

Dear owner/resident,

The committee appreciates that concerns between neighbours can sometimes be frustrating and difficult to resolve. However, under the Body Corporate and Community Management Act, the committee is limited in what it can legally investigate or enforce unless there is evidence of a specific by-law breach and the required dispute resolution process has been followed.

Committee members are also fellow residents within the estate and cannot independently regulate personal lifestyles, day to day living arrangements or ordinary neighbour disagreements. For this reason, Queensland legislation requires parties to first attempt self-resolution before the committee or the Commissioner's Office can formally become involved.

In November 2025, the Office of the Commissioner for Body Corporate and Community Management released a new suite of self-resolution forms to support dispute handling and internal decision-making under Queensland's Body Corporate and Community Management Act 1997 (BCCM Act).

These forms are now available for use and are intended to help owners, occupiers and committees address issues early — before seeking formal dispute resolution through the Commissioner's office.

Form 37a – Self-Resolution with Owner / Occupier

https://www.publications.qld.gov.au/dataset/self-resolution-for-body-corporate-disputes/resource/2f1b89e3-b714-42be-bb2b-c1d76954bb32?utm_source=chatgpt.com

The Form 37a is used when there is a dispute between owners and/or occupiers that you want to try to resolve directly. It encourages documented attempts at resolution and supports issuing breach notices if required.

For example:

- Neighbour disputes (e.g. parking.).
- Behaviour or by-law concerns affecting another resident.
- Any issue where direct communication and resolution is possible.

This form gives a structured way to record the issue, proposed resolution and parties' attempts to settle it. This can be evidence of self-resolution if any further dispute application becomes necessary.

Queensland's dispute framework under the BCCM Act requires parties to attempt reasonable self-resolution before applying for adjudication with the Commissioner's Office.

These new forms are the first step of the new process.

If self-resolution does not resolve the matter, you may then submit a Form 1 to the committee requesting enforcement of the relevant by-law. If the committee can't substantiate the claim or if 14 days passes with no resolution, then you can submit a Form 22 to the Commissioners office.

1. Attempt Self-Resolution: you must try to resolve the issue directly with the person breaching the by-laws with the form 37a;
2. If the alleged offender does not remedy the breach;
3. Submit BCCM Form 1: You must give the committee a BCCM Form 1 (Notice to the body corporate that a by-law has been contravened), requesting that they enforce the by-law.
4. Wait 14 Days: The committee has 14 days to advise you if they have issued a contravention notice to the alleged offender.

After the 14 days pass, you can lodge a conciliation application (BCCM Form 22) if:

1. The body corporate does not respond to your Form 1.
2. The body corporate decides not to take action.
3. The body corporate takes action, but the breach continues, and you are not satisfied with their enforcement.

In conciliation, a conciliator with knowledge of the BCCM Act helps you negotiate a resolution.

Conciliation normally involves a teleconference between you, the other party and the conciliator.

You will be asked to show that you have tried self resolution before you can apply for dispute resolution.

Here's a link for more information on the Conciliation and adjudication process:

<https://www.qld.gov.au/law/housing-and-neighbours/body-corporate/disputes/dispute-services/conciliation-adjudication-referee-orders/conciliation>

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For and on behalf of the Elysium Noosa Body Corporate Committee
CTS 37939