

SCS-014 Public Space Closed Circuit Television Policy

TRIM Reference:	D22/136952	Due for Review:	August 2026
Responsible Officer:	General Manager Community Life		

Purpose

This policy outlines Surf Coast Shire Council's (Council) commitment to working with others to ensure the safety of residents and visitors within the Surf Coast Shire (the Shire). As part of a broader suite of community safety initiatives Council will, where deemed necessary and appropriate, use or approve the use of, closed circuit television (CCTV) covering public spaces to maximise community safety.

Policy Principles

Whilst CCTV surveillance of public spaces can contribute to community safety it may also impact on the privacy of individuals. Accordingly, CCTV is subject to a number of legal and regulatory controls to protect individuals' rights to privacy. This policy provides Council with direction when considering matters related to siting, management and approval of CCTV for the purpose of improving community safety in public spaces within the Shire. The Closed Circuit Television in Public Spaces Policy (the Policy) is in place to ensure Council meets its legal and regulatory obligations and has a consistent approach to CCTV coverage of public spaces that balances safety with individuals' rights to privacy.

Scope

This policy applies to;

- All CCTV installed on, or being considered for, coverage of public space within the Shire that Council owns and/or manages
- CCTV systems owned and operated by the Council covering public spaces
- CCTV systems owned and operated by third parties, such as Victoria Police and/or contracted private security companies covering Council owned or managed land deemed to be public spaces.

This policy does not apply to;

- The approval and management of Council's corporate CCTV systems that are installed on Council land and facilities for the purposes of protecting staff, assets and/or the management of services
- CCTV installed in Council owned facilities leased to third parties or managed via an instrument of delegation
- CCTV systems on private property including that of private residences and local businesses
- CCTV coverage of Public spaces within the Shire that Council does not own or manage.

The Policy applies to the consideration of proposals for the installation and management of CCTV in public spaces within the Shire that the Council owns or manages.

Proposals for CCTV in public spaces should include a map showing the coverage area and description of the proposed site/area/precinct. Proposals should also respond to the Policy criteria in **section 5. Policy** including any information or documentation required to assess the proposal.

Every CCTV proposal considered by Council must have a properly completed Privacy Impact Assessment (PIA) included with the submission.

Proposals need to be submitted in writing to the Council's General Manager Community Life.

Policy

Council will consider all proposals to use CCTV in public spaces to improve community safety, including proposals from Council officers and those from third parties including Victoria Police and community groups.

Council will not support the use of CCTV in public spaces where individuals could have a reasonable expectation of privacy including in change rooms and public toilets¹.

All other proposals to use CCTV in public spaces to improve community safety will be assessed against the following six criteria. Council will only approve CCTV proposals that meet all six criteria. The criteria align to best practice guidelines for CCTV and the law.

No.	Criterion definition	Criteria description
1	CCTV will be effective in resolving the problem.	The problem is clearly defined and quantified, and evidence demonstrating CCTV is an effective solution to that problem is provided.
2	Less privacy invasive alternatives have been considered or trialled but will not be effective in resolving the problem.	CCTV impacts on individuals rights to privacy. Accordingly, best practice guidelines outline that CCTV should not be used simply because it is the most cost effective or convenient means to achieve an objective. Instead the benefits of surveillance must substantially outweigh any intrusion of privacy ² . Before CCTV is approved, the party proposing CCTV must be able to provide evidence that less privacy–invasive alternatives to CCTV (such as education and awareness campaigns and crime prevention through environmental design) have been explored and evidence as to why these alternatives will not be effective in responding to the problem.
3	CCTV is a proportionate response to the problem.	Evidence is provided to show that the use of CCTV is proportionate to the problem. Such evidence could include criminal incidence rates compared to like public spaces and/or benchmarking that shows similar problems and the use of CCTV elsewhere.
4	Affected stakeholders are in support of the use of CCTV.	Before implementing CCTV the organisation proposing installation should engage with stakeholders that would be affected to ensure they are comfortable with CCTV as the response. Engagement should be undertaken to the standards outlined in the Victorian Auditor General Public Participation Better Practice Guide ³ . Engagement results should demonstrate support for the use of CCTV in the proposed location.
5	The CCTV proposal complies with relevant laws and standards.	The party proposing the installation of CCTV bears the responsibility to demonstrate the CCTV proposal complies with all the relevant

¹ Victorian Commissioner for Privacy and Data Protection (2017) Guidelines to surveillance and privacy in the Victorian public sector. Available at: <https://ovic.vic.gov.au/wp-content/uploads/2018/07/Guidelines-to-surveillance-and-privacy-in-the-Victorian-public-sector.pdf>

² Victorian Commissioner for Privacy and Data Protection (2017) Guidelines to surveillance and privacy in the Victorian public sector. Available at: <https://ovic.vic.gov.au/wp-content/uploads/2018/07/Guidelines-to-surveillance-and-privacy-in-the-Victorian-public-sector.pdf>

³ Victorian Auditor –General’s Office (2015) Public Participation in Government Public Decision Making. Available at: <https://www.audit.vic.gov.au/sites/default/files/20150130-Public-Participation-BPG.pdf>

		<p>legislation. Relevant laws and standards include;</p> <ul style="list-style-type: none"> • Surveillance Devices Act 1999 • Privacy and Data Protection Act 2014 • Victorian Public Records Act 1973 • Victorian Private Security Act 2004 (s 25 3) • Victorian Charter of Human Rights and Responsibilities Act 2006 (ss, 7 & 13) • Victoria's Evidence Act 2008 • Australian Standards AS 4806.1 2006 Closed circuit television (CCTV)
6	<p>An appropriate management and resourcing plan for the CCTV system is proposed.</p>	<p>An appropriate management and resourcing system includes;</p> <ol style="list-style-type: none"> a) Good Governance: A clearly defined and documented governance structure for the installation and management of the CCTV system. The proposed governance body must have the relevant skills and experience required to appropriately govern the system. Good governance also includes standard operating procedures including how the use, management, access and disclosure of information collected by the CCTV system will be managed. b) Agreements: A signed Memorandum of Understanding with Victoria Police and other relevant parties. If the proposing party is not a state department, agency or entity, than that party will be bound by agreement to the Information Privacy Principles pursuant to section 17 of the Privacy and Data Protection Act 2014. c) Communications: A documented communications plan including plans to ensure appropriate signage to ensure people are aware that surveillance devices are in place, the objectives of surveillance and how to obtain information about their use and a well-publicised and accessible complaints process. d) Resourcing: The cost of installing and operating the CCTV system is clearly outlined with adequate and sustainable resourcing to cover the costs. The proposed costs will also be considered against the perceived outcomes. e) A statement advising where collected images will be stored, who will have access to them, why access may be provided, how long images will be retained, and who is responsible for security, managing access and retention must be included in the resourcing and management plan f) Any other considerations relevant to the particular request.

Assessment

All proposals will be added the agenda of a Council meeting to be considered by Council as part of its deliberations on that item of business.

The General Manager Community Life will bring together subject matter experts, including but not limited to, Council officers and local area members of Victoria Police in the preparation of a Council meeting report. All available information, including the application and supporting information and documentation, subject matter expert advice and other relevant evidence will inform an officer's recommendation. Council will consider the officer's recommendation and resolve on an application.

Local Government Act 2020 Principles

Principles	Applicable to policy	If yes, provide details
Governance Principles (Consideration of the Governance Principles under s.9 of LGA 2020)	Yes	This policy considers the following Governance principles: <ul style="list-style-type: none"> • Council decisions are to be made and actions taken in accordance with the relevant law; • priority is to be given to achieving the best outcomes for the municipal community, including future generations; • the ongoing financial viability of the Council is to be ensured; • the transparency of Council decisions, actions and information is to be ensured.
Community Engagement (Consideration of Community Engagement Principles under s.56 LGA 2020)	No	
Public Transparency (Consideration of Public Transparency Principles under s.58 of LGA 2020)	Yes	The policy considers the following Public Transparency principles: <ul style="list-style-type: none"> • Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act
Strategies and Plans (Consideration of Strategic Planning Principles under s.89 of LGA 2020)	No	
Financial Management (Consideration of Financial Management Principles under s.101 of LGA 2020)	No	
Service Performance (Consideration of Service Performance Principles under s.106 of LGA 2020)	No	

Definitions

Term	Definition
CCTV system	A surveillance system in which a number of cameras are connected through a closed circuit. The footage taken by the cameras is sent to a television monitor or recorder. Physical elements of a Closed Circuit Television system generally consists of several main assets, such as cameras, relay systems like cabling or wireless antennas and video data storage, viewing and printing devices. ⁴

⁴ Victorian Government (2018) Guide to developing CCTV for public safety in Victoria. Available at: <https://www.crimeprevention.vic.gov.au/resources/cctv/guide-to-developing-cctv-for-public-safety-in-victoria>.

Public Space	Any place to which the public has access as of right or by invitation, whether expressed or implied and where no charge is made for the admission to that place. ⁵ Public spaces include: <ul style="list-style-type: none"> • Parks and playgrounds • Public car parks • Road Reserves • Open spaces
Community Safety	Community members feeling and being safe.
Public safety CCTV system	CCTV systems installed in public spaces for the purpose of increasing community safety, discouraging and detecting antisocial behaviour in public spaces. Public Safety CCTV system data is most commonly used by Victoria Police for the purposes of upholding the law, protecting life and property, detecting and apprehending offenders and preserving the peace.
Corporate CCTV system	CCTV systems installed by a council for the purposes of protecting staff, monitoring and managing facilities, assets and services. Corporate CCTV systems are most commonly managed by council employees and/or contractors ⁶ and the data is mostly used by council staff.

Related Procedure

- MPR-048 Access and Use of Surveillance Device Footage & Images

References

1. Surveillance Devices Act 1999
2. Privacy and Data Protection Act 2014
3. Victorian Public Records Act 1973
4. Victorian Private Security Act 2004 (s 25 3)
5. Victorian Charter of Human Rights and Responsibilities Act 2006 (ss, 7 & 13)
6. Victoria's Evidence Act 2008
7. Australian Standards AS 4806.1 2006 Closed circuit television (CCTV)
8. Victorian Commissioner for Privacy and Data Protection (2017) Guidelines to surveillance and privacy in the Victorian public sector. Available at: <https://ovic.vic.gov.au/wpcontent/uploads/2018/07/Guidelines-to-surveillance-and-privacy-in-the-Victorian-public-sector.pdf>
9. Victorian Government (2018) Guide to developing CCTV for public safety in Victoria. Available at: <https://www.crimeprevention.vic.gov.au/resources/cctv/guide-to-developing-cctv-for-public-safety-in-victoria>
10. Victorian Auditor –General's Office (2015) Public Participation in Government Public Decision Making. Available at: <https://www.audit.vic.gov.au/sites/default/files/20150130-Public-Participation-BPG.pdf>
11. Victorian Auditor-General's Office (2018) Security and Privacy of Surveillance Technologies in Public Places. Available at: <https://www.audit.vic.gov.au/report/security-and-privacy-surveillancetechnologies-public-places?section>

Document History

Version	Document History	Approved by – Date
1	Amended	Council Resolution – 23 July 2019
2	Amended	Adopted – 23 August 2022

⁵ Victorian Government (2018) Guide to developing CCTV for public safety in Victoria. Available at: <https://www.crimeprevention.vic.gov.au/resources/cctv/guide-to-developing-cctv-for-public-safety-in-victoria>

⁶ Victorian Auditor-General's Office (2018) Security and Privacy of Surveillance Technologies in Public Places. Available at: <https://www.audit.vic.gov.au/report/security-and-privacy-surveillance-technologies-public-places?section>