



Standing Committee on Planning, Transport and City Services

Inquiry into Planning Bill 2022 **ANSWER TO QUESTION ON NOTICE**

Asked by Jo Clay MLA:

Reference: Hearing on 7 December 2022

In relation to: Planning Bill Ombudsman

Have you considered the role of a planning ombudsman to deal with complaints in the new Planning system? If not, why not?

Mick Gentleman MLA: The answer to the Member's question is as follows: –

The introduction of a Planning Ombudsman is not necessary as the existing complaints regime under the current *Planning and Development Act 2007* and other relevant legislation is fit for purpose and will be retained under the new system.

Complaints about the conduct of ACT Government agencies, including the Environment Planning and Sustainable Development Directorate and the independent planning and land authority (the Authority), are able to be investigated by the ACT Ombudsman. This will continue under the new system.

Complaints about administrative decisions (including development applications) made by the Authority can also be subject to review by the ACT Civil & Administrative Tribunal (ACAT). This will also continue under the new system.

The introduction of a new planning ombudsman will add an unnecessary additional layer of review; is unlikely to add value to the current scrutiny already provided by the ACT Ombudsman and the ACAT; and could potentially be confusing for users of the system.

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

Signature: 

Date: 19/12/2022

By the Minister for Planning and Land Management, Mick Gentleman MLA