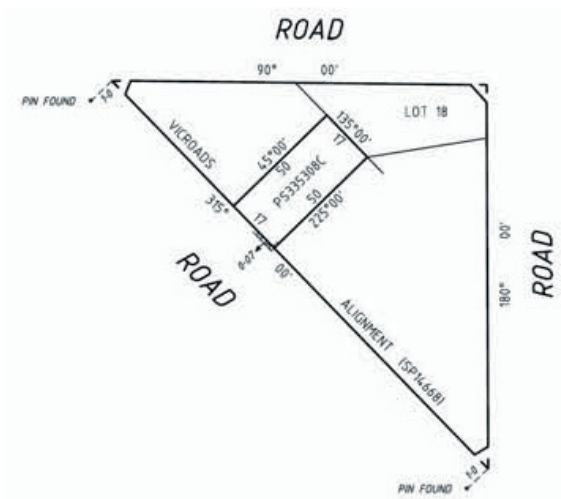




## Principles of Re-establishment

## Exercise 13

### Effect of a registered survey



Say you were asked to re-establish Lot 18 on the same plan and registered survey PS335308C existed within the LP section. On inspection of PS335308C, you found that it was of limited extent, basically having re-established the Vicroads survey and maintained the LP dimensions.

### Question:

Do you stick with the adoptions made in PS335308C and lay out your title?

## Principles of Re-establishment

## Exercise 13

**Answer:**

**Adoptions**



No. You should re-establish lot 18 based on the best solution for the LP that created it – i.e. based on a best fit to long-standing occupation as described in exercise 12.

As a consequence of PS335308C being a registered plan of subdivision, titles were issued based on its position as defined on the ground in its survey. If the surveyor who surveyed PS335308C does not want to change or rectify the survey and therefore have new (corrected) titles issue (which is generally the case as it is a complex procedure to have new titles issued and it's also possible that the surveyor who performed the work is no longer practising), the boundaries of PS335308C must be respected in the re-establishment of lot 18.

Because it adjoins the LUS, Regulation 10 of the Surveying (Cadastral Surveys) Regulations 2005 requires that it be re-established and its effect considered on the boundaries adopted.

If the re-establishment reveals that it does not encroach on the LUS, then LP dimensions can be maintained from the best-fit solution to re-establish the boundaries of the LUS.

However, if it does encroach then the boundaries of lot 18 must be altered so that there is no overlap with PS335308C.