

From: [REDACTED]
To: [Legal Affairs and Community Safety Committee](#)
Cc: [REDACTED]
Subject: BCCM and Other Legislation Amendment Bill 2012
Date: Friday, 12 October 2012 4:53:09 PM

I live in a gated estate Known as Lake Hills. It has been registeres as a Building Format Plan with the number CTS26051.

When we purchased this property in September 2001 the lot entitlements for the 96 dwellings were not equal. They comprised 20 lots on 50; 10 lots on 60; 4 lots on 65; 4 lots on 80; 21 lots on 85; 24 lots on 90; 2 lots on 95 and 11 lots on 100. Motions were put to owners at general meetings to have the lot entitlements re-assessed. All motions were rejected.

In April 2006, after preparation of a report by Leary and Partners, Quantity Surveyors, an appeal was submitted to the Commissioner to have the lot entitlements re-assessed.

The matter was referred to Mr. Gary F Bugden OAM, Sepcialist Adjudicator who on 15 August 2006, under reference number 0272A-2006 issued an "ORDER that the contribution schedule lot entitlements in community titles scheme 26051 be adjusted so that an allocation of one (1) is made to each lot, with an aggregate of 96".

When the Labor Government, which was dismissed earlier this year, passed legislation to amend the Act in April 2011, three owners at Lake Hills submitted appeals (reference numbers 0859-2011and 0860-2011 and reference number OCL122-11 with the QCAT) so that the lot entitlements at Lake Hills would revert to the situation that applied when Lake Hills was first formed.

The Orders made by the Adjudicator on 23 December 2011 reads "I hereby order that the application is dismissed as I am satisfied that the decision should be dealt with in a court or tribunal of competent jurisdiction".

While the costs of managing and maintaining estates, whether registered as Building Format Plans or Standard Format Plans, must be carried by the owners, the distribution of those cost can vary depending on the structure of the building/s, and what must be done by the Body Corporate management for individuaal owners.

I am firmly of the view, after spending some time as Chairman and also as Secretary of the Body Corporate at this estate, that the equal entitlements which apply here, are fair and equitable.

Patrick F. J. Needham. Joint Owner of lot [REDACTED]