



RISK MANAGEMENT on Public Land

*A two-session on-line
professional development course
introducing public land managers to the
world of insurance and litigation*

COURSE CONTENT

Session 1 (3-hours)

The Risk: Injury to the Public

- A land manager's duty of care
- Negligence, nuisance and the common law
- The *Wrongs Act* 1958 – Liability of public authorities
- Ensuring that claims against you are defensible

The Insurance Industry

- Insurance policies; sub-limits; aggregation and subrogation
- Cover, premiums and excesses
- When to insure, and when to self-cover
- The roles of underwriters, brokers and loss adjusters

Road and Traffic Accidents

- The *Road Management Act 2004* and Public Roads
- Roads which don't come under the RM Act
- Traffic Accidents and the TAC
- The law relating to roadsides, trees and footpaths
- The law relating to electricity line clearances
- Ensuring that claims against you are defensible

Session 2 (3-hours)

The Risk: Workplace Injury

- When parks and roads are 'workplaces'
- The Victorian Workcover Authority
- The *Occupational Health and Safety Act 2004*

The Risk: Loss of your Assets

- Statistics: the likelihood of fire, storm, flood
- Risks from climate change; what is an Act of God?
- Valuations for insurance purposes

Managing Risk

- Who should carry the risk?
- Ensuring that claims against you are defensible
- Risk management standards – ISO 31000 / 2009
- Developing a risk management strategy



COURSE PRESENTER

**Mark Bartley, Special Counsel,
Russell Kennedy Lawyers**

Mark is an LIV Accredited Specialist in
Environment, Planning and Local
Government.

Some of the Case Law discussed in this course

- *Shirt v Wyong Council*
- *Ballerini v NSW Forestry*
- *Gosling v Great Ocean Road CoM*
- *DPP v VicRoads and Downer*
- *SEWater v Cleanaway*
- *Polglase v Coffs Harbour Council*
- *Hart v Beaumaris Football Club*
- *Pyrenees Shire Council v Day*
- *Nugent v Victorian TAC*
- *Brodie v Singleton Council*
- *Clarke v Shepparton Council*

**Cost \$550 per person
for the set of two Sessions**
(inc GST and course notes)

For details of the next set of
presentations, contact

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