

To: Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

From: Carol O'Donnell, St James Court, 10/11 Rosebank St Glebe, www.Carolodonnell.com.au

VIOLENCE, ABUSE, NEGLECT, MURDER AND SUICIDE OFTEN HAPPEN AT CHRISTMAS (THIS IS A WARNING INSTEAD OF THE USUAL ONE ON THE GLOBAL PANDEMIC)

LOVE AND PAIN AND THE WHOLE DAMNED THING MAY BE CLOSELY RELATED TO PERSON TREATMENT IN HOUSING

I ADDRESS MORE DESTRUCTIVE HOUSING INTERESTS IN RELATED REGIONAL CONTEXTS TO SUGGEST WAYS FORWARD THROUGH MORE BROADLY OPEN UNDERSTANDING

I refer first to **Public Hearing 20** of the **Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability** to point out its topic is narrowly defined as *Preventing and responding to violence, abuse, neglect and exploitation in disability services*.

People with disability commonly live outside disability service housing and their disability may be greater as a result of their situation, wherever and whatever it is.

Disability is also highly correlated with historic cultural or personal beliefs, acts or habits, such as poor nutrition and lack of exercise as well as with particular work and with aging. We are all going to die so the National Disability Insurance Scheme ideally covers regionally broad, rather than comparatively narrow ground, for mutual support and development purposes. Housing investment, construction and management practices are crucial determinants of population wellbeing and disability generally increases with age, ending in death for us all. This submission addresses housing investment and management so that people with disabilities may assist all Australians to develop better.

I guess Australia is now facing a transition from insurance as a form of protection, to new forms of social insurance and fund management led in company with government. Medicare and the National Disability Insurance Scheme now appear ideally leading this development in more openly cooperative communication.

Disability is ideally addressed in regional contexts which apparently must accept disability as an increasing way of life in many increasingly complex and demanding work environments today. Yet treatment of land and housing remain pivotal matters for population wellbeing at any age, including for those of us who consider ourselves disabled for any comparatively objective or subjective reasons. I query housing construction and management in this broader context in hopes of understanding how Australians may best be served by their superannuation and related funds. So far, superannuation fund build-up and investment has rather been associated with sending housing ownership increasingly beyond the reach of younger generations than with their support. The world appears increasingly designed for normal old male personal pursuits.

Some people with disability commit acts of violence, sometimes out of frustration with their poor understanding and communication ability, and may even end up in jail. I address related matters of violence, murder and suicide as public health and housing problems in the attached submission to the **Royal Commission into Defence and Veteran's Suicide**.

My general argument, based on World Health Organization (WHO) direction, which contradicts any Australian Royal Commission, is that more globally holistic and regional

approaches must be taken to many matters to go forward better in regional environments which are increasingly related globally through financial and other trade and investment. Feudal and professional matters of association are part of the problem which now appear to be reflected in increasingly unequal, fragmented and opaque operations as markets also drive us wrongly in new directions which suit rich US, UK and other homeland interests.

For example, suicide may seem a good choice to some people, especially in continuing pain, fear or old age. To automatically criminalise, lament or deny risk or suicide, appears to be denial of autonomous choice and duty of care for any person. The Christian lawyer's tradition, which both the NSW Liberal and Labor party leaders expect us to inhabit, often seems more authoritarian than many others which may deliver more common chances of peaceful prosperity for future generations. In almost any worrying circumstances, I believe in asking a child or another person what they think is best for them and hoping they answer the question as thoughtfully and honestly as they can rather than lying or hiding. If one says they don't know, let us stumble forward together.

I will soon be 75. As an owner occupier of strata housing in Glebe, Sydney, I have learned not only that the strata management act sees vegetation as the enemy of the bigger building envelope, but that the strongest professional associations are not well established to serve the communities they house as groups or families or individuals. This is because they take comparatively blind and self-interested approaches to what are whole of community problems. So do we all, but the industry interests rule the roost. Lawyers typically act as related feudal vampires on the body politic sucking off money and assisting professional cultures of cover up for the wealthy and their top clients against the broader public interest. (See related discussion of by-laws in strata housing attached.)

Like the strata management act, the interests of any real estate agent and owner are driven by the maintenance and protection of the housing, rather than consideration of the welfare of people living in it or around it. As commercial in confidence assumptions are treated as paramount in regard to information, the tendency for spending public money wherever the dominant professionals are driving, is also paramount. The dominant professional interests related to disability are found in medical care, construction, real estate and property management. Governments have huge but fragmented interests in housing in many portfolios, including in defence. For openly related housing reasons, I addressed the **Royal Commission into Defence and Veteran's Suicide**, supporting the right and responsibility for assisting self-determination in such matters.

As an author and editor of the book **Family Violence in Australia**, (Longman Cheshire 1985) I am aware violence in housing of the Commonwealth defence portfolio may be a common problem, especially at Xmas and New Year. I suggest support for people with disability and support for the National Disability Insurance scheme are best obtained by state and federal government housing and service providers considering their stock more openly and regionally together. This should be done with major service providers to the state and federal government property portfolios, to maximize the breadth and potential for better group, family and individual housing support across Australian electorates.

The **Objects of the Constitution of the NSW Real Estate Institute**, according to the **REINSW** website, however, do not equip this non-profit body to do anything other than petition the government on behalf of members' apparent interests. The REINSW thus appears bound to act with the comparative blindness to regional producer, consumer and

related community interests of a trade union. Its general approach appears driven by associated interests in multiplying legally approved secret operations to deny the kind of evidence-based operation that appears clearer, cheaper and less risky for all. The result of this is that people with disability may find themselves in unsuitable housing they may find very expensive to maintain, let alone modify, in ways which meet their needs. I address education and affordability with the Real Estate Institute of NSW (REI, NSW) later below.

I am comparatively close to death. As a former NSW public servant and teacher in the Faculty of Health Sciences at Sydney University, I have watched and supported the unsuccessful efforts that the Whitlam government began in the 1970s to establish national medical, hospital, and related rehabilitation and disability insurance schemes. This failed at the time because lawyers of all stripes and their most influential clients were against it. When Medicare was established in the Hawke government era it was shown to provide accessible, high quality and cheap care to the total population, compared with the US market model.

Nevertheless, the market place increasingly drives to increase regional inequality, using Australian institutions against the Australian population interests with US IT to do it in many cases. Good housing management is vital for people with disabilities. However, housing remains the generator of jobs for the construction and property industries and mates, with housing turnover being the big money spinner. Housing treatment is fragmented and strata housing is governed by state strata management acts. Building treatments often appear irrationally and wastefully prioritized by construction and property interests through these acts to maximise their own industry interests and those of rapid sellers in the market.

The local newsletter, the Glebe Grapevine states that NSW citizens are looking at homelessness or rent stress for a long time to come and public housing close to the city is the answer. It then states that on the Glebe Estate, (brought into Commonwealth ownership during the Whitlam era), there are too many houses that are empty and being renovated – *‘not for people but to be sold’*.

My reply outlined below stresses the need for housing to be treated as broadly as possible in regional terms to assist people with disability. Disability has been normalised today in part because of the increasing complexities of production requirements which also appear increasingly dysfunctional. It appears forbidden for example, for anybody to embrace their own death, as I do. As a woman who has experienced almost no physical pain or disability in my life so far, I am terrified of both and would far prefer to be dead fast than go through it for years before I die, if new norms are any indication. I am far more frightened of my daughter being unwilling to help me kill myself when I want to go, than I am frightened of being pushed off by anybody before I'm ready. Surely there must be people in great pain or with such poor quality of life that they feel like me. Don't our wishes count for anything in this? What is called caring often disgusts me more than I can say. Where are the professionals willing to out themselves to provide the service? If they could do it for Bob Hawke, who died the night before the election, they should stand up and be counted for us.

However, the National Disability Insurance Scheme should be operated in a manner which has the maximum regional focus because death comes to us all sooner or later. Disability is

also the outcome of living longer and related medical advances such as those addressed attached in a related submission to the Royal Commission into Defence and Suicide.

I favour regional approaches in group, family or single person housing which value more open and clear management responsibility in publicly and privately funded affairs in the interests of all. Many of us will die quite soon, sometimes alone in property which is old and deteriorating in many cases. When I was young, the fines imposed by the construction industry inspectors for breaches of state occupational health and safety acts were often donated to the local children's hospital and there was often a close association between top hospital, medical and related housing interests, such as the Master Builders Associations and construction trade unions. Frankly I have no idea what is going on today.

However, I naturally draw your attention to the excellent article by Andrew Leigh MP entitled '**Why has no person of colour ever served on the High Court?**' in the Australian Financial Review (AFR 22.12.21). For me, he makes a compelling case that Australians should follow the steps taken in Britain in 2005 when a Judicial Commission responsible for recommending court appointments was created. Comprised of lay people, judges and legal professionals, it makes applying to be a judge like applying for other jobs. Vacancies are advertised, people apply, some are interviewed, and the commission makes a recommendation. It sounds like a great idea that would solve a lot of problems in the Australian Constitutions to me. Why won't more lawyers point out why and do it? Would you and your friends take it up? I wish I'd heard about it fifty years earlier, of course. ('Had we but world enough and time', etc. etc. etc.)

In summary, for any national disability insurance scheme to operate well to provide service to those living with disability on any particular ground, it will be necessary to gain greater general understanding of the importance of regional, rather than professionally designed operations in the relationships between housing and persons treatment. This is necessary for planning and providing more open and harmonious service delivery than lawyers can, because they mandate adversarial, secret, self-interested behaviour through their professional associations and related interests. I commend the various discussions and recommendations below and attached to your Royal Commission.

Cheers

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To: The Real Estate Institute of NSW

HOUSING MANAGEMENT IS A VITAL SERVICE TO THE AUSTRALIAN PEOPLE AND OTHERS. ITS ADMINISTRATION SHOULD BE MORE GROUNDED IN PLACES AND PERSONS, LIKE HEALTH CARE. OPEN HIGHER EDUCATION IN HOUSING MANAGEMENT SHOULD FOLLOW.

I refer to the article in the Sydney Morning Herald entitled **Real estate agents quit 'pointless' reform body** (SMH 28.6.21). It reports on the Real Estate Institute of NSW (REI NSW) disagreement with the Minister for Better Regulation and Innovation, Kevin

Anderson. The Chief Executive of the REI NSW, Tim McKibbin, states he is concerned over a lack of effective NSW government regulatory response to troubling industry issues *'including land supply, affordability, agent education and consumer protection'*. I agree and offer education reform suggestions.

As a current Glebe resident and former NSW public servant and teacher, I address *real estate agent education, consumer protection and affordability* to present better regional ways forward for all Australians and the rest. See related information attached in supporting discussions about corruption avoidance with Balmain Green MP, Jamie Parker, and about health care with Professor John Hewson of the Crawford School of Public Policy at the Australian National University. See more about me and global or regional direction at www.Caroldonnell.com.au

The **Objects of the Constitution of the NSW Real Estate Institute**, according to the REINSW website, do not equip this non-profit body to do anything other than petition the government on behalf of members' apparent interests.

The REINSW thus appears bound to act with the comparative blindness to regional producer, consumer and related community interests of a trade union. Its general approach appears driven by associated interests in multiplying legally approved secret operations to deny the kind of evidence-based operation that appears clearer, cheaper and less risky for all. This is discussed further in attachments.

The Constitutional limitations of the REINSW, apparently the most important housing and commercial management body in this state, are clear below.

Objects 3. The Institute exists to: (a) promote the interests of Members and the property sector on property related issues to government and the community; (b) promote and facilitate professional standards in Real Estate Practice; (c) assist Members in the conduct of Real Estate Practice; (d) promote the benefits of Institute membership; (e) promote the benefits of home ownership, property and business investment; (f) provide professional and industry education in connection with Real Estate Practice; (g) provide information to Members in connection with Real Estate Practice; and (h) do anything ancillary to the activities referred to in Clauses 3(a) to 3(g).

These purely professional objectives appear hopeless for good agent education and for small producer and consumer protection designed in the broader interests of Australians as a whole. As a Glebe resident and property owner living under strata management since 1994, I have observed the limitations of the real estate management responses globally and locally, especially since the global financial crisis of 2008. As a result, I made many submissions to the recent **Statutory Review of NSW Strata Scheme Laws** on the limitations of the current NSW real estate management model in the broader regional interests of the Australian population. Many muddled bureaucratic developments recently observed in NSW appear to have worsened since, in regard to corruption avoidance, lobbying and many related legal treatments in housing, for example.

In 2018, the **Independent Review of the NSW Regulatory Policy Framework** chaired by former Premier, Nick Greiner, found there was far too much expensively conflicting legal red tape. His Panel agreed with the Auditor-General's assessment that overall, NSW

Government initiatives to reduce red tape were not effective for long and this appears consistent with evidence from other jurisdictions, and from broad stakeholder feedback. The compliance burden associated with how regulations are implemented, and the unintended consequences of regulation, influence people's perceptions of regulation as red tape. This means more effective engagement with those experiencing regulation is required to communicate the development and implementation of complex regulation in a holistic, user-centric way that is focused on better outcomes for all. Sometimes this appears to require more creative visitation of many related social issues, as also discussed by the Harmony Alliance of Migrant and Refugee Women, and Nydol Nyuon in Victoria.

The avoidance of corruption through better policy design and administration in the service of the NSW population depends on more broadly open regional operations to raise standards while saving time and money by being clearer and more direct. In this context I commend to your consideration the related email attached and sent to my local Green MP, Jamie Parker. It deals with avoiding corruption and its appearance through better designed and more broadly open administration. It was written in response to the recent Independent Commission Against Corruption (ICAC) recommendations on lobbying, which appear too bureaucratic and opaque as usual. This appears more of the problem Greiner lamented.

Current real estate management focus appears intent on housing turnover, with ongoing housing management, including in regard to renovation, seen as lesser business as usual. The common approach appears largely to benefit key market leaders, which may appear corrupt to many others. A solution partly lies in broader and more open education and recording for better evidence gathering about matters, to make them simpler, better understood and cheaper. The dangers for people living in states that assist numerous rich and secret associations to grow through normal market practices regarding gambling and other commercial land and building operations, are now being investigated in Australia and abroad, in Packer's empire. The brilliant South Korean movie 'Burning' shows the youthful life of an international class above the law today. Secret education trusts appear trends to corrupt better treatment, where merit may be openly seen and justified in the eyes of all.

I draw REINSW attention instead, to the policy direction suggested to Professor John Hewson, currently with the Crawford School of Public Policy at the Australian National University in the attached files concerning avoidance of corruption and Australian direction with the Middle East and China. I expect Tim Soutphommasane, Professor of Practice, and Marc Stears, Director at the Sydney Policy Lab at the University of Sydney to appreciate this direction, for example. This approach rests on the administrative views of philosophers, economists and public servants such as Popper, JK Galbraith, Max Weber and many others. It has been reflected in World Health Organization (WHO) discussion since 1946 and is also reflected in an increasing range of social areas of NSW and other Australian state operations.

My view is that working in real estate management is ideally a vital public service which deserves to be supported by education which is comparatively high quality, fair, flexible and cheap. I find it sad that comparatively ignorant lawyers easily rule real estate profession

roosts and all below. Those who may be much closer and more experienced and knowledgeable in the management of these human affairs on particular grounds appear relegated to their lesser channels of self-regulation. REINSW should seek and help design broader education in housing and other administrative services to the Australian people. These matters are further discussed and supported attached, in global and local contexts. Money for related directions could be found, for example, by government cutting the huge level of financial support it gives to the top sixty richest independent schools, with building programs. Their building operations may also be presented as charitable rather than as further enrichment schemes for comparatively small groups of top connected families.

I commend this and matters attached to your related consideration.

Cheers Carol O'Donnell

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THE GLEBE GRAPEVINE AND ON-LINE RALLY/FORUM TO DEFEND PUBLIC HOUSING (30.10.21 at 4pm)

Thanks again for the October 2021 Glebe Grapevine headed **We need you to take action** which is mainly about homelessness or rent stress in Glebe and related public housing sale, renovation and new building matters. I look forward to the Zoom meeting about these regional concerns on 31.10.21 and thank you very much for the promise of a brief reminder or tutorial before this. I want to die before my physical and mental incapacity finds the new IT and medical or other services ask too much, as I value my quality of life most. (See related policy discussions on loans and services with friends, with NSW and federal politicians and others in our related regional surroundings.)

Glebe is an old part of the city in which many people have lived comparatively cheaply, often as students, as I did in a collectively purchased and owned household at 212 Bridge Rd. beginning in 1973. Many who arrived then or earlier or later and stayed, live alone today, whether they want to do so, or not. **I have a choice in this but do others?**

In inner Sydney and in Glebe especially, we are often living as neighbours with shared walls, fences, pipes, wires, and foundations which are often crumbling as a result of time and with increasing use. People who live in Glebe do so in private or public housing arrangements and so I think the coming meeting focus should broadly be on the renovation of public housing in discussion with its occupants about arrangements which need to be made for their rehousing, in their view, while this renovation and perhaps related sale takes place.

Glebe residents should speak up and share information about our housing situation, especially if we are old or have a particular disability or needs. This is to maximise the general potential for making good choices for ourselves before we die. Ours is an area with many old people and even older housing, which may also be rented out to students or other workers passing through for a couple of years or less, for example.

I think old owners and renters need to tell each other about their plans for death and leaving their property for others to manage, especially if they are living alone, and in government or privately or collectively shared property ownership arrangements as I am

now, in strata, for example. At St James Court we are surrounded and share foundations, walls and related utilities with neighbours living in shared accommodation which is privately owned or not, as the case may be. NSW government owned housing is on the other side of my back wall for example. **I have never been able to find out who to approach over our shared vegetation, perimeter wall and foundation matters.**

At 74 I naturally discuss related contract matters with my friends and daughter attached, although since 1994, I have been the owner without mortgage of a town-house living under strata title with others in 18 townhouses, rather than living on social security benefits in government funded housing. ***The latter residents appear to be the focus of your meeting. Is this so? If so, what is their situation? Will Tanya Plibersek, as the apparently most responsible minister in regard to the Glebe Estate tell us about it? Will the residents discuss their various situations?***

I guess I won't take up others' time in speaking at the Zoom meeting. However, I would like to address the views in the Glebe Grapevine and hope you will make mine known to decision makers about all related matters attached. **I have no idea who they are. Do you?**

The Glebe Grapevine states that NSW citizens are looking at homelessness or rent stress for a long time to come and public housing close to the city is the answer. It then states that on the Glebe Estate, (brought into Commonwealth ownership during the Whitlam era), there are too many houses that are empty and being renovated – 'not for people but to be sold'. **If a house is Commonwealth property, it should surely be well managed and maintained until the time it is sold. Who is responsible for these matters?**

IN SUMMARY: I FAVOUR A REGIONAL APPROACH WHICH VALUES MORE OPEN AND CLEAR MANAGEMENT RESPONSIBILITY IN PUBLICLY AND PRIVATELY FUNDED AFFAIRS IN THE INTERESTS OF ALL:

MANY OF US WILL DIE QUITE SOON, SOMETIMES ALONE IN PROPERTY WHICH IS OLD AND DETERIORATING IN MANY CASES. WHAT DO CURRENT GLEBE OCCUPANTS AND OWNERS OF DETERIORATING HOUSING WHICH APPARENTLY DOES NOT MEET THEIR RESIDENTS' NEEDS WANT TO DO ABOUT IT BEFORE THEY DIE?

THIS IS A QUESTION FOR ALL OF US BUT PARTICULARLY FOR THOSE LIVING IN HOUSING WHICH NEEDS RENOVATION EVEN MORE URGENTLY THAN MINE AND WHERE I CAN AFFORD TO MAKE THE CHOICE TO LIVE ALONE IN PRIVATE RATHER THAN SHARE MY DWELLING OR GO ELSEWHERE. WHAT CHOICES DO OTHER RESIDENTS WISH TO MAKE?

I hope you will consider the views above and attached. I look forward to the meeting.

Cheers

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To Strata Policy Team of NSW Government:

RE: NEW ANNUAL REPORTING REQUIREMENTS FOR STRATA SCHEME

Carol O'Donnell, St James Court, 10/11 Rosebank Street, Glebe, Sydney 2037.

I have been a member of the strata committee of this owners' corporation of 18 townhouses, living on the plot since 1994. This submission is a personal account without endorsement by other owners on strata 10775. See more at www.Carolodonnell.com.au

LOVE AND PAIN AND THE WHOLE DAMNED THING OVERVIEW (HOUSING)

I refer to the proposed **NEW ANNUAL REPORTING REQUIREMENTS FOR STRATA SCHEMES INFORMATION REGULATION: EXPLANATORY PAPER (Oct. 2021)** to address the final survey question in the Explanatory Paper about the proposed new regulation entitled: **The Strata Scheme Management Amendment (Information) Regulation 2021**. You ask:

Do you think any of this information should be made publicly available? Why?

Sadly, I only received your paper after the deadline you requested. **Why?** (It seems that you and the City of Sydney, through which I received the information could be better joined up.)

See my reply to your question below. In summary, any government which wants to plan rather than gamble over risk management needs more good information. However, I deeply distrust what governments and the industry will do next to try to harm us owners and residents living at St James Court in Glebe in their search for more money and jobs, jobs, jobs. My experience is that strata management and renovation appear largely designed to support property investors who don't live in their own property but who may act in league with those who work in property and construction. This group are using government in their own service, stupidly, against public ownership and interest in more broadly reliable and data driven investment. Related discussions on these matters are attached.

WHAT STRATA OWNERS WILL BE EXPECTED TO FREELY COLLECT FOR GOVERNMENT AND THEN PAY IN TIME, DISTRESS AND MONEY TO ACCESS

Under the Strata Scheme Management Amendment (Information) Regulation 2021:

The information collected that will be published includes:

- the strata plan number, address and date of registration
- the number and purpose of lots in the scheme
- whether the strata scheme is part of a parent community or precinct scheme
- the number of storeys above ground (for apartment buildings), and
- the date of the most recent

AGM. The NABERS ratings will not be listed on the Strata Hub, but may be available from the NABERS website: <https://www.nabers.gov.au/ratings/find-a-current-rating>.

The fee paid to submit the annual report (43(2))

All owners' corporations will be required to pay a nominal fee when they submit their report. This fee is required under clause 43(2), and all of the contributions will go towards the cost of running the Strata Hub. The proposed fee is proportional to each scheme and based on a cost-recovery calculation for the Department to operate the Hub.

Disclosure of information by Secretary (1)

The Secretary may publicly disclose the information specified in clause 43A(1)(a)–(g), (k) or (p) about a strata scheme. (2) The Secretary may only disclose the information specified in clause 43A(1)(j), (m)–(o) or (r) about a strata scheme to the following persons— (a) a person named on the strata roll for the strata scheme, (b) the secretary of the owners' corporation, (c) the members of the strata committee of the owners' corporation, (d) if there is a building manager for the strata scheme—the manager. (3) The Secretary must not disclose the information specified in clause 43A(1)(h), (i), (l) or (q) about a strata scheme.

You must be joking? At St James Court, there is a notice of levies due on 24 December 2021 for \$10,260.00 per townhouse for all townhouse owners. There is a second notice of levies due on 1 January 2022 for \$1516.30. You are piling on noxious costs to employ more people in ways that are wrong and dysfunctional for the public. (See letters below about recent strata owners' corporation meetings and attached discussion of by-laws. etc.)

Are the government and their industry mates so used to serving off-site investors and jobs, jobs, jobs, in the property and construction industries that they can't see any public interest in the matter and are also treating owner residents as cows to be regularly milked by as many industry interests as possible, under the rubric of safety or health? (It seems so.) Do you intend to bomb us over NABERS next and charge us for it after we have provided you with information about where we are and how many of us are here?

Why focus on strata alone, when there are so many other group or family housing arrangements? (This is unlikely to be fair or good practice for those living or investing in Australia.)

Owners' corporations would need to report and verify basic information each year on a new Strata Hub. The recent **City of Sydney Sustainable Apartments** newsletter on the matter states, (although there are many strata that are not apartments, and it matters):

The digital hub will better protect the 1.2 million people in NSW living in homes in a strata scheme and those intending to buy a property in strata. It will also enable residents and owners to:

- receive vital communication
- get key contacts for their scheme

- access basic strata information online.

Because of the way strata schemes operate, to benefit workers and investors who make their living from housing management, renovation and construction industries and their associations, I think the statement that the digital hub will protect the 1.7 million people living in homes in the NSW strata scheme is wrong. Everything that has happened in my experience of being an owner living on the St James Court plot of 18 Glebe town-houses since 1994 suggests the digital hub will allow strata managers and their industry friends to rip householders and residents off increasingly wrongly in future. This will be to the further comparative social detriment of poorer regions and the escalation of management costs in inner city strata housing like ours. Are you too big to know or care?

Those of us living on the plot are mainly old women and members of the strata committee. We appear increasingly under demand to be working freely and mainly to support the interests of comparatively unknown investors living off the plot, while housing prices keep rising. Investors may be in the habit of moving on from here to benefit from the hugely increased rising house prices that have occurred since the global financial crisis of 2008 began in US housing, along with the global marketplace becoming accessible through the mobile phone. We, on the other hand are dying here, and as government, you appear to be setting us up as slaves to regulation who must work free and pay for it too.

At St James Court, we have information about ourselves already, without putting ourselves to the unpaid work and cost of trying to access the new Strata Hub, probably with the wrong IT, whatever it is supposed to be, according to you. New annual reporting requirements will make us on the strata committee collect information free and also pay the strata manager to provide it to The Hub on a yearly basis. This is going to be more free work and cost apparently forced regularly upon us. What's more, you are targeting strata rather than including other forms of accommodation and related commercial ownership. Government and industry are treating us like sitting ducks. This proposal for us to collect information about ourselves free and supply it to you at a cost to us, makes us even more vulnerable to outside interference which is already poorly constructed, as recent letters on the strata committee indicate later below. It does so without providing the normal benefits of place and building comparison to housing consumers. We appear to be expected to access our own information back from The Hub, while you retain the lot. If you had my trust, I wouldn't mind but I think your methods are fascist (producer driven without interest in consumers and residents except as investors to tempt and live off.)

Like any reasonable risk manager, I believe that in God or in love we may trust, but that all others should bring data. It is impossible for any individual or for those acting on their supposed behalf for any reason, such as strata managers or government may claim, to make any good decisions in the absence of good information. Never encourage more expensive gambling in the dark, etc. etc. etc. (See related discussions with the Treasurer attached.)

For housing planning and placement purposes, however, I think governments should collect not just information related to strata housing management, but to all other forms of group and individual housing and commercial management in any particular geographical area. I have put this view already later below, to those concerned about lack of public housing locally. There are

comparatively rich and poor people living in a lot of group housing which is not necessarily public housing. To ignore this reality is to play the old political party games of particular kinds of housing perks going to particular family mates. (I wouldn't know much, but you could ask Tanya Plibersek or Anthony Albanese about it, for example. It's not every day a family member once jailed for conspiracy to import heroin gets to be the most senior public servant in the state. Labor looks after its own, like the Catholic church and both are a lot narrower in reach than in the past which inhibits merit.

The **Objects of the Constitution of the NSW Real Estate Institute**, according to the **REINSW** website, do not equip this non-profit body to do anything other than petition the government on behalf of members' apparent interests. **The REINSW thus appears bound to act with the comparative blindness to regional producer, consumer and related community interests of a trade union. Its general approach appears driven by associated interests in multiplying legally approved secret operations to deny the kind of evidence-based operation that appears clearer, cheaper and less risky for all.**

I discuss related education and affordability matters with the REINSW later below. I first refer below and attached, however, to various problems regarding repairs, renovation, gardens and grounds, and by-laws and costs related to recent events and also in answer to the 2021 NSW inquiry into strata schemes discussion paper:

Question 79 (among others) asks *Could we make it easier for owners' corporations to make by-laws? If yes, please tell us how.*

The short answer is that nobody in their right mind should make by-laws because it massively increases regulation and the costs of lawyers inappropriately from the perspective of the public interest in good evidence. The construction and property industries collect data badly in secret from the supposed perspective of the resident and interest in stable and continuing investment in this state and beyond it.

Law should have clear aims applying to everyone as far as reasonable to the generally elected case. The particulars of implementation should depend upon the particular case. Small groups should not make related laws just for themselves. It is ignorant, wrong, unnecessary and costly for many reasons, including poor data collection typical of lawyers and courts. (I also address these matters in discussions attached regarding other regions.)

There are many people living in private sector dwellings, with or without adjoining walls with others, as well as in apartments of various types in any suburb or related location. In the same suburb people may also live in charitable, or related government funded or subsidised group housing besides strata schemes. Charitable operations are addressed in regional terms attached, and in related place and person-based terms, using the approach of the World Health Organization (WHO), which is now partly pandemic led.

I am highly concerned that an easy focus on strata housing, while similar privately -owned terrace or other forms of group housing in any locality are ignored, will greatly increase the regulatory costs to strata residents living at the particular place, to their comparative detriment, and to the gain of workers and investors who live off the plot seeking more pay and jobs, jobs, jobs, for industrial mates.

It seems that the scheme you propose is comparatively dangerous to the welfare of strata owners and residents living on the plot, while seeking to benefit investors and workers in the industry, as usual. Us old women owners, who actually live on the plot and so know and care what happens to it in many cases, not only work for the construction and property industries for free, but are again being asked to pay for the privilege with the money going the strata manager, who was originally supposed to work for us, as owners and residents on this block. Are you trying to create hatred between those who own and reside on the plot and stronger industrial forces that live off us so poorly, constantly and expensively? Experience has made me highly suspicious of your motives for knowledge about us. I draw your attention to related discussions with the strata committee and others below.

Cheers, Carol O'Donnell, St James Court, 10/11 Rosebank St.,
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LOCKED GARAGES, GATES, DOORS, KEYS AND NORMAL STRATA MANAGEMENT RELATIONS

That's fine Sally. I am always happy to let the garage be used for a good purpose and always prefer it unlocked in case there is an emergency (e.g. fire, which we have previously had with a mattress) inside No. 11. I guess property and regular jobs always come first as usual in the regulations, hence the requirement for locked garages.

I think we have a lot of evidence that you and Lili and Maureen's efforts have improved the place against the odds of normal strata management since 1994, and I include on safety grounds. Strata management serves the industry and disinterested investors in any place for good reason. I used to be an investor like that so I know what it's like to just want to pick up the cheque or pay it and not be bothered about what happens at the place. (That was a real estate agent's job?)

Strata, however, is poorly designed for effective management of the place because it cannot cater to the particular place. For example, if I want to be on the strata committee, as an owner, living in the place, without any mortgage, I have a clear right to be on it.

It would be ludicrous to suggest that anybody else can represent my views or interests, although I am not against proxies for voting. As we have seen over the years, doing a lot of free work like being on the strata committee interests only a few people and we are lucky to have helpful and competent ones for St James Court.

It was only just before the global financial crisis, however, when those working in asbestos and their brothers gave me the proverbial rocket up the bum, that I realized how difficult it can be to say no to new ideas like digging up property for asbestos search and removal, or doing yearly occupational health and safety checks and fire safety checks, etc. etc. etc. This

should not have to occur over my dead body, especially when there is good evidence of the place being run well by those willing.

Given the difficulties that I had in getting Matt into the property at No. 11, so he could at last fix a leaking pipe in a shared wall, you and he may be interested in the attached discussions of St James Court and Wollongong practices in the light of the supposed desire to create general industry practices to reduce global warming.

Can you imagine the extra trouble that Lili and Maureen and you would have been put to if Whelan's had ever managed to shove an outside **building manager** down our throats in addition to the current lot who haven't a clue but who have to negotiate the locked gate, key or door problem, with the residents cooperating in the saga or not, as may be the case. You would all be running round like blue arsed flies ringing all the people involved in the locked gate, key or door saga and hoping they would ring or text you back. Forget it. (Matt very sensibly did so in my case as with phone and email at least you have a record and don't have to rely on a poor memory,)

In my view, Lili, Maureen and you are to be thoroughly congratulated for driving improvements in the place when up against the usual cries for jobs, jobs, jobs odds.

Anyhow, I commend the attached, on Wollongong and the smaller picture for your interest. A few of these guys will use force to do some really dumb things for all of us, especially if you don't stand up for yourself and spread it around. I guess that's the industry message on targets and how you might reach them.

Cheers

Carol. (No. 10)

Hi Sally

FORTHCOMING ZOOM MEETING ON THE CONTINUING ST JAMES COURT DRAMA OF WALLS AND FOUNDATIONS SURROUNDED BY NEIGHBOURS

Should I assume that you will be hosting the Zoom meeting for the meeting at St James Court on Wed. 10th November, 2021? (EGM?)

It appears to have many of the attributes of an AGM, in the sense of being at the end of the year and establishing plans and expenditures different from the present. I ask because I wonder whether you will get a quorum via Zoom.

When I click on the info. you referred to in your last message on Zoom, the following later below seems to assume I am a UTS student. I have no idea what the stuff below means, and assume the other info. on how to connect to a Zoom meeting will let us in okay under your coordination as usual.

Am I the only dummy on this block or will there be trouble getting a quorum for a reasonably important AGM-like meeting which mandates levies and higher expenditure capacities for you, Lili and Maureen, on the basis of starting work on perimeter walls for which planning has now dragged on for a number of years? (It's a good thing we are not trying to do anything green in the mix and make targets with neighbours?)

Anyhow, just saying, I am completely on side with everything you are trying to do to get work done on perimeter walls, etc. **Should you give your telephone number beforehand to those in extremis, just in case they have difficulties with Zoom?**

Cheers Carol

Your first reference says the following, which shocked me. Your second one seemed less disturbing but still pegs me for a student.

Go to zoom.uts.edu.au and select 'Log in'.

If you are already logged into secure single sign-on (SSO) it will redirected straight to Zoom.

If you are not already logged into to secure single sign-on (SSO) you will then be prompted to log in using your student name email address and password, then authenticate with multi-factor authentication (MFA). For help using and setting up MFA head to uts.edu.au/MFA.

When you use Zoom for the first time, you will be asked to 'Accept' that your information can be shared with utsmeet.zoom.us. Once you've accepted, you can download and install the Zoom Meeting Client on to your computer.

Hi Sally

Thanks for the offer. However, I have been to Zoom meetings previously that you have hosted without difficulty but am usually nervous about whether it will work for me beforehand. **I think that I would prefer your telephone number so I could call you before the meeting if anything appears wrong with my Zoom techniques and I can't get through.**

This may or may not make life more difficult for you, but I always assume that if I'm having trouble a few others may be having it too. Hence my query about whether you are confident about getting a quorum.

Re my previously expressed concerns about Whelan's increasingly transferring unclear structures, work, costs and risk of mistakes onto people like us, I would like to query the Fine Line Remedial Building line item for the month of September 2021. Under the heading Payments a sum of \$220 was paid. Exactly the same amount was paid to Fine Line Remedial Building again in October 2021 supposedly for Temporary Fence Hire 18.8.21 to 10.10.21.

It seems to me that this proliferation of comparatively small and diverse amounts on a monthly basis and the years taken to do anything about the wall, suggests we may be treated as a monthly industry milk cow which nobody can be bothered to milk except in an increasing number of on-costs which add up but which appear too petty to check up on or question much.

I guess all this is done under the rubric of transparency, but like the legalistic treatment of renovations so that nobody has a clue about who did what for whom and who paid, it merely serves to screw up better and clearer practice. (That's to ensure only lawyers can step in?)

I feel comparatively powerless in these matters with Whelan but I just want the bloody perimeter walls fixed and I don't see why you should take all the heat for the years of apparent incompetence to which we have been subjected by God knows who on these corner perimeter wall rebuilding matters.

Cheer

Carol (No. 10) (This corner wall and fence rebuilding matter is none of my immediate business, in case anybody wondered. I'm just sticking my nose in others too dumb or busy or canny to talk or write as usual. Sorry to upset you?)

Hi Sally and others

I WILL VOTE IN FAVOUR OF THE MOTION FOR A LEVY TO GET FREE OF THIS NOXIOUS ONGOING COST AND OBLIGATION TO DEAL WITH MATTERS GOING ON FOR MANY YEARS WHICH APPEAR TO BECOME EVER MORE COMPLEX.

HOWEVER, THE OWNER OF NO. 11 SHOULD BEAR FAR MORE OF THE COST FOR MATTERS WHICH LARGELY AFFECT NO. 11 AND WHICH HE HAS APPARENTLY MADE NO EFFORT TO MANAGE IN COOPERATION WITH THE STRATA COMMITTEE (I.E. OTHER OWNERS) IN ANY WAY SO FAR.

I HAVE NEVER KNOWN WHAT THE OWNER OF NO.11 THINKS AND HAVE ALWAYS HAD TO DEAL WITH HIS TENANTS IN WHAT HAS BEEN A HOPELESS MANAGEMENT SITUATION. (I SAY THIS AS A MEMBER OF THE STRATA COMMITTEE AND NEXT-DOOR NEIGHBOUR SINCE 1994.)

I will vote in favour of the motion for a levy which you, Lili and Maureen put **because I am highly aware of how much free and difficult time you have all put into trying to manage St James Court since I arrived as a tenant and owner in 1994; and the many key improvements which have been made overwhelmingly as a result of this free effort on your behalf, which benefits others, especially those living off the plot and picking up rents.**

I know you understand far more about this current matter than the rest of us, and appear prepared to put in more free work. I have never had any reason to believe that you are other than very honest, albeit far too secretive for my tastes about matters along the way.

I refer here, however, to your following statement and make some related observations about the owner of No. 11, the building most at risk from any building collapse, who has rented out the place to others and also been invisible from any strata plan deliberations since 1994.

(The other corner of the building besides No. 11 which needs attention to avoid collapse, you will recall is in No. 7. I don't wish to address your views on why a stormwater drain, pit and easement are part of the remediation of the walls at this point).

You state below, one assumes about the remedial work which will primarily be of benefit to the owner of No. !!, who has never engaged effectively with anyone known to me:

'I don't have final estimates. I am trying to get them in advance of the meeting. I have an early preliminary estimate with a lot of items missing. Even with those estimates we will need to allow for extras such as asbestos which if it turns up is likely to be quite expensive (at present my conservative estimate for what we should allow for asbestos is \$40,000 but this is based only on a comparison with work that was done on this site in 2008).'

My recommendation is that the owner of No. 11, who has been invisible to the strata committee about his many matters for around 11 years, should be asked to pay a substantial amount for improvements which mainly benefit him and which have had to be managed without his engagement with us over his matters, which constantly affect us all in cost.

As a result of this a bunch of women owners who actually live on the plot, have had to do an enormous amount of work for free, for others who invest but do not live in their property.

This is a management set up to benefit those who make their income from buying and selling houses in a rising property ownership market such as we see today or in related management ways. It seems to me that the slow and expensive treatment of our matters is driven in the interests of those who refuse to manage them properly but who also do so in their own time. They reap the benefit of this while others more affected by this bad management work for nothing.

As I said before, it's a good job we are not trying to go green with targets because based on my experience of attempted management at St James Court, we would have Buckleys.

This is a feminist matter for me, about an essentially dysfunctional system dominated by male association which can be venally stupid. (I could go on about the supposed discovery of asbestos on this block in 2007, just before the global financial crisis in 2008, and how naively foolish I felt your management approach was then. Where would you like to make most of your money working - in a comparatively wealthy inner-city block or where you really need to be working - in the bush, where you can see the asbestos blowing around in the breeze.)

I could say a lot about supposed asbestos and its supposed treatment and none of it is pretty. As the first movers on site they are running the costs. Is the money well spent in digging any up, if it even exists underneath the ground? I very much doubt it if you are an owner at St James Court. (I guess if you were an investor working with others in the industry you might feel different and the need for a bigger fund.)

Cheers

Carol (No.10)

Hi Sally, Maureen and Lili

ASKING FOR MINUTES AND THE 'STANDARD MBA CONTRACT' EXAMPLE

Thanks for the faultlessly run and well attended meeting, prior explanations and related outcome of unanimous consensus which occurred at the meeting of 10th November 2020 as a result of good (i.e. clear) communication.

Sadly, I have forgotten what we agreed to and so I would appreciate **being sent minutes** so I can put them in my **personal file** of matters of interest to me. Ta very much. Personally, I think this is always the best way to proceed so that people remember and know what they

are doing. I would rather have this occur than have to keep checking my drop-box with a password for example. I think I would just forget it.

In a related vein, I found Sally's circulation of the two-page explanation of our strata plans which contains the heading **Rationale Behind Cost-Plus contract** particularly clear and helpful. **I would very much like to see the contract, because I am interested in how contracts may be written and noted at the meeting that it was described as a 'standard MBA contract'. I would like to see an example of that.**

In regard to Sally's statement under the heading **Overview of issues with the retaining walls in the South East corner of the site** that **"this is by far the most complex issue that we have had to deal with on this site"**. Up to a point, Lord Copper. Its complexities appear largely driven by neighbouring forces beyond our ken. (The unknown unknowns, to quote Donald Rumsfeld.)

You will recall we had major scaffolding all over every building when Robertson's Painters and Decorators took on the supervision of the total top window and related carpentry rebuilding and painting of the entire complex around 2009. Their contract was very good indeed I thought. Their execution of it safety wise was not so much but I thought their painting of all the fiddly balconies, etc. was superb.

You remember we "only" paid around \$20,000 for plumbing related asbestos in that year because we didn't want our gardens dug up unnecessarily in the search for a lot more asbestos, found and largely taken on trust behind barricades. God knows where it was being put? Any ideas? This unknown and open-ended asbestos cost avoided, also allowed us to undertake the top window carpentry and painting as I recall. Robertson's Painters and Decorators were particularly excited.

We have all struggled in our own ways, and for me in 2008, it was unknown, frightening and painful, before Full Monty Maintenance and Robertson Painting and Decorating came along. I thought their contract was great and I wonder what the MBA and others are coming up with now.

We all see these emotion-filled things so differently so please feel free to correct me.

Cheers

Carol

MINUTES AFTER THE ZOOM MEETING IS OVER

Thanks for these very clear and useful minutes, especially Maureen. These things were **unanimously resolved, which I think is important to note**. However, I don't want to give you any extra trouble or debate. It's always just a suggestion.

Cheers

Carol

Hi Maureen

Whelan's would say that, wouldn't they? I guess they also think it doesn't matter that the leaders of the NSW Liberal Party and the NSW Labor Party are both standing against legalizing euthanasia although 70% of the population support it. They like to count the numbers when it suits them and they hate it when it doesn't. These guys aren't working for us, they are working for lawyers and whatever suits them in the industry in general. We are the stupid old biddies working and pushed around for free.

Cheers Carol

Thanks Sally.

Jeez, what a horrendous 35-page contract in comparison with the clear quality management operation of the four page contract provided by Robertson's Painters and Decorators around 2009 when all our top windows were repaired and the whole building was repainted, involving scaffolding.

The attached contract appears more like a set of building regulations to allocate the expected duties and costs of the owner on one hand and the builder on the other, to avoid any breach or dispute. This set of regulations is then signed by the two contracting parties (owner and builder) with financial estimates. Is our strata the only owner involved in this work? (I assume so.)

The main charm of the Robertsons Painting and Decorating 4 page contract, as I recall, was that it was like a recipe for making a completed pie, or another stated dish, with all the ingredients listed and costed as part of the final contract (to which agreed additions were discouraged but might be made during the process later). Then it had four stages of work expectation for completion payments based on quality control estimations made by the supposedly right persons, as far as I recall. (I privately noted they weren't individually signed off.)

I haven't seen anything as apparently clearly sensible as that 4 page contract since, except for the form entitled **OWNER RENOVATION APPLICATION** (3 pages) which Whelan's produced and Jo (No. 9) had to fill in. One wonders why a single form of four pages wouldn't make the **key issues** a lot clearer and less time and cost consuming. (Of all the renos. information we have seen on this block, I personally found Jo's requirements the clearest and most sensible. The rest often seemed nuts to me in one way or another.)

I guess that making all the required work clearer while reducing time and cost is not something the industry wants to do and I guess this MBA regulatory approach is also an attempt to make regulatory requirements and responsibilities clear to the owner and the contractor respectively before they sign a contract.

Gee. I don't know what to think but the best of British luck with it all.

Cheers

Carol

To Strata committee members at St James Court, 10/11 Rosebank St., Glebe, 2037

WHAT TO DO ABOUT BAMBOO IN NO. 11 (NO. 10 ASKS FOR ADVICE)

The bamboo in my back garden, (No. 10) which I passionately love to look at and be in on a daily basis, is coming up all over the garden at an amazing rate and every day I have to pull out more. Should I care? If so, what should I do? I don't mind pulling it out as it comes up, but I often wonder about the future concentrations of bamboo roots in my garden. I also discussed this with the renters in No. 11, where bamboo is also growing fast again.

In early 2020 the owner of No. 11 had a man come in and eradicate all the bamboo at the back of No. 11 and put down wood chips. However, as I pointed out at the time, he left a bit in the corners of No. 11. Even if he hadn't, I guess the bamboo from my garden would have travelled to theirs eventually. (As I find bamboo more aesthetically pleasing than its dirt or concrete alternative, I find this personally hard to mind but thought I should point it out to the renters in No. 11 in case they thought they should remove it or tell the No.11 owner.

I asked the renters in No. 11 how they felt about the bamboo now coming up in their yard at the fence perimeters. The view was that their back yard was currently unusable and they would like it totally concreted over. I would like to put on record that I would hate that because it would encourage more people to have social events in their back-yards which are very noisy. (There are chairs, a table, umbrella, etc already left permanently in the back yard of No.11. Noise carries very easily at night, especially if the people are outside.)

I am conflicted about bamboo. Its great perimeter virtue is that it provides a beautiful tall green screen from very large or close neighbours, with the great aesthetic value that this entails in any fairly scruffy urban space, as Glebe and Rosebank Street have largely always been. Without the foliage the place more easily turns into a concrete dump. On the other hand, I wonder, can I go on pulling bamboo out forever without doing something about its spread. What should I or the owner of No. 11 do that isn't like nuking the place?

Surely those who have lived in Asia must have faced this all before? What is the answer which allows me to keep having a 'large' garden? Can anybody recommend a sensitive young gardening consultant, who understands these matters, for example?

Cheers

Carol (No. 10) St James Court, Rosebank St., Glebe,