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20 January 2017

Research Director
Infrastructure, Planning and Natural Resources Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Sir/Madam

LOGAN CITY COUNCIL SUBMISSION – LOCAL GOVERNMENT ELECTORAL (TRANSPARENCY AND ACCOUNTABILITY IN LOCAL GOVERNMENT) AND OTHER LEGISLATION AMENDMENT BILL 2016

Thank you for the opportunity to make a submission on the Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Bill 2016 (the Bill).

This submission is limited in scope to those provisions within the Bill which attempt to clarify the relationship between the assessment of building work by a private certifier and a local government. That is, those provisions which were explored as part of the Planning and Environment Court matter (*Gerhardt v Brisbane City Council* [2016] QPEC 48).

The intent of the amendments are supported as they seek to provide clarity to all parties and recognise the importance of local government input into decisions around certain types of building work. Unfortunately, the amendments are not clear as to the exact mechanism(s) a planning scheme may employ in order to ensure certain building works matters are triggered for assessment by a local government. In particular, whether the local government approval may take the form of either a preliminary approval or a development permit (s73 of the *Planning Act 2016*).

The above matters appear to be somewhat clarified by the amendments to the *Planning and Environment Court Act 2016* (s83). However, confirmation is sought that this approval can take both forms. This is a critical matter for Logan City Council as our planning scheme nominates a development permit as the mechanism for local government input. It is recommended that the *Planning Act 2016* be amended to further clarify this particular matter, without the need to reference the *Planning and Environment Court Act 2016*.

Should you wish to clarify any aspect of this submission, please contact myself [REDACTED]

Yours faithfully

Christian Parks
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