




Speech By  
**Mark Boothman**

**MEMBER FOR ALBERT**

---

Record of Proceedings, 10 May 2016

**RETAIL SHOP LEASES AMENDMENT BILL**

 **Mr BOOTHMAN** (Albert—LNP) (4.19 pm): I rise to make a contribution to the debate of the Retail Shop Leases Amendment Bill 2015. To highlight the comments by the member for Chatsworth, this bill was originally introduced back in November 2014 by the previous attorney-general, Jarrod Bleijie. This piece of legislation is pretty much a rehash of that legislation, the drafting of which commenced during a statutory review of the act back in 2011. As a member of the committee, I want to thank my fellow committee members, our chair and the secretariat. I would also like to thank the former member for Toowoomba South, John McVeigh. This piece of legislation has been on the *Notice Paper* for quite some time. In the original speech I wrote I had his name all over it and I wished him well.

Like many electorates, the Albert electorate is made up of an enormous number of small businesses. According to the Australian Bureau of Statistics register, back in 2013-14 there were 4,955 small businesses in my district. Of those, 1,371 were in the construction industry. It could be said that my electorate is the home of the tradie and the construction industry. When it comes to the bill itself, I was speaking to one of my local businesses, a little cafe. I can certainly say that this little cafe makes the best coffee but they also make the best lime milkshakes. They are absolutely divine.

**Ms Grace:** I'll beat you.

**Mr BOOTHMAN:** We will have a competition.

One of the biggest steps that these individuals ever made was entering into a contract to lease a premises for their cafe. They said it was one of the scariest things they have done in their lives. That is why this piece of legislation is so critical. It addresses the imbalance in the negotiating power and gives them access to information to help them understand their rights. It provides minimum standards for retail shop leases and also provides a low-cost dispute resolution process. It helps take the fear out of making this huge decision. They have only just started their small cafe and they said to me recently, 'When we embarked on this process we had no idea. It was terrifying for us. Were we going to be paying for the costs of refitting the shop if the lease was terminated?' That is something that is addressed in this bill we are discussing today. Once the lease has ended, they have no more responsibility for that property, and it says that clearly in this legislation.

Another provision of the bill which affects my local businesses is that which deals with the size of the premises. This legislation is targeted at premises of 1,000 square metres and there are a lot of shops in my local area which would be well and truly over that. Because my electorate is in the growth corridor of the northern Gold Coast, we have an enormous amount of industry being set up as we speak and with that industry comes a lot of commercial businesses. It states in this legislation that there is a clear divide between premises of 1,000 square metres or over, which are exempt from this legislation, and those that are under.

The legislation also requires a lessor to provide a breakdown of the centre management fees. I was speaking to a restaurateur recently to get his viewpoint when we were discussing this legislation in the committee and he said, 'I have to pay so much money for the advertising board out the front. The problem for me is that it can vary.' He stated that he was not very happy with his landlord but he had no other choice but to pay it. At least this legislation will help him to know exactly what types of fees will be charged to ensure that he is not blindsided by his landlord. It adds those protections.

Most importantly, I thank the current Attorney-General and also the previous attorney-general for pursuing the matter of red-tape reduction, making the lives of my local businesses that little bit easier when it comes to getting involved in leases. I can certainly say that local businesses, especially operators of little shopfronts, are very appreciative of this legislation. It does please me that this legislation has finally made it to the House so that it can be passed. I will end my contribution there.