



Environmental Defenders Office

Access to Government Documents in SA

Disclaimer: This factsheet is a guide only and is designed to give readers a plain English overview of the law. It does not replace the need for professional legal advice in individual cases. To request free initial legal advice on a public interest environmental or planning law issue, please visit our [website](#).

While every effort has been made to ensure the information is accurate, the EDO does not accept any responsibility for any loss or damage resulting from any error in this factsheet or use of this work.

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This factsheet sets out what information relating to the environment is available to the public under South Australian legislation. Many environmental and other Acts allow the public to access certain documents either on application or through a “public register”. In some circumstances, information may not be readily available in which case it may be necessary to use the procedures established under the [Freedom of Information Act 1991 \(SA\)](#).

Read: EDO factsheet on [Freedom of Information in SA](#) for more information.

Registers of information

Pollution

The [Environment Protection Act 1993 \(SA\)](#)¹ and the [Environmental Protection Regulations 2009 \(SA\)](#)² require the keeping of a “public register” of information containing:

- details of incidents causing or threatening serious or material environmental harm that come to the notice of the Environment Protection Authority (**EPA**) including any remedial action taken or proposed
- details of any environment protection order, clean-up order or clean-up authorisation issued by the EPA and any consequent action taken including a report on compliance with the order issued
- details of prosecutions (nature of the offence, name of proceedings, action number, name of court, outcome), copies of written warnings and other enforcement action

¹ [Environment Protection Act 1993 \(SA\)](#) s 109.

² [Environmental Protection Regulations 2009 \(SA\)](#) s 16.

- details of each application for an environmental authorisation (i.e. licenses, exemptions or works approval) and development authorisations, the outcome of these applications and (if granted) details of any conditions attaching to those authorisations; and
- details of reports of environmental assessments carried out for purposes of voluntary site contamination and remediation, or carried out for any other purpose.

Visit: EPA's online [Public Register](#) page to start your search. The online directory is designed for the public to find out which information is held but it is not exhaustive.

Visit: EPA offices to view the Public Register (in its entirety) at:

**Level 2
211 Victoria Square
Adelaide SA 5000**

Note: A small fee applies for inspecting the Register and taking copies.

Public and Environmental Health

Each local council is required to submit a report every year to the South Australian Health Commission on their work under the [Public and Environmental Health Act 2011 \(SA\)](#). The report outlines the state of environmental and public health in the local council area and details of measures taken by the council to address any problems.

Visit: SA Health's [Public Health Services](#) page to download and read [The State of Public and Environmental Health Report for South Australia 2010-11](#).

The EPA responsible for the keeping of a register of licences and registrations granted under the [Radiation Protection and Control Act 2021 \(SA\)](#). This register contains such information as where unsealed radioactive substances are handled and kept, who has a licence to mine or mill radioactive ores and who has a licence to use or handle radioactive substances.

Visit: EPA's online [Public Register](#) page to start your search – narrow your search by clicking [Radiation Licences](#).

Development

The Planning and Land Use Services (Attorney-General's Department) is required to keep a register of applications under the [Planning, Development and Infrastructure Act 2016 \(SA\)](#).

Where a development is of a type that requires neighbour or public notice, certain additional information such as plans and specifications, must also be made available for public inspection.

Visit: PlanSA's [Development Application Register](#) page to find and track a development application.

State Heritage

The [Heritage Places Act 1993 \(SA\)](#) provides for the keeping of the “State Heritage Register”. The Register has an inventory attached to it containing information relating to State Heritage Areas, local heritage (as designated in Development Plans) and Commonwealth heritage sites.

Visit: The SA Department for Environment and Water's [SA Heritage Register](#) page for more information.

Aboriginal Heritage & Native Title

The [Aboriginal Heritage Act 1988 \(SA\)](#) creates central and local archives relating to Aboriginal heritage, including a “Register of Aboriginal Sites and Objects”.³ This information is confidential and can only be disclosed in certain circumstances such as where the traditional owners of the site or object have given their approval for disclosure.

Visit: The SA Department of the Premier and Cabinet's [Taa wika](#) portal to start your search.

The [Native Title \(South Australia\) Act 1994 \(SA\)](#) established the “State Native Title Register”.⁴ The register contains all decisions by South Australian courts, and authorities under the law of the Commonwealth, on questions about the existence of native title in South Australia or the nature of the rights conferred by native title.

Once it has been determined that native title does exist in the land, then the Register will contain a description of the persons who are recognised at common law as the holders of native title in the land and a description of the nature and extent of the rights and interests conferred by the native title. The register also includes details of all current claims to native title.

³ [Aboriginal Heritage Act 1988 \(SA\)](#) s 9.

⁴ [Native Title \(South Australia\) Act 1994 \(SA\)](#) s 17.

Visit: The National Native Title Tribunal's [Search National Native Title Register](#) page to start your search.

Mining and Petroleum Projects

The [Mining Act 1971 \(SA\)](#) established a register of miners' rights, precious stones prospecting permits, registered claims, mineral exploration licences and mining leases. The [Petroleum and Geothermal Act 2000 \(SA\)](#) established a similar register for petroleum projects.

Visit: The SA Department for Energy and Mining's [Mining Register](#), [Petroleum Licence Register](#) and [Petroleum Environmental Register](#) pages to start your search.

Native Vegetation clearance

The Native Vegetation Council keeps a register of applications for permission to clear native vegetation under the [Native Vegetation Act 1991 \(SA\)](#). The Register also contains a list of land subject to heritage agreements for the protection of native vegetation.

Visit: The SA Department for Environment and Water page on the [Native Vegetation Clearance Application Register](#) to start your search.

Coastal conservation

The Coast Protection Board prepares and issues bulletins, information sheets, maps and plans as required by section 14 of the [Coast Protection Act 1972 \(SA\)](#).

Visit: The SA Department for Environment and Water's page on [Policies, Reports and Meeting Minutes](#) by the Coastal Protection Boards.

Fisheries & National Parks

The Fisheries and Aquaculture division of the SA Department of Primary Industries and Regions is required to keep a Register of commercial fishing licences.

Visit: The SA Department of Primary Industries and Regions' [Public Register](#) page to search for licences, permits and registrations.

Local Council

The following documents are available for public inspection at Council Offices and copies are available on request:

- Ordinary Council Agendas and Minutes
- Standing Committee Agendas and Minutes
- The Corporate Plan
- The Budget Statement
- The Annual Report
- Council By-Laws; and
- Annual Financial Accounts.

The following documents are available for “inspection only” at Council Offices:

- Certain major Planning Applications
- Register of Employees’ Salaries
- Wages and Benefits
- Assessment Book
- Register of Public Streets and Roads
- Register of Fees and Charges levied by the Council
- Building Register
- Dog Register; and
- Register of Parking Controls.

The following law libraries allow public access to their resources, although borrowing is not permitted:

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| <ul style="list-style-type: none">• Supreme Court Library
1 Gouger Street
Adelaide
Ph: (08) 8204 0488 | <ul style="list-style-type: none">• Adelaide University Law Library
Ligertwood Building, North
Terrace Campus
Adelaide
Ph: (08) 8303 5558 |
| <ul style="list-style-type: none">• Law Society Library
124 Waymouth Street
Adelaide
Ph: (08) 8229 0222 | <ul style="list-style-type: none">• Flinders University Law Library
Sturt Road
Bedford Park
Ph: (08) 8201 5198 |

Environment, Resources and Development Court

The Environment, Resources and Development Court must allow any member of the public, on application, to inspect certain documents. These include any process relating to proceedings and forming part of the Court's records, a transcript of evidence taken by the Court in any proceedings and any documentary material admitted into evidence in any proceedings. Decisions or orders of the Court are available, however some other documents can only be inspected with the permission of the Court.

Read: EDO factsheet on [Procedure in the Environment, Resources and Development Court in SA](#) for more information about the Court and its functions.

Visit: The CourtSA [website](#) to view orders, judgments and associated documents. You can also order a transcript from a particular hearing.

General Access to Legislation and Cases

For general access to legislation and cases, please see the resources listed below:

Visit: The SA Government [website](#) for general information and services.

Visit: The [SA Legislation Register](#) to view SA laws, regulations, rules and policies.

Visit: AustLII's [SA Case Law database](#) to view and download decisions of SA courts.

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