

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

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VICTORIAN GOVERNMENT CONDUCTING REVIEW INTO LOCAL GOVERNMENT RATING SYSTEM

The Victorian Government has [announced](#) a review into the local government rating system. The review is in part a response to outcomes of a [Parliamentary inquiry into the Sustainability and Operational Challenges of Victoria's Rural and Regional Councils](#), which found that there were a number of "inequalities and difficulties with the rating system and it would therefore be appropriate to review the rating system and to reduce the amount of revenue raised through rates." While this finding was focused on rural and regional councils, the review will look at improving the accountability for rating across all the state's 79 councils. The [Terms of Reference](#) outline that the review will examine areas relevant to SCCA members including: (1) current rates and related charges including those made under the *Local Government Act 1989*, *City of Melbourne Act 2001* and *Cultural and Recreational Land Act 1963*; (2) the interaction of the rating system with the taxation, valuation and other related systems of the Government (related functions of the *Valuation of Land Act 1960*, *Fire Services Levy Property Act 2012*, *State Concessions Act 2004* and *Electricity Industry Act 2000*); and (3) the autonomy of individual local governments to apply the rating system in accordance with their own decision-making circumstances. The review will be conducted by a dedicated panel who will undertake consultation and report to Adem Somyurek, the Minister for Local Government, by 31 March 2020.

APRA SEEKS INTERIM AUTHORISATION FROM THE ACCC ON MUSIC LICENSING

As outlined in [recent material](#) posted on the ACCC's website, APRA AMCOS is seeking an interim authorisation to enable it to continue operations in relation to the acquisition and licensing of music; while the ACCC continues to consider APRA's application for re-authorisation, and noting that APRA's current five-year authorisation expires in late June ([ShopTalk 8/3/19](#)). Authorisation is also being sought to cover the operations of the new OneMusic Australia initiative which is slated to be launched nationally on 1 July 2019.

NSW LEGISLATIVE ARRANGEMENTS AND RESPONSIBILITIES

The NSW Government has released the [Allocation of Administration of Acts](#) which details legislative responsibilities for relevant Ministerial portfolios following the recent state election. Some allocations include: Premier Gladys Berejiklian MP has responsibility for the *Greater Sydney Commission Act 2015*; Minister for Planning and Public Spaces, Rob Stokes MP has the *Environment Planning and Assessment Act 1979*; Minister for Customer Service, Victor Dominello MP has the *Real Property Act 1900*; Minister for Better Regulation and Innovation, Kevin Anderson MP has the *Fair Trading Act 1987* and *Retail Trading Act 2008*; and Minister for Finance and Small Business, Damien Tudehope MLC, has the *Retail Leases Act 1994* and *Small Business Commissioner Act 2013*. In addition, the Government has amended its governance structure by grouping Ministries into thematic "clusters" and appointing a lead Minister. From 1 July 2019, eight clusters will deliver the work of government, these include: Premier and Cabinet; Treasury; Customer Service; Transport; Health; Education; Stronger Communities; and Planning Industry and Environment.

CITY OF SYDNEY APPROVES REMOVING LATE NIGHT TRADING RESTRICTIONS

The City of Sydney council has [approved](#) updated planning controls to enable late night trading (subject to development approval) in several guises (e.g. an expanded 24-hour trading zone; trading to midnight and 2am) and across different locations. Following consultation in 2018, under the updated planning controls, which are part of the City's 'night-time economy' agenda, relevant businesses will still need to lodge a development application to the City of Sydney to seek to enjoy the benefit of extended trading hours. In addition, issues such as the noise impact on neighbours will need to be considered. The changes are also ultimately subject to the NSW 'lockout-laws', which relate to relevant premises and which commenced in 2014 via amendments to the Liquor Act, and places restrictions as to when patrons can enter venues and the service of alcohol.

[PREVIOUS ISSUES](#)