

Environment and Planning Directorate

Information Privacy Policy - Annex



ACT
Government

Environment and Planning

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Introduction

The Environment and Planning Directorate (EPD) Information Privacy Policy Annex forms an integral part of the EPD Information Privacy Policy. It provides, in specific detail, the kinds of personal information EPD collects, holds, uses and discloses, and the purposes for its collection, use and disclosure in relation to specific EPD's functions, activities and duties.

The Information Privacy Policy Annex is made in accordance with the *Information Privacy Act 2014*, and specifically Territory privacy Principle 1.3 – providing a clear and up-to-date policy about EPD's management of personal information.

The EPD Information Privacy Policy Annex contains:

- the nature of the various types of records of personal information kept by the Directorate
- the purpose for which the records are kept
- the class of individuals to which the records apply
- the class of individuals who may have access to personal information
- the period for which the records are kept
- details of how individuals can get access to records about themselves

Twenty-one classes of personal information are held by EPD including one class of personnel records.

Requesting Personal Information

Individuals can obtain information regarding access to their personal information by contacting the Records and Information Manager via email to EPDCorporate@act.gov.au or through Access Canberra on 13 22 81.

Retention of Records

Records held by EPD are kept according to disposal schedules notified by the Director of Territory Records in accordance with the *Territory Records Act 2002*. Notified Instruments that relate to record retention can be found on the [ACT Legislation Register](#).

Access

Unless explicitly detailed access to records is provided in accordance with the requirements of the *Public Sector Management Act 1994*.

All classes of records that contain personal information are accessible to:

- EPD Executives
- Senior Officers responsible for that class of records
- IMICT System Administrators
- Shared Services ICT System Administrators
- Officers responsible for administering that class of records
- Staff with responsibilities for processing of Freedom of Information applications or legal request

Location of Records

EPD records are held in the following locations:

Dame Pattie Menzies House
16 Challis Street
Dickson ACT 2912

9 Sandford Street
Mitchell ACT 2913

Iron Mountain Secure Storage
Hume ACT 2620

Shared Services, ACT Record Services
Mitchell ACT 2911

Shared Services, Information Communication Technology
Data Centre primary and back-up locations.

Shared Services, Human Resources
Canberra ACT 2601

Some records and/or data may be stored or transmitted via a cloud server

Contact

Address:

Dame Pattie Menzies House
16 Challis Street
Dickson ACT 2602

Postal:

GPO Box 158
Canberra ACT 2601

Email:

EPDCorproate@act.gov.au

Telephone:

13 22 81

Human Resources

Personnel Records

Purpose

The purpose of these records is to maintain employment history, payroll and administrative information relating to all permanent, contract and temporary staff members of EPD.

Note: Some of the classes of records below are held on site at EPD offices, other classes of records are held and maintained by the Human Resources branch of Shared Services on behalf of EPD. Regardless of where they are held, all classes of records below remain records of EPD.

Information Retained

Personnel and payroll

- Records relating to attendance and overtime
- Leave applications and approvals
- Medical and dental records
- Payroll and pay related records, including banking details
- Tax file number declaration forms
- Declarations of pecuniary interests
- Personal history files
- Performance appraisals and reviews
- Records relating to personal development and training
- Trade, skill and aptitude test records
- Completed questionnaires and personnel survey forms
- Records relating to removals and relocation
- Travel documentation
- Records relating to personal welfare matters
- Contracts and conditions of employment
- Equality opportunity employment information
- Next of kin details, including name, relationship and contact details
- Home address, home and mobile telephone and other contact information

Recruitment

- Recruitment records and dossiers, including resumes
- Details of previous employment and records of reference
- Psychometric and similar checks conducted for the purposes of recruitment
- Records relating to relocation of staff and removals of personal effects

- Records relating to character checks, including police record checks, and security clearances

Other

- Records of accidents and injuries
- Compensation case files
- Rehabilitation case files
- Records relating to counselling and discipline matters, including disciplinary, investigation and action files, legal action files, records of criminal convictions, and any other staff and establishment records as appropriate
- Complaints and grievances
- Recommendations for honours and awards

Contents of personnel records may include

- Name
- Address
- Date of birth
- Occupation
- Classification
- AGS number
- Gender
- Qualifications
- Equal employment opportunity group designation
- Next of kin
- Details of pay and allowances
- Leave details
- Work reports
- Security clearance details
- Employment history

Sensitive contents of personnel records may include

- Physical and mental health details
- Disabilities
- Racial or ethnic origin
- Disciplinary investigation and action
- Criminal conviction
- Adverse performance and security assessments
- Tax file numbers
- Relationship details

- Personal financial information

Personal information on personnel records relates to current and former staff members and employees including contracted and temporary staff.

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- Human resource staff within EPD
- Staff within Shared Services, Human Resources
- Executives and senior officers within branches
- Members of selection committees (if appropriate) and others associated with supporting a selection committee in its work, including external scribes
- Individuals to whom the record relates
- Security Officers
- Case Managers

Disclosure (as appropriate)

- Comcare
- Medical Officers engaged to make employment-related medical assessments of an individual
- superannuation administrators
- Australian Taxation Office
- The receiving agency following the transfer to or re-engagement of an employee by another government agency

Membership Records of Directorate Boards, Committees and Councils

Purpose

The purpose of these records is to provide a list of persons appointed as members of Boards and Committees; in some instances files may be maintained to include potential nominees.

Information Retained

- Name
- Address
- Occupation
- Gender
- Racial or ethnic origin
- Criminal convictions
- Curriculum vitae, professional and character references
- Trade qualifications
- Work experience details

- Details concerning remuneration and appointment

Access

In addition to access outlined in the introduction, the following groups have access to this personal information:

- Human Resources staff, for the purposes of managing remuneration
- Secretariat staff for the relevant board or committee

Disclosure (as appropriate)

The information may be disclosed to ACT Public Service officers requiring information concerning committee members and is supplied annually to the Cabinet Coordination Section of the Chief Minister, Treasury, Economic Development Directorate. Names of committee members for significant committees are reported in the EPD annual report. If the appointment to a board, committee or council is a Notifiable instrument, it will be publically available on the ACT Legislation Register.

Communications and Feedback

Customer Feedback

Purpose

The purpose of these records is to enable non-technical complaints to be investigated, compliments to be recorded and suggestions passed on to the relevant area of EPD. They also enable people lodging a corporate complaint, compliment or suggestion to be informed of any action taken by EPD in relation to these matters. EPD also uses this information to evaluate its customer performance.

Information Retained

- Community members name and contact details
- Details of the complaint, compliment, or feedback
- Supporting documentation, such as plans or photos
- Names and contact information relating to external investigators
- Witnesses related to investigations

Sensitive content may include

- The names of other lessees
- EPD staff, investigators and witnesses
- The findings and reports of investigations into complaints
- Personal information provided by the complainant or another party

Disclosure (as appropriate)

The personal information on these records relates to people lodging a non-technical complaint, compliment or suggestion, officers about whom a non-technical complaint or compliment is made and investigators and witnesses.

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- Officers in the Information Management Team that manage complaints
- Executives and senior officers with responsibility for investigating complaints
- Relevant external investigators
- All staff within EPD are made aware of the names of staff for which compliments have been received

Communications mailing lists

Purpose

The purpose of the records is to maintain contact details of individuals or groups who are interested in receiving news and details of consultation about planning. The personal information on these records relates to customers and stakeholders of the directorate.

Information Retained

- Name and contact details, including email address, postal address and organisation

Access

All EPD staff have access to this personal information on request when they wish to distribute directorate information to clients and stakeholders.

These records are regularly updated.

Disclosure (as appropriate)

This information is not disclosed to other people or organisations unless contracted to the agency.

Ministerial and Directorate Correspondence

Purpose

These records are for the preparation of replies to Chief Ministerial, Ministerial and directorate correspondence. The personal information on these records relates to correspondence concerning departmental operations.

Information Retained (where supplied)

- Name
- Business or company name

- Contact information
- Gender
- Information relating to personal circumstances or property

Access

All staff within the Directorate have access to Ministerial files in order to prepare responses to the correspondence.

Disclosure (as appropriate)

The personal information is not usually disclosed to other persons or organisations. General disclosure is subject to the provisions of the ACT *Freedom of Information Act 1989*.

Legislative Information Requests

Requests under the Freedom of Information Act 1989

Purpose

The purpose of these records is to administer requirements for access to official documents and internal reviews under the *Freedom of Information Act 1989*. The personal information on these records may relate to information submitted by the applicant as background to their request.

Information Retained

- Applicants name and contact information
- Information related to the scope of the request, including in some cases information relating to why the request has been lodged

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- The Information Management Team for the purposes of managing freedom of information applications
- Staff responding to requests for documents under the Freedom of Information Act
- Executives and senior officers responsible for making decisions under the Freedom of Information Act.

Disclosure (as appropriate)

Where required under the Freedom of Information Act information related to applications may be disclosed to other ACT Government Directorates or a Minister of the Legislative Assembly for the purposes of transferring applications to a more appropriate Directorate.

Sustainability and Climate Change Division

Community Partnerships

Purpose

The purpose of these records is to provide the selection committee with the information required to select and notify successful applicants, and to enter into binding agreements with them.

Information Retained

Funding applications generally contain the following information at minimum: the applicants name, address, phone, fax and email. Taxation information and Australian Business Numbers (ABN) are also held. Deed of Agreements, Deeds of Grants and Memoranda of Understanding also contain the applicant's name, contact details and ABN.

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- The administrator for these programs

Disclosure (as appropriate)

This personal information is not disclosed outside of the access outlined above.

Energy Efficiency Improvement Scheme

Purpose

The purpose of this information is to allow the Administrator of the EEIS to verify, assess, audit and monitor compliance of the obligated retailers under the *Energy Efficiency (Cost of Living) Improvement Act 2012*.

Information Retained

Contents may include:

- Name
- Address
- Phone number
- Whether owner occupied or rental property
- Relevant concession card held
- Date of visit by authorised installer
- Authorised installer ID
- Eligible activity undertaken
 - Item installed
 - Location in house of installation

Access

In addition to access outlined in the introduction, the following groups have access to this personal information:

- Administrator of the EEIS
- Staff within the EEIS team
- Contractors to undertake surveys to assist the Administrator in verifying and auditing compliance by the obligated retailers

Disclosure (as appropriate)

This personal information is not disclosed outside of the access outlined above.

Grant and rebate applications

Purpose

The purpose of this information is to keep a register of the members of the Canberra community who access ACT Government grants and rebates administered by the Department.

Information Retained

Contents may include:

- Name and contact details of applicants
- Bank account details

Access

In addition to access outlined in the introduction, the following groups have access to this personal information:

- Staff within the Programs Implementation Section
- EPD staff with responsibility for managing financials
- Shared Services, Finance for managing financials

Disclosure (as appropriate)

This personal information is not disclosed outside of the access outlined above.

Sustainability and Government

Purpose

Information is collected for the purpose of supporting community members to reduce waste and energy use and implement a range of environmental and sustainability programs.

Information Retained

- Name
- Business name
- Contact information

- Personal and business information for the purpose of suitability assessments
- Waste water and energy data

Access

As outlined in the introduction.

Disclosure (as appropriate)

Data may be disclosed to the media, community and reported to Ministers for the purposes of reporting, but does not include the provision of personal information without the permission of the relevant person or business.

Strategic Planning Division

Heritage

Purpose

ACT Heritage stores details in relation to the full range of functions of the ACT Heritage Council. The purpose of these records is to provide the Heritage Council and ACT Heritage relevant information to:

- Notify interested persons of decisions and other matters affecting them under the *Heritage Act 2004*
- Notify successful Heritage Grant applicants and enter into binding agreements with them;
- Liaise with Heritage Festival event organisers to coordinate advertising and promotion
- Engage consultants, as needed
- Provide advice on development proposals and on conservation of heritage places
- Assess applications for excavation permits, approval of conservation management plans and approval of statements of heritage effects
- Promote heritage trades and consultant businesses
- Conduct investigations into compliance matters

Information Retained

The records held by ACT Heritage contain information about the name and contact details of:

- interested persons as defined under the *Heritage Act 2004*:
 - For a place or object on Territory land—the Planning and Land Authority
 - For a place or object that affects the conservation of flora or fauna—the Conservator
 - For a place or object the council considers may be relevant to the Commonwealth—the National Capital Authority
 - for a heritage nominated or registered place—the following
 - The owner of the place
 - The occupier of the place
 - The lessee or sublessee of the place

- The architect or designer of a building, structure or landscape at the place
 - Any person who made a nomination application for the place
 - Any person who made an urgent provisional registration application for the place
 - Any person who made a cancellation proposal for the place
 - Any person who made a register amendment application for the place
- for a heritage nominated or registered object—the following:
 - The owner of the object
 - The person in possession of the object
 - The designer of the object
 - If the object is an artwork—the artist who created the object
 - Any person who made a nomination application for the object
- Any person who made an urgent provisional registration application for the object
- Any person who made a cancellation proposal for the object
- Any person who made a register amendment application for the object
- A Representative Aboriginal Organisation
- Any person who reported the discovery of an Aboriginal place or object
- Persons who have made application to ACT Heritage and/or the Council about a range of matters, including for:
 - Advice and approvals under Part 10 of the Act
 - Publishing Restricted Information
 - Limited access to restricted information
 - A Heritage Grant
 - Registration of event during the Heritage Festival
 - Inclusion on the ACT's online 'Consultants and Trades Directory'
- An owner or occupier of a place or object, or an Aboriginal place or object who has been issued a Heritage Direction
- Persons in relation to investigation of offences under Part 13 of the Act
- Any person who has been issued an information discovery order
- Any person who has entered into a heritage agreement with the Minister
- The Heritage Advisory Service
- Consultants engaged by ACT Heritage
- Members of the ACT Heritage Council

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- Program administrators
- Staff within ACT Heritage and members of the ACT Heritage Council
- EPD Finance – for
 - Successful Heritage Grant applicants
 - A person who has entered into a heritage agreement with the Minister
 - The Heritage Advisory Service
 - Consultants engaged by ACT Heritage

- Representative Aboriginal organisation

In addition, any person has access to the name and contact details of a person, group, organisation or business who has applied for their details to be made publicly available through the ACT's online 'Consultants and Trades Directory'.

Disclosure (as appropriate)

This personal information is not disclosed outside of the access outlined above.

Financial Management

Receipts and Debtors

Purpose

The purpose of these records is to document sales, receipts and debtors related to the maintenance of the leasehold system including applications, rents and leases.

The personal information on these records relates to customers and clients.

Information Retained

Content may include:

- Name
- Address
- Block identifier
- Duration of lease or other agreement
- Outstanding debts

Sensitive content may include:

- Financial information including banking details

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- Shared Services, Finance
- The Government Solicitors Office and external law experts as required
- The Chief Minister, Treasury and Economic Development Directorate

Disclosure (as appropriate)

EPD may disclose information to the Australian Federal Police and other ACT Government Directorates when required by other Territory, State or Commonwealth Law.

Creditors

Purpose

The purpose of these records is to maintain a master file of information including creditors and supplier's names and addresses. The personal information on these records relates to suppliers.

Information Retained

Content may include:

- Name
- Address
- ABN (Australian Business Number)

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- Shared Services, Finance
- The Government Solicitors Office and external law experts as required
- The Chief Minister, Treasury and Economic Development Directorate

Disclosure (as appropriate)

EPD may disclose information to the Australian Federal Police and other ACT Government Directorates when required by other Territory, State or Commonwealth Law.

Planning Delivery

Territory Lease Files

Purpose

The purpose of these records is to maintain a record of dealings in leases. The personal information on these records relates to applicants, lessees, mortgagors, purchasers, interested parties, valuers, land surveyors, building certifiers, architects, landscape architects, solicitors, builders and developers.

Information Retained

Content may include:

- Name
- Contact information
- Occupation
- Gender

Sensitive content may include:

- Religious affiliations
- Financial information
- Commercial-in-confidence material
- Dealings relating to compliance
- Litigation
- Neighbour complaints
- Relationship details

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- The Land Development Agency staff responsible for land sales and Deeds of Agreement
- The Land Titles Office

Disclosure (as appropriate)

EPD may disclose information to the Australian Federal Police and other ACT Government Directorates when required by other ACT Law.

Public Register and Associated Documents

Purpose

The purpose of the public register is to record specific details about the development application approval process for developments which include residential and non-residential design and sitting applications and representations, variations to Crown leases, and home businesses. The public register also includes information on controlled activity orders, directions to carry out rectification works and prohibition notices.

Information Retained

Content may include:

- Name
- Contact information of development applicants
- Details of the lessees of land to which the application relates and details of any person who made a representation on the development proposal through the public notification period
- It may also contain details of the person and premises to which an order, a direction to carry out rectification work or prohibition notice has been issued

Sensitive content may include the personal information on these records that relates to applicant, lessee and the person making a representation

Access

All EPD staff have access to this personal information.

Disclosure (as appropriate)

As required by Section 28 of the *Planning and Development Act 2007*, some of this information is disclosed to the general public.

Development Applications under the Planning and Development Act 2007

Purpose

The records relate to all leased and unleased land which has been the subject of an application under Part 7.3 of the *Planning and Development Act 2007*. The Planning and Development Act requires maintenance of a Register, which is available for public inspection. It contains information about applications to undertake development, and any associated approvals, alterations or corrections to those applications. The Register also records orders issued under the Act.

The requirements may include approving, approving with conditions or refusing an application for development, the carrying on of a business, trade or occupation; the varying of a lease (including the subdivision and consolidation) and the making of an order.

Information Retained

Contents of these applications may include the lessee's and applicants name, address and contact details, nature of existing use, nature of proposed use, internal and external layout of the existing and or proposed premises, details of complaints, complainants and affected persons.

Access

All EPD staff have access to this personal information.

Disclosure (as appropriate)

Some of the information may be disclosed to other ACT Government agencies with an interest in the application, and may be advertised in the media and advised to adjacent landholders or interested members of the public as part of the public consultation process. Some information that is generally available on the public register may be restricted from public scrutiny if a person makes an application and meets the requirements of Section 411 or Section 412 of the Planning and Development Act.

Both approvals and orders will remain on the Register for the period for which they remain in force.

Comments on Draft Variations to the Territory Plan

Purpose

The purpose of these records is to administer requirements of the Planning and Development Act in relation to variations to the Territory Plan.

Information Retained

- Respondent's name and may include address, email address and telephone number(s).
- The personal information on these records relates to the respondent's views and attitudes on proposed Variations to the Territory Plan.

Access

Access is as described in the introduction.

Disclosure (as appropriate)

The information is available to any persons subject to conditions under the Planning and Development Act. Under section 411 of the Planning and Development Act a person may apply in writing to EPD for part of their submission to be excluded from being made available for public inspection. This matter would be considered and determined by EPD in accordance with Section 411(5) of the Planning and Development Act.

The records relate to each Variation to the Territory Plan released for public consultation under section 5.3 of the Planning and Development Act and are kept on paper and electronic media.

Office of the Surveyor-General

Register of Surveyors

Purpose

The purpose of these records is to maintain a record of surveyors licensed under the *Surveyors Act 2007*. Maintenance of this register is a requirement of that Act. The personal information on these records relates to the Registered Surveyors.

Information Retained

Content may include:

- Name
- Contact information
- gender

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- The ACT Surveyor-General
- EPD staff who support the functions of the Surveyor-General

Disclosure (as appropriate)

As outlined above.

Parks and Conservation

LandCare and Park Care Groups

Purpose

The purpose of these records is to maintain a record of contact with Landcare and Park Care volunteer groups about their activities on Government estate or which may affect PCS's operations.

Information Retained

Content may include:

- Name
- Contact information

Access

Access is as described in the introduction.

Disclosure (as appropriate)

Access is as described in the introduction.

Work Experience Program

Purpose

The purpose of these records is to provide basic information for the consideration of applications for a work experience placement with PCS as well as some emergency contact information for use if the application is approved

Information Retained

Content may include:

- Name
- Contact information

Access

Access is as described in the introduction.

Disclosure (as appropriate)

Access is as described in the introduction.

Fire Fitness Medical Assessment for Bushfire Fighting

Purpose

The purpose of these records is to maintain a record of staff who undertake a fire fitness medical assessment.

Information Retained

Content may include:

- Name
- Contact information
- Fitness assessment consent forms
- Medical-in-confidence medical history on respiratory, cardiac, muscle or limb/joint injuries
- Illness or medication
- Pre and post assessment for blood pressure, pulse, respiratory and saturated oxygen

Access

Access is as described in the introduction.

Disclosure (as appropriate)

Access is as described in the introduction.

Rural Leasehold Management

Purpose

The purpose of these records is to maintain a record of rural lease holders for the purpose of managing Land Management Agreements.

Information Retained

Content may include:

- Name
- Contact information

Access

Access is as described in the introduction.

Disclosure (as appropriate)

Access is as described in the introduction.

Animal Health Stock Owners' Files

Purpose

The purpose of these records is to monitor the health of herds and act as a register of tail tags in the ACT.

Information Retained

Content may include:

- Name
- Contact information
- Stock type and numbers

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- Rangers
- Licensing officers
- Veterinary officers

Disclosure (as appropriate)

Access is as described in the introduction.

Stock Brands and Earmarks

Purpose

The purpose of these records is to register brand marks of stock for the identification of individual owners

Information Retained

Content may include:

- Name
- Contact information

Access

In addition to access outlined in the Introduction, the following groups have access to this personal information:

- Rural Services and Natural Resource Protection Section

Disclosure (as appropriate)

Access is as described in the introduction.

Temporary Use of public and unleased Territory land application forms

Purpose

The purpose of these records is to authorise use of public land such as parks, nature reserves and road reserves as well as unleased Territory land such as forests or land that is subject to future development. The application forms also act as booking forms for dedicated facilities such as camping facilities, park stages etc.

Information Retained

Content may include:

- Name
- Contact information
- Organisational contact information
- Insurance details
- Activities that may occur within the areas
- Material and objects that those activities may use

Access

Access as outlined in the Introduction.

Disclosure (as appropriate)

Access is as described in the introduction.