

PROPOSED DECLARATION

The East Ivanhoe Village Special Charge Scheme

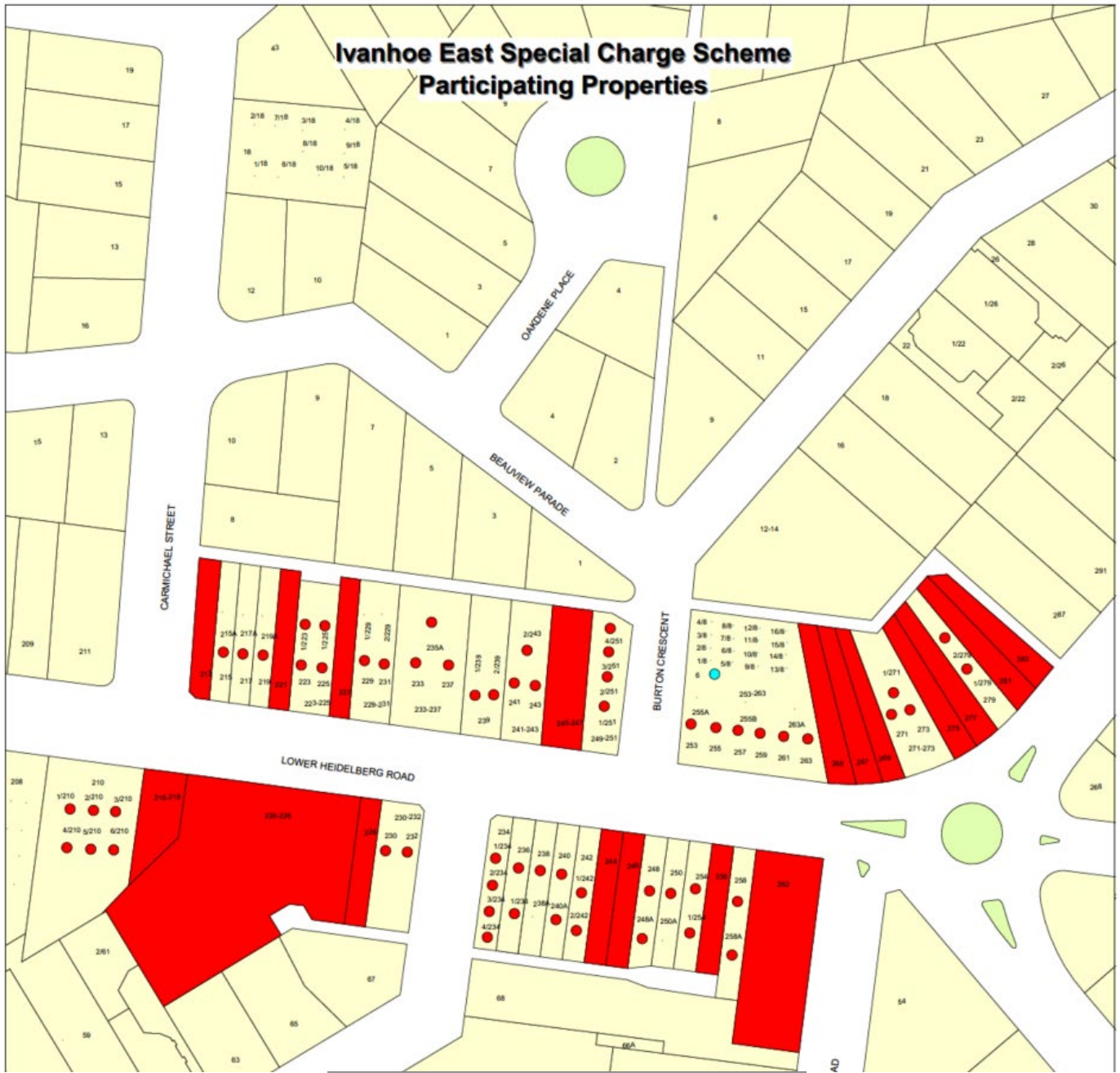
1. The Banyule City Council (**Council**) proposes to declare a Special Charge (**Special Charge**) under section 163(1) of the *Local Government Act* 1989 (**Act**) for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the East Ivanhoe Village Business Association (**Traders Association**), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the Traders Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the East Ivanhoe Village Shopping Precinct. (**Shopping Centre or Scheme**).
2. The criteria which form the basis of the proposed declaration of Special Charge and are the ownership of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs 6 and 7 of this proposed declaration are included.
3. In proposing the declaration of a Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Banyule, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the proposed Special Charge is to be declared.
4. The total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the proposed Special Charge is to be declared) and also the total amount of the Special Charge to be levied by Council is referable to an amount of \$48,125 which amount, it is proposed, will be levied in each year of the Scheme and which in total will raise an amount of \$240,625 over the five year period of the Scheme.

5. The period for which the proposed Special Charge and Charge is to be declared and is to remain in force is a period of five years commencing on 1 July 2023 and ending on 30 June 2028.
6. The area for which the proposed Special Charge is to be declared is all of the land referred to as East Ivanhoe Village, as identified and shown on the plan set out in the schedule forming a part of this proposed declaration (being **Schedule 1**).
7. The land in relation to which the proposed Special Charge is to be declared is all that rateable land described in the listing of rateable properties set out in the schedule forming a part of this proposed declaration (being **Schedule 2**).
8. The contributions to the proposed Special Charge will be declared and assessed in accordance with the Special Charge amounts set out alongside each property in the schedule forming a part of this proposed declaration (being **Schedule 2**). Properties included will be liable or required to pay \$625 per annum
9. The proposed Special Charge will be levied by Council sending a Notice of Levy in the prescribed form annually to the person who is liable to pay the Special Charge, which will require that the Special Charge must be paid in the following manner -
 - (a) by one annual payment to be paid in full by the due date fixed by Council in the notice, which will be a date not less than 30 days after the date of issue of the notice; or
 - (b) by four instalments, to be paid by the dates which are fixed by the Council in the notice.
10. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge. No incentives will be given for payment of the Special Charge before the due date for payment.
11. Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are

not subject to the proposed Special Charge, and directly and indirectly as a result of the expenditure proposed by the Special Charge, the viability of the Shopping Centre as a business, commercial, retail and professional area, and the value and the use, occupation and enjoyment of the properties and the businesses included in the Special Charge Scheme area will be maintained or enhanced through increased economic activity.

12. Council further considers, and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act, 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 Charge is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the proposed Special Charge are marketing, promotion and advertising related and will accordingly only benefit the owners and occupiers of those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes (in circumstances where there are no other special benefits or community benefits accruing from the Special Charge).

Schedule 1: Proposed Declaration of Special Charge



- Participating Properties (Multiple Occupancy Site)
- Participating Properties (Single Occupancy Site)
- Property for inclusion in 2023-2028 Scheme

Schedule 2: Proposed Declaration of Special Charge

	Property Description	Annual Charge
1	1/210 Lower Heidelberg Road	\$ 625.00
2	2/210 Lower Heidelberg Road	\$ 625.00
3	3/210 Lower Heidelberg Road	\$ 625.00
4	4/210 Lower Heidelberg Road	\$ 625.00
5	5/210 Lower Heidelberg Road	\$ 625.00
6	6/210 Lower Heidelberg Road	\$ 625.00
7	213 Lower Heidelberg Road	\$ 625.00
8	215 Lower Heidelberg Road	\$ 625.00
9	216 Lower Heidelberg Road	\$ 625.00
10	217 Lower Heidelberg Road	\$ 625.00
11	219 Lower Heidelberg Road	\$ 625.00
12	220 Lower Heidelberg Road	\$ 625.00
13	221 Lower Heidelberg Road	\$ 625.00
14	223 Lower Heidelberg Road	\$ 625.00
15	1/223 Lower Heidelberg Road	\$ 625.00
16	2/223 Lower Heidelberg Road	\$ 625.00
17	225 Lower Heidelberg Road	\$ 625.00
18	227 Lower Heidelberg Road	\$ 625.00
19	228 Lower Heidelberg Road	\$ 625.00
20	229 Lower Heidelberg Road	\$ 625.00
21	230 Lower Heidelberg Road	\$ 625.00
22	231 Lower Heidelberg Road	\$ 625.00
23	232 Lower Heidelberg Road	\$ 625.00
24	233-235 Lower Heidelberg Road	\$ 625.00
25	1/234 Lower Heidelberg Road	\$ 625.00
26	2/234 Lower Heidelberg Road	\$ 625.00
27	3/234 Lower Heidelberg Road	\$ 625.00
28	4/234 Lower Heidelberg Road	\$ 625.00
29	235A Lower Heidelberg Road	\$ 625.00
30	236 Lower Heidelberg Road	\$ 625.00
31	1/236 Lower Heidelberg Road	\$ 625.00
32	237 Lower Heidelberg Road	\$ 625.00
33	238 Lower Heidelberg Road	\$ 625.00
34	1/239 Lower Heidelberg Road	\$ 625.00
35	2/239 Lower Heidelberg Road	\$ 625.00
36	240 Lower Heidelberg Road	\$ 625.00
37	240A Lower Heidelberg Road	\$ 625.00
38	241 Lower Heidelberg Road	\$ 625.00
39	1/242 Lower Heidelberg Road	\$ 625.00
40	2/242 Lower Heidelberg Road	\$ 625.00
41	243 Lower Heidelberg Road	\$ 625.00
42	2/243 Lower Heidelberg Road	\$ 625.00
43	244 Lower Heidelberg Road	\$ 625.00
44	245 Lower Heidelberg Road	\$ 625.00
45	246 Lower Heidelberg Road	\$ 625.00

46	248 Lower Heidelberg Road	\$ 625.00
47	248A Lower Heidelberg Road	\$ 625.00
48	250 Lower Heidelberg Road	\$ 625.00
49	1/251 Lower Heidelberg Road	\$ 625.00
50	2/251 Lower Heidelberg Road	\$ 625.00
51	3/251 Lower Heidelberg Road	\$ 625.00
52	4/251 Lower Heidelberg Road	\$ 625.00
53	253 Lower Heidelberg Road	\$ 625.00
54	254 Lower Heidelberg Road	\$ 625.00
55	1/254 Lower Heidelberg Road	\$ 625.00
56	255 Lower Heidelberg Road	\$ 625.00
57	256 Lower Heidelberg Road	\$ 625.00
58	257 Lower Heidelberg Road	\$ 625.00
59	258 Lower Heidelberg Road	\$ 625.00
60	258a Lower Heidelberg Road	\$ 625.00
61	259 Lower Heidelberg Road	\$ 625.00
62	261 Lower Heidelberg Road	\$ 625.00
63	262 Lower Heidelberg Road	\$ 625.00
64	263 Lower Heidelberg Road	\$ 625.00
65	265 Lower Heidelberg Road	\$ 625.00
66	267 Lower Heidelberg Road	\$ 625.00
67	269 Lower Heidelberg Road	\$ 625.00
68	271 Lower Heidelberg Road	\$ 625.00
69	1/27 -273 Lower Heidelberg Road	\$ 625.00
70	273 Lower Heidelberg Road	\$ 625.00
71	275 Lower Heidelberg Road	\$ 625.00
72	277 Lower Heidelberg Road	\$ 625.00
73	1/279 Lower Heidelberg Road	\$ 625.00
74	2/279 Lower Heidelberg Road	\$ 625.00
75	281 Lower Heidelberg Road	\$ 625.00
76	283 Lower Heidelberg Road	\$ 625.00
77	6 Burton Crescent	\$ 625.00
		\$ 48,125.00