

CLAYTON UTZ

Email

20 August 2025

Solicitors Assisting
 Board of Inquiry into the McCrae Landslide
solicitorsassisting@mccraeinquiry.vic.gov.au

Dear Solicitors Assisting

Board of Inquiry into the McCrae landslide

We refer to your email of 13 August 2025 inviting any State party to comment on the submissions that the Board has received on the adequacy of the regulatory framework in relation to the prevention and management of landslides and landslips in Victoria.

Thank you for the opportunity to comment. Below we set out one comment from the Victorian State Emergency Service (**VicSES**). Otherwise, the State parties for whom we act do not propose to make any comments on the submissions in advance of receiving the Board's report and recommendations.

The comment from VicSES relates to [55] and [56] of the submission of the Mornington Peninsula Shire Council concerning the *State Landslide Hazard Plan*.¹ VicSES offers the following further information regarding the *State Landslide Hazard Plan*:

1. The *State Landslide Hazard Plan* was prepared before the commencement of the statutory provisions regarding emergency management plans that are now contained in Part 6A of the *Emergency Management Act 2013* (Vic) (**EM Act**).² It is what is now known as a "complementary plan", which is a plan which is prepared outside the framework of Part 6A. It was prepared in accordance with the requirements for hazard plans which applied at the time.
2. As noted in State's "Response to the Second List of Questions for the State of Victoria"³ and in our letter of 31 July 2025, a review of the *State Landslide Hazard Plan* is currently underway, with two workshops held on 24 June 2025 and 12 August 2025.
3. The aim of this review is to understand if landslide is identified as a statewide risk, and as such, requires a sub-plan to the *State Emergency Management Plan (SEMP)* to be developed. As noted in our letter of 31 July 2025, it was determined at the workshop on 24 June 2025 that landslide risk is a class 1 risk within the scope of the Victorian Emergency Risk Assessment (**VERA**) methodology, which is the first step to determining emergency management planning requirements in accordance with the **Minister's Guidelines for**

¹ **SES.0001.0001.0146.**

² Part 6A commenced on 25 September 2019.

³ State's "Response to the Second List of Questions for the State of Victoria" (**DGS.0001.0004.0001**) at [76].

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Preparing State, Regional and Municipal Emergency Management Plans,⁴ which are issued under s 77 of the EM Act.

4. Since then, and as per the agreed timeframes, the risk assessment process for landslides was conducted on 12 August 2025, and an overall risk rating of extreme was determined. This outcome is yet to be formally documented.
5. Based on the above outcome, VicSES will now develop a landslide sub-plan to the SEMP in accordance with the Minister's Guidelines, which include the articulating of roles and responsibilities and outlining the emergency management arrangements for mitigation, response (including relief) and recovery.

Yours sincerely

Irrelevant & Sensitive

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⁴ A copy is available at <https://www.emv.vic.gov.au/responsibilities/emergency-management-planning/emergency-management-planning-resource-library-0/emergency-management-plans/guidelines-for-preparing-emergency-management-plans>.