Licence Form 1 – Temporary use licence applications

***Approved form (version 1.1 effective 22 July 2024) made under section 282 of the Planning Act 2016.*** This form **must** be used to make an application:

* for a new temporary use licence under section 275H of the *Planning Act 2016*
* to extend a temporary use licence under section 275LB of the *Planning Act 2016*
* to amend a temporary use licence under section 275LG of the *Planning Act 2016.*

An application for a temporary use licence can only be made where the Minister has declared an ‘applicable event’ under section 275E of the *Planning Act 2016.*

A temporary use licence authorises the use of premises within the jurisdiction of the *Planning Act 2016*. A temporary use licence does not remove the need to obtain any other approvals that might be required by local, State and/or Commonwealth jurisdictions.

A temporary use licence can apply to multiple premises and existing lawful uses. All care should be taken to clearly identify each individual premises and approval on this form.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the application.

One or more additional pages may be attached as a schedule to this application if there is insufficient space on the form to include all the necessary information.

If the premises are located in a **Priority Development Area (PDA)** or on PDA-associated land for a PDA, use the [TUL process](https://www.statedevelopment.qld.gov.au/economic-development-qld/about-edq/legislation/applicable-events) under the *Economic Development Act 2012.*

**There are no application fees for TUL applications.**

***Note:*** *All terms used in this form have the meaning given under the Planning Act 2016 or the Planning Regulation 2017.*

# PART 1 – APPLICANT DETAILS

|  |  |
| --- | --- |
| 1) Applicant details | |
| Applicant name(s) (*individual or company full name*) |  |
| Relationship to premises *(owner or occupier details)* |  |
| Contact name *(only applicable for companies)* |  |
| Postal address *(P.O. Box or street address)* |  |
| Suburb |  |
| State |  |
| Postcode |  |
| Country |  |
| Contact number |  |
| Email address |  |
| Mobile number *(non-mandatory)* |  |
| Fax number *(non-mandatory)* |  |
| Applicant’s reference number(s) *(if applicable)* |  |

# PART 2 – LOCATION DETAILS

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 2) Location of the premises *(complete 2.1) or 2.2), and 2.3) as applicable)* | | | | | | | | | | |
| 2.1) Street address and lot on plan | | | | | | | | | | |
| Street address **AND** lot on plan (a*ll lots must be listed*) | | | | | | | | | | |
| a) | Unit No. | Street No. | | | Street Name and Type | | | | | Suburb |
|  |  | | |  | | | | |  |
| Postcode | Lot No. | | | Plan Type and Number *(e.g. RP, SP)* | | | | | Local Government Area(s) |
|  |  | | |  | | | | |  |
| b) | Unit No. | Street No. | | | Street Name and Type | | | | | Suburb |
|  |  | | |  | | | | |  |
| Postcode | Lot No. | | | Plan Type and Number *(e.g. RP, SP)* | | | | | Local Government Area(s) |
|  |  | | |  | | | | |  |
| 2.2) Coordinates of premises *(appropriate for development in remote areas)*  ***Note****: Place each set of coordinates in a separate row.* | | | | | | | | | | |
| Coordinates of premises by longitude and latitude | | | | | | | | | | |
| Longitude(s) | | | | Latitude(s) | | | Datum | | Local Government Area(s) *(if applicable)* | |
|  | | | |  | | | WGS84  GDA94 | |  | |
| Other: |  |
| Coordinates of premises by easting and northing | | | | | | | | | | |
| Easting(s) | | | Northing(s) | | | Zone Ref. | Datum | | Local Government Area(s) *(if applicable)* | |
|  | | |  | | | 54  55  56 | WGS84  GDA94 | |  | |
| Other: |  |
| 2.3) Additional premises | | | | | | | | | | |
| Additional premises are relevant to this temporary use licence application and the details of these premises have been attached in a schedule to this Temporary use licence application. See Schedule 1 – additional premises at the end of this form  Not required | | | | | | | | | | |

# PART 3 – EXISTING DEVELOPMENT AND DETAILS OF PROPOSED TEMPORARY USE

***Note:*** *Part 3 is to be completed only when the application is for a new temporary use licence under section 275H of the Planning Act 2016.*

## Section 1 – Existing development details

|  |
| --- |
| 3.1) Provide details about the lawful approval/development |
| a) What type of existing lawful use exists? |
| Development conditions of a development approval – material change of use only  Requirements of a Ministerial Infrastructure Designation (designation)  An infrastructure agreement  Other restriction on a lawful use *(i.e. accepted development, subject to requirements)* – specified below: |
|  |
| 3.2) Provide a description of the existing development approval, designation, or any other lawful use *(i.e. identify the approved use(s) and reference number(s))* |
|  |

## Section 2 – Details of application for temporary use licence

|  |
| --- |
| 4.1) Provide details of how temporary use licence application is seeking to the change the existing lawful use |
| If for a development approval for a material change of use – changes to a condition of the development approval If the premises is a designated premises – the premises is not required to comply with a requirement stated in the designation  Otherwise – changes the existing lawful use by increasing the intensity or scale of the use  Otherwise – changes the existing lawful use to add a new use  Otherwise – changes the existing lawful use to replace the use with a new use |
| 4.2) Provide details of the change sought by the temporary use licence *(i.e. the conditions requiring change or new proposed use)* |
|  |
| 4.3) Outline what information is being provided in support of the application (or change sought) *(e.g copy of* *development approval)* |
|  |
| 4.4) Provide the reason(s) for the temporary use licence and explain why the change sought is required in context of the nature of the ‘applicable event’ |
|  |

# PART 4 – EXISTING TEMPORARY USE LICENCE

***Note:*** *Part 4 is to be completed only when the application is to extend or amend an existing temporary use licence under section 275LB or section 275LG of the Planning Act 2016.*

## Section 1 – Existing temporary use licence details

|  |  |  |  |
| --- | --- | --- | --- |
| 5) Provide details about the existing temporary use licence subject to this extension application | | | |
| Reference number | The premises to which the licence relates | Date notice was given | Applicable event end date stated on the notice |
|  |  |  |  |

## Section 2 – Extension request details

***Note:*** *Section 2 is to be completed only when the application is to extend an existing temporary use licence under section 275LB of the Planning Act 2016.*

|  |
| --- |
| 4.1) Identify how long this application seeks to extend the temporary use licence for and the reason why  ***Note1:*** *An extension to a temporary use licence can only be applied for if the relevant applicable event period has been extended under s275F of the Planning Act 2016.*  ***Note 2:*** *Section 275LB of the Planning Act 2016, states that the holder of a temporary use licence may apply to the chief executive to extend the period for which the temporary use licence has effect under section 275K of the Planning Act 2016 before the period ends****.*** |
|  |

## Section 3 – Amendment request details

***Note:*** *Section 3 is to be completed only when the application is to amend an existing temporary use licence under section 275LG of the Planning Act 2016.*

|  |
| --- |
| 5) Provide details of the change sought by the temporary use licence *(i.e. the conditions requiring change or new proposed use)* |
|  |

# PART 4 – APPLICANT DECLARATION

|  |
| --- |
| 5) Applicant declaration |
| By making this Temporary use licence application, I declare that all information in this application is true and correct  Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*  ***Note****: It is unlawful to intentionally provide false or misleading information.* |
| **Privacy** – Personal information collected in this form will be used by the chief executive of the *Planning Act 2016* (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the temporary use licence application.  All information relating to this application for a temporary use licence may be available for inspection and purchase, and/or published on the Department’s or local governments website.  Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016* and Planning Regulation 2017 except where:   * such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or * required by other legislation (including the *Right to Information Act 2009*); or * otherwise required by law.   This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002.* |

**Schedule 1 – additional premises**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Location of the premises | | | | |
| Street address and lot on plan | | | | |
| Street address **AND** lot on plan (a*ll lots must be listed*) | | | | |
| a) | Unit No. | Street No. | Street Name and Type | Suburb |
|  |  |  |  |
| Postcode | Lot No. | Plan Type and Number *(e.g. RP, SP)* | Local Government Area(s) |
|  |  |  |  |
| b) | Unit No. | Street No. | Street Name and Type | Suburb |
|  |  |  |  |
| Postcode | Lot No. | Plan Type and Number *(e.g. RP, SP)* | Local Government Area(s) |
|  |  |  |  |