



NOTICE OF PROPOSED DECLARATION OF A SPECIAL RATE AND CHARGE FOR THE FITZROY STREET BUSINESS PRECINCT 2024 - 2029

Port Phillip City Council (**Council**) is proposing to declare a special rate and special charge (**Special Rate**) scheme under section 163(1) of the *Local Government Act 1989 (Act)* for the purpose of defraying expenses in connection with the marketing, promotion, business development and centre management for the encouragement of commerce, retail, tourism, professional activity and employment in the Fitzroy Street Business Precinct (**Business Precinct**). A map of the Business Precinct is extracted below:

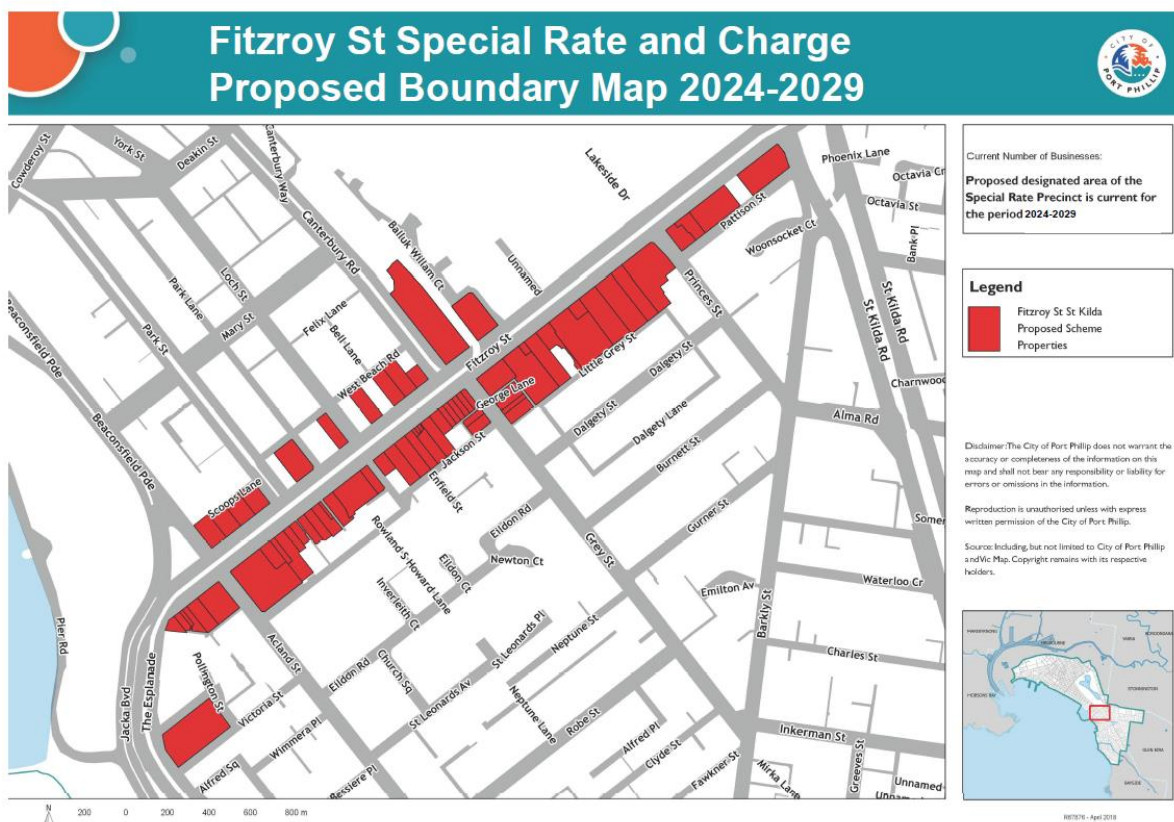


Figure 1. Boundary Map

If declared, the Special Rate will commence on 1 July 2024 and remain in force until 30 June 2029 (**Special Rate Period**).

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, tourism and employment opportunities in the area for which the Special Rate scheme is declared), and the total amount of the Special Rate to be levied by Council, will be \$1,000,000. This is the total amount that will be raised by way of the Special Rate scheme during the proposed Special Rate Period and reflects an amount of up to \$200,000 per annum in each of the financial years from 2024-2025 to 2028-2029.

The rates in the dollar applicable to properties in each 'benefit area' (described below) for the purposes of levying the Special Rate will be determined at the beginning of each

financial year, having regard to the current Net Annual Value (**NAV**) of all the properties in each benefit area at that time, to raise up to \$200,000 per annum.

By way of example, and in the absence of the NAV figures for 2024-2025, below shows the rates in the dollar, based on the 2023-2024 NAV valuations, that would have been applied to collect the special rates and charges totalling up to \$200,000 per annum:

- Primary benefit rate – 0.01129
- Secondary benefit rate – 0.00883
- Tertiary benefit rate – 0.00652
- Quaternary benefit rate – 0.00490

The actual special rates to be applied in 2024-2025, and in each subsequent year of the Special Rate Period, will be determined having regard to reassessed NAV figures prepared annually by Valuer-General Victoria.

Furthermore, the following annual maximum and minimum special charges (which set a lower and upper limit to the amount to be levied on any one property) are proposed to apply in rating year 2024-25:

- A minimum charge of \$878 and a maximum charge of \$3,260 per year for:
 - Ground or basement level properties with a street frontage on Fitzroy Street or the Esplanade; or
 - Properties with a Fitzroy Street address facing Canterbury Road, (**Primary benefit area**);
- A minimum charge of \$691 and a maximum charge of \$2,712 per year for:
 - Ground level properties with a Fitzroy Street address that do not face or front onto Fitzroy Street;
 - Ground level properties with an Acland Street address;
 - Ground level properties with a Grey Street address;
 - 1 George Lane; or
 - 1 St Kilda Road, (**Secondary benefit area**);
- A minimum charge of \$523 and a maximum charge of \$2,173 per year for above ground level properties with a Fitzroy Street address (**Tertiary benefit area**); and
- A minimum charge of \$452 and a maximum charge of \$1,686 and a per year for above ground level properties that do not have a Fitzroy Street address (**Quaternary benefit area**).

The maximum and minimum special charges will be adjusted at the beginning of each financial year during the operation of the Scheme, having regard to:

- any change to the special rate in each of the benefit areas (which, as above, will be determined having regard to the movement of NAV to ensure that \$200,000 will be collected in that year);
- the inclusion or removal of any properties from the Scheme; and
- any change in the number of properties that will pay a special charge (as opposed to a special rate), having regard to the changed special rates in each benefit area, as above.

The Special Rate will be levied by the Council sending a levy notice annually to the persons who are liable to pay the Special Rate. In accordance with section 163(4A) of the Act, if declared, the Special Rate scheme 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 Special Rate scheme is declared.

Proposed Declaration

Copies of the proposed declaration of the Special Rate scheme are available for inspection at Council's Offices, corner Carlisle Street and Brighton Road, St Kilda 3182 during normal business hours for a period of at least 28 days after the date of publication of this notice.

Submissions and Objections

Any person may make a written submission to 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 as owner or occupier of a property included in the Special Rate scheme) has a right to object to the proposed declaration under section 163B of the Act.

Only one valid objection may be received per property.

For an objection to be valid it must:

- be made in writing within 28 days of the publication of this public notice; and
- in the case of an occupier, be accompanied by documentary evidence 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.

If objections are received with respect to a majority of the properties that will be liable to pay the Special Rate, Council cannot declare the Special Rate scheme.

Objections must be lodged with Council within 28 days of the publication of this notice in order to be valid objections – that is, by **5pm on Monday 18 December 2023** - and be directed to:

Susie Filleti
Economic Development
City of Port Phillip
Private Bag 3, St Kilda, Victoria 3182
or via email to fitzroystreetspecialrate@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 any objections in accordance with sections 163A, 163B and 223 of the Act.

Subject to the outcome of the submission and objection process, Council proposes to declare the Special Rate scheme at its meeting at **6:30pm on Wednesday 3 April 2024** or nearest date closest to that date, following the confirmation of the 2024 Council Meeting schedule.

Any person requiring further information concerning the proposed declaration of the Special Rate should in the first instance contact Susie Filleti, Business Engagement Coordinator on 03 8563 7329 or fitzroystreetspecialrate@portphillip.vic.gov.au.

CHRIS CARROLL
CHIEF EXECUTIVE OFFICER