

## 7.3 Ashburton 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 Ashburton 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 Ashburton Shopping and Business Centre (**Centre**) will expire on 30 June 2023 (**Current Scheme**) and the Ashburton Shopping Traders Association (**ASTA**) 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 Ashburton Shopping Centre 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 Ashburton 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 140 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 0.055 cents in the dollar of the Capital Improved Value (**CIV**) will be levied on each rateable property in the proposed Scheme;
- Ground level properties fronting Welfare Parade and properties which only have an entrance from Ashburn Grove will be subject to a minimum charge of \$300 per annum and maximum charge of \$400 per annum;
- All other ground level properties will be subject to a minimum charge of \$550 per annum and maximum of \$2,500 per annum;
- All upper level properties will be subject to a minimum charge of \$300 and maximum of \$400 per annum; and

- The quantum of the rate in the dollar of the CIV and the minimum 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 \$96,393 in the first year, with a total levy of approximately \$481,698 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. 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 'Objection/Submission Process' below and in **Attachment 5**.

## **Officers' recommendation**

That Council resolve to:

1. Receive and note the request from the Ashburton Shopping Traders Association (**ASTA**) to renew the special rate and charge for a Marketing and Business Development Fund for the Ashburton 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) an Ashburton 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 Ashburton 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 Ashburton Special Rate and Charge; and
    - ii. arises out of Council's functions of:
      - encouraging and promoting economic sustainability, commerce, retail activity and employment opportunities in and around the

Ashburton Special Rate and Charge area and the broader municipal district; and

- providing good governance in its municipal district for the benefit and wellbeing of the municipal community.

(c) the Ashburton Special Rate and Charge so declared will be assessed and levied in accordance with the following:

- A rate of 0.055 cents in the dollar of the Capital Improved Value (**CIV**) will be levied on each rateable property in the proposed Scheme;
- Ground level properties fronting Welfare Parade and properties which only have an entrance from Ashburn Grove will be subject to a minimum charge of \$300 per annum and maximum charge of \$400 per annum;
- All other ground level properties will be subject to a minimum charge of \$550 per annum and maximum of \$2,500 per annum;
- All upper level properties will be subject to a minimum charge of \$300 and maximum of \$400 per annum;
- The quantum of the rate in the dollar of the CIV of each rateable property in the area, and the quantum of the minimum, 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
- 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 Ashburton Special Rate and Charge Scheme is in force, reflecting any revaluations and supplementary valuations which take place.

(d) the area for which the Ashburton 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 and upper level properties in the area comprising:

High Street:

- from Johnston Street to Carool Road (odd numbers only);
- from Munro Avenue to Morotai Avenue (even numbers only);
- Highgate Grove (odd numbers only); and
- as well as properties in arcades;

Ground level properties with frontage in Welfare Parade; and

properties which only have an entrance from Ashburn Grove.

(e) the land in relation to which the Ashburton 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 \$96,393 in the first year, with a total levy of approximately \$481,965 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 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 Ashburton 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 Ashburton 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 Ashburton 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 Ashburton Special Rate and Charge in accordance with the Letter and Public Notice and Letter 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 Ashburton 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.
5. 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

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## 1. Purpose

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

The Ashburton 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 Ashburton Shopping Traders Association (**ASTA**) 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 ASTA 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 ASTA and supported by the marketing and business development fund. These include:

- employing a new part-time marketing coordinator;
- improving the online presence of the Centre through development of a new website and increased Facebook and Instagram presence;
- delivering an extensive calendar of events, including Ashburton Festival, Easter, Mothers' Day, Grand Final Day, Halloween on High, Remembrance Day and Christmas;
- engaging regularly with traders via e-bulletins on demand, online groups and face-to-face Co-ordinator visits;
- developing and distributing a welcome pack for new businesses;
- printing and supplying new and high quality Ashburton branded environmentally friendly shopping bags;
- supporting traders during the pandemic through the provision of resources and information about restrictions, government grants and other opportunities;
- undertaking trader and customer research via online and face to face surveys;
- delivering business advice and professional development programs;
- contributing to Council's ongoing graffiti removal program;
- continuing to lobby for streetscape and traffic improvements;
- successfully applying for government grants to increase funding for the association; and
- liaising and advocating on behalf of the Centre to Council.

The new five year Ashburton Strategic Business Plan 2023 - 2028 (**Strategic Plan**) outlines a number of objectives aimed at keeping the Centre viable and growing. It includes:

- promoting High Street, Ashburton as a shopping centre of choice for the region with a distinctive community feel;
- seeking continual improvements to the appearance, signage, maintenance, infrastructure, and safety of the Centre with a high priority on addressing issues related to customer parking and accessibility and ensuring environmental sustainability;
- maintaining the CCTV for the Centre;
- continuing to grow internal trader support;
- seeking alternative funding via grants and sponsorship;
- continuing to foster relationships with community groups/sporting groups to grow our traditional customer base;
- continuing to maintain a strong social media presence for the Centre; and
- continuing to advocate on behalf of businesses to all levels of government.

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

- promotional and marketing activities to increase awareness of the Centre and its brand;
- relationship building with a range of external stakeholders, including other shopping precincts with a levy in place, local trader groups and community organisations; and
- encouraging property owners and tenants to improve the appearance of, and area surrounding their buildings.

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 \$96,393 in 2023-24, with Consumer Price Index (**CPI**) increases each year.

If declared, the Proposed Scheme will provide funds to assist the ASTA 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 ASTA formally wrote to Council on 13 October 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 Ashburton 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 area is as shown in the plan of the Ashburton Special Rate and Charge Area (**Plan**) in **Attachment 3**. The Area can be generally described as:

Ground level and upper level properties in the area comprising:

High Street:

- from Johnston Street to Carool Road (odd numbers only);
- from Munro Avenue to Morotai Avenue (even numbers only);
- Highgate Grove (odd numbers only); and
- as well as properties in arcades;

Ground level properties with frontage in Welfare Parade; and

properties which only have an entrance from Ashburn Grove.

There are currently 140 rateable properties included in the Proposed Scheme Area, the details of which are generally described in **Attachment 4**.

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

- a rate of 0.055 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 \$550 per annum and maximum of \$2,500 per annum with the exception of ground level properties fronting Welfare Parade and properties which only have an entrance from Ashburn Grove where a lower minimum charge of \$300 per annum and maximum of \$400 per annum applies.
- All upper level properties will be subject to a minimum charge of \$300 per annum and maximum of \$400 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 minimum charge.

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

The Proposed Scheme, if declared, will raise approximately \$96,393 in the first year, with a total levy of approximately \$481,695 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. Supplementary valuations can also result in variations in the CIV of rateable properties and thus the amount levied.

The ASTA 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;



- the need to raise enough funds to maintain the level of marketing and promotional support currently provided to the Centre and its traders in an uncertain economic climate;
- 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 involves a slight increase to the rate from 0.05 to 0.055 cents in the dollar of CIV. Despite the increase in the rate of the Scheme, approximately half of the ratepayers are expected to pay no more in Year 1 of the Proposed Scheme when compared to this year (the final year of the Current Scheme) due to the inclusion of annual adjustments each year of the Current Scheme in accordance with CPI. Of those that will pay an increased amount compared to Year 5 of the Current Scheme, the majority will pay less than \$10 more in Year 1 of the Proposed Scheme. As such, the rate increase is unlikely to represent a financial impost on traders.

### **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 Ashburton 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 Ashburton 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 Ashburton 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 Ashburton 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:
  - if it does, Council cannot proceed with the declaration; and
  - 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 Ashburton 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 Ashburton 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 public notice are in **Attachments 6 and 7**.

The letter sent to all persons required to pay the Ashburton 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 ASTA Committee.

The ASTA advised Council it has consulted with its members to inform the development of the Five Year Strategic Business Plan through a number of activities, as outlined below:

- coordinator discussions with individual traders and other Boroondara trader groups;
- workshop with committee members to review and provide feedback on the annual marketing plan and draft Strategic Plan;
- workshop with committee members and traders to confirm annual events and initiatives;
- regular communication via electronic newsletters, emails, and events; and
- monthly Committee meetings and the Annual General Meeting, which are open to members.

The ASTA is confident traders strongly support the Current Scheme and its renewal by way of the Proposed Scheme, citing the strong engagement it has with them as evidence of this. This includes:

- communications through e-bulletins which consistently have an open rate of 65% or higher;
- online groups which facilitate conversations between traders and the ASTA;
- business breakfasts and social networking events which are well attended; and the annual festival which many of the local traders participate in and benefit from.

Engagement with the traders in the Centre increased during the pandemic, with traders relying on the ASTA for information and support.

Furthermore, the Coordinator funded by the Scheme is considered a valuable resource to the traders, offering assistance with a range of marketing and business development activities during her weekly face-to-face visits. In recognition of the ASTA's contribution and engagement with its traders, it was awarded the 2021 Mainstreet Australia Committee of Management of the Year. 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 \$96,393 with a total levy of approximately \$481,965 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 Ashburton Special Rate and Charge by levying notices and collecting payments. These proceeds will then be distributed to the ASTA 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 ASTA in relation to expenditure of the proceeds.

Under this agreement, the ASTA will be required to submit an annual budget and business plan to Council for approval prior to each new financial year. The ASTA will also be required to provide financial statements and reports. A member of the Liveable Communities department will attend the ASTA's Annual General Meeting. Payment of funds raised under the Proposed Scheme to the ASTA will be dependent upon the ASTA 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 Ashburton 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 ASTA to a coordinated and unified approach to promoting the Centre and ensuring its continued long-term viability.

<b>Manager:</b>	<b>Michelle Forster, Manager Liveable Communities (Acting)</b>
<b>Report officer:</b>	Alana Smith, Coordinator Local Economies



Lucinda Bakhach  
Local Economies Lead  
City of Boroondara  
8 Inglesby Road,  
Camberwell  
VIC 3124

Thursday 13<sup>th</sup> October 2022

**Re – Ashburton Shopping Centre Traders Association - Special Rate Levy Renewal**

Dear Lucinda,

On behalf of the committee of the Ashburton Shopping Centre Traders Association, I am writing to you to ask that the City of Boroondara initiate the process of renewing the Special Rate Levy for Ashburton Village.

For the upcoming renewal we would like to request the following.

- A renewal for a 5-year term (July 2023 – June 2028).
- The current rateable area be maintained with the area covering High Street Ashburton from Carool Rd in the east to Johnston St in the west and encompassing businesses in Welfare Parade.
- That the Ashburton Community Centre, Ashy Opp Shop, and the Ashburton Library be community members of our association and not subject to any levy.
- That the level of rate for all properties be rated at .055 cents in the dollar of the Capital Improved Value (CIV) be levied on each rateable property in the proposed scheme.
- Ground level properties will be subject to a minimum charge of \$550 per annum and maximum of \$2,500 per annum with the exception of ground level properties fronting Welfare Parade and properties which only have an entrance from Ashburn Grove where a lower minimum charge of \$300 per annum and maximum of \$400 per annum applies. All upper floor properties will be subject to a minimum charge of \$300 per annum and maximum of \$400 per annum.
- That the rate increases by CPI annually from the previous year.


Our rate has successfully been in place for over 27 years with our association maintaining a high level of engagement with our businesses and the Ashburton community. We recognise the ongoing challenges faced by businesses in a post covid world and have therefore decided not to increase the rate for the next five-year period apart from the CPI increases. Ashburton Shopping Centre Association has been successful in receiving several grants from all levels of government adding to our funding pool and to the initiatives we are able to deliver for our Village.

## Attachment 1 - Letter from Association

Our association very much values our relationship with the City of Boroondara and we look forward to again working collaboratively with council on initiatives such as Christmas, outdoor dining, and ongoing support for our businesses. We appreciate council's support for the Ashburton Community Festival, Halloween on High and for the positive ways in which we work together.

We look forward to the confirmation of this request and assisting in the renewal process.

Kind regards,



Bob Stensholt  
President

**Ashburton Shopping Centre Traders Association Inc.**  
**info@ashburtonvillage3147.com.au**

ASHBURTON SHOPPING CENTRE ASSOCIATION INC. ABN – 21 318 372 644  
PO BOX 108, ASHBURTON. VIC. 3147

# ASHBURTON

— VILLAGE 3147 —



**Ashburton Shopping Centre Traders Association Inc.**

**A0034472R**

**Five Year Strategic Plan**

**2023-2028**



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## **INTRODUCTION**

This 5-year Strategic Plan for Ashburton Village has been put together by the Ashburton Shopping Centre Association Committee. Input into the plan has been sought from traders in the precinct and key stakeholders, considering the successes of the previous five-year plan for the Village, learnings from our annual plans, changes in trading conditions and through our associations success in receiving grants to further add to our budget and the programs we have the added capacity to deliver.

The Covid-19 Pandemic dramatically changed the role of our association with marketing taking a back seat to advocacy and communication over the last two years. We provided much needed support to our businesses who were negotiating unforeseen circumstances such as renegotiating leases, applying for, and accessing all levels of Government support packages and complying with restrictions and lockdowns imposed on their businesses by government. These unfortunate circumstances however created increased engagement and reliance on our association. The Ashburton Shopping Centre Traders Association acted quickly to apply for a diverse range of grants available to assist association and the businesses they represent and have been successful in receiving many. This is now an avenue we can look to achieve additional funding for our precinct in the future.

With an uncertain economic time still ahead of us, we have decided to slightly increase the rate in order to raise enough funds to maintain the level of marketing and promotional support currently provided to the Centre and its traders, being conscious not to impose future financial hardship and stress on our businesses. Our rate will increase marginally from .05 cents in the dollar to .055. This will raise approx. \$96,393 in year one. We feel a sense of responsibility after the last two years to remain flexible in our planning to best respond to the needs of our businesses, our community, and the shopping precinct.

The 5-year Strategic Business Plan is based on:

- The statement of purpose of the Ashburton Shopping Centre Traders Association
- The Ashburton Traders Association Marketing/Business Plan for 2022/2023 (attached)
- Ashburton Market Research Report from data collected from 2021 Australian Census
- Various other council strategies and policies
- Boroondara Economic Development Strategies and other Council Strategies
- Input from our committee and businesses that make up Ashburton Village

## **STATEMENT OF PURPOSE**

The Ashburton Shopping Centre Traders Association is an incorporated body representing 130 + businesses. The Statement of Purposes of the Association is as follows:

- To act as the central co-ordinating body to revitalise/grow and protect the Ashburton Shopping Centre
- To direct and manage funds collected for marketing and business improvement
- To organise marketing, promotion, and business development opportunities to enhance the shopping centre
- To communicate regularly with all traders and business operators in the centre
- To endeavour to assist in improving the mix of businesses in the centre

- To support individual businesses by providing them with opportunities to access professional development and support
- To liaise with Council on matters of mutual concern to improve the centre and businesses within it
- To advocate on behalf of businesses to all levels of government
- To provide information and support to assist businesses in accessing financial support, negotiating leases, and complying with imposed restrictions throughout the Covid -19 Pandemic
- Accessing grants and financial assistance from all levels of government to assist our association in supporting Ashburton Village and the businesses we represent.

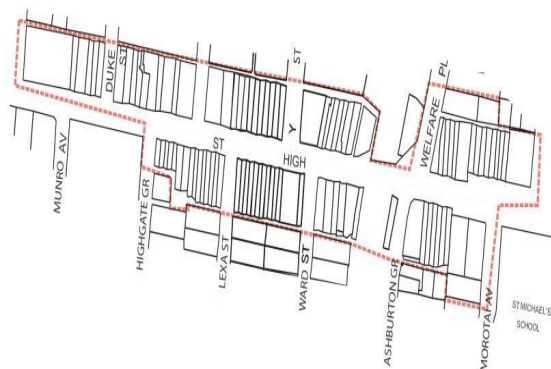
### **DEMOGRAPHICS OF ASHBURTON**

The population of Ashburton as of 2021 stands at 7952. Of this total, 3940 or 49.5% are female and 4012 or 50.5% are male. The median age is forty-one. The total dwellings within Ashburton (enumerated) are 2714 with 77.8% identifying as a family household with the average number of people per household being 2.8. 54.2% of Ashburton's population are married or in a de facto relationship. The average number of children per household is 1.8. The estimated Resident Population of Ashburton in 2017 was 8338 so there has been a decline in number since previous census collection periods. The median weekly household income in Ashburton is \$2743 compared to the median weekly household income for Melbourne being \$1759. Median monthly mortgage repayments in Ashburton are \$3000 and median weekly rental payments are \$455. These figures clearly indicated that Ashburton is a family orientated suburb with on average, a higher income than other suburbs in Melbourne. Ashburton also boasts an average life span of 89 years which is the longest living lifespan of any suburb in Melbourne!

### **2. PROFILE OF ASHBURTON VILLAGE**

Ashburton is a Neighbourhood Activity Centre of 130+ business premises, located along High Street between Munro Avenue and Morotai Avenue. A plan of the centre below.

**Extent of Ashburton Neighbourhood Activity Centre**



Ashburton provides a broad range of local convenience retail and commercial facilities as well as community facilities. Two primary schools are located on the periphery of the centre (Ashburton Primary and St Michael's Primary). The Ashburton Community Centre and Library are located to the west of the Village, within the retail area. Ashburton train station is adjacent to the centre up the eastern end and a bus service runs the length of High St. Ashburton Village has a very stable mix of businesses and tenancies, and it is a more stable centre than its surrounding peers. Several long-term vacant properties have recently been leased and there has been five new gyms and allied health providers setting up in Ashburton. We now however only have two banks with the other three withdrawing in the last 5 years. We also have two new licensed businesses – Two Doors Brewing and Oydis Wine Bar opening in our Village thanks to the relaxing of the dry area rules that once governed Camberwell and Ashburton Village.

The Ferndale Trail traverses Ashburton Village along the Alamein rail line, which is a highly popular walking trail with a resulting positive flow on impact on our Village. The Alamein railway line also provides walking and bike paths with direct access to Ashburton Village.

### **ASHBURTON TRADERS ASSOCIATION GOVERNANCES**

The Ashburton Shopping Centre Traders Association operates through a Committee of Management (all of which are current business owners/traders/volunteers within the precinct) and a contracted marketing coordinator/executive assistant. The Association is funded by a special rate administered by the City of Boroondara, receiving two instalments annually upon presentation of a Business Plan and the revised 5 Year Strategic Plan. Reports against these plans are required by council to trigger the instalments. The annual amount raised ranges from an initial approx. \$92,000 per annum and will be increased by CPI annually. In addition, the association seeks grants for our annual festival and for other business support initiatives through other levels of government.

Details of the current Committee and co-ordinator as of end September 2022 are as follows:

PRESIDENT	BOB STENSHOLT	BENDIGO BANK
VICE PRESIDENT	JEFF ARMSTRONG	SAMARINDA
SECRETARY	KARLENE COKER	R & R SKINCARE
TREASURER	KATHY KOULOURIS	BENDIGO BANK
COMMITTEE	PAUL KLOOSTER	ASHBURTON MEATS
	NICK COKER	BENDIGO BANK
	LESLEY GEMMELL	ASHBURTON SOCCER
	ALEX HARPER	ASHBURTON IGA
	MICHAEL MOBBS	M2 FINANCIAL SERVICES
MARKETING	ALEX HUME	

**FINANCES**

All invoices for payment are sent through to our President and Treasurer for approval prior to payment. A record of all invoices is kept on file and our bookkeeping systems is monitored via XERO accounting software package.

All payments and receipts have been reconciled at the end of each month by the Marketing Co-ordinator/Executive Assistant and similarly all Taxation regulations are met with Quarterly BAS Statements sent through to the ATO. Nickless Miller Accountants yearly audit the Associations finances. The reports are presented at the Annual General Meeting of the Association, traditionally held within five months of the end of the fiscal year.

Committee Meetings are held monthly which include President's report, Treasurer's Report and marketing update and promotional events.

Minutes of the meetings are held by the Marketing Co-ordinator/Executive Assistant with minutes of each meeting and sent to Council Economic Development officer. Xero reports are generated and provided to council as per the six-monthly reporting cycle and at the end of the fiscal year.

**FUTURE DIRECTIONS**

The recommended strategies for a further 5 years to sustain the management and communication processes are:

- To continue to work with council to ensure the Traders Association is a key organisation within the City of Boroondara.
- Continue to elect an active Committee each year working together for the greater good of the Village.
- Continue to organise regular meetings of the Committee for their input and evaluation to direct and monitor the agreed program of activities.
- Work to achieve greater business involvement in the Ashburton Traders Association
- Continue to develop and implement our yearly updated Business Marketing Plan with targeted appropriate promotions.
- Continue to take a very pro-active role with the City of Boroondara and other levels of Government to facilitate improvements for our businesses and Village.
- Encourage businesses to work together and support one another.
- Continue a strong relationship with the many community organisations within Ashburton.
- Communicate with all Ashburton Village businesses regularly, distributing informative email Bulletins, using WhatsApp, phone and in person visits by the co-ordinator
- Continue to organise business networking events to encourage business to business networking and engagement with the association. Included in these events are the AGM and Christmas Party.
- To continue to foster a cohesive approach to all social and professional interactions.
- Work together with and grow our relationships with our fellow Boroondara Traders Associations and offer support to other small neighbourhood centres where appropriate.
- Continue to provide support for businesses post pandemic
- Continue to actively source and apply for grants to assist our association and businesses

### **SPECIAL RATE SCHEME**

Ashburton was one of the first main streets in Melbourne to organise a special rate scheme. Established in 1989, this scheme has continued to fund the activities of the Traders Association. Since the inception of the Scheme the rate renewals have increased by approximately 3% increments in each of the following four years. The special rate at the commencement of the current scheme in 2023 will be approx. \$96,393/pa. This funding is paramount to the longevity of the Association and the ongoing success of Ashburton Village. The committee recognize the need for alternative funding sources via grants, sponsorships, event, and stallholder participation as part of our events. As such, we will continue to apply for such funds going forward to assist with the overall budget the association has to spend.

### **Financial Strategy**

It is estimated that the annual cost of undertaking the proposed marketing and community development initiatives outlined in the Business Plan commencing in year 1 begins at \$96,393. This excludes the costs of undertaking major infrastructure or other physical improvement projects in the centre. A general breakdown follows:

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
ACCOUNTING/BOOKKEEPING	\$1000	\$1000	\$1000	\$1000	\$1000
INSURANCES	\$3500	\$3600	\$3700	\$3800	\$3900
MARKETING CO ORDINATOR	\$50000	\$50000	\$50500	\$51500	\$52000
PROMOTIONS & EVENTS	\$12000	\$12000	\$12000	\$12000	\$13000
OUTDOOR ADVERTISING	\$2000	\$2000	\$2000	\$3000	\$3000
SOCIAL MEDIA/WEBSITE	\$2000	\$1000	\$1000	\$1500	\$2000
TRADER COSTS/FUNCIONS	\$3200	\$3000	\$3000	\$3000	\$4000
FESTIVAL	\$8000	\$8500	\$8500	\$9000	\$9500
GRAFFITI REMOVAL/CCTV	\$2500	\$2500	\$2700	\$2500	\$2700
SHOPPING BAGS	\$7000	\$7500	\$7800	\$7800	\$7800
OTHER CONTINGENCY	\$5193	\$7703	\$9073	\$9205	\$7500
<b>TOTAL</b>	<b>\$96393</b>	<b>\$98803</b>	<b>\$101273</b>	<b>\$103805</b>	<b>\$106400</b>
<i>*Notes; following years budgeted on guesstimate cpi increase of 2.5%</i>					

The Traders Association will continue to have a financial accounting system in place. This is 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. The association utilizes Xero, allowing for financial reporting to always be available.

## **5 YEAR VISION**

In July 2022, the Association held a Strategic Planning Meeting identifying Ashburton Village's Strengths, Weaknesses, Opportunities for the 5-year plan.

## **SWOT ANALYSIS OF ASHBURTON VILLAGE**

### **STRENGTHS**

The traders considered the following strengths of Ashburton Village to be:

- Sense of community
- Friendliness of local and loyal traders
- Business operators who know their customers by name
- Good business mix and big product range (you can find all you need)
- Strong relationships with community groups
- Variety of quality Fresh food offerings
- Distinctive local character of the Village
- Strong branding Ashburton Village 3147
- Well located pedestrian crossings making it easy to cross High St
- Proximity to transport and accessibility to railway station
- Proximity to local schools
- Ashburton Community Centre and Library located in the Village
- Stable population
- Free and good car parking for the centre on either side of High St
- Strong and committed Business Association
- Success of ATA in receiving additional funding via grants
- Strong and positive relationship with the City of Boroondara
- Marketing and development Special Rate Scheme
- Staunch support of the Special Rate Scheme levy
- CCTV within the Village, increasing safety
- Proactive graffiti removal program
- Strong database of all businesses in our precinct
- New businesses opening offering a night-time economy

### **WEAKNESSES**

- The traders considered the following weaknesses of Ashburton Village to be:
- Busy traffic conditions
- Clearways along High St
- Proximity to Chadstone
- Loss of banks
- Tough retail conditions post covid
- Online purchasing
- Lack of extended trading hours (night-time / 7-day)
- Inconsistent trading hours
- Weak night-time economy
- Covid 19 pandemic

## **OPPORTUNITIES**

- The traders considered the following opportunities could be explored to strengthen relationships and increase promotion, vibrancy, and activity to the Village:
- Enhance relationships with community groups
- New customers have been attracted to the Village post covid
- People working from home and visiting the Village during the day
- Working with real estate agents to attract appropriate and needed tenants
- Capitalise on accessibility to the Village, free car parking, public transport
- Increase advocacy by Association
- Council's Business Concierge to assist new businesses in opening
- Greater grant opportunities for the association to apply for
- Professional development and training seminars
- Encourage night-time economy to meet consumer demand.
- Increase social media presence and awareness
- Investigate a cross marketing mix and promotion with traders
- Collectively promote the Ashburton Village, logo, and branding
- Further customer surveys to identify needs, wants and new customers
- Seek connection with local clubs and community organisations
- Increased amount of people shopping locally due to the covid who discovered they could purchase all they needed in Ashburton Village

## **THREATS**

- The traders considered the following threats to be:
- Increased competition of nearby centres and similar main street shopping centres, such as Camberwell, Burwood, Ashwood, and Chadstone.
- The demand to meet consumer needs with other nearby centres trading 7 days or extended hours.
- Rising cost for businesses, including increase and deferred payments from the pandemic period
- Lack of staff
- Lack control of quality and maintenance of business owned properties
- Increased competition of online sales / online retailing meeting consumer demand
- Lack control of business mix
- Threat of retail and service home-based businesses

## **COMMUNITY PARTICIPATION**

Over the years, the Ashburton Shopping Centre Association has organised an extraordinarily successful annual street festival traditionally held in February, attracting up to 15,000 people to a closed off High Street as well as other promotions throughout the year. These include Easter, Mother's Day, Grand Final, Remembrance Day, and Christmas. The Association has worked closely with Council to facilitate street landscaping and a community square meeting place at Ashburton Square with seating, a stage area, and a clock. This has been a terrific addition to our Village allowing for an area for people to eat al fresco and has been very well received. In 2021 and 2022 we were unable to hold our annual festival due to the Covid 19 pandemic. We are excited to hold a new and improved event on Sunday 26<sup>th</sup> February 2023 but have maintained our connection to local participating community groups and are encouraging them again participate as we recognise that they too have been impacted by the pandemic.



We are working to build a stronger relationship with the Ashburton Community Centre and Library located in our centre. We have run two successful Halloween on High events with the Ashburton Community Centre. This partnership is a priority for both our organisations.

### **CUSTOMER FEEDBACK**

Surveys held in 2021 identified key likes and strengths of the centre according to our customers. These included knowing the traders and the traders knowing the customers, vast variety of fresh food, accessibility (parking and pedestrian crossings), friendliness, cafes, and personal service offered by traders.

There was a desire for more night-time venues (which has been addressed by the recent addition of Two Doors Brewing and Oydis) and the closure of the major banks was seen as a negative for the Village. There is a desire for a larger supermarket and traffic is busy on the weekends. The Ashburton IGA did incredibly well over the pandemic in keeping up with the demands of our community and we are confident that it supports our community incredibly well. The IGA is complimented by the fresh fruit, butchers, and bakers within the precinct.

The state of the footpaths is often considered a negative and the increasing traffic flow through High St remains a safety concern particularly with an increased bike riding and walking along the Ferndale Trail. We endeavour to work with council in the coming years to improve the safety of this area.

### **MARKETING**

The marketing program is to continue to focus on its unique branding statement as well as key strategic marketing initiatives and promotional events. The marketing objectives of the association are as follows:

#### **SPECIFIC OBJECTIVES OF THE STRATEGIC BUSINESS PLAN**

- Promote High Street Ashburton as a shopping centre of choice for the region with a distinctive community feel
- Seek continual improvements to the appearance, signage, maintenance, infrastructure, and safety of the precinct with a high priority on customer parking, disabled services, and environmentally friendly fixtures.
- Maintaining the CCTV for the centre
- To continue to grow our internal trader support
- Seek alternative funding via grants and sponsorship
- Continue to foster relationships with community groups/sporting groups to grow our traditional customer base.
- Continue to maintain a strong social media presence for Ashburton Village
- Continue to advocate on behalf of our businesses to all levels of government.

### **STRATEGIES**

- Continue to use our logo on all correspondence and promotion
- Continue to promote the brand on the [www.AshburtonVillage3147.com.au](http://www.AshburtonVillage3147.com.au) website, Instagram and Facebook and grow our followers through sharing members posts and allocating funds towards paid Facebook advertising.

- Encourage property owners and tenants to improve the appearance of buildings and maintain the footpath outside their properties and front and rear of their properties.
- Communicate with our businesses via trader bulletins, co-ordinator visits and our WhatsApp group.
- Maintain an up-to-date email database.
- Build a community database for quarterly emailed newsletters about what is happening in Ashburton Village.
- Build and further enhance our relationships with other Boroondara Levied shopping centres and offer support where appropriate to smaller neighbourhood centres.
- Print advertising where applicable – but moving to electronic mediums such as social media, internet, Apps, outdoor advertising.
- Establish and continue to leverage the strong relationships with the large amount of community groups within Ashburton.
- Community Noticeboard to advertise promotional events and other activities in the centre and community.
- Continue to market the centre through media releases and free listings.
- Support and promote the presence and use of our CCTV cameras by the Police.
- Maintain our half yearly collections for Camcare in conjunction with the Boroondara Lions

### **ADVERTISING and PROMOTIONAL TACTICS**

The Traders' Association will utilise the following tactical responses to meet our specific objectives:

<b><u>Tactical Responses External:</u></b>
--

- |   |
|---|
| • Posts on (Instagram/Facebook) five times a week   |
| • Continue to diversify advertising (print, outdoor, Google, Website)   |
| • Increased signage in/around the Village; utilize tree guards and flags  |
| • Regular entertainers and promotions around key calendar events (Mother's and Father's Day, Grand Final, Christmas, Easter, Halloween) |
| • Annual Ashburton Community Festival   |
| • Seek out increased support and relationships with community groups  |
| • Ashburton Shopping Bags   |

<b><u>Tactical Responses Internal:</u></b>
--

- |  |
|--|
| • Bulletins to all traders on demand and use of WhatsApp                   |
| • Monthly committee meetings   |
| • Trader meetings/social events  |
| • Work collectively with the other Boroondara Traders Associations         |
| • Increased communications between Boroondara Council/Traders' Association |
| • Increased offerings of Council initiatives to members                    |
| • Annual survey of traders via Survey Monkey                               |
| • Offer professional development opportunities for Ashburton Businesses    |

## **CALENDAR OF KEY EVENTS**

The following activities are being suggested for the 2022-2023 year.

<i>Month</i>	<i>Event/Activity</i>
<i>July</i>	<b>WINTER PROMOTION</b>
<i>August</i>	<b>FATHERS DAY PROMOTION</b>
<i>September</i>	<b>GRAND FINAL DAY</b>
<i>October</i>	<b>HALLOWEEN IN CONJUNCTION WITH ACC AGM</b>
<i>November</i>	<b>INSTALLATION OF CHRISTMAS DECORATIONS &amp; MUSIC; REMEMBERANCE DAY</b>
<i>December</i>	<b>CHRISTMAS PROMOTION TRADER CHRISTMAS PARTY</b>
<i>January</i>	
<i>February</i>	<b>ASHBURTON COMMUNITY FESTIVAL</b>
<i>March</i>	
<i>April</i>	<b>EASTER</b>
<i>May</i>	<b>MOTHER'S DAY PROMOTION</b>
<i>June</i>	<b>EOFY</b>

## **MARKETING CO-ORDINATOR**

The Trader's Association is committed to continuing to employ a part-time co-ordinator on a contracted basis. Key strategies for the coordinator to achieve this are:

<i>Focus on the branding, strategic marketing &amp; promotional initiatives, as outlined in yearly Marketing/Promotional plan</i>
<i>Communicate with all businesses in the centre emailed trader bulletins, dedicated WhatsApp Group, call to action emails and personal visits to business premises</i>
<i>Maintain and build a strong relationship with local community, sporting groups &amp; residents to continue to foster ongoing connections with the centre during promotions and develop stronger loyalty from these groups towards the centre</i>
<i>Continue to work closely with and under the direction of the management of committee elected at the time.</i>

The contracted marketing position is based on a yearly review with the committee performing an overall evaluation of the contractor.

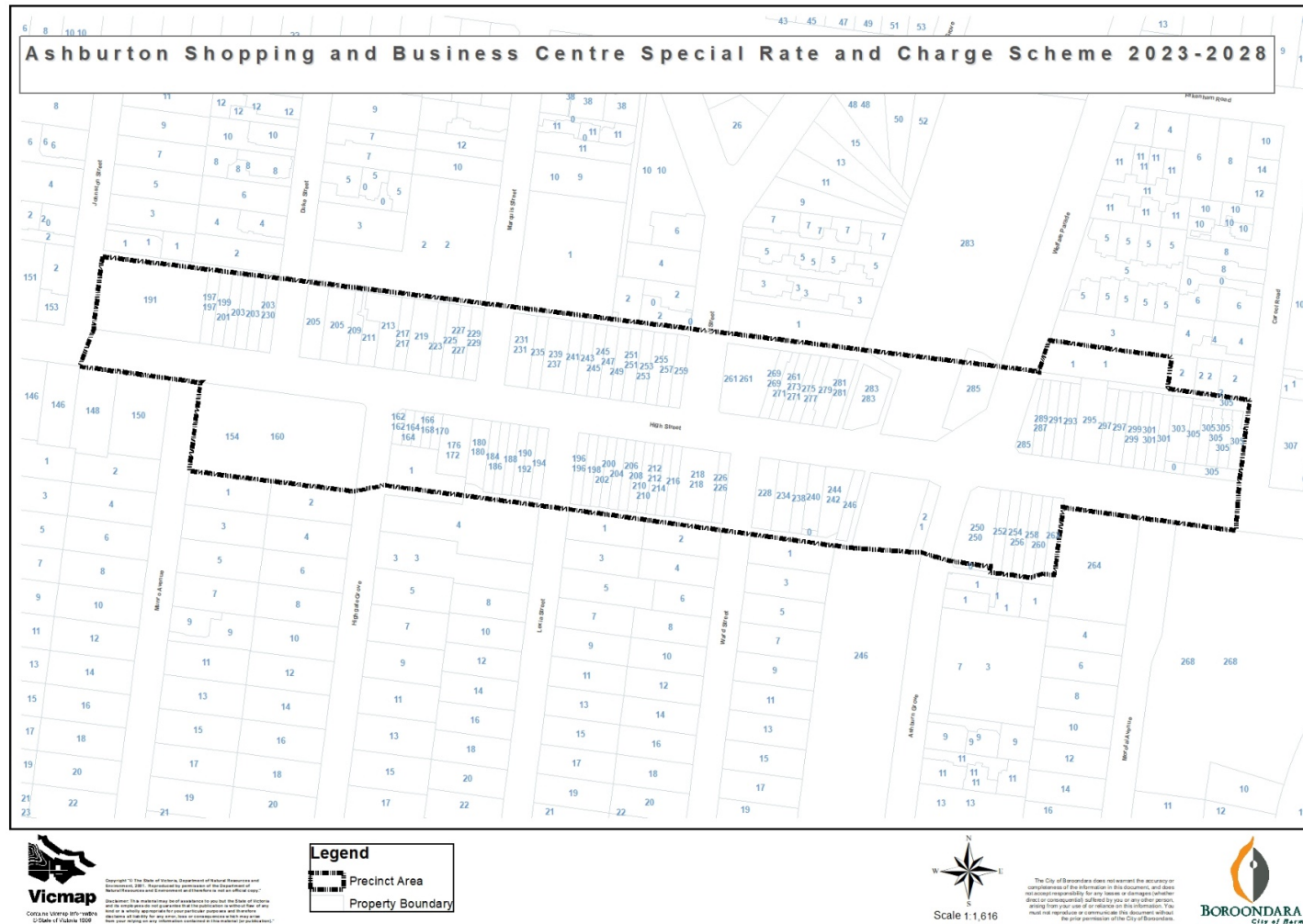
**BENCHMARKING/EVALUATIONS**

- Key performance indicators (KPI's) to be considered as part of the evaluation are:
- Extent of completion of projects specified in the Business Plan and success thereof
- Trader participation in activities and promotions
- Trader Feedback
- Engagement of traders
- Ability to provide feedback from the traders to the committee
- Positive business and customer perceptions about individual promotions and advertising campaigns
- Feedback to be sought from community groups encouraging growth or areas of improvement
- Positive business perceptions about changes in the overall profile and trading performance of the centre
- Elevated level of financial accountability with treasury and committee accountable for payments and receipts.
- End of year audited financial reports



## Attachment 3 - Plan of proposed Scheme area

## Proposed Ashburton special rate and charge scheme 2023 - 2028 (the Plan)



## Attachment 4 - Details of the Proposed Ashburton Special Rate and Charge

### Details of the Proposed Ashburton Special Rate and Charge

#### Duration

It is proposed that the Ashburton Special Rate and Charge (**Proposed Scheme**) for the Ashburton 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 Ashburton Shopping Traders Association (**ASTA**) 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 ASTA's administrative and management costs. For example, the ASTA 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 ASTA'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 Ashburton 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 Ashburton Special Rate and Charge Area. The area can be described as follows:

- i. Ground level and upper level properties in the area comprising:

High Street:

- from Johnston Street to Carool Road (odd numbers only);
- from Munro Avenue to Morotai Avenue (even numbers only);
- Highgate Grove (odd numbers only); and
- as well as properties in arcades;

- ii. Ground level properties with frontage in Welfare Parade; and

#### Attachment 4 - Details of the Proposed Ashburton Special Rate and Charge

- iii. Properties which only have an entrance from Ashburn Grove.

#### 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):

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

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.

#### Attachment 4 - Details of the Proposed Ashburton Special Rate and Charge

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 \$481,965 or such other amount as is lawfully levied as a consequence of the declaration. This figure is supported by the ASTA 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 \$481,965 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 Ashburton Special Rate and Charge) is a separate process from the calculation of the maximum total levy.

It is proposed that the Ashburton Special Rate and Charge will be assessed and levied as follows.

- i. A rate of 0.055 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 fronting Welfare Parade and properties which only have an entrance from Ashburn Grove will be subject to a minimum charge of \$300 per annum and maximum charge of \$400 per annum.
- iii. All other ground level properties will be subject to a minimum charge of \$550 per annum and maximum of \$2,500 per annum.
- iv. All upper level properties will be subject to a minimum charge of \$300 and maximum of \$400 per annum.

It is further proposed that the persons liable to pay the Ashburton 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 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 the parcel of land at the time of levying the Ashburton Special Rate and Charge in each year. The CIV may change in



**Attachment 4 - Details of the Proposed Ashburton Special Rate and Charge**

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 Ashburton Special Rate and Charge

At the request of Ashburton Shopping Traders Association (**ASTA**), 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 Ashburton Shopping and Business Centre (**Centre**) by declaring a new Ashburton 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 Scheme funds and providing this to the ASTA to implement, under Council's oversight.

This letter is to inform you of the details of the proposed Ashburton 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 Ashburton 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 Ashburton Special Rate and Charge Scheme (**Proposed Scheme**). The proposed Ashburton 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 Ashburton 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 Ashburton Special Rate and Charge will be assessed and levied as follows:

- (i) In the first year a rate of 0.055 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:  High Street <ul style="list-style-type: none"> <li>from Johnston Street to Carool Road (odd numbers only)</li> <li>from Munro Avenue to Morotai Avenue (even numbers only)</li> <li>Highgate Grove (odd numbers only)</li> <li>as well as properties in arcades</li> </ul>	<u>Ground level</u> Minimum \$550 Maximum \$2500
Upper level properties in the area comprising:  High Street <ul style="list-style-type: none"> <li>from Johnston Street to Carool Road (odd numbers only)</li> <li>from Munro Avenue to Morotai Avenue (even numbers only)</li> <li>Highgate Grove (odd numbers only)</li> <li>as well as properties in arcades</li> </ul>	<u>Upper level/s</u> Minimum \$300 Maximum \$400
Ground level properties with frontage in Welfare Parade.  Properties which only have an entrance from Ashburn Grove.	<u>Ground and upper level/s</u> Minimum \$300 Maximum \$400

It is further proposed the persons liable to pay the Ashburton 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 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 Ashburton 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](http://www.boroondara.vic.gov.au/business).

### Objections

Any person who will be required to pay the proposed Ashburton 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 Ashburton 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 Ashburton 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 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](mailto: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 Ashburton 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**) 2023 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](mailto:boroondara@boroondara.vic.gov.au)

**Further information**

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

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

Yours sincerely



**Michelle Forster**  
**MANAGER LIVEABLE COMMUNITIES (Acting)**

*Enclosed*

- *Copy of the proposed Ashburton Special Rate and Charge Scheme Public Notice*
- *Ashburton Traders Association brochure*

## Attachment 7 - Public Notice

**Public Notice – Notice of Intention to Declare Ashburton Special Rate and Charge****PROPOSED DECLARATION OF ASHBURTON 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 an Ashburton 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 Ashburton Special Rate and Charge which supports the Marketing and Business Development Fund for the Ashburton 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 Ashburton 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](http://www.boroondara.vic.gov.au/business) for at least twenty-eight (28) days after the date of this notice.

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

- (i) In the first year a rate of 0.055 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:

<b>Precinct</b>	<b>Minimum and Maximum per annum</b>
Ground level properties in the area comprising: High Street <ul style="list-style-type: none"> <li>from Johnston Street to Carool Road (odd numbers only)</li> <li>from Munro Avenue to Morotai Avenue (even numbers only)</li> <li>Highgate Grove (odd numbers only)</li> <li>as well as properties in arcades</li> </ul>	<u>Ground level</u> Minimum \$550 Maximum \$2500
Upper level properties in the area comprising: High Street <ul style="list-style-type: none"> <li>from Johnston Street to Carool Road (odd numbers only)</li> <li>from Munro Avenue to Morotai Avenue (even numbers only)</li> <li>Highgate Grove (odd numbers only)</li> <li>as well as properties in arcades</li> </ul>	<u>Upper level/s</u> Minimum \$300 Maximum \$400
Ground level properties with frontage in Welfare Parade. Properties which only have an entrance from Ashburn	<u>Ground and upper level/s</u> Minimum \$300 Maximum \$400

Grove.	
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**Note:** The minimum and maximum charges have not changed from those in the Current Scheme.

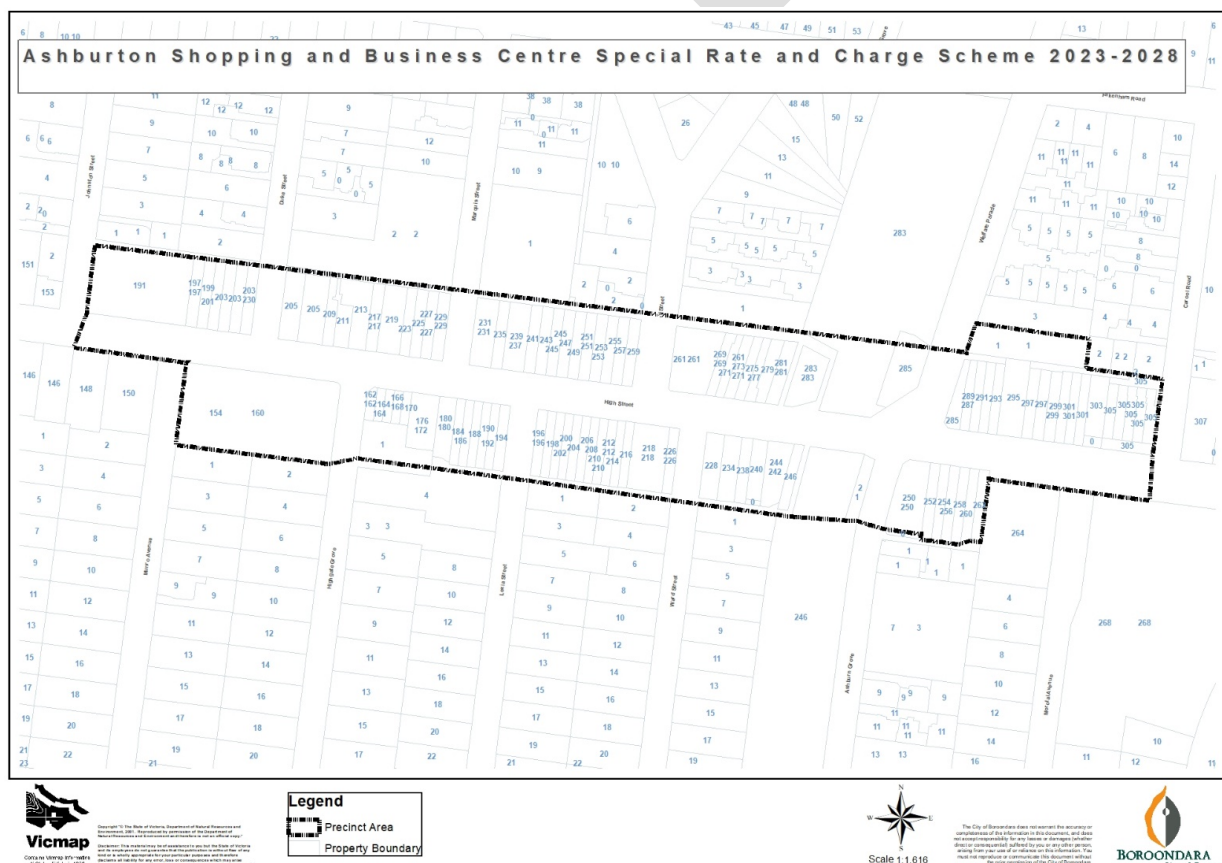
It is further proposed that the persons liable to pay the Ashburton Special Rate and Charge will do so on the same date/s as Council's general rates are due, and that they be required to pay interest on any amount which has not been paid.

The quantum of the rate in the dollar of the CIV of each rateable property in the area, and the quantum of the minimum 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 Ashburton 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 \$96,393. The Proposed Scheme is estimated to raise approximately \$481,965 in total over five years.

#### ASHBURTON SHOPPING AND BUSINESS CENTRE





Council considers that each rateable property included in the Proposed Scheme area that is required to pay the Ashburton 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, by **(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 Ashburton 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 Ashburton 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 Ashburton Special Rate and Charge, and lodged within twenty-eight (28) days of the date of this notice, by **(insert date)**. 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](mailto: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](mailto:boroondara@boroondara.vic.gov.au).**

[final to be signed]

**Phillip Storer**  
**CHIEF EXECUTIVE OFFICER**