



## COUNCIL'S CCTV POLICY

Approved By: Council  
Doc Controller: General Manager  
File: 126

Document Code: DVC-POL-010  
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### 1. PURPOSE

The purpose of Council's CCTV Program is to reduce personal and property crime, deter anti-social behaviour, and promote public safety – in association with a range of other crime prevention strategies.

The objective of this policy is to document the strategy and code of practice principles.

### 2. SCOPE

This policy applies to all CCTV cameras installed by the Council within the Derwent Valley municipality. In particular the cameras that are installed as part of the Safer Streets Program.

This policy will be reviewed at least once every 2 years.

### 3. LEGISLATION

*Local Government Act 1993*

*Personal Information Protection Act 2004*

AS 4806.1-2006/ AS 4806.2-2006 - Australian Standard Closed Circuit Television (CCTV)

Crime Prevention and Community Safety Council's "Policing Requirements for Closed Circuit Television"

### 4. POLICY

The Council is committed to taking action to reduce crime and increase public safety in the Derwent Valley.

The Council's CCTV Program is an initiative designed to facilitate greater community safety by preventing and reducing crime. It assists the Council and Tasmania Police to work together to help provide a safer environment, reduce criminal and anti-social behaviour levels by deterring potential offenders, and aid in crime detection, apprehension and prosecution of offenders.

#### 4.1 Strategy

Council purchasing cameras for use in public places and in Council buildings and facilities through an Australian Government initiative funded through the safer streets program.



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### 4.2 Complaints

Complaints are to be submitted in accordance with the Council's Customer Service Charter. Any complaint that is received in this manner will be investigated in line with the Complaints management process.

The Council will not investigate complaints that are submitted anonymously or are of a vexatious nature.

## 5. CODE OF PRACTICE

The following Code of Practice has been provided to assist in the understanding of the Council's obligations as well as to formally document how footage will be stored and accessed.

### 5.1 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 purposes of the CCTV Program are to:

- Assist in reducing personal and property crime levels;
- Assist in the detection and prosecution of offenders;
- Promote a safer and more liveable environment in the Derwent Valley.

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

It must be accepted that CCTV cameras cannot be placed to cover all conceivable areas. The definition of priority locations includes those areas in the Derwent Valley where there is a recent or regular history of criminal and/or anti-social behaviour.

The Council owned CCTV cameras installed in locations that are later deemed to be nonpriority locations, or not assisting Council achieve the objectives of this policy, may be removed and reallocated as required.

Subject to additional funding, the Council may purchase and install additional cameras which will be included as part of the CCTV program.

### 5.2 Principle 2: Ownership of the Program, Responsibilities and Accountability

The 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.

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



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### 5.3 Principle 3: Public Information and Community Consultation

The Council will provide the public with clear and easily accessible information in relation to the CCTV Programs' objectives, operation and outcomes.

Signs advising that CCTV cameras are operating in the Derwent Valley will be conspicuously displayed at key points as determined by Council. These signs will clearly:

- Inform the public that cameras are in operation in the vicinity as part of the Council's commitment to preventing or reducing crime to preventing or reducing crime and anti-social behaviour;
- Inform the public that footage is recorded (but not actively monitored) 24 hours a day, 7 days a week; and
- Identify Council as the responsible body for the CCTV Program.

### 5.4 Principle 4: Installation, Control and Operation of Cameras

The positioning and locations of cameras has been determined in consultation a suitably qualified and appropriately licensed contractor with the scope provided by the Council to include;

- Angle and position of each camera to provide the best possible range for its location;
- Address ongoing areas of concern for crime and anti-social behaviour; and
- Remain within the grant funding.

The installation of the CCTV cameras is to be undertaken by a suitably qualified and appropriately licenced contractor.

All affected property owners have entered into an agreement with the Council that states:-

- The installation of the CCTV cameras will be at the cost of Council;
- The cameras will remain the property of the Council;
- The maintenance of the CCTV cameras during the period will be the responsibility of the Council; and
- The Council may choose to remove the cameras prior to the end of the term of the agreement.

The installation of the receiver and streaming of footage will be undertaken in conjunction with Tasmania Police. A memorandum of understanding between the Council and Tasmania Police establishes a joint partnership between the Department of Police and Emergency Management and the Derwent Valley Council. It outlines the responsibilities of both parties and appoints an official point of contact.



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### **5.5 Principle 5: Retention 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 not be kept any longer than is necessary for the purposes of the CCTV Program. Recorded material that is no longer required will be disposed of in a manner which protects the privacy of persons identified in the material.

Recorded material will be treated according to all relevant and appropriate legislation and standards.

Subject to the concurrence or request of Tasmania Police, the release of material recorded on Council owned cameras to the media may be referred to the Council delegated officer for approval. Use of recorded material by the media must 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 must be obscured.

The Delegated Council Officer is to access video footage at the request of Tasmania Police and provide Tasmania Police with requested footage. Council Officers providing images to Tasmania Police may be called as witnesses in a court of law, and they must have a thorough understanding of the operation of the CCTV system, how the images were recorded and the process followed to download the images from the camera.

It is acknowledged that only Tasmania Police has the authority to take action to identify and prosecute an offender detected via the Council's CCTV Program.

The Council's disciplinary procedures will be activated in the event of unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

The Council will generally retain images for no more than 30 days, and they will thereafter be deleted, unless they are required to be retained in relation to the investigation of crime, or for Court proceedings notified to the Council, or for ongoing intelligence and investigation.

If in the rare circumstances that IT hardware fails and the current recorded images of up to 30 days are deleted, the Council will take all reasonable efforts to repair or replace equipment and retrieve images.

The Council retains ownership of and has copyright in all recordings, photographs and documentation relating to the Council owned CCTV system.



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### **5.6 Principle 6: 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 the Council's Policy and Code of Practice are being adhered to.

The Council will evaluate the CCTV Program at least once every four years. The evaluation scope and the person/s to perform the evaluation will be agreed by the Council's General Manager. At a minimum the evaluation will:-

- Identify and report any changes required to the Policy and Code of Practice;
- Recommend actions that will safeguard and enhance the CCTV Program in accordance with budgetary provisions.

### **5.7 Principle 7: Compliance and Breaches of the Code**

Responsibility for ensuring the Code of Practice is adhered to rests with the Council. This responsibility includes ensuring any breaches of the Code are investigated and remedied to the extent that the breaches of the Code are within the ambit of Council's power to remedy.

## **6. ACKNOWLEDGEMENT**

Funding for this project was provided by the Australian Government through the Safer Street Program.

## **7. RELATED DOCUMENTS**

Safer Streets in New Norfolk CCTV Camera Installation Agreement

Memorandum of Understanding