

# SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

THURSDAY 28 APRIL 2016

## **SOUTH AUSTRALIAN PLANNING CHANGES TO BENEFIT ACTIVITY CENTRES**

The South Australian Deputy Premier and Planning Minister, John Rau, last week [announced](#) changes to the Development Plans of 25 Greater Adelaide councils which will see marginal improvements in the ease of development in existing activity centres. The changes, which include the expansion of complying development, the standardisation of car parking rates and the removal of floorspace 'caps' in identified activity centre zones, follows a public consultation process throughout 2015 ([Shop Talk 29/10/15](#)). The Shopping Centre Council has engaged with the Government on its review of activity centres but has continued to urge caution about the stated future intention to "focus on expanding opportunities for existing and new businesses outside of established activity centres". While it was initially expected that the Government would move quickly to consider out-of-centre opportunities, it is now expected that the next stage of reform will be evaluated in the context of the state's new planning legislation which recently passed the SA Parliament. The Government has also announced that it will be establishing a 'roundtable' of retail sector participants to discuss the next phase of retail planning reform.

## **GIFT CARD INQUIRY NOW TO REPORT AFTER UPCOMING ELECTION PERIOD**

The Senate Economics References Committee has been granted an extension for its inquiry into the 'collapse' of retailer Dick Smith, the terms of reference of which extend into the regulation of gift cards ([Shop Talk 14/4/16](#)). The Committee was due to report on 12 May but this has been pushed out until mid-September. This resolves the issue of the Committee potentially reporting prior to the administrator's report being finalised and avoids the anticipated election campaign period. It was recently reported that a newly elected Senate will need to agree to continue the inquiry following the expected 2 July election. Senator Xenophon, the inquiry's champion, has publicly committed to seeking to restore the inquiry subject to his return to the Senate.

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## **OPPOSITION LEADER PLEDGES TO ABIDE BY UMPIRE'S DECISION ON PENALTY RATES**

The Federal Leader of the Opposition, Bill Shorten, has pledged a Labor Government would abide by any decision by the Fair Work Commission to reduce weekend penalty rates. The Fair Work Commission is currently considering applications to reduce penalty rates in a number of industries, including an application to reduce the Sunday penalty rate to the level of the Saturday rate in the *General Retail Industry Award*. The Labor Opposition made a submission to the Commission opposing any reduction in penalty rates. Last week, however, when questioned about what a Labor Government would do if the Commission decided to reduce rates, Mr Shorten said: "I've said I'll accept the independent tribunal . . . At the end of the day though the way minimum wages get set in this country is through evidence, it's through the submissions of workers, their representatives and employers." Mr Shorten's comments appeared to conflict with an earlier 'tweet' by the Opposition employment spokesman, Brendan O'Connor, that "Labor will protect your penalty rates" but Mr O'Connor has since denied any conflict between him and Mr Shorten. The ACTU secretary, Dave Oliver, has pledged the ACTU "would explore all its options" if the Commission reduced penalty rates, while another union official has threatened union campaigns, including in shopping centres, if that occurs. It seems unlikely the Commission will now give its decision before the Federal election, which seems likely to be held on 2 July.

## **RETAIL SHOP LEASES AMENDMENT BILL STILL TO BE DEBATED BY QUEENSLAND PARLIAMENT**

Amendments to the *Retail Shops Leases Act*, arising from the review of the Act held between 2011-2013, are still to be debated by the Queensland Parliament ([Shop Talk 10/3/16](#)). Parliament sits again (for three days) on 10 May. The Bill is listed first under 'Government Business Orders of the Day' on the Notice Paper but that is no guarantee that the Bill will definitely be debated during that sitting week.

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