

RECEIVED

19 OCT 2012

LEGAL AFFAIRS AND COMMUNITY

SAFETY COMMITTEE

Dear Legal Affairs & Community Safety Committee,

Body Corporate & Community
Management & Other
Legislation Amendment Bill 2012
Submission 220

Re: Submission - Body Corporate and Community Management Act (BCCMA) Amendment 2012

By sponsoring this amendment your Attorney General (AG) is perpetrating a significant injustice on thousands of unit owners? Small unit owners, as a consequence of his amendment, are to pay higher levies so that penthouse owners can pay less. The AG has not consulted with others on this amendment. He has no idea how many unit owners will be affected. He has not presented other than superficial reasons why levies should be equal.

Common sense alone dictates that it is simply unreasonable to expect that an owner of a one bedroom unit should pay a similar levy as an individual who owns a penthouse. There is no logic, no rationale that can be argued as to why this should be so.

It has been reported that the Attorney General has stated that the change in legislation will only affect around 20 buildings. Even if this number is correct, which it is not, it is the implications of the statement that is concerning. It implies a "who cares" attitude. So what if some unit owners are unfairly disadvantaged as long as the numbers are not great.

The amendment was presented to parliament on the 14th September. Advertising inviting submissions to the Committee appeared in newspapers on the 30th September; with submissions to be made by the 19th October. *This matter is being pushed through parliament with insufficient time for affected unit owners to be informed of the proposed changes, and for them to have an opportunity to make a submission. The question is why?*

Mr Newman, the policy to make levies equal is a legacy policy of the previous Liberal and National Party opposition. Neither you, nor the majority of the current government had anything to do with this policy and should not be bound by it. It was this sort of poorly thought out policy, which is lacking in any factual credibility, which kept an inept coalition in opposition for so long.

This amendment will deal a cruel blow to thousands of unit owners, particularly those on fixed incomes. *When these unit owners purchased their unit they agreed to the levies disclosed at the date of purchase. So did the penthouse unit owners.* Then why is the government so determined to interfere in a legitimate commercial transaction. Why is the government aiding and abetting a few at the expense of the many.

It seems that the government is putting the onus on small unit owners to prove why levies should not be equal. Surely, as the instigators of this proposed amendment, the onus should be on the government to prove why levies should be equal. The Attorney General has failed to do so.

Mr Newman, this constant fiddling with Body Corporate legislation is stressful for unit owners. We live in a state of constant anxiety not knowing when the government will again change the ground rules. For many, the change now proposed will be the third change in as many years. Significant costs are being imposed on Bodies Corporate by these constant changes. You need to use your authority and bring some sanity to this situation. Please stop this amendment proceeding.

Yours faithfully,



Giuseppe Natoli

17th October 2012

[Redacted]

[Redacted]

[Redacted]

[Redacted]