



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 7 July 2011

[Archive](#)

VICTORIAN FIRE SERVICES LEVY OPTIONS PAPER RELEASED FOR COMMENT

The Victorian Government has released an [Options Paper](#) on the proposed property-based Fire Services Levy, which will replace the current insurance-based levy from 1 July 2012 ([Shop Talk 5/5/11](#)). The current scheme is highly inequitable, given that the insured subsidise the un-insured and under-insured. But this inequity should not continue, particularly for assets like shopping centres that have low fire risk, active fire management systems, and low fire incidences (and will continue to be insured). There is also a major risk that the new levy will just be another form of land tax, or a new disproportionate tax on higher-value properties based on an absurd assertion in the Paper that this "would reflect the benefits received from fire services, as the owners of higher value assets receive a greater potential benefit from the availability of these services", as if no other factors are relevant. Submissions are due on 30 September.

FEDERAL GOVERNMENT REINTRODUCES UNCONSCIONABLE CONDUCT CHANGES

The Federal Government has introduced the *Competition and Consumer Legislation Amendment Bill 2011*, which inserts interpretative principles into the unconscionable conduct provisions of the *Competition and Consumer Act*. This implements recommendations of the report in 2010 of the Expert Panel which, in turn, followed a Senate Economics Committee Inquiry in 2008 ([Shop Talk 12/3/10](#) & [12/12/08](#)). A similar Bill lapsed last year when the Parliament was prorogued for the Federal election ([Shop Talk 4/6/10](#) & [18/6/10](#)). The Bill also addresses concerns in relation to 'creeping acquisitions' to ensure the ACCC, in deciding whether an acquisition will substantially lessen competition, can examine the impact on any market (i.e. local, regional or national).

NSW GOVT APPOINTS SMALL BUSINESS COMMISSIONER; WA PASSES BILL

The NSW Minister for Small Business, Katrina Hodgkinson, has [appointed](#) Yasmin King, a former Associate Commissioner of the ACCC, as NSW's first Small Business Commissioner. Ms Hodgkinson said Ms King would report directly to her "on the impact of unfair market practices and Government regulations on small business".

The WA Parliament has now passed the [Small Business and Retail Shop Legislation Amendment Bill 2011](#) to establish a Small Business Commissioner ([Shop Talk 24/3/11](#)). The Commissioner will also have responsibility for the WA Small Business Development Corporation.

AER CONSULTS ON THIRD ROUND OF ELECTRICITY ON-SELLING EXEMPTIONS

The Australian Energy Regulator (AER), part of the ACCC, recently released the next stage of [consultation papers](#) on the proposed national framework for electricity on-selling exemptions under the National Energy Retail Law, as well as network service provider exemptions under the National Electricity Rules ([Shop Talk 31/3/11](#)). The AER has continued to recognise the merits of on-selling within shopping centres as a key part of modern shopping centre management and operations, and we hope that this will continue. Submissions are due by 12 August.

ICSC RECON ASIA 2011 TO BE HELD ON 2-4 NOVEMBER IN SHANGHAI

The International Council of Shopping Centers' RECon Asia 2011 will be held in Shanghai on 2-4 November. Click [here](#) for the program and note that early bird rates are available when you [register](#) before 15 August 2011.