

6.3 FLAMMABLE CLADDING RECTIFICATION

OFFICERS' REPORT

Submitting Councillor: Stuart James

That Council:

1. *Supports the motion to the Municipal Association of Victoria October 2022 State Council requesting State Government supports the retention of extreme and high risk buildings resulting from the use of flammable cladding must remain under the control of the Victorian Building Authority (VBA) and that none of these buildings revert to Councils' jurisdiction.*

The motion to be submitted is:

That the MAV:

1. *Urgently seek an update from State Government of the rectification status where the Victorian Building Authority (VBA) is Municipal Building Surveyor (MBS).*
2. *Seek an explanation as to why rectification has not been completed on buildings over the past 5 years.*
3. *Seek a commitment from the State Government that all buildings that are deemed extreme and high risk where the VBA is the MBS remain under their jurisdiction, and that none are transferred to Councils'. Understanding that:*
 - * *The VBA has been the MBS for many of these building for 5 years, has inspected, issued notices and has intimate knowledge of issues beyond that of Councils, who have had little to no involvement in the management of these buildings during this time.*
 - * *It would create confusion and angst amongst the owners and occupiers of these buildings, as a Council would need to reinspect, issue its own notices and take action for rectification of the buildings which seems unnecessary and duplicitous given the actions of the VBA as MBS.*
 - * *The issues associated with these buildings is greater than just cladding, and includes issues such as water ingress, standard of construction and modification to performance measures where VBA is not only MBS, but a regulatory authority.*
 - * *It would create a significant cost burden on Councils and their ratepayers, (VBA and CSV were funded for this), risk, lack of access to technical expertise and lack of available resourcing given the shortage in qualified building professionals.*

BUDGET IMPLICATIONS

Current advocacy on this matter is being accommodated within existing Council resources.

IMPACT ON INTERNAL RESOURCES

There is no impact on internal resources as the current advocacy is accommodated within existing council resources.

COUNCIL PLAN AND COUNCIL POLICIES

The Motion relates to the following statements and actions from Council Plans and Strategies. (For ease of reference, the numbering used under each Plan/Strategy is taken from the relevant Plan/Strategy):

1. Council Plan – 2021-2025***Sustainable city***

- Ensure an economically, socially, and environmentally sustainable municipality.

Inclusive Services

- Deliver high performing services

Good Governance

- Ensure a financially, socially and environmentally sustainable organisation
- Council will work broadly to meet community needs including advocacy and partnering with other levels of government, local organisations and community groups.

2. Financial Plan 2021-2031***Financial Management Principles***

- Management of financial risks including the financial viability of the Council.

Service Performance Principles

- Council provides quality services that provide value for money to the community. The Local Government Performance Reporting Framework (LGPRF) is designed to communicate Council's performance regarding the provision of quality and efficient services.

RELEVANCE TO WORK ALREADY UNDERTAKEN BY OFFICERS OR COMMITTEES

The issue has been raised and discussed with both the Eastern and South East Melbourne Region of Council's and Council has also participated in discussions with the M9 Councils, which is made up of a number of inner city Municipalities.

FURTHER CONSIDERATIONS

Nil