

5.0 Planning Scheme Operation

5.1 General Provisions

- 5.1.1 Clause 7.0 of this planning scheme sets out provisions, for certain types of use or development that are not specific to any zone, specific area plan, or area to which a code applies.
- 5.1.2 Where there is an inconsistency between a provision in a zone, specific area plan or code and a general provision in clause 7.0 of this planning scheme, the general provision in clause 7.0 prevails.

5.2 Operation of Zones

- 5.2.1 The primary controls for the use or development of land are set out in the zones.
- 5.2.2 The zones include use and development standards specific to each zone.
- 5.2.3 Maps included in the Local Provisions Schedules show how land is zoned.
- 5.2.4 The requirements for zones, including particular purpose zones, in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A.
- 5.2.5 Each Local Provisions Schedule is permitted to include a particular purpose zone that is particular to an area of land.
- 5.2.6 After the effective date, a particular purpose zone is not permitted to override the:
- (a) administration provisions in clauses 3.0 - 6.0;
 - (b) general provisions in clause 7.0; or
 - (c) provisions in a code, unless specifically provided for in that code.

5.3 Operation of Specific Area Plans

- 5.3.1 Each Local Provisions Schedule is permitted to include a specific area plan that is in addition to, modifies, or is in substitution for, a provision in a zone Use Table or a use or development standard in a zone or code.
- 5.3.2 The requirements and structure for specific area plans in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A.
- 5.3.3 After the effective date, a specific area plan is not permitted to override the administration provisions in clauses 3.0 – 6.0 or general provisions in clause 7.0.

5.4 Operation of Site-specific Qualifications

- 5.4.1 Each LPS is permitted to include a site-specific qualification that is in addition to, modifies, or is in substitution for, a zone Use Table or a use or development standard in a zone or a code.
- 5.4.2 The requirements and structure for a site-specific qualification in the LPS are set out in clause LP1.0 and Appendix A.

- 5.4.3 After the effective date, a site-specific qualification is permitted to override a general provision in clause 7.0, or any provision in a zone, code, or specific area plan.
- 5.4.4 A site-specific qualification is not permitted to override the administration provisions in clauses 3.0 – 6.0.

5.5 Operation of Codes

- 5.5.1 The codes identify areas of land or planning issues which require compliance with additional provisions.
- 5.5.2 Codes set out provisions for:
- (a) particular types of use or development that may apply to land in one or more zones; and
 - (b) matters that affect land that are not appropriately described by zone boundaries.
- 5.5.3 Where there is an inconsistency between a provision in a code and a provision in a zone, the code provision prevails.
- 5.5.4 An inconsistency between a provision of a code and a provision of a zone does not exist if a code requires compliance with standards additional to those that apply within a zone.
- 5.5.5 The requirements and structure for code overlay maps and lists in the Local Provisions Schedules are set out in clause LP1.0 and Appendix A.

5.6 Compliance with Applicable Standards

- 5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.
- 5.6.2 A standard is an applicable standard if:
- (a) the proposed use or development will be on a site within:
 - (i) a zone;
 - (ii) an area to which a specific area plan relates; or
 - (iii) an area to which a site-specific qualification applies; or
 - (b) the proposed use or development is a use or development to which a relevant code applies; and
 - (c) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.
- 5.6.3 Compliance for the purposes of sub-clause 5.6.1 of this planning scheme consists of complying with the Acceptable Solution or satisfying the Performance Criterion for that standard.
- 5.6.4 The planning authority may consider the relevant objective in an applicable standard to determine whether a use or development satisfies the Performance Criterion for that standard.