

MEMORANDUM OF UNDERSTANDING

Between Wollongong City Council

and

NSW Police

For Access and Use of Council CCTV Footage

Memorandum between	Wollongong City Council
	Contact Person: Todd Hopwood, Public Officer Phone: 02 4227 7111 Email: records@wollongong.nsw.gov.au
And	NSW Police
	Contact Person: Det Chief Insp Ainsworth, NSW Police Phone: Email : ains1bra@police.nsw.gov.au

'the Parties'

1 Introduction

- 1.1 This Memorandum of Understanding (MOU) is entered between Wollongong City Council (Council) and NSW Police
- 1.2 Closed Circuit Television (CCTV) vision of the Wollongong City Centre is able to be viewed from Wollongong Police Station via a live connection to a number of installed CCTV cameras in the City Centre.
- 1.3 CCTV of other locations within the Wollongong City local government area are also captured by Council CCTV cameras.
- 1.4 The purpose of this MOU is to outline the principles and procedures that underpin the appropriate access, use and management by NSW Police of CCTV footage held by Council.
- 1.5 This MOU replaces the May 2016 Memorandum of Understanding between the Parties.
- 1.6 Whilst this MOU is not intended to be legally binding, both Parties agree to work together to fulfil the terms of this MOU.

2 Term

- 2.1 This MOU will commence on the day it is executed on behalf of the Parties.
- 2.2 This MOU may be terminated:
 - 2.2.1 by either Party giving the other Party six months written notice;
 - 2.2.2 by either Party giving the other Party written notice in the event of non-observance of the purpose of this MOU;
 - 2.2.3 by either Party giving the other Party written notice in the event that any conflict or dispute arising out of this MOU is unable to be resolved.
- 2.3 The MOU will be reviewed every two years, or as required, to ensure it continues to meet the needs of both Parties. Its terms may be varied by mutual agreement in response to changes in CCTV policies, guidelines or legislation.

3 Application of Memorandum of Understanding

- 3.1 This MOU applies to all CCTV footage collected by Council at premises and locations under its control.
- 3.2 The Manager Governance and Customer Service, Wollongong City Council will manage Council's requirements and responsibilities under this MOU.
- 3.3 Requests from Police for CCTV footage in accordance with this MOU, will be determined by officers of Council who are delegated that responsibility by the General Manager, Wollongong City Council
- 3.4 All Council Controllers of Premises will facilitate the physical access or transfer of digital copies of CCTV footage to Police in accordance with this MOU, once approval is received from the Manager Governance and Customer Service or another delegate approved by the General Manager, as outlined in 3.3 above

4 Council's CCTV Policy and Code of Practice

- 4.1 Police acknowledge Council's CCTV Policy and Code of Practice ("Council's Policy").

- 4.2 Police agree to abide by the terms of Council's Policy as it applies to Police, and, in particular, agree to the following in relation to the direct feed of CCTV footage of the Wollongong City Centre:
- 4.2.1 monitors showing vision of the City Centre shall be located in the Police building such that the vision shall not be easily viewed by members of the public or unauthorised persons;
 - 4.2.2 Police control of the vision shown on the monitors shall only be for law enforcement purposes;
 - 4.2.3 Police agree to adopt Standard Operating Procedures relating to CCTV in the City Centre that is consistent with Council's Policy and the terms of this MOU.

5 Application for and Access to Stored CCTV Footage

- 5.1 Police shall make application for footage via the form developed for that purpose by Council.
- 5.2 Applications by Police to access CCTV footage will be considered as informal release of information by Council in accordance with s8 of the Government Information (Public Access) Act 2009.
- 5.3 Applications made in accordance with 5.2 above will be considered and determined only by Council staff authorised by the General Manager to determine applications made to Council by Police for information recorded by Council's CCTV systems.
- 5.4 Notwithstanding the other provisions of this section, Council will develop a procedure to deal with access to CCTV footage by Police in emergency situations or during an active event to ensure that expedient access to footage is provided.

6 Obligations of Police

- 6.1 Police agree to participate in the evaluation of the CCTV Program as it applies to the Wollongong Local Government Area.
- 6.2 Police acknowledge that they will bear the costs relating to maintenance / relocation of equipment installed in Police premises that is used to view live CCTV footage.
- 6.3 Only sworn officers, and others authorised by Police, will be permitted to access and view CCTV footage supplied by Council.

AUTHORISATION

Signed for Wollongong City Council by:

Todd Hopwood
Public Officer

T Hopwood

Signature of Authorised Officer

Date: 16 February 2022

Signed for NSW Police by:

Det Chief Inspector Brad Ainsworth
NSW Police

B. Ainsworth A/Supt 16/2/22

Signature of Authorised Officer