

OFFICIAL Sensitive

Witness Statement

in response to Request to produce witness statement
by the Board of Inquiry into the McCrae Landslide

I, John Woodland of _____ in my capacity
as *Head of Waterway & Catchment Services South East* at Melbourne Water Corporation,
say as follows:

1. I make this statement on the basis of my own knowledge, save where otherwise stated.
2. Melbourne Water's primary responsibilities, powers, duties and functions do not directly relate to the prevention and management of landslides and landslips. However, where there is a municipal planning scheme which includes an Erosion Management Overlay (EMO), the local council may, in its discretion, refer to Melbourne Water under the *Planning & Environment Act 1987* (Vic) for advice about concentrated runoff and site drainage in response to a planning permit application for a particular site.
3. Council may also refer to Melbourne Water, under the *Catchment and Land Protection Act 1994* (Vic) (CaLP Act), if there is a Regional Catchment Strategy and an EMO, for advice in relation to catchment land protection in response to a planning permit application for a particular site.
4. In accordance with section 24 of the CaLP Act, the *Port Phillip and Western Port Regional Catchment Strategy 2021-2027* considers land degradation and identifies areas requiring attention within the catchment. The Victoria Planning Provisions include an EMO that is intended to minimise land disturbance in areas prone to erosion, landslip and land degradation. Several municipalities in the region have included EMOs in their planning schemes to identify areas prone to soil erosion or landslip, including the Mornington Peninsula Shire.
5. Melbourne Water has a function under section 189 of the *Water Act 1989* (Vic) (Water Act) to manage designated waterways and works. Melbourne Water also has functions under section 199 of the Water Act to provide, manage, operate, protect and maintain drainage systems and regional drainage infrastructure and works. This includes the management and renewal of pipes and channels which provide a regional drainage function. Accordingly, as a land and asset manager, Melbourne Water may investigate, assess and in some instances undertake works to address risks (including erosion) in or adjacent to the land and assets that Melbourne Water manages.
6. Under section 75A of the Water Act, Melbourne Water has the power to take enforcement action against any unauthorised activity, including the erosion or damaging of a waterway which results in land, works or water being seriously damaged; or another person suffering substantial economic loss.

Dated this 29th day of April 2025

Signed by John Woodland