

## APPENDIX A

### DAREBIN CITY COUNCIL NOTICE OF INTENTION TO DECLARE A SPECIAL RATE PRESTON CENTRAL BUSINESS DISTRICT

In accordance with a resolution of the Darebin City Council ("Council") made at its ordinary meeting held on 22 April 2014, notice is given that at the ordinary meeting of the Council to be held on 7 July 2014, it is the intention of the Council to declare a Special Rate ("Special Rate") under section 163(1) of the *Local Government Act 1989* ("Act") for the purposes of defraying expenses to be incurred by Council with respect to management, promotional, advertising, marketing, business development (and other incidental expenses), such expenses being associated with the encouragement of commerce, retail and professional activity and employment in the Preston Central Business District ("Business District").

The proposed Special Rate will be based on geographic criteria, having regard to the location (as set out below and also shown on the plan) and the capital improved value ("CIV") of those rateable properties in the Business District that are used, or reasonably capable of being used, for commercial, retail or professional purposes.

In performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Darebin, in particular the encouragement of commerce, retail and professional activity and employment, the Council intends to levy and spend \$110,000 in the first year of the Scheme and to levy and spend in the second, third, fourth and fifth years of the Scheme amounts respectively being the amounts of the Special Rate payable in the immediate preceding year to which has been added any increase in the Consumer Price Index ("CPI") as provided by the Australian Bureau of Statistics for the previous financial year.

The total cost of the performance of the function and the exercise of the power and the total amount of the Special Rate to be levied by Council for the period of the Scheme, being 1 July 2014 to 30 June 2019, will be a combination of the amount of \$110,000 (being the amount to be raised in the first year of the Scheme) and the amounts to be raised in the second, third, fourth and fifth years of the Scheme, reflecting any increases in the CPI for the previous financial year.

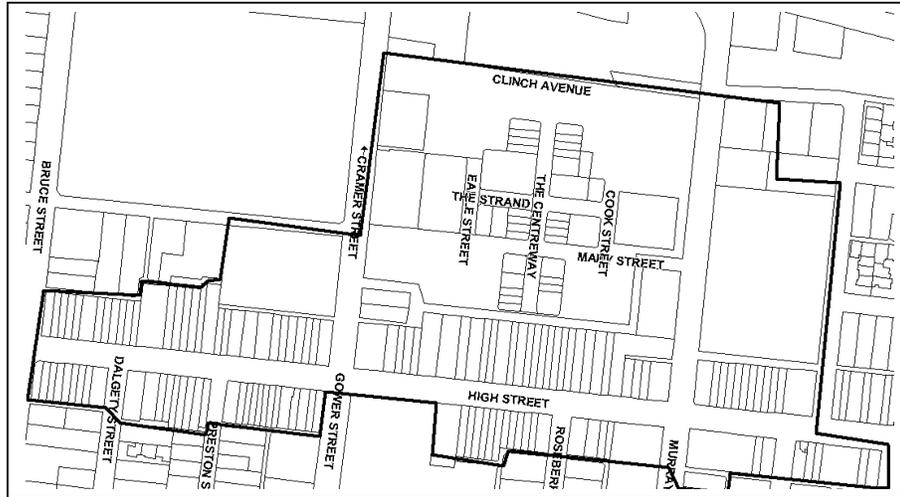
The following rateable properties are specified as being the area and the land for which the proposed Special Rate will be declared:

- 317-509 High Street, Preston inclusive;
- 274-444 High Street, Preston inclusive;
- 241A-251 Murray Road, Preston inclusive;
- 1-26 Cramer Street, Preston inclusive;
- 25 Preston Street, Preston inclusive;
- 14-32 The Centreway, Preston inclusive;
- 1-12 The Strand, Preston inclusive;
- 1 Cook Street, Preston inclusive;
- 19-29 Mary Street, Preston inclusive;
- 267-275 Gower Street, Preston inclusive;
- 88 Roseberry Avenue, Preston inclusive; and

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- The Preston Market (all land contained within the area known as the Preston Market and bounded by Murray Road, Cramer Street, the South Morang Railway Line and the rear of High Street).

A plan of the Scheme area appears below.



For the period of the Scheme, the proposed Special Rate payable by each property will, for the first year of the Scheme, be assessed by multiplying the CIV of the property by a rate of 0.00048189 and then for the second, third, fourth and fifth years of the Scheme, by applying the same formula and adding to the amount calculated any increase in the CPI for the previous financial year.

The proposed Special Rate will be levied by the Council sending a notice of levy annually to the persons required to pay the Special Rate, which will require that the Special Rate be paid in four instalments, to be paid by the dates fixed by the Council in the notice and in accordance with section 167(3) of the Act. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate.

The Council considers that each rateable property and each business included in the Scheme area that is required to pay the Special Rate will receive a special benefit because the viability of the Business District as a retail, commercial and professional area, and the value and the use, occupation and enjoyment of the properties will be maintained or enhanced through increased economic activity.

In accordance with sections 163(2)(a), (2A) and (2B) of the Act, the Council has determined (and previously set out) the total amount of the Special Rate to be levied (taking into account also any increases in the Special Rate arising from any increases in the CPI) and further considers and formally determines that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of the Council, all of the services and activities to be provided under the Scheme are marketing, promotional and advertising related and will accordingly only benefit those properties included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

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Copies of the proposed declaration of Special Rate and a plan of the Scheme area are available to inspect during normal business hours at Darebin City Council Offices, 274 Gower Street Preston, for a period of at least 28 days after the publication of this notice.

Any person may make a written submission to the Council under sections 163A and 223 of the Act. In addition, any person who will be required to pay the proposed Special Rate, whether an owner or an occupier of a property included in the Scheme, has a right to object to the proposed declaration and may also make a written objection to the Council under section 163B of the Act. An occupier is entitled to exercise the right of objection if they submit documentary evidence with the objection which shows that it is a condition of the lease under which the person is an occupier that the occupier is to pay the Special Rate.

Written submissions submitted under section 223 of the Act and/or objections lodged under section 163B of the Act must be received by the Council by 5pm on 30 May 2014. Submissions and/or objections must be in writing and addressed and sent by mail to the Business Development Coordinator, Darebin City Council, P.O. Box 91 Preston 3072.

Any person who has made a written submission under section 223 of the Act and has requested that they be heard in support of their written submission is entitled to appear in person or by a person acting on their behalf before a Committee appointed by the Council to hear submissions under section 223 of the Act, the date, time and place of which will be advised in writing.

Any person making a written submission under section 223 of the Act is advised that under regulation 11 of the *Local Government (General) Regulations 2004*, the Council is required to make available for public inspection all submissions received in accordance with section 223 of the Act during the previous 12 months. Details of submissions will become public documents that are available for inspection and may also be included in official Council Agendas and Minutes, on Council's website and otherwise in accordance with law.

Council will consider any written submissions and take into account any written objections in accordance with sections 163A, 163B and 223 of the Act.

Any person requiring further information in relation to the proposed declaration of Special Rate should in the first instance contact the Business Development Coordinator on 8470 8416 or [business@darebin.vic.gov.au](mailto:business@darebin.vic.gov.au).

**Rasiah Dev**  
**Chief Executive**