

7 Presentation of officer reports

7.1 Maling Road Shopping and Business Centre - Marketing and Business Development Fund

Executive Summary

Purpose

This report seeks a resolution from Council to introduce and give public notice of its intention to declare the Maling Road Special Rate and Charge Scheme (**Proposed Scheme**) as required under Section 163 of the *Local Government Act 1989 (1989 Act)*.

Background

Despite the introduction of the *Local Government Act 2020 (2020 Act)*, the legislative scheme governing rates and charges currently remains under Division 1 of Part 8 of the 1989 Act. Presently, there is no equivalent provision in the 2020 Act. Therefore, Section 163 of the 1989 Act still applies to special rate and charge schemes to be declared by Council, including the Proposed Scheme.

The current five year special rate and charge scheme for the Maling Road Shopping and Business Centre (**Centre**) will expire on 30 June 2023 (**Current Scheme**) and the Maling Road Business Association (**MRBA**) has requested Council undertake the statutory process to renew the Current Scheme for a further five years from 1 July 2023 to 30 June 2028 (inclusive) by declaring the Proposed Scheme (**Attachment 1**).

The Proposed Scheme, if declared by Council, will support the Centre in achieving the vision and actions outlined in the Maling Road Strategic Business Plan 2023-2028 (**Strategic Plan**) (**Attachment 2**) and ensure it is well placed to respond to ongoing competition from other centres as well as providing opportunities for growth and development of the retail, services and hospitality businesses, helping the Centre to remain competitive and viable into the future.

Key Issues

Under the Proposed Scheme, the Maling Road Special Rate and Charge will be levied on all rateable land within the Centre which is primarily used, or adapted or designed to be used, for commercial purposes.

There are currently 80 rateable properties included in the Proposed Scheme Area as shown in the Plan outlined in **Attachment 3**. Further details of the Proposed Scheme are outlined in **Attachment 4**.

In summary, the liability of all persons subject to the Proposed Scheme will be calculated as follows:

- A rate of 0.08422 cents in the dollar of the Capital Improved Value (**CIV**) will be levied on each rateable property in the proposed Scheme;
- Ground level properties will be subject to a minimum charge of \$736 and maximum of \$1,021 per annum;
- All upper level properties will be subject to a minimum charge of \$446 and maximum of \$578 per annum; and

- The quantum of the rate in the dollar of the CIV and the minimum and maximum charges, will be adjusted annually in accordance with Consumer Price Index (All Groups Melbourne) (**CPI**).

The scope of the Proposed Scheme and the proposed liability of the persons included in the Proposed Scheme Area has been devised having regard to the needs of the Centre and the current economic climate by seeking to minimise costs to businesses and property owners while still ensuring there are sufficient funds available to deliver the marketing and promotion program for the Centre.

The Proposed Scheme, if declared, is anticipated to raise approximately \$70,000 in the first year, with a total levy of approximately \$350,000 expected over five years. The amount levied is likely to increase each year given the application of the CPI to the rate in the dollar and the minimum and maximum charges, along with likely increases in the CIV of rateable properties over the life of the Proposed Scheme. Supplementary valuations can also result in variations in the CIV of rateable properties and thus the amount levied.

Next Steps

Council's decision to proceed with initiating this process does not commit Council to the declaration of the Proposed Scheme. Council will consider any submissions and objections received at a future meeting in accordance with the 1989 Act. Council will then decide whether or not to proceed to declare the Proposed Scheme, after having considered all submissions and objections. This process is further described under the 'Objection/Submission Process' below and in **Attachment 5**.

Officers' recommendation

That Council resolve to

1. Receive and note the request from the Maling Road Business Association (**MRBA**) to renew the special rate and charge for a Marketing and Business Development Fund for the Maling Road Shopping and Business Centre (**Centre**) for a further five years, commencing 1 July 2023.
2. Give public notice in February 2023 of its intention to declare a special rate and charge for the Centre in accordance with Section 163 of the *Local Government Act 1989* (**1989 Act**) as follows:
 - (a) a Maling Road Special Rate and Charge be declared for a period of five years commencing on 1 July 2023 and concluding on 30 June 2028.
 - (b) the Maling Road Special Rate and Charge be declared for the purpose of defraying expenses of advertising, promotion, centre management, business development and other incidental expenses associated with the encouragement of commerce in the Centre, which:
 - i. Council considers is, or will be, of special benefit to those persons required to pay the Maling Road Special Rate and Charge; and
 - ii. arises out of Council's functions of:
 - iii. encouraging and promoting economic sustainability, commerce, retail activity and employment opportunities in and around the Maling Road Special Rate and Charge area and the broader municipal district; and

- iv. providing good governance in its municipal district for the benefit and wellbeing of the municipal community.
- (c) the Maling Road Special Rate and Charge so declared will be assessed and levied in accordance with the following:
- i. A rate of 0.08422 cents in the dollar of the Capital Improved Value (**CIV**) will be levied on each rateable property in the proposed Scheme;
 - ii. Ground level properties will be subject to a minimum charge of \$736 and maximum of \$1,021 per annum;
 - iii. All upper level properties will be subject to a minimum charge of \$446 and maximum of \$578 per annum;
 - iv. The quantum of the rate in the dollar of the CIV of each rateable property in the area, and the quantum of the minimum and maximum charges will be adjusted on 1 July 2024 and on each anniversary of that date by the March quarter Consumer Price Index (All Groups, Melbourne) (**CPI**) during the 12 months preceding the end of that March quarter; and
 - v. The CIV of each parcel of rateable land is the CIV of that parcel of land at the time of levying the special rate and charge in each year. The CIV may change in the period during which the Maling Road Special Rate and Charge Scheme is in force, reflecting any revaluations and supplementary valuations which take place.
- (d) the area for which the Maling Road Special Rate and Charge will be declared is the area highlighted in the plan annexed to this report (**Area**) (**Attachment 3**).

For the purposes of this paragraph, the Area can be described generally as follows:

Ground level properties and upper level properties in the area comprising:

Maling Road:

- from 85 to 141(odd numbers only);
- from 60 to 122 (even numbers only); and
- Theatre Place;

Canterbury Road (even numbers only) from the railway line to Wattle Valley Road;

Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road);

Bryson Street 1A and 2 to 8.

- (e) the land in relation to which the Maling Road Special Rate and Charge will be declared is all land within the Area primarily used, or adapted or designed to be used, for commercial purposes.

- (f) the total cost of performing the function and the total amount of the special rate and charge to be levied is approximately \$70,000 in the first year, with a total levy of approximately \$350,000 over the five years of the scheme, having regard to adjustments in the CIV of the rateable properties and the application of CPI to the rate in the dollar and minimum and maximum charges as described in paragraph 2(c) of this resolution or such other amount as is lawfully levied as a consequence of this resolution.
 - (g) the benefit ratio, being the estimated proportion of the total benefits of the Maling Road Special Rate and Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) which will accrue as special benefits to all of the persons who are liable to pay the Maling Road Special Rate and Charge, is 100%, as the community benefit is considered to be nil.
 - (h) the criteria to be used as the basis for levying the special rate and charge is ownership of any land described in paragraph 2(e) of this resolution.
 - (i) the owners of the land described in paragraph 2(e) of this resolution will, subject to further resolution of Council, pay the Maling Road Special Rate and Charge on the same date or dates as Council's general rates are due.
 - (j) Council will, subject to the 1989 Act, require a person to pay interest on any special rate and charge the person is liable to pay and has not been paid by the date specified for its payment.
3. Authorise Council's Chief Executive Officer to give notice in February 2023 of the proposed declaration of the Maling Road Special Rate and Charge in accordance with the Letter and Public Notice annexed to this report (**Attachments 6 and 7**) by:
- (a) arranging for the Public Notice to be published in The Age newspaper; and
 - (b) sending the Letter enclosing the Public Notice to each person who will be liable to pay the Maling Road Special Rate and Charge.
4. Commence public consultation for a period of twenty-eight (28) days following the date of the publication of the Public Notice in The Age newspaper according to paragraph 3(a) of this Resolution.

Consider any submissions and objections received by Council in accordance with sections 163A, 163B and 223 of the 1989 Act at the Council meeting in May 2023 or such other date as Council subsequently determines.

Responsible director: Carolyn McClean, Director Community Support

1. Purpose

This report seeks a resolution from Council to introduce and give public notice of its intention to declare a Maling Road Special Rate and Charge Scheme (**Proposed Scheme**) as required under Section 163 of the *Local Government Act 1989 (Act)*.

The Maling Road Shopping and Business Centre's (**Centre**) current five year special rate and charge scheme (**Current Scheme**) is due to expire on 30 June 2023. The Current Scheme funds marketing and business development initiatives in the Centre. The Maling Road Business Association (**MRBA**) has requested Council undertake the statutory process to renew the Current Scheme for a further five years from 1 July 2023 to 30 June 2028 by declaring the Proposed Scheme (**Attachment 1**).

2. Policy implications and relevance to community plan and council plan

Activity centres play an important economic and community role in the City of Boroondara. There are over 5,000 businesses in 53 centres in the municipal district. Council recognises the valuable role a special rate and charge scheme plays in providing support for commercial centres in Boroondara and provides support to facilitate the preparation and implementation of these schemes.

The Boroondara Community Plan 2021-2031 notes a key theme as "Local Economy" which contains strategies such as "Local retail precincts provide a gathering point for residents and attract shoppers through supporting initiatives which encourage a range of businesses needed by the community," "shopping centres and strips are hubs of community activity through activating local shopping precincts," and "local visitation is increased through showcasing and promoting local shopping and attractions".

The Proposed Scheme also supports Council's current Economic Development and Tourism Strategy and its key objective to "facilitate the development of best in class neighbourhood shopping centres throughout the City". A related action in this regard is to "continue with the special rate and charge scheme program and associated support and liaison with trader associations and groups to optimise business development and marketing in key shopping centres".

3. Background

The Centre has been designated as one of thirty-one "Neighbourhood Centres" in Clause 21.08 of the Boroondara Planning Scheme which states, "Neighbourhood centres provide a vital component of the City's activities and are integral to the local economy. They provide a focus for goods, services and employment and are an important focal point for community life and interaction."

Consequently the Centre is expected to continue to be a focal point for a wide range of economic and social activities, including retail, commercial offices, community and civic facilities, as well as leisure and entertainment uses; and be a successful and vibrant shopping centre which serves the needs of local residents and visitors.

A special rate and charge scheme was first introduced in the Centre in 1998 and there have been continuous renewals since. During this time, the MRBA has implemented the schemes with Council's oversight and has undertaken a wide range of activities associated with the promotion and marketing of the Centre.

During the past five years, the Centre has experienced a significant increase in marketing and promotional activity undertaken by the MRBA and supported by the marketing and business development fund. These include:

- employing a part-time Marketing Coordinator for the Centre;
- marketing, advertising and promoting the Centre;
- organising events at the Centre e.g. the iconic Kristkindl Christmas Festival, Auto Classico event, Theatre Place movie night, Easter egg hunt, Mother's Day, Halloween);
- launching and overseeing the Maling Road gift card program, the Scratch and Win campaign and other seasonal promotions;
- improving the online presence of the Centre and its businesses through the development of an online business directory on its website with an average of 1,000 visits per month;
- enhancing the Centre's social media presence and email bulletins to traders;
- providing input and advice into Council's Maling Road placemaking program;
- supporting traders during the pandemic through the provision of resources and information about restrictions, government grants and other opportunities;
- successfully applying for government grants to increase funding for the association;
- contributing to Council's ongoing graffiti removal program;
- continuing to lobby for streetscape and traffic improvements;
- liaising and advocating on behalf of the Centre to Council and other relevant stakeholders; and
- building closer partnerships with Council, local community organisations and school groups.

The new five year Maling Road Strategic Business Plan 2023 - 2028 (**Strategic Plan**) states "Maling Road will continue to distinguish itself as the iconic shopping village offering an extraordinary experience making all customers feel like a local. The character of the centre will be maintained and enhanced by providing development opportunities that respect the heritage value of the area. The role of the centre will not undergo significant change. The centre will continue to strengthen its metropolitan wide reputation as a village of distinction. This will be enhanced by the marketing vision."

In support of the vision, the Strategic Plan 2023 - 2028 has the following goals and objectives aimed at keeping the Centre viable and growing. It includes:

- promoting the centre as a special shopping environment with a range of interesting events and activities throughout the year;
- helping maintain an attractive mix of businesses in the centre to maintain a productive partnership with Council to improve infrastructure and precinct presentation;
- working towards increasing customer traffic and retail turnover to assist improvements to business performance;
- developing more interest and enthusiasm by all the businesses to promote the centre and become involved in the work of the association;
- maintaining regular two-way communication with members and with community groups;
- identifying and deliver business development programs of value to the members;
- improving awareness of range of businesses, amenities, promotions, and events;
- developing a 'brand' and 'personality' for the precinct to give it a strong image and identity for both customers and the traders to buy into;
- encouraging public transport and bike riding for both customers and staff;
- building on the Centre's position as tourist destination in Boroondara;
- increasing customer visitation; and
- attracting quality businesses to the area.

If the Proposed Scheme is declared, it will assist the MRBA to implement strategies and actions to realise the vision, goals and objectives as set out in the Strategic Plan in the coming years. As outlined in the Strategic Plan (**Attachment 2**), these include:

- marketing and public relations activities such as events, social media and email campaigns; and
- community development initiatives to engage and build relationships local organisations and schools.

A range of business development activities will also be prioritised, including professional development programs to build the skills of local traders and initiatives to increase the diversity of businesses in the Centre. Other key strategies include activities to improve the Centre.

The Strategic Plan estimates the cost of undertaking the proposed marketing, community and business development initiatives outlined in the Strategic Plan will require an annual budget of approximately \$121,220 in 2023-24 with Consumer Price Index (**CPI**) increases each year. This amount is made up of approximately \$70,000 of scheme funds, \$19,000 in Council grants if successfully received and the remainder in sponsorships.

If declared, the Proposed Scheme will provide funds to assist the MRBA in competing with other single owner hard-top centres, such as Chadstone, Doncaster and the CBD some of which have marketing and promotions budgets which are understood to be over \$1,000,000 per year.

In the interests of supporting the ongoing viability of the Centre, the MRBA formally wrote to Council on 31 August 2022 (**Attachment 1**) requesting Council renew the Current Scheme, which is due to expire on 30 June 2023. A plan of the Proposed Scheme area (**Attachment 3**) and details of the Proposed Scheme (**Attachment 4**) are further discussed in the next section of this report.

Special rate and charge schemes are active in seven other shopping centres within Boroondara and support marketing and promotional activities. They reflect an important co-operative initiative between Council and the respective trader associations in continuing to actively promote and support local businesses and the ongoing viability of the shopping centres.

4. Outline of key issues/options

Before declaring the Proposed Scheme, Council must comply with the statutory processes in section 163 of the Act. This includes:

- determining the method of calculating the maximum amount a Council may levy under the Proposed Scheme; and
- complying with the objection and submission process under the Act.

Calculation of maximum total levy of the Maling Road Special Rate and Charge Scheme

Before declaring a special rate and charge scheme, Council must determine the 'total amount' of the special rate and charge to be levied. The total amount is determined pursuant to a formula prescribed in section 163(2A) of the Act, see **Attachment 4**.

The proposed Scheme renewal area is as shown in the plan of the Maling Road Special Rate and Charge Area (**Plan**) in **Attachment 3**. The Area can be generally described as:

Ground level properties and upper level properties in the area comprising:

Maling Road:

- from 85 to 141(odd numbers only);
- from 60 to 122 (even numbers only); and
- Theatre Place;

Canterbury Road (even numbers only) from the railway line to Wattle Valley Road;

Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road);

Bryson Street 1A and 2 to 8.

There are currently 80 rateable properties included in the proposed Scheme renewal, the details of which are generally described in **Attachment 4**.

It is proposed the Maling Road Special Rate and Charge will be assessed and levied on the basis set out below:

- A rate of 0.08422 cents in the dollar of the Capital Improved Value (**CIV**) will be levied on each rateable property in the proposed Scheme;
- Ground level properties will be subject to a minimum charge of \$736 and maximum of \$1,021 per annum; and
- All upper level properties will be subject to a minimum charge of \$446 and maximum of \$578 per annum.

The quantum of the rate in the dollar of the CIV of each rateable property in the Area, and of the minimum and maximum charges, will be adjusted on 1 July 2024 and on each anniversary of that date by the March quarter Consumer Price Index (All Groups, Melbourne) (**CPI**) during the 12 months preceding the end of that March quarter.

The Proposed Scheme, if declared, will raise approximately \$70,000 in the first year, with a total levy of approximately \$350,000 expected over five years. The amount levied is likely to increase each year given the application of the CPI to the rate in the dollar and the minimum and maximum charges along with likely increases in the CIV of rateable properties over the life of the proposed Scheme. Supplementary valuations can also result in variations in the CIV of rateable properties and thus the amount levied.

The MRBA Committee has been actively involved in the formulation of the parameters of the Proposed Scheme and in doing so, they considered the following factors:

- the Centre's needs for a Marketing and Business Development program as well as those of the individual business operators and property owners;
- differing levels of benefit depending on the location of the property and whether it is a ground or upper floor premises;
- the current economic climate and limiting increases in the cost of the proposed Scheme renewal in the first year for the majority of properties; and
- the use of planning scheme zone boundaries, roads or laneways generally as a basis for determining the proposed Scheme renewal zones.

Consequently, in comparison with the current scheme, the Proposed Scheme renewal remains effectively unchanged.

Objection/Submission Process

Before declaring the Proposed Scheme the Act requires Council to, for a period of at least 28 days after publishing the public notice, provide an opportunity to:

- any member of the public to make a written submission in relation to the Proposed Scheme, and be heard in support of their submission, in accordance with sections 163A and 223 of the Act; and
- any person who will be liable to pay the Maling Road Special Rate and Charge to lodge a written objection in accordance with section 163B(4) of the Act. This right of objection may be exercised by an occupier who is required to pay rates under the terms of their lease, provided their objection is supported by documentary evidence of their liability (e.g. an extract of their lease).

Further detail on the objection and submission process is contained in **Attachment 5**.

With respect to objections, section 163B(6) of the Act provides that if Council receives valid objections in respect of more than 50% of the rateable properties on which the Maling Road Special Rate and Charge is to be imposed, Council

cannot declare the Proposed Scheme. It is important to note the following in relation to objections:

- to trigger section 163B(6), valid objections must be received in respect of a majority of properties which will be required to pay the Maling Road Special Rate and Charge, as distinct from 50% of the total number of submissions Council may receive; and
- only one objection can be counted for each property – the valid objection for a property is the one supported by documentary evidence that the objector is liable to pay the Maling Road Special Rate and Charge, which is typically the tenant unless the property is vacant.

Officers will follow the process outlined in the Act to manage submissions and objections should Council decide to proceed with the intention to declare the Proposed Scheme.

The process is as follows:

- Council will send letters to relevant owners and occupiers and publish notice of Council's intention to declare the Proposed Scheme. A copy of the draft public notice is in **Attachment 7**.
- The proposed declaration for the Proposed Scheme will be exhibited and available for inspection at Council's offices or online for 28 days from the date of the publication of the public notice, as required under section 163(1B)(c) of the Act. Written submissions and objections may be lodged and received during this period.
- During the period for lodging objections or submissions, Council officers will contact those who have made objections that are not supported by adequate documentary evidence and provide them with the opportunity to provide such evidence by the conclusion of the public consultation period (**Attachment 5**).
- Valid objections will then be counted to determine if Council received objections in respect of 50% +1 of the rateable properties subject to the Proposed Scheme:
 - o if it does, Council cannot proceed with the declaration; and
 - o if Council does not receive objections in respect of the majority of the rateable properties subject to the Proposed Scheme, Council will consider the submissions received, hear from submitters who requested to be heard, and proceed with the declaration process.

5. Consultation/communication

If Council resolves to give public notice of its intention to declare the Maling Road Special Rate and Charge, a public notice will appear in The Age newspaper in February 2023, upon which date the 28 day public notice period will commence. It should be noted that ordinarily, the City of Boroondara commences the 28 day public consultation period three days after Council has resolved to give public notice but due to the busy Christmas trading and holiday period throughout December and January, the decision was made to publish the public notice and commence public consultation in February.

Further, all persons (property owners and occupiers) required to pay the Maling Road Special Rate and Charge will be sent a letter and a copy of the public notice within three days of the public notice being published. The sample letter and draft public notice are in **Attachments 6 and 7**.

The letter sent to all persons required to pay the Maling Road Special Rate and Charge will outline the area and details of the Proposed Scheme as shown in **Attachments 3 and 4**. As required by the Act, Council will detail which persons have a right to object, how those persons may object and that objections and submissions must be in writing and lodged with Council within 28 days of when the public notice is published.

In formulating the Proposed Scheme Council has worked collaboratively with the MRBA Committee.

The MRBA has advised Council it has consulted with its members in a number of ways to: (a) understand the extent to which they support the renewal of the Current Scheme and (b) inform the development the Five Year Strategic Business Plan, as outlined below.

- In October 2022:
 - business survey with 86 traders responding
 - workshop with representatives of the MRBA committee
- General feedback provided by traders face-to-face and via email
- Monthly committee meetings throughout the year, which are open to members.

The Strategic Business Plan has also been informed by consultations undertaken throughout 2019 with more than 1,700 people, including 45 Maling Road business owners (over half of MRBA's membership) to develop the Maling Road Place Plan. **Appendix 2** summarises the key findings from these consultations.

The MRBA are confident the Maling Road traders strongly support the Current Scheme and its renewal by way of the Proposed Scheme, as evidenced by findings from the survey of traders undertaken in October 2022. Specifically, 100% of the 68 trader respondents indicated they:

- were aware of the MRBA;
- had knowledge of the activities and initiatives undertaken by the MRBA to promote the Centre, along with the Maling Road website and social media channels;
- were aware of the special rate and charge in place; and
- would like to see the special rate and charge renewed for a further five years.

Council's Revenue and Property Services department has been involved in the development of the Proposed Scheme.

Council's decision to proceed with initiating this process does not commit it to the declaration of the Proposed Scheme. Council will consider any submissions and objections received in accordance with the 1989 Act. Council will then be able to decide whether or not to proceed with declaring the Proposed Scheme after having considered all submissions and objections.

6. Financial and resource implications

It is intended the Proposed Scheme will be in place for a period of five years between 1 July 2023 and 30 June 2028.

In the first year of the Proposed Scheme, the total amount to be raised is estimated to be \$70,000 with a total levy of approximately \$350,000 expected over five years. The amount levied is likely to increase each year given the application of the CPI to the rate in the dollar and the minimum charges, along with likely increases in the CIV of rateable properties over the life of the Proposed Scheme.

If the Proposed Scheme is declared, Council will administer the Maling Road Special Rate and Charge by levying notices and collecting payments. These proceeds will then be distributed to the MRBA in two instalments each year to spend in accordance with an agreement entered with Council and its strategic and annual business plans.

There is an administrative cost involved in facilitating the Proposed Scheme, ensuring that the monies are collected and approving business plans and financial reports upon which the expenditure is based. These costs are accommodated within the Liveable Communities departmental operating budget.

7. Governance issues

The officers responsible for this report have no general or material conflicts of interest requiring disclosure.

The list of prescribed human rights contained in the Victorian Charter of Human Rights and Responsibilities has been reviewed and it is considered the proposed actions contained in this report present no breaches of, or infringements upon, those prescribed rights.

8. Social and environmental issues

Supporting the continuing viability of local shopping centres through promotion and marketing funds provides a positive impact on community and social wellbeing by offering the local community places for interaction.

Providing local shopping centres gives residents the option to travel less to obtain goods and services, and in doing so, provides an environmental benefit.

9. Evaluation and review

If the Proposed Scheme is declared, Council will enter into an agreement with the MRBA in relation to expenditure of the proceeds.

Under this agreement, the MRBA will be required to submit an annual budget and business plan to Council for approval prior to each new financial year. The MRBA will also be required to provide financial statements and reports. A member of the Liveable Communities department will attend the MRBA's Annual General Meeting. Payment of funds raised under the Proposed Scheme to the MRBA will be dependent upon the MRBA complying with its obligations under the agreement. This ensures a level of accountability concerning the use of funds raised under the Proposed Scheme.

10. Conclusion

The process outlined in this report provides the opportunity for those who will be liable to pay the Maling Road Special Rate and Charge to make a submission or objection for the purposes of Council's future consideration before declaring the Proposed Scheme.

The request before Council for the Proposed Scheme represents an ongoing commitment by the MRBA to a coordinated and unified approach to promoting the Centre and ensuring its continued long-term viability.

Manager:	Michelle Forster, Manager Liveable Communities (Acting)
Report officer:	Lucinda Bakhach, Lead Local Economies



Maling Road Business Association
2 Theatre Place
Canterbury, Victoria 3126

31st of August 2022

Attention Ms Lucinda Bakhach
Local Economies Lead
City of Boroondara
Private Bag 1
CAMBERWELL VIC 3124

Dear Lucinda

Maling Road Business Association MARKETING AND BUSINESS DEVELOPMENT FUND

The current five-year Marketing and Business Development Fund concludes in June 2023 at the Maling Road Business Association.

It been widely agreed that the special rate levy has been beneficial for businesses in the Maling Road retail & business precinct. The business association requests to renew the scheme for a further five years. The period we are requesting will encompass July 2023 until June 30 2028.

On behalf of the Maling Road Business Association, I request that the Council initiates a process for a rate and/or charge to continue the marketing, promotion, and business development of the precinct.

The purpose of the scheme is for advertising, promotion, association management, business development, activations and events and other incidental activities associated with the encouragement of commerce in Maling Road Retail & Business Precinct. The scheme is proposed to operate for a period of 5 years from July 1, 2023 to June 30, 2028

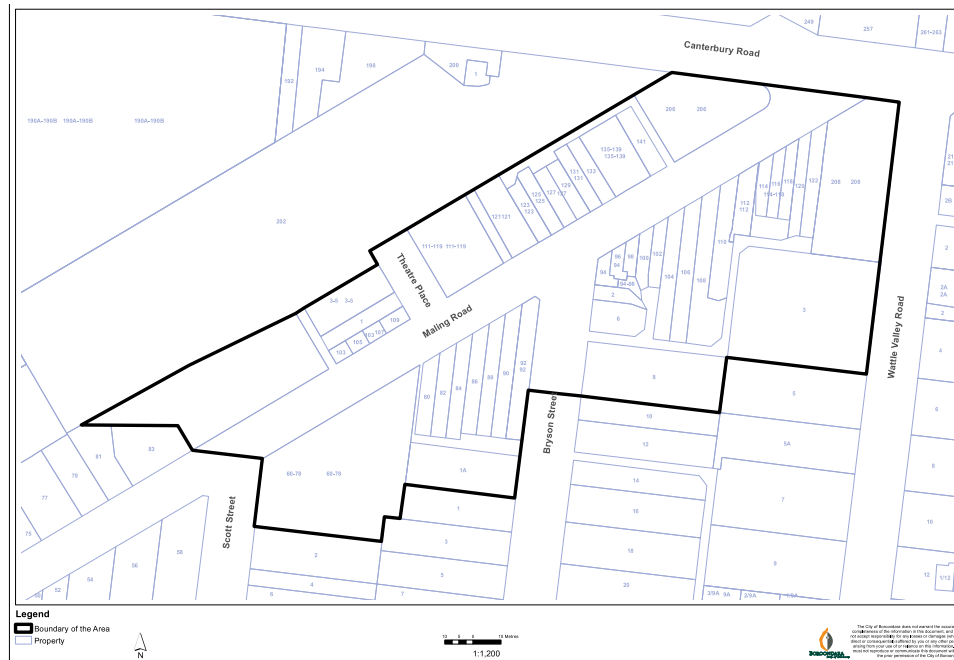
The proposed properties to be covered by the renewed special rate and charge scheme are reflected in the attached plan. The area can generally be described as all ground and upper level commercial properties in Maling Road Retail and Business Precinct are comprising of:

- Maling Road and associated side streets between Canterbury Road Maling Road
- Wattle Valley Road (Canterbury Rd) and associated side street between Bryson St and Scott St

Maling Road is known for its cafes, essential services, historical buildings and recently for its Auto Classico and Kris Kringle event at Christmas time. The precinct, with an estimate number of 80 businesses, has a strong role as a meeting place for locals.



Map of Maling Road Business Association Precinct



For the period between July 1 2023 through to June 30 2028 each property in the Special Rate Levy is to pay the applicable rate of 0.08422 cents in the dollar of the respective property's Capital Improved Value. For all properties in the proposed scheme, the calculation comprises of:

A rate of 0.08422 cents in the dollar of the Capital Improved Value (CIV) will be levied on each rateable property in the proposed Scheme.

- Ground level properties will be subject to a minimum charge of \$736 and maximum of \$1,021 per annum.
- All upper level properties will be subject to a minimum charge of \$446 and maximum of \$578 per annum.
- Consumer Price Index (All Groups Melbourne) (CPI) will be applied on 1 July each year after the Scheme commences to the rate in the dollar and the minimum and maximum charges.

Therefore, it is anticipated the proposed scheme will raise approximately \$70,000 in the first year with a total levy of approximately \$350,000 over the life of the scheme, to carry out its marketing, promotion, and business development program. The proposed Special Rate levy will be in-line with the strategic Business Plan 2023-2028 and a copy will be forwarded to Council by mid October 2022.

The Maling Road Business Association would like to acknowledge the support from City of Boroondara Council and in particular Local Economies Team in supporting the Maling Road Business Precinct.

Yours sincerely

President

Maling Road Business Association

Maling Road Business Association Strategic Business Plan 1



Strategic Business Plan

2023-2028

Prepared by
Maling Road Business Association Inc.
October 2022

Maling Road Business Association Inc.

Maling Road Business Association Strategic Business Plan 2**1. INTRODUCTION**

The purpose of this report is to outline an ambitious five-year Strategic Business Plan for the Maling Road Precinct. The Plan provides a consolidated vision for the centre together with an integrated set of strategies to achieve the vision and improve the centre. The Plan, funded by the City of Boroondara, has been prepared in a very consultative process involving representatives from the Maling Road Business Association and Council, with assistance from Creative Community Enterprises

The Business Plan is based on:

- The statement of purposes of the Association
- The Maling Road Business Association Plan for 2022/2027
- Maling Road Place Making Consultation
- Business Survey (October 2022)
- Workshop discussion with representatives from the Association in October

The Maling Road Business Association is an incorporated body currently representing owners and business operators of approximately 80 rateables units consisting of approximately 80 businesses. The Statement of Purposes of the Association is as follows:

- To generate and manage the collective marketing, promotion, advertising and business development activities for the Maling Road Traders;
- To manage the affairs of the Association;
- To engage with the business owners and operators, represent their interests and work with them for the collective benefit of the Maling Road Shopping Centre;
- To develop positive relationships with our key stakeholders who impact and influence the role and function of the Maling Road Shopping Centre.
- To engage in such other activities as may benefit the Maling Road/Canterbury community.

The Association operates through a Committee of Management and a centre coordinator. The Association is funded by a special rate levied by the City of Boroondara, currently raising approximately \$ 67,000 in 2022/23. In addition, Council provided \$ 15,000 in 2020/21 for the KrisKindle annual event. Details of the Committee and coordinator as well as the special rate are provided in the Appendix.

Maling Road Business Association Inc.

Maling Road Business Association Strategic Business Plan

3

2. PROFILE OF THE CENTRE

Maling Road is a premier tourist attraction situated in the heart of the leafy eastern suburbs of Boroondara. Located only 12km from the Melbourne CBD it is well serviced by a local metro station on its doorstep. The compact heritage listed precinct consists of 80 business premises. A plan of the centre is illustrated in Figure 1.



Figure 1 Extent of the Maling Road Activity Centre

Maling Road Business Association Inc.

Maling Road Business Association Strategic Business Plan

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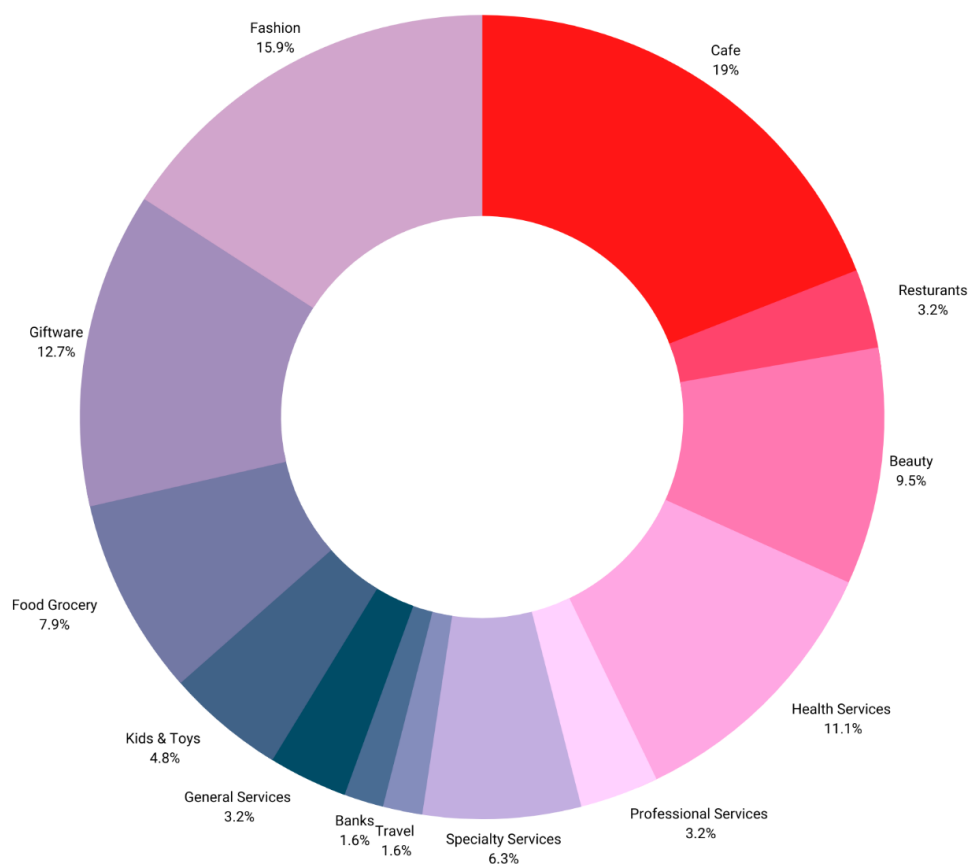
Extent of the Mailing Road Precinct

The Maling Road Precinct has a total retail and commercial area of approximately 4,000 square metres in 2022 is a focal point for a wide range of economic and social activities, including retail facilities, commercial offices, higher educational, community and civic facilities, as well as leisure and entertainment uses.

Maling Road serves as both a convenience centre for residents (with basic items provided by the mall supermarket, fresh food outlets, the news agency/post office, chemist, bank, and hairdressers) as well as a specialist destination centre in areas such as fashion and home wares.

Maling Road is a highly successful and vibrant shopping & community precinct that serves the needs of residents, as well as tourists and visitors from all over Melbourne The primary retail catchment area is within a 3-kilometre radius of the centre.

Maling Road Business Mix October 2022



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3. MARKETING OVERVIEW

Over the last 5 years, the marketing program undertaken by the Maling Road Business Association has focused on delivering events and in centre promotions to best provide a vehicle for our traders to capitalize on residents and encourage them to re-engage with the local businesses. Some of the below activities were postponed due to the COVID 19 restrictions in 2020/2021

Auto Clasico is Maling Roads Largest event, attracting locals and visitors from all over Melbourne's East, consists of over 200 classic cars entertainment and traders extending trade to the outdoors. Auto Clasico is very well received by all traders and is one of the biggest trading days in the year for Maling Road Businesses. This event will be continued over the next special rate period.

Christmas Kriskindl is Maling Roads annual Christmas event, which is extremely popular with local families and traders alike. Consists of closing Maling Road to traffic, music, rides, visit from Santa free family activities and a beer garden for the adults. The event was canceled in 2019 due to weather conditions and again in 2020 due to the COVID 19 pandemic restrictions – Theatre Place movie night replaced the 2020 event. – KrisKindle will continue into the new rate period with modifications.

Theatre Place Movie Night a one-off free community event, provided locals with a safe way to gather outside during Melbourne's restrictions.

Scratch & Win Campaign, outside of the Auto Classico event this promotion was by far the most successful run. Promotion made possible by VIC state government traders grants round 1. Spend and receive scratchy cards quantity dependent on \$ spend offering cash and product prizes. This was well received by local shoppers and traders. Over 90% of traders participated in this promotion.

VIP Shopping Events run in November outside of Covid 19. The event had limited success and will not be repeated.

Maling Road Gift Card was launched in 2018 has been very well received.

Easter Egg Hunt annual easter egg hunt, big favorite of local families, bringing many new visitors into the precinct.

Halloween, annual event, involving give aways and entertainment

Shop & Win Mother's Day & Father's Day purchase in a business and go into the draw to win a hamper made up of local businesses products

www.mailingroad.com.au went from a landing page to a business directory with an average of 1000 views per month

Social Media the MRBA is active on 2 social media platforms, Facebook has 3682 followers with an average year on year growth of 10% and Instagram has 1633 followers with an average growth of 7% year on year.

Communication. The MRBA regularly communicates to its membership with regular emails and face to face discussions

Community Partnering & Engagement. The MRBA are truly part of the community, with strong mutually beneficial partnerships with Canterbury Community Action Group, Canterbury Friends, Canterbury Community House, Canterbury Football Club as well as local schools both senior and junior

Maling Road Business Association Inc.

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4. CONSULTATION & FEEDBACK

Community Consultation External.

The people that make up the Maling Road Canterbury Community have been consulted in several different ways over the last five years about what they want from their precinct, previously those consultations have been narrowly skewed towards the desired outcomes of the MRMB membership. In 2019 the City of Boroondara initiated the Maling Road Placemaking Project, where more than 1700 people were consulted and shared their ideas and thoughts about Maling Road, this included 45 business owners MRBA members which equates to over 50% of the MRBA members. The MRBA have used the results of this consultation in its development of the 5-year strategic plan.

The Draft Place Plan for revitalizing Maling Road is included in the Appendix

Community Consultation Key Findings.

1. Enhance and maintain the heritage character to reinforce the existing sense of place, history and community.
2. Foster business diversity and extend trading hours catering to a wider range of visitors at different times.
3. Revitalise Theatre Place and underutilised laneways as playful and vibrant public spaces that will attract visitors and host community events.
4. Improve the walkability and amenity of the street with generous footpaths and public spaces, safe crossings, places to sit and greenery that shades the street.
5. Optimise the precincts accessibility to visitors of all ages and modes of travel including, walking, cycling, car and public transport.

What our customers like about us:

- The personalised service
- The friendliness of the shop owners and staff
- The village/community feel
- The attractive heritage/aesthetic charm
- Quality stores
- Small retailers who try harder

Business Sentiment & Understanding of the MRBA and the Special Rate & Charge

A survey of all businesses was conducted independently by Creative Community Enterprises on being engaged in October 2022

All businesses who were asked about their awareness of the MRBA, their events, website, and social channels (Sample Size 68 businesses owners/principals)

- 100% of businesses were aware of the MRBA
- 100% were aware of the Special Rate
- 100% were aware of some previous some activities along with the website and Social Channels.

When asked if they would like to see the Special Rate for marketing continue and be renewed for period of 2023 -2028, 100% of those asked said YES.

Maling Road Business Association Inc.

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5. KEY ISSUES AND OPPORTUNITIES

These key issues and opportunities are taken from research, feedback from the traders and from the centre coordinators. Not all will be actioned, but they provide an insight into the passion that many have for Maling Road. The biggest inhibitor for Maling Road is the lack of funds to be able to promote the centre to its maximum value.

Strengths

- Compact nature with a village atmosphere
- Great range of both food product shops, food services, and professional services
- Specialist niche in fashion and home wares
- Long established quality businesses
- Professional presentation in some shops
- Friendly traders providing exceptional customer service
- Leisurely pace and tranquil
- Strong local community support with a strong sense of belonging
- Charming Heritage infrastructure but dynamic
- An 'experience' destination. Unique and go to destination.
- Unique stores
- Loyal customers
- Well known throughout the community
- Tourist destination
- Low vacancy rate

Weaknesses

- Limited funding sources to execute coordinated marketing programs
- Complacency among trader group
- Poor participation and response for street beautification from landlords.
- Perception of old world and out of date not progressive
- Some poor quality shops
- A gap in local community not shopping at Maling Road.
- Limited Car Parking for the centre and staff and the Railway car park
- Too many cafes
- Poor and non-atmospheric lighting
- Theatre Place needs to be used for more community events to create a destination point for people outside the local area.
- Empty shops at the bottom of Bradshaws developments/apartment have remained empty ever since the apartments were built
- High rents
- Lack of Nighttime Economy
- No Suitable high-end grocer

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Opportunities

- More streamlined promotional calendar
- Strengthening relationships with community, community groups, Council, landlords and traders
- Strengthen relationship with Metro
- Continuing professional development programs and investigate one on one opportunities
- Welcome pack for new businesses
- Business profile to give to real estate agents and potential new businesses
- Maximising the use of Theatre Place, possibly to local schools and clubs
- Maximising marketing value for dollar
- New signage opportunities
- New electronic gift card
- Investigate marketing to tourism mediums
- Investigate new funding opportunities (sponsorships, grants)
- Become a more hip street and attract businesses such as Laurent
- Late night dining/trade
- More street events like Auto Classico – investigate e.g. food and wine event, musical jazz event
- More engagement with local community groups
- Investigate targeting younger market
- Investigate opportunities to tie in with school events
- Investigate opportunities to tie in with events at the gardens
- Investigate further winter events
- Tie in with food and wine festival
- Investigate on-going marketing – not just for events/promotions
- Investigate the use of a local ambassador
- Investigate Heritage week opportunities
- Leverage Bendigo Bank more
- Investigate Movies night, live entertainment
- Major promotions every 3 months
- Investigate the possibility of tourist bus visits or local retirement homes/RSL
- Music in the street
- Maintain the uniqueness of the street – let people know it will be a unique experience
- City of Boroondara's Placemaking project for Maling Road
- Increase in people with liquor license
- VIP evenings by invitation not days to make the customer feel special
- Happy hour in the morning to bring people to the street after school drop off
- Street art and handicraft shows
- More trader involvement
- A boutique deli

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Threats

- Increasing competition from Chadstone and Camberwell, customers wanting big brands
- Deteriorating physical appearance
- Super stores and Online Shopping
- Increasingly high rents for properties in the centre
- Changing consumer shopping habits
- Economic Downturn Global
- Lack of maintenance in businesses and shop fronts
- Parking limitations

4. FUTURE DIRECTIONS**Vision**

Maling Road will continue to distinguish itself as the iconic shopping village offering an extraordinary experience making all customers feel like a local. The character of the centre will be maintained and enhanced by providing development opportunities that respect the heritage value of the area. The role of the centre will not undergo significant change. The centre will continue to strengthen its metropolitan wide reputation as a village of distinction. This will be enhanced by the marketing vision.

Goals

- To promote the centre as a special shopping environment with a range of interesting events and activities throughout the year
- To help maintain an attractive mix of businesses in the centre to maintain a productive partnership with Council to improve infrastructure and precinct presentation
- To work towards increasing customer traffic and retail turnover to assist improvements to business performance
- To potentially develop more interest and enthusiasm by all the businesses to promote the centre and become involved in the work of the Association
- To maintain regular two-way communication with members and with community groups
- To identify and deliver business development programs of value to the members.

Objectives

- To improve awareness of range of businesses, amenities, promotions, and events
- To develop our 'brand' and 'personality' for the precinct to give it a strong image and identity for both our customers and the traders to buy into
- To encourage public transport and bike riders, [both customers and staff]
- To build on Centre's position as tourist destination in Boroondara
- To increase customer visitation
- To attract quality businesses to the area

Maling Road Business Association Inc.

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Mission Statement of the Association

To promote and market the Maling Road precinct as a convenient essential provider of goods and services to internal and external customers

Principles and Values

The values that underpin the precinct are for all our members and stakeholders to work together with integrity, consideration, respect and support toward each other, staff, customers, visitors, and the local community. The values that drive our Association are accountability, openness, cooperation, and responsiveness.

5. STRATEGIES AND ACTIONS

The following set of strategies and actions aims to realise the vision for the Maling Road Precinct

The Key priorities over the next five years are:

5.1 Marketing and Public Relations

This is the major priority of the Association's work. The marketing program is to continue with the current branding statement as well as continuing the emphasis on special promotional events. More engagement with property owners about the overall marketing approach is to occur. The recommended strategies are:

Strategic Marketing

- Digital Marketing
 - Revamp www.malingroad.com.au improving user interface, enabling businesses to update listing, articles and events make more interactive
 - Improve the engagement of the Association website, increase traffic via social channels
 - Improve reach and engagement of social media channels
 - Regular EDM's re events, promotions, businesses
 - Digital monthly newsletter
 - Increase digital content about businesses and Maling Road experiences (Video's, Photography, Stories)
 - Make greater use of the City of Boroondara's website and Facebook to promote images and stores about the Precinct
 - Get all businesses to have an online presence
- Destination Marketing
 - Work to establish Maling Road as a stronger tourist destination through involvement with the Destination Melbourne program and other tourism opportunities.
 - Postcards TV, Broadsheet Features
 - Trip advisor
- Greater use of Theatre Place for activations that deliver ROI for businesses and community
- Develop traditional media strategy to speak to older demographic of local area
 - Local Advertising (Canterbury Community House Collaboration)
 - Flyers, letterbox drops (what's on and business news)
- Promotional Activities to increase reach of social media channels and promote specific business categories

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Special Promotional Events

- **Kris Krindle** to become an event run over the whole of December, with specific days and events targeting young families with others targeting adults to enjoy the village and shop.
- **Auto Clasico** – May each year

5.2 Community Development

Community development is an important spin-off of the current marketing and promotional strategies being undertaken by the Association. The recommended strategies for the future are:

- Continue to involve schools, kindergartens, sporting clubs, artist groups and other community organisation in the Centre's promotional activities, particularly the Kris Kindle and Auto Clasico.
- Continue to organize and provide shop and give gift cards for community groups
- Designate a particular charity such as Rotary to which the Association would develop partnership and sponsorship arrangements
- Develop links and mutual support measures with local community organisation such as the Canterbury Community House, Canterbury Friends, and the Canterbury Action Group

5.3 Business Development

Retaining and Improving Existing Businesses

It is important to have continuous upgrading, development, and renewal of products/services, shopfronts and service. The recommended strategies over the long term are:

- Continue to inform and encourage businesses to participate in professional development and training programs (including those seminars and workshops organised by the City of Boroondara) to build up their skills and make improvements to individual shops and offices
- Assist businesses in developing an online component of their business through developing a website
- Apply collective pressure on businesses to make improvements to shop facades, signage, and internal presentation to project a smarter more engaging image
- Create an online prospectus for Maling Road to encourage new businesses into the precinct
- Enhance website develop a trader portal:
 - Provide relevant information that will enable businesses to make better decisions
 - Trader Offers
 - Digital Welcome Pack

Maling Road Business Association Inc.

Maling Road Strategic Business Plan 12**Improving the Business Mix by Attracting Appropriate New Businesses**

It is recommended that the following measures be taken to strengthen the Centre's business mix:

- Monitor Maling Roads business mix to identify gaps and develop a list of desired new businesses(e.g. boutique or unique businesses)
- Develop a brief prospectus for investors outlining the case for establishing the proposed new operations in the centre, indicating its current mix, primary catchment area, sociodemographic profile, and future vision
- Approach landlords and real estate agencies and encourage them to attract the desired new businesses, suggest pop-ups for empty stores
- Directly approach the desired new types of businesses and present them with the prospectus, and encourage them to locate at Maling Road

5.4 Car Parking, Streetscape and Infrastructure Improvements

This is a key priority. The recommended strategies are:

- The Below recommendations have been superseded by the adoption of the Maling Road Place Plan, which the traders association fully supports.
- Encourage landowners to make improvements to buildings in the centre, particularly facades and rear of buildings
- Lobby to improve the appearance of the railway line bridge including lighting of the bridge at night
- Encourage the organisation of transport planning research to establish the modes of transport used to access different parts of the Precinct, the period of visitation for different types of activities, perceived problems, and desired solutions
- Promote alternatives to car travel to and in the Precinct, such as walking, cycling, and public transportby encouraging improvements to infrastructure (e.g., location of and frequency of bicycle racks) supporting these alternatives

Maling Road Business Association Inc.

Maling Road Strategic Business Plan 13**6. MANAGEMENT AND FINANCE**

For the success of an ongoing business development and marketing program in Maling Road, it is critical to sustain a strong association with a professional part time coordinator. The recommended strategies are:

6.1 Maling Road Business Association

The recommended strategies to sustain and improve the management and communication processes are:

- Continue to elect a strong Committee each year. Work to ensure that there is an appropriate representation on the Committee from different types of businesses with different skills in different parts of the centre. Develop a succession plan for the executive members.
- Continue to organise regular meetings of the Committee to direct and monitor the agreed program of activities
- Establish Committee members as representatives/ambassadors for designated precincts in the centre. Encourage regular street walking and visits by Committee members to businesses in their respective precincts as a means to enhance the Committee's visibility
- Work to achieve more active involvement in the Association from businesses with fresh ideas
- Continue to take a very pro-active role with the City of Boroondara and other Government agencies in facilitating improvements in the centre. Encourage Council to continue to provide regular audits of public infrastructure and ongoing infrastructure maintenance
- Continue to communicate and connect effectively with businesses in the centre. Continue to prepare and distribute a monthly newsletter and to make regular visits to keep businesses up to date with proposed new events and activities in the centre
- Ensure all committee members understand their rights and responsibilities under the relevant legislation
- Conduct Governance Audit on a yearly basis
- Benchmark MRBA with other like business associations yearly

6.2 Centre and Marketing Coordinator

The Association is committed to continuing to employ a centre and marketing coordinator for 25 hours per week. The key strategies going forward for the coordinator to achieve this are:

- To generate funding/income streams other than the special rate and/or charge scheme or grants from the City of Boroondara to fund further marketing and business development opportunities
- Expand the branding, strategic marketing, and promotional initiatives, as outlined above
- Continue to communicate the marketing agenda with all businesses in the wider centre through regular electronic updates and personal visits to business premises.
- Continue to encourage all businesses to develop their electronic communication and social networking

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capability, starting in the first instance with email

- Continue to maintain strong relationships with the local community to continue to foster ongoing connections with the centre including during centre promotions and develop stronger loyalty from these groups towards the centre
- Undertake discussions with property owners and real estate agents to encourage improvements to the appearance of buildings in the centre as well as to encourage appropriate new businesses to be interested in establishing in the centre as vacancies arise
- Continue to inform businesses about training programs to motivate and educate them to make improvements to their businesses
- Continue to lobby, with the Committee executive, Council and other Government agencies to achieve the recommended car parking and streetscape improvement priorities outlined above

6.3 Financial Strategy

The proposed Maling Road program has been based on an annual special rate of \$70,000 plus income generated by events, advertising and sponsorship. The proposed scheme factor in annual CPI increases also assist in keeping pace with increase in costs, however understanding the challenging economic landscape and the increased need to keep cost to businesses at a minimum and the increased ability of the association to raise funds through other means the committee decided to request council to decrease the percentage rate and adjust the minimum and maximum charges of the proposed scheme.

The MRBA proposes the next five-year plan is funded through the special rate and charge scheme based on the following:

- A rate of 0.08 422 cents in the dollar of the Capital Improved Value (CIV) will be levied on each rateables property in the proposed Scheme.
- Ground level properties will be subject to a minimum charge of \$736 and maximum of \$1,021.
- All upper-level properties will be subject to a minimum charge of \$446 and maximum of \$578.
- Consumer Price Index (All Groups Melbourne) (CPI) will be applied each year to the rate in the dollar and the minimum and maximum charges

It is estimated that the cost of undertaking the proposed marketing, community, and business development initiatives as outline in the Strategic Business Plan will be approximately \$121,220 in 2023. A strategic breakdown of the overall budget in 2023, this will form the base plan for the period of 2023/2028 among key activities is estimated as follows:

Maling Road Business Association Inc.

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Year 1 Budget 2023/24	
Income	Budget
Special Rate Marketing Levy (CofB)	\$70,000.00
Grants - Triennial Grants Auspice Auto Classico*	\$16,000.00
Grants - Community Grants (CofB)	\$3,000.00
Sponsorship - Auto Classico	\$8,700.00
Community Grant Bendigo Bank	\$7,000.00
Grants Triennial Grants Christmas Event*	\$16,520.00
TOTAL INCOME	\$121,220.00
Administration	Budget
Marketing Co Ordinator 16hours per week	\$49,920.00
Accountant & Auditor	\$4,240.00
Xero Subscription	\$640.00
Mainstreet membership	\$200.00
Fees & Permits	\$300.00
Insurance & Public Liability	\$1,000.00
Postage	\$200.00
Committee Meetings	\$200.00
AGM Expenses	\$1,000.00
TOTAL	\$57,700.00
Events	Budget
Auto Classico	\$25,000.00
Christmas	\$20,000.00
Easter	\$2,000.00
Social Media - Filming / website	\$10,520.00
Mother's Day	\$3,000.00
Father's Day	\$3,000.00
TOTAL	\$63,520.00
TOTAL EXPENSES	\$121,220.00
TOTAL INCOME	\$121,220.00

*Subject to successfully receiving a further three years of Council's Triennial grants (2024 – 2027) to deliver these events

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The MRBA will expand its program while offering its members a reduction in the \$ rate, this will be achieved through generating income outside of the special rate levy:

- Sponsorship
- Grants: Local Government, VIC State Government

The Association will continue to have a financial accountability system in place to meet the reporting requirements of both Consumer Affairs Victoria and the City of Boroondara's Contract with Business Associations relating to the special rate.

6.4 Monitoring and Evaluation

The degree of achievement of the actions outlined in the Business Plan is to be evaluated at regular intervals throughout each financial year.

Key performance indicators to be included in the evaluation are:

- extent of completion of projects specified in the Business Plan
- extent of business involvement and engagement with the Association Committee
- level of business participation in activities and promotions
- business and customer perceptions about the success of individual promotions and advertising campaigns
- business perceptions about changes in the overall profile and trading performance of the centre
- financial accountability
- Business Survey conducted yearly
- Customer Survey conducted yearly
- Income v's Outgoings

An evaluation report is to be prepared for the Association at the end of each financial year of the program. The report is to address the degree of compliance with the performance indicators outlined above. It is to be submitted to Council as part of the accountability requirements for the program. It also is to be used as a basis for developing a more detailed action program and budget for the following financial year.

A simple chart is to be developed and regularly updated during each financial year of the five-year program. The chart is to indicate, for each strategy in the Business Plan, the progress in achievement and the overall outcomes after completion

Appendix

The Appendix provides further background information on the Maling Road precinct, its management committee, centre coordinator and special rate details.

Maling Road Business Association Inc.

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The Maling Road Placemaking Report

Management Committee

The Committee of the Maling Road Business Association and Centre Coordinator for 2021/2022 are:

- President – Athena Katopodis
- Vice President – Peter Barclay
- Secretary – Susan Benedos
- Treasurer – Maggie Stamoulis
- Centre Marketing Manager – Creative Community Enterprises
 - Steve Williams
 - Leonie Beckett
- Committee Members
 - Bee Horwood

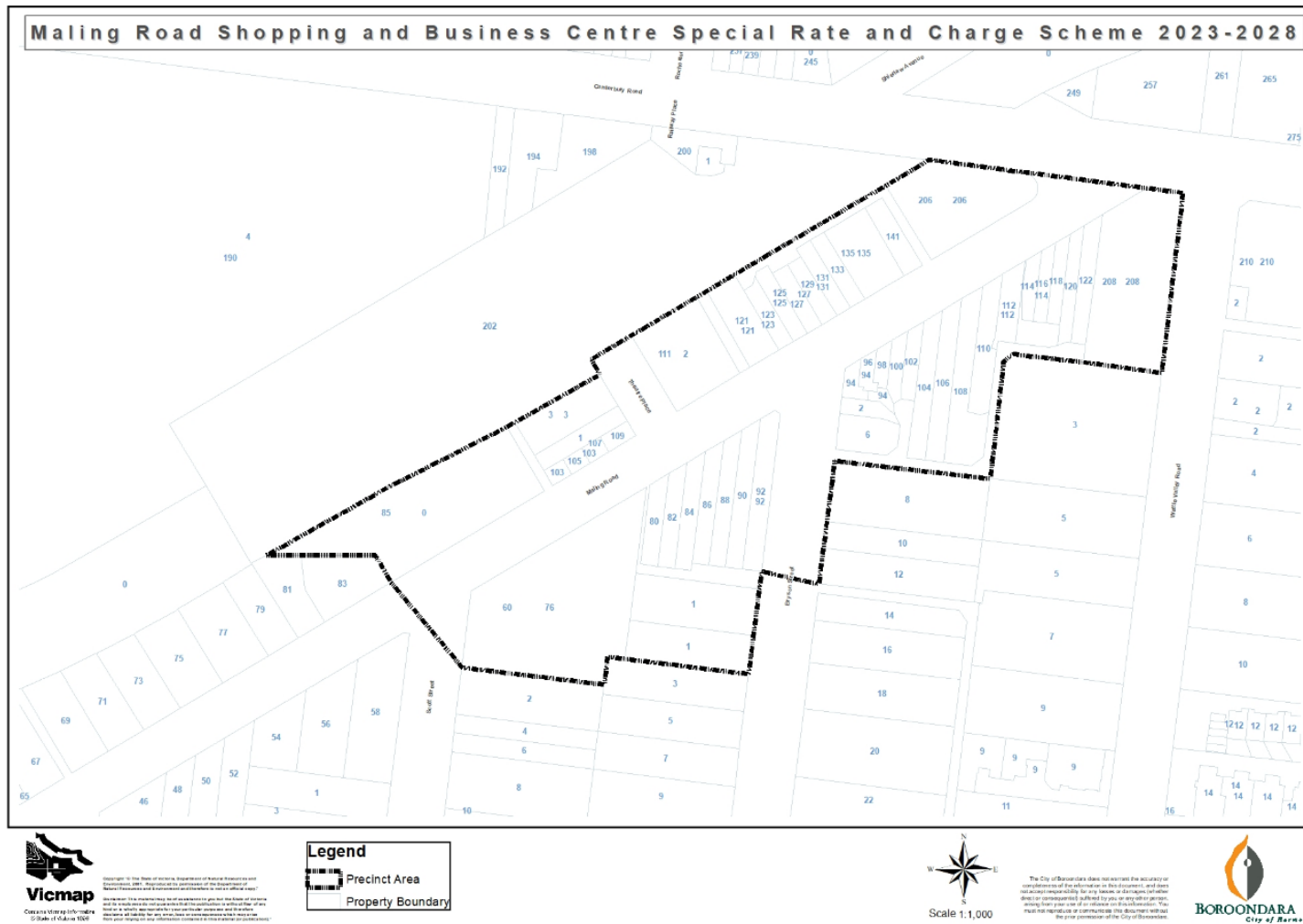
Current Special Rate Details

The Association is funded primarily by a special rate and charge scheme covering 80 ratable properties in the centre. In the first year Council declared a special rate and charge for the centre raised \$67,000 with a CPI increment in each of the following five years. The current special rate and charge scheme expires on 30 June 2023, thus the need to support a further renewal to continue marketing and business development activities in the centre.

Maling Road Business Association Inc.

Attachment 3 - Plan of proposed Scheme area

Proposed Maling Road special rate and charge scheme 2023 - 2028 (the Plan)



Attachment 4 - Details of proposed Special Rate and Charge

Details of the Proposed Maling Road Special Rate and Charge

Duration

It is proposed that the Maling Road Special Rate and Charge (**Proposed Scheme**) for the Maling Road Shopping and Business Centre (**Centre**) be declared for a period of five years commencing on 1 July 2023 and concluding on 30 June 2028.

Purpose

The Proposed Scheme will be declared for the purpose of defraying expenses of advertising, promotion, centre management, business development and other incidental expenses associated with the encouragement of commerce in the Centre, which Council considers is or will be of special benefit to those persons required to pay the special rate and charge.

Council will administer the Proposed Scheme and levy and collect payments. These payments will then be distributed to the Maling Road Business Association (**MRBA**) to fulfill the purposes outlined above through its administrative, marketing, engagement and promotional activities.

Funds from the Proposed Scheme may also be spent on the MRBA's administrative and management costs. For example, the MRBA may employ a part-time bookkeeper to assist with preparation of the budget and financial records relating to the implementation of the Proposed Scheme, the salary of whom may be paid for out of the Proposed Scheme funds. The role of such a person is limited to management and administration of the Proposed Scheme, and may not be used for the carrying out of the MRBA's affairs generally.

The above activities are all associated with the encouragement of commerce, retail and professional activity and employment at the Centre. The Proposed Scheme will enhance the viability of the precinct as a commercial, retail and professional area through increased economic activity. This, in turn, will confer a special benefit on all of the commercial properties located in and around the Centre that are liable to pay the Maling Road Special Rate and Charge.

Area

The Proposed Scheme will apply to all rateable properties located in the relevant area within the Centre that are used, or adapted or designed to be used, primarily for commercial purposes.

The Proposed Scheme area is shown in the plan of the Maling Road Special Rate and Charge Area. The area can be described as follows:

- i. Ground level properties in the area comprising:

Maling Road

- from 85 to 141 (odd numbers only)
- from 60 to 122 (even numbers only)

Attachment 4 - Details of proposed Special Rate and Charge

Theatre Place

Canterbury Road (even numbers only) from the railway line to Wattle Valley Road

Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road)

Bryson Street 1A and 2 to 8

ii. Upper level properties in the area comprising:

Maling Road

- from 85 to 141 (odd numbers only)
- from 60 to 122 (even numbers only)

Theatre Place

Canterbury Road (even numbers only) from the railway line to Wattle Valley Road

Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road)

Bryson Street 1A and 2 to 8

Maximum Total Levy

Before declaring a special rate and charge scheme, Council must determine the “total amount” of the special rate and charge to be levied. The total amount may not exceed the maximum total amount calculated by the formula:

$$R \times C = S$$

where –

R is the benefit ratio, being the estimated proportion of the total benefits of the scheme to which the performance of the function or 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 rate and charge;

C is the total cost of the performance of the function or the exercise of the power; and

S is the maximum amount that may be levied from all persons who are liable to pay the special rate and charge.

This formula is set out in accordance with section 163(2A) of the *Local Government Act* 1989 and the *Ministerial Guideline on Special Rates and Charges* published in September 2004.

Benefit ratio – ‘R’

A further formula is used to determine the benefit ratio (R):

Attachment 4 - Details of proposed Special Rate and Charge

$$\frac{\text{TSB (in)}}{\text{TSB (in) + TSB (out) + TCB}} = R$$

TSB (in) is the estimated total special benefit for those properties that Council proposes to include in the scheme.

TSB (out) is the estimated total special benefit for those properties with an identified special benefit that Council does not propose to include in the scheme.

TCB is the estimated total community benefit.

This formula is set out in accordance with section 163(2B) of the *Local Government Act 1989* and the *Ministerial Guideline on Special Rates and Charges* published in September 2004.

With respect to the total special benefits, it is determined that all rateable properties used, or adapted or designed to be used, primarily for commercial purposes in the Centre (as generally described above in the section under “**Area**”) will receive a special benefit from all of the activities undertaken with funds raised under the Proposed Scheme.

With respect to community benefits, there are no community benefits included in the Proposed Scheme. Any benefits to people visiting the businesses in the Centre are included in the special benefits conferred on those businesses.

The calculation of the benefit ratio is therefore as follows:

$$\frac{1.0 (100\%)}{1.0 (100\%) + 0 + 0} = 1.0 (100\%)$$

Total cost of the service – ‘C’

The total cost of the Proposed Scheme is approximately \$350,000 or such other amount as is lawfully levied as a consequence of the declaration. This figure is supported by the MRBA based on their previous expenditure, and five year strategic business and financial plan.

Maximum amount – ‘S’

Having calculated the total cost and the benefit ratio, the maximum total levy, in accordance with section 163(2A) of the *Local Government Act 1989*, is \$350,000 or such other amount as is lawfully levied as a consequence of the declaration. Council intends to levy this amount under the Proposed Scheme.

Apportionment

The determination of apportionment criteria (or the basis of distribution of the Maling Road Special Rate and Charge) is a separate process from the calculation of the maximum total levy.

Attachment 4 - Details of proposed Special Rate and Charge

It is proposed that the Maling Road Special Rate and Charge will be assessed and levied as follows:

- i. In the first year a rate of 0.08422 cents in the dollar of the Capital Improved Value (**CIV**) of each rateable property in the Proposed Scheme area, subject to the following minimum and maximum charges per occupancy per annum:

Precinct	Minimum and Maximum per annum
<p>Ground level properties in the area comprising:</p> <p>Maling Road</p> <ul style="list-style-type: none"> from 85 to 141 (odd numbers only) from 60 to 122 (even numbers only) <p>Theatre Place</p> <p>Canterbury Road (even numbers only) from the railway line to Wattle Valley Road</p> <p>Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road)</p> <p>Bryson Street 1A and 2 to 8</p>	<p><u>Ground level</u></p> <p>Minimum \$736</p> <p>Maximum \$1021</p>
<p>Upper level properties in the area comprising:</p> <p>Maling Road</p> <ul style="list-style-type: none"> from 85 to 141 (odd numbers only) from 60 to 122 (even numbers only) <p>Theatre Place</p> <p>Canterbury Road (even numbers only) from the railway line to Wattle Valley Road</p> <p>Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road)</p> <p>Bryson Street 1A and 2 to 8</p>	<p><u>Upper level/s</u></p> <p>Minimum \$446</p> <p>Maximum \$578</p>

It is further proposed that the persons liable to pay the Maling Road Special Rate and Charge will do so on the same date/s as Council's general rates are due, and that they be required to pay interest on any amount which has not been paid.

The quantum of the rate in the dollar of the CIV of each rateable property in the area, and the quantum of the minimum and maximum charges, will be adjusted on 1 July 2024 and on each anniversary of that date by the March quarter Consumer Price Index (All Groups, Melbourne) (**CPI**) during the 12 months preceding the end of that March quarter.

Attachment 4 - Details of proposed Special Rate and Charge

The CIV of each parcel of rateable land is the CIV of the parcel of land at the time of levying the Maling Road Special Rate and Charge in each year. The CIV may change in the period during which the Proposed Scheme is in force, reflecting any revaluations and supplementary valuations which take place.

Attachment 5 - Objections and Submissions

Objection/Submission process pursuant to the *Local Government Act 1989*

Section 163(1) of the *Local Government Act 1989* (**Act**) empowers a council to declare a special rate and charge for the purposes of defraying expenses in relation to the council's functions and powers if the council considers that it will be of special benefit to the persons required to pay the special rate and charge.

Submissions and Objections

Section 163A of the Act allows any person to make a submission in relation to Council's proposed declaration. Submissions must be lodged within twenty-eight (28) days after the date on which a public notice is published, and will be considered in accordance with section 223 of the Act.

In addition, any person who will be required to pay a special rate and charge is also entitled to exercise a right of objection under section 163B of the Act.

Section 163B(4) provides that any person who will be required to pay the special rate and charge is entitled to exercise the right of objection. Section 163B(5) goes on to state that, for the purposes of sub-section (4), a person who is an occupier is entitled to exercise the right of objection if the person submits documentary evidence with their objection which shows that it is a condition of the lease under which the person is an occupier that the person is to pay the special rate and charge.

Objections must be in writing and lodged within twenty-eight (28) days of the date of a public notice. Where the person making an objection is an occupier under a lease, the objection in writing must include the documentary evidence showing the person is to pay the special rate and charge in order for the objection to be considered a 'valid objection'.

During the period for lodging objections or submissions, Council officers will contact those who have made objections that are not supported by adequate documentary evidence and provide them with the opportunity to provide such evidence by the conclusion of the public consultation period.

Objections and Council's decision

Where a special rate and charge is proposed to recover an amount that exceeds two thirds of the total cost of a scheme, a council can only make a declaration under section 163(1) of the Act after complying with the objection process set out in section 163B of the Act.

Significantly, Council cannot proceed to declare a special rate and charge if Council receives valid objections in respect of more than 50% of the rateable properties on which the special rate and charge would be imposed. In circumstances where Council receives valid objections in respect of more than 50% of the rateable properties on which the special rate and charge would be imposed, Council may also discontinue the submissions process described above.

Attachment 6 - Owner Occupier Letter

3 February 2023

<Owner Name> [The Occupier]
<Property Address 1>
<Property Address 2>
<SUBURB> <STATE> <POSTCODE>

Property Address
<Property address>
<SUBURB> VIC <POSTCODE>

Dear [Property owner] [Occupier]

Notice of Intention to Declare the Maling Road Special Rate and Charge

At the request of Maling Road Business Association (**MRBA**), the City of Boroondara (**Council**) proposes to renew the existing special rate and charge scheme (**Current Scheme**) for the marketing and business development of the Maling Road Shopping and Business Centre (**Centre**) by declaring a new Maling Road Special Rate and Charge.

A special rate and charge scheme has been in place for the Centre for a number of years and the funds collected represent an important collaborative initiative amongst all the local businesses to actively promote and market the Centre. Under the Current Scheme, Council supports this initiative and plays a part in collecting funds and providing this to the MRBA to implement, under Council's oversight.

This letter is to inform you of the details of the proposed Maling Road Special Rate and Charge and your ability to have a say by making a submission and/or objection, should you wish to.

Outline of the Proposed Maling Road Special Rate and Charge

On 28 November 2022 Council resolved to give notice under section 163 of the *Local Government Act 1989 (Act)* of its intention to declare the new Maling Road Special Rate and Charge Scheme (**Proposed Scheme**). The proposed Maling Road Special Rate and Charge will be levied on properties located in the Centre for the purpose of advertising, promotion, Centre management, business development and other incidental expenses associated with the encouragement of commerce at the Centre.

The Proposed Scheme will commence on 1 July 2023 and remain in force for a period of 5 years ending on 30 June 2028. The proposed Maling Road Special Rate and Charge is to be levied on all rateable land located within the areas described in the **enclosed** public notice which is primarily used, or adapted or designed to be used, for commercial purposes.

How your liability will be calculated

It is proposed the Maling Road Special Rate and Charge will be assessed and levied as follows:

- (i) In the first year, a rate of 0.08422 cents in the dollar of the Capital Improved Value (**CIV**) of each rateable property in the Proposed Scheme area, subject to the following minimum and maximum charges per occupancy per annum:

Precinct	Minimum and Maximum per annum
<p>Ground level properties in the area comprising:</p> <p>Maling Road</p> <ul style="list-style-type: none"> from 85 to 141 (odd numbers only) from 60 to 122 (even numbers only) <p>Theatre Place</p> <p>Canterbury Road (even numbers only) from the railway line to Wattle Valley Road</p> <p>Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road) Bryson Street 1A and 2 to 8</p>	<p><u>Ground level</u></p> <p>Minimum \$736</p> <p>Maximum \$1021</p>
<p>Upper level properties in the area comprising:</p> <p>Maling Road</p> <ul style="list-style-type: none"> from 85 to 141 (odd numbers only) from 60 to 122 (even numbers only) <p>Theatre Place</p> <p>Canterbury Road (even numbers only) from the railway line to Wattle Valley Road</p> <p>Wattle Valley Road (1 Wattle Valley Road as part of property 208 Canterbury Road) Bryson Street 1A and 2 to 8</p>	<p><u>Upper level/s</u></p> <p>Minimum \$446</p> <p>Maximum \$578</p>

It is further proposed the persons liable to pay the Maling Road Special Rate and Charge will do so on the same date/s as Council's general rates are due, and that they be required to pay interest on any amount which has not been paid.

The quantum of the rate in the dollar of the CIV of each rateable property in the area, and the quantum of the minimum and maximum charges, will be adjusted on 1 July 2024 and on each anniversary of that date by the March quarter Consumer Price Index (All Groups, Melbourne) (**CPI**) during the 12 months preceding the end of the March quarter.

The CIV of each parcel of rateable land is the CIV of that parcel of land at the time of levying the Maling Road Special Rate and Charge in each year. The CIV may change in the period during which the Proposed Scheme is in force, reflecting any revaluations and supplementary valuations which take place.

Your rights

A copy of the proposed declaration including a detailed plan of the area of the Proposed Scheme can be viewed at the Council Offices at 8 Inglesby Road, Camberwell until **(insert date)** 2023. Electronic copies are also available at www.boroondara.vic.gov.au/business.

Objections

Any person who will be required to pay the proposed Maling Road Special Rate and Charge is entitled to exercise a right of objection.

Usually, it is property owners who are entitled to exercise the right to object. Where this is the case, the signatory of the objection letter must be the registered property owner. Where the owner is a corporate entity, documentary evidence must be provided to demonstrate that the person signing the letter has the authority to act on behalf of the registered property owner. For example, in the case of land being registered in the name of a company, the person could enclose a company extract that shows they are a director of this company.

Alternatively, occupiers/tenants have a right to object (instead of the property owner) if they submit appropriate documentary evidence of their liability to pay the Maling Road Special Rate and Charge. For example, this could include extracts from a lease agreement which identifies the tenant and contains a condition requiring the tenant to pay rates and charges for the property. Pursuant to section 163B(5) of the Act, only those objections which include this documentary evidence will be treated as valid. Again, where the tenant is a company, evidence will be required that the signatory has the authority to act on behalf of the tenant company.

Submissions

The right of objection described above is in addition to the right to make a submission, which is afforded to all persons, whether or not they are required to pay the Maling Road Special Rate and Charge.

Submissions concerning the Proposed Scheme will be considered and heard by Council at a meeting on **(insert date)** 2023 at its meeting to be held at 6.30pm in the Council Chamber, 8 Inglesby Road Camberwell, or online if necessary (or such other date as Council subsequently determines).

If you make a submission, you are entitled to appear personally (face to face or virtually), or to be represented by a specified person, to be heard in support of your submission. If you wish to be heard, you must state this in your submission and then register in the foyer of the Council Chamber. If the Council meeting is held virtually, you must register to speak via LocalEconomies@boroondara.vic.gov.au by midday **(insert date)** 2023.

How to lodge

All objections should clearly state whether they are from the owner or occupier and include the necessary documentary evidence of the objector's liability to pay the Maling Road Special Rate and Charge.

All **submissions** should clearly state whether they support or oppose the Proposed Scheme.

All submissions and objections must be lodged by **(insert date)** in writing, addressed and sent by mail or email to:

Manager Liveable Communities
City of Boroondara
Private Bag 1
CAMBERWELL VIC 3124

boroondara@boroondara.vic.gov.au

Further information

Enclosed for your information is a brochure from the MRBA in relation to its request for renewal of the Scheme. The brochure details the MRBA activities to be funded by the Proposed Scheme. It also provides contact details for the MRBA.

Should you have any questions you may contact the Local Economies team on 03 9278 4444 or by email boroondara@boroondara.vic.gov.au.

Yours sincerely



Michelle Forster
MANAGER LIVEABLE COMMUNITIES (Acting)

Enclosed

- *Copy of the proposed Maling Road Special Rate and Charge Scheme Public Notice*
- *Maling Road Business Association brochure*

Attachment 7 - Public Notice

Public Notice – Notice of Intention to Declare Maling Road Special Rate and Charge**PROPOSED DECLARATION OF MALING ROAD SPECIAL RATE AND CHARGE**

Notice is hereby given that Boroondara City Council resolved on 28 November 2022 to give public notice of its intention to declare a Maling Road Special Rate and Charge (**Proposed Scheme**) pursuant to section 163 of the *Local Government Act 1989 (Act)*.

The Proposed Scheme is intended to, in effect, renew the current Maling Road Special Rate and Charge which supports the Marketing and Business Development Fund for the Maling Road Shopping and Business Centre (**Centre**) and is due to expire on 30 June 2023.

The Proposed Scheme will be declared for the purpose of defraying the expenses of advertising, promotion, Centre management, business development and other incidental expenses associated with the encouragement of commerce at the Centre. It will commence on 1 July 2023 and remain in force for a period of five years, ending 30 June 2028.

The proposed Maling Road Special Rate and Charge is to be levied on all rateable land located within the Centre which is primarily used, or adapted or designed to be used, for commercial purposes. A plan of the Proposed Scheme area appears below.

A copy of the proposed declaration, including a detailed map of the Proposed Scheme area, is available for inspection at Council offices at 8 Inglesby Road, Camberwell or on the Council's website at www.boroondara.vic.gov.au/business for at least twenty-eight (28) days after the date of this notice.

It is proposed that the Maling Road Special Rate and Charge will be assessed and levied as follows:

- (i) In the first year a rate of 0.08422 cents in the dollar of the Capital Improved Value (**CIV**) of each rateable property in the Proposed Scheme area, subject to the following minimum and maximum charges per occupancy per annum:

Precinct	Minimum and Maximum per annum
Ground level properties in the area comprising: Maling Road <ul style="list-style-type: none"> from 85 to 141 (odd numbers only) from 60 to 122 (even numbers only) Theatre Place Canterbury Road (even numbers only) from the railway line to Wattle Valley Road Wattle Valley Road (1 Wattle Valley Road is part of property 208 Canterbury Road) Bryson Street 1A and 2 to 8	Ground level Minimum \$736 Maximum \$1021

<p>Upper level properties in the area comprising:</p> <p>Maling Road</p> <ul style="list-style-type: none"> from 85 to 141 (odd numbers only) from 60 to 122 (even numbers only) <p>Theatre Place</p> <p>Canterbury Road (even numbers only) from the railway line to Wattle Valley Road</p> <p>Wattle Valley Road (1 Wattle Valley Road is part of property 208 Canterbury Road)</p> <p>Bryson Street 1A and 2 to 8</p>	<p>Upper level/s</p> <p>Minimum \$446</p> <p>Maximum \$578</p>
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Note: The minimum and maximum charges have not changed from those in the Current Scheme.

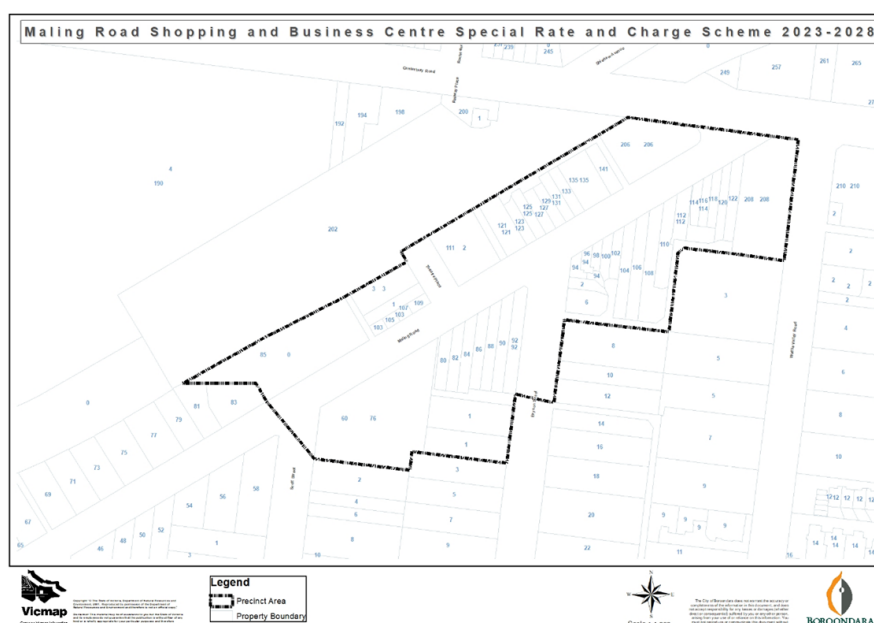
It is further proposed that the persons liable to pay the Maling Road Special Rate and Charge will do so on the same date/s as Council's general rates are due, and that they be required to pay interest on any amount which has not been paid.

The quantum of the rate in the dollar of the CIV of each rateable property in the area, and the quantum of the minimum and maximum charges, will be adjusted on 1 July 2024 and on each anniversary of that date by the March quarter Consumer Price Index (All Groups, Melbourne) (**CPI**) during the 12 months preceding the end of that March quarter.

The CIV of each parcel of rateable land is the CIV of that parcel of land at the time of levying the Maling Road Special Rate and Charge in each year. The CIV may change in the period during which the Proposed Scheme is in force, reflecting any revaluations and supplementary valuations which take place.

In the first year, the Proposed Scheme is estimated to raise \$70,000. The Proposed Scheme is estimated to raise approximately \$350,000 in total over five years.

MALING ROAD SHOPPING AND BUSINESS CENTRE



Council considers that each rateable property included in the Proposed Scheme area that is required to pay the Maling Road Special Rate and Charge will receive a special benefit because the viability of the Centre as a commercial, retail and professional area will be enhanced through increased economic activity.

Submissions

Any person may make a submission in relation to the Proposed Scheme. Submissions must be lodged within twenty-eight (28) days after the date of this notice, (**insert date**) and will be considered in accordance with section 223 of the Act.

A person making a submission is entitled to request in the submission that he or she wishes to appear in person, or to be represented by a person specified in the submission, at a meeting to be heard in support of the submission. Submissions will be heard by Council at its meeting on (**insert date**) 2023 (or such other date as Council subsequently determines).

Any person making a written submission under section 223 of the Act is advised that details of submissions may be included within the official Council Agendas and Minutes which are public documents and which may be made available on Council's website.

Objections

Any person who will be required to pay the Maling Road Special Rate and Charge is also entitled to exercise a right of objection under section 163B of the Act. An occupier of a property is entitled to exercise the right of objection if the person submits documentary evidence with their objection which shows that it is a condition of their lease that the occupier is liable to pay the Maling Road Special Rate and Charge in respect of the property.

Objections must be made in writing, accompanied by the necessary documentary evidence of the objector's liability to pay the Maling Special Rate and Charge, and lodged within twenty-eight (28) days of the date of this notice, by (**insert date**) 2023. The right of objection is in addition to the right to make a submission.

Submissions and/or objections must be in writing and addressed and sent by mail or email to:

Manager Liveable Communities
City of Boroondara
Private Bag 1
CAMBERWELL VIC 3124

boroondara@boroondara.vic.gov.au

Council will consider whether to declare the Proposed Scheme at a meeting on (**insert date**) 2023 (or such other date as Council subsequently determines).

Any person requiring further information concerning the proposed declaration of the special rate and charge should in the first instance contact the Local Economies team on 03 9278 4444 or email boroondara@boroondara.vic.gov.au.

[final to be signed]

Phillip Storer
CHIEF EXECUTIVE OFFICER