

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

FRIDAY 3 NOVEMBER 2017

[SUBSCRIBE HERE](#)

ACCC PROPOSES TO REAUTHORISE CASUAL MALL LICENSING CODE OF PRACTICE

The Australian Competition and Consumer Commission (ACCC) has [released](#) a Draft Determination proposing to re-authorise the Casual Mall Licensing Code of Practice for a further three years – to 31 December 2020. The Code, which regulates the terms for the granting of casual licenses to temporary retailers, has been a joint industry initiative between the Shopping Centre Council and key retailer associations since its initial authorisation by the ACCC in 2007. ACCC Deputy Chair, Dr Michael Schaper, has [noted](#) concerns raised by some retailer groups with the Code, and “strongly encourages the Shopping Centre Council to increase retailer representation” on the Code’s Administration Committee, and that the ACCC considers that “the effectiveness of the Committee would be improved by appointing an independent chair”. In anticipation that a Final Determination may not be issued prior to the expiration of the current authorisation, on 31 December 2017, the ACCC has also granted interim authorisation for current arrangements to continue to allow sufficient time for all consultation and evaluation to be completed. The Shopping Centre Council acknowledges the ACCC, and Deputy Chair Dr Schaper, for their engagement on this issue.

WA GOVERNMENT ANNOUNCES EXTENDED CHRISTMAS TRADING HOURS

The Western Australian Minister for Commerce and Industrial Relations, the Hon Bill Johnston MLA, today [announced](#) extended trading hours for the 2017 Christmas period across the Perth metropolitan area. Commencing on 5 December, the extended hours include weekday trading from 7am-9pm (normally 8am-9pm), Saturday trading from 7am-6pm (normally 8am-5pm) and Sunday and public holiday trading from 8am-6pm (normally 11am-5pm). There will be three ‘extended’ Sunday trading days before Christmas this year; unlike two in 2016. The Shopping Centre Council [welcomes](#) Minister Johnston’s decision, which broadly aligns with our submission to the Government earlier this year.

PRODUCTIVITY COMMISSION REVIEW: FAMILIAR RECOMMENDATIONS

The Productivity Commission recently [released](#) the final report on its 5-year ‘Productivity Review’; *Shifting the Dial*. There are many familiar recommendations in specific relation to our sector, some of which broadly reflect recommendations made in the Harper Competition Review ([Shop Talk 1/4/15](#)). The Commission has made some flimsy commentary, and associated recommendations, in relation to land-use planning, including a bizarre (and flawed) claim in relation to shopping centres. In any case, the Commission’s commentary flies in the face of recently released planning strategies, such as the *Draft Greater Sydney Regional Plan*; released by Greater Sydney Commission Chief Commissioner Lucy Turnbull AO. In addition to its commentary on land-use planning, is a recommendation that ‘State and Territory Governments should move from stamp duties on residential and commercial properties to a broad-based land tax on the unimproved value of land’. (We’ve noticed several groups jumping on this bandwagon). While theoretically ‘efficient’, much of the issues associated with land-based taxes are frequently overlooked. To put it mildly, we simply don’t trust the rhetoric or theory of such so-called taxation reform.

WA GOVERNMENT ANNOUNCES REVIEW OF COMMUNITY PHARMACY OWNERSHIP

The Western Australian Government has [announced](#) a Review of Community Pharmacy Ownership. The Review will consider whether current regulations are sufficient to support and protect community pharmacy ownership. The [Discussion Paper](#) recognises the King Review’s role into pharmacy location rules and notes that the Western Australian Government “has no role in PBS-pharmacy location rules” ([Shop Talk 30/6/17](#)). Deputy Premier and Minister for Health, the Hon Roger Cook MLA, noted the impact of large ‘chain’ pharmacies on the sector, and stated that the Government wants to ensure that their regulatory role is “...keeping pace with the times”. Consultation closes on 8 December 2017, with the report due to Government by the end of March 2018.

[PREVIOUS ISSUES](#)