

# STATEMENT OF AFFAIRS

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south bank  
corporation

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## 1 Introduction

This Statement of Affairs fulfils the requirements of Section 18 of the *Freedom of Information Act 1992* (“FOI Act”).

The purpose of this Statement of Affairs is to assist members of the community seeking information which may be held by South Bank Corporation. The FOI Act confers a general right of access to documents held by the Corporation, subject to certain limitations, whether or not they relate to the personal affairs of the applicant. This document contains information about the Corporation, the types of documents it holds, and the steps required to be taken to obtain access to documents. Where information relating to a person’s personal affairs is incomplete, out-of-date, incorrect or misleading the statement also sets out the steps to be taken to seek amendment of that information.

## 2 Structure and functions of South Bank Corporation

### 2.1 Structure of South Bank Corporation

South Bank Corporation is a body corporate established by the Queensland Parliament under the *South Bank Corporation Act 1989* (South Bank Corporation Act). The Corporation came into existence on 8 May 1989 on gazettal of the commencement of provisions of the South Bank Corporation Act.

The organisational structure of South Bank Corporation is represented at Attachment A.

### 2.2 South Bank Corporation’s functions

The South Bank Corporation Act (section 25) provides that the Corporation shall fulfil the following functions:

- (a) to produce such plan or plans as may be necessary in relation to the “Corporation area” (which is defined by reference to a plan in Schedule 2 of the South Bank Corporation Act) in order to fulfil its objects (see following);
- (b) to promote, undertake, facilitate and control the development of land within the Corporation area in accordance with the Approved Development Plan;
- (c) to efficiently manage, and dispose by lease, land vested in or under the control of the Corporation under the Approved Development Plan so as to secure the maximum prudent financial benefit for the Corporation;
- (d) to efficiently manage and dispose of other property vested in or under the control of the Corporation so as to secure the maximum prudent financial benefit for the Corporation;
- (e) to manage on an ongoing basis all land and other property vested in or under the control of the Corporation so as to secure the maximum prudent financial benefit for the Corporation;
- (f) to promote, organise and conduct tourist, educational, recreational, entertainment, cultural and commercial activities in the Corporation area;
- (g) to construct, establish, maintain, develop and operate tourist, educational, recreational, entertainment, cultural and commercial facilities within the Corporation area;
- (h) to achieve, by the adoption of best practice principles, excellence and innovation in the management of open space and park areas; and
- (i) to carry out works for the purpose of landscaping the Corporation area.

For the purpose of fulfilling these functions, the Corporation may do all supplemental, incidental or consequential acts as may be necessary or expedient for the exercise of its functions.

The objects of the Corporation are:

- (a) to promote, facilitate carry out and control the development, disposal and management of land and other property within the Corporation area;
- (b) to achieve an appropriate balance between the Corporation’s commercial and non-commercial functions;
- (c) to ensure the Corporation area complements, rather than duplicates, other public use sites in the inner city Brisbane area;
- (d) to provide for a diverse range of recreational, cultural and educational pursuits for local, regional and international visitors;
- (e) to accommodate public events and entertainment that benefit the general community; and
- (f) to achieve excellence and innovation in the management of open spaces and park areas.

## 3 The ways in which South Bank Corporation’s functions (including its decision making functions) affect members of the community.

### 3.1 General

As a place maker and place manager with a mission to be “the best new urban precinct in the world”, the Corporation’s functions affect all members of the community who live, work, eat or enjoy recreation activities in, or who pass through, the Corporation area.

### 3.2 Approved Development Plan

As the planning authority for the Corporation area, the Corporation makes decisions which affect members of the community in its administration of the Approved Development Plan which regulates development of land in the Corporation area.

The Corporation can also propose amendments to the Approved Development Plan. If made, amendments to the Approved Development Plan affect members of the community by changing the requirements for development of land in the Corporation area. Under the South Bank Corporation Act, the Corporation must consult with the Brisbane City Council and obtain the Minister's ( the Premier's) approval in relation to an amendment to the Approved Development Plan. Members of the community may participate in this process (see section 4 below).

### 3.3 Management of the Corporation area

Decisions made by the Corporation in connection with the exercise of its management role in respect of the Corporation area affect members of the community in a variety of ways. The Corporation decides, for example:

- rules which apply in the Parkland;
- events which may be held in the Corporation area, the venues in which they may be held and the terms on which venues may be hired.
- how and when facilities in the Parklands may be used by the community, for example, sometimes those facilities may need to be closed for repair and maintenance purposes.

## 4 Arrangements that exist to enable members of the community to participate in formulation of South Bank Corporation's policy and exercise of South Bank Corporation's functions.

### 4.1 Amendment of the Approved Development Plan Members of the community may participate in the process for amending the Approved Development Plan.

Under section 35 of the South Bank Corporation Act, if the Minister (the Premier) approves an amendment the Corporation proposes making to the Approved Development Plan which the Minister considers is not of a minor nature, the Corporation is required to give public notice of the amendment by advertisement published in a newspaper circulating in Brisbane. The public notice must state that the Approved Development Plan is available for public inspection during normal working hours at the Corporation's offices for a period of 14 days from the date specified in the notice. During the inspection period, the Corporation must make available to the public free of charge a synopsis identifying the principal features of the proposed amendment. The Corporation may also make available for purchase, copies of the proposed amendment and supporting documentation, subject to conditions the Corporation determines.

During the inspection period, members of the community may make a submission to the Corporation on any matter concerning the proposed amendment. The submission must be in writing and delivered to the Corporation manager at the Corporation's offices during normal working hours. The Corporation is required to consider submissions made by members of the community, consult with the Brisbane City Council and prepare a report for the Minister which includes the Corporation's consideration of the submissions. After considering the report, the Minister may submit the report and the proposed amendments, with the Minister's recommendations, to the Governor in Council who may approve the proposed amendments with or without amendment, or reject it.

### 4.2 Volunteers program

The Corporation has established a volunteer program, providing the opportunity for members of the community to be involved in the exercise of the Corporation's functions. Volunteer Visitor Assistants will perform the following roles:

- Greeting and assisting guests coming into the Parklands; and
- Answering questions, offering directional assistance (for example, to attractions, services, restaurants and transport), providing general precinct information and distributing maps and event brochures.

### 4.3 South Bank Visitor Centre

The Corporation provides a Visitor Centre in the Corporation area which liaises directly with the public in relation to inquiries and the handling of complaints and comments.

A pre-printed form is provided for members of the public to register any comments regarding South Bank and its operation. These forms are reviewed promptly, providing a source of community feedback in the exercise of the Corporation's functions.

### 4.4 Telephone comments

Comments received by telephone regarding the exercise of the Corporation's functions are also noted on pre-printed forms, which are reviewed promptly to provide a source of community feedback in the exercise of the Corporation's functions.

### 4.5 Correspondence

Many members of the public also choose to write letters directly to the Corporation or email the Corporation at the address nominated on the Corporation's website at [http://www.southbankcorporation.com.au/contact\\_us](http://www.southbankcorporation.com.au/contact_us) regarding matters

concerning the exercise of the Corporation's functions, to give feedback in the exercise of the Corporation's functions.

#### 4.6 Complaints handling

The Corporation has implemented and trained staff on the Australian Standard ISO:10002 for Complaints Handling to better collate and respond to complaints from various stakeholders including visitors, residents and precinct partners in relation to a range of issues.

## 5 Description of the various kinds of documents that are usually held by South Bank Corporation

### 5.1 General

The Corporation generates and has in its custody a wide range of documents throughout its organisational structure. The majority of documents are held at the Corporation's offices at Level 3, South Bank House, Stanley Street Plaza, South Bank. The Corporation has a central filing system. In addition, each department identified in the organisational structure diagram holds documents pertaining to its area of responsibility.

Following is a general description of the types of documents usually held by the Corporation:

#### (a) Official documents

- **Legislation**

The following legislation and subordinate legislation applies only in the Corporation area:

***South Bank Corporation Act 1989***

**South Bank Corporation Regulation 2003**

**South Bank Corporation (Modified Building Units and Group Titles) Regulation 2003**

**South Bank Corporation By-law 2004**

Authorised, printed copies of Queensland legislation and other legislative material are available for purchase from the **Government Bookshop**, Telephone: (07) 3118 6900 or Toll-free: 1800 679 778; Facsimile: (07) 3118 6930. Electronic copies are available from the Queensland Government website at: <http://www.legislation.qld.gov.au/OQPChome.htm>.

- **Annual Report**

The Annual Report is the Corporation's official report to the Queensland Department of Premier and Cabinet on its activities and matters of interest affecting the Corporation in any particular year. It provides detailed information regarding the assets, liabilities, operating income and expenditure of the Corporation. The Corporation's annual reports are available on the Corporation's website, at: <http://www.southbankcorporation.com.au/publications>.

- **Approved Development Plan**

Unless exempt, all development in the Corporation area must comply with this plan (section 34(5) South Bank Corporation Act). The Approved Development Plan is available on the Corporation's website at: [http://www.southbankcorporation.com.au/about\\_us/developing\\_south\\_bank](http://www.southbankcorporation.com.au/about_us/developing_south_bank).

- **Strategic and management plans**

The Corporation has the following strategic and management plans:

**South Bank Corporation Master Plan 1997**

**South Bank Corporation Master Plan 2 2001**

**South Bank Corporation Master Plan 2 2003 update**

**South Bank Cultural Heritage Survey and Management Plan**

These documents may be inspected at the Corporation at no cost. Copies are available at no cost for electronic copies, or for 20 cents per page for hard copies.

- **Policy and procedures documents**

The Corporation has a corporate governance manual and a code of conduct. The Corporation also publishes on its intranet policies, guidelines and procedures on a variety of issues of a staff management, administrative, financial, technical, physical facilities and operational nature which are approved by the Chief Executive Officer or delegates. Forms that support the implementation of procedures are also included. The intranet also contains a copy of the Corporation's Certified Agreement.

The following table sets out various policies held by the Corporation. Many other policies sit within the policies identified. For example, the Corporation has a multitude of health and safety, security and maintenance policies covering a range of operational risks.

Department	Title
Operations	Parkland Rules
	Swimming Lagoon Rules
	Security policies
	Maintenance policies
	Crisis Management Plan
	Water Treatment policies
	Horticultural policies
	Cleaning policies
	Surf life saving policies
	Water Efficiency Management Plan
	Corporate Affairs
Vision/Mission Statement	
Projects and Planning	Ecologically sustainable development policy
	Ecologically sustainable development implementation strategy
Commercial	Corporate brand guidelines
	Retail fitout guidelines for Corporation managed property
	South Bank Visitor Centre policies
	Car Park Standard Operating Procedures
Corporate Services	Employment & Training Policies & Procedures Manual
	Financial Management Practice Manual
	Emergency Action Plan
	Intranet, Internet and Email Usage policy
	Noise Management Plan (under review)
	Health and safety policy, including:
	• Incident investigation policy
	• Incident reporting policy
	• Sun protection policy
	• Hazard management policy
• Sharps disposal policy	
Various human resources policies	

Some policy documents are available free of charge electronically. Copies of other policy documents are available at the rate of 20 cents per page. Under the FOI Act, a matter which is exempt may be deleted from copies of policy documents provided to applicants.

(b) **Information for members of the public**

The Corporation publishes and/or distributes various public information documents, including:

Title	Type	Cost
Creations <a href="http://visitsouthbank.com.au/whats_on/creations_magazine">http://visitsouthbank.com.au/whats_on/creations_magazine</a>	Magazine	Free
Parklands Map	Brochure	Free
Various hand bills and promotional flyers to support entertainment programs	Flyer	Free
South Bank: Brisbane's Icon <a href="http://www.southbankcorporation.com.au/publications">http://www.southbankcorporation.com.au/publications</a>	Booklet	Free
Various factsheets <a href="http://www.southbankcorporation.com.au/publications">http://www.southbankcorporation.com.au/publications</a>	Factsheet	Free
Online e-updates for Events, precinct information, thought leadership articles and project updates	Online	Free

(c) **Documents and records produced by various divisions within the organisational structure**

These include submissions, briefing notes, reports, memoranda, correspondence, agendas and minutes of meetings, personnel files, salary, superannuation and taxation records, budget papers, contracts and agreements (such as venue hire agreements, consultancy agreements, sponsorship agreements and transactions documents), workplace health and safety reports and parking reports. The documents are in a variety of forms including hard copy and electronic storage.

Where access to such documents and records is granted under the FOI Act, charges apply in respect of documents which do not concern the applicant's personal affairs. See section 8.4 for details.

(d) **Other documents available on the Corporation's website <http://www.southbankcorporation.com.au/>**

**5.2 Description of the various kinds of documents available for inspection at South Bank Corporation under an enactment other than the FOI Act**

In accordance with section 34(5) of the South Bank Corporation Act, the Approved Development Plan is available for inspection by all persons or organisations at the Corporation's office. There is no fee for inspecting the Approved Development Plan.

In accordance with schedule 1, section 12, South Bank Corporation Act, South Bank Corporation Board minutes are available for public inspection at the Corporation's office during normal working hours, on the condition that a person inspecting the minutes must have the Minister's (the Premier's) written authority to do so. There is no fee for inspecting the Board minutes.

**5.3 Description of the kinds of documents available for purchase from South Bank Corporation**

In accordance with section 34(6) of the South Bank Corporation Act, the Approved Development Plan is available for purchase from the Corporation. The current fee is \$50. The Approved Development Plan is also available as a free download on the Corporation's website, at: [http://www.southbankcorporation.com.au/about\\_us/developing\\_south\\_bank](http://www.southbankcorporation.com.au/about_us/developing_south_bank).

Most publications are available free in electronic form. Where not listed as free in this document, hard copies of documents are available for the cost of copying at a rate of 20 cents per page.

**5.4 Description of the kinds of documents available from South Bank Corporation free of charge**

See documents identified as free in section 5.1. Also, see information in section 9.1 and 9.2 regarding the South Bank Visitor Centre and marketing suite which lists free documents available.

**6 Description of the literature available from South Bank Corporation by way of subscription services or free mailing lists:**

The Corporation distributes the following free mailing list material:

- Weekly "What's on" newsletter (events listings and retail offers);
- "Urban Space" bulletin, sent to residents of Galleria, Arbour on Grey, Park Avenue, River Plaza, South Bank Apartments, Riverview, Riviera South Bank Apartments and Riviera Terraced Villas and precinct organisations; and
- "Announcement" bulletin sent to key stakeholders on major news items ; and
- Project Updates bulletin keeping key stakeholders informed about specific projects.

**7 List of all boards, councils, committees and other bodies constituted by two or more persons that are part of, or have been established for the purpose of advising, South Bank Corporation and whose meetings are open to the public or the minutes of whose meetings are available for public inspection.**

Section 9 of the South Bank Corporation Act provides that the Corporation must have a board of directors. The board of directors is the Corporation's governing body and is called the South Bank Corporation Board.

In accordance with section 10 of the South Bank Corporation Act, the board consists of a chairperson appointed on the Minister's (the Premier's) nomination, 2 members appointed on the Brisbane City Council's nomination and 7 other members, of whom 2 must be public service officers, appointed on the Minister's nomination.

South Bank Corporation Board meetings are not open to the public.

South Bank Corporation Board minutes are available for public inspection at the Corporation's office during normal working hours: A person inspecting the minutes must have the Minister's ( the Premier's) written authority to do so (schedule 1, section 12, South Bank Corporation Act).

There are no other boards, councils, committees or other bodies constituted by 2 or more persons that are a part of, or that have been established for the purpose of advising the Corporation and whose meetings are open to the public or the minutes of whose meetings are available for public inspection.

**8 Description of South Bank Corporation's procedures in relation to giving access to documents and to amendment of documents concerning the personal affairs of a member of the community.**

## 8.1 Background and introduction

The object of the FOI Act is to extend as far as possible the right of the community to have access to information held by the Queensland government. The Act gives all members of the community the general right to access documents in the possession of the Corporation, and to have documents corrected if information about the personal affairs of the person seeking correction is inaccurate, incomplete, out of date or misleading. The general right of access to documents is qualified, as the Corporation can refuse access to “exempt” documents.

The FOI Act provides for various exemptions in recognition that disclosure of particular information could be contrary to the public interest because its disclosure would in some instances have a prejudicial effect on essential public interests or the private or business affairs of members of the community.

This section explains the process for making a freedom of information application to the Corporation.

## 8.2 Lodging freedom of information applications

Freedom of information applications must be in writing and must:

- (a) Describe the information the applicant wants to access;
- (b) State the applicant’s postal address; and
- (c) State the name and address of the applicant if the person lodging the application is doing so on behalf of another person.

Applications should also provide as much information as possible about the document the applicant wants to see. The Corporation will help applicants frame their applications or clarify the intent of an application.

Applicants should post or deliver the written request.

The address for posting applications is:

Freedom of Information Officer  
South Bank Corporation  
PO Box 2001  
South Bank Qld 4101

The address for hand delivery of applications is:

Freedom of Information Officer  
South Bank Corporation  
Level 3 South Bank House  
Stanley Street Plaza  
South Bank Qld 4101

Access to the building by the general public is available between 8.30am and 5.00pm Monday to Friday (public holidays excepted).

## 8.3 Freedom of Information Officer

All Freedom of Information applications for access or amendment to documents will be processed through the General Counsel, who performs the role of Freedom of Information Officer.

The Freedom of Information Officer makes decisions about the release of documents under the legislation and consults with third parties as necessary about the release of documents to the applicant.

## 8.4 Fees and charges applying to applications

No fees and charges apply to requests for information concerning the personal affairs of the applicant, where each of the documents to which the application relates contains at least some information concerning the applicant’s personal affairs. All other requests attract an application fee (\$38.00 currently). The application fee may be paid by cash (in person only), by cheque or by postal order.

Where more than two hours is spent processing a request for access to documents which do not concern the applicant’s personal affairs, a processing charge applies. Currently, this charge is \$5.80 per 15 minutes or part of 15 minutes.

Additionally, the following access charges currently apply in respect of documents which do not concern the applicant’s personal affairs:

- Supervision of inspection: \$5.80 for each 15 minutes or part of 15 minutes;
- 20 cents per page for each A4 black and white photocopy of a document to which access is granted;
- The actual cost of copies of other documents to which access is granted.

An applicant will receive a preliminary assessment notice concerning applicable fees and charges. The Corporation and



applicant may then negotiate a reduction in the scope of the application and the charges which will be incurred. The Corporation can require a deposit on account of anticipated charges. The “clock stops” on the time within which the Corporation must deal with the application until the deposit is paid or the charges waived or set aside on review.

Application fees cannot be waived. Charges may be waived for individuals or not-for-profit organisations demonstrating financial hardship. Information regarding the requirements for establishing financial hardship may be obtained at <http://www.foi.qld.gov.au/application.htm> or by contacting the Freedom of Information Officer.

Fees and charges change from time to time. Information regarding current fees and charges may be obtained at [www.foi.qld.gov.au](http://www.foi.qld.gov.au) or by contacting the Freedom of Information Officer.

### **8.5 Time limits**

The Corporation is required to acknowledge receipt of an application within 14 days. Applicants must be advised of decisions about access to documents within 45 days of receipt of the application. This is extended to 60 days where the documents in issue came into existence before November 1987 and do not concern the personal affairs of the applicant. Also, where a consultation with a third party is required, an additional 15 days is added to the initial time period.

### **8.6 Notification of decision**

A letter notifying an applicant of the decision concerning access to documents will include the following (in addition to details of processing and access charges, where applicable):

- the decision, or notification that the requested document is not held by the Corporation;
- if access is granted, the period within which the applicant may access the document;
- if access is granted subject to deletion of exempt matter, the section of the FOI Act under which the matter is exempt and the reason for the decision;
- if access is refused, the reasons for the refusal; and
- rights of review.

### **8.7 Amendment of personal affairs information**

A person who has had access to information about his or her personal affairs and believes it to be inaccurate, incomplete, out-of-date or misleading, can apply to the Corporation for amendment of the information. Applications can also be made in respect of deceased persons by an eligible family member. Applications for amendment of information must be in writing and:

- state an address to which notices may be sent;
- state the information believed to be inaccurate, incomplete, out-of-date or misleading and the document containing the information;
- state the way in which the information is inaccurate, incomplete, out-of-date or misleading and the grounds for the applicants claim; and
- state the amendments sought to rectify the information.

Such applications must be decided and the applicant notified within 30 days from the date the application is received. Notification will include information concerning appeal rights.

The Corporation can amend the information by altering the information or attaching a notation to the information. If the Corporation's decision is to refuse to amend the information, it must give reasons for doing so. If the Corporation has refused to amend the information, under section 59 of the FOI Act, the applicant can compel the Corporation to add a notation to the document whether or not the applicant has applied for review of the decision.

### **8.8 Internal review**

Both the applicant and the third parties have 28 days from receipt of the decision to lodge an application for review of a decision by the Freedom of Information Officer.

Internal reviews will be conducted by the Corporation's Chief Executive Officer, who performs the role of Freedom of Information Internal Review Officer.

Written requests for internal review should be directed to:

The Freedom of Information Review Officer  
South Bank Corporation  
PO Box 2001  
South Bank Qld 4101

If an application for internal review is received from either the applicant or a third party, documents will not be released until the outcome of the review process is determined. The Freedom of Information Review Officer will decide the application as if it were a fresh application and advise the applicant and any relevant third parties of the decision made as well as their appeal rights. There is no charge for internal review. The Freedom of Information Review Officer must process the application and notify the applicant of the decision within 28 days.

### 8.9 External review

An applicant or third party who is still aggrieved by the reviewed decision may apply for external review to the Information Commissioner.

Requests for external review of a decision should be directed to:

Office of the Information Commissioner  
Level 4  
300 Adelaide Street  
GPO Box 10143  
Brisbane Qld 4001

Such requests must be made within 28 days of receipt of an internal review decision. There is no charge for external review.

### 8.10 Further information

For further assistance or information regarding any aspect of freedom of information contact:

Ms Megan Read  
Freedom of Information Officer  
Phone: 07 3867 2000

## 9 Particulars of any reading room or other facility provided by South Bank Corporation for use by applicants or members of the community and the publications, documents or other information regularly on display in the reading room or other facility.

### 9.1 South Bank Visitor Centre

The South Bank Visitor Centre is located within the Corporation area.

Publications, documents or other information regularly on display at the South Bank Visitor Centre include:

Title	Type	Cost
Creations	Magazine	Free
Parklands Map	Brochure	Free
Various hand bills and promotional flyers to support entertainment programs	Flyer	Free
Information on various development projects within the Corporation are	Displays and contact details	Free
Miscellaneous visitor information	Flyers; miscellaneous	Free

The South Bank Visitor Centre contains public seating and three internet stations for public use.

## 9.2 Marketing suite

The Corporation has a marketing suite, “South Bank 2020”, located at Ground Floor, South Bank House, Stanley Street Plaza, South Bank. The marketing suite is a designated space to promote and showcase past, present and future South Bank initiatives and activities.

The space is a multifunctional marketing space where the Corporation can present an overview of the South Bank story, undertake negotiations, visually present developments within the broader peninsula and hold launches and events.

The target audience for the marketing suite includes:

- Government stakeholders;
- potential retailers;
- future investors;
- precinct partners; and
- visiting national and international dignitaries.

Publications, documents or other information regularly on display at the marketing suite includes:

<b>Title</b>	<b>Type</b>	<b>Cost</b>
Precinct map	Brochure	Free
South Bank: Brisbane’s Icon	Booklet	Free
Promotions of developments within the Corporation area	Flyer	Free
Miscellaneous	Flyers/magazines/postcards	Free

# Organisational Structure

