

## Body Corporate and Community Management and Other Legislation Amendment Bill 2023

**Submission No:** 33  
**Submitted by:** [REDACTED]  
**Publication:** Making the submission public but withholding your name  
**Attachments:** No attachment

### Submitter Comments:

I am I am the chairman of a wonderful townhouse complex in Everton Hills, however our body corporate is experiencing considerable issues dealing with troublesome vehicle parking which is putting our residents at risk. Some of the ongoing issues we are dealing with are:

1. Residents parking in visitor spaces.
2. Residents and visitors blocking access to other residents' lots.
3. Visitors exceeding parking durations (we have a 4-hour limit however spaces are taken up for up to a week quite regularly).
4. Residents and visitors parking on the common road, blocking access to the complex.
5. Commercial vehicles parking wherever they please.

Please understand these issues are cumulative and contribute to the overall issue. While we do allow reasonable exceptions to our by-laws when circumstances warrant, when it comes to repeated breaches by unreasonable or uncaring residents and visitors, we are a toothless tiger because of the laws of the state. Our site is well signed, and all residents (renters and owners) are briefed on the Strata bylaws regularly regarding parking and vehicle movements. However, we have repeat offenders that seem to understand we really can't do anything to remove their vehicle or indeed issue any sort of deterrent to such behaviour. Our process is as follows:

1. Leave "friendly reminders" on vehicles.
2. Contact property managers or property owners regarding breaches.
3. Issue "formal" breach notices.

I will say that perhaps half of the time the above actions do manage to solve the issue for a few days. The breaches then always re-occur, and it becomes a cycle of lunacy: breaches occur, we play nice and issue reminders, reminders are ignored, we issue formal warnings, warnings are adhered to for a few days, and then breaches re-occur. I understand you may see this as a low priority and indeed it doesn't seem like an issue that warrants a state member to Parliament's attention considering what else is going on in the world however, it is a matter of perspective. As it stands, we have zero recourse to correct such behaviour and as such people are taking advantage and putting our residents at risk. There are regular instances of residents and visitors blocking the road in our complex because the visitor spaces are in use outside of what our by-laws allow. In these instances, our fire hydrants are blocked and access to lots at the back of the complex is blocked. If an emergency was to happen, emergency services could only access the back lots of the complex on foot. If there was a fire, access to hydrants would be blocked and a fire truck could not get to where the fire would be. If there was a medical emergency, access to residents lots via ambulance would be blocked. Our residents are at risk simply because we can't enforce our bylaws. I am certain our complex is not the only one being exposed to such a needless risk.

These breaches are not simply an inconvenience, and this is something the Qld Parliament has ignored for almost 7 years. Local Governments have the power to correct parking behaviour by issuing fines and towing vehicles when laws are breached within their jurisdictions. These powers are in place to ensure the safety of our roads and public spaces for all and are accepted by the vast majority of the voting public. Imagine what our roads would be like if no such laws were in place and enforced. Body corporates have no such power despite recommended changes to the Body Corporate and Community Management Act 1997 (QLD) put forward in 2017. This needs to change. Grant us the ability to issue fines and tow vehicles within reasonable circumstances. The time to act on this is now.