

Body Corporate & Community  
Management & Other  
Legislation Amendment Bill 2012  
Submission 156

**From:** [Mark Holmes](#)  
**To:** [Brook Hastie](#)  
**Subject:** Lot Reversion Legislation - Support for Bill to revoke the Legislative Amendment enacted by the former Labor Government  
**Date:** Tuesday, 16 October 2012 8:38:38 PM

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To The Queensland Attorney General,

Dear Sir,

I have lived in Macleay Towers at Kangaroo Point for 13 years, where a new CMS was recorded in April 2009 following a comprehensive lot entitlement schedule analysis by experts in this field. The result was that the inequities of the original CMS established by the developer were eliminated and all lot owners lot entitlement contributions were thereafter calculated on an equitable, mathematically validated basis. I was very supportive of this equitable and just process.

In January this year a lot owner in our building instigated proceedings for the Body Corporate of our building to revert to the original inequitable CMS. I was totally opposed to this and voiced my concerns to The Premier of Queensland, in writing, who referred my concerns to the Attorney General. I was delighted to receive such a positive response from you and even more delighted when you announced the decision to review the Lot Entitlement legislation.

As you know the Lot Entitlement legislative amendment passed by the Labour Government was drafted in a totally unacceptable form such that it prevents any opportunity for an adversely affected lot owner to lodge an appeal opposing a motion from another lot owner to revert to the original scheme on the grounds of inequity.

That legislative amendment is totally unacceptable and discriminatory.

Like many long term residents of apartment buildings my lot entitlement will rise excessively.

I therefore fully support the Governments review of the legislation and the proposed new bill.

Yours Faithfully

Mark Holmes

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