

VIDEO SURVEILLANCE AND RECORDING DEVICES POLICY

(COMMUNITY POLICY)

1. Scope

The Video Surveillance and Recording Devices Policy (this 'Policy'), applies to all employees, contractors, and third parties who operate, manage, or have access to CCTV, body worn cameras, surveillance cameras, owned or operated by Livingstone Shire Council.

2. Purpose

This Policy governs the use of video surveillance and recording devices, including Closed-Circuit Television (CCTV), body-worn cameras (BWC), trail and surveillance cameras within the Livingstone Shire.

3. References (legislation/related documents)

Legislative reference

Crime and Corruption Act 2001

Human Rights Act 2019

Information Privacy Act 2009

Invasion of Privacy Act 1971

Local Government Act 2009

Public Records Act 2002

Right to Information Act 2009

Related documents

Australian Standard Set AS4806 – Closed Circuit Television (CCTV)

Body Worn Camera Procedure

Closed Circuit Television (CCTV) Procedure

Code of Conduct

Records Management Directive

4. Definitions

To assist in interpretation, the following definitions shall apply:

Authorised employee/person	An employee/person who has the competencies necessary to perform the duties and responsibilities that are required under this Policy.
Body-Worn Cameras (BWC):	A wearable device typically affixed to a person's uniform, clothing, or body, used to record video and audio in real time. BWCs are commonly used to capture interactions, incidents, and events as they occur from the perspective of the wearer. The footage recorded can be used for evidence, accountability, or transparency purposes.

Closed Circuit Television (CCTV)	The use of fixed or mobile cameras to capture and transmit footage to specific monitors or recording devices. CCTV systems operate on a private, closed network, ensuring that video feeds are not publicly broadcast but are instead accessed by authorised personnel. CCTV images may include those obtained from a fixed camera, a vehicle dashboard camera or remotely piloted aircraft (drone).
Contractor	A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to Council under an agreement enforceable by law.
Council	Livingstone Shire Council.
Employee	Local government employee: (a) the chief executive officer; or (b) a person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
Personal Information	As defined by the <i>Information Privacy Act 2009</i> (s12) as: <i>"Information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion."</i>
Camera Surveillance Systems	A device used to monitor activities in specific locations or premises. It includes any equipment used to observe and record images and in some cases audio. It may include a range of cameras, such as closed-circuit television, temporary or fixed cameras and trail cameras.

5. Policy Statement

Council is committed to ensuring a safe and secure environment for residents, visitors, and employees. To safeguard its assets, employees and the community, Council implements various initiatives, including the installation of surveillance cameras on Council owned or controlled facilities, assets and land, as well as other public spaces.

Surveillance will be conducted transparently, lawfully, and in compliance with relevant regulations.

Council's surveillance systems will be operated in accordance with the following principles:



5.1 Purpose

Camera surveillance systems will be operated within applicable legislation and only for the purposes for which it is intended, such as:

- a) Enhancing safety and protecting the community, Council's assets, and employees;
- b) Collecting evidence for use in regulatory, investigative, and legal proceedings;

- c) Deterring crime such as vandalism, theft and graffiti on Council owned or controlled infrastructure, buildings, land, and public space;
- d) Deterring anti-social behavior and crime in public spaces to foster a safer environment for the community;
- e) Supporting law enforcement agencies with investigating unacceptable behaviour, suspicious activity, and crime;
- f) Promoting a safe environment for those who work, live, and visit the Shire; and
- g) Facilitating marketing or promotional initiatives, such as capturing footage with remotely piloted aircraft (drones), subject to compliance with aviation and privacy regulations.

5.2 Public Interest

Camera surveillance systems will be operated with due regard to privacy and human rights of members of the public, employees, and contractors by:

- a) Ensuring that the collection, use and disclosure of any personal information is in accordance with relevant legislation including the *Invasion of Privacy Act 1971* and *Information Privacy Act 2009*;
- b) Developing and implementing operating procedures that recognise privacy, security and integrity in the viewing and use of all images recorded;
- c) Ensuring the use of appropriate signage at fixed locations to inform the public where camera surveillance systems are in operation;
- d) Informing authorised employees and contractors involved in the recording, observation, and capture of images of the relevant operating procedures and their responsibility to act in an ethical and lawful manner as required by legislation; and
- e) Maintaining established processes with the Queensland Police Service for access to recorded images.

5.3 Security of Camera Surveillance Equipment, Images and Audio

The security of camera surveillance equipment, images and audio are restricted and maintained by authorised employees and contractors in accordance with the following and any relevant procedures:

- a) Employees and contractors must seek approval to view any images or footage;
- b) Any personal information obtained will not be used or disclosed unless authorised or permitted by law;
- c) Measures must be taken to protect against unauthorised access, alteration, dissemination, disclosure, loss, or destruction of recorded material;
- d) Equipment must be maintained to ensure its effective operation; and
- e) Record keeping practices must be applied in accordance with Council's Records Management Directive.

5.4 Human Rights

In accordance with the *Human Rights Act 2019*, the operation of camera surveillance will be conducted with a strong commitment to protecting and respecting individuals' human rights. This involves protecting privacy, minimising unnecessary intrusion, and ensuring fair and unbiased practices. The handling of surveillance data will be managed with due regard to principles of justice and the protection of all individuals.

When applying this policy, Council acts and makes decisions in a way that is compatible with human rights and gives proper consideration to a human right relevant to the decision in accordance with the *Human Rights Act 2019*.

6. Changes to this Policy

This Policy is to remain in force until any of the following occur:

1. The related information is amended/replaced; or
2. Other circumstances as determined from time to time by the Council

7. Repeals/Amendments

This Policy repeals the Livingstone Shire Council Policy titled Closed Circuit Television (CCTV) Policy (v1.0)'.

Version	Date	Action
1.0	19/06/2018	Adopted
2.0	18/02/2025	Adopted - Full review undertaken and document renamed

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