



Ref: MAN:JKOZ:8081891

Maddocks
Lawyers
Collins Square, Tower Two
Level 25, 727 Collins Street
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**Yarra City Council
Proposed discontinuance and sale of road abutting 2 Fitzgibbon Street, Cremorne**

DATE OF INSPECTION: 04/07/2019

PHOTOGRAPHS OF THE ROAD: Attached at Annexure A

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

* Provide Details: There are two sheds (one in each backyard) and garden beds with trees. There is also a dividing fence between 49 and 51 Dover Street that does not contain a gate or any means of access between the properties.

THE MATERIAL WITH WHICH THE ROAD IS CONSTRUCTED:

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

EVIDENCE OF THE ROAD BEING USED:

<input checked="" type="checkbox"/> Nil	<input checked="" type="checkbox"/> Gates opening onto the road
Tyre marks	Garages opening onto the road
Worn grass	Other

TYPE OF TRAFFIC:

Pedestrian Vehicular Animal Nil

WHAT IS THE ROAD PROVIDING ACCESS TO?

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

It was an old servicing footway for the properties at 49 and 51 Dover Street.



DETAILS OF OTHER SUITABLE MEANS OF ACCESS NEARBY.

The surrounding properties have access to either Fitzgibbon Street or Dover Street and use this as their main and only form of access.

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.

The fencing along Fitzgibbon Street has been constructed over the entrance to the footway. While there is a gate in this fence, it is locked and only accessible by the owners/occupiers of the property at 49 Dover Street.

The fence between the properties at 49 and 51 Dover Street does not have a gate in it and so 51 Dover Street has not been able to use this footway for access for sometime. There is also a shed sitting on this footway along the common boundary between 49 and 51 Dover Street.

The abutting properties at 2 Fitzgibbon Street and 53 Dover Street do not have any entrances constructed along this walkway and do not seem to have ever used the footway for access.

IS THE ROAD REQUIRED FOR PUBLIC ACCESS? Yes No

OTHER OBSERVATIONS:

Access to the surrounding properties can be achieved via either Dover Street or Fitzgibbon Street. The only property currently using the footway for access is 49 Dover Street.

Signed: _____ Date: 17/12/2020

Title/Position: Joint Managing Director/L.S. Company: Reeds Consulting

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



ANNEXURE A – Photographs



