

# New Planning Scheme FAQs

Planning & Community P: 07 4945 0263 E: [submissions@whitsundayrc.qld.gov.au](mailto:submissions@whitsundayrc.qld.gov.au)

## Why do we need a new planning scheme?

The new Whitsunday Regional Council Planning Scheme (the new planning scheme) provides a consistent approach to the management of land across the local government area and has been prepared in accordance with the Sustainable Planning Act 2009. The new planning scheme for the whole region is needed to address a number of growth factors in the Whitsunday region including increases in population, growth in the tourism industry, international investment, the proposed Port of Abbot Point expansion and development of the Whitsunday Coast Airport to international status.

## What is a zone and has my zone changed?

A zone is the categorisation of land which determines permitted uses for certain parcels of land. This helps separate incompatible land uses from one another. It is likely the name of your zone has changed as a result of changes in State Government requirements for drafting. All properties throughout the region have been categorised into zones which reflect intended or existing uses of the site. In many cases, the provisions for development will not have substantially changed. For example, the *Bowen Planning Scheme 2006* and *Whitsunday Planning Scheme 2009* allocate a general "industrial" zone area whereas the new planning scheme identifies six different levels of industry based on their intensity.

## What is an overlay and is my property subject to one?

An overlay is a part of the new planning scheme and identifies areas where there is:

- A particular sensitivity of something to the effects of development, such as the airport;
- A constraint of the development of the land, such as steep land, flooding or storm surge;
- A valuable resource that needs to be protected such as the Great Barrier Reef;
- Character or heritage values to be protected; and
- A separation required from existing or incompatible development, such as key resource areas.

To determine if your property is subject to an overlay, please refer to the new planning scheme mapping on Council's website. To discuss overlay information specific to your property, please contact Council's Planning & Community Department.

## What is a local plan?

The term Local Plan (LP) refers to those areas with a particular local identity that sets it apart from other areas of the region. A LP sets out a strategy for the proper planning and sustainable development of a specific area to protect and enhance its identity.

## If I have an existing lawful use under the existing planning schemes, will a zone change in the new planning scheme affect me?

When reviewing the planning scheme, you may realise that your property is being used in a way that is not permitted according to the current zoning that applies to your area.

For example, you may own a house in an area that was zoned residential, but has since been zoned business. In most cases, this is legal because the property has existed prior to the new planning scheme (having existing use rights). This means that the use of the property can continue even though the current zoning prohibits it.

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## What can't a planning scheme do?

- Change the requirements, decisions or decision-making processes of the state government
- Change or remove existing development that has been lawfully created – the planning scheme only deals with future development
- Deal with matters that are not development related, such as animal registration, boundary fences and social gatherings

## If I want to subdivide, what are the minimum lot sizes required for my zone?

There are a number of different minimum lot sizes depending on the property's zone. For a full list, please refer to Part 9 Development Codes, Section 9.4.6 Reconfiguring a lot code of the new planning scheme. Some examples are as follows:

- Low density residential – 600m<sup>2</sup>
- Low-medium density residential – 450m<sup>2</sup>
- Rural residential – 4,000m<sup>2</sup>
- Rural – 100ha

## Where do I find the new planning scheme and mapping?

The new planning scheme and associated mapping can be found on Council's website at [www.whitsunday.qld.gov.au](http://www.whitsunday.qld.gov.au). For assistance or to obtain a copy please visit any of our Customer Service Centres or libraries. Alternatively, phone Council's Planning & Community Department on (07) 4945 0263.

## Can I make an appointment to discuss the new planning scheme with a Town Planner?

Yes. Please contact Council's Planning & Community Department via telephone or email to organise a meeting. Town Planners will be made available during office hours at any Council customer contact centre, upon request.