

The Body Corporate and Community Management and Other Legislation
Amendment Bill 2012

Submission against the bill 16.10.2012

Contribution schedule of lot entitlements should accurately reflect the proportion of costs a unit owner must pay in the total cost incurred by the Body Corporate relating to the building complex.

Maintenance costs--- plumbing, electrical wiring, sprinkler installation, external windows and walls ,internal walls ,floors and ceilings, are all directly related to the size of the unit.

The larger floor area the greater the maintenance costs required to service the associated utility infrastructures and building structures.

Building Insurance. Cost of insurance is based on the replacement cost and is proportional to the area of the unit.

(Figures based on the Body Corporate and Community Management Act 1997)

Calculations showing the disparity of costs under the 1997 Act

Contribution schedule of lot entitlements for BUP 6435 Atlantis West total 9997

CASE 1 Lot 177 has an area of 36.5 sq and a lot entitlement 67 out of 9997

.67% of the total for the complex. 1sq=.0184 %

Lot ■ has an area of 16.5 sq.and a lot entitlement of 62 out of 9997

.62% of the total for the complex 1 Sq= .0376%

Lot ■ pays **2.04** times the contribution of Lot 177

We as the owners of Lot ■ are paying more than twice the contribution of Lot 177.

CASE 2

An even more glaring anomaly. Penthouse Lot 180 Area 57sq. (includes roof) Has a lot entitlement of 71 out of 9997 .0.71% of total

1Sq = .013%. Lot ■ pays **2.9** times the contribution of Lot 180

CASE 3

Amalgamation of Lots 72 and 73 QCAT Case Number OCL026/10 June 2010

Lot 72 15sq. + Lot 73 16.5sq. Total area 31.5 sq.

Prior to the passing of the Body Corporate and Community Management Act 1997 lot s 72 and 73 had a combined entitlement of 120 .

After the reallocation allowed by the 1997 Act the entitlement fell to 66.

31.5 sq ----- 66 lot entitlements---- .66% of the total for the complex

1.0 sq = ----.0209% lot entitlements

Lot ■ pays **1.80** times the contribution of amalgamated lots 72 and 73

CASE 4

Allowing units to amalgamate and reduce their contribution increases the contribution of all other lot owners.

Amalgamate an entire floor Say Level 12 Units 63,64,65,66,and 67.

Total contribution entitlements 301 out of 9997

New contribution entitlement in region of 70 for whole of Level 12

Reduction of 231 entitlements 430%

Increased contribution to be bourn by other lot owners

Waste and Waste Water charges levied by the Gold Coast City Council on Atlantis West are based on the Contribution Entitlement of each lot.

Larger lots have more WC, more drains and water outlets

There are no individual water use meters for each unit.

Charges on Lot [REDACTED] are based on its Contribution entitlement which is, 62 of 9997. (2 WC 2 bathrooms 1 kitchen)

Charges on Amalgamated Lots 72+ 73 are based on its Contribution entitlement of 66 of 9997 (4WC 4 bathrooms 2 kitchens)

We the joint owners of Lot [REDACTED] will be paying a far larger share of the charges than we should.

[1 sq.=9.29 square metres]

Clearly reverting to terms of the earlier 1997 Act is unfair and unjust.

Either leave the Status Quo or entirely redraft the Act to reflect accurately the allocation of costs to each lot according to floor area and amenities.

Michael Lowry and Peter Rule (joint owners)

[REDACTED]

[REDACTED]

[REDACTED]