



# SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE  
COUNCIL OF AUSTRALIA

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## SHOPPING CENTRE COUNCIL SUBMISSION ON NSW PLANNING WHITE PAPER

The Shopping Centre Council has lodged a [submission](#) on the NSW Government's planning reform White Paper ([Shop Talk 18/4/13](#)). Our submission on the White Paper focused on the critical areas of future retail planning policy and infrastructure contributions. We welcomed the proposal to have a new state level Retail Development policy, to enable retail development and ensure a level playing field. Similar to governance arrangements in place to develop other areas of planning policy, we have recommended the appointment of a Retail Taskforce, with relevant industry, government, council and community stakeholders to develop the policy. The lack of a coordinated approach has, in the past, failed to see the development of an updated and comprehensive retail policy to address various issues in the retail sector. The last attempt was a Draft Policy in May 2010 (following similar 2008 and 2009 versions) which was not progressed. It is hoped a better approach will be devised for these reforms.

Our White Paper submission is critical of the proposed infrastructure contributions framework, which has the scope to see a significant escalation in costs and conditions imposed on new development. A major concern is the varying underlying principles of the proposed approach, which go beyond 'demand-based' principles, to broader principles such as 'beneficiary pays' and links to population growth. Retail development, like other development, should not be required to fund infrastructure for which it does not generate demand. The charging for infrastructure with no nexus to demand has the potential to see cost blow-outs. It is most critical that any new levy for retail development is feasible and does not limit the delivery of retail floor space. The Government has established an Infrastructure Contributions Taskforce, of which the Shopping Centre Council is a member, to provide advice on the development of the new approach.

## DRAFT REPORT OF REVIEW OF NORTHERN TERRITORY RETAIL TENANCY LEGISLATION

There has been a long-running review of the Northern Territory [Business Tenancies \(Fair Dealings\) Act](#), which is the Territory's retail tenancy legislation. The Shopping Centre Council lodged its submission on the Issues Paper in January 2012 ([Shop Talk 9/2/12](#)). The Department of the Attorney-General and Justice has now released a [draft report](#) but has stressed that the views expressed do not represent the final views of the Department or of the Northern Territory Government. The Department is seeking submissions on the draft report and they will close on 14 September.

## PROPERTY COUNCIL, QLD, RETAIL BREAKFAST IN BRISBANE ON 21 AUGUST

The Property Council, QLD, is holding a *Retail Breakfast* with the key players redeveloping Indooroopilly Shopping Centre – Christopher Shaw (Eureka Funds Management) and Geoff Teys (Brookfield Multiplex). Click [here](#) for further information on the breakfast at the Hilton Hotel Brisbane on 21 August. Click [here](#) to register.

## PROPERTY COUNCIL, WA, RUNS RETAIL TENANCY UPDATE ON 18 SEPTEMBER

The Property Council will run a *Retail Leasing & Tenancy Update Seminar* to discuss the new mandatory Disclosure Statement, implemented in WA this year. Click [here](#) for details and [here](#) to register for the seminar in Perth on 18 September.

## MINTER ELLISON RETAIL LEASES ACT COURSE IN MELBOURNE ON 11 SEPTEMBER

Partnering with Minter Ellison Lawyers, the Property Council, Victoria, will co-present a seminar on the *Retail Leases Act*, in Melbourne on 11 September. Click [here](#) for details and [here](#) to register online.