

# Dedication of land as 'Public Highway': Council Responsibilities and Liabilities – Landmark decision of the Court of Appeal of the Supreme Court of Victoria

Not since 1996, when *Bass Coast Shire v King* was decided by the Court of Appeal of the Supreme Court of Victoria, has there been any substantive judicial pronouncement by the Victorian Court of Appeal on –

- The principles to be applied by a municipal Council in determining whether land is or has become dedicated to the public as highway; and
- The legal consequences which arise for a municipal Council in circumstances where land has become so dedicated.

This workshop, to be conducted by Peter Lucas, will look at the important lessons to be learned from the case, based on the extensive comments made by the three Appeal Justices who decided the case. In particular, focus and guidance will be given on the considerations which must be taken into account by a municipal Council in determining whether land is a 'road' within the meaning of the *Local Government Act 1989* and (as now clarified by the Appeal Justices) the relationship between this assessment and otherwise ensuring that a particular road is properly registered as a public road on a Council's register of public roads under the *Road Management Act 2004*.

An essential up-date and refresher course for all property, administration, risk management and infrastructure officers, this workshop will provide a valuable insight into and a proper understanding of the now clarified legal relationship between the discretionary roads provisions of the *Local Government Act 1989* and the mandatory roads requirements of the *Road Management Act 2004*, and the various public liability defences available to a municipal Council, whether as a local government authority, a road authority or an infrastructure manager.

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## WORKSHOP DETAILS:

**DATE:** Wed, 6 Dec 2017

**VENUE:** Manningham Function  
Centre

699 Doncaster Road  
Doncaster

**TIME:** 9.30am – 1.00pm (followed by  
a light lunch)

**COST:** \$385.00 (incl. GST) *All  
course materials &  
refreshments will be provided  
including lunch.*

## To register for this workshop -

Fax or email this form to the Macquarie office or submit your details online at [www.macquarielawyers.com.au](http://www.macquarielawyers.com.au)

**Booking Contact:** \_\_\_\_\_

**email:** \_\_\_\_\_

**Job Title:** \_\_\_\_\_

**Registrant Name:** \_\_\_\_\_

**Job Title:** \_\_\_\_\_

**email:** \_\_\_\_\_

**Registrant Name:** \_\_\_\_\_

**Job Title:** \_\_\_\_\_

**email:** \_\_\_\_\_

**Council:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

*Complete registrant details if different from above:*

**Registrant Name:** \_\_\_\_\_

**Job Title:** \_\_\_\_\_

**email:** \_\_\_\_\_



Number of registrants

Purchase Order # (if required)