



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 3 March 2011

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PRODUCTIVITY COMMISSION REPORT ON PLANNING, ZONING AND DEVELOPMENT

The Productivity Commission has released its [draft research report](#) *Performance Benchmarking of Australian Business Regulation: Planning, Zoning and Development Assessments*. The Shopping Centre Council made a [submission](#) to this inquiry on one aspect of the terms of reference i.e. "ways to eliminate any unnecessary or unjustifiable protections for existing businesses from new and innovative competitors" ([Shop Talk 10/9/10](#)). The Productivity Commission has suggested changes to the planning and zoning systems "which could improve competition", including reductions in the prescriptiveness of zones and allowable uses; more 'as-of-right' development processes; elimination of impacts on the viability of existing businesses as a consideration for development application and rezoning approval; consideration of impacts on the viability of activity centres only during the strategic planning stages; and clear guidelines on and transparent alternative assessment paths". Submissions on the draft report are due by 31 March and the final report is due at the end of April.

LATEST EDITION OF URBIS RETAIL PERSPECTIVES NOW AVAILABLE

The February 2011 edition of the *Urbis Retail Perspectives* is available [here](#). This contains a useful analysis of the trends in the Australian economy and specifically trends in retail sales.

UPDATED EDITION MINTER ELLISON RETAIL TENANCY LEGISLATION COMPENDIUM

Minter Ellison has published an [updated version](#) of its very useful *Retail Tenancy Legislation Compendium*, which provides a summary of comparable retail tenancy legislation provisions around Australia.

NSW SCHEME COMMENCES TO PAVE THE WAY FOR ENVIRONMENTAL UPGRADES

The NSW Government's *Environmental Upgrade Agreements* scheme commenced recently with the finalisation of the scheme's [Regulations](#) and [Guidelines](#), enabling retail landlords to finance environmental upgrades and recover the capital expenditure from tenants via a special local council rate ([Shop Talk 2/12/10](#)). The Regulations and Guidelines incorporate key recommendations from our [submission](#) to ensure the scheme is effective, including avoiding unnecessary duplication with the *Retail Leases Act 1994*. We have continued to support this scheme as a key measure to generate sustainability capital investment, and overcome the previous regulatory barrier whereby retail landlords can't recover capital expenditure from tenants. The Government is about to commence a pilot process with building owners and councils to test and refine the scheme, as well as finalise a standard template Agreement.

ADVERTISEMENTS APPEAR FOR VICTORIAN SMALL BUSINESS COMMISSIONER

The position of Victorian Small Business Commissioner has been vacant since Mark Brennan was appointed Director, Liquor Licensing in Victoria ([Shop Talk 14/5/10](#)). The Victorian Government is now advertising for applications. For further information, ring Robin Billen or Kathryn Harper on (03) 9650 2555.

SMART SEMINARS FOR RETAILERS IN WESTERN AUSTRALIA THIS MONTH

The Retail Traders Association of WA is hosting two-hour *Smart Seminars* for retailers in Perth. For details and to register for the seminar *Get Serious About Service* (8 March) click [here](#), and for *Make Merchandising Work for You* (15 March) click [here](#).