

# Privacy Management Plan

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# Preface

The Privacy and Personal Information Protection Act 1998 (PPIPA) requires all councils to prepare a Privacy Management Plan outlining their policies and practices to ensure compliance with the requirements of that Act and the Health Records and Information Privacy Act 2002 (HRIPA).

In particular, the object of this plan is to inform:

- the community about how their personal information will be used, stored and accessed after it is collected by the Council; and
- Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

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## 1. Introduction

The PPIPA provides for the protection of personal information and for the protection of the privacy of individuals.

### Why Council has a Privacy Management Plan (PMP)

This Plan explains how Council manages personal information in line with the PPIPA and health information in accordance with the HRIPA. This Plan also explains how to contact Council about the personal and health information it holds, how information can be accessed and amended and how privacy complaints are handled.

### What this plan covers

In accordance with section 33(2) of the PPIPA this Plan must include:

- information about Council's policies and practices to ensure compliance with the PPIPA and the HRIPA;
- how employees, contractors and volunteers are made aware of these policies and practices;
- the procedures for internal review of privacy complaints;
- other matters considered relevant to the privacy and protection of personal information that Council holds.

The PPIPA, the HRIPA and this Plan apply, wherever practicable, to:

- Councillors;
- Council employees;
- Consultants and contractors of the Council;
- Council owned businesses; and
- Council committees (including community members of those committees which may be established under section 355 of the Local Government Act 1993 (the LGA)).

Any reference to employees in this document also includes a reference to contractors and volunteers.

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## 2. What is personal and health information

### 2.1. What is "personal information"?

Personal information is defined in section 4 of the PPIPA as information or an opinion about an individual whose identity is apparent or can reasonably be ascertained.

## 2.2. What is not “personal information”?

Personal information does not include information:

- about an individual that is contained in a publicly available publication
- about someone who has been dead for more than 30 years, or
- an opinion about a person’s suitability for employment as a public sector official.

## 2.3. What is health information

Health information is a more specific type of personal information and is defined in section 6 of the HRIPA. Health information can include information about a person’s physical or mental health such as a psychological report, blood tests and x-rays, results from drug and alcohol tests and information about a person’s medical appointments. It can also include some personal information that is collected to provide a health service, such as a name and telephone number.

## 2.4. Policy on Electoral Rolls

You can access historical NSW electoral rolls in the State Library of NSW (in online, microfiche and print formats). Please contact the [NSW Electoral Commission](#) regarding access to current electoral rolls.

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# 3. How Council collects and manages personal and health information

## 3.1. How Council collects personal information

Council collects personal information to enable it to conduct its functions and assesses the level of personal information that is appropriate to be collected on a case-by-case basis. In this section a reference to personal information is also a reference to health information.

Contractors acting on Council’s behalf may also collect personal information. Council includes clauses in its contracts that require contractors to comply with relevant privacy obligations.

Council has a range of functions requiring or involving the collection of personal information, including:

- Levying and collecting rates
- Assessing development applications and objections
- Providing services (for example; child care, libraries and waste collection)
- Consulting with the community and our stakeholders
- Investigating and managing complaints
- Enforcing regulations and legislation
- Issuing approvals, consents, licences, permits etc
- Employing staff (for example; recruitment material, leave and payroll data, personal contact information, performance management plans etc).
- Ensuring the security of council facilities and the public domain
- Preventing and deterring criminal activity.

Council may collect personal information in any of the following ways:

- Incident reports
- Medical assessment reports
- Submissions
- Application forms
- CCTV footage
- Geospatial information including location information
- Public registers
- Financial transaction records
- Contracts

- Phone enquiries
- Counter enquiries
- Online services
- In person services that require identification (such as provision of library services).

Individuals may provide Council with personal information when they make application for employment, make enquiries and when Council delivers services to them. This can include names, contact details, opinions, health conditions, family relationships, housing or tenancy information, work and education details. Individuals may also provide Council with personal information about other people.

### **3.2. Applications for suppression (not public registers)**

Under section 739 of the LGA a person can make an application to suppress certain material that is available for public inspection where the material discloses or would disclose the person's place of living, if the person considers that the disclosure would place the personal safety of the person or their family at risk.

Section 739 of the LGA relates to publicly available material other than public registers. As such, it limits disclosure in those circumstances where an application for suppression is successful. An application for suppression must be verified by statutory declaration and otherwise meet the requirements of section 739. When in doubt, Council will err in favour of suppression.

### **3.3. Unsolicited information**

Where an individual or a group or committee not established by Council, gives Council unsolicited personal or health information, the information will still be treated in accordance with this Plan, the Privacy Code of Practice for Local Government (the Privacy Code), the HRIPA and the PPIPA.

Note that:

- Section 4(5) of the PPIPA provides that personal information is not "collected" by Council if it is unsolicited.
- for the purposes of Section 10 of the HRIPA, the Council is not considered to have "collected" health information if the receipt of the information by the Council is unsolicited.

### **3.4. Privacy Notices**

Under section 10 of the PPIPA, when Council collects personal information from an individual it must make the individual aware of:

- The purposes for which the information is being collected
- The intended recipients of the information
- Whether the supply of the information is required by law or is voluntary
- Any consequences for the individual if the information (or any part of it) is not provided
- Ways the individual can access and correct the information, and
- The name and address of the agency (Council) that is collecting the information and the agency (Council) that is to hold the information.

A Privacy Notice (that complies with the above requirements) will be included on all Council forms.

For CCTV, Council erects signage in the general vicinity to draw attention to the fact that individuals may be recorded by CCTV equipment should they enter the area.

### **3.5. Storage, access, accuracy and disposal of personal information**

Personal information is stored electronically and in hard copy form. The following applies to personal information that Council holds:

- With the exception of CCTV information, only Council employees can access personal information and the information may only be accessed and used for Council business and for the purpose for which it was collected.

- Employees will make every effort to ensure personal information is accurate before using it.
- CCTV information may be disclosed to law enforcement agencies, such as the NSW Police Force, for the purposes of investigating, preventing and deterring criminal activity within the City. Such disclosures may be historic or real-time.

Electronic information is stored in secure information systems, which require individual logins and passwords.

Personal information is disposed of securely and in accordance with the “General retention and disposal authority: local government records” (GA39).

### 3.6. Use and disclosure of personal information

Employees use the personal information collected by Council to:

- Deliver services
- Conduct research
- Provide advice
- Undertake consultations
- Investigate complaints
- Continually improve services.

Disclosure of personal information must comply with the Privacy Code of Practice for Local Government (Privacy Code) – see Appendix B. Employees will not disclose personal information to a third party without the consent of the person to whom the information relates or if legally required or permitted to disclose the information.

Refer to Part 5 of this Plan for details of exemptions, directions and code of practice that may affect the above.

## 4. Public Registers

The PPIPA governs how Council manages personal information contained in public registers. Under the PPIPA a public register is “a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee).”

Disclosure in relation to public registers must comply with Part 6 of the PPIPA and the Privacy Code. Personal information cannot be accessed by a person about another person unless the personal information is contained in a public register. Where personal information is contained in a public register, then Part 6 of the PPIPA applies to determine whether access to that information will be given to another person.

Disclosure in relation to all other personal information must comply with Parts 3.6 and 5.1 of this Plan and the Privacy Code.

The Council holds the following public registers:

Public register	Primary purpose
Land Register	To identify all land vested in Council, or under its control. Secondary purpose; consideration of public accountability as to the land held by Council.
Register of Disclosure of Interests	To determine whether or not a Councillor or a member of a council committee has a pecuniary interest in any matter with which the council is likely to be concerned. There is a corresponding public accountability purpose.
Register of approvals	To identify all approvals granted under the LGA

Public register	Primary purpose
Register of development consents	To identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.
Record of building certificates	To identify all building certificates.
Public register of licences held	To identify all licences granted under the Act.
Record of impounding	To identify any impounding action by Council.
Register of Planning Agreements	To identify Planning Agreements entered into by Council.
Register of Planning Contributions	To identify Planning Contributions held by Council.

Council may require any person who applies to inspect personal information contained in a public register to give particulars, in the form of a statutory declaration, as to the proposed use of that information. If the stated purpose of the applicant does not conform with the purpose for which the public register is kept, access to the information sought will not be given.

#### 4.1. Applications for suppression in relation to a public register

Any person whose personal information is recorded in a public register has the right to request that their personal details be suppressed. Council will comply with the request if it is satisfied the person's safety or wellbeing would be affected by not suppressing the information. Applications for suppression should be made in writing addressed to the General Manager and must outline the reasons for the request.

## 5. How to access and amend personal and health information

The PPIPA and HRIPA give people the right to access and amend their own information.

Members of the public wishing to access or amend their own personal information should apply in writing. Requests should be accompanied by appropriate evidence to show that the proposed amendment is factually correct and appropriate. Section 15 of the PPIPA allows a person to apply to amend (this includes by way of corrections, deletions or additions) personal information held about them so as to ensure the information is accurate, up to date and not misleading.

#### 5.1. Limits on disclosure of personal information

Council may disclose personal information to public sector agencies or public utilities on condition that:

- (i) the agency has approached Council in writing;
- (ii) Council is satisfied that the information is to be used by that agency for the proper and lawful function/s of that agency, and
- (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's function/s.

Council may disclose personal information:

- (i) where personal information which has been collected about an individual is to be disclosed for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition.
- (ii) is requested by a potential employer (to verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time).
- (iii) to another person or other body where this disclosure is directly related to the purpose for which the personal information was collected and the individual concerned is reasonably likely to have been aware of the intended recipients of that information.



- (iv) to another person or other body where this disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.

#### **Disclosure of CCTV footage for crime prevention and investigation**

Council may disclose CCTV footage collected by Council in its own facilities and the public domain to law enforcement agencies for the purposes of preventing or investigating criminal activity. The General Manager may enter into agreement with relevant law enforcement agencies to allow disclosure of CCTV footage both historic and real time via a live feed to the relevant agency.

Council will otherwise only disclose CCTV footage where required by law, to protect the rights of all persons captured in the CCTV footage to privacy. Where an individual requests CCTV footage to investigate an alleged criminal activity they will be referred back to the relevant law enforcement agency (typically NSW Police).

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## **6. Data Breaches**

### **6.1. What is the NSW Mandatory Notification of Data Breach Scheme?**

Part 6A of the Privacy and Personal Information Protection Act 1998 (PPIP Act) establishes the NSW Mandatory Notification of Data Breach (MNDB) Scheme. The MNDB Scheme requires every NSW public sector agency bound by the PPIP Act to notify the Privacy Commissioner and affected individuals of eligible data breaches. Under the scheme, public sector agencies are required to prepare and publish a Data Breach Policy (DBP) for managing such breaches.

### **6.2. How does Council manage a data breach of personal information?**

Separate from this PMP, Council has a Data Breach Policy [\[insert link\]](#) that sets out our procedures for managing a data breach, including the considerations around notifying those persons whose privacy may be affected by the breach.

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## **7. Promoting Privacy**

Council reinforces compliance with the PPIPA and HRIPA by:

- Endorsing this Plan and making it publicly available
- Providing a copy of this Plan to relevant oversight bodies, such as the Audit, Risk & Improvement Committee
- Reporting on internal reviews to the Office of the Information and Privacy Commissioner
- Identifying privacy issues when implementing new systems, services and processes, and
- Providing staff training.

### **7.1. Employee awareness**

Council ensures its employees are aware of and understand this Plan and how it applies to the work they do, by:

- Publishing this Privacy Management Plan and other privacy related information on the intranet and Council's website, and
- Providing staff training on an ongoing and regular basis to ensure that the information protection principles are broadly understood and that individual departments have a greater focus on how the information protection principles are directly applied to Council's day to day functions.

Councillors, all staff of the Council including staff of council businesses, and members of council committees should be acquainted with the general provisions of the PPIPA, the HRIPA and in particular, the 12

Information Protection Principles (IPPs), the 15 Health Privacy Principles (HPPs), the Public Register provisions, the Privacy Code of Practice for Local Government, this Plan and any other applicable Code of Practice.

Council's Public Officer (the Manager Customer & Compliance) has been assigned the role of the Privacy Contact Officer. In order to ensure compliance with PPIPA and the HRIPA, 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.

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;
- facing the computers away from the public; or
- only allowing the record system to show one record at a time etc.

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

- (i) Whether the personal or health 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 or health information is reasonably necessary for the specified purpose.

Any further concerns of a legal nature may be referred to Council's solicitor.

## **7.2. Public awareness**

This Plan provides information to members of the public about how Council manages personal and health information. The Plan is publicly available as open access information under the GIPA Act.

Council promotes public awareness of this Plan by:

- Publishing the Plan on its website
- Providing hard copies of the Plan free of charge on request
- Informing people about the Plan when responding to enquiries about personal and health information.

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# **8. Review rights and complaints**

## **8.1. Internal review**

Individuals have the right to seek an internal review under Part 5 of the PPIPA if they think that Council has breached the PPIPA or HRIPA relating to their own personal or health information. Individuals cannot seek an internal review for a breach of someone else's privacy, unless they are an authorised representative of the other person.

## **8.2. Internal Review process**

Applications for an internal review must be made within six months from the date when the applicant first became aware of the breach. Applications must be in writing and addressed to Council's Privacy Contact Officer.

The Privacy Contact Officer will conduct the internal review unless the internal review is about the conduct of the Privacy Contact Officer. In this case the Director Corporate Services will appoint another officer to conduct the internal review.

The Privacy Contact Officer will refer to the Privacy Commissioner's guidance materials when carrying out an internal review.

Council will:

- Acknowledge receipt of an internal review within 5 working days; and
- Complete an internal review within 60 calendar days.

Council's Privacy Contact Officer (or the officer undertaking any internal review) will inform the applicant of the progress of the internal review and will respond in writing within 14 calendar days of determining the internal review.

If an applicant is not notified of the outcome of an internal review within 60 days, the applicant may seek an external review.

### **8.3. The Privacy Commissioner's role in internal reviews**

Council will notify the Privacy Commissioner of internal reviews. The Privacy Commissioner is entitled to make submissions to Council regarding internal reviews. Noting that an individual can make a complaint directly to the Privacy Commissioner about an alleged breach of their privacy.

### **8.4. External review by the NSW Civil and Administrative Tribunal (NCAT)**

An applicant may seek an external review by the NCAT. To seek an external review, an application must be made to the NCAT within 28 days from the date of the internal review determination.

### **8.5. Other ways to resolve privacy concerns**

Council encourages the informal resolution of privacy issues before undertaking the review process. Issues can be raised informally with Council. Please refer to Council's website for contact details.

Complaints not dealt with through the internal review process will be managed under Council's Complaints Policy and Procedure (which is available on our website).

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## Appendix A – Information Privacy Principles (IPPs)

1.     **Lawful**                     An agency must only collect personal information for a lawful purpose. It must be directly related to the agency's function or activities and necessary for that purpose.
2.     **Direct**                     An agency must only collect personal information directly from you, unless you have authorised collection from someone else, or if you are under the age of 16 and the information has been provided by a parent or guardian.
3.     **Open**                     An agency must inform you that the information is being collected, why it is being collected, and who will be storing and using it. You must also be told how you can access and correct your personal information, if the information is required by law or is voluntary, and any consequences that may apply if you decide not to provide it.
4.     **Relevant**                 An agency must ensure that your personal information is relevant, accurate, complete, up-to-date and not excessive. The collection should not unreasonably intrude into your personal affairs.
5.     **Secure**                     An agency must store personal information securely, keep it no longer than necessary and dispose of it appropriately. It should also be protected from unauthorised access, use, modification or disclosure.
6.     **Transparent**             An agency must provide you with details regarding the personal information they are storing, why they are storing it and what rights you have to access it.
7.     **Accessible**               An agency must allow you to access your personal information without excessive delay or expense.
8.     **Correct**                   An agency must allow you to update, correct or amend your personal information where necessary.
9.     **Accurate**                 An agency must ensure that your personal information is relevant, accurate, up to date and complete before using it.
10.    **Limited**                   An agency can only use your personal information for the purpose for which it was collected unless you have given consent, or the use is directly related to a purpose that you would expect, or to prevent or lessen a serious or imminent threat to any person's health or safety.
11.    **Restricted**               An agency can only disclose information in limited circumstances if you have consented or if you were told at the time they collected it that they would do so. An agency can also disclose your information if it is for a directly related purpose and it can be reasonably assumed that you would not object, if you have been made aware that information of that kind is usually disclosed, or if disclosure is necessary to prevent a serious and imminent threat to any person's health or safety.
12.    **Safeguarded**           An agency cannot disclose your sensitive personal information without your consent, for example, information about ethnic or racial origin, political opinions, religious or philosophical beliefs, sexual activities or trade union membership. It can only disclose sensitive information without consent in order to deal with a serious and imminent threat to any person's health or safety.

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# Appendix B - Privacy Code of Practice for Local Government – revised 20 December 2019

## 1. Overview

- 1.1 This Privacy Code of Practice (the Code) is made under Part 3 Division 1 of the PPIPA.
- 1.2 The effect of this Code is to modify:
  - 1.2.1 The Information Protection Principles contained in Part 2 Division 1 of the PPIPA, and
  - 1.2.2 The provisions of Part 6 of the PPIPA,as they relate to Local Government.
- 1.3 This Code replaces the Privacy Code of Practice for Local Government (gazetted on 1 July 2000).
- 1.4 This Code does not affect the operation of any exemption provided under Part 2 Division 3 of the PPIPA. This is consistent with section 29(6) of the PPIPA.

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## 2. Interpretation

- 2.1 For the purpose of this Code:

**Code** means the Privacy Code of Practice for Local Government

**Council** refers to “councils”, “county councils” and “joint organisations” as defined under the Local Government Act 1993

**Information Protection Principles** (“IPPs”) means those principles contained in Part 2 Division 1 of the PPIPA.

**Personal Information** has the same meaning as in section 4 of the PPIPA

**PPIPA** means the Privacy and Personal Information Protection Act 1998 (NSW)

**Privacy Management Plan** means the Council’s Privacy Management Plan

**Public Sector Agency** has the same meaning as in section 3 of the PPIPA

**Public Sector Official** has the same meaning as in section 3 of the PPIPA and includes an officer of a Council

**Section** refers to a section of the PPIPA unless otherwise indicated

**Utility Provider** refers to a private sector organisation, state owned corporation or public sector agency that provides utility services to the public, including but not limited to gas, electricity, telecommunications or water.

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## 3. Application

- 3.1 This Code applies to all Councils, County Councils and Joint Organisations.
- 3.2 This Code applied to that part of the information collected or held by Council that is personal information.

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## 4. Modification of the Information Privacy Principles

- 4.1 The application of the Information Protection Principles (IPPs) under Part 2 Division 1 of the PPIPA is modified to the extent described below.

**(IPP 1) Section 8: Collection of personal information for lawful purposes**

- 4.2 There is no intention to depart from this principle.

**(IPP 2) Section 9: Collection of personal information directly from individual**

- 4.3 Council is not required to comply with this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of person recognition is intended to be, or may be, conferred upon the person to whom the information relates.

**(IPP 3) Section 10: Requirements when collecting personal information**

- 4.4 Council may depart from this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be, or may be, conferred upon the person to whom the information relates.

**(IPP 4) Section 11: Other requirements relating to the collection of personal information**

- 4.5 There is no intention to depart from this principle.

**(IPP 5) Section 12: Retention and security of personal information**

- 4.6 There is no intention to depart from this principle.

**(IPP 6) Section 13: Information about personal information held by agencies**

- 4.7 There is no intention to depart from this principle.

**(IPP 7) Section 14: Access to personal information held by agencies**

- 4.8 There is no intention to depart from this principle.

**(IPP 8) Section 15: Alteration of personal information**

- 4.9 There is no intention to depart from this principle.

**(IPP 9) Section 16: Agency must check accuracy of personal information before use**

- 4.10 There is no intention to depart from this principle.

**(IPP 10) Section 17: Limits on use of personal information**

- 4.11 Council may use personal information for a purpose other than the purpose for which it was collected in the following circumstances:

- (1) where the use is for the purpose of undertaking Council's lawful and proper function/s and Council is satisfied that the personal information is reasonably necessary for the exercise of such function/s, or
- (2) where personal information is to be used for the purpose of conferring upon a particular person, an award, prize, benefit or similar form of personal recognition.

**(IPP 11) Section 18: Limits on disclosure of personal information**

- 4.12 There is no intention to depart from this principle except in the circumstances described below:

- (1) Council may disclose personal information to public sector agencies or utility providers on condition that;
  - (i) the agency or utility provider has approached Council in writing
  - (ii) Council is satisfied that the information is to be used by that agency or utility or utility provider for the proper and lawful function/s of that agency or utility provider, and
  - (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency or utility provider/s function/s.

- (2) Where personal information about an individual collected or held by Council is to be disclosed for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition.
- (3) Where Council is requested by a potential employer, it may verify;
  - (i) that a current or former employee works or has worked for Council
  - (ii) the duration of their employment, and
  - (iii) the position occupied during their employment.

This exception shall not permit Council to give an opinion as to that person's suitability to a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

**(IPP 12) Section 19: Special restrictions on disclosure of personal information**

4.12 There is no intention to depart from this principle except in the circumstances described below:

- (1) For the purposes of section 19(2), where Council is requested by a potential employer outside New South Wales, it may verify that;
  - (i) a current or former employee works or has worked for Council
  - (ii) the duration of their employment, and
  - (iii) the position occupied during their employment.

This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied.

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## 5. Modification to Part 6 (Public Registers)

5.1 The application of section 57 is modified to the extent that Council may allow any person to:

- (1) inspect a publicly available copy of a public register in council premises, and
- (2) copy a single entry or page of the register

Without requiring the person to provide a reason for accessing the register and without determining that the proposed use of the register is consistent with the purpose of the register or the Act under which the register is kept.

5.2 The application of section 57 is modified to the extent that:

- (1) Council should not require any person to provide a reason for inspecting the council's pecuniary interest register or any register on which the council records returns of interests made by councillors or designated persons under Part 4 of the Model Code of Conduct for Local Councils in NSW.
- (2) Council should not require the making of a statutory declaration as to the intended use of any information obtained from an inspection of the council's pecuniary interest register or any register on which the council records returns of interests made by councillors or designated persons under Part 4 of the Model Code of Conduct for Local Councils in NSW.

5.3 Council must ensure that the provisions of section 6 of the Government Information (Public Access) Act 2009 and section 4.58 and 6.26 of the Environmental Planning and Assessment Act 1979 are complied with, where applicable.

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## 6. Compliance

- 6.1 This Code will be made by an order published in the Government Gazette. This Code takes effect once the order making this Code is published (or such later date as may be specified in the order).
- 6.2 Any Council to which this Code applies must comply with its provisions.
- 6.3 The Council's Privacy Management Plan should include provisions to comply with the obligations imposed by the PPIPA and the provisions of this Code.

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## 7. Review

- 7.1 This Code will be reviewed within three years from the date of its gazettal.



## Appendix C – Statutory Declaration for access under s57 of the PPIPA to a Public Register held by Council

### Statutory Declaration Oaths Act, 1900, Eighth Schedule

I, the undersigned <sup>(1)</sup> \_\_\_\_\_ (1) insert full name  
of <sup>(2)</sup> \_\_\_\_\_ (2) insert address  
in the State of New South Wales, do solemnly and sincerely declare that:  
I am <sup>(3)</sup> \_\_\_\_\_ (3) insert relationship, if  
any, to person inquired  
about  
I seek to know whether <sup>(4)</sup> \_\_\_\_\_ (4) insert name  
is on the public register of <sup>(5)</sup> \_\_\_\_\_ (5) Applicant to describe  
the relevant public  
public register  
The purpose for which I seek this information is <sup>(6)</sup> \_\_\_\_\_ (6) insert purpose for  
seeking information  
The purpose for which the information is required is to <sup>(7)</sup> \_\_\_\_\_ (7) insert purpose

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

\_\_\_\_\_  
Signature of Applicant

Declared at: \_\_\_\_\_  
in the said State this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_  
in the presence of \_\_\_\_\_  
\_\_\_\_\_  
Name of Justice of the Peace/Solicitor

Who certifies that:  
1. \*I saw the face of the declarant/deponent OR  
\*I did not see the face of the declarant/deponent because he/she was wearing a face covering, but I am satisfied that he/she had a special justification for not removing it, and  
2. \*I have known the person for at least 12 months OR  
\*I confirmed the person's identity with \_\_\_\_\_  
[describe identification document relied on]

\_\_\_\_\_  
Signature of Justice of the Peace/Solicitor to be printed

## Appendix D – Application under s14 of the PPIPA for access to applicant's personal information

### Personal information held by the Council

I, <sup>(1)</sup> \_\_\_\_\_ (1) insert full name  
of <sup>(2)</sup> \_\_\_\_\_ (2) insert address  
Hereby request that the <sup>(3)</sup> \_\_\_\_\_ (3) insert name of Council

Provide me with:

- ☐ (a) access to all personal information held concerning myself; or  
☐ (b) access to the following personal information only (LIST INFORMATION REQUIRED BELOW):

\_\_\_\_\_  
\_\_\_\_\_

My address for response to this application is:

\_\_\_\_\_  
\_\_\_\_\_ State: \_\_\_\_\_ Post Code: \_\_\_\_\_

### Note to applicants

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 (PPIPA).

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 PPIPA; or
- a Code of Practice may restrict disclosure.

Enquiries concerning this matter can be addressed to:

\_\_\_\_\_  
\_\_\_\_\_

## Appendix E – Application under s15 of the PPIPA for alteration of applicant's personal information

### Personal information held by the Council

I, <sup>(1)</sup>	_____	(1) insert full name
of <sup>(2)</sup>	_____	(2) insert address
Hereby request that the <sup>(3)</sup>	_____	(3) insert name of Council

alter personal information regarding myself in the following manner:

- I propose the following changes: \_\_\_\_\_
- The reasons for the changes are as follows: \_\_\_\_\_
- The documentary bases for those changes is as shown on the attached documents

#### Note to Applicants :

You have a right to request appropriate amendments are 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 (PPIPA), 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 PPIPA; or
- a Code of Practice may restrict alteration.

Enquiries concerning this matter can be addressed to: \_\_\_\_\_

FOLLOW US ONLINE



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