
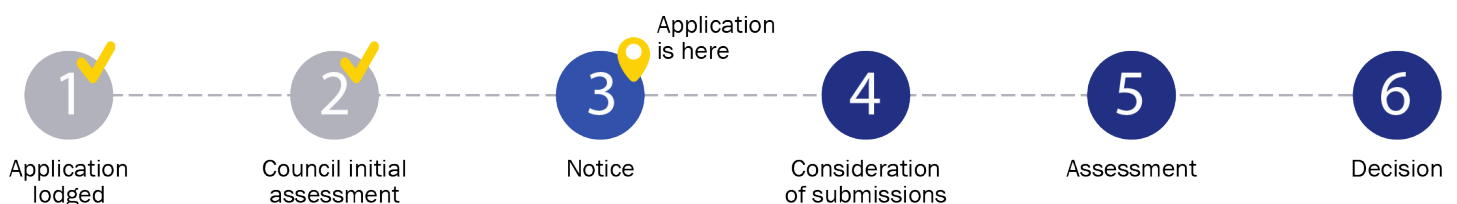


Notice of Application for a Planning Permit

The land affected by the application is located at:	L2 PS801876 418 Paternoster Road, Mount Burnett VIC 3781	
The application is for a permit to:	Creation of a carriageway easement	
A permit is required under the following clauses of the planning scheme:		
52.02	To proceed under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant	
APPLICATION DETAILS		
The applicant for the permit is:	Millar Merrigan	
Application number:	T260117	
<p>You may look at the application and any documents that support the application at the office of the Responsible Authority:</p> <p>Cardinia Shire Council, 20 Siding Avenue, Officer 3809.</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.</p>		
HOW CAN I MAKE A SUBMISSION?		
<p>This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:</p>		19 May 2026
<p>WHAT ARE MY OPTIONS?</p> <p>Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.</p> <p>If you object, the Responsible Authority will notify you of the decision when it is issued.</p>	<p>An objection must:</p> <ul style="list-style-type: none"> • be made to the Responsible Authority in writing; • include the reasons for the objection; and • state how the objector would be affected. 	<p>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.</p>




ADVERTISED MATERIAL
Planning Application: T260117
Date Prepared: 30 April 2026

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Application Summary

Portal Reference A12662XL

Basic Information

Proposed Use This is an application for carriageway easement over Lot 2 PS801876Q in favour of Lot 2 PS610489M (Vol 11077 Fol 052), which is the Mount Burnett Observatory. Driveway already exists and was constructed after permit was issued in 2013

Current Use 4 bedroom dwelling, as well as land for grazing

Site Address 418 Paternoster Road Mount Burnett 3781

Covenant Disclaimer

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope? **No such encumbrances are breached**

Note: During the application process you may be required to provide more information in relation to any encumbrances.


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 Planning Application: T260117
 Date Prepared: 30 April 2026

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Contacts

Type	Name	Address	Contact Details
Applicant	Millar Merrigan	2/126 Merrindale Drive, Croydon South VIC 3136	
Owner			
Preferred Contact	Millar Merrigan	2/126 Merrindale Drive, Croydon South VIC 3136	

Fees

Regulation Fee Condition

	Amount	Modifier	Payable
9 - Class 21 To: create, vary or remove a restriction within the meaning of the Subdivision Act 1988; or create or remove a right of way; or create, vary or remove an easement other than a right of way; or vary or remove a condition in the nature of an easement (other than right of way) in a Crown grant.	\$1,496.10	100%	\$1,496.10

Total \$1,496.10



Civic Centre
20 Siding Avenue, Officer, Victoria

Council's Operations Centre (Depot)
Purton Road, Pakenham, Victoria

Postal Address
Cardinia Shire Council
P.O. Box 7, Pakenham VC, 3810

Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am–
5pm

Phone: 1300 787 624

After Hours: 1300 787 624

Fax: 03 5941 3784

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit

Lodged By

Site User	██████████ Millar Merrigan	2/126 Merrindale Drive, Croydon South VIC 3136	██████████
Submission Date	02 March 2026 - 12:13:PM		

Declaration

By ticking this checkbox, I, ██████████ declare that all the information in this application is true and correct; and the Applicant and/or Owner (if not myself) has been notified of the application.



Civic Centre
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Purton Road, Pakenham, Victoria



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Phone: 1300 787 624

After Hours: 1300 787 624
Fax: 03 5941 3784

Application Summary

Portal Reference	D22625K0
Reference No	T260117

Basic Information

Cost of Works	\$0
Site Address	418 Paternoster Road Mount Burnett VIC 3781



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 Planning Application: T260117
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Covenant Disclaimer



Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?	No such encumbrances are breached
<input type="checkbox"/> Note: During the application process you may be required to provide more information in relation to any encumbrances.	

Documents Uploaded

Date	Type	Filename
16-04-2026	Additional Document	260220 Title 11853-833 LS.pdf
16-04-2026	Additional Document	260220 Title 11077-052 LS.pdf
16-04-2026	Additional Document	33848EM1_V2.pdf

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit

Lodged By

Site User	 Millar Merrigan	2/126 Merrindale Drive, Croydon South VIC 3136	
Submission Date	16 April 2026 - 02:11:PM		

Declaration

By ticking this checkbox, I,  declare that all the information in this application is true and correct; and the Applicant and/or Owner (if not myself) has been notified of the application.



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20 Siding Avenue, Officer, Victoria

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After Hours: 1300 787 624
Fax: 03 5941 3784

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

VOLUME 11853 FOLIO 833

Security no : 124132328028Q
Produced 20/02/2026 08:21 AM

LAND DESCRIPTION

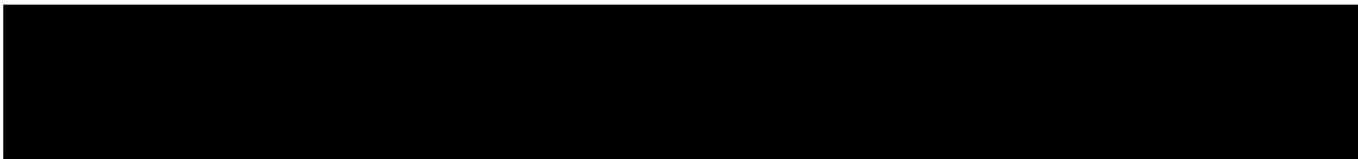
Lot 2 on Plan of Subdivision 801876Q.

PARENT TITLES :

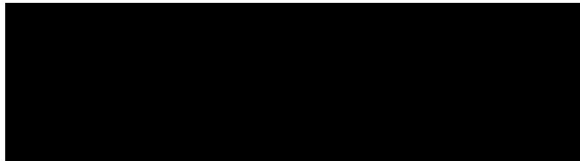
Volume 08459 Folio 697 Volume 10300 Folio 738

Created by instrument PS801876Q 13/02/2017

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES



COVENANT PS801876Q 13/02/2017

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS801876Q 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: 418 PATERNOSTER ROAD MOUNT BURNETT VIC 3781

ADMINISTRATIVE NOTICES

NIL



DOCUMENT END


ADVERTISED MATERIAL
Planning Application: T260117
Date Prepared: 30 April 2026

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Document Type	Plan
Document Identification	PS801876Q
Number of Pages (excluding this cover sheet)	2
Document Assembled	20/02/2026 08:21

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<h1>PLAN OF SUBDIVISION</h1>	EDITION 1	<h1>PS801876Q</h1>
------------------------------	-----------	--------------------

<p>LOCATION OF LAND</p> <p>PARISH: GEMBROOK</p> <p>CROWN ALLOTMENT: 97 (PART)</p> <p>TITLE REFERENCE: VOL.8459 FOL.697 VOL.10300 FOL.738</p> <p>LAST PLAN REFERENCE: LOT 1 ON TP412726R LOT 1 ON TP79132B</p> <p>POSTAL ADDRESS: 408 & 418 PATERNOSTER ROAD, (at time of subdivision) MOUNT BURNETT 3781</p> <p>MGA CO-ORDINATES (at approx centre of land in plan) E: 367 590 ZONE: 55 N: 5796 300 GDA 94</p>	<p>Council Name: Cardinia Shire Council</p> <p>Council Reference Number: S16/154 Planning Permit Reference: T150586 SPEAR Reference Number: S089183J</p> <p>Certification</p> <p>This plan is certified under section 6 of the Subdivision Act 1988</p> <p>Statement of Compliance</p> <p>This is a statement of compliance issued under section 21 of the Subdivision Act 1988</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 Has not been made at Certification</p> <p>Digitally signed by: Simone Norbury for Cardinia Shire Council on 29/09/2016</p>
--	---

VESTING OF ROADS AND/OR RESERVES	NOTATIONS
---	------------------

IDENTIFIER	COUNCIL/BODY/PERSON	
NIL	NIL	<p><u>OTHER PURPOSE OF PLAN:</u></p> <p><u>CREATION OF RESTRICTION</u> The following restriction is to be created upon registration of this plan: Land to benefit: Lots 1 & 2 Land to be burdened: Lots 1 & 2</p> <p><u>DESCRIPTION OF RESTRICTION</u> The registered proprietor of the land to be burdened shall not remove, destroy or lop any native trees for the creation or maintenance of a boundary fence between Lots 1 & 2 on this plan, without the written consent of the Responsible Authority.</p>
NOTATIONS		
DEPTH LIMITATION 15.24m APPLIES		
<p>SURVEY: This plan is based on survey</p> <p>STAGING This is not a staged subdivision.</p> <p>Planning Permit No. T150586</p> <p>This survey has been connected to permanent marks No(s). 100, 124</p> <p>In Proclaimed Survey Area No. ---</p>		

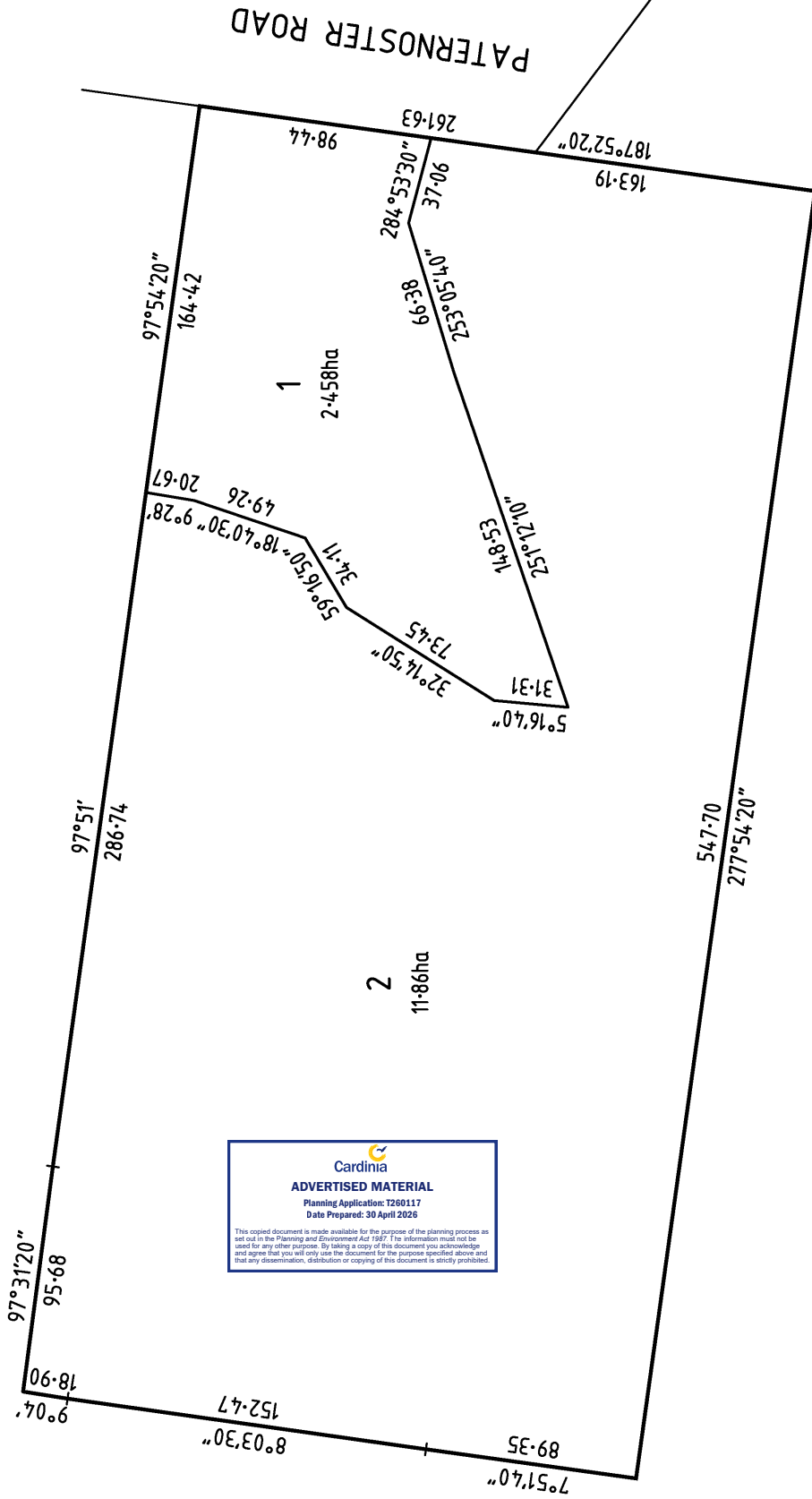
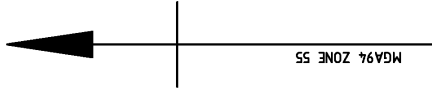
EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
				<div style="border: 2px solid blue; padding: 10px; width: fit-content; margin: auto;"> <p style="text-align: center;">Cardinia</p> <p style="text-align: center;">ADVERTISED MATERIAL</p> <p style="text-align: center;">Planning Application: T260117 Date Prepared: 30 April 2026</p> <p style="font-size: small; text-align: center;">This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.</p> </div>

<p>Miller Merrigan</p> <p>Land Development Consultants</p> <p>M(03) 8720 9500 R (03) 5134 8811 www.millermerrigan.com.au survey@millermerrigan.com.au SAI GLOBAL Quality ISO 9001</p>	<p>SURVEYOR'S REF: 19140S1 17/05/2016</p> <p>Digitally signed by: Leah Simmons (Miller and Merrigan Pty Ltd), Surveyor's Plan Version (1), 25/07/2016</p>	<p>ORIGINAL SHEET SIZE: A3</p>	<p>SHEET 1 OF 2</p> <p>PLAN REGISTERED TIME: 5:21 PM DATE: 13/02/17 L. White Assistant Registrar of Titles</p>
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PS801876Q




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 Planning Application: T260117
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SCALE 1:2000	20 0 20 40 60 80 LENGTHS ARE IN METRES
ORIGINAL SHEET SIZE: A3	SHEET 2

SURVEYOR'S REF: 19140S1 17/05/2016

Digitally signed by: Leath Simmons (Millar and Merrigan Pty Ltd),
 Surveyor's Plan Version (1),
 25/07/2016

Digitally signed by: Cardinia Shire Council,
 29/09/2016,
 SPEAR Ref: S089183J

Millar | Merrigan

Land Development Consultants
 Millar & Merrigan Pty Ltd ACN 005 541 688
 Metro 2/125 Mennadie Drive, Croydon 3136
 Regional 156 Commercial Road, Morwell 3840
 Mail PO Box 247 Croydon, Victoria 3136

M(03) 8720 8500 R (03) 5134 8811
 www.millarmerrigan.com.au
 survey@millarmerrigan.com.au
 SVI GLOBAL Quality ISO 9001

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

VOLUME 11077 FOLIO 052

Security no : 124132365948X
Produced 23/02/2026 07:51 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 610489M.

PARENT TITLES :

Volume 08459 Folio 696 Volume 09458 Folio 397

Created by instrument PS610489M 23/06/2008

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES

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 set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987
AF817397Y 02/05/2008

DIAGRAM LOCATION

SEE PS610489M 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: 442 PATERNOSTER ROAD MOUNT BURNETT VIC 3781

ADMINISTRATIVE NOTICES

NIL



DOCUMENT END



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Planning Application: T260117
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Document Type	Plan
Document Identification	PS610489M
Number of Pages (excluding this cover sheet)	3
Document Assembled	23/02/2026 07:51

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PLAN OF SUBDIVISION	Stage No. <hr/>	LR use only EDITION 1	Plan Number PS 610489M
----------------------------	--------------------	---------------------------------	----------------------------------

LOCATION OF LAND

PARISH: GEMBROOK
 TOWNSHIP:
 CROWN ALLOTMENT: 32B2 (PART), 32B3 (PART) AND 97 (PART)
 LTO BASE RECORD:
 TITLE REFERENCE: C/T.VOL.8459 FOL.696
 C/T.VOL.9458 FOL.397
 LAST PLAN REFERENCE: LOT 1 T.P. 369578
 T.P. 813671
 POSTAL ADDRESS: 430&442 PATERNOSTER ROAD MT.BURNETT 3781
 MGA CO-ORDINATES: E 367950 ZONE 55
 (of paracentroid of land in plan) N 5796100

COUNCIL CERTIFICATION AND ENDORSEMENT

Council Name: CARDINIA SHIRE Ref: T060873 **507/174**

1. This plan is certified under section 6 of the Subdivision Act 1988.
~~2. This plan is certified under section 11(7) of the Subdivision Act 1988.~~
~~Date of original certification under section 6 / /~~
~~3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~

OPEN SPACE

(i) A requirement for public open space under section 18 of the Subdivision Act 1988 ~~has~~ has not been made.
 (ii) ~~The requirement has been satisfied.~~
 (iii) ~~The requirement is to be satisfied in Stage~~

Council delegate _____
 Council seal _____
 Date **25/3/2008**

~~Re-certified under section 11(7) of the Subdivision Act 1988.~~
 Council delegate _____
 Council seal _____
 Date / /

Vesting of Roads or Reserves	
Identifier	Council / Body / Person

NOTATIONS

Depth Limitation: 15.24m. APPLIES TO THE LAND IN CA 97 AND CA 32 B3

Staging: This is not a staged subdivision.
 Planning permit No. T060873

Other purposes of this plan:
 Removal of the easements shown as E-1 and E-3 on T.P. 813671. (C./T. Vol. 9458 Fol. 397.)

Grounds for the removal:
 Cardinia Shire planning permit T060873.

Survey:
 LOT 1 IN THIS PLAN IS BASED ON SURVEY.

To be completed where applicable.
 This survey has been connected to permanent marks no(s).
 In Proclaimed Survey Area no.



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EASEMENT INFORMATION

A-Appurtenant Easement E-Encumbering Easement R-Encumbering Easement(Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
E-1	CARRIAGEWAY	3.66	LEASE E151095	LAND DESCRIBED IN LEASE E151095
E-2	CARRIAGEWAY	10	THIS PLAN	LOT 2 IN THIS PLAN
E-3	ELECTRICITY	SEE PLAN	THIS PLAN SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000.	SPI ELECTRICITY PTY LTD
E-4	ELECTRICITY	SEE PLAN	THIS PLAN SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000.	SPI ELECTRICITY PTY LTD
E-4	CARRIAGEWAY	10	THIS PLAN	LOT 2 IN THIS PLAN

LR use only

Statement of Compliance/
 Exemption Statement

Received

Date **10/6/08**

LR use only

PLAN REGISTERED
 TIME **2:53**
 DATE **23/6/08**

[Signature]
 Assistant Registrar of Titles

Sheet 1 of 3 Sheets

BACKHOLER, McMILLAN & ASSOCIATES
 P.O. BOX 498 EMERALD 3782
 PH.59685379

LICENSED SURVEYOR KIM LAURENCE BACKHOLER

SIGNATURE _____ DATE / /

REF 071182 VERSION 1

DATE / /
 COUNCIL DELEGATE
 SIGNATURE

Original sheet size A3

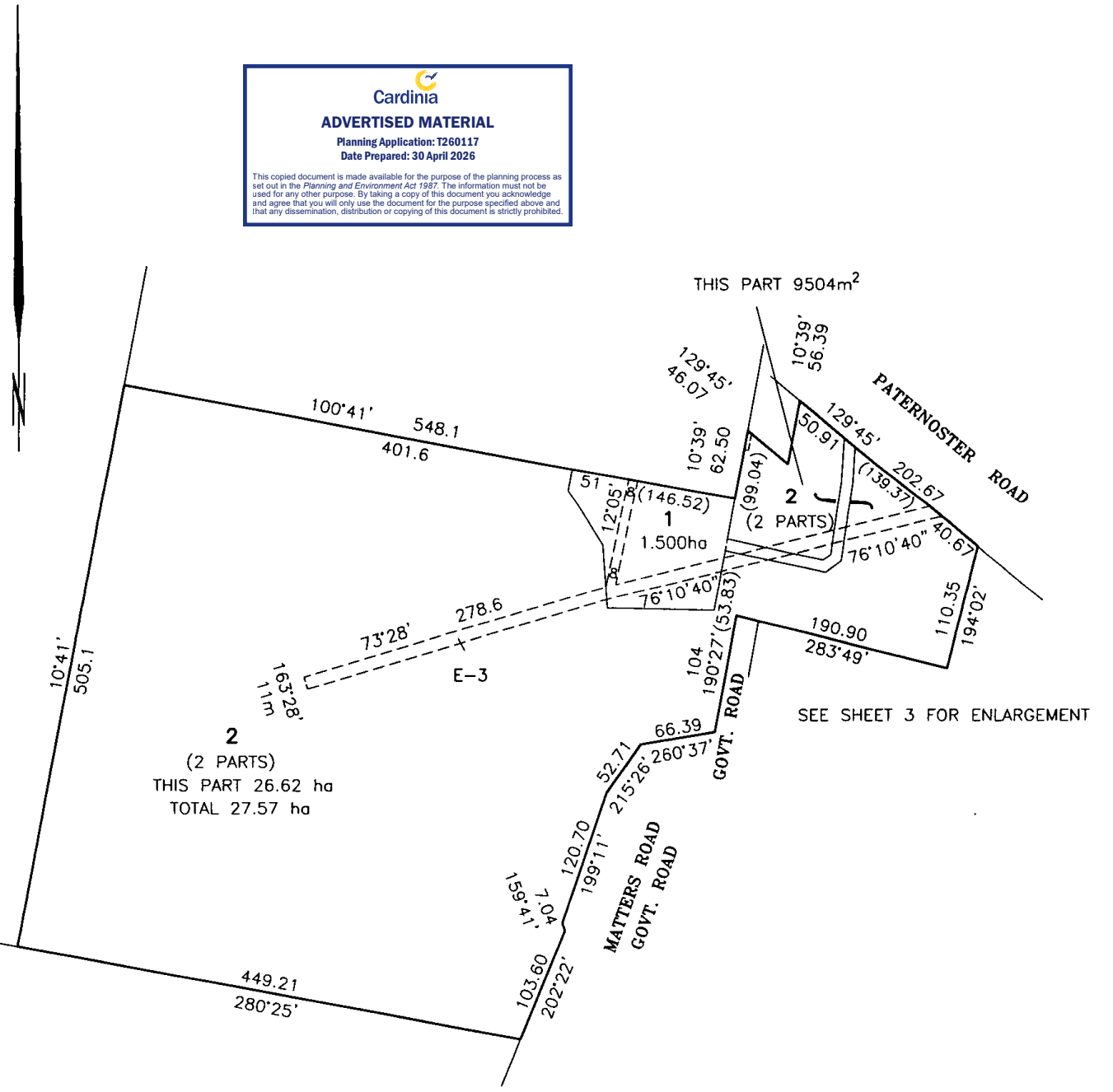
PLAN OF SUBDIVISION

Stage No. _____

Plan Number
PS 610489M

Cardina
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 Planning Application: T260117
 Date Prepared: 30 April 2026

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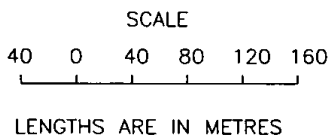


SEE SHEET 3 FOR ENLARGEMENT

BACKHOLER, McMILLAN & ASSOCIATES
 P.O. BOX 498 EMERALD 3782
 PH. 59685379

Sheet 2 of 3 Sheets

ORIGINAL
 SCALE SHEET SIZE
 1:4000 A3



LICENSED SURVEYOR KIM LAURENCE BACKHOLER
 DATE / /
 REF 071182 VERSION 1

DATE / /
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3

PLAN OF SUBDIVISION

Stage No.

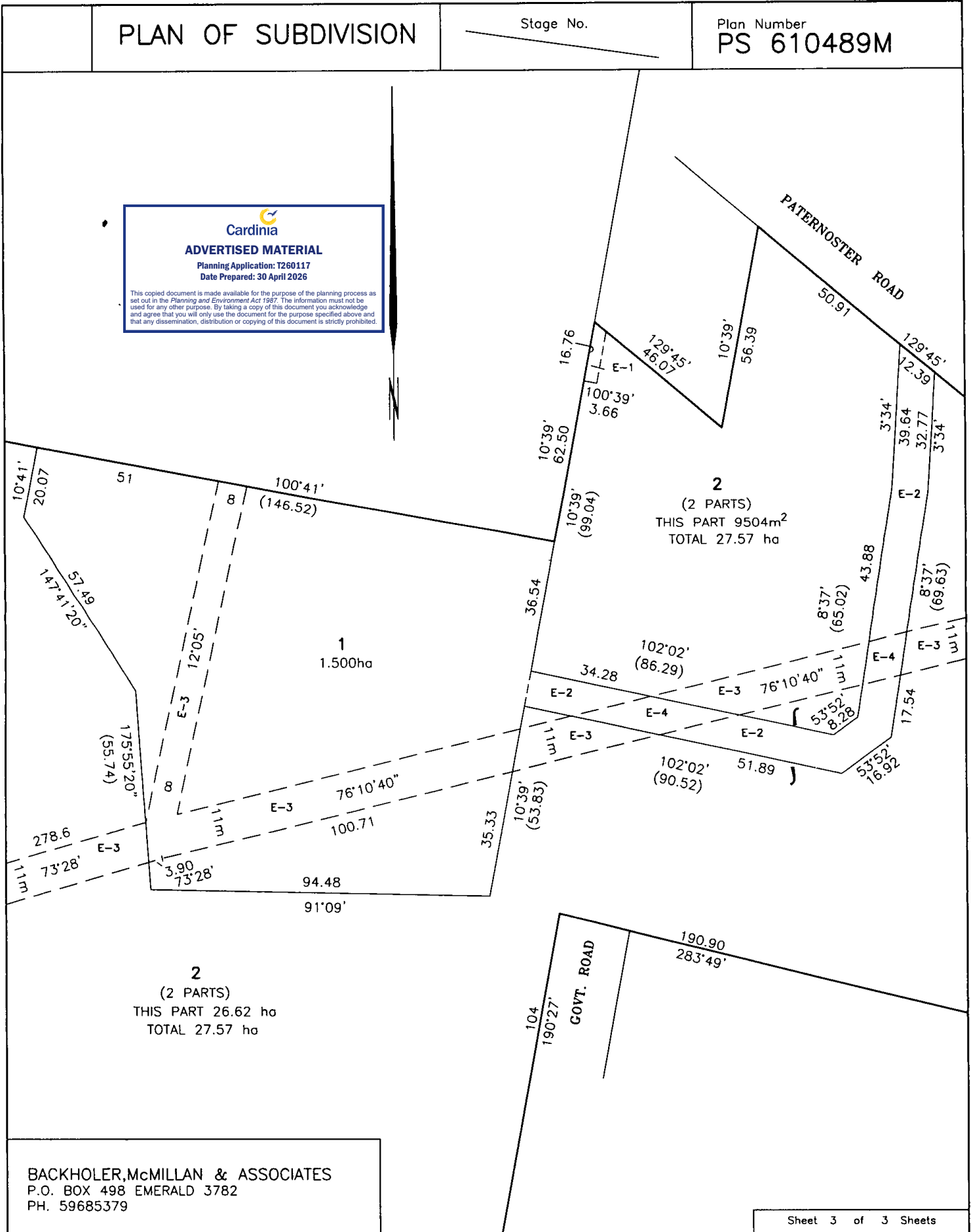
Plan Number
PS 610489M

Cardinia

ADVERTISED MATERIAL

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Date Prepared: 30 April 2026

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PH. 59685379

Sheet 3 of 3 Sheets

ORIGINAL	SCALE
SCALE	10 0 10 20 30 40
SHEET SIZE	LENGTHS ARE IN METRES
1:1000	A3

LICENSED SURVEYOR KIM LAURENCE BACKHOLER

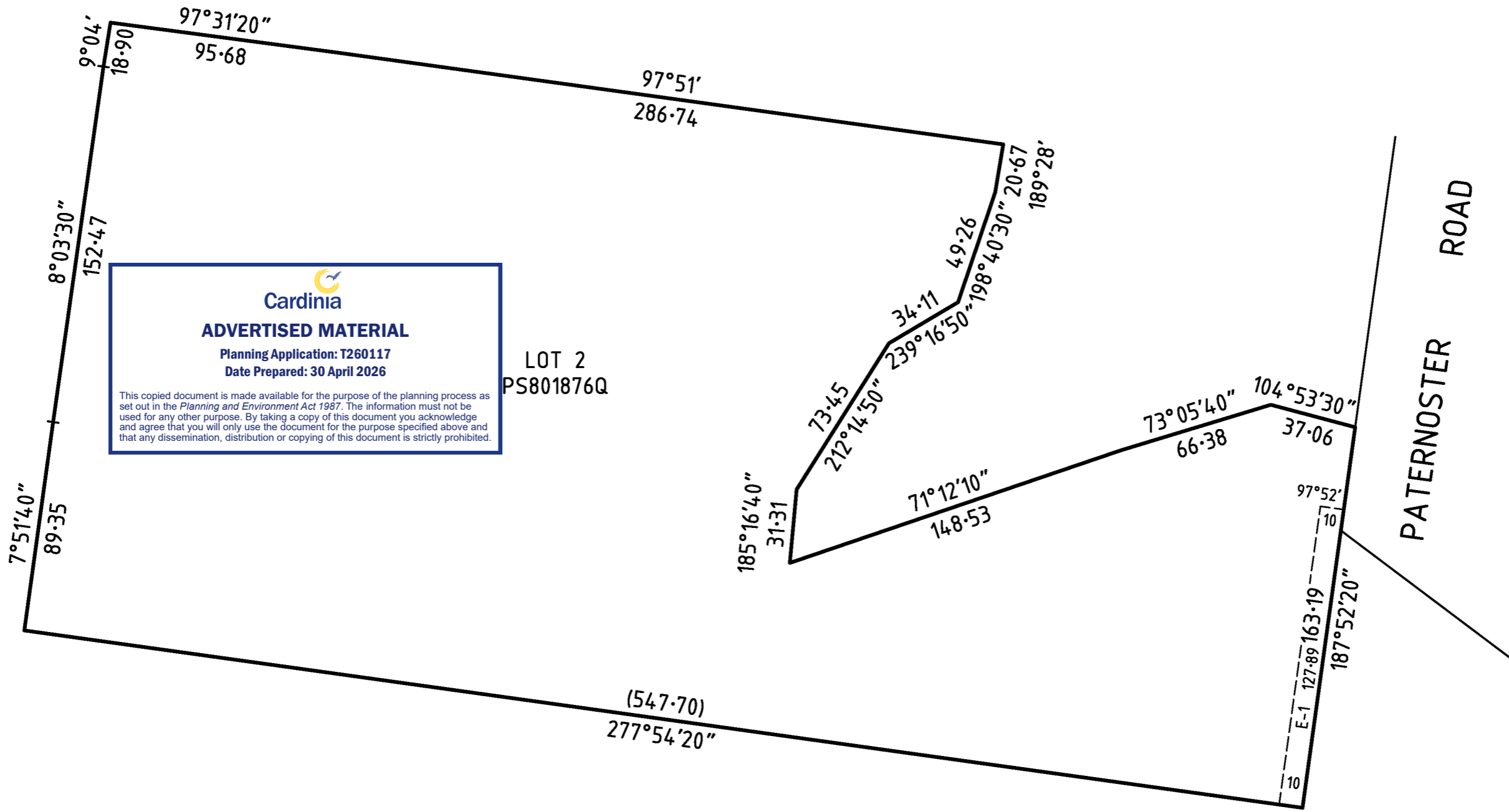
DATE / /

REF 071182 VERSION 1

DATE / /

COUNCIL DELEGATE SIGNATURE

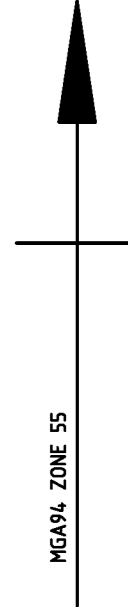
Original sheet size A3





Cardinia
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 Planning Application: T260117
 Date Prepared: 30 April 2026

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LOT 2
PS801876Q



SCALE 1:2000	 LENGTHS ARE IN METRES
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LICENSED SURVEYOR [REDACTED] VERSION NO. 2