

# BREWARRINA SHIRE COUNCIL

Agenda Submission for Ordinary Meeting held on 28 June 2013

<b>TITLE:</b>	<b>AGED CARE COMMITTEE MEETING</b>	<b>DOC REF:</b> Item 14
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<b>REPORT BY:</b>	Lynn Moore Director Corporate and Community Services	<b>DATE:</b> 12 June 2013
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**IPR REFERENCE:**

Theme 2: A Healthy Natural Environment - H1.2.7.2 Implement maintenance / capital works program for buildings in accordance with the Asset Management Plan

**PURPOSE:**

To inform council on the recent meeting of the Aged Care Committee and it's recommendations to council for resolution.

**CONTENT:**

The aged Care Committee met on 4<sup>th</sup> June 2013 to complete the following actions:

- Review and make amendments to the constitution.
- To elect new chairperson
- To elect a new committee
- To review applications for accommodation in the units and approve/ decline on the basis of the content of the constitution.

**CONSULTATION:**

Members of the Aged Care Committee

**GOVERNANCE IMPLICATIONS:**

- That the allocation of any units is within the constitution.
- Decisions made by the committee are within the guidelines of the constitution.

**RECOMMEDATIONS:**

**That Council adopt the recommendations of the Aged Care Unit Committee meeting held on 4 June 2013.**

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Rod Shaw  
General Manager

**ATTACHMENT:**

- Minutes of the meeting held 4<sup>th</sup> June
- Draft constitution for adoption.

**MINUTES OF THE AGED CARE UNIT COMMITTEE MEETING OF THE  
COUNCIL OF THE SHIRE OF BREWARRINA HELD ON 4<sup>th</sup> JUNE 2013**

**Opening and welcome**

Ref – AA/ C6-12

Mayor Wulf Reichler declared the meeting open at 4.20pm and welcomed all the members present.

**Present**

The following members were present at the meeting:

1	Mayor:	Wulf Reichler (Chairperson)
3	Councillor	Philip O'Connor
7	Brewarrina Community Health Aged Care Assessor	Ms. Judy Caswell
8	Tenant representative from Aged Care Units	Paul Weary
9	Director Corporate and Community Services - Brewarrina Shire Council	Lynn Moore

**1. Apologies**

2	Councillor	Robert Wason
4	Manager Environmental Health and Building	John Kite
5	General Manager	Rod Shaw
6	Representing Local Legacy Branch	Ms. Suzy Wason

**1/13 Recommendation: That the apologies be accepted.**

**Moved: Judy Caswell**

**Seconded: Phillip O'Connor**

**2. Declaration of pecuniary interest or non-pecuniary interest**

Nil

**3. Confirmation of minutes:** No minutes located from previous meeting.

**4. Business Arising from Minutes:** Nil

**5. Draft Constitution / Charter for Committee for review and submission to council**

As the committee is a Section 355 committee, it is required to have a constitution. The current constitution needs to be updated. The constitution was forwarded to the members for review prior to the meeting.

The committee reviewed the constitution and the following changes were made:

**PART ONE:**

- **Meetings:**
  - Meet at least annually or as required.
- **Committee Membership:**
  - 1 tenant + 2 councillors + 1 aged care nurse + 1 council staff member + 1 representative of the local legacy)
- **Quorum:**
  - Quorum (3) will be a minimum of one councillor , one other member from local legacy or aged care assessor and one staff member
- **The Chairman:**

**MINUTES OF THE AGED CARE UNIT COMMITTEE MEETING OF THE  
COUNCIL OF THE SHIRE OF BREWARRINA HELD ON 4<sup>th</sup> JUNE 2013**

- The chairman shall be elected at the first meeting after the election of a new council every four years.
- **Term of the Committee:**
  - The Committee shall serve for a four year period from the date of appointment.
  - The Committee is to be decided after the first meeting after the council election.
  - The Committee may be dissolved at any time by a resolution of Council.
- **Recommendations to council:** the word previously listed as 'council' be changed to 'committee if adopted'.

**2/13 Recommendation: That the amendments to the draft constitution be accepted and submitted to the next meeting of council for resolution.  
MOVED: Wulf Reichler                      SECONDED: Paul Weary**

PART THREE

- **Applications:**
  - All applications are to be submitted for review by the Aged Care Committee.
  - No application will be considered unless it is submitted on Council's application form and accompanied by the necessary supporting documentation. Copies of this document are available from Council's office

The revised constitution will be presented to the next council meeting for adoption.

**5.1. Election of new committee and Chairperson in accordance with the Constitution**

In accordance with the constitution the election of the new chairperson and members of the committee is to be held in the first meeting after a council election.

The position of chairperson was declared vacant. Nominations were called with only one nomination received – Mayor Wulf Reichler. Mayor Reichler accepted the position offered.

**3/13 Recommendation: That the Mayor, Cr Wulf Reichler be accepted as the chairperson for the remaining term of this council and that the existing members of the committee continue until the next council election.  
Moved: Phillip O'Connor              Seconded: Judy Caswell**

**5.2. Filling of vacant unit/s**

Units 1 and 3 / 17 Doyle Street, Brewarrina (Aged Care Units) are currently vacant.

Unfortunately the money which is received for rental of these units does not cover normal maintenance and repair and Council does not receive any funding towards the upkeep. Unit 3 has been identified for refurbishment as funds become available in the 2013 /2014 financial year. However, this will still be subject to other Council housing priorities. This leaves only one unit available for occupation.

**MINUTES OF THE AGED CARE UNIT COMMITTEE MEETING OF THE  
COUNCIL OF THE SHIRE OF BREWARRINA HELD ON 4<sup>th</sup> JUNE 2013**

Two applications were received one from [REDACTED] (*Applicant 1*) and one from [REDACTED] (*Applicant 2*) for the vacant units (Unit 1 and Unit 3). One other application was received on file prior to the meeting [REDACTED]. [REDACTED] was found to have alternative accommodation and so was not considered.

The committee assessed the applications against the criteria in the constitution and a consensus was reached to approve / decline the application/s as follows:

- [REDACTED] (*Applicant 1*) was selected by the committee as the approved applicant and a letter is to be written to the Brewarrina Hospital advising this.
- [REDACTED] (*Applicant 2*) was unsuccessful and a letter is to be written to his address in Dubbo advising him of the decision of the committee.

**4/13 Recommendation: That the recommendations of the committee for the occupation of the one unit available be relayed to [REDACTED] (*Applicant 1*) by letter and that a letter advising the unsuccessful application to [REDACTED] (*Applicant 2*) be sent by letter.**

**Moved: Phillip O'Connor**

**Seconded: Lynn Moore**

**5.3. Waiting list**

If a completed application with supporting documentation is received by the committee from [REDACTED] (*Applicant 2*) he will be placed on the waiting list for further consideration.

**6. Next meeting**

The next meeting will be held on the **(as required by the committee- no date set)**

**7. Meeting Closed**

The meeting closed at 5.15pm

**Note: Names have been removed to comply with privacy legislation.**



# BREWARRINA SHIRE COUNCIL

## SECTION 355 COMMITTEE

### AGED CARE

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# **1. PART ONE - CONSTITUTION**

## **1.1 GENERAL**

**1.1 The Aged Unit Committee is established under Section 355 of the Local Government Act, 1993 with each member appointed to the Committee.**

**1.2 Council delegates to the Aged Units Committee the following role:**

- a) Advice on care, control and management of the facility;
- b) Allocation of Units to a suitable applicant as each becomes vacant.
- c) Submission to Council in March each year of a report detailing activities over the previous year together with details of the condition of the facility and repairs which need to be undertaken and the recommended course of action for these repairs;
- d) Any other matter which Council may decide from time to time.

**1.3 The authority of the Committee is specifically limited as follows: -**

- a) All income and expenditure is to be managed by Council staff.
- b) All proposals for capital expenditure must have approval by Council.
- c) All advice to Council that will result in the expenditure of funds should be able to be effected with previously approved budget allocations.

**1.4 The Aged Units Committee is required to operate within the following guidelines:**

- a) Meet at least annually or as required .
- b) Meetings can also be called on an “as needed basis” and will be convened by the General Manager in consultation with the Chairman of the Committee.
- c) The General Manager must send to each Member at least 3 days prior to each meeting of the Committee a notice specifying:
  - The time and place at which the meeting is to be held
  - The purpose of the meeting and agenda
  - In the case of a meeting called in an emergency less than three days notice may be given.
  - A meeting cannot proceed unless a quorum is present. Quorum will be a minimum of two councillors and one other member from local legacy or aged care assessor..
  - A record of the minutes of the meeting must be taken and circulated to members no later than 2 weeks after a meeting is held.

## 1.2 NAME

The name of the Committee shall be the **“Brewarrina Aged Units Committee”** hereafter referred as the “Committee”

## 1.3 OBJECTIVES

- a) To advise on control, management and maintenance of the Aged Units.
- b) To submit to council recommendations for inclusion in councils budget for the ongoing maintenance of the units each February/March.
- c) To promote harmony amongst the residents of the Aged Units.
- d) To do all such things and acts with its delegations to ensure the smooth running and continued occupancy of the Aged Units.

## 1.4 INTERPRETATION

In this Constitution –

**“Committee”** means the Brewarrina Aged Units Committee.

**“Council”** means the Council of the Shire of Brewarrina.

## 1.5 MEMBERSHIP

Any person who –

- a) Is a tenant of the Aged Units- appointed by Council (one to be appointed);
- b) Is a community representative- appointed by Council (One representing the local legacy);
- c) Is a Councillor- appointed by Council (three councillors and/ or Mayor to be appointed);
- d) Community aged care assessor;
- e) Two Council staff members -appointed by Council (General Manager, Manager Health and Building )

### 1.5.1 Total membership = 8 Members

(1 tenant + 2 councillors + 1 aged care nurse + 1 council staff member + 1 representative of the local legacy)

Quorum (3) will be a minimum of one councillor , one other member from local legacy or aged care assessor and one staff member.



## **1.6 THE CHAIRMAN**

The chairman shall be elected at the first meeting after the election of a new council every four years..

## **1.7 TERM OF THE COMMITTEE**

The Committee shall serve for a four year period from the date of appointment.  
The Committee is to be decided after the first meeting after the council election.  
The Committee may be dissolved at any time by a resolution of Council.

## **1.8 VENUE**

Unless otherwise specified in the meeting notice the venue for all meetings of the committee shall be the Council chambers, Bathurst Street, Brewarrina

## **1.9 MEETING PRACTICES**

The provisions of Council's adopted Code of Meeting practice shall apply to the conduct of meetings of the committee.

## **1.10 RESPONSIBILITIES**

### **1.10.1 COMMITTEES**

- a) Committee members must be familiar with the financial requirements of the Council.
- b) Minutes of all Committee meetings must be kept. At each meeting the minutes of the previous meeting are to be confirmed and signed by the Chairman.
- c) Copies of the minutes are to be made available to the Council within 30 days of each meeting.
- d) Sufficient notice should be provided to the Members prior to the holding of each Committee meeting. A minimum of three (3) days notice should be given.
- e) It is the responsibility of the Committee to ensure that all reports required to be submitted to the Council are forwarded within the required time frame.
- f) The Committee is responsible for overseeing all financial and administrative aspects of the Aged Units operations. This will entail ensuring, amongst other things, that:
  - The Aged Unit operates within the terms and conditions of the policy document.
  - The Scheme operates within the budget limitations imposed by the Council.
  - Council staff provides the Committee with the required financial information on a regular basis in time to ensure that informed decisions may be made at committee meetings.

- A selection criteria and tenant policy are reviewed annually for approval by Council.
- The Committee manages the placement of applicants into available accommodation in accordance with the selection policy.

### **1.11 RECOMMENDATIONS TO COUNCIL**

- a) Any recommendation of a Committee, or any portions thereof, may be amended by the Council in any manner that the Council may think fit or may be referred back to the Committee for further consideration.
- b) The recommendations of the Committee if adopted, will be by resolution of the Council, the recommendations of the Committees shall not have effect until adopted by Council.
- c) The minutes and recommendations of the meeting shall be submitted to the next available meeting of Council for consideration.

## **2. PART TWO – TENANT POLICY**

### **2.1 RENTAL PAYMENTS**

- a) All tenants are required to pay their rent fortnightly in advance. Receipts must be issued for all monies received.
- b) Rent payable will be in accordance with current legislation and will be reviewed yearly in conjunction with budget preparation.

### **2.2 ELIGIBILITY**

All applicants must be within the current Department of Housing income eligibility limits.

### **2.3 TENANT OBLIGATIONS**

Tenants will be expected to:

- a) Maintain the rented property in a clean and reasonable state;
- b) Actively promote harmony in the conduct and management of the property.
- c) Not use or permit the premises to be used for any illegal activity.
- d) Not cause or permit a nuisance.
- e) Not to interfere, or cause or permit interference, with the reasonable peace, comfort or privacy of neighbours.
- f) Not to keep any pets on the premises unless permission is obtained from the Aged Unit Committee.
- g) Not to smoke in common areas of the facility.

### **2.4 NUMBER OF TENANTS**

A maximum of two (2) occupants are allowed to reside in each unit.

## **3. PART THREE – SELECTION POLICY**

### **3.1 APPLICATIONS**

- All applications are to be submitted for review by the Aged care Committee.
- No application will be considered unless it is submitted on Council's application form and accompanied by the necessary supporting documentation. Copies of this document are available from Council's office.

### **3.2 SELECTION POLICY**

- a) The minimum age of residents will be 60 unless special circumstances are identified by the Aged Care Assessors.
- b) Preference will be given to applicants who are permanent residents in the Brewarrina Shire area.
- c) Preference will be given to Legacy recipients and returned soldiers.
- d) Applicants are required to be assessed by Brewarrina Community Health's Aged Care Assessor.
- e) Applicants will be selected on a needs basis according to factors including:
  - Medical history
  - Ability to maintain independence.
  - Availability to accept an offer for accommodation within a reasonable time.

### **3.3 UNSUCCESSFUL APPLICATIONS**

Unsuccessful applications will be placed on a register for further consideration as vacancies occur.