

**GLEN EIRA CITY COUNCIL ('COUNCIL')**

**PROPOSED DECLARATION OF SPECIAL RATE**

**ELSTERNWICK SHOPPING CENTRE ('CENTRE')**

1. The following declaration of a special rate:

- a. The special rate remains in force for the period 1 July 2024 to 30 June 2031.
- b. It be recorded that, in accordance with section 163 (1A) of the Local Government Act 1989, public notice of Council's intention to make this Declaration was given on Friday 22 March 2024.
- c. The special rate be declared for the purpose of defraying promotional, decoration, marketing, business development and other incidental expenses associated with the encouragement of commerce in the Centre, which:
  - i. Council considers it is, or will be, a special benefit to those persons required to pay the special rate (and who are described in succeeding parts of this Declaration); and
  - ii. arises out of Council's function of planning for and providing services and facilities for the local community.
- d. The total of the special rate which is to be levied each financial year between 1 July 2024 and 30 June 2031 be recorded as
  - i. \$245,000 in the first year; and
  - ii. in each successive financial year, the total amount in the immediately preceding 12-month period increased by the Consumer Price Index (All Groups, Melbourne Index Number) rate provided by the Australian Bureau of Statistics for the 12-month period as at the March quarter.
- e. It be recorded that, for the purposes of Section 163(2A) of the Local Government Act 1989, the special rate proceeds of \$245,000, or such other amount as is lawfully levied as a consequence of this Declaration, will not exceed the amount calculated in accordance with the prescribed formula in section 163(2A) ( $R \times C = S$ ), with the 'benefit ratio' (R) being calculated at 100 per cent and representing the total benefits of the special rate scheme that will accrue as special benefits to all persons liable to pay the special rate.
- f. The following be specified as the area for which the special rate is so declared:

The area within the municipal district of Council highlighted in the plan attached to this Declaration ("the area").
- g. The following be specified as the land in relation to which the special rate is so declared: All land within the area primarily used for commercial or industrial purposes or obviously adapted to or designed for being primarily used for commercial or industrial purposes.
- h. The following be specified as the criterion which forms the basis of the special rate so declared:

Ownership of any land described in part 1(f) of this Declaration.
- i. The following be specified as the manner in which the special rate so declared will be assessed and levied in respect of each parcel of rateable land: for the period between 1 July 2024 and 30 June 2031 the applicable rate of cents in the dollar (determined by Council on 1 July 2024 to raise special rate proceeds, equal the amount described in part 1(c) of this Declaration) multiplied by the Net Annual Value of each parcel of rateable land, and thereafter a rate in the dollar (multiplied by the Net Annual Value of each parcel of rateable land) determined by Council from time to time designed to raise special rate proceeds equal to the amount described in part 1(c) of this Declaration.

- j. For the purposes of part 1(i) of this Declaration the Net Annual Value of each parcel of rateable land is the Net Annual Value of that parcel of land at the time of levying the special rate (so that the Net Annual Value may alter during the period in which the special rate is in force, reflecting any revaluations and supplementary valuations which take place).
  - k. Having regard to the preceding parts of this Declaration but subject to Section 166(1) of the Local Government Act 1989, it be recorded that, subject to any further Declaration of Council, the special rate will be due and payable on the dates(s) fixed under Section 167 of the Local Government Act 1989 as the date or dates on or by which Council's general rates are due.
2. Council's Chief Executive Officer is authorised to levy the special rate, by sending a notice levying payment on each person liable to pay the special rate.
  3. This declaration will expire if the special rate is not levied to each person liable to pay it within 12 months after the day on which the declaration to which the rate relates is made.