

Request to View/Copy Development Documents



Copyright

Council is compelled to adhere to the Copyright Act 1968. This states that drawings, plans and engineering reports have copyright protection by the author. Permission must be obtained from that person before copies can be made. The permission must be received in writing.

The Development Act 1993 and Development Regulation 2008 outline the documents that can be viewed or copied for the general public.

Documents that can be viewed by the public

- All Development Application Forms and copies of Decision Notification Forms in the public register can be viewed during Council office hours.
- Documents provided to Council by a private certifier in relation to any application for a development plan consent assessed by the private certifier.
- All technical details, particulars, plans, drawings, specifications and other documents or information relating to building work.
- All certificates, opinions and other documents submitted to the Council in connection with an application for approval of building work.
- The duplicate of any certificate of occupancy issued by, or provided to, the Council.
- A copy of any schedule of essential safety provisions issued by, or provided to, the Council.
- A copy of any certificate submitted to the Council under Regulation 76 during the preceding 6 years.
- A copy of any other plan submitted to the Council under the regulations in relation to building works.

A Council Officer will be present during the viewing process.

Documents which can be copied (photocopy charges apply)

Plans, technical details, drawings, specifications, certificates etc. can only be photocopied or reproduced with the written consent of the author (architect, designer or engineer).

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

Council does not give access to view or copy any documents that may jeopardize the present or future security of a building, or constitute a breach of any other law.

Freedom of Information

The Freedom of Information Act 1991 provides a right to apply for access to Council documents generally (subject to conditions). This is a separate process to accessing information from Development Application files.

Request for Documents

- When making a request to view or copy documents held by Council, the attached form will need to be completed.
- Please note that files may not be immediately accessible and you will be notified when these have been retrieved. Previous soil reports more than 12 months old cannot be re-used as technology changes. It is preferable that an engineer be appointed to prepare a new soil report.
- Files pre 1980 may not be available from Council, and files older than 1996 cannot be guaranteed in regards to quality or condition for viewing or reproduction due to deterioration of paper and ink used.
- Council reserves the right to refuse the viewing or copying of documents, due to copyright or safety reasons.

Process

1. Lodge the attached application form. A new form is required per property.
2. Pay the **\$62.60** search fee (per property). Please note, this fee is non-refundable, even if a search results in no documents being found.
(Note: A search will only be undertaken for the files once the search fee is paid and a completed form is received)
3. Council staff will conduct a search and contact the applicant to advise the search outcome.
4. Written permission is to be sought **by the applicant** from the copyright holder of any plans and documents prior to Council releasing copies.
5. In circumstances where the copyright holder is no longer in business or cannot be found, a Statutory Declaration Form must be completed and signed in front of a Justice of Peace.
6. Once Council has received written permission and/or statutory declaration form, copies will be e-mailed. You can request documents to be printed however this will incur additional charges as per Council's Fees and Charges Schedule.

Fees and Charges

A search fee of \$62.60 per property applies (Payment options include: EFTPOS or cheque in person at the Council Offices, 131 Belair Road Torrens Park, *or* attach a cheque to this form & mail to PO Box 21 MITCHAM SA 5062, *or* a Council Officer will contact you for payment soon after the application has been received).

The search fee includes the provision of electronic copies of documents once copyright approval is received.

Additional photocopying fees may apply should you wish to purchase hard copy reproductions.

REQUEST TO VIEW / COPY DEVELOPMENT DOCUMENTS APPLICATION FORM



APPLICANT DETAILS:

Name: _____

Address: _____

Post Code: _____

Phone: _____

Email: _____

PROPERTY ADDRESS:

(One address per application form)

Address: _____

Name of Owner/Developer (if known): _____

Documents requested: _____

- I confirm that I have read the attached Development Information sheets and understand that I am required to obtain written copyright owner consent before any copies of electronic or paper documents are provided.
- I understand there may be many different Copyright Owners who have produced documents for each application.
- I understand that copyright owner approval is not required to view the documents.
- I understand a non-refundable \$62.60 search fee is required to be paid before commencement of the search and there is no guarantee any documents will be found.

Applicant Signature _____ Date: _____

- I wish to view documents held by the City of Mitcham relating to this request.
- I wish to obtain copies of documents held by the City of Mitcham relating to this request.