

**PROPOSED DECLARATION OF SPECIAL CHARGE FOR THE PURPOSE OF  
CONSTRUCTING AND IMPROVING A PART OF CAMPBELL STREET, BETWEEN  
CLIFTON AND BURY STREETS, AND A PART OF THE WESTERN END OF PALMER  
AVENUE, EUROA**

1. Strathbogie Shire Council (**Council**) at its ordinary meeting to be held on 21 November 2017 proposes to declare a Special Charge (**Special Charge**) under section 163(1) of the *Local Government Act 1989 (Act)* for the purpose of defraying expenses to be incurred by the Council in relation to the construction and improvement of a part of Campbell Street, between Clifton and Bury Streets, and a part of the western end of Palmer Avenue, Euroa such works involving the provision of kerb and channel, nature strips and constructed driveways (**Roads or Scheme**).
2. The criteria which form the basis of the Special Charge are the ownership of rateable land in the area of the Scheme, which land based on frontage modified where appropriate (in relation to kerb and channel and nature strips) and area modified where appropriate (in relation to constructed driveways) has by way of abuttal to (or access from) the Roads.
3. The Council considers that –
  - (a) each rateable property included in the Scheme area that is required to pay the Special Charge will receive a special benefit through the provision of proper, safe and suitable roads and property services; and
  - (b) there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge and, directly and indirectly, the works to be provided will enhance or maintain the value and the use, occupation and enjoyment of the properties included in the Scheme, through the provision of proper, safe and suitable roads.
4. In proposing the declaration of the Special Charge, the Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the Strathbogie Shire, in particular the provision of proper, safe and suitable roads and property services in the area for which it is proposed the Special Charge will be declared.
5. The total cost of the performance of the functions and the exercise of the powers (and the amount which the Council intends to declare, levy and spend) is an amount of **\$45,211.46** (being the estimated cost of the Scheme works to be undertaken) and the Council also intends to declare and levy by way of the Special Charge an amount of **\$45,211.46**.
6. The Special Charge will commence on 1 July 2018.
7. For the period of the Scheme, the Special Charge will be assessed by calculating a Special Charge that is based on the length of the frontage of the properties included in the Scheme and the area of the driveway access which a property included in the Scheme has to the Roads.
8. The area for which the Special Charge is to be declared is all of the land shown on the plan set out in the Schedule forming a part of this proposed declaration of Special Charge (**Schedule 1**). A detailed plan of the Scheme area is available for inspection at the Council offices during normal business hours.

9. The land in relation to which the Special Charge is to be declared is all of the rateable land described in the listing of rateable properties set out in the Schedule forming a part of this proposed declaration of Special Charge (**Schedule 2**).
10. The Special Charge will be declared, assessed and levied in accordance with the amounts set out alongside each property in the Schedule forming a part of this declaration (**Schedule 2**) such amounts having been assessed based on the criteria and methodology set out in paragraphs 2 and 7.
11. The Special Charge will be levied by the Council sending a notice of levy annually to the persons who are liable to pay the Special Charge.
12. Because the performance of the function and exercise of the power in respect of which the Special Charge is to be declared and levied relates substantially to capital works, the Special Charge will be levied on the basis of an instalment plan being given to ratepayers which will require that –
  - Quarterly instalments are to be paid over a 10 year period, or as otherwise negotiated; and
  - Quarterly instalments will include a component for reasonable interest costs, the total of which will not exceed the estimate borrowing cost of Council in respect of the construction of the Roads by more than 1%.
13. The Council will consider cases of financial and other hardship and reconsider other payment options for the Special Charge. There will be no incentives given for payment of the Special Charge before the due dates for payment.
14. For the purposes of having determined the total amount of the Special Charges to be levied under the Scheme, the Council considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act (and in accordance with the Calculation of the Maximum Total Levy) that the estimated proportion of the total benefits of the Scheme to which the performance of the functions and exercise of powers relate (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 Charge is in a ratio of 1:1 or 100%. This is on the basis that, in the opinion of the Council, there are no properties in the Scheme area which receive a special benefit and which are not required to pay the Special Charge and there are no clear, tangible and direct broader community benefits.