



Speech by

**PAUL LUCAS MLA**

**MEMBER FOR LYTTON**

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Hansard 28 April 1999

**RETAIL SHOP LEASES AMENDMENT BILL**

**Mr LUCAS** (Lytton—ALP) (4.51 p.m.): It gives me great pleasure to speak in relation to the Retail Shop Leases Amendment Bill. It is a Bill to which I have given a lot of consideration. Certainly it is a Bill that is very important to a lot of small business proprietors, particularly in my electorate. I am fortunate that my electorate is one of the urban electorates that still has a significant main street shopping precinct. I must compliment the Minister. In fact, a number of his staff members—Frank Green in particular and Peter Wadley as well—have spent a lot of time in my local area recently assisting the Wynnum Chamber of Commerce to assess its future direction.

**A Government member** interjected.

**Mr LUCAS:** He is a good man.

Of course, one of the problems with the older, main street style of retail shopping centre is that, for the past 20 or 30 years, there has been a tendency towards shopping malls. I was fortunate enough last year to represent the Minister for Public Works and Minister for Housing at the opening of a conference. I think it was called City Image 98. I heard a very interesting speaker from the United States, an architect from Florida, who indicated that in that country the trend is actually away from mall-type shopping centres—the mall design which has a large monolith that is zoned shops, then a road next to it, the a housing zone, then a park and then a precinct zoned commercial. The tendency in that country is to break up those large shopping centres and go back to the traditional main street style of shopping.

That really does bode well for areas such as Wynnum Central, because it has some natural advantages. If one looks back to the traditional shopping centres, one can still see some of them in Paddington where shops were on the ground floor with a family living above the shop. I notice that the member for Clayfield is nodding. I used to work in Racecourse Road in his electorate.

**Mr Elder:** I bet you kept that quiet.

**Mr LUCAS:** No, it was a great pleasure to work there in a good Labor law firm representing the decent working folk of that area.

**Mr Santoro:** I know one of the principals very well. He is a fine fellow.

**Mr LUCAS:** Yes, he knows the member, too. It was a great pleasure to work there. Our landlords at the time—the Georgas family—ran the fruit shop below us. They were very much the traditional style of shopkeepers. On a Sunday afternoon, we would often see them out the front having a cup of coffee and a discussion. That is really what one thinks of as the traditional sort of shopping district. In a lot of respects there is a lot to be said for going back to that style. At Wynnum Central, for example, we have a lot of very hardworking shop owners. Unfortunately, a lot of them rent their premises and a lot of the landlords are absentee landlords, and they do not always have the same sort of commitment to the local area that the shopkeepers do.

Some shops in my area were designed with housing above them, but most of them were not, although they are still main street sorts of shops. Certainly, the Brisbane City Council at present is looking at a local area plan for the Wynnum Manly area. One of the suggestions that it could take up—and it is along the lines of what this architect from Florida whom I mentioned earlier was talking about—is to increase the density by saying to developers, "Look, you are allowed to have one or two

residential properties above the shops." They could have a balcony over an awning. It is very important, I think, in a place such as Queensland that we bring back the awning so that people do not get soaked or burnt to bits in summer and so that they can sit down or stroll in the shade.

**Mr Wilson** interjected.

**Mr LUCAS:** And have a seat to sit on, as the member for Ferny Grove points out. It is very important that we do all that we can to encourage that style of development. Let us face it, owners of properties obviously have to make a commercial return on their properties. If we can look at increasing the density to allow some housing above their shops, then we can increase the return to them and also allow them to invest more money in the shops for the betterment of the area. I think there is a lot to be said for doing that.

One of the clauses that I want to speak on—and I have had a significant and substantial discussion with the member for Logan in relation to it—deals with ratchet clauses. They are one of the most insidious forms of lease terms. I am very glad to see that definite steps are being taken in that area. It is very, very important that we do address that problem.

It gives me great pleasure to support this legislation. I know that the Minister is very committed to the sector. Often, we hear bleating from the other side of the House when we talk about primary industries issues, along the lines of: what would we know about that sort of stuff. When we are dealing with law issues, I never get up and ask what would people who do not have a legal background or have not acted for victims of crime know about that. I am a little bit more consistent, but I will say this about the Minister: he has a strong small business background as the proprietor of a small business—

**Mr Mickel:** A very successful small business.

**Mr LUCAS:**—and a very successful proprietor, and he has a real knowledge of and is accepted within the business community, and the small business community in particular. I give him credit for that. I suppose the difference on our side of the House is that we have a very broad range of experience. It adds to the ability of those on this side of the House to represent people, but, unlike some other people, we do not claim to know it all because we represent particular areas. I would like to commend the Bill to the House and commend the Minister for his very good work in the area.

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