

**Our reference:** C/2006/5395  
**Contact:** Maya Borthwick  
**Telephone ☎:** 02 9286 0969

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ABN 76 325 886 267

11 August 2006

Mr Geoff Brown  
Convenor  
ADI Residents Action Group  
PO BOX 4134  
WELLINGTON NSW 2747

Dear Mr Brown

**Your complaint about the Department of Planning**

I refer to your complaint received in this office on 3 August 2006. Your complaint relates to the development of the ADI site in St Mary's. As part of the St Mary's Development Agreement 2002, Sydney Regional Environmental Plan 30 St Mary's, and the St Mary's Environmental Planning Strategy, Delfin Lend Lease committed themselves to providing a certain number of jobs. You are concerned that the company is now attempting to shirk that responsibility by distorting employment figures in the area.

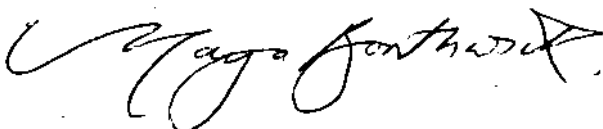
You originally sent your complaint to the Premier who forwarded it to the Minister of Planning for his attention. The Minister for Planning then forwarded the complaint to the Premiers Department, who forwarded the complaint to this office. It seems that there has been some degree of confusion about in whose area of responsibility your complaint lies.

This office is not empowered to investigate allegations of wrongdoing by Ministers of Parliament or by their staff. We can however investigate the administrative conduct of New South Wales government departments, agencies and local councils where there is evidence of wrong conduct.

If you wish to pursue the matter, I recommend you refer your complaint, in writing, to the Director General of the Department of Planning Mr Sam Haddad. I have attached a letter of referral from this office to help you in lodging your complaint. This office is generally recognised as one of last resort. As a matter of policy we expect the agency concerned to be given a chance to review the matter and consider what action to take in response to it before we will become involved.

We generally allow an agency four to six weeks to respond to our inquiries. If Mr Haddad does not respond within this timeframe or if the response does not adequately deal with your concerns and there is good evidence of wrong conduct, you can contact this office again. We would then consider that evidence and the need to make inquiries about your complaint.

Yours sincerely



Maya Borthwick  
**Complaints Officer**  
**For the Ombudsman**

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11 August 2006

Mr Sam Haddad  
Director General  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Haddad

**Complaint by Mr Geoff Brown about the Department of Planning**

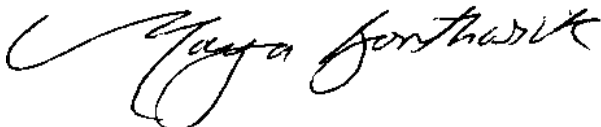
Mr Geoff Brown has complained to the Ombudsman about the development of the ADI site in St Mary's. As part of the St Mary's Development Agreement 2002, Sydney Regional Environmental Plan 30 St Mary's, and the St Mary's Environmental Planning Strategy, Delfin Lend Lease committed to provide a certain number of jobs. Mr Brown is concerned that the company is now attempting to shirk that responsibility by distorting employment figures in the area.

I have told Mr Brown that we require an agency to first be given a chance to review the matter and consider whether any action is necessary. I have advised Mr Brown to send a written complaint directly to you and have provided this letter to be forwarded with it.

Could you please review this matter and advise Mr Brown directly of the result. There is no need to inform us of the outcome of your review at this time.

I have invited the complainant to write to us again if he is not satisfied with your review. The matter would then be assessed on its merits.

Yours sincerely



Maya Borthwick  
**Complaints Officer**  
**For the Ombudsman**