Contact: Robert McKay Direct line: 03 9691 0244

Email: rmckay@besthooper.com.au

Principal: Robert McKay
Our Ref: RSM:RSM:211505



### 1 October 2021

Vijaya Vaidyanath & George Vass City of Yarra 333 Bridge Road RICHMOND VIC 3121 george.vass@yarracity.gov.au; info@yarracity.vic.gov.au

BY EMAIL ONLY

Dear Vijaya and George

### Submission on Proposed Declaration of Public Highway - Sandeman Place

- We are writing to make objection submissions in response to council's enclosed notice in The Age newspaper issue of 3 September 2021 regarding a proposed public highway declaration under <u>section 204(1)</u> of the *Local Government Act 1989* (Vic) (the **LGA**) over parts of Sandeman Lane, Fitzroy (the **Notice**).
- 2. We act for the following related parties:
  - (a) Owners corporation plan no. RP015268 (the **OC**), the registered proprietor of the common property of 174 178 George Street, Fitzroy;
  - (b) Irene Meletsis, in relation to Unit 1 of 174 178 George Street, Fitzroy, being lot 1 on registered plan of strata subdivision 015628 (the **Plan**);
  - (c) Capital One Securities Pty Ltd, the registered proprietor of:
    - (i) Unit 2 of 174 178 George Street, Fitzroy, being lot 2 on the Plan; and
    - (ii) Unit 3 of 174 178 George Street, Fitzroy, being lot 3 on the Plan;
  - (d) Odel Investments Pty Ltd, the registered proprietor of Unit 4 of 174 178 George Street, Fitzroy, being lot 4 on the Plan.

### **Submissions**

- 3. Our clients' submissions for the purposes of section 223 of the LGA are as follows.
- 4. Our clients oppose the proposed declarations set out in the Notice to the extent that those declarations will affect their rights and interests in an area or portion of the land that our clients have occupied and used since their property or properties was or were acquired by their family in the 1970s (the **Opposed Portion**). At annexure A to this letter we have depicted approximately in yellow fill the Opposed Portion by reference to the Notice's 'Figure A' diagram.

### Historical occupation by the family

- 5. The parents of our clients (or, as applicable, persons or entities related to our clients), Panagiotis Karaglanis and Ekaterini Karaglanis, purchased the original land parcel that was eventually subdivided into the Plan (being the land described in volume 9349 folio 003) in the 1970s. We **enclose** a historical title search of that original land parcel to that effect.
- 6. The Plan was then registered in or in about 1980 and Mr and Mrs Karaglanis transferred the subdivided properties to our clients, or persons controlled by or related to our clients, and the properties have remained within the family since that time.
- Consequently, ownership of our clients' respective properties and exclusive occupation of the Opposed Portion has been continuously maintained by our clients' and their family since Mr and Mrs Karaglanis first purchased the original land parcel (as referred to in paragraph 5) for a period of some 40 – 50 years.

### Diagrams and structures

- 8. We refer to the annotated NearMap satellite image at annexure B to this letter and note the following:
  - (a) The pink squares with text demark each of our clients' (except for the OC) private lots;
  - (b) The brighter of the yellow cadastre lines demarks a common shared accessway between our clients' properties (being, for the most part, the OC's common property) – the easternmost portion of which includes the Opposed Portion;
  - (c) The red circle shows approximately the relevant area affected by the proposed declaration set out in the Notice; and
  - (d) The blue line demarks approximately the location of our clients' wall and gate, a photo of which is at annexure C to this letter (the **Current Dividing Structure**).
- 9. As can be seen by reference to annexures A to C, the Current Dividing Structure encloses the Opposed Portion to the exclusion of the public and bisects the cross-hatched area that is proposed to be declared a road pursuant to '*Proposal A*'.
- Even before the Current Dividing Structure was erected, the Opposing Portion was used exclusively by our clients as a car park to the extent that, if anyone other than our clients (or those authorised by our clients) entered onto the Opposed Portion, it would have been considered a trespass (and this was the basis for erecting the Current Dividing Structure). The Opposed Portion was effectively treated as the common property of the OC and it served the private lot owners of the Plan throughout the course of time for many decades. The Opposing Portion has been considered by our clients as an asset and a fundamental part of their respective properties.

### Road legislation

- 11. <u>Section 5(2)</u> of the *Road Management Act 2004* (Vic) (the **RMA**) provides, in essence, that certain provisions of the LGA including Division 2 of Part 9 of the LGA in which <u>section 204(1)</u> of the LGA appears are to be construed as part of the RMA.
- 12. Council must register a road in its register for which it has made a decision that the road is reasonably required for general public use: <a href="mailto:section 17(3">section 17(3)</a> of the RMA; *Pulitano Pastoral Pty Ltd v Mansfield Shire Council* [2017] VSC 421 at [99].
- 13. A road cannot become a 'public road' (that term is defined in section 17(1)(c) of the RMA to mean a road declared under section 204(1) of the LGA) unless and until a decision is made by council under section 17(3) of the RMA: Anderson v City of Stonnington [2017] VSCA 229 at [182].
- 14. To synthesise and express what we say at paragraphs 12 and 13 in plainer terms, council is obliged to determine that a road it is seeking to declare under section 204(1) of the LGA is reasonably required for general public use.
- 15. Noting what we say between paragraphs 5 to 10, it would be manifestly illogical and unreasonable for council to decide that the Opposed Portion is *reasonably required for general public use* because:
  - (a) the Opposed Portion has not been used by the public for in excess of 40 years, but rather, exclusively by our clients or their relatives and those authorised by them;
  - (b) there is nothing occurring in the vicinity of the Opposed Portion (such as development, planning scheme amendments, or infrastructure changes) that would give rise to the Opposed Portion suddenly becoming reasonably required for general public use such that declaring the Opposed Portion a public highway would achieve the objectives of the RMA or LGA (in fact, we say it would be to the contrary);
  - (c) the Opposed Portion does not provide the general public any more use of Sandeman Lane than the general public already has. That is, declaring the Opposed Portion achieves only a detrimental impact on our clients' possessory rights without there being any corresponding material benefit gained by the general public (i.e. there is a net disadvantage).

### Transfer of Land Act

- 16. Moreover, our clients have a present entitlement to make an application to amend their relevant, respective folios to incorporate the Opposed Portion by way of an application made under <u>section 99(1)</u> and or <u>section 102</u> of the *Transfer of Land Act 1958* (Vic) and it is their intention to now do so without delay.
- 17. For council to now seek to declare the Opposed Portion a public highway may subvert or otherwise interfere with our clients' present entitlement in that regard, which is not a power council has either under the LGA or the RMA (or at all) and we are instructed to resist any such attempt by any and all means available.

### Conclusion

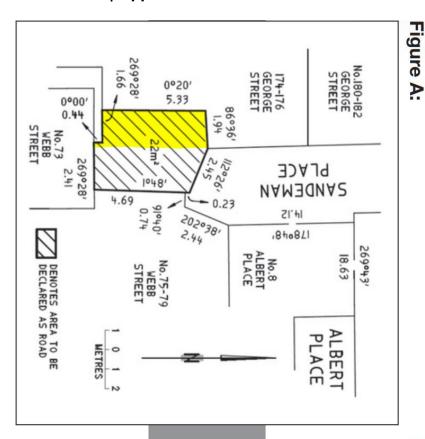
- 18. We would welcome a decision by council to remove the Opposed Portion from its proposal for Sandeman Lane and we respectfully submit that council is required to do so, in any event, at law (for the reasons set out **above**).
- 19. Otherwise, we submit that the proposed declarations as set out in the Notice should be rejected wholesale for the reasons set out **above**.
- 20. We reserve all of our clients' rights, including to expand upon and produce further evidence supporting these submissions in advance of, or at, any meeting conducted by council. In that respect our clients request to be heard at any such meeting, pursuant to <a href="section 223(1)(a)(iv)">section 223(1)(a)(iv)</a> of the LGA.
- 21. Please contact our office should you wish to discuss.

Yours faithfully

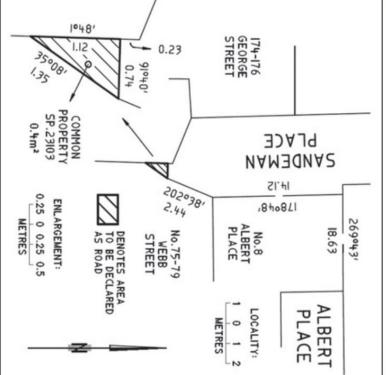
Robert McKay Principal Lawyer

Enc.

## **Annexure A | Opposed Portion**



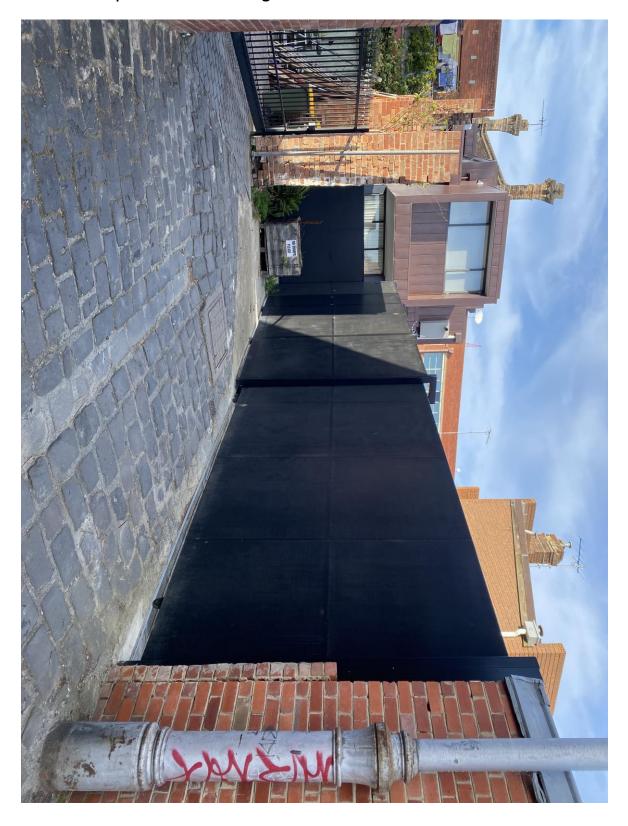




# Annexure B | Annotated NearMap satellite image



# Annexure C | Photo of wall and gate



RACING

TRACK GOOD (4) **BENDIGO SELECTIONS: TIM HABEL** RAIL OUT 9M

STRAIGHT 400m **DAILY DOUBLE** 7 and 9 **EARLY QUADDIE** 2, 3, 4 and 5 **QUADDIE** 6, 7, 8 and 9 **TREBLE** 7, 8 and 9 **BIG6** 4, 5, 6, 7, 8 and 9 **CIRCUMFERENCE** 1994m The Big Screen Company Plate

1	L-12.3	80 Bendigo	Mazda Plate	•	1100	0m			
(3yo & up Maiden SW. Apprentices can claim)  Prizemoney: \$35,000; 1st \$19,250; 2nd \$6300; 3rd \$3150; 4th \$1750; 5th \$1050.									
Ρ		ey: \$35,000; 1st \$19,250; 2nd							
No	Form	Horse	Jockey		Weight		:		
1-		MAGNETIC PRINCE (17)	D Moor	Daniel Bowman		41.00	- 2		
2-	8x3	BIG TIME GIRL (18)	D Lane	M Ellerton & S Zahra		16.00	:		
3-	8x3	FIRE (2)	F W Kersley	M, W & J Hawkes			4		
4-			L Currie	Mark & Levi Kavanagh			į		
5-	2x	IMMINENT RISK (13)	J <u>A</u> llen	D T O'Brien	57		- (		
6-		MIDNIGHT DREAM (3)	J Fry	Shay Keating	5/ 1	26.00	- 7		
7-		PINDARI POINT (9)	D Bates	Archie Alexander					
8- 9-	X265	RED HOT NICC b (15) SERENAUR h (6)	B Allen	P Stokes		11.00			
10-		SPIRIT OF PEPIN (7)	A Kelly (a)	Brent Stanley R Griffiths & M De Kock		26.00 51.00	10		
		JOSEYLIN b (11)		Ben & J D Hayes		4.00	1:		
12-	0.4	TOPEKA (4)	Dean Holland	T & C McEvov		10.00	1:		
12			RGENCIES	I & C IVICEVOY	55	10.00			
13-	x372	STRAD (12)	J Mott	J T Conlan	59.5	21.00	13		
		SWEET HOME ALABAMA (10)				23.00			
			A Bryan (a2)	E W Nichols		71.00	19 10 17 18		
16-	98x3	RAIN BOY (8)	J Hilĺ ` ´	P & P Snowden	57	31.00	- 13		
17-	5	FACE THE JURY (14)	D Thornton	D R Brideoake		31.00	1		
		SIAMESE (16)		Ben & J D Hayes	55	34.00	SE		
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(3yo & up Maiden SW. Apprentices can claim)							
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10.00							

3-		BALSAMIC VINEGAR (9)	J Mott	G Eurell	57.5	10.00
		ROSE CUVEE (13)	C Parish	Kylie Vella	57.5	26.00
5-	442x	ROSE DIOR (16)	Scratched	Gavin Bedggood	57.5	_
		CERBERUS (3)		A & S Freedman		10.00
7-	3	OBFUSCATION (12)	J Childs	M Price & M Kent Jnr	57	2.20
8-	43x3	TREPORTI (7)	B Allen	D T O'Brien	57	5.00
9-		WESTBROOK (4)	Dean Holland	L & T Corstens	57	12.00
10-		CERES MIST (11)	D Stackhouse	Ben & J D Hayes	55	16.00
11-				John McArdle	55	_
12-			F W Kersley	M, W & J Hawkes	55	12.00
		` ÉME	RGENCIES			
13-	4x5	BETTER TOMORROW (18)	C Atkinson	Henry Dwyer	59.5	31.00
14-	534x	LUNCH IN BIARRITZ (6)	J Hill	N A Blackiston	59.5	18.00
15-	5x67	SILVER BOOTS (14)	D Thornton	L & T Corstens	57	14.00
16-	9	LASTAR (5)	L Currie	T & C McEvoy	57	8.00
17-	8	OUR DUKE (1)	J Fry	Shay Keating	57 :	126.00
18-	9x0	AVENEL GREY (8)	P Moloney	Saab Hasan	59.5	126.00
SELI	ECTIONS	3: OBFUSCATION 1, Treporti 2, F	lose Cuvee 3, Last	ar 4		

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	J McNeil	D T O'Brien	56 18.00				
HETTINGER (7) KARATEMISS (11) FORGOT YOU (16)	H Coffey J Childs  Scratched lala 3, Sky Warrior	M D Moroney M Ellerton & S Zahra T Busuttin & N Young	58 51.00 56 26.00				
	(3yo Maiden SW. ey: \$35,000; 1st \$19,250; 2n BALZANDO (2) COUNTRY'S LIGHT (3) GUIDED MUSCLE (13) GUIDED MUSCLE (13) GUILNGI (10) HEZAGEM (1) MAGIC MIKEY (5) MICRO (4) PHERE THE EX (15) SHABALALA (8) SYOU BETCHA WOO (9) COMMANDO DRIFT (14) LULU'S HALO (12) HETTINGER (7) KARATEMISS (11) FORGOT YOU (16)	(3yo Maiden SW. Apprentices can cey: \$35,000; 1st \$19,250; 2nd \$6300; 3rd \$31!  BALZANDO (2) FW Kersley COUNTRY'S LIGHT (3) T Stockdale (a) GUILING (10) N Punch HEZAGEM (1) L Currie MAGIC MIKEY (5) D Bates MICRO (4) D Lane PHERE THE EX (15) D Stackhouse SHABALALA (8) J Allen SKY WARRIOR (6) D Thornton SKY WARRIOR (6) J Thornton SKY WARRIOR (7) J Childs LULU'S HALO (12) HETTINGER (7) J Childs KARATEMISS (11) FORGOT YOU (16) Scratched	(3yo Maiden SW. Apprentices can claim) ey: \$35,000; 1st \$19,250; 2nd \$6300; 3rd \$3150; 4th \$1750; 5 BALZANDO (2) F W Kersley COUNTRY'S LIGHT (3) T Stockdale (a) Tetynan Erudetska GUILING (10) N Punch R Griffiths & M D Moroney GULING (10) N Punch R Griffiths & M D Moroney MAGIC MIKEY (5) D Bates S Foster MIGRO (4) D Lane James Cummings PHERE THE EX (15) S Stackhouse Ben & J D Hayes SKY WARRIOR (6) T Stackhouse Ben & J D Hayes OUD BETCHA WOO (9) Scratched COMMANDO DRIFT (14) J McNeil D T O'Brien EMERGENCIES LULU'S HALO (12) H Coffey Ben & J D Hayes MARTATEMINS (11) MC Ben & J D Hayes M D Moroney M Ben & J D Hayes M D Moroney M M Elleton & S Zahra				

# 1500m (3yo & up Maiden SW. Apprentices can claim) Prizemoney: \$35,000; 1st \$19,250; 2nd \$6300; 3rd \$3150; 4th \$1750; 5th \$1050 0 BOLD TROPIC (3) 4x75 INTERNATIONAL GEM (4) 32x5 MISTA SIZZLE (15) 48x5 MITCHELLS FALLS (1) W Price (a) T Stockdale (a) D Lane Dan O'Sullivan 59.5 101.00 Tetyana Furdetska 59.5 26.00 M Ellerton & S Zahra 59.5 3.50 C W McDonald 59.5 8.00

4-	48X5	WITCHELLS FALLS (1)	Dylan Dunn	C w McDonaid	59.5	8.00
		MOXATATION (13)	D Bates	Nathan Hobson	59.5	6.50
6-	9x2	ADDENDA (2)	C Parish	G Eurell	57.5	5.00
		DJOUNIE (6)		M Ellerton & S Zahra	57.5	6.50
		FAZZABEEL (9)	D Stackhouse	C J Waller		6.50
			Scratched	D T O'Brien		_
10-	4x5	MAN OF HEART b (17)	Scratched	D T O'Brien		_
11-	00	STARK RAVING (11)	L King (a)	L & T Corstens	57	17.00
12-		ROSABEEL (14)	J McNeil	T Busuttin & N Young	55	18.00
			RGENCIES			
13-	7	MOONSHINE FLY h (7)	H Coffey	Joshua Julius	59.5	51.00
14-	86	VIDOMA h (8)	M Lloyd (a)	P A Banks	59.5	51.00
		DUNHILI (12)		R J Besanko	59.5	51.00
		KING OF AVALON (18)		M Ellerton & S Zahra		
			T Hope (a)	Ms D Loos		101.00
18-	0596	STAR OF THE ELMS (10)		Saab Hasan	59.5	51.00
SELE	CTIONS	: ADDENDA 1, Mista Sizzle 2, F	azzabeel 3, Moxata	ation 4		
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# Dot265 Duift Duotootou (DEO)

3-2.30 Det303 Drift	Protector (E	999)	240	וווטל				
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Prizemoney: \$35,000; 1st \$19,250; 2nd	\$6300; 3rd \$315	i0; 4th \$1750; 5	5th \$10	050.				
1- 8642 BRILLIANT VENTURE w (13)	D Thornton	M Ellerton & S Zahra Robert Hickmott		5.00 18.00				
2- 2541 MONGOLIAN PRIDE (9) 3- 2031 VILANCULOS cw (7)	L Riordan J Allen	D T O'Brien	62.5	2.60				
4- 6681 CHOCWEDGE w (1) 5- 1354 DANCING DUCK w (11)	P Moloney M Poy	C Little & M Lindsay Russell Osborne						
6- 5112 FULL KNOTS AHEAD w (5) 7- 0057 PETTICOAT JUNCTION w (4)	C Newitt W Price (a)	Sigrid Carr Amy McDonald	61	11.00 10.00				
8- 8583 <b>DENTE</b> d (8)	D Bates	D S Archard	59	19.00				
9- x906 STAYAWAKÉ w (12) 10- 4352 STAR WATCHER d (3)	J Mott T Bull (a1.5)	Amy McDonald P J Roche	59 57.5	61.00 13.00				
11- 1588 STRAWBERRY TOPPING wh (10) 12- 7797 CITY BY NIGHT w (2)	M Lawrence (a2)	Jarrod Robinson						
EME	Z Lloyd (a3) ERGENCY	J Schmidt	54	61.00				
13- x708 RUZATON dw (6) SELECTIONS: VILANCULOS 1, Brilliant Ventu	C Parish re 2, Dancing Duck							

6	-3.00	Apiam Anim	ial Health (B	64)	110	)0m			
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Pi	rizemon	ey: \$35,000; 1st \$19,250; 2nd	d \$6300; 3rd \$315	50; 4th \$1750; 5	5th \$1	050.			
2- 3- 4- 5- 6- 7- 8- 9- 10- 11-	9x10 0x27 5082 14 x522 65x4 6131 635x 1056 526x	ROLLING MOSS dwn (13) EXCED TYCOON (1) ZOUTONS th (7) BETTER KICK (5) HO HO PRINCE (9) SMILER MARSHALL (8) HAY CLIFFY h (4) NO SHAME cdw (10) BREASLEY (14) NORBU dw (2) CIRCLE OF MAGIC d (12) BELLARINA MAGIC (6)	W Price (a) D Thornton H Coffey Scratched D Moor Z Spain L Currie D Bates		61 60.5 59.5 59.5 59.5 58.5 58.5 57.5 57	4.80 34.00 9.50 34.00			
40	EMERGENCIES								
14-	x081	RAAZOU (11) UNSHACKLED dw (3) S: CIRCLE OF MAGIC 1, Smiler N	Dean Holland <b>Scratched</b> Marshall 2, Ho Ho F	L & T Corstens Luke Oliver Prince 3, Zoutons	64	34.00			

LEGEND: t Won at track. c Won here this distance. d Won this distance on another course.  $\boldsymbol{w}$  Won on rain affected going.  $\boldsymbol{n}$  Won at night.  $\boldsymbol{x}$  Spell of three months.  $\boldsymbol{b}$  Beaten favourite last start. h Home track. D Disqualified. F Fell. P Pulled up. L Lost rider.

## 1100m Catanach's Jewellers (B64)

		(Syo & up benchinark	o4. Apprentices c	an ciaiii)					
Ρt	Prizemoney: \$35,000; 1st \$19,250; 2nd \$6300; 3rd \$3150; 4th \$1750; 5th \$1050.								
		EL FABIO w (9)	M Lawrence (a2)		61	7.50			
2-	512x	MY BOY NICK dbh (10)	L McNeil (a1.5)	J Wicks	61	13.00			
3-	490x	SALTPETER dw (6)	J Childs `	J F Moloney	60	11.00			
4-	15x6	DRY CREEK ROAD dw (11)	J Fry	Ms G Johnstone	59.5	26.00			
5-	7x25	LANI BANG BANG dw (8)	W Égan	Luke Oliver	58.5	4.80			
6-	x513	PAL'S REWARD h (7)	J Noonan	K Hann	58.5	26.00			
7-	4x66	PREDETERMINED (4)	J Allen	L & T Corstens	58	4.40			
8-	x705	ROCKCLIFF w (3)	L Currie	R J Besanko	57.5	19.00			
9-	343x	SAHARA SONG (5)	D Moor	M Ellerton & S Zahra	57	10.00			
10-	x221	VELICINA dw (2)	B Higgins	Matthew Brown	57	15.00			
11-	16x2	VIRTUE (14)	B Allen	P Stokes	57	7.00			
12-	x193	TURNSTAR w (1)	Dean Holland	M, W & J Hawkes	56.5	6.50			
	EMERGENCIES								
13-	9x30	RANSOM TRUST dwh (13)	H Coffey	Joshua Julius	55.5	23.00			
14-	4016	WHOSYOURHOUSEMATE dw (12)	_	Jason Selman	57.5	41.00			
SELE	CTIONS	: LANI BANG BANG 1, Virtue 2,	El Fabio 3, Predete	ermined 4					

### 1600m

Siliai tillie De	iluigo (DO4)
(3vo & un Benchmark 64	Annrentices can claim)

(3yo & up Benchmark 64. Apprentices can claim)							
Prizemoney: \$35,000; 1st \$19,250; 2nd	\$6300; 3rd \$315	0; 4th \$1750; 5	ith \$10	)50.			
1- x357 CAPODANNO d (9) 2- 7x00 LEGENDA dw (12) 3- 3260 BIG BREW dw (4)	J Richards (a1.5) A Lynch L Currie	Shea Eden Jim Cerchi Jnr Mark & Levi Kavanagh	60	5.50 21.00 18.00			
			59	12.00			
6- 6x59 VUNI (3) 7- 65x5 LUCKY PLUTUS w (2)	W Egan H Coffey	Andrew Bobbin	58.5	21.00 12.00			
8- 2109 SILVER LAKE w (1) 9- 2002 THE ENZO d (5)		Nathan Hobson	58	5.50			
10- x153 SAINT TROPEZ w (6) 11- 37x8 LADY DEVEREAUX w (13) 12- 0067 MAKE MINE HENNESSY dn (11)	J Childs	Lloyd Kennewell C W McDonald Saab Hasan		5.50 23.00			
EMERGENCY							
13- 6551 TOFFEE DOLL dw (10) SELECTIONS: MURGANELLA 1, Silver Lake 2		L & T Corstens he Enzo 4	58.5	3.70			

### 1300m 9-4.30 Bendigo Magazine (B64)

(3yo & up Benchmark 64. Apprentices can claim)						
Prizemoney: \$35,000; 1st \$19,250; 2nd \$6300; 3rd \$3150; 4th \$1750; 5th \$10						)50.
2- 3- 4-	8321 1x07 x17x	YELDARB w (1) SPANISH POET tw (13) JIMENEZ dw (6) REQUITED w (12) REVLIS cdw (16) BONJOUR dw (11)	K Quilty (a3) L McNeil (a1.5) J Noonan J McNeil Dean Holland	D J McCarthy P F Maher D J Arnold Amy & Ash Yargi P A Preusker	61.5 61 61	19.00 16.00
7- 8- 9- 10-	4425 127 7033 6610	MARKETING dw (4) ROCKRIBBED b (15) MADAM SUPERIOR n (2) MONA DREAM w (3)	C Newitt J Allen J Maskiell W Price (a)	Ray Matthews C Maher & D Eustace Cornish & Gaskin P Stokes	60 60 59.5 59	23.00 16.00 <b>2.50</b> 21.00 11.00
		TOYZ ON FIRE w (14) HOT IN PARIS t (8)	D Thornton	T & C McEvoy L & T Corstens		5.00
		EME	RGENCIES			
14- 15-	x227	DANNY'S ST DARCI wbn (18) ELUSIVE EXPRESS w (7) JAY GATSBY wb (17)	D Bates D Lane D Stackhouse	Archie Alexander A & S Freedman Ben & J D Hayes	55 59.5	11.00 3.80 9.00
17- 18-	0976 15x7	DUNE FIELD dw (9) HASSLEFREE cdw (5) DANBANA w (10)	A Kelly (a)		59	31.00 34.00 81.00
SELE	CHONS	: YELDARB 1, Revlis 2, Spanish	i Poet 3, Hot in Par	IS 4		

### TAB CHECK

To avoid error, TAB investors should check numbers with the official lists of the fields at TAB agencies. Lists published in newspapers are not official.

## **PRIVATE SECURITY** BUSINESS **REGISTRATION**

obal Security Australia Pty Ltd 34A Access Way, Carrum Wictoria 3201, has made plication by the Lecrosing of the Company of th

particulars of their claims to **STATE TRUSTEES LIMITED** ABN 68 064 593 148, of 1 McNab Avenue, Footscray Victoria 3011, 4 593 148, of 1 Ne. Footscray Victoria sonal representative.

5 November 2021

HOSKING Clive Robert, late of Springtime Sydenham 41 Manchester Dr SYDENHAM VIC 3037, deceased, who died on 19 June 2021.

AEZ Demetrio, late of stgate Aged Care 4 - 10 iam St NEWPORT VIC 3015, eased, who died on 13 ruary 2021.

LLEY John Owen, late of cwacare John Atchison Centre -318 Derrimut Rd HOPPERS OSSING VIC 3029, deceased, o died on 29 May 2021.

**27 August 2021** NATAGE A038

# PACKAGED LIQUOR LICENCE APPLICATION

We. DOWNTOWN GROCERY TWO PTY LTD, applied to the Victorian Commission for Gambling and Liquor Regulation on 31 August 2021 for the grant of a packaged liquor licence with remote checkout approval at 810 Glenferrie Road, Hawthorn.

It would detract from, or be detrimental to, the amenity of the area in which the premises are situated, and/or

 It would be conducive to or encourage the misuse or abuse of An objection must state the reasons for the objection.

All objections are treated as public documents. Objections must be made in writing to –

Victorian Commission for Gambling and Liquor Regulation GPO Box 1988 Melbourne VIC 3001

Objections must be made no later than 30 days after the date of this

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064, 593 148, of 1 McNab 064 593 148, of 11 McNap Avenue, Footscray, Victoria 3011, the personal representative on or before 8 November 2021, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

ALCOCK, Wilfred John, late of Estia Aged Care, 41-47 Victoria Street, Ironbark, Victoria 3550, Retired, deceased who died on 10 January 2021.

Control of the contro

Room 93, Estia Health, Brooklyn Road, Melton Victoria 3338, Retired, d who died on 5 May 2021. LARKIN, Joan Alison, late of Regis Ontario, 382-404 Ontario Avenue, Mildura, Victoria 3500, deceased who died on 17 February 2021.

RENSCH, Yoke Hin, late of 36 Yeats Dr DELAHEY VIC 3037, Retired, deceased who died on 19 April 2021. April 2021.

ROLLO, Barbara Joan, late of 26 Palm Tree Drive, Safety Beach, Victoria 3936, Retired, deceased who died on 14 June 2021.

ZYEKAN, Laico, late of Unit 30, 221 Southern Road, Heidelberg Heights, Victoria 3081, deceased who died on 27 December 2020.

Dated 30 August 2021

## NOTICE OF AN APPLICATION FOR A PLANNING PERMIT

4-2.00

The land affected by the application is located at: 4 Regina Terrace DONCASTER EAST

The application is for a permit to:

1. Construction of a new two-storey dwelling to the rear of the existing dwelling

2. Variation of Restrictive Covenant L016378M (which requires construction of exterior walls to be substantially in brick or brick veneer) to allow for construction of rendered Hebel panels. The applicant for the permit is; Fredman Malina Planning Pty Ltd

The application reference number is: PLN21/0230

You may look at the application and any documents that support the application at the office of the Responsible Authority: Manningham Council 699 Doncaster Road, Doncaster This can be done during office hours and is free of charge.

Or online at <a href="www.manningham.vic.gov.au/planning-applications-portal">www.manningham.vic.gov.au/planning-applications-portal</a> Please contact the Statutory Planning Unit on 9840 9471 for any further information on this application.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must:

• be made to the responsible authority in writing;
• include the reasons for the objection; and
• state how the objector would be affected.

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

The responsible authority will not decide on the application before: 17 September 2021

If you object, the responsible authority will tell you its decision. If you have recently sold your property, or are in the process of selling your property, please make the new owner or any prospective purchaser aware of this notice.

### Land Acquisition and Compensation Act 1986 FORM 7

S. 21(a) Reg. 16 Reg. 16

Notice of Acquisition
Compulsory Acquisition of interest in Land
Head., Transport for Victoria declares that by this notice it acquires the
following interest in part of the land described in Crown Allotment 21
Section 1 Parish of Conewarre, Certificate of Title Volume 094/4 Folio
Comprising a total area of 2.567 hectares and shown as Parcel 100
of Survey Plan SP24/298 and Parcel 120 on Survey Plan SP24/298 (1986)

Interest Acquired: All interests in the land including that of the:
Registered Proprietor: Armstrong Creek Industrial No. 2 Pty Ltd
(ACN 125 239 036): and Mortgage: Research Armstrong Creek Industrial No. 2 Pty Ltd Mortgage: Research Armstrong Creek Industrial No. 2 Pty Ltd Mortgage: Research Armstrong Creek Industrial No. 2 Pty Ltd Mortgage: Research Armstrong Creek Industrial No. 2 Pty Ltd (ACN) 4479 (2085)
Published with the authority of Head, Transport for Victoria For and on behalf of Head, Transport for Victoria Signed PETA OLIVE Name Peta Olive

Director, Land Acquisition Transport Property Dated 7 June 2021

### Land Acquisition and Compensation Act 1986

FORM 7

S. 21(a) Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land
Head, Transport for Victoria declares that by this notice it acquires the following interest in part of the land described in Lot C on Plan of Subdivision 730,561N. Certificate of Title Volume 11626 Folio 677, comprising 1400 hectares and short of the land certificate of 1164 Volume 11626 Folio 677, comprising 1400 hectares and short of the land including that of the Interest Acquired: All interests in the land including that of the:
Registered Proprietor: Barwon Rise Pty Ltd (ACN 142 004 653)
Published with the authority of Head, Transport for Victoria
Signed PETA OLIVE
Name Peta Olive

Director 1 and 1

Director, Land Acquisition Transport Property Dated 7 June 2021

## Land Acquisition and Compensation Act 1986

FORM 7

S. 21(a) Reg. 16

Compulsory Acquisition of Interest in Land Head, Transport for Victoria declares that by this notice it acquires the following interest in part of the land described in Lot 1 on Title Plan 015565D, Certificate of Title Volume 10493 Folio 912, comprising 515 square netres and shown as Parcel 49 on Survey Plan SP24236 (the Land)

metres and shown as Parcel 49 on Survey Plan SP24296 (the land) metres and shown as Parcel 49 on Survey Plan SP24296 (the land) metres Acquired: All interests in the land including that of the:

Registered Proprietor: Hublet Capitol Pty Ltd (ACN 638 041 308)

Published with the authority of Head, Transport for Victoria
For and on behalf of Head, Transport for Victoria
Signed PETA OLIVE

Name Peta Olive

Mane Peta Olive

Director, Land Acquisition Transport Property Dated 7 June 2021

# YARRA CITY COUNCIL PROPOSED PUBLIC HIGHWAY DECLARATION

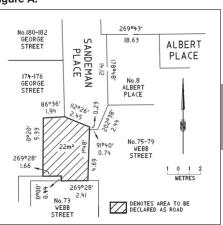
PUBLIC NOTICE INVITING SUBMISSIONS UNDER SECTION 223

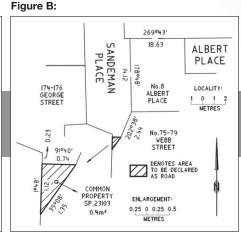
Yarra City Council (Council) gives notice under section 204(1) of the Local Government Act 1989 (Act) that it proposes to declare the following parcels of land abutting Sandeman Place, Fitzroy, to be public highways:

(a) the 'hiatus land' not contained in any certificate of title, shown hatched on the plan at Figure A below (Proposal A); and

(b) part of the common property on registered plan of strata subdivision no. SP023103J at . 75-79 Webb Street, Fitzroy being part of the land contained in certificate of title volume 12137 folio 050, shown hatched on the plan at Figure B below (Proposal B).

## Figure A:





make a submission on either Proposal A or Proposal B, or on both Proposals

Any person wishing to make a submission under section 223 of the Act must do so in writing by 1 October 2021.

All submissions will be considered in accordance with section 223 of the Act. Submissions should be addressed to the Chief Executive Officer and described as 'Submission on Proposed Declaration of Public Highway - Sandeman Place', and can be hand delivered to Council's Municipal Office at 333 Bridge Road, Richmond 3121 or posted to the following address:

Vijaya Vaidyanath Chief Executive Officer, Yarra City Council PO Box 168 **RICHMOND VIC 3121** 

Any person requesting to be heard in support of his or her submission is entitled to be heard before Council (or its committee established by Council for this purpose) or be represented by a person acting on his or her behalf, and will be notified of the time and date of the hearing.

For more information on the proposal, please contact George Vass on 03 9205 5097 or George.Vass@yarracity.vic.gov.au.

Vijaya Vaidyanath

Chief Executive Officer, Yarra City Council

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ORIGINAL

NOT TO BE TAKEN FROM THE OFFICE OF TITLES

FOL

VOL

AFFECTS LAND HEREIN PLAN 7/30958

STREET

GEORGE

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WEBB



9349 FOL. 003

UNDER THE "TRANSFER OF LAND ACT"

PANAGIOTIS KARAGLANIS Labourer and EKATERINI KARAGLANIS Married Woman both of 97 Gore Street Fitzroy are JOINT PROPRIETORS of an estate in fee -simple subject to the encumbrances notified hereunder in all that piece ofland in the Parish of Jika Jika County of Bourke being the land in Plan of-Consolidation No. 108866 which land is shown enclosed by continuous lines on the map hereon

Issued pursuant to Section 97A (2) of the Transfer of Land Act 1958

VICTORIA

Assistant Registrar of Titles

ENCUMBRANCES REFERRED

16-61 m

Derived from Vols.8497 Fols.089

9254 382

9th | mber 1979

This document provides an image of a cancelled folio of the Register. It is not a statement from the register of subsisting information in relation to the land to which it refers.

WARNING

MEASUREMENTS ARE IN METRES

STREET

MORTGAGE

to H.G. & R. NOMINEES

QUIMITED and COLIN HENRY

KEON-CONEMA

27th November 1979



GAGE to FRANCIS ALEXANDER

McMANUS and BERNARD JAMES AHERN

Registered 4th June 1980

No.J14071



# MICHIED

Units oneto 6 in Vol 9387 Folios 779

Vol 9387 61. 784

Resp.

Registered Plan No.

3rd September 1980

J130958





