



Geelong Office
70 Gheringhap Street
Geelong, VIC 3220

03 5225 5225
geelong@ha.legal

Our ref:
BRB 22500169

Contact:
Benjamin Broadhead

Phone:
03 5226 8549

Email:
bbroadhead@ha.legal

Your ref:

24 January 2025

Mr D Pope
PSM Consult Pty Ltd
Email: Dane.Pope@psm.com.au

Subject to legal professional privilege

Dear Dane,

Mornington Peninsula Shire Council (Council)
Advice regarding landslide at 10-12 View Point Road, McCrae (the property)

We refer to our letter of instruction dated 17 January 2025, and confirm a further, more detailed, letter of instruction in relation to the scope of the risk to life report will be provided shortly.

This letter of instruction seeks to engage you (PSM) to undertake a landslide characterisation of the escarpment on which the landslide occurred.

Background

1. By way of background:
 - 1.1. On 5 January 2025, a minor landslide occurred at the property.
 - 1.2. You were immediately contacted by Council's MBS and asked to inspect the property and landslide site. You were also asked to provide urgent advice to Council as to the risk to property owners impacted by the landslide, being:
 - 1.2.1. the property (source of the landslide)(P1);
 - 1.2.2. 3 Penny Lane (impacted by debris)(P2);
 - 1.2.3. 607-609 Point Nepean Road (downstream of potential landslide activity)(P3).
 - 1.3. On 7 January 2025, you provided preliminary advice to Council's MBS which was to the effect that the risk to life at P1 was tolerable; P2 was unacceptable and P3 varied between tolerable and unacceptable.
 - 1.4. Following your preliminary advice, owners of various properties, including P2 and P3 were informed by Council of the risk and the need to vacate their properties.
 - 1.5. On 14 January 2025, a further landslide occurred at the property, which caused the dwelling located on P2 to collapse, and impact the dwelling at P3.
 - 1.6. Following the landslide on 14 January 2025, the SES took control of an area surrounding P1, P2 and P3, defining an exclusion zone that was necessarily evacuated. An image of the exclusion zone is attached to this letter.

- 1.7. During this time, it is our understanding that Council had engaged PSM on an ad hoc basis to provide urgent assistance in the form of site inspections, liaising with the SES on site and providing advice to Council in response to the landslide site.
- 1.8. On 18 January 2025, Council issued emergency orders to the properties inside the exclusion zone set by the SES and some additional properties outside of the exclusion zone based on preliminary advice from you and the MBS's opinion (**affected properties**), being:
- 1.8.1. 599-601, 603, 605, 607-609, units 1-4 613, and 617 Point Nepean Road;
 - 1.8.2. 2 and 3 Penny Lane,
 - 1.8.3. 2, 4, 6, 10-12, 14-16, 18-20 and 22 View Point Road; and
 - 1.8.4. 16 Prospect Hill Road.
- 1.9. PSM has undertaken some investigations in the relation to landslide site and exclusion zone, including landslide characterisation of these areas.

Instructions

2. Further to your current instructions, you are also instructed to undertake a landslide characterisation of the escarpment on which the landslide occurred. This is in addition to the landslide characterisation of the affected properties and exclusion zone being undertaken as part of your investigations into the cause of the landslide and risk to life of properties.
3. An image of the identified escarpment is attached to this letter, together with GIS modelling data in relation to the escarpment.

Please contact Ben Broadhead on 5226 8549 or Leesa Hovendene on 5225 5230 with any query.

Yours faithfully,



HARWOOD ANDREWS

Encl.