

Port Macquarie-Hastings Council
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FORM: DE161

pmhc.nsw.gov.au

Application for Copies of Development Documents

In accordance with provisions under the Environmental Planning and Assessment Act 1979 and the Government Information (Public Access) Act 2009 (GIPA) Informal Access to Information under Part 2 Division 1 (8).

Is what you want on our website?

Development details and some documents associated with recent applications are available on Council's website at: www.pmhc.nsw.gov.au/application-tracker. In many cases development documents for applications lodged with Council from 2014 onwards are held in digital format and are available free of charge on line.

Older documents are often in paper form and held at off-site archive stores. These search requests can take longer to complete and additional copying fees may apply in accordance with GIPA provisions.

Application fees

Application fees can be paid at any Port Macquarie-Hastings Council Customer Service Centre (Port Macquarie, Wauchope and Laurieton) or by credit card over the phone on 02 6581 8111.

Copy of development documents – where the record is held in digital form. <i>Approval from ALL registered property owners is required for a copy of approved floor plans.</i>	\$41.25
Copy of Building Information Certificate <i>Approval from ALL registered property owners is required for a copy of this document.</i>	\$13.00
Copy of development documents – where the record is paper, a pre-2010 development, at archives or a detailed search is required. We will let you know if extra time and fees apply.	\$41.25 + \$30 ph
Copy of house/internal drainage diagram In many cases these records are not readily available. If your request relates to a property sale and the requirement to have a house/internal drainage plan with a contract of sale under the Conveyancing Act, Council can provide you with a letter advising these records are not available in the ordinary course of business. If your enquiry is of this nature please contact us before lodging this form.	\$35.00

Processing Times

Documents are in digital format and/or are easily identifiable	20 business days
Extensive searches (for example): <ul style="list-style-type: none"> • Subdivision records • Development applications pre-2010 • Commercial properties • Multi-storey residential / Townhouses • Results that require a development planner or GIPA (Schedule 1 or 2) review. For example public interest tests, commercial in confidence, privacy, copyright restrictions. 	Processing times vary. An assessment will be made usually within 3 days from receipt of your application and the timeframe and cost for copies of the record will be communicated to you.

Applicant

Name _____

Company Name _____

Contact Name _____

Postal Address _____

Email _____

Phone _____

Applicant signature

Are you the owner of the land on which the building is erected? Yes No

Development details

Please tell us a little about the nature of your request. *For example I am a prospective seller/purchaser/agent, I am considering future alterations and extensions, etc.*

Delivery

Copies of documents will be emailed to you for download via Council's file drop service or released on-line at www.pmhc.nsw.gov.au/application-tracker . If you would like them sent to you another way please let us know.

Property

Unit /
Street No. _____

Street _____

Suburb _____

Post Code _____

Lot _____

No/DP/SP _____

My enquiry is about the

- Dwelling
 - Previous alterations / additions *ie. deck, shed, granny flat, etc*
 - Swimming pool / spa
 - Carport / Shed / Garage
 - Gazebo / Outdoor area
 - Business / Commercial premise
 - Other – please specify.
-

I am requesting a copy of the following documents

Note the Owners Consent requirements for floor plans and Building Information Certificates detailed on page 1.

- Approval / Consent
 - Plans (site, elevation, hydraulic, engineering, design, floor).
 - Specify: _____
Final Occupation Certificate, Final inspection report or inspection document.
 - Specify: _____
Building Information Certificate
 - House/internal drainage diagram
 - Other – please specify.
-

Owners Consent

I give permission for Council to release a copy of the Floor Plan or Building Information Certificate to the Applicant listed on this application form.

Sign:

A covering letter from the owner or proof of purchaser under contract of sale is attached separately.

Date:

Signatory name:

Contact number:

Terms

I acknowledge that this search will be undertaken based on the information I have provided on this form. Refunds are not provided for unproductive searches or if incorrect details are supplied for example, incorrect property references.

Privacy

The personal details requested on this form are required under the Environmental Planning and Assessment Act 1979 and will only be used in connection with the requirements of this legislation. This form will be stored electronically in the Council's electronic document management system. Access to this information is restricted to Port Macquarie-Hastings Council officers and other people authorised under the Act. Council is to be regarded as the agency that holds the information. You may make application for access or amendment to information held by Council. You may also request Council to suppress your personal information from a public register.

Copyright

The Government Information (Public Access) Act (GIPA) provides that anyone may inspect, free of charge, certain documents held by a council, including (among others) development applications and associated documents. This right is qualified in relation to development application for the residential parts of buildings, which limits the rights of inspection in such cases to plans showing the height and external configuration in relation to the site of the proposed building. GIPA provides that a right to inspect a document under the Act includes a right to take away a copy of the document, whether free of charge or subject to reasonable copying charges (subject to any other requirements or limitations in relevant legislation).

It follows that anyone has a statutory right to inspect development application and associated documents, subject to GIPA, and to take away copies. A council complying with its obligation under GIPA does not breach copyright law. However, a person who through this process obtains a copy of survey or other plans subject to copyright would be in breach of copyright law if those plans were later used in a way adverse to the interest of the holder of the copyright. For example, a person who obtains a copy of the plans and specifications for a building the subject of a development application would breach copyright law if those plans and specifications were used without the copyright holder's consent as the basis for another development proposal on a different parcel of land. Liability in such a case would rest with the person who committed the breach.

If you do copy, reproduce, republish, upload to a third party, transmit or distribute in any way plans, building specifications or other documents subject to copyright, contrary to the provisions of the Copyright Act 1968 (Cth) you will be taken to have indemnified Port Macquarie-Hastings Council against any claim or action in respect to breach of copyright.

Office Use

Property Number(s)		
CRM Number		
Development application references		
Fee Paid - Receipt Number		Cashier Code 193
Date received by Council		