

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

**Submission No:** 84  
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### Submitter Comments:

Hi, the complex I live in is a 3 story complex at [REDACTED] Coolangatta, a U shaped configuration. This means that anyone smoking on a balcony, causes nuisance smoke to drift into all our apartments. We recently had a chain smoker on her lower balcony. At least 9 units, those above her and both sides of her had to keep our doors and windows closed as apartment filled up with 2nd hand smoke. A child on holidays above her was in tears as all they wanted to do was sit on balcony and play a board game. The 3yr old told me the smell was disgusting. One holiday guest asked to be moved away to another apartment because they couldn't sit on their balcony or open windows. We were all prisoners in our home while the smoker enjoyed sitting on her balcony sucking away. She was here for 8wks and returns regularly. This is just one example of many that have occurred.

There are other smokers who are respectful and leave the complex to smoke outside. Across the road ( NSW border ), all complexes are smoke free and everyone just accepts the rules. Seems we are catering to a small minority at the expense of the majority.

Closing windows and doors in cooler weather is bearable, but during the warmer months, we would all be locked inside with our aircons going, which in the current global warming crisis would be just another unnecessary contributing factor.

Regards Jan McDonald