

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

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NEW MINISTER FOR SMALL BUSINESS APPOINTED TO TURNBULL CABINET

Kelly O'Dwyer, the Member for Higgins and former Parliamentary Secretary to the Treasurer, has been appointed by Prime Minister Turnbull as the new Minister for Small Business and the new Assistant Treasurer. It is understood that Ms O'Dwyer will assume a key role in a range of issues which will impact our sector, including the progress, and ultimate implementation, of the unfair contract terms Bill ([Shop Talk 17/9/15](#)), the review of Australia's competition policies and laws (the 'Harper Review'), the proposed removal of the GST Low Value Threshold (LVT) and the application of the GST to intangible goods from offshore (the 'Netflix Tax'). As Assistant Treasurer, it is also expected the Ms O'Dwyer will influence the progress of the Federal Government's tax review process. An early priority for the new Cabinet member will be addressing the dramatic amendments made to the unfair contract terms Bill in the Senate, as proposed by the Greens, which will massively increase the coverage of the Bill. The amendments passed by the Senate now need to be considered in the House of Representatives when Parliament resumes.

WESTERN AUSTRALIAN GOVERNMENT GAZETTES A NEW DEFINITION OF BULKY GOODS

The Western Australian Planning Commission (WPAC) has overseen the adoption of a new definition of *bulky goods showroom* in the recently gazetted [Planning and Development \(Local Planning Schemes\) Regulations 2015](#). We have expressed concern to the WPAC that this could result in the further 'leakage' of core retail uses from activity centres. The Shopping Centre Council, which is currently involved with the WPAC on an operational review of the *State Planning Policy 4.2 - Activity Centres for Perth and Peel*, has highlighted the risk posed by the new definition and stressed that the Government's focus on activity centres will become increasingly important. We understand that the new definition will roll out as councils update their local planning schemes.

CONSISTENT, PRO-CONSUMER TRADING HOURS BEING PURSUED FOR SOUTH EAST QUEENSLAND

The Shopping Centre Council is working with the National Retail Association (NRA) on its application to the Queensland Industrial Relations Commission (QIRC) to simplify trading hour rules for non-exempt shops (i.e. large shops) across South East Queensland (SEQ). The application seeks to apply a more consistent trading hour regime across the area. It proposes that non-exempt shops across SEQ be able to trade between 7am and 9pm Monday to Saturday. Consistency across the region will reduce an unnecessary compliance burden from retailers which currently operate across different trading hour zones, and also enhance customer choice and experience. Lodged with the QIRC last year, the application is expected to be heard in the coming months. The Master Grocers Australia (MGA) is expected to oppose the application.

ALDI'S GROWTH SHOWS CLAIMS ABOUT RESTRICTIVE PLANNING SYSTEMS MISPLACED

Aldi has clarified to *Inside Retail Weekly* that it will add around 25 more stores next year on the eastern seaboard, in addition to its planned rollout in SA and WA. This will greatly add to competition and consumer choice. By the end of 2015, Aldi will have 396 supermarkets compared to Coles' 776, Woolworths' 961 and IGA's, 1,400. That's a very impressive growth rate, given Aldi has only been operating in Australia for 15 years and Coles and Woolworths had a 40-year start. Aldi will soon have more stores in Australia than in its mature markets of Denmark, Spain, Belgium and Austria. This called into question claims about so-called restrictive planning systems frustrating additional competition in the grocery market. The ACCC, for example, claimed in 2008 that "zoning and planning regimes, including existing [activity] centres' policies, also act as an artificial barrier to new supermarkets being established with the likely unintended consequence of potentially impacting on competition between supermarkets".

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