

From: [barbara.mcveagh](mailto:barbara.mcveagh@parliament.nz)
To: [Legal Affairs and Community Safety Committee](mailto:LegalAffairsandCommunitySafetyCommittee@parliament.nz)
Subject: Submission
Date: Saturday, 13 October 2012 3:12:16 PM

SUBMISSION: BODY CORPORATE & COMMUNITY MANAGEMENT ACT 1997

"We the undersigned, do submit that the Body Corporate and Community Management & Other Legislation Amendment Bill 2012, should not be passed and that the changes proposed to the Lot Entitlements-2011 amendments Act are not fair and just.

Admiralty Towers 11 unlike other tower blocks is divided into two separate buildings, the lower levels level 1-25 and the high rise levels 26-35.

The lower levels have access to level 1 facilities, common room, pool and gym, three restricted access lifts, one foyer and to the five carpark levels.

High rise units have access to all the facilities listed above for use of the lower level residents, plus an exclusive foyer with leather chairs and a library, also three lifts and exclusive use of a pool and gym on level 37 and to the rooftop relaxation area all of which are closed to lower level residents.

As a result of the above conditions levels 1-25 pay less body corporate fees as fairly set out by the developer. The levels 26-35 all agreed to pay extra for their exclusivity.

The Beattie Labor Government changed the assessment of levies applied by Body Corporates to a so-called fairer level. One size does not fit our tower which is essentially two.

This gave the upper levels a considerable drop in levies applied whilst the lower levels were forced to pay considerably more without being able to use the other facilities which are rigorously policed for privacy a case of social injustice which has caused so much dissension and ill will in a previously harmonious community. It should be remembered that these are community issues and not solely about money.

Under the Bligh Government, this was changed to the levy process in force when we bought off the plan and started to prepare for retirement. We believed it to be fair when we bought into the Tower, in 1995. We accepted the movement restrictions applied to lower levels and we did not pay for the upkeep of facilities for which we had no access.

The Bligh Government righted a wrong and brought back social justice in 2011. This must not be changed again.

The upper level pool has needed extensive repairs and we all have agreed to pay for these out of our current accounts although levels 1-25 will not have use of this pool.

Please do not now destroy our community again with another change

As self funded retirees, it is pertinently not a fair go for us to suddenly after 16 years have to start subsidising those living on levels 26-35 for the reasons outlined above.

.

On behalf of:

George Francis and Barbara Anne Mc Veagh