



SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

SHOPPING CENTRE
COUNCIL OF AUSTRALIA

Friday 1 November 2013

[Previous Editions](#)

NSW PLANNING BILL RUNS INTO TROUBLE IN THE LEGISLATIVE COUNCIL

The *Planning Bill 2013* this week passed the NSW Legislative Assembly ([Shop Talk 24/10/13](#)). The passage of the Bill is likely to be rocky in the Legislative Council after the Labor Opposition announced that it would not support the Bill and would seek 'heavy amendment' to the Bill in the Upper House. With the Government reliant on minor party support in the Upper House, and with the Greens also very critical of the Bill, its passage through the Legislative Council is now problematic.

MORE DETAIL ON BUSINESS-TO-BUSINESS CONTRACT REGULATION RELEASED

The Federal Government gave little detail before the election on how it proposed to regulate unfair contracts in business-to-business contracts. Small Business Minister, Bruce Billson MP, in a [speech](#) this week, revealed that he apparently sees this as simply a minor amendment to the unfair contract regulation of business-to-consumer contracts, currently contained in Part 2-3 (Schedule 2) of the *Competition and Consumer Act*. This is unlikely to be such a simple exercise, however. Much of the current regulatory provisions (such as 'standard form contracts' and 'upfront prices') have little relevance in business-to-business contracts. Standard leases (contracts) are commonly used in high streets and shopping strips but rarely in shopping centres. Indeed the use of standard leases is often encouraged by state governments since these save costs for small landlords and small tenants by avoiding long, drawn out negotiations. Retail leases should be exempted from the proposed new law since these are already heavily regulated by state and territory retail tenancy legislation. If not, there will be 'double regulation' and a massive increase in administration and compliance costs. Fortunately Mr Billson acknowledged in his speech a "thorough consultation process is going to be essential if we all want to get this reform right".

CFSGAM WINS CAMPAIGN OF THE YEAR IN SHOPPING CENTRE MARKETING AWARDS

Congratulations to Colonial First State Global Asset Management (Kelly Price), which won the 'Campaign of the Year' at the 2013 *Australia and New Zealand Shopping Centre Marketing Awards Dinner* last night. Kelly received a cheque for \$20,000, donated by the Shopping Centre Council of Australia, to be spent on professional development. CFSGAM won the award for the marketing campaign, 'Sex and the City', at Chadstone-The Fashion Capital, which the judges described as "a well delivered, well integrated campaign executed with the target market in mind and with clear messaging and objectives". The judges also noted the campaign had delivered strong results. This campaign also won the 'Big Guns - Sales Promotion' Category. (The campaign with the highest overall points awarded by the judges is the 'Campaign of the Year'). Congratulations also to Mirvac (Adeline Chin) for the 'Be You' campaign at Broadway Shopping Centre, which was the Runner Up for the 'Campaign of the Year' Award. This campaign was also the Winner of the 'Big Guns - Branding/Repositioning' Category. A full list of the category winners and runners up is available [here](#). We would like to congratulate all finalists and to thank the marketing teams at the 98 shopping centres which entered the awards, comprising a total of 137 entries, and made the 2013 awards such a success.

NRA RELEASES GUIDE TO CHRISTMAS-NEW YEAR TRADING HOURS AND HOLIDAYS

The National Retail Association has released a comprehensive [Guide](#) to '2013-14 Christmas and New Year's Trading Hours and Public Holidays'. Incidentally, the arrangements in Victoria, Tasmania and the Territories can be explained in one page or less. Queensland and NSW, both States which have supposedly declared war on unnecessary red tape, take 7 pages and 6 pages, respectively, to explain!