




Speech By
Mark Boothman

MEMBER FOR THEODORE

Record of Proceedings, 26 October 2023

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

 **Mr BOOTHMAN** (Theodore—LNP) (5.54 pm): I rise to talk to the Body Corporate and Community Management and Other Legislation Amendment Bill 2023, something that is very dear to my heart. This bill was introduced on 24 August 2023 by the Attorney-General and it amends various acts. Ensuring constituents' rights are protected when they buy property off the plan is terribly important.

Back in 2022 we started receiving a lot of complaints from residents. They were contacting my office about developers enacting sunset clauses for financial gain. I can tell honourable members that those couples and families went through hell. They were told they could buy their property back but at an inflated price. Let's think for a moment that our family members or our children—for me it would be in the future—are put in the same position. It is not just about the cost of buying the property at a higher price; it is also about the amount of money people have spent on landscape designers and having the house architecturally designed. A lot of the properties in my region are on steep land and so houses need to be custom designed and these people have put money forward to do this. Yes, they would get their deposit back, but they do not get back that money they have spent. It has caused absolute heartache to so many residents. Other members in this chamber also took up the chalice to fight for what is right.

I want to give a big shout-out to one of the local media reporters on the Gold Coast who works for the *Gold Coast Bulletin*, Keith Woods. He worked tirelessly on this issue to try to get a good outcome for these affected families. It was not just people on the Gold Coast who were affected; it was all over. A great number of families were directly affected by this. I want members to understand that this is not a laughing matter. These are people's lives that were turned upside down.

I wholeheartedly appreciated when the Attorney-General finally agreed to hold a review into this matter because this practice had to stop. Other jurisdictions such as New South Wales brought in legislation back in 2015. This legislation has been tested in court and proven to actually work. It serves the interests of both parties—not just the buyer but also the developer, because there needs to be protection for both sides of this argument. Back in 2018 the New South Wales Supreme Court—Justice Drake I believe it was—ruled in favour of buyers to protect them from having their land sold out from underneath them to another buyer. We should have also acted on this issue far sooner than we have with this legislation.

The Property Law Bill was introduced into this House earlier than the body corporate bill. We could have acted sooner on this and put these provisions into that bill. Last week my office was contacted by another resident who has just fallen victim to this. The heartache it caused those people was extraordinary.