

BUNBURY LAND DEVELOPMENTS — FENCING AND LANDSCAPING ISSUES

4750. Mr M.P. Murray to the Minister representing the Minister for Commerce

My question is in relation to two property developers who have undertaken the development of estates in my electorate. One is Ironbridge Holdings Pty Ltd which has constructed a new development in Dalyellup called the 'Tuarts Estate'. The other developer is currently trading under the name Altai Investments and the development is Recreation Drive in Eaton. Both Ironbridge Holdings Pty Ltd and Altai Investments have fencing and landscaping packages included as part of the contract for their residents and I understand that there have been some issues with the delivery of these packages. I ask:

- (a) has the Minister met with or spoken to the either of these two developers; and
 - (i) if yes, what date did these communications take place;
- (b) has the Minister had any communication with any of the residents living in the estates that have no fences or gardens; and
 - (i) if yes, what advice or assistance was the Minister able to offer to assist them in getting their fencing and landscaping;
- (c) when was the Minister last updated from the Department of Commerce regarding this matter;
- (d) how many briefings has the Minister received from the Department informing the Minister of the progress of the situation at the Tuarts Estate;
- (e) has the Minister asked the Department for briefings to be updated of the progress of the situation at Recreation Drive; and
- (f) will the Minister undertake to put in a bonding system to ensure developers are compelled to deliver on their contractual agreements; and
 - (i) if not, what action will the Minister be taking ensure developers are compelled to deliver on their contractual agreements?

Mr C.C. PORTER replied:

- (a) No
 - (i) Not applicable
- (b) No however, the Minister has received correspondence from the Hon. Barry House MLC and Mr Mick Murray MLA raising these issues.
 - (i) Consumer Protection officers have provided information to the residents about their rights and assisted them to lodge applications against the companies in the Magistrates Court to commence civil proceedings for breach of contract.
- (c)–(e) Previous correspondence and briefings were received by the former Minister for Commerce. The Minister is provided with regular updates on this matter with the most recent provided in March 2011. The Department of Commerce is monitoring the situations and will advise the Minister of further developments.
- (f) The issue of a 'bonding system' to ensure contractual obligations are completed is not a simple process. It is unlikely that planning approvals, which establish traditional bonding processes to ensure essential services are completed, could encompass this type of contractual obligation.
 - (i) The Department of Commerce will further examine this issue to see what action can be taken within the planning processes. The Department will continue to assist consumers to enforce their contractual rights against these developers and will continue to investigate any breaches of legislation that may have occurred.