

### **3.1 Proposed City of Boroondara Motions for MAV State Council in May 2018**

#### **Abstract**

This report informs Council and seeks endorsement of two (2) proposed motions to be put forward to the Municipal Association of Victoria (MAV) State Council meeting on 18 May 2018.

Motions that are carried at State Council become Resolutions. These resolutions are then considered by the MAV Board when setting the strategic workplan for the MAV.

#### **Officers' recommendation**

That Council resolve to adopt the two (2) motions (as annexed to the minutes) to be put forward to the Municipal Association of Victoria (MAV) State Council meeting on 18 May 2018.

**Responsible manager: David Thompson  
Governance**

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## 1. Purpose

The purpose of this report is to inform councillors about the proposed two (2) motions to be put forward to the Municipal Association of Victoria (MAV) State Council meeting on 18 May 2018.

## 2. Policy implications and relevance to community plan and council plan

The MAV is the statutory peak body for local governments in Victoria and should take a lead role in advocating to the State Government on a variety of issues of concern to local governments in Victoria. Submitting motions to the MAV State Council is consistent with Council's practice of advocating on behalf of the community.

The proposed motions also relate to priority Theme 7: Civic Leadership and Governance under the Boroondara Community Plan 2017-2027.

## 3. Background

Council has a strong commitment to advocating on behalf of the Boroondara and broader community. The MAV, as the peak representative body for local governments in Victoria, is in a strong position to support this advocacy. The MAV State Council meeting will be held on 18 May 2018. Motions need to be received by the MAV no later than Friday 20 April 2018.

## 4. Outline of key issues/options

Council has previously presented motions to State Council on a range of matters including: Library funding; Landfill Levies; Aged Care Reforms; Sustainable Street Lighting; Apartment Design Code; Newspaper advertising requirements; Regulation of Strategic Resource Plans; Assistance for people affected by heatwave; Enhanced proactive VicRoads asset maintenance programs; Bicycle safety; the School Focused Youth Service (SFYS) program; Subsidies for HACC and meals-on-wheels services; ESD principles in State Planning Provisions; Vulnerable Persons Register; VCAT (Local policy, Plans in appeal proceedings); Infringements Court (Perin); Building Regulations; Immunisation and U3A. In some cases, resolutions sponsored by this Council have been instrumental in achieving worthwhile results.

**Attachment 1** provides the details of the two (2) proposed motions being put forward which are as follows:

- Motion 1 - Public Housing Renewal Program (submitted by Community Development); and
- Motion 2 - Cost Shift to Local Government by the State Government Regarding the Resolution of Non-Compliant Combustible Cladding in Buildings (submitted by City Planning).

**5. Consultation/communication**

These motions have been prepared in consultation with the Executive Leadership Team.

**6. Financial and resource implications**

There are no direct financial implications to Council in presenting these motions to the MAV State Council

**7. Governance issues**

The officer involved in the preparation of this report has no conflict of interest to disclose.

There are no implications for rights prescribed in the Victorian Charter of Human Rights and Responsibilities Act anticipated to flow directly as a consequence of this report.

**8. Social and environmental issues**

The motions being considered at the MAV State Council will cover a range of matters. The motions sponsored by Council have the potential to achieve worthwhile results for the Boroondara community and the broader Victorian community.

**Manager &  
report officer:** David Thompson, Governance



FORM

## MAV State Council Meeting – 18 May 2018

To submit a motion for consideration by State Council on Friday, 18 May 2018, please complete this form and email to the **State Council** email address [S2@mav.asn.au](mailto:S2@mav.asn.au), **no later than 20 April**. Please note, motions received by **12 April** (early motions) will be distributed to all MAV representatives on **13 April**. Submitters may amend their own motions up to 5pm on **27 April**.

### Motion 1

#### Public Housing Renewal Program

*Submitted by: Boroondara City Council*

#### MOTION:

That the Municipal Association of Victoria (MAV) seek a commitment from the State government that:

1. the increase in public housing units, as part of the Victorian Government's Public Housing Renewal Program should result in at least double the current number of public housing on the sites (not just a 10 per cent increase).
2. private developers should not be making a profit out of State Government land, and instead any profit is used to generate more social housing.
3. the Department of health and Human Services (DHHS) should allocate the budget to properly maintain public housing infrastructure.

*\*Note: Motions must be submitted by **one** council but may be supported by other councils. The council submitting the motion will need to supply written confirmation from any council(s) listed as supporting the motion. All relevant background information in support of the motion should be included in the space provided for the rationale and not in attachments. **The motion and rationale should be no longer than one page.***



FORM

**MAV Strategic Work Plan (SWP):**  
**Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.**

Is the subject matter of this motion included in the SWP?	Yes
If yes, identify the following:	
Objective No. 2	Improve the Reputation of Local Government
Priority No. 1	Raise the profile and influence of Local Government
Item No.	Influence is increased with State and Commonwealth Governments

**RATIONALE:**

Council recognises that safe and secure housing is essential for good health, employment, education and community wellbeing, and we believe that everyone has the right to safe and appropriate housing.

Council is deeply concerned about the Victorian Government's plans and approach for the renewal of the nine public housing estates, and, in particular, the estate at Bills Street, Hawthorn. Council is also concerned about the redevelopment of the estate at Markham Avenue, Ashburton where a similar model of housing is being proposed.

The Public Housing Renewal Program's (PHRP) proposed 10 per cent increase in public housing (or 1,100 public units) on the identified sites is vastly inadequate, especially given the size of the social\* housing waiting list. In Victoria, there is a significant shortage of social housing with only 3.47 per cent of all dwellings being social housing, which is much lower than the current national average of 4.5 per cent. Social housing is a vital housing option for people who are homeless or at risk

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of homelessness, including people escaping family violence.

Due to the low provision of social housing stock, there are extensive waiting lists. The DHHS June 2017 waiting list for Victoria shows 35,392 social housing applicants on the Victorian Housing Register and an additional 6,770 waiting to transfer to more suitable social housing. Figures provided for the Box Hill Regional Office (covering the cities of Boroondara, Whitehorse and Manningham) show 1,724 applicants waiting for social housing, and an additional 297 applicants waiting to transfer to more suitable housing within the social housing system. The DHHS does not break this list down to show demand in individual Local Government Areas (LGAs), and there is also no publicly available data on the demographic breakdown.

The proposal by DHHS to redevelop the sites with significant numbers of private apartments is a lost opportunity to make meaningful inroads into the waiting list. The Victorian Government should provide substantially more public housing on the sites by decreasing the proposed number of private units and making less or no profit out of the redevelopment. If any profit is derived from the redevelopment, it should be used to replace and grow the amount of public housing in the municipality.

Finally, the social housing to be provided as part of the redevelopments must be public housing and not community housing to ensure that the housing remains in the control of the Victorian Government in perpetuity. If the term social housing is used there is a risk that developers may lease the housing to a community housing provider for a period of time (e.g. 10 to 15 years), and once this has expired the developer may then sell the properties as they are no longer in the control of the Victorian Government.

The Victorian Government defines social housing as public and community housing and uses.

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### Motion 2

#### Cost shift to Local Government by the State Government Regarding the Resolution of Non-Compliant Combustible Cladding in Buildings

*Submitted by: Boroondara City Council*

#### MOTION:

That the Municipal Association of Victoria (MAV) advocate to the Minister of Planning to give the Victorian Building Authority (VBA) the powers of the Municipal Building Surveyor (MBS) to enforce the non-compliant cladding issue to address and rectify the highly dangerous combustible cladding which has been used in construction of high rise residential and public buildings in order to avoid a potential loss of life and property.

#### MAV Strategic Work Plan (SWP):

Indicate whether or not the subject matter of your motion is included in the MAV SWP 2017-19.

Is the subject matter of this motion included in the SWP?	Yes
If yes, identify the following:	
Objective No. 1	Help Councils Achieve Financial Sustainability
Priority No. 3	Explore new funding streams and saving opportunities
Item No.	Develop detailed understanding of impact of cost shifting on LG and seek funding to ensure that minimum level of community service provision in all communities

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**RATIONALE:**

Cladding materials which consist of aluminium composite panels or expanded polystyrene has been used globally and recent incidents resulting in loss of life and property have highlighted the need for all levels of Government to find a resolution.

The cladding issue has arisen from regulatory and operational failures at the heart of the building industry, largely through apparent negligence of building material importers and suppliers, accreditors and regulators, developers and certifiers.

Since this is a state issue, the State Government should provide support and fully fund Local Government if Council's MBSs are instructed to facilitate audits and bring these buildings to compliance. The State Government must also offer indemnify MBSs and the respective Council as there is a significant concern about possible litigation and prosecution costs which may arise as a result of the MBS carrying out enforcement action in relation to the cladding issue on buildings with PBS issued building permits.

- Nationwide use of combustible cladding presents a risk to the life and safety of occupants using these buildings and a financial risk to property owners.
- The cladding issue has arisen due to epic failures of the building regulatory system at all levels.
- Victoria's stock of buildings needs to be audited to reduce any imminent risk to life and safety of the occupants.
- Councils are responsible for administering and enforcing the Building Act and Regulations. Due to the enormity of this task, Councils will experience a lack of resources and financial means and should not be bestowed with the burden to resolve this issue for which they are not the source of the problem.
- The risk of liability to Councils must be addressed to provide immunity to those who are involved in the process of bringing these building to compliance.
- Owners will be left in an unenviable position to provide funding to rectify their buildings which will place a burden on those already experiencing financial hardship. The State and Federal governments should provide financial assistance for rectification work to be carried out without delay and make the buildings safe.
- Home owners have a right to be provided with assistance where the building regulatory system has failed them, placing their lives and property at risk.

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