

inbrief

GLAISTER ENNOR BODY CORPORATE UPDATE

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BODY CORPORATE FINED FOR WASTEWATER DISCHARGE

Body Corporate 355972, the body corporate for a residential complex in Hamilton, has been fined \$53,550 for discharging sewerage into the Kirikiriroa Stream in *Waikato Regional Council v Body Corporate 355972* [2018] NZDC 23918.

Body Corporate 355972 pleaded guilty to one charge of unlawfully discharging wastewater under the Resource Management Act 1991 after the complex's private wastewater pumping station overflowed into the Kirikiriroa Stream (a tributary to the Waikato River).

The wastewater pumping station serves 30 of the 107 dwellings in the complex and forms part of the common property. The discharge occurred when the pump failed and untreated wastewater was discharged from an emergency overflow pipe that discharges to the bank of the Kirikiriroa Stream.

In sentencing, the District Court found it hard to accept the Body Corporate did not know of the existence or the location of the overflow pipe. It also found the engagement of an on-site manager for the common property did not absolve the Body Corporate of its responsibility.

AUSTRALIAN COLLEGE OF STRATA LAWYERS COMES TO AUCKLAND

The Australian College of Strata Lawyers will be holding its 14th Annual ACSL Strata Law Conference in Auckland from 27 February to 1 March 2019. Vicki Toan and Philip Brown of Campbell Brown Planning Limited will be speaking on the topic of planning and strata law (unit titles law) and on intensification in Auckland. For more information see: acsl.net.au.

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MATTERS ADVISED ON

We have recently advised bodies corporate, unit owners, and body corporate managers on the following matters:

- remedial works issues
- responsibility for repairs and maintenance
- governance issues
- objections to resolutions; and
- unpaid levies.

For specialist legal advice, please contact Vicki Toan

CONTACT US

For specialist legal advice and assistance, please contact Vicki Toan.



**Vicki Toan | Partner
Resource Management
& Unit Titles**

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