

COMMENTARY ON PRACTICE NOTE GUIDELINES FOR LANDSLIDE RISK MANAGEMENT 2007

C3.5 ESTABLISHMENT OF TOLERABLE RISK CRITERIA

The regulator is responsible for setting the Tolerable Risk Criteria within their policy. Consideration has to be given to uniformity of approach and the risk values adopted. The discussion in Section C8.2 is provided to give as much technical guidance as is considered to be currently available from practice and literature. The regulator may wish to seek its own technical advice in relation to adoption of specific Tolerable Risk Criteria and details of the policy.

C3.6 LANDSLIDE INVENTORY

Refer to AGS (2007a) for recommendations in relation to the content of the inventory. Compilation of an inventory will become a valuable tool for both the regulator and the practitioners.

Such an inventory may also refer to LRM reports prepared for development applications, though if there is no known landslide this should be documented to avoid confusion. Although LRM reports may be restricted in use under intellectual property rights (copyright), such documents are in the public domain once included with a formal application and may be referred to.

C3.7 ROLE AND RESPONSIBILITY OF THE PRACTITIONER

The practitioner has the role and responsibility of providing the technical advice to the client, as well as to the regulator. Although the practitioner is responsible to his client, there is an overarching responsibility associated with the Code of Ethics to the public at large. This overarching responsibility is not insignificant. The practitioner must provide his advice in an unbiased manner and with the duty to the public at large in mind in accordance with the Code of Ethics of a professional association.

Compliance by the practitioner with the regulator's policy requirements would be expected unless departures can be justified on sound technical grounds.

Practitioners should be aware of the liability issues associated with signing the declarations on the Forms (Appendix D, Practice Note) submitted with the LRM reports and at subsequent stages. As part of the "in house" risk management procedures, the practitioner should only sign off what is reasonably known by observation and/or testing to be adequate or appropriate to the intent of the design requirements. This would also be in accordance with most Professional Indemnity insurance limitations.

PART C GUIDELINES FOR PRACTITIONERS

C4 SCOPE DEFINITION

Implicit in the scope will be compliance with the requirements of the regulator's policy. Such requirements are likely to be derived from studies in accordance with the AGS (2007a).

Such studies, and resulting policy, may determine a particular minimum scope or level of study, as discussed in Section C5.2. If the minimum scope is not completed, then the reasons for departure from such a scope should be documented by the practitioner.

In more complex studies, staged study may be appropriate, so that increasing complexity of study is only adopted if the results obtained from the initial studies show it to be warranted. It may be appropriate to discuss with the client the alternative levels of study and implications arising therefrom.

Frequently a lay client will not have sufficient knowledge to question whether the scope is appropriate. If there may be a need to extend the scope of the assessment, based on the results of the initial assessment or response from the regulator, then it would be "good practice" to advise the client at the earliest opportunity of the possibility of such an extension.

Communication of the scope adopted and inherent limitations arising therefrom becomes "good practice" for the practitioner as a liability risk management issue. It is essential that the client be informed of the limitations of the particular risk assessment and inherent uncertainty.

C5 HAZARD ANALYSIS

C5.1 DATA GATHERING / DESK STUDY

Proper recording of data, including sources, is an aid to subsequent review and possible revision as additional data comes to light.