



Speech by

## Hon. Margaret Keech

MEMBER FOR ALBERT

Hansard Wednesday, 7 March 2007

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

**Hon. MM KEECH** (Albert—ALP) (Minister for Tourism, Fair Trading, Wine Industry Development and Women) (3.51 pm), in reply: I thank all members for their contribution to this very important piece of legislation. In particular, I thank government members for appreciating the importance of the need for the Beattie government through this legislation to recognise the tremendous growth of the body corporate and community management style of living in Queensland. With 1,500 people coming to Queensland every week the need is greater than ever for the government to look at a range of legislation that will ensure that those newcomers to Queensland are able to take up opportunities to live in a community with a management style that provides them with a lifetime of enjoyment.

I recognise the opposition's contribution to the debate. In particular, I thank the member for Clayfield for supporting the bill. I recognise the member for Nicklin for his contribution and his very strong support not only of the bill but also, in particular, the amendments to the Liquor Act and his very positive comments regarding the tribunal members.

As I said in my second reading speech, this bill comes about after a review of the current legislation. More than 177 submissions were received. The most pressing issue raised in those submissions was with respect to dispute resolution. I am pleased that all members of the House, both government and non-government members, are supporting dispute resolution.

The amendments before the House will result in fairer, more flexible and effective dispute resolution. Unfortunately, the contribution from the member for Clayfield as the shadow spokesperson is where the positive contribution ends. One would have expected that with a new member taking over responsibility for shadowing my portfolio we would have at last had a new round of energy and focus on the legislation. Unfortunately, supporters of the Liberal Party and the stakeholders whom he purports to represent have been very sadly let down.

The arguments of the opposition are based on three premises which are all completely false. In fact, they are so outrageously false they could be accused of misleading and deceptive conduct which, as we know, is an issue that the Office of Fair Trading should be investigating. For example, the member for Clayfield has proposed that his amendments and his comments are based on broad consultation. That is purely and absolutely wrong. He also argues that the regulation of body corporate managers is a Liberal Party in opposition policy. This would be a first and is completely wrong given that I foreshadowed in my second reading speech that the government had acknowledged during the consultation period of the act that a review of body corporate managers and their conduct will be investigated.

The other deceptive and misleading conduct that the member for Clayfield has presented to the House in his arguments is that the office of the body corporate commission's activities are based on corrupt practices which favour body corporate managers. Again, an argument which is outrageous.

**Mr NICHOLLS:** I rise to a point of order. I made no such comment in my speech and I ask the minister to withdraw.

**Ms KEECH:** I withdraw. Unfortunately, as I said, those stakeholders who have been offering their skewed evidence to the member for Clayfield have been very poorly let down. More seriously than that in his deception of this House is the fact that he has had discussions with a range of stakeholders and in particular I refer to—

**Mr NICHOLLS:** I rise to a point of order. I have been listening to the minister allege misleading and deceptive conduct on my behalf and I find those comments offensive. If one is not entitled to debate a bill what is the point of being here? I ask her to withdraw.

**Ms KEECH:** I withdraw. I am getting to my point. The member for Clayfield has noted, and he can read the *Hansard*, that he has had extensive consultations and has actually spoken to the major stakeholders. In particular, I refer to the Unit Owners Association of Queensland, the Community Titles Institute of Queensland and the Queensland Resident Accommodation Managers Association.

**Mr NICHOLLS:** I rise to a point of order again. I did not say I spoke to the Community Titles Institute of Queensland. In fact, I quite clearly said I had not spoken to the Community Titles Institute of Queensland. I ask that she withdraw.

**Madam DEPUTY SPEAKER (Ms Darling):** There is no point of order unless it is personally offensive to you.

**Mr NICHOLLS:** I find the minister's comment that I did not speak to the Community Titles Institute of Queensland offensive and I ask that she withdraw.

**Ms KEECH:** I withdraw. I understand why the member is getting quite hot under the collar because I can assure members that the stakeholders have their feathers very much ruffled. They are outraged that they are being verbally in this House. Allow me to let the stakeholders speak for themselves.

**Mr NICHOLLS:** Again I rise to a point of order. I find the comment that I am verbally someone, which is something that is attributable to incorrect police behaviour, offensive and I ask that the minister withdraw.

**Ms KEECH:** I withdraw. Let me allow the stakeholders to speak for themselves. Garry Maynard, the chairperson of the Unit Owners Association of Queensland, in relation to the contribution to the debate by the member for Clayfield and Liberal members, said that he does not support the opposition position. He stated—

I am frankly appalled by the 'information' the coalition has sprouted. Please don't let anyone think that the stuff they talked about came from UOAG.

He believes that the coalition is completely uninformed and out of touch and shows evidence of no consultation whatsoever. Mr Maynard continued—

I note in the introduction from Tim Nicholls that he did not even acknowledge anyone from the body corporate managers as providing information to him. In other words, he and the coalition speakers have gone on and on about body corporate managers without actually talking to one or to the body that represents them. I note that the Lamont alliance incorrectly advised the opposition that there is no penalty for breaches of the code of conduct of body corporate managers. Coalition speakers all followed the flawed advice without checking for themselves. This is an example of the coalition's main adviser not having any depth of knowledge of the act and regulations.

In fact, if the code is breached, the contract between the body corporate and the manager is breached, which is therefore grounds for consideration of termination. Let me comment on what was said by Community Titles Institute Queensland and its president, Mr Tim Carrigg. He is very angry indeed about CTIQ being attacked in the debate and believes that this was just a diversion. He stated—

I have had no dealings with Tim Nicholls. Tim Nicholls has made an allegation about a member of the CTIQ without naming the person, but at the same time trying to discredit the only professional organisation representing body corporate managers in Queensland. It was a cheap shot.

I agree with Mr Carrigg. Mr Carrigg continued—

I am dismayed that CTIQ as an organisation is being targeted by members of parliament who are unfortunately the tools of an individual. The attacks on the CTIQ are unfortunate and designed to deflect attention away from the real purposes of the act.

I will continue with more examples. The executive officer of the Queensland Resident Accommodation Managers Association, Mr John Anderson, said—

I did not assist Mr Nicholls in preparing for debate. I have never met Mr Nicholls. My only contact with Mr Nicholls was to accept a telephone call from Katherine of his office on 25 October 2006 when she asked if QRAMA supported the bill and then went on to ask a number of other questions on BCCM matters. I realise that under parliamentary privilege statements made and persons named do not need to be accurate or substantiated. If answering a telephone call from a staff member leads to me being named in parliament, it does not enhance Mr Nicholls's understanding of the industry.

Mr Anderson is also offended about being named in the same sentence as Colin Lamont. I quote from Mr Anderson—

He has made the position worse by naming me in the same sentence as Mr Lamont, which does show a considerable lack of industry awareness.

One would have thought that the opposition would have done more homework instead of relying on a very narrow range of consultation. On the other hand, the government has had extensive consultation, we understand the complexity of the issues and we have sought to introduce fair and balanced amendments.

Question put—That the bill be now read a second time.

Motion agreed to.