

Availability of Development Documents



Introduction

The Development Act 1993 and the Development Regulations 2008 outline what documents, and in what circumstances, documents that form part of a Development Application can be viewed or copied for the general public.

Documents which can be viewed free of charge without consent

- All Development Application Forms and copies of all Decision Notifications issued by Council are held on a public register which can be viewed during normal office hours.
 - Plans which relate to a Development Plan Consent issued by a private certifier.
 - Plans for building work where the proposed development has received Development Approval.
 - Plans and details submitted by an applicant as part of a "Category 2" or "Category 3" application can be viewed during the formal public consultation period.
- * **If any of the above situations apply, the attached form does not need to be completed to view copies of plans.**

Documents which can be viewed free of charge, but require the applicant/owner's consent

- Plans and details submitted by an applicant as part of a 'Category 1' application (which has not yet obtained Development Approval) can be viewed only with the written consent of the applicant. (Parts A and B of the attached form must be completed).
- Plans and details submitted by an applicant as part of a "Category 2" or "Category 3" application can be viewed during the formal public consultation period (the attached form does not need to be completed). Outside of the formal

public consultation period, viewing is only permitted with the written consent of the applicant. (Parts A and B of the attached form must be completed).

Documents which can be copied

- Copies of Development Application Forms and Development Decisions made by Council can be obtained during normal office hours (the attached form does not need to be completed, but photocopying charges apply).
- Copies of relevant plans and details submitted by an applicant as part of a 'Category 2' or 'Category 3' application will be forwarded by Council to "adjacent land owners and occupiers" (as specified under the Development Act and Regulations) only, as part of the public notification process.
- Copies of other documents submitted by an applicant as part of a Development Application which has not yet received Development Approval will only be provided to a person who has obtained the consent of the Applicant and Copyright owner. (Parts A, B and D of the attached form must be completed and photocopying charges apply.)
- Copies of other documents submitted by an applicant as part of a Development Application which has received Development Approval will only be provided to a person who has obtained the consent of the Property owner and Copyright owner. (Parts A, C and D of the attached form must be completed and photocopying charges apply.)

Other than the above circumstances, copies of plans and documents are generally not provided by Council due to Copyright issues.

Other Restrictions

In addition to the above, Council does not give access to any documents that may jeopardise a building's security.

Availability of Development Documents



Making a request to view or copy documents

If you want to view or obtain copies of documents, you will need to complete the relevant sections of the attached form and bring it to the Council with your drivers licence. Council will take a photocopy of your drivers licence as a record of the name and address of the person making the request.

There is a search fee of **\$70.00** that must be paid when a request is made. Please note, this fee is non-refundable, even if a search results in no documents being found.

Photocopying charges are **\$2.00** per page for A4 pages and **\$4.00** per page for A3 pages.

Please Note:

- **Timing** - As files may be stored off-site, immediate access may not always be possible. Please allow up to two weeks for file retrieval.
- **Soil Reports** – Due to changes in technology, soil reports more than twelve (12) months old should be taken as a guide only. In all cases expert advice should be obtained.
- **Availability of Documents** - No responsibility is taken if, following an archive search, the requested documents are unavailable and, in these circumstances, the search fee is non-refundable. In Particular, records prior to 1959 are often not available.
- **Copyright Restrictions** – Plans and documents may be subject to copyright and any unauthorised dealings with these documents might render the person liable to the Copyright owner. Particularly, the taking of notes or sketches from documents or plans viewed may be a breach of Copyright restrictions.
- **Condition of Documents** – The quality and condition of documents can not be guaranteed and therefore Council accepts no responsibility for this.

- **Council reserves the right** – Council reserves the right to refuse the viewing or copying of documents.
- **The Freedom of Information Act** - A request to view or copy documents on the attached form, is not an application under the Freedom of Information Act 1991. The Freedom of Information Act provides a separate right to apply for access to Council documents generally, and other fees and conditions apply. By submitting a request on the attached form, a person is not prevented from making an application under the Freedom of Information Act.

Contact Details

City of Marion - Development and Regulatory Services

245 Sturt Road
Sturt SA 5047

PO Box 21
Oaklands Park SA 5046

Telephone (08) 8375 6685
Facsimile (08) 8375 6899

Website: www.marion.sa.gov.au
Email: council@marion.sa.gov.au