

# SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

FRIDAY 13 APRIL 2018

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## NSW PLANNING 'FUTURE OF RETAIL' DISCUSSION PAPER RELEASED FOR COMMENT

The NSW Department of Planning and Environment has doubled down on its recent retail planning activities, this week releasing for comment a Discussion Paper titled [Planning for the Future of Retail](#). This follows last week's release of five proposed changes to the retail-related definitions under the Standard Instrument Local Environmental Plan ([Shop Talk 6/4/18](#)). The Discussion Paper poses three potential directions for retail planning in NSW: 1) Better local strategic planning, 2) A modern approach to retail development that reflects a range of retail formats in centres, and 3) Adaptability and certainty for retail. The Discussion Paper is more balanced than the earlier report of the Retail Expert Advisory Committee (REAC) ([Shop Talk 10/11/17](#)), and, where relevant, more cognisant of the directions and frameworks set by the Greater Sydney Commission via the Region and District Plans ([Shop Talk 23/3/18](#)). It includes positive statements about retail and activity centres, including that retail "...is a major contributor to the NSW Government's strategic liveability, productivity and sustainability objectives...". However, it is clear the Government's understanding of the retail and shopping centre sectors is relatively high-level, with little depth in the analysis provided in the Discussion Paper, including with regard to commentary about retail rents, vacancy and customer behaviour. The Government also seems determined to deliver a planning response to facilitate retail 'innovation' without necessarily having reflected on how innovation has managed to be delivered over many decades without retail-specific planning or policy interventions. Are interventions of this kind even the planning system's role? Or is it the planning system's role to remove barriers to allow for ease of investment in the Government's preferred locations - investment which will deliver retail innovation in addition to broader accessibility, productivity and employment outcomes for governments, consumers and communities alike? Both the Discussion Paper and the proposed amendments to the Standard Instrument LEP are on exhibition until 18 May 2018.

## SENATE COMMITTEE RECOMMENDS PASSAGE OF AMENDMENTS TO THE AIRPORTS ACT

The Senate Rural and Regional Affairs and Transport Legislation Committee has [recommended](#) the passage of the [Airports Amendment Bill 2016](#). The Bill proposes a number of amendments to the planning and development provisions of the *Airports Act*, including changing the Master Plan preparation cycle for some airports, including Adelaide, Moorabbin and Townsville Airports, from 5 years to 8 years (while retaining the current five-year Master Plan cycle for Sydney, Brisbane, Melbourne and Perth airports), and increasing the monetary trigger for the preparation of a Major Development Plan (MDP) from the \$20 million to \$35 million (Labor Senators on the Committee issued a dissenting report which proposed increasing the MDP to \$25 million only). The Shopping Centre Council made submissions on these proposals to the Department of Infrastructure and Regional Development in 2014 which were informed by our long-held dissatisfaction with the un-level playing field exists between development on, and off, airport land ([Shop Talk 9/10/14](#)). The Committee's inquiry was completed against the backdrop of investigations into the 2017 incident at Essendon Airport where an aircraft crashed into a nearby retail centre. The Committee's reporting date was delayed from March 2017 to March 2018 to allow for the Committee to consider the findings of these investigations. It does not appear that the Committee has proposed any consequential changes to the Bill on the basis of these investigations.

## SOUTH AUSTRALIAN OPPOSITION LEADER AND SHADOW CABINET ANNOUNCED

Peter Malinauskas, the former Minister for Health in the previous Weatherill Government, and, prior to entering Parliament, a State Secretary of the Shop, Distributive and Allied Employees' Association, has been confirmed as the Leader of the Opposition in South Australia. Joining him in Labor's Shadow Cabinet are Deputy Leader, Susan Close, Shadow Treasurer, Stephen Mulligan, Shadow Minister for Industrial Relations and Public Sector, Kyam Mayer, and Shadow Minister for Planning and Local Government, Tony Piccolo.

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