



Policy document

Privacy statement

This Policy explains how the Independent Planning Commission obtains and uses your personal information. It covers all members of the public that submit information to us, as well as applicants and anyone else who engages with us.

Our role as the Commission

The Independent Planning Commission of NSW was established by the NSW Government on 1 March 2018 as an independent statutory body operating separately to the Department of Planning and Environment.

The Commission plays an important role in strengthening transparency and independence in the decision-making processes for major development and land use planning in NSW.

The key functions of the Commission include to:

- determine state significant development applications
- conduct public hearings for development applications and other matters
- provide independent expert advice on any other planning and development matter, when requested by the Minister for Planning or Planning Secretary

The Commission is the consent authority for state significant development applications when there are:

- more than 50 'unique' public objections
- reportable political donations

- objections by the relevant local Council and Council has not rescinded that objection following exhibition

For more information on our functions, please visit our website: www.ipcn.nsw.gov.au.

We're dedicated to protecting your privacy

When you deal with us, your personal information is protected under the *Privacy and Personal Information Protection Act 1998*.

What is personal information?

It's information that identifies you personally. It includes any information and/or opinions about you. Examples are your name, address, phone number and email, along with any other ways to determine your identity.

What's not personal?

Information isn't personal information if it:

- can already be found in a publicly available publication
- is in a public register
- is about someone who's been deceased for over 30 years
- relates to certain law enforcement and/or investigation activities
- is found in Government Cabinet documents
- can be disclosed under another piece of legislation

How we collect your personal information

We'll only collect personal information that's directly related to our work and reasonably necessary to it, for a lawful purpose.

We may collect personal information when a group or individual engages with the Commission, including by making a submission, or participating in a public meeting, public hearing, site inspection, locality tour or other stakeholder meeting with the Commission.

We also receive personal information in submissions made to the Department of Planning and Environment.

Unless, as part of a public hearing, the Commission makes an order requiring the attendance of a witness or production of documents, there is no legal requirement to provide personal information to the Commission. If a person chooses to engage with the Commission and in doing so provides their personal information to the Commission, this *Privacy Statement* governs how that information is used and disclosed.

How we use and disclose your personal information

All documents given to us may be uploaded to our website without redactions.

In respect of submissions made to the Commission, we may publish any personal information you have included in any submission to the Commission. Please do not include any personal information in your submission that you do not want to be published. If you are making a submission through the Commission's 'Have Your Say' portal, you may elect to have personal information withheld (except from any documents you upload).

In respect of applications to register to speak at a public hearing or public meeting, or as part of your attendance at a site inspection, locality tour or stakeholder meeting, your name will be disclosed on the Commission's publicly available speaker schedule. Similarly, any personal information you choose to disclose during a public hearing, public meeting, site inspection, locality tour or stakeholder meeting may be recorded and published in a transcript or audio-visual recording published by the Commission.

In respect of any other document provided to the Commission that is not a submission, if you request your personal information be withheld, we may elect to redact that information before uploading it to our website

We may also be asked to give information to another party under a *Government Information (Public Access) Act 2009* request, or a subpoena as part of a legal proceeding. Before providing your information to someone else, we may contact you to seek permission if we are legally required to do so. If we are not legally required to seek your permission to give personal information to another party, we may not do so.

Some ways we may use your submission and/or representation include:

- informing consideration of a proposal or planning matter
- publishing it in a report or on our website
- providing it to relevant third parties such as the Minister for Planning, the Department of Planning and Environment or other public authorities

Some ways we may use your personal information include:

- contacting you about an upcoming meeting or hearing
- clarifying details mentioned in your representation or verbal presentation
- analysis of submissions, such as using your personal information to give context to your submission (e.g. your physical distance to a proposed development)
- circulating information on a meeting schedule, when registered to speak publicly or attend a site inspection, locality tour or stakeholder meeting
- producing records for public meetings and hearings, site inspections, locality tours or stakeholder meetings
- seeking feedback about the work of the Commission
- providing information to relevant third parties so they support the functions of the Commission, including those set out above

We understand the significance of privacy. As such, we only use your personal information for the reason it was collected.

You have the right to access your personal information

Under the *Privacy and Personal Information Protection Act 1998* you have the right to access and edit your own personal information we hold if that information is inaccurate. If you'd like to make a request for access or to edit your personal information, get in touch via the details below.

Breach of privacy

If you feel there's been a breach of privacy, you have the right to make a complaint to the Office of the Independent Planning Commission, or the Office of NSW Privacy Commissioner at www.privacy.nsw.gov.au.



For more information

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Commission NSW

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