

PATHWAYS, ROADSIDES, STORMWATER INFRASTRUCTURE AND MUNICIPAL PARKS AND RESERVES – COMBINED PITFALLS FOR LIABILITY

Arising from earlier decisions of the High Court of Australia and the implementation of the 'Ipp Report', it is now more than thirteen years since substantive changes were made to Victorian legislation dealing with the liability of Councils in negligence, including for the management of roads.

Additionally, local government now has the benefit of comment and guidance from a number of Courts in relation to the interpretation of the *Road Management Act* 2004, particularly the policy and other defence provisions available to Councils which have made a road management plan.

Following a very recent and landmark decision of the Court of Appeal of the Supreme Court of Victoria, *Greater Shepparton City Council v Clarke*, local government now has a further piece of the jig-saw to assist it in understanding the complexities of the *Road Management Act* 2004 and the related common law in relation to non-road infrastructure and also – it is suggested – the wider liability of Councils.

Drawing on case studies, this workshop will examine the circumstances under which Councils – whether as road authorities, infrastructure managers or municipal park and reserve custodians and occupiers – can owe both common law and statutory duties to the public, the basis on which the duties must be discharged by Councils, and the effect which the policy and other defences available under the *Road Management Act* 2004 (and the *Wrongs Act* 1958) can have on the proper fulfilment of these duties, and any resulting legal liability.

Practical, common sense advice will be offered to municipal infrastructure and property managers with respect to the steps which Councils should take to ensure that reasonable care is taken, and properly balanced out, to address infrastructure and property risks, including in relation to the magnitude of risks and the probability of their occurrence, along with the expense, difficulty and inconvenience of Councils being required to take alleviating action given other conflicting responsibilities which all Councils have.

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WORKSHOP DETAILS:

DATE: Wed, 19 July 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

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)