



# SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE  
COUNCIL OF AUSTRALIA

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## **NONSENSICAL OBJECTIONS TO REMOVING UNNECESSARY BUSINESS RED TAPE**

Taxpayers in NSW would be horrified to learn their taxes are being used to protect large, professional commercial property-owning companies (such as AMP Capital Investors and DEXUS) from their property managers, even when that property manager is a 'related entity'. These companies don't need this costly protection and [want to be rid of it](#). But the NSW Small Business Commissioner apparently knows better than the CEOs of these companies about what's best for their investors. The OSBC (and the Law Society) – bodies that have never met a regulation they didn't like – are now [inventing reasons](#) to object to proposals to exempt 'related entity' management companies and those managing for 'large commercial property owners' from real estate agents' licensing and regulation. This is despite Queensland and Victoria taking action to remove this unnecessary red tape ([Shop Talk 8/5/14](#) & [30/1/14](#)) and despite the OSBC conceding the real estate agents license has no relevance for commercial agency work. If the OSBC and the Law Society can't agree to the removal of regulation which protects companies with billions of dollars of commercial property assets, are they ever likely to agree to any reduction in regulation?

The exemptions are also being opposed by the REINSW. This is despite the fact that the REI does not represent these property owners and the small commercial real estate agencies, which are members of the REI, will not be impacted by the exemptions. The REINSW loves licensing (and wants more of it) because it sees it as limiting competition in the property management industry. The REINSW, mistakenly, fears this is a first step in the deregulation of commercial agency work. It is happy for the cost of business in NSW to be \$4 million a year more than it needs to be simply to maintain barriers to entry to its industry. This contrasts with the REI Queensland, which has supported similar exemptions, provided smaller commercial agencies are adequately protected (which they are).

## **TICKETS TO SYDNEY LUNCHEON WITH ICSC CHAIRMAN ON 15 AUGUST 2014 ON SALE**

Tickets are now on sale to the Sydney [industry luncheon](#) on Friday 15 August 2014 to be addressed by the Chairman of the International Council of Shopping Centers, [Robert \(Bob\) Welanetz](#). The theme of the address is: "*The Shopping Centre Industry, Constant Change and Evolution: An International Perspective*". Bob Welanetz, currently an adviser to Blackstone Real Estate Partners, has vast experience in the shopping centre industry in the USA and in Asia ([Shop Talk 5/6/14](#)). His address will be followed by a panel discussion which will also include Michael Kercheval, CEO of ICSC. Click [here](#) to book tickets to the luncheon. *SCN (Shopping Centre News)* is our media partner for this event.

## **COMPETITION REVIEW LEADS TO SILLY CLAIMS ABOUT PLANNING AND ZONING**

The [Competition Policy Review](#) has inevitably thrown up the usual silly claims by some bodies about planning laws and competition. The NSW Business Chamber, in a submission, has simply lifted an absurd claim by the Australian Retailers Association that "where a general retail shopping centre is permitted, there is invariably an exclusive zoning which excludes any further development of a competing shopping centre in a similar area". Where is the planning scheme in Australia that provides that? No evidence is provided by the Business Chamber (or the ARA) to back up this claim but the Chamber then claims this means shopping centre landlords "can simply operate on a 'take it or leave it' basis" with tenants. That must come as a surprise to, say, Williams Sonoma which has opened trading in Oxford Street, just outside Westfield Bondi Junction. It must also come as a shock to ISPT's Eastgate Shopping Centre, almost opposite Westfield Bondi Junction, to learn that it apparently doesn't exist. Claims such as this, with no supporting evidence, contribute nothing to the planning debate and simply discredit organisations such as the NSW Business Chamber.