



PARKES SHIRE COUNCIL

# PRIVACY MANAGEMENT PLAN

# PARKES SHIRE COUNCIL

## PRIVACY MANAGEMENT PLAN

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**CONTROLLED DOCUMENT INFORMATION**

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## INTRODUCTION

Parkes Shire Council respects the privacy of the residents and ratepayers of the Parkes Shire area, by preparing the following Privacy Management Plan in accordance with the requirements of *Section 33* of the Privacy and Personal Information Protection Act.

The Privacy and Personal Information Protection Act 1998 (PPIPA) provides for the protection of personal information and for the protection of the privacy of individuals.

Section 33 of the PPIPA requires all Councils to prepare a Privacy Management Plan (the 'Plan') to deal with:

- The devising of policies and practices to ensure compliance by the Council with the requirements of the PPIPA;
- The dissemination of those policies and practices to persons within the Council;
- The procedures that the Council proposes for internal review of privacy complaints; and
- Such other matters as are considered relevant by the Council in relation to privacy and the protection of personal information held by it.

This plan has been prepared for the purpose of Section 33 of the PPIPA.

The Act provides for the protection of personal information by means of twelve Information Protection Principles. Those principles are listed below:

- Principle 1 - Collection of personal information for lawful purposes
- Principle 2 - Collection of personal information directly from the individual
- Principle 3 - Requirements when collecting personal information
- Principle 4 - Other requirements relating to collection of personal information
- Principle 5 - Retention and security of personal information
- Principle 6 - Information about personal information held by agencies
- Principle 7 - Access to personal information held by agencies
- Principle 8 - Alteration of personal information
- Principle 9 - Agency must check accuracy of personal information before use
- Principle 10 - Limits on use of personal information
- Principle 11 - Limits on disclosure of personal information
- Principle 12 - Special restrictions on disclosure of personal information

### Application of this Plan

The PPIPA and this plan apply, wherever practicable, to:

- Councillors;
- Council employees;
- Consultants and contractors of the Council;
- Council owned businesses; and
- Council Committees (including those which may be established under section 355 of the LGA).

Council will ensure that all such parties are made aware that they must comply with PPIPA, the Code of Practice for Local Government, any other applicable Privacy Code of practice and this Plan.



## Personal Information held by Council

The Council holds personal information concerning Councillors, such as:

- Personal contact information;
- Complaints and disciplinary matters;
- Pecuniary interest returns;
- Related Party Information; and
- Entitlements to fees, expenses and facilities.

The Council holds personal information concerning its customers, ratepayers and residents, such as:

- Rates records; and
- DA applications and objections.

The Council holds personal information concerning its employees, such as:

- Recruitment material;
- Leave and payroll data;
- Personal contact information;
- Performance management plans;
- Disciplinary matters;
- Pecuniary interest returns; and
- Wage and salary entitlements.

In order to comply with the requirements of this Act, Council will comply with Information Protection Principles in relation to its handling of personal information.

Personal information is defined as 'any information about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion'.

## PUBLIC REGISTERS

Council is required by law to maintain a number of public registers and to make them available for public inspection.

Some of these registers contain personal information as defined in the PPIPA, the HRIPA and the GIPA Act. Council is required to ensure that any access to personal information in a register is consistent with the purpose for which the register exists. In line with this requirement,

Council has developed specific rules governing disclosure of personal information on registers:

- Council will not disclose personal information kept in a public register unless the information is to be used for a purpose relating to the purpose of the Register, or an Act under which the Register is kept.
- The Privacy Code of Practice allows disclosure of single items or one page in a Register without explanation. However, such a disclosure can only occur when the person seeking the information attends Council in person.
- Council requires that any person who applies for more than one record or page from a public register, does so by completing a Statutory Declaration. Any such declaration must describe the intended use of the information requested and be witnessed by a Justice of the Peace.



The list of Council registers below specifies the main purpose of each of those registers.

**Public Land Register** – (Section 53, Local Government Act, 1993). The purpose of this register is to identify all land vested in Council, or under its control. It includes a consideration of public accountability as to the land held by Council.

- **Records of Approvals** – (Section 113, Local Government Act, 1993). The primary purpose is to identify all approvals granted under the LGA
- **Pecuniary Interests** – (Section 450A, Local Government Act, 1993). The purpose of this register is to determine whether a Councillor, a member of a council committee or a designated officer, has a pecuniary interest in any matter with which the Council is likely to be concerned. There is a corresponding public accountability purpose.

• **Rates & Charges Records** - (Section 602, Local Government Act, 1993). The purpose of this register is to record the value of a parcel of land and record rate liability in respect of that land and the owner or lessee of each parcel of land. The information that is held on the Rates & Charges record is:

- property address
- rate liability
- property valuation
- owner name/s

Owner contact mailing information is not considered part of the Rates and Charges record.

Owner contact mailing information will only be provided to adjoining property owners who apply in person at Council's Administration Centre.

• **Development Consent Approvals** – (Section 100, Environmental Planning and Assessment Act, 1979). The purpose of this register is to identify applications for development consent and other approvals, confirm determinations on appeal, and identify applications for complying development certificates.

• **Building Certificates** – (Section 149G, Environmental Planning and Assessment Act, 1979). The purpose of this register is to identify all building certificates. Register information is available for inspection free of charge. However, copies of certificates are only available with owner's consent and the payment of the prescribed fee.

• **Public register of licences held** – (Section 308, Protection of the Environment Operations Act, 1997). The purpose of this register is to identify all licences granted under the Act.

• **Record of Impounding** – (Section 30 & 31, Impounding Act, 1993). The purpose of this register is to record any impounding action by Council.

### Secondary purpose of all public registers

Due to the general emphasis on local government processes and information being transparent and accountable, it is considered that a secondary purpose for councils holding public registers is the provision of access to the public. Therefore, disclosure of specific records from public registers would normally be considered allowable under Section 57 of the PPIPA. However, requests for access, copying or the sale of the whole or a substantial part of a public register held by Council will not necessarily fit within this purpose. Council should be guided by the Privacy Code of Practice for Local Government in this respect. Where Council officers have doubt as to the intended use of the information, an applicant may be requested to provide a statutory declaration so that Council may satisfy itself as to the intended use of the information.



### **Application for access to one's own records on a public register**

A person wishing to have access to a public register to confirm their own details needs only to prove their identity to Council before having access to their own personal information.

### **Other registers**

Council may have other registers that are not considered public registers. The Information Protection Principles, the PPIP Act, all applicable codes, and this Privacy Management plan apply to those databases or registers.

## **PRIVACY PRINCIPLES**

(Part 2 division 1 Sections 8 to 19 inclusive, PIPP Act)

### **1. Collection of Information for Lawful purposes**

The Council will not collect personal information unless:

- 1.1 information is collected for a lawful purpose that is directly related to a function or activity of Council, and;
- 1.2 the collection of the information is reasonably necessary for that purpose.

The Council will not collect personal information by any unlawful means.

It will collect information:

- Verbally (eg in meetings, over the counter, on the phone)
- Via forms completed by individuals
- By correspondence, including electronic correspondence; and
- From Government and non-Government organisations.

#### ***Dealings with other Councils and Government Agencies***

Council continues to collect and deliver personal information to and from Government Departments involved in the normal functions of Council's operation.

Council deals with the NSW Department of Community Services (*DOCS*) for enquiries on personnel and recruitment matters ie. for pre-employment screening of people working with children, (*Children and Young Peoples Act*).

#### ***Multiple uses of personal information:***

*Council uses any personal information for a variety of purposes within its departments, as on most occasions the information was collected for one main purpose, it may be used for a variety of other purposes.*

eg: the names and addresses of individual owners of property kept on the Rate and charging record (*Section 602 of the Local Government Act*) are used to notify adjoining owners of proposed development, identify companion animal ownership, evaluate road openings and obstructions, evaluate tree preservation orders, investigate parking controls, evaluate land dedications and laneways status as well as being the basis of the Rating and Valuation Register.



**2. Collection of Information from individual**

When collecting personal information, Council will collect information only from the individual to whom the information relates unless:

- 2.1 the individual has authorised collection from someone else, or
- 2.2 the information has been provided by a parent or guardian of a person under the age of 16.

**3. Requirements when collecting personal information**

When Council collects personal information about an individual, that person will be notified of:

- 3.1 the fact that the information is being collected,
- 3.2 the purposes for which the information is collected;
- 3.3 the intended recipients of the information;
- 3.4 whether the supply of the information is required by law or is voluntary, and any consequences for the individual if the information (*or any part of it*) is not provided;
- 3.5 the existence of any right of access to, and correction of the information;
- 3.6 Council’s name and address and where the information will be stored.

Council has a policy not to release the names and addresses of complainants or objectors who claim confidentially on development, regulator or building issues.

As a guide, the following Privacy Protection Notice will be added to all forms, where the Council solicits personal information from the general public. Internal forms are not affected. The General Manager may vary this notice subject to there being no change to the intent of the notice.

A Privacy statement will be shown, where lists of names and addresses of attendees are collected at public meetings.

**PRIVACY PROTECTION NOTICE**

The completed [ \_\_\_\_\_ ] form contains personal information which is being collected for the purpose of [ \_\_\_\_\_ ]. The information will be processed by Council Officers and may be made available to public enquiries under Section 12 of the Local Government Act. The information supplied is required under the [ \_\_\_\_\_ ] Act. The information will be stored in the Parkes Shire Council’s Corporate Information System.





#### 4. Other requirements when collecting personal information

Council will take reasonable steps to ensure that:

- 4.1 information collected, is relevant to a purpose, is not excessive, and is accurate, up to date and complete, and
- 4.2 the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.

*Information may be released to public enquiry under Section 12 of the Local Government Act or the Freedom of Information Act.*

#### 5. Retention and Security of Personal Information

With regards to the retention and security of personal information, Council will ensure:

- 5.1 that information is used for a lawful purpose and is kept for no longer than is necessary;
- 5.2 that the information will be disposed of securely;
- 5.3 that the information is protected against loss, unauthorised access, use, modification or disclosure and against all other misuse (*as are reasonable in the circumstances*), and;
- 5.4 if it is necessary to release the information to a person in connection with the provision of a service to Council, everything reasonable is done to prevent unauthorised use or disclosure of the information.

**Disposal (*archiving and destruction*) of Council records is the responsibility of Council's staff.** All records recommended for destruction by Council are also approved for destruction by the Manager responsible for the functional area that created the records.

The records' disposal schedule used as the basis for records disposal is GDA10: General Records Disposal Schedule for Local Government Records, issued by State Records NSW and having effect under the State Records Act 1998.

GDA10 is a public document available from State Records NSW.

**Destruction of records which have no residual business or research values, and which are eligible for destruction in accordance with GDA10, is done annually.**

#### 6. Information about Personal Information held

If Council holds personal information about any individual it must take the necessary steps to enable any person to ascertain:

- 6.1 whether the Council holds personal information; and
- 6.2 whether the Council holds personal information relating to that person, and
- 6.3 if Council holds the personal information relating to that person:
  - 6.3.1 the nature of that information; and
  - 6.3.2 the main purposes that the information is being used; and
  - 6.3.3 that person's entitlement to gain access to that information.

*Principle 6 may be subject to the Government Information (Public Access) Act 2009 provisions.*



## 7. Access to Personal Information

Any person will be able to ascertain whether Council holds their personal information by contacting Council in writing, by letter to the General Manager.

Employees should enquire to the Executive Manager Corporate Services

*Principle 7 may be subject to the Government Information (Public Access) Act 2009 provisions.*

## 8. Alteration of Personal Information

Any person who is concerned with the inaccuracy or unacceptable use of their personal information kept by Council, may request amendments be made to that information by writing to the General Manager or completing a Freedom of Information Application.

Personal information must be used for the purpose for which it was collected and used for any purpose that is directly related to that purpose, it must be relevant, up to date, complete and not misleading.

*Principle 8 may be subject to the Government Information (Public Access) Act 2009 provisions.*

Council has an obligation to take such steps to amend personal information where necessary. **If Council decides that it will not amend the information, it must add the additional information, so it can be read with the existing information and the individual notified. The individual to whom the information relates is entitled to have the recipients notified of the amendments made by Council. Incorrect records will be physically altered, whether computerised or in hard copy form. Departmental Managers will approve required changes where applicable.**

GIPA applications may not be required where mistakes are proven quickly.

## 9. Accuracy of Information

Council will take reasonable steps to ensure the accuracy of personal information prior to use, having regard to the purpose it was collected, its proposed use, its relevance, accuracy, whether it is up to date, complete and not misleading, in accordance with Council's Code of Conduct, approved policies and recorded procedures.

## 10. Limits on use of Personal Information

Council will not use personal information for a purpose other than for which it was collected unless:

- 10.1 the individual to whom the information relates has consented to use the information for that other purpose, or;
- 10.2 the other purpose for which the information is used directly related to the purpose for which it was collected; or
- 10.3 the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom that information relates or of another person.

Staff using relevant personal information will not notify individuals for approval to perform usual office functions. Personnel and recruiting records will be discussed with solicitors when the need arises and with administrative staff when necessary, without prior approval of individuals. These processes relate to the normal operational functions of Council and any personal information collected will be used for multiple purposes if required for the business of Council.

**It is not Council's practice to release the names and addresses of objectors on development applications or complainants on any issue.**



## 11. Limitations on disclosure of Personal Information

Council will take reasonable care not to disclose personal information unless:

- 11.1 the disclosure is directly related to the purpose for which it was collected and there is no reason to believe the individual concerned would object; or;
- 11.2 the individual has been made aware that this kind of information is usually released; or
- 11.3 disclosure is necessary to prevent or lessen a serious or imminent threat to the life of the individual concerned or another person.

*Section 12 of the Local Government Act overrides the restrictions on disclosure of personal information. Records must be made available for inspection and/or copy and may be available subject to the public interest test.*

## 12. Special Restrictions on disclosure of personal Information

Council will take reasonable care not to disclose personal information that:

- 12.1 relates to an individual's ethnic or racial origin, political opinions, religion or philosophical beliefs, trade union membership, health or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.
- 12.2 relates to any enquiry from anyone outside the state of New South Wales unless:
  - 12.2.1 a relevant privacy law applies to personal information in force in that jurisdiction, or;
  - 12.2.2 the disclosure is permitted under a privacy code of practice (a law determined by the Privacy Commissioner and published in the Government Gazette).

*Section 12 of the Local Government Act overrides the restrictions on disclosure of personal information. Records must be made available for public inspection and/or copy and may be available subject to the public interest test.*

Exempt documents under *Section 12(6) Local Government Act* may be released under the *Government Information (Public Access) Act 2009* following the application process and the payment of the scheduled fees. The disclosures of personal information contained on Council files and computer records will be dealt with the provisions of these Acts and where information released may cause personal hardship to a resident or ratepayer. Reasonable care will be taken to ensure appropriate levels of disclosure will be maintained.



### 13. Submissions to Council

Parkes Shire Council will continue to seek submissions on matters of public interest, including development applications, significant policies, and planning proposals.

Submissions received will be taken into consideration by Council during their deliberations and will be available for review by members of the public. In instances where the matter that is the subject of the submission is considered at an open Council meeting, full copies of the submissions may be printed in the Council business papers.

Members of the public may choose to make an anonymous submission but should be aware that the Council may give such a submission lesser consideration. Alternatively, a member of the public may request that their identifying details be suppressed. Such a request should be addressed to:

The General Manager  
Parkes Shire Council  
PO Box 337, PARKES NSW 2870

and include reasons and substantiation for the request.

Council will endeavour to make the community aware that it is policy to make all submissions available for public scrutiny. This will include notification on the web site, in policy documents and other means that may include advertisements in the local newspaper. A sample style of notification is included for reference. The General Manager may vary this notice dependent on the circumstances of the notice.

***All submissions, including any personal information contained therein, will become publicly available documents and will be made available to the applicant and any other interested members of the public. They may also be included in Council's business paper. If you do not wish your submission to be publicly available you must provide Council with written reasons for this. Alternatively, you may wish to provide an anonymous submission. However, anonymous submissions may be given less (or no) weight in the overall consideration of the proposal.***



## REVIEW OF CERTAIN CONDUCT (INTERNAL REVIEW PROCESS)

(Part 5 Clauses 52 and 53, PIPP Act):

### Initial Enquiry or Complaint:

Any person is entitled to obtain access to any personal information that Council holds about them. They may request alterations be made to their personal details or request information on the way their personal details have been used.

It is important that the initial enquiry or complaint be a formal submission, in the form of a letter addressed to:

The General Manager,  
Parkes Shire Council,  
PO Box 337,  
PARKES NSW 2870.

Where a person has requested information about their personal affairs and has been refused access, is unsatisfied with Council's response or Council's refusal to change a person's personal details, they are entitled to request an Internal Review of the initial complaint or enquiry.

### A person, who has requested information and;

- **is aggrieved by the conduct of Council in the following circumstances:**
  - a) contravention of a privacy principle that applies to Council.
  - b) contravention of a code of practice that applies to Council.
  - c) disclosure of personal information kept on a public register.
- **and has made an initial request** for access to personal information or requested a response concerning Council's actions concerning their personal information,
- **is entitled to apply for an Internal Review.**

An Application for Review must be obtained by completing a *Government Information (Public Access)* Form (Informal or Formal) and forwarding it to:

The General Manager,  
Parkes Shire Council,  
PO Box 337,  
PARKES NSW 2870.

### Review Process:

1. On receipt of the request for review, a copy will be forwarded to the Privacy Commissioner. The Privacy Commissioner will be informed of progress and the outcome of the review.  
  
The application must be lodged 6 months from the time the applicant first became aware of the conduct (*the subject of the application*).  
  
At all times the contents of the review will be kept confidential in accordance with Council's Code of Conduct.
2. The application will be dealt with by the Privacy, who will consider any relevant material submitted by either the applicant or the Privacy Commissioner.  
  
The review will be completed as soon as reasonably practicable within 60 days from receipt of the application for review.



3. Following completion of the review, Council will do one or more of the following:
  - a) take no further action on the matter;
  - b) make a formal apology to the applicant;
  - c) take appropriate remedial action;
  - d) provide undertakings that the conduct will not occur again;
  - e) implement administrative measures to ensure that the conduct will not occur again.
  
4. As soon as practicable within 14 days of the completion of the review, Council will notify the applicant in writing of:
  - a) the findings and the reasons for those findings.
  - b) any proposed action to be taken.
  - c) the right of the applicant to have those findings and the Council's proposed action, reviewed by the Administrative Appeals Tribunal.

## **TRAINING AND EDUCATION:**

Council's Executive Manager Corporate Services will provide advice to staff when required.

Parkes Shire Council has created Staff Behaviours Guidelines and Standards for employees, which includes the use of Council information and resources. All staff have attended workshops explaining this document and it is distributed to new staff during Council's Staff Induction Program.

Each Director is responsible to inform their staff of the requirements of the Privacy and Personal Information Protection Act and this Plan, and their individual responsibilities.

This Privacy Management Plan will be reviewed on a yearly basis by Council's Executive Manager Corporate Services.

The Plan's effectiveness will be assessed, and this will lead to any necessary changes.

The Plan will be available to the public through Council's Website or from the Customer Service Counter.



**Further Information:**

***Responsibilities of the Privacy Contact Officer***

The Executive Manager Corporate Services within Council will be assigned the role of the Privacy Contact Officer.

In order to ensure compliance with PPIPA, the Privacy Contact Officer will review all contracts and agreements with consultants and other contractors, rates notices, application forms of whatsoever nature, and other written requests by which personal information is collected by Council, to ensure that Council is in compliance with the PPIPA.

Interim measures to ensure compliance with IPP 3 in particular may include the creation of stamps or printed slips that contain the appropriate wording (see Appendices 2 and 3).

The Privacy Contact Officer will ensure Council in its public areas has special provisions for working with computer screens. Computer screens may require:

- fast screen savers;
- face the computers away from the public; or
- only allow the record system to show one record at a time.

Council's electronic databases should also be reviewed to ensure that they contain procedures and protocols to check the accuracy and currency of personal information.

The Privacy Contact Officer will also provide opinions within Council as to:

- i) whether the personal information is collected for a lawful purpose;
- ii) if that lawful purpose is directly related to a function of Council; and
- iii) whether or not the collection of that personal information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature will be referred to Council's Solicitor.

***Distribution of Information to the Public***

Council may prepare its own literature such as pamphlets on the PPIPA, or it may obtain and distribute copies of literature available from Privacy NSW.



# APPENDICES:

## APPENDIX 1



**STATUTORY DECLARATION  
FOR ACCESS UNDER SECTION 57 OF THE PRIVACY AND  
PERSONAL INFORMATION PROTECTION ACT 1998  
TO A PUBLIC REGISTER HELD BY COUNCIL**

**STATUTORY DECLARATION  
OATHS ACT, 1900, NINTH SCHEDULE**

I, the undersigned, .....(name of applicant)  
of.....(address),  
in the State of New South Wales, do solemnly and sincerely declare that:-  
I am.....(relationship (if any) to person inquired about)  
I seek to know whether ..... is on the public register of .....\*  
The purpose for which I seek this information is .....  
The purpose for which the information is required is to .....

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act 1994.

Subscribed and declared at.....	.....
This.....day of.....20.....	<i>(Declarant's signature)</i>
Before me..... JP No .....	.....
<i>(print name)</i>	<i>(signature of Justice of the Peace)</i>

\* Applicant to describe the relevant public register.





## APPENDIX 2



### PRIVACY NOTIFICATION FORM - SECTION 10 (POST-COLLECTION)

*(Addressed to the person from whom information has been collected.)*

The personal information that Council has collected from you is personal information for the purposes of the Privacy and Personal Information Protection Act 1998.

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and
- (any other).

The supply of the information by you is/is not voluntary. If you cannot provide or do not wish to provide the information sought, the Council may .....

Council is collecting this personal information from you in order to.....  
.....  
.....

You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the PPIPA.

Council\* is to be regarded as the agency that holds the information.

Enquiries concerning this matter can be addressed to .....

Signed.....

Dated.....

\*Please state who holds or controls the information if not Council



### APPENDIX 3



#### PRIVACY NOTIFICATION FORM - SECTION 10 (PRE-COLLECTION)

*(Addressed to the person from whom information is about to be collected or has been collected.)*

The personal information that Council is collecting from you is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (“the Act”).

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and
- (any other).

The supply of the information by you is/is not voluntary. If you cannot provide or do not wish to provide the information sought, the Council may/will be unable to process your application.

Council is collecting this personal information from you in order to.....  
.....  
.....

You may make application for access or amendment to information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the Act.

Council\* is to be regarded as the agency that holds the information.

Enquiries concerning this matter can be addressed to .....

Signed.....

Dated.....

\*Please state who holds or controls the information if not Council



APPENDIX 4



**APPLICATION UNDER SECTION 13 OF THE  
PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998  
TO DETERMINE WHETHER COUNCIL HOLDS  
PERSONAL INFORMATION ABOUT A PERSON**

**Personal information held by the Council**

I,..... , of.....  
.....(address), hereby request the General Manager of Council  
to provide the following :

Does the Council hold personal information about me? YES/NO

If so, what is the nature of that information?

.....  
.....

What is the main purpose for holding the information?

.....  
.....

Am I entitled to access the information? YES/NO

My address for response to this application is:

.....  
.....  
.....

**Note to applicants**

Should you provide your address or any other contact details the Council will not record those details for any other purpose other than to respond to your application.

As an applicant, you have a right of access to personal information concerning yourself that is held by the Council under section 14 of the Privacy and Personal Information Protection Act 1998 ('the Act'). There is a separate application form to gain access.

The Council may refuse to process this application in part or in whole if:

- there is an exemption to section 13 of the Act; or
- a Code may restrict the operation of section 14.



### APPENDIX 5



## APPLICATION UNDER SECTION 14 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 FOR ACCESS TO APPLICANT'S PERSONAL INFORMATION

### Personal information held by Council

I,.....(name), of.....  
.....(address), hereby request that the Council provide me  
with:

- (a) access to **all** personal information held concerning myself; or
- (b) access to the following personal information only.....  
.....  
.....

### **Note to applicants:**

As an applicant, you have a right of access to your personal information held by the Council under section 14 of the Privacy and Personal Information Protection Act 1998 ('the Act').

You are entitled to have access without excessive delay or cost.

Council may refuse to process your application in part or in whole if:

- +  the correct amount of fees has not been paid;
- +  there is an exemption to section 14 of the Act; or
- +  a Code of Practice may restrict disclosure.

Enquiries concerning this application should be made to .....



### APPENDIX 6



## APPLICATION UNDER SECTION 15 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION 1998 - FOR ALTERATION OF APPLICANT'S PERSONAL INFORMATION

### Personal Information held by Council

I,.....(name),of.....  
.....(address), hereby request the Council to alter personal information regarding myself in the following manner :

I propose the following changes:  
.....  
.....

The reasons for the changes are as follows :  
.....  
.....

The documentary basis for those changes is as shown on the attached document/s:  
.....  
.....

### Note to Applicants :

You have a right to request appropriate amendments be made (whether by way of corrections, deletions or additions) to ensure that the personal information held by the Council:

- (a) is accurate, and
- (b) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

If Council is not prepared to amend the personal information in accordance with a request by you, Council must take such steps as are reasonable to attach to the information in such a manner as is capable of being read with the information, any statement provided by you.

If your personal information is amended, you are entitled under the Privacy and Personal Information Protection Act 1998 ("the Act"), **if it is reasonably practicable**, to the have recipients of that information notified of the amendments made by Council.

Council may refuse to process your application in part or in whole if:

- there is an exemption to section 15 of the Act; or
- a Code of Practice may restrict alteration.

Enquiries concerning this application should be made to .....



### APPENDIX 7



## Government Information (Public Access) Act 2009 (GIPA) Informal Request

Please complete this informal request form to obtain information from Council under the *Government Information (Public Access) Act 2009 (GIPA Act)*. Please note that Council is authorised to release information to a person in response to an informal request, unless there is an overriding public interest against disclosure of the information.

### CONTACT DETAILS

**Surname:**.....**Title: Mr/Mrs/Ms**.....  
**Other Names:**.....  
**Postal Address:**.....**Suburb:**.....**Postcode**.....  
**Day Time Phone Number**.....**Email:**.....

**Privacy and Personal Information protection Notice.** The personal information provided is collected for the purpose as stated on this document. Supply of the personal information is legally required and non-supply could cause delay or inability to proceed in the processing of this form. The personal information will be handled in accordance with the Privacy and Personal Information Protection Act 1998 (NSW)

### Preferred method of contact:

.....

### Details of Informal Application

**Please provide specific details about the information you are seeking.**

**Note:** To facilitate the supply of the information by Council it is essential that your request be very specific and clear. For all application requests relating to planning please contact Council's Planning Department for relevant forms or Council's website [www.parkes.nsw.gov.au](http://www.parkes.nsw.gov.au)

### Information Required:

.....  
.....  
.....  
.....  
.....

**Applicants Declaration:** I apply for permission to access the information specified above. I understand that the decision to provide me (or not) with access to the information in response to this informal request is not reviewable under GIPA. I understand that I will be required to pay charges for copies of documents provided to me.

Applicant's signature: ..... Date:.....

### Office use only

Date application received: .....

Parkes Shire Council PO Box 337 PARKES NSW 2870 Ph: 02 6861 2333 Fax: 02 6862 3946  
Email: [council@parkes.nsw.gov.au](mailto:council@parkes.nsw.gov.au)





### APPENDIX 8



## Government Information (Public Access) Act 2009 ACCESS APPLICATION

Please complete this form to apply for formal access to government information under the *Government Information (Public Access) Act 2009 (GIPA Act)*. If you need help in filling out this form, please contact the Right to Information Officer on 0268 612 333 or visit our website at [www.parkes.nsw.gov.au](http://www.parkes.nsw.gov.au)

### 1. Your details

**Surname:** .....

**Title:** Mr /Ms **Other names:** .....

**Postal address:** ..... **Postcode:** .....

**Day-time telephone:** ..... **Facsimile:**.....

**Email:** .....

*The questions below are optional and the information will only be used for the purposes of providing better service.*

**Place of birth:** .....

**Main language spoken:** .....

**Aboriginal or Torres Strait Islander:** Yes/ No (circle one)

**Do you have special needs for assistance with this application:** Yes/ No (circle one)

I agree to receive correspondence at the above email address **Yes/ No** (circle one).

### 2. Proof of identity *Only required when an applicant is requesting information on their own behalf.*

**When seeking access to personal information, an applicant must provide proof of identity in the form of a *certified copy* of any one of the following documents:**

- Australian driver's licence
- Current Australian passport with photograph, signature and current address
- Other proof of signature and current address details

### 3. Government information

Please describe the information you would like to access in enough detail to allow us to identify it.

*Note: If you do not give enough details about the information, the agency may refuse to process your application.*

.....

.....

.....

.....

.....

.....





#### 4. Form of Access

How do you wish to access the information

Inspect the document(s)

A Copy of the Documents

*(Please note if copies of documents are required a photocopying charge per page will apply in accordance with Council's Fees and Charges - Administration Photocopying fee)*

Access in another way (please specify).....  
.....

#### 5. Application Fee

I attach payment of the **\$30.00 Application fee** by cash/cheque/money order (please circle one)  
*(Note: Please DO NOT send cash by post)*

#### 6. Disclosure log

If the information sought is released to you and would be of interest to other members of the public, details about your application may be recorded in the agency's 'disclosure log'. This is published on the agency's website.

Do you object to this? **Yes / No** (circle one)

#### 7. Discount in processing charges

If you are given access to the information sought, you may be asked to pay a charge for processing the application (\$30/hour). Some applicants may be entitled to a 50% reduction in their processing charges. If you wish to apply for a discount, please indicate the reason:

Financial hardship – please attach supporting documentation  
(eg a pension or Centrelink card).

**AND / OR**

Special benefit to the public – please specify why below:

.....  
.....

Applicant's signature: .....Date: .....

Please post this form or lodge it at:

**Parkes Shire Council Council Administration Centre  
2 Cecile Street PARKES NSW 2870**

*General information about the GIPA Act is available by calling the Information Commissioner on freecall 1800 IPC NSW (1800 472 679) or at its website: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)*

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#### Office use only

Date application received: .....

Amount paid: .....

Receipt number: .....

