Suitability of datum survey

The land under survey is a lot within a triangular section of an LP that was registered in 1940.

In 1975, the then CRB re-established the alignment of the road that abuts the LUS as part of a large corridor survey – SP14668. The road was subsequently gazetted as a main road and is now an arterial road by virtue of the Road Management Act 2004.
Re-establishment of the VicRoads survey and the extension of its datum around the LP section reveal an unsatisfactory fit with long-standing occupation.

**Question:**

What should the final adoptions be?

**Answer:**

Adoptions

The unsatisfactory fit with long-standing occupation indicates that the CRB survey SP14668 is not a suitable re-establishment of the 1940 plan and subdivision.

Consequently, adopting its position and maintaining LP dimensions from it would be an unsatisfactory method of re-establishing the boundaries of the LUS.

The recommended approach is to re-establish the triangular section of the LP and consequently the boundaries of the LUS based on a best fit with long-standing occupation.

However, the VicRoads alignment of the road must still be respected because the effect of its gazettal as a main road was that it became a government road (i.e. Crown land).
Therefore, the re-established position of the LUS based on the best fit to occupation must be cut back to adopt the Vicroads alignment as the south-west boundary. The result of this is that the side boundaries of the LUS are reduced by 0.05 metres and 0.07 metres.

The same methodology can be applied when a modern (straightened) alignment exists in the vicinity of a parcel whose title was created in an application that adopted the fencing surrounding it.

Again, the position of the parcel should be re-established from the application survey and the side boundaries should be shortened or extended to meet the modern alignment.