 605 192
e costas.englezos@victas.uca.org.au

The Project Managers provide:

- accurate and timely advice regarding all aspects of project management, planning and implementation;
- construction pre-planning, consultant engagement and technical advice relating to minor and major projects and property maintenance items;
- assistance to congregations in the delivery of construction projects, ensuring budgets, timeframes, regulatory compliance, and safety requirements are met.

Neville Bion

Data Project Officer (ESMs and Property Safety)
t 9116 1959
m 0484 779 351
e neville.bion@victas.uca.org.au

The Data Project Officer provides:

- oversight of the Essential Safety Measures (ESMs)-compliance program for UCA buildings;
- education sessions about ESM compliance;
- assistance with resolving local barriers to ESM compliance.

Natalie Brown

Grants Coordinator – equipping Leadership for Mission

t (03) 9116 1960

m 0414 527 355

e natalie.brown@victas.uca.org.au

The Grants Coordinator:

- processes and implements the annual missional and capital grant programs, including mission grants for ministry, mission and capital programs as well as small rural grants;
- oversees the implementation of other grant programs as they arise, such as grants from the Presbyteries Additional Resources and Innovative Projects Fund;
- liaises with grant recipients on an ongoing basis regarding the progress and evaluation of programs and their compliance with the funding sources;
- provides guidance to congregations and presbyteries regarding the policy and processes for Property Sale Proceeds (PSPs) and Interest Only Mission Funds (IOMFs) as well as Emergency and Disability Access Fund grants.

Roslyn Groves

Administration Coordinator – PART

t (03) 9116 1955

e roslyn.groves@victas.uca.org.au

The Administration Coordinator – PART:

- processes PART applications and communicates PART approvals/outcomes;
- provides assistance with forms, information, signing of leases, and general property queries.

Hammad Hussain

Administration Support Officer

t 9116 1958

m 0473 668 253

e hammad.hussain@victas.uca.org.au

AND

Vivi Zhao

Administration Support Officer

t (03) 9340 8844

m 0447 784 045

e vivi.zhao@victas.uca.org.au

The Administration Support Officers provide:

- customer service, information and triage services to congregations, tenants, contractors and/or visitors in relation to property;

- administration support and stakeholder/client follow-up for property-related compliance with legislative requirements in Victoria and Tasmania.
- Vivi also provides specific support for MFMF Forms preparation and investment instructions
- Hammad assists in a wide range of sales support for property being divested.

8. Synod Audit, Risk & Records Management Services

This team is primarily responsible for supporting risk management and mitigation processes in all areas of the Church - identifying, assessing and helping to manage key risks. It works with other Synod teams and church councils, and its scope includes a wide range of areas, such as:

- environment;
- finance and property;
- IT/cybersecurity;
- legal/compliance;
- mission/operation;
- people/vulnerable people;
- reputation.

Risk Management and Audit

Risk management generally considers the following questions:

- What could prevent objectives?
- What could make the above happen?
- If something did go wrong, how bad could it be?
- What is being done or could be done to prevent things going wrong, or to minimise the impact when they go wrong?

Synod recognises that effective risk management across all church councils is a key contributor towards achieving our missional and operational objectives and mitigating unwanted negative events.

Effective risk management supports sustainability and safeguards mission, people, reputation, operations, and finances; ultimately supporting the ongoing pursuit of our vision and mission.

To support presbyteries and congregations in their risk management activities, a risk management framework has been prepared that is available for presbyteries and congregations to adapt to their circumstances.

<https://victas.uca.org.au/download/42/risk-management/14863/presbytery-and-congregation-rmf-for-adoption-2019>

Risk Management Contact

General enquiries

riskmanagement@victas.uca.org.au

Records Management

Support for the Synod's transition from paper based to electronic records is provided by this team and also for the Synod Archives function.

Team Contacts:

Tamika McLaren

Manager – Audit, Risk & Records Management
m 0484 307 702

e tamika.mclaren@victas.uca.org.au

Jennifer Bars

Synod Archivist
p (03) 9571 5476

e jennifer.bars@victas.uca.org.au

9. Synod Insurance Services

The Synod Insurance Services team provides expert assistance for all congregations, schools and UCA affiliates, such as Uniting and Uniting AgeWell.

Property Claims

If the matter is urgent, telephone (03) 9116 1912; otherwise, email: insurance@victas.uca.org.au

If you are required to fill out a claim form, it can be found in the insurance resources here: www.victas.uca.org.au/insurance/ or downloaded from the following link: [Property Claim Form](#)

The full cost of replacement or reinstatement can be claimed (subject to the terms and conditions of the insurance policy).

Where property is stolen or damaged, metropolitan congregations must pay the first \$2,500 and rural congregations must pay the first \$1,000 of each claim. Please note that normal wear and tear and deterioration are not covered by the Property Policy.

If the claim is large and/or complicated, we will arrange for a loss assessor to assist.

Motor Vehicle Claims

Lodge your claim online with Zurich Insurance: <https://claimsonline.zurich.com.au/efnol/>

Your Policy Number is 32 2239619 GFT.

For all other enquiries, email: insurance@victas.uca.org.au

Other Claims

If you have another potential insurance claim, or if an incident has occurred that you think could result in a claim then contact the Synod Insurance Services team at: insurance@victas.uca.org.au

Include all relevant details, including contact information for any key people.

Hall Hire and Public Liability Insurance

Individuals or organisations hiring church halls or other Church facilities are required to have public liability insurance in place. Individuals or organisations who don't have public liability insurance can apply for public liability insurance at: insurance@victas.uca.org.au

The Hall Hirers insurance application form can be obtained here:

www.victas.uca.org.au/insurance/ or downloaded from the following link: [Insurance Application Form](#)

Insurance Certificates

If you require a copy of an insurance certificate (Certificate of Currency) email:

insurance@victas.uca.org.au

A copy of the insurance certificate will be sent within 24 hours.

Insurance Contacts

t 03 9116 1912 (business hours)

m 0475 371 168 (after hours)

e insurance@victas.uca.org.au

10. Synod Legal Services

The Synod Legal Services team works within the Synod Secretariat team and closely with the Property Trust to ensure that Synod has comprehensive legal expertise to serve the needs of the Church. It is available to provide advice and assistance to congregations, agencies and ministry agents on a reasonable fee-for-service basis.

Areas of law they can help you with include:

- general legal advice;
- property – purchases and sales;
- property – development consolidation and subdivision;
- adverse possession;
- Act 391 applications;
- leasing, including commercial, residential and Church buildings;
- telecommunication leases;
- licence agreements for occupation of premises;
- commercial tenders and/or disputes;
- litigation;
- mediation;
- estates;
- wills;
- drafting agreements;
- copyright.

Legal Contacts

If you're unsure who to contact, please email: uca.legal@victas.uca.org.au

This email address is checked daily, and the work allocated to the relevant people.

11. Synod Property Trust

The Uniting Church in Australia Property Trust (Victoria) is the incorporated entity for properties in Victoria that are part of the Uniting Church in Australia. The Synod Property Trust (Tas.) is the equivalent entity for properties in Tasmania.

The relevant Property Trust is listed on the title of all properties and a member of the Property Trust must sign all contracts relating to property, such as leases, sale contracts, planning permits, etc. just as an owner would. The person who usually signs these important legal documents is the Synod Property Trust Secretary (previously called the Property Officer).

There are a number of legal activities that congregations cannot do in their own right, such as own land, sue others in court or be sued, etc. That is because congregations are not legal entities. A congregation cannot become an incorporated legal entity.

When a congregation wants to take an action on a property for which they are the Responsible Body they make an application to the Property Application Review Team (PART) via the Presbytery.

If a congregation applies for a grant from State or Federal government (for example, for solar panels to be installed), then they should list the Property Trust and Synod Property Trust Secretary as the applicants, the designated property as the location of the work and the Congregation representative as the contact person for the grant. If successful, the Synod Property Trust Secretary will provide a Letter of Auspice to the government body confirming the funds will be forwarded to the Congregation for the purpose of the grant. The Synod Property Trust Secretary can assist congregations with completing and submitting grant applications.

Property Trust Secretary

The Property Trust Secretary acts in a number of capacities, as follows:

- Secretary of the Property Trust;
- Secretary of the Property and Operations Committee;
- Chair of the Property Application Review Team (PART);
- Manager of the Synod Trust team.

The Synod Property Trust Secretary acts as Chair of PART. When PART has received all the information it requires and has agreed to a request, the Synod Property Trust Secretary will write to the Congregation confirming permission is granted and will sign any relevant documents or contracts.

The Synod Property Trust Secretary also manages the Synod Trust team who administers nearly 700 trusts, many of which benefit individual congregations. Applications to withdraw funds from trusts come to the Synod Property Trust Secretary. The Property Trust team can assist with any questions congregations have about their trusts or making new bequests to the UCA.

Another responsibility of the Synod Property Trust Secretary is to declare buildings unsafe if they pose a danger to people. This happens rarely, such as in the event of fire or flood or a building failure due to a long-standing lack of maintenance. Declaring a building unsafe is usually very urgent and typically results in an immediate prevention of access to a building.

Congregations will most often engage with the Synod Property Trust Secretary when they need a legal document signed, or want to sell, renovate or lease a property they use.

Property Application Review Team (PART) Meetings

PART Meetings are generally held fortnightly on every other Thursday. Documents requiring PART approval need to be received two days prior to the meeting. PART does not meet from early December to mid-late January

Note that proposals for properties worth over \$5 million or leases proposed for more than 15 years must be considered at P&O meetings which occur monthly, usually on the 4th Thursday. P&O does not generally meet from early December until February of the next year.

The PART meeting calendar for the forthcoming year can be obtained from Synod if requested.

Property Trust Contacts

Rod Skilbeck

Synod Property Trust Secretary (and PART Chair)

t (03) 9116 1426

e rod.skilbeck@victas.uca.org.au

Lynda Nel

Synod Property Trust Governance Officer

t (03) 9116 1428

e lynda.nel@victas.uca.org.au

B. Compliance, Safety and Security

1. Occupational Health and Safety (OHS)

Historically, Property Safety and OHS were supported from within the Property Services team.

In 2024 this responsibility changed to become part of the support that People and Culture (P&C) provide to the church.

There are two aspects to OHS that we must all be aware of – how we use the buildings we are provided with but also the ability of the buildings themselves to provide and promote safe usage of the physical workplace.

P&C manage and support appropriate Victorian OHS legislation and Tasmanian Work Health and Safety (WHS) practices in employment matters, the use of and the facilities provided to the church and its visitors and invitees.

Church facilities and worship centres are workplaces, and as such are subject to Victorian OHS legislation and Tasmanian Work Health and Safety (WHS) regulations. The UCA is committed to providing a safe and healthy workplace for all property occupants, including employees, residents, clients, congregation members, visitors, contractors and volunteers.

The *UCA Health and Safety Manual* and a comprehensive list of workplace policies, procedures and checklists are provided on the VicTas Synod website: www.victas.uca.org.au/resources/ohs

In the event of a workplace incident, please identify the type of incident and follow the steps (see 2. Incident Reporting Procedures on the following page) to notify, report and investigate it.

OHS Contacts

General enquiries email: synodohs@victas.org.au

The P&C Synod OHS Coordinator is available for support in this area:

Chris Adamidis

Synod OHS Coordinator

0458 591 507

Chris.adamidis@victas.uca.org.au

WorkSafe Victoria has resources designed for employers and employees on their website:

www.worksafe.vic.gov.au

Key Church Risks

While managers of course comply with all legislated work-safety requirements, there are certain risks that are particular to working on Church property. Managers are advised to raise a strong awareness of these risks and safety measures, as described below, among their workers (including volunteers).

First Aid Provisions

Emergency Management Planning (including fire safety)

For essential information on how to fulfil the First Aid and Emergency Management Planning legal requirements for your congregation, refer to the *UCA Health and Safety Manual* on the VicTas Synod website (as above).

Working at Heights – Falls Prevention

The working height limit for UCA staff and volunteers is two metres.

To work at a height, you need fit-for-purpose equipment, maintenance practices, and pre-work inspections of equipment. Church councils must ensure that this WorkSafe rule is observed.

Above the two-metre height limit, work must be carried out by insured contractors who are both experienced and qualified.

For further details and posters to display at your workplace, see SOP – Platform Step Ladder; SOP – Safety Step on the VicTas Synod website under OHS resources.

Glass Panels

Glass panels in Church buildings can present a safety risk, for example where panels are mistaken for a doorway or opening.

To prevent injuries from accidental glass breakage:

- seek a glazing specialist to audit all windows and glass doors in public areas and advise on meeting building regulations;
- replace glass panels with Grade A safety glass that meets the requirements of AS 1288 – 2021 where required;
- make glass panels as visible as possible (for example, through the use of decals, opaqueness, etc.) – this is mandatory for all clear glazed panes less than two metres in height;
- treat glass with a product that prevents the glass from shattering if broken;
- guard glass with barriers that prevent children from falling against it;
- protect decorative windows with Perspex or mesh to avoid any shattering or dislodgement of glazing;
- regularly inspect all areas with glass.

2. Incident Reporting Procedures

The reporting and management procedures detailed in the chart below must be followed in the case of a workplace incident or injury affecting staff, volunteers, or contractors in the course of their work, and/or members of the public affected by the carrying out of those work activities.

To report an incident, fill out the Incident/Near Miss Report (Part 1) and Investigation (Part 2) forms, which are to be found at the VicTas Synod website: www.victas.uca.org.au/ohs

If you require assistance to complete the Incident/Near Miss Report and Investigation forms, please email synodohs@victas.uca.org.au

Notifiable Incident Flowchart

Near miss / no injury incident and first-aid incident	Medical treatment or lost-time incident	Serious or dangerous incident / dangerous electrical event
<ul style="list-style-type: none"> • Provide first-aid treatment as needed. • Notify immediate supervisor, Church representative and/or Presbytery ministry agents. • Review incident, identify hazards/risks, and implement control measures, as required. • Submit to SynodOHS@victas.uca.org.au by the end of the month. <p>Contact for assistance</p> <p>OHS Line: (03) 9116 1994 or 0458 591 507</p> <p>Email: SynodOHS@victas.uca.org.au</p>	<ul style="list-style-type: none"> • Provide first-aid treatment as needed. • If required contact Ambulance Services and follow their instructions. • Notify immediate supervisor, Church representative and Presbytery ministry agents. • Inform the next of kin if ambulance transport is required. • Support and remain in contact with the injured person. • If the injured person is admitted to hospital notify the Synod immediately (03) 9116 1994 or 0458 591 507 • Do not disturb the incident until advised unless it is to: <ul style="list-style-type: none"> ○ protect a person's health or safety; ○ help someone who is injured; ○ make the area safe. • Complete incident reports and submit them to Synod OHS within 24 hours of the incident. • Investigate, assess and control hazards/risks. 	<ul style="list-style-type: none"> • Follow previous steps and notify Synod as soon as possible: (03) 9116 1994. • Complete incident reports within 24 hours and submit them to Synod OHS. • The incident will be reviewed. If required, notification to WorkSafe will be made by Synod OHS within 48 hours of the incident. • Information, support and advice will be provided by Synod OHS, who will liaise with the WorkSafe inspector. (and the Synod Insurance team) as needed. • Investigate, assess and control hazards to mitigate further risks.

3. Essential Safety Measures (ESMs)

All non-residential buildings in Victoria, including churches, church halls, shops, offices and kindergartens, require ESM assessments.

The Uniting Church is required under the Victorian Government's Building Regulations 2018 to ensure all Essential Safety Measures (ESMs) are maintained and logged so that the fire and life safety items installed or constructed in a building will continue to operate effectively over the life of the building.

The ESMs include items listed in Schedule 8 of the Building Regulations:

- air-handling systems (used for smoke-hazard management);
- exit doors;
- early-warning systems;
- emergency lifts;
- emergency lighting;
- emergency-power supply;
- emergency-warning systems;
- exit signs;
- fire-control centres;
- fire curtains and doors;
- fire extinguishers;
- fire-detection and alarm systems;
- fire hydrants;
- fire-isolated stairs;
- fire-rated materials;
- fire windows;
- mechanical ventilation (incorporating a cooling tower or hot- or warm-water system);
- fire-isolated passageways and ramps;
- paths to exits;
- smoke alarms;
- smoke-control systems;
- sprinkler systems.

ESM Maintenance Schedule

An ESM Maintenance Schedule is unique to each building and outlines what needs to be tested and how often. ESMs will vary due to the number of floors, equipment, use and the type of building.

If no Maintenance Schedule for a building exists, it must be obtained in order to meet the legislative requirements.

The Church Council is expected to obtain a Maintenance Schedule, which is determined by a registered building surveyor, for Church and hall buildings and commercial tenancies.

The legislative requirements for ESM Maintenance Schedules are as follows.

For buildings built in 1994 and onwards:

- display your Occupancy Permit (OP) in the foyer. (The OP should include the ESM Maintenance Schedule. It is issued by your municipal council.)

For buildings built before 1994 where no upgrades have been undertaken:

- obtain a Maintenance Determination from a registered building surveyor, which will outline your ESM Maintenance Schedule. (See below for details of how to obtain this.)
- For all buildings regardless of when they were built:
- service/maintain (including testing) your ESMs in accordance with the Occupancy Permit or ESM Maintenance Schedule;
- obtain an Annual Essential Safety Measures Report (AESMR). At least 12 months' evidence of testing is required to complete an AESMR. (See details on the following page.)

Obtaining a Maintenance Determination

If you do not have an Occupancy Permit then you will need to obtain a Maintenance Determination, which will include a Maintenance Schedule. A Maintenance Determination can only be completed by a registered building surveyor. Our cost estimate through the contractor Statcom is \$1,500–\$2,000 and depends on the site. It is a one-off cost.

Contact Statcom (or other provider) for a quote and make arrangements to approve the quote if it is acceptable to your Church Council.

If funding is a problem, contact Presbytery and the Property Services team to discuss budget resources:

e Property@victas.uca.org.au

t 9116 1400

Annual Essential Safety Measures Report (AESMR)

In Victoria, all non-residential buildings including churches and halls require an Annual Essential Safety Measures Report (AESMR).

The AESMR must be in the prescribed form (i.e. it must be in the format as set out in the Victorian Building Regulations).

Synod Property Services recommends engaging a professional contractor (such as Statcom, but it does not have to be Statcom) who can assist you to produce the AESMR and can provide a signature on the document as an 'Agent of the Owner'.

It is a legal document and concludes with the following:

'Statement by owner – I confirm that the owner of the building and/or place has taken all reasonable steps to ensure that each ESM provided for the building and/or place:

- i. is operating and has been maintained in a state that enables the ESM to fulfil its purpose; and
- ii. has been inspected, tested and maintained in accordance with the *Building Act 1993* and the Building Regulations 2018.'

You can expect a cost from Statcom to be \$850 for the first year (which includes a \$250 set-up cost) billed quarterly, and \$600 per year thereafter, billed quarterly (\$150 + GST).

BUT an AESMR can only be completed once you have 12 months of testing evidence available.

Therefore, you still need to pay the fire services contractor to service your fire equipment such as detectors, extinguishers and hose reels, and an electrician to test your illuminated exit lights. There may be further contractors needed depending on the site. For example, specialist plumbers for hydrants.

You need to log all of these tests in a logbook. Statcom can assist in setting up this process.

If you are not using the contractor Statcom, email your completed AESMR and evidence to aesmr@victas.uca.org.au

What if we do nothing?

If the legislative requirements for ESMs outlined on the previous page are not complied with and an AESMR is not submitted, the Uniting Church is at risk of fines should your building be audited. The Victorian Building Authority is actively campaigning for more compliance on ESMs.

Most importantly, if you do not ensure your ESM's are compliant, you could be endangering life in the event of a fire on your premises.

Congregation progress on AESMRs is being reported to the governance committees of the Synod. Congregations that are unable to produce a compliant AESMR (or demonstrate progress towards one) will come under significant scrutiny due to the risk they are posing to building users and the Property Trust.

Budgeting

In budgeting to meet the AESMR obligation, it is recommended that church councils should budget for:

- \$1,500 to \$2,000 (plus GST) for a Maintenance Determination and ESM Maintenance Schedule (for buildings built before 1994 only);
- \$850 (plus GST) for an Annual Essential Safety Measures Report (includes quarterly inspections);
- further costs for the contractors who will check and maintain your ESMs – this cost is building specific.

4. Building and Grounds Security

Keeping building and grounds secure for both people and property is a key responsibility of each congregation. Congregations are advised to minimise risk by putting in place security measures that provide peace-of-mind for people attending events while also protecting property and equipment. These security measures should also cover what happens in your car park or playground.

Access within Buildings

The following security measures in relation to access within buildings are recommended:

- only open doors that are close to the area being used;
- arrange separate locks (keypad, keys or swipe cards) for different parts of the building;
- establish a 'welcoming' committee to observe, meet and greet every person entering the building;
- secure computer and audiovisual equipment;
- regularly back up computers and store back-ups off-site.

Protecting the Perimeter

To protect the perimeter, the following security measures are recommended:

- keep a register of who has which key, swipe card or access code;
- make sure all doors and windows are shut and secured when the building is vacant;
- install adequate burglar, fire alarm and lock systems;
- secure points of entry when no events are taking place. If your facility has back entrances and/or a car park, these should be locked off;
- install a full coverage CCTV system and motion detector lights for vulnerable areas such as doors and windows;
- trim shrubs, bushes and trees that are near the building to reduce hiding places;
- consider placing fencing around the perimeter of your grounds to help deter criminals – especially if you have a playground on the property;
- make sure that you have ample exterior lighting and that those lights are on from dusk until dawn. Every door and window should be illuminated at night – motion sensor lights can help conserve energy and are often a good deterrent.

5. Annual Property Maintenance Inspection Checklist

Church properties must be maintained in a good and safe condition in order to meet the requirements of the *Occupational Health and Safety Act 2004* (Vic) and *Work Health and Safety Act 2012* (Tas) and to ensure the health, safety and wellbeing of all people associated with the Church.

The Uniting Church in Australia Regulations require a Presbytery Property Committee to regularly inspect or arrange for the regular inspection of properties for which the Presbytery and their church councils are responsible, and to ensure that such properties are maintained. The Church Council is responsible for the management and administration of all congregational property, including its care and maintenance and measures as necessary or appropriate for its use and management.

1. Presbytery:	
2. Congregation:	
3. Address:	
4. Date inspected:	
5. Inspected by:	
6. Contact phone:	

General Information / Documentation

Questions	Yes	No	Additional comments
1. Do you have an Occupational Health and Safety / Work Health and Safety Policy Statement displayed?			
2. Do you have an Asbestos Register? (Please attach a copy.)			
3. If asbestos is registered, is the location of all asbestos labelled?			
4. Does a member of the property committee review the condition of areas identified in the asbestos audit annually?			
5. Has your congregation adopted Child Safe Policies of the Uniting Church in Australia and signed the UCA Child Safe Statement of Commitment? Date adopted? (e.g. date of Church Council meeting/Congregation meeting.)			
6. Is a copy of the UCA VicTas Child Safe Policy readily available to all members, visitors and parents?			
7. When was Safe Church training last provided to your lay leaders?			
8. Is your Working With Children Check (WWCC) database updated regularly? (Your church's WWCC database should be updated at least annually and when leadership volunteers and workers join / leave.)			

Questions	Yes	No	Additional comments
9. Do you have an Essential Safety Measures Schedule? (Please attach the Annual Essential Safety Measures (ESM) Report for the previous year.)			

Building Environment – Internal / External

Questions	Yes	No	Additional comments
10. Is plant life impeding safe entry or exit from the property by vehicles or pedestrians?			
11. Are car parks and footpaths lit during night meetings, including for non-church users of the property?			
12. Is there security lighting in place and are there lights on throughout the night? Include details about the type of lighting in the additional comments field.			
13. Are paths and/or walkways free from trip hazards, including unlevel surfaces and other obstacles?			
14. Are any windows cracked or broken?			
15. Is 'grade A' safety glass installed in all public areas subject to factors such as wind and human impact? a) Any decorative windows must be protected with Perspex or Mesh to avoid any shattering or dislodgement of glazing. b) All clear glazed panes less than 2 metres in height must have decals for visual warning.			
16. Do all doors and windows open easily and shut completely? Are they fitted with locks? Are the locks functional?			
17. Are floor surfaces, carpets or mats in good condition with no loose or worn material?			
18. Are floor surfaces even, level and free from trip and slip hazards?			
19. Are internal/external steps and staircases in good condition and fitted with anti-slip tread and nosing?			
20. Are handrails or balustrades installed where required (i.e. on stairs or balconies with a fall of more than one metre)?			
21. Are all aisles, exits and access ways clear of obstructions?			
22. Do you have adequate storage in all areas, so that floorspace is clear and shelves are not overloaded?			
23. Are all electrical cords kept in a safe manner (i.e.			

Questions	Yes	No	Additional comments
clear of all aisles, exits and access ways, not dangling loosely from raised surfaces)?			
24. Are ceilings and walls in good repair (no water leakage, flaking paint, mould or mildew etc.)?			
25. Have gutters been cleaned in the past six months and downpipes unblocked free to discharge water into the storm water drains?			
26. Have drainage pits in carparks and other external areas been cleared of debris to protect against flood or backflow?			
27. Are building materials, timber pallets, cardboard, loose boards, bricks or tiles stored anywhere on the property?			
28. Are rubbish bins stored inside the buildings or secured away from the buildings?			
29. Are pest control arrangements in place?			
30. Do you have all the recommended safety signage, i.e. hazard warnings, exit signs, emergency information?			

Electrical

Questions	Yes	No	Additional comments
31. Is a residual current device (RCD) or safety switch installed for every building?			
32. Have the RCDs been tested in the past six months?			
33. Have there been any alternative energy systems (solar, wind, etc.) installed at your property?			
34. Are all light fittings, switches and power points clean and in good repair (i.e. not cracked, loose, or improperly fixed to walls)?			
35. Are power boards used instead of household double adaptors?			
36. If power boards are in use, are they limited to one board per outlet?			
37. Are all power boards and extension leads in good condition (not frayed or wires exposed)?			
38. Has all portable electrical equipment been inspected, tested and tagged by a qualified electrical worker? Date of last test? (Frequency as per AS/NZS 3760)			
39. Are appliances well-maintained and operating correctly (fridges, microwaves etc.)?			

Ventilation and Amenities

Questions	Yes	No	Additional comments
40. Has the building been upgraded for mechanical fresh air/ventilation or does it have sufficient natural ventilation?			
41. If the property is air-conditioned, are filters and vents regularly cleaned, and systems maintained by a qualified technician? You should aim to have your heating and cooling system serviced at least once every year.			
42. Have the cooking amenity exhaust range hoods and/or other exhaust vents been cleaned and serviced at least twice a year?			
43. Are property amenities (i.e. kitchen, toilets and showers) hygienically cleaned?			
44. Is all furniture in good stable condition (chairs, pews etc.)?			

First Aid and Emergency Procedures

Questions	Yes	No	Additional comments
45. Do all emergency exit doors have illuminated signage above the door?			
46. Do all emergency exit doors have a single lever or push bar action to open?			
47. Are all emergency exit doors free of slide bolts, internal key locks, padlocks, etc.?			
48. Are all fire extinguishers and fire hoses easily accessible?			
49. Have extinguishers, hose reel hydrants and fire blankets been serviced in the past six months or in accordance with the Essential Safety Measures Schedule?			
50. Do you have emergency lighting in addition to illuminated exit signs to ensure a safe evacuation during an evening meeting?			
51. Have the signs and emergency lighting been tested, in accordance with the Essential Safety Measures Schedule?			
52. Are emergency and fire evacuation procedures clearly displayed?			
53. Is the emergency evacuation diagram in an A3-compliant standard and displayed in a visible location that is oriented to show the actual direction to exit? (N.B. It must not be placed at the actual exit.)			

Questions	Yes	No	Additional comments
54. Are leadership volunteers and workers trained in the evacuation procedures?			
55. Has a fire drill been conducted in the past year?			
56. Is there a first aid kit and is it accessible to all members?			
57. Do you have designated first aid officers and are their contact details kept with the first aid kits and displayed on your safety notice board?			
58. Are contents of the first aid kits appropriate for the property and its activities, and regularly checked and maintained? (Consider additional equipment in bushfire or flood zones.)			
59. Do you keep a register of injuries (an incident/near miss register)?			
60. Are first aid kits appropriately labelled? (i.e. marked with a white cross and green background).			
61. Are the current local emergency phone numbers clearly displayed at the first aid kit and on emergency procedures?			

Insurance and Security

Questions	Yes	No	Additional comments
62. Have there been any security issues during the year? If so, have they been resolved?			
63. Is there a security alarm installed? In the additional comments field, advise whether this is a local alarm or monitored by a security firm. CCTV?			
64. Are all Church computers and multimedia equipment secured?			
65. Are computer systems regularly backed up, and backups kept off-site?			
66. Has your key register been reviewed in the past 12 months (including access via electronic keypads)? In the additional comments field, advise how many people have keys to the property.			
67. Are keys and access rights subject to 'real time' control (that is, register is completed whenever keys / access rights are issued to new person or when keys are returned / access rights deactivated when keyholder leaves congregation/ employment)?			
68. Are the facilities regularly used by other Church groups, agencies or the general community?			
69. Is there a current UCA-endorsed hire agreement in place with all groups who use the property?			

Questions	Yes	No	Additional comments
70. Do you have charity collection bins on your properties? Detail how these are maintained to prevent unauthorised access / dumping.			

Child Safety

Questions	Yes	No	Additional comments
71. Do children attend your church (worship services or community use of the buildings)?			
72. Has work been undertaken to make the building and amenities child safe?			
73. Are kitchen and cooking facilities inaccessible to children?			
74. Are electrical and gas appliances, particularly kitchen appliances and power tools, inaccessible to children?			
75. Are safety plugs used in all power points that are not being utilised?			
76. Are all sources of hot and boiling water inaccessible to children?			
77. Are all chemicals, fuels and hazardous substances securely stored?			
78. Are all hazardous substances and dangerous goods properly labelled and stored in accordance with the Safety Data Sheet (SDS)?			
79. If applicable, is the children's playground and equipment regularly maintained and free from hazards and debris?			

Hazardous Materials

Questions	Yes	No	Additional comments
80. Is there a Register of Hazardous Substances and Dangerous Goods stored on-site?			
81. Do leadership volunteers and workers know where to obtain information for substance use, safe handling, emergency response, spillage, storage and disposal of chemicals?			
82. Are Safety Data Sheets available for all hazardous substances and dangerous goods in use at the property? Current (i.e. dated within last 5 years)?			
83. Have assessments been undertaken for all hazardous substances and dangerous goods in use on site to ensure they are stored and used in accordance with the requirements?			

Disability Action Plan

Questions	Yes	No	Additional comments
84. Is there equitable access into the facility (i.e. ramps, toilets, public meeting rooms)?			
85. Are compliant accessible parking spaces provided?			
86. Has a hearing loop been installed in the worship space?			
87. If yes, is the extent of the hearing loop clearly indicated and an appropriate amplification system installed?			

Additional Comments

Please retain the original completed checklist with your congregation's own property records and forward copies to your presbytery office.

C. New Proposals: Form 1 – Getting Started

In most cases, when a congregation or church council wants to put forward a new idea about property to their presbytery, they must first fill in **Form 1 – Getting Started**.

Form 1 – Getting Started is both a tool for the entity proposing the idea to investigate whether the idea can meet the Church's missional objectives and a tool for developing the idea itself. It is also a means by which to convey the idea to the Presbytery with a thorough rationale and supporting documentation. In terms of the UCA-required approval process, it functions as the basis for a pre-application meeting with the Presbytery and Property Services.

Property Services strongly advises that no consultant, architects or designers be engaged or funds spent on developing the idea before meeting with Property Services.

Form 1 – Getting Started applies to all new proposals regarding leasing (in/out) of residential and non-residential property, the Memorandum of Understanding (MOU), buying property, and building works greater than \$20,000 in value. It also applies to variations of current lease arrangements and renewal of long leases. However, where residential property is already under a standard lease and the lease is simply being renewed, there is usually no requirement for Form 1 to be filled in. Also, it generally doesn't apply to selling property – which would be managed with through Money for Mission forms -A and -B or a Form 3F – Approval to Sell

D. Planning around Mission

Before proceeding with an application to initiate major property changes, it is essential to ensure that your vision for change will achieve its objectives. The *Property for Mission Workbook* is a useful planning tool for this purpose.

Property for Mission Workbook

The *Property for Mission Workbook* provides a church council with a clear, easy-to-use process designed to deliver quality objectives for a Property Application for major property plans or works.

The Workbook includes six sample inquiries; each matched to a practical planning exercise through to a reporting page. The inquiries probe mission purposes, property requirements, funds and property for whom the congregation(s)/Church community is responsible, building user priority, property assessment in respect of future mission requirements, and a vision for property.

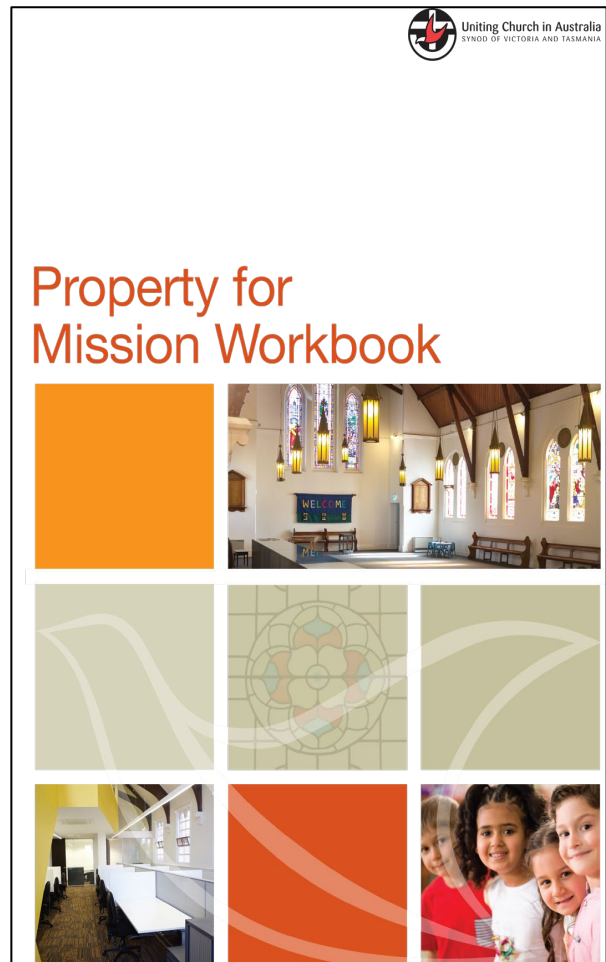
The inquiries are supported by a suite of appendices, including the Synod's Mission Principles and a session plan to engage these by way of critical assessment of current mission plans in action.

The *Property for Mission Workbook* resources will be actioned by Property Services within current Property Application or Asset Strategy Program processes.

Contact your Presbytery Property Committee for help in exploring the missional framework for your property.

You can download resources to help with the process on the VicTas Synod website:

www.victas.uca.org.au/resources/property-legal/property



E. Leasing (Out/In)

Note: The term 'leasing' in this manual and on UCA forms can apply to either leasing out of UCA property or leasing property in (i.e. renting from non-UCA entities).

All the Synod Property forms (fillable PDFs) and resources referred to in this section can be downloaded from the VicTas Synod website: www.victas.uca.org.au/resources/property

A lease is a legal document protecting the landlord and the lessee. It outlines the financial and property commitments for both landlord and lessee. In some cases (detailed below), a Memorandum of Understanding (MOU) or Hirer Agreement, rather than a lease, will be the required legal document. Whether leasing, undertaking an MOU or making a Hirer Agreement, a formal process of approval must be followed (as detailed in the following pages).

Before leasing out a Church property, it is important to be aware of the following points:

- no agent has any authority to offer a new lease without written permission from the Responsible Body landlord (Congregation, Presbytery, etc.). This permission can only be granted if a valid Property Application Review Team (PART) approval stands;
- all residential lease PART approvals have a life of two years only;
- PART operates via scanned or PDF digital images of the signed original. Paper copies are no longer used or stored. Only on commercial leases where a seal is required will the paper copy be sent.
- if you are leasing out Church property, land tax is likely to be incurred (see 6. Land Tax and Council Rates).

1. Memorandum of Understanding (MOU)

The Uniting Church has, since 1985, made provision for sharing of property between congregations, with particular reference to being a multicultural church, via a Memorandum of Understanding (MOU). The UCA Regulations (2018) include reference to this. Here's a small section of those regulations:

'Where two or more congregations or faith communities share, or will share, the use of a Church property that is under the management and administration of a church council of (one of) the congregation(s), they will enter into a culturally sensitive Memorandum of Understanding (not a tenancy agreement) that shall:

- a) specify usage rights of each congregation or faith community;*
- b) provide for an appropriate sharing of costs; and*
- c) specify the manner in which the responsibilities listed in Regulation 4.4.1 and other relevant Regulations of the Church will be jointly undertaken in respect of the shared property.'*

The MOU will be negotiated between the participating congregation(s) (through their church council(s)) and faith community/ies and their presbytery or presbyteries, taking into account the ministry and mission needs of each participating congregation and faith community and any relevant policies of the Assembly and the Synod.

Note: When leasing out to a Uniting Church agency such as Uniting, a Form 3EC is required. An MOU may also be applied in this arrangement, but it is IN ADDITION to a Form 3EC.

2. Hirer Agreement

The Hirer Agreement is for a hall/meeting room hire or similar arrangement using Church premises for one-off use or regular use for a consecutive period of less than 12 months (including any previous occupancy). The Hirer Agreement must be renewed every year. If the agreements are longer than 12 months, you must contact Synod Property Services. No Hirer Agreement is required for activities or events held, or arranged for, or on behalf of, the local Church congregation.

What goes in a Hirer Agreement?

- details of Church and User (User may be a company with ACN or an individual);
- Terms of Agreement between Church and User (hired area to be used, scheduled hours, hire fee, frequency of use, etc.);
- Conditions of Use;
- copy of an Insurance Certificate of Currency from User or Hirer's Public Liability Insurance with UCA;
- annexure pages for evacuation plan and safety rules and layout for hired area.

Alcohol

Alcohol is permitted for Church or private hall hire functions where the Church Council agrees. If alcohol is sold or provided as part of a paid ticketed event a liquor licence may be needed, including a one-off liquor licence for the event. More information is available here: www.vic.gov.au/do-you-need-liquor-licence

3. Leasing Residential Property

When do you need a lease for a residential property?

The cases vary depending on whether the Church is:

- leasing out to an external tenant (lease is required), (see also Advising Council of Changes to Manse Use in section 6. Land Tax and Council Rates);
- leasing out to a UCA ministry agent from another congregation (Form 3EC is required and a Memorandum of Understanding (MOU) may also be applied);
- leasing out to a Uniting Church agency such as Uniting (Form 3EC is required). Note that an MOU may also be applied in this arrangement, but it is IN ADDITION to a Form 3EC.

Note: A Memorandum of Understanding (MOU) defines the relational aspects of two entities entering into an arrangement and the Form 3EC details how the property is managed. It does not replace a lease contract.

OR

- leasing in from an external person or real estate agent for a ministry agent to live in (lease is required).

Every lease must be signed by the relevant Uniting Church Property Trust (Victoria or Tas.) as the legal representative of the Uniting Church. This indemnifies individual UCA members from liability arising from actions taken or not taken in relation to the management of the property.

When a responsible body is seeking to lease a property that is to be occupied as a residence, a formal approval process must be followed (see 5. Approval Process and Forms for Lease Arrangements (including MOUs).

If the property has not been leased before, it first requires the completion of **Form 1 – Getting Started**. It will then require the completion of **Form 2A – Presbytery Discernment** to further explore the missional use of a property and the reasoning behind leasing.

For renewal of existing leases, not all forms will need to be completed. An Application to Lease renewal does NOT require that a **Form 1 – Getting Started** be completed and does NOT require a Pre-Application Meeting (unless advised by Property Services due to complexity). It may require, however, a **Form 2A – Presbytery Discernment** to evaluate the missional integrity of a longstanding lease arrangement.

For all new and renewal leases, **Form 3ER – Residential Application** to Lease must be completed and forwarded to PART through the Presbytery Property Committee. This form applies whether the property is UCA-owned or the Responsible Body is seeking to lease a property as a residence.

Note: If you are terminating a residential lease to use the residence for a ministry agent, you must:

- provide a statutory declaration stating that the premises is to be occupied by a ministry agent;
- not re-lease the residence for other than a ministry agent within six months of the statutory declaration.

To obtain the form and begin the process, contact property.officer@victas.uca.org.au

Maintenance Compliance Requirements

Leasing residential properties on the residential market comes with a number of legal maintenance and compliance requirements for the Church as a landlord. The Uniting Church also has an expectation that a consistent standard of property be upheld across the Synod. This includes manses made available for ministry agents.

The Annual Maintenance Checklists in this manual have been developed in line with the relevant legislation as applicable to Victoria and Tasmania.

This legislation includes: *Victorian Residential Tenancies Act 1997*; Victorian Residential Tenancies Regulations 2019 (new regulations in force March 2021); *Victorian Building Act 1983*; Victorian Building Regulations 2018; *Tasmanian Residential Tenancy Act 1997*; Tasmanian Residential Tenancy (Smoke Alarms) Regulations 2012; *Tasmanian Building Act 2016*; National Construction Code – NCC (formerly known as the Building Code of Australia); Australian Consumer Law (the property is fit for purpose).

4. Leasing Non-Residential Property

When a responsible body is seeking to lease a property for non-residential uses, a formal approval process must be followed (see 5. Approval Processes and Forms for Lease Arrangements (including MOUs)).

If it is proposed that the property will be used for a rooming house or for any other purpose than a residence (e.g. office, church, medical clinic) **Form 1 – Getting Started** MUST be submitted. This will initiate a Pre-Application Meeting with the Presbytery Property Committee and may involve Synod Property Services. **In general**, the church does not have the capacity to sustain or operate rooming houses.

Form 3EC – Commercial Application to Lease is used when a responsible body is seeking to lease a property to be used for non-residential purposes (e.g. commercial, retail, church or op shop). This form also covers Assignment of Lease, License Agreements for terms longer than 12 months and Memorandums of Understanding (MOUs) for the use of property where both parties are in the name of the Property Trust (e.g. between congregations).

Note that no individual is able to commit to lease terms when negotiating with a potential tenant/landlord.

All negotiated terms are subject to approval by Presbytery and the Synod Property and Operations Committee or its delegate.

5. Approval Processes and Forms* for Lease Arrangements

	Leasing In /Out Residential	MOU (Sharing Property)	Leasing In / Out Non-residential
	↓	↓	↓
Phase 1	Form 1 – Getting Started* Is required if the property has not previously been used in this manner. It enables an initial outlining of the reasons and objectives for the proposal.		
	↓	↓	↓
Phase 2	Form 2A – Presbytery Discernment* Is for further exploration of the missional use and reasoning behind the proposal.		
	↓	↓	↓
Phase 3	Form 3ER – Residential Application to Lease Is for provision of details of the lease arrangement.	Form 3EC – Commercial Application to Lease Is for provision of details of the lease arrangement.	
	↓	↓	↓
Phase 4	Submit lease/MOU documents for signature by the Property Trust.		

*All the above forms can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

Information on Preparing Buildings For Commercial Lease can be found at:

<https://victas.uca.org.au/download/304/property-key-information-sheets/6808/preparing-buildings-for-commercial-lease>

6. Land Tax and Council Rates

The Uniting Church is a registered charity and, as such, any property it uses or occupies for its charitable purpose may be exempt from land tax.

If you lease out Church property for commercial return it is quite possible that land tax will be incurred.

It is **strongly encouraged** that you speak with the Project Finance Business Manager (see Page 20) for advice on Victorian Land Tax exposure prior to making any decisions on leasing property out for non-church commercial purposes.

Assessment

Land tax is a State tax administered by the State Revenue Office (SRO). It is assessed annually based on the property tax status as at 31 December each year and that assessment applies for the following year. It is important to note that land tax is not proportional. That is, if you were to sell a site on 1 January or 30 September, you are still liable for land tax for the full year.

The Property Trust usually receives one land tax invoice for all UCA properties in March/April each year and issues separate invoices to each congregation in May.

Council Rates Valuations

The land valuation used to calculate the land tax liability is based on the council rates notice and is shown as the site value.

It is important that congregations check their rates notices to ensure the land value is accurate.

Note that the applicable rates notice to check is that which is issued in the preceding year, for example, 2023/2024 is used for the 2024 land tax calculation.

Letters of Authority

All requests for letters of authority for Church personnel dealings with council rates and water rates should be directed to the Property Officer by emailing property.officer@victas.uca.org.au

We cannot provide authority for Church personnel to deal with land tax with the SRO because all UCA properties are under the one customer number and access granted would thus be given to all properties. This is why authority and access is controlled and managed by Synod.

Changes Affecting Assessments

In 2024, the SRO changed the threshold from when land tax is applied from a land value of \$300,000 to \$50,000. This has resulted in many UCA sites being assessed for the first time.

In some cases, where a property is found to have been incorrectly classified as exempt, invoices will be issued for back taxes up to five years.

It is important that congregations and presbyteries notify the Project Finance Business Manager (below) if a property changes from being exempt to not exempt. The exemptions are sometimes complex to assess and assistance can be given to assist in understanding any reviews.

Invoice Delays

The issuing of land tax invoices to congregations by the Property Trust has been on hold for over 12 months as of October 2024 as a consequence of an exhaustive SRO audit of UCA properties.

This process has revealed errors that have in turn delayed assessments and necessitated reassessments.

Congregations will be invoiced once these reassessments are issued to the Property Trust.

Mansees

Leasing out an existing manse to the open rental market will result in a loss of Church-related exemption from the full council rates and likely also result in the manse being subject to land tax.

Congregations must advise their local council when there is a change of the manse status. That is, council must be informed when a manse is no longer used as a residence by a practising Uniting Church ministry agent. Likewise, when a property changes its status to that of a minister-occupied manse, the congregation must inform the council to claim the rates exemption. (For examples, see Advising Council of Changes to Manse Use following.)

Contact

Steve Abonyi

Project Finance Business Manager

t (03) 9116 1946

m 0438 128 793

e steve.abonyi@victas.uca.org.au

Advising Council of Changes to Manse Use

A change to manse use will usually result in a change to the manse's rates status. The Responsible Body must advise their local council of such a change as soon as it occurs. When advising the local council of a change of the manse's rates status, the following templates show the information that you should provide.

Letter to local council advising of change of rates status (from exempt to non-exempt)

To Whom It May Concern

<< insert council name and address >>

re: <<insert premises volume and folio reference numbers>>

<<insert premises address>>

We wish to advise that the above-mentioned property is no longer being used as a residence by a practising Uniting Church minister.

The property is therefore no longer exempt from Council rates in accordance with the *Local Government Act* Part 8, Division 1, Clause 154 (1)(2)(d)(i) which states land is not rateable if it is "land which is vested in or held in trust for any religious body and used exclusively as a residence of a practising Minister of religion".

Therefore, we request that your records be updated and the next Council Rates, see attached, reflect the removal of exemption for this property only. The charitable exemption remains for

the Gardiner Uniting Church which is also on this Council rates notice. Thank you for your assistance and if you have any further queries relating to this matter, please call _____.

Yours sincerely

Letter to local council advising of change of rates status (from non-exempt to exempt)

To Whom It May Concern

<< insert council name and address>>

re: <<insert premises volume and folio reference numbers>>

<<insert premises address>>

We wish to advise that the above-mentioned property is now being used as a residence by a practising Uniting Church minister.

The property is therefore exempt from Council rates in accordance with the *Local Government Act* Part 8, Division 1, Clause 154 (1)(2)(d)(i) which states land is not rateable if it is "land which is vested in or held in trust for any religious body and used exclusively as a residence of a practising Minister of religion".

Therefore, we request that your records be updated and the next Council Rates, see attached, reflect the exemption for this property. Thank you for your assistance and if you have any further queries relating to this matter, please call _____.

Yours sincerely

F. Selling and Buying

The Synod Property Services team has a Real Estate Advisory capacity and is able to guide and assist Church entities with the complex issues involved in buying and selling property, as well as ongoing management of Church assets. Its aim is to support you and to extract the best value from the marketplace, without compromising quality or adding unnecessary cost to entities.

1. Selling a Property

When a Responsible Body is seeking to sell a Church property, it is required to follow a formal approval process (see 2. Approval Process for Sale of Property). If there is an intention to invest the funds from sale of property in the Money for Mission Program (MFM), another approval process (see 3. Approval Process for Money for Mission (MFM) Sale of Property).

The Synod Property Board has introduced the Enhanced Governance Process for disposal of Church property/asset sales in order to achieve the best possible outcome for Church entities. Any property/asset sale more than \$500,000 is required to have a co-agency agreement with Synod Property Services.

Property Services will:

- work with the Church entity to seek and appoint appropriate real estate agents;
- work with the Church entity to seek marketing submissions from at least two credible real estate agents;
- negotiate sales agent commission rates and advertising schedule rates on behalf of the Church entity;
- oversee the sales process, giving advice to the Church entity as required.

Key points to consider when selling a property are:

- owner building requirements;
- property valuations;
- appointment of an agent;
- method of sale: auction, private treaty or expressions of interest;
- contracts of sale;
- building, pest reports and surveys.

The Synod Property Services team, in liaison with your Presbytery Property Committee, can help guide you through the whole process, including appointing a professional consultant, negotiating consultant rates, marketing campaigns, and advice on the method and negotiation of sale.

Access to Property Sale Proceeds (PSP)

Congregations have four choices in how to deal with Property Sale Proceeds (PSP). For information on these choices, how to access PSP, and the PSP investment options, see H. Property Sale Proceeds.

Wider Church Sharing

Wider Church Sharing is carried out when a property is sold for the Responsible Body and Synod of Victoria / Tasmania. Both the Responsible Body and Synod are allocated a percentage of the proceeds. For further information, see H. Property Sale Proceeds. Exemption from sharing may apply to Manse-for-Manse and church-for-church sales and purchases.

2. Approval Process for Sale of Property

Phase and Form	Description
Phase 1 Form 3F – Application to Sell*	Form 3F collates all the details of the sale for approval of the project. Additional information required to support the application includes: market valuation including commission schedule and suggested selling date, and documents required for preparation of the Vendor Statement (Section 32). If a church is being sold due to a closed congregation, please advise which congregation, parish or presbytery is to be the Responsible Body for the property sale proceeds. Note that Property Services will handle all sales activity from agency appointment through to settlement management and sales proceeds reconciliation. For property under the value of \$500,000, a flat fee is payable to Property Services. For property sales over the value of \$500,000, a co-agency agreement is required between Property Services and the Real Estate Agent whereby Property Services takes 0.75% of the commission. (For the schedule of fees, see the Appendix: Property Services Fees).
Phase 2 Submission of Documents for Signature by the Property Trust	All contracts, such as the exclusive sale authority, must be forwarded to the Synod office for signature by the Property Trust. Please ensure that any documents are completed with the owner shown as the appropriate Property Trust (Victoria or Tas.). Synod Legal Services will prepare the Section 32 document and sales contract. Once an offer is accepted, Synod Legal Services will assist with finalisation of the sale.

*Form 3F – Application to Sell can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

Please note that **only one of a Form 3F or MFMF-B form** is required for a sale – not both.

Which one is used depends on the intended end destination for the Property Sales proceeds.

3. Approval Process for Money for Mission (MFM) Sale of Property

Phase and Form	Description
Phase 1 Form MFMF –A Property Sale Nomination*	Form A is used as an expression of interest or intention to invest funds in Money for Mission (MFM) from sale of property, transfer of funds from Interest Only Mission Fund (IOMF) or allocation of existing property sale proceeds. The form is filled out by the Responsible Body and submitted through the Presbytery Property Committee to the Synod Property Applications Review Team (PART). Notification of approval by PART will be sent to the Congregation and Presbytery. The Property Services team will then make contact to request the Responsible Body's bank account details and a copy of a bank statement for the account with <u>no redaction</u> of name/information. Prior to sale, the Responsible Body will also need to provide property invoices or any anticipated costs that will require payment or reimbursement from sale proceeds.
Phase 2 Form MFMF –B Property Sale Approval*	The Property Services Team works on the details with the Responsible Body to provide a proposal for consideration and approval. If a property sale is involved, Form B includes market valuation including commission schedule and suggested selling date. The appropriate governance body (Church Council, Presbytery Standing Committee, etc.) approves the terms and sends the complete MFM Form B back to PART. If property sales are being considered, then this is sent via the Presbytery Property Committee.
Phase 3 Selling of property	Property Services will handle all sales activity from agency selection through to settlement management and sales proceeds reconciliation. For property under the value of \$500,000, a flat fee is payable to Property Services. For property sales over the value of \$500,000, a co-agency agreement is required between Property Services and the Real Estate Agent. (For the schedule of fees, see the Appendix: Property Services Fees).
Phase 4 Submission of Documents for Signature by the Property Trust	All contracts, such as the exclusive sale authority, must be forwarded to the Synod office for signature by the Property Trust. Please ensure that any documents are completed with the owner shown as the appropriate Property Trust (Victoria or Tas.). Synod Legal Services will prepare the Section 32 document and sales contract. Once an offer is accepted, Synod Legal Services will assist with the finalization of the sale.

*All the above forms can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

Further information about MFM can be download from the Synod website, Ministry & Mission:

<https://victas.uca.org.au/money-for-mission/>

4. Buying a Property

The initial step in applying for approval to buy a property requires the completion of **Form 1 – Getting Started** and **Form 2A – Presbytery Discernment** prior to completing **Form 3G – Application to Purchase**.

The process involves the Congregation, Presbytery, and various agencies and the completed forms must be forwarded to Synod Property Services by the Discernment Partner (Presbytery or UCA Vic/Tas) as applicable. In the process, your current financial position, funds availability, project funding and Property Sale Proceeds (PSP) will be considered.

The Synod Property Services team, in liaison with the Presbytery Property Committee, can help guide you through the whole process you are required to follow when buying a property – from valuations to acquisition feasibilities, environmental audits and contracts of sale.

The key items and information to check and consider when buying a property are as follows:

- contract;
- building and pest reports;
- property valuation or appraisal;
- property type/classification:
 - residential;
 - commercial premises;
 - vacant land;
- environmental/contamination audits;
- stamp duty.

Real Estate Institute of Victoria

www.reiv.com.au

Real Estate Institute of Tasmania

www.reit.com.au

Stamp Duty - Victoria

When someone buys or acquires a property, they pay land transfer duty, commonly known as stamp duty.

The Victorian *Duties Act 2000* provides exemption from duty for a transfer of dutiable property to a corporation or body of persons established for a religious, charitable or educational purpose, or a friendly society. Refer to s45 on the State Revenue Office website: www.sro.vic.gov.au/land-transfer-duty

Stamp Duty - Tasmania

Generally in Tasmania, Stamp Duty exemptions for property purchases are **not available** to the Church.

5. Approval Process for Purchase of Property

Phase and Form	Description
Phase 1 Form 1 – Getting Started*	Form 1 is the starting point for all applications. This is a tool for applicants to consider the context of the community beyond themselves, the process that led to the initial idea and how this fits with the vision of mission and/or ministry opportunities of the applicant. By submitting this form early in the process, this allows for other councils of the Church to provide early feedback.
Phase 2 Form 2A – Presbytery Discernment*	Form 2A documents the discernment between the Congregation and Presbytery (or applicant and discernment partner) and facilitates development of the initial project idea to a more defined plan of action and how this idea responds to the overall missional vision and strategy. For purchase of property, this relates to the reasoning behind the purchase, how it will be funded, how it fits with the Congregation's long-term strategy and how it enhances missional opportunities.
Phase 3 Form 3G – Application to Purchase*	Form 3G collates all the details of the purchase for approval of the project by the councils of the Church. Additional information required to support the application includes: site plan, property advertisement, copy of Section 32 (if available) and financial information supporting how the purchase will be paid, to include the relevant funding application form. Prior to final approval by the Property Board, or its delegated subcommittee, the application will be reviewed by Property Services.
Phase 4 Submission of Documents for Signature by the Property Trust	Before an offer is made on the property, it is essential that the finance is approved and in place. Property Services have experience in real estate and can provide advice and assistance as required. All contracts must be forwarded to the Synod office to be signed by a member of the Property Trust. Please ensure that any documentation shows the owner as the appropriate Property Trust. Once an offer is accepted, Synod Legal Services will assist with finalisation of the sale.

*All the above forms can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

G. Building Works and Maintenance

When undertaking building works and maintenance, the procedure for project approval, implementation and management differs depending on the project's cost and complexity, the source of finance and whether a building permit is required.

Note that no matter the scale of the project, all contractors working on or at Church facilities (excluding those where the principal contractor is in control of the whole site) must undertake the UCA Online Safety Induction training before entering UCA facilities or beginning work.

1. Minor Builds (Less than \$1m)

Building works and maintenance costing less than \$1 million are, for the purposes of UCA procedure, defined as minor building works.

If the Congregation has cash on hand for works up to \$50,000 and a building permit is not required, then the Congregation can proceed without Synod Property Board approval for a permit, provided the appropriate Presbytery processes and approvals are followed.

If the project requires access to Property Sale Proceeds or a grant, refer to the Approval Process for Minor Builds (less than \$1 million). The building approval limits shown in the tables on the following page have been set and approved by the Synod.

The Approval Process for Minor Builds must be followed when the Responsible Body wants to do the following works to Church properties:

- renovation;
- maintenance;
- extension;
- repair;
- demolition.

For works costing more than \$20,000, approval by the Presbytery Property Committee is required.

For works costing more than \$50,000, approval by PART is required.

For all minor building works, Form 1 – Getting Started must be completed.

For works costing more than \$50,000, a Pre-Application Meeting of Church Council, Presbytery and Property Services is necessary (please note the Pre-Application Meeting can occur by teleconference).

Completion of Form 3H (Application to Build: projects not requiring business case) will be required. (See the following page for a quick guide to the approvals required according to works proposed.).

Approval for Works Where No Building Permit is Required

The following approvals are for works that do not require a building permit, use of property sales proceeds/grants/loans (i.e. are fully funded by the congregation) or formal building contracts.

Cost of Works	Approvals Required
\$0 – \$10,000	Approval by Church Council
\$10,000 – \$20,000	Approval by Church Council Presbytery Property Committee advised before beginning
\$20,000 – \$50,000	Approval by Church Council and Presbytery Property Committee
Over \$50,000	Approval by Church Council, Presbytery Property Committee, and Synod Property Applications Review Team (PART) on behalf of Synod Property Board

Approval for Works Requiring a Building Permit

Cost of Works	Approvals Required
Any amount	Approval by Church Council, Presbytery Property Committee, and Synod Property Applications Review Team (PART) on behalf of Synod Property Board

Approval for Works Fully or partly Funded by the Congregation by Property Sale Proceeds

Cost of Works	Approvals Required
Any amount	Approval by Church Council, Presbytery Property Committee, and Synod Property Applications Review Team (PART) on behalf of Synod Property Board

2. Approval Process for Minor Builds (Less than \$1m)

Phase and Form	Description
Phase 1 Form 1 – Getting Started*	Form 1 is the starting point for all applications. This is a tool for applicants to consider the context of the community beyond themselves, initial thinking around the project being considered and how this fits with the vision of mission and/or ministry opportunities of the applicant. By submitting this form early in the process, this allows for other councils of the Church to provide early feedback.
Phase 2 Form 2A – Presbytery Discernment*	Form 2A documents the discernment between the Congregation and Presbytery (or applicant and discernment partner) and facilitates development of the initial project idea to a more defined plan of action and how this idea responds to the overall missional vision and strategy. For building works, this relates to the long-term strategy of the whole property, why the works are necessary, how it is intended that the project will be funded and how the works will enhance mission and ministry in that community.
Phase 3 Form 3H – Application to Build*	Form 3H collates all the details of the project for approval of the project by other councils of the Church such as Presbytery or UCVT, and the Property Board. Additional information required to support the application includes: sketch plans, site plan, project costing (quotes or QS assessment) and financials. Prior to final approval by the Property Board, or its delegated subcommittee, the application will be reviewed by staff of Property Services to ensure that all information has been provided and that finer details of the project are satisfactory. A form 3H will not be approved without certainty of funding.
Phase 4 Submission of Documents for Signature by the Property Trust	All contracts must be forwarded to the Synod office to be signed by a member of the Property Trust. If finance has been approved concurrent with this application, then you will receive a 'Request for Payment' form to complete and submit with invoices for payment to the service provider. During the course of the project, Property Services is available to provide advice as needed and assistance to ensure completion within the project budget.

*All the above forms can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

3. Major Building Projects and Development (Greater than \$1m/Complex Works)

Major building projects, for the purpose of UCA procedure, are those costing more than \$1 million or complex works. The projects may vary from renovations to major constructions and full site redevelopments, which include affordable and community housing, and educational facilities.

A governance structure (see below) has been developed to assist Church entities with major building projects and development. The structure alleviates inherent risks.

4. Project Governance Structure

The project governance structure for projects over \$1 million/complex works has two separate parts: project approval and project implementation. Each part requires a process to be followed as shown in the chart below.

Project Approval Process	Project Implementation Process
Phase 1 Form 1 – Getting Started	Phase 4 Project Set Up
Phase 2A Form 2A – Discerning and Deciding	Phase 5 Appointment of Principal Consultant and Consultant Team
Project Control Group (PCG) Established	Phase 6 Design and Documentation
Phase 2B Form 2B – Project Business Case	Phase 7 Tender of Works
Phase 3 Phase 3I – Application for Approval of Full Project Plan	Phase 8 Tender Award Recommendation / Approval
	Phase 9 Construction Commencement
	Phase 10 Project Completion

5. Project Approval Process (Phases 1 to 3)

Mission is the first consideration for all proposed projects developments. The first two phases of the project approval process specifically focus on mission-motivated development (refer to section D. Planning around Mission).

Phase and Form	Description
Phase 1 Form 1 – Getting Started*	Form 1 is the starting point for all applications. This is a tool for applicants to provide a summary of the vision of mission, and the idea of the project. Responsibility for the completion of the form lies with the applicant and the relevant Presbytery Property Committee. Approval is in the form of endorsement/feedback from the discernment partner and PART.
Phase 2 Form 2A – Presbytery Discernment*	Form 2A documents the discernment between the Congregation and Presbytery (or applicant and discernment partner) and should be completed by the applicant and the discernment partner. Information required for the form includes: a mission-motivated development summary; a discernment summary; the mission objectives; a financial indication; a 'mud map'/name of architect; and a quantity surveyor's report.

*All the above forms can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

Establish Project Control Group (PCG)

Once PART or the Property Board has endorsed Form 2A – Presbytery Discernment, the Project Control Group (PCG) can be established, the PCG is responsible for managing the project through the Project Implementation Process (PIP) to completion and making the everyday project decisions.

The PCG consists of:

- 3–4 local applicant representatives;
- 1–2 representatives from the Presbytery Property Committee;
- a Synod Development Projects Manager;
- (optionally) a project manager.

When the project is approved, the PCG governs through the implementation process, which includes the production of monthly PCG Reports including:

- a financial summary;
- the project program;
- a risk schedule.

Furthermore, the PCG is tasked with producing the next two phases of the approval process.

Phase and Form	Description
Phase 2B Form 2B – Project Business Case*	<p>Phase 2B requires completion of Form 2B – Project Business Case.</p> <p>Information required for the form includes:</p> <ul style="list-style-type: none"> • the brief/objectives of the proposal, including Mission Motivated Development (MMD) and commerciality; • a high-level concept scheme; • a quantity surveyor (QS) indication (Cost Plan A); • a project program, i.e. timeframes and milestones; • the funding sources, e.g. government, Synod Grants, PSP, other funds, etc.; • the project partners, e.g. government/agency; • the interim consultants appointed; • cash-flow statements showing the feasibility of the project. <p>Form 2B will be reviewed and recommended by PART, with final approval by the Property Board if the project cost is greater than \$2 million. If the costs are between \$2 million and \$5 million, approval is also required from the Synod Finance Committee prior to review by the Property Board.</p> <p>Property Services can provide project and development assistance to congregations and agencies. For example, an options analysis can be developed for the highest and best use of the property to facilitate fulfilment of their missional and functional requirements.</p> <p>Upon completion, if the project cost is greater than \$2 million, the form should be reviewed and recommended by PART before being sent to Synod Property Services for Property Board approval. If the project cost is between \$2 million and \$5 million, approval is required from the Synod Finance Committee prior to review by the Property Board.</p>

*All the above forms can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

Phase and Form	Description
Phase 3 Form 3I – Application for Approval of Full Project Plan*	<p>Form 3I should be done when the concept has been finalised and detailed information is available. Information required for the form includes:</p> <ul style="list-style-type: none"> • the brief/objectives of proposal; • a concept plan; • a quantity surveyor's report (Cost Plan B); • the cash-flow forecast (up to 5 years); • confirmation of funding; • the whole program of the project (i.e. timelines and milestones); • the total project costs (including construction, project management, and contingency); • a risk schedule; • interdependency (i.e. government funding, PSP). <p>Once completed, the form should be submitted to PART** for approval.</p>

*All the above forms can be downloaded from the Synod website:

<https://victas.uca.org.au/resources/property>

**See Frequently Asked Questions at the end of this manual for information on when PART meets. Note that forms should be submitted to PART ten days prior to the next meeting or will be deferred to the following meeting's agenda.

The PART meeting calendar for the forthcoming year can be obtained from Synod if requested.

6. Project Implementation Process (Phases 4 to 10)

Phase and Form	Description
Phases 4 to 10 Project Implementation Process (PIP) Phase 4 Project Set Up Phase 5 Appointment of Principal Consultant and Consultant Team Phase 6 Design and Documentation Phase 7 Tender of Works Phase 8 Tender Award Recommendation / Approval Phase 9 Construction Commencement Phase 10 Project Completion	<p>Project implementation is divided into seven sequential stages (Phases 4 to 10).</p> <p>The Project Control Group (PCG) is responsible for managing the project through the Project Implementation Process (PIP) until completion.</p> <p>The PCG is required to meet monthly.</p> <p>On a monthly basis, the PCG must prepare reports that track the project progress. To complete these reports, the PCG will use a number of established pro-forma templates.</p> <p>On a quarterly basis, for larger scale projects, the Development Projects Manager must provide a report to the Property Board (PART) to advise on the progress of the project.</p> <p>Both the monthly and quarterly reports include a number of templates to track the key elements of the project: finance, program dates and milestones, and identified risks.</p> <p>The finance template enables the provision of a financial summary of the project's four major cost areas:</p> <ul style="list-style-type: none"> a) consultants; b) construction; c) fixtures, fittings and equipment; d) miscellaneous. <p>This finance template also enables provision of an outline of project funding.</p>

7. Development Management

The Property Services team provides development management assistance and advice to Church congregations, agencies and institutions. This service includes working side by side with Church entities from the initiation phase of development projects through the delivery phase until completion.

The Property Services team reviews the opportunities of the subject properties and identifies development options with a focus on delivering mission objectives and financial sustainability of the Responsible Body.

More specifically, this includes:

- reviewing asset and investment strategies (including investigating development opportunities);
- identifying viable development options that are in line with mission requirements;
- highlighting risks and returns associated with the options presented;
- providing the tools to make informed decisions about the future of their property assets;
- financial assessments and feasibility analysis for alternative options (incl. concepts, market analysis, development brief compilation, cash flows, and funding);
- coordinating internal UCA approval process;
- managing the development delivery process including sales, planning permits, project design/documentation, funding, construction, authority's liaison and handover.

Risk Management Register

The Risk Management Register provides a framework for identified risks to the project, and strategies to mitigate the risks along with the potential consequences of the risk being realised. It uses a traffic light system to identify the scale of the risk.

Consultant Advice

Property Services has a list of pre-qualified consultants in various disciplines. The consultants have agreed to execute the standard UCA agreements and have complied with all insurance requirements and thresholds.

Property Services can advise and provide details of the consultant most appropriate for a particular project.

OHS/WHS

For contractors and consultants working on active Church property, an Online Safety Induction training must be completed prior to entering UCA facilities or commencing work. This does not apply to major projects where the builder has assumed responsibility for the whole property until the project is complete.

For details of this online induction process, please see 9. Contractor and Consultant Online Safety Induction (following) in this manual. Details are also given in the UCA Health and Safety Manual.

Heritage Property

Certain buildings and land owned by the UCA are subject to a heritage overlay. This can affect proposed simple changes to a building's facade through to the subdivision of land. If a property contains a heritage overlay you can view the relevant details on your local council's website.

In addition to heritage overlays, properties may be listed in the Victorian Heritage Register, which is maintained by the Department of Transport, Planning and Local Infrastructure.

Useful websites

Heritage Victoria: www.heritage.vic.gov.au

Heritage Council of Victoria: www.vhd.heritagecouncil.vic.gov.au

8. Property and Finance Application Tips

The table below provides some important tips about checkpoints, information and documentation required for the key property project and finance applications.

Application Form	Tips
Form 2B Business Case Form 3I Approval of Full Project Plan	1. These are not to be submitted without prior discussion with a Property Services Development Manager/Project Manager.
Form 3A Property Sale Proceeds (PSP)	2. Submit with the corresponding 3H Build form or at least the quotes attached. 3. The PSP-applied-for amount should match exc. GST cost of project being applied for (inc. contingency).
Form 3C DAF or Emergency Grant	4. Submit with the corresponding 3H Build form or at least the quotes attached. 5. If applying for DAF, all disability access parts of quote must be itemised.
Form 3D IOMF	6. Submit with supporting financial information, including the most recent financial statements and budget/cash flow for the proposed program/purpose for the nominated term (3 to 5 years).
Form 3ER and 3EC Lease (Residential and Commercial)	7. Submit with a Real Estate Agent market rent appraisal. 8. If submitting a renewal or option to exercise, attach a copy of the current lease (this confirms commencement dates). 9. If it is an assignment of lease, attach a copy of the current lease.
Form 3F Sell	10. Submit with a Real Estate Agent sales appraisal.
Form 3G PS – Purchase	11. Ensure the purchase is fully funded with banked funds or PSP.
Form 3H Build	12. Submit with copies of quotes. 13. Ensure that if a building permit is required, a permit has been obtained. If there are any questions talk to Property Services Project Managers. 14. Ensure that the project is fully funded with banked funds or PSP. 15. If there is a corresponding 3A–PSP form, the PSP-applied-for amount should match (exc. GST) the total cost of the project (incl. contingency).

9. Contractor and Consultant Online Safety Induction

This online induction does not apply to major projects where the principal contractor is in control of the entire site, as the OHS commitments in that case are made through the major works building contract.

As part of our OHS Policy, the Uniting Church requires that all property-related contractors undertake an Online Safety Induction on the LinkSafe platform prior to entering UCA facilities or commencing work.

To enable a contractor to undertake the Online Safety Induction, the contractor's company details including an email address, must be sent to contractorinduction@victas.uca.org.au

Church councils will be supplied with a separate communication and a poster for printing. The poster will display the LinkSafe QR code for the contractor or consultant check-in.

Please arrange for ALL relevant staff/workers to undertake the induction.

This platform provides a robust way to deal with compliance, creating a safer environment for Uniting Church employees, volunteers, contractors, congregation members and visitors and reduces the administration for local projects.

The key features in this system are:

- contractors and consultants must be pre-qualified as preferred suppliers to the Church;
- each person who is employed by the contractor or consultant will receive their induction via their employer;
- risk is managed, so far as is reasonably practicable, to ensure that contractors and consultants are responsible for their health and safety.

All contractors or consultants have to be pre-qualified and inducted into the LinkSafe system prior to starting work at any Church property.

To prepare for the Online Safety Induction, the contractor/consultant must have their Working with Children Check (Victoria), industry or professional registration and/or licences and insurance. These must remain valid on check-in at Church property in order to proceed.

The guidance material has been prepared to provide information on both Uniting Church and contractor/ consultant obligations. The related documents are available to congregations upon request or can be found on the Synod website.

Good contract management ensures both parties meet their respective obligations as efficiently and effectively as possible.

For further details on how to manage property contractors and consultants, refer to the UCA Health and Safety Manual, which can be downloaded from the UCA website - <https://victas.uca.org.au/resources/ohs/>.

10. Disability Access Standards and Legal Compliance

The *Disability Discrimination Act (DDA) 1992* is governed by the Human Rights Commission, and regulates compliance of public spaces, buildings and structures in relation to accessibility by people with physical disabilities.

The DDA provides protection for everyone in Australia against discrimination based on disability, as detailed here: www.humanrights.gov.au.

When no construction work is being carried out to an existing Church building there is no need to upgrade the building to comply with disability access requirements under the National Construction Code (NCC) 2022.

Alterations to an existing Church building, though, may need a building permit to comply with the NCC disability access provisions. If your Church building is undergoing alterations, a building certifier, architect, local council and/or Church head office should be able to advise on whether there is a need to comply with disability access requirements under current building codes and standards, specifically the Disability (Access to Premises – Building) Standards 2010.

The Premises Standards detail the following categories related to disability access:

- continuous accessible path of travel;
- carpark;
- stairways along footpaths;
- controls;
- approaches, entrances and doorways;
- streetscape;
- public outdoor areas;
- fixtures, fittings and furniture;
- discrimination arising from management and maintenance practices;
- discrimination by staff;
- use of chemicals and materials.

H. Property Sale Proceeds (PSP)

Congregations have four choices in how to deal with Property Sale Proceeds (PSP). Congregations may:

1. Invest in the Money for Mission Fund (MFMF). In this case, income from the Congregation's share of the capital can be used for anything. The capital must be undisturbed for seven years;
2. Retain the funds as PSP (shared, or unshared - but only for a time);
3. Use the funds for a missionally founded capital project (value-preserving projects);
4. Invest their share of PSP in an Interest Only Mission Fund (IOMF) awaiting a future idea/project. In this case the Congregation gets a percentage of the interest and Wider Church Sharing (see following page) is enacted. The Congregation can receive the interest for three to five years and they must disclose its missional use (approved by Presbytery). It can be used to support programs, but it cannot be used for upkeep of buildings or other general expenditures.

Congregations may access Property Sale Proceeds (PSP) from the sale of Church property to assist with a range of projects, including:

- capital projects. These include repair, refurbishment and redevelopment of existing property, plus buying new property. (Note that any building works or property purchase will also require the separate approval of the project scope and costing);
- non-capital projects in certain (exceptional) circumstances. These include projects of high missional priority and, for small rural congregations, operational purposes to extend ministry in the region;
- manse for manse. The proceeds from the sale of a manse may be reserved for manse purposes, either to buy a new manse or to invest the funds and use the interest earned to assist with Manse Allowance payments to the ministry agent in placement. Sharing only applies to any surplus funds remaining after purchase of a replacement manse.
- investment in an Interest Only Mission Fund (IOMF). The proceeds from a sale may be invested in an IOMF, whereby the interest earned is distributed to support a specified and approved mission project;
- investment in a Money for Mission Fund (MFMF). The proceeds from a sale may be invested in the MFMF, whereby the investment earnings are distributed twice a year with franking credits refunded once a year. MFMF investments are split (shares) between the Responsible body and the Wider Church.
- To generate PSP, congregations are required to go through a formal sale approval process (see F. Selling and Buying 3. Approval Process for Money for Mission (MFM) Sale of Property).
- To access existing PSP from a prior sale, a Form 3A must be completed and approved by PART

Asset Strategy Program (ASP)

The Asset Strategy Program (ASP) assists congregations in reforming into a new era by giving opportunities with Property Sale Proceeds (PSP). It is specifically designed to support discernment outcomes between congregations amalgamating their worship and property groups. Sharing in an ASP project is applied to the post-development sales proceeds remaining after project completion.

The ASP is one of the pathways to a missional use for property sales proceeds which gives congregations and presbyteries a great vehicle to be able to implement various missional projects. A project group is formed to explore options, with representatives of the Congregation, Presbytery and Synod Property Services.

Interest Only Mission Fund (IOMF)

The Interest Only Mission Fund (IOMF) was set up by the VicTas Synod to allow Responsible Bodies access to property sales proceeds investment earnings for use in mission-related projects. When a property is sold a Responsible Body can indicate the mission-related projects that will be funded by the sale proceeds. They can then apply for access to the capital funds when needed at a later stage. It should be primarily considered as a way of “parking” PSP for a limited and finite period.

Money for Mission Fund (MFMF)

Under the Money for Mission (MFM) program, monies raised from the sale of properties surplus to missional needs are paid into the MFMF. This fund, administered by U Ethical, is a mix of U Ethical’s Australian equities and enhanced cash investment products. If a decision to invest is made, invested net sales proceeds will generate returns equal to or greater than the 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 IOMF. There is complete flexibility as to how income is utilised as the Responsible Body decides how this is spent, which might be in any of the following areas or for other needs:

- income replacement for congregations/responsible bodies;
- repairs and maintenance activity
- Contractor payments
- Building activity
- Utility costs, rates, land tax etc
- Stipend support

This approach:

- provides a simple and hassle-free income stream to responsible bodies/congregations;
- relieves congregations from the burden of managing and being responsible for real property;
- allows congregations/responsible bodies to use an income stream as they determine;
- enables the potential for long-term capital growth.

For further information, go to the UCA website:

victas.uca.org.au/money-for-mission/

Wider Church Sharing

Wider Church Sharing is generally applied when a property is sold for the Responsible Body and the Synod of Victoria / Tasmania. Both the Responsible Body and the Synod are allocated a percentage of the proceeds. When a congregation sells a manse for the purpose of buying a new/replacement manse, it can use the full proceeds to purchase another manse with surplus funds that are not used for this purpose then also considered for Wider Church Sharing.

Wider Church Sharing: Distribution of Proceeds – PSP Single Asset Sale

Property Sale proceeds	Responsible Body Share	Wider Church Share
Proceeds up to \$200,000	90%	10%
For proceeds between \$200,000, but less than \$2 million	60%	40%
For proceeds between \$2 million, but less than \$4 million	40%	60%
For proceeds over \$4 million	20%	80%

The sharing is an additive process, with the sale proceeds being split into the bands as above and then the share for each band being calculated:

Example

For a Net PSP of \$2.5M:

		RB Share
First \$200,000	@ 90%	\$180,000
\$200,000 to \$2m	@60%	\$1,080,000
\$2m to \$2.5m	@40%	\$200,000
Total Responsible Body Share		\$1,460,000
Final Wider Church Share		\$1,040,000

Please note:

The Money for Mission fund sharing calculation is essentially similar but is calculated on the expected investment earning of the funds invested with a slight change to the first and second tiers of sharing. This is done so that the MFMF is favourable all sale prices when compared to PSP sharing.

I. Grants

There are a variety of grants and funding opportunities that are available at any time. These include the annual Mission Grant for Capital Works programs; Emergency Grant – Capital Works/Sustentation; and the Disability Access Fund (DAF) Grant described below.

Mission Grant for Capital Works Program

Each year, grants are offered to assist mission-focused building projects and are available for up to two years beginning the January after approval. Funds are drawn down as required to either pay the service provider directly or reimburse the UCA entity.

The grants are funded from the following:

- Capital Works Fund
- Heritage Buildings Fund

This program is applicable to congregations, parish missions and presbyteries.

Grants are limited to up to \$50,000.00 usually and Application forms are available each April. Completed applications are submitted via Presbytery to the Grants Coordinator in July. *Note: Dates may change from year to year.*

The proposals are considered by the relevant committee in August and September, and applicants are advised of the outcome in October before the grant takes effect in January.

For congregations and parish missions, please note applications must be reviewed and endorsed by the relevant presbytery before submission. It is recommended applicants work closely with their presbytery from the early stages of the application, so it has a comprehensive understanding of the proposal. Presbyteries generally require applications be submitted in June to allow sufficient time for endorsement.

We also recommend applicants work closely with Synod Property Services when developing the project scope and costings before applying. All projects require separate approval of the details of the building project by the Property and Operations Committee or its delegated authority.

Successful applicants must provide annual project evaluations to keep Synod abreast of their progress.

All approved projects are carefully matched to funding sources according to specific parameters, so it is imperative the grant adheres to the approved purpose and criteria.

For further information, please use the UCA website – victas.uca.org.au/resources/grants/mission-grants/

Emergency Grant – Capital Works Fund

Congregations may apply for up to \$10,000 from the Capital Works fund, to assist with urgent repairs or works that are not covered by insurance and the Congregation is unable to fund fully itself. The application requires the Congregation to demonstrate the need for the works and to provide information as to its financial position. Please note any building works will also require the separate approval of the building scope and costing. A concurrent Property Services Form 3H – Application to Build will need to be submitted.

Grants can be considered at any time of the year by completing a Form 3C – Application for DAF/Emergency Grant assessed through Presbytery and the Property Applications Review Team (PART).

Emergency Grant – Sustentation Fund

Congregations may apply for up to \$10,000 from the Sustentation Fund to assist with the cost of a stipend for a ministry agent in placement for a short period of time, which the congregation is unable to cover themselves. This grant is to allow time for a presbytery consultation of Life and Witness of the Congregation to determine its future and also ensure the ministry agent is paid during this period. The application requires the Congregation to provide information regarding its financial position and a cash flow for the period the grant is to cover. Successful grants will be paid in monthly instalments for a nominated period up to 12 months.

Grants can be considered at any time of the year by completing a **Form 3C – Application for DAF/Emergency Grant**, assessed through Presbytery and the Property Applications Review Team (PART).

Disability Access Fund (DAF) Grant

Congregations may apply for a grant to contribute up to 50 per cent of the cost of disability access works, such as accessible toilets and ramps, up to a maximum amount of \$50,000. The application requires the Congregation to provide details of the scope and cost of works, plus information detailing how the remainder of the project will be funded. All proposed works are to comply with the Australian Standard (AS 1428. 1) for disability access. Please note any building works will also require the separate approval of the building scope and costing. A concurrent Property Services Form 3H – Application to Build will need to be submitted.

Grants can be considered at any time of the year by completing a **Form 3C – Application for DAF/Emergency Grant**, assessed through Presbytery and the Property Applications Review Team (PART).

Grants Coordinator

For further information, contact:

Natalie Brown

Grants Coordinator – equipping Leadership for Mission

t (03) 9116 1960

e natalie.brown@victas.uca.org.au

J. Manse Provisions

For comprehensive guidelines about assessing the suitability of a property for its use as a manse and the obligations of a congregation in providing one, refer to the *Uniting Church in Australia, Synod of Victoria and Tasmania, Manse Information Handbook*.

The offer of appropriate accommodation, either UCA property or leased, is part of the remuneration provisions for all ministry agents in placement.

Payment of a manse allowance only applies when a ministry agent chooses to provide their own accommodation rather than the accommodation offered as part of the terms of placement.

1. Accommodation Options

Manse Provided by Placement

The Congregation shall offer either:

- a) a manse (either an existing UCA-owned manse; a proposed UCA-acquisition; or a new manse build) that meets Synod guidelines (see the *UCA Manse Information Handbook*) and has been inspected and approved by the Presbytery; or
- b) other accommodation which is considered appropriate by the ministry agent, placement and the Presbytery. This may be a leased property.

If a ministry agent is undertaking multiple part-time placements, the Presbytery should assist negotiations between those placements and the ministry agent regarding the appropriate provision of housing.

Giving Notice to Tenants in a manse required for a Minister

If a manse has to be vacated by tenants for the purpose of providing it to a ministry agent, the Congregation must provide:

- a notice to vacate; and
- a statutory declaration stating that a ministry agent is to occupy the premises as part of their placement.

Note that the Congregation is then not permitted to re-lease or make the residence available to anyone other than a minister within six months of the statutory declaration.

To obtain the form and begin the process, contact property.officer@victas.uca.org.au

Manse Allowance

The ministry agent may choose not to accept the accommodation offered by the placement. In this case the manse allowance is offered to assist in the payment of costs usually borne by the placement when providing a house (for further details see the *UCA Manse Information Handbook*: Section 4 – Manse Allowance Information). However, the maximum manse allowance is not an entitlement, rather, the level is to be determined consultatively between the ministry agent, Congregation (or another Responsible Body) and Presbytery.

If the ministry agent is in a part-time placement, the Congregation may pay a pro-rata manse allowance of no less than two thirds of the contribution normally given to a full-time placement. The Congregation must not suffer financial disadvantage due to a ministry agent's decision to live in their own home.

Leased Accommodation

Where a property is leased in for a ministry agent the placement will meet all the lease costs including the bond. Any leased property must be available for a reasonable period, so that the ministry agent and their family are not disrupted with continual moves. Where a move is necessary, the placement will meet the removal costs.

2. Accommodation Requirements

There are desirable minimum basic requirements for manses. These requirements encompass the accommodation itself, its furnishings, equipment and location. Whether the manse is to be designed and constructed, purchased and adapted or leased, the requirements need to be addressed. However, it is understood that these may be adapted according to the needs of the ministry agent and the placement. Detailed guidelines are provided in the *UCA Manse Information Handbook*.

3. Accommodation Costs

Care and Maintenance

The Congregation (or, in the case of leased accommodation, the landlord) is responsible for capital maintenance and all repairs and replacements relating to improvements, fair wear and tear, and general depreciation. Church councils should also make annual inspections of the manse. (The Presbytery should also undertake an inspection every five years or when a new placement is to occur, whichever is the earlier.) Ministry agents should encourage regular inspections of the accommodation provided.

A ministry agent, in accepting a call, accepts responsibility to keep the property in a state of cleanliness and ongoing general maintenance, as would apply if it were a rental situation e.g. gardens tended and lawns mown, windows cleaned, spouting and down pipes cleared, and appliances such as smoke alarms kept clean and functional. The occupants are responsible for costs incurred for unreasonable wear and tear or damage, including wear caused by family pets, and may be responsible for paying any shortfall in bond return in rental situations if the shortfall relates to their actions.

House Insurance and Rates

Whether accommodation is Church-owned or rented by the Congregation, the ministry agent does not meet the cost of the insurance of the property or normal local government rates, both general and waste service charges. However, the ministry agent is responsible for manse contents insurance excluding property belonging to the placement (e.g. floor coverings and drapes). In cases where the ministry agent has a study/office on the Church site, it is appropriate for the Congregation to accept responsibility for insurance of the ministry agent's personal on-site office contents under the Church's policy. Note that there is a standard excess under the Synod policy.

Electricity, Gas and Fuel

All electricity, gas and fuel usage and service charges are, as a general principle, part of normal living costs and the responsibility of the ministry agent. These expenses can be paid from a Minister's Benefit Account. Some congregations meet these costs, either wholly or, for instance, where a study is home based, contribute to the home gas and electricity accounts. This is a matter for local decision and should be recorded in the Terms of Placement.

Water and Sewerage

All manse water and sewerage usage and service charges continue to be the responsibility of the Congregation, a common long-standing practice across the Synod, including in country areas.

4. Regular Maintenance Inspection

Inspections of Church-owned manses need to be completed during the vacancy of ministry, with all adjustments and repairs completed before a new ministry agent takes up residence. Such inspections are the responsibility of the Presbytery.

Ideally a congregation needs to plan for and undertake an annual manse inspection. Except for emergencies, this means that manse families are relieved of the need to initiate complaints and allows a congregation to budget efficiently for maintenance.

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

Appendix: Property Services Fees

Leasing Fees

Support area	Fee charged prior to 1 July 2024	Current fee (excluding GST) from 1 July 2024	What is covered by this fee?
Commercial	Nil	<ul style="list-style-type: none"> • 5% of first year's rental for new leases • The greater of (1% of current year rental or \$500 fixed) for a renewal of lease 	Property Services time, approval process, support and commercial/legal document review and Trust execution.
Residential leases	Nil	<ul style="list-style-type: none"> • \$500 fixed for a new lease • \$150 fixed for a renewal 	Property Services time, approval process, support and commercial/legal document review and Trust execution.

Project Fees

Support area	Fee charged prior to 1 July 2024	Current fee (excluding GST) from 1 July 2024	What is covered by this fee?
Project Formation Stage when there are PCGs being held and managed	Nil	<ul style="list-style-type: none"> • \$500–1,500 pcm 	This applies during the establishment phases of more complex projects reflecting the generally large amount of work that is entailed in coordinating preliminary investigations, design scope formation and consultant briefing for quotations. Budget preparation to the defined and agreed scope and conditions. Assistance with approvals to build (3H) preparation.

Support area	Fee charged prior to 1 July 2024	Current fee (excluding GST) from 1 July 2024	What is covered by this fee?
Minor Project oversight, guidance and support for less than \$50,000	Nil typically	<ul style="list-style-type: none"> • \$500 for < \$10K • \$1,000 for \$10–20K • \$2,000 for \$20K–\$50K 	Applies once project is approved and commenced, and allows for contractor formal retention and coordination, works oversight, invoice checking and processing, variation assessment and guidance/recommendation, liaison between RBS, contractor(s), authorities and the Trust.
Major projects greater than \$50,000	Varied but very low if any was sought other than ASP support work	<ul style="list-style-type: none"> • 5% of job value 	Higher fee reflects increased complexity of management and contractor/works' scope. Applies once project is approved and commenced, and allows for contractor formal retention and coordination, works oversight, invoice checking and processing, variation assessment and guidance/recommendation, liaison between RBS, contractor(s), authorities and the Trust.

Sales Support Fees

Support area	Fee charged prior to 1 July 2024	Current fee (excluding GST) from 1 July 2024	What is covered by this fee?
Less than \$500,000 value	Nil unless MFMF where \$1,500 is levied	<ul style="list-style-type: none"> • \$2,500 for all transactions including MFMF • \$1,500 for MFMF IOMF or PSP rollovers (i.e. no change to existing charge) 	Support of the sale process, reporting on, investment and recording of sale proceeds, governance. Inspection of sale property, management and coordination of repairs recommended etc., agent retention, agency agreement execution, contract execution.
Greater than \$500,000	0.5% of gross sale price	<ul style="list-style-type: none"> • 0.75% of gross sale price 	See above

Development Support Fees

Support area	Fee charged prior to 1 July 2024	Current fee (excluding GST) from 1 July 2024	What is covered by this fee?
Pre-Development Phase	Nil formal framework, but sometimes applied for larger projects	<ul style="list-style-type: none"> Commonly expected to be between \$2,500 and \$3,000 pcm range In the establishment phases – PCG fee at \$500–1,500 pcm Recorded in a formal letter of services 	<p>Project dependent but typically:</p> <ul style="list-style-type: none"> For established projects in pre-development (i.e. up to the point of Preliminary business (Form 2B or equivalent) case approval) a defined and agreed monthly fee to support and run PCG's/development meetings to evolve thoughts, operations and define outcomes and objectives and evaluate development options and financial outcomes; For the early establishment phases of some projects reflecting the large amount of work entailed in coordinating PCGs, setting up Terms of Reference, consultant lists, and early works' scopes obtaining quotes, preparing budgets and generally in this repetitive and iterative formative stage. A lesser fee may be appropriate, especially if this takes place over an extended period.
Active Projects	Nil formal fee framework but commonly arranged.	<ul style="list-style-type: none"> 3% of the total project value is chargeable in monthly instalments over the anticipated life of the project A UCA PCG coordination and conduct fee – \$1,000 per PCG <p>These fees may by arrangement be drawn from future project profits – for example in cases where RBs do not</p>	<p>Project dependent but, typically, following approval of a Preliminary Business Case (Form 2B or equivalent):</p> <ul style="list-style-type: none"> Carriage of all governance processes required to obtain UCA approvals (Form 3H or binding legal documentation with an external party to develop for the UCA); Development planning and value maximisation; Feasibility modelling; Consultant selection, retention and scope setting and management;

Support area	Fee charged prior to 1 July 2024	Current fee (excluding GST) from 1 July 2024	What is covered by this fee?
		have capacity to pay on a recurrent monthly basis, or when an external party is delivering the project.	<ul style="list-style-type: none"> • Payment control and recording; • Legal documentation, briefing and oversight; • Preparation and conduct of RFPs for JV and/or delivery partners (project dependent); • Selection, recommendation and offer evaluation for all parties. • Management and coordination of development activity including: <ul style="list-style-type: none"> ○ town planning, and construction; ○ monitoring of construction progress and completion and handover; • Building tender preparation, conduct and evaluation; • Novation of consultants as required.

Frequently Asked Questions

1. How do I get Property Services support?

Send an email to: property@victas.uca.org.au

2. How do I find 'How to...?' information sheets on the website?

Property Services provides comprehensive explanations of key terms, bodies and processes on the website and also provides a range of explanatory resources that can be downloaded. These can all be found under Resources/Mission Resourcing/Property Services (<https://victas.uca.org.au/resources/property-legal/property/>) under relevant headings. If you can't find what you're looking for, email property@victas.uca.org.au

3. What is PART?

PART is a sub-committee of the Property and Operations Committee and processes applications for property and finance matters. It is chaired by the Property Trust Secretary.

It considers Money for Mission Fund applications and has the authority to make decisions within respective policies and authority limits.

Property matters include applications to lease, build, purchase, sell and develop. Finance matters include applications for a loan, grant (Disability Access Fund or Emergency), use of property sale proceeds, and establishment of an Interest Only Mission Fund.

4. When is the next PART meeting?

PART meetings are held fortnightly on Thursdays.

Documents requiring PART approval need to be received ten days prior to the meeting.

Note that proposals for properties worth over \$5 million or leases proposed for more than 15 years must be considered at P&O meetings.

The PART meeting calendar for the forthcoming year can be obtained from Synod if requested.

5. How do I find out what my MFMF balance is?

Contact Property Services property@victas.uca.org.au ,

Steve Abonyi steve.abonyi@victas.uca.org.au or

Sarah Pick sarah.pick@victas.uca.org.au

and they can provide the requested information.

6. How do I change contact addresses for MFMF investments?

Address and bank account detail changes can only be made when received in writing, please send an email to Property Services property@victas.uca.org.au to change or update the address or bank account details on your MFMF investment account. If in doubt, please contact Steve Abonyi steve.abonyi@victas.uca.org.au for specific advice.

7. Can I use an MOU for property matters?

Simply, No.

A lease or licence must be used to record property related arrangements.

A MOU is used **in tandem** with a formal lease or licence agreement. It outlines the missional objectives in sharing a property with another entity and the nature of the relationship. However, a formal lease or licence agreement must be used to record and define the tenancy arrangement.

8. We've changed office bearers in our Church office structure. Who do we tell?

The UCA Directory Portal (NOD) is the central database of UCA people and organisations. To notify changes, please email directory@victas.uca.org.au

Note the required details:

- Name (and preferred name, if applicable);
- Title;
- Job/Role title;
- Phone numbers (Business, Mobile, Personal);
- Email address;
- Organisation (for whom the person is directly working/volunteering);
- Oversight body (of the above organisation).

7. Can we serve alcohol at our event?

Alcohol is permitted for Church or private hall hire functions where the Church Council agrees. If alcohol is sold or provided as part of a paid ticketed event a liquor licence may be needed, including a one-off liquor licence for the event. More information is available here: <https://www.vic.gov.au/do-you-need-liquor-licence>

8. Who can give me advice on Victorian Land Tax?

Before making any decisions around leasing out parts of UCA property or allowing non-church use, please contact:

Steve Abonyi steve.abonyi@victas.uca.org.au

Steve can advise on likely State Revenue Office Land Tax treatment consequences, which may have significant financial implications for a Responsible Body..