

**NOTICE OF PROPOSED DECLARATION OF A SPECIAL RATE
AND CHARGE COMBINED SCHEME FOR
THE PORT MELBOURNE BUSINESS PRECINCT 2021 - 2026**

In accordance with a resolution of the Port Phillip City Council (**Council**), notice is given that at an ordinary meeting of the Council to be held on 5 August 2020, it is the intention of the Council to declare a Special Rate and Charge Combined Scheme (**Special Rate or Scheme**) under section 163(1) of the *Local Government Act 1989* (**Act**) for the Port Melbourne Business Precinct (**Business Precinct**). The Special Rate will be declared for the purposes of defraying expenses to be incurred by Council in, administratively only and subject always to the approval, direction and control of the Council, providing funds to the incorporated body known and operating as the Port Melbourne Business Association (**Traders' Association**), which funds are to be used for the purposes of promotional, advertising, marketing and business development expenses, all of which are associated with the encouragement of commerce, retail, tourism and professional activity and employment in the Business Precinct.

The Special Rate will be based on geographic criteria, having regard to the location and the net annual value (NAV) of those ratable properties in the Business Precinct that are used, or reasonably capable of being used, for retail, commercial, leisure, tourism, entertainment, light industrial and professional purposes and further, the classification of those properties as receiving a 'primary' or 'secondary' special benefit based upon the nature and characteristics of the properties and businesses included in each of the two benefit areas.

The Council considers that each rateable property and each business included in the Scheme area that is liable or required to pay the Special Rate will receive a special benefit because the viability of the Business Precinct as a commercial, retail, leisure, tourism, entertainment, light industrial and professional area will be enhanced through increased economic activity.

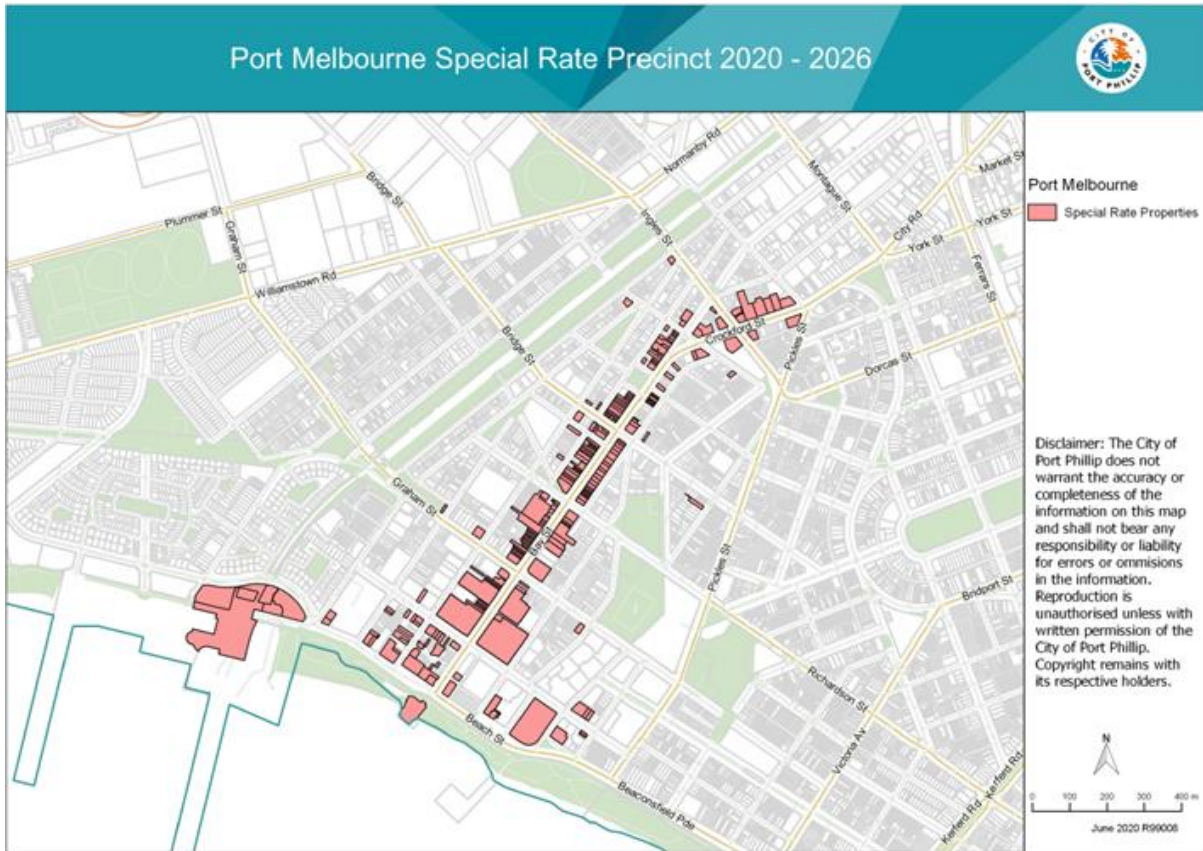
In performing functions and exercising powers in relation to the peace, leadership and good governance of the municipal district of the City of Port Phillip, in particular, the encouragement of commerce, retail activity, tourism and professional activity and employment opportunities in and around the area for which it is proposed the Special Rate will be declared, the Council intends to levy a maximum amount of \$320,000 in each year of the Scheme, raising a total of \$1,600,000 over the five year period of the Scheme (which amount is also the total cost of the Scheme).

The Special Rate is to be declared, and will remain in force, for the period commencing on 1 July 2021 and ending on 30 June 2026.

The following eligible properties within the below address ranges are included in the Scheme:

1-413 (inclusive) and 2-476 (inclusive) Bay Street
1-105 (inclusive) and 10, 38, 92 (inclusive) Beach Street
28-40 (inclusive) Beaconsfield Parade
123-141 (inclusive) and 92-126 (inclusive) Bridge Street
1-83 (inclusive) and 40-86 (inclusive) Crockford Street
69 Cruickshank Street
146 Evans Street
97 and 214-252 (inclusive) Graham Street
5 Ingles Street
21 Johnston Street
21 and 8-30 (inclusive) Lalor Street

141-147 (inclusive) Liardet Street
 1-53 (inclusive) and 46-174 (inclusive) Nott Street
 2-4 (inclusive) Princes Street
 2 – 4 and 33-107 (inclusive) Raglan Street
 55-223 (inclusive) and 46-224 (inclusive) Rouse Street
 100 Spring Street North
 192 Station Street
 18-42 (inclusive) Stokes Street
 1-13 (inclusive) Waterfront Place



For the period of the Scheme, it is proposed that the Special Rate will be assessed as follows:

Primary Benefit Area

The 'primary' benefit area includes properties that are used, or reasonably capable of being used, for retail, commercial, leisure, tourism, entertainment, light industrial or professional purposes and are located at ground level in Bay Street, Beach Street, Rouse Street (between Nott Street and Dow Street) and Waterfront Place, and which, in the opinion of Council receive a primary special benefit. Properties included in the primary benefit area will be subject to a rate of 0.00830 multiplied by the property's NAV. A minimum annual contribution of \$685.00 will apply.

Secondary Benefit Area

The 'secondary' benefit area includes all other properties identified in the list above (which are not included in the primary benefit area) that are used or reasonably capable of being used for retail, commercial, leisure, tourism, entertainment, light industrial or professional

purposes, and which, in the opinion of Council receive a secondary special benefit. Properties included in the secondary benefit area will be subject to a rate of 0.00415 multiplied by the property's NAV. A minimum annual contribution of \$435.00 will apply.

The Special Rate will be levied by the Council sending a levy notice annually to the persons who are liable to pay the Scheme levy, which will require that the Special Rate levy must be paid in the following manner -

- 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 the issue of the notice; or
- by four installments to be paid by the dates which are fixed by Council in the notice.

For the purposes of having determined the total amount of the Special Rate to be levied under the Scheme, the Council 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 or required 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 from the proceeds of the expenditure of the Special Rate are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used for retail, commercial, leisure, tourism, entertainment, light industrial and professional purposes.

Copies of the proposed declaration of the Special Rate are available for inspection at the Port Phillip City Council Offices, cnr Carlisle Street and Brighton Road, St Kilda 3182 during normal business hours for a period of 30 days after the date of 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 Special Rate to be imposed by the proposed declaration, 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.

Submissions and objections must be lodged with Council by **5pm on Monday 21 September, 2020** and be directed to the <CoPP Officer responsible>, City of Port Phillip, Private Bag 3, St Kilda, Victoria 3182 or via email to <portmelbournspecialrate@portphillip.vic.gov.au.>

Any person who has made a written submission under section 223 and 163B of the Act and has requested to be heard in support of their written submission is entitled to appear in person or to be represented by a person specified in the submission before Council to hear submissions under section 223 of the Act, the day, time and place of which will be advised in writing.

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

Any person requiring further information concerning the proposed declaration of the Special Rate should in the first instance <CoPP contact> on <tel> or <email>

PETER SMITH
CHIEF EXECUTIVE OFFICER