



Speech by

**Hon. K. LINGARD**

**MEMBER FOR BEAUDESERT**

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Hansard 13 May 2003

**SOUTH BANK CORPORATION AND OTHER ACTS AMENDMENT BILL**

**Hon. K. R. LINGARD** (Beaudesert—NPA) (3.45 p.m.): The opposition supports the South Bank Corporation and Other Acts Amendment Bill 2003. As most of us are aware, the South Bank Corporation Act established the corporation in 1989 to facilitate the development of land and other property associated with the former site of Expo 88. That period as a backbencher was probably one of the most exciting that I have ever experienced and one that not many backbenchers will experience. There was never any thought that Queensland was to host Expo 88. It was supposed to go to a southern state. But at 1 o'clock one morning the Prime Minister contacted Joh Bjelke-Petersen and at 9 o'clock the next morning at a party room meeting the Premier announced that he had been offered Expo and asked if anyone disagreed with Queensland hosting it. Of course we were all gobsmacked and within seconds he said, 'Thankyou. I take that as unanimous support.' He closed the meeting and went outside and held a media conference.

Then it was a matter of how we ran Expo and exactly what was going to happen. The biggest problem was that all of that land on South Bank had to be resumed and somehow or other the government had to pay for it. The idea was that with that land being resumed it would then be resold after being rezoned and would obviously bring in a fair profit which could be used to run Expo. One of the most amazing things to happen during Expo was the fact that the land virtually became God's own country because Queenslanders adopted and accepted the Expo site. Any thought that we could sell that land to private developers after Expo was not acceptable to the Queensland public. Therefore, new legislation had to be brought in for a new way of running South Bank. To be quite honest, I think it has been to the benefit of Queenslanders that this was not a site developed for private enterprise and that it became a public site. The difficulty has been in repaying the massive cost of land that had to be resumed for Expo. I travelled to Vancouver and saw the exact same thing happen there as well—that is, its government thought it would resell the land but it just was not possible. The people of the area said, 'No. We want to keep that site,' and that is exactly what has happened in Queensland.

South Bank today is a key landmark in Brisbane's landscape and plays a vital role in contributing to the lifestyle quality of many Queenslanders. Anyone who walks around the area of Dockside and Kangaroo Point would appreciate the amazing facilities as they come around to the South Bank area. However, management of South Bank has been plagued with problems in all that period. We know of at least 13 businesses that have gone bust and seven businesses have indicated the possibility of legal action. I would hope that this bill will contribute to alleviating some of these problems. I note that one of the primary roles of this bill is to amend the act to refer to the corporation's current role as manager of public space and property manager. Whilst this sounds like a very benign amendment, this does draw some queries about the current role of Byvan.

To refresh everyone's memory, I point out that an announcement was made in February 2001 that the South Bank Corporation had appointed the retail property specialist Byvan to manage the South Bank site. Subsequently, Byvan was given a full property management and marketing brief. In light of these new amendments, the question remains as to what role Byvan currently takes in South Bank. Who is responsible for property management at South Bank—Byvan or South Bank Corporation? If Byvan is responsible for property management at South Bank, what requirement is there for these amendments? If South Bank Corporation does not have the primary role, why have we

seen staffing numbers escalate over the past two years? In 2000-01, South Bank Corporation employed 59 staff. Over the past two years this number has blown out to 67.

New provisions are inserted to provide for a corporation board and the appropriate powers associated with that role. Further, minor amendments are inserted to clarify the corporation's role as a statutory body. I note that there is also provision for the minister to request criminal history checks on proposed board members. This amendment then poses the question: what prompted this amendment? Is the Premier aware of any criminal records of current or former board members and why this section is in the legislation?

There are a number of amendments to the Residential Tenancies Act 1994 and the Retail Shop Leases Act 1994 that essentially provide that the act does not apply to long-term leases entered into or granted by the corporation, even if the lease is for the purpose of residential accommodation. The application of the Retail Shop Leases Act is significant because it will now give tenants of South Bank Parklands an affordable avenue to address grievances against the corporation.

There have been some concerns relating to the time frame of these amendments. I seek leave to have incorporated in *Hansard* a letter from the Premier stating that these changes to the act would be implemented by early 2002.

Leave granted.

Premier of Queensland

14 Sep 2001

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Thank you for your letter of 17 August 2001 concerning the application of the Retail Shop Leases Act (RSLA) to tenants of the South Bank Parklands.

I am pleased to advise you the South Bank Corporation Act 1989 will be amended to remove the current exemption and these changes to the Act will be implemented by early 2002.

In the meantime, I understand that the South Bank Corporation is ensuring all leases in the Parklands precinct reflect the principles and objectives of the RSLA.

I would also like to thank you for your efforts in assisting both the Corporation and retailers resolve their issues and continue to promote the precinct as an important and vibrant part of Brisbane.

Yours sincerely

(sgd)

Peter Beattie MP

Premier and Minister for Trade

**Mr LINGARD:** Therefore, the Premier has a duty to explain why these amendments were delayed for over one year and what actions he has undertaken to provide assurances for South Bank lessees. It is understood that the Retail Shop Leases Act 1994 will now apply to leases in the parklands except in the case of long-term leases with options of more than 100 years. However, it has not yet been explained why the act was limited in the case of long-term leases and it is yet to be determined how these changes will affect subleases in the case of the corporation granting a long-term lease.

A number of other sensible amendments have been included in this bill that contribute to the updating and modernisation of South Bank. The town planning provisions are updated to replicate the development and approval processes required by the Integrated Planning Act 1997 and to provide for a development scheme that is consistent with the IPA. It also removes any reference to the Local Government (Planning and Environment) Act 1990. The aim of this process is to aid the integration of the precinct into the Brisbane City plan when development is complete. New definitions are inserted for the commercial precinct, which includes provision for development sites. There is provision for minor boundary adjustments to be made with the appropriate approval, if considered necessary, for the purposes of development. The bill clarifies that the corporation will enter into an agreement with the Brisbane City Council for the payment of moneys for rates on land owned by the corporation.

The bill expands the provisions relating to roads in the corporation area. It also deletes the traffic plan for the area, as this is no longer deemed necessary. There is a transferral of the provisions relating to the appointment, powers and operation of security officers in the corporation area from the by-law into the act.

In advance, I thank the Premier for providing these additional details on the matters that we have raised. The opposition commends the bill and supports the transformation of South Bank into an area that is widely used by the public. As we travel over the James Cook Bridge and look to the left, we see the vista of the magnificent South Bank Parklands, which offers a positive approach for visitors driving into Brisbane.