

BOARD OF INQUIRY INTO THE McCRAE LANDSLIDE

David Simon

Second Witness Statement

Prepared for the purpose of a Board of Inquiry

17 April 2025

SECOND WITNESS STATEMENT OF DAVID SIMON

Name: David Simon
Address: 2 Queen Street, Mornington
Occupation: Acting Director Planning and Environment
Date: 17 April 2025

1. I have previously provided a witness statement dated 11 April 2025 (**My First Statement**).
2. I make this second witness statement in response to the Second Request to Produce a Witness Statement dated 4 April 2025 (**Notice**). This statement has been prepared with the assistance of lawyers and Shire officers.
3. This statement is true and correct to the best of my knowledge and belief. I make this statement based on matters within my knowledge and documents and records of the Council. I have also used and relied upon data and information produced or provided to me by officers within the Shire.

Response to Questions

4. This statement responds to questions 1 to 11, and 13 to 24 in the Notice.

Background to the 5 January 2025 Landslide and McCrae Landslide

Question 1

Identify the address of the property or properties in the vicinity of View Point Road that was or were principally affected by the 5 January 2025 Landslide (**5 January 2025 Affected Property**).

5. I do not have direct knowledge of the precise events that led to the 5 January 2025 Landslide and the properties it affected. However, based on enquiries I have made of officers within the Shire and documents I have accessed, including information received from Mr Dane Pope of PSM Consult Pty Limited (**PSM**) as to a preliminary landslide risk assessment [\[MSC.5005.0042.1513\]](#), I understand that:
 - (a) the 5 January 2025 Landslide started from the land to the rear of the house located at 10-12 View Point Road, McCrae, Victoria 3938 (**10-12 View Point Road**). Debris flowed into the rear of the property at 3 Penny Lane, McCrae, Victoria 3938 (**3 Penny Lane**), colliding with the house situated on that property;
 - (b) shortly after the 5 January 2025 Landslide, the property at 3 Penny Lane was evacuated; and

- (b) shortly after the 5 January 2025 Landslide, the property at 3 Penny Lane was evacuated; and
 - (c) Mr Pope concluded, based on the results of a preliminary risk assessment, that there was an unacceptable risk to life for occupants at the dwelling at 3 Penny Lane.
6. Based on the above, I understand that the addresses of the properties in the vicinity of View Point Road that were principally affected by the 5 January 2025 Landslide (5 January 2025 Affected Property) are as follows:
- (a) 10-12 View Point Road (being "P1" on the image below); and
 - (b) 3 Penny Lane (being "P2" on the image below).



Question 2

Identify the address of the property or properties in the vicinity of Penny Lane that was or were principally affected by the McCrae Landslide (**14 January 2025 Affected Property**).

7. I do not have direct knowledge of the precise events that led to the McCrae Landslide and the properties that it affected. Based on enquiries I have made of officers within the Shire and documents I have accessed, I understand that:
- (a) the McCrae Landslide started from the land to the rear of the house located at 10-12 View Point Road, and the land to the rear of the house located at 6 View Point Road, McCrae, Victoria 3938 (**6 View Point Road**). Debris flowed into the rear of the property at 3 Penny Lane, collided with the house situated on that property, and destroyed that house;

- (b) following the McCrae Landslide, the structure at 6 View Point Road was deemed by Victorian State Emergency Service (**VicSES**) to be "most at risk" of a further landslide or landslip [[MSC.5019.0001.3618](#)]; and
 - (c) Emergency orders were issued under the *Building Act 1993* (Vic) (**Building Act**):
 - (i) on 15 January 2025, to the owners and occupiers of 10-12 View Point Road requiring evacuation of and prohibiting entry to the land and dwelling on that property for 14 days [[MSC.5002.0001.1587](#)];
 - (ii) on 17 January 2025, to the owners and occupiers of 10-12 View Point Road, 6 View Point Road (and cancelled on 21 February 2025), and 3 Penny Lane prohibiting entry to the land and dwellings on those properties for 14 days [[MSC.5002.0001.1601](#)]; [[MSC.5003.0002.3366](#)]; [[MSC.5003.0002.2935](#)];
 - (iii) on 20 January 2025, to the owners and occupiers of 10-12 View Point Road, prohibiting entry to the land and dwelling on that property for 48 hours [[MSC.5017.0001.0118](#)];
 - (iv) on 14 February 2025, to the owners and occupiers of 6 View Point Road, prohibiting entry to the dwelling on that property for 14 days [[MSC.5017.0001.0111](#)]; and
 - (v) on 20 February 2025 to the owners and occupiers of 6 View Point Road, prohibiting entry to the dwelling on that property for 48 hours [[MSC.5017.0001.0086](#)].
8. Based on the above, I understand that the addresses of the properties in the vicinity of Penny Lane that were principally affected by the McCrae Landslide (**14 January 2025 Affected Properties**) are as follows:
- (a) 10-12 View Point Road, McCrae, Victoria 3938;
 - (b) 6 View Point Road, McCrae, Victoria 3938; and
 - (c) 3 Penny Lane, McCrae, Victoria, 3938.
9. Based on information held by the Shire, I understand that in addition to the above three properties, a further 16 properties were evacuated pursuant to emergency orders issued on 15 and 17 January 2025. These properties all fall within an "exclusion zone" established by VicSES and the Shire following the McCrae Landslide. The exclusion zone is marked in red in the diagram below:

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Question 3

In relation to each of the 5 January 2025 and 14 January 2025 Affected Property (together, the **2025 Affected Properties**), identify (based on the Shire's records):

- 3.1 the volume and folio number in the certificate of title;
- 3.2 the name(s) of the registered owners;
- 3.3 the period over which each of the 2025 Affected Properties were constructed; and
- 3.4 any construction plans or other planning documents submitted to the Shire for the purpose of any construction on each of the 2025 Affected Properties.

3.1 The volume and folio number in the certificate of title

- 14. My answer to this question is based on the certificates of title made available to me.
- 15. In the table below I set out the volume and folio number in the certificates of title for each of the 5 January 2025 and 14 January 2025 Affected Properties.

Address of Affected Property	Volume number	Folio number	Document Date	Document type	Document ID
10-12 View Point Road MCCRAE VIC 3938	09438	254	08/04/2025	Certificate of Title	MSC.5010.0001.0001
6 View Point Road MCCRAE VIC 3938	09088	778	15/04/2025	Certificate of Title	MSC.5016.0001.0945
3 Penny Lane MCCRAE VIC 3938	10283	265	08/04/2025	Certificate of Title	MSC.5015.0001.0034

3.2 The name(s) of the registered owners

- 16. My answer to this question relies on the certificates of title I have reviewed.
- 17. In the table below I set out the names of the registered owners of each of the 5 January 2025 and 14 January 2025 Affected Properties.

Address of Affected Property	Registered owner(s)	Interest	Document Date	Document type	Document ID
10-12 View Point Road MCCRAE VIC 3938	Gerrard Raymond Borghesi Bronwyn Lesley Borghesi	Estate Fee Simple, Joint Proprietors	08/04/2025	Certificate of Title	MSC.5010.0001.0001
6 View Point Road MCCRAE VIC 3938	Pamela Mary Pugh	Estate Fee Simple, Sole Proprietor	15/04/2025	Certificate of Title	MSC.5016.0001.0945

Address of Affected Property	Registered owner(s)	Interest	Document Date	Document type	Document ID
3 Penny Lane MCCRAE VIC 3938	Kellie Anne Moran Nicholas James Moran	Estate Fee Simple, Joint Proprietors	08/04/2025	Certificate of Title	MSC.5015.0001.0034

3.3 The period over which each of the 2025 Affected Properties were constructed

18. In answering this question, I have caused to be conducted searches of the Shire's records relating to each of the 2025 Affected Properties. In the time available to prepare this statement, a comprehensive search of the Shire's records has not been possible. I understand that these searches are ongoing, and any results responding to question 3.3 will be provided to the Board of Inquiry as soon as possible.
19. The Shire has not carried out searches of records relating to the previous parcels of land on part of which the properties at 6 View Point Road and 3 Penny Lane are currently situated. The properties at 6 View Point Road and 3 Penny Lane came into existence as a result of the subdivision of land (see the response to question 3.4), and there may be records held by the Shire in relation to construction activities carried out on the previous parcels of land. Given that those construction activities did not relate to 6 View Point Road and 3 Penny Lane as they are currently described in the certificate of title, these records have not been reviewed. However, I understand that if searches of these records would assist the Board of Inquiry carrying out its Terms of Reference, these searches can be completed and the results provided to the Board of Inquiry as soon as possible.
20. Further, many of the Shire's early records relating to construction activities are held only in physical form and are kept offsite. There may be such records, in particular, in respect of 10-12 View Point Road, which I understand was constructed in or around the 1930s. Given the age of these documents, offsite searches of these physical holdings of the Shire's records have not been undertaken. However, I understand that if searches of these physical holdings would assist the Board of Inquiry carrying out its Terms of Reference, these searches can be completed and the results provided to the Board of Inquiry as soon as possible.

10-12 View Point Road

21. Based on the searches of the Shire's records that have been able to be conducted, I have been unable to locate documents that provide information about the period over which the property at 10-12 View Point Road was constructed, such as a planning permit or occupancy permit. However, based on an aerial photograph dated 1939 which appears to show a dwelling at 10-12 View Point Road (which photograph appears in Appendix D to the Report of Dane Pope (rectification) dated 11 June 2024 [[MSC.5000.0001.1565](#)]), I understand that the property was built some time in or around the 1930s.

6 View Point Road

22. I have reviewed documents relating to the construction of the dwelling at 6 View Point Road that have been returned by the searches of the Shire's records able to be conducted. I understand that the property at 6 View Point Road came into existence following subdivision of the former parcel of land at Part Crown Allotment 1, Section B, Parish of Wannaeue, Township of McCrae in or around October 1974, and was Lot 2 of that subdivision [[MSC.5001.0001.4083](#), [MSC.5001.0001.4103](#)]. I understand that a two-storey dwelling was constructed at 6 View Point Road between December 2003 and August 2006. I have based this on the information summarised in the table below.

Date	Event	Document ID
15/12/2003	Building Permit BS-1061/200317925/0 issued for works at 6 View Point Road, McCrae, in respect of Planning Permit P02/1833, involving construction of detached dwelling and garage. The permit specified one condition. Title details: PS114212	MSC.5003.0002.1422
17/08/2006	Occupancy Permit BS-1061/200317925/0 in respect of the construction of detached dwelling and garage at 6 View Point Road.	MSC.5001.0001.2137

3 Penny Lane

23. I have caused searches to be conducted of the Shire's digital records in respect of 3 Penny Lane. These searches have returned a large number of planning and construction related documents in respect of 3 Penny Lane, which are summarised in the responses to questions 3.4 and 4.3. These documents disclose that the property at 3 Penny Lane came into existence as a result of the subdivision of land at 607-609 Point Nepean Road, McCrae in or around 1995 [TBC].
24. While the search results set out below in response to questions 3.4 and 4.3 show that there have been construction works occurring at 3 Penny Lane over the period 1998 to 2012, these have generally related to alternations or additions to the existing dwelling situated on that land. Based on the searches that have been conducted, I have been unable to locate documents that provide information about the period over which the dwelling at 3 Penny Lane was constructed, such as a planning permit or occupancy permit relating to the construction of a dwelling.
- 3.4 Any construction plans or other planning documents submitted to the Shire for the purpose of any construction on each of the 2025 Affected Properties**
25. In responding to this question, I have caused to be conducted searches of the Shire's digital records relating to each of the 2025 Affected Properties. A comprehensive search has not been possible in the time available to prepare this statement, and searches relating to this

question are ongoing. If any further material relevant to question 3.4 is returned, I understand that it will be provided to the Board of Inquiry as soon as possible.

26. I understand the reference in the question to "construction" to be to the activity of building a structure on the land of an Affected Property. As such, in the response below, I include plans or other planning documents submitted to the Shire for the purpose of any proposed activity of building a structure on the land of an Affected Property.
27. I also understand the use of the word "submitted" to be a reference to documents given to the Shire by external parties, rather than documents generated by the Shire either internally or for external parties. As such, in the response below, I have included only documents given to the Shire by external parties.
28. By the reference to "documents" in question 3.4, I understand this to refer to written materials provided to the Shire.
29. The table below records the information that I have obtained about construction plans or other planning documents submitted to the Shire for the purpose of any construction on each of the 2025 Affected Properties. However, for completeness, I include in my response to this question any records of oral complaints to the Shire in respect of construction plans or other planning documents submitted to the Shire for the purpose of any construction on each of the 2025 Affected Properties.

10-12 View Point Road

Date	Document type	Description	Document ID
15/11/1978 – 22/09/1987	Shire of Flinders Property File	File contains various documents including a surveyor's certification dated 15/11/1978, a Shire of Flinders Engineer's report dated 71/01/1979, and a Shire of Flinders Subdivision File - Plan of Consolidation PS 2486 (signed 21 January 1979, Sealed 22 Feb 1979), and deletion of 'and sewerage' deleted from PS 2486 dated 20/01/1981.	MSC.5001.0001.4000
Planning Permit P15/1503			
23/06/2015- 22/07/2015	Email chain between Meyer Consulting Pty Ltd and Civil Test	Email chain regarding slope stability assessment conducted in relation to proposed alterations and additions to dwelling, including attached GIS landslip susceptibility mapping and request for further information concerning where a site is covered by yellow overlay.	TBC
24/08/2015	JDA Architects proposed floor plans and drawings	Floor plans and drawings in relation to the proposed alterations and additions to the residence.	MSC.5002.0001.0090

Date	Document type	Description	Document ID
25/08/2015	Application for a Planning Permit	Application for planning permit additions and alternations to existing dwelling including extensions, a new out building and additional retaining walls, hard paving, and new fences/gates.	MSC.5001.0001.6086
21/09/2015	Correspondence from JDA Architects attaching amended drawings	Correspondence attaching amended drawings for the Lower Ground Floor Plan and Ground Floor Plan.	MSC.5002.0001.1468
21/12/2015	Application for Building Permit to Red Textas Consulting Building Surveyors	Application for building permit for alternations and additions to dwelling, construct garage/carport/outbuilding, and garden walls, fences, and paved areas.	MSC.5002.0001.1357 at MSC.5002.0001.1361
10/03/2016	Building Permit 20160246/0	Building permit issued by private building surveyor Michael Shaw of Red Textas Consulting Building Surveyors for "alterations and additions to existing three storey dwelling, new shed" in accordance with 8 prescribed conditions. The work was to be commenced by 10 March 2017 and completed by 10 March 2018. The permit contains Geotechnical Site Investigation for Residential Slabs and Footings Summary.	MSC.5002.0001.1357
16/03/2016	Copy of Building Permit 20160246 and associated documents	Sent by Red Textas Consulting Building Surveyors to the Shire, including application for building permit.	MSC.5002.0001.1357
02/12/2020	Handwritten itemised amendments	Itemised amendments for a deck, including hand drawing for handrail, footings, baluster, loading, bearer, joists (including calculations and measurements).	MSC.5014.0001.0097 MSC.5010.0001.0032
Undated	Hand drawn plans	Hand drawn plans of proposed works to deck.	MSC.5010.0001.0034
04/12/2020	Application to amend a planning permit under secondary consent	Application for the installation of a small (2.7m x 2.7m) timber deck and handrail (engineered) to edge of garden.	MSC.5010.0001.0020 MSC.5010.0001.0021 TBC
	Letter from Gerrard Borghesi regarding proposed timber deck	Letter outlines proposed construction of timber deck.	TBC
Undated	Plans prepared by JDA Architects dated 21/09/2015 with annotations	The annotations relate to the proposed deck.	TBC
Various	Endorsed Plan provided to the Shire	Bundle of documents including plans and colour and finishes schedule.	TBC

Date	Document type	Description	Document ID
17/05/2021	Application to amend a planning permit under secondary consent	The Shire received an application seeking to amend the planning permit in relation to the roof tiles. I understand that the application was withdrawn on 10 August 2021.	MSC.5014.0001.0104
Other documents			
29/08/2022	Letter from Gerrard Borghesi to Council	Letter regarding proposed earthworks.	MSC.5002.0001.1456

6 View Point Road

Date	Document type	Description	Document ID
26/06/1974	Plan of Subdivision prepared by A L DaCosta (Surveyor)	Plan of subdivision.	MSC.5001.0001.4083 MSC.5001.0001.4143, 61
22/07/1974	Letter from State Electricity Commission of Victoria to Shire of Flinders	Letter advises that the plan of subdivision satisfies the requirements of the Commission in relation to the supply of electricity.	MSC.5001.0001.4083 SC.5001.0001.4144, 62
13/08/1974	Letter from Dromana-Rosebud Sewerage Authority to the Shire	Advises that the proposed subdivisions including M Maxwell's subdivision require a 2m easement as per the attached plans.	MSC.5001.0001.4083 MSC.5001.0001.4144, 62
16/08/1974	Letter from A L DaCosta (Surveyor) to the Shire of Flinders	Letter attaches amended plan of subdivision.	MSC.5001.0001.4083 MSC.5001.0001.4140, 58
28/08/1974	Letter from A L DaCosta (Surveyor) to the Shire of Flinders	Letter attaches plan of subdivision with an appropriation of an easement for drainage and sewerages.	MSC.5001.0001.4083 , MSC.5001.0001.4137- MSC.5001.0001.4138, 55-56
02/09/1974	Letter from Dromana-Rosebud Sewerage Authority to the Shire of Flinders	Letter advises that the proposed subdivision does not require further easements.	MSC.5001.0001.4083 , MSC.5001.0001.4136, 54
04/09/1974	Letter from State Rivers and Water Supply Commission of Victoria to the Shire of Flinders	Letter provides conditional consent to the sealing of the plan of subdivision.	MSC.5001.0001.4083 , MSC.5001.0001.4135, 53
22/10/1974	Sealed plan of subdivision prepared by A L DaCosta (Surveyor)	Sealed plan of subdivision.	MSC.5001.0001.4083 , MSC.5001.0001.4141, 59
Undated	Annotated plan of subdivision prepared by A L DaCosta (Surveyor)	Plan of subdivision with annotations in red.	MSC.5001.0001.4083 , MSC.5001.0001.4152, 70
20/01/1975	Letter from A L DaCosta (Surveyor) to the Shire of Flinders	Letter requests amendments to the subdivision plan to fix typographical errors.	MSC.5001.0001.4083 , MSC.5001.0001.4126, 44

Date	Document type	Description	Document ID
26/02/1975	Letter from R Barrie & Co Solicitors to the Shire of Flinders	Letter advises the solicitors act for the subdivider of the land and enquires whether a water supply requirement imposed pursuant to s 569E 1(a) of the <i>Local Government Act 1958</i> (Vic) had been satisfied.	MSC.5001.0001.4083 , MSC.5001.0001.4125 , 43
27/03/1975	Letter from McKean & Park Solicitors to the Shire of Flinders	Letter advises the solicitors now represent the subdivider of the land, and requests clarification as to whether the water supply requirement imposed pursuant to s 569E 1(a) of the <i>Local Government Act 1958</i> (Vic) had been satisfied.	MSC.5001.0001.4083 , MSC.5001.0001.4124 , 42
15/04/1975	Letter from McKean & Park Solicitors to the Shire of Flinders	Letter confirms that the subdivider paid a \$300 fee in relation to the request of State Rivers and Water Supply Commission to inspect the compliance of the subdivision with the Commission's conditions for the provision of water supply.	MSC.5001.0001.4083 , MSC.5001.0001.4122 , 40
23/04/1975	Letter from State Rivers and Water Supply Commission of Victoria to the Shire of Flinders	Letter attests that the subdivision is in compliance with the Commission's conditions for the provision of a water supply.	MSC.5001.0001.4083 , MSC.5001.0001.4121 , 39
Undated	Plan of Subdivision		MSC.5001.0001.4083 , MSC.5001.0001.4103 , 21
30/04/2002	Site Investigation Report prepared by CE Lawrance & Associates (Vic) Pty Ltd	Site Investigation Report for 6 View Point Road, McCrae.	MSC.5001.0001.3151 , MSC.5001.0001.3159 - MSC.5001.0001.3165 , 9-15
01/08/2002	Letter from Moser Planning Services Pty Ltd to the Shire	Letter accompanies application for planning permit. Appears to rely on drawing prepared by Mike Salpietro Drafting dated	MSC.5002.0001.5728 , MSC.5002.0001.6163 - MSC.5002.0001.6165 , 436-438
	Application for Planning Permit P02/1833	Application for planning permit in respect of a two-storey dwelling.	MSC.5001.0001.6112 , MSC.5001.0001.6112 , 1
13/08/2002	Letter from Moser Planning Services Pty Ltd to the Shire	Letter encloses a supporting submission in relation to proposal to erect a single dwelling at 6 View Point Road. It encloses a planning assessment and appears to attach annotated plans and photographs.	MSC.5002.0001.5728 , MSC.5002.0001.6128 - MSC.5002.0001.6145 , 401-418
10/09/2022	Letter from JR Bendell to the Shire regarding objection to application for Planning Permit Application P02/1833	Letter makes objections mainly based on claiming the proposal is out of character with the area.	MSC.5001.0001.0409

Date	Document type	Description	Document ID
12/09/2002	Letter from Helen Burrage to the Shire making a submission in respect of application for Planning Permit P02/1833	Letter makes submission that certain matters should be considered in the assessment of the application for the planning permit, including that "[t]he cliff edge here is easily eroded, the soil being a very crumbly clay and gravel aggregate. ... What provision has been made for a retaining wall around the base of the cliff ...?".	MSC.5001.0001.1370 MSC.5001.0001.1370 , 1
16/09/2002	Letter from Mike Salpietro Drafting to the Shire attaching amended site plan	Letter notes that the amended site plan retains an existing eucalypt.	MSC.5001.0001.1372 MSC.5001.0001.1372 - MSC.5001.0001.1375 , 1-4
17/09/2002	Letter from John d'Helin to the Shire objecting to application for Planning Permit P02/1833	Letter objects to the planning application, including noting "[n]o details of the earthworks shown. This block & others in the immediate vicinity suffer from slippage & mudslides. The most recent occurred two years ago on the property next door to No 6. ..."	MSC.5001.0001.4155
02/10/2002	Letter from Moser Planning Services Pty Ltd to the Shire	Letter provides responses to objections to Planning Permit P02/1833, including noting that "[t]he owner of the property is proposing to drain the site to the easement in Penny Lane the same as do other properties in the area."	MSC.5002.0001.5728 , MSC.5002.0001.6049 - MSC.5002.0001.6051 , 322-324
09/10/2002	Letter from Robert Stent to the Shire	Letter raises concerns about application for Planning Permit P02/1833, including alleging that vegetation had been removed in anticipation of building works.	MSC.5001.0001.1132 , MSC.5001.0001.1132 , 1

Date	Document type	Description	Document ID
11/10/2002	Letter from Helen Burrage to the Shire objecting to application for Planning Permit P02/1833	Letter objects to the application for the planning permit, including noting that several objectors had the same objections. Letter notes that the proposal involved structures being "[b]uilt right up to the edge of the cliff even though the land has slipped away on both sides of this block". It also notes "[i]t was claimed by one objector that the area near the cliff had been filled. The Council would not necessarily have records of this. It would seem that the only way to find out is to do a soil report where a core can be taken and analysed" (emphasis in original). The letter states "[i]t is obvious, when standing on the area to be covered the upper meals room and deck, that the land has slipped away on both side of this block . It poses the question of why this part has not slipped aways also. It could be because there are five large gum trees holding the soil together below the cliff edge. My concern is that the owner will remove these trees at some point in the future. It was alleged at the meeting that he had already removed trees from the property without permission."	MSC.5001.0001.1879
25/10/2002	Site Investigation Report prepared by CE Lawrance & Associates (Vic) Pty Ltd	Site Inspection Report in respect of 6 View Point Road.	MSC.5002.0001.5728 , MSC.5002.0001.6062 - MSC.5002.0001.6068 , 335-341
31/10/2002	Site plan by Mike Salpietro Drafting	Site plan by Mike Salpietro Drafting in respect of 6 View Point Road.	MSC.5001.0001.2165 , MSC.5001.0001.2166 - MSC.5001.0001.2169 , 2-5
18/11/2002	Letter from Moser Planning Services Pty Ltd to the Shire	Letter encloses plans in respect of Planning Application P02/1833 indicating changes to the layout of the development, including: removing the carport from the front of the property, increasing landscaping at the front of the property, providing for a side entry to the double garage, adding windows to the front of the garage, incorporating a pergola above the entry space to the garage, relocating the northern wall of the storage room, and indicating the type of fencing sought.	MSC.5001.0001.4073

Date	Document type	Description	Document ID
2002	Statement of Robert Stent	Statement made in relation to Planning Appeal No 3990/2002 against the Shire's decision to grant a permit for a single residence at 6 View Point Road. The statement notes "the unstable nature of the cliff face", including that "[m]any slippages have occurred in recent years and according to long term residents the line of the cliff edge has significantly reduced".	TBC
2002	Statement of C A Batchelor	Statement made in relation to Planning Appeal No 3990/2002. The statement notes that "[t]he block has been cleared of all vegetation with the exception of one gum tree on the front boundary".	TBC
Undated	Submission in relation to Planning Appeal No 3990/2002 prepared by Moser Planning Services	Submission responds to objections to application for Planning Permit P02/1833, including noting that "[e]xisting significant vegetation ... are to be retained".	TBC
04/2003	Dwelling Assessment conducted by Moser Planning Services	Document provides an assessment of proposed development, including noting that "[a]ll significant vegetation on the site is being retained".	TBC
07/05/2003	Letter from Moser Planning Services Pty Ltd	Letter encloses amended plans in connection with Planning Appeal No 3990/2002. The changes include increasing the setback of the dwelling from the cliff edge, alteration of the front setback, offsetting the storage shed, and offsetting the garage.	TBC
Undated	VCAT Form A – Notice of Application to Amend Plans	Notice to the Shire of application to amend plans in connection with Planning Appeal No 3990/2002.	TBC
Unknown	Letter from Mike Salpietro Drafting to the Shire attaching amended plans	Letter attaches plans submitted in connection with Planning Appeal No 3990/2002.	MSC.5001.0001.3033
30/07/2003	Letter from Charles Pugh to the Shire regarding Permit No 2325	Letter encloses a cheque for payment for permit no 2325 for placing a site shed on the nature strip during building works.	MSC.5001.0001.1608
22/08/2003	Certificate of Compliance – Design completed by e-struct Pty Ltd	Certificate of Compliance – Design in respect of development of proposed residence at 6 View Point Road, McCrae. Attached to the certificate are various plans.	MSC.5001.0001.1209 , MSC.5001.0001.1210 , 2
27/08/2003	Superseded Plans prepared by Mike Salpietro Drafting		TBC
Unknown	Letter from Mike Salpietro Drafting to the Shire attaching amended plans	Letter attaches plans amended in accordance with condition 1 of Planning Permit P02/1833.	MSC.5001.0001.0440

Date	Document type	Description	Document ID
14/11/2003	Letter from John d'Helin to the Shire regarding Planning Permit P02/1833 and Planning Appeal No 3990/2002	Letter complains that a mature tree on the nature strip outside 4 and 6 View Point Road had been damaged, potentially by the delivery of the container.	TBC
18/11/2003	Certificate of Compliance – Design completed by e-struct Pty Ltd	Certificate of Compliance – Design in respect of development of proposed residence at 6 View Point Road, McCrae. Attached to the certificate are various specifications and plans.	MSC.5001.0001.3151 , MSC.5001.0001.3166 - MSC.5001.0001.3181 , 16-31
02/12/2003	Application for building permit	Application for building permit for "construction of a new building".	MSC.5001.0001.3151 , MSC.5001.0001.3154 - MSC.5001.0001.3155 , 4-5
05/12/2003	Certificate of Compliance – Design completed by e-struct Pty Ltd	Certificate of Compliance – Design in respect of development of proposed residence at 6 View Point Road, McCrae.	MSC.5001.0001.3151 , MSC.5001.0001.3153 , 3
15/12/2003	Building Permit BS-1061/200317925/0	Building permit for works at 6 View Point Road, McCrae, in respect of Planning Permit P02/1833, involving construction of detached dwelling and garage. The permit specified one condition.	MSC.5001.0001.2520 , MSC.5001.0001.2520 , 1
	Application for Occupancy Permit	Application for occupancy permit for 6 View Point Road, McCrae.	MSC.5001.0001.3151 , MSC.5001.0001.3152 , 2
16/02/2004	Amended geotechnical plans prepared by CE Lawrance & Associates (Vic) Pty Ltd	Amended geotechnical plans for development at 6 View Point Road, McCrae.	MSC.5001.0001.2520 , MSC.5001.0001.2522 , 3
24/02/2004; 09/03/2004	Certificate of Compliance – Inspection completed by Wayne Harris	Certificate of Compliance – Inspection in respect of pre-polythene slab, pre-pour slab, and piers for dwelling and garage.	MSC.5001.0001.2137 , MSC.5001.0001.2139 , 3
18/10/2004	Complaint – Request ID 421560	Amanda Lew-Sang contacted the Shire noting that a retaining wall has been constructed on the west boundary abutting 10-12 View Point Road, there was a container shed on the nature strip, and there appeared to be earth movement with 100mm cracks appearing on the side of the slab.	MSC.5002.0001.5690 , MSC.5002.0001.5690 - MSC.5002.0001.5691 , 1-2
25/08/2005	Application to Amend Planning Permit P02/1833.01	Application to amend planning permit to make an alteration to the kitchen window and move entry stairs. Amended plans enclosed.	MSC.5001.0001.2143 , MSC.5001.0001.2143 - MSC.5001.0001.2144 , 1-2
12/10/2005	Certificate of Compliance – Inspection completed by Robert Homles, Darren Sherrif, Daniel Rea and Robert Hicks	Certificate of Compliance – Inspection in respect of frame for dwelling and garage.	MSC.5001.0001.2137 , MSC.5001.0001.2138 , 2

Date	Document type	Description	Document ID
07/08/2006	Occupancy Permit BS-1061/200317925/0	Occupancy permit issued in respect of the construction of detached dwelling and garage at 6 View Point Road.	MSC.5001.0001.2137 , MSC.5001.0001.2137 , 1
14/08/2006	Alterm Termite Physical Barrier Protection Certificate and Certificate of Completion	Alterm Termite Physical Barrier Protection Certificate and Certificate of Completion issued in respect of 6 View Point Road.	MSC.5001.0001.2137 , MSC.5001.0001.2141
15/08/2006	Letter from Charles Pugh and Pamela Pugh to Nepean Building Permits	Letter attests that the insulation of external walls and in the roofing has been completed according to regulations.	MSC.5001.0001.2137 , MSC.5001.0001.2142, 6
16/08/2006	Letter from Orient Glass & Glazing Pty Ltd to Charles Pugh and Pamela Pugh	Letter notes that the showerscreens, balustrading and partitioning is in accordance with the Australian Standards AS1288-1994.	MSC.5001.0001.2137 , MSC.5001.0001.2140, 4
17/08/2006	Occupancy Permit BS-1061/200317925/0	Occupancy permit issued in respect of the construction of detached dwelling and garage at 6 View Point Road.	MSC.5001.0001.2137 , MSC.5001.0001.2137 , 1
15/09/2007	Landscape plan	Landscape plan requested by the Shire to address condition 4 of Planning Permit P02/1833.	TBC

3 Penny Lane

Date	Document type	Description	Nuix Document ID
21/01/1992	Plan of subdivision PS 310930Y prepared by Watsons Pty Ltd	Plan of subdivision for 607-609 Nepean Highway, McCrae.	TBC
15/12/1995	Plan of subdivision prepared by Watsons Pty Ltd	Plan of subdivision for 607-609 Point Nepean Road, McCrae.	TBC
07/05/1996	Application for Planning Permit P544/96 prepared by Master Drafting Pty Ltd	Application for planning permit in respect of "proposed renovations and additions" to the existing residence, including plans.	TBC
05/07/1996	Endorsed plans for in relation to Planning Permit P544/96 prepared by Master Drafting Pty Ltd	Endorsed plans for the proposed alterations and additions of the two-storey dwelling at Lot 2, Penny Lane, McCrae.	TBC
05/1998	Plans for proposed alterations prepared by Longbeach Drafting	Plans for proposed alterations of the dwelling at 3 Penny Lane, McCrae.	TBC
27/05/1998	Application for building permit	Application for building permit for "alterations to an existing building".	TBC
	Letter from Frank Dimopoulos to "Building Department"	Handwritten letter notes that "renovations have begun due to safety reasons, as advised by Peninsular Permits, verbally", and noting "I am seeking permits for planning and building as soon as possible". Letter attaches plans prepared by Longbeach Drafting dated May 1998.	TBC

Date	Document type	Description	Nuix Document ID
15/06/1998	Investigation for site classification conducted by Civil Test Pty Ltd	Investigation for site classification in respect of proposal to "construct single and/or double story timber extensions to the existing dwelling on strip footings and stumps" at 3 Penny Lane.	TBC
21/06/1998-26/06/1998	Job sheets for proposed alternations to residence prepared by John Fitzgerald Consulting Engineers	Handwritten job sheets for proposed alterations to residence at 3 Penny Lane, McCrae, showing drawings and specifications for various components of the project.	TBC
22/06/1998-23/06/1998	Job sheets for proposed alterations to residence prepared by John Fitzgerald Consulting	Handwritten job sheets for proposed alterations to residence at 3 Penny Lane, McCrae, showing specifications for various components of the project.	TBC
26/06/1998	Certificate of Compliance – Design completed by John Fitzgerald	Certificate of Compliance – Design in respect of proposed alterations and additions to residence at 3 Penny Lane, McCrae.	TBC
10/07/1998	Certificate of Compliance – Design completed by John Fitzgerald	Certificate of Compliance – Design in respect of proposed retaining walls at 3 Penny Lane, McCrae.	TBC
22/07/1998	Application for Planning Permit P980801	Application for planning permit in respect of a "residential" development at 3 Penny Lane, McCrae.	TBC
07/08/1998	Endorsed plans for proposed alterations prepared by Longbeach Drafting	Endorsed plans for the proposed alterations of the dwelling at 3 Penny Lane, McCrae.	TBC
10/08/1998	Building permit BS-1068/990166/0	Building permit for works at 3 Penny Lane, McCrae, involving restump of detached dwelling.	TBC
11/08/1998	Conditional Building Permit 981848	Conditional building permit for refurbishment of dwelling at 3 Penny Lane, McCrae. The condition required was "submit three copies of truss design and layout to MP Building Surveyors prior to frame stage".	TBC
25/08/1998-15/02/2000	Inspection notes	Document appears to be handwritten notes relating to the results of inspections of 3 Penny Lane on various dates between 25 August 1998 and 15 February 2000.	TBC
09/10/1998	Application for building permit	Application for building permit for residential works at 3 Penny Lane, McCrae with an estimated value of \$3,000.	TBC
10/10/1998	Building Permit BS-1068/990166/0	Building permit for works at 3 Penny Lane, McCrae, involving restump of detached dwelling, with an estimated value of \$3,000.	TBC

Date	Document type	Description	Nuix Document ID
27/11/1998	Certificate of Compliance – Design completed by John Fitzgerald Consulting Engineers and Project Managers	Certificate of Compliance – Design in respect of proposed retaining wall at 3 Penny Lane, McCrae.	TBC
02/12/1998	Certificate of Compliance – Inspection completed by Up-Right Building Inspections	Certificate of Compliance – Inspection in respect of retaining wall at 3 Penny Lane, McCrae.	TBC
15/12/1998	Certificate of Compliance – Inspection completed by Up-Right Building Inspections	Certificate of Compliance – Inspection in respect of "dwelling addition" at 3 Penny Lane, McCrae.	TBC
06/01/1999	Revised job sheets prepared by John Fitzgerald Consulting Engineers	Revised job sheets for proposed alterations to residence at 3 Penny Lane, McCrae, showing drawings and specifications for various components of the project.	TBC
	Certificate of Compliance – Design completed by John Fitzgerald Consulting Engineers and Project Managers	Certificate of Compliance – Design in respect of "proposed alterations to residence" at 3 Penny Lane, McCrae.	TBC
20/05/1999	Design Computations for Trusses prepared by "Owen" Roof Truss & Wall Frames	Design computations for the manufacture, handling and installation of trusses to comply with DTUG-0008.	TBC
28/06/1999	Inspection notes	Document appears to be handwritten notes relating to the results of an inspection of 3 Penny Lane on 28 June 1999.	TBC
15/02/2000	Building Inspection Report/ Certificate of Compliance prepared by Craig Matheson	Building Inspection Report/Certificate of Compliance for "dwelling addition" at 3 Penny Lane, McCrae. Inspection result was "not approved" and sets out six "comments/directions".	TBC
20/02/2000	Compliance Certificate provided by Plumbing Industry Commission	Compliance Certificate for plumbing at 3 Penny Lane, McCrae. Under "installation details", handwritten notes record "connect fixture to existing drain's (sic)" and "gas to H.W.S hotplates + ducted heater duct work by others".	TBC
09/2002	Plans prepared by Longbeach Drafting	Plans for proposed additions at 3 Penny Lane, McCrae.	
17/01/2003	Endorsed plans prepared by Longbeach Drafting	Endorsed plans for proposed additions at 3 Penny Lane, McCrae.	MSC.5001.0001.2676 , MSC.5001.0001.2683 , 8
11/07/2002	Application for Minor Amendments Endorsed Plans & Permits	Application for amendment to Planning Permit P544/96 to change "the back garage to only an open carport" at 3 Penny Lane, McCrae.	TBC
	Application for Minor Amendments Endorsed Plans & Permits	Application for amendment to Planning Permit P980801 to change "decking in front of master bedroom to be ext to front entry" at 3 Penny Lane, McCrae.	TBC

Date	Document type	Description	Nuix Document ID
29/09/2002	Application for Planning Permit P02/2535	Application for planning permit in respect of a "proposed additions (ie) deck, veranda, carport" at 3 Penny Lane, McCrae.	MSC.5001.0001.2676 , MSC.5001.0001.2729 - MSC.5001.0001.2735 , 54-60
16/12/2002	Letter from Helen Burrage to the Shire regarding objection to application for Planning Permit P02/2535	Letter makes objections to the proposed verandah (because it was built before the plan) and a deck incorporating a spa (because of a lack of screening).	MSC.5001.0001.2676 , MSC.5001.0001.2697 , 22
	Complaint – Request ID 212829	A person made a complaint to the Shire that the owners of 3 Penny Lane had built a stone wall, which they suspected they did not have permit form, and which may have been over the boundary of the property. The person also reported that the veranda and other works were built before the plan.	MSC.5002.0001.4180
	Annotated photograph of the dwelling at 3 Penny Lane, McCrae	Photographs of the dwelling at 3 Penny Lane with annotations suggesting a permit was retrospectively applied for and that a stone wall was protruding into Penny Lane. Author unknown.	MSC.5001.0001.2676 , MSC.5001.0001.2713 , 38
19/12/2022	Complaint – Request ID 213520	A person made a complaint about the application for Planning Permit P02/2535 for dwelling additions, including that "[c]oncrete steps and sandstone wall appear to have encroached into penny lane past the boundary line".	MSC.5002.0001.4182
27/12/2002	Letter from Robert Stewart to the Shire regarding objection to application for Planning Permit P02/2535	Letter makes objections to the proposed works including on the basis that works had been carried out over the boundary and without an appropriate permit.	MSC.5001.0001.2676 , MSC.5001.0001.2696 , 21
03/01/2003	Letter from Frank (Foti) Dimopoulos and Venetta Dimopoulos to the Shire regarding objection in relation to application for Planning Permit P02/2535	Letter responding to objection by Mr R Stewart.	MSC.5001.0001.2676 , MSC.5001.0001.2693 , 18
	Letter from Frank (Foti) Dimopoulos and Venetta Dimopoulos to the Shire regarding objection in relation to application for Planning Permit P02/2535	Letter responding to objection by Helen Burrage.	MSC.5001.0001.2676 , MSC.5001.0001.2694 , 19
	Letter from John d'Helin to the Shire regarding objection to application for Planning Permit P02/2535	Letter states there is no objection to the proposed works on the basis that there is adequate noise abatement and restrictions on light spill.	MSC.5001.0001.2676 , MSC.5001.0001.2698 , 23

Date	Document type	Description	Nulx Document ID
	Letter from Frank (Foti) Dimopoulos and Venetta Dimopoulos to the Shire regarding withdrawal of application for a spa on front desk	Letter communicates withdrawal of application for a spa on front desk.	MSC.5001.0001.2676 , MSC.5001.0001.2694 , 19
13/01/2003	Letter from Helen Burrage to the Shire withdrawing objection to application for Planning Permit P02/2535	Letter communicates withdrawal of objection because "the spa will no longer be installed on the outside deck."	MSC.5001.0001.2676 , MSC.5001.0001.2691 , 16
14/01/2003	Amended Endorsed plans prepared by Longbeach Drafting	Amended endorsed plans for proposed additions at 3 Penny Lane, McCrae. Amended plans remove a spa and have a natural ground line at the verandah with a maximum overall height of 8 metres.	MSC.5001.0001.2676 , MSC.5001.0001.2683 , 8
31/01/2003	Letter from Robert Stent to the Shire regarding objection to application for Planning Permit P02/2535	Letter notes that Robert Stent was provided assurances by the applicant for the planning permit that they will rectify at their own expense any works which have been constructed on their property. Robert Stent accordingly withdrew his objection.	MSC.5001.0001.2676 , MSC.5001.0001.2708 , 33
02/2003	Amended plans prepared by Longbeach Drafting	Amended endorsed plans for proposed additions at 3 Penny Lane, McCrae.	TBC
27/02/2003	Design Computations for Trusses prepared by "Owen" Roof Truss & Wall Frames	Design computations for the manufacture, handling and installation of trusses to comply with DTUG-0008.	TBC
28/02/2003	Application for Building Permit	Application for building permit for alternations to existing building at 3 Penny Lane, McCrae.	TBC
05/03/2003	Certificate of Termiticide Application and Certification of Completion completed by Peninsula Pest Control	Certificate of Termiticide Application and Certificate of Completion in respect of 3 Penny Lane, McCrae.	TBC
13/03/2003	Certificate of Electrical Safety for Non-Prescribed Electrical Installation Work No 5374 884 3 completed by N Lynch	Certificate of Electrical Safety for Non-Prescribed Electrical Installation Work in respect of repairs to underground service cable.	TBC
18/03/2003	Facsimile to the Shire attaching plans prepared by Watsons Pty Ltd	Facsimile states that it encloses a plan which shows a method of defining the western boundary of lot 4, Penny Lane, McCrae.	TBC
31/03/2003	Compliance Certificate completed by Plumbing Industry Commission	Certificate issued in respect of "roof repairs" at 3 Penny Lane, McCrae.	TBC
	Certificate of Compliance – Design completed by Tony Pingiaro	Certificate of Compliance – Design in respect of "Structural Calculations for Proposed Alt and Addit to Residence" at 3 Penny Lane, McCrae.	TBC

Date	Document type	Description	Nuix Document ID
	Letter from Tony Pingiaro and Associates Consulting Structural Engineers to the Shire	Letter encloses Structural Calculations and Form 13 Structural Certification for the existing balustrades to the balconies at 3 Penny Lane, McCrae.	TBC
10/04/2003	Building Permit B1101/3	Building permit issued in respect of Planning Permit P02/2535.	TBC
14/04/2003	Certificate of Compliance – Inspection Report completed by UP-Right Building Inspections	Certificate of Compliance – Inspection Report in respect of the deck at 3 Penny Lane, McCrae.	TBC
16/05/2003	Building Direction Inspection in respect of dwelling addition completed by Craig Matheson	Building direction inspection in relation to 3 Penny Lane, McCrae, notes inspection result was "not approved" and specifies seven directions.	TBC
26/05/2003	Building Work Direction in respect of Building Permit B1101/03 completed by Craig Matheson	Building direction inspection in relation to 3 Penny Lane, McCrae, which specifies seven directions. There are handwritten annotations in respect of 1, 3, 4, 5, 6 noting "OK".	TBC
27/05/2003	Building Inspection Direction in respect of dwelling addition completed by Craig Matheson	Building direction inspection in relation to 3 Penny Lane, McCrae, notes inspection result was "not approved" and specifies nine directions.	TBC
28/05/2003	Building Work Direction in respect of Building Permit B1101/03 completed by Craig Matheson	Building direction inspection in relation to 3 Penny Lane, McCrae, which specifies nine directions.	TBC
05/06/2003	Statutory Declaration by Frank (Foti) Dimopoulos	Statutory declaration states that "[i]nsulation to all external and all internal walls were used at 3 Penny Lane".	TBC
08/07/2003	Certificate of Compliance – Inspection Report completed by UP-Right Building Inspections	Certificate of Compliance – Inspection Report in respect of the dwelling addition at 3 Penny Lane, McCrae.	TBC
21/07/2003	Certificate of Compliance – Inspection Report completed by UP-Right Building Inspections	Certificate of Compliance – Inspection Report in respect of the dwelling addition at 3 Penny Lane, McCrae.	TBC
29/03/2011	General Planning enquiry – Request ID 1057407	Ben Wells indicated they had purchased 3 Penny Lane, McCrae and wanted to construct a carport and fence.	MSC.5002.0001.4178
02/04/2012	General Planning enquiry – Request ID 1166844	Ryan Wilcox of Western Port building Design contacted the Shire about "new carport in front of dwelling. No veg removal required".	MSC.5002.0001.4179

Date	Document type	Description	Nuix Document ID
24/04/2012	Application for Planning Permit P12/0666	Application for planning permit to construct a carport and store at 3 Penny Lane, McCrae. File includes: <ul style="list-style-type: none"> Town planning application prepared by Western Port Building Design Property report Plan PS348585B of subdivision dated 7 December 1995 Drawings dated April 2012 by Western Port Building Design 	MSC.5002.0001.4188
23/05/2012	Endorsed plans prepared by Western Port Building Design	Endorsed plans for proposed carport at 3 Penny Lane, McCrae.	MSC.5001.0001.4838 , MSC.5001.0001.4841 , 4]
30/05/2012	Application for Building Permit	Application for building permit in relation to the construction of a "carport & store" at 3 Penny Lane, McCrae.	MSC.5018.0001.0001
29/06/2012	Certificate of Compliance – Design completed by JV Consulting Engineers Pty Ltd	Certificate of Compliance – Design in respect of "proposed carport/various structural elements" at 3 Penny Lane, McCrae.	MSC.5018.0001.0639
16/07/2012	Building Permit 20120412/0	Building permit issued in relation to "BCA 10a Extension" and "Carport & Store" at 3 Penny Lane, McCrae in respect of Planning Permit P12/0666. The permit specifies one condition.	MSC.5003.0002.2386 , MSC.5003.0002.2386 , 1
	Approved Architectural Plans prepared by Western Port Building Design	Approved Architectural Plans in respect of Building Permit 20120412/0.	MSC.5003.0002.2434
	Approved Computations prepared by JV Consulting Engineers Pty Ltd	Approved Computations in relation to the proposed carport at 3 Penny Lane, McCrae and Building Permit.	MSC.5003.0002.2361
	Letter from KWA Building Permits and Inspections Pty Ltd to the Shire	Letter formally lodges Building Permit pursuant to s 30 of the Building Act.	MSC.5003.0001.7122
	Soil Test report completed by Civil Test Pty Ltd	Soil Test in relation to "single and/or double storey timber extensions of the existing dwelling on strip footings and stumps at the site". Original report prepared 15 June 1998.	MSC.5003.0001.7123
17/07/2012	Letter from KWA Building Permits and Inspections Pty Ltd to the Shire	Letter lodges Building Permit 20120412/0.	MSC.5018.0001.0483
02/11/2012	Certificate of Final Inspection in respect of Building Permit 20120412/0 completed by KWA Building Permits and Inspections Pty Ltd	Certificate of Final Inspection in respect of Building Permit 20120412/0 in relation to works at Lot 4, No 3 Penny Lane McCrae 3938 for the construction of a carport and store.	MSC.5003.0002.2385

Date	Document type	Description	Nuix Document ID
05/11/2012	Letter from KWA Building Permits and Inspections Pty Ltd the Shire	Letter provides Advice of Completion of Building Works in respect of Building Permit 20120412/0 at Lot 4, No 3 Penny Lane McCrae 3938 pursuant to s 75 of the Building Act.	MSC.5003.0001.7134

Question 4

In the Between Landslides Period, identify:

- 4.1 the applicable planning scheme zone that applied to the land on which each of the 2025 Affected Properties were situated;
- 4.2 the planning scheme overlay(s) that applied to the land on which each of the 2025 Affected Properties were situated; and
- 4.3 any planning permits that were issued by the Shire in respect of each of the 2025 Affected Properties and the nature of work undertaken pursuant to those permits.

30. In answering question 4, I have accessed information held by or available to the Shire, including as a result of searches of the Shire's digital records in relation to each of the 2025 Affected Properties.

4.1 The applicable planning scheme zone that applied to the land on which each of the 2025 Affected Properties were situated

31. In answering question 4.1, I have accessed and consulted the Zones Map No 27. In order to determine whether the planning scheme zone that applied to the land on which each of the 2025 Affected Properties were situated changed during the Between Landslides Period, I have consulted the Zones Map No 27 as at 1 November 2022, 1 June 2024 and 14 January 2025. Based on this exercise, I understand that the applicable planning scheme zone did not change over the Between Landslides Period.

32. The applicable planning scheme zone that applied to the land on which each of the 2025 Affected Properties was situated in the Between Landslides Period is set out in the table below.

Address of 2025 Affected Property	Applicable planning scheme zone	Document Date	Document type	Document ID
10-12 View Point Road MCCRAE VIC 3938	MPPS clause 32.08, General Residential Zone, Schedule 1	01/11/2022 01/06/2024 14/01/2025	Mornington Peninsula Planning Scheme – Local Provision: Zones Map No 27	MSC.5016.0001.0646 (GRZ 1 Jun) MSC.5016.0001.0525 (GRZ Sched 1, 1 Jun) MSC.5016.0001.2304 (GRZ 1 Nov 2022) MSC.5016.0001.1083 (sched 1 Nov) MSC.5016.0001.2285 (GRZ 14 Jan) MSC.5016.0001.1975 (sched 14 Jan) MSC.5009.0001.0067 (Map 27)
6 View Point Road MCCRAE VIC 3938	MPPS clause 32.08, General Residential Zone, Schedule 1	01/11/2022 01/06/2024 14/01/2025	Mornington Peninsula Planning Scheme – Local Provision: Zones Map No 27	MSC.5016.0001.0646 MSC.5016.0001.0525 MSC.5016.0001.2304 MSC.5016.0001.1083 MSC.5016.0001.2285 MSC.5016.0001.1975 MSC.5009.0001.0067
3 Penny Lane MCCRAE VIC 3938	MPPS clause 32.08, General Residential Zone, Schedule 1	01/11/2022 01/06/2024 14/01/2025	Mornington Peninsula Planning Scheme – Local Provision: Zones Map No 27	MSC.5016.0001.0646 MSC.5016.0001.0525 MSC.5016.0001.2304 MSC.5016.0001.1083 MSC.5016.0001.2285 MSC.5016.0001.1975 MSC.5009.0001.0067

4.2 The planning scheme overlay(s) that applied to the land on which each of the 2025 Affected Properties were situated

33. As above, in answering this question, I have accessed and consulted maps for planning scheme overlays. In order to determine whether the planning scheme overlays that applied to the land on which each of the 2025 Affected Properties were situated changed during the Between Landslides Period, I have consulted the planning scheme overlay maps as at 1 November 2022, 1 June 2024 and 14 January 2025. Based on this exercise, I understand that the applicable planning scheme overlays did not change over the Between Landslides Period.
34. The planning scheme overlays that applied to the land on which each of the 2025 Affected Properties were situated in the Between Landslides Period are set out in the table below

Address of 2025 Affected Property	Applicable planning scheme overlays	Document Date	Document type	Document ID
10-12 View Point Road MCCRAE VIC 3938	Design and Development Overlay – Schedule 3	01/11/2022	Mornington Peninsula Planning Scheme – Location Provision: Design and Development Overlay Map No 27DDO	MSC.5016.0001.0471
		01/06/2024		MSC.5016.0001.0106
		14/01/2025		MSC.5016.0001.0953
				MSC.5016.0001.0502
				MSC.5016.0001.1286
				MSC.5016.0001.0279
				MSC.5009.0001.0063
	Vegetation Protection Overlay – Schedule 1	01/11/2022	Mornington Peninsula Planning Scheme – Location Provision: Vegetation Protection Overlay Map No 27VPO	MSC.5016.0001.2326
		01/06/2024		MSC.5016.0001.0963
		14/01/2025		MSC.5016.0001.1393
				MSC.5016.0001.0677
				MSC.5016.0001.0018
				MSC.5016.0001.2050
				MSC.5009.0001.0066
	Environmental Significance Overlay Environmental Significance Overlay – Schedule 25	01/11/2022	Mornington Peninsula Planning Scheme – Location Provision: Environmental Significance Overlay Map No 27ESO24_27	MSC.5016.0001.1777
		01/06/2024		MSC.5016.0001.0287
		14/01/2025		MSC.5016.0001.1398
				MSC.5016.0001.0076
				MSC.5016.0001.2349
				MSC.5016.0001.2406
				MSC.5009.0001.0065
6 View Point Road MCCRAE VIC 3938	Design and Development Overlay – Schedule 3	01/11/2022	Mornington Peninsula Planning Scheme – Location Provision: Design and Development Overlay Map No 27DDO	MSC.5016.0001.0471
		01/06/2024		MSC.5016.0001.0106
		14/01/2025		MSC.5016.0001.0953
				MSC.5016.0001.0502
				MSC.5016.0001.1286
				MSC.5016.0001.0279
				MSC.5009.0001.0063
	Vegetation Protection Overlay – Schedule 1	01/11/2022	Mornington Peninsula Planning Scheme – Location Provision: Vegetation Protection Overlay Map No 27VPO	MSC.5016.0001.2326
		01/06/2024		MSC.5016.0001.0963
		14/01/2025		MSC.5016.0001.1393
				MSC.5016.0001.0677
				MSC.5016.0001.0018
				MSC.5016.0001.2050
				MSC.5009.0001.0066

Address of 2025 Affected Property	Applicable planning scheme overlays	Document Date	Document type	Document ID
	Environmental Significance Overlay – Schedule 25	01/11/2022	Morrington Peninsula Planning Scheme – Location Provision: Environmental Significance Overlay Map No 27ESO24_27	MSC.5016.0001.1777
		01/06/2024		MSC.5016.0001.0287
		14/01/2025		MSC.5016.0001.1398
				MSC.5016.0001.0076
				MSC.5016.0001.2349
				MSC.5016.0001.2406
				MSC.5009.0001.0065
3 Penny Lane MCCRAE VIC 3938	Design and Development Overlay – Schedule 3	01/11/2022	Morrington Peninsula Planning Scheme – Location Provision: Design and Development Overlay Map No 27DDO	MSC.5016.0001.0471
		01/06/2024		MSC.5016.0001.0106
		14/01/2025		MSC.5016.0001.0953
				MSC.5016.0001.0502
				MSC.5016.0001.1286
				MSC.5016.0001.0279
				MSC.5009.0001.0063
	Vegetation Protection Overlay – Schedule 1	01/11/2022	Morrington Peninsula Planning Scheme – Location Provision: Vegetation Protection Overlay Map No 27VPO	MSC.5016.0001.2326
		01/06/2024		MSC.5016.0001.0963
		14/01/2025		MSC.5016.0001.1393
				MSC.5016.0001.0677
				MSC.5016.0001.0018
				MSC.5016.0001.2050
				MSC.5009.0001.0066
	Environmental Significance Overlay – Schedule 25	01/11/2022	Morrington Peninsula Planning Scheme – Location Provision: Environmental Significance Overlay Map No 27ESO24_27	MSC.5016.0001.1777
		01/06/2024		MSC.5016.0001.0287
		14/01/2025		MSC.5016.0001.1398
				MSC.5016.0001.0076
				MSC.5016.0001.2349
				MSC.5016.0001.2406
				MSC.5009.0001.0065

4.3 Any planning permits that were issued by the Shire in respect of each of the 2025 Affected Properties and the nature of work undertaken pursuant to those permits

35. In answering question 4.3, I have caused to be conducted searches of the Shire's digital records relating to each of the 2025 Affected Properties. As noted in my response to question 3.3, in the time available to prepare this statement, a comprehensive search of the Shire's records has not been possible. I understand that these searches are ongoing, and any results responding to question 4.3 will be provided to the Board of Inquiry as soon as possible.
36. However, there may be other planning permits that relate to the parcels of land before the subdivisions that created 6 View Point Road and 3 Penny Lane, or which are only held in

physical form offsite. Given that these documents do not relate to 6 View Point Road and 3 Penny Lane as they are currently described in the certificates of title, or are quite dated, searches of these records (to the extent that they exist) have not been undertaken. However, I understand that if these searches would assist the Board of Inquiry carrying out its Terms of Reference, they can be completed and the results provided to the Board of Inquiry as soon as possible.

37. The table below records the information I have been able to obtain in the time available about any planning permits that were issued by the Shire in respect of each of the 2025 Affected Properties.

10-12 View Point Road

Planning permit reference	Date	Description	Document ID
P15/0321	23/04/2015	Planning permit issued by the Shire for the removal of vegetation. A tree to the rear was approved to be removed. Conditions 1 and 2 of the planning permit allowed the holder to only clear vegetation to the extent provided by the endorsed plans issued by Council on 23 April 2015, and required the holder to revegetate the disturbed land with species indigenous to the "local Ecological Vegetation Class".	MSC.5002.0001.1464
P15/0321.01	08/04/2015	The life of this P15/0321 was extended so that the latest date for completion of the development was 23 April 2017.	MSC.5002.0001.1487
P15/1503	15/12/2015	Planning Permit issued by the Shire, allowing dwelling additions, alterations, an outbuilding, fencing and associated works including retaining walls. Approximately 6 trees approved to be removed under the permit, all to the east of the dwelling.	MSC.5002.0001.1484
P15/1503.01	18/02/2021	It appears that an amendment was made to Sheet 5 of the Endorsed Plans in respect of Planning Permit P15/1503 relating to 10-12 View Point Road by a Secondary Consent Application P15.1503.01 to reflect an "addition of deck" on or about 18 February 2021. The other sheets in the endorsed plans remain unchanged.	MSC.5003.0001.3964 MSC.5001.0001.4775
P15/1503.02	17/05/2021	The Shire received an application seeking to amend the planning permit in relation to the roof tiles. I understand that the application was withdrawn on 10 August 2021.	[MSC.5014.0001.0104] [MSC.5014.0001.0103]

6 View Point Road

38. As noted above, a comprehensive search of the Shire's records for planning permits relating to 6 View Point Road has not been possible in the time available to prepare this statement. I

understand that these searches are ongoing, and any relevant results will be provided to the Board of Inquiry as soon as possible.

39. Additionally, given that 6 View Point Road only came into existence in or around October 1974 as a result of the subdivision of land at Part Crown Allotment 1, Section B, Parish of Wannaeue, Township of McCrae, there may be other records of planning permits relating to this former parcel of land held by the Shire, including only in physical form offsite. Searches of these records have not been undertaken, because, to the extent that any such records exist, they do not relate to the property at 6 View Point Road as it is currently described in the certificate of title. However, searches of these records can be completed and the results provided to the Board of Inquiry as soon as possible, if it would assist.

Planning permit reference	Date	Description	Document ID
2325	01/08/2003	Permit for works within road reserve, involving the placement of a shipping container on the nature strip.	MSC.5001.0001.0891
P02/1833	06/08/2003	Planning permit issued by the Shire for the development of a dwelling. The permits sets out 12 conditions.	MSC.5018.0001.0040 , pages 36-41
P02/1833.01	09/09/2005	Amended planning permit issued by the Shire attaching approved plans.	MSC.5018.0001.0040 pages 13-17

3 Penny Lane

40. As noted above, a comprehensive search of the Shire's records for planning permits relating to 3 Penny Lane has not been able to be achieved in the limited time available to prepare this statement. I understand that these searches are ongoing, and any relevant results will be provided to the Board of Inquiry as soon as possible.
41. Further, given that 3 Penny Lane only came into existence in or around 1995 as a result of the subdivision of land at 607-609 Point Nepean Road, McCrae, there may be other records of planning permits relating to this former parcel of land held by the Shire, including in physical form offsite. Searches of these records have not been undertaken, because to the extent that any such records exist, they do not relate to the property at 3 Penny Lane as it is currently described in the certificate of title. However, searches of these records can be completed and the results provided to the Board of Inquiry as soon as possible, if it would assist.

Planning permit reference	Date	Description	Document ID
P544/96	05/07/1996	Planning permit issued by the Shire for additions to the existing dwelling and the erection of a garage. The permit sets out four conditions.	MSC.5001.0001.0081 pages 239-242
P980801	07/08/1998	Planning permit issued by the Shire for additions and alterations to the existing dwelling. The permit sets out four conditions.	MSC.5001.0001.0081 , TBC, pages 218-219
P02/2535	17/02/2003	Planning permit issued by the Shire for additions to an existing dwelling, namely "deck and roof to existing verandah", and a carport and associated works. The permit sets out four conditions.	MSC.5001.0001.2676 , MSC.5001.0001.2681 - MSC.5001.0001.2682 , pages 6-7
P12/0666	23/05/2012	Planning permit issued by the Shire for "development of a carport incorporating an enclosed storage space". The permits sets out three conditions.	MSC.5001.0001.4838 , MSC.5001.0001.4839 - MSC.5001.0001.4840 , pages 2-3

Question 5

If any of the planning scheme zone, the planning scheme overlays or the planning permits that applied to each of the 2025 Affected Properties had changed in the Between Landslides Period, explain the nature of the change(s).

42. My answer to question 5 is based upon searches I have conducted or caused to be conducted.

Changes to the planning scheme zone

43. As stated in response to question 4.1, the planning scheme zone that applied to each of the 2025 Affected Properties in the Between Landslides Period was the General Residential Zone.
44. The amendments to the General Residential Zone made during the Between Landslide Period are addressed in the table below.

Date	Amendment reference	Instrument amended	Description of changes
14/01/2025	VC237	MPPS clause 32.08, General Residential Zone	Mainly makes formatting changes to the Table of uses at clause 32.08-2. [MSC.5016.0001.2285, MSC.5016.0001.2285-MSC.5016.0001.2288, 1-4]
14/12/2023	VC253	MPPS clause 32.08, General Residential Zone	Introduces a new land use term and siting, design and amenity requirements for a small second dwelling into the VPP and all planning schemes to implement <i>Victoria's Housing Statement: The decade ahead 2024-2034</i> by making it easier to build a small second dwelling. These changes include amending

Date	Amendment reference	Instrument amended	Description of changes
			clause 32.08, General Residential Zone to specify a "small second dwelling" as a section 1 (Permit not required) use if specified conditions are met, and to require a planning permit to construct or extend a "small second dwelling" on a lot less than 300 square metres and insert a "small second dwelling" as a class of VicSmart application if specified requirements are met. [MSC.5016.0001.0646, MSC.5016.0001.0647-MSC.5016.0001.0651, 2-6]
03/05/2024	VC255	MPPS clause 32.08, General Residential Zone, Schedule 1	Makes changes to the VPP and 52 planning schemes to ensure they are current and accurate by correcting obvious or technical errors. Additionally, the amendment makes consequential changes to local schedules to align with changes made in Amendment VC243 and Amendment VC253. These consequential changes include introducing references to "small second dwelling" and removing schedule section 3.0 "Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot" in the the Mornington Peninsula Planning Scheme clause 32.08, General Residential Zone. MSC.5016.0001.0525, MSC.5016.0001.0525, 1]

Changes to the planning scheme overlays

45. As stated in response to question 4.2, three planning scheme overlays applied to each of the 2025 Affected Properties during the Between Landslides Period, namely the Design and Development Overlay – Schedule 3, Vegetation Protection Overlay – Schedule 1, and Environmental Significance Overlay – Schedule 25.
46. The amendments to these planning overlays during the Between Landslides Period are reflected in the table below.

Date	Amendment reference	Instrument amended	Description of changes
16/08/2024	VC262	MPPS clause 42.01, Environmental Significance Overlay; MPPS clause 42.02, Vegetation Protection Overlay	Changes the VPP and all planning schemes to exempt applications to remove, destroy or lop vegetation that comply with a fire prevention notice issued under the <i>Fire Rescue Victoria Act 1958</i> (Vic). [MSC.5016.0001.2349, MSC.5016.0001.2351, 3], [VPO - MSC.5016.0001.0018, MSC.5016.0001.0019, 2]
14/12/2023	VC253	MPPS clause 42.01, Environmental Significance Overlay;	Introduces a new land use term and siting, design and amenity requirements for a small second dwelling into the VPP and all planning schemes to implement <i>Victoria's Housing Statement: The decade ahead 2024-2034</i> by making it easier to build a small second dwelling. These changes include amending clause 42.01, Environmental Significance Overlay to include information requirements for an application for a "small second dwelling" and insert a "small second dwelling" as a class of VicSmart application. [MSC.5016.0001.1398, MSC.5016.0001.1399, 2]

Changes to the planning permits issued to any of the 2025 Affected Properties

47. The planning permits issued in respect of each of the 2025 Affected Properties are set out in the response to question 4.3.
48. A comprehensive search of the Shire's records relating to each of the 2025 Affected Properties has not been possible to complete in the limited time available to prepare this statement. I understand that these searches are ongoing, and any results responding to this question will be provided to the Board of Inquiry as soon as possible.
49. Based on the results of the searches that have been possible in the time available, I have not identified any changes during the Between Landslides Period to any of the planning permits that applied to each of the 2025 Affected Properties.

Question 6

Exhibit the current planning certificate in relation to each of the 2025 Affected Properties to the extent not previously provided in the First List of Questions.

50. I have caused to be conducted searches for the current planning certificates for each of the 2025 Affected Properties.
51. The results of those searches are recorded in the table below:

Address of Affected Property	Document Title	Document Date	Document type	Document number
10-12 View Point Road MCCRAE VIC 3938	Planning Certificate No 1128529 for 10-12 View Point Road McCrae 3938	9 April 2025	Planning Certificate	MSC.5010.0001.0016
6 View Point Road MCCRAE VIC 3938	Planning Certificate No 1130154 for 6 View Point Road McCrae 3938	15 April 2025	Planning Certificate	MSC.5016.0001.0066
3 Penny Lane MCCRAE VIC 3938	Planning Certificate No 1128537 for 3 Penny Lane McCrae 3938	9 April 2025	Planning Certificate	MSC.5015.0001.0035

Question 7

In the Between Landslides Period what general measures did the Shire have in place to prevent or mitigate landslides and landslips in the McCrae Area? Exhibit key documents recording these measures (e.g. policies, manuals, risk mitigation plans etc) and identify the extent to which these differed from those that existed prior to 1 November 2022.

52. My response to question 7 is informed by my general experience working in the Shire's leadership as well as information provided by various teams across the organisation in the course of my preparing this statement.
53. In the course of preparing this witness statement I have reviewed the witness statement of Bulent Oz dated 11 April 2025 (**Mr Oz's Statement**).
54. As articulated in response to question 1 in Mr Oz's Statement, the responsibility for the prevention and management of landslides and landslips is shared across multiple organisations and levels of government, with no single entity having complete responsibility.
55. To the best of my knowledge and understanding, the general measures in place to prevent or mitigate landslips in the McCrae Area were as set out in Mr Oz's Statement in answer to question one. That is, those measures set out in Mr Oz's Statement in respect of:
 - (a) the Shire's prevention role in respect of Shire owned land and private land with respect to planning controls (see Mr Oz's Statement at paragraphs 24-47);
 - (b) the Shire's role in respect of landslips and landslides that constitute an emergency under the Emergency Management Act 2013 (Vic) (see Mr Oz's Statement at paragraphs 48-59);
 - (c) the Municipal Building Surveyor's Role in Prevention and Management with respect to private property (see Mr Oz's Statement at paragraphs 60-67); and
 - (d) compliance measures with the MPPS and the Building Act (see Mr Oz's Statement at paragraphs 74-75).
56. To the best of my knowledge and understanding, those measures did not materially change between November 2022 and January 2025.
57. Further, I understand that a significant amount of investigative work was undertaken in respect of 10-12 View Point Rd (**Borghesi Property**) after the November 2022 landslide, particularly in relation to the impact of drainage, water flows, vegetation and works on the Borghesi Property. I understand that reports that detail those investigations have been provided to the Board of Inquiry by solicitors acting for the Shire.

58. While I have not had the opportunity to extensively review the legislative changes during the Between Landslides Period, I do not believe that any further changes were introduced that provided the Shire with additional powers and functions in respect of preventing or mitigating landslides or landslips, including on private property.
59. I understand that the *Building Legislation Amendment and Other Matters Act 2024* (Vic) came into force on 13 November 2024, and which had the effect of amending the Building Act and other Victorian legislation. One such amendment was to introduce new s 108(1B), with respect to building notices, and the corollary new s 111(5A), with respect to building orders, into the Building Act. The effect of these amendments was, in short, to give both the MBS and private building surveyors the power to:
- (a) issue a building notice under s 106, requiring an owner to show cause why the owner should not take action necessary to remove or reduce a danger to life in relation to a building, land, or place of public entertainment or building work that is being or is proposed to be carried out on the building land or place; and
 - (b) issue a building order under s 111(1), directing an owner to take action necessary to remove or to wholly or partially reduce a danger to life, provided that danger is in relation to a building, land or place of public entertainment or building work that is being is proposed to be carried out on the building, land or place.
60. However, I do not believe that any internal processes or procedures were impacted by this legislative reform, nor do I believe that the approach of the Shire towards building enforcement changed as compared to that outlined in Mr Oz's Statement.

Further information about the Shire's additional planning requirements in place between 2022 and 2025

61. In respect of Mr Oz's Statement at paragraph's 40-46 (i.e., the part of Mr Oz's Statement setting out at a high level the additional requirements imposed by the Shire in the McCrae area) I wish to provide the Board of Inquiry with some further information, given my role in overseeing those additional requirements in my capacity as Acting Director of Planning and Environment, and as a result of further investigations I have caused to be conducted and information I have received since I provided my first statement.
62. In Mr Oz's Statement at paragraph 40 he refers to the 2012 GIS Assessment and at paragraph 41 he refers to the Piper and Slade Paper. It is my understanding that since My First Statement and Mr Oz's Statement were prepared, the solicitors for the Shire through their document searches have identified the report provided to the Shire in 2012 by Davin Slade which sets out in more detail the results of the 2012 GIS Assessment. That document is titled "Draft for Comment Landslide Susceptibility Assessment, Stage 2", prepared by Davin Slade

of Cardno Lane Piper Pty Ltd, and is dated 1 February 2012 (**Cardno 2012 Draft Report**) [\[MSC.5012.0001.4440\]](#).

63. It is my understanding that, at some period after 2012 and before 2019, it became the practice of the Shire that when the Shire receives a planning permit application and the property is not located within an EMO schedule area under the MPPS, the planner will then assess whether or not the site the subject of the planning permit is within a high (red) landslide susceptibility area. To the best of my knowledge and information, a document which was created in about March 2025 by the Development Engineering team sets out how this practice works (from a process perspective). That document is titled "Memo-Statutory Planning Assessment Process for Landslide Susceptible Areas" (**Process Document**) [\[MSC.5005.0044.5961\]](#).
64. To the best of my knowledge and information, the Process Document was created to capture the process that the Statutory Planning and Development Engineering teams follow now, and have followed for several years. To the best of my knowledge and information, since at least about 2017 a process similar to that set out in the Process Document, but which may have evolved over that time period, has been followed by the Shire.
65. As set out in the Process Document, the planner proceeds through a number of steps if they determine that the work the subject of the planning permit application is within a red area, or the works are likely to impact the land shown as a red area, within the landslip susceptibility layer of the GIS (see: Step 2, Step 3, Step 4 and Step 5). Ultimately, through this process, a planning permit application may be referred to Development Engineering for assessment and recommendation as to appropriate conditions.
66. As set out in Appendix 2 of the Process Document, the conditions often imposed include the obtaining of a geotechnical report in accordance with AGS Practice Note Guidelines for Landslip Risk Management 2007, and a peer review of that report, with copies of both to be lodged with the Shire.
67. While the Process Document notes that the ultimate decision maker with respect to conditions of this nature remains Statutory Planning, in the event that Development Engineering recommends to Statutory Planning that a geotechnical report and peer review should be required, it is the practice of Statutory Planning, in the vast majority of instances, to follow that recommendation and require a geotechnical report and require that report to be peer reviewed, before making a determination on the permit application. Further, any conditions recommended by Development Engineering (as further detailed in Appendix 2 of the Process Document) are usually imposed.
68. To the best of my knowledge and information, Statutory Planning will follow a recommendation from Development Engineering regarding geotechnical engineering and conditions relating to landslide susceptibility, unless Statutory Planning has determined

(despite seeking Development Engineering advice) that the development or other work (or a component of it) the subject of the application is itself exempt from the requirement for a planning permit. Examples of this might be where cl 52.12 (i.e., Bushfire Protection Exemptions) or cl 62.02 (the general exemptions for buildings of works) of the MPPS are found to apply.

69. It is my understanding and belief that this was the practice of the Shire prior to 1 November 2022, and has continued since 1 November 2022, albeit the practice has evolved and been refined over time.

Question 8

For the Between Landslides Period, please explain whether:

- 8.1 the Erosion Management Overlay applied to the 2025 Affected Properties;
- 8.2 how decisions were made by the Shire about which land should be subject to the Erosion Management Overlay;
- 8.3 whether the Shire considered applying the Erosion Management Overlay to the area including the 2025 Affected Properties.

Overlays and the 2025 Affected Properties

70. There were no Erosion Management Overlays (**EMO**) that applied to the 2025 Affected Properties during the Between Landslides Period.

Decisions made in relation to EMOs

71. I refer to paragraphs 47 to 53 of My First Statement which outlined the general process for applying for amendments to the Mornington Peninsula Planning Scheme (**MPPS**), to introduce an EMO. I understand that there were no material changes to the decision making process for the Between Landslides Period.

Whether the Shire considered applying the EMO to the area including the 2025 Affected Properties

72. In My First Statement (in my answer to question 10 of the first request for a statement), I referred to the 2018 Review of the MPPS (**2018 Review**) and the 2023 Review of the MPPS (**2023 Review**).
73. To the best of my knowledge and understanding, the Shire did not explicitly consider applying the EMO in the MPPS to the 2025 Affected Properties during the Between Landslides Period.

74. However, as set out in My First Statement, recommendation 211 of the 2018 Review provided: "Complete the comprehensive review and update of the Shire's landslip susceptibility data and modelling, and update the ordinance and mapping of the Shire's EMOs" (2018 Review, p 195). That recommendation which was maintained in 2023 Review.
75. In the 2023 Review, it was noted that "the following key areas of work remain outstanding [...] [s]trengthening the mitigation of landslip risk through the review of susceptibility data and modelling and associated application of the Erosion Management Overlay" (2023 Review, pp 4-5). The 2023 Review also noted that "[s]trategic work is required to undertake a comprehensive review and update of the Shire's inland landslip susceptibility data and modelling. Following this review, and update of the ordinance and mapping of the Environmental Management Overlays will likely be required. This work is yet to be funded, resourced or programmed." (2023 Review, 91).
76. To the best of my knowledge and understanding, there were limitations to the Cardno 2012 GIS Assessment, which were outlined in section 6 of the Piper and Slade Paper, and also in the Cardno 2012 Draft Report. Those limitations included that it was primarily a desk-top review. It is my belief that those limitations were one of the reasons why a comprehensive review and update of the Shire's landslip susceptibility data was required before any update to the MPPS EMO schedules, as set out in recommendation 211 of the 2018 Review.
77. I was not involved in the decision-making process in respect of the 2018 Review. I do not have first-hand knowledge in relation to why recommendation 211 of the 2018 Review was not implemented prior to the 2023 Review. However, I understand that there may have been other priorities for the Shire at the relevant time, for example I understand there were various recommendations regarding a neighbourhood character study and heritage review that were already underway, and which were prioritised by the Shire ahead of recommendation 211 of the 2018 Review. Ordinarily, existing amendments are prioritised ahead of any new recommendations, as any amendment needs to be seen through to completion due to the pressure on Shire resources.
78. In my answer to question 22, I explain an approach the Shire is currently exploring with respect to implementing recommendation 211.
79. Other than the fact that the Shire has limited resources and other competing priorities, I am otherwise unable to provide any further details as to why the Shire did not progress recommendation 211 from the 2018 Review or why it did not proceed to amend the MPPS to apply the EMO to the area including the 2025 Affected Properties.

Question 9

In the Between Landslides Period, who in the Shire was responsible for identifying and acting on complaints or concerns regarding the risk of landslides and landslips in the McCrae Area?

80. In preparing this witness statement I have been shown a copy of the witness statement of Bulent Oz dated 11 April 2025 and refer to his response to Questions 1, 2 and 11 of the first request to produce a witness statement dated 3 April 2025.
81. I have been shown a copy of [\[MSC.5014.0001.0069\]](#). To the best of my knowledge, that document sets out the names of, and roles of the persons who held leadership roles with respect to planning requirements, emergency management planning, building surveyor management and infrastructure and asset management, since November 2017. That document identifies the date range within which those persons held those roles in the Between Landslides Period.

Question 10

In the Between Landslides Period, set out any complaints or expressions of concern received by the Shire regarding the risk of landslides and landslips in the McCrae Area and describe any steps taken by the Shire in response to each complaint or expression of concern.

82. I have reviewed Mr Oz's Statement, and in particular the responses to questions 12, 18, 19 and 20.
83. The customer request system referred to as 'Merit' was active and used by the Shire until an updated system, called 'TechOne', was introduced. I believe that TechOne was introduced on approximately 16 October 2023. Therefore, customer requests for the Between Landslides Period would be captured by both systems.
84. TechOne operates, predominantly, in a similar manner to Merit. That is, TechOne is a database that records internal and external reports, enquiries or complaints. External requests are received from members of the community and third parties (referred to as 'customers'), and, where there is a need to report or escalate a matter or a concern to be addressed, internal requests are submitted by the Shire's employees and officers.
85. My understanding is, like with Merit, a customer request would be submitted into the TechOne system when a Shire employee received notice of a request, complaint or concern (usually by email to customer service, telephone, web chat or the portal on the Shire's website, or visiting one of the Shire's offices).

86. I understand that TechOne is a more comprehensive customer relationship management program than Merit. I understand that TechOne also captures relevant correspondence regarding planning applications and permits. I understand that the previous system that captured planning applications and permits was called 'CI'.
87. As outlined in Mr Oz's Statement, I understand that in preparing that statement, searches were undertaken of the Shire's 'Merit' database. In response to this question, in the time available, I have caused searches to be undertaken of the Merit and TechOne databases for the period 1 November 2022 to 14 January 2025.
88. Those searches were carried out to identify specific complaints or expressions of concern regarding the risk of landslides and landslips in the McCrae Area.
89. In preparing the response to the question that follows, I have relied on information provided to me from the searches described above, as well as that provided in the course of enquiries made of other Shire officers.
90. Of the complaints and expressions of concern that have been returned by the searches conducted in the time available to prepare this statement and which have been reviewed, the most responsive to question 10 are customer requests Merit ID 2542735 and Merit ID 2229554, and TechOne ID 118124 Reference ID 2024-093705, which are detailed below, including the action taken by the Shire in response to these customer requests.
91. In reviewing those customer requests, while they make reference to the terms 'landslide' and/or 'landslip', they are concerned with broader issues including water runoff or pooling, stormwater drainage and erosion.
92. As a result, in the two tables included at **Schedule 1**, I have included a summary of customer requests identified based on the searches conducted, in the time available, that relate to topics adjacent to landslide or landslip risk, namely 'water pooling', 'erosion', 'flooding', 'stormwater drainage', 'retaining wall', and 'sinkholes'.

Merit ID 2542735

93. I understand that during the course of searches being undertaken, a customer request with Merit ID 2542735 was identified. That request was in relation to 10-12 View Point Road, McCrae [\[MSC.5003.0002.3639\]](#).
94. The customer request was submitted via the Shire's website on 21 February 2023, and expressed concern about flows of water through the Borghesi property. Mr Borghesi requested that the Shire review its drainage system to provide 'reassurance that another major downfall isn't going to result in another spill'.

95. For completeness, the customer request received is extracted in full below:

"My wife and I are concerned that considerable water is still running off the Hill at Penny Lane from View Point Road above and being collected in our drainage system at the back of our house and being channelled under our house onto Pt Nepean Road; there has been a continual run of water since November and the swale drains have been holding that water since then. There are also signs that water is running off or under the soil on the block of land where a block next to us incurred a land slip. Our concern is that the cause of the slip hasn't been identified – we feel vulnerable to further slippage and damage to our house and ourselves.

There certainly looks to be a change of water flow in our area and above us. Water is consistently running down gutters in View Point Road (see two photos attached show the running water and damage to the gutters) which seems to change course when it meets a speed Hump and disperses from there – we are concerned this water could be running down the back of our house in Penny Lane and perhaps into the effected block. Private drainage on our block at 3 Penny Lane is charged with the responsibility of running excess water from the streets above out onto Pt Nepean Road: if our system was to block and fail, public water from above would also certainly be directed through and under our house.

On the day of the land spill, we showed the Shire Engineers the drain in Pt Nepean Road we are concerned with, this is the drain that is still flowing since then. There was no water held in the swale drain right through the winter months. We contracted a plumber to pressure wash our drainage pipes that run along Penny Lane, and this stopped the flowing water from running down the middle of Penny lane and allowed it to run through our PVC storm water pipe, it hasn't been possible to mow near that drain junction all summer despite the fact there has been very little rain.

Hopefully works will start on the spill in the near future, but in the meantime, whilst the restoration of the damaged block plan is being critiqued, would it be possible for Shire to review the drainage system and make any necessary improvements thus ensuring that the drainage infrastructure is ready and up for job when the works begin; this would give us some reassurance that another major downfall isn't going to result in another spill."

96. Having identified the Merit record, I understand that on 28 February 2023, Shire officers attended the site and identified that the drainage system was partially blocked. A works order was raised to clean and jet the drainage system as a part of the maintenance programme.

97. The Shire's records state that, on 8 March 2023, four pits were cleaned and jetted, but 'further works' were said to have been required. The records further state that on 9 March 2023, two pits were cleaned and jetted.

Further follow up regarding Merit 2229554

98. In Mr Oz's Statement, it was identified that a customer request was received in relation to a 'mudslide' with Merit ID 2229724 [\[MSC.5012.0001.3414\]](#). In undertaking searches in relation to this Merit Request 2229724, a further customer request with Merit ID 2229554 [\[MSC.5014.0001.0073\]](#) was also located, which relates to the same report of non-compliance.
99. The Merit records refer to a file name 'PE0661/20 in CI', and I caused searches to be undertaken for that file. I have now identified this document as a file note of the Planning Compliance Investigation [\[MSC.5023.0001.0013\]](#), which was launched in response to the customer requests described at paragraph 93 above. Having identified the file, I confirm that the following actions were taken in response to the customer requests
100. At first instance, on 17 August 2020, the Shire assigned the request to the Statutory Building Team (**SBT**). However, the SBT advised that the issue was outside of their ambit as the water runoff issue was caused by alterations to the land rather than the building. The SBT also noted that a Private Building Surveyor would not be able to intervene and that the request should be referred to the Planning Compliance Team (**PCT**).
101. On 18 August 2020, the PCT launched a Planning Compliance Investigation into the property located at 37 Cook Street, McCrae.
102. The PCT first attempted to contact the owner of 37 Cook Street, Jane Luxton, on 9 October 2020. On the same day, the PCT met with a concreter and excavator who was contracted by the owner to carry out earth works (**Earth Works Contractor**) in relation to the surface water runoff issue. The Earth Works Contractor noted that temporary measures had already been put in place to alleviate the issue but noted that given the amount of rain at the time, he would continue to monitor the situation and implement further measures where necessary.
103. On 13 October 2020, the PCT contacted the customer, Kim Alexander, to provide an update on the steps the owner had taken to minimise the surface water runoff. The customer enquired about whether more permanent solutions would be put in place to prevent the risk of future landslides.
104. On 19 October 2020, the PCT contacted the Earth Works Contractor who advised that that he had implemented a water/sediment catchment area, which he explained was 'seemingly doing a good job trapping the sediment and slowing the waterflow.' Photographic evidence of this was provided by the earth works contractor.

105. On the same day, the PCT contacted Ms Luxton, who advised that she was intending on revegetating the subject area and would continue to be proactive and address her neighbour's concerns. The PCT subsequently updated Mr Alexander on the outcome of their investigations and closed the file note in light of the progress that had been made.

TechOne ID 118124 Reference ID 2024-093705

106. Having regard to the searches undertaken, I have identified one additional customer request received on 13 November 2024 in relation to 18-20 View Point Road. Whilst the request was in relation to stormwater drainage, the customer referred to the historical landslip and issues with an adjacent retaining wall. The customer noted in their report to the Shire that:

'We fear given the historic land slip at 10-12 View Point Road that the remedial works undertaken in View Point Road above combined with 2 blocked drains are responsible for this water ingress.. Structural failure of this wall could result in significant damage to our home.'

107. Following receiving the complaint, the related records indicate that two drainage pits and lines were vacuumed and jetted on approximately 26 November 2024.

Question 11

In the Between Landslides Period, was the Shire aware of any specific sites in the McCrae Area prone to landslide, landslip or other land degradation?

- 11.1 If yes, provide a table that sets out the measures the Shire put in place to prevent or mitigate landslides, landslips or other land degradation for each site. In particular, identify steps taken to inspect, monitor and maintain the site to retain or reduce the risk of landslides and landslips.

108. To the best of my knowledge and belief, the Shire was aware that certain parts of the McCrae Area had been categorised as being of a high susceptibility to landslide as a result of the 2012 GIS Assessment. That is, all those areas within McCrae that are marked "red" within the GIS are, as a result of the 2012 GIS Assessment, highly susceptible to landslide.
109. As set out in my response to question 7, since completing My First Statement, I have been shown a copy of the Cardno 2012 Draft Report. I note that the Cardno 2012 Draft Report:
- (a) at page 2, identifies that Cardno Lane Piper had been involved in the assessment and remediation of the Eyrie, McCrea;
 - (b) at page 57, identifies, in the context of establishing a susceptibility prediction model, that Lane Piper prepared a report "identified landslides" in "McCrae" with the reference

"LP(2007B)", which, by reference to page 84, appears to be: "Lane Piper Pty Ltd, 2007B, 207141 Report -1.1, Geotechnical Investigation of Stability of Gully Between the Eyrie and Point Nepean Road, McCrae, 3 September 2007"; and

- (c) at pages 63-64, states:

"McCrae

The cliffs at McCrae have been shown to be unstable in the past due to both natural and man-made causes. The cliff gully between the Eyrie and Nepean Highways was one of these areas that was the subject of the LP(2007B) report. The cliffs and gully were again used to aid in the verification of the model for granitic soils. [...]

The results of the predictive model very closely match the areas identified in the aerial photography. The main differences between the two being that the model has correctly identified gullies that have been identified to have stability issues in the field."

110. I have been provided with a copy of a document titled "Geotechnical investigation of stability of gully between the Eyrie and Point Nepean Road, McCrae" with Ref No. 27141 which is dated 3 September 2007 and prepared by Cardno Lane Piper (**Cardno 2007 Assessment of the Eyrie Gully**) [[MSC.5012.0001.0123](#)]. It is my understanding that the Cardno 2007 Assessment of the Eyrie Gully is likely to be the document referred to in the Cardno 2012 Draft Report with the reference "LP(2007B)" as referred to above. I note that the Cardno 2007 Assessment of the Eyrie Gully found that instability of the gully banks in the area the subject of that study (see page 4) was occurring as a result of erosion (see page 18).
111. At the time of preparing this witness statement, I have caused enquiries to be undertaken within the Shire as to how the Shire responded to the Cardno 2007 Assessment of the Eyrie Gully. I understand that the Shire and its legal representatives will continue to investigate these matters so that all relevant documents and information can be provided to the Board of Inquiry as soon as possible should any be identified.
112. To the best of my knowledge and information, other than as I have set out in this answer, the Shire was not aware in the Between Landslide Period of any other specific sites in the McCrae area outside of the red areas in the GIS that were prone to landslide, landslip or other land degradation.
113. I have addressed in my answer to question 7 the measures the Shire put in place to mitigate these areas recognised in the GIS as high susceptibility to landslide areas.

Question 13

In the Between Landslides Period, what (if any) risk assessments were undertaken or commissioned by the Shire to determine the likelihood and severity of landslides and landslips in the McCrae Area? Exhibit key documents recording the finding(s) of the risk assessment(s).

114. It is my understanding that the Shire has produced to the Board of Inquiry a report dated 7 December 2022 by David Slade of Stantec in response to Notice to Produce MSC-001. That report contained a landslide risk assessment to assess the risk to life for people on certain properties set out in that report (see at pages 10 to 15) [\[MSC.5000.0001.0292\]](#).
115. It is my understanding that the Shire has produced to the Board of Inquiry a report dated 3 November 2023 by Dane Pope of PSM in response to Notice to Produce MSC-001. That report contained a landslide risk assessment at 10-12 View Point Road and considered risk to life at three properties (see page 1) [\[MSC.5000.0001.1206\]](#).
116. It is my understanding that the Shire has produced to the Board of Inquiry three reports dated 11 June 2024 by Dane Pope of PSM in response to Notice to Produce MSC-001, each of which refers to some extent to risk. However, of those reports, the only one that includes a risk assessment is titled "Re: Risk Assessment. 10-12 View Point Road, McCrae" and is at [\[MSC.5000.0001.1706\]](#).
117. Based on enquiries I have made in the process of preparing this witness statement, it is my understanding that the Shire did not in the Between Landslides Period undertake or commission any wider risk assessments to determine the likelihood and severity of landslides and landslips in the McCrae Area. However, I understand that the Shire and its legal representatives will continue to investigate these matters so that all relevant documents can be provided to the Board of Inquiry should any be further identified in relation to this question.

Question 14

Describe any changes made to the Shire's practices or procedures as a result of the risk assessment(s) referred to in paragraph 13 above, including the approximate dates on which any such changes were made.

118. To the best of my knowledge and understanding, the Shire did not make any changes to its practices or procedures resulting from the information I provided in response to question 13. However, I understand that the Shire and its legal representatives will continue to investigate these matters so that all relevant information can be provided to the Board of Inquiry should any be further identified in relation to this question.

Question 15

For the Between Landslides Period, describe any communication or engagement concerning landslides in the McCrae Area between the Shire and any other Responsible Authority including the Victorian Building Authority and the Department of Transport and Planning.

119. To the best of my information and understanding, the MBS may have contacted the Victorian Building Authority (**VBA**), and the Department of Transport (**DOT**) regarding road closure issues. However, I have no further information or knowledge in relation to this matter. I understand that the Shire's legal representatives will provide any further information about any contact the MBS may have had with the VBA and the DOT to the Board of Inquiry if such information becomes available.
120. I further note that in Mr Oz's Statement at paragraph 91, Mr Oz provided a list of entities that the Shire worked with in response to the 2022 landslide. To the best of my knowledge that engagement was in respect of the emergency response to the 2022 landslide.
121. In the time available in preparing this witness statement, I have not otherwise been able to ascertain further information responsive to question 15. However, I understand that the Shire and its legal representatives will continue to investigate these matters so that all relevant documents can be provided to the Board of Inquiry as soon as possible should any be identified as responsive to question 15.

Question 16

Describe the 5 January 2025 Landslide and McCrae Landslide, including:

- 16.1 describing the extent of the damage to each of the 2025 Affected Properties; and
- 16.2 identifying other properties damaged by them (2025 Other Properties) and the extent of such damage.

5 January 2024 Landslide

122. I do not have direct knowledge of the 5 January 2025 Landslide. However, I have been shown two documents prepared or obtained by the Shire which describe the 5 January 2025 Landslide. I summarise those documents below.
123. A description of the 5 January 2025 Landslide is contained in the MBS Significant Incident Notification, prepared by Mr Matt Glover (**MBS**), dated 7 January 2025 [\[MSC.5003.0001.7156\]](#). Mr Glover describes the 5 January 2025 Landslide as follows:

- (a) the 5 January 2025 Landslide occurred in the evening of 5 January 2025, sometime before 9:14pm;
 - (b) between 20 and 25 tonnes of material dislodged and impacted the rear of the 3-storey dwelling on 3 Penny Lane. The debris caused damage to the external walls and structural piers of that dwelling, including movement to the piers in a concentrated area.
124. Photographs contained in the MBS Significant Incident Notification show debris against the rear of the dwelling on 3 Penny Lane and depletion of the soils on the upper area of the landslide.
125. A further description of the 5 January 2025 Landslide is contained in an email from Mr Dane Pope of PSM to Mr Glover dated 7 January 2025 [\[MSC.5003.0001.7180\]](#). The Shire engaged PSM to undertake an assessment of the 5 January 2025. Mr Pope records in his email that he attended the site on 6 January 2025. Mr Pope describes the 5 January 2025 Landslide as follows:
- (a) the 5 January 2025 Landslide initiated on 10-12 View Point Road, in front of a recently constructed retaining wall;
 - (b) a translational landslide evacuated materials down to the natural granitic soils at the base of the landslide;
 - (c) a significant portion of the headscarp was saturated and with a measurable flow of water; and
 - (d) debris flow of the landslide impacted 3 Penny Lane.
126. The following is a copy of an aerial image [\[MSC.5003.0001.7184\]](#) attached to Mr Pope's email. The image shows the location of the source of the 5 January 2025 Landslide, 10-12 View Point Road (being "P1" on the image) and 3 Penny Lane (being "P2" on the image). It is my understanding that this image does not show the actual 5 January 2025 Landslide itself.



127. Also attached to Mr Pope's email is an image [\[MSC.5003.0001.7182\]](#) showing debris against the back of 3 Penny Lane:



128. The 5 January 2025 Landslide occurred in a different area to the November 2022 Landslide. The depletion zone of the upper part of the November 2022 Landslide can be seen in the aerial image at paragraph 126 to the left of the location of the 5 January 2025 Landslide source, below the stairs on 10-12 View Point Road.
129. Having regard to the MBS Significant Incident Notification and Mr Pope's email, I understand the damage to each 5 January 2025 Affected Property as a result of the 5 January 2025 Landslide to be as follows:

- (a) **10-12 View Point Road:** depletion of the soils at the rear of the property; and

- (b) **3 Penny Lane:** debris impacting the dwelling and damage to the external walls and structural piers of that dwelling, including movement to the piers in a concentrated area.

130. To the best of my knowledge, no other property was damaged by the 5 January 2025 Landslide.

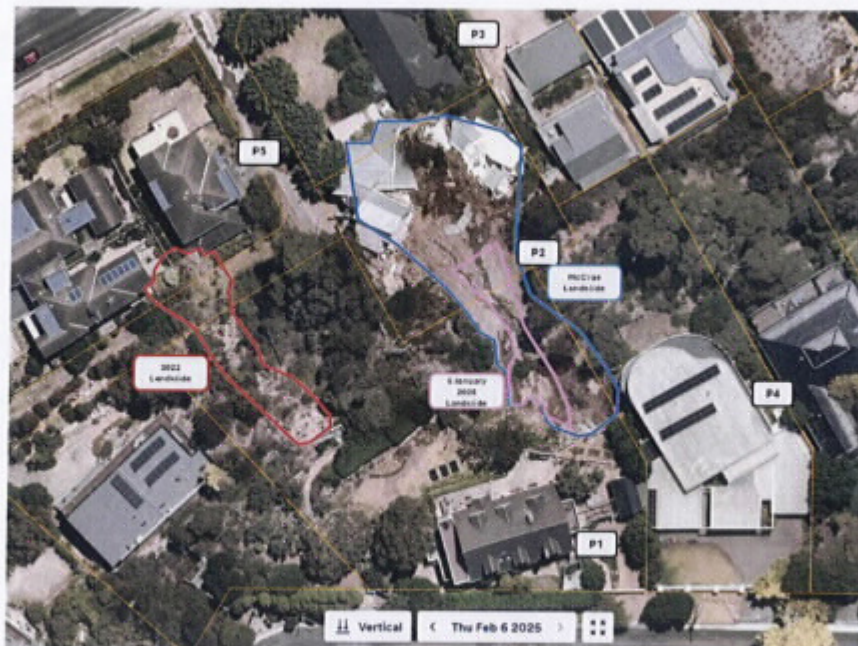
McCrae Landslide

131. I do not have direct knowledge of the McCrae Landslide.

132. Based on documents of the Shire (referred to below) and information provided to me, I understand that the McCrae Landslide may be described as follows:

- (a) the McCrae Landslide occurred in the morning of 5 January 2025, sometime shortly before 8:50am. The incident report of Maharlia Pakoti (Assistant Building Surveyor) records that she attended 3 Penny Lane at approximately 8:50am and by that time McCrae Landslide had occurred [\[MSC.5003.0001.7421\]](#);
- (b) the McCrae Landslide initiated in the rear of 10-12 View Point Road and 6 View Point Road. The top of the McCrae Landslide can be seen in the aerial image referred to at paragraph 133 below;
- (c) the McCrae Landslide commenced as a translational slide followed by debris flow of approximately 300m³ of material; and
- (d) the debris flow struck the dwelling situated at 3 Penny Lane. In doing so, the debris split the dwelling at 3 Penny Lane. The debris pushed the dwelling off its footings, rotated the dwelling, and carried the dwelling onto the property situated at 607 Point Nepean Road. These features of the McCrae Landslide can be seen in the aerial image referred to at paragraph 133 below.

133. I have been shown the following aerial photograph of the site of the McCrae Landslide, which I am informed was provided to the Shire by Mr Pope [\[MSC.5020.0001.0111\]](#). I have caused the image to be labelled to show the 2025 Affected Properties, the 2025 Other Property, 2 Penny Lane and the approximate location of the November 2022 Landslide, the 5 January 2025 and McCrae Landslide.



134. I understand the damage to each 14 January 2025 Affected Property to be caused by the McCrae Landslide to be as follows:
- (a) **10-12 View Point Road:** further depletion of the soils at the rear of the property and partial loss of a retaining wall;
 - (b) **6 View Point Road:** depletion of the soils at the rear of the property; and
 - (c) **3 Penny Lane:** complete collapse of the dwelling.
135. The property situated at 607-609 Point Nepean Road was also damaged as a consequence of the McCrae Landslide and is a '2025 Other Property'. I am informed by David Kotisiakos (MBS) that the property situated at 607 Point Nepean Road was directly impacted by debris flow. In addition to the debris flow, the garage and the dwelling on the 2025 Other Property (i.e. 607-609 Point Nepean Road) were impacted by the dwelling from 3 Penny Lane, which has slid on to 607-609 Point Nepean Road. I understand that there is structural damage to the garage at 607-609 Point Nepean Road. I am informed by David Kotisiakos (MBS) that the full extent of the damage to the 2025 Other Property (i.e. 607 Point Nepean Road) is not currently known because the property cannot be safely accessed.
136. I have been show copies of two emails from Mr Claudio Flores, Principal Building Surveyor at the Shire, to Mr Rory McDonald and Mr Dale Gilliatte of the Shire dated 14 January 2025, which forwarded a number of photographs provided by Victoria Police that same day [\[MSC.5005.0042.3045\]](#), [\[MSC.5005.0042.3058\]](#), [\[MSC.5005.0042.3060\]](#) and [\[MSC.5005.0042.3061\]](#) and [\[MSC.5005.0042.3062\]](#), [\[MSC.5005.0042.3070\]](#), [\[MSC.5005.0042.3071\]](#) and [\[MSC.5005.0042.3072\]](#). The photographs show the Other Property

(i.e. 607 Point Nepean Road) impacted by the dwelling from 3 Penny Lane. The following image [\[MSC.5005.0042.3071\]](#) is a copy of one of those photographs:



137. To the best of my knowledge, no other property was damaged by the McCrae Landslide.
138. Several properties (in addition to the 2025 Affected Properties and the 2025 Other Property) were the subject of emergency orders issued by the MBS following the McCrae Landslide. I refer to my answer to Question 20 below and the list of emergency orders at **schedule 2**. As a result of those emergency orders, residents were prohibited from entering the dwelling and land. These properties are:
 - (a) 2 View Point Road, McCrae;
 - (b) 4 View Point Road, McCrae;
 - (c) 6 View Point Road, McCrae;
 - (d) 14-16 View Point Road, McCrae;
 - (e) 18-20 View Point Road, McCrae;
 - (f) 22 View Point Road, McCrae;
 - (g) 16 Prospect Hill Road, McCrae;
 - (h) 613 Point Nepean Road, McCrae (common property only);
 - (i) 1/613 Point Nepean Road, McCrae;
 - (j) 2/613 Point Nepean Road, McCrae;

- (k) 3/613 Point Nepean Road, McCrae;
- (l) 4/613 Point Nepean Road, McCrae;
- (m) 617 Point Nepean Road, McCrae;
- (n) 599-601 Point Nepean Road, McCrae;
- (o) 603 Point Nepean Road, McCrae;
- (p) 605 Point Nepean Road, McCrae; and
- (q) 2 Penny Lane, McCrae.

139. The relevant emergency orders are detailed in the table at schedule 3.

140. I note that, at the time of the 5 January 2025 Landslide and the McCrae Landslide, the following two (2) properties remained the subject of emergency orders following the 2022 Landslide:

- (a) 2 Penny Lane; and
- (b) 3/613 Point Nepean Road.

141. I refer to paragraph 7(a) and schedule 1 of my First Witness Statement in relation to those two emergency orders.

Question 17

For each of the 2025 Other Properties, identify:

- 17.1 the volume and folio number in the certificate of titles; and
- 17.2 the names of the registered owners.

2025 Other Property

142. I caused a search to be undertaken of the certificate of title of the 2025 Other Property (ie. 607-609 Point Nepean Road). The search identifies the following information in relation to the 2025 Other Property:

Volume and Folio Number	Registered Owner(s)
Volume 10283 Folio 264	Thanh Hoa Nguyen Thi Tinh Phan

Other properties the subject of emergency orders

143. In respect of the properties referred to at paragraph 138 above, I caused searches to be undertaken of the certificates of title, which identified the names of the registered owners (as at the time of the McCrae Landslide). In the following table, I set out details of:

- (a) the property address;
- (b) the volume and folio number in the certificates of title; and
- (c) the names of the registered owners (as at the time of the McCrae Landslide).

Address	Volume and Folio Number	Registered owner(s)
2 View Point Road, McCrae	Volume 10198 Folio 674	Joanna Thomson
4 View Point Road, McCrae	Volume 10542 Folio 403	James Richard Bendell Jennifer Ellen Bendell
6 View Point Road, McCrae	Volume 09088 Folio 778	Charles Alexander Pugh Pamela Mary Pugh
14-16 View Point Road, McCrae	Volume 09376 Folio 675	Patricia Anne D'Helin
18-20 View Point Road, McCrae	Volume 0900 Folio 467	Michael William O'Neill Roslyn Anne O'Neill
22 View Point Road, McCrae	Volume 09964 Folio 940	Donald Charles Clifton
16 Prospect Hill Road, McCrae	Volume 10149 Folio 018	Robert Rupert Officer Merryl Maree Officer
613 Point Nepean Road, McCrae (common property only)	Volume 10939 Folio 935	Owners Corporation 1 Plan No. PS50869C
1/613 Point Nepean Road, McCrae	Volume 10939 Folio 930	Peter Dominic Archer
2/613 Point Nepean Road, McCrae	Volume 10939 Folio 931	Marie-Louise Buckley
3/613 Point Nepean Road, McCrae	Volume 10939 Folio 933	Paul Willigenberg Denise Willigenberg
4/613 Point Nepean Road, McCrae	Volume 10939 Folio 934	Jennifer Louise Stewart-Holmes
617 Point Nepean Road, McCrae	Volume 06780 Folio 993	Morialta Pty Ltd
599-601 Point Nepean Road, McCrae	Volume 10131 Folio 455	Nicholas Tassios Panagiota Tassios
603 Point Nepean Road, McCrae	Volume 06558 Folio 428	Tamworth Falls Pty Ltd
605 Point Nepean Road, McCrae	Volume 06631 Folio 139	Vicki Andrea Bolch
2 Penny Lane, McCrae	Volume 10939 Folio 932	Jon Michael McLean

Question 18

Describe the steps the Shire took in response to the 5 January 2025 Landslide and McCrae Landslide. In particular, but without limiting the foregoing, identify:

- 18.1 when and how the Shire first became aware of the 5 January 2025 Landslide and McCrae Landslide;
- 18.2 on first becoming aware of it, how the Shire immediately responded;
- 18.3 the agencies, authorities, entities, expert or any other persons with whom the Shire worked to respond to the 5 January 2025 Landslide and McCrae Landslide; and
- 18.4 any investigations undertaken or commissioned by the Shire to identify the cause(s) of the 5 January 2025 Landslide and McCrae Landslide, including the outcomes of such investigations.

Exhibit key documents demonstrating these steps (e.g. examples of communications sent to residents impacted by the 5 January 2025 Landslide and McCrae Landslide, letters of instruction to geotechnical engineers, etc.).

- 144. I am informed by the Shire and its legal representatives that a complete response to question 18 cannot be provided by the Shire within the time requested by the Board of Inquiry. I understand that the Shire and its legal representatives are continuing to investigate its records and make appropriate enquiries so that all relevant information can be provided to the Board of Inquiry as soon as practicable. I am informed that the Shire will provide a further witness statement in response to question 18 shortly.
- 145. I address the investigations undertaken or commissioned by the Shire to identify the cause(s) of the 5 January 2025 Landslide and McCrae Landslide below.

18.4 Investigations undertaken or commissioned by the Shire

- 146. The Shire engaged PSM to undertake investigations into, and provide an opinion on, the cause(s) of the 5 January 2025 Landslide and the McCrae Landslide.
- 147. I understand that PSM also provided advice to the Shire in the period between the 5 January 2025 Landslide and the McCrae Landslide to assist the MBS. By way of example, I have been shown an email from Mr Pope to Matt Glover (MBS) dated 7 January 2025, which records that Mr Pope attended the site on 6 January 2025 [\[MSC.5003.0001.7180\]](#). Mr Pope provided a preliminary risk assessment and risk to life assessment in respect of the 2025 Affected Properties and the 2025 Other Property. Mr Pope assessed that:

- (a) risk of life to 10-12 View Point Road was tolerable;
 - (b) risk of life to 3 Penny Lane was unacceptable; and
 - (c) risk of life to 607-609 Point Nepean Road varied from unacceptable to tolerable depending on the condition of the landslide.
148. I understand that following the advice in Mr Pope's email dated 7 January 2025, Mr Glover or his delegates informed the owners of various surrounding properties, including the owners of 3 Penny Lane and 607-609 Point Nepean Road, of the need to vacate their properties. The Shire has not located any emergency orders issued by the MBS in respect of the 5 January 2025 Landslide.
149. I have caused a schedule to be prepared of the correspondence between PSM and representatives of the Shire and between Harwood Andrews, solicitors instructing PSM on behalf of the Shire, regarding the investigations undertaken by PSM in respect of the 5 January 2025 Landslide and McCrae Landslide identified by the Shire and/or its legal representatives to date as responsive to question 18. A table outlining that correspondence is at **schedule 2**.
150. The correspondence includes:
- (a) letter from Harwood Andrews to PSM dated 17 January 2025 [\[MSC.5007.0004.0015\]](#) where Harwood Andrews engaged Mr Pope to prepare a report addressing, among other matters, the cause of the 5 January 2025 Landslide and the 14 January 2025 Landslide;
 - (b) letter from Harwood Andrews to PSM dated 23 January 2025 [\[MSC.5016.0001.2299\]](#) to provide ad hoc advice in relation to the water flow including the source and causation of the deterioration of Coburn Avenue, McCrae;
 - (c) letter from Harwood Andrews to PSM dated 24 January 2025 [\[MSC.5016.0001.1713\]](#) requesting that PSM undertake a landslide characterisation of the escarpment on which the landslide occurred;
 - (d) letter from PSM to Harwood Andrews dated 6 February 2025 [\[MSC.5016.0001.1982, MSC.5016.0001.1993\]](#) where PSM provided details of the scope of work PSM had performed to date or had been requested to perform and to establish a reserve brief of PSM's current scope and proposal to perform that scope; and
 - (e) letter from PSM to Harwood Andrews dated 17 March 2025 [\[MSC.5016.0001.1844\]](#) to present a reverse brief to provide a stormwater and sewer investigation for services located between View Point Drive, Coburn Avenue to Outlook Road, McCrae.

151. Mr Pope of PSM has provided a report titled 'Evacuation Order Area, Geotechnical Factual Report' (PSMS5665-GFR Rev 0) dated 9 April 2025 (2025 Factual Report), which details the investigations undertaken by PSM into the 5 January 2025 Landslide and McCrae Landslide to date. A copy of that report is at [\[MSC.5007.0004.0078\]](#). Mr Pope's 2025 Factual Report records the results of testing undertaken by PSM to date but does not contain an analysis of those results. I outline those investigations in my response to question 19.
152. I am informed that PSM's investigations into the cause of the 5 January 2025 Landslide and McCrae Landslide are ongoing.
153. I am also informed that PSM intends to provide two further reports into the 5 January 2025 Landslide and McCrae Landslide as follows:
- (a) a risk to life report, which the Shire anticipates will be provided in early May 2025; and
 - (b) a report on the cause(s) of the 5 January 2025 Landslide and McCrae Landslide, which the Shire anticipates will be provided in June 2025 subject to any further investigations required.
154. I understand that PSM is not in a position to immediately provide the risk to life report or the report on cause(s) because it does not yet have all the information and/or test results it needs in order to finalise its opinions in relation to those matters.
155. I am informed that the Shire or its legal representatives will provide those reports promptly to the Board of Inquiry when they are finalised.

Question 19

Describe the cause(s) of the 5 January 2025 Landslide and McCrae Landslide. Exhibit any documents recording an analysis of the cause(s) (e.g. expert technical reports of investigations into the 5 January 2025 Landslide and McCrae Landslide).

156. The Shire does not yet know the cause(s) of either the 5 January 2025 Landslide or the McCrae Landslide.
157. Immediately following each the 5 January 2025 Landslide and the McCrae Landslide, the Shire engaged PSM (geotechnical engineering firm) to undertake investigations into, and provide an opinion on, the cause(s) of each landslide. I am informed that those investigations are still ongoing and Mr Pope of PSM is yet to provide an opinion on the cause(s) of the 5 January 2025 Landslide and McCrae Landslide.

158. Mr Pope of PSM has provided a report titled 'Evacuation Order Area, Geotechnical Factual Report' (PSMS5665-GFR Rev 0) dated 9 April 2025 (**2025 Factual Report**), which details the investigations undertaken by PMS into the 5 January 2025 Landslide and McCrae Landslide to date [\[MSC.5007.0004.0078\]](#). Those investigations include (as detailed at [3.1] of the 2025 Factual Report):
- (a) Geotechnical drilling;
 - (b) Non-destructive testing;
 - (c) Cone penetration testing;
 - (d) Laboratory soil testing;
 - (e) Groundwater testing, which is recorded in the 2025 Factual Report at [3.1] to be ongoing; and
 - (f) a literature review of existing records concerning the site of the 5 January 2025 Landslide and McCrae Landslide.
159. I am informed that Mr Pope intends to undertake investigations into the stormwater and sewer in the area around the McCrae Landslide. I am informed that works required for those investigations are due to commence later this month and the investigations will be carried out into the first half of May 2025.
160. I understand that when further information becomes available to the Shire which is responsive to question 19 the Shire and its legal representatives will provide that information to the Board of Inquiry.
161. Separately, I have been shown a number of memoranda of Mr Andrew Wilson of PSM regarding displacement monitoring at the site of the McCrae Landslide. These documents do not address the cause of the 5 January 2025 Landslide or the McCrae Landslide, however, they do concern investigations into the two landslides. Copies of these memoranda are as follows:
- (a) memorandum of Mr Wilson regarding 'Displacement Monitoring' for the period 12 February 2025 to 28 February 2025, dated 6 March 2025 [\[MSC.5000.0001.1505\]](#);
 - (b) memorandum of Mr Wilson regarding 'Displacement Monitoring' for the period 28 February 2025 to 6 March 2025, dated 12 March 2025 [\[MSC.5020.0001.0323\]](#); and
 - (c) memorandum of Mr Wilson regarding 'Displacement Monitoring' for the period 7 March 2025 to 13 March 2025, dated 20 March 2025 [\[MSC.5020.0001.0385\]](#); and

- (d) memorandum of Mr Wilson regarding 'Displacement Monitoring' for the period 14 March 2025 to 27 March 2025, dated 8 April 2025 [\[MSC.5020.0001.0453\]](#).

162. I note that my answer to question 19 concerns investigations or opinions obtained, or being obtained, by the Shire into the 5 January 2025 Landslide and McCrae Landslide. I have not addressed expert reports that were commissioned by others into the 5 January 2025 Landslide and McCrae Landslide, for example any reports commissioned by the Victoria State Emergency Services Authority.

Question 20

Describe any determinations made by the Municipal Building Surveyor in respect of the 5 January 2025 Landslide and McCrae Landslide and exhibit any documents recording his or her deliberations in respect of same.

163. The Municipal Building Surveyor (**MBS**) made no determinations in respect of the 5 January 2025 Landslide.
164. As a result of the McCrae Landslide, Relevant Building Surveyors (under the delegation of the MBS) issued numerous emergency orders, cancellations of emergency orders, and building notices concerning the 2025 Affected Properties and 2025 Other Properties. As noted at paragraph 118 of My First Statement, I am not a building surveyor, however, it is my understanding that all of these documents were issued by the Relevant Building Surveyors pursuant to their delegated powers under the Building Act.
165. At Schedule 1 is a list of the emergency orders, cancellations of emergency orders, and building notices issued by the Relevant Building Surveyors, under the delegation of the MBS, in response to the McCrae Landslide. The list contains a description of each order.

Question 21

Describe any requests for assistance made by the Shire to Responsible Authorities for assistance in respect of the 5 January Landslide and the McCrae Landslide. Where there has been a response to those requests, describe those responses. Exhibit any documents containing the requests and responses.

166. Based on the searches conducted by the solicitors for the Shire, I understand that the Shire made two formal requests to the State Government for assistance.
167. By letter dated 21 January 2025, the Shire requested assistance from the State Government in respect of the McCrae Landslide. I have been shown a copy of the Shire's letter to the Minister of Emergency Services dated 21 January 2025 [\[MSC.5003.001.7914\]](#). The Shire

- requested urgent technical assistance to determine the cause of the McCrae Landslide and address infrastructure and safety concerns. The Shire also requested financial support for geotechnical survey costs, traffic management expenses and staffing and overtime costs.
168. I am informed that as at 19 February 2025, the Shire had not received a response from the State Government to its request.
169. As a consequence, by letter dated 19 February 2025, the Shire sent a further letter to the State Government requesting technical and financial support. I have been shown a copy of the Shire's letter to the Minister of Emergency Services dated 19 February 2025 [\[MSC.5019.0001.3612\]](#). The Shire outlined its efforts and work undertaken to respond to the McCrae Landslide, and requested a discussion about the technical and financial resources the Victorian Government could provide to help the impacted residents return to their homes as quickly and safely as possible.
170. I have been shown a copy of a letter from the Honourable Nick Staikos MP dated 20 March 2025 where Mr Staikos responded to the Shire's letters dated 21 January 2025 and 19 February 2025 [\[MSC.5020.0001.0451\]](#). Mr Staikos informed the Shire that the Terms of Reference for the Board of Inquiry had been finalised. In response to the Shire's request for funding, Mr Staikos stated that the Disaster Recovery Fund Arrangements co-funded by the State and the Commonwealth had not been activated for this event. Mr Staikos also stated that as the landslide was a localised event with the impacts experienced by private landowners, State Government funding had not been applied to this event.
171. I understand the Shire also worked with a number of Responsible Authorities in response to the 5 January Landslide and the McCrae Landslide, including:
- (a) the Victorian State Emergency Service;
 - (b) Victoria Police;
 - (c) South East Water concerning investigations into the source of water at the 5 January 2025 Landslide and the McCrae;
 - (d) Department of Transport and Planning concerning road closures;
 - (e) the Victorian Building Authority (VBA).
172. In the time available in preparing this statement, I have not been able to identify specific instances of requests for assistance being made to those Responsible Authorities or their response(s) (if any).

Question 22

Describe any reforms the Shire is currently considering to mitigate the occurrence and impact of landslides in the McCrae Area in future.

173. The Shire recognises that the existing EMO schedules in the MPPS do not cover all land that is known by the Shire to be in the high susceptibility to landslide category, as not all red areas (high susceptibility areas) identified in 2012 GIS Assessment and Cardno 2012 Draft Report are covered by the existing EMO schedules.
174. As set out in the Cardno 2012 Draft Report, that work was a desktop analysis that produced a GIS system, by categorising areas of high, medium and low landslide susceptibility, based on geology, slope and aspect.
175. The additional planning requirements imposed by the statutory planning team, as set out in the Process Document and in my answer to question 7, including the requirement for geotechnical assessments.
176. The Shire is considering whether it would be desirable for a formal EMO amendment process to be completed, Mornington Peninsula-wide, to take into account landslide susceptibility across the whole shire. However, the Cardno 2012 Draft Report is now over 10 years old, and the Shire considers that updated landslide susceptibility data and analysis should be undertaken to inform any EMO amendment process (as set out in the 2018 Review and 2023 Review).
177. Relevantly, any update of the landslide susceptibility data and analysis Mornington Peninsula-wide is estimated to take a minimum of two years from commissioning. Following that process, in the Shire's experience, it will take a minimum of another two years to conduct an EMO amendment process in accordance with the *Planning and Environment Act 1987* (Vic) to make amendments to the local provisions of the MPPS to update the EMO schedules.
178. The Shire is therefore exploring possible actions it might be able to take. To this end, the Shire is exploring a possible recommendation to Council that it request the Minister for Planning to prepare a planning scheme amendment under the *Planning and Environment Act 1987* (Vic) to introduce interim EMO schedules for all high susceptibility landslide areas within the Shire (i.e., all those areas identified as red as part of the Cardno 2012 Draft Report and resulting GIS landslide susceptibility layer), whilst council officers concurrently update the landslide susceptibility data and risk assessment for the entire Mornington Peninsula. On such an option, if it were to be taken forward, once the updated data and risk assessment are finalised, the Council would then proceed with a planning scheme amendment to update the existing EMO schedules and apply the EMO to land not currently captured by the current

EMO schedules to reflect the updated data and risk assessment, and remove the interim EMO schedules.

179. At the time of preparing this witness statement, council officers have not yet formally briefed Council on this potential option, which would need to be endorsed by Council.
180. I note that this option would also require Council to approve budget for council officers to undertake, and commission via geotechnical consultants as the case requires, various elements of this work.
181. I should also make clear that this potential option is still being actively considered (including whether to seek endorsement by Council) bearing in mind the Board of Inquiry process is underway and it may be prudent to wait until the Board of Inquiry has finalised its work before taking further steps.
182. A draft council officers' paper was prepared over the last fortnight to this effect, albeit council officers have not finalised their views on the draft paper and it has not been provided to Council. A copy of the draft paper is [\[MSC.5020.0001.0198\]](#). The Board of Inquiry should note that the draft paper is subject to further change or amendment. I understand that the solicitors for the Shire will provide a copy of any final council officers' paper that is presented to the Council on this topic, should that occur.

Question 23

Describe any changes made to the Shire's practices or procedures, as a result of the November 2022 Landslide, to prevent and mitigate landslides and landslips in the McCrae Area.

183. To the best of my knowledge and information, I am not aware of any changes to the Shire's practices or procedures taken as a result of the November 2022 Landslide to prevent or mitigate landslides or landslips in the McCrae Area.

Question 24

In the Between Landslides Period, did the Shire experience any challenges to implementing measures to prevent or mitigate landslides and landslips in the McCrae Area?

184. I refer to my responses to Questions 17 and 27 in my First Witness Statement.

Personal Information

Signed by David Simon

on 17 April 2025

Schedule 1

Merit customer requests					
Request ID	Date	Address	Complaint	Responsive action	Doc ID
2502446	07/11/2022	3A Beverley Road, McCrae, Victoria 3938 (Dwelling)	Customer request received from Giovanni Argentino of 3A Beverley Road, McCrae via telephone in relation to a stormwater pipe outside the front of 17 Beverley Road, McCrae. The customer believed the stormwater pipe was broken and causing a 'continuous flow of water' onto his property and driveway.	On 7 November 2022, the Shire assigned the request to the SIMS Roads Team to action. The SIMS Roads Team identified that there was no Shire stormwater between 17 and 1 Beverley Road, only South East Water pipes under the road. They advised that the closest Shire were pits at 27 Beverley Road and the pipe runs across the road not down it. The customer was called back and advised that there were no pipes out the front of 17 Beverley Road, and that the closest pipes/drains were out the front of 25-27 Beverley Road.	MSC.5018.0001.0480
2504202	11/11/2022	1 Beverley Road, McCrae, Victoria 3938 (Dwelling)	Customer request received from Michael Argentino of 1 Beverley Road, McCrae, via telephone in relation to water build up along the front of the property and driveway. The customer reported that a few of his neighbours were experiencing the same issue, as well as the house at 23 Barrel Street experiencing 'water build up'.	On 11 November 2022, the request was assigned to SLR SIMS Cleansing Team, and then the Cleaning & Blockages Supervisor for action. On 27 November 2022, the Cleaning and Blockages supervisor attended the site and spoke with the customer via telephone and found the relevant pits and pipes to be clear. The supervisor recorded that the issue 'relates to water seeping from front of property and could be possible groundwater'. The customer requested a Drainage Engineer to advise. This request was then referred for further investigation by Brandon Trebilco. On 16 December 2022, Mr Trebilco inspected the site and could not identify the issue, and noted that it appeared to be a spring/groundwater issue, and that the flooding was only a wet spot and not actual flooding. On 28 Feb 2023, Mr Trebilco inspected the site and concluded that the issue was not a drainage maintenance issue. On 6 December 2022, the customer called wanting an update because he reported that his driveway continued to flood and it had been an ongoing issue for 12 months. The Shire sent an email to Mr Trebilco.	MSC.5018.0001.0652
2506933	17/11/2022	563 Point Nepean Road, McCrae, Victoria 3938 (Dwelling)	Customer request received from Frank Pandazopoulos, from 565 Point Nepean Road via telephone. Customer called	On 17 November 2022, the request was assigned to INFM Drainage Investigations for action. On 1 December 2022, Brandon Trebilco noted in the request that it was a VicRoads road, and that water was only coming from roadway and	MSC.5018.0001.0017

Merit customer requests					
Request ID	Date	Address	Complaint	Responsive action	Doc ID
			in relation to a stormwater drainage issue. The customer queried whether there were any upgrades planned for more pits and pipes around his address because his garage had flooded in the past and he was concerned it would happen again. (See also request 2511500)	nowhere else. Mr Trebilco stated that inserting a new pit and pipe would be at the discretion of VicRoads. Mr Trebilco emailed the customer advising of this.	
2511500	29/11/2022	563 Point Nepean Road, McCrae, Victoria 3938 (Dwelling)	Customer request received from Frank Pandazopoulos via web chat in relation to water from the roadside running back to his property. (See also request 2506933)	On 29 February 2022, the request was assigned to SIMS Roads Team, who advised that the matter should be referred to VicRoads because they maintain the open drains along Point Nepean Road. On 30 November 2022, the customer was called back and advised to contact VicRoads.	MSC.5018.0001.0008
2535448	06/02/2023	14 Prospect Hill Road, McCrae, Victoria 3938 (Dwelling)	Customer request received from Heather McKeon via Snap Send Solve, reporting that water from the property at 7 Prospect Hill Road was being diverted into the street gutter drainage system, causing more water to appear at the drainage system at the end of View Point Road. The customer reported that the nature strip outside the property frequently became oversaturated with water and queried whether this caused or contributed to the landslide on 15 November 2022.	On 6 February 2023, the request was assigned to the INFD Development Engineering Team. A request was subsequently issued on 17 February 2023 for an investigation into the 'private storm water before being sent to roads, drainage and Cleansing operations'. The outcome of this investigation is unknown.	MSC.5018.0001.0484

Merit customer requests					
Request ID	Date	Address	Complaint	Responsive action	Doc ID
2536543	08/02/2023	2 Somers Close, McCrae, Victoria 3938 (Dwelling)	Customer request by Anthony Patti via Send Snap Solve. Customer reported a stormwater drain blockage near 29 Somers Avenue, McCrae.	<p>On 8 February 2023, the Shire assigned the request to a member of the SLR SIMS Cleansing Incoming Actions Team.</p> <p>On 15 February 2023, Sheree Clayton attended the location and found that the systems were blocked. A work order was subsequently raised to have the system cleaned and jetted, which was to be completed as part of the cleansing maintenance program.</p> <p>On 28 February 2023, the work order was completed, including cleaning four pits and jetting 50 metres of pipeline. It was recorded that the system was 'clean and flowing'.</p> <p>On 1 March 2023, the customer was advised of the outcome via email.</p>	MSC.5018.0001.0636
2543083	22/02/2023	195 Bayview Road, McCrae, Victoria 3938 (Dwelling)	<p>Customer request received from a property manager at Mornington Peninsula Property Group via telephone, who reported that there was water pooling out the front of 195 Bayview Road. The road was reported to be 'muddy all the time and especially bad when it rains'.</p> <p>(See also request: 2587318)</p>	<p>On 22 February 2023, the Shire assigned the request to the Cleaning and Blockages Supervisor, Rachel Larsen. Ms Larsen subsequently advised the customer that the pipe outside the subject property was owned by South East Water and that they should be contacted in the first instance, and that if it was not their issue for it to be referred to the Shire for inspection.</p> <p>No further action was recorded in relation to this request.</p>	MSC.5018.0001.0016
2543446	23/02/2023	121 Austin Avenue, McCrae, Victoria 3938 (Dwelling)	Customer from 121 Austin Avenue, Ronald John Lee, attended the Shire offices and advised that the crossover kerb next to the driveway at his address was broken, with a section missing, and that when it rained 'the debris and water pools on the ... driveway'.	<p>On 23 February 2023, the request was assigned to SIMS Roads Team.</p> <p>On 31 March 2023, an inspection was undertaken and the inspector noted 'minor damage' to the kerb and channel, with 'very minimal amount of ponding', requiring a concrete patch to the kerb.</p>	MSC.5018.0001.0036
2545864	02/03/2023	36 Arthurs Avenue, McCrae, Victoria 3938 (Dwelling)	Customer request from Barabra Richmond-Smith via telephone. Customer advised that a sink hole had formed on	The request was immediately referred to South East Water, who advised that the issue would be inspected within 24 hours (SEW reference – 1128066).	MSC.5018.0001.0020

Merit customer requests					
Request ID	Date	Address	Complaint	Responsive action	Doc ID
			the RR between 39 and 40 Arthurs Avenue, McCrae. The sink hole was reported to be in line with a sink hole that had formed at the back of her property. The customer advised that she had South East Water drainage in her easement. She also reported that 32 Arthurs Avenue had also been inundated with water at the back of their property.		
2557303	05/04/2023	189 Bayview Road	The Shire received a request from Peter Colin Fenney, reporting 'large amounts of standing water on nature strip and block of land at 189 Bayview Road McCrae'. The customer reported that land is so wet they cannot mow the grass, SE water have checked the sewer line and said there is no leak.	On 5 April 2023, the request was assigned to SLR SIMS Cleansing Incoming Actions On 6 April 2023, the request was assigned to Cleaning & Blockages Supervisor. On 14 April 2024, the Cleaning & Blockages Supervisor attended location and inspected pits found possible blockage in pipeline, noting that it requires a clean and call the customer to advise the same. On 20 April 2023, Combo crew attended the location, cleaned 6 pits and jetted 120 metres of line. On 25 April 2023, customer contacted to advise of completed works.	MSC.5023.0001.0007
2571427	24/05/2023	2 Penny Lane, McCrae, Victoria 3938 (Unit)	Customer request received from Jonathan McClean via telephone seeking an update regarding the landslide at 2 Penny Lane, McCrae.	On 1 June 2023, the Shire contacted the customer and discussed the status of the landslide work and the Shire's position.	MSC.5018.0001.0638
2573875	01/06/2023	121 Austin Avenue, McCrae, Victoria 3938 (Dwelling)	Customer request received from Ronald John Lee after he attended the Shire's offices. The customer stated that he was dissatisfied with the works that were carried out to resolve	On 1 June 2023, the Shire assigned the request to a member of the SIMS Roads Team, Michelle Twaites, who subsequently referred the request to the Pavement Supervisor on 14 June 2023. The Pavement Supervisor generated an email for action. On 27 June 2023, the Ms Twaites investigated the issue and found that that a job (No 290.0611) had been completed in relation to the channel on	MSC.5018.0001.0005

Merit customer requests					
Request ID	Date	Address	Complaint	Responsive action	Doc ID
			the issue of water running onto his property as a result of it pooling at a point in the channel in front of his driveway. The customer stated that the Shire had put a road base and bitumen to fill in channel and make it level, but that this work was not sufficient and he was concerned the issue would continue.	31 May 2023, Ms Twaites subsequently raised a work order (No 94.4210) for the road base to be pulled out and replaced with concrete. The customer appears to have been contacted to be advised of the works.	
2583809	06/07/2023	16 Chunar Grove, McCrae, Victoria 3938 (Dwelling)	Customer request received from Darren Finnigan via telephone. The customer reported that the road outside his address was broken away and water was coming up. The customer advised that he spoke to South East Water and that they confirmed that it was a Shire issue.	On 6 July 2023, the request was assigned to the Shire's SIMS Roads Team. A member of the SIMS Roads Team, Michelle Twaites, subsequently inspected the subject location and took photographs. On 11 July 2023, the request was assigned to the Provisional Works SIMS Roads Team and repair works were subsequently completed on 13 July 2023.	MSC.5018.0001.0038
2587318	19/07/2023	195 Bayview Road, McCrae, Victoria 3938 (Dwelling)	Customer request received from a property manager at Mornington Peninsula Property Group via telephone. The Customer reported that there was water pooling out the front of 195 Bayview Road. The road was <i>'muddy all the time and especially bad when it rains.'</i> (See also request: 2543083)	On 19 July 2023, the Shire assigned the request to the Cleaning and Blockages Supervisor, Rachel Larsen. Kaylene Cook noted that South East Water had referred the matter back to the Shire for inspection of the pits around the property. On 25 July 2023, Ms Larsen attended the site and found that the system was clear. She also determined that the system was last cleaned on 19 April 2023 (refer to SR2557303). The request was subsequently closed.	MSC.5018.0001.0009
2578540	19/07/2023	33 Lister Avenue	The Shire received a call from Marshall Dennis to advise that Shire drainage team were	On 19 June 2023, the request was assigned to SIMS Roads Team. On 19 June 2023, the request was assigned to Drainage Structure Repairs SIMS Roads Pending.	MSC.5023.0001.0010

Merit customer requests					
Request ID	Date	Address	Complaint	Responsive action	Doc ID
			working on the soak pit at the front of his property last week, which has now collapsed due to 'large amounts of rainfall the past few days'.	<p>20 June 2023, the request was assigned to Provisional Works SIMS Roads Pending</p> <p>On 13 July 2023, it is recorded that the 'sink hole was repaired 21/6. Customer emailed new photos 13/7 showing it has happened again. Forwarded on to AT for contractor to attend'</p> <p>On 20 July 2023, it was recorded that 'AT inspected 20/7 and has passed works on to contractor to attend again for repairs'</p> <p>On 21 July 2023, the request was assigned to Cleaning & Blockages Supervisor.</p> <p>On 1 August 2023, CCTV was requested and completed on 2 August 2023.</p> <p>On 2 August 2023, the request was assigned to Provisional Works SIMS Roads Pending.</p> <p>On 30 August 2023, it is recorded that 'Soak pit repairs completed mid August. AT inspected 29/8 and area is in good condition. Called and spoke to Marshall 30/8 and he had seen repairs and was very happy'</p>	

TechOne customer requests						
Request ID	Reference ID	Date	Address	Complaint	Responsive action	Doc ID
9699	2023-009651	10/11/2023	52 Somers Avenue, McCrae, Victoria 3938	The Shire received a customer request lodged as a 'stormwater drainage concern'. Customer noticed a puddle of water on the nature strip that has appeared. No rain for the last few days. Large gum tree also on nature strip and she thinks it may have damaged the stormwater pipe.	On 10 November 2023, this request has been recorded as 'resolved by contractor' as it was referred to South East Water for Inspection (Reference number 07613524).	MSC.5020.0001.0114
14446	2023-014394	27/11/2023	20 Cairn Road, McCrae, Victoria 3938, McCrae	The Shire received a customer request from Peter lodged as a 'General Enquiry'. Customer requesting a call back to discuss concerns with neighbour's application, specifically the storm water drainage.	On 13 December 2023, this request has been recorded as 'resolved by contractor', as the customer was spoken to, and was told he would be passed on the specifications of his retaining wall to neighbouring application and get the applicant to indicate the location of that wall on the site plan	MSC.5020.0001.0115
N/A	2024-006829	18/01/2024	15 Henry Court MCCRAE VICTORIA 3938	The Shire received a request lodged as 'Shire Tree Concern', reporting that a dead tree has fallen on the front nature strip and that SES have been out to cut up the tree and now require for the branches to be removed	On 24 January 2024, the request was marked as resolved by contractor, as an inspection was conducted and the customer did not answer when contacted.	MSC.5003.0002.3836
76864	2024-052463	06/02/2024	31 Riley Street, McCrae, Victoria 3938	The Shire received a call from a customer reporting a sunken hole on his nature strip. This request has been lodged as 'Road Maintenance'.	On 9 July 2024, the request was investigated. On 12 July 2024, the Shire escalated the request to South East Water. Council has no assets located in Riley Street, South East Water has pipes located on this street.	MSC.5020.0001.0001
37979	2024-013594	08/02/2024	16 Austin Avenue,	The Shire received a request lodged as 'Stormwater Drainage Concern' reporting easement at rear of property as blocked	On 28 February 2024, 'combo crew' attended location to complete works.	MSC.5020.0001.0117

TechOne customer requests						
Request ID	Reference ID	Date	Address	Complaint	Responsive action	Doc ID
			McCrae, Victoria 3938	and water pooling making the ground 'very soggy'.	On 14 March 2024, this request has been recorded as 'resolved by contractor'.	
57366	2024-032974	12/04/2024	14 Rudduck Street, McCrae, Victoria 3938	The Shire received a request lodged as a 'Stormwater Drainage Concern', reporting that open roadside drains in Rudduck Street have a blockage and cause storm water to floor into the property	On 23 April 2024 this request was recorded as 'completed'.	MSC.5020.0001.0118
58221	2024-033829	19/04/2024	1 Hillman Avenue, McCrae, Victoria 3938	The Shire received a request lodged as a 'Stormwater Drainage Concern', reporting a blocked storm water drain near the rear of customer's property.	On 22 April 2024, this request was recorded as 'Resolved by Council', as the 'GIS maps shows that the pits at the back of the property are private pits'.	MSC.5020.0001.0121
58230	2024-033838	19/04/2024	1/16 Chunar Grove, McCrae, Victoria 3938	The Shire received a request lodged as a 'Stormwater Drainage Concern', reporting water bubbling from the storm water pipe on the front nature strip of his property. Customer advises that this has been an ongoing issue for a year.	On 10 May 2024, this request was recorded as 'Resolved by Contractor'. The resolution details are recorded as follows: <i>'[On 9 May 2024] the Works Supervisor inspected and found minor settlement topped up with top soil, no water leaking at location'.</i>	MSC.5020.0001.0122
72475	2024-048074	19/06/2024	41 Hillman Avenue, McCrae, Victoria 3938	The Shire received a request lodged as a 'Stormwater Drainage Concern', reporting possible blockage in drains as water does not drain away and sits on the road surface for a considerable amount of time.	On 15 July 2024, this request was recorded as 'resolved by contractor', as 'crew attended and report that water pooling is due to low section of kerbing'.	MSC.5020.0001.0127
77157	2024-052756	10/07/2024	1/16 Chunar Grove, McCrae, Victoria 3938	The Shire received a request lodged as 'Stormwater Drainage Concern', reporting water bubbling up through the nature strip, creating a mud pile.	On 31 December 2024, this request was recorded as 'resolved by contractor', as the Roads Corridor Team attended pit drain at the	MSC.5020.0001.0136

TechOne customer requests						
Request ID	Reference ID	Date	Address	Complaint	Responsive action	Doc ID
					location on 15 th November 2024 completing drainage maintenance works.	
N/A	2024-064971	17/08/2024	Point Nepean Road, McCrae, Victoria 3938	Customer request received from an unidentified customer who reported 'major erosion and polluted water' coming from the stormwater drainage structure between boatsheds 58 and 59 on the McCrae foreshore.	On an unspecified date, the Shire's contractor inspected the subject location as part of their usual inspection schedule and determined that the stormwater drainage near did not require any repair works. The request was ultimately closed on 27 March 2025.	MSC.5018.0001.0486
N/A	2024-064971	17/08/2024	Point Nepean Road, McCrae, Victoria 3938	Customer request received from an unidentified customer who reported 'major erosion and polluted water' coming from the stormwater drainage structure between boatsheds 58 and 59 on the McCrae foreshore.	On an unspecified date, the Shire's contractor inspected the subject location as part of their usual inspection schedule and determined that the stormwater drainage near did not require any repair works. The request was ultimately closed on 27 March 2025.	MSC.5020.0001.0137
104713	2024-080304	05/10/2024	16 Burrell Street, McCrae, Victoria 3938	The Shire received a request lodged as 'Stormwater Drainage Concern', reporting water coming up from a side entry pit and travelling across the road and into the opposite gutter.	On 18 October 2024, this request was recorded as 'resolved by contractor'. The resolution details are recorded as follows: <i>'Roads Corridor Team completed drainage maintenance works at 16 Burrell Street, McCrae on 17 October'.</i>	MSC.5020.0001.0140
108068	2024-083657	16/10/2024	9 Catherine Street, McCrae, Victoria 3938	The Shire received a request lodged as a 'Stormwater Drainage Concern', reporting constant wet nature strip.	On 21 November 2024, this request was recorded as 'resolved by contractor'. The resolution details are as follows:	MSC.5018.0001.0011

TechOne customer requests						
Request ID	Reference ID	Date	Address	Complaint	Responsive action	Doc ID
					<i>'Roads Corridor Team attended 15th November and noted that works have been completed by SEW'.</i>	
121357	2024-096936	22/11/2024	Bayview Road, McCrae, Victoria 3938	Customer request received from Joan Broadbent in relation to potholes and erosion on Bayview Road which had reportedly caused the end of her driveway to be washed away.	On 25 November 2024, the Shire caused an investigation to be conducted into the request and subsequently determined that the affected areas were on private land and that repairs would need to be conducted at the owner's expense. Accordingly, the customer request was closed on 26 November 2024	MSC.5020.0001.0170
121357	2024-096936	22/11/2024	Bayview Road, McCrae, Victoria 3938	Customer request received from Joan Broadbent in relation to potholes and erosion on Bayview Road which had reportedly caused the end of her driveway to be washed away.	On 25 November 2024, the Shire caused an investigation to be conducted into the request and subsequently determined that the affected areas were on private land and that repairs would need to be conducted at the owner's expense. Accordingly, the customer request was closed on 26 November 2024	MSC.5020.0001.0179
123526	2024-099104	28/11/2024	3 Charlesworth Street, McCrae, Victoria 3938	Customer reported that a sinkhole had appeared on the road in front of her house with an approximate diameter of a dinner plate. The customer reported it was leaking with water. The Shire received a request lodged as 'Customer Callback Request' in relation to closed case 2024-006829, reporting the corner of Charlesworth Street & Waller place's road is lifting and now water is rising and sitting just outside property.	On 209 January 2025, this request was recorded as 'resolved by council'. The resolution details are as follows: <i>'Today morning I have contacted the customer and give her an update about the works proposed on Coburn Av'. 'resolved because '[w]ork has been successfully completed.'</i>	MSC.5020.0001.0181

TechOne customer requests						
Request ID	Reference ID	Date	Address	Complaint	Responsive action	Doc ID
129836	2024-105410	16/12/2024	2 Penny Lane, McCrae, Victoria 3938	A customer request was received which reported that the spoon drains at the end of Penny Lane were full of water 'once again'.	On 17 December 2024, the request was recorded as 'awaiting inspection.' No further action was recorded.	MSC.5020.0001.0182
130138	2024-105712	17/12/2024	1 Charlesworth Street, McCrae, Victoria 3938	A customer request following up on request 2024-006829 which has still not been resolved. The customer reported that the road is now lifting and now water is rising and sitting just outside the property at 3 Waller Place.	On 17 December 2024, the Shire spoke to the Drains team to seek an update on this request as it was constantly bouncing between South East Water and the Shire. On 20 January 2025, the Shire called the customer to provide an update about the works proposed at Coburn Avenue.	MSC.5020.0001.0191
131164	2024-106738	20/12/2024	1 Charlesworth Street, McCrae, Victoria 3938	A customer request was received which reported that there was a large amount of stormwater streaming out of the road at 1 Charlesworth Street. The customer reported that South East Water had attended the site and confirmed that it was not a burst main.	On 20 December 2024, the Roads Corridor team attended the subject location and made the 'area safe.' They noted that no Shire assets were at the location and rung called South East Water to request that they re-inspect the of pipes.	MSC.5020.0001.0183
146053	2025-012140	31/12/2024	1 Waller Place, McCrae, Victoria 3938	A customer request was received which reported that water egress from the stormwater is causing road and property damage at the property located at 1 Waller Place. 'Swamp like conditions' had resulted in cracking at the property and the fence was underwater. The request reported that the issue had been ongoing for months with no resolution by the Shire. The request also	No responsive action recorded in relation to this request.	MSC.5020.0001.0193

TechOne customer requests						
Request ID	Reference ID	Date	Address	Complaint	Responsive action	Doc ID
136159	2025-002252	07/01/2025	1 Charlesworth Street, McCrae, Victoria 3938	<p>noted that the road had started cracking as a result of the water issue.</p> <p>A number of photos were attached to the request.</p> <p>A customer request was received which reported that there was water pooling up on property located at 1 Charlesworth Street. According to the request, water started bubbling up on the street and was first reported on 25 November 2024. Since then, water had running down the road constantly and was pooling up on Coburn Avenue.</p> <p>The request also noted that the Shire was stating that the issue was South East Water's responsibility but that South East Water was simultaneously stating that it was the Shire's responsibility.</p>	<p>On 13 January 2025, the Shire reported that 'since the only water asset managed by Council stormwater, which was ruled out early in the investigation, it was necessary to allow South East Water sufficient time to determine whether any of their assets or associated works were contributing to the problem.'</p> <p>In addition, the Shire noted investigations had concluded without a definitive result, and that they had scheduled works to commence on 15 January 2025 to manage the groundwater issue and repair the affected road surfaces. The Shire noted that the works would involve major excavation, drainage installation and asphalt repairs.</p>	<p>TBC</p> <p>2025-002252-Summary.pdf</p>
147767	2025-013854	12/01/2025	1 Waller Place, McCrae, Victoria 3938	<p>A customer request was received from Ron Kane, who reported that there was water flowing out of the road in Charlesworth Street and across in the road in Waller Place as well as at the Coburn Avenue and Charlesworth Street intersection.</p>	<p>On 17 January 2025, the Roads and Drainage Project Manager, Dinithi Perera (DP) wrote to the customer informing him that the Shire has investigated and addressed the water seepage issue at 3 Charlesworth Street and that he would immediately take action on the potholes at the</p>	<p>TBC</p> <p>2025-013854-Summary.pdf</p> <p>2025-013854-Request Lodgement - 2025-004764.doc</p>

TechOne customer requests						
Request ID	Reference ID	Date	Address	Complaint	Responsive action	Doc ID
					<p>intersection of Coburn Avenue and Charlesworth Street.</p> <p>On the same day, the customer made a follow up enquiry into the actual cause of the water leak issues on the same day.</p> <p>On 23 January 2025, DP informed the customer that the investigations were ongoing.</p> <p>On 10 February 2025, the Shire sent the customer an email informing them that the request has been assigned to the Roads and Drainage team, who are assisting with the investigation.</p>	<p>Attachments:</p> <p>2025-013854-RE 1 Waller Place MCCRAE VICTORIA 3938 -2025 – 004764.msg</p> <p>2025-013854-RE 1 Waller Place MCCRAE VICTORIA 3938 -2025 – 004764.msg</p> <p>(DUPLICATES)</p>

Schedule 2

	Document Date	Description	From	To	Document ID	Source Document ID
1.	07/01/2025	Email advising inspection and water dye use in 10-12 View Point Road	Claudio Flores	Dane Pope	MSC.5005.0042.1481	
2.	17/01/2025	Email providing images of drone work	Dane Pope	Andrew Brick Dale Gilliatte	MSC.5003.0001.7529	
3.	17/01/2025	Email discussing emergency orders advice	Jack Divers	Dane Pope	MSC.5016.0001.0514	
4.	17/01/2025	Email providing access to photogrammetry model of landslide	Dane Pope	Jack Divers	MSC.5016.0001.2338	
5.	18/01/2025	Email providing access to updated photogrammetry model of landslide	Dane Pope	Jack Divers	MSC.5003.0001.7594	
6.	22/01/2025	Email attaching documents	Dane Pope	Leesa Hovendene Ben Broadhead	MSC.5016.0001.1300	
	10/01/2025	Attachment to email (6) - email providing images of water dye use	Matt Glover	Dane Pope	MSC.5016.0001.1342	MSC.5016.0001.1300
7.	22/01/2025	Email attaching map of the area surrounding Coburn Road	Leesa Hovendene	Dane Pope	MSC.5016.0001.0522	
		Attachment to email (7) from Hovendene to Pope Dated 22/01/2025 – map of area surrounding Coburn Road			MSC.5016.0001.0524	MSC.5016.0001.0522
8.	22/02/2025	Email attaching documents	Leesa Hovendene	Dane Pope	MSC.5016.0001.1115	
	22/01/2025	Attachment to email (8) - email discussing intrusive works investigations	Dane Pope	Leesa Hovendene	MSC.5016.0001.1118	MSC.5016.0001.1115

	Document Date	Description	From	To	Document ID	Source Document ID
9.	23/01/2025	Email attaching advice regarding Coburn Avenue, McCrae from Harwood Andrews to Dane Pope dated 23/01/2025	Leesa Hovendene	Dane Pope	MSC.5016.0001.2298	
	23/01/2025	Attachment to email (9) from Hovendene to Pope dated 23/01/2025, being advice regarding Coburn Avenue, McCrae from Harwood Andrews to Dane Pope dated 23/01/2025			MSC.5016.0001.2299	MSC.5016.0001.2298
10.	05/02/2025	Email attaching email	Leesa Hovendene	Dane Pope	MSC.5016.0001.0929	
	23/01/2025	Attachment to email from Hovendene to Pope dated 05/02/2025			MSC.5016.0001.0930	MSC.5016.0001.0929
11.	28/01/2025	Email attaching escarpment brief documents	Leesa Hovendene	Dane Pope	MSC.5016.0001.1704	
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1705	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1706	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1707	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1708	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1709	MSC.5016.0001.1704

	Document Date	Description	From	To	Document ID	Source Document ID
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – exclusion zone			MSC.5016.0001.1710	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1711	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1712	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – letter from Harwood Andrews to Dane Pope dated 24/01/2025			MSC.5016.0001.1713	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1715	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1716	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1717	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – escarpment image			MSC.5016.0001.1718	MSC.5016.0001.1704
		Attachment to email (11) from Hovendene to Pope dated 28/01/2025 – slope stability			MSC.5016.0001.1719	MSC.5016.0001.1704
12.	29/01/2025	Email seeking agreement for PSM to engage external suppliers for monitoring equipment	Andrew Wilson	Leesa Hovendene	MSC.5016.0001.1836	

	Document Date	Description	From	To	Document ID	Source Document ID
		Attachment to email (12) from Wilson to Hovendone dated 29/01/2025 – fee proposal for DioSpatial			MSC.5016.0001.1837	MSC.5016.0001.1836
13.	31/01/2025	Email providing weekly updated of works completed and upcoming	Dane Pope	Ben Broadhead Emily Harkin Leesa Hovendene	MSC.5016.0001.1773	
14.	03/02/2025	Email attaching weekly update of monitoring system	Dane Pope	Ben Broadhead Leesa Hovendene	MSC.5016.0001.1741	
	03/02/2025	Attachment to email (14) from Pope to Hovendene dated 03/02/2025			MSC.5016.0001.1742	MSC.5016.0001.1741
15.	04/02/2025	Email providing update on monitoring and request for access.	Andrew Wilson (PSM)	Ben Broadhead Emily Harkin Leesa Hovendene	MSC.5003.0001.8610	
16.	04/02/2025	Email attaching document	Andrew Wilson	Ben Broadhead Emily Harkin Leesa Hovendene	MSC.5016.0001.1700	
	04/02/2025	Attachment to email from Wilson to Broadhead, Harkin and Hovendene dated 04/02/2024 – general arrangement plan for McCrae Landslide instrumentation and monitoring system			MSC.5016.0001.1703	MSC.5016.0001.1700
17.	06/02/2025	Email providing access to photos and videos of the landslide site	Dane Pope	Leesa Hovendene	MSC.5016.0001.1974	
18.	06/02/2025	Email attaching Factual Geotechnical and Groundwater Investigation Fee Proposal dated 6 February 2025 and map of proposed site investigations	Dane Pope	Leesa Hovendene	MSC.5016.0001.1981	
	06/02/2025	Attachment to email (18) from Pope to Hovendene dated 06/02/2025 – letter from Dane Pope to Harwood Andrews dated 06/02/2025			MSC.5016.0001.1982	MSC.5016.0001.1981

	Document Date	Description	From	To	Document ID	Source Document ID
	06/02/2025	Attachment to email (18) from Pope to Hovendene dated 06/02/2025 – proposed geotechnical and investigation plan			MSC.5016.0001.1993	MSC.5016.0001.1981
19.	07/02/2025	Email attaching reverse brief for the McCrae Landslide	Dane Pope	Ben Broadhead	MSC.5016.0001.1858	
	07/02/2025	Attachment to email (19) from Pope to Broadhead dated 07/02/2025 – letter from Dane Pope to Harwood Andrews dated 6 February 2025			MSC.5016.0001.1859	MSC.5016.0001.1858
20.	11/02/2025	Email attaching advice regarding EO extension	Dane Pope	Leesa Hovendene	MSC.5016.001.0791	
	17/01/2025	Attachment to email (20) - email discussing measures needed to advise on emergency orders	Dane Pope	Jack Divers	MSC.5016.0001.0848	MSC.5016.0001.0791
21.	11/02/2025	Email attaching weekly report	Dane Pope	Leesa Hovendene	MSC.5016.0001.0062	
	11/02/2025	Attachment to email (21) from Pope to Hovendene dated 11/02/2025 – weekly report week ending 07/02/2025			MSC.5016.0001.0063	MSC.5016.0001.0062
22.	11/02/2025	Email attaching advice regarding emergency order extension	Dane Pope	Leesa Hovendene	MSC.5016.0001.0791	
	11/02/2025	Attachment to email (22) from Pope to Hovendene dated 11 February 2025 – letter from Dane Pope to Harwood Andrews dated 11/05/2025			MSC.5016.0001.0792	MSC.5016.0001.0791
23.	13/02/2025	Email proposing priority list for short term access to properties	Dane Pope	Leesa Hovendene	MSC.5016.0001.1957	
		Attachment to email (23) from Pope to Hovendene dated 13/02/2025 – temporary access priority plan			MSC.5016.0001.1959	MSC.5016.0001.1957

	Document Date	Description	From	To	Document ID	Source Document ID
24.	19/02/2025	Email attaching weekly report	Dane Pope	Leesa Hovendene	MSC.5016.0001.1722	
		Attachment to email (24) from Pope to Hovendene dated 19/02/2025 – weekly report for week ending 14/02/2025			MSC.5016.0001.1723	MSC.5016.0001.1722
25.	24/02/2025	Email confirming instructions to engage Integrity Testing Pty Ltd	Dane Pope	Andrew Wilson Emily Harkin	MSC.5016.0001.0270	
26.	24/02/2025	Email considering pile founding dept at 6 View Point Road	Andrew Wilson	Emily Harkin Leesa Hovendene	MSC.5016.0001.0642	
27.	25/02/2025	Email forwarding an email from Dane Pope to Matt Glover dated 07/01/2025	Dane Pope	Ben Broadhead Leesa Hovendene	MSC.5003.0002.0542	
28.	25/02/2025	Email attaching documents	Dane Pope	Ben Broadhead Leesa Hovendene	MSC.5016.0001.2034	
29.	13/01/2025	Attachment to email (28) - email discussing porous rock bags solution	Dane Pope	Daniel Tolan	MSC.5016.0001.2039	MSC.5016.0001.2034
30.	25/02/2025	Email attaching weekly report	Dane Pope	Emily Harkin Leesa Hovendene	MSC.5016.0001.0289	
		Attachment to email (30) from Pope to Harkin and Hovenden dated 25/02/2025 – weekly report for week ending 21 February 2025			MSC.5016.0001.0290	MSC.5016.0001.0289
31.	25/02/2025	Email attaching proposal regarding temporary works proposal	Andrew Wilson	Emily Harkin Leesa Hovendene	MSC.5016.0001.0915	
	25/02/2025	Attachment to email (31) from Wilson to Harkin and Hovendene dated 25/02/2025 – letter from PSM to Harwood Andrews dated 25 February 2025			MSC.5016.0001.0916	MSC.5016.0001.0915
32.	25/02/2025	Email attaching emails	Dane Pope	Ben Broadhead Leesa Hovendene	MSC.5016.0001.2034	
		Attachment to email (32) aerial image			MSC.5016.0001.2038	MSC.5016.0001.2034

	Document Date	Description	From	To	Document ID	Source Document ID
		Attachment to email (32) - Handwritten image			MSC.5016.0001.2042	MSC.5016.0001.2039
		Attachment to email (32) - Maw Civil Methodology 10-12 ViewPoint Road Dromana			MSC.5016.0001.2043	MSC.5016.0001.2039
		Attachment to email (32) - image of landslide site			MSC.5016.0001.2044	MSC.5016.0001.2034
		Attachment to email (32) - image of landslide site			MSC.5016.0001.2045	MSC.5016.0001.2034
33.	26/02/2025	Email providing monitoring update	Dane Pope	Derek Rotter	MSC.5016.0001.0445	
34.	04/03/2025	Email providing weekly report	Dane Pope	Emily Harkin	MSC.5003.0002.0824	
		Attachment to email (34) from Pope to Harkin dated 04/03/2025 – weekly report for week ending 28/02/2025			MSC.5016.0001.1418	MSC.5016.0001.0445
35.	06/03/2025	Email providing monitoring memorandum 12/02/2025 to 28 February 2025	Dane Pope	Emily Harkin	MSC.5016.0001.0134	
	06/03/2025	Attachment to email (35) from Pope to Harkin dated 06/03/2025 – letter from PSM to Mornington Peninsula Shire Council dated 6 March 2025			MSC.5016.0001.0136	MSC.5016.0001.0134
36.	11/03/2025	Email attaching weekly report	Dane Pope	Emily Harkin	MSC.5003.0002.1017	
37.	11/03/2025	Email confirming instructions from the Shire	Leesa Hovendene	Andrew Wilson	MSC.5016.0001.2357	
	11/03/2025	Attachment to email (37) from Pope to Hovendene dated 11/03/2025 – weekly report for week ending 07/03/2025			MSC.5016.0001.2394	MSC.5003.0002.1017
38.	17/03/2025	Email attaching reverse brief for propose sewer and stormwater investigation	Dane Pope	Emily Harkin	MSC.5016.0001.1843	

	Document Date	Description	From	To	Document ID	Source Document ID
	17/03/2025	Attachment to email (38) from Pope to Harkin dated 11/03/2025 – letter from PSM to Harwood Andrews dated 17/03/2025			MSC.5016.0001.1844	MSC.5016.0001.1843
39.	18/03/2025	Email attaching weekly report	Dane Pope	Emily Harkin	MSC.5003.0002.1227	
		Attachment to email from Pope to Harkin dated 18/03/2025 – weekly report for week ending 14/03/2025			MSC.5016.0001.0960	MSC.5003.0002.1227
40.	21/03/2025	Email confirming instructions regarding stormwater and sewer reverse brief	Leesa Hovendene	Dane Pope Emily Harkin	MSC.5016.0001.1283	
41.	21/03/2025	Email confirming instructions regarding escarpment assessment	Leesa Hovendene	Dane Pope Emily Harkin	MSC.5016.0001.1950	
42.	25/03/2025	Email attaching weekly report	Dane Pope	Emily Harkin	MSC.5016.0001.2006	
		Attachment to email (42) from Pope to Harkin dated 25/03/2025 – weekly report for week ended 21/03/2025			MSC.5016.0001.2007	MSC.5016.0001.2006
43.	27/03/2025	Email attaching letter from Civil Test regarding risk to life	Leesa Hovendene	Dane Pope	MSC.5016.0001.0995	
	26/03/2025	Attachment to email (43) from Hovendene to Pope dated 27/03/2025 – letter from Daniel Tolan to Mr David Graj dated 26 March 2025			MSC.5016.0001.0996	MSC.5016.0001.0995
		Attachment to email (43) from Hovendene to Pope dated 27/03/2025 – redacted version of PSM GPS monitoring summary			MSC.5016.0001.0998	MSC.5016.0001.0995
44.	28/03/2025	Email providing link to revised draft report	Dane Pope	Emily Harkin	MSC.5016.0001.0448	
45.	01/04/2025	Email attaching weekly report	Dane Pope	Emily Harkin	MSC.5016.0001.0083	

	Document Date	Description	From	To	Document ID	Source Document ID
		Attachment to email (45) from Pope to Harkin dated 01/04/2025 – weekly report for week ending 28/03/2025			MSC.5016.0001.0084	MSC.5016.0001.0083
46.	04/04/2025	Email attaching pile testing results	Dane Pope	Emily Harkin	MSC.5016.0001.0876	
	22 March 2025	Attachment to email (46) from Pope to Harkin dated 04/04/2025 – Pile Investigation from Integrity Testing Pty Ltd			MSC.5016.0001.0877	MSC.5016.0001.0876
47.	07/04/2025	Email advising revised temporary works proposal	Dane Pope	Emily Harkin	MSC.5016.0001.2317	
	07/04/2025	Attachment to email (47) from Pope to Harkin dated 07/04/2025 – letter from PSM to Harwood Andrews dated 7 April 2025			MSC.5016.0001.2318	MSC.5016.0001.2317
48.	09/04/2025	Email attaching report of Civil Test	Leesa Hovendene	Dane Pope	MSC.5016.0001.0858	
	04/04/2025	Attachment to email (48) from Hovendene to pope dated 09/04/2025 – letter from Civil Test to Gerry Borghesi dated 4 April 2025			MSC.5016.0001.0863	MSC.5016.0001.0858
49.	09/04/2025	Email attaching weekly report	Dane Pope	Emily Harkin	MSC.5016.0001.2046	
		Attachment to email (49) from Pope to Harkin dated 09/04/2025 – weekly report for week ended 04/04/2025			MSC.5016.0001.2047	MSC.5016.0001.2046
50.	11/04/2025	Email	Andrew Wilson	Leesa Hovendene	MSC.5016.0001.0201	
	11/04/2025	Attachment to email from Wilson to Hovendene dated 11/04/2025			MSC.5016.0001.0205	MSC.5016.0001.0201
51.	11/04/2025	Email attaching monitoring memos	Andrew Wilson	Leesa Hovendene	MSC.5016.0001.1131	

	Document Date	Description	From	To	Document ID	Source Document ID
	11/04/2025	Attachment to email (51) from Wilson to Hovendene dated 11/04/2025 – displacement monitoring update 28/02/2025 to 06/03/2025			MSC.5016.0001.1135	MSC.5016.0001.1131
52.	11/04/2025	Email attaching monitoring memos	Andrew Wilson	Emily Harkin Leesa Hovendene	MSC.5016.0001.1436	
	20/03/2025	Attachment to email (52) from Wilson to Hovendene dated 11/04/2025 – monitoring update 07/03/2025 to 13/03/2025			MSC.5016.0001.1439	MSC.5016.0001.1436
	12/03/2025	Attachment to email (52) from Wilson to Hovendene dated 11/04/2025 – monitoring update 28/02/2025 – 6/03/2025			MSC.5016.0001.1505	MSC.5016.0001.1436
	06/03/2025	Attachment to email (52) from Wilson to Hovendene dated 11/04/2025 – monitoring update 12/02/2025 to 28/02/2025			MSC.5016.0001.1567	MSC.5016.0001.1436
	08/04/2025	Attachment to email (52) from Wilson to Hovendene dated 11/04/2025 – monitoring update 14/03/2025 to 27/03/2025			MSC.5016.0001.1627	MSC.5016.0001.1436
53.	11/04/2025	Email attaching monitoring memos	Andrew Wilson	Emily Harkin Leesa Hovendene	MSC.5016.0001.2071	

Schedule 3

A list of the emergency orders, cancellation of emergency orders and building notices issued by the Relevant Building Surveyors, under the delegation of the Municipal Building Surveyor (**MBS**), in response the McCrae Landslide.

Date	BO/EO Number	Property	Description of the order	Doc Number
17/01/2025	EO-005/25	<u>10-12 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	<u>MSC.5002.0001.1601</u>
17/01/2025	BN-002/25	<u>10-12 View Point Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	<u>MSC.5017.0001.0207</u>
17/01/2025	EO-003/25	<u>4 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	<u>MSC.5002.0001.4258</u>
17/01/2025	BN-010/25	<u>4 View Point Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	<u>MSC.5002.0001.4250</u>
17/01/2025	BN-017/25	<u>2 View Point Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	<u>MSC.5003.0001.7640</u>
17/01/2025	EO-016/25	<u>2 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	<u>MSC.5003.0001.7636</u>

Date	BO/EO Number	Property	Description of the order	Doc Number
17/01/2025	BN-018/25	<u>16 Prospect Hill Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5002.0001.1255
17/01/2025	EO-020/25	<u>16 Prospect Hill Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5002.0001.1251
17/01/2025	EO-018/25	<u>617 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5003.0001.7631
17/01/2025	BN-020/25	<u>617 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5003.0002.2905
17/01/2025	BN-009/25	<u>4/613 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5002.0001.7715
17/01/2025	EO-015/25	<u>4/613 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5002.0001.7721
17/01/2025	BN-003/25	<u>2/613 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5002.0001.7525
17/01/2025	EO-010/25	<u>2/613 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5002.0001.7531

Date	BO/EO Number	Property	Description of the order	Doc Number
17/01/2025	BN-005/25	<u>1/613 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5002.0001.7503
17/01/2025	EO-011/25	<u>1/613 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5002.0001.7509
17/01/2025	BN-006/25	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5003.0001.7736
17/01/2025	EO-012/25	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5003.0002.3350
17/01/2025	EO-004/25	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5003.0001.7746
17/01/2025	BN-011/25	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5003.0001.7750
17/01/2025	EO-009/25	<u>6 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5003.0002.3366
17/01/2025	BN-016/25	<u>6 View Point Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5002.0001.6241

Date	BO/EO Number	Property	Description of the order	Doc Number
17/01/2025	BN-008/25	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5002.0001.6329
17/01/2025	EO-014/25	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5002.0001.6335
17/01/2025	BN-019/25	<u>599-601 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5003.0002.2915
17/01/2025	EO-021/25	<u>599-601 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.days	MSC.5002.0001.5464
17/01/2025	EO-008/25	<u>3 Penny Lane MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.'	MSC.5002.0001.4213
17/01/2025	BN-015/25	<u>3 Penny Lane MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	MSC.5003.0002.2935
17/01/2025	EO-007/25	<u>2 Penny Lane MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	MSC.5003.0002.3390
17/01/2025	BN-014/25	<u>2 Penny Lane MCCRAE VIC 3938</u>	Building Notice that informs the owner an inspection of the property was carried out by the MBS and a danger to life, safety or health from land was found	MSC.5003.0002.2925
17/01/2025	EO-017/25	<u>22 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 5 pm on 16 January 2025.	MSC.5017.0001.0156

Date	BO/EO Number	Property	Description of the order	Doc Number
17/01/2025	BN-021/25	<u>22 View Point Road</u> <u>MCCR AE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	<u>MSC.5003.0002.2930</u>
17/01/2025	EO-019/25	<u>18-20 View Point Road</u> <u>MCCR AE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	<u>MSC.5002.0001.3144</u>
17/01/2025	BN-022/25	<u>18-20 View Point Road</u> <u>MCCR AE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	<u>MSC.5002.0001.3138</u>
17/01/2025	BN-012/25	<u>14-16 View Point Road</u> <u>MCCR AE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the landslip affected land has been made safe to the satisfaction of the MBS.	<u>MSC.5002.0001.1965</u>
17/01/2025	EO-006/25	<u>14-16 View Point Road</u> <u>MCCR AE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 17 January 2025.	<u>MSC.5002.0001.1971</u>
31/01/2025	EO-003/25.01	<u>4 View Point Road</u> <u>MCCR AE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 31 January 2025.	<u>MSC.5002.0001.4265</u>
31/01/2025	EO-12/25.01	<u>607-609 Point Nepean Road</u> <u>MCCR AE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 31 January 2025.	<u>MSC.5003.0002.3225</u>
31/01/2025	EO-018.25.01	<u>617 Point Nepean Road</u> <u>MCCR AE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 31 January 2025.	<u>MSC.5003.0002.3221</u>
31/01/2025	EO-17/25.02	<u>22 View Point Road</u> <u>MCCR AE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 31 January 2025.	<u>MSC.5003.0002.3277</u>

Date	BO/EO Number	Property	Description of the order	Doc Number
14/02/2025	EO-014/25.02	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5002.0001.1310
14/02/2025	EO-004/25.02	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5017.0001.0111
14/02/2025	EO-012/25.02	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5021.0001.0005
14/02/2025	EO-005/25.02	<u>10-12 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5021.0001.0001
14/02/2025	EO-006/24.02	<u>14-16 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5017.0001.0043
14/02/2025	EO-010/25.02	<u>2/613 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5017.0001.0348
14/02/2025	EO-019/25.02	<u>18-20 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5017.0001.0344
14/02/2025	EO-009/25.02	<u>6 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5002.0001.1304
14/02/2025	E0-17/25.02	<u>22 View Point Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 14 days from 12 pm on 14 February 2025.	MSC.5003.0001.9203
14/02/2025	BN-021/25 dated 17 January 2025 – Cancellation	<u>22 View Point Road MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0122 at MSC.5017.0001.0123

Date	BO/EO Number	Property	Description of the order	Doc Number
14/02/2025	EO-017/25 dated 17 January 2025 – Cancellation	<u>22 View Point Road</u> <u>MCCRAE VIC 3938</u>	Directions within the Order have been completed and subsequently cancelled.	MSC.5017.0001.0122
14/02/2025	BN-018/25 dated 17 January 2025 – Cancellation	<u>16 Prospect Hill Road</u> <u>MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0048
14/02/2025	EO-020/25 dated 17 January 2025 – Cancellation	<u>16 Prospect Hill Road</u> <u>MCCRAE VIC 3938</u>	Directions within the Order have been completed and subsequently cancelled.	MSC.5017.0001.0048 at MSC.5017.0001.0049
14/02/2025	EO-016/25 dated 17 January 2025 – Cancellation Landslip	<u>2 View Point Road</u> <u>MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0163
14/02/2025	BN-017/25 dated 17 January 2025 – Cancellation	<u>2 View Point Road</u> <u>MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0163 at MSC.5017.0001.0164
14/02/2025	EO-003/25 dated 17 January 2025 – Cancellation	<u>4 View Point Road</u> <u>MCCRAE VIC 3938</u>	Directions within the Order have been completed and subsequently cancelled.	MSC.5017.0001.0102

Date	BO/EO Number	Property	Description of the order	Doc Number
14/02/2025	BN-010/25 dated 17 January 2025 Cancellation	<u>4 View Point Road</u> <u>MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0102 at MSC.5017.0001.0103
14/02/2025	EO-021/25 dated 17 January 2025 – Cancellation	<u>599-601 Point Nepean</u> <u>Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0218
14/02/2025	BN-019/25 dated 17 January 2025 – Cancellation	<u>599-601 Point Nepean</u> <u>Road MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0218 at MSC.5017.0001.0219
14/02/2025	EO-011/25 dated 17 January 2025 – Cancellation	<u>1/613 Point Nepean</u> <u>Road MCCRAE VIC</u> <u>3938</u>	Directions within the Order have been completed and subsequently cancelled	MSC.5017.0001.0179
14/02/2025	BN-005/25 dated 17 January 2025	<u>1/613 Point Nepean</u> <u>Road MCCRAE VIC</u> <u>3938</u>	Notice no longer warranted.	MSC.5017.0001.0179 at MSC.5017.0001.0180
14/02/2025	EO-018/25 dated 17 January 2025 – Cancellation	<u>617 Point Nepean</u> <u>Road MCCRAE VIC</u> <u>3938</u>	Directions within the Order have been completed and subsequently cancelled	MSC.5017.0001.0011

Date	BO/EO Number	Property	Description of the order	Doc Number
14/02/2025	BN-020/25 dated 17th of January— Cancellation	<u>617 Point Nepean Road</u> <u>MCCRAE VIC 3938</u>	Directions within the Order have been completed and subsequently cancelled	MSC.5017.0001.0011 at MSC.5017.0001.0012
20/02/2025	EO-033/25	<u>3 Penny Lane</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0024
20/02/2025	BN-031/25	<u>605 Point Nepean Road</u> <u>MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the area identified on the attached aerial image has been made safe to the satisfaction of the MBS.	MSC.5017.0001.0003
20/02/2025	EO-029/25	<u>10-12 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0118
20/02/2025	BN-030/25	<u>10-12 View Point Road</u> <u>MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the area identified on the attached aerial image has been made safe to the satisfaction of the MBS.	MSC.5017.0001.0105
20/02/2025	BN-033/25	<u>6 View Point Road</u> <u>MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the area identified on the attached aerial image has been made safe to the satisfaction of the MBS.	MSC.5017.0001.0201
20/02/2025	EO-032/25	<u>6 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0086
21/02/2025	BN-002/25 dated 17th of January— Cancellation	<u>10-12 View Point Road</u> <u>MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0075

Date	BO/EO Number	Property	Description of the order	Doc Number
20/02/2025	EO-028/25	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0189
20/02/2025	BN-029/25	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the area identified on the attached aerial image has been made safe to the satisfaction of the MBS.	MSC.5017.0001.0220
20/02/2025	EO-030/25	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0357
20/02/2025	BN-032/25	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why entry, use, or occupation of any building or land should not be prohibited until such time the area identified on the attached aerial image has been made safe to the satisfaction of the MBS.	MSC.5017.0001.0031
20/02/2025	EO-031/25	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025. Nb is unsigned.	MSC.5021.0001.0009
21/02/2025	BN-006/25 dated 17 January 2025 – Cancellation	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0001
21/02/2025	EO-012/25 dated 17 January 2025 – Cancellation	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0001 at MSC.5017.0001.0002

Date	BO/EO Number	Property	Description of the order	Doc Number
20/02/2025	EO-005/25 dated 17 January 2025 – Cancellation	<u>10-12 View Point Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0072 at MSC.5017.0001.0073
21/02/2025	EO-019/25 dated 17 January 2025 – Cancellation	<u>18-20 View Point Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0017 at MSC.5017.0001.0018
21/02/2025	BN-022/25 dated 17 January 2025 – Cancellation	<u>18-20 View Point Road MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0017
21/02/2025	– EO-006/25 dated 17 January 2025 – Cancellation	<u>14-16 View Point Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0161
21/02/2025	BN-012/25 dated 17 January 2025 – Cancellation	<u>14-16 View Point Road MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0161 at MSC.5017.0001.0162
21/02/2025	EO-010/25 dated 17 January 2025 – Cancellation	<u>2/613 Point Nepean Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0149

Date	BO/EO Number	Property	Description of the order	Doc Number
21/02/2025	BN-003/25 dated 16 January 2025 – Cancellation	<u>2/613 Point Nepean Road MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0149 at MSC.5017.0001.0150
14/02/2025	BN-009/25 dated 17 January 2025 – Cancellation	<u>4/613 Point Nepean Road MCCRAE VIC 3938</u>	Notice no longer warranted. Nb is unsigned.	MSC.5017.0001.0148
21/02/2025	BN-008/25 dated 17 January 2025 – Cancellation	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0096
21/02/2025	EO-014/25 dated 17 January 2025– Cancellation	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0096 at MSC.5017.0001.0097
21/02/2025	BN-011/25 dated 17 January 2025 – Cancellation	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Notice is no longer warranted.	MSC.5003.0002.2910
21/02/2025	EO-004/25 dated 17 January – Cancellation	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0116
20/03/2025	EO- 030/25.02	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0013

Date	BO/EO Number	Property	Description of the order	Doc Number
21/02/2025	BN-016/25 dated 17 January 2025 – Cancellation	<u>6 View Point Road</u> <u>MCCRAE VIC 3938</u>	Notice no longer warranted.	MSC.5017.0001.0320
21/02/2025	EO-009/25 dated 17 January – Cancellation	<u>6 View Point Road</u> <u>MCCRAE VIC 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0320 at MSC.5017.0001.0321
06/03/2025	EO-032/25.01	<u>6 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0151
20/03/2025	EO-032/25.02	<u>6 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0352
04/04/2025	EO-032/25.03	<u>6 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0391
06/03/2025	EO-029/25.01	<u>10-12 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0165
14/03/2025	EO-037/25	<u>10-12 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order to undertake demolition work and associated required works to the retaining wall located on the eastern side of the property by 12 pm on 28 March 2025.	MSC.5017.0001.0213
20/03/2025	EO-029/25.02	<u>10-12 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0323
04/04/2025	EO-029/25.03	<u>10-12 View Point Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0299
06/03/2025	EO-028/25.01	<u>Blue-Waters 603 Point</u> <u>Nepean Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0364
20/03/2025	EO-028/25.02	<u>Blue-Waters 603 Point</u> <u>Nepean Road</u> <u>MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0364

Date	BO/EO Number	Property	Description of the order	Doc Number
04/04/2025	EO-028/25.03	<u>Blue-Waters 603 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0019
06/03/2025	EO-030/25.01	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0174
04/04/2025	EO-030/25.03	<u>605 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0385
06/03/2025	EO-031/25.01	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0170
20/03/2025	EO-031/25.02	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0098
04/04/2025	EO-031/25.03	<u>607-609 Point Nepean Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the dwelling and land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0081
04/04/2025	EO-032/25.03	<u>6 Viewpoint Road MCCRAE VIC 3938</u>	Emergency order prohibiting entry into the building or land for 48 hours from 12 pm on 14 February 2025.	MSC.5017.0001.0391
15/04/2025	BN-050/25	<u>10-12 View Point Road MCCRAE VIC 3938</u>	Building Notice requiring the owner to show cause within 30 days of the date of service of the notice why you should not be required to carry out demolition work and associated required works to the retaining wall located on the eastern side of the property.	MSC.5017.0001.0361
15/04/2025	EO-008/25 dated 17 January 2025 – Cancellation	<u>3 Penny Lane MCCRAE 3938</u>	Directions within the Order completed and subsequently cancelled.	MSC.5017.0001.0057

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37.	MSC.5001.0001.1372	16 September 2002	8
38.	MSC.5001.0001.4155	17 September 2002	2
39.	MSC.5001.0001.1132	9 October 2002	2
40.	MSC.5001.0001.1879	11 October 2002	4
41.	MSC.5001.0001.2165	31 October 2002	10
42.	MSC.5001.0001.4073	18 November 2002	5
43.	MSC.5001.0001.3033	Unknown	3
44.	MSC.5001.0001.1608	30 July 2003	1
45.	MSC.5001.0001.1209	22 August 2003	9

No	Description	Date	Pages
46.	MSC.5001.0001.0440	Unknown	1
47.	MSC.5001.0001.3151	15 December 2003	31
48.	MSC.5001.0001.2520	16 February 2004	3
49.	MSC.5002.0001.5690	18 October 2004	2
50.	MSC.5001.0001.2143	25 August 2005	6
51.	MSC.5001.0001.2137	Various	6
52.	MSC.5002.0001.4180	16 December 2002	2
53.	MSC.5002.0001.4182	19 Decemeber 2002	2
54.	MSC.5001.0001.2676	Various	60
55.	MSC.5002.0001.4178	29 March 2011	1
56.	MSC.5002.0001.4179	2 April 2012	1
57.	MSC.5002.0001.4188	24 April 2012	15
58.	MSC.5001.0001.4838	23 May 2012	11
59.	MSC.5018.0001.0001	30 May 2012	4
60.	MSC.5018.0001.0639	29 June 2012	1
61.	MSC.5003.0002.2386	16 July 2012	2
62.	MSC.5003.0002.2434	16 July 2012	3
63.	MSC.5003.0002.2361	16 July 2012	5
64.	MSC.5003.0001.7122	16 July 2012	1
65.	MSC.5003.0001.7123	16 July 2012	9
66.	MSC.5018.0001.0483	17 July 2012	1
67.	MSC.5003.0002.2385	2 November 20212	1
68.	MSC.5003.0001.7134	5 November 2012	1
Question 4			
69.	MSC.5016.0001.0646	1 June 2024	

No	Description	Date	Pages
70.	MSC.5016.0001.0525	1 June 2024	
71.	MSC.5016.0001.2304	1 November 2022	
72.	MSC.5016.0001.1083	1 November 2022	
73.	MSC.5016.0001.2285	14 January 2025	
74.	MSC.5016.0001.1975	14 January 2025	
75.	MSC.5009.0001.0067	14 November 2022	
76.	MSC.5016.0001.0471	1 November 2022	
77.	MSC.5016.0001.0106	1 November 2022	
78.	MSC.5016.0001.0953	1 June 2024	
79.	MSC.5016.0001.0502	1 June 2024	
80.	MSC.5016.0001.1286	14 January 2025	
81.	MSC.5016.0001.0279	14 January 2025	
82.	MSC.5009.0001.0063	14 November 2022	
83.	MSC.5016.0001.2326	1 November 2022	
84.	MSC.5016.0001.0963	1 November 2022	
85.	MSC.5016.0001.1393	1 June 2024	
86.	MSC.5016.0001.0677	1 June 2024	
87.	MSC.5016.0001.0018	14 January 2025	
88.	MSC.5016.0001.2050	14 January 2025	
89.	MSC.5009.0001.0066	14 November 2022	
90.	MSC.5016.0001.1777	1 November 2022	
91.	MSC.5016.0001.0287	1 November 2022	
92.	MSC.5016.0001.1398	1 June 2024	
93.	MSC.5016.0001.0076	1 June 2024	
94.	MSC.5016.0001.2349	14 January 2025	

No	Description	Date	Pages
95.	MSC.5016.0001.2406	14 January 2025	
96.	MSC.5009.0001.0065	1 November 2022	
97.	MSC.5002.0001.1464	23 April 2015	
98.	MSC.5002.0001.1487	21 March 2016	
99.	MSC.5002.0001.1484	15 December 2015	
100.	MSC.5003.0001.3964	18 February 2021	
101.	MSC.5001.0001.4775	August 2015	
102.	MSC.5014.0001.0104	17 May 2021	
103.	MSC.5014.0001.0103	10 August 2021	
104.	MSC.5001.0001.0891	1 August 2003	
105.	MSC.5018.0001.0040	Various	
106.	MSC.5001.0001.0081	Various	
107.	MSC.5001.0001.2676	Various	
108.	MSC.5001.0001.4838	Various	
Question 5			
109.	GRZ as at 14 Jan 2025 (MSC.5016.0001.2285)	14 January 2025	13
110.	GRZ as at 1 June 2024 (MSC.5016.0001.0646)	1 June 2024	12
111.	GRZ as at 1 June 2024 (MSC.5016.0001.0525)	1 June 2024	1
112.	ESO as at 14 Jan 2025 (MSC.5016.0001.2349)	14 January 2025	5
113.	VPO as at 14 Jan 2025 (MSC.5016.0001.0018)	14 January 2025	5
114.	ESO as at 1 June 2024 (MSC.5016.0001.1398)	1 June 2024	5
Question 6			
115.	MSC.5010.0001.0016	9 April 2025	2
116.	MSC.5016.0001.0066	15 April 2025	3
117.	MSC.5015.0001.0035	9 April 2025	2

No	Description	Date	Pages
Question 7			
1.	MSC.5012.0001.4440	1 February 2012	
2.	Msc.5005.0044.5961		
Question 9			
1.	MSC.5014.0001.0069		
Question 10			
2.	MSC.5018.0001.0480	7 November 2022	2
3.	MSC.5018.0001.0652	11 November 2022	2
4.	MSC.5018.0001.0017	17 November 2022	2
5.	MSC.5018.0001.0008	29 November 2022	1
6.	MSC.5018.0001.0484	6 February 2023	2
7.	MSC.5018.0001.0636	8 February 2023	2
8.	MSC.5018.0001.0016	22 February 2023	1
9.	MSC.5018.0001.0036	23 February 2023	2
10.	MSC.5018.0001.0020	2 March 2023	1
11.	MSC.5023.0001.0007	5 April 2023	2
12.	MSC.5020.0001.0114	10 November 2023	1
13.	MSC.5020.0001.0115	27 November 2023	1
14.	MSC.5003.0002.3836	18 January 2024	3
15.	MSC.5020.0001.0117	8 February 2024	1
16.	MSC.5020.0001.0118	12 April 2024	1
17.	MSC.5020.0001.0121	19 April 2024	1
18.	MSC.5020.0001.0122	19 April 2024	1
19.	MSC.5020.0001.0181	17 December 2024	1
20.	MSC.5020.0001.0127	19 June 2024	1

No	Description	Date	Pages
21.	MSC.5020.0001.0179	16 December 2024	1
22.	MSC.5020.0001.0136	10 July 2024	1
23.	MSC.5018.0001.0486	17 August 2024	1
24.	MSC.5020.0001.0137	5 October 2024	1
25.	MSC.5023.0001.0010	19 June 2023	3
26.	MSC.5018.0001.0009	19 July 2023	4
27.	MSC.5018.0001.0038	6 July 2023	4
28.	MSC.5018.0001.0005	1 June 2023	4
29.	MSC.5018.0001.0638	24 May 2023	2
30.	MSC.5020.0001.0193	12 January 2025	1
31.	MSC.5020.0001.0183	7 January 2025	1
32.	MSC.5020.0001.0191	31 December 2024	1
33.	MSC.5020.0001.0001	6 February 2024	1
34.	MSC.5020.0001.0182	20 December 2024	1
35.	MSC.5020.0001.0170	28 November 2024	1
36.	MSC.5018.0001.0011	22 November 2024	2
37.	MSC.5020.0001.0140	16 October 2024	1
Question 11			
38.	MSC.5012.0001.0123	3 September 2017	
Question 13			
39.	MSC.5000.0001.0292	7 December 2022	
40.	MSC.5000.0001.1206	3 November 2023	
41.	MSC.5000.0001.1706	11 June 2024	
Question 16			
42.	MSC.5003.0001.7156	7 January 2025	

No	Description	Date	Pages
43.	MSC.5003.0001.7180		
44.			
Question 18			
45.	MSC.5003.0001.7180	07/01/2025	
46.	MSC.5007.0004.0015		
47.	MSC.5016.0001.2299		
48.	MSC.5016.0001.1713		
49.	MSC.5016.0001.1982		
50.	MSC.5016.0001.1993		
51.	MSC.5016.0001.1844		
52.	MSC.5007.0004.0078		
Question 22			
53.	MSC.5020.0001.0198		