

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

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WESTERN AUSTRALIAN OPPOSITION PUSH FOR DEREGULATION OF SHOP TRADING HOURS

Western Australia's Liberal Opposition has [announced](#) they intend to go to the next state election – scheduled for 13 March 2021 - with a policy to “deregulate retail shopping hours”. The commitment, announced by Opposition Leader Mike Nahan, includes associated safeguards to “protect businesses in shopping centres from being forced to open” along with a ‘level playing field’ in relation to pay and conditions. We are seeking clarification on the commitment to shopping centre ‘safeguards’, particularly given WA already has a strong regime. Mr Nahan has commented that “WA’s absurd retail trading regulations deny choice to consumer and unnecessarily restrict trade opportunities for retail outlets”. Mr Nahan was critical of the Government’s recent decision to reduce overall extended Christmas trading hours ([Shop Talk 28/9/18](#)).

SOUTH AUSTRALIA PROGRESSES WIDE RANGING PLANNING REFORM PROGRAM

In 2016, the South Australian Parliament passed the *Planning, Development and Infrastructure Act*. This Act, which is being implemented in stages to 2020, has precipitated the development of a range of critical ‘building blocks’ for South Australia’s new planning system. In recent weeks, the Government exhibited a suite of draft [State Planning Policies](#), which will ultimately be “the highest order policy document in South Australia’s planning system”. Among a wide range of issues relevant at a state level, the draft Policies contemplate retail and competition. A state-wide Planning and Design Code, which is characterised as “the state’s single planning rulebook for assessing all development applications”, is also under development. The Code will be informed by feedback received in response to a series of Discussion Papers, including one focusing on the Productive Economy. The Shopping Centre Council is monitoring and engaging with this material as necessary to seek to ensure that the Government doesn’t progress overly simplistic or selective notions about retail planning, competition and retail trends. More information on the reform program is available [here](#).

VICTORIAN GOVERNMENT ANNOUNCES PLAN TO LEGISLATE PUBLIC HOLIDAYS

The Andrews Labor Government has [announced](#) that, if re-elected at the upcoming 24 November election, they will legislate Easter Sunday, Christmas Day and Grand Final Friday as public holidays in order to protect penalty rates. Currently, public holidays in Victoria are gazetted yearly. Premier Daniel Andrews stated, “days like Christmas are a time to be spent with the people you love. But if you have to work, your pay should recognise that sacrifice. We’ll enshrine these public holidays in law, so that the penalty rates of Victorians are permanently protected”.

VICTORIAN SMALL BUSINESS COMMISSION ANNUAL REPORT

The Victorian Small Business Commission (VSBC) tabled its [annual report](#) in Parliament in September, highlighting dispute resolution trends and new initiatives to support small business. The total number of dispute applications in 2017-18 increased by 0.3 per cent to 1,708 compared to the previous year, while applications for disputes under the *Retail Leases Act 2003* grew by 1.7 per cent between 2016-17 to 2017-18 (904 applications to 919). The VSBC handled 11,985 phone enquires throughout the year, the majority reportedly related to rights and obligations under retail leases. The key issues causing disputes under the *Retail Leases Act 2003* were 1) money owed by tenants, 2) responsibility for repairing and maintaining premises, 3) refund of security deposits, 4) compensation, 5) disputes about value of expenses, and 6) premature termination of a lease.

GREATER SYDNEY COMMISSION APPOINTMENTS: UPDATE

NSW Premier, Gladys Berejiklian, has announced a refresh of the Greater Sydney Commission. Helen O’Loughlin has been appointed Social Commissioner, and returned North District Commissioner, Dr Deborah Dearing, has also been appointed Commissioner of the Eastern City District. The full list of Commissioners is available [here](#).

PREVIOUS ISSUES