



SPECIAL CHARGE SCHEME POLICY

Policy Number	C42	Department	Engineering and Assets [SCI]
Council Adoption Date	24 May 2017	Primary Author	Manager Engineering and Assets
Revision Date	2019/20	Secondary Author	Coordinator Asset Management
Revision Cycle	3 years	Reference	D2165117

POLICY OBJECTIVE

To provide a strategic framework to assist and guide Council to implement Special Charge Schemes for appropriate infrastructure by optimising its capacity to raise funds for undertaking works and services pursuant to s.163 of the Local Government Act 1989 in a fair, equitable, consultative, and consistent manner.

LEGISLATIVE PROVISIONS

A Special Charge Scheme is defined in accordance with Council’s capacity to raise funds for undertaking works and services pursuant to s.163 of the Local Government Act 1989 and the *“Special Rates and Charges Ministerial Guidelines, Local Government Victoria, September 2004”*.

DEFINITIONS

Definitions are in accordance with s.163 of the Local Government Act 1989 and *“Special Rates and Charges Ministerial Guidelines, Local Government Victoria, September 2004”*.

POLICY STATEMENT

This policy operates within the legislative framework that recognises there is a responsibility on those deriving a special benefit from a built environment that they should financially contribute to the development of the infrastructure. The policy enables Council to deliver essential infrastructure and/or services with fairness and equity by seeking contributions from those deriving the special benefit so that these special benefits do not need to be subsidised by general ratepayers.

On completion of the infrastructure works, it is Council’s responsibility to maintain the asset to appropriate standards.

Council will assess its financial capability to deliver Special Charge Schemes in accordance with its Long Term Financial Plan and Capital Works Program.

POLICY SCOPE

Council will implement Special Charge Schemes:

- In accordance with s.163 of the Local Government Act, 1989 and *“Special Rates and Charges Ministerial Guidelines, Local Government Victoria, September 2004”* (as amended).
- If Council contributes a third (33.33%) or more of the cost of the Scheme without the support of affected property owners.



- If there is a minimum of 70% of property owners support in writing to contribute financially to the works Scheme.

RISK ASSESSMENT

Financial

The policy provides an opportunity for Council to obtain funding for infrastructure projects that would otherwise require Council to fully fund or find other funding sources.

Openness and Transparency

The policy provides for and requires an open and transparent process to be undertaken in the implementation of Special Charge Schemes, taking into account adopted Community Plans. Transparency is achieved through appropriate community consultation with affected property owners and the general public.

IMPLEMENTATION | AUDIT | REVIEW

The responsibility and implementation of the policy rests with the Sustainable Communities and Infrastructure Services Directorate.

Documentation required to implement Special Charge Schemes should be prepared with reference to *"The Macquarie Special Rates and Charges Manual", a Practical Guide for Local Government, Macquarie Local Government Lawyers, 2012.*

This policy will be reviewed and adopted on a 3 year cycle in line with the election of a new Council.

This policy will be published on Council's website.