

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

**RE: BODY CORPORATE AND COMMUNITY MANAGEMENT AND OTHER
LEGISLATION AMENDMENT BILL 2012**

"SUBMISSION"

As the owner of Unit [REDACTED] 19th Avenue of the Beach, Palm Beach I point out the following in support in having the reinstatement of the last adjustment order.

It was unjust to allow an individual unit owner the ability to have a court decision overturned in relation to the lot entitlements.

The reversion process of 2011 did not have the rights and liabilities of individuals in its best interest – it does not make provision for other unit owners to oppose the action.

TIME PERIODS FOR REINSTATEMENT PROCESS

SECTION 403(3)

A period of 30 calendar days would be ample time for the committee to give written notice to a Lot owner under section 403(2)

SECTION 403(3)

While the submission period of at least 28 days, there should also be a maximum period of 45 days, to prevent the committee from delaying the reinstatement of the previous adjustment order.

SECTION 404(2)

The Bill makes no mention of any period for the committee to decide on modifications under subdivision 3 to the last adjustment order entitlements for a scheme.

SECTION 404(4)

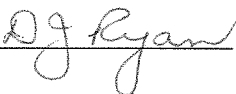
A 90 day period for a Body Corporate to lodge request for a new CMS (given that this time is after the committee makes its decision) is too long and a 60 day period would be more timely.

These amendments would be in order considering the financial impact the changes to Legislation in April 2011 have had on my lot entitlements, almost doubling.

However, there must be a workable and fair system for managing shared costs including the maintenance of common property, and that system needs stability.

I have been advised that it is not feasible to increase the rent enough on my unit to cover the extra Body Corporate fees and buyers are not interested in purchasing a unit with such a high Body Corporate fee.

Please consider this submission favourably for all concerned.



D. J Ryan.

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