



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 24 February 2011

[Archive](#)

DEEPLY-FLAWED AND ONE-SIDED RETAIL LEASES AMENDMENT BILL 2011 IN NSW

The Shopping Centre Council has lodged a [submission](#) on the exposure draft of the NSW [Retail Leases Amendment Bill 2011](#). The Bill is the culmination of a very poor public policy process that began in April 2008 with the release of an ideologically-driven Discussion Paper ([Shop Talk 18/4/08](#) and [30/5/08](#).) The draft Bill is deeply flawed and makes no pretence to balance the rights of lessors and lessees. Paradoxically, many of the proposals will actually cause harm to retail tenants in NSW. The Bill also ignores the Government's own *Guide to Better Regulation*. In a 17-page amendment Bill not a single amendment of benefit to lessors is included; nor a single piece of unnecessary regulation removed. The Bill also reverses the tentative moves towards harmonisation of retail tenancy legislation that have occurred in recent years in Queensland, NSW and Victoria. In contrast to the way in which amendments to the NSW *Retail Leases Act* have been handled in the past (under both Labor and Coalition Governments) there was no consultation with stakeholders, including landlords and tenants. Many of the changes in the Bill were not raised in the 2008 Discussion Paper and were not requested by retailers or retailer associations. The Bill should be withdrawn.

NOMINATIONS CALLED FOR NEW AMP/BRW AUSTRALIAN RETAILER OF YEAR AWARDS

Nominations are open for the new *Australian Retailer Of The Year Awards 2011*, sponsored by AMP Capital Shopping Centres and BRW magazine. The awards cover a range of categories including new retailer; innovation; sustainability; marketing; and use of technology. Click [here](#) for details and entry forms. Entries close on 11 March with the winners to be announced at a Gala Dinner in May.

QIRC ALLOWS SUNDAY TRADING IN TOOWOOMBA BUT NOT IN WARWICK

The absurdity of the Queensland system of regulating trading hours has been highlighted by the Queensland Industrial Relations Commission [rejecting](#) an application for Sunday trading for Warwick. This is despite the fact that Sunday trading in Toowoomba (80 kms away) is operating successfully. More retail spending on Sundays will now 'escape' Warwick and migrate up the New England Highway to Toowoomba. This erosion of local commerce has been supported by the Mayor!

QUEENSLAND PREMIER ANNOUNCES AN EXTENSIVE MINISTERIAL RESHUFFLE

There has been a major [reshuffle of portfolios](#) in Queensland. A worrying change is Stirling Hinchliffe losing Planning and Infrastructure and this portfolio is now absorbed within the Local Government portfolio, which has been taken on by the Deputy Premier and new Attorney-General, Paul Lucas. It is to be hoped this does not derail the recent government focus on reducing Queensland's high infrastructure charges, which are strangling new retail property investment in the State.

SPEAKERS PRESENTATIONS FROM PCA NSW RETAIL OUTLOOK 2011 BREAKFAST

We've had requests for copies of the presentations from last week's PCA NSW Retail Outlook breakfast. Click [here](#) for *Directional Insights'* Helen Bakewell and [here](#) for *Citigroup's* Craig Woolford.

PROPERTY COUNCIL QUEENSLAND RETAIL MARKET OUTLOOK FOR 2011

The PCA Queensland is holding the 2011 Retail Market Outlook breakfast on 31 March. Click [here](#) for details and to register.