



Privacy Statement

The purpose of this Privacy Statement is to explain how the Planning Assessment Commission obtains and uses your personal information. This Privacy Statement applies to members of the public that make a submission to the Commission, applicants and proponents, and all other individuals that may engage with the Commission. This Privacy Statement has been prepared in accordance with the cluster agencies *Privacy Management Plan (2015)*.

1. Our commitment to privacy and security

The Commission is committed to the protection of your privacy and personal information. When you deal with the Commission your personal information is protected under the *Privacy and Personal Information Protection Act 1998*.

2. What is personal information?

Personal information is information that identifies you personally and includes any information or opinion made about you. Personal information includes your name, address, phone number, email or other information from which your identity can be reasonably ascertained.

3. What is not personal information?

Information is not protected by the *Privacy and Personal Information Protection Act 1998* if it:

- a) can be found in a publicly available publication (such as a newspaper or book);
- b) is in a public register;
- c) is about a person that has been dead for more than 30 years;
- d) relates to some types of law enforcement and investigation activities (such as a Royal Commission or Special Commission of Inquiry);
- e) is contained in Government Cabinet documents; or
- f) is allowed to be disclosed under another piece of legislation.

4. Receiving personal information

The Commission will only collect personal information for a lawful a purpose that is directly related to our work, and is reasonably necessary for that work.

The Commission may also receive personal information when an individual or group makes a submission or comments on planning matters as part of:

- a) **Written submissions/representations** made directly to the Commission in relation to matters which are the subject of public meetings or hearings; or
- b) **Verbal representations** made at the Commission's public meetings or hearings.

5. Your submission/representation and personal information

All documents provided to the Commission are public documents and may be made publicly available on the Commission's website unless you have clearly indicated that you do not wish your document to be made public.

Before submissions/representations are uploaded to the Commission's website, the individual's personal contact details, other than their name, will be removed from the submission or representation before it is made public. An individuals name and location may also be removed upon request.

The Commission may also receive requests to provide information to another party under a *Government Information Public Access Act 2009* (GIPA) request or a subpoena as part of a legal proceeding. We may contact you to seek your permission before providing information to another party.

Some of the ways the Commission may use your submission or representation include:

- a) to inform its consideration of the proposal or planning matter;
- b) to publish it in a report prepared by the Commission or on the Commission's website; or
- c) to provide it to relevant third parties such as the Minister for Planning, the Department of Planning and Environment (the Department), or other public authorities.

Some of the ways the Commission may use your personal information include:

- a) to contact you about an upcoming public meeting or hearing;
- b) to clarify something mentioned in your representation or said at a meeting or hearing;
- c) providing it to a third party such as the Minister for Planning, the Department or other public authorities so they can contact you; or
- d) when you register to speak at a public meeting or hearing, your name will be circulated on a meeting schedule.

The Commission will only use your personal information for the purposes for which it was collected.

6. Confidentiality

If you do not want your personal information or submission/presentation to be disclosed to a third party, or published on the Commission's website, you must clearly state this in your submission/representation, or at the time of supplying your details to the Commission when you register to speak at a public hearing or meeting.

Unless you indicate otherwise, the Commission will assume you have read and agreed to the terms of this Privacy Statement.

7. Information forwarded to the Commission from the Department of Planning and Environment

The Commission also receives personal information contained in submissions which have been made to the Department. The Commission may use this information to notify you about a public meeting/hearing to be held in respect of a relevant matter.

Where submissions containing personal information are forwarded to the Commission by the Department, the Commission will treat that information in accordance with this policy.

8. Right of access to information

Under the *Privacy and Personal Information Protection Act 1998* you have the right to access and change personal information that the Commission holds. If you would like to make a request to access or change the information held by the Commission please refer to the contact details below.

9. Breach of privacy

If you feel there has been a breach of your privacy under the *Privacy and Personal Information Protection Act 1998*, you have the right to make a complaint to the Commission Secretariat (refer to the contact details below) or the NSW Office of Privacy Commissioner (www.privacy.nsw.gov.au).

10. Contact details

For enquiries please contact the Commission Secretariat:

Postal/street address: Level 3, 201 Elizabeth Street Sydney NSW 2000

Phone: 02 9383 2100, Fax: 02 9383 2133

Email: pac@pac.nsw.gov.au