

Legal Responsibilities and Liabilities of and Defences for Councils as Road Authorities

This workshop will examine the legal responsibilities of Councils for roads within their municipal districts, and explain the relationship between the roads provisions of the *Local Government Act 1989* and the roads requirements of the *Road Management Act 2004*.

The workshop, to be conducted by Peter Lucas, will look at the basis on which Councils, as road authorities, can suffer civil liability for the manner in which they inspect, repair and maintain their roads (or a failure to do so). Using a typical 'tripping' case study, and relying on recent Court decisions, registrants will be taken to the common law principles which will impose a duty of care on Councils, and the scope and content of that duty, as well as the considerations which guide a Court in determining whether a duty of care has been breached so as to impose legal liability for third party injury or loss.

The workshop will consider the various statutory defences which are available to Councils under both the common law and the *Road Management Act 2004*. These include the principles on which road management functions must be performed (on all types of roads), the manner in which civil liability can be limited or avoided (in relation to removing or giving warnings for hazards, defects or deteriorations in roads), and the conditions which must be satisfied in order to rely on policy defences or to prove that reasonable care was taken to avoid the occurrence of an incident. This workshop will benefit Engineering and infrastructure staff as well as property, governance and administration officers.

Level 6, 30 Collins Street
Melbourne VIC 3051

Phone: (03) 9650 6700

Fax: (03) 9650 6355

www.macquarielawyers.com.au
solutions@macquarielawyers.com.au

WORKSHOP DETAILS:

DATE: Wed, 22 May 2019

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)