

FW: 10-12 View Point Road MCCRAE - LANDSLIP ORDERS [IMAN-ACTIVE.FID1000052]

From: Leesa Hovendene </o=exchangelabs/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=35f0fc3c5be440cb8c7ea82eac2a6dbd-leesa hoven">
To: Dane Pope <dane.pope@psm.com.au>
Cc: Ben Broadhead <bbroadhead@ha.legal>
Bcc: 22500169 Mornington Peninsula Shire Council _ McCrae landslip 2025 Emails <{f1000052}.active@mail.cloudimanage.com>
Date: Wed, 09 Apr 2025 09:44:32 +1000
Attachments: 1222044-15 Report - 10-12 View Point Road MCCRAE.pdf (963.89 kB)

Dear Dane,

Please see attached further report prepared by Civil Test. Can you please consider and call me to discuss?

Kind regards,

Leesa Hovendene
Associate

03 5225 5230

lhovendene@ha.legal

harwoodandrews.com.au

[Email Legal Notice](#)

From: David Kotsiakos <david.kotsiakos@mornpen.vic.gov.au>
Sent: Tuesday, 8 April 2025 7:07 PM
To: Emily Harkin <Emily.Harkin@mornpen.vic.gov.au>; Leesa Hovendene <lhovendene@ha.legal>; Ben Broadhead <bbroadhead@ha.legal>
Subject: Fw: 10-12 View Point Road MCCRAE - LANDSLIP ORDERS

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From: David Graj <david@rotmanmorris.com.au>
Sent: Tuesday, April 8, 2025 6:11:08 PM
To: David Kotsiakos <david.kotsiakos@mornpen.vic.gov.au>
Cc: Legal <legal@mornpen.vic.gov.au>; MBS Support <mbssupport@mornpen.vic.gov.au>
Subject: RE: 10-12 View Point Road MCCRAE - LANDSLIP ORDERS

The Municipal Building Surveyor
By Email Only

Dear Mr Kotsiakos

We refer to our client's Show Cause Notice in relation to Building Notice BN-030/25 (**Notice**) sent to you on 27 March 2025.

We now **attach** for your consideration report from Civil Test (**Report**) which discusses the cause of the landslides that occurred on 6 and 14 January 2025 (**Landslides**).

We note that it is evident from the Report that:

1. 1. Elevated pore pressure in the subsurface soils in the location of the Landslides was a major contributing factor to the Landslides
2. 2. The ongoing risk of further landslides depends on the volume of groundwater that is introduced to the gully on our client's premises at any given time
3. 3. No streamflow was observed downstream of the head scarp at the time of inspection on 20 March 2025, and all available evidence suggests that the streamflow observed at the time of the landslide that occurred on 14 January has subsided

In light of the above, our clients' view that the Notice should be withdrawn/cancelled on grounds of reasonableness has only been bolstered by the contents of the Report, and we encourage you to take this into consideration.

Regards,

David Graj
Solicitor | Manager – Commercial Department



Email: david@rotmanmorris.com.au

OFFICES

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156 Hawthorn Road **CAULFIELD NORTH** 3161 Ph: [\(03\) 9533 0644](tel:(03)95330644) Fax: [\(03\) 9533 0677](tel:(03)95330677) PO Box 2414 Caulfield Junction VIC 3161
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From: David Graj
Sent: Thursday, 27 March 2025 1:48 PM
To: david.kotsiakos@mornpen.vic.gov.au
Cc: legal@mornpen.vic.gov.au; mbssupport@mornpen.vic.gov.au
Subject: RE: 10-12 View Point Road MCCRAE - LANDSLIP ORDERS

Dear Sir

Please see **attached** correspondence.

Regards,

David Graj
Solicitor | Manager – Commercial Department



Email: david@rotmanmorris.com.au

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From: Gerry Borghesi **I/S**
Sent: Friday, 21 February 2025 9:33 PM
To: David Graj <david@rotmanmorris.com.au>; Bronwyn Borghesi **I/S**
Subject: Fwd: 10-12 View Point Road MCCRAE - LANDSLIP ORDERS

David

Please find attached BN cancellation and new BN and EO.. This appears as simply an extension of where we were, ie, there are no Geotech reports available yet to inform the current risk of our house and property. It may be best to wait for the PSM Geotech report, as we are unlikely to be able to mount a strong case without doing our own extensive investigation.

Suggest we discuss next week, unless there is something we do not understand.

Regards

Gerry

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

From: **MBS Support** <mbssupport@mornpen.vic.gov.au>

Date: Fri, 21 Feb 2025 at 4:32 pm

Subject: 10-12 View Point Road MCCRAE - LANDSLIP ORDERS

To: I/S

Irrelevant & Sensitive

Good afternoon,

Please see attached emergency orders for the property at above mentioned address, along with the cancellation of the previous orders issued on the 17th of January 2025.

If you have any questions or need further clarification, please feel free to reach out to us.

Kind regards,



Office of the MBS

Email: mbssupport@mornpen.vic.gov.au

Phone: 03 5950 1060

Private Bag 1000, Rosebud VIC [3939](#) | [2 Queen Street, Mornington VIC 3931](#)

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