



Inquiry into Annual and Financial Reports 2023–24

Answer to question on notice

Asked by: Mr Peter Cain MLA

Addressed to: Minister for Planning and Sustainable Development

Reference: Planning

Hearing: 18 February 2025

In relation to: Planning and Building and Planning Compliance

Question received: 24 February 2025

Answer Due: 3 March 2025

1. How many instances of non-compliance with building and planning regulations has Access Canberra recorded in 2023-24?
2. What is the role of the Rapid Regulatory Response Team, and how effective are they in addressing issues promptly?
3. What are the consequences for builders and developers who submit non-compliant proposals if planning regulations are not enforced?
4. What is the purpose of planning laws if they are not adequately enforced by the regulatory enforcement bodies of the ACT Government?

Mr Chris Steel MLA: The answer to the Member's question is as follows:

1. Access Canberra received 342 building complaints and 965 planning complaints in 2023-24. Providing the total number of specific instances of non-compliance would be an onerous process to go through each complaint manually and would be an unreasonable diversion of resources.
2. The Rapid Regulatory Response Team (RRRT) is part of Access Canberra's Construction Planning and Regulation Team. Their primary function is to conduct initial assessments of cases and complaints as they are received. RRRT aims to assess building and planning matters quickly, completing preliminary assessments within five working days of receiving a complaint.

If there is an immediate risk to public safety, an assessment will be conducted within 24 hours or sooner. If no breach is identified, or if the complaint does not fall under Access Canberra's jurisdiction, the complaint will either be closed or transferred to the appropriate department. If a breach is identified, RRRT will strive to rectify the non-compliance. However, if further investigation is necessary or an extended compliance period is required,

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the case will be referred to the Compliance Monitoring and Inspections Team (CMIT) or the Building and Planning Investigations Team.

3. If developments are being built contrary to the approval, compliance and enforcement actions can be taken under the Planning Act, and depending on the non-compliant elements, the *Building Act 2004*. If the work is undertaken by a person or entity licensed under the *Construction Occupations (Licensing) Act 2004*, a range of compliance and enforcement actions can also be undertaken against the licence holder. Planning, building and construction occupations licensing laws are regulated by Access Canberra, in accordance with the relevant Acts, and Access Canberra's regulatory approach, including its accountability commitment and compliance frameworks.
4. I disagree with the assertion that planning laws are not adequately enforced.

Approved for circulation to the 7Standing Committee on Environment, Planning, Transport and City Services

Signature:



Date:

3/3/25

By the Minister for Planning and Sustainable Development, Mr Chris Steel MLA