

Body Corporate and Community Management and Other Legislation Amendment Bill 2023

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To whom It may concern,

I live in a residential till high-rise in [REDACTED] Main beach on the Gold Coast and I am concerned for my neighbours and neighbourhood with scale of overdevelopment talking place. The current argument that the Labour government is seeking to elevate housing supply crisis on the Gold Coast. This is a fallacy. The 75% rule will push out older and lower income people from Main Beach. The cost of a new unit in Main Beach is between \$2- 6 mil dollars. This will benefit developers who the State government have allowed to operate unchecked on the Gold Coast with the rejection of recent sensible planning rule changes by the GCCC. The whole premise here is a lie.

The proposed legislation is flawed for the following reasons, including but not limited to:-

- 1.The Bill is unfair in that it favours the interests of property developers over those of the community at large. This is not surprising given that it was a direct outcome of the 2022 Housing Summit which overwhelmingly represented property developers.
- 2.Evidence of developer influence can be seen in the unseemly rush to get these so-called reforms legislated with almost no consultation with the community.
- 3.The perception of lack of consultation is increased by the fact that no Public Hearings will be held in the two areas with the greatest number of community titles schemes—the Gold Coast and the Sunshine Coast.
- 4.The development lobby has ‘conned’ the Government that the ‘reforms’ will alleviate the housing shortage. In the case of Main Beach and other beachside suburbs, the opposite is true. Unwilling owners will be forced out of their homes, unable ever to buy back into the area they love.
- 5.One of the reasons owners on middle incomes will be forced out is that even if offered a unit in a replacement high rise, they will never be able to afford the body corporate levies required to pay for all the services considered essential in a luxury high rise. These include lifts, swimming pools, live -in managers and so on. Currently the levies in a 3-storey walk up are in the range of \$3000—a far cry from the \$12,000 to \$20,000 per year paid by owners of a mid-level floor in a luxury high rise.
- 6.Essentially, the Bill allows for the termination of a community titles scheme with the support of lot owners where the body corporate committee has agreed that there are economic reasons or termination which meet defined thresholds. The economic reason for termination is that the it is not economically viable—or will not be within 5 years—to carry out repairs or maintenance to the parts of the property that the body corporate is responsible for. Examples - in older high rises would include expensive items such as replacement of lifts, roofs, painting and treating concrete cancer. Although at first glance this might seem reasonable, there is too much scope for an unscrupulous body corporate committee to manipulate the situation in favour their own benefit rather than respect the interests of the majority of lot owners.For example, there are already many body corporates that neglect essential maintenance through apathy, ignorance and a desire to keep owners happy in the short term with unrealistically low levies. With the lure of a large payout from a developer, the temptation to deliberately run down a building will be irresistible to many body corporate committees.
- 7.The Bill specifies that a body corporate committee that wishes to sell to a developer, thereby terminating their Scheme, will have to have a Pre-termination Report prepared by suitably qualified people, including a structural engineer. As well, a quantity surveyor will be required to estimate cost of remediating the dilapidation that has occurred. Although the Bill refers to conflicts of interest by

