

“SAMPLE ONLY”

CENTRAL SHOPPING CENTRE SPECIAL CHARGE SCHEME

Initiating Resolution of the Council to Commence Statutory Procedures to declare a Special Charge for the Encouragement of Commerce and Retail Activity Opportunities in a section of the municipal district ('Economic Development Scheme')

PROPOSAL

To note the Central Shopping Centre Business Plan for the next financial year and to commence statutory procedures to declare, by way of renewal, a Special Charge for the Central Shopping Centre.

RECOMMENDATION:

1. That Council notes the Central Shopping Centre Business Plan.
2. 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 providing funds to the incorporated body known and operating as the Central Traders' Association Incorporated, which funds are to be used for the purposes of the appointment of a Shopping Centre Co-ordinator, promotional, advertising, marketing and other incidental expenses as approved by Council all of which are associated with the encouragement of commerce and retail activity in the Central Shopping Centre.
3. 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]*.
4. That separate letters, enclosing a copy of the public notice referred to in paragraph 3 of this resolution, are to be sent to both the tenants (occupiers) and 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 or tenant 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.
5. 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.

6. That the Council's *[position of relevant officer]* is authorised –
 - (a) 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; and
 - (b) to prepare an agreement between Council and the Central Traders' Association Incorporated to formalise the administrative operations of the Special Charge, such agreement being a precondition to the payment of any of the funds to be raised by the Special Charge by Council to the Association.