

**Question on Notice
No. 389
Asked on 8 March 2007**

MR FINN ASKED THE MINISTER FOR TOURISM, FAIR TRADING, WINE INDUSTRY DEVELOPMENT AND WOMEN (MRS KEECH)—

How do residents in my electorate of Yeerongpilly benefit from the new Body Corporate laws?

ANSWER:

I thank the Honourable Member for Yeerongpilly for the question. As a sought after location in the inner city, Yeerongpilly has a number of old and new community title developments which offer an affordable opportunity for people to fulfil their dream of owning their own property.

I am aware that the member for Yeerongpilly recognises the growing popularity of community living and the important contribution of the sector as a provider of medium and high-density housing and a significant driver of construction and development. He has been a strong advocate for changes to enhance dispute resolution and information services for people living in community titles schemes in his electorate.

The recently passed amendments to the *Body Corporate and Community Management Act 1997* will enhance dispute resolution services provided under the Act and support effective relationships within community titles schemes in Queensland.

The changes highlight the importance of self-resolution by requiring a person to attempt to resolve issues within their body corporate before making an application to the Office of the Commissioner for Body Corporate and Community Management for dispute resolution. It is expected that this will reduce disputes and limit the need for formal intervention.

In addition, the amendments will introduce a conciliation service, located in the Commissioner's office, for body corporate disputes. Conciliation is a less formal process than adjudication. It brings parties together and encourages them to resolve their dispute through their own agreement rather than by having a decision imposed upon them by an adjudicator.

Conciliators can also provide parties with important information on the provisions of the legislation which, in turn, will help prevent future disputes. In most cases, applicants will be required to attempt conciliation before applying for the more formal process of adjudication.

The amendments will improve access to justice by vesting the Commercial and Consumer Tribunal with jurisdiction to deal with complex disputes currently requiring specialist adjudication and to hear appeals of adjudicators' orders. This will provide a less costly procedure for resolving complex disputes such as contractual matters and a much more accessible process for reviewing adjudicators' orders when compared with the previous District Court review.

Finally, the Government has provided an additional \$1.6 million to the Commissioner's office and the Commercial and Consumer Tribunal to assist with implementation of these important reforms, including an extensive education and information program.