



Mackie Surveying

8th January 2025

Maribyrnong City Council
PO Box 58,
West Footscray, VIC, 3012

CITY OF MARIBYRNONG
ADVERTISED MATERIAL

Attention: John Pham

Dear John,

**REMOVAL OF EASEMENT
48 BLANDFORD STREET, WEST FOOTSCRAY
OUR REF: 3609
SPEAR REFERENCE: S234890V**

I write in response to your Request for Further Information dated 13th November 2024.

I will respond to the 7 items outlined in your RFI below.

(a) Details of the easement - origin, purpose and beneficiaries

We are applying to remove the portion of Drainage and Sewerage Easement labelled BL on LP 14507 that runs through Lot 3, addressed 48 Blandford St, West Footscray.

The easement was created on LP 14507. It is also documented on the modernised Title diagram TP 485300R.

Although we believe there are no assets in the portion of easement in question, we understand that technically, an easement created on an LP such as this is in favour of 'Lots on the LP' which in this case would be all lots on LP 14507. However in a practical sense, it will not be all of the Lots within LP 14507 that could drain through this easement, obviously depending on slope etc. We would assume that the potential 'practical' beneficiaries of the easements would be Lots 1 to 12.

(b) Explanation and justification for the removal of the easement

Our client has informed us that there are no assets within the portion of Drainage and Sewerage Easement that encumbers the subject land.

Attached are emails from Greater Western Water and Maribyrnong City Council stating there are no assets within the relevant portion of easement and that they would not object to the removal. Also included in this is an asset plot from Greater Western Water.

Dial Before You Dig information also appears to indicate that lots 1 to 12 on LP14507 drain to the abutting streets.

(c) Potential impact of the removal on affected persons and beneficiaries

As there are no Council drainage or GWW sewer assets within the easement to be removed, we can not see an impact to the legal beneficiaries of the easement, the lots on LP 14507.

(d) Evidence that the easement does not contain any infrastructure relating to its purpose.

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Also included in this is an asset plot from Greater Western Water.

(e) Evidence / statement that the easement does not contain any private infrastructure and it's unoccupied or redundant.

Council Infrastructure and GWW are happy for the easement to be removed. Can we discuss what other evidence you may be looking for?

(f) Copy of all relevant Titles and Title Plans

A copy of the Title for the subject site is on Spear. The original Title diagram, LP 14507 has also been uploaded. This was the Title diagram before the updated TP 485300R.

(g) Copy of all relevant plans from Dial Before You Dig

Dial Before You Dig information has been uploaded to Spear.

If you have any queries regarding the survey, please do not hesitate to contact me at luke@mackiesurveying.com.

Yours faithfully,

Luke Mackie
Licensed Surveyor
Mackie Surveying Pty Ltd



Matthew Pope <mpope@mackiesurveying.com>

RE: 3609 - 48 Blandford St, West Footscray

1 message

[REDACTED]

Hi Mathew,

CITY OF MARIBYRNONG
ADVERTISED MATERIAL

Thank you for your email, I can confirm the easement in question has no GWW assets, please see attached asset plot for your reference.

Please don't hesitate to reach out if you require any further information.

Thanks

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

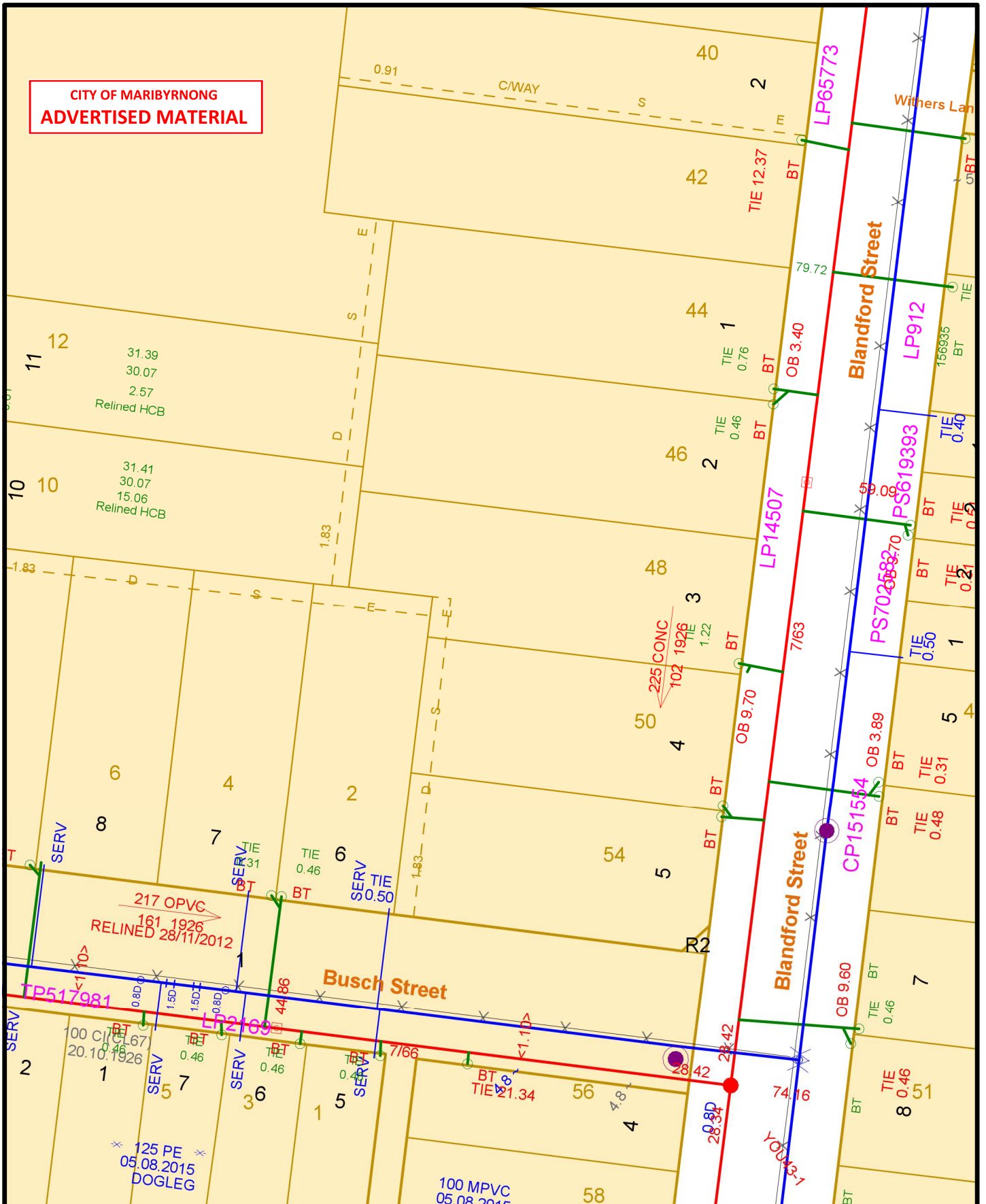
This Message Is From an External Sender

This message came from outside your organization.
Please click the Report Suspicious button if you weren't expecting this email or think it may be malicious.

[Report Suspicious](#)

Hi,

**CITY OF MARIBYRNONG
ADVERTISED MATERIAL**



48 Blandford St, West Footscray



NOTES :

Compiled by:

Melway Reference: 41H3

Date:

22/7/2024



Scale: 1:500

Assets labelled AC may contain asbestos material and therefore works on these assets must be undertaken in accordance with OHS Regulations 2017 (Part 4.4).

Disclaimer: The location of assets must be proved in the field by the applicant prior to the commencement of work. These plans do not indicate private services. Greater Western Water Corporation does not guarantee and makes no representation or warranty as to the accuracy or scale of this plan. This Corporation accepts no liability for any loss, damage or injury by any person as a result of any inaccuracy in this plan.



Matthew Pope <mpope@mackiesurveying.com>

RE: 3609 - 48 Blandford St, West Footscray

1 message



Hi Matthew,

Upon the review of Council's GIS system, the easement on the south-western corner of the property doesn't contain any drainage asset and therefore removal of easement is possible subject to GWW approval on removal.

Vathana Mathivannan, Development Engineer, Engineering Services**CITY OF MARIBYRNONG
ADVERTISED MATERIAL****From:** John Pham <John.Pham@maribyrnong.vic.gov.au>**Sent:** Tuesday, 23 July 2024 11:06 AM**To:** mpope@mackiesurveying.com**Cc:** Vathana Mathivannan <Vathana.Mathivannan@maribyrnong.vic.gov.au>**Subject:** FW: 3609 - 48 Blandford St, West Footscray

Good morning Matthew,

Thank you for your email.

Your email has been forwarded onto our Engineering Development Department. They will look into your request and will respond to you in due course.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 06168 FOLIO 514

Security no : 124115552134H
Produced 04/06/2024 07:40 PM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 014507.
PARENT TITLE Volume 06147 Folio 376
Created by instrument 1654886 29/11/1937

**CITY OF MARIBYRNONG
ADVERTISED MATERIAL**

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
TIMOTHY JOHN PETERSON
CATHERINE SATZKE both of 48 BLANDFORD STREET WEST FOOTSCRAY VIC 3012
AJ729106U 18/06/2012

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AJ729107S 18/06/2012
CITIGROUP PTY LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP485300R FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 48 BLANDFORD STREET WEST FOOTSCRAY VIC 3012

DOCUMENT END

TITLE PLAN	EDITION 1	TP 485300R								
Location of Land Parish : CUT PAW PAW Township : - Section : - Crown Allotment : - Crown Portion : 16 (PT) Last Plan Reference : LOT 3 ON LP 14507 Derived From : VOL. 6168 FOL. 514 Depth Limitation : NIL		Notations <div style="border: 2px solid red; padding: 10px; text-align: center; color: red; font-weight: bold; margin: 10px 0;"> CITY OF MARIBYRNONG ADVERTISED MATERIAL </div> <p style="font-size: small; text-align: center;">ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>								
Description of Land/ Easement Information <p style="text-align: center;">Together with a right to use the land ---</p> <p>colored yellow on the said map for party wall purposes - - - - -</p> <p>ENCUMBRANCES</p> <p>As to the land colored blue ---</p> <p>THE EASEMENTS (if any) existing over the same by virtue of Section 212 of the Transfer of Land -- Act 1928 - - - - -</p> <p>As to the land colored green ---</p> <p>THE PARTY WALL EASEMENT reserved by Instrument of Transfer No.1654886 in the Register Book</p>		<p>THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES</p> <p>COMPILED: Date 17/10/07</p> <p>VERIFIED: A. DALLAS <i>Assistant Registrar of Titles</i></p> <p style="text-align: center; font-weight: bold; margin-top: 10px;">COLOUR CODE</p> <table style="width: 100%; font-size: small;"> <tr> <td>BL=BLUE</td> <td>G=GREEN</td> </tr> <tr> <td>BR=BROWN</td> <td>P=PURPLE</td> </tr> <tr> <td>Y=YELLOW</td> <td>R=RED</td> </tr> <tr> <td>H=HATCH</td> <td>CH=CROSS HATCH</td> </tr> </table>	BL=BLUE	G=GREEN	BR=BROWN	P=PURPLE	Y=YELLOW	R=RED	H=HATCH	CH=CROSS HATCH
BL=BLUE	G=GREEN									
BR=BROWN	P=PURPLE									
Y=YELLOW	R=RED									
H=HATCH	CH=CROSS HATCH									
LENGTHS ARE IN FEET AND INCHES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 Sheets								

WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.

LP 14507
EDITION 2
PLAN MAY BE LODGED 23-11-1937

APPROPRIATIONS

THE LAND COLOURED BLUE IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE AND SEWERAGE
THE LAND COLOURED PURPLE IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE
THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR ROADS

COLOUR CODE

BL=BLUE G=GREEN
R1 & R2=BROWN P=PURPLE
Y=YELLOW R=RED
H=HATCH CH=CROSS HATCH

PLAN OF SUBDIVISION
PART OF CROWN PORTION 16
PARISH OF CUT PAW PAW

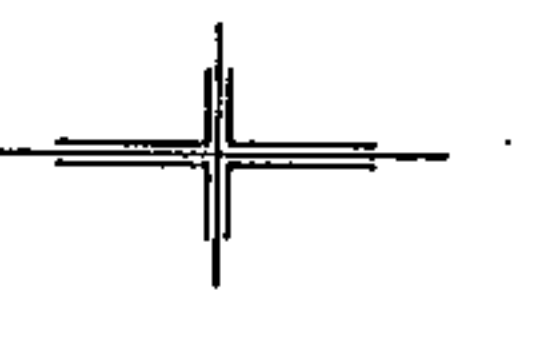
COUNTY OF BOURKE

LIST OF MODIFICATIONS			
LAND	MODIFICATION	DEALING No:	NEW EDN.
ROAD	EXCISED	D 325631 SEE LGD 182 (SEC. 528)	AD 1
ROAD R1	EASEMENTS ENHANCED		AD 2

ENCUMBRANCES
THE ROAD R1 IS ENCUMBERED BY ANY EASEMENTS AFFECTING THE SAME

VOL.6147 FOL.376
Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES

APPN 8419 SEC. 233



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