

SHOP TALK

ISSUES AND NEWS AFFECTING THE AUSTRALIAN SHOPPING CENTRE INDUSTRY

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NEW SOUTH WALES RETAIL EXPERT ADVISORY COMMITTEE REPORT RELEASED

This week, the New South Wales Government [released](#) the [report](#) of the Retail Expert Advisory Committee (REAC) on retail planning reform ([Shop Talk 17/6/16](#)). The Minister for Planning, Anthony Roberts MP, has accepted the REAC's recommendations. The REAC was established by then Planning Minister, Rob Stokes MP, in mid-2016. It was chaired by the New South Wales Chief Planner, Gary White, and also involved Patricia Forsythe, the Executive Director of the Sydney Business Chamber. Across five recommendations, the report positively notes that activity centres should remain the core focus for retail, and the need for shopping centres to be able to evolve. It has also proposed that 'out-of-centre' regulation be amended. The REAC process left a lot to be desired, with close to 18-months of frustrating and ad-hoc consultation. Some of the commentary and recommendations in the report also confuses the work of other arms of the Government. Some of the claims in the report are flimsy, outdated, and hardly set a strong basis for reform. Some statements also reveal a poor understanding of competition-related policy issues. The REAC has suggested a staged 12-month implementation period for the proposed 'reforms'. This is already underway, with the first stage of implementation [announced](#) parallel to the release of the report this week, which relates to a proposed amendment to the definition of 'bulky goods premises'.

PRODUCTIVITY COMMISSION BACKS GST LVT VENDOR COLLECTION MODEL

The Productivity Commission has [released](#) its Inquiry [Report](#) on *Collection Models for GST on Low Value Imported Goods*, supporting the legislated 'vendor collection model' ([Shop Talk 11/8/17](#)). The Report should be the final piece of the puzzle for what has been nearly seven years of policy deliberation on this issue ([Shop Talk 23/12/10](#)). The Commission has flagged some potential improvements to the design of the legislated model and its enforcement strategy, but noted these should be considered as part of a suggested five-year review.

NEW SOUTH WALES BOXING DAY TRADING: COMPLIANCE FOR LANDLORDS AND RETAILERS

All landlords and retailers in New South Wales are reminded that: 1) shops cannot be forced to open, and 2) workers cannot be coerced, harassed, threatened or intimidated to work on Boxing Day ([Shop Talk 22/9/17](#)). These requirements stem from the passage of the *Retail Trading Amendment (Boxing Day) Bill 2017*, allowing for widespread trading on Boxing Day in New South Wales. The Government has launched a dedicated [web-page](#) on the reforms which has various pieces of information to assist landlords and retailers to prepare and understand their rights and obligations surrounding Boxing Day trade. The web-page also provides details of a [hotline](#) and web-portal set up to encourage people to report any breaches or concerns. We strongly encourage all landlords to communicate and engage with their retailers to ensure that they are fully aware that they can choose to open. A condition of the passage of the legislation, via the Upper House, was a Parliamentary Inquiry on the reforms which will commence in October 2019. The Opposition committed to repealing the legislation if elected at the March 2019 election.

SOUTH AUSTRALIAN REAL ESTATE LICENSING EXEMPTION NOW IN EFFECT

A reminder that the South Australia *Land Agents (Simplify No 2) Variation Regulations 2017* came into effect last week, on 1 November, following the gazettal of an amendment regulation in August as part of the 'Simplify Day' reforms ([Shop Talk 11/8/17](#)). The amendment exempts certain commercial property owners from needing a real estate license for affiliated entities or properties over \$10 million market value or over 10,000 square metres of floor space. The changes bring South Australia in line with other states which have made similar reforms, namely New South Wales and Queensland ([Shop Talk 4/8/16](#)). We congratulate the South Australian Government, particularly the Deputy Premier and Minister for Consumer and Business Services, the Hon John Rau MP, and his Department, for progressing this sensible red-tape reduction initiative.

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