

An on-line professional
development course from
The Public Land Consultancy



This course is essential learning for
asset engineers, governance officers
and risk managers



Our Presenter:
David Gabriel-Jones

Master of Public Policy (hons)
(Melbourne); Dip Civ Eng (RMIT)

Cost: \$550 per student
including GST, Course Notes, and
Certificate of Attendance

Enquiries and Registrations

Fiona Sellars
Training Manager

fiona@publicland.com.au

Phone (03) 9534 5128

THE LAW RELATING TO WORKS ON ROADS

Session 1

Roads as seen by Lawyers

- Refresher: what we mean by 'the law'
- Types of road under Victorian law
- Disaggregating ownership, control and management

The Legislation – an Introduction

- the *Road Management Act 2004*,
- the *Road Safety Act 1986*
- the *Local Government Acts 1989* and *2020*

Road Authorities

- DTP, Councils, DEECA and utilities
- The roles of road authorities, infrastructure managers, and works managers
- The case *Clarke v Greater Shepparton*

Session 2

The Legislation – more detail

- the *Road Management Act 2004*, particularly provisions relating to works, and Schedule 7
- the *Road Safety Act 1986* and the *Road Safety (Traffic Management) Regulations 2009*

Works Permits and Traffic Management

- Works permits and exemptions
- Exemptions from the exemptions
- Traffic Management Plans and SWMSs

Works by abutting Owners

- Vehicle crossings and retaining walls
- Fencelines and encroachments

Session 3

Roads as Workplaces

- the *Occupational Health and Safety Act 2004*
- the Supreme Court case *DPP v Downer EDI and VicRoads*

Duty of Care and Negligence

- *The Wrongs Act 1958*
- Court decisions: *Brodie* and *Monty*

Other permits that may be required

- *Planning and Environment Act 1987*, planning schemes and planning permits
- *Aboriginal Heritage Act 2006* and CHMPs
- *Disability Discrimination Act 1992* (C'wealth)
- The *Water Act 1989* and other acts governing utilities, including telecommunications