



Maddocks

Ref: MAN:MZY:7004257  
Maddocks  
Lawyers  
Collins Square, Tower Two  
Level 25, 727 Collins Street  
MELBOURNE 3000

**Yarra City Council**  
**Proposed discontinuance of road between 5 – 7 Brunswick Street, Fitzroy**

DATE OF INSPECTION: 29/05/2018

PHOTOGRAPHS OF THE ROAD: Attached at end of this report

IS THE ROAD OPEN AND AVAILABLE FOR USE BY THE PUBLIC? Yes ☐ No ☒

WHAT OBSTRUCTIONS ARE OVER OR IN THE ROAD?

Fencing	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Vegetation*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Rubbish	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Services*#	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Other*	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	(# Including fire hydrants/plugs.)				

\* Provide Details:

The section of Road is currently gated at the eastern end, abutting Brunswick Street, this restricts access for the general public. The portion of Road is situated between an old high brick wall along the northern boundary at No.7 Brunswick Street and southern abutting old buildings and car park areas at No.63-75 Victoria Parade and No.5 Brunswick Street. These properties all have exclusive access and usability of the portion of Road.

THE MATERIAL WITH WHICH THE ROAD IS CONSTRUCTED:

<input type="checkbox"/> Nil	<input checked="" type="checkbox"/> Bitumen
<input checked="" type="checkbox"/> Bluestone	<input type="checkbox"/> Other _____

EVIDENCE OF THE ROAD BEING USED:

<input type="checkbox"/> Nil	<input checked="" type="checkbox"/> Gates opening onto the road
<input type="checkbox"/> Tyre marks	<input type="checkbox"/> Garages opening onto the road
<input type="checkbox"/> Worn grass	<input checked="" type="checkbox"/> Cars parking on the portion of Road

TYPE OF TRAFFIC:

<input type="checkbox"/> Pedestrian	<input checked="" type="checkbox"/> Vehicular	<input type="checkbox"/> Animal	<input type="checkbox"/> Nil
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WHAT IS THE ROAD PROVIDING ACCESS TO?

<input checked="" type="checkbox"/> Adjoining properties @	<input type="checkbox"/> Reserve/Park
<input type="checkbox"/> Main Road	<input type="checkbox"/> Shops
<input type="checkbox"/> Other _____	



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@ Specify which properties:

The subject portion of Road is only accessible by the properties at No.5 and No.7 Brunswick Street and the properties at No.63-75 Victoria Parade. All the above-mentioned properties utilise the portion of Road for rear access to their properties.

DETAILS OF OTHER SUITABLE MEANS OF ACCESS NEARBY.

The properties at No.5 and No.7 Brunswick Street both have direct access to Brunswick Street. The properties at No.63-75 Victoria Parade all have direct access to Victoria Parade.

DETAILS OF FENCES, BUILDINGS AND/OR LANDSCAPING PLACED ON OR OVER ANY PORTION OF THE ROAD BY ABUTTING PROPERTY OWNERS, AND THE EXTENT OF SUCH ENCROACHMENT.

There exists no significant encroachment into the portion of Road.

IS THE ROAD REQUIRED FOR PUBLIC ACCESS?

Yes

☐ No



OTHER OBSERVATIONS:

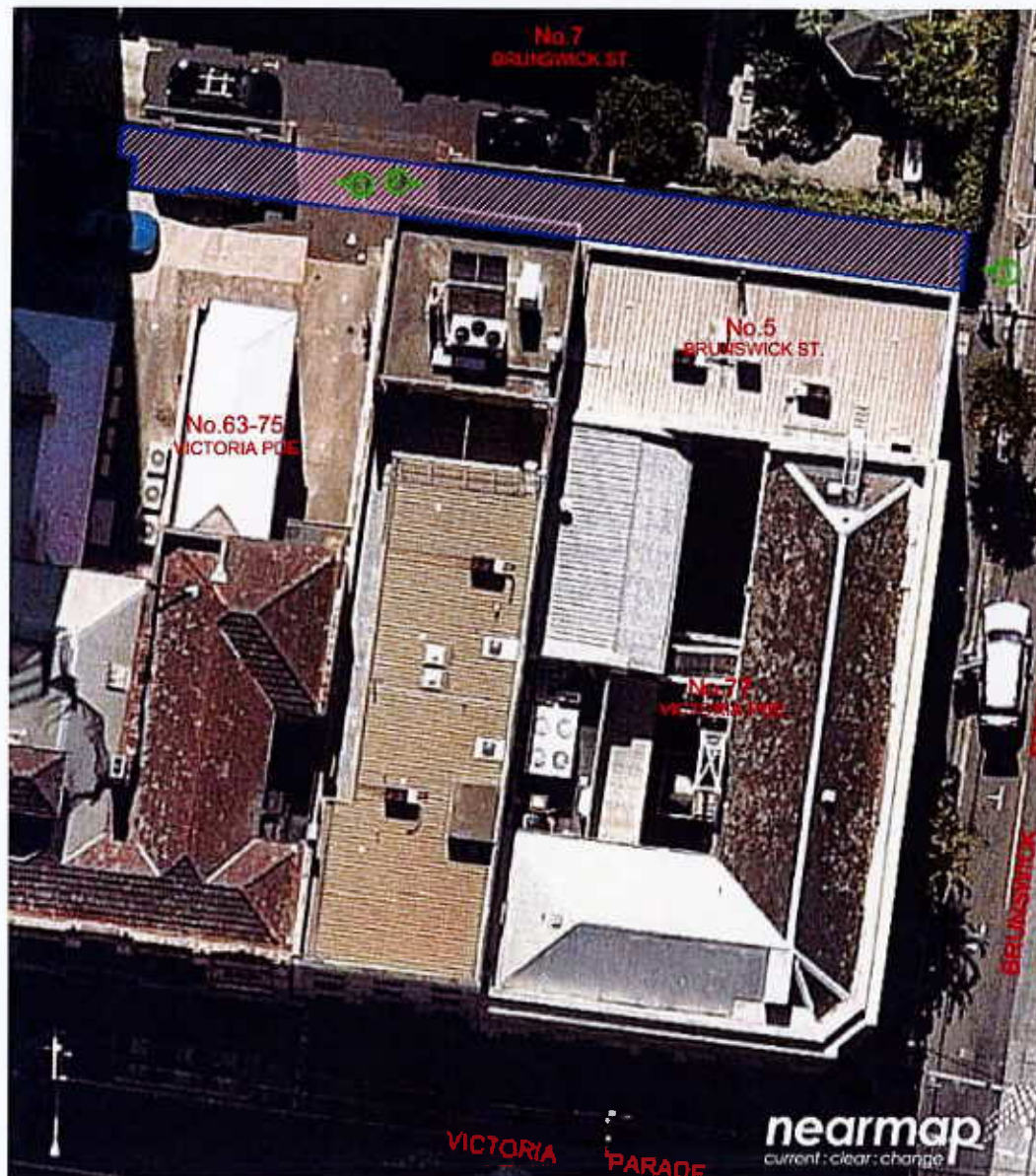
The subject portion of Road is old general law land and is currently not under the operation of the Transfer of Lands Act.

Signed: DEAN LONEY (L.S. Surveyors Board of Vic. Reg. No. 1927) Date: 03/06/2018

Title/Position: Licensed Surveyor Company: DML Land Surveys Pty. Ltd.

ATTACH ADDITIONAL PAGES IF THERE IS NOT ENOUGH SPACE ON THIS FORM

## AERIAL PHOTO & PHOTO POSITIONS



**SUBJECT ROAD FOR PROPOSED DISCONTINUANCE IS SHOWN WITH PINK HATCHING ON ABOVE AERIAL PHOTO. NUMBERED PHOTO POSITIONS SHOWN IN GREEN.**



**PHOTO 1**



**PHOTO 2**



**PHOTO 3**

