

Privacy Policy

NoiseNet Pty Ltd

1. We respect your privacy

- 1.1. NoiseNet Pty Ltd respects your right to privacy and is committed to safeguarding the privacy of our customers, website visitors and those in the vicinity of our noise level monitoring equipment.
- 1.2. We adhere to the Australian Privacy Principles contained in the *Privacy Act 1988* (Cth). Some elements of our operations may have implications under the *Surveillance Devices Act 2004* (Cth) and our management of these implications is described herein.
- 1.3. This policy sets out how we collect and treat your personal information and describes how we minimise the exposure and risks to you.
- 1.4. "Personal information" is information we hold which is identifiable as being about you.

2. Collection of personal information

- 2.1. NoiseNet Pty Ltd will, from time to time, receive and store personal information you enter onto our website, provided to us directly, provided to us by 3rd parties as part of ordering or requesting our services, or given to us in other forms.
- 2.2. You may provide basic information such as your name, phone number, address and email address to enable us to send information, provide updates and process your product or service order. We may collect additional information at other times, including but not limited to, when you provide feedback, when you provide information about your personal or business affairs, change your content or email preference, respond to surveys and/or promotions, provide financial or credit card information, or communicate with our customer support.
- 2.3. If you order noise level monitoring at or in, your own property, our monitors may gather private information, including private conversations as defined under the Surveillance Act.
- 2.4. Additionally, we may also collect any other information you provide while interacting with us.

3. How we collect your personal information

- 3.1. NoiseNet Pty Ltd collects personal information from you in a variety of ways, including when you interact with us electronically or in person, when you access our website and when we provide our services to you. We may receive personal information from third parties. If we do, we will protect it as set out in this Privacy Policy.

4. Use of your personal information

- 4.1. NoiseNet Pty Ltd will use personal information collected from you in the provision of services to you as requested or contracted to us.

- 4.2. NoiseNet Pty Ltd may use personal information collected from you to provide you with information, updates and our services. We may also make you aware of new and additional products, services and opportunities available to you. We may use your personal information to improve our products and services and better understand your needs.
- 4.3. NoiseNet Pty Ltd may contact you by a variety of measures including, but not limited to telephone, email, sms or mail.

5. Gathering of Noise Data and Sample Recordings

- 5.1. As part of the provision of noise monitoring services, NoiseNet Pty Ltd places mobile noise monitors into the field at the request of our customers and/or regulatory organisations (such as Councils, Government Departments or Police services).
- 5.2. The purpose of these noise monitors is to gather data on the noise environment in the vicinity of these monitors. This information may be to inform future decisions (development planning, property purchase or lease decisions), or to measure and document the existence of intrusive outside noise onto a given property.
- 5.3. As part of this monitoring system, our equipment will detect excursions of noise above a baseline threshold. On detection of such events our devices may record and retain a short snippet of the noise (duration 2 to 10 seconds) for the purpose of identifying the type of the noise.
- 5.4. This identification is carried out using automated processes and classifies the sound into one of a group of categories ([described here](#) in the google ontology).
- 5.5. The use of noise monitors could be classified as using a *data surveillance device* under the *Surveillance Act 2004* (Cth.). However 3 considerations are applied by NoiseNet to justify why we maintain we are not covered by these requirements:
 - 5.5.1. Noise samples captured by the monitor from the property where the monitor is mounted are exempt as we have obtained permission from the property owner, or that space is public lands.
 - 5.5.2. Noise samples captured from adjoining or more distant locations are considered to be non-private. If the noise of a conversation has travelled across a property boundary and is still of sufficient volume to be recorded, then it can be considered to be not private as a person in the adjoining property could reasonably be expected to hear the conversation.
 - 5.5.3. Noise recordings are constrained to a maximum of 4 seconds and only record where noise is either materially above the background noise levels.
 - 5.5.4. In many cases, samples are 'scrambled' in a non-reversible manner prior to transmission – making manual or automated transcription of conversations impossible – without damaging the ability of our system to determine the noise type.
 - 5.5.5. Our automated systems provide no means to transcribe conversations.

- 5.5.6. We have no information in relation to who is personally responsible for any noises recorded. We can only link a noise with a time and an approximate location.
- 5.6. This identification, coupled with noise level monitoring is used to generate reports for noise complainants and/or regulatory authorities that document the frequency and intensity of noise levels, noise excursions and the key sources of relevant noise. These reports provide no identification information (other than the location of the monitor) and include no transcription and no sound samples. Examples of reports generated can be found at our website ([here](#))
- 5.7. In certain regulatory supported cases (council, government, police), certain noise types may be determined as events of interest (dog-barking, amplified music, out-of-hours construction noise) which is classified as being outside or borderline to regulatory limits. Where (and only where) this occurs the monitor may record and retain a longer recording of these noises to support enforcement.
- 5.8. Any noise samples gathered are encrypted at the time of recording and transmitted from the monitor using secure encrypted communications and/or via hand transmission to NoiseNet. Decryption keys are retained on our secure Australian based servers. Regulatory samples are retained until a determination is made by the regulatory authority and when retention is requested for a longer duration in case of requested as part of legal action or potential legal action.
- 5.9. Any human listening of snippets is carried out on an anonymised basis where the listener is not informed of the location, time of the noise sample. Furthermore, no single listener will listen to more than one sample of human conversation within any given hour.

6. Disclosure of your personal information

- 6.1. We may disclose your personal information to any of our employees, officers, insurers, professional advisers, agents, suppliers or subcontractors insofar as reasonably necessary for the purposes set out in this Policy. Personal information is only supplied to a third party when it is required for the delivery of our services.
- 6.2. We may from time to time need to disclose personal information to comply with a legal requirement, such as a law, regulation, court order, subpoena, warrant, in the course of a legal proceeding or in response to a law enforcement agency request.
- 6.3. We may also use your personal information to protect the copyright, trademarks, legal rights, property or safety of NoiseNet Pty Ltd or subsidiaries, www.noisenet.com.au, its customers or third parties.
- 6.4. Information that we collect may from time to time be stored, processed in or transferred between parties located in countries outside of Australia. These may include, but are not limited to USA, New Zealand.
- 6.5. If there is a change of control in our business or a sale or transfer of business assets, we reserve the right to transfer to the extent permissible at law our user databases, together with any personal information and non-personal information contained in those databases. This information may be disclosed to a potential purchaser under an agreement to maintain confidentiality. We would seek to only disclose information in good faith and where required by any of the above circumstances.

- 6.6. By providing us with personal information, you consent to the terms of this Privacy Policy and the types of disclosure covered by this Policy. Where we disclose your personal information to third parties, we will request that the third party follow this Policy regarding handling your personal information.

7. Security of your personal information

- 7.1. NoiseNet Pty Ltd is committed to ensuring that the information you provide to us is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.
- 7.2. The transmission and exchange of information is carried out at your own risk. We cannot guarantee the security of any information that you transmit to us, or receive from us. Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.
- 7.3. Noise Samples gathered are stored in encrypted form on secure server systems. Audio samples are stored in complete separation from location and time information.

8. Access to your personal information

- 8.1. You may request details of personal information that we hold about you in accordance with the provisions of the *Privacy Act 1988* (Cth). A small administrative fee may be payable for the provision of information. If you would like a copy of the information which we hold about you or believe that any information we hold on you is inaccurate, out of date, incomplete, irrelevant or misleading, please email us at info@noisenet.com.au.
- 8.2. We reserve the right to refuse to provide you with information that we hold about you, in certain circumstances set out in the Privacy Act.

9. Details of Monitoring Activities

- 9.1. NoiseNet Pty Ltd does generally not list the location of our monitors or provide details of the monitoring undertaken. If you access our website, you may request if monitoring is taking place within your acoustic vicinity. Please provide details of your address, along with your full name, proof of address and email address. We will provide notification within 3 working days of monitoring in your vicinity. Please email us with such requests to info@noisenet.com.au. If required we can provide you with the opportunity to view the reports generated from the monitoring exercise upon their completion.
- 9.2. We reserve the right to refuse to provide you with information that we hold about you, in certain circumstances set out in the Privacy Act.

10. Complaints about privacy

- 10.1. If you have any complaints about our privacy practices, please feel free to send in details of your complaints to 83 Fifth Av, Balmoral, QLD 4171, Australia. We take complaints very seriously and will respond shortly after receiving written notice of your complaint.

11. Changes to Privacy Policy

- 11.1. Please be aware that we may change this Privacy Policy in the future. We may modify this Policy at any time, in our sole discretion and all modifications will be effective immediately upon our posting of the modifications on our website or notice board. Please check back from time to time to review our Privacy Policy.

12. Website

12.1. *When you visit our website*

When you come to our website (www.noisenet.com.au) we may collect certain information such as browser type, operating system, website visited immediately before coming to our site, etc. This information is used in an aggregated manner to analyse how people use our site, such that we can improve our service.

12.2. *Cookies*

We may from time to time use cookies on our website. Cookies are very small files which a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. Most web browsers automatically accept cookies but you can choose to reject cookies by changing your browser settings. However, this may prevent you from taking full advantage of our website.

- 12.3. Our website may from time to time use cookies to analyse website traffic and help us provide a better website visitor experience. In addition, cookies may be used to serve relevant ads to website visitors through third party services such as Google Adwords. These ads may appear on this website or other websites you visit.

12.4. *Third party sites*

Our site may from time to time have links to other websites not owned or controlled by us. These links are meant for your convenience only. Links to third party websites do not constitute sponsorship or endorsement or approval of these websites. Please be aware that NoiseNet Pty Ltd is not responsible for the privacy practises of other such websites. We encourage our users to be aware, when they leave our website, to read the privacy statements of each and every website that collects personal identifiable information.

17 November 2018