

Broadsheet Media

**Submission to the Review of the News Media and Digital
Platforms Bargaining Code**

6 May 2022

1. Our submission

Thank you for providing this opportunity to respond to The Treasury's Review of the News Media and Digital Platforms Mandatory Bargaining Code (**Code**). The Review is being undertaken in accordance with section 52ZZS of the Competition and Consumer Act 2010 (**CCA**), which requires a broad review of the operation of the Code to be undertaken within 12 months of its initial commencement.

Broadsheet Media Pty Ltd (**Broadsheet Media**) supports the Code. The Code was enacted by the Australian Government to address a significant market failure, caused by a substantial imbalance in bargaining power, and support public interest journalism. This intervention was critical, as a strong and diverse news media sector is an important support for our democracy. The fact that the Code has facilitated Google and Meta entering into agreements with certain Australian news media businesses for the payment of upwards of \$200 million for news content is an outstanding achievement. Australia has led the world in addressing this issue.

Nonetheless as explained in this submission, the fact that no Google or Meta services have, to date, been designated under the Code has led to a continuation of the imbalance in bargaining power and a disparity in treatment in relation to media businesses who are eligible for the purpose of the Code, yet have been unable to strike deals with the platforms. As a consequence, the Code is not as effective as it could be. This has created an unintended outcome which the Australian Government should address to ensure that the Code achieves its intended aims for the news media sector as a whole. It is appropriate that the Treasury considers this unintended consequence in the Review, and the measures necessary to address it, given the Review is required to fully examine the operation of the Code.

Those Australian news media businesses that do not have agreements in place with Google and Meta are now, as a consequence of the fact that no designations have been made of these platforms under the Code, at a severe competitive disadvantage. Those news media businesses, which are predominantly independent and smaller publishers, including publishers in regional and rural Australia, are being outbid for the resources that they need to produce quality public interest journalism by the media news businesses that have received funding from Google and Meta. The impact of this competitive disadvantage is already being felt by Broadsheet Media (and we understand others), and is likely to become increasingly problematic. If this is not addressed, an opportunity is being lost to develop journalists more broadly, as media voices are being concentrated in the larger businesses as a result of participants in the sector not being treated on an equivalent basis by Google and Meta.

Currently, Google and Meta, by being left to select, on their terms, which Australian news media businesses each will make payments to for use of their news content, are determining the shape of the Australian news media landscape. The Australian Government did not intend this outcome from the introduction of the Code.

To ensure the ongoing sustainability of the Australian news media sector, long term structural regulatory and policy reform is required. This need for reform is not solely addressed by the Code at the present time, because the two key platforms, Google and Meta, and their services have not been designated.

We have set out in this submission our proposals for the most effective way to address this issue:

- Our key proposal is that new legislation should be passed to enable designation of platforms and their services under the Code in respect only of one, or a small number of, news media businesses. Rollover arrangements for agreements should be mandated, to ensure the outcomes that are able to be achieved by the Code are continued, and not limited to the short term duration of the agreements that have been entered into date. For this proposal to be effective, the Code should also include a provision to void discretionary termination rights given to the platforms in any agreements.
- To support our key proposal, we also recommend that a panel of mediators is made available by Government to news media businesses to facilitate negotiations with Google and Meta and that there is ongoing public reporting of the number of agreements that have been signed as well as in relation to unsuccessful negotiations. The Treasurer should be required to take into account that public reporting of the inability to reach agreements with the platforms in determining any future designation under the Code.

Whatever approach is taken, Broadsheet Media strongly recommends that there are ongoing reporting and review requirements incorporated into the CCA in relation to the Code. Without an ongoing spotlight on this issue to create transparency, it is likely that Google and Meta (and other digital platforms that may in future have a dominant role in distributing news to Australians) will revert to previous practices of simply not paying any Australian news media businesses for their news content.

Broadsheet Media would welcome the opportunity to continue to participate in the Review process for the Code.

2. Broadsheet Media: An important source of public interest journalism for Australians

2.1 About Broadsheet Media

Broadsheet Media was founded in 2009 and remains a 100% privately owned – and, importantly, independent and entrepreneurial – media business.

Broadsheet Media is widely recognised as a leading Australian publisher and has received numerous industry awards for its content, brand, and its work with clients. Broadsheet Media has successfully built its business in competition with large, well-funded corporate publishers. We are incredibly proud of the business that has been built, and the value created, in a dynamic industry under pressure from a variety of forces.

Broadsheet Media has a substantial unique monthly audience of 2.5 million people.¹ We have steadily built this audience across Australia via high quality content and respect for our brand.

We employ 63 people, including 27 journalists or editors. In addition, we engage approximately 150 freelance writers and photographers across Australia on a consistent basis.

Broadsheet Media receives no advertorial revenue from the businesses it covers, which assists in ensuring it maintains its independence. Our revenue is derived from a wide range of advertisers, including multinational companies, Australian businesses and cultural institutions, negotiated through media agencies in direct competition with other publishers. We also receive revenue through e-commerce and products as well as through membership subscriptions.

2.2 Registration under the Code

Broadsheet Media has been registered by the Australian Communications and Media Authority (**ACMA**) as a registered news business corporation as defined in the Code.

Broadsheet Media's registration under the Code applies in respect of each of its City File websites for Melbourne, Sydney, Brisbane, Adelaide and Perth. Each of these websites is a registered news business under the Code. Those sites provide core news content as it relates to the cultural life of a city.

Further information about Broadsheet Media, and our commitment to high quality public interest journalism, is set out in the schedule to this submission.

3. Negotiations with Google and Meta

3.1 How the Code has operated to date

The legislation for the Code was passed in early 2021. However, for the Code to be binding and require that Google and Meta *must* negotiate with Australian news media businesses, a second step would be required. This second step is that the Treasurer would be required to designate those platforms and related services under the Code.

When he announced that Parliament had passed the legislation for the Code, the Treasurer, the Hon Josh Frydenberg MP, stated:²

... the code encourages parties to undertake commercial negotiations outside the Code and the Government is pleased to see progress by both Google and more recently Facebook in reaching commercial arrangements with Australian news media businesses.

¹ As determined on the basis of Nielsen Content Ratings (Digital).

² Media release available here: <https://ministers.treasury.gov.au/ministers/josh-frydenberg-2018/media-releases/parliament-passes-news-media-and-digital-platforms>

The “encouragement” to negotiate outside the framework of the Code was achieved by the Australian Government holding out the “threat” to both Google and Meta that they, and their core services, would be designated under the Code if they did not voluntarily negotiate with Australian news media businesses to pay them for their news content. To date, it remains the case that the Treasurer has not designated either Google or Meta.

At the time the Code was enacted, Google and Meta did voluntarily negotiate with a number of Australian news media companies, to avoid the possibility of designation. As we have no doubt submissions to the Review will attest, approximately 20 agreements have been entered into by Google and Meta collectively and it is estimated that payments of at least \$200 million will be made under those agreements. However, it is clear that each platform has calculated that there is no real possibility that designation will occur. As a consequence, not only Broadsheet Media but also many other Australian news media businesses have been unable to negotiate agreements with either Google or Meta.

We have set out in this section our experience in our unsuccessful negotiations with Google and Meta.

3.2 Negotiations with Google

Google has engaged in commercial discussions with Broadsheet Media from approximately February 2021. However, these negotiations have to date been unsuccessful. In summary:

- [REDACTED]
- [REDACTED]

The payment for content that has been offered by Google to Broadsheet Media is not consistent, having regard to relative indicators such as revenue, employee count, journalist headcount, cost of producing journalistic content and audience scale, with the agreements that were first put in place at the time the Code was implemented. This applies both in relation to the quantum of the payments offered by Google and

also in relation to the type of agreement proposed, as Broadsheet Media would be required to produce new content to receive any payment from Google. In regard to the latter point, this also means that the agreement proposed by Google is inconsistent with the intention of the Code, which was that the platforms should pay for existing news content that they use, not require the production of new content.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Google has rejected all reasonable attempts by Broadsheet Media to reach a reasonable outcome that is commensurate with our understanding of relative deal values and structures achieved by publishers in the Australian market who were able to strike deals at the time the Code was introduced. Google has engaged on a “take it or leave it basis” with Broadsheet Media and, we expect, with other Australian news media businesses that do not currently have agreements in place.

The only conclusion that Broadsheet Media can reach regarding why Google will not negotiate on a reasonable basis is that Google no longer believes there is a meaningful prospect that it, or any of its services, will be designated under the Code. This means that, as applied before the Code was enacted, Broadsheet Media simply has no leverage to bring Google “to the table” to negotiate a reasonable agreement.

It appears [REDACTED]
[REDACTED] the intent of Google in offering relatively smaller payments to Broadsheet Media, and other independent publishers, is to use that agreement as a precedent or benchmark for smaller payments under agreements that may be entered into in other jurisdictions. Google recognises the lack of leverage Broadsheet Media has in these negotiations and is using their very strong bargaining position in precisely the way the Code was designed to rebalance.

3.3 **Negotiations with Meta**

Meta has refused to engage in discussions for a commercial agreement of any kind with Broadsheet Media. Broadsheet Media had some initial discussions with Meta in February 2021. Then, on 27 August 2021, Meta sent a letter to us advising that Meta had “concluded the content licencing deals”. In short, Meta advised that it had no intention of negotiating any further with Broadsheet Media (or, for that matter, any other Australian news media business that it had not entered into an agreement with it as at that time).

Broadsheet Media has been unable to have any discussions with Meta at all in relation to a commercial agreement since receipt of that letter, despite multiple attempts to engage with Meta. As it appears that Meta believe neither it, nor any of it services, will be designated under the Code, Broadsheet Media simply has no leverage to require Meta to engage in negotiations to reach a reasonable agreement.

4. Consequences of failure to reach agreement

The unintended consequence of the failure to designate Google and Meta under the Code has been that Australian news media businesses no longer compete on a level playing field. Those news media businesses that have been unable to reach agreements lack a source of revenue available to those that have agreed deals. All eligible news media businesses should, as was intended under the Code, have access to that revenue source to make the investments necessary to ensure their businesses are sustainable and to be competitive and thrive in this market.

When then ACCC Chair Rod Sims released the draft of the Code for public consultation in July 2020, he stated (emphasis added):³

“We wanted a model that would address this bargaining power imbalance and result in fair payment for content, which avoided unproductive and drawn-out negotiations, and wouldn’t reduce the availability of Australian news on Google and Facebook.”

The important part of this statement is the intent that the Code should not reduce the availability of Australian news on Google and Meta. However, the unintended consequence of the Code is that it will, unless further action is taken, do just that. This is because those Australian news media businesses that have been unable to reach agreements with Google and Meta are now placed at an additional disadvantage, as they are competing with media businesses that are receiving these payments. As a result, those businesses without agreements will, ultimately, struggle to survive.

While those media businesses that have been able to reach agreements have benefited, the Australian news media businesses that do not have the revenue source provided under agreements with Google and Meta are now being outspent by those businesses in a broad range of areas, including for journalism talent, marketing, technology and other key areas required to produce public interest news journalism.

An example of the impact of the Code is that Broadsheet Media is seeing considerable attempted “poaching” activity of its team. Funded media businesses are paying between \$20,000 to \$50,000 premiums to the amounts that the market was dictating prior to the platform agreements being entered into to engage journalists and other skilled employees.

The questions that have been asked in the consultation paper for the Review released by The Treasury make clear that the Australian Government’s expectations are that additional investments have been made and will continue to be made. For example,

³ ACCC’s media release available here: <https://www.accc.gov.au/media-release/australian-news-media-to-negotiate-payment-with-major-digital-platforms>

question 2 asks whether those news businesses that have entered into agreements with Google and Meta have, amongst other things:

- employed more journalists;
- invested in premises, websites, equipment, software and data collection and use;
- expanded the reach of their news businesses;
- improved the long-term sustainability of their news businesses; and
- invested in other ways that increase the amount, quality and distribution of core news content.

Other news media businesses that respond to the Review will provide examples of the investments that have been made in these categories. These are all types of investments that these media businesses have been able to make to improve their competitive position as compared to those Australian news media businesses that have not been able to enter into agreements with Google or Meta.

As the platforms are not designated, Google and Meta have been able to determine which media businesses they will enter into agreements with. The basis on which the platforms have made those determinations is not made public, however it is clear that neither platform is prepared to negotiate with *all* Australian businesses that fall within the definition of a news media corporation for the purposes of the Code, including those registered by the ACMA. The ultimate outcome of this is that the two platforms are able to determine which Australian news media businesses have the best chances of continuing to survive – of course, it was not intended that the Code would have this effect.

We note that Google and Meta are likely to also point to other investments that they have made in Australian journalism as providing support for those Australian news media businesses that they have not entered into direct deals with, such as the Digital News Academy that is supported by Google. Another initiative is the \$15 million Australian News Fund supported by Meta, which was ultimately distributed to very small specialists and regional publishers on opaque terms that were not able to be commercially negotiated. These other initiatives do not replace the need for agreements to be entered into with the broad range of Australian news media businesses as envisaged under the Code. In particular the initiatives do not achieve the intent of the Code – that eligible news media businesses, such as Broadsheet Media, are paid for their news content that the platforms use. Neither initiative provides the level of support that would be provided under a direct agreement with the platforms.

5. Unintended consequences of the Code should be addressed

5.1 The Australian Government must act

The likely demise of independent media in Australia is an issue that must be addressed by appropriate Australian Government action, as independent media businesses provide necessary breadth and diversity in Australia's media sector.

Without action now, it is likely that, within a few years, there will be no meaningful independent media businesses in Australia, without commercial agreements with Facebook and Google at appropriate relative values and on appropriate terms. This will be a negative outcome for Australians, as it will diminish the diversity of voices available for reliable news content.

We have set out below our proposals for the most effective ways to resolve this issue, which should also minimise the possibility of further unintended consequences.

5.2 **Greater flexibility in determining designation and provisions for continuity**

The elements of our first proposal are:

- ***Designation in respect of identified registered news business corporations***

The Code currently provides that the Treasurer may make a designation of digital platform services and the associated digital platform corporation. When this designation occurs, the Code will apply to the designated services and corporation generally, in relation to interactions with *all* registered news business corporations. A more nuanced approach should be adopted so that the Treasurer may make a designation of digital platform services and the associated digital platform corporation in respect of only one, or a defined group, of registered news business corporations and their associated news businesses.

If that approach is taken, different criteria would be taken into consideration in determining designation under the Code. Although the question of significant bargaining power imbalance would still be considered, rather than looking at whether the digital platform had made a significant contribution to the Australian news industry generally, as is currently provided in the Code, the Treasurer would be required to consider whether the platform had participated in genuine, good faith negotiations with the relevant registered news business corporation or corporations, having regard to other agreements then in place between the platform and Australian media businesses.

- ***Rollover of existing agreements***

As The Treasury will no doubt be aware, including from submissions made to the Review process, all of the agreements that have been entered into to date by Google and Meta are short term agreements having a duration of only 3 to 5 years.

It is proposed that this could be achieved by amending the Code so that all agreements that are entered into that fall within the umbrella of the Code, whether those agreements are entered into voluntarily or as a result of designation, should be rolled over if a new comparable agreement cannot be negotiated by the Australian news media business with the relevant digital platform.

This could be implemented, by example, allowing a news media business to make an application to the ACCC if it is unable to reach a satisfactory new

agreement with a digital platform. The ACCC would then make an assessment, based on criteria specified in the Code, as to whether the relevant digital platform had participated in genuine, good faith negotiations with the news media business to enter into the new agreement. If not, the ACCC could mandate that the previous agreement would continue on the same terms.

Other approaches could be adopted to achieve the same outcome. For example, if an eligible news media business is unable to reach a satisfactory new agreement with a digital platform that could be a criteria taken into consideration by the Treasurer in determining whether to designate that platform in respect of that specific news media business.

- ***Removal of discretionary termination rights***

As the Review process will make clear, the voluntary agreements that have been entered into to date by each of Google and Meta include rights for the digital platform to terminate the agreements in the event of designation under the Code or if any similar legislative or regulatory outcome taking effect.

It is recommended that the Code is amended to expressly provide that such provisions are void. A similar approach to that adopted in the unfair contract terms provisions of the Australian Consumer Law could be used to give effect to this proposal

The rationale for this proposal is clear. A more nuanced approach to designation of the digital platforms and their services under the Code is required to address the approach that has been taken by the digital platforms to enter into agreements with some Australian news media businesses but not others. An “across the board” designation applying to either or both of Google and Meta and their relevant services is not an appropriate response to address the selective approach of the platforms, as designation in relation to those businesses that have achieved acceptable outcomes is not required.

Google and/or Meta should only be designated, and therefore required to comply with the Code, where the relevant platform has not acted in good faith to enter into an appropriate agreement or agreements with a registered news business. If this suggested approach is adopted, it removes the discretion from the platforms to determine which businesses they do, or do not, enter into agreements with. With this approach, the Code will achieve its intended objective of ensuring that *all* registered news media businesses are able to benefit from the Code.

The second element of this proposal is equally critical. As the existing agreements have such short terms, news media businesses cannot make long term business plans that assume the continuation of this revenue source. There is no certainty that the political environment will support renewal of these agreements. Necessary continuity of those agreements will only be achieved if there is an incentive for the digital platforms to negotiate with news media businesses at the time of expiry of the initial agreements. That incentive would be provided by the suggested second element of this proposal.

Our proposal will not be effective if the digital platforms are able to terminate existing agreements in the event that the proposal is enacted through amendments to the Code

provisions of the CCA. To avoid that outcome it will be necessary to ensure, as provided in the third element of this proposal, that those termination rights are void and unenforceable.

5.3 **Supporting proposal**

Our second proposal supports the first proposal outlined above. The elements of this second proposal are:

- The ACMA should make available to registered eligible news businesses a panel of mediators that are able to assist in negotiations with Google and Meta. It is not proposed that it is compulsory for either Google or Meta to agree to use the mediators if requested by a registered eligible news business.
- The ACMA would keep a register of which businesses had requested use of the mediators and the outcomes of that use, as notified by the businesses. The details would, in summary, be whether Google or Meta agreed to the use and, if yes, the terms offered by the platforms and whether an agreement was able to be reached that was satisfactory to the relevant business.
- The ACMA would publicly report a summary of the information referred to in the preceding dot point, on a periodic basis. We suggest this would occur annually. There is precedent for adopting this type of reporting approach. For example, the ACCC reports annually on compliance with the Dairy Code, which is a mandatory code implemented under the CCA.
- The Treasurer would be required to take into account the ACMA reports in determining whether to make a designation of any digital platform in respect of a specific registered news media corporation or corporations. These reports would enable the Treasurer to determine whether a platform had participated in genuine, good faith negotiations with the relevant registered news business corporation or corporations, having regard to other agreements then in place between the platform and Australian media businesses, which is the new suggested designation criteria in our first proposal.

Again, the rationale for this proposal is clear. This will provide support for those news media businesses that, at the present time, have been unable to enter into reasonable agreements with either or both of Google and Meta. It will also mean transparency is able to be achieved regarding the status of negotiations through the ACMA reporting. This proposal will ensure that the Treasurer has sufficient factual information to allow decisions to be made on designations of the platforms that apply only in respect of one or more registered news business corporations.

5.4 **Reporting is critical**

At the current time, the CCA provides for only one review of the Code, which is being undertaken now. It is important that there is ongoing focus on the effectiveness of the Code provisions. On that basis, our final recommendation is for an enhanced review and reporting regime.

Under our third and final proposal, the CCA would be amended to require further public reviews of the Code on an ongoing annual basis (or every 2 years). The scope of

each review would be to consider not only the effectiveness of the Code but the impact more broadly of the Code on the Australian news media sector. This would then explicitly require that an analysis should be undertaken of the negative impacts that the Code may have on businesses that are unable to reach agreements with the digital platforms. As in the case of the reports issued by the ACMA, as referred to in our second proposal, the Treasurer should be required to take these ACCC reviews into consideration when determining whether to make a designation of any digital platform and its services.

It is recommended that these further reviews are undertaken by the ACCC. If undertaken by the ACCC, it should be given the same powers that the ACCC would have if it conducted the review as an inquiry under section 95H of the CCA. This will ensure that the ACCC is able to gather the factual material that it requires to comprehensively undertake these reviews.

6. Concluding comments

The ACCC's insightful Digital Platforms Inquiry Final Report, released in 2019, provides evidence that demonstrates the worrying decline in the provision of multiple categories of reporting related to public interest journalism in Australia – which plays a critical role in the effective functioning of democracy at all levels of government and society. Taking steps to reverse the decline in the provision of public interest journalism, given this role, should be a continuing area of focus for the Australian Government.

To ensure the ongoing sustainability of the Australian news media sector, long term structural regulatory and policy reform is required. This need for reform is not solely addressed by the Code at the present time, because the two key platforms, Google and Meta, and their services have not been designated. The proposals that we have recommended in this submission will address this issue.

Broadsheet Media would welcome the opportunity to continue to participate in the Review process.

Thank you very much for considering this submission.

Broadsheet Media Pty Ltd

6 May 2022

Schedule – More information about Broadsheet Media

1. Broadsheet Media's Approach to Public Interest Journalism

Broadsheet Media is a serious publisher of news, with a particular purview and focus of matters of importance within Australian communities and culture. We view vibrant and informed communities as a critical pillar of society and deserving of serious and sophisticated news coverage. We are committed to this important undertaking.

Our central editorial mission is to help Australians better understand the places they live and to experience a culturally rich life within them. We know that reporting, investigating and commenting on matters of community and culture is vital to stimulating and sustaining cultural, political and economic activity at a community and national level.

Broadsheet Media's reportage has helped readers form opinions and gain insight into public policy debate on topics including climate change, funding for the arts, indigenous rights and fair work practices. Broadsheet Media is also able to focus a hyperlocal lens on issues affecting local communities, which may not receive coverage in other publications, but which are of public significance for Australians at a city, state or national level because of the stories they tell and insights they reveal about broader societal, economic and cultural trends.

Communities evolve and culture changes; Broadsheet Media exists to help readers to make sense of that change and, in doing so, their neighbourhoods, communities, cities and their country.

Broadsheet's City File vertical takes a particular focus on core news content. We ask: How does what is happening in our communities effect the way people actually live? What impact does a major event or a new policy have on our communities, our local businesses and our way of life?

City File represents a significant volume of Broadsheet Media's output and drives meaningful volumes of our audience traffic. The Judith Neilsen Institute for Journalism and Ideas has funded a dedicated City File reporter to support our ambitions to continue to grow this important coverage.

Across the breadth of our verticals, including City File, Broadsheet Media's coverage includes:

- local business, legislation and public policy;
- natural disasters including bushfires and floods;
- civic infrastructure and urban planning;
- employment issues;
- climate change;
- tenants' rights;
- COVID19 lockdowns, vaccines and policy and pandemic related economic and cultural recovery;

- Sydney night time industries recovery;
- gender rights and representation;
- LGBTQI+ issues and rights; and
- BIPOC (Black, Indigenous, and People of Colour) issues and rights.

A range of our recent coverage is set out at the end of this Schedule.

2. Editorial Framework

While our subject matter is varied, Broadsheet Media's editorial approach is consistent – every story is produced in adherence with strict journalistic standards. Our stories are produced using primary sources and original interviews and published in time to compete with major national publishers and the two public broadcasters.

Original reporting is the bedrock of Broadsheet Media's editorial framework and underpins our daily production of news content, which is reported, written and edited by qualified journalists and editors. We are the rare digital-native publisher in Australia that goes to great lengths and expense to fact-check and sub-edit every piece of our published content. Our work also adheres to Australian Press Council standards.

We are committed to the principles of:

- accuracy and clarity;
- fairness and balance;
- privacy and the avoidance of harm; and
- integrity and transparency.

3. Recent public interest journalism examples

• LEGISLATION AND GOVERNMENT POLICY

[The Parliamentary Inquiry Into Sydney's Lockout Laws Has Recommended They Be Ditched](#) Hospitality industry players have already begun praising the report's findings, calling it a win for Sydney's nightlife.

[What Victoria's New Tenancy Laws Mean for Renters](#) Tenants will now have more rights thanks to a new set of reforms to be introduced by the Andrews Government, including some welcome news for potential pet-owners.

[There's an Election in December and You Could Be Stung With a \\$55 Fine if You Don't Vote](#) For the first time, in-person pre-polling is available and they really want you to vote before the official day. There are other significant changes, too (interesting ones around how-to-vote flyers), and don't expect your democracy sausage.

[Australia Legalises Same-Sex Marriage in Historic Parliamentary Vote](#) An end to a decades-long battle for marriage equality.

[Victoria's New Tenancy Laws Passed Parliament](#) They're being called "the biggest reforms to renting in Victoria's history", and they make it easier to own a pet.

[Gallery: A “Yes” Echoes Around Australia](#) In parks, piazzas and public spaces around the country, we celebrated the result of the same-sex marriage survey. Here, a selection of moments of elation, relief and love.

[Cuts to Penalty Rates of Up to 50 Per Cent Across Australia](#) Pay cuts for Sunday and public holiday wages came into effect over the weekend.

[Victoria to Ban Certain Single-Use Plastics by 2023](#) “Single-use plastic items – like straws and plastic cups – make up about one-third of Victoria’s litter. We need to change this, so we’re getting rid of them.”

[The NSW Supreme Court Rules Sydney’s Black Lives Matter Protest Is Illegal](#) NSW Police have been successful in their action to block the protest scheduled to take place in the CBD on Saturday.

- **BUSINESS**

[“We’re Damned If We Do, Damned If We Don’t”](#) Some restaurateurs believe Uber Eats and Deliveroo have a digital chokehold on Australian restaurants. So why can't they walk away?

[Is Retail Dead? Not Likely](#) Amid fast fashion’s doom and gloom, independent retailers are expanding in original ways.

[Street in Style - the Renaissance of Collins Street](#) There’s been a new wave of interest – and investment – in Collins Street from international luxury brands who see big value in the prime real estate on the leafy boulevard. But what does it mean for smaller, less moneyed local retailers?

[Australian Fashion’s New World Order](#) Young, savvy Australian labels are dispensing with traditional retail stepping stones in favour of a direct-to-consumer model and immediate access to billions of potential customers. The meteoric success they’re achieving is completely unprecedented – not just in the context of Australia, but the world.

[Yarn for the Ages - the Last Wool Mill of Its Kind in Australia](#) Tasmania’s 145-year-old Waverley Mills – the last woollen mill of its kind in Australia – is fighting its way into the future with a beautiful new range of scarves and recycled blankets.

[As a Petition for Delivery Services to Charge Restaurants Less Gains Traction, Uber Eats Announces New Measures](#) As more people self-isolate, food-delivery operators are already playing a crucial role in the Covid-19 crisis. The petition, by food writer Dani Valent, kicked off on Mon- day. Uber Eats announced changes today.

[Made Establishment Collapse: Venue Sales Begin With Crofter and Hellenic Republic](#) George Calombaris’s original Hellenic Republic in Brunswick East will become an American barbeque joint, while the fate of Elektra, Gazi and Jimmy Grants remains in the air.

[Folded Histories – Melbourne’s Last Hand-Pleating Workshop](#) Melbourne’s last hand-pleating workshop – and one of just a few left in the world – is keeping a time-honoured art alive. But it looks certain to go under, unless a crowdfunding campaign can save it.

[George Calombaris and Made Establishment Admit to \\$7.8 Million Staff Underpayment](#) It comes with a \$200,000 fine and more.

- **CLIMATE CHANGE**

[A “Damning Indictment”: IPCC Report Warns of Increasing Climate Change Induced Catastrophes for Australia](#) As the country battles its worst flooding in decades, Australian experts have called the influential report the “most comprehensive and authoritative update on the state of climate change knowledge ever undertaken”. It puts life as we know it on notice, but there is still time to change course.

[How Climate Change Will Affect What We Eat](#) We know it’s happening. But what is it doing to our food?

- **COVERAGE OF THE 2019-2020 BUSHFIRE SEASON**

[Special Feature: The Bushfire Bill – The Real Cost to Your Next Meal](#) Catastrophic fires and floods ravaged vast tracts of the land over summer. Though Melbourne is hundreds of kilometres from the worst of this, food businesses are facing escalating costs and even ingredient shortages. What does it mean for diners? To find out, we spoke to 20 chefs, restaurateurs, farmers, winemakers, wholesalers, distributors and market analysts.

[Hit the Road: How Holidaying Can Help Bushfire-Affected Aussies](#) Many Australian towns depend on tourism, and, while some are still in the thick of the bushfire crisis, others are suffering from lack of visitors.

- **COVERAGE OF COVID-19 AND THE GOVERNMENT MANDATED LOCKDOWNS**

[As Summer Arrives, Australia Is Ready To Party – But a Nationwide Staff Shortage Is Jeopardising Our Post-Lockdown Fantasy](#) Food and drink venues across the country, already battered and bruised after 18 months of on and off lockdowns, are now contending with a newer, more intractable problem. From delayed restaurant openings, to closures, to thousands of cancelled reservations, owners are struggling – and it’s not to get bums on seats, but to find the staff to serve them.

[“Please Be Patient” – Australia’s Hospo Industry Is Crying Out for Kindness as It Grapples With the Omicron Surge](#) Venues and staff are at breaking point. As the chaos continues to unfold, those in the game share their thoughts on how to be a good patron during these difficult times.

[“We Feel Really Alone”: Businesses in Sydney’s South-West Have Been in Hard Lockdown for Weeks – And the Strain Is Showing](#) “I think no one is seeing an end at the moment. It’s hard to plan and motivate yourself to keep going.”

- **COVERAGE OF CIVIC INFRASTRUCTURE PROJECTS**

[Three MCGs’ Worth of Green, Open Space Is Coming to Preston](#) A new amphitheatre, outdoor gym, playgrounds and more – a total of 60,000 square metres – are planned for the suburb as part of the level-crossing removal project.

[A Beloved Fitzroy Skate Spot To More Than Double in Size](#) After decades of lobbying from local skaters, the site of “Fitzy bowl” in Edinburgh Gardens will be upgraded and

expanded this year, making the space more accessible to riders and rollers of all sorts and skill levels.

[The New \\$300M Parramatta Stadium Will Have Wi-Fi and Australia's Steepest Stands](#) But is it worth it?

- **MATTERS OF SIGNIFICANT PUBLIC AND / OR COMMUNITY INTEREST**

[Just In: New South Wales Premier Gladys Berejiklian Has Resigned](#) "Resigning at this time goes against every instinct in my being and something which I do not want to do."

[24-Hour Truck Driver Strike May Impact Grocery and Fuel Supplies This Weekend](#) At least 7000 truckies across Australia are striking today – and their protest may herald a more serious and widespread strike in the near future.

[Twenty New, Free Mental-Health Pop-Ups Have Started Opening Across Victoria](#) Around 90 dedicated clinicians are set to provide an additional 93,000 hours of counselling and wellbeing checks. And you can book an appointment now.

- **WOMEN'S RIGHTS AND GENDER EQUALITY**

[An Interactive Map Reveals the Places Women and Gender-Diverse People Feel Safe and Unsafe in Victoria](#) Earlier this year, social research project Your Ground invited Victorians to help rate the safety of our public and open spaces by sharing their observations and experiences. Thousands of pins were dropped on the interactive "stress map", and you can now browse the results.

[How Liveable is Melbourne for Women?](#) A new initiative asks women where they do and don't feel safe in the city.

[New Survey Finds 89 Per Cent of Women Working in Hospitality Are Sexually Harassed](#) To those in the industry, this comes as no surprise. So they've decided to do something about it.

- **BIPOC ISSUES AND RIGHTS**

[Finally, the Aboriginal Flag Will Fly High and Proud on Sydney's Iconic Harbour Bridge Every Day – "It's a Legacy for First Nations People"](#) Kamilaroi activist Cheree Toka reflects on her struggle to lobby the government for year-round representation of Aboriginal people on a world-famous landmark.

[Today We Freed the Flag – It's "Back in the Public Domain Where It Belongs"](#) Aboriginal-owned social enterprise Clothing the Gaps reflects on the battle to free the Aboriginal Flag from copyright, and its joyous return to the community. "We are so excited to ... see people wear and celebrate it without fear of retribution."

[Moreland City Council Urged To Change Its Name Due to Racist Origins](#) Traditional landowners alerted the council that it's named after a Jamaican slave estate. "The history behind the naming of this area is painful, uncomfortable and very wrong. It needs to be addressed."

[Opinion: Not the Date to Celebrate – Eight Things You Need to Know About January 26](#) Aboriginal-owned-and-led social enterprise Clothing the Gap, together with

Yorta Yorta woman and writer Taneshia Atkinson, on why Australia Day is a day of mourning – not celebration.