



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Thursday 9 April 2015

[Previous Editions](#)

NSW MINISTERS AND SHADOW MINISTERS NAMED FOLLOWING COALITION VICTORY

Following the recent election victory for the Mike Baird-led Coalition in NSW, both the Government and the Opposition have appointed their Cabinets. In a significant shake up for the Government, Rob Stokes has been appointed as the Minister for Planning and Victor Dominello as the Minister for Innovation and Better Regulation (which we understand to be the former Fair Trading portfolio). Gladys Berejiklian, the Treasurer and the Minister for Industrial Relations, will assume responsibility for progressing the Government's pre-election commitment to reform Boxing Day trading restrictions ([Shop Talk 5/3/15](#)) and John Barilaro remains the Minister for Small Business. The Shadow Minister for Planning is Penny Sharpe (subject to her regaining her seat in the Legislative Council) and the Shadow Minister for Industrial Relations is Adam Searle. David Harris, a returning Member of Parliament following the loss of his seat in 2011, has been appointed Shadow Minister for Small Business. NSW Parliament resumes on 5 May.

SUBMISSION LODGED WITH PRODUCTIVITY COMMISSION ON WORKPLACE RELATIONS

The SCCA has lodged a brief [submission](#) with the Productivity Commission on its inquiry into Australia's workplace relations framework. The submission focusses on the interdependencies between a functioning and profitable retail sector, a fair and efficient cleaning sector, and the vibrancy and profitability of shopping centres. It is anticipated that this will assist the Commission to construct recommendations which give due consideration to the broader economic and business impacts of the workplace relations system and appropriately consider issues beyond the fundamental employer/employee relationship. The Commission's draft report is due in July and its final report in November.

SUBMISSION ON SMALL BUSINESS AND FAMILY ENTERPRISE OMBUDSMAN BILL

The SCCA has lodged a [submission](#) on the exposure draft of the [Australian Small Business and Family Enterprise Ombudsman Bill 2015](#) ([Shop Talk 19/3/15](#)). The Ombudsman, once the Bill is passed, will replace the Australian Small Business Commissioner. In our submission we have argued that the proposed definition of a 'small business', including as a business employing up to 99 employees, is excessive. On this definition - which is out of kilter with the definitions used by the Australian Bureau of Statistics and the Australian Tax Office - more than 97.3% of Australian businesses could be regarded as a 'small business'. We have also argued, in order to avoid duplication with the states, that the Bill should exclude from the Ombudsman's dispute resolution functions any dispute which relates to a lease which is regulated by a state or territory retail tenancy law. This is also appropriate given that the powers allocated to the Ombudsman to resolve disputes appear to be very limited. We have also argued for a limitation on the Ombudsman's powers to conduct inquiries on his/her own initiative. Finally we have queried the use of the term 'Ombudsman' in the position's title. We believe this could cause confusion with the functions of the Australian Ombudsman and is inappropriate given the position's main functions are not really ombudsman-type functions.

PROPERTY COUNCIL NSW TO HOST A HALF-DAY RETAIL FORUM IN MAY

The Property Council of Australia, NSW Division, is holding a half-day Retail Forum at Luna Park in Sydney on 15 May 2015. Peter Birtles, CEO of the Super Retail Group, is the keynote speaker and the program also features a range of prominent shopping centre experts, as well as retailing and shopping centre analysts. Further details are [here](#).