



Premier of New South Wales

2013-166734

Mr R Clarke
Chair
Board of the Australian Privacy Foundation
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3 0 MAY 2013

Dear Mr Clarke

Thank you for taking the time to write to me regarding the Government's review of the decision of the NSW Administrative Appeals Tribunal in *SF v Shoalhaven City Council* [2013] NSWADT 94.

The purpose of this review was to consider and address the Tribunal's decision in relation to Shoalhaven City Council's closed circuit television (CCTV), rather than the use of CCTV more broadly. The Government considers it important to ensure local councils can continue to use CCTV cameras to assist in law enforcement.

Following advice from the Department of Attorney General and Justice, the *Privacy and Personal Information Protection Regulation 2005* has been amended. The Regulation now exempts local councils from sections of the *Privacy and Personal Information Protection Act 1998* (PPIP Act) where a council's CCTV cameras are filming a public place. Councils will continue to be required to comply with all other Information Protection Principles in the PPIP Act.

Furthermore, I am advised the Minister for Local Government's office is in contact with Shoalhaven City Council about the other findings of the Tribunal concerning better signage around CCTV cameras. I understand the Council is addressing this matter.

Yours sincerely

Barry O'Farrell MP
Premier