



Privacy Policy

The provisions of the Privacy and Responsible Information Sharing Act 2024 have not fully come into effect, but the Department of Planning, Lands and Heritage has drafted this Privacy Policy in anticipation. This policy will be updated when the PRIS legislation is fully operational.

February 2026

Acknowledgment of Country

The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.



Western
Australian
Planning
Commission



HERITAGE
COUNCIL



Aboriginal
Lands Trust



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Published by the
Department of Planning, Lands and Heritage
Gordon Stephenson House
140 William Street
Perth WA 6000
Locked Bag 2506
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Publication date: 5 February 2026
Operational date: 5 February 2026

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This document is available in alternative formats on application to Communication Services.

1 Purpose

This interim Privacy Policy reflects the privacy principles of the Privacy and Responsible Information Sharing (PRIS) reforms such as lawful collection, minimal disclosure, data security, and information breach notification, which are essential for public sector agencies.

Although, Western Australia's [*Privacy and Responsible Information Sharing Act 2024*](#) (PRIS Act) is yet to come fully into force, the Department of Planning, Lands and Heritage (the Department) is working on incorporating the PRIS Act's Information Privacy Principles (IPPs) into our operations.¹ In the interim, we continue to ensure our actions are consistent with applicable Australian Privacy Principles (APPs), set out in Schedule 1 of the [*Privacy Act 1988 \(Cth\)*](#) as outlined in the State Government's [*Interim Privacy Position*](#).²

The PRIS Act's IPPs will guide how Western Australian public sector agencies collect, use, disclose, store, and share personal information safely and transparently, including with other agencies and service providers.

2 Scope

This policy applies to all personal information or sensitive personal information collected, used or stored by the Department in connection with its services and to support the Department's functions and operations. This policy also applies to the statutory boards and committees supported by the Department, these being the Western Australian Planning Commission, Heritage Council of Western Australia, Development Assessment Panels, Pastoral Lands Board, Aboriginal Lands Trust and the Aboriginal Cultural Heritage Committee.

3 Objectives

This policy aims to ensure compliance with privacy laws, support transparency, and protect individuals' personal information.

4 Policy Requirements

4.1 What Personal Information We Collect

The type of personal information we collect depends on how you engage with us and may include:

- your name, contact details, demographic details;
- information about your identity (for example, driver's licence and country of birth)
- financial information; and
- photographs and video recordings.

¹ Only certain parts of the [*PRIS Act 2024*](#) have come into force. The rest of the PRIS legislation will come into force on 1 July 2026, with the requirement for agencies to notify the Information Commissioner of any serious information breaches commencing on 1 January 2027.

² Although APPs only apply to Australian Government agencies, the Department will be guided by the APPs.

We may also collect personal information from third parties where it is lawful and reasonable, such as:

- family members, carers or legal guardians;
- other government agencies or service providers involved in your interactions with us (for example, in relation to funding, permits, or referrals); and
- individuals or organisations who refer you to the Department.

Where personal information is collected from someone else, we take reasonable steps to inform you and explain how your information will be handled.

We respect the right of Aboriginal people to control information about themselves and their communities and aim for continual improvement in the governance of indigenous data. When collecting, using, or sharing personal information that primarily affects Aboriginal individuals or communities we will engage in meaningful consultation to ensure their perspectives and priorities influence data collection, use and dissemination.

4.2 How We Collect Personal Information

We only collect personal information when it is necessary to support the Department's business requirements or required by law. The Department may collect personal information about individuals through surveys, email and phone communications, correspondence and submissions, consultation processes, forms and notices (including online portals), and via our websites. We may also collect information from publicly available sources such as professional networking or social media sites, where it is relevant and lawful to do so, for example during recruitment or stakeholder engagement.

Where appropriate, we seek your consent and explain the purpose of collection at the time, or as soon as practicable.

The Department will provide collection notices, where appropriate, to request personal information to ensure individuals understand the reasoning for collecting this information and to provide greater transparency. The notice will include reasons why we are collecting the information, whether the collection is required or authorised by law, and any person or body to whom we usually disclose the information.

There are circumstances where it may not be appropriate or practicable to seek your consent. Examples of these situations include:

- collection of the personal information is authorised or required by law; or
- notification may pose a serious threat to the life, health or safety of an individual or pose a threat to public health or safety.

4.3 Why We Collect and Use Your Personal Information

We collect personal information only when it is necessary for the Department to undertake its business activities and required functions. This means we aim to only collect what is needed to provide services, carry out our responsibilities, or meet legal obligations. We take care to limit the amount of personal information we collect and to do it in a way that protects your privacy.

4.4 Use and Disclosure of Personal Information

Personal information will only be used or disclosed:

- for the purpose for which it was collected; and
- as required or authorised by law or a court/tribunal.

There are some limited exceptions that permit the use and disclosure of personal information for a secondary purpose without your consent, including where it is required or authorised by law, or in situations where the law permits disclosure without consent, such as when there is a serious threat to someone's health or safety.

Your personal information (including sensitive personal information) will be dealt with in accordance with the applicable legislation in Western Australia and consistent with any legal obligation (including the *State Records Act 2000*).

We ensure that information sharing between our Department and other government agencies and third-party organisations adheres to our information management policies, is informed by the Department's risk management processes and complies with the PRIS Act's Responsible Sharing Principles, when they come into force.³

We may also use personal information in de-identified or aggregated form for reporting, evaluation, or policy development purposes.

4.5 Security and Storage

We take reasonable steps to protect personal information from misuse, loss, unauthorised access, modification, or disclosure. These steps include implementing technical, administrative, and physical safeguards to ensure information security, as required under the PRIS legislation. We also undertake a range of security measures to reduce the risk of privacy breaches and maintain the confidentiality, integrity and availability of personal information. These measures include but are not limited to:

- limiting access to personal information to authorised personnel who require it to perform their duties or provide services;
- enforcing secure login protocols, including strong passwords and multi-factor authentication;
- requiring staff and contractors to understand and comply with legal, ethical and policy obligations regarding the use and disclosure of personal information; and
- ensuring third-party providers implement appropriate safeguards to protect personal information consistent with our privacy obligations.

³ The RSPs are yet to come into force. Only certain parts of the [PRIS Act 2024](#) are currently in force. The rest of the PRIS legislation will come into force on 1 July 2026, with the requirement for agencies to notify the Information Commissioner of any serious information breaches commencing on 1 January 2027.

4.6 Access and Correction

You may request access to documents in our possession that contain your personal information. You may also make a request for the correction of your personal information if it is not accurate, complete, or up to date.

You can request access to, or correction of, your personal information by completing a [Freedom of Information](#) request. There is no charge associated with this request.

Your personal information may continue to be kept for recordkeeping purposes.

4.7 Information Breach Notification

In the event of an information breach involving personal information, we will notify affected individuals and the Information Commissioner as required by the mandatory information breach notification scheme introduced under the PRIS Act (when this part of the legislation comes into full effect on 1 January 2027).

We will ensure information breach incidents are thoroughly investigated and we will take reasonable steps to rectify identified issues and improve our processes.

4.8 Privacy Complaints

If you have a question about how we handle your personal information or believe the Department has mishandled your personal information or interfered with your privacy, you can contact us using the methods below.

- **Online:** via our Complaints, Compliments and Feedback Form
- **Email:** complaints@dplh.wa.gov.au
- **Phone:** +61 8 6551 8002
- **Post:** Coordinator Customer Relationships
Department of Planning, Lands and Heritage
Locked Bag 2506, PERTH WA 6001

Written privacy complaints (including those submitted via the online form) will be acknowledged in writing. All privacy complaints will be assessed in accordance with our internal complaints management procedure and our obligations under the PRIS Act (when the legislation comes into full effect).

If you are not satisfied with our response, you can make a complaint to the Ombudsman Western Australia, or the Office of the Information Commissioner from 1 July 2026.

5 Definitions

Information breach: An incident where personal information is lost or accessed, disclosed or used without authorisation, which may cause harm to individuals.

De-identified information: Information that has been modified so that the identity of an individual is not apparent and cannot be reasonably determined from the information.

Personal information: Any information about an individual that can identify them (for example, name, address, phone number).

Sensitive personal information: Information that reveals details like racial or ethnic origin, political opinions, health or biometric details, sexual orientation, religious beliefs or a criminal record.

Third party: An individual, organisation, or agency other than you or the Department. This can include service providers, government agencies, or others involved in delivering or supporting services.