

BACKGROUND

Wollongong City Council (Council) considers it important to take efforts to reduce crime. It is recognised however, that crime will never entirely be prevented. Closed circuit television (CCTV) can bring benefits to the community and assist in identifying and reducing crime which can lead to enhanced public safety in particular locations or in a particular area.

Council's CCTV Program is one of several initiatives designed to facilitate greater community safety in reducing and preventing crime. It assists Council and the NSW Police to work together to help provide a safer environment, reduce crime levels by deterring potential offenders and aid in crime detection and apprehension of offenders.

OBJECTIVE

The objective of the CCTV Program is to reduce personal and property crime, in association with a range of other crime prevention strategies. The Code of Practice contains standards to guide the operation of Council's CCTV Program and is supplemented by Council's Standard Operating Procedures (SOPs) which provide instructions on the day to day operation of the CCTV system.

POLICY STATEMENT

The Code of Practice has been developed in consultation with the NSW Police. While there is no legislative requirement for Councils to implement a particular NSW or Australian Government policy statement on CCTV in public places the NSW Office of Local Government considers the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television in Public Places* to be good practice and Council has adopted these Guidelines in developing its Code of Practice.

POLICY REVIEW AND VARIATION

- 1 Council is to have opportunity to review and adopt, at least once during its Term, each Council policy.
- 2 A resolution of Council is required to adopt any variations to this policy, with the exception of minor administrative changes, such as updates to legislative references, which may be endorsed by the Executive Management Committee (EMC). Endorsement of administrative changes made to this policy by EMC does not alter the requirement for it to be reviewed and adopted by each Term of Council.

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1 INTRODUCTION

It is recognised that crime is an important factor impacting on the actual and concerns about safety of certain areas. It is recognised however, that crime will never totally be prevented.

CCTV cameras may bring benefits to the community, such as a reduction in crime, which can lead to enhanced community safety in a particular area.

CCTV is only one of a range of strategies that Council utilises with an aim to reduce crime. Other strategies include activating public space, appropriate lighting, natural surveillance, access control and signage.

This Council Policy, which is designed to operate as a Code of Practice, contains the basic standards in accordance with which Council's CCTV Program will be operated. It is supplemented by Standard Operating Procedures (SOPs) which provide instructions on aspects of the day to day operation of the Program.

CCTV cameras are installed at locations determined on the basis of advice provided by the NSW Police, Council's Community Safety Reference Group and other intelligence and include, but are not limited to, areas referred to as crime 'hotspots', licensed premises, ATMs and banking institutions, bus stops, taxi ranks, car parks, railway stations, shopping malls, community facilities, places frequented by potentially at risk groups including the elderly and young people.

Other, generally fixed CCTV cameras have also been installed as part of many Council assets, including Council buildings, in order to achieve the purposes listed below.

Temporary CCTV cameras differ from Council's other CCTV cameras only in that they can be rapidly deployed to and from locations in order to prevent and reduce crime and anti-social behaviour in public space. Temporary CCTV cameras are included in Council's CCTV Program and are covered by Council's CCTV Policy and Code of Practice.

It is acknowledged that CCTV cameras installed in public place locations and as part of Council infrastructure may also capture Council staff performing work tasks. The CCTV Program the subject of this Code of Practice is not designed to intentionally provide workplace surveillance. Where the purpose is to provide workplace surveillance and/or a record of accidents or other non-crime incidents, Council's Surveillance of Employees Policy must be complied with.

CCTV cameras are also installed from time to time by tenants or licensees of Council land or buildings in accordance with terms of leases and/or licences with Council, or as a separate safety measure by the tenant or licensee. Except in relation to key sites identified in the table below, where the vision is recorded and held by Council, such cameras lie outside the scope of this Policy. Accordingly, all references to CCTV cameras in this Policy refer only to cameras operated and monitored by or on behalf of Council. This Policy does not relate to mobile cameras including dash cams, and body worn video cameras that are primarily used for Council activities associated with enforcement by authorised officers of Council in their delegated tasks or for personal safety. A separate Management Policy will relate to this usage. However, this Policy does include temporary cameras that are rapidly deployed for the purposes of crime prevention and community safety.

CCTV cameras have been installed in the following locations and for the purpose(s) identified below:

| LOCATION | PURPOSE(S) |
|-------------------------------|---|
| Beaton Park Leisure Centre | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offender → Help secure a safer environment and protect the community and property from crime Safe – Money Handling → Staff Security – Risk Management |
| Lakeside Leisure Centre | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime Safe – Money Handling → Staff Security – Risk Management |
| Bulli Tourist Park | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime Safe – Money Handling → Staff Security – Risk Management |
| Corrimal Tourist Park | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime Safe – Money Handling → Staff Security – Risk Management |
| Windang Tourist Park | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime Safe – Money Handling → Staff Security – Risk Management |

| LOCATION | PURPOSE(S) |
|-----------------------------------|---|
| Memorial Gardens | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime Safe – Money Handling → Staff Security – Risk Management → Observing funeral services held on premises for operational purposes; that is, to assist in the safe and efficient management of casket entry, removal and related tasks |
| Warrawong Library | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime |
| Helensburgh Library | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime |
| Helensburgh Waste Disposal Depot | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Monitor traffic flow in and out of the site → assist operatives to validate the loads that are entering the site → Assist operatives to ensure that there are no hazardous or prohibited material entering the site → Assist in the detection and prosecution of offenders Assist in the detection of offenders in illegal dumping Assist in identifying theft offenders |
| Whytes Gully Waste Disposal Depot | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Monitor traffic flow in and out of the site → Assist operatives to validate the loads that are entering the site → Assist operatives to ensure that there are no hazardous or prohibited material entering the site → Assist in the detection and prosecution of offenders Assist in the detection of offenders in illegal dumping → Assist in identifying theft offenders |

| LOCATION | PURPOSE(S) |
|---|---|
| Council Administration Building and Car Park | <ul style="list-style-type: none"> → Building and Car Park Asset Protection Crime Prevention → Security Services Operational Quality Controls Safe – Money Handling → Staff Security – Risk Management |
| Wollongong City Centre and Mall and adjacent streets | <ul style="list-style-type: none"> → Pedestrian Traffic – People Counting for marketing and display purposes → Crime Prevention → Crime Investigation and analysis → Public Liability Claims – Proof of evidence. (Slips, Trips and Falls) Crowd Control – Public events (Australia Day, Viva La Gong) Asset Protection → Maintain safe environment for the community |
| Central Store (old B&W) | <ul style="list-style-type: none"> → Observation of unauthorised access to stores area |
| Central North and South Depots | <ul style="list-style-type: none"> → Building and Car Park Asset Protection Crime Prevention → Assist in reducing personal and property crime levels by deterring potential offenders → Assist in the detection and prosecution of offenders |
| Dapto Ribbonwood Centre (excluding child care centre) | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders; Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations |
| | <ul style="list-style-type: none"> → where the commission of a crime is imminent or is in progress Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime |
| Thirroul District Community Centre and Library | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime |
| Corrimal District Library and Community Centre | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime |

| LOCATION | PURPOSE(S) |
|--|--|
| Illawarra Performing Arts Centre | <ul style="list-style-type: none"> → Crime Prevention → Security Services Operational Quality Controls Building Asset Protection → Public Liability Controls – Trips, slips and falls |
| Integral Building – 81-83 Burelli Street | <ul style="list-style-type: none"> → Crime Prevention → Staff Security – Risk Management Building Asset Protection |
| iHub – 93 Crown Street Wollongong | <ul style="list-style-type: none"> → Crime Prevention Customer Service Building Asset Protection |
| North Wollongong Beach | <ul style="list-style-type: none"> → Monitoring use of Puckeys Beach (Fairy Meadow creek entrance) (see also Bathers Pavilion below) |
| Wollongong Youth Centre | <ul style="list-style-type: none"> → Crime Prevention → Staff Security – Risk Management Building Asset Protection |
| Wollongong Art Gallery | <ul style="list-style-type: none"> → Crime Prevention → Security Services Operational Quality Controls Building Asset Protection → Public Liability Controls – Trips, slips and falls |
| Wollongong Town Hall | <ul style="list-style-type: none"> → Crime Prevention → Security Services Operational Quality Controls Building Asset Protection → Public Liability Controls – Trips, slips and falls |
| Bathers Pavilion | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Assist in water surveillance of Puckey's Beach near Fairy Creek → Crowd Control – Public events (Australia Day, New Years' Eve) |
| Marine Drive | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders → Crowd Control – Public events (Australia Day, New Years' Eve) |
| Berkeley Pool | <ul style="list-style-type: none"> → Staff Security – Risk Management → Assist in reducing personal and property crime levels by deterring potential offenders Assist in reducing the public's fear of crime → Assist in the detection and prosecution of offenders → Help secure a safer environment and protect the community and property from crime |

| LOCATION | PURPOSE(S) |
|---|--|
| A and V Compound | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders → Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress → Assist in the detection and prosecution of offenders |
| Mt Keira Summit Park – toilets, carpark, telecommunications tower and kiosk | <ul style="list-style-type: none"> → Assist in reducing personal and property crime level by deterring potential offenders. Assist in reducing the public’s fear of crime. → Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress. → Assist in the detection and prosecution of offenders. → Help secure a safer environment and protect the community and property from crime. |
| Tramway | <ul style="list-style-type: none"> → Assist in reducing personal and property crime levels by deterring potential offenders. → Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress. → Assist in the detection and prosecution of offenders. Crowd Control – Public events. → Asset protection. → Assist in reducing the public fear of crime. Public liability controls. |

2 KEY PRINCIPLES

The Code of Practice is based on the following 8 key principles.

PRINCIPLE 1 – PURPOSE, PRIVACY AND THE PUBLIC INTEREST

The CCTV Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

The CCTV Program will be operated with due regard to the privacy and civil liberties of individual members of the public, and particularly with a view to minimising false association.

The public interest in the operation of the CCTV Program will be recognised by ensuring the security and integrity of operational procedures.

- a The purposes of the CCTV Program are to:
- assist in reducing personal and property crime levels;
 - assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress;
 - assist in the detection and prosecution of offenders;
 - promote a safer and more liveable environment;
 - measure various patterns of traffic (both pedestrian and vehicle) movement,

- congregation and behaviour to better manage public safety and risk in public places; and
- those purposes identified next to each location in the table above.
- b The Program is also intended to assist in the prevention of crimes against the person or property, and in the prevention of other criminal offences and general offences, including but not limited to, robbery, outstanding warrants or wanted persons, extortion, fraud, assault, theft, break and enter, malicious damage, trespass, selling of and/or receiving stolen goods, drug related offences, weapon related offences, shoplifting, traffic and motor vehicle offences and accidents, offences and non-compliance under Local Government Act 1993 or other relevant Acts.
 - c The Program may also utilise Intelligent Surveillance and/or Behaviour Analysis software for detection of the following, but not limited to, intrusion detection, detection and/or tracking of objects in un-crowded scenes, person or vehicle traffic counting, crowd and traffic management, slip and fall detection, detection of suspicious behaviour, vehicle and facial recognition, non-motion detection.
 - d The NSW Police may use cameras regulated under the Program during major events, emergency situations such as a siege, riotous behaviour, bomb blast or controlled police operations.
 - e Cameras may be used to monitor individuals, groups or locations when the operator believes that an offence has been committed, is being committed, or is about to be committed in the monitored area.
 - f The Code of Practice and Standard Operating Procedures (SOPs) emphasise Council's commitment to ensuring the privacy of individuals is protected, ensuring cameras are used for their designated purpose and the rights of individuals are protected.
 - g Council and the operators of the CCTV system will use all reasonable efforts to prevent the occurrence of false association arising from the operation or utilisation of the CCTV system.
 - h Operators of the CCTV system are accountable under this Code of Practice and the *Privacy and Personal Information Protection Act 1998* for their use of the CCTV system.
 - i Where permission has been granted, cameras may be placed on private commercial, business or residential property and technically attached to the Program system to enhance the programs operational efficiency and effectiveness.
 - j It is noted that CCTV Cameras are not placed to cover all conceivable areas. Rather, cameras are installed at 'priority' locations. The criteria for determining 'priority' locations include the level of pedestrian traffic flow through an area, whether there has been a history of crime and requests for camera installation.
 - k CCTV Cameras installed in locations that are later deemed to be non-priority locations, or not assisting Council achieve the objectives identified in this Policy, will be removed.

PRINCIPLE 2 – OWNERSHIP OF THE PROGRAM, RESPONSIBILITIES AND ACCOUNTABILITY

Council is responsible for compliance with the objectives of the CCTV Program and the protection of the interests of the public in relation to the Program.

Council is accountable for the effective operation and management of the CCTV Program.

- a Council is responsible for the Code of Practice and for ensuring compliance with the principles contained within the Code.
- b Council will provide information to the public on its website about the operation of the CCTV

- Program and about any proposed major amendment to the program or Code of Practice.
- c Council will either operate the system, or give authority to an appointed contractor to operate the system.
 - d Council has the right of inspection of all CCTV facilities, procedural documentation, files, registers, records, and live and recorded material associated with the CCTV Program.

PRINCIPLE 3 - POLICE INVOLVEMENT IN THE PROGRAM

As a partner to Council's CCTV Program, the NSW Police will act in accordance with this Code of Practice, and the Memorandum of Understanding (MOU) between Council and Police.

Contact related to the CCTV Program between Council staff, any delegated contractors and the NSW Police, will be conducted in accordance with the Code of Practice and MOU.

- a Any involvement in the CCTV Program by NSW Police will be in accordance with this Code of practice. NSW Police agree to:
 - i Contribute to the program including the identification of crime 'hot spots' and where cameras may be required;
 - ii Contribute to the Standard Operating Procedures (SOPs) that support this Code of Practice;
 - iii Develop its own Standard Operating Procedures [SOPs] in relation to the CCTV Program to complement those developed by Council;
 - iv Provide space for the installation of monitor[s] at Wollongong local police station where officers have the opportunity to view screens at the discretion of the NSW Police;
 - v Following notification through to Local Area Command, determine the level of response to incidents identified on monitoring screens, according to available resources and existing priorities;
 - vi Provide ongoing information and advice to Council on the nature and level of crime in the monitored areas; and
 - vii Participate in the evaluation process for the program.
- b The NSW Police will not be responsible for the provision of:
 - i Direct financial support of the program; or
 - ii Direct human resources for monitoring of the program.

It is noted that Police will not have the ability to record footage shown on Council's CCTV system. Separate application will need to be made to Council.

PRINCIPLE 4 – PUBLIC INFORMATION AND COMMUNITY CONSULTATION

The public will be provided with clear and easily accessible information in relation to the operation of the CCTV Program.

- a Signs advising that CCTV cameras are operating will be conspicuously displayed at the perimeter of the area covered by the system and at other key points as determined by Council. These signs will clearly:

- Inform the public that cameras are in operation in the vicinity;
 - Inform the public that footage is recorded 24 hours a day, 7 days a week;
 - Identify Council as the owner of the CCTV Program; and
 - Provide a contact telephone number for inquiries in relation to the CCTV cameras.
- b Copies of the Code of Practice and Standard Operating Procedures will be made available to the public upon request and on Council's website.
- c Inquiries in relation to Council's CCTV Program and its operation can be made in writing to Council, Attention General Manager, Locked Bag 8821, WOLLONGONG DC NSW 2500.
- d The proposed installation of CCTV cameras in other locations of the City, or their removal, will be the subject of an initial written crime assessment by Council, followed by community consultation, incorporating a community consultation strategy and consultation with the Community Safety Reference Group. Any changes or additions will require approval of Council's Executive and will also be reported to Council's Audit Risk and Improvement Committee.
- e Consult with the ICT (Information and Communications Technology) Unit to ensure the proposal does not affect the ICT capacity to comply with the minimum 21 days storage.
- f Where it has been determined that a location will contain CCTV cameras, or that a location will have cameras removed following the process outlined in clause (d) above, this Policy will be amended to reflect the change only after the bi-annual evaluation referred to in Principle 5 below.
- g Standard Operating Procedures for each site will show the captured areas of the cameras and will be made available to the public and on Council's website.
- h Council will retain records of all new, additional, altered or removed cameras including the reasons why within a central register (Records Manager).
- i The proposed locations of temporary CCTV cameras within the Wollongong LGA are subject to consultations with NSW Police, and after a community safety audit, including a risk assessment matrix has been completed. Temporary camera sites for installation or removal will require approval by Council's Executive and be reported to Council's Audit Risk and Improvement Committee.
- j Removal of temporary CCTV cameras from any location will only be undertaken in consultation with NSW Police. The decision to remove or relocate a temporary CCTV camera will remain with Council's Executive.

PRINCIPLE 5 – EVALUATION OF THE PROGRAM

Evaluation of the CCTV Program will be undertaken to identify whether the purposes of the Program are being complied with.

The evaluation will extend to whether Council's Policy and Code of Practice are being adhered to.

- a Council is responsible for ensuring that the CCTV Program is regularly evaluated to ensure that the program is meeting its aims and objectives.
- b Manager Infrastructure Strategy and Planning will undertake an evaluation of the CCTV Program every two years, to ensure that the Manager of the site at each location is complying with the CCTV Policy. An external audit will also be undertaken every two years in accordance with this Policy.
- c The evaluation identified in item b) will include:

- Authorised Council officers – Managers of each CCTV Camera site;
 - Authorised Council representatives, which may include consultants;
 - Chief Crime Manager, NSW Police Wollongong District and Illawarra District Area Command or his/her Delegate; and
 - Members of Council's Community Safety Reference Group and Audit Risk and Improvement Committees.
- d The functions of the evaluation process will include:
- To provide an independent and continuous review mechanism for the Program;
 - To identify and report any deviations from the Policy or SOPs that come to notice;
 - Ensure that all Standard Operating Procedures are reviewed annually, consistent with all sites, approved by the Policy owner and communicated; and
 - To recommend actions that will safeguard and enhance the CCTV Program.
- The evaluation will result in a report compiled from the Manager of each CCTV site on matters including:
- Description of the system;
 - Purpose and objectives of the program;
 - Changes if any to the extent of the system;
 - Any major amendments to the Code of Practice;
 - Number and nature of any complaints;
 - Requests for copy of recorded material or photographs by NSW Police and the assistance given to NSW Police for detection of incidents and/or offenders;
 - Locations where additional cameras may be required, or where cameras should be removed;
 - Assessment of its impact upon crime and community safety where directly evident;
 - Change in public perception of personal safety through an independent survey;
 - Assessment of system and any technology problems;
 - Assessment of access request processes to ensure that –
 - All requests are lodged with GIPA,
 - All requested information is stored in a central location at each of the sites;
 - All requests for recorded information are responded to within two days, or less.
- e The results of the evaluation will be made available for public information upon request and on Council's website.
- f The Audit undertaken will examine such matters as:
- Complaints received, and responses provided;
 - Processes used to receive, assess and process access requests;
 - Whether the systems and processes utilised remain good practice; and
 - Procurement of CCTV.

PRINCIPLE 6 – MANAGEMENT OF CCTV MONITORS AND CONTROL ROOM

Staff and contractors, who have responsibilities in relation to viewing and/or controlling CCTV monitors, will meet and apply the highest standards of probity.

Access to the City Centre CCTV control room, which contains monitors for the Wollongong City Centre and Mall, Main Administration Building, will be restricted to qualified operating staff and authorised Council officers and the control room will be protected from unauthorised access.

In locations where monitors relating to cameras that are not viewed in the City Centre Control Room are involved, access is restricted to authorised officers, and opportunities for inadvertent viewing by other persons are to be minimised.

- a The City Centre CCTV control room is located in Crown Street Mall.
- b A set of Standard Operating Procedures [SOPs] has been developed for staff in the City Centre CCTV control room, as well as for staff in other locations.
- c Access to the City Centre CCTV control room and recordings captured by the cameras are not available to members of the public. The SOPs for that location regulate access for operating staff.
- d The circumstances in which visitors are able to access the control room will be controlled and outlined in the Standard Operating Procedures. All such access shall be recorded in a register, including the identity of accompanying persons.
- e Council and/or its security provider/contractor will adopt and maintain:
 - A requirement that staff must have and maintain at all times all necessary licensing requirements and be qualified at a suitable level to meet all relevant legislative and regulatory requirements;
 - The Contractor must have a current and valid Master Security Licence at all times;
 - A procedure within its Standard Operating Procedures (SOPs) which makes it plain to staff that they risk disciplinary proceedings (including dismissal) if they breach any of the provisions of the Code of Practice and Standard Operating Procedures;
 - A requirement of confidentiality which can be enforced during & after termination of employment;
 - Appropriate systems so as to keep a record of all requests for footage, as well as the response.
- f In all other locations where CCTV camera vision is available, Council is to ensure that staff have an awareness of the above requirements to the extent they apply to their location, the importance of ensuring confidentiality and appropriate access to footage, as well as seeking at all times to minimise the opportunities for inadvertent viewing by others.

PRINCIPLE 7 – CONTROL AND OPERATION OF CAMERAS

Information recorded will not exceed that necessary to fulfil the purposes of the CCTV Program, and will be obtained fairly and in accordance with the privacy provisions in this Code of Practice.

- a CCTV Cameras may be housed in weather protective domes or cases which will be clearly apparent to the public and not be unduly concealed, other than when used by NSW Police in covert or special operations.
- b Cameras will not be used to look onto adjacent or nearby premises, buildings, commercial

premises or private residences unless requested by the NSW Police for the purpose of:

- Following participants in a crime;
 - Following participants suspected of being involved in a crime;
 - NSW Police Intelligence gathering;
 - NSW Police special or covert operations;
 - Monitoring persons or motor vehicles suspected of being involved in a crime; and
 - Monitoring property suspected of being used to accommodate criminal activity.
- c Operators of camera equipment will act in accordance with the highest standards of probity and will control cameras to record subjects or particular places strictly in accordance with the purposes of the CCTV Program, this Code and applicable legislative requirements.
- d Only personnel with responsibility for using the equipment will have access to operating controls, and recording facilities, except in the case of an emergency whereby NSW or Federal Police may have access.
- e Where a camera has been deployed to assist ocean lifeguards and surf lifesaving volunteers, the lens, zoom and picture size are to be maintained in such a manner that images that enable the identity of persons to be ascertained cannot occur.

PRINCIPLE 8 – RETENTION OF AND ACCESS TO RECORDED MATERIAL

The retention of, and access to, recorded material will be only for the purposes provided by this Code of Practice and will be kept no longer than is necessary for the purposes of the CCTV Program. Recorded material no longer required will be disposed of using approved disposal methods.

- a All requests for access to recorded material, other than by authorised representatives of Council, must be made to Council by means of an Access Application pursuant to the Government Information (Public Access) Act 2009. Access Applications will be determined by Council's authorised officers in accordance with the provisions of that Act.

Access to recorded material by the NSW Police, following the making of an Access Application, will only be granted:

- *In compliance with the needs of NSW Police in the investigation and detection of a crime or suspected crime;*
 - *For use in NSW Police intelligence gathering;*
 - *For use in relation to special or covert operations;*
 - *For providing evidence in actual or possible criminal and/or civil proceedings;*
 - *For identification of witnesses; and/or*
 - *For research/development purposes.*
- b Recorded material will be treated according to all relevant and appropriate legislation and standards.
- c Recorded material will not be sold or used for commercial or other purposes or the provision of entertainment and will only be used for the purposes as set out in the Code of Practice.
- d The showing of recorded material to the public will be permitted only in accordance with the needs of the NSW Police and/or Council's security provider in connection with the

investigation of crime or in any other circumstances provided by law.

- e Subject to the concurrence or request of the NSW Police, the release of recorded material to the media may be approved by Council.
- f Use of recorded material by the media should only occur to gain public information with respect to the identity of a person/s wanted. The recognisable characteristics of other people in the footage shall be obscured.
- g Any material released to the media will be accompanied by a signed release which clearly states what the material will be used for and sets out the limits on its use.
- h Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- i Footage will generally be retained for no less than 21 days, and thereafter will be deleted, unless identified as containing an incident, required to be retained in relation to the investigation of crime, for Court proceedings notified to Council, or for ongoing intelligence and investigations.
- j All images may be recorded and retained for a period less than outlined in (i) above, during times of upgrading, repair or changeover of IT and camera software or hardware, or during periods of maintenance or replacement of equipment or assets.
- k If in the rare circumstance that IT hardware fails and the current recorded images of up to 21 days are unattainable, all reasonable efforts to repair or replace equipment will be made. No back-ups or secondary copies are retained.
- l To safeguard the integrity of the footage, all live footage of Wollongong City Centre and Mall and Main Administration Building locations is recorded through Council's central IT system.
- m Council retains ownership of and has copyright in all recordings, photographs and documentation pertaining to the Program.

3 AMENDMENT TO THE CODE OF PRACTICE

- a Any major amendment to this Code of Practice will be developed in consultation with the NSW Police and Audit Risk and Improvement Committee. A major amendment is one that will have a major and significant impact on the operation of the Program, for example, a change to the purposes of the Program and/or the key principles of this Code.
- b Any minor amendment to the CCTV Program or to the Code of Practice may be made with agreement by the Manager of Infrastructure and Planning. A minor amendment is such as may be required for the purposes of an adjustment of the operations of the program or clarification of the CCTV Program or the Code of Practice.

4 COMPLIANCE AND BREACHES OF THE CODE

- a responsibility for ensuring the Code of Practice is adhered to rests with Council. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent that breaches of the Code are within the ambit of Council's power to remedy.
- b Where surveillance is required for the security of employees or Council assets, such surveillance devices will only be used in accordance with Council Management Policy - Surveillance of Employees.
- c Council, in developing this Code of Practice, referred to the following Acts:
 - *Security Industry Act [NSW] 1997;*

- *Workplace Surveillance Act [NSW] 2005;*
 - *Government information (Public Access) Act 2009; and*
 - *Privacy and Personal Information Protection Act [NSW] 1998*
- d Council, in developing this Code of Practice, referred to the following public documents:
- NSW Office of Local Government CCTV Guidelines for the Establishment and Operation of CCTV;
 - Australian Standards National Code of Practice;
 - Code of Practice – City of Sydney Council;
 - Code of Practice – Melbourne City Council;
 - Code of Practice - Shoalhaven City Council; and
 - Code of Practice – Sutherland Shire Council.

5 COMPLAINTS

- a A straightforward and efficient complaint handling procedure is provided by Council.
- b Complaints in relation to any aspect of the management or operation of the system may be made in writing to:
- The General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500.
- c The General Manager will inform the next round of the Manager of Infrastructure Strategy and Planning of each complaint received, and how it was dealt with.
- d Where a complaint cannot be resolved within Council, the complainant will be referred to an outside agency to seek resolution.
- e Section 36 of the *Privacy and Personal Information Protection Act 1998* authorises the Privacy Commissioner to receive and investigate complaints about alleged violations of privacy.
- Any member of the public is entitled to lodge a complaint with the Privacy Commissioner. Council will cooperate with the investigation of any complaint by the Privacy Commissioner.
- f The Privacy Commissioner can be contacted at:
- Information and Privacy Commission NSW
GPO Box 7011
SYDNEY NSW 2001
Telephone 1800 472 679, or
Email ipcinfo@ipc.nsw.gov.au

| SUMMARY SHEET | | |
|------------------------------|--|------------------------------------|
| Responsible Division | Infrastructure Strategy and Planning | |
| Date/s adopted | <i>Executive Management Committee</i> 16 October 2018 | <i>Council</i> 10 December 2018 |
| Date/s of previous adoptions | 17/07/2017, 27/06/2016, 27/10/2011, 11/2006, 8/04/2013 | |
| Date of next review | December 2022 | |
| Responsible Manager | Manager Infrastructure Strategy and Planning | |
| Authorised by | Director Infrastructure and Works | |