

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

FRIDAY 31 MARCH 2017

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QUEENSLAND TRADING HOURS BILL BEING CONSIDERED BY COMMITTEE

The Shopping Centre Council has lodged a submission with the Queensland Parliament's Finance and Administration Committee regarding its [inquiry](#) into the [Trading \(Allowable Hours\) Amendment Bill 2017](#) ([Shop Talk 3/3/17](#)). This Bill was tabled in the Parliament shortly after the release of the Government's response to the independent review of the state's trading hour regime by former Parliamentary Speaker, the Hon John Mickel ([Shop Talk 17/2/17](#)). Rather than revisit the recommendations we made to the independent review which were adopted by the reviewer but were not accepted by the Government (e.g. widespread Sunday trading), the submission draws attention to a number of possible unintended consequences of the Bill's drafting, including the classification of some tourist areas and the treatment of applications which were made to the Queensland Industrial Relations Commission (QIRC) prior to the Bill being tabled in the Parliament. Public hearings of the Committee regarding the Bill were scheduled for this week but were postponed. It is not yet known if this delay will impact the reporting timeframe of the Committee (currently required by 28 April 2017).

ACCC DEPUTY CHAIR CONFIRMS UNFAIR CONTRACTS TERMS ARE A PRIORITY

The Deputy Chair of the Australian Competition and Consumer Commission (ACCC), Dr Michael Schaper, has confirmed that the ACCC has commenced investigations into possible business-to-business unfair contract terms. This follows the commencement of the new law in November 2016 ([Shop Talk 4/11/16](#)). In a recent [statement](#), Dr Schaper said "a number of investigations have been commenced...our enforcement teams are looking at a variety of contracts across a range of industries". The statement also details that, since the new law was introduced, 48 complaints have been received by the ACCC from businesses, and "the regulator would be taking enforcement action in relation to a number of companies over B2B unfair contract terms this year".

CONSULTATION CLOSES ON THE GREATER SYDNEY COMMISSION'S DISTRICT PLANS

The submission period for the Greater Sydney Commission's six Draft District Plans closes today after four months on exhibition ([Shop Talk 25/11/16](#)). The Shopping Centre Council has submitted to all six plans - Central, North, South, West Central, West and South West. The District Plans are intended to be the link between Sydney's overarching strategic Plan, currently *A Plan for Growing Sydney*, and Local Environmental Plans (LEPs) at the local government level. There are a number of positive elements to the Plans, including a priority for retail floor space in local planning decisions, as well as a focus on activity centres. The draft Plans do, however, revisit the classification of centres across Greater Sydney. There are now three centre classifications - 'strategic', 'district', and, 'local'. The key difference between the classifications being the presence and scale of health facilities, tertiary education, transport hubs, retail floor space and jobs. The draft Plans note that the differentiation between 'strategic' and 'district' does not intend to impact the ability for either type of centre to "attract retail or commercial activity". We have sought to extend this to 'local' centres, and ensure that 'lower order' activity centres can similarly attract appropriate investment. The Plans also detail a 'precautionary approach' to the rezoning of 'employment and urban services land' due to "longer term growth and productivity implications". The draft Plans detail that further work is needed in this space. Submissions in response to the draft Plans will now be reviewed and will be published on the Commission's [website](#) in due course. It is currently expected that the six District Plans will be finalised by the end 2017, with councils to give effect to the Plans "as soon practicable" after completion.

NRA: EASTER LONG WEEKEND AND ANZAC DAY 2017 TRADING HOURS FACTSHEET AVAILABLE

The National Retail Association (NRA) has released their Easter and ANZAC Day 2017 trading hours factsheet. The NRA can be contacted directly for further information - please visit their [website](#).

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