

Commissioner Foreword



Welcome to the 3rd quarterly edition of Common Ground for 2023.

It has been a busy and exciting couple of months for the BCCM office. We have seen new legislation introduced to Parliament, had overseas visitors to our office, and presented at conferences.

Many of you may have heard the Body Corporate and Community Management and Other Legislation Amendment Bill 2023 (the Bill) was introduced to Queensland Parliament by the Honourable Yvette D'ath, Attorney-General, Minister for Justice and Minister for the Prevention of Domestic and Family

Violence. Public consultation is now closed and we await the results of the inquiry into the Bill by the Legal Affairs and Safety Committee. The committee's report is due to be tabled on 6 October 2023 and the Government will have 3 months to respond to the report's recommendations. No changes are in effect yet. The proposed changes can be viewed on the [Queensland Parliament website](#).

Queensland is the only state in Australia with an office dedicated to providing services for body corporate information, education and dispute resolution. Due to that unique position, we are often approached by other countries wanting to know more about our structure and the body corporate services we offer. In August we hosted 20 delegates from Papua New Guinea who have recently introduced strata legislation and wanted to know more about our dispute resolution services. Other countries we have hosted include New Zealand, Singapore, South Africa, and Malaysia. We are happy to share our expertise with other nations and are proud to be a worldwide example for body corporate services.

In September I presented at the Queensland Law Society's Property Law Conference with Acting Principal Adjudicator David Sutherland. I was able to deliver an insight into how recent reforms and sustained sector growth are impacting our office and David discussed how the adjudication process works. We were happy to answer questions from the legal fraternity and assist their understanding of how our office provides its services.

With sector growth comes more disputes and enquiries to our office. We are continuing to add to our great team with recruitment underway to assist with tackling our backlogs and improving timeframes for dispute resolution. We are happy to say that the timeframes for dispute resolution are decreasing thanks to the hard work of everyone involved.

Last but certainly not least, I am excited to introduce Boxy and officially launch our new BCCM animations. You will see Boxy pop up in educational videos all over [our website](#) and the [Justice QLD YouTube channel](#). You might even see him on your socials. Being a letterbox, Boxy receives information in and gives information out – just like our office. So far, Boxy offers hot tips about minimum housing standards, renting with pets in a body corporate, and the role of the BCCM office. We would love to hear your feedback about the animations. Feedback can be provided to bccm@justice.qld.gov.au.

Check out Boxy's videos here!

Jane Wilson
Commissioner for Body Corporate and Community Management



Clarifying conflict of interest

The term 'conflict of interest' is used widely in a variety of non-body corporate situations. Sometimes confusion surrounding its use in the body corporate context is, therefore, to be expected. This article will canvas and clarify conflicts of interest under body corporate legislation.

While this article is primarily targeted at community titles schemes regulated by the [Body Corporate and Community Management Act 1997](#) (the BCCM Act) and its associated regulation modules, we will touch briefly on subsidiary bodies corporate under the [Building Units and Group Titles Act 1980](#) (the BUGT Act) and higher-level bodies corporate under the [Sanctuary Cove Resort Act 1985](#) (SCR Act), [Integrated Resort Development Act 1987](#) (IRD Act) and [Mixed Use Development Act 1993](#) (MUD Act).

Conflict of interest under body corporate legislation

Importantly, a conflict of interest can only arise under the [Standard Module](#), [Accommodation Module](#) and [Commercial Module](#) when voting at the **committee level**.

A committee member is required to disclose any direct or indirect interest in an issue being considered by the committee if it could conflict with the appropriate performance of the member's duties.

If a voting member discloses an interest in an issue, they cannot vote on any motions connected with the issue.

The legislation also bars them from using proxies to influence committee decisions where a conflict of interest exists. A proxy holder must not exercise a proxy vote if they are:

- aware that the committee member who gave them the proxy would be required to make a disclosure (in which case, the proxy holder must disclose the member's interest)
- required to disclose their own interest in an issue.

Very similar conflict of interest requirements can be found in the BUGT Act, MUD Act, IRD Act and SCR Act.

Conflict of interest under the Small Schemes Module

Conflict of interest under the [Small Schemes Module](#) differs slightly from the provisions in the other regulation modules discussed above. This is owing to the size of committees under this module, which can be as few as one person or potentially a maximum of two members.

Under the Small Schemes Module, it is possible for the body corporate to authorise a committee member to vote on an issue, despite having a conflict of interest.

Is there an actual conflict?

As outlined above, the fact a committee member has an interest in an issue being considered does not automatically prevent the member from voting on the issue.

The key question should be: does the interest conflict with the appropriate performance of the member's duties in considering the issue?



 Case example: [Larnaca Court \[2016\] QBCCMCmr 369](#)

A motion was proposed to engage the chairperson to retain and instruct a law firm to represent the body corporate in appeal proceedings in the Queensland Civil and Administrative Tribunal (QCAT). The applicants argued that the chairperson should not have voted, as he was “directly involved in the substantive dispute” that was the focus of the initial adjudication application and subsequent appeal.

The adjudicator acknowledged that the chairperson – like any other owner in the scheme – would naturally have an interest in the outcome of the appeal. Critically, the adjudicator remarked that any interest the chairperson had “in the conduct and outcome of the QCAT proceedings was aligned with that of the body corporate as respondent”.

Consequently, it was determined that the chairperson’s interests were not in conflict with his duty to consider the motion. Rather, his interests were consistent with the interests of the body corporate.

Conversely, the votes of the remaining three committee members (who were the appellants, or the representatives of appellants in the QCAT proceedings) were found to be correctly excluded due to conflict of interest. The adjudicator observed that by voting against a motion that “sought to protect the legal rights and interests of the body corporate”, they were voting in their own interests.

As the case example above illustrates, it is imperative to recognise that the existence of an interest in an issue is not necessarily enough to demonstrate that there is a conflict of interest.

Reality testing yourself

If you believe a vote was cast by a committee member with a conflict of interest and you are seeking to lodge an application, there are certain factors to bear in mind.

Relying on a procedural error

Arguably, the most important consideration is whether the voting outcome changed because of the inclusion of the vote in question. If the outcome of the committee’s decision would have been the same – with or without the vote – there’s nothing substantial to be gained by lodging a dispute application if the voting error was your sole focus.


The BCCM Office does not hand out penalties to individuals who vote with a conflict of interest.

You must indicate the outcome you are seeking when you lodge an application – not simply highlight a procedural error.

Consider each motion on its own merit

Having a conflict of interest in a matter does not prevent a committee member from proposing a motion to the committee. The legislation requires the committee to act reasonably when making decisions.

The motion may in fact stand on its own merits and the committee member must abstain from voting if they declare a conflict.



For instance, consider the situation where a committee member proposes that their brother's pest control business undertakes termite prevention work on common property. It may be in the body corporate's best interests to engage this provider if:

- the work will be completed at a reduced price; and
- the provider is appropriately qualified to perform the work.

General meeting voting

Contrary to common misconceptions, there is no conflict of interest provision when owners vote at a general meeting. It only applies at committee level. At the general meeting level, your right to vote is based on lot ownership. If you own one lot, you are entitled to one vote per motion. If you own multiple lots, you are entitled to a corresponding number of votes per motion.

If an owner proposes a motion at a general meeting – for example, seeking approval to install solar panels on a common property roof for the benefit of their lot – they can cast a vote on their own motion. Even though the owner has an interest in the motion, it does not preclude them from voting at a general meeting.

It is important to be mindful that, while a conflict of interest does not apply at the general meeting level, other avenues may be available if your body corporate makes objectively unreasonable decisions.

For instance, if a general meeting motion (benefiting just a few, or even one lot owner) is successful, it raises a question about reasonableness – not conflict of interest. [Section 94 of the Act](#) requires the body corporate to act reasonably when making, or not making, a decision.

If you wish to lodge a dispute application with our office on this basis, having first attempted to [resolve the matter internally](#), you must demonstrate why the decision was unreasonable and, if implemented, the detriment of the decision.

Eligibility to be a voting committee member

We are occasionally asked whether someone can be on the committee if they have a conflict of interest. However, conflict of interest is not applicable in this situation.

To be on the committee, an individual must satisfy the eligibility criteria set out in the legislation. For example, you are not eligible to be a voting committee member if you are an 'associate' of a body corporate manager, service contractor or letting agent.

Many relationships fall within the definition of 'associate', including:

- marriage, de facto relationship or civil partnership
- parent and child
- employer and employee
- fiduciary relationship
- a relationship in which one person is accustomed or obliged to follow the instructions or wishes of the other person.

For a comprehensive list of the relevant 'associate' relationships, you can refer to [section 309 of the Act](#).

You can read about the [eligibility criteria](#) in further detail on the BCCM Office website.



Removal for breach of code of conduct

It is worth noting that the [code of conduct for committee voting members](#) in the BCCM Act also refers to an obligation on committee members to disclose any conflict of interest in a matter before the committee.

When relying on the code of conduct provision about conflict of interest (as opposed to the general conflict of interest provision under the regulations), the focus shifts to *removing* committee members.

You can read more on the BCCM Office website about the process prescribed under the legislation for [removing committee members based on code of conduct breaches](#).

Bodies corporate not regulated by the BCCM Act

Higher-level bodies corporate under the SCR Act, IRD Act and MUD Act have a code of conduct for voting members with a similar conflict of interest requirement. As with the code of conduct under the BCCM Act, its main function is the removal of committee members.

There is no equivalent code of conduct for committee members in subsidiary bodies corporate regulated by the BUGT Act.

Nominating representatives for conciliation

We are regularly asked whether a conflict of interest applies when nominating representatives for conciliation. There are no specific legislative provisions about conflict of interest in this situation – ultimately, the final decision about who can attend a conciliation session rests with the conciliator.


It is often the case that the body corporate will be represented by voting committee members (normally two) in a conciliation. Conciliators do not make determinations about whether the representatives selected by the committee have a conflict of interest. Rather, conciliators play a more facilitative role by assisting the parties to reach a good-faith agreement.

Conciliators may, however, employ other strategies where there is a perceived conflict of interest. For instance, conciliators can:

- educate participants about the committee's duty to make reasonable decisions
- suggest ratifying the decision made in conciliation at a committee meeting or a general meeting
- suggest representation by an additional committee member who does not have a perceived conflict of interest.

The conciliator's approach will depend on the circumstances of each relevant dispute. You can read more about representation at conciliation in [Practice Direction 11](#) on our website.

We hope that this article has clarified the narrow application of conflict of interest under body corporate legislation. Given the potentially harmful effects of unchecked conflicts of interest within bodies corporate, it is fundamental to be equipped with knowledge of the relevant legislation.





Electric vehicles

More Queenslanders are deciding to switch to zero-emission vehicles as Australians reduce their carbon emissions footprint. Zero-emission vehicles include:

- hydrogen vehicles
- fuel cell vehicles
- electric vehicles (EV).

In 2022 the Queensland Government released:

- [Queensland's Zero Emission Vehicle Strategy 2022-2032](#)

and

- [Zero Emission Vehicle Action Plan 2022-2024](#).

It is anticipated that by 2030, 50 per cent of new passenger vehicle sales in Queensland will be zero emission and 100 per cent by 2036.

With this in mind, bodies corporate should anticipate an increase in requests for EV charging on common property and within lots.

There is no one-size-fits-all approach to handling an EV charger request or whether body corporate consent is needed, and the way consent must be given can vary.

This article will canvas some of the more common ways to seek approval for EV chargers as well as some of the aspects bodies corporate may consider when planning for an EV future.

The information in this article is based on bodies corporate regulated under the [Body Corporate and Community Management \(Standard Module\) Regulation 2020](#) (the Standard Module). You can check your community management statement (CMS) or contact [Titles Queensland](#) on 07 3497 3479 to see which legislation applies to your scheme.

This is general information only and does not take into consideration the unique circumstances of your body corporate. This article is not a substitute for legal advice.

Private electricity networks

If a body corporate allows occupiers to 'take' electricity from the wiring it owns, operates or controls, it can be deemed to be operating a 'private electricity network'.

It is illegal to operate a private electricity network without a network exemption from the Australian Energy Market Operator (AEMO), and there may be further requirements the body corporate needs to meet under the National Energy Laws (NELs).

Your body corporate may already be meeting these requirements under the NELs. If you are unsure you may like to seek legal advice. Information on the NELs goes beyond the scope of our office.



Scenario 1 – Lot owner seeking approval to install their own EV charger

Most of the time, owners will require the consent of the body corporate to install an EV charger on common property. There may be a by-law regulating the installation or it may be considered as an 'improvement' to common property.

❖ *By-laws*

Some bodies corporate may have a by-law requiring a lot owner to seek body corporate consent for the EV charger and may even stipulate a particular type of charger (as well as other requirements such as its location).

By-laws are unique to each scheme and are generally contained in your community management statement. You can obtain a copy of this document from [Titles Queensland](#). You can read more on our website about [what by-laws apply](#).

❖ *Improvement to common property by lot owner*

Whether the EV charger impacts common property will need to be considered. This is because improvements (changes) to common property by a lot owner require body corporate consent under the legislation ([Standard Module, section 187](#)).

Installing an EV charger in a common property car park can be identified as an improvement to common property. However, EV chargers installed inside the lot boundaries may create issues. Even when being installed inside a lot, some electrical wires (utility infrastructure) can be common property ([Act, section 20](#)).

In many bodies corporate, an EV charger will be connected to common property [utility infrastructure](#) in some way, deeming the EV charger an improvement that requires body corporate approval.

❖ *Body corporate consent*

The committee may consider an improvement to common property by an owner if the:

- total cost of the EV charger (including installation) is less than \$3,000; and
- the EV charger does not detract from the appearance of a lot; and
- the body corporate is satisfied that the use and enjoyment of the charger is not likely to be a breach of the owner's duties as an occupier.

Examples of duties can include not causing a nuisance to others in the scheme ([Act, section 167](#)), and not impacting the supply of utility services to other lots or common property ([Act, section 166](#)).

If the improvement is outside the committee's authority, it must be authorised by ordinary resolution at a general meeting ([Standard Module, section 187](#)).

If approved by the body corporate, the owner must maintain the improvement and comply with any conditions of approval unless excused by the body corporate. You can read more about [lot owner improvements on our website](#).

❖ *How to apply*

If a lot owner requires approval, they can [submit a motion](#) to the appropriate meeting of the body corporate (either a committee or general meeting motion).

❖ *Things an applicant may like to consider*

A lot owner should check their EV charger will not overload or cause supply issues with the electrical utility infrastructure. It is an offence to interfere with utility infrastructure or utility services in a way that may affect the supply of utility services to another lot or common property ([Act, section 166](#)).

Further, if a lot owner does not seek approval when they are required to under the legislation or by-laws, they may be held responsible for resultant property damage ([Act, section 281](#)).

❖ *Things the body corporate may like to consider*

The body corporate and its committee should make reasonable decisions regarding the request ([Act, section 94](#) and [section 100](#)).

What is a reasonable decision will vary depending on the situation. There are, however, some universal aspects that could be considered. These include:

- What is the current capacity of the electrical utility infrastructure at the scheme?
- What type of charger is being proposed?
- Can the utility infrastructure handle multiple chargers?
- For example, if the lot owner is proposing a fast, three-phase charger, will the utility infrastructure be able to handle this? Even if it may be able to handle one, what if every lot owner in the future wishes to have the same type of charger?
- How will the body corporate meter and charge the lot owner for electricity usage?
- Does the owner have, or should the owner have, additional rights, such as exclusive use or a lease or licence over the common property area?
- Will the charger be installed by a qualified electrician and is the charger electrically compliant?




You can read more about the Australian Standards and fire safety on the [QFES webpage](#). You can also read the [QFES position statement](#) about the installation of EV carparks and charging stations.

Our office has received several enquiries regarding fire safety. Our office can only provide general information about body corporate legislation. Information on fire safety requirements goes beyond the scope of our information service. This article is not a substitute for expert or legal advice. You can contact QFES or a relevant expert for any questions about fire and electrical safety.

❖ *Service agreements*

The body corporate may like to consider whether it is appropriate for the EV user to enter into a service agreement as a term of the approval for the EV charger.

The body corporate may supply (or engage someone else to supply) utility services (including



electricity) to owners or occupiers of lots ([Standard Module, section 210](#)). Where the body corporate has an agreement with the person to whom services are supplied, the body corporate can then charge them the costs of the electricity that the EV charger is using. Importantly, though, the body corporate can only seek the actual costs incurred by the body corporate. Therefore, having a metering device may be important.

Scenario 2 - Body corporate installing a communal EV charger

In preparing for the future, some bodies corporate may decide that a communal EV charger(s) on common property is best suited for their scheme.

For example, an expert may advise that the current utility infrastructure is only suitable for fewer EV chargers than lots in the scheme. Some bodies corporates may find it reasonable to have EV chargers available for use on common property to avoid a first-in-best-dressed scenario with applications for chargers (which could mean some owners in the future cannot have chargers when others can, and possibly lead to disputes).

❖ *Improvement to common property by body corporate*

A body corporate can make an improvement to common property for the benefit of the body corporate if it is approved ([Standard Module, section 186](#)).

Some improvements can be approved by the committee, others will need an ordinary resolution and others will need a special resolution. The type of approval the body corporate requires will depend on the cost of the improvement and how many lots are in the scheme.

You can read more about [improvements to common property](#) by a body corporate on our website.

❖ *General considerations*

As bodies corporate must make reasonable decisions, expert guidance may assist with the decision-making. Considerations of the body corporate may be:


- What is the current capacity of the electrical utility infrastructure at the scheme?
- What kind of EV chargers can the current infrastructure handle, and how many?
- Is there a suitable area on common property for the EV charger(s)?
- How will the body corporate meter and charge the EV owner for electricity usage?
- What administrative systems need to be in place to ensure the body corporate is not running a business ([Act, section 96](#))?
- If a communal EV charger is installed, should a by-law be implemented regarding use?

❖ *Visitor parking*

If the proposed area for an EV charger is currently visitor parking, the body corporate may like to consider if:

- any parking [by-laws need to be amended](#) to allow an owner or occupier to park in the area; and
- whether removing this visitor car park would conflict with the Development Approval (DA) conditions.

Some developments will have a set number of car parking spaces that must remain visitor parking under the DA conditions. The committee may like to make enquiries with their local council or seek legal advice.



❖ *By-laws*

The body corporate must administer the common property and assets for the benefit of the owners of the lots included in the scheme ([Act, section 94](#)). This is typically achieved through by-laws which are used to regulate the use and enjoyment of common property and assets ([Act, section 169](#)). A body corporate may find it necessary to include a by-law regulating the use of EV chargers as the use and management of communal EV chargers on common property are not expressly covered in the legislation.

By-laws do have limitations ([Act, section 180](#)). For example, a by-law cannot impose a monetary liability. A body corporate may like to seek legal advice on the wording of an appropriate by-law for specific situations. A by-law could cover things such as:


- who may use the EV charger
- when the EV charger may be used and for how long
- whether vehicles that are no longer charging can remain parked in the bay.

You can read more about [making and amending by-laws](#) on our website.

Further information

For further information on bodies corporate in Queensland, please visit our website at <https://www.qld.gov.au/law/housing-and-neighbours/body-corporate>.

Our information service can also answer general questions about the legislation. Call us on 1800 060 119 or [submit your question online](#).



Termites and pest control – FAQ

The warmer weather at the start of spring can trigger increased termite activity in properties run by bodies corporate. Therefore, bodies corporate need to keep on top of inspections and treatments, as preventing infestations can save thousands of dollars.


Who is responsible for maintenance at my body corporate property?

Pest management in a complex can be both the responsibility of the owners and bodies corporate. Sometimes it can be difficult to determine who is responsible for what. An important first step is to find out which plan of subdivision your body corporate has been registered under.

Bodies corporate in Queensland are registered under a plan of subdivision. This is recorded as a survey plan which shows the boundaries of the common property and the lots in that scheme.

There are several types of survey plans. Boundaries will be defined differently depending on the type of plan registered. The 2 common types of survey plans are:

- building format plans also known as building unit plans; and
- standard format plans also known as group titles plans.



Contact [Titles Queensland](#) on 07 3497 3479 to obtain a copy of your body corporate's registered survey plan.

Once you know the boundaries of the lots and common property from the survey plan, you can then determine the maintenance responsibilities within your community titles scheme or development.

Read more about [maintenance responsibilities by format plan](#) on our web pages.

Does maintenance include pest control?

Maintenance responsibilities, for both an owner and a body corporate, include work that is needed to prevent damage. Maintenance may also extend to undertaking pest control that is necessary to keep the lot and common property in a good and structurally sound condition.

For example, a body corporate or lot owner may have to take steps to prevent termite damage to the common property or lots.

See the adjudicator's order in [Magnetic International Resort Hotel \[2013\] QBCCMCmr 421](#) for more on who is responsible for pest control.

What maintenance must a body corporate do?

A body corporate (the collective of lot owners) must maintain the common property in a good and structurally sound condition. Generally, this includes the body corporate being responsible for any pest inspection, prevention and treatment work carried out on common property.

Each year the body corporate must fix an administrative fund budget and a sinking fund budget. Owner's contributions (levies) to the administrative fund budget cover the regular maintenance of the common property.

What maintenance must owners do?

The owner of a lot must maintain their lot in good condition and, in particular, areas of a lot that are readily observable from another lot or common property must be kept in a clean and tidy condition.

A lot owner is responsible for any pest inspection and treatment work that is needed within their lot.

Maintenance can include work that is needed to prevent damage, such as termite infestations.


Who is responsible for damage caused by termites?

If a body corporate does not maintain common property and it results in damage to a lot, the body corporate may be liable for the damage.

Likewise, if an owner does not maintain their lot and there is damage to another lot or the common property, the owner who failed to comply with their legislative responsibility may be responsible for the damage caused by their inaction.

Can owners jointly carry out preventative routine termite and pest control?

It can be cheaper and easier for the body corporate to organise work, or a service, for many lots, instead of each owner or occupier individually organising work on their own lot.



To benefit lot owners and occupiers, the body corporate may offer to supply or arrange for services that owners or occupiers are responsible for. For example, maintenance services such as cleaning, repairs, painting, pest control or extermination and mowing.

Bodies corporate often do this at the same time as it does work or organises services that it is responsible for on common property. In some instances, it can save money for individuals if the service contractor offers a bulk discount. It can also be more convenient to have the tradespeople onsite at the one time.

This type of arrangement is called a “supply of service” agreement.

The offer is optional. Lot owners cannot be forced to participate in a “supply of service” arrangement. The body corporate can only supply a service to an owner or occupier if it has an agreement with that individual owner or occupier.

A body corporate (at a general meeting) or its committee cannot pass a motion that requires lot owners to accept an offer to provide a service for the benefit of owners and occupiers of lots. Additionally, a body corporate cannot adopt a by-law that compels or implies agreement from a lot owner or occupier to participate in such an arrangement for the supply of services. A supply of service process requires individual agreement from each owner ([Somerset Park \[2018\] QBCCMCMr 164](#)).

The body corporate can recoup the costs it incurs as part of the supply of service agreement with an individual owner or occupier. The body corporate cannot charge users of the service for its administrative work and cannot make a profit from the supply of the service.

Supply charges for the service must be paid by each user. For example, the lot owner who chooses to enter into a supply of service agreement with the body corporate must reimburse the body corporate for their portion of the costs of the service. This money is not to be used as part of the body corporate levies. However, the charge for an agreed service can be included on the levy notice as a separate amount in addition to the administrative or sinking fund levies.

What happens if an owner is not performing their required maintenance?


If an owner does not perform the required maintenance of their lot and there is a risk to the common property or other lots, the body corporate may carry out the work required and can then recover the reasonable cost of carrying out the work from the lot owner as a debt.

This applies to work that an owner or occupier is obliged to carry out under:




- the Act or one of the regulation modules, including a provision requiring an owner or occupier to maintain lot in the scheme;
- a notice given under another State Government or Commonwealth Act;
- the community management statement for the scheme, including the by-laws;
- an adjudicator’s order; or
- the order of a court.

How can we resolve a dispute about who is responsible for existing damage?

Each situation needs to be considered on a case-by-case basis. Generally, you should find out where the infestation originated, and who was/is responsible for maintenance at the site where the outbreak started.



A few examples, in the case of termites:

-  In a building format plan, with both common property and an exclusive use area immediately adjacent to the building, it was found that an infestation originated from common property. In this example, the adjudicator determined that the termite infestation had resulted in work needing to be carried out to repair the consequential damage to an owner's lot. The adjudicator found that the body corporate was liable to pay for the damage to the owner's property due to their failure to carry out inspections and ensure the termite barrier in both common property and the exclusive use areas was maintained ([Torquay One Eight Five \[2019\] QBCCMCmr 125](#)).
-  Under a standard format plan of subdivision, adjudicators have held that lot owners would usually be responsible for taking measures to prevent termites from entering their lot ([Clearwater on Burleigh Cove \[2020\] QBCCMCmr 516](#)). Where there has been evidence of termite infestation on the common property for the scheme, each lot owner has an obligation to take preventative measures to maintain their lot in good condition.
-  For a standard format plan, in situations where the lots in a building have a common wall with other lots, it has previously been found that it would be sensible for the owners to agree on the implementation and cost of a preventative termite treatment and system. The body corporate can co-ordinate the service with the owners' agreement. ([Garden City Estate \[2007\] QBCCMCmr 531](#))

For more information, see our webpages on [maintenance in a body corporate](#). You can also search previous adjudicator's orders on [AustLII](#).

If [internal dispute resolution](#) attempts have failed at your scheme, you may consider lodging a [dispute resolution application](#).

If you have any questions, you can call the BCCM Information and Community Education Unit on 1800 060 119 or [submit an online enquiry](#).



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Body Corporate and Community Management

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