Special Rate/Charge Scheme – Traders Associations Policy

COUNCIL POLICY

Community Services – Community Strengthening

OVERVIEW:
This policy outlines guidelines and procedures for Special Rate /Charge Scheme. It is essential for Council to have this policy in place to ensure transparent and consistent practice is followed to maximise business consultation and participation when considering a request to renew or create a Special Rate /Charge Scheme.

RESPONSIBLE MANAGER:	Manager, Community Strengthening
RESPONSIBLE DEPARTMENT:	Community Strengthening

APPROVED BY:	Monash Council
DATE:	25 August 2026 Council Meeting
EDNA NO:	D26-325640
REVIEW DATE:	30 June 2030

1. Contents

2. Introduction

This Policy is a set of guidelines or rules put in place by Monash City Council to ensure efficient operations of businesses trading in major activity centres. It provides the opportunity for trader associations to carry out promotional, marketing and business development activities. Trader associations are often referred to as business associations or business and traders' associations. For the purpose of this policy, they will be referred to as "trader associations".

The document is a statement of policy only and does not, either in its nature or application, preclude the decision maker from exercising its discretion as it sees fit and from taking into account relevant considerations, or be such as to involve the decision maker in taking into account an irrelevant consideration.

The Policy will:

- Ensure transparent and consistent practices are followed to maximise business consultation and participation when considering a request to establish or renew a Special Rate/Charge Scheme.
- Ensure equity and fairness in applying a Special Rate /Charge Scheme and assisting the distribution of costs on the basis of the benefits provided to businesses and included in such a scheme.
- Ensure compliance with the requirements of the Local Government Act 2020 in relation to Council declaring and levying a Special Rate /Charge Scheme and Council and the business administration in the ongoing administration of a Special Rate/Charge Scheme.
- Set clear expectations for employees'/community roles and responsibilities.
- Reduce the risk of disputes or legal action.

The Policy aligns with Council's adopted Economic Development Strategy 2026-2030. In particular it will adhere to the following themes from the EDS:

Theme 1: A City of Prosperity & Wellbeing

- Theme 1.5: Community Events and Festivals – Promote and enable delivery of community-led events and festivals to benefit residents and visitors, as well as generate economic benefits.

Theme 3: A City of Investment

- Theme 3.8: Trader Association Support – Collaborate with trader associations to identify key opportunities for the activity centres, as well as assisting with capacity building as required

Theme 4: A City of Active and Connected Places

- Theme 4.5: Special Rate & Charge Scheme Policy - Work with trader associations to implement special rate scheme and charge
- Theme 4.7: Undertake promotional initiatives to enhance market awareness of the activity centres, as well as position these precincts as desirable visitor destinations to encourage 'non-locals' to visit and spend in Monash.
- Theme 4.8: Evaluate and Support Nighttime Trading – Investigate the impact of nighttime trading and implement support activities to increase the value of the nighttime economy.
- Theme 4.10: Placemaking Program – Prepare and deliver a program of placemaking and activation interventions to enhance key precincts and places, encourage visitation and increase community connection.

3. Scope

This policy applies from the date of adoption to all activity centres Special Rate/Charge Scheme adopted by Council. This includes rates/ charges raised on behalf of trader associations to carry out promotional, marketing and business development activities within activity centres.

The rates/charges to be raised are not raised for the purpose of improving infrastructure works in the activity centres as that would normally be the responsibility of Council itself.

Exclusions

This policy does not apply to Special Charge or Rate Schemes established prior to that date.

4. Background

The City of Monash recognises the importance of fostering and supporting the local economy and community. Activity centres play both an important economic and community role across the municipality. The City of Monash has 66 activity centres, 4 of these are Major Activity Centres, 5 Neighbourhood Activity Centres and 57 Local Activity Centres. The size and scale of these activity centres range from 3 businesses in a Local Activity Centre to 350 businesses in a Major Activity Centre. Each activity centre will have a varied reason for raising a Special Charge Scheme; however, Council can assist those trader associations who wish to implement a Special Charge Scheme. A Special Rate /Charge Scheme can benefit the marketing and promotion of a particular activity centre. It can improve the economic resilience of a place by supporting increased dwell time, local consumption and local activity.

A Special Rate /Charge Scheme is a method of raising additional funds for trader associations through Council property rates. Council collects and administers Special Rate and Charge Scheme funds on behalf of trader associations, and while funds are held and distributed subject to agreed requirements, they are not recognised as Council revenue.

The decision to implement a Special Rate or a Special Charge, or a combination of both, is made by the trader association who then request that Council proceed with that particular option.

5. Legislative Context and Governance Statement

This Policy has been drafted in accordance with:

- *Local Government Act 1989* (Vic)
- *Local Government Act 2020 (Vic)*
- *Gender Equality Act 2020* (Vic)
- *LGV Special Rates and Charges Ministerial Guidelines 2004*

Relevant Council Strategies include:

- *City of Monash Economic Development Strategy 2026-2030*
- *Council Plan (2025-2029)*
- *Monash Health & Wellbeing Plan (2025-2029)*

Responsible officer Statement:

In generating this Policy, Council confirms that its development, implementation, and review comply with the overarching governance principles outlined in the Act. This Policy has considered the importance of engagement, strategic planning, financial management, transparency, and service performance.

6. Definitions

Word	Definition
Council	Monash City Council
Special Charge	Flat fee charge defined by the relevant trader association and within a defined geographic area. The Special Charge can vary depending on the location of the business premises within the geographical area and the perceived benefit that the business may receive.
Special Rate	A Special Rate is a levy calculated using the Council's valuation of each property (Capital improved Value or CIV) to determine the amount of money that each property will contribute to achieve the total value.
Special Rate and Charge	A levy that will have a Special Rate applied to some properties and a Special Charge applied to others. This can occur when a minimum / maximum amount to be raised per rateable property is required. For those rateable properties where the Capital Improved Value falls under or above a specified amount, then a Special Charge could be applied.
Activity Centre	An activity centre is a designated vibrant community hub that acts as a focal point for housing, employment, services and public transport. These areas are designed to be mixed use, combining retail, commercial, and residential spaces to encourage social interaction and provide easy access to daily needs.
Trader Association	A Trader Association is a collective of businesses within a defined area or precinct, who form an executive committee to represent the interests of businesses in their area. This may include activities such as a common marketing message for special occasions and promotions, marketing activities to promote their business precinct, and supporting one another to uplift business morale and co-ordinate marketing of the centre.

Table 1 – Table of definitions

7. Responsibilities and Roles

Role	Responsibilities
Manager Community Strengthening	• Oversee the implementation of the Special Charge Policy. Ensure the Community Strengthening team supports trader associations as required.
Co-ordinator Economy, Place and Connected Communities	• Liaise with Activity Centre Economic Development Officer to ensure Trader Associations are undertaking all requirements.
Activity Centre Economic Development Officer	• Liaise with the trader associations to provide Council support for marketing, promotion and events they may undertake. • Ensure all requirements of the Scheme are being met by trader associations before funds are released.
Coordinator – Property, Revenue & Valuation Services	• Ensure the annual invoices are raised and sent to each participating commercially rateable property.

8. Type of Scheme

Marketing and Promotional Special Rate /Charge Scheme

This scheme is established in activity centres that have an incorporated trader association and provides funds for promotional, marketing and business development activities. Under this type of scheme, the trader association determines the projects and activities that will be delivered, and the associated amount of money required. Money is collected and forwarded to the business association at fixed terms based on the delivery of agreed projects over the duration of the scheme. It is recommended that these schemes run for five years.

The purpose of this scheme is to allow businesses within a defined area to benefit from resources that will provide collective advertising, promotion and business development.

Annual adjustment

As most schemes run for an average of 5 years, the cost of delivering projects and services will increase. For this reason, schemes will have the option of an annual increase by the value of CPI (Consumer Price Index). As a result, the amount collected during the last year of a scheme could be more than what is collected during the first year. The relevant trader associations have the final say in each year of the Scheme whether to apply a CPI increase or not.

For those schemes where a Special Rate approach has been adopted (i.e. money raised is based off the CIV of each property) the CIV can be adjusted annually so that a set target amount can be raised annually and so that valuation movements don't impact the amount raised each year.

Minimum and Maximum Contributions

To distribute the value of payments more evenly across properties, minimum and maximum contributions can be established. When these are used a minimum value of $250 for example might be applied to an upper floor property and a maximum value of $500 might be applied to a ground floor street frontage property, per annum. The relevant trader association will determine what minimum and maximum contributions to set. Similarly, in some instances, it might be appropriate to define areas of primary and secondary benefit and charge different levels in accordance with the benefit that each property in those areas is to receive.

9. The Process for establishing a Special Rate/ Charge Scheme

9.1 Purpose

The purpose of a Special Rate /Charge Scheme needs to be clearly defined within the business plan of the trader association. The ability of the trader association to deliver the scheme over a specified time-period and the objectives are required.

9.2 Support

Support from the trader association, and affected businesses, is required to ensure the success of the scheme. All businesses and property owners need to be clearly informed of all elements of the scheme. For marketing and promotion schemes, it is highly recommended that part of the funding is to be used for the employment of a part-time Centre Coordinator to plan and deliver the initiatives such as marketing, promotion, social media and event planning. This role is not to be one of political advocacy or governance. Those duties should be undertaken by the trader association committee.

9.3 Geographical area

The specific geographical area that a scheme will cover needs to be clearly identified. In local activity centres the area of the centre is easily defined and boundaries are obvious. In major or neighbourhood activity centres, determining the boundaries could require more assistance as there might be a core of businesses that the scheme should apply to.

All businesses within the boundaries of the scheme need to receive the benefit from the scheme.

A Special Rate/ Charge applies to any commercially rateable property used for professional purposes within the geographical area outlined by the trader association.

9.4 Amount of money to be raised

The total amount to be raised will be determined by the services and activities that will be delivered over a given period of time. In order to identify a realistic amount to be raised, the following factors should be considered.

- The extent to which benefit can be gained by pooling resources together.
- The number of properties that will contribute.
- Differing levels of contribution based on differing levels of benefits received. This will often be based on difference in ground level business versus upper-level businesses.

- The number of years it will take to achieve expected benefits.

9.5 Budget and reporting

A budget from the trader association is required to gain support from the property owners and businesses to comply along with the ongoing reporting requirements over the life of the Special Rate/ Charge Scheme.

Over the period of a Scheme, there are regular and ongoing reporting requirements that a trader association is responsible for in order to receive continuing payments from Council, this can include:

- Submission of the Annual report for the financial year
- Submission of audited financial statement for the financial year
- Submission of quarterly reports detailing payment against the Annual Business Plan and promotional activity undertaken during that preceding quarter
- Schedule of meetings, including AGM for the year
- Submission of minutes of AGM
- Submission of insurance certificate of currency
- Register of member maintained in accordance with the Associations Incorporation Reform Act 2012 (Part 5 – Rules, memberships and general meetings).

It is important that a trader association ensure systems and resources (for example - employment of a centre coordinator and functioning committee) are in place to satisfy the reporting requirements.

9.6 Trader Association to prepare proposal

A Trader Association must inform Council in writing of their interest to implement a Special Charge / Rate Scheme. Information to be provided to Council includes:

- The consultation and nature of the process that has taken place that confirms a desire for a Special Rate/ Charge scheme by the traders within that geographical area.
- The number and proportion of businesses and property owners within the geographical area who have been contacted.
- The breakdown of support – signed support, non- support, vacant properties or no contact. Businesses must also be given the option of providing their support/non-support directly to Council to bypass any feeling/ accusations of pressure to support asserted by the trader association on businesses.
- The signed support forms that include contact details and signature
- Details regarding businesses that do not support the scheme and reasons why.

This policy encourages trader associations to have a minimum level of 60% support for the proposal to proceed. If greater than 50% of businesses canvassed are **not supportive** then the Scheme application will not proceed to the Intention To Declare stage.

An analysis of the proposal by the business association will be conducted by Council officers to determine:

- The level of support for the proposed scheme, noting that there needs to be 60% of businesses support the scheme which is detailed in writing to Council.
- An assessment of the annual amount to be raised.
- Whether the proposal is a Special Rate or Special Charge (or combination of both).

- The properties to be included in the Scheme.
- The period of the Scheme.
- Align with Council's Economic Development Strategy 2026-2030.

10. Statutory Process

Once it is established that there is sufficient level of support for a Special Rate/ Charge Scheme, Council can commence the statutory process. This involves:

- Council approval of *Intention To Declare* a Special Rate/ Charge Scheme by Council resolution.
- Council will declare notification of *Intention To Declare* a Special Rate/ Charge scheme which will appear in a state-wide newspaper, and all affected property owners will be notified within three days of the public notice being published.
- Information about how any property owner or business who wishes to object to the scheme will be provided.
- Following written submissions received, a report will be prepared for Council that will provide the officer recommendation of whether to proceed to *Declaration*.

Notice of implementation of Special Rate/ Charge Scheme

If Council resolves to *Declare* a Special Rate/ Charge Scheme, all affected property owners and businesses will be sent a letter informing them of the introduction of a Special Rate/ Charge Scheme. The letter will include all information relating to the Scheme and appeal rights for any businesses that object to the Scheme.

11. Implementation

A trader association that receives the proceeds of a Special Rate/ Charge Scheme will be required to meet a number of statutory obligations. These documents must be made available to Council.

- Certificate of incorporation
- Insurance – Certificate of Currency
- Australian Business Number
- Current list of Committee members
- Minutes of Committee meetings
- Annual budget
- Quarterly expenditure summary and invoices
- Annual audited accounts
- Annual report of achievements
- Rules of Association

Failure of traders association to meet obligations

This could include:

- Information that is required to be provided by the trader association to Council not be provided to the satisfaction of Council when requested
- Where the agreed activities have not been delivered

- Where funds have not been expended
- Where funds have not been expended according to the purposes of the Special Rate/ Charge Scheme

Should these obligations not be met Council may withhold instalment payments to the business association and the agreement may be terminated.

At any point during the period of the Special Rate/ Charge Scheme if a property owner or business that is contributing to the scheme is of the opinion that they are not receiving the benefit as defined by the scheme, they can make a submission to VCAT (Victorian Civil Administrative Tribunal).

12. Gender Impact Assessment

Council has a legislative responsibility under the *Gender Equality Act 2020* to conduct a Gender Impact Assessment (GIA) on all new policies, programs and services (and those that are up for formal review) which have a direct and significant impact on the community. As such a Gender Impact Assessment has been completed and the following needs have been considered.

- This policy helps create stronger and more inclusive activity centres by allowing local businesses to pool funds for marketing, events and business support. This is particularly important for women and gender-diverse people, who make up a large part of small retail, hospitality and service businesses in Monash.
- Council recognises that many women balance work with caring for children or family members, may earn less on average, and often feel less safe in public spaces at night. Activities funded through special charges can help make centres feel safer, more welcoming and easier for everyone to take part in.
- Council is aware that decision-making in some trader associations can be dominated by a small group of people. To reduce pressure or unfair influence, businesses are given the option to share their support or concerns directly with Council rather than only through a trader association.
- Gender-diverse and LGBTIQA+ business owners and workers can face discrimination or exclusion. This policy encourages trader associations to plan inclusive events, marketing and activities so that everyone feels respected, safe and welcome in Monash activity centres.

13. Human Rights Considerations

Human rights considerations for this policy include:

- The policy supports the **right to equality and non-discrimination** by ensuring that all businesses within a declared Special Rate or Charge area are treated fairly and have equal access to the benefits of marketing, promotion and business development activities, regardless of gender, cultural background, business size or tenure.
- The policy recognises the **right to take part in public life** by requiring transparent consultation processes and enabling business owners and property owners to express support or objections directly to Council, reducing the risk of pressure or exclusion within trader association processes.
- The policy supports **freedom of association** by allowing businesses to collectively organise through trader associations while also protecting the right of individuals not to participate or to hold different views without disadvantage.

- By encouraging inclusive activations, marketing and events, the policy supports the **right to safety and dignity**, particularly for women and gender-diverse people who may experience heightened concerns about safety or discrimination in public spaces.
- The policy incorporates safeguards to ensure that any limitation on individual choice—such as the application of a Special Rate or Charge—is **reasonable, proportionate and transparent**, consistent with statutory requirements under the Local Government Act 2020 and review mechanisms, including objection and appeal rights.

14. Administrative Amendments

From time to time, circumstance may require minor amendments be made to this Policy. Where this does not materially alter the Policy, such amendments may be made administratively by the Chief Executive Officer.

Any amendment which materially alters the Policy must be approved by *Council*.

15. Review

This policy will be reviewed by Manager Community Strengthening four years from the endorsement of this policy.

16. Document Version

Version Number	Date	Author	Reviewed By	Approved By	Comments
1.0	05/05/2026	Robert Nikoloski	Fee Harrison	Council	

17. Contact

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