

52.04 TRANSITIONAL ARRANGEMENTS FOR RESIDENTIAL DEVELOPMENT

Purpose

To provide transitional arrangements for:

- Permit applications made to the responsible authority before 24 August 2001.
- Residential development on lots having an area of between 300 square metres and 500 square metres in specific planning schemes.

52.04-1 Transitional arrangements for all planning schemes

The requirements of the planning scheme as in force immediately before 24 August 2001 continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 54, 55 or 56 would apply to such an application.

52.04-2 Additional transitional arrangements for specific planning schemes

Scope

This transitional arrangement applies to an allotment having an area of between 300 square metres and 500 square metres in a Residential 1 Zone, a Residential 2 Zone, a Mixed Use Zone and a Township Zone in the Banyule Planning Scheme, Bayside Planning Scheme, Boroondara Planning Scheme, Hobsons Bay Planning Scheme, Mornington Peninsula Planning Scheme, Port Phillip Planning Scheme, Stonnington Planning Scheme and Yarra Planning Scheme, as relevant.

Transitional arrangements

Despite the provisions of Clause 32.01, 32.02, 32.04 and 32.05, as relevant to a planning scheme listed in the Table to this clause, a permit is not required to construct or extend one dwelling on a lot where the lot has an area between 300 square metres and 500 square metres if immediately before the date shown opposite the planning scheme listed in the Table to this clause -

- a building permit under the Building Regulations 1994 validly existed for the relevant construction or extension of the dwelling; or
- a permit has been granted for the relevant construction or extension of the dwelling under another provision of this scheme (whether or not the development has commenced) and the permit has not expired; or
- an application for a permit has been made for the relevant construction or extension of the dwelling under another provision of this scheme, and the permit is subsequently granted.

Table to Clause 52.04-2

PLANNING SCHEME	DATE
Banyule Planning Scheme	28 September 2000
Bayside Planning Scheme	16 March 2000
Boroondara Planning Scheme	20 July 2000
Hobsons Bay Planning Scheme	26 October 2000
Mornington Peninsula Planning Scheme	16 March 2000
Port Phillip Planning Scheme	16 March 2000
Stonnington Planning Scheme	16 March 2000
Yarra Planning Scheme	30 August 2000

52.04-3 Expiry

This clause does not apply after 30 June 2003.