



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 8 May 2014

[Previous Editions](#)

NEW FRAMEWORK FOR DEVELOPMENT CONTRIBUTIONS IN VICTORIA

Last week Victorian Planning Minister, Matthew Guy, [announced](#) a new development contributions framework, following a review by a Ministerial Advisory Committee ([Shop Talk 16/5/13](#)). The framework, to commence on 1 July 2015, introduces a standard levy regime in Strategic Development Areas (such as metropolitan activity centres) and Greenfield Growth Areas based on a yet to be finalised 'allowable items' list. A standard levy in existing Urban Areas was rejected. This includes a standard retail levy across these settings in both metropolitan and non-metropolitan areas. A 'supplementary' levy can also be applied. The framework responds to issues raised in the Shopping Centre Council's [submission](#). Minister Guy is to be congratulated for releasing the new framework with a clear intention of fairness, transparency and promoting development through reduced levies. Further details are to be finalised.

Unfortunately this good work by Mr Guy appears to have been partially undermined in the Victorian Budget on Tuesday. A new metropolitan planning levy was announced on planning permit application fees (for projects worth more than \$1 million), to help fund the new Metropolitan Planning Authority in implementing Plan Melbourne ([Shop Talk 19/12/13](#)). The levy, to operate from 1 July 2015, is set at \$1.30 for each \$1,000 of development costs. Of particular concern is that, given the levy is imposed on planning permit applications, 'as of right' developments would appear to be exempt from the levy, which would be discriminatory. Also, as we pointed out in our submission on Plan Melbourne, not all metropolitan developments will directly benefit from the activities of the MPA so it is difficult to justify those developments being required to fund a body which brings no direct benefit. We are seeking further clarification from the Government of the implementation of the levy.

QUEENSLAND REAL ESTATE AGENTS LICENSING EXEMPTIONS NOW APPROVED

The Queensland legislation exempting large shopping centre owners from unnecessary and costly real estate agents licensing requirements and associated regulation has been passed by Parliament ([Shop Talk 21/11/13](#) & [27/2/14](#)). The new Act exempts only those managers managing on behalf of 'related entities' and 'large property owners'. The next step is the drafting and proclamation of a Regulation defining the threshold for a 'large property owner'. The Attorney-General, Jarrod Bleijie, is to be congratulated for driving this removal of unnecessary business regulation in Queensland, which is currently costing around \$2.4 million a year. Hopefully this will now persuade other States to follow the examples of Queensland and Victoria ([Shop Talk 30/1/14](#)).

ACCC GRANTS DRAFT AUTHORISATION TO NEWSAGENTS TO BARGAIN COLLECTIVELY

The ACCC has made a [draft determination](#) authorising the Australian Newsagents Federation, for a period of 10 years, to bargain collectively with shopping centre landlords over rents and lease conditions ([Shop Talk 27/3/14](#)). This is despite the ANF giving no detail on how it envisaged such complex collective negotiations would take place, given the lack of homogeneity among shopping centres and shopping centre newsagency leases. Nor has the ACCC provided any guidance to landlords on how they might collectively bargain over leases which (unlike newspaper and lottery contracts with newsagents) vary significantly in rents and conditions, depending on the circumstances of the shopping centre, as well as varying expiry dates of leases. Submissions on the draft determination close on 15 May. A final determination by the ACCC is expected in June or July. The Shopping Centre Council's detailed submission opposing the ANF application is [here](#).