

## Closed Circuit Television (CCTV) Policy

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### PURPOSE

The purpose of this policy is to set out the principles for the installation, use of and access to closed circuit television (CCTV) systems and associated data, in Wodonga Council (Council) owned facilities and on land that is owned or managed by council. The policy aims to protect council's assets and further enhance actual and perceived levels of public safety and deter instances of crime and anti-social behaviour within council facilities and public spaces.

### SCOPE

This policy applies to CCTV and surveillance systems used and operated by Council, approved lessees and licensees, and licenced third party providers. The cameras included under this policy are fixed cameras that are part of a closed circuit and mobile cameras that are not part of a closed circuit but fixed by way of infrastructure.

This policy applies to cameras fixed and mobile on land, buildings and assets which are owned or managed by Council.

This policy does not apply to mobile devices such as smart phones, tablet computers, drones, dash cams, body cams and/or covert portable cameras used for surveillance or investigative purposes (infrared portable battery operated cameras), for law enforcement or safety purposes.

This policy applies to all Wodonga Council Officers (staff), lessees and licensees, contractors, third party providers and visitors to Council sites.

### DEFINITIONS

**CCTV records/footage** is any information that is recorded or unrecorded that is taken from a CCTV system including any data, still images or moving footage.

**CCTV** is a surveillance system in which one or more cameras are connected through a closed circuit. The footage taken by the cameras is sent to a television monitor and/or recorder. CCTV systems consist of cameras, monitors, recorders, interconnecting hardware and support infrastructure and may be fixed or mobile. For the purpose of this policy, CCTV includes mobile cameras that are not part of a closed circuit.

**Council Officers** includes full-time, part-time and casual staff members whether they are permanent or temporary employees; and contractors authorised as prescribed under the Local Government Act 1989 or Local Government Act 2020.

**Crime Prevention through Environmental Design (CPTED)** is an approach that uses the design of the environment to discourage criminal activity by ensuring there is more chance for offenders to be seen, challenged or caught, reducing opportunities for criminal activity and creating the impression that more effort is required to commit a crime, with limited reward. This can also be referred to a 'safety by design' or 'designing out crime'.

**Personal Information** means information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

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**Public Place** means any place where the public has access by right or invitation, either expressed or implied and where no charge is made for admission. This includes any public highway, road, street bridge, footway, footpath, court, alley, passage, park, garden, reserve or other place of public recreation, resort or thoroughfare notwithstanding that it may be formed on private property.

**Public Place Safety CCTV** means CCTV used to enhance public safety, protect public assets, and to support the work of police to investigate and respond to crime. These are separate to Council buildings and are in open spaces such as parks, roads and footpaths.

### OBJECTIVE

The objective of this policy is to ensure Closed Circuit Television (CCTV) is planned, deployed, and managed in a manner that:

- enhances community and workplace safety
- protects Council assets, infrastructure, and public spaces
- supports the prevention, detection, and investigation of unlawful or antisocial behaviour
- strengthens Council's risk management and public safety capability
- respects individual privacy, human rights, and community trust
- ensures compliance with applicable legislation, standards, and information governance obligations

This policy seeks to ensure CCTV is only implemented where it is justified, proportionate, and effective, and where less intrusive alternatives (such as Crime Prevention Through Environmental Design and place activation) have been considered.

### GUIDING PRINCIPLES

In planning, installing, and operating CCTV systems, Council will ensure all decisions are guided by the principles set out by the Office of the Victorian Information Commissioner (OVIC) and relevant legislation.

Legality – Council will adhere to the information privacy principles in the Privacy and Data Protection Act 2014 and the Charter of Human Rights and Responsibilities Act 2006. A privacy impact assessment will be carried out for each new proposed CCTV location. A review of CCTV practices will be conducted every two (2) years to ensure they remain lawful.

Legitimate Aim – CCTV will aid in the protection of assets and people, improvements to actual and perceived safety, reduction of graffiti or other forms of vandalism or environmental impact, reduction in anti-social behaviour and/or to reduce incidence of criminal offences.

Necessity – CCTV will be installed where less intrusive measures (such as Crime Prevention Through Environmental Design) are ineffective, impractical, or insufficient. Council will limit personal information collected through CCTV to that which is necessary to achieve a legitimate and lawful aim. The Victoria Police will be consulted where a system in a public place is intended to manage high crime locations and matters of public order or safety.

Proportionality – CCTV systems will be limited to the least intrusive acts, practices, or methods necessary.

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Safeguards – Council will provide public notice of any new CCTV installation advising the purposes for which the surveillance is being used; how personal information is collected and disclosed; any law that enables the surveillance to be used; that individuals can request access to their personal information collected through surveillance; and how to contact Council. Council will collect anonymous information through CCTV wherever it is reasonably practicable, and limits the sharing and disclosure of personal information collected through surveillance to the primary purpose of the surveillance or a permitted secondary purpose. Council will take reasonable steps to protect personal information collected through CCTV from being misused, lost, or accessed, modified, or disclosed by unauthorised persons.

Non-Discrimination – CCTV will not be used in a manner that unfairly targets or discriminates against any group or individual.

Complaints and Remedy – Council will provide information and pathways for individuals to complain directly to Council where they believe their privacy has been interfered with.

### **POLICY**

Council supports the responsible and lawful use of CCTV to enhance safety, protect assets, and support crime prevention and investigation, while respecting individual privacy and human rights. Council's policy position is that:

- CCTV may be installed and operated on Council-owned or managed land, buildings, and infrastructure only where there is a clear, lawful, and justified purpose.
- CCTV will be implemented only after alternative safety and risk-mitigation measures (including Crime Prevention Through Environmental Design and place activation) have been considered.
- CCTV systems must comply with all relevant legislation, including privacy, human rights, surveillance, and public records obligations.
- Council will retain overall ownership, governance, and control of CCTV infrastructure, footage, and associated systems, including where third-party providers are engaged.
- All new CCTV installations will be subject to a decision of the council, resolved at a council meeting.
- CCTV will not be installed in locations where individuals have a reasonable expectation of privacy, including toilets, change rooms, and similar facilities.
- Council will ensure CCTV use is transparent, including public signage, accessible policy information, and clear pathways for access requests and complaints.
- The installation and/or use of facial recognition software will be subject to a decision of the council, resolved at a council meeting.

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### PROTECTION OF PRIVACY

Council acknowledges that the use of (CCTV) involves the collection of personal information and may impact individuals' privacy and human rights. Council is committed to ensuring CCTV systems are designed and operated in a manner that is lawful, ethical, proportionate, and respectful of individuals' reasonable expectations of privacy, in accordance with the Privacy and Data Protection Act 2014 (Vic), the Charter of Human Rights and Responsibilities Act 2006 (Vic), and OVIC surveillance guidelines.

### LEGISLATION AND RELATED DOCUMENTS

Operation of CCTV must be consistent with applicable laws and standards.

| Category                                       | Document                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Legislation</b>                             | Freedom of Information Act 1982 (Vic)<br>Privacy Act 1988 (Cth)<br>Surveillance Devices Act 2004 (Cth)<br>Telecommunications (Interception and Access) Act 1979 (Cth)<br>Workplace Relations Act 1996 (Cth)<br>Archives Act 1983 (Cth)<br>Privacy and Data Protection Act 2014 (Vic)<br>Public Records Act 1973 (Vic)<br>Surveillance Devices Act 1999 (Vic)<br>Private Security Act 2004 (Vic)<br>Evidence Act 2008 (Vic)<br>Information Privacy Act 2000 (Vic)<br>Charter of Human Rights and Responsibilities Act 2006 (Vic)<br>Occupational Health and Safety Act 2004 (Vic)<br>Occupational Health and Safety Regulations 2017 (Vic)<br>Local Government Act 1989<br>Local Government Act 2020 |
| <b>Standards, Guidelines and Reports</b>       | Australian Standard 4806.1-2006 – <i>closed circuit television (CCTV)</i> 2006.<br>Australian Standard 62676.1.1-2020 – <i>Video surveillance systems for use in security applications</i><br>Department of Justice "Guide to Developing CCTV for Public Safety in Victoria", June 2018.<br>Victorian Auditor General Office (VAGO) report, "Security of Surveillance Technologies in Public Places", September 2018.<br>Office of the Victorian Information Commissioner (OVIC) "Guidelines to the Information Privacy Principles (IPP Guidelines)", November 2019<br>Office of the Victorian Information Commissioner (OVIC) "Guiding Principles for Surveillance", May 2022                      |
| <b>Council related policies and procedures</b> | CCTV Standard Operating Procedure (Code)<br>Complaint Handling Policy<br>Wodonga Council Staff Code of Conduct                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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### REVIEW

Council may review this policy at any time but unless otherwise requested at least every four years from date of adoption. Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy eg: typographical errors, a change to the name of a related policy, or a change to the name of legislation.

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|-----------------------|---------------------------------------------------|
| <b>Title:</b>         | Closed Circuit Television (CCTV) Policy           |
| <b>Reference No:</b>  |                                                   |
| <b>Business Unit:</b> | Director Infrastructure and Growth                |
| <b>Category:</b>      | Quality Manager - Strategic and Governance Policy |
| <b>Approved By:</b>   |                                                   |
| <b>Next Review:</b>   |                                                   |