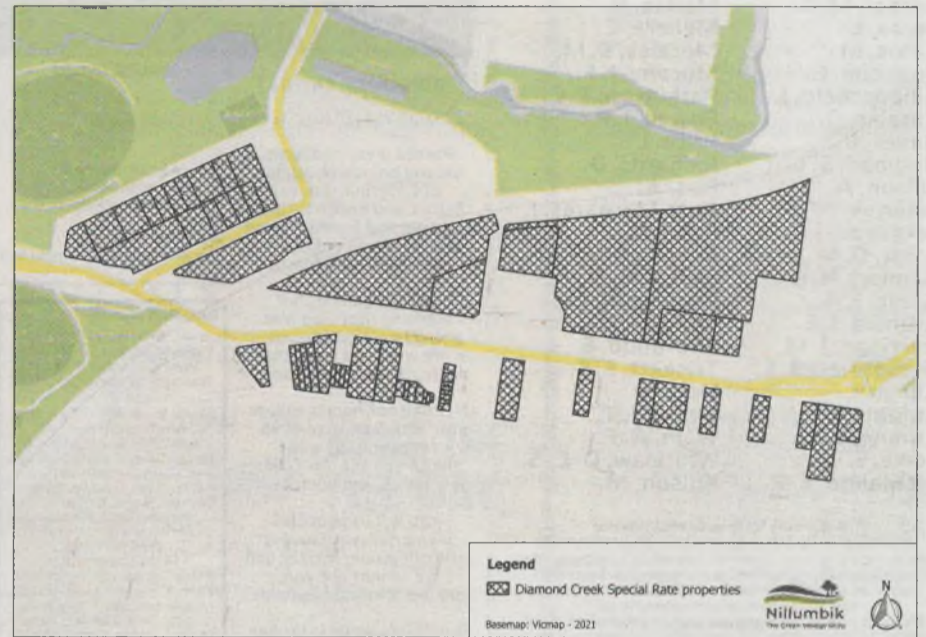


## Notices

## Public Notices

## NILLUMBİK SHIRE COUNCIL NOTICE OF INTENTION TO DECLARE A SPECIAL RATE FOR THE DIAMOND CREEK CENTRE (Precinct)



Under Section 163 of the *Local Government Act 1989* (Act), Nillumbik Shire Council (Council), as resolved at its meeting on **24 August 2021**, gives notice of its intention to declare a special rate.

The special rate is to defray expenses of Council in providing funds to the Diamond Creek Traders Association for funding a centre coordinator, promotions, advertising, marketing, business development and related incidental expenses to encourage commerce, retail and professional activity and employment in the Diamond Creek commercial business centre (Precinct).

The area of the special rate will be based on geographic criteria: the location and the capital improved value of those rateable properties within the Precinct that are used, or reasonably capable of being used, for commercial, retail or professional purposes.

Council considers that each rateable property included in the area that will be required to pay the special rate will receive a special benefit through increased economic activity.

Council intends to levy and spend an amount of **\$120,000** for the first year; raising in total an estimated amount of **\$600,000**, subject to Capital Improved Value (CIV) over the five year period for which the special rate is intended to remain in force. The special rate is to be levied from **1 July 2022** and remain in force for the period ending **30 June 2027**. The land to which the special rate is to be declared: properties located in the retail and commercial business precinct comprising properties on Main Road, Collins Street, Inglis Street, Chute Street, Elizabeth Street, Main Hurstbridge Road and George Street in Diamond Creek as shown on the map.

The special rate will be assessed on the ownership of rateable land used or zoned for commercial, retail or professional purposes located within the Precinct. The special rate is calculated by reference to the Capital Improved Value (CIV) of each property liable to pay the special rate in a similar manner to the calculation of the general rate and will be levied by Council sending quarterly notices each year to the persons liable to pay the special rate. It is payable by the due date fixed by Council in the notice. Council will consider cases of hardship and may reconsider other payment options for the special rate. There will be no incentives given for payment of the special rate before the due dates for payment.

For the total amount of the special rate to be levied, under section 163 (2)(a), (2A) and (2B) of the Act Council determines the estimated proportion of the total benefits of the special rate to which the performance of the function and the exercise of the power relates, including all special benefits and community benefits, that will accrue to the persons who are liable to pay the special rate, to be in a ratio of 1:1 (or 100%).

CARL COWIE - CHIEF EXECUTIVE OFFICER  
NILLUMBİK SHIRE COUNCIL

In the opinion of 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 subject to the special rate that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

Copies of the proposed declaration and a detailed plan of the area including a list of all properties to be liable to pay the special rate, with the estimated amounts payable by each property based on the 2021 CIV valuation, are available for inspection during office hours at Council offices in Greensborough and on Council's website [www.nillumbik.vic.gov.au](http://www.nillumbik.vic.gov.au) for a period of at least 28 days after the date of the publication of this notice.

Under section 163A of the Act any person may make a written submission to Council under 223 in relation to Council's proposal to make a declaration under section 163 of the Act.

Any person required to pay the special rate imposed by the proposed declaration, whether an owner or an occupier of a property, has a right to object to the proposed declaration. In addition to the right to make a submission given under section 163A, the person may make a written objection to 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 showing that it is a condition of the lease under which the person is an occupier that the occupier is to pay any special rate.

Written submissions to Council under section 223 of the Act and/or written objections to be lodged with Council under section 163B of the Act must be received by Council addressed to the Economic Development and Tourism Officer, Nillumbik Shire Council, PO Box 476, Greensborough 3088 by 5 pm on **Friday 24 September 2021**.

Any person who has made a written submission under section 223 of the Act and has requested to be heard in support of their submission is entitled to appear in person or to be represented by a person specified in the submission before a Delegated Committee appointed by the Council to hear submissions under section 223 of the Act. Submitters will be advised in writing of the date and time of the meeting. Council will consider any written submissions and take into account any objections in accordance with sections 163A, 163B, and 223 of the Act.

Council proposes to make the declaration in late January/early February 2022.

Further information on the special rate may be obtained from the Economic Development and Tourism unit on 9433 3111 or [business@nillumbik.vic.gov.au](mailto:business@nillumbik.vic.gov.au)

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