

17th October 2012
Jan F Van Zandwijk

[REDACTED]
[REDACTED]
[REDACTED]

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Committee

Re Submission on the Body Corporate and Community Management and other legislation Amendment Bill 2012

I currently own a unit in Acapulco located at 4 Thornton Street Surfers Paradise, which had its lot entitlements amended in 2007. The building consists of 24 levels with 4 units per level all of approximately the same size excluding a penthouse which occupies the top level as well as a pool area on top of the building and the managers unit which is a 2 level unit located on the ground and basement levels.

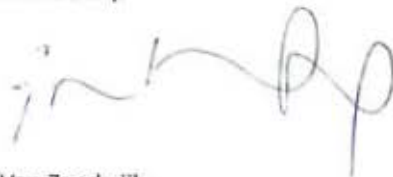
Prior to the amendment to the lot entitlements A and B type units on each floor were paying 50% less than a B style unit and 25% less than a A style unit as per the attached Building units Plan. Following the amendment all of the units paid approximately the same amount excluding the Penthouse and Managers Unit. This was a fair distribution given that we are having the same occupancy and enjoy the same community facilities and contributed evenly towards the upkeep of the building.

Under the 2011 BCCM legislation we had a couple of A and B type unit owners ask for the original Lot Entitlements to be reinstated and this was approved and the lot entitlements changed back to their original amounts causing half of the building to pay substantially more than the other half for the same facilities and upkeep as well as insurance costs for the building.

Given that the original amendment to the Bill was to make the system fair to all and then find that due to the Amendment in 2011, we were placed in a far worst position in relation to the running and upkeep of the building. Our building is one that apart from the Penthouse and the Managers unit, all other units are approximately the same size I cannot see how it is fair that some owners are required to pay 50% more in their body corporate levies compared to the other unit owners.

I know that when the building was originally built the C and D units were sold as 1 plus units although they have now been converted to 2 bedroom units and therefore have the same occupancy as the other units and should be contributing to the running and upkeep of the building as the owners of A and B type units need to.

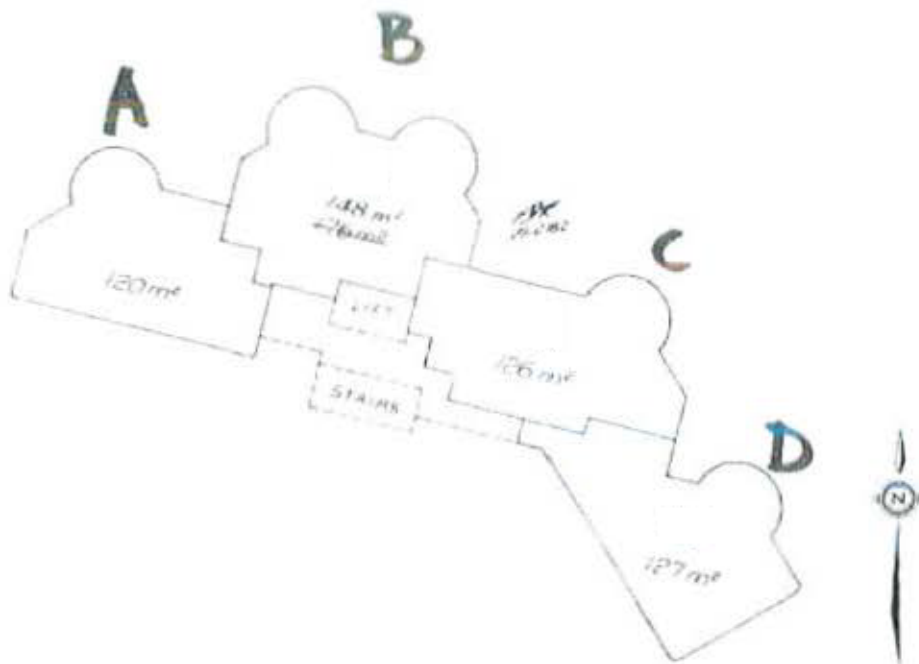
Yours faithfully



Jan Van Zandwijk

BUILDING UNITS PLAN NO 4754

LEVEL X



Residential Purposes Only

Scale 1:300

Floor areas are approximate only

SIGNATURE OF REGISTERED PROPRIETOR

The Common Seal of Sparman Pty. Limited was hereto affixed by the authority of a resolution of its Board of Directors and in accordance with its Articles of Association, in the presence of:-

A Justice of the Peace



Alan Jones Mayor

Council of the City of Gold Coast