



Closed Circuit Television (CCTV) - Policy

<i>Responsible Officer/s</i>	Director Commercial and Community Services
<i>Relevant Legislation / Documents</i>	Local Government Act 1999 State Records Act 1997 Freedom of Information Act 1991
<i>Adopted</i>	14 December 2012
<i>Reviewed</i>	August 2023
<i>Next Review</i>	Every 2 years

A. Purpose

The primary purposes for utilising a Closed-Circuit Television (CCTV) system are to:

- (a) to protect Council's physical assets from theft and damage; and
- (b) to discourage the occurrence of unlawful activity and enhance the chances of apprehending offenders

B. Objective

Our environment.

strategy 3.1.2 maintain and improve our ovals, playgrounds, parks, gardens, reserves, and cemeteries

3.1.3 maintain and improve our community buildings and facilities

C. Policy

1. Management and Maintenance

Council staff will be responsible for the management and maintenance of any CCTV system located on Council property. Maintenance and installation of cameras will be undertaken by an appropriately qualified technician or security person.

The CCTV cameras will be installed in accordance with appropriate Australian Standards and placed in visible locations. The location, type of camera and recording resolution will be determined by Council staff to ensure they are appropriate and meet requirements.

All persons involved in the operation of the system are to exercise care to prevent improper disclosure of material.

The visual footage collected by the cameras will be managed by Council staff and kept on-site in a secure area and destroyed in accordance with the requirements of the State Records Act.

2. Public Notification

Council will clearly display signs at key entry points to inform visitors to the Council facilities that CCTV cameras are in operation within the Council. Where appropriate a visual display screen will be located showing the footage that is currently being captured by the CCTV cameras.

3. Access to CCTV Camera Footage

3.1. By Members of the Public

Members of the public can apply to view any official records kept by the District Council of Loxton Waikerie. As the footage collected from CCTV cameras is an official record, this is also able to be requested and must be done through the Freedom of Information (FOI) process.

Any application received under the FOI Act must be determined by an Accredited Freedom of Information Officer. If the application is approved, a member of the public may then view the footage at either the Loxton or Waikerie Office of Council or obtain a copy of the requested footage within a timeframe that is reasonable and appropriate.

An accredited FOI Officer or a staff member delegated by the Chief Executive Officer will be present at all times to operate the viewing equipment.

3.2. By the Media

The District Council of Loxton Waikerie views the rights of the media to gain access to footage to be the same as a member of the public. That is, an application will need to be made under the FOI Act and the provisions of that Act will apply.

3.3. By the South Australian Police (SAPOL)

In the event that access to the CCTV footage is requested by SAPOL for the purpose of conducting an investigation into possible criminal activity, Council will provide access to, or a copy of, the footage as requested as soon as practicable after receiving the request.

A record of request and action taken will be retained on Council's records management system by the Responsible Officer (Works Administration Officer).

D. Our Approach

The District Council of Loxton Waikerie (Council) has a problem-solving approach toward crime reduction and community safety and supports the use of Closed Circuit Television (CCTV) in public areas where it will further the following aims: -

- Enhancing community well-being, including reducing the fear of crime.
- Detecting and deterring offences from being committed.
- Assisting SAPOL with an investigative capability, if appropriate; and
- Proactive crime reduction initiatives
- Prevention of anti- social activities

E. Legislative Requirements

While the primary purpose of CCTV is to protect Council property, the visual footage is also classed as an official Council record under the State Records Act 1997 (the Act). Section 23 of the Act prohibits the Council from disposing of an official record except in accordance with the general Disposal Schedule 40 Items 105.3 of GDS 40 specifically provides that 'video surveillance recordings' are temporary records which may be destroyed six months after the last action taken in relation to them.

Where appropriate, if an activity which is deemed to be of a criminal nature (ie graffiti, vandalism, illegal dumping etc) is recorded by CCTV and identified by Council staff, the matter will be referred to the South Australian Police (SAPOL) or an appropriate enforcement agency.

F. Privacy

The District Council of Loxton Waikerie is not bound by the Commonwealth Privacy Act 1998 or by the Information Privacy Principles Instruction (Cabinet Administrative Instruction) No 1 of 1989.

Each of these documents applies to a number of public sector agencies in South Australia, but neither of them applies to Local Government. Accordingly, Council is not bound by any form of privacy legislation when dealing with information collected in the course of the Council's business, including the collection of the CCTV footage.

However, CCTV in public places should operate with respect for people's privacy and their right to conduct or engage in lawful activities and therefore, should comply with privacy principles. Council acknowledges that the Information Privacy Principles contained within the Privacy Act 1988, the National Privacy Principles inserted into the Privacy Act by the Privacy Amendment (Private Sector) Act 2000, and the Information Privacy Principles Instruction (Cabinet Administrative Instruction No. 1 of 1989) issued by the Government of South Australia, set an appropriate standard for privacy protection.

Council will not disclose personal information for a purpose that is not relevant or incidental to or connected with that purpose unless:

- the use of the personal information is required and authorised by law; or
- the use of the personal information for that other purpose is reasonably necessary for the enforcement of the criminal law or law imposing a pecuniary penalty.

G. Complaints

Any person who has any concerns regarding how the Council handles personal information or require further information should contact the customer service staff at the Loxton or Waikerie Council Offices in the first instance.

If customer service staff cannot satisfy the residents and/or ratepayers concerns, the person may lodge a formal complaint. Complaints should be made in writing to:

Chief Executive Officer
District Council of Loxton Waikerie
PO Box 409
LOXTON SA 5333

H. Availability

This Policy will be available for inspection at the Council Offices at Loxton or Waikerie during ordinary business hours at no charge.

Copies of this Policy will also be available from Councils website: www.lwdc.sa.gov.au or postal copies may be obtained from the Council Office free of charge.

I. Document history and version control

Date	Version	Authorisation	Amendment Details
14/12/2012	1.0	Council meeting of 14 December 2012	First version
18/10/2013	1.0	Council meeting of 18 October 2013	No changes noted
18/12/2015	1.0	Council meeting of 18 December 2015	Removal of the reference to Council's Privacy Policy (revoked), updated strategic reference (LW Future 2015 – 2020 strategic plan) and addition of document history and version control protocols.
20/04/2018	1.1	Council meeting of 20 April 2018	Addition of " <i>prevention of anti- social activities</i> " within the aims of the policy.
16/08/2023	1.2	Council meeting ORD 2023-223	Formatting and title updates onto the new policy template.