



Speech by

JOHN MICKEL

MEMBER FOR LOGAN

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RETAIL SHOP LEASES AMENDMENT BILL

Mr MICKEL (Logan—ALP) (4.45 p.m.): I agree with certain aspects of what the member for Gladstone said, and I will come back to that in a moment. The primary objective of this legislation is to promote efficiency and equity in the conduct of certain retail businesses in Queensland through the provision of mandatory minimum standards for retail shop leases and a low-cost dispute resolution process for retail tenancy disputes. Specifically, the three amendments serve to improve the efficiency of the Act by, firstly, providing the Retail Shop Leases Tribunal with the ability to deal effectively with frivolous or vexatious claims, thereby enhancing the effectiveness of the operation of the dispute resolution process; secondly, to clarify the basis for rent reviews; and, thirdly, to restrict rent reviews to once every 12 months and, therefore, to provide a degree of certainty about the outcome of rent review negotiations.

The main improvements in this Bill are that the tribunal may order costs to be paid in certain cases where vexatious claims are made where the intention is clearly to prolong or impede access to justice rather than to genuinely resolve a dispute. Also, another improvement is that the rent reviews are restricted, as I said, to once yearly. Therefore, it provides a degree of certainty to those small businesses that face rent reviews. The rent may be reviewed using different bases during the term of the lease, but only one basis may be used for each review. To that extent, this is a magnificent improvement which I know has the support of both sides of the House.

I wish to address a valid point made by the member for Gladstone. I wish to speak about the shopping centre in which my electorate office is located. This example highlights the situation about which the member for Gladstone was speaking. As the member for Gladstone pointed out, it is customary for any centre to have a major tenant. At my shopping centre, that major tenant is Coles. It is also a major employer. As the Minister knows, in my electorate office I am always trying to help out everyone in my electorate. It is unfortunate that Coles is so predatory in its business dealings.

For example, there is a newsagency in my shopping centre. Of course, Coles also sells stationery, but at a lower price, which forces a reduction in the profit margin of the newsagency. The member for Gladstone touched on the ethos that small shops provide. I can relate to that. There are two coffee shops in that centre. They are operated by cheery hardworking people who provide a friendly service and a community contact for many people. In fact, I look upon it as my mini radio station; it tells me exactly what is going on in my area.

A similar situation exists with respect to the delicatessen and the butcher shop. Last week, the people in the tobacco shop told me that Coles staff come in on a fairly regular basis, find out what their prices are and then undercut them. I notice that a fair bit has been said about supermarkets controlling liquor outlets. Even the Liquorland outlet in my shopping centre is a subsidiary of Coles. I take the point that the member for Lytton raised earlier: my business is about the only business in the area that is not a subsidiary of Coles.

I also want to bring to the Minister's attention—and I know that he knows the area very well—the work being carried out by his department, which is based in Springwood, on the Browns Plains Road interchange. It is a substantial undertaking—well ahead of schedule—but inevitably it has disrupted trade for the retail sector in the Browns Plains area. I understand that the Minister's officers went through the area prior to the construction, urging businesses to get their business plans in order so that

they could adapt to the changing circumstances. The officers have certainly been diligent in following up any cases I have referred to them.

The point is this: as the roadworks near completion prior to Christmas, I hope that the Transport Minister's department—I notice that the Minister for Transport is in the House at the moment—can work together with the Minister at the table with signage and business zones to help attract patronage to some of the retail sectors that have been affected by that road development. As the Minister knows only too well, the Logan west district is the centre of population growth for the Brisbane south zone, the Logan area and, of course, the northern part of the Beaudesert Shire. Freight distribution in the area will be a major employer, with Coles Myer in the Archerfield electorate and Davids, which is also now in the Kingston/Loganlea area in the Waterford electorate. They are major employers, so the residents of my electorate are dependent upon a vibrant small business and retail sector.

The Minister has a long history of success in running a small business. He knows the joys and anguish which go with it. This Government is a supporter of small business. That is why we support this Bill in a bipartisan way, and I commend it to the House.
