



KIAMA MUNICIPAL COUNCIL CCTV POLICY

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KIAMA MUNICIPAL COUNCIL CCTV POLICY

1. AIM/PURPOSE

Kiama Municipal Council has a number of CCTV systems in use, including a street surveillance system. This policy recognises the need to ensure that the CCTV systems are used appropriately and the privacy of residents, workers and visitors is protected.

This policy document outlines:

- the objectives for installing and using CCTV Systems
- the principles utilised to maintain Privacy
- the standards, laws and regulations governing the use of CCTV
- the principles under which recorded images will be released
- complaints

2. SCOPE

This document addresses all CCTV systems which are owned or in the control of Kiama Municipal Council, both in public and in Council controlled areas. The policy outlines the objectives to be met by installing CCTV and the controls that Kiama Municipal Council will implement.

3. DEFINITIONS

‘Authorised Personnel’ means any delegated person of the Kiama Municipal Council’s General Manager and NSW Police Commissioner listed in the CCTV Management Registers.

‘CCTV’ or ‘Closed Circuit Television’ is a video distribution system in which the images generated are not publicly distributed.

‘CCTV Operations’ means all aspects of CCTV: surveillance management, use, recording, maintenance and access to recorded images.

‘Code of Practice’ is a document designed to control implementation of a CCTV system and subsequent use of the system.

‘Private Premises’ refers to any area not openly accessible to the general public, including semi public spaces and includes private residences and private or commercial businesses.

‘Recorded Image’ is an image captured and stored on a data drive or server.

4. OBJECTIVES OF A CCTV SYSTEM

Kiama Municipal Council has a commitment to provide a safe and secure environment in the Kiama Local Government Area as a strategy of Kiama Municipal Council’s Community Strategic Plan (1.6 - Recognise and promote community safety throughout the municipality). CCTV can be utilised as a

cost effective tool to assist in the maintenance of this environment. Therefore the objectives of the implementation of CCTV systems are:

- Promotion of community safety and crime prevention
- Protect Kiama Municipal Council employees, residents and visitors.
- Protect Kiama Municipal Council assets.
- Reduce management costs via the remote monitoring of assets and access controlled doors and gates.
- Protect the environment

5. **PRIVACY, CODE OF PRACTICE**

Kiama Municipal Council is committed to the privacy of residents, workers and visitors in the Kiama Local Government Area, and undertakes to implement protections and processes which will maintain privacy in accordance with state and federal legislation.

Kiama Municipal Council have a “Code of Practice” to outline the management, operations and responsibilities of people who access and interact with the systems, including registers of authorised personnel, cameras and their locations, incidents, maintenance, and exported images.

Kiama Municipal Council will not monitor Private Premises. If the camera view incidentally has Private Premises within its view, Kiama Municipal Council will electronically mask these areas. If there is a requirement to view these areas, the masking will only be removed in review and with written permission of the General Manager or by a Court Order.

Kiama Municipal Council will not release recorded images to the general public unless it can be demonstrated there is a specific requirement to do so within the provisions of the *Government Information (Public Access) Act 2009* (Cth) (“**GIPA Act**”).

Kiama Municipal Council will enter into a “Memorandum of Understanding” with NSW Police for the following purposes:

- To enable NSW Police monitoring of the live feed from the Street Surveillance System.
- To provide guidelines on the release of images to NSW Police
- To ensure the Police understand and conform to the Code of Practice.
- To provide timely release of images to NSW Police.

6. **LEGISLATION STANDARDS AND REGULATIONS**

The following are the NSW legislative acts, regulations and guidelines which Kiama Municipal Council will conform to in the implementation and use of CCTV systems:

- Security Industry Act 1997 (NSW)
- Security Industry Regulation 2007 (NSW)
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2011 (NSW)

- Workplace Surveillance Act 2005 (NSW)
- Workplace Surveillance Regulation 2012 (NSW)
- Crimes Act 1900 (NSW)
- Crimes Regulation 2010 (NSW)
- NSW Government Policy Statement and guidelines for the Establishment and Implementation of CCTV
- Privacy and Personal Information Protection Act 1998 (NSW)
- Freedom of Information Act 1989 (NSW)
- State Records Act 1998 (NSW)
- State Records Regulations 2010 (NSW)
- Surveillance Devices Act 2007 (NSW)
- Surveillance Devices Regulation 2014 (NSW)
- Crimes (Forensic Procedures) Act 2000 (NSW)
- Crimes (Forensic Procedures) Regulation 2008 (NSW)
- Telecommunications (Interception and Access) (New South Wales) Act 1987 (NSW)
- Government Information (Public Access) ACT 2009
- Protection of the Environment Operations Act 1997 (NSW)
- General Disposal Authority 39 for Local Government

7. RECORDS AND DATA STORAGE

Kiama Municipal Council will keep records and data in accordance with the Code of Practice.

8. COMPLAINTS

Complaints will be managed in accordance with Council's Code of Conduct Complaints Handling Procedures and the Code of Practice.