ITEM 6	PUBLIC EXHIBITION - POLICY REVIEW: DRAFT CCTV CODE OF PRACTICE AND REGISTER

The CCTV Code of Practice together with the CCTV Register outline the principles that Council staff will consider when determining the establishment, operation and management of Council's Closed-Circuit Television (CCTV) Program. The CCTV Code of Practice and Register are supplemented by Council's CCTV Management Policy which provides direction on the capture, management and disposal of CCTV footage and the Standard Operating Procedure (SOP) which provides instruction on the day-to-day operation of the CCTV systems.

Council's CCTV Code of Practice was last updated and adopted on 10 December 2018. A review has been undertaken and improvements identified, and the draft CCTV Code of Practice and Register have been updated to reflect these changes.

RECOMMENDATION

1   Endorse the draft CCTV Code of Practice and CCTV Register for public exhibition for a period of at least 28 days.

2   The draft CCTV Code of Practice and CCTV Register be reported back to Council following public exhibition.

REPORT AUTHORISATIONS

Report of: Ingrid McAlpin, Chief Information Officer
Authorised by: Renee Campbell, Director Corporate Services - Connected + Engaged City

ATTACHMENTS

1   CCTV Code of Practice - Council Policy
2   CCTV Register

BACKGROUND

Council operates a CCTV network currently consisting of 470 cameras across 35 sites, including the Wollongong City Centre, Mall and adjacent streets. The main objective of operating CCTV is to assist in improving perceptions of safety, deterring antisocial and criminal behaviour, protecting assets and assisting in prosecution of offenders. Since January 2022, Council has received 158 requests from the NSW Police for access to Council's CCTV footage.

Council's CCTV Code of Practice was last updated and adopted on 10 December 2018. A review of the operation of CCTV has been undertaken and a range of improvements identified to the operation, maintenance and governance of the CCTV network.

There are a range of legislative requirements, as well as NSW government policy statements and guidelines that Council must comply with when operating a CCTV network, and these have been taken into consideration in the review of the Code of Practice. Given the operation of CCTV occurs across a number of different sites, a centralised Steering Committee has been established to standardise the approach and oversee implementation of the revised draft CCTV Code of Practice and use of the internal Standard Operating Procedure.

PROPOSAL

The revised draft Code of Practice has been simplified and updated to reflect the outcomes from the CCTV review and legislative requirements. In addition, the register of CCTV installations has been removed from the document and now resides in an electronic system, providing a single source of truth, in line with best practice. A dashboard has been created, drawing on the information in the electronic system which will be published on the Council's website. The advantage of this approach is that it will facilitate near real-time update of the register when any changes occur to the CCTV network. It also

provides a geographic interface allowing the community easy access to accurate and up-to-date information.

It is proposed that Council endorse the revised draft CCTV Code of Practice and CCTV Register for public exhibition which will provide the community with information on how Council manages its CCTV Program and provides an opportunity to provide feedback.

CONSULTATION AND COMMUNICATION

The revised draft Code of Practice has been reviewed and endorsed by relevant facility/site managers who operate CCTV. The Audit Risk and Improvement Committee has had oversight of the CCTV review and a Councillor Briefing was held on 16 June 2022. The revised draft CCTV Code of Practice and CCTV Register is now proposed for public exhibition to seek feedback from the community, before being endorsed by Council.

The CCTV Code of Practice requires the establishment of an evaluation framework for each public place where CCTV is established, to determine whether the CCTV is achieving its objectives. The newly established CCTV Steering Committee will coordinate the development of the framework and evaluation of CCTV in consultation with the Community Safety Interagency Group (which includes the NSW Police).

PLANNING AND POLICY IMPACT

This policy aligns to Goal 5 of our Community Strategic Plan, "*We have a healthy community in a liveable city*" and in particular the objective that suburbs and places are liveable and safe. This policy relates to Community Strategic Plan 5.2 Urban areas are created and maintained to provide a healthy and safe living environment for our community, 5.10, Partnerships continue to strengthen and achieve a safe accessible and resilient community and 5.11 Local crime continues to be prevented and levels of crime reduced.

RISK MANAGEMENT

Regular review and update of the CCTV Code of Practice addresses the potential risks associated with unclear lines of responsibility and oversight for the CCTV program and to ensure that Council continues to address relevant legislative requirements, including for Surveillance Devices in NSW.

FINANCIAL IMPLICATIONS

There are no additional financial implications associated with the revision to the CCTV Code of Practice.

CONCLUSION

The CCTV Code of Practice and CCTV Register contain information and standards to guide the operation of Council's CCTV Program and is supplemented by Council's CCTV Management Policy and Standard Operating Procedure (SOP) which provides instruction on the day-to-day operation of the CCTV system specific to each CCTV site.

The CCTV Code of Practice and CCTV Register have been updated to address operational changes and takes advantage of Council's improved reporting capabilities.

CCTV CODE OF PRACTICE
COUNCIL POLICY

ADOPTED BY COUNCIL: : [TO BE COMPLETED BY GOVERNANCE]

PURPOSE

This Code of Practice (policy) outlines the principles that council staff will consider to determine the establishment, operation and management of CCTV in public places.

POLICY INTENT

The main objectives of this policy are to;

1. Help secure a safer environment and protect the community and property from crime

2. Assist in reducing personal and property crime levels by deterring potential offenders;

3. Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or in progress;

4. Assist in the detection and prosecution of offenders and;

5. Assist with crowd control for public events.

WOLLONGONG 2032 Objectives

This policy aligns to Goal 5 of our Community Strategic Plan, *"We have a healthy community in a liveable city"* and in particular the objective that suburbs and places are liveable and safe. This policy relates to Community Strategic Plan 5.2 Urban areas are created and maintained to provide a healthy and safe living environment for our community, 5.10, Partnerships continue to strengthen and achieve a safe accessible and resilient community and 5.11 Local crime continues to be prevented and levels of crime reduced.

1 INTRODUCTION

Closed Circuit Television (CCTV) has increasingly featured in the community as a safety and crime prevention tool. CCTV can be effective in improving perceptions of safety, deterring antisocial and criminal behaviour, protecting assets and assisting in prosecution.

This CCTV Code of Practice (policy) is to be applied to the management of the CCTV system used across the entirety of the Wollongong Local Government Area (LGA). The CCTV system consists of cameras monitors, control panels, intelligent video software, video recording systems and supporting infrastructure.

Wollongong City Council's CCTV system is part of a layered security response that Council utilises with an aim to reduce crime. Other strategies include activating public space, appropriate lighting, natural surveillance, access control and signage.

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 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.

This Code applies to CCTV established, operated or managed by, or on behalf of Council with Council's express consent.

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This Code does not apply to:

a) any CCTV installed by a third party, such as a tenant or licensee of Council land and/or facilities;

b) mobile cameras including dash cams, safety cams (e.g. on community buses), web cams, drone footage 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;

c) Cameras capturing still images for the purposes of regulatory compliance e.g. on the weighbridge at Whyte's Gully;

d) cameras attached to Council's garbage trucks for operational purposes

e) where CCTV cameras are used for condition reporting for assets and;

f) CCTV cameras operated for the purposes of Illegal Dumping Surveillance

g) cameras used as smart sensors for the purpose of collecting data for business intelligence analytics e.g. for traffic flow monitoring or crowd density estimations etc.

Although CCTV systems installed by a community-based organisation who lease Council facilities are outside the scope of this Code, these systems will need approval from Council prior to installation. Council staff will consider how the proposed system aligns with the principles (below) prior to approving such a system. If approved, the system will be owned and operated by the organisation in accordance with appropriate legislation and guidelines.

Nothing in this policy authorises or permits in any way the use of facial recognition or any form of biometric technology. As a consequence, Council CCTV (or related technology) cannot incorporate or deploy such recognition or biometric technology.

2   KEY PRINCIPLES

Council staff will consider and determine the establishment, operation and management of CCTV in public places by Council, in accordance with applicable guiding principles as required, such as those outlined in the NSW Government CCTV Guidelines.

1. Council staff will ensure that where CCTV is established, operated and managed for crime prevention and community safety purposes, that the implementation of CCTV will be part of an integrated, multi-agency approach to crime control and community safety.

CCTV will only be considered as one part of a range of crime prevention measures, and not a stand-alone strategy, and that prior to installation, a safety and security audit will be completed. The audit will consider:

- Whether the problem is on-going or the result of a one-off event;

- Whether the perception of crime is supported by evidence and data;

- How the establishment, operation and management of CCTV fits within a broader crime prevention strategy;

- Evidence as to the effectiveness of CCTV in addressing the identified crime;

- The lawfulness of the collection of personal information via CCTV; and

- The costs associated with establishing, operating and managing the CCTV

2. Council staff will ensure that the ownership of public area CCTV system is clear and publicly known.

- Council staff will erect signs informing the public of the existence of CCTV in a public place and will take steps to ensure that the signs comply with relevant legislation such as the *Privacy and Personal Information Protection Act 1998 (PPIP Act)*.

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Furthermore, Council staff will maintain a public register of all of its CCTV systems and their locations.

3. When considering establishing or significantly expanding a public area CCTV system, Council staff will ensure that the relevant concerns of all parties affected are considered through an effective consultation process. People or groups that may be affected by the proposal could include:

- Residents;
- Users of the public place;
- Local businesses;
- Police and other regulatory authorities; and
- Council staff.

Information available through the consultation process will include the potential benefits of the system, possible costs involved, and privacy implications, including people's rights and Council's responsibilities. Consultation with Council staff will ensure compliance with the *Workplace Surveillance Act 2005* and ensure that staff are given due notice prior to the installation of a system.

4. Council staff will identify the purpose and will develop and document objectives for the establishment, operation and management of CCTV in a public place. CCTV will only be used in accordance with its established objectives and not for any other purpose. Objectives may include:

- To assist in the investigation and/or prosecution of civil and criminal offences in relation to the security of public places and Council's facilities/assets, or crimes against the person;
- Improving public confidence in the safety and security of public places;
- To deter anti-social behaviours in high risk public places;
- To assist with the safety of Council staff or authorised contractors within public places;
- To assist with the management/operations or maintenance of public places, or monitoring their use; or
- Identifying potential environmental safety risks.

5. Where CCTV is established in a public place for crime prevention purposes, Council staff will consult with NSW Police to ensure that the installation of CCTV fits within a broader crime prevention strategy and will meet its objectives. NSW Police have viewing access to Council's CCTV facilities under an agreed Memorandum of Understanding.

6. Council staff will ensure that its CCTV systems are open and accountable and operate with due regard for privacy and civil rights of individuals and the community, including that:

- The recording and retention of images is undertaken lawfully;
- The purpose for which the information is being obtained is known;
- The information is not used for any purpose other than that stated;
- People are made aware that they may be subject to CCTV surveillance; and
- The owners of the system are known and accountable for its operation

7. Council staff will develop and implement an evaluation framework for each public place where CCTV is established to determine whether the CCTV is achieving its objectives.

The evaluation framework will provide guidance on appropriate mechanisms to enable Council staff to

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assess whether the CCTV system is:

- Achieving its objectives (including an assessment of its impact upon crime and community safety, for those systems implemented for crime prevention or community safety purposes);

- Being used in accordance with its established objectives, and not for any other purpose;

- Impacting on any groups;

- Providing an overall benefit (after consideration of the costs involved in operating the system); and

- Requires changes to the extent or location of the cameras, or technology utilised.

8. Complaints in relation to Council's establishment, management or operation of CCTV may be made through Council's existing customer contact processes (in person at Council's Customer Service Centre, or via phone, letter or email).

    Complaints, except for those specified below, will be managed in accordance with Council's *Customer Feedback Handling Policy*.

    Complaints in relation to Council's handling of a person's personal information may be made and will be managed in accordance with Council's *Privacy Management Plan*.

    Complaints in relation to Council's handling of a person's personal information may also be made to the NSW Information and Privacy Commissioner.

9. Council staff will review its CCTV systems every two (2) years to assess compliance with this Code and any associated management policies and standard operating procedures. The review will examine such matters as:

    - Assessment of the system and any technological problems;

    - Processes used to receive, access and process footage requests;

    - Complaints received and responses provided;

    - Compliance with relevant legislation, regulations and Australian Standards; and

    - Whether the systems and processes utilized remain good practice.

LEGISLATIVE REQUIREMENTS

The policy reflects, relevant laws and standards including;

- *NSW Privacy and Personal Information Protection Act 1998*

- *NSW Privacy and Personal Information Protection Regulation 2019*

- *NSW Workplace Surveillance Act 2005*

- *Security Industry Act 1997 No. 157 (NSW)*

- NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places Standards Australia (2006) Closed Circuit television (CCTV) Part 1 Management and operation (AS 4806.1 – 2006)

- Standards Australia (2006) Closed Circuit television (CCTV) Part 2 Application guidelines (AS 4806.2 – 2006)

REVIEW

This Policy will be reviewed every four (4) years or more frequent if significant legislative changes occur, or upon any changes to the *NSW Government CCTV Guidelines*.

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The review will consider the results of the audits of Council's CCTV systems, to ensure that this Code is effective and has been implemented appropriately.

REPORTING

There are no reporting requirements under this Code of Practice.

RELATED PROCEDURES

Standard Operating Procedures

CCTV Management Policy

Privacy Management Plan

Customer Feedback Handling Policy

DEFINITIONS

Closed Circuit Television System (CCTV) - A private television system involving one or more cameras, used to transmit images to a specific limited number of monitors on the same network or circuit

Public Places - Land and/or facilities that are owned, operated, or in the care of Council and which are considered by Council to be freely accessible to members of the public. Such areas may be defined by relevant legislation. Examples of public places, for the purposes of this Code, include Council's Customer Service Centre, libraries, parks, playgrounds, community centres, sporting fields, swimming pools, streets, footpaths

APPROVAL AND REVIEW		
Responsible Division	[Name of Division]	
Date/s adopted	*EMC* [updated by policy owner]	*Council* [To be inserted by Governance]
Date/s of previous adoptions		
Date of next review	[Not more than two years from last adoption]	

Location and Purpose of CCTV

Wollongong Memorial Gardens

- 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

- 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

- 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 Waste Disposal Depot

- 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

- 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

Council Administration Building and Car Park

- 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

- 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

- Observation of unauthorised access to stores area

Central Depot

- 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

North Depot

- 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

Southern Works Depot

- 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)

- 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

Thirroul District Community Centre and Library

- 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

- 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

Illawarra Performing Arts Centre

- Crime Prevention
- Security Services Operational Quality Controls Building Asset Protection
- Public Liability Controls – Trips, slips and falls

Integral Building – 81-83 Burelli Street

- Crime Prevention
- Staff Security – Risk Management Building Asset Protection

ihub – 93 Crown Street Wollongong

- Crime Prevention Customer Service Building Asset Protection

North Wollongong Beach

- Monitoring use of Puckeys Beach (Fairy Meadow creek entrance) (see also Bathers Pavilion below)

Wollongong Youth Centre

- Crime Prevention
- Staff Security – Risk Management Building Asset Protection

Wollongong Art Gallery

- Crime Prevention
- Security Services Operational Quality Controls Building Asset Protection
- Public Liability Controls – Trips, slips and falls

Bathers Pavilion

- 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

- 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

- 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

Mt Keira Summit Park – toilets, carpark, telecommunications tower and kiosk

- 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 (Blue Mile)

- 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.

Beaton Park Leisure Centre

- Assist in reducing the public fear of crime
- Assist in reducing personal and property crime levels by deterring potential offenders.
- Assist in the detection and prosecution of offenders
- Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress.
- Help secure a safer environment and protect the community and property from crime.
- Safe money handling
- Staff Security – Risk Management

Lakeside Leisure Centre

- Assist in reducing the public fear of crime
- Assist in reducing personal and property crime levels by deterring potential offenders.
- Assist in the detection and prosecution of offenders
- Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress.

- Help secure a safer environment and protect the community and property from crime.
- Safe money handling
- Staff Security – Risk Management

Unanderra Library

- 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

Bulli Beach Tourist Park

- Assist in reducing the public fear of crime
- Assist in reducing personal and property crime levels by deterring potential offenders.
- Assist in the detection and prosecution of offenders
- Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress.
- Help secure a safer environment and protect the community and property from crime.
- Safe money handling
- Staff Security – Risk Management

Corrimal Beach Tourist Park

- Assist in reducing the public fear of crime
- Assist in reducing personal and property crime levels by deterring potential offenders.
- Assist in the detection and prosecution of offenders
- Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress.
- Help secure a safer environment and protect the community and property from crime.
- Safe money handling
- Staff Security – Risk Management

Windang Beach Tourist Park

- Assist in reducing the public fear of crime
- Assist in reducing personal and property crime levels by deterring potential offenders.
- Assist in the detection and prosecution of offenders
- Assist Police in determining the appropriate allocation of resources in situations where the commission of crime is imminent or is in progress.
- Help secure a safer environment and protect the community and property from crime.
- Safe money handling
- Staff Security – Risk Management

Geotechnical Services Soils Lab

- Crime Prevention
- Staff Security – Risk Management Building Asset Protection

Kanahooka Point

- Assist in reducing the public fear of crime
- Assist in reducing personal and property crime levels by deterring potential offenders.
- Assist in the detection and prosecution of offenders

Memorial Park Corrimal

- Assist in reducing the public fear of crime
- Assist in reducing personal and property crime levels by deterring potential offenders.
- Assist in the detection and prosecution of offenders

Wollongong Town Hall

- Crime Prevention
- Security Services Operational Quality Controls Building Asset Protection
- Public Liability Controls – Trips, slips and falls