



Noosa Plan 2020

Fact Sheet 27: Short-term Accommodation – Existing use rights

Noosa Plan 2020 – As amended 26 September 2025

What are existing use rights?

With the commencement of Noosa Plan 2020, *short-term accommodation* became a defined land use. Noosa Plan 2020 - Amendment No. 2 on 26 September 2025 made *short-term accommodation* an inconsistent use in all residential zones, except where it occurs within the applicant's principal place of residence on no more than four occasions and 60 nights per calendar year. Despite these current requirements, in certain circumstances, some dwellings may possess lawful *existing use rights* where:

- the dwelling has approval for visitor accommodation; **or**
- the dwelling has a development approval for “duplex dwelling”, “multiple dwelling”, or “group housing”, which was assessed under a planning scheme pre-dating the Noosa Plan 2006, thus allowing for interchangeable use rights for both visitor accommodation and permanent occupation; **or**
- for a detached house - the short-term accommodation use commenced and was consistently operating prior to 31 July 2020 and has not been abandoned since.

Dwellings with *existing use rights* may continue operating without further planning approval. However, owners must still obtain an approval under Council's *Short Stay Letting and Home Hosted Accommodation Local Law*, at which time *existing use rights* must be demonstrated.

Should the use of the dwelling for short-term accommodation cease or change in scale and intensity, then the *existing use rights* may also cease.

Existing use rights where the property has approval for visitor accommodation

Where a dwelling received approval for visitor accommodation prior to the commencement of Noosa Plan 2020, it retains that approval and may continue to operate as visitor accommodation provided it complies with all relevant conditions of approval. This includes dwellings approved under Noosa Plan 2006 as Visitor Accommodation Type 4 (Conventional).

Dwellings approved under Noosa Plan 2006 as Multiple Housing Type 2 (Duplex) or Multiple Housing Type 4 (Conventional) cannot be used for visitor accommodation and do not have *existing use rights*.

Existing use rights where the property has an approval allowing interchangeable use rights

Most dwellings approved under a “duplex dwelling,” “multiple dwelling,” or “group housing” development approval prior to the Noosa Plan 2006 were generally allowed to be used for either short-term visitor accommodation or permanent residential living, unless the approval conditions specifically restricted one of these uses. This is known as *interchangeable use rights*.

These dwellings therefore retain *existing use rights* to continue operating as either short-term accommodation or as permanent residences.

For clarity, where planning schemes in place prior to Noosa Plan 2006 did not require approval for “multiple dwellings,” those dwellings may only be used for permanent accommodation. Short-term accommodation is only permitted if the owner can demonstrate that the use lawfully commenced before Noosa Plan 2006 took effect and has been continuously operated since that time.

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Existing use rights for a dwelling house

Before the commencement of Noosa Plan 2020, planning approval was not required for a detached house to be used for short-term accommodation. Houses operating short term accommodation prior to the commencement of Noosa Plan 2020 may have *existing use rights*, where:

- the use commenced prior to Noosa Plan 2020 commencing; and
- there is evidence of a consistent pattern of the use and the use has not been abandoned.

A detached house used as a holiday home for yourself, family and friends while you were in residence is not considered short-term accommodation and does not have *existing use rights* for short-term accommodation. However, if there has been a consistent pattern of the house being generally available for short-term accommodation while you are not in residence, then the property may be considered to have *existing use rights*.

What other approvals are required for short-term accommodation?

Properties operating short-term accommodation require an approval under the Short Stay Letting or Home Hosted Accommodation Local Law. For further information on the approval requirements under the local law go <https://www.noosa.qld.gov.au/short-stay-letting-home-hosted-accommodation-local-law>.

This Fact Sheet is intended to assist with interpreting Noosa Plan 2020 and **should not be solely relied on to inform decisions**.

Prior to making decisions or undertaking any development, it is strongly recommended that applicants:

- Review all the requirements of Noosa Plan 2020, and/or
- Seek advice from a qualified planning professional.

Noosa Plan 2020 is available online at:
www.noosa.qld.gov.au/noosa-plan-2020

For further information or assistance, contact Council's Development Assessment team:

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