



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 8 November 2012

[Previous Editions](#)

NSW GOVERNMENT INTRODUCES ROAD TRANSPORT (PRIVATE CAR PARKS) BILL

The NSW Government has introduced a Bill into Parliament, the [Road Transport \(General\) Amendment \(Private Car Parks\) Bill 2012](#), designed to limit the access to vehicle registration information from Roads and Maritime Services for the purposes of recovering car park fees from motorists who breach car park terms and conditions. The second reading speech by the Minister for Roads, Duncan Gay MLC, is [here](#). There was no consultation on this Bill, with either the property industry or the car parking industry, before the Bill was introduced. If the Bill is enacted in its present form, it will impact immediately on those car parks without boom gates and with ticket-based systems, where time limits are enforced. In seeking to address concerns about the release of private information, the Government could inadvertently prevent the ability of car park operators to exercise their private property rights. The Shopping Centre Council recently met with the Minister's office and has written to the Government seeking amendments to, or deferral of, the Bill.

CHRISTMAS AND NEW YEAR SHOP TRADING HOURS AROUND AUSTRALIA

The National Retail Association (NRA) has released a useful guide to shop trading hours around Australia over the forthcoming Christmas and New Year season, including on the relevant public holidays. Please click [here](#) to view or download this guide.

AUSTRALIAN CENTRE FOR RETAIL STUDIES RETAIL INSIGHTS SEMINARS THIS MONTH

The Australian Centre for Retail Studies will run [Retail Insights](#) breakfast seminars in Sydney (13 November) and Melbourne (15 November), reviewing the 2012 World Retail Congress held in London. Register [here](#) for Sydney or Melbourne.

NSW LOCAL PLANNING PANEL REPORTS ON REVIEW OF THE STANDARD LEP

The NSW Local Planning Panel has completed its review of the Standard Instrument Local Environmental Plan (SILEP or 'standard LEP') and has released a [position paper](#) which is available for public consultation until 30 November 2012. The Shopping Centre Council lodged a [submission](#) to the review and also appeared before the Panel. One of the key recommendations, which we strongly support, is greater evidence-based decision-making on retail matters through a comprehensive retail policy/activity centres policy, which the Panel says should be drafted, exhibited and adopted as a matter of priority. The Panel has also recommended that the Department of Planning draft a practice note to provide more guidance to councils about certain definitions in individual SILEPs, with a particular focus on retail definitions.

While rejecting most of the demands made by the Bulky Goods Retailers Association for further expansion into other land use zones, including the B6 (business zone) and IN1 and IN2 (industrial zones), the Panel does recommend the continued discretion of local councils to allow bulky goods premises, retail and business premises and large format retail in industrial zones. This makes the adoption of a comprehensive activity centres policy even more urgent. The Panel has recommended that the definition of 'bulky goods premises' revert to its previous definition (by replacing the 'and' with 'or'). The Shopping Centre Council does not oppose this change (and had not argued for the previous change) but it does seem odd that the BGRA has always argued that it needs special and privileged planning treatment because "we require a large area for handling, display etc. and we need direct vehicular access" but it then complained vigorously when the Department took it at its word and changed the 'or' to 'and'. This recommendation still has to be approved by the Minister.