

Guidelines for preparing the State Emergency Management Plan

November 2019

Issued by the Minister for Police and Emergency Services



Acknowledgment of Country

Emergency Management Victoria (EMV) acknowledges Aboriginal and Torres Strait Islander people as the Traditional Custodians of the land.

EMV also acknowledges and pays respect to the Elders, past and present and is committed to working with Aboriginal and Torres Strait Islander communities to achieve a shared vision of safer and more resilient communities.

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Authority

These guidelines are issued by the Minister for Police and Emergency Services under section 77 of the *Emergency Management Act 2013* (EM Act 2013). Prior to issuing these guidelines, the Minister consulted the State Crisis and Resilience Council (SCRC) in accordance with section 77(4) of the EM Act 2013.

Reviews and updates

Emergency Management Victoria (EMV) will review these guidelines on behalf of the Minister for Police and Emergency Services:

- every three years, or more frequently as required, to keep them current
- when the Minister requests.

The Minister will consult with SCRC in relation to any update.

Document information

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Introduction

Purpose and scope of this document

These guidelines are issued by the Minister for Police and Emergency Services for the preparation of the State Emergency Management Plan (SEMP).

These guidelines outline the considerations that the Emergency Management Commissioner (EMC) must have regard to when preparing the SEMP, in order to comply with the *Emergency Management Act 2013* (EM Act 2013). In summary, the SEMP must:

- be prepared collaboratively, efficiently and effectively (section 60AA(1))
- interface with existing in force emergency management plans (section 60AC)
- adopt an integrated, coordinated and comprehensive approach to emergency management at a State level (section 60AD)
- be assured, approved and published (sections 60AG, 60AH and 60AI).

These guidelines only apply to the preparation of the SEMP. The Minister may issue guidelines for the preparation of the regional emergency management plans (REMPs) and municipal emergency management plans (MEMPs), once the relevant legislative provisions take effect.

These guidelines may assist preparers of other emergency management plans, beyond the scope of the EM Act 2013, to enhance the integration of their plans with the SEMP.

Advice on useful approaches and practices for planning in emergency management may be contained in the accompanying resource library and/or sourced from specific agencies/industries.

Figure 1 illustrates the hierarchy of guidance documents for preparing the SEMP.

Legally
enforceable
*Compliance
is mandatory*

Emergency Management Act 2013

Guidelines – issued by the Minister for
Police and Emergency Services (this document)

Not legally
enforceable
*Advisory and
best practice*

Resource library

Other approaches and processes
(specific agency and/or industry)

Figure 1: Guidance Hierarchy

Contents of the State Emergency Management Plan

Under section 60AE of the EM Act 2013, the SEMP must:

- include mitigation, response and recovery arrangements
- specify the roles and responsibilities of agencies in relation to emergency management.

The SEMP may include sub-plans where necessary to provide for more specific arrangements.

Mitigation

The SEMP should define mitigation activities and arrangements intended to eliminate or reduce the incidence or severity of emergencies and minimise their effects, which may include but is not limited to:

- building and/or maintenance of structural works and infrastructure
- formulation and implementation of policy and regulation
- planning and delivery of related programs which may include training, education, engagement and other preparedness activities.

Mitigation arrangements often exist as part of specific regulatory regimes and/or policy settings. For example, planned burning to mitigate against the consequences of bushfire occurs under the *Forests Act 1958*. Other examples include land use planning, public health regulations and programs, environmental protections, building regulations, and plant and animal health safeguards.

Response

The SEMP should define 'all communities, all emergencies' response arrangements, including how to determine the control agency where there are concurrent emergencies of differing hazard and/or class.

Response is the action taken immediately before (readiness), during and in the first period after an emergency (relief). This includes combating of emergency, provision of rescue services and the provision of support and essential needs to persons affected by an emergency.

A single agency is the control agency for an emergency response.

Recovery

The SEMP should define recovery arrangements to assist people and communities affected by emergencies to achieve an effective level of functioning.

Recovery operations begin when an emergency occurs, and many response and recovery activities are undertaken concurrently. The SEMP should reflect national recovery principles and arrangements.

Roles and responsibilities

The SEMP should define the following three functional roles and responsibilities for agencies:

- **Control agency**
Responsible for operationally responding to the specific form of emergency and applies to response related activity only.
- **Coordination agency**
Responsible for leading the coordination aspects for an emergency management activity, and applies across mitigation, response and recovery activity.
- **Support agency**
Contributes capability and/or capacity to an emergency management activity in conjunction with the control and/or coordination agency, and applies across mitigation, response and recovery activity.

Command is always retained within the agency in accordance with the agency's roles and responsibilities.

The roles and responsibilities in the SEMP should be consistent with an agency's existing mandate, including 'business as usual' and statutory functions. This also helps to ensure that the obligation to comply with the SEMP operates as intended.

Consultation is important to ensure that agencies' roles and responsibilities are accurate and understood, and to identify potential issues regarding assigned roles.

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Considerations for preparing the State Emergency Management Plan

This section outlines considerations for preparing the SEMP.

Collaboration (Section 60AA1a)

Collaboration is critical to integrated emergency management for 'all communities, all emergencies' across and within the three planning levels. Collaboration involves sharing information, joint decision-making, complementary arrangements, and a commitment to dispute resolution.

When preparing the SEMP, collaboration should occur in a way that:

- focuses on risks, consequences, community outcomes and resilience
- encourages participation, as well as debate and independent thought
- is respectful and fosters trust
- seeks consensus and collective action
- uses transparent decision-making processes
- shares key learnings and information.

The EMC may share information across all levels of planning to support integration and to provide guidance.

Resolving disputes

All those involved in emergency management planning should work collaboratively to achieve effective outcomes through consensus. Nonetheless, disputes may arise about matters including but not limited to:

- an agency's role or responsibility under the SEMP
- an agency's capacity to undertake planning tasks
- the process, content and approval of the SEMP
- non-approval of the SEMP.

Where there are differing views, those involved should seek to resolve these as soon possible. This should occur in a constructive, respectful and transparent way.

Each planning level remains accountable for its own planning.

Dispute resolution should occur at the same planning level. Escalation of disputes should only occur as a last resort and where an issue is significant. Disputes regarding the SEMP that cannot be resolved may be escalated to the SCRC for consideration and determination.

Integrated, coordinated and comprehensive approach (Section 60AD)

The EMC is required to prepare a SEMP that provides for an integrated, coordinated and comprehensive approach to emergency management for Victoria (section 60AD).

To integrate the SEMP, Regional Emergency Management Plans (REMPs), and Municipal Emergency Management Plans (MEMPs), the EM Act 2013 provides that the State, regions and municipalities should share information with each other, as illustrated in Figure 2 on page 10.

The EMC may share information across all levels of planning to support integration and to provide guidance.

Consultation and engagement

The 'all communities, all emergencies' objective in the EM Act 2013 requires consultation and engagement to develop a SEMP that considers the needs of all communities.

Effective consultation and engagement ensures that:

- collective community values are considered
- knowledge and expertise of agencies is considered
- the interests, values and expectations of stakeholders in, or members of, communities are understood and considered
- a shared understanding is developed of the roles and responsibilities, people, resources and systems needed for managing emergencies
- there is broad ownership of the SEMP and sharing responsibility for its implementation.

Under section 60AF of the EM Act 2013, the EMC must, at a minimum, consult with the following bodies:

- each responder agency (Metropolitan Fire and Emergency Services Board, Country Fire Authority, Victoria State Emergency Service and the Secretary to the Department of Land, Water and Planning)
- each department
- Victoria Police
- Ambulance Victoria
- the Municipal Association of Victoria.

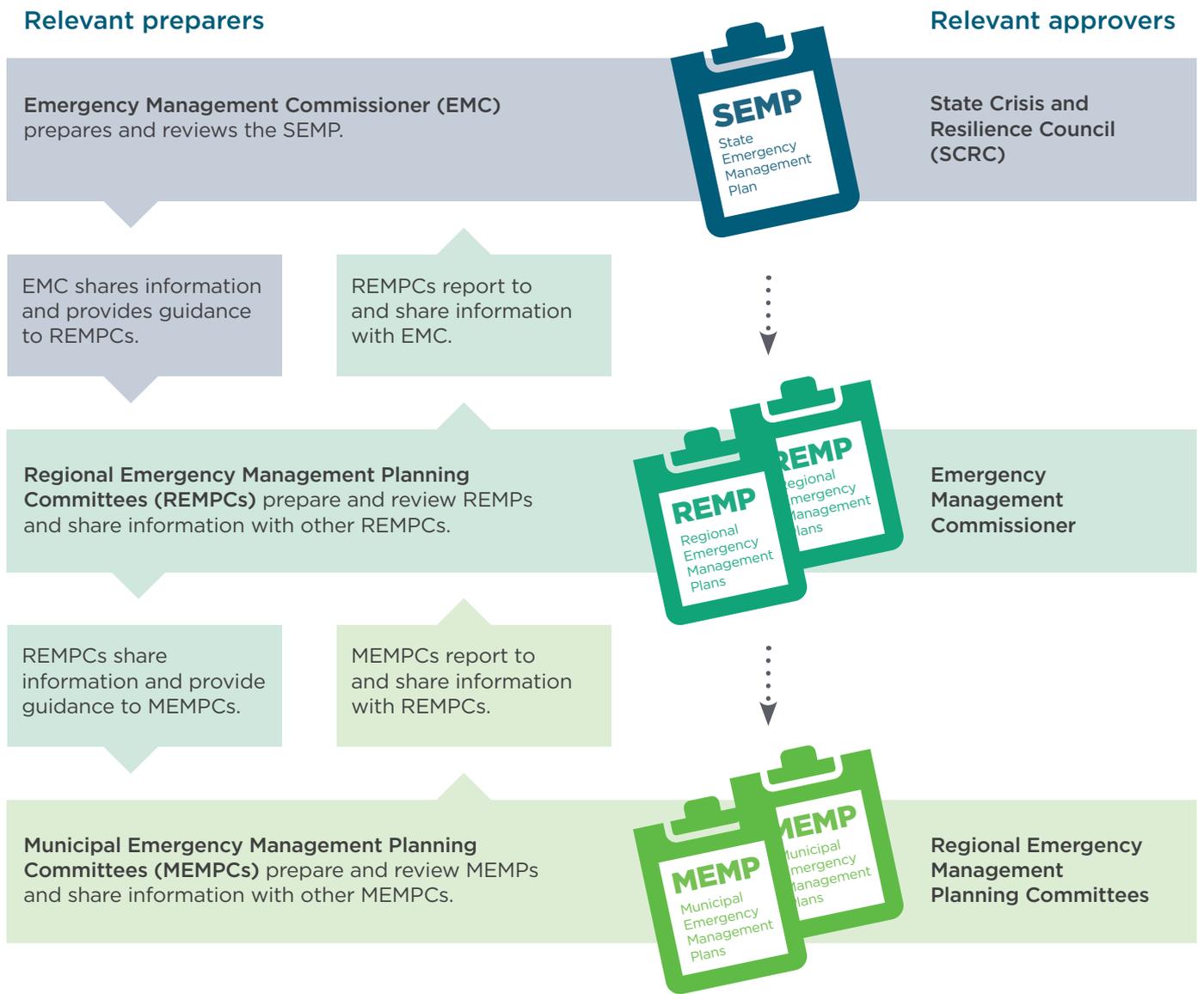


Figure 2: Framework for emergency management planning

The phased commencement and implementation of new planning arrangements in the EM Act 2013 sequences the preparation of the SEMP first, and then REMPs, and in turn MEMPs. However, future revisions of the SEMP, REMPs, and MEMPs will be iterative and promote increased integration between the State, regional and municipal levels.

During the preparation of the SEMP, Department Heads must consult with any agency that they consider appropriate and that has a role or responsibility under the proposed SEMP.

Relevant departments are also required to consult with any operator of vital critical infrastructure (as designated by the Governor in Council by Order) that the department considers appropriate. Part 7A of the EM Act 2013 determines which departments are relevant departments.

These requirements recognise that Department Heads and relevant departments are best placed to decide which of their portfolio agencies and operators of vital critical infrastructure should be consulted in preparing the SEMP. The EMC should allow sufficient time for departments to undertake such consultation.

The EMC may choose to consult any sector of the community and any of the REMPCs or MEMPCs. The phased commencement and implementation of the new planning arrangements in the EM Act 2013 sequences the preparation of the SEMP before the establishment of REMPCs and MEMPCs, however, future revisions of the SEMP will be iterative and promote consultation between the State, regional and municipal levels.

It is the responsibility of each department or agency to ensure internal requirements to consult are met for the purposes of developing the SEMP.

Existing emergency management plans (Section 60AC)

To the extent possible, the SEMP must not conflict with or duplicate any other plans for emergency management that are currently in force (section 60AC). However, the SEMP can and should identify and refer to other plans, where relevant, to outline arrangements in a coordinated and comprehensive way.

- Emergency management plans prepared outside Part 6A of the EM Act 2013, for the purpose of these guidelines, are referred to as complementary plans. Complementary plans are often prepared under their own specific statutory requirements, governance arrangements, and/or authorising environment. Examples are:
- a plan prepared by a water corporation under the *Water Act 1989*
- a responsible entity's emergency risk management plan prepared under the critical infrastructure resilience arrangements in Part 7A of the EM Act 2013
- an individual agency's plan for a specific hazard.

To the extent possible, the SEMP must not conflict with or duplicate any other plans for emergency management that are currently in force.

Complementary plans do not form part of the SEMP, and as such are not subject to approval and consultation requirements under the EM Act 2013.

Agencies preparing complementary plans are encouraged to use the principles and requirements in the EM Act 2013 and these guidelines, where appropriate, to promote integration with the SEMP, REMP and MEMPs.

These complementary plans should be identified and referred to in the SEMP, where relevant. This promotes an integrated and comprehensive approach to planning.

State Emergency Management Plan sub-plans

The State Crisis and Resilience Council (SCRC) may approve the creation of a sub-plan if it is satisfied that a sub-plan is required to outline more complex or specific arrangements than those in the SEMP.

A SEMP sub-plan forms part of the SEMP. As such, the SEMP sub-plan is subject to the same requirements for consultation, approval, review, assurance, and compliance under the EM Act 2013 as the SEMP, which includes having regard to these guidelines. Similarly, the obligation to comply with the SEMP also applies to the sub-plans that form part of the SEMP.

Sub-plans may reference relevant international and/or national arrangements.

The SCRC is the approver of SEMP sub-plans.

Assurance, approval and publication

Statement of assurance

The EMC must prepare a statement of assurance (section 6OAG).

The purpose of the statement of assurance is to confirm that the SEMP complies with the requirements of the EM Act 2013 and specifies the date when the plan was last reviewed.

The statement of assurance assists the SCRC in deciding whether to approve the emergency management plan.

The EMC should keep complete and accurate records and evidence to support the statement of assurance.

Approval of an emergency management plan

The EMC must submit the SEMP and statement of assurance to the SCRC for approval.

The SCRC should manage conflicts of interest in approving the SEMP. To manage any actual or perceived conflicts of interest, the EMC and the Chief Executive of Emergency Management Victoria should not be involved in the SCRC's decision to approve the SEMP.

The SCRC may approve the SEMP if satisfied that it complies with the EM Act 2013 (section 6OAH(2)).

In making its assessment the SCRC should have regard to the resources and expertise available and to recognise that planning will involve a process of continuous improvement over time.

The SCRC can request more information, for example evidence of the consultation that has occurred.

The approval process is intended to ensure compliance with the EM Act 2013. Approving a plan does not mean the approver becomes accountable for the plan. The EMC remains ultimately responsible for the quality and effectiveness of the SEMP.

Non-approval of the State Emergency Management Plan

The SCRC can decline to approve the SEMP if the SEMP does not comply with the EM Act 2013. If this occurs, SCRC should advise the EMC what is required.

Both parties should work together to resolve outstanding concerns relating to the SEMP. This should be done as soon as practicable.

Publication of an emergency management plan

When the SEMP has been approved, the EMC must arrange to publish it as soon as practicable on the EMV website (section 60AI).

The following information is sensitive and may be excluded from the published version of the SEMP (section 60AI):

- information about critical infrastructure, such as its location and criticality rating
- personal information, such as contact lists
- commercially sensitive information, such as intellectual property or trade secrets that may result in damage to a party's commercial interests.

An agency is responsible for providing advice to the EMC if information it has provided in the SEMP is sensitive and should not be published.

In addition to information provided by agencies, the EMC should have regard to sensitivity of critical infrastructure information and information privacy principles in the *Privacy and Data Protection Act 2014*.

The purpose of the statement of assurance is to confirm that the SEMP complies with the requirements of the EM Act 2013 and [...] assists the SCRC in deciding whether to approve the emergency management plan.

The EMC must notify all agencies with a role or responsibility under the SEMP when it is published by email or letter and should advise agencies of the web address where it is published, and when it takes effect.

The SEMP will take effect on the day it is published, unless the plan specifies a later date (section 60AJ).

The EMC must also provide a copy of the SEMP to the State Library of Victoria within two months of the date of publication, in accordance with the legal deposit requirements in section 49 of the *Libraries Act 1988*.

Appendix A

Definitions and abbreviations

TERM	DEFINITION
Agency	Means a government or a non-government agency. (<i>Emergency Management Act 1986</i> section 4)
Consequence management	<p>Consequence management means the coordination of agencies, including agencies who engage the skills and services of non-government organisations, which are responsible for managing or regulating services or infrastructure which is, or may be, affected by a major emergency.</p> <p>The objective of consequence management is to minimise the adverse consequences to users of services or infrastructure caused by the interruption to the services or infrastructure as a consequence of the major emergency while having regard to the need to ensure that—</p> <p>(a) safety considerations are paramount; and</p> <p>(b) if the major emergency is due to—</p> <p>(i) a hi-jack, siege or riot; or</p> <p>(ii) a warlike act or an act of terrorism—</p> <p>the exercise of police powers is not to be interfered with.</p> <p>(EM Act 2013 section 45)</p>
Control agency	The control agency is the agency with the primary responsibility for responding to a specific form of emergency as listed in the State Emergency Management Plan. (EM Act 2013 section 45)
Coordination agency	The coordination agency is the agency with the primary responsibility of bringing together of agencies and resources to support the mitigation of, response to and recovery from emergencies, as listed in the State Emergency Management Plan.
Department	For the purpose of the State Emergency Management Plan, departments are Victorian Government departments, including those with portfolio responsibility for agencies with a role in mitigation, response and recovery.

TERM	DEFINITION
Emergency	<p>The actual or imminent occurrence of an event which in any way endangers or threatens to endanger the safety or health of any person in Victoria or which destroys or damages, or threatens to destroy or damage, any property in Victoria or endangers or threatens to endanger the environment or an element of the environment in Victoria including, without limiting the generality of the foregoing—</p> <ul style="list-style-type: none"> (a) an earthquake, flood, wind-storm or other natural event; and (b) a fire; and (c) an explosion; and (d) a road accident or any other accident; and (e) a plague or an epidemic or contamination; and (f) a warlike act or act of terrorism, whether directed at Victoria or a part of Victoria or at any other State or Territory of the Commonwealth; and (g) a hi-jack, siege or riot; and (h) a disruption to an essential service. <p>(EM Act 2013 Part 1 section 3)</p>
Emergency management sector	<p>The sector comprising all agencies, bodies, departments and other persons who have a responsibility, function or other role in emergency management.</p> <p>(EM Act 2013 section 3)</p>

TERM	DEFINITION
Major emergency	<p>A major emergency is:</p> <p>(a) a large or complex emergency (however caused) which—</p> <ul style="list-style-type: none"> (i) has the potential to cause or is causing loss of life and extensive damage to property, infrastructure or the environment; or (ii) has the potential to have or is having significant adverse consequences for the Victorian community or a part of the Victorian community; or (iii) requires the involvement of 2 or more agencies to respond to the emergency; or <p>(b) a Class 1 emergency; or</p> <p>(c) a Class 2 emergency.</p> <p>(EM Act 2013 section 3)</p>
Mitigation	<p>The elimination or reduction of the incidence or severity of emergencies and the minimisation of their effects.</p> <p>(EM Act 2013 section 3)</p>
Recovery	<p>The assisting of persons and communities affected by emergencies to achieve a proper and effective level of functioning.</p> <p>(EM Act 2013 section 3)</p>
Region	<p>A region is an area declared by the Governor in Council under section 77A of the EM Act 2013.</p>
Relief	<p>The provision of support and essential needs to persons affected by an emergency.</p>
Resources	<p>The people, equipment or services an agency requires to perform its emergency response role and responsibilities.</p>
Response	<p>Response is the action taken immediately before, during and in the first period after an emergency to meet basic human needs and reduce the effect and consequences of emergencies on people, their livelihoods and wellbeing, property and the environment.</p>
Support agency	<p>A support agency contributes capability and/or capacity to an emergency management activity.</p>

ABBREVIATIONS

EMC Emergency Management Commissioner

MEMP Municipal Emergency Management Plan

MEMPC Municipal Emergency Management Planning Committee

REMP Regional Emergency Management Plan

REMPC Regional Emergency Management Planning Committee

SCRC State Crisis and Resilience Council

SEMP State Emergency Management Plan

emv.vic.gov.au

Working in conjunction with communities,
government, agencies and business

