

ANDREW GREGORY

CHALLENGES OF STRATA LIVING IN SPOTLIGHT

State's body corporate chief advises Far North owner-occupiers to separate interpersonal issues between residents from official management matters



KEY PLAYERS: Strata law expert and director of Hynes Legal in Brisbane Frank Higginson and Archers Body Corporate partner Stephen McCulloch. Picture: ANNA ROGERS

THE challenges of living or investing in apartments came into focus as Queensland's body corporate chief spoke to Cairns strata owner-occupiers about how to manage the many issues that arise in multi-unit buildings. Residents and investors in units, apartments, townhouses and other strata-titled homes this week shared their stories at an event hosted by the North Queensland branch of strata management company Archers. Queensland's Commissioner for Body Corporate and Community Management Chris Irons gave advice to dozens of Cairns locals on the best ways to manage issues ranging from bullying and harassment in strata and body corporate matters to dealing with loud

neighbours and passive smoking on balconies. His first piece of advice was to separate interpersonal issues between residents from official body corporate matters relating to management of the property. "There should be an approach for personal business and there should be an approach for body corporate business and the two things really ideally should not meet I think," Mr Irons told the attendees. A separate email address for body corporate and strata management business "creates a sense of distance between people" and reduced the risk of personal emails about residents becoming official corporate records. Attendees of the Archers event shared 'horror

stories' of passive smoking from residents on balconies, caretakers who shut off tenants' water and electricity, and conflict between strata owners over trivial building management issues.

Mr Irons canvassed a number of options to resolve or deal with problems at residential stratas: court-issued peace and good behaviour orders, dispute resolution centres, complaining about discrimination and calling the police.

The visit by the Queensland Government's body corporate chief came as a new report estimated the value of strata-titled properties in Australia was approaching \$1 trillion.

Strata title and body corporate 'horror stories' are no surprise to strata law expert Frank Higginson, director of Brisbane-based law firm Hynes Legal.

Mr Higginson advised apartment owners to avoid "punching on" about trivial matters or getting emotionally involved in minor issues.

"There's a bit of pride, there's a bit of ego, there's a little bit of 'I must win and I can't be proved wrong' when life really is about compromise," Mr Higginson said.

"If you're going to want your own way, every single time, it's just never going to happen and some people can't compromise."

Some arguments over units and apartments start because people don't understand the role of body corporate committees and managers, he said.

Big issues irritating strata occupiers are pets - there's no such thing as a pet-free building in Queensland, Mr Higginson said - and parking including the long-term use of visitor parking bays, which is not as big an issue in Cairns as it is in Brisbane.

The short-term apartment rental market via websites like Airbnb was the top emerging issue facing residential strata managers.

Many owner-occupiers of units and apartments mistakenly believed they had bought a home in a residential-only building where short-term rentals were not allowed, according to Mr Higginson. "Bodies corporate cannot do anything about regulating the length of occupancy of an occupier at all," he said.

Apartment buyers needed to understand that body corporate laws had limits. "You just can't possibly regulate all of the contingencies and things that happen in day-to-day existence," he said.

The number of Australians living in apartments is about 2.2m, or about 9 per cent of the population, according to a new report.

The Australian National Strata Data Report 2018 released by the University of NSW's City Futures Research Centre said 357,947 Queenslanders lived in apartments, which is about 9.3 per cent of the state's 4.8m people.

Most Queensland strata tenants were renters (47 per cent) between 20 and 39 years old (46 per cent) according to the report.

The report estimated that the value of strata-titled properties in Australia has reached \$995 billion, based on data from insurer companies who cover more than half of them.

In Queensland, strata-titled properties and community lots were worth more than \$192b. There were about 48,000 strata schemes in Queensland (including 46,000 residential schemes) comprised of about 474,000 individual lots, according to the report.

UNDER THE HAMMER

ART OF THE AUCTIONEER

A good showman can be a huge help in getting top price for your property

IN 2017's *The Greatest Showman*, Hugh Jackman plays famed ringmaster P.T. Barnum.

Wait, what does this have to do with auctions?

Well, the traits depicted in Jackman's character - the ringmaster of his self-proclaimed "Best Show on Earth" - display many of the traits that an auctioneer will need to have to be successful.

And further, these traits and skills, when honed, can and will have an influence on the outcome of auctions.

So, what attributes does an auctioneer need to be successful?

First and foremost, an auctioneer must have "presence".

This is achieved through good personal grooming and a tidy appearance when entering upon their auction "stage".

The way the auctioneer engages with the gathered audience, their stance, their manner and the clarity of their voice all combine to form the ingredients of the all-important "presence".

Then, from the moment the auction begins, the auctioneer is centre stage.

He or she must be able to subtly control and command the audience so that a friendly-yet-competitive atmosphere can be achieved.

It is the competition and the skilled negotiations, often by the auctioneer, that ensure maximum market value for a property.

A strong auction "patter", with both dramatic and comical filler statements, is essential to keep the auction moving and to also entertain.

An auctioneer can sometimes be challenged by a bidding person over the aspect of a property - this is where knowledge and research, as well as an ability to think on their feet, comes to the fore.

Often, when an auctioneer pauses frequently or is hesitant, the sale price also suffers.

Ultimately, a dedication to practice and to continually hone their skills will ensure your auctioneer is charismatic and confident, with an engaging personality.

An auctioneer who is able to provide a strongly delivered "performance", like Barnum in *The Greatest Showman*, is a good auctioneer, and one that will have a positive affect on the sale result.

Paul Stirling is principal and auctioneer at Ray White Cairns Beaches & Smithfield



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