

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

THURSDAY 22 OCTOBER 2015

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FEDERAL PARLIAMENT PASSES UNFAIR CONTRACT TERMS LEGISLATION

Federal Parliament this week passed the '[Unfair Contract Terms](#)' Bill ([Shop Talk 15/10/15](#)). The Government – led by the new Minister for Small Business, Kelly O'Dwyer – accepted the amendments moved by The Greens in the Senate which significantly increased the contract value thresholds (\$100K to \$300K for a 12 month contract and \$250K to \$1M for a multi-year contract) and increased the 6-month implementation period to 12 months. The Bill passed with the support of the Opposition despite the Senate Committee which reviewed the Bill – which included ALP representation – endorsing the contract thresholds originally proposed by the Government. The passage of this legislation means that the Government has largely met all of its small business election commitments, including the establishment of a Small Business and Family Enterprise Ombudsman ([Shop Talk 27/8/15](#)).

MEETING OF TREASURERS PUTS EVERYTHING ON THE TABLE WITH TAX REFORM

Australia's Treasurers came together late last week in Sydney at the first meeting of the Council of Federal Financial Relations under the leadership of new Federal Treasurer, Scott Morrison. With the recent changes federally resulting in speculation about changes in reform priorities, the [Treasurers](#) "agreed that all options remain on the table" and that a "discovery process" was underway to look at options. The SCCA, in partnership with retailers, will continue to highlight that potentially simplified tax reforms options can overlook critical issues and impacts. The Treasurers also discussed the Harper Competition Policy Review Report. In his post meeting [press conference](#), Treasurer Morrison agreed that the Harper Report had been "overshadowed by just one recommendation regarding Section 46" ([Shop Talk 1/10/15](#)). The next step in this process is the release of a Government response to Harper. We couldn't agree more. No timetable on the Government's response was specified.

NSW GOVERNMENT AFFIRMS ABILITY TO TRADE 24HRS TWO WEEKS PRIOR TO CHRISTMAS

The NSW Government has written to the Shopping Centre Council to affirm that existing regulation which allows businesses to trade for 24 hours in the two weeks prior to Christmas will again apply in 2015 (starting 11 December). The rules, which exist within the [Exempt and Complying Development Code State Environmental Planning Policy](#), effectively 'switch off' any planning related trading restrictions. The rules also only apply to premises in a business zone and they don't override any other planning conditions regarding, for example, vehicle movements and deliveries. The Code also doesn't compel a business to trade and doesn't override existing core trading hour arrangements.

NSW GOVERNMENT TABLES BILL TO ENABLE WIDESPREAD BOXING DAY TRADING

This week, the NSW Government got one step closer to delivering another election commitment with the tabling of the [Retail Trading Amendment Bill](#) to enable widespread Boxing Day trading. This is the second attempt with such legislation, which was previously tabled and ultimately withdrawn in 2012, following opposition from church, community and union groups. The Government will face similar challenges in the Legislative Council where it does not have the numbers to unilaterally pass legislation.

ICSC ASIA PACIFIC SHOPPING CENTER AWARDS WINNERS

Congratulations to the many Australian shopping centre campaigns which were recognised in the International Council of Shopping Center's 2015 Asia Pacific Shopping Center Awards, announced at the ICSC RECon Asia Pacific held in Taipei this week. Gold winners were JLL/ISPT (two), Mirvac (two) and Federation. Silver winners were Retail First/YFG Shopping Centres and Stockland (two). A full list of winners can be obtained [here](#).

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