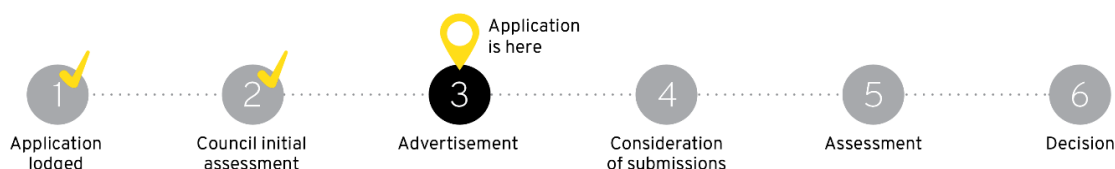


ADVERTISED

NOTICE OF AN APPLICATION FOR PLANNING PERMIT



The land affected by this application is located at:	28 Johnstone Rd WARRNAMBOOL VIC 3280
The application is for a permit to:	Variation of Restriction (Restrictive Covenant)
A permit is required under the following clauses of the planning scheme:	
Planning scheme clause	Matter for which a permit is required
Clause: 52.02	Variation of Restriction (Restrictive Covenant)
The applicant for the permit is:	Lifestyle Town Planning & Services Pty Ltd
The application reference number is:	PP2026-0096
You may look at the application and any documents that support the application at the office of the responsible authority. This can be done during office hours and is free of charge. Or online at: For further reference please contact:	Warrnambool Civic Centre 25 Liebig Street WARRNAMBOOL VIC 3280 www.warrnambool.vic.gov.au Planning Support Telephone: 03 5559 4800 Email: planning@warrnambool.vic.gov.au
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 for any person to inspect free of charge until the end of the period during which an application may be made for review of a decision on the application. If you object, the responsible authority will tell you its decision.	
The Responsible Authority will not decide on the application before:	1 October 2026



The Warrnambool City Council is committed to protecting personal information in accordance with the principles of the Victorian privacy laws. The information provided will be used for the following purposes:

- correspond about the permit application
- if necessary, notify affected parties who may wish to inspect your application so that they can respond
- if necessary, forward your application to a referral authority who must also keep a register available for inspection by any person

The information you provide will be made available to:

- any person who may wish to inspect the application until the application process is concluded, including any review in VCAT
- relevant officers at Council, anyone a party to the application process and other Government agencies or Ministers directly involved in the planning process
- persons accessing information in accordance with the Public Records Act 1973 or the Freedom of Information Act 1982
- Other external parties if required by law

This information is being collected in accordance with the Planning and Environment Act 1987. If all requested information is not received, Council may not be able to process your application or objection.

Do you agree? ☒ Yes ☐ No

The Land

1. Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address

Unit No.: _____ St. No.: 28 Street name Johnstone Road
Suburb/locality Warrnambool postcode 3280

Formal Land Description

Complete either A or B.

A Lot No.: Land in Cons ☐ Lodged Plan ☐ Title Plan ☐ Plan of Subdivision No.: 168100L

or

B Crown Allotment No.: _____ Section No.: _____
Parish/Township Name: _____

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

2. For what use, development or other matter do you require a permit?

Variation of restriction

Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

3. Estimated cost of development for which the permit is required

Cost: \$ 0 You may be required to verify this estimate.

Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

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Existing Conditions

4. Describe how the land is used and developed now

eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single dwelling

Title Information

5. Encumbrances on title

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ☒ Yes ☒ Provide a copy
☐ No
☐ Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive

Applicant and Owner Details

6. Provide details of the applicant and the owner of the land.

Applicant (The person who wants the permit.)

Title: Mr First Name: Glenn Surname: Reddick
Organisation (if applicable): Lifestyle Town Planning and Services
Unit No.: _____ St. No.: 9 Street name: Bowker Court
Suburb/locality: Port Fairy State: Vic postcode: 3284

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

☒ Same as applicant (If so, go to 'contact information')
Title: _____ First Name: _____ Surname: _____
Organisation (if applicable): _____
Unit No.: _____ St. No.: _____ Street name: _____
Suburb/locality: _____ State: _____ postcode: _____

Contact information Please provide at least one contact phone number

Business Phone: _____ Email: glenn@lifestyletownplanning.com.au
Mobile Phone: 0497 394964 Fax: _____

Owner (The person or organisation who owns the land)

☐ Same as applicant

Owners signature (Optional)

Date _____

Declaration

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7. This form must be signed by the applicant

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

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature

Glenn Reddick

Digitally signed by Glenn Reddick
Date: 2026.06.05 17:03:29 +10'00'

Date 05/06/26

Need help with the Application?

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

8. Has there been a pre-application meeting with a Council planning officer?

☒ yes

☐ no

If yes, with whom?: Nick Leggoe

Date: May 2026

Application Type

Is this a VicSmart application?* ☐ Yes ☒ No

If yes, please specify which VicSmart class or classes.

*Classes of VicSmart application are listed in Zones, overlays, particular provisions and the schedule to Clause 59.15

Checklist

9. Have you

- ☒ Filled in the form completely?
- ☒ Provided all necessary supporting information and documents?
 - ☒ A current copy of title (no more than 3 months old) including a copy of any encumbrances affecting the land.
 - ☒ Plans showing the layout and details of the proposal
 - ☒ A plan of existing conditions
 - ☒ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
If required, a description of the likely effect of the proposal (eg traffic, noise, environmental impacts).
- ☒ Signed the declaration (section 7)?

Lodgement and Payment

Lodge the completed and signed form and all documents with:

In Person: Warrnambool City Council Civic Centre, 25 Liebig Street, Warrnambool 8.30am to 5.00pm

Mail: PO Box 198, WARRNAMBOOL Victoria 3280

E-mail planning@warrnambool.vic.gov.au

Please note once your application is received, an invoice will be forwarded to you via email.

SITE PLAN

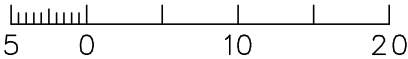
T. & V. GREENE
28 JOHNSTONE ROAD, WARRNAMBOOL

ORIGINAL
SCALE
1:500

SHEET
SIZE
A3

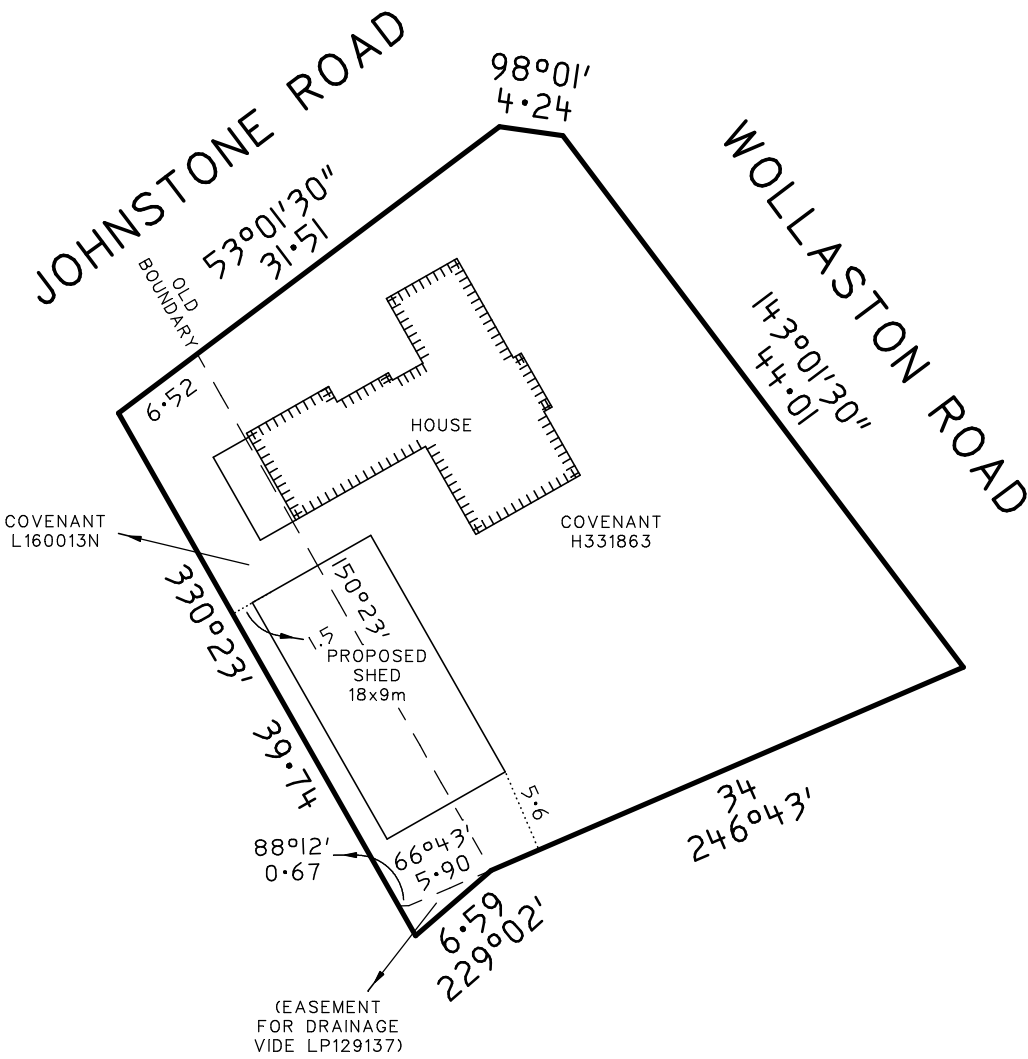
SHEET 1 OF 1 SHEET

SCALE



LENGTHS ARE IN METRES

LICENSED SURVEYOR
DATE: 5th. Aug. 2026



BRAYLEY & HAYES

LAND & ENGINEERING SURVEYORS
85 KENNEDY STREET, HAMILTON, 3300
PHONE: (03) 5571 9171
EMAIL: admin@bhsurvey.com.au

SURVEYORS REF.

26065

VERSION 1 05/08/26

PLAN OF VARIATION OF RESTRICTION		ADVERTISEMENT EDITION 1	
Location of Land Parish: YANGERY Township: _____ Section: E Crown Allotment: 18 (PART) Crown Portion: _____ Title References: Vol. 9825 Fol. 991 Last Plan Reference: CP168100L Postal Address: 28 JOHNSTONE ROAD, (at time of subdivision) WARRNAMBOOL, VIC., 3280 MGA2020 E 630 000 Co-ordinates: N 5 753 485 Zone 54 (of approx centre of land in plan)		Council Name: WARRNAMBOOL CITY COUNCIL	
Notations			
THIS IS A SPEAR PLAN. PURPOSE OF PLAN: VARIATION OF COVENANT L160013N TO NOW READ: - WILL NOT ERECT OR CAUSE TO BE ERECTED ON SAID LAND ANY BUILDING OTHER THAN A PRIVATE DWELLING HOUSE AND OUTBUILDINGS. - WILL NOT ERECT OR CAUSE TO BE ERECTED ON SAID LAND ANY BUILDING WITH EXTERIOR WALLS OF ANY MATERIAL OTHER THAN BRICK OR MASONRY BRICK, EXCLUDING OUTBUILDINGS. - WILL NOT MOVE OR CAUSE TO BE MOVED OR SHIFTED ONTO THE SAID LAND ANY BUILDING ALREADY CONSTRUCTED OR OCCUPIED FOR HUMAN HABITATION. GROUND FOR ALLOWING VARIATION: WARRNAMBOOL CITY COUNCIL PLANNING PERMIT NO. DESCRIPTION OF RESTRICTION: SEE L160013N FOR DESCRIPTION OF RESTRICTIONS.			
BRAYLEY & HAYES LAND & ENGINEERING SURVEYORS 85 KENNEDY STREET, HAMILTON, 3300 PHONE: (03) 5571 9171 EMAIL: admin@bhsurvey.com.au		SURVEYORS FILE REF: 26065 VER 1 28/07/26 VER 2 20/08/26 ORIGINAL SHEET SIZE: A3 SHEET 1 OF 1 MARK G. DORE / VERSION 2	

Land in plan of consolidation
168100L- 28 Johnstone Road
Warrnambool. Vic. 3280.

Report prepared by Glenn Reddick
Date 05/06/26 updated 20/08/26

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Although Lifestyle Town Planning and Services have taken all reasonable steps to ensure that an accurate document has been prepared, the company accepts no liability for any damages or loss incurred as a result of reliance placed upon the report and its contents.

This document has been prepared to aid the submission of a planning permit application for variation of restriction at 28 Johnstone Road Warrnambool.

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1. PROPOSAL

Planning consent is sought to vary covenant L160013N registered on the title which requires dwellings and outbuildings to be constructed of masonry or brick.

It is proposed to construct a Colorbond outbuilding (storage shed) for use in conjunction with the existing dwelling which, not being constructed of masonry or brick, potentially breaches the covenant.

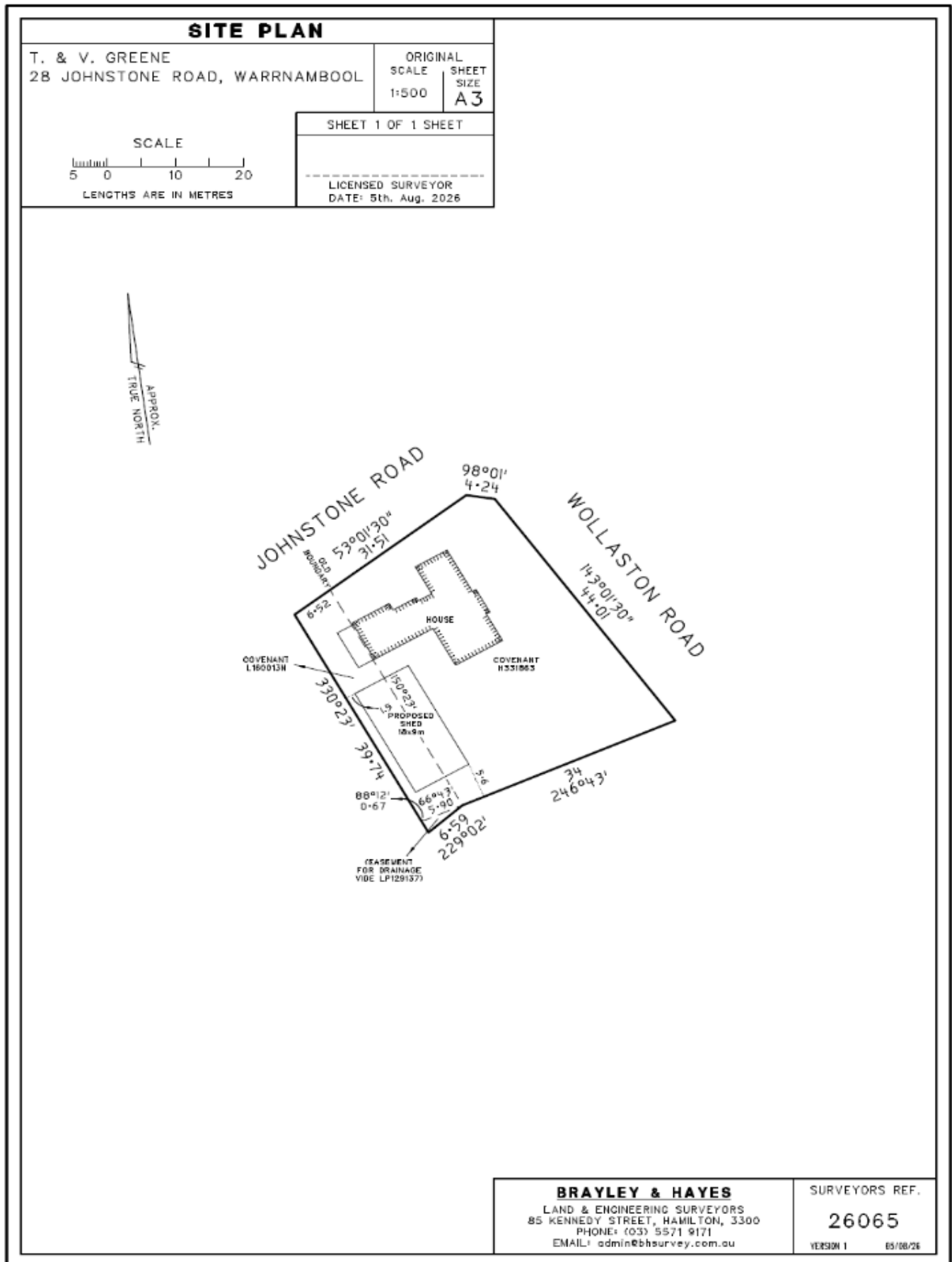
There are two covenants registered on title. Covenant L160013N restricts the external materials of all buildings to brick. Covenant H331863 excludes outbuildings from restriction to be constructed of masonry or brick and is therefore not being varied. The situation has arisen as a strip of land was purchased in the past to increase the size of the subject site which came with a different covenant L160013.

The proposed amended wording of covenant L160013N as shown on the revised variation of restriction plan states “excluding outbuildings”.

The construction of the outbuilding itself does not trigger a planning permit, shown below for information. Access to the shed will be via the Johnstone Road frontage next to the existing garage. The shed will be a class 10A domestic shed under the building regulations.



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2. SITE ANALYSIS

The site has an overall area of approximately 1,572 sqm according to title situated on the corner of Wollaston Road and Johnstone Road with frontage to Johnstone Road. The site is situated near the Merri River in North Warrnambool approximately 2.5km northwest of the town centre.

The site is generally flat, occupied by a double storied brick dwelling under a tiled roof covering with double integral garage and generous gardens to the front and rear.

The site is enclosed by timber close boarded fencing and has a double dwelling abutting to the southwest and a single storied dwelling abutting to the east.

The subject site and in particular the proposed shed site is shielded by trees which are planted along the northern boundary along Wollaston Road.

Subject dwelling – Johnstone Road frontage



ADVERTISED

Aerial image



Location of proposed shed



ADVERTISED

View from Wollaston Road



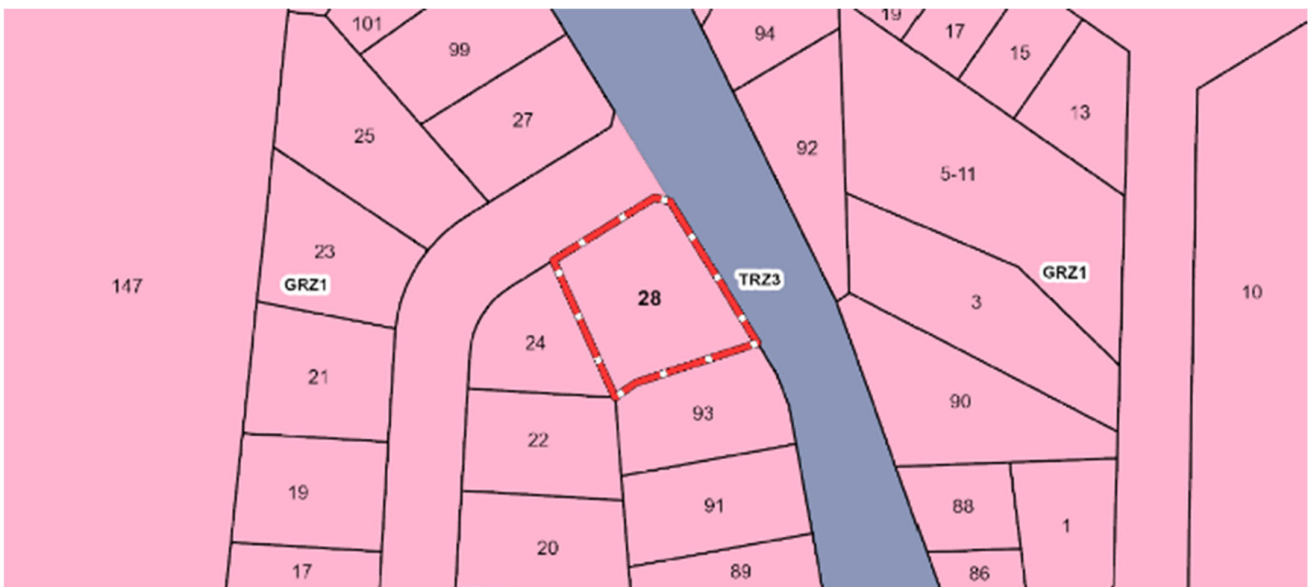
ADVERTISED



3. PLANNING CONTROLS

Zone

The site is located in the General Residential Zone Schedule 1 (GRZ1).



Overlays

None.

Permit requirements

- A permit is required to vary a restriction under **Clause 52.02**.
- No permit is required for the shed under the zone as the site exceeds 300 sqm.

4. RESTRICTIONS ON TITLE

The title is encumbered by 2 Covenants:

Covenant H331863 and Covenant L168100.

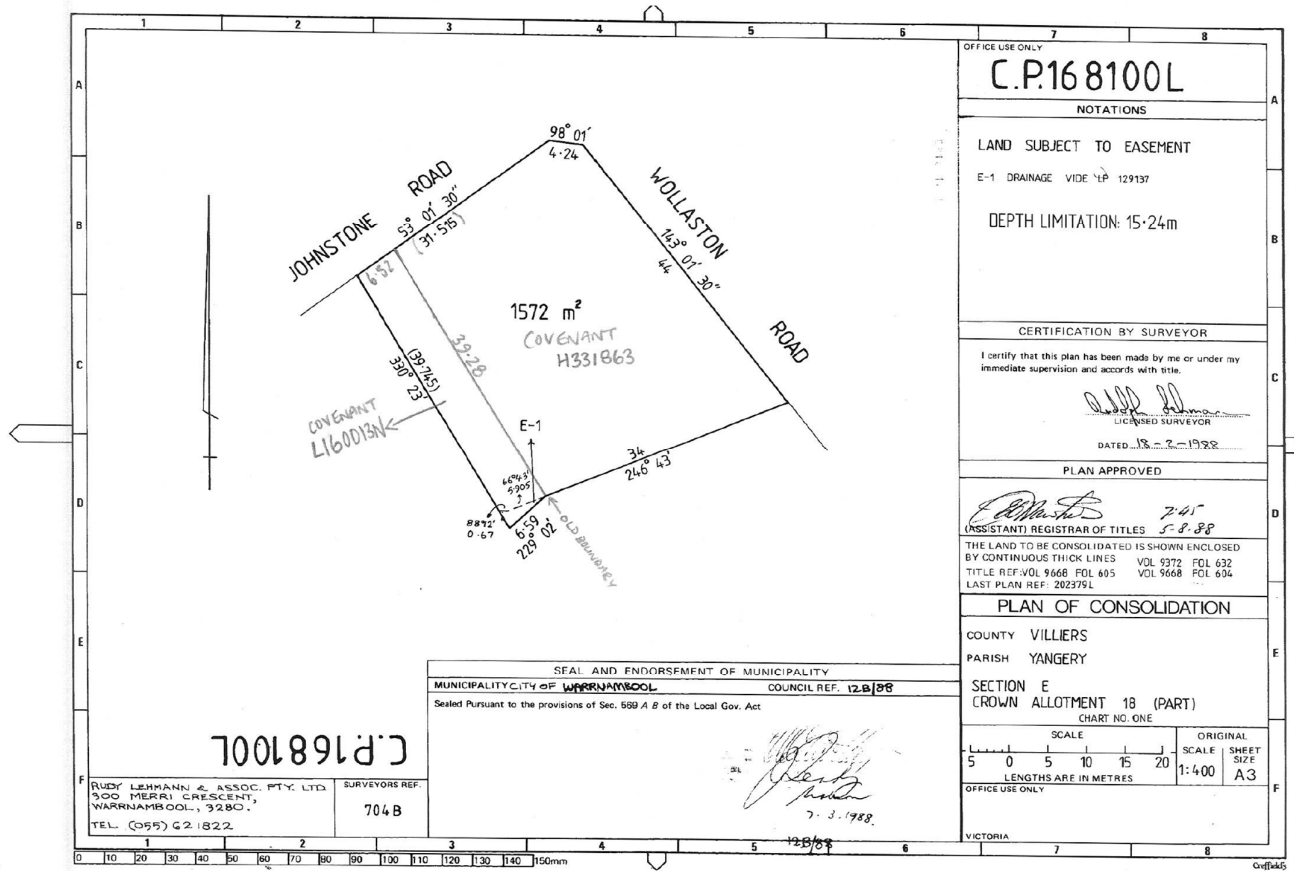
The covenants refer to different lot numbers and plans of subdivision on the subject property.

H331863 refers to Lot 3 PS 127278.

L160013N refers to Lot 20 PS 129137.

Covenant H331863 is not breached as it EXCLUDES OUTBUILDINGS.

Refer to excerpts of covenants title plan below.



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Covenant H331863 - not varied (excluding outbuildings)

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#192-50
H331863
MACKAY, TAYLOR & CO.
SOLICITORS
WARRNAMBOOL

AUSTRALIA AND NEW ZEALAND
BANKING GROUP LIMITED

DEED
H331863

WARRNAMBOOL
9-6 978129-6-DEC-78
VICTORIA

FREEHOLD

TRANSFER OF LAND

I, JEAN LIZETTE JOHNSTONE of Ponting Drive, Warrnambool
being registered or entitled to be registered as the
proprietor of an estate in fee simple in the land
hereinafter described subject to the encumbrances
notified hereunder IN CONSIDERATION of the sum of ELEVEN
THOUSAND DOLLARS (\$11,000.00) paid to me by the Transferees
DO HEREBY TRANSFER to STUART JOHN WRIGHT Builder and
GWENDOLINE JOY WRIGHT Married Woman both of 6 Idon
Avenue, Frankston as joint tenants all my estate and interest
in All That piece of land being Lot 3 on Plan of Subdivision
Number 127278 being part of Crown Allotment 18 Section E
Parish of Yangery and the said Stuart John Wright and
Gwendoline Joy Wright for themselves their transferees
the registered proprietor or proprietors for the time being
of the land hereby transferred HEREBY and as separate covenants
covenant with the said Jean Lizette Johnstone her transferees
and other the registered proprietor or proprietors for the
time being of the land comprised in the said Plan of
Subdivision and each and every part thereof other than the
Lot hereby transferred that the said Stuart John Wright and
Gwendoline Joy Wright and their transferees will not erect
or cause to be erected on the said Lot hereby transferred
any building other than a private dwelling house and
outbuildings appurtenant thereto the area of which
excluding outbuildings will not be less than One thousand
two hundred square-feet with exterior walls of brick or
masonry brick and will not move or cause to be moved or
shifted onto the said Lot any building dwelling already
constructed or occupied for human habitation and this

01-26-78 4 924 97252
LH 0115 444100
9/1/79

A memorandum of the within instrument
has been entered in the Register Book.

ORIGINAL
I.A.H.
VICTORIA

DM331863-1-3

Covenant L160013N- proposed to be varied

ADVERTISED

487-50

National Com
Corporation

REGD

200784 0901 45 25 L160013N

CODE:	4
DUTY:	
AD. ESC.	487-599
VALUE:	\$ 25000 -

D. MADDEN & CO.
SOLICITORS
WARRNAMBOOL
VICTORIA

TRANSFER OF LAND

I, JEAN LIZETTE JOHNSTONE Married Woman of Johnstone Road
Warrnambool being the registered proprietor of an estate in fee simple
in the land hereinafter described subject to the encumbrances notified
hereunder in consideration of the sum of TWENTY FIVE THOUSAND DOLLARS
(\$25,000.00) paid to me by WAYNE RICHARD JENNINGS and JOANNE PATRICIA
JENNINGS Chiropractors of 41 Allan Street Warrnambool DO HEREBY TRANSFER
to the said Wayne Richard Jennings and the said Joanne Patricia Jennings
all my estate and interest in ALL THAT piece of land being Lot 20 on
Plan of Subdivision No. 129137 Parish of Yangery County of Villiers
being the whole of the land comprised in Certificate of Title Volume
9372 Folio 632 and the said Wayne Richard Jennings and the said Joanne
Patricia Jennings DO HEREBY for themselves their heirs administrators
executors assigns and transferees and the registered proprietor or
proprietors for the time being of the land hereby transferred hereby and
as separate covenants COVENANT with the said Jean Lizette Johnstone her
transferees and other the registered proprietor or proprietors for the
time being of the land comprised in the said Plan of Subdivision and
each and every part thereof other than the land hereby transferred that
the said Wayne Richard Jennings and the said Joanne Patricia Jennings
their heirs administrators executors assigns and transferees and the
registered proprietor or proprietors for the time being of the land
hereby transferred will not erect or cause to be erected on the said
land any building other than a private dwelling house and outbuildings
with exterior walls of brick or masonry brick and will not move or
cause to be moved or shifted onto the said land any building already
constructed or occupied for human habitation and this covenant shall be
noted on and appear on any title to issue in respect of the land
referred to herein and the said Wayne Richard Jennings and the said

REGISTRATION



DL160013N-1-1

5. PLANNING ASSESSMENT

Clause 52.02

EASEMENTS, RESTRICTIONS AND RESERVES

Purpose

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

ASSESSMENT

A list of affected titles and the associated covenants has been provided for Council to undertake notification.

The choice of external materials Colorbond for the shed is a widely used cladding material consistent with a residential setting.

The proposed shed site is concealed from view as it is sited behind the existing garage and is barely visible from Wollaston Road due to the trees, setbacks, block size and scale enabling the shed to blend in with the backdrop of built form of adjoining and the subject property.

There are a number of similar Colorbond sheds on nearby properties so that the proposed shed will not be anomalous in the streetscape.

Clause 65.01

APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*

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- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

This clause does not apply to a VicSmart application.

ASSESSMENT

The proposed shed is consistent with the purpose of the zone and only triggers a permit due to the restrictions registered on title.

6. CONCLUSION

As discussed in this report, the proposed external material is considered an appropriate and anticipated addition to a dwelling with Colorbond a well-used and appropriate external finish in a residential setting. The shed is barely visible from the public realm.

ADVERTISED

OFFICE USE ONLY		7		8	
C.P.168100L		NOTATIONS			
LAND SUBJECT TO EASEMENT		E-1 DRAINAGE VIDE 129137		DEPTH LIMITATION: 15.24m	
CERTIFICATION BY SURVEYOR		I certify that this plan has been made by me or under my immediate supervision and accords with title.		DATED 18-2-1988	
PLAN APPROVED		7-41		7-8-88	
(ASSISTANT) REGISTRAR OF TITLES		THE LAND TO BE CONSOLIDATED IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES		VOL 9372 FOL 632 TITLE REF: VOL 9668 FOL 605 VOL 9668 FOL 604 LAST PLAN REF: 202379L	
PLAN OF CONSOLIDATION		COUNTY VILLIERS		PARISH YANGERY	
SECTION E		CROWN ALLOTMENT 18 (PART)		CHART NO. ONE	
SCALE		5 0 5 10 15 20		ORIGINAL SCALE SHEET SIZE A3	
LENGTHS ARE IN METRES		OFFICE USE ONLY		VICTORIA	
SEAL AND ENDORSEMENT OF MUNICIPALITY		MUNICIPALITY OF WARRNAMBOOL		COUNCIL REF. 12B188	
Sealed Pursuant to the provisions of Sec. 569 A B of the Local Gov. Act		704 B		RUDY LEHMANN & ASSOC. PTY. LTD. 300 MERRI CRESCENT, WARRNAMBOOL, 3280. TEL. (055) 621822	
SURVEYORS REF.		704 B		7001891P.C	
1		2		3	
10		20		30	
40		50		60	
70		80		90	
100		110		120	
130		140		150mm	

Page 1 of 1

Security no : 124135254461K
Produced 03/06/2026 03:25 PM

Land in Plan of Consolidation 168100L.
PARENT TITLES :
Volume 09372 Folio 632
Volume 09668 Folio 604 to Volume 09668 Folio 605
Created by instrument CP168100L 05/08/1988

Estate Fee Simple

[illegible]

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

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

Street Address: 28 JOHNSTONE ROAD WARRNAMBOOL VIC 3280

ADMINISTRATIVE NOTICES

NIL

eCT Control 18440T MSA NATIONAL
Effective from 11/12/2023

DOCUMENT END

ADVERTISED

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C.P.168100L

NOTATIONS

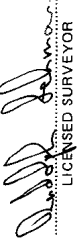
LAND SUBJECT TO EASEMENT

E-1 DRAINAGE VIDE 129137

DEPTH LIMITATION: 15.24m

CERTIFICATION BY SURVEYOR

I certify that this plan has been made by me or under my immediate supervision and accords with title.


LICENSED SURVEYOR

DATED 18-2-1988

PLAN APPROVED


(ASSISTANT) REGISTRAR OF TITLES 7415

5-8-88

THE LAND TO BE CONSOLIDATED IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES

VOL 9372 FOL 632

TITLE REF: VOL 9668 FOL 605

VOL 9668 FOL 604

LAST PLAN REF: 2023791

PLAN OF CONSOLIDATION

COUNTY VILLIERS

PARISH YANGERY

SECTION E

CROWN ALLOTMENT 18 (PART)

CHART NO. ONE

SCALE

5 0 5 10 15 20

LENGTHS ARE IN METRES

ORIGINAL SCALE

1:400

SHEET SIZE

A3

OFFICE USE ONLY

VICTORIA

8

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150mm

1 2 3 4 5 6

7 8

JOHNSTONE ROAD

WOLLASTON ROAD

1572 m²

E-1

98° 01'

4.24

53° 01' 30"

31.575

330° 23'

(39.745)

66° 43'

5.905

88° 12'

0.67

10° 59'

2.29

34° 04'

2.47

34° 04'

2.47

SEAL AND ENDORSEMENT OF MUNICIPALITY

MUNICIPALITY OF WARRNAMBOOL

COUNCIL REF. 12B/88

Scaled Pursuant to the provisions of Sec. 569 A B of the Local Gov. Act


7.3.1988

7001891P.C

RUDY LEHMANN & ASSOC. PTY. LTD
300 MERRI CRESCENT,
WARRNAMBOOL, 3280.
TEL. (055) 621822

SURVEYORS REF. 704B

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Geofields

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Imaged Document Cover Sheet

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Document Assembled	03/06/2026 15:15

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LP127278

EDITION 1

APPROVED 28/7/78

REF. N° 721-12 V.K.H.

PLAN OF SUBDIVISION OF:	APPROPRIATIONS	ENCUMBRANCES & OTHER NOTATIONS
PART OF CROWN ALLOTMENT 18 SECTION E PARISH: YANGERY COUNTY: VILLIERS SCALE 20 0 20 40 60 80 LENGTHS ARE IN METRES	WAY & DRAINAGE ----- BROWN DRAINAGE ----- BLUE	THE BOUNDARIES ON THIS PLAN AGREE WITH THOSE DELINEATED ON TITLE. DEPTH LIMITATION: 15.24m COLOUR CONVERSION E-1 = BLUE R1 & R2 = BROWN

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

