



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

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SUBMISSION ON REVIEW OF QUEENSLAND RETAIL SHOP LEASES ACT

The Shopping Centre Council has lodged a [submission](#) on the [Options Paper](#) for the Review of the Queensland *Retail Shop Leases Act*. Our submission addresses all 145 proposals in the Options Paper but warns most of the proposals would add substantially to the excessive amount of regulation that already exists. The Act only had 21 pages when it was first introduced in 1984 but had increased fourfold to 84 pages after the last major amendments in 2006. The number of sections had more than doubled from 61 to 135 (not including end notes and schedules). We have welcomed the Government's emphasis on 'red tape' reduction as part of this review and the need for evidence-based regulation. The Queensland Government has now established a stakeholder reference group, which will meet regularly over the next two months, to consider the proposals in the Options Paper.

SOUTH AUSTRALIA ELECTRICITY INSET SCHEME SUBMISSION

The South Australian Small Business Commissioner is continuing to conduct an inquiry into electricity inset schemes announced on 18 December 2012 ([Shop Talk 31/1/13](#)). The Shopping Centre Council lodged a [submission](#) to the inquiry in February, responding to the Terms of Reference. Our submission outlines the regulatory framework for inset schemes, as well as a number of practical operational issues. A key focus for the Commissioner is electricity pricing for retail tenants within inset schemes – which was traditionally regulated by the Government – as well as the ability for tenants to purchase electricity from other providers such as traditional electricity companies. We have continued to hold discussions with the Commissioner and his office to try and assist with the inquiry. A final report on the inquiry is expected later this year.

UPDATE ON THE PROPOSED NATIONAL LICENSING FOR REAL ESTATE AGENTS

The Decision Regulation Impact Statement on the final proposals for national licensing for property occupations (including real estate agents) is likely to be released this month. This follows the release last year of the Consultation Regulation Impact Statement and the lodging of submissions ([Shop Talk 18/10/12](#)). Unusually the Decision RIS will then be followed by a further period of consultation, this time done by the various states and territories.

VIC SUPREME COURT WIDENS MEANING OF 'RETAIL PROVISION OF SERVICES'

A strange decision by the Victorian Supreme Court has substantially widened the scope of the Victorian *Retail Leases Act*. As a result most tenants outside shopping centres, whose businesses provides any sort of service, will now be engaged in the "retail provision of services" and hence the Act will apply. This will substantially increase the amount of unnecessary red tape on businesses in Victoria, at a time when the Government is seeking to remove unnecessary regulation. An analysis of the decision by Robert Hay, a property law barrister, is available [here](#).

PROPERTY COUNCIL RETAIL FORUM TO BE HELD IN SYDNEY ON 31 JULY

Full details and final list of speakers for the PCA NSW's *Retail Half Day Forum* are available [here](#). This will be held at the Crystal Ballroom, Luna Park in Sydney on Wednesday 31 July. Online registrations can be made [here](#).

SAVE THE DATE FOR NEXT YEAR'S ICSC RECON IN LAS VEGAS ON 18-20 MAY 2014

The ICSC's RECon 2014 will be held in Las Vegas on 18-20 May 2014. Early Bird rates are offered before 13 December 2013 and can be made [here](#).