




Speech By
Jim McDonald

MEMBER FOR LOCKYER

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

 **Mr McDONALD** (Lockyer—LNP) (3.29 pm): It is a pleasure to rise and speak on the Body Corporate and Community Management and Other Legislation Amendment Bill before us. I thank the Legal Affairs and Safety Committee for the work it has done on this bill. Some might say it is a dry bill that is not that exciting, but for people who live in a unit complex with a body corporate and community titles scheme it is a very important aspect of their lives. From the outset, I point out that I am a pet lover and I have pets, but I do believe in a process of self-determination for bodies corporate. I am a member of two bodies corporate, one of which allows pets but only after the pet has been there for a trial period of three months. If a pet lives reasonably well within the confined eight-unit environment, then the pet can stay. There are two pets, but we did have one unruly pet that was not allowed to be there. Fortunately, the owners complied. That unit block had disallowed pets forever and a day. It had been in operation since 1974. There was a change and they now allow pets, as I said, after a trial.

I want to thank Mandy Cook, who was actually part of the original study that looked into some of the issues around bodies corporate, particularly around pets. She is very concerned about the changes that will see some of the property owners' rights through the body corporate lessened. I recognise the case law around this, but I again stress my belief in the importance of self-determination for bodies corporate.

I move on to the issues around the sunset clauses. I, too, pay tribute to Mark Boothman, the member for Theodore, for the work he has done in fighting for his community. I place on record that my daughter lives in the member for Theodore's electorate. I have seen the hard work that the member for Theodore does. I was proud to be acting opposition deputy whip with Mr Boothman. No finer member of parliament do we have than Mark. His fight with regard to the sunset provisions is something all members should be proud of. In a booming market it is just a matter of developers being able to delay the sale of properties to allow time for a sunset clause to be activated. They can take the land or units off the market and put them back on the market to maximise their opportunity. Some of the property owners who have bought off plan, particularly in the member for Theodore's electorate where there are a number of slope stability issues, have had to have bespoke development and landscaping designed for their land. Some of them have spent between \$20,000 and \$40,000 to have a good plan for when their builder and landscapers are ready. I commend those aspects of the 'Mark Boothman bill'. It is something which I am sure he will be proud of.

While I am paying tribute to people I also place on record my thanks to the member for Mermaid Beach, who has been a member of this House for a lot of years. I listened to him—and I suggested other members of the House should have listened to him—when he said that this is the worst law he has seen in his 17 years in this place. He said that this is activating a private person's ability to acquire a person's home—it is not something for a state interest. I understand the body corporate system and the provisions of this bill in terms of the economic impacts and affordability with regard to body corporate expenses when a building is run down. A smart owner-developer and a cohort of those within that

property can very easily over a period of time see the property lose its value and not spend on maintenance of the property to see its value forced down. The member for Mermaid Beach spoke about that and the importance of that. The government has put in place a potential stopgap of 75 per cent of owners. Driven developer-owners can very easily manipulate that over a three- or five-year period to drive down the price and to see it affect the affordability of that complex.

As has also been said, I cannot see how this bill will fix affordability and housing availability issues at this time. I quote the CEO of the UDIA, Kirsty Chessher-Brown, who said that in a housing crisis we should not be putting in place laws. She said we should be leaving things the same so that people can get on, build and provide more housing stock. Having said those few words, I once again commend member for Theodore Mark Boothman for his work. I appreciate the opportunity to contribute.