

# 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 Decision Notifications issued by Council are held on a public register which can be accessed below:

#### Applications lodged prior to 19 March 2021:

- View [HERE](#)

#### Applications lodged on or after 19 March 2021:

- View [HERE](#)

- 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 an application that requires public notification can be viewed during the formal public notification 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 applicant/owner consent

- Plans and details submitted by an applicant as part of an application (which has not yet obtained Development Approval) can be viewed only with the written consent of the applicant and property owner. Parts A, B and C of the attached form must be completed.
- Plans and details submitted by an applicant as part of an application requiring public notification can be viewed during the formal public notification period (the attached form does not need to be completed). Outside of the formal public notification period, viewing is only permitted with the written consent of the applicant and owner. Parts A, B and C 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 fees apply for hardcopies.
- 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, Owner and Copyright owner. Parts A, B, C and D of the attached form must be completed; fees apply for hardcopies.
- 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; fees apply for hardcopies.

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

## Copyright and Other Restrictions

Council is required to adhere to the Copyright Act 1968. This states that drawings, plans and engineering reports have copyright protection by the author and permission must be obtained from that person before copies can be made. Such permission must be in writing (includes emails).

In addition to the above, Council will not give access to any documents that may jeopardise a building's security (i.e. floor plans etc) pursuant to Regulation 101 of the Development Regulations 2008.

**Requests relating to applications made under the Planning, Development and Infrastructure Act should be directed to [Plan SA](#). Plan SA retains any records/documents uploaded to the Plan SA portal.**



# 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 driver's licence. Council will take a photocopy of your driver's licence as a record of the name and address of the person making the request.

There is a search fee of **\$100.00** 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.

## Step by Step – obtain copies of plans

**Step 1** – Complete the attached form and send to devadmin@marion.sa.gov.au.

**Step 2** – A member of the Administration Team will contact you to discuss your requirements and advise if we hold any development records.

**Step 3** – If you wish to proceed with the request, make payment of the non-refundable search fee. Instructions on how to make payment will be outlined for you via email or over the phone.

**Step 4** – You will receive any further information by email – timeframe and any copyright permission(s) you are required to obtain.

**Step 5** – Provide any outstanding information requested of you to devadmin@marion.sa.gov.au.

**Step 7** – Plans will be sent to you electronically, (hardcopies available – please note additional fees apply).

## Please note the following information:

### Timing

As files may be stored off-site, immediate access may not 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. In these circumstances, the search fee is non-refundable. In particular, plans and records prior to 1970 are often not available.

### Condition of Documents

The quality and condition of documents cannot be guaranteed and therefore Council accepts no responsibility for this.

### Access Refusal

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.



# Request to view/copy Development Documents

Please refer to table on the following page for instructions on form completion.

## PART A: PERSON SEEKING TO VIEW/COPY DOCUMENTS

Name: \_\_\_\_\_  
Postal Address: \_\_\_\_\_  
Post Code: \_\_\_\_\_ Phone Number(s): \_\_\_\_\_  
Email: \_\_\_\_\_

I am the registered property owner of the property in question: YES ☐ NO ☐  
(please tick applicable box)

I request permission to view ☐ / obtain copies ☐ (please tick applicable box),  
of document(s) held by the City of Marion concerning (please be as specific as possible):

**Nature of the Development (e.g. house, office development):** \_\_\_\_\_

**Property Address:** \_\_\_\_\_

**Name of Owner (if known):** \_\_\_\_\_

**Name of Developer (if known):** \_\_\_\_\_

**Documents requested:** \_\_\_\_\_

**Reason(s) for request:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## PART B: APPLICANT'S CONSENT

I, \_\_\_\_\_ (print full name) being the applicant for the development at  
\_\_\_\_\_ (property address) contained in Development

Application No: \_\_\_\_\_ hereby consent for the abovementioned person to view/be  
provided with a copy of (please strike out that which is not applicable) the documents requested.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## PART C: PROPERTY OWNER'S CONSENT

I, \_\_\_\_\_ (print full name) being the registered owner of the property at  
\_\_\_\_\_ (property address) hereby consent for the

abovementioned person to view /be provided with a copy of (please strike out that which is not  
applicable) the documents requested.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## PART D: COPYRIGHT OWNER'S CONSENT

I, \_\_\_\_\_ (print full name) being the Copyright owner of the requested  
plans and/or documents hereby consent for the abovementioned person to view/be provided  
with a copy of (please strike out that which is not applicable) the documents requested.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## OFFICE USE ONLY

The request to view / copy documents has been considered and is Approved / Refused.

Name of Authorised Officer: \_\_\_\_\_

Position: \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



# Request to view/copy Development Documents

	Details Requested	Part(s) of form to be completed
View	Development Application Forms and Decision Notification Forms.	Not required.
	Plans/documents of an application which has not yet received Development Approval.	Part A, Part B (Applicant's Consent) & Part C (Property Owner's Consent).
	Plans/documents submitted by an applicant as part of an application that requires public notification during the formal public notification period.	Not required. These plans are able to be viewed online during the notification period.
	Plans which relate to a Development Plan Consent issued by a private certifier.	Not required.
	Plans/documents for building work where the proposed development has received Development Approval.	Not required.
Copy	Development Application Forms and Decision Notification Forms.	Not required.
	Plans/details of an application which has not yet received Development Approval.	Part A, Part B (Applicant's Consent), Part C (Property Owner's Consent) & Part D (Copyright Owner's Consent).
	Plans/documents submitted by an applicant as part of an application that requires public notification during the formal public notification period.	These plans are able to be viewed online during the notification period.
	Plans/documents for building work where the proposed development has received Development Approval.	Part A, Part B (Applicant's Consent), Part C (Property Owner's Consent) & Part D (Copyright Owner's Consent).
Note	Charges apply to supply copies of plans, including those where the form does not need to be completed. Printing/copying charges are <b>\$2.00</b> per page for A4 pages and <b>\$4.00</b> per page for A3 pages. For copies of plans/specifications (documents that are not on the public register), there is a search fee of <b>\$100.00</b> 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.	

