

LEX LOCI'S TRAVELS

19 DECEMBER 2016

An ad-hoc one-pager from The Public Land Consultancy

Lex Rolls into Town

Then he Rolls Out Again

It could be Dimboola, or Tallangatta, or Boort or Orbost.

The kids in the back seat just want to stop for an ice-cream, but Lex has other matters on his mind.

As he passes the 60k speed sign, he slows down. Not merely because the law requires him to, but because he can now indulge in his favourite pastime: observing the intricacies of public land law.

Having slowed down, Lex can now count the street lights. And the number of abutting buildings. He has one eye on the odometer, so he can tell when he's travelled 500 metres.

What's going on here? Lex is looking for the point at which responsibility for the roadside transfers from VicRoads to the local municipality.

"Here we are!" he announces. The kids imagine he means the ice cream shop – but no.

"This is the point at which we have buildings or street lights at 100 metre intervals for a distance of 500 metres."

So it's the point at which the Shire of West Wimmera, or Towong, or Loddon, or East Gippsland (as the case may be) becomes responsible for the roadside¹.

There's another nuance, of course. To fully understand the demarcation, we need to distinguish between roadside, roadway, and pathway¹.

Is the distinction important? Just ask the City of Greater Shepparton. A pedestrian there suffered a nasty accident, and Council found itself working through such questions in the Supreme Court².

Anyway, Lex drives on.

At the far end of town is a similarly defined point at which responsibility transfers back to VicRoads.

The kids are unimpressed. But at least they got their double-chocolate Magnums on the way through.



See you there!
Lex Loc

1. Road Management Act 2004, sections 3 and 37
2. Clarke v Greater Shepparton City Council [2016] VSC 542 (8 September 2016)

Left: No, it's not the Locis. It's the Purnim family at Warrnambool. Photo courtesy Warrnambool Standard