

“SAMPLE ONLY”

BROWNS ROAD SPECIAL CHARGE SCHEME

Initiating Resolution of the Council to Commence Statutory Procedures to declare a Special Charge for the Construction of Browns Road

PROPOSAL

To commence statutory procedures to declare a Special Charge for the construction of Browns Road, Blackstone.

RECOMMENDATION:

1. That pursuant to section 163(1) of the *Local Government Act 1989 (Act)*, Council gives notice of its intention to declare at its ordinary meeting to be held on *[insert date of meeting]* ***[*the selection of this date is important because section 163(1A) of the Act provides that Council must not make a declaration under sub-section (1) unless it has given public notice of its intention to make the declaration at least 28 days before making the declaration*]*** a Special Charge (in accordance with the attached proposed Declaration) for the purposes of defraying expenses to be incurred by Council in defraying expenses relating to the provision of road construction and associated works in Browns Road, Blackstone.
2. That public notice of Council's intention to declare the Special Charge is to be published in the *[insert name of newspaper circulating generally throughout the municipal district]*.
3. That separate letters, enclosing a copy of the public notice referred to in paragraph 2 of this resolution, are to be sent to the owners of the properties included in the scheme, advising of Council's intention to levy the Special Charge, the amount for which the property owner will be liable, the basis of calculation of the Special Charge, and with notification that submissions and/or objections in relation to the proposal will be considered by Council in accordance with sections 163A, 163B and 223 of the Act.
4. That Council establish a Committee of Council under and for the purposes of section 223(1)(c) and (d) of the Act comprising ***[insert names of Councillors to comprise Committee]*** to hear persons who in their written submissions under section 223 of the Act have requested that they be heard in relation to Council's proposal to declare the Special Charge.
5. That the Council's *[position of relevant officer]* is authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the Act.