

# PUBLIC SAFETY CLOSED-CIRCUIT TELEVISION CAMERA POLICY

**Responsible Department:** Corporate and Commercial Services  
**Responsible Section:** Customer and Information Services  
**Responsible Officer:** Manager Customer and Information Services

## Objective

- To establish a framework for how the closed-circuit television (CCTV) cameras managed by Council will be installed and operated, and how footage captured by these shall be managed.
- To capture incidents and reduce crime. The CCTV Code of Practice contains standards to guide the operation of Council’s CCTV Program. This is supplemented by Council’s CCTV Operational Procedure which provides instructions on the operation of Council’s CCTV suite.

## Introduction

The Policy has been developed in consultation with NSW Police and the relevant Council Advisory Committee. There is no current legislative requirement for Councils to adopt or enforce a particular policy regarding the use of CCTV in public places, the NSW Office of Local Government considers the NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV in Public Places to be best practice and Council has incorporated these guidelines in the development of this policy.

## Definitions

### Policy

#### 1. Definitions

Term	Meaning
Close Circuit Television (CCTV)	Is defined as a television system that transmits images on a ‘closed loop’ basis, where images are only available to those directly connected to the transmission system. The transmission of closed-circuit television images may involve the use of coaxial cable, fibre-optic cable, telephone lines, infra-red and radio transmission systems. A handheld, or fixed video cassette recorder is not included in this definition unless it is connected to a transmission system as stated in NSW Government Policy Statement and Guidelines for the Establishment and Implementation of closed-circuit television (CCTV) in public places.
Camera	A device that is capable of recording and monitoring motion, visual images in photographs and/or films.
Public place	A place both indoor and outdoor which includes; public highways, roads, streets, bridges, footways, Council owned buildings, footpaths, court alley passages, any parks/garden reserves or other place of public recreation or resort, public bathing reserves, public baths, or swimming pools.
Street safe cameras	Referring to CCTV that is utilized in public places as stated above. This does not include CCTV owned and operating in private places.
Unusual behaviour	Is behaviour that someone of the public finds offending and/or inappropriate, your behaviour is unusual if it makes others feel threatened or uncomfortable.

Term	Meaning
Damage to property	Damage caused by a person on public or private property that is not owned by the person who has done the damage.

## 2. NSW Government Policy and Guidelines

- 2.1. The NSW Government Policy Statement and Guidelines must apply to all CCTV operations for the Establishment and Implementation of Closed-Circuit Television (CCTV) in Public Places. The overarching guidelines are as follows:
- (a) Cameras used for CCTV will be clearly visible;
  - (b) Signage for the cameras will be located at each location of the cameras where the recording is conducted;
  - (c) To provide a safer environment for the residents who live, work, and visit Narrabri Shire;
  - (d) To reduce crime levels and the fear of crime; and
  - (e) To help assist police in detection of offenders.

## 3. Privacy and Disclosure

- 3.1. CCTV footage may only be used by authorised persons for authorised purposes.
- 3.2. Evidence of all access to Council's CCTV footage must be recorded in Council's record management system.
- 3.3. If CCTV footage is of sufficient quality, the footage may contain personal information, pursuant to the *Privacy and Personal Information Protection Act 1998* (NSW).
- 3.4. Disclosure of CCTV footage is governed by the 'Use and Disclosure' Privacy Principle and therefore the disclosed of CCTV footage needs to be assessed in accordance with that principle.
- 3.5. Disclosure of CCTV footage to law enforcement agencies, such as the NSW Police Force, is permitted under the *Privacy and Personal Information Protection Act 1998* (NSW) so long as:
  - (a) the law enforcement agency deems it reasonably necessary for the performance of a law enforcement activity;
  - (b) the law enforcement agency only accesses the particular date of timeframe of CCTV that they deem as reasonably necessary.
- 3.6. Law enforcement agencies must complete the form at **Appendix A** to access Council's CCTV footage.
- 3.7. Council must comply with any subpoena (or other court order) issued to produce CCTV footage.
- 3.8. A request to access Council's CCTV footage by a individual or organisation that is not a government body or a law enforcement agency must be dealt with pursuant to the *Government Information (Public Access) Act 2009* (NSW).

## 4. Implementation of Effective CCTV Systems

- 4.1. CCTV cameras need to be running and recording 24 hours a day.
- 4.2. Video recordings captured by Council operated CCTV will only be used as legally required.
- 4.3. CCTV will be maintained and operated in accordance to the following guidelines and legislative requirements:
  - (a) Privacy and Personal Information Protection Act 1998 (NSW);
  - (b) Local Government Act 1993 (NSW);
  - (c) Workplace and Surveillance Act 2005 (NSW);
  - (d) NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed-Circuit Television (CCTV) in Public Places

## 5. Complaints

- 5.1. Any complaints regarding council's CCTV system will be handled in accordance with Council's Complaints Management Policy and Procedure.

## 6. Review

- 6.1. This policy will be reviewed within 12 months of an Ordinary Council Election or such other time on an as-needs basis.

## References

- *Local Government Act 1993 (NSW).*
- *Privacy and Personal Information Protection Act 1998 (NSW).*
- *Workplace and Surveillance Act 2005 (NSW).*
- *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed-Circuit Television (CCTV) in Public Places.*

## History

Minute Number	Meeting Date	Description of Change
239/2019	October 21, 2019	Adopted
336/2022	October 18, 2022	Adopted

Our Reference:  
Your Reference:  
Contact Name:

Manager Customer and  
Information Services

## Appendix A – Law Enforcement Agency Request to Access Council CCTV

**IMPORTANT:** Please note that Narrabri Shire Council only keeps CCTV footage for a period of 30 days. Any request for CCTV footage relating to over 30 days prior cannot be granted.

### Details of the requesting party:

Full Name: \_\_\_\_\_  
Organisation: \_\_\_\_\_  
Position: \_\_\_\_\_  
Station/Office: \_\_\_\_\_  
Contact Number: \_\_\_\_\_  
Email: \_\_\_\_\_  
Badge no: \_\_\_\_\_

### CCTV Footage Requested:

Date: \_\_\_\_\_  
Time Period: \_\_\_\_\_  
Camera Location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Justification for release:

I, \_\_\_\_\_ deem the access of the aforementioned CCTV footage reasonably necessary for the performance of a law enforcement activity.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

#### Office Use Only:

Date of access: \_\_\_\_\_  
Mode of access: \_\_\_\_\_  
Access granted by: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Authorised Officer: \_\_\_\_\_  
Signature: \_\_\_\_\_

  
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