This plan is an incorporated plan in the Boroondara Planning Scheme pursuant to Clause 43.01-3 of the Boroondara Planning Scheme.

This plan was incorporated into the Boroondara Planning Scheme via Boroondara Planning Scheme Amendment C299.
1. **INTRODUCTION**

This plan is an incorporated plan (**this Plan**) in the Schedule to Clause 43.01 Heritage Overlay of the Boroondara Planning Scheme (**this Scheme**). This Plan establishes planning permit exemptions under Clause 43.01-3 for land included in the Schedule to the Heritage Overlay in this Scheme on an interim basis, in accordance with clause 4 of this Plan.

The control in this Plan prevails over any contrary or inconsistent provision in this Scheme.

2. **PURPOSE**

The purpose of the control in the Plan is to exempt the requirements for a planning permit under Clause 43.01 Heritage Overlay in specific circumstances described in clause 4.

3. **LAND TO WHICH THIS DOCUMENT APPLIES**

The control in this Plan applies to any land in the City of Boroondara (as shown in **Figure 1** below), except land included in the Victorian Heritage Register, specified in the schedule to the Heritage Overlay of this Scheme as being subject to this Plan and land known as 337 Auburn Road, Hawthorn.
4. CONTROL

Despite any provision to the contrary, or any inconsistent provision in this Scheme, no planning permit is required under Clause 43.01 for, and no planning provision in Clause 43.01 of this Scheme operates to prohibit, control, or restrict, the development (excluding subdivision) of land where:

- A valid permit for the part, or full demolition of a dwelling or residential building issued under Part 3 of the Building Act 1993 (Vic) on or before the commencement date of an amendment to this Scheme that introduced the Heritage Overlay on an interim basis.

- A valid permit for the construction or extension of a dwelling or residential building issued under Part 3 of the Building Act 1993 (Vic) on or before the commencement date of an amendment to this Scheme that introduced the Heritage Overlay on an interim basis.

- A valid permit for the construction or carrying out of works on or in relation to a dwelling or residential building issued under Part 3 of the Building Act 1993 (Vic) on or before the commencement date of an amendment to this Scheme that introduced the Heritage Overlay on an interim basis.

End of document.