

LOT 97 HESTIA WAY, SAN REMO - BUILDING LICENCE

855. Dr S.C. Thomas to the Parliamentary Secretary representing the Minister for Local Government and Regional Development

In response to the answer received to Question on Notice No. 555, I ask -

- (1) In reference to the development of Lot 97 Hestia Way, San Remo, which was built on in November 1989, can the Minister please advise -
 - (a) did the City of Mandurah require a retaining wall to be built as a condition of the approval of a building licence; and
 - (b) given the disparity in site levels with the neighbouring block, Lot 96 Hestia Way, San Remo, and the unstable nature of the soil in the area, if the retaining wall was not a requirement of building approval, why not?

Mr M.P. MURRAY replied:

- (1)
 - (a) Yes, the City did require a retaining wall. It was Condition 5 (iv) of the Building Licence.
 - (b) It was a requirement. However, it was not built. In July 2002, the City served a notice for a departure from the approved plans for not constructing the wall. An appeal was lodged against the requirements of the City's notice and the appeal was upheld on 14 January 2003.