



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

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[Archive](#)

SCCA SUBMISSION ON NSW PLANNING'S MULTI-SITE PROGRAM DISCUSSION PAPER

The Shopping Centre Council has lodged a [submission](#) on the NSW Department of Planning's *Opportunities for Delivering Multiple Site Programs Discussion Paper*. Our submission argues that there is no justification for providing a streamlined planning process for the very small number of companies that would be able to take advantage of this program. Instead, we have argued, the priority of the Department should be to address the systemic problems in the NSW planning system which, if resolved, would make such a limited streamlining process unnecessary.

DEVELOPMENTS IN WA AND SA THREATEN NATIONAL REGULATION OF FRANCHISING

Retailers and retail property owners struggle with the fact that there are eight different systems of retail tenancy regulation around Australia. Until now franchising has avoided the costly inefficiencies this creates by having a system of uniform national regulation, through the *Franchising Code of Conduct*, made with the authority of the *Trade Practices Act*. Now proposed legislation in South Australia and Western Australia means franchising regulation could head down the same path as retail tenancy regulation. In SA, legislation proposed by Labor backbencher, Tony Piccolo, has now been endorsed by the SA Government. In WA, a bill proposed by Liberal backbencher, Peter Abetz, is being considered by the WA Parliament. Both pieces of legislation will significantly alter the regulation of franchises in SA and WA, making franchising less attractive in those states, and will commence the erosion of national and uniform regulation of franchising in Australia. This will also lead to over-regulation of the sector (as has occurred in retail tenancy regulation) to the ultimate detriment and cost of all franchisees.

AMENDMENTS TO QLD RETAIL LEASES ACT TO OVERCOME APPEAL COURT DECISION

The Queensland Attorney-General, Cameron Dick, has [announced](#) amendments to the *Retail Shop Leases Act* to overcome a Court of Appeal decision which raised the possibility that 'ratchet clauses' (i.e. clauses preventing a rent fall after a market rent review) were legal ([Shop Talk 17/7/09](#)). The amendments will be introduced when Parliament resumes on 23 November 2010.

WINNERS IN SOUTH AUSTRALIAN 2010 RETAIL PROPERTY AWARDS

Congratulations to Munno Para Shopping City, in Adelaide, which won the Gold Award at the South Australian 2010 Retail Property Awards. Congratulations also to industry stalwarts, John and Nicholas Chapley, who won the WJ McCallum Award for outstanding contribution to the retail property industry. A full list of winners is [here](#).

GPT GROUP'S ROUSE HILL TOWN CENTRE WINS ANOTHER INTERNATIONAL AWARD

Congratulations to the GPT Group's Rouse Hill Town Centre, in Sydney, which was [recognised](#) at the 2010 Urban Land Institute's Global Awards for Excellence as one of the world's five best examples of land use. This adds to a long list of national and international awards won by Rouse Hill Town Centre since it opened.

DON'T FORGET MAPIC 2010 IN CANNES FROM 17-19 NOVEMBER

Mapic, the annual convention in retail real estate, will take place in Cannes, France, from 17-19 November. This is a major gathering of retailers, retail property owners and related developers. Further details are [here](#).