



Speech by

JAN JARRATT

MEMBER FOR WHITSUNDAY

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**BODY CORPORATE AND COMMUNITY MANAGEMENT AND OTHER LEGISLATION AMENDMENT
BILL**

Ms JARRATT (Whitsunday—ALP) (4.03 p.m.): There is no doubt that the unit and apartment sector is experiencing a period of rapid growth. This is certainly true in my electorate, particularly in the Airlie Beach area, where the value of annual building approvals has risen from almost \$29 million in 1996 to \$59 million at almost the end of 2001. Obviously, not all of this growth in building approvals can be attributed to unit and apartment developments, but one glance at the ever-changing man-made landscape on the hillside surrounding Airlie Beach confirms that unit development is an increasingly popular option for developers, investors, visitors and locals alike.

I confess that I, too, am a unit owner, having bought into one of the 137 community or group titles in the Whitsunday shire area. I look back quite fondly to the days before I became a unit owner, because in those days there was no particular reason for me to know about or understand the complexities of community titles, bodies corporate or the joys of paying a seemingly never-ending stream of fees and charges associated with lot entitlements.

Mr Lawlor: Life was simpler.

Ms JARRATT: Life was much simpler. This is a very complex area, and it is difficult to find a balance between the competing interests of developers, absentee owners, live-in owners, body corporate managers and unit managers. The Body Corporate and Community Management and Other Legislation Amendment Bill is a brave but successful attempt to meet the needs of each group while having sufficient safeguards in place to ensure adequate protection for each of those groups.

One of the reasons this balance has been able to be achieved is the broad consultation that has been undertaken with stakeholders in the preparation of the bill. I congratulate the minister, his staff and department officers for sticking to the task of ensuring that consultation was sincere, broad based and, most importantly, acted upon. Unit managers in the Whitsundays were given two opportunities to present their views and opinions regarding the draft bill directly to the minister. I sincerely thank him for making himself available in the electorate on those two occasions. I know that it meant a lot to those involved. More importantly, their contributions were listened to and acted upon. I know that as a result of this consultation most industry participants are comfortable with most of the contents of the bill.

I will turn very briefly to a couple of the details of the bill that deal with consumer protection. Consumer protection is an integral element that is woven throughout the act. Specifically, there are requirements that when a lot within a community titles scheme is being sold certain information about the lot should be disclosed to prospective purchasers. When lots are being sold, either off the plan or as existing lots, there are increased requirements for disclosure to potential purchasers.

The body corporate information certificate, which contains financial information about the lot, will be required to disclose information about the body corporate insurance policies, the lot entitlement schedules and the financial status of the scheme. If the seller is the developer and the contribution schedule lot entitlements are not equal, the seller's statement must disclose the reasons this is the case. The additional information includes explaining why the contribution schedule lot entitlements are not equal, service location diagrams, identification of lots affected by statutory easements and an explanation concerning the future development and allocation of common property.

The bill contains limitations on the use of the powers of attorney given to the original owner by the purchaser of the lot. Time does not permit me to go into those. The elements of consumer protection in this amendment bill are by no means exhaustive, but they are indicative of the level of detail that has been attended to in the creation of this amendment bill. I commend the minister for his persistence and determination in bringing this bill before the House.