



Historical Property Search

For building and development application files that pre-date 2010

Byron Shire Council has custody of building application (BA) and development application (DA) files dating back to 1920's.

Each year, we receive hundreds of enquiries to view these files from individuals and organisations. This service imposes a significant cost due to the time it takes to search and retrieve these files from our archives and provide to our customers, Council has previously absorbed the cost of providing this service.

From 1 September 2022 requests for historical BA and DA files that pre-date 2010 will incur a \$85 fee.

This new fee has been introduced to partially recover costs involved with searching, retrieving and supplying the information.

There is no charge for information on DAs that post-date 2010 where that information is considered open access as per the GIPA regulations 2018. For example:

- DA application as submitted
- DA assessment report
- Approved plans
- Development consent.

This information if not available on the website will be uploaded free of charge upon request via the DA Tracker.

Frequently asked questions

How do I know the age of the files associated with a property ?

Firstly search for the property on DA Tracker at: byron.nsw.gov.au

If no information is available the BA/DA may pre-date 2010

- A. Lodge an Informal/Historical Property search application and pay the applicable fee.
- B. There is a DA post 2010 but there a few or no documents available on the web.

More information may be available on the file and you can email the Records Department at Council@byron.nsw.gov.au to request available information to be uploaded to DA tracker. No fee for post-dated 2010 DA information. Information will be supplied within seven working days.

- C. I can see a post 2010 DA file, but there should be earlier files as well that I can't see.

Access available information free of charge from the DA tracker and then you will need to lodge an application and pay the search fee for the older files.

What if I own the property, do I still have to pay ?

Yes, as the property owner you are still required to pay the search and supply fee.

What if there are multiple BA and DA files for the one property?

The fee is per property. You will only need to pay one search and supply fee regardless of the number of BAs and DAs for a single property.

What if my property is part of a subdivision and I want to view files from the original property?

A subdivision file is an historical file related to the current property so it can be provided on request. We routinely provide strata subdivision/boundary adjustment files.

What if I want to view files for separate properties?

The fee is per property; you will need to lodge a separate application and pay the applicable fee for each property you request information about.

What information will I receive when I am supplied the BA/DA file?

The age of the file will generally determine how much information is available, some BA files only have a stamped plan and file cover sheet.

However, you should expect to receive the notice of determination (DA) or building permit (BA) approved plans and documentation, file cover and inspection information.

Historical files may also include council reports, internal assessment reports, compliance certificates and interim or final occupation certificates.

What if there are no files on my property, do I get a refund?

Occasionally, files may be unavailable. There are a number of reasons why a file may not be available, including the age of the development, whether or not it was Council approved or the hard copy may have been lost over time.

The search fee is not refundable because it covers the searching costs.

Do I need owners consent to retrieve BA and DA files.

If you are not the owner of the property, then yes you will need the current owners written consent. This includes the written consent of the body corporate if you are wanting information on a strata building.

How do I request access to a file?

Files can be requested by completing the application form and paying the appropriate fee. Application form is located on Council's website.

Or alternatively, you can complete an application form and pay the appropriate fee at Council administration building at 70 Station St Mullumbimby.

How will Council supply the information.

The file/s will be supplied electronically via our secure document delivery portal. Access to the information has a limited life and will expire 3 months after delivery.

How long will it take to supply the information from my initial request?

In most cases, your request will be completed within 7 working days

Resources

From 1 September 2022

- \$85 search and supply fee for historical BA and DA files pre-dating 2010 will be introduced
- Files post-dated 2010 (no charge)
- View DAs online at Councils website at www.byron.nsw.gov.au
- **Files pre-dated 2010** Lodge search request for BA/DA files.

