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## Privacy Policy

### Introduction

The *Privacy Act 1988* (Cth) applies the Australian Privacy Principles (APPs) to basically every agency or organisation, other than small businesses, which are defined in Section 6D to be businesses with a turnover of \$3M p.a. or less.

As our turn over is less than \$3M pa, the APPs do not apply to the Owners Corporation (OC). However, the OC recognises the importance of proper handling of personal information and has adopted the policy set out in this statement.

The statement also addresses issues that arise as a result of other NSW laws that include privacy protection provisions such as the Surveillance Devices Act and the Workplace Surveillance Act.

### Video Surveillance

The Surveillance Devices Act 2007 (NSW) regulates the installation, use, and maintenance of surveillance devices and retrieval and disclosure of surveillance records.

The Workplace Surveillance Act (NSW) imposes on the OC an obligation to provide information to those working on the premises about overt surveillance of workplace activities and prohibits covert surveillance.

A closed circuit television (CCTV) surveillance system and a secure method to monitor entry or exit are installed in Waratah Apartments.

Signage throughout alerts residents, visitors and others to the existence of video and audio recording devices.

The systems collect information that identifies persons on common property (CP) areas and entering and exiting the building.

A digital record of use of a swipe to enter and exit is recorded and stored for a period of approximately 3 months.

More detailed information about management of the CCTV system is contained in the CCTV Code of Practice attached to this statement.

### Policy

In carrying out our functions under the Strata Schemes Management Act (2015) (the Act) we collect personal information about you.

This includes your name, residential address, email address, phone number, financial information including banking details of owners, and other information about matters arising from your ownership or occupancy of a unit at Waratah Apartments.

This information is collected because the act requires it, or collection of that information is otherwise necessary to enable the OC to manage its responsibilities.

Personal information of this kind is used for the purpose for which it is collected and related purposes including, for example:

- statutory requirements set out in the act and regulations;
- provision of services;
- managing and operating the strata scheme and our relationships and dealings with owners and residents including by-law and related issues;
- informing you and others about matters of interest, and
- dealing with agents, contractors and suppliers on matters that relate directly or indirectly to you as an owner or resident.

Information is held by the OC in paper and electronic records.

We seek to ensure that personal information held about you is correct and up to date.

We take reasonable steps to protect information that we hold from misuse, loss, unauthorised access or modification.

Access is restricted to records in both forms.

Personal information is only disclosed where:

- You are reasonably likely to be aware that information of that kind is usually passed to that person, body, agency or authority;
- disclosure is consistent with the purpose for which the information was collected or for a directly related purpose. This may include disclosure of relevant and necessary information to third parties contracted to perform functions or services on our behalf such as concierge, maintenance and building management;
- there is a lawful excuse, for example disclosure is required or authorised by law or sought by law enforcement or others in accordance with the law.

We also retain all email correspondence with owners.

Importantly, certain records held by the OC are available for inspection by an owner, or others in some circumstances as required by the Act.

Sections 182-183 of the Act set out these rights, and lists documents and records that must be available for inspection.

Such records may include some personal information about you.

We must comply with these requirements but will to the extent the law allows, limit access to sensitive information such as email or contact details.

### **Inspection of Records**

Individual owners, have a right to inspect 'records' of the Owners Corporation upon submitting a written request and paying the fee prescribed by the regulations, currently \$31(ex GST) for the first hour and an additional \$16 (ex-GST) for each half-hour or part of half-hour after thereafter for each inspection.

An application to inspect records should be in writing and accompanied by the payment in advance for each inspection (session). Payment can be cash or EFT to the Owners Corporation. An application form is available for this purpose.

The written notice for each inspection (session) to include the specific nature of the inspection and the time (in hours) you estimate for the inspection. Inspections will be

supervised to ensure they do not go over the allocated time and no refunds will be provided in the event the allocated time is not taken.

Once the notice and payment have been received, the Strata Committee will then liaise with you to agree a suitable time for the inspection.

If you wish to view CCTV footage, you must make a written request specifying precisely what you want to inspect (time, date and location) and the purpose for which you wish to view those recordings.

**Copying of records, including CCTV records.**

The applicant is entitled to make copies of records but must make their own arrangements to do so, as the Owners Corporation is not required to provide copying facilities. You will not be permitted to touch or operate any security equipment or infrastructure for any purpose.

No record can be removed from the custody of the Owners Corporation, without consent and the Owners Corporation does not normally consent to removing any documents, including those comprising of CCTV footage, from its custody unless it is accompanied by a formal legal request.

Please contact the Building Manager at reception should you have questions about the handling of personal information or if you wish to correct or update information held about you.

**ADOPTED by the Strata Committee (July 2018)**

Darrell Hilton

Secretary

The Owner's Corporation – No. SP36839