The South Australian Cadastral System

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Abstract

The background of the South Australian cadastral system is traced emphasizing the original partitioning into Counties, Hundreds and Sections. The development of the Torrens system of land registration is briefly reviewed together with the growth of cadastral surveying to support that system. The problems and deficiencies of the existing surveying methodology are emphasized. This is the first of two articles examining reform in the South Australian cadastral survey system.

Background of the South Australian Cadastral System

Introduction

The concept of modern cadastral operations can be found initially in France and subsequently in Central Europe. Form and function of a cadastrer have varied and still vary from country to country, both in range of application and sophistication (Williamson 1983). The South Australian cadastral provides a comprehensive record of land parcelisation augmented by an effective record of proprietary interests. It is not based upon a systematic, mathematically adjusted network of control points. The creation of land parcels, certainly those which were a Government responsibility to effect settlement and major State development, were with few exceptions the subject of survey. These surveys were largely uncontrolled and the resultant parcels are consequently not based on a homogeneous framework. The situation in 1865 is little changed. Most parcels of land which result in a new title are created by survey in accordance with current survey practice. Other than an examination to ensure that adjacent owners are protected and that the property is adequately marked, little heed is taken of the spatial positioning of the root title or the flegding parcels.

Initial Creation of the Province of South Australia

South Australia is a cartographic, rather than a geographic entity, which symbolises in its boundaries the tidiness of mind which its founders expected to be able to impose on the geographical reality. Initially the State was bounded on three sides by lines which at the time of creation required a process of determining which could only lead to dispute. The difficulty of fixing meridians of longitude, based as they are on the precise knowledge of time difference between Greenwich and the subject meridian must have been known to the then advisers to the Imperial Government. Yet when South Australia was proclaimed as a British Province on 28 December, 1836 its boundaries were described as:—

"... on the north the twenty-sixth degree of south latitude, on the south the Southern Ocean, on the west the one hundred and thirty second degree..."

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relative accuracy between cadastral parcels which are adjacent. There is no
opportunity to provide absolute co-ordinates for points which make up the living
cadastre.

Notwithstanding the lack of absolute location, the cadastre has provided the
means of land description since settlement and the principal units are the county,
hundred and section. A brief consideration of their characteristics will provide an
understanding of the basic cadastre and point to the role it played in the evolution
of the State.

County

In search of some early territorial division, the area from around Adelaide
southwards to Encounter Bay and including Kangaroo Island was divided into
eight areas called Districts and lettered A-H. These presumably were intended
to be no more than a temporary nomenclature and some four years later, in July
1842, the first Counties of Adelaide, Hindmarsh, Gawler, Light, Stanley, Russell,
Sturt, Eyre and Flinders were proclaimed (South Australia 1842). These early
Counties adhered to topographical features where available and followed the
coast, the Mount Lofty Ranges and the drainage courses of the Murray, Gawler,
Wakefield and Bremer Rivers. Later proclamations of Counties, which now total
forty-nine, revealed a more regular configuration as relief gave way to the mallee
covered plains.

The creation of the County became a requirement before Hundreds could
be declared but they do not, other than in size, fulfill a major survey or parcel
identification function.

Hundred

The Hundred was the next lower order of cadastral division and any doubt
as to the legality of such a creature was put to rest in 1851 with the passage of
"An Act to Declare the Power of the Governor with Reference to Constituting
Counties and Hundreds" (South Australia 1861). The Old English Hundred is
believed originally to have been an area regarded as being capable of supporting
a band of some hundred families and so being assessable for fiscal purposes at
around one hundred hides which long with the sulung and the ploughland or
carrucate was a customary subsistence unit (Dowson and Shephard 1956). Samuel
Davenport, however, claimed that it was not intended to indicate any analogy
between such (the term Hundred in South Australia and those of the Mother
Country, but was adopted rather because it was intended each of such division
should contain approximately 100 square miles, one third more or one third
less (South Australia 1860).

The survey methods used for the delineation of Hundreds, and all those
parts of which it was comprised, varied as did the supervision of the work. Tech-
nology played a part in the accuracies as the flat steel band replaced the Gunter's
chain (which was comprised of 100 steel links) and angle reading capability
improved when the circumferentor was displaced by the transit theodolite. Stan-
dards of skill varied within the survey parties and quality of both survey and
mapping varied across the State.

Notwithstanding the method of survey and the changes which took place
under successive Surveyors-General, 526 Hundreds were eventually proclaimed.
Implications as to commonage and the need for proclamation of a Hundred
before survey could be executed grew and the Hundred became, for a time, a
device for regulating settlement. The Hundred will continue in use for descriptive
purposes as to the location of sections. Where the sections are alienated, however,
the Certificate of Title of reference will become commonplace and although em-

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The section which forms the smallest survey unit as defined by the Crown
was the fundamental basis of survey. Initial section sizes were 80 and 134 acres.
As settlement spread so did the size of sections grow due to the variable nature
of the country, the requests by pastoralists for surveys of large sections and the
need for easy lines of communication (Williams 1974). Instructions were issued
from time to time as to the manner of survey. These instructions related to the
size, shape, pattern, location of roads and implications of terrain. Alienation
of land and the creation of sections for choice and occupation was dependent on
the cadastral survey. The survey itself became identified with the Wakefield
colonisation system for it provided the vehicle for the spread of the settlement.

Special Surveys, Green Slips, Royalty Sections, coast and river reserves and
special purpose dedications all played their part in the development of the
cadastre tier which created sections and their relevant appurtenances. The
sectional survey has given South Australia its fundamental human pattern and
those sections in turn have been divided into smaller allotments when human
activity has been most intense.

Summary

The cadastral infrastructure considered above is not the mathematical rela-
tionship of parcels nor the fiscal model which gave birth to the earliest cadastres
but rather the property network which provides a basis for the administration and
registration of land transactions. The cadastrine in South Australia is comprised
of over 900,000 parcels of uniquely identifiable units. They are linked by road,
travelling stock reserves or coastal reservations; they are serviced by easements
and enjoy or suffer a wide range of rights and interests; they are separated by
20,000 reserves which reflect the social and economic needs of the past in the
form of education, minerals, fishing or water attributes. The origin and growth
of the cadastral traces man's endeavour in South Australia. The physical cadastral
monumentation provides the evidence of human activities of survival, success
and failure. Documentary records, however, plot the mutations and change in
tenure form which have taken place.

Land Registration in South Australia

For many years before the Wakefieldian concept of South Australia was
developed, the accepted principle of English common law was that, to a colony
or province acquired by settlement as distinct from one acquired by conquest,
the settlers carried their law. This attitude was only strengthened in an environ-
ment where the aboriginal was seen to have no organised religion, no social or
political structure and no ability for agricultural activities. More importantly,
the aboriginal had not established "dominion" over his land and therefore being
terra nullius, not a party for negotiation or compensation. Treaties were not
signed in Australia.

Consequently, in the portmanteau of legal paraphernalia carried to the
South Australian shore came the English law of Real Property; a law described

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by Lord Brougham as "attended with many evils, giving birth to great vexations, involving the affairs of the community in lamentable uncertainty, and imposing upon the citizens the obligation to live under it a heavy burden". Further, when speaking of the conveyancers themselves, he added "They love and revere the mysteries which they have spent so much time in learning, and cannot bear the rude hand which would wipe away the cobwebs, in spinning which they have spent their zeal in their days for perhaps half a century" (Torrens 1859).

Sir Robert Torrens, the architect of the system of registration of title, used evidence by a Mr. R. Wilson, "Title under the English law cannot be ascertained as a fact, it can only be wrought out as an inference", to lend weight to his claim that uncertainty roamed free in the legal labyrinth. He left no doubt as to his personal views of the legal profession. "Thus, as pigs, when they attempt swimming against stream, cut their own throats, the South Australian conveyancers, by struggling against the new system, have rendered its effect vastly more disastrous to themselves than it would have been had they complacently submitted to the inevitable necessities of progressive reform" (Torrens 1859). His rhetoric was supported by strong Irish determination. For how else could he have brought about a far reaching reform of a very technical branch of the law against intense opposition both from his own colleagues and from the whole of the legal profession?

Alienated land not dealt with under the provisions of the Real Property Act is, in South Australia, referred to as "Old System" or "N.U.A." (Not under the Act). Land which was alienated from the Crown between settlement and the introduction of the Torrens system was therefore "Old System" and subject to the conditions of law prevailing in England.

"Old System". The title to land under the General Law or "Old System" depends on the validity of each document forming the chain of derivative title. Every document right back to the original Crown Grant must be exhibited and examined in order to establish that the present owner has a good title. If one of those links in the chain of title proves to be defective by containing, inter alia, some inherent error, fraud, forgery or technical defect, the owner's documentary title will fail to that extent. The radical weakness of Registration of Deeds, although an improvement on private conveyancing, is that the remedy is limited to putting copies of all private conveyances on record as they stand, without investigation. The reception and copying of a stream of unco-ordinated individual conveyances from all corners of the State does nothing to abate or remedy their obscurities, illegibilities, anomalies and inconsistencies. Although an indispensable initial step, much more than this is needed to contract and maintain a reliable record of interest in land. Even today in the Adelaide General Registry Office one is reminded of Lord Westbury's remarks when describing deeds over a century ago "difficult to read, impossible to understand, and disgusting to touch". The Registration of Deeds approach is essentially an unsatisfactory and imperfect procedure which may be made to function in spite of its weakness, but not on account of any intrinsic merit (Dowson and Shephard 1956).

Registration of Title. Torrens claimed that the inherited law of Real Property had five principal grievances:—

1. The complexity developed ensured for the legal profession a monopoly for the practice of conveyancing;
2. Heavy costs were imposed regardless of the nature or simplicity of the transaction;
3. Uncertainty attached to a greater or less degree to the validity of all titles under the English law of property which resulted in losses and considerable anxiety;
4. The prevailing law resulted in a tardy process of conveyancing unsuited to the requirements of a progressive community; and
5. The prevailing law diminished greatly the value of land as a secure and convenient basis of credit.

He went on to say that any substituted process must be simple, inexpensive, invariably certain and expeditious and his Real Property Act, based upon the principle that title is conveyed by "registration", not by execution of instruments, possessed all these characteristics.

The principal achievement of the Torrens system has been that the Certificature of Title stands alone, revealing the registered proprietor and such interests as mortgages, without the necessity to look behind the Register. It removes the ever present possibility of fraud by duplication or suppression of deeds. It gives State-guaranteed safety and that positive security against claims which the system of conveyancing by deeds can never give.

The long experience in Customs, both in London and Adelaide, provided an understanding of the Merchant Shipping Act and Admiralty Rules which guided Torrens in the development of his statute. He was aware of the European cadastral systems and the fictions which resulted in the law of property evolution after the Norman conquest of England. He no doubt kept abreast of the Royal Commission of 1830 which enquired into the Law of England respecting Real Property, the 1850 Report which resulted in a Bill for the Registration of Deeds and the celebrated 1857 Report which reversed the earlier recommendation and supported the principle of Title. He would have watched with interest the decision in 1862 of Lord Westbury's Bill which introduced optional Registration of Title and the establishment of H.M. Land Registry in Lincoln's Inn Fields. After his return to England in 1863 he became, like his father before him, a member of the House of Commons. Both were reformers.

It is certain that Torrens used his background, his working experience and distaste for humbug to secure relief for South Australia from the yoke of English property law. As to whether the concept was his is really of no moment. He no doubt operated like any good bureaucrat for his day. He did not invent where the invention was available. Neither did he labour over words when they had been written. Rather did he develop the machinery to purge society of a hindrance to progress. Nevertheless, the portions of his Act which deal with the bringing of land under the Act by application made by the owner, and with the assurance fund, seem to have been his own conception.

The Spread of the Torrens System

The initiative first shown by South Australia was soon adopted by the remaining colonies within Australia. Similar legislation was enacted as follows:—

Queensland — Real Property Act 1861
New South Wales — Real Property Act 1862
Tasmania — Real Property Act 1862
Victoria — Real Property Act 1862
Western Australia — Transfer of Land Act 1874

In New Zealand, after some preliminary and perhaps experimental legislation in the form of the Land Registry Act 1860, a system was adopted there.
based substantially on the South Australian pattern. The influence of the Torrens system is also widespread through the continents of Asia, Africa, and America, the West Indies and the Pacific region. The colonial administrators, through their influence on the emerging States, provinces and nations, were able to bring to the emerging States, provinces and nations a system developed in the antipodes and in the face of solid opposition. Simplification of the conveyancing process must have had high priority on the agenda of the late nineteenth century bureaucrat, for, without such an awareness, the Torrens system would have remained on the Australian mainland. Torrens did succeed, for South Australians, in removing what he saw as the major grievance to an efficient conveyancing process — the monopoly by the law. He achieved this by the introduction of the "land broker" who is entitled to prepare conveyancing documents for a fee. From time to time the function or existence of the land broker has come under siege. This onslaught usually has some support from Parliament which is, of course, well represented on both sides of the law. To date, due to wide support of the land industry and a lay suspicion of the likely fee increase, by comparison with adjoining States where a monopoly prevails, the land broker survives. It is ironic that the major land reform introduced by Torrens to Australia has eased the burden of the conveyancing lawyer — a profession which has (except for South Australia) maintained a monopoly of the conveyancing business and a profession he was seeking to eliminate.

Some Shortcomings in the Torrens System

There is little doubt that major benefits have come to a wide range of societies as a result of the Torrens system. A philosophical critique of the system is that it promotes the break-up of ancient social tenures by the establishment of individual ownerships. This, in turn, can lead to agrarian reform, agricultural security. It provides the opportunity to increase individual independence and self-sufficiency. The registration system which should be condemned, for it is but a record that facilitates and reflects the working of law.

Within South Australia "the broad principles of the system remain unassailable; but the factors beyond the control of the author have operated to undermine that simplicity and certainty of title which owners of land have been led to expect" (Francis 1972). The reference here is to the deletion of the initial obligation which arise by overriding statutes which derogate from the completeness of the protection given by registration under the system" (Whalan 1982). Torrens was aware of this potential hazard and introduced a safeguard in what is now Section 6:— "no law, so far as inconsistent with this Act, shall apply to land subject to the provisions of this Act, nor shall any future law, so far as inconsistent with this Act, so apply unless it be expressly enacted that it shall so apply notwithstanding the provisions of The Real Property Act, 1866"."

Despite this, the High Court of Australia held in The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia that a valid statutory "first charge" overriding a prior registered mortgage had been created under the South Eastern Drainage Acts which did not contain the requisite words. The primary reason in the judgement from the High Court was that a parliament cannot bind its successors.

The establishment of a Register of Causes, Writs and Orders affecting Land in New South Wales was intended to overcome the difficulties arising from the

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creation of certain statutory charges on land under the Torrens system. This Register is generally regarded as having failed to achieve its purpose. No such register has been introduced in South Australia. There is no doubt that overriding statutory responsibilities or inherent rights created by statute which exist independent of registration detract from the efficacy of the Torrens record. A temporary palliative may be available in the form of the Land Ownership and Tenure System, the implications of which will be discussed in a later paper. However, there is need for significant reform here since it is the State itself, in most instances, which is responsible for encroachments upon that indefeasibility which it has itself guaranteed.

Cadastral Surveying and the Torrens System in South Australia

Pre-Torrens

Prior to 1859, all Crown Land boundary surveys were carried out by officers of the Survey Department of the Commissioners of Crown Lands. The exact nature of the technology employed in the course of such surveys is uncertain. There is some evidence that they were reasonably well documented. According to Surveyor-General Froome:

"The section corners were marked with pickets . . . squared at the head, on which the number of the section and of the contiguous sections should be marked . . . Independent of the corners of sections being pointed out by these pickets, they should be deeply trenching with a small spade or pick, showing not only the angle formed by contiguous sections but also the directions of their boundary lines (cited by Tucker 1984)."

The early division of Crown Lands was accompanied by a triangulation survey in the settled areas. The intention of the control survey was to facilitate the cadastral survey. Its main utility seems to have been in the preparation of the general land administration maps of the day (Butler 1985).

Once land had been alienated (freedhold) from the Crown, the Government surveyors had no role in its subdivision and transfer. Such activity was the prerogative of private citizens who would have described themselves as "surveyors". Their existence is undisputed as a number of them were able to apply successfully for licensing under the Licensed Surveyors Act 1859. Up until that year South Australian legislation had been muted, if not silent, on the question of cadastral surveying. The 1853 Act "to provide for the deposit of Deeds, Agreements, Writings and Assurances, Maps and Plans relating to Hereditaments in the Province of South Australia" provided for the Registrar-General of Deeds to receive and safeguard "... maps and plans affecting Hereditaments". The first legal requirements for survey and monumenting of freehold land were ushered in by Legislative Ordinance No. 11 of 1849. This measure was to "... constitute a Municipal Corporation for the City of Adelaide", Section 106 of the Ordinance provided for the widths of streets (including carriageways and footways) to be set out and marked. A plan was required to be prepared and signed by the Mayor and notice of such published in the Government Gazette (Tucker 1984). The Ordinance was silent on the status and qualifications of the person preparing such a plan.

In the 1850's a number of factors led the colonial Government to consider the necessity for the licensing of cadastral surveyors in South Australia. Amongst these causes were a reluctance to increase the surveyor establishment of the Commissioners for Crown Lands and high demand for survey resources.
nected with the issue of leases for pastoral and mineral purposes (Tieline 1981). The outcome was the Licensed Surveyors Act 1859 (South Australia 1859).

Importantly, the Act, through the requirements of Clause 4 that "... Surveys applied to be licensed, for the purposes of this Act, shall submit to an examination by the Surveyor-General...", ensured a reasonable level of competence in a person so licensed. Again, the Act laid the second foundation of professional status of the surveyor in South Australia by the implications of Clause 2 which stated:

"Surveys of the boundaries of runs and surveys of Sections of Waste Lands of the Crown for lease, for mineral purposes, being made by such Licensed Surveyors, shall on verification by the Surveyor-General, be accepted by the Government and adopted in all questions between the Government and the occupiers of any denised land as to the correct boundaries of such runs, or the correct boundaries of such sections...".

The Act was, of course, concerned with the licensing of surveyors for the execution of Crown Land surveys. It remained to the famous Torrens legislation (South Australia 1861) to formalise the role of the Licensed Surveyor in the transfer of title to land parcels. The stage had been set for this function through the developments outlined above for the period 1836-1861 and these had not been lost on Torrens.

Post-Torrens

There is no doubt that Torrens’ legislative efforts culminated in the Real Property Act 1861. This measure repealed former Acts and introduced a number of innovations. The most important from the point of view of cadastral surveying were those incorporated in Clauses 102 and 103. The former provided that:

"Any proprietor subdividing any land under the provisions of this Act, for the purpose of selling the same in allotments as a township, shall deposit with the Registrar-General a map of such township..."

"...and every such map shall be certified as accurate by declaration of a Licensed Surveyor before the Registrar-General or a Justice of the Peace...

Clause 103 gave the Registrar-General discretionary powers to require a certified survey when bringing land under the Act

"The Registrar-General may require the proprietor applying to have any land brought under the provisions of this Act, or desiring to transfer or otherwise to deal with the same, or any part thereof, to deposit at the Registry Office, a map or plan of such land, certified by a Licensed Surveyor..."

However, Licensed Surveyors were not permitted to carry out surveys under the Real Property Act unless they were specially authorised by the Surveyor-General — it was apparently considered that surveying for title to lands required extra skills. The potential importance of this extra qualification was not lost on some surveyors and, by the end of 1863, 20 had been authorised (Tieline 1981).

The legal infrastructure and professional manpower for a South Australian cadastral surveying system was thus established.

Unlike the systems of Continental Europe, in which registration of title had developed from formal "fiscal cadastres" which were built on a solid foundation of geodetically controlled field demarcation of boundaries supported by large the South Australian cadastral system scale maps of high accuracy, the spatial aspect of the Torrens system perforce had to be constructed on field work and mapping deriving from the "running survey" process.

It has been shown in a preceding section of this paper that the original partitioning into Counties, Hundreds and Sections set the fundamental pattern of human activity in South Australia. In addition, the partitioning laid the foundation for the "running survey" system. Surveyor-General Light had intended that sections of Hundreds were to be computed in terms of and set out on the triangulation control net (Butler 1985). This policy was apparently overthrown by the Colonial Commissioners for Crown Lands and Hundreds were set out each extending from the other with their overall design being based on a system of approximate mapping derived from rough triangulation. Hundred boundaries were pegged out, generally at true meridian and at right angles to it. Hundreds were then subdivided into Townships and Hundred boundaries were marked with line pegs and mile posts. Within a Hundred, road boundaries were set out and marked at scent points with pegs and trenches. Finally sections were surveyed as determined by the road pattern. Corners of sections were marked with triangular stakes, trenches dug and direction pegs placed. Although earlier demarcation would have relied on the circumferencer (compass) for angular measurement, by 1880 it had become mandatory for Departmental surveyors to run section boundaries with a 5 inch theodolite. Linear measurement at that time remained in the possession of the 100 link (Gunter) chain (Deputy Department of South Australia 1880). As each Hundred joined on to and extended from another previously surveyed, in the absence of a geodetic control network, the surveys were subject to extensive propagation of positional error. Since the subsequent road and section surveys were internal to the Hundred itself each road and section boundary would be joined to either the Hundred boundary or a previously surveyed road section boundary. Generous limits of misclosure were permitted, e.g. 8 links per mile and 3 minutes of arc in a section containing not less than 6 angles (Survey Department of South Australia 1880).

The principles of the running survey system have been applied by licensed surveyors in South Australia to the subdivision of sections (of Hundreds) that were alienated from the Crown and the re-subdivision that subsequently occurred. The prime role of the licensed surveyor in the subdivision process is to demarcate and define the boundaries of the new lots created by the subdivision or re-subdivision. Since previously surveyed section or lot boundaries (or positions thereof) will coincide with certain boundaries of new lots, a degree of redefinition of boundaries is mandatory for all subdivision. In fact, the redefinition component is the foundation stone of "real property" or "estate" surveying. Redefinition (also termed retracement, re-determination or re-establishment) is a complex process. In essence it involves:

(1) the procurement by "search" of all accessible historic information necessary to locate or relocate original boundaries of the subject land;

(2) the adoption of a "datum" line from a relevant previous survey;

(3) working from this datum, the location by retracement measurement of all evidence relating to the boundaries to be redefined;

(4) a determination in the light of this evidence of the most likely position of the original monuments and boundaries in relation to each other, and;

(5) the depiction of these data on the plan of subdivision.

The outcome of subdivision and re-subdivision in a running survey system is a chain of surveys with a time-frame of up to 150 years. Each subsequent...
survey depends on previous surveys over or adjacent to the subject land, and the location and analysis of boundary evidence relating to the previous work. Whilst the quality of the survey chain will vary with epoch, the legislative control exerted through the current Survey Regulations generally ensures that contemporary surveys are of an individually adequate standard. The system still generates a number of problems and deficiencies. These are explored below.

Problems and Deficiencies in the Existing South Australian Cadastral Surveying System

Smith (1985), in a detailed study, identified a number of problems and deficiencies in three major areas of the cadastral. Firstly he found in the current cadastral survey record system that:

- Redefinition of land parcels depends on carrying out a full record search and obtaining the complete survey history of each parcel and adjoining parcels.
- For users within the Survey Industry the search system is complex, time consuming and expensive.
- Maintenance of the cadastral records system and search facilities is both expensive and difficult. The cost is borne by the public.
- Each new survey adds another plan/record to a proliferation of plans that detail the history of land parcels.
- The cadastral record system becomes progressively more complex and ponderous with time, and thus has an adverse effect on the cost and efficiency of data storage/retrieval, survey searching, and survey examination.
- Proper definition of land parcels depends on the assimilation by the surveyor of all the survey evidence contained in plans and records that form the historical survey record.
- The individual plans that form the historical survey record cannot be easily interrelated thus adding to the deficiencies of the cadastral survey system.
- By an objective measure, the cadastral record and index system is complex and has many deficiencies.

Recognising that the current system is dependent on the recovery of original survey marks to define boundaries, Smith lists the following issues:

- the cadastral framework and redefinition of land parcels rely on the existence or preservation of marks placed in the ground.
- the destruction and disturbance of survey marks is high as a result of subdivision development, road works, construction work associated with underground services, footpath construction, fencing and developments by the land holder. This leads to a breakdown of the cadastral.
- frequently each parcel is repegged a number of times before the initial land transfer, consequently it may be argued that few of the actual survey marks now found are "original monuments".
- the location of "original marks" can be time consuming and costly.
- differences between marks found and original survey data create problems for the surveyor and the survey examiner.
- in many cases it is difficult to verify whether a mark is "original".
- there is no effective means of controlling the destruction or displacement of survey marks.

Conclusion

It is clear from the preceding sections of this paper that the South Australian cadastral system has evolved incrementally over 150 years. Registration of title to land parcels in the Torrens model has, apart from some movement away from simplicity and some problems with indefeasibility, developed into a well accepted and sound system of conveyancing. The same cannot be said for cadastral surveying which is subject to a number of deficiencies. Recognition of this situation led the Department of Lands to commission a feasibility study into a concept of a co-ordinated cadastral survey system for South Australia. The events leading up to the study and the philosophy and methodology adopted will be discussed in a paper to follow.

The views expressed in this paper are those of the authors and do not necessarily reflect the attitudes or policies of the South Australian Department of Lands.

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