



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

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PROPOSED NATIONAL LICENCE FOR REAL ESTATE AGENTS OUT FOR COMMENT

The [Regulation Impact Statement](#) on the proposed national licensing system for property occupations (including real estate agents) has been released for consultation. This is part of the 'seamless economy' project endorsed by the Council of Australian Governments. A national licence would allow the holder to practice in all jurisdictions without the need for separate state licensing. This would lead to substantial benefits for businesses through reduced administrative and compliance costs and encouraging a more mobile work force. The RIS also includes a further proposal to reduce costly red tape by removing the requirement for real estate licensing for 'non-residential agency work', which is defined as "property that is used primarily for the purposes of industry, commerce or primary production." The RIS notes that "the assessment of the risks involved in non-residential property transactions identified that there are few complaints to consumer protection agencies in relation to these transactions as most parties are sophisticated consumers who are familiar with working in the industrial, commercial or primary production environment and able to seek redress through legal action in relation to the contractual issues involved." Submissions close on 21 September 2012.

DRAFT WA COMMERCIAL TENANCY (RETAIL SHOPS) AMENDMENT REGULATIONS

The Shopping Centre Council has lodged a [submission](#) on the [Draft Commercial Tenancy \(Retail Shops\) Agreements Amendment Regulations \(No.2\) 2012 \(Shop Talk 21/6/12\)](#). The Draft Regulations relate to the [Commercial Tenancy \(Retail Shops\) Agreements Amendment Act 2011](#), which has not yet come into operation. Since the Draft Regulations include an amended Lessors' Disclosure Statement, the SCCA has argued the operative date of the new Regulations, and the Act, should be 1 January 2013.

NSW COURT CASE SHEDS LIGHT ON WHEN A TENANT IS BOUND BY AN AFL

A recent NSW Court of Appeal decision considered whether a prospective lessee can withdraw from negotiations following an agreement for lease and has ruled against the prospective lessor. This [summary](#) by Allens examines the case which sheds light on whether negotiating parties can assume they are bound to an agreement for lease prior to the final signing and exchange of documents.

LATEST EDITION OF SHOPPING CENTRE NEWS IS NOW AVAILABLE

The latest issue of [SCN \(Shopping Centre News\)](#) is now available with a cover story on ISPT as well as features on design and Colliers Retail Investment Review for 2011-12. The magazine also lists the finalists in the *SCN 2012 Australia and New Zealand Marketing Awards* to be announced on 30 August. For subscriptions phone (02) 9810 4392 or email: subscriptions@shoppingcentrenews.com.au.

PCA NSW DISCUSSES THE GREEN PAPER ON A NEW PLANNING SYSTEM FOR NSW

The NSW Minister for Planning, Brad Hazzard, will outline the key proposals and objectives of the NSW Government's recently released Green Paper on planning reform at a Property Council Breakfast on 28 August in Sydney. Click [here](#) for further detail and [here](#) to register.

ICSC RESEARCH CONFERENCE EXAMINES 'A DIFFERENT LOOK AT THE CONSUMER'

A three-day 'Research Connections' conference will be run by the International Council of Shopping Centers in Chicago from 30 September to 2 October. The theme is "A Different Look at the Consumer". This will be of interest, in particular, to development, marketing and research staff and retailers. View the program [here](#) and register [here](#).