

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

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ACCC PUBLISHES SUBMISSIONS ON DRAFT DETERMINATION FOR APRA RE-AUTHORISATION

The Australian Competition and Consumer Commission (ACCC) has published the submissions provided in response to their Draft Determination on the Australasian Performing Right Association's (APRA) [application for reauthorisation](#) (*ShopTalk, 7/6/19*). The Draft Determination proposes to grant authorisation for a 5-year period, with relevant conditions. Our [submission](#) has sought clarity to ensure that any re-authorisation expressly applies to the recently launched [OneMusic Australia](#) initiative, along with issues in relation to the proposed conditions relating to the licence fee methodology. The Australian Small Business and Family Enterprise Ombudsman, Kate Carnell AO, has [suggested](#) that the authorisation be granted on a year-by-year basis, "until APRA can be more transparent about its activities and provide better coverage to all businesses." As part of the ACCC's consultation process, a pre-decision conference was requested by the Council of Small Business of Australia (COSBOA), who have expressed concerns with the proposed reauthorisation. The pre-decision conference was held on 19 July 2019.

DRAFT STATE PLANNING POLICY 3.6: INFRASTRUCTURE CONTRIBUTIONS (WA)

The WA Department of Planning, Lands and Heritage (on behalf of the WA Planning Commission) is currently consulting on its draft [State Planning Policy 3.6 Infrastructure Contributions](#) (SPP 3.6). SPP 3.6 identifies how councils can levy developers and landowners through the subdivision and development process (*Standard Contributions*), or where there are multiple landowners, or through *Development Contribution Plans*. Alternatively, *Developer Agreements* allow the arrangement of contributions between landowners or developers and the relevant local government. Levied funds are used to pay for *Development Infrastructure* (e.g. open space, local schools and roads) or *Community Infrastructure* (e.g. libraries, sporting facilities). The Policy also outlines where contributions can be sought, the form of contributions, variable and maximum costs are levied, transitional arrangements, implementation information and review timeframes.

REVIEW OF LOCAL GOVERNMENT RATING SYSTEM: IPART FINAL REPORT (NSW)

The NSW Office of Local Government (OLG) is [seeking feedback](#) on three previous local government reviews undertaken by the Independent Pricing and Regulatory Tribunal (IPART), including the *Review of the Local Government Rating System-Final Report* which was finalised in 2016. The SCCA provided a submission in 2016 to IPART as part of their review process (*ShopTalk, 21/04/16*). Amongst the total 42 recommendations, IPART's final report recommends that the land valuation basis for setting council rates be shifted from the current Unimproved Value (UV) methodology to a Capital Improved Value (CIV) methodology. This is a greatly concerning recommendation, as such a method places a disproportionate rating burden on properties with higher levels of capital investment and improvement, such as shopping centres. This would hence potentially have an adverse impact on operating costs, and specifically statutory outgoings which impact retailers. The Shopping Centre Council is reviewing the consultation material. Submissions are due by 3 September 2019.

NEW REPORT: THE PULSE OF GREATER SYDNEY - MEASURING WHAT MATTERS IN THE METROPOLIS

This week, the Greater Sydney Commission (GSC) released a new report, [The Pulse of Greater Sydney - Measuring what matters in the Metropolis](#), which outlines how it will measure the performance of the Greater Sydney Region Plan and the underlying five individual District Plans. The four performance indicators are themed as: (1) *Jobs, education and housing* to monitor spatial aspects of Greater Sydney's development (2) *30 minute city* to measure the proportion of residents able to reach their nearest metropolitan centre/cluster (3) *Walkable Places* to understand the contributions that walking makes to liveability (4) *Addressing Urban Heat* to help understand the value of green infrastructure e.g. tree canopy. The GSC also announced the new [Greater Sydney Dashboard](#) which is intended to act as an interactive, single point of access for government data into the future. Data will be sourced across Government to support the GSC assessment of its performance.

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