



Noosa Planning Scheme Amendment Alert

Deadline for action if your property has been adversely affected by the amendments to the Noosa Planning Scheme is 25 September.

Amendment No.2 to Noosa Plan 2020 – due date for superseded planning scheme requests

The [Noosa Plan 2020](#) (Scheme) regulates development and land use within the Noosa Council local government area. Since its adoption on 16 July 2020, the Scheme has subsequently been amended three times:

- an administrative amendment that commenced on 25 September 2020 (**Amendment No.1**);
- a major amendment that commenced on 26 September 2025 (**Amendment No.2**);
- a minor amendment that commenced on 20 March 2026 (**Amendment No.3**).

Proposed Amendment 4 to the Scheme specifically affects land located at 94 and 170 Holts Road Cooroy, and is currently open for consultation until 20 September 2026.

However, time is running out for those properties affected by [Amendment No. 2](#). Landowners have until 25 September 2026 to seek to take advantage of development rights and entitlements which existed pursuant to the Scheme before Amendment No. 2 took effect.

In order to preserve development rights which may have existed under the Scheme before Amendment No. 2 took effect, it will be necessary for landowners to make a superseded planning scheme request on or before 25 September 2026.

This step is necessary to secure a potential right to compensation arising from an adverse planning change arising from Amendment No. 2 that may have reduced the value of an interest in premises.

Implications for Amendment No. 2

Amongst other things, the key objective of Amendment No. 2 was to preserve land within the Noosa Council area for permanent residential development, and to restrict short-term residential accommodation opportunities.

This objective has been generally facilitated by Amendment No. 2 in a number of ways:

- Restricting future development in Medium and High Density Residential zones, and most Centre zones, to permanent housing. In this respect, Amendment No. 2 limits development for new dwelling houses in these zones to lots less than 500m², while dwelling houses on lots 500m² or greater are unlikely to be supported. Duplexes are also restricted in the Medium Density Residential zones to sites under 600m². Larger allotments above 600m² are expected to accommodate three or more dwellings, rather than a duplex or dual occupancy.
- Rezoning parts of the Tourist Accommodation zone to Residential or Centre zones to support more permanent housing, as opposed to short-stay accommodation.
- Increasing housing diversity and choice particularly around small dwellings (which have a gross floor area of 100m² or less) in Medium and High Density Residential zones through incentive bonus provisions. Residential developments in mixed use formats within Centre zones must be small dwellings.
- Allowing visitor accommodation, such as cabins, in Rural and Rural Residential zones provided the permanent resident remains onsite in their dwelling. Short term accommodation is no longer considered appropriate for Low, Medium, and High Density Residential zones except in limited circumstances.

Importantly, Amendment No. 2 will not remove existing lawful use rights. This means, for example, that if you have an existing dwelling house on a 1200m² lot in the Medium Density Residential zone, you can continue to use your property for that purpose. However, Amendment No. 2 may impact upon your future rights if you decide to redevelop the property in the future.

What to do before 25 September 2026

Firstly, it is important to determine how Amendment No. 2 has affected your property.

This can be done by conducting an online property search via Noosa Council's (**Council**) website or speaking to a member of their Planning Assessment Services team. Alternatively, you can contact an independent town planning firm for advice.

Next, if you ascertain that Amendment No. 2 has adversely affected your property, then it will be necessary to lodge a superseded planning scheme request on or before 25 September 2026. Amongst other things, this request must be submitted to Noosa Council (**Council**) in the approved form and the applicable fee must be paid. Plans of the proposed development and/or the proposed development application will also be required. It is recommended that a qualified town planning consultant be engaged to assist in this process to ensure that all mandatory requirements have been met.

The purpose of the superseded planning scheme request is to seek approval to preserve 'accepted development' rights which existed prior to Amendment No. 2 or alternatively, to seek approval to lodge a development application for 'assessable development' to be assessed under the version of the Scheme in effect before Amendment No. 2 commenced.

If the request is approved, any necessary development application for assessable development must be lodged within 6 months of the approval date.

Please be aware that the 25 September 2026 deadline cannot be extended, so it is essential for property owners to be properly informed about the changes introduced by Amendment No.2 and how it affects their future development rights.

Potential right to compensation

The [Planning Act 2016](#) provides compensation rights to affected owners who have suffered an 'adverse planning change'.

The definition of an 'adverse planning change' includes a change to a planning scheme which reduces the value of an interest in premises – for example, rezoning land from commercial to rural.

The right to claim compensation is not automatic. It is typically triggered in circumstances where Council has initially refused a superseded planning scheme request, and the lodgement of a subsequent development application is either refused or approved in such a way (e.g. through the imposition of conditions) so as to reduce the value of an interest in the property in question.

Where development becomes 'prohibited' as a consequence of Amendment No. 2, compensation rights are triggered where Council refuses a superseded planning scheme request (noting that it is not possible to submit a properly made development application for prohibited development).

Importantly, compensation may only be claimed by the person who owned the property at the time Amendment No. 2 took effect. Subsequent landowners would not have compensation rights under the [Planning Act 2016](#).

Time limits also apply to making a claim for compensation, so it is recommended that legal advice be sought as soon as practicable by landowners who believe that they may have rights as a consequence of Amendment No. 2 taking effect.

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All references to legislation are references to the legislation current as at 4 September 2026.

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