



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 29 May 2014

[Previous Editions](#)

VICTORIAN GOVERNMENT ANNOUNCES REMOVAL OF RETAIL FLOOR SPACE CAPS

Victorian Planning Minister, Matthew Guy, this week [announced](#) the removal of retail floor space caps. This was a commitment made as part of the zoning reforms announced by Minister Guy last year, and applies to a number of shopping centres such as Dandenong Plaza, Westfield Doncaster, Forest Hill Chase, Campbellfield Plaza and Caroline Springs ([Shop Talk 8/5/14](#)). This is welcome action by the Minister, and we worked with the Government to help identify the location of caps within certain planning instruments. This reform is in line with good urban planning, including the need to achieve the broad objectives of the recently released Plan Melbourne such as the growth of suburban centres and clusters. The announcement will also enable further retail investment and competition. Similar retail caps were removed in Perth in 2010, which has helped facilitate further retail investment and also meet Perth's growth objectives ([Shop Talk 3/9/10](#)).

CONSULTATION PAPER RELEASED ON UNFAIR BUSINESS CONTRACT TERMS

A [Consultation Paper](#) has been released on the Federal Government's election commitment to extend the current regulation of unfair contract terms in business-to-consumer contracts to business-to-business contracts. The closing date for submissions is 1 August 2014.

BROADER POWERS GIVEN TO VICTORIAN SMALL BUSINESS COMMISSIONER

[Legislative changes](#) to give the Victorian Small Business Commissioner broader powers to resolve disputes began on 1 May. These include the power to publish the names of businesses and government agencies which unreasonably refuse to take part in alternative dispute resolution.

MISDIRECTED CAMPAIGN TO CLOSE PET SHOPS IN SHOPPING CENTRES

A misdirected and misguided campaign by an animal welfare group is seeking to pressure shopping centre owners to force the closure of pet shops. This campaign is based on opposition to 'puppy farming'; not objections about the welfare standards of pet shops. Whether 'puppy farms' should operate, and the individual practices of such farms, is a matter for regulation under the relevant *Prevention of Cruelty to Animals Act* or *Animal Welfare Act* in each state and territory. Some states have gone further and have adopted [mandatory codes](#) regulating animal breeding. It is a matter for state and territory governments to administer and enforce such legislation and codes. This is not the responsibility of pet shop owners or shopping centre owners. Pet shops are also regulated by specific mandatory [codes of practice](#) designed to protect the health and welfare of their animals. Reputable pet shops are also members of the [Pet Industry Association](#) – and display their accreditation – and this requires PIA members to conform to its own [national code of practice](#) which addresses inhumane breeding practices. The NSW Government has advised that only around 10-11% of dogs and cats are sold from pet shops so a reasonable estimation is that only 3-4% are sold from shopping centres. The closure of pet shops would mean these animals would more likely be bought and sold by backyard operators, where the opportunity for animal welfare regulation and scrutiny is much less than is the case with pet shops, particularly those in centres.

CONSULTATION ON NGER (MEASUREMENT) AMENDMENT DETERMINATION 2014

The Department of the Environment has released a [draft amendment](#) to the *National Greenhouse and Energy Reporting (Measurement) Determination 2008*, to apply from the 2014-15 reporting year and affect NGER reports to be submitted in October 2015. Consultation closes on 5 June 2014.