Monday, 2 April 2012

**Copyright and publication of plans for development proposals**

Response given to *The Sydney Morning Herald*

The department and councils publish DA plans and related reports on their websites as required by the GIPA Act and protected by clause 57 of the EPA regulation. Is the department aware of advice from the OIC that these provisions are over-ridden by the federal Copyright Act and that plans etc cannot be copied or published without the copyright owner’s permission.

*Department of Planning and Infrastructure response:*

The department is aware of guidance provided by the Office of the Information Commissioner to local councils in April and May 2011, with respect to copyright and the GIPA Act. It is a matter for councils how this advice is interpreted and implemented.

The issue of copyright, and the need for transparency in the NSW planning system, are being examined as part of the NSW Planning System Review.