



Andrew Laughton <laughton.andrew@gmail.com>

FW: Message from "RNPF3D8A8"

6 messages

Gary Bruhn <gbruhn@bunbury.wa.gov.au>

25 March 2014 at 12:51

To: laughton.andrew@gmail.com

Gary Bruhn

BUILDING TEAM LEADER

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-----Original Message-----

From: ricohmp8001@bunbury.wa.gov.au

[<mailto:ricohmp8001@bunbury.wa.gov.au>]

Sent: Tuesday, 25 March 2014 10:16 AM


To: Gary Bruhn

Subject: Message from "RNPF3D8A8"

This E-mail was sent from "RNPF3D8A8" (Aficio MP 8001).

Scan Date: 25.03.2014 10:16:18 (+0800)

Queries to: ricohmp8001@bunbury.wa.gov.au

 20140325101618559.pdf
188K

Andrew Laughton <laughton.andrew@gmail.com>
To: Steve Woodhouse <swoodhouse@wml.com.au>


17 July 2014 at 15:26

Hi Steve

An indication that Structere are part of the problem.

Andrew.

[Quoted text hidden]

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Andrew Laughton <laughton.andrew@gmail.com> 21 August 2014 at 07:10
To: Gary Bruhn <gbruhn@bunbury.wa.gov.au>, Sharyl Marsh

<Sharyl.Marsh@stjohnambulance.com.au>

Cc: Steve Woodhouse <swoodhouse@wml.com.au>, Marion 11 Keble
<mazzalewis@westnet.com.au>

Bcc: Mary-Lucille Baker <marylucille@upnaway.com>, "burnleyzoo@aapt.net.au"
<burnleyzoo@aapt.net.au>

Hi Gary

Regarding the failing retaining wall between 11b Keble heights and 14 Trinity Rise.

Nothing at all appears to have been done since the letter you sent on 14 March 2014.

The crack in the retaining wall is getting worse.

I have engaged a different structural engineering firm (WML) to come up with a solution to the problem as Structeree have proven to be useless.

WML are drawing up plans for a new retaining wall to be built on my side of the boundary, with reinforced concrete to be put between the original retaining wall that is failing and the new retaining wall.

Sharyl from 14 Trinity rise has ignored my offer to share the cost of the retaining wall and to make it high enough to support the extra sand they put on top which probably caused the failure in the first place.

Installing this new retaining wall involves digging at the foot of the foot of the original retaining wall, which is inherently dangerous as it may cause the original retaining wall to collapse.

This danger is greatly increased because the overburden has still not been

removed, and it is putting extra pressure on the wall.

This work is best done while the ground is damp because when it dries out the sand is more likely to move.

As the new retaining wall will possibly be at my expense it will only be designed to go as high as the original wall, and there is a risk that the overburden that caused the original wall to fail will also cause the new wall to fail.

Can you please chase this up and get the overburden (Sand that has been built up on land that should of been kept level), removed as this issue is getting urgent and my attempts at communication are ignored.

Regards, Andrew Laughton.

[Quoted text hidden]

Sharyl Marsh <Sharyl.Marsh@stjohnambulance.com.au> 21 August 2014 at 08:54
To: Andrew Laughton <laughton.andrew@gmail.com>
Cc: Gary Bruhn <gbruhn@bunbury.wa.gov.au>

Morning Andrew

I have not responded yet as I have taken time out to seek advice.

As per instructions from Structerre Engineering, an Australian renowned company, we have removed all the sand that we are going to. Any further removal will compromise our retaining wall.

As previously stated and it is clearly shown in the pictures I have forwarded to the WA Building Commission we have not changed the lay of the land, when erecting our retaining wall.

I do not know where you have got a sum of \$50000.00, but Structerre previously advised the cost to reinforce your retaining wall which was never constricted correctly in the first place when the lay of the land was altered would be between 5-10 thousand dollars.

WA Building Commission clearly stated that it is the responsibility of the person changing the lay of the land to ensure all retaining walls are constructed as per regulations.

As previously stated we will pay 50% for the cost to replace the 5metre stretch of fence that runs along our boundary line.

What we do regarding further retaining of sand on our property is for us to decide and not you and we will sort this once you have reinforced your retaining wall. We have previously sort recommendations from Structerre and are more than happy with their advice and when we move forward with this we will seek all permits etc required from the council.

Regards

Sharyl

From: Andrew Laughton [mailto:laughton.andrew@gmail.com]

Sent: Thursday, 21 August 2014 7:11 AM

To: Gary Bruhn; Sharyl Marsh

Cc: Steve Woodhouse; Marion 11 Keble

Subject: Re: FW: Message from "RNPF3D8A8"

[Quoted text hidden]

Andrew Laughton <laughton.andrew@gmail.com> 21 August 2014 at 11:34
To: Sharyl Marsh <Sharyl.Marsh@stjohnambulance.com.au>
Cc: Gary Bruhn <gbruhn@bunbury.wa.gov.au>

Hi Sharyl

> As per instructions from Structerre Engineering, an Australian renowned company, we have removed all the sand that we are going to. Any further removal will compromise our retaining wall. It is quite possible that Structerre are renowned, but what they are renowned for is debatable.

In this issue they have been employed by both you and myself to try to find a solution to this problem, a problem that appears to be largely caused by themselves.

It has still not happened. In fact, they did not even have the courtesy to phone or email anybody that they had given up trying.

To be useless, all they needed to do was say, "Sorry, we are unable to do this". Very little wasted time, nice and simple.

To be actively worse than useless takes a certain amount of effort, and includes making the problem worse.

They have failed from an engineering point of view, they have failed from a common sense point of view, they have failed from a legal point of view and they have even failed from a common courtesy point of view.

I cannot think of anything Structerre could do that they have not already done to make this problem worse.

From this angle they are indeed outstanding.

As I understand it, it is a requirement that the ground above any retaining wall be kept level for a distance equal to the height of the retaining wall.

It is the responsibility of whoever's land this is on to make sure that happens.

This is why Gary from the city of Bunbury is involved, this basic responsibility has not been met, and it has caused big problems, and is continuing to cause big problems.

> As previously stated and it is clearly shown in the pictures I have forwarded to the WA Building Commission we have not changed the lay of the land, when erecting our retaining wall.

I have not seen any pictures sent to the WA Building Commission, however who changed the lay of the land is irrelevant, that fact remains that it has been changed since the original retaining wall was built, the fact that we are having this problem now is proof of that.

> I do not know where you have got a sum of \$50000.00, but Structerre previously advised the cost to reinforce your retaining wall which was never constricted correctly in the first place when the lay of the land was altered would be between 5-10 thousand dollars.

The \$50,000 is a very rough guesstimate of what it would take to fix the entire length of retaining wall that is leaning.

Structerre's guesstimate of \$5,000 to \$10,000 would only be for the section of

retaining wall between our two property's.

> WA Building Commission clearly stated that it is the responsibility of the person changing the lay of the land to ensure all retaining walls are constructed as per regulations.

I have not seen this, however it is what I would expect. I would also expect comments in the same place regarding keeping the uphill section of the retaining wall level, as per regulations.

As you may be aware, that retaining wall was built and approved before the foundations of my house could be poured, in 1994, long before I purchased it. It is unreasonable to expect whoever built that retaining wall to design it to suit an unknown height, changing the lay of the land after the wall has been built is against regulations.

> As previously stated we will pay 50% for the cost to replace the 5metre stretch of fence that runs along our boundary line.

I will pay for 50% of the fence providing that you can prove to me that the fence did not collapse because of the 700 mm of sand that was stacked against it. If you cannot prove, or at least show that it should be able to hold this sand, you can pay for 100% of all the fence as it appears to me that it is 100 % your fault that the fence came down in the first place.

> What we do regarding further retaining of sand on our property is for us to decide and not you and we will sort this once you have reinforced your retaining wall.

I agree, it is for you to decide, providing you abide by the regulations. In this case you are not abiding by the regulations.

Your problem needs to be either sorted out first, or at the same time as the original retaining wall.

It is not reasonable to design and build a replacement retaining wall to suit the original height of the retaining wall, and then pull it out again because you did not think far enough ahead and it needs to be re designed and built higher.

This is why I invited you to contribute to the cost of replacing that section of retaining wall, it could solve both problems at the same time, depending on approval from the sewerage pipe people and the Bunbury council.

> We have previously sort recommendations from Structerre and are more than happy with their advice and when we move forward with this we will seek all permits etc required from the council.

Thats nice.

Regards Andrew Laughton.

[Quoted text hidden]

Andrew Laughton <laughton.andrew@gmail.com> 21 August 2014 at 11:40
To: Steve Woodhouse <swoodhouse@wml.com.au>
Bcc: "burnleyzoo@aapt.net.au" <burnleyzoo@aapt.net.au>, Mary-Lucille Baker
<marylucille@upnaway.com>

Hi Steve

I am not sure if I should send you this or not.

I do not want to distract you from your other work, but I do want to keep you in the loop.

What follows is a bit petty, but very relevant.

Hopefully you can push it to one side and read it later if and when you need to.

Regards Andrew Laughton. 11b Keble heights and 14 Trinity Rise, College Grove.

----- Forwarded message -----

From: **Andrew Laughton** <laughton.andrew@gmail.com>

Date: 21 August 2014 11:34

Subject: Re: FW: Message from "RNPF3D8A8"

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