




Speech By
Samuel O'Connor

MEMBER FOR BONNEY

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

 **Mr O'CONNOR** (Bonney—LNP) (3.14 pm): Every Queenslanders deserves the opportunity to achieve the Australian dream—the dream to own their own home and to have that asset be safe and secure. There are a lot of provisions in this bill that we do support, but the termination of community titles schemes is not one of them. I will be strongly opposing these clauses alongside my colleagues. In the middle of a housing crisis, dramatically decreasing the threshold for termination of community titles schemes will only make things worse. Essentially, this bill proposes to make older apartment buildings easier to knock down and redeveloped with newer and more expensive properties. This bill proposes to undermine property rights. This will not help fix the housing crisis. In fact, stakeholders and people in my community have raised concerns that this could actually force Queenslanders out of their homes and their suburbs leading to more people facing housing insecurity and adding more pressure to the crisis.

In my part of the Gold Coast I have regularly talked about where we should have more supply in the right areas that will bring down rents and give people the opportunity to buy. We should have density around Westfield Helensvale where we have empty, cleared land next to light rail, heavy rail and a bus network. Instead this government's poor planning of the Coomera Connector, where the light rail was plonked into the road corridor without adjustments, has blocked hundreds of apartments from being built next to this expensive rail infrastructure. Then there is the block of land next to Smith Collective which has been identified in the government's land audit as part of the Gold Coast Health and Knowledge Precinct. In fact, it is the only land in that precinct allocated for housing and it has only just been put on the market with a call for proposals—over five years since the Commonwealth Games finished and this land was opened.

Again, decreasing the termination threshold is not the fix for the housing crisis. Everyday Queenslanders will pay the price for this political desperation. To add to this, a lot of these body corporate units in my electorate are older style, walk-up apartments. They often become home to young people who are finding their start in the housing market. To have these hard-earned homes ripped out from beneath them would be devastating. We heard the previous speaker and other members talk about money and influence as if the people who are the 'hold-outs', so to speak, are the ones who are massively profiting from this. Decreasing the threshold will just make that worse. It will make it easier for developers to pick up these blocks. The Main Beach Association raised these concerns. They said these changes will have the opposite effect to what the government is trying to achieve because construction will take too long. Older unit blocks will be knocked down, people will be kicked out and it will be several years before new housing is put in their place. I have also seen this in my area. These changes would force out long-term locals from suburbs like Labrador and Biggera Waters.

I represent a lot of people who live within community titles schemes and that means that laws in this space are important to the people I represent. Around one in three, or 7½ thousand, of the dwellings in my part of the Gold Coast are units or apartments. Another 27.4 per cent are semi-detached like

townhouses. Older units could be more easily demolished under these changes. These properties are not being replaced with affordable housing or even housing of a similar calibre; they are being replaced with luxury, often holiday or short-stay apartments, which massively increases housing pressure in my part of the Gold Coast.

I am committed to seeing more Queenslanders, and especially more young Queenslanders, in my electorate achieve the Australian dream of owning their own home and I will not support a clause that will make it easier for these people to be forced out of their homes when they achieve this. Recently I met an extremely distressed constituent from Biggera Waters. I want to share their story because it is an example of how even having sway over 50 per cent of the body corporate can cause issues for where people call home and where even that lower figure could be a pathway to the 75 per cent requirement for termination that these laws propose. I will keep their details anonymous because they were fearful of retribution from a particular owner within their unit block. In their situation a single owner owned a substantial number of the 30 units in their block. This owner is keen to sell the block to get a larger development onto this prime piece of land. Using their sway over the body corporate, this single owner is allowing the common property to be run down to help further and more easily facilitate a sale. This owner is well aware of the lower threshold proposed in these laws and it is the view of my constituent that they are waiting for it. My constituent even thought that these laws were in place already until she came and saw me about this. I am concerned as well that the economic reasons required for terminating a community titles scheme in this legislation are too subjective, too broad, and too easy to be crafted to justify a termination. The proposed threshold of 75 per cent is also a concern for me because it is too low.

What we are seeing through these laws is Labor cuddling up to developers at the expense of people who want to be safe and secure in the places they made their homes. I am proud to stand up for and protect the property rights of Queenslanders by opposing this watering down of the termination provisions.

The by-laws changes in the amendments in this bill have been called for over many years. One such by-law amendment clarifies the prohibition on smoking in an outdoor area that is part of a lot such as a balcony, courtyard or something similar. Mike Myerson, from Labrador, shared with the committee his view that smoking should be banned unless a body corporate passes a by-law specifically allowing it. He rightly highlighted the risk to someone's health of passive inhalation as smoke drifts across common areas and into people's private balconies and even their apartments. Mike said—

Make smokers prove the non-harmful nature of their activity, not the other way round.

These changes will allow self-management by bodies corporate to ban smoking. This will let them design by-laws that suit their individual properties. It will give committees the power to manage themselves and their community's best interests, giving the committee of owners the right to determine democratically what happens within their properties, on the common property and in the outdoor areas.

I thank Richard and Julia Szabo, also from Labrador, for submitting their feedback about dogs. In particular, they talked about the risk of dog attacks in complexes and the problems that come with irresponsible dog ownership. They raised their desire for consideration to be given to the requirement for pet enclosures and for better control of dogs in common areas. These laws will allow a body corporate to refuse a pet application if reasonably satisfied that the animal would put the safety of residents at risk and if the resident requesting to have a pet is unwilling or unable to keep the animal within reasonable conditions to mitigate any risk or if the risk could not be reasonably reduced or managed by conditions placed on the animal.

I appreciate the Szabos' feedback that they would like these amendments to have more 'clarity, guidance or even awareness about dog attacks'. They shared with me what they have gone through in their complex and it is horrific. It is something that no-one should go through in their home. I sincerely hope their body corporate, in particular, uses these new powers correctly. Much of what they are looking for is broader than the legislation before us. It is largely due to a really toxic and distressing dispute that they are having with a neighbour, which is a difficult thing to legislate against. I am satisfied that these changes will give the right powers to bodies corporate to properly regulate pets and balance that with a tenant's absolute right to have a pet within their property if they are a responsible pet owner. I also note the reported impending introduction of new laws to hold dog owners criminally responsible for attacks in order to better hold them accountable.

A final change proposed by the bill relates to sunset clauses. It would be remiss of me not to acknowledge the hard work of the member for Theodore. He has been fighting for this since August last year. He is an outstanding representative for his part of the Gold Coast. I am very proud to serve as his neighbour in this parliament.