

What about personal information Council collects from me?

Council holds personal information it has collected for its own purposes or on behalf of other Federal and State government departments and agencies such as the Department of Urban Affairs and Planning and the Australian Bureau of Statistics. All the information collected by Council is subject to the provisions of the Privacy and Personal Information Protection Act.

Where you are providing personal information to Council, either the Council Officer assisting you or the form you are completing will advise where the information will be used. If you wish to know what personal information council may hold on you, then you can make an application under Section 13 of the Privacy Act to determine whether information is held and for what purposes.

You are able to apply to the General Manager to have personal information suppressed. For instance were you to make an objection to a development application you may wish to suppress personal details, however you should be aware that this may result in the application carrying less weight.

BREACHES OF THE ACT

Complaints regarding any breaches of the Act must be made, in writing, to Council within 6 months of a person becoming aware of the breach of privacy. The letter must contain a return address.

Where to get more information

Privacy Commissioner

Privacy NSW
P.O. Box A2122
Sydney South NSW 1235
Ph: (02) 9268 5588
Fax: (02) 9268 5501
Privacy_NSW@agd.nsw.gov.au
www.lawlink.nsw.gov.au/pc

Administrative Decisions Tribunal

Level 15, St. James Centre
111 Elizabeth St
Sydney NSW 2000
Ph: (02) 9223 4677
Fax: (02) 9233 3283
www.lawlink.nsw.gov.au/adt

Language Assistance

Telephone Interpreting Service
Ph: 13 14 50

Hastings Council's Privacy Officer

Hastings Council
P.O. Box 84
Port Macquarie NSW 2444
Ph: (02) 6581 8111
www.hastings.nsw.gov.au

PRIVACY You and Your Local Council *A Guide to the New Privacy Act*



Hastings Council

Cnr Lord/Burrawan Street
Port Macquarie NSW 2444

How the New Privacy Act Works

On July 1, 2000 the Privacy and Personal Information Protection Act 1998 (PPIPA) commenced. That Act provides for the protection of personal information and privacy of individuals generally.

The Act applies to all public sector agencies in NSW, with regard to Councils it applies to the work of Councillors, Council employees, consultants and contractors of the Council, Council owned businesses and Council committees (including Section 355 Committees).

As part of the implementation of the Act, Council has adopted a Privacy Management Plan which is based on the NSW Privacy Code of Practice principles.

What is personal information?

Personal information is information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. The information can be on a database and does not necessarily have to be recorded in a material form. e.g. on paper.

What is not personal information?

Personal information does not include information about an individual that is contained in a publicly available document. Personal information, once it is contained in a publicly available publication, ceases to be covered by the PPIPA. Council considers the following to be publicly available publications:

- An advertisement containing personal information in a local, metropolitan or national newspaper
- Personal information on the internet
- Books and magazines that are printed and distributed broadly to the general public
- Council Business Papers, or that part that is available to the general public
- Personal information that may be a part of a public display on view to the general public



Personal information covered by the Privacy Act does not necessarily have to be recorded in a material form, it can also be on an electronic database

Under the New Privacy Act what types of information can you access?

You can still obtain virtually all the information you were previously able to obtain from Council, the major exception being that you will no longer be provided with “personal information” unless you are able to provide valid reasons for requiring that information.

Where you are requesting “personal information” from Council records you may be asked to complete an **Application for Access Form** which must be lodged for consideration with Council’s Privacy Officer. You will still be able to view Council’s Pecuniary Interest Register and be able to copy single entries or a page from that Register without completing the Statutory Declaration.

You will still be able to obtain information on development applications and development consents including what is to be developed, however you will not be able to obtain any personal information, internal plans or commercial information about the development.

You will no longer be able to obtain information that will assist you to direct mail or market to ratepayers or any other group for which Council holds contact details.