



Mildura Rural City Council

MILDURA RURAL CITY COUNCIL CCTV PROGRAM

Code of Practice

June 2019

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1. OVERVIEW

1.1 Key Principles

1.1.1. This Code of Practice contains the basic standards in accordance with which the Mildura Rural City Council's CBD, Riverfront Precinct and Red Cliffs CCTV Program will be conducted.

1.1.2. The Code is based on 13 key principles. In each section the key principle is stated with subsequent explanatory information.

1.1.3. The key principles are as follows:

Principle 1

The Mildura Rural City Council's CCTV system will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

Principle 2

The Mildura CBD, Riverfront Precinct and Red Cliffs CCTV systems will operate with due regard to the privacy and civil liberties of individual members of the public. This includes individuals' rights to freedom of religious and political expression and assembly.

Principle 3

The public interest in the operation of the Mildura, Riverfront Precinct and Red Cliffs CBD CCTV systems will be recognised by ensuring the security, integrity and adherence of operational procedures.

Principle 4

The Mildura Rural City Council in conjunction with Victoria Police have joint

responsibility for compliance with the purposes and objectives of the Mildura CBD, Riverfront Precinct and Red Cliffs CBD CCTV systems, for the maintenance, management and security and the protection of the interests of the public in relation to the Program.

Principle 5

The Mildura Rural City Council and Victoria Police will be accountable to the community for the effective operation and management of the Mildura CBD, Riverfront Precinct and Red Cliffs CBD CCTV systems.

Principle 6

The community will be provided with clear and easily accessible information in relation to the Mildura CBD, Riverfront Precinct and Red Cliffs CBD CCTV systems.

Principle 7

Regular monitoring and evaluation of the systems will be undertaken to identify whether the purposes and objectives are being achieved.

Principle 8

Access to control rooms will be restricted and protected from all unauthorised access.

Principle 9

Control room personnel will meet the highest standards of probity.

Principle 10

Information recorded will not exceed that necessary to fulfil the purpose of the CCTV Program.

Principle 11

Information will be obtained fairly and in accordance with the privacy provisions of the Program.

Principle 12

The retention of, and access to recorded material will only be for the purposes provided by the CCTV Code of Practice and Protocols. Recorded material will be held for a period no longer than is required for the purpose of the Program.

Recorded material may also be accessed or obtained through the provisions of the *Freedom of Information Act 1982* and/or via a duly authorised subpoena.

Principle 13

Contact relating to the Mildura CBD, Riverfront Precinct and Red Cliffs CBD CCTV Program between Council and Victoria Police will be conducted strictly in accordance with the Code of Practice.

2. PRELIMINARY INFORMATION

2.1 Introduction

The Mildura Rural City Council recognises that fear of crime is an important factor impacting on actual and perceived safety of residents within the Municipality. The Mildura Rural City Council aims to respond to local safety concerns, adopting a proactive approach to emerging issues identified by residents and visitors.

2.2 Mildura Rural City Council CCTV program

The Mildura Rural City Council's CCTV Program is Council's open-space CCTV system. It aims to reduce crime and anti-social behaviour whilst improving actual and perceived levels of safety within the municipality.

2.3 Code of Practice

This CCTV Program Code of Practice and Protocols must be adhered with collectively. The agreed Standard Operating Procedures (SOP's) are to be followed within their control room by Victoria Police.

2.4 System Description

The CCTV system consists of forty five (45) CCTV cameras at key locations in the Mildura and Red Cliffs central business districts and Mildura Riverfront Precinct. The Camera Network Monitoring Room is located at the Mildura Police Complex Watch House and is staffed by members of Victoria Police. The Camera Network Monitoring Room is not accessible to the public.

2.5 Camera Design

Available for viewing upon request.

2.6 Camera Locations

The Mildura Rural City Council cameras are installed at locations determined on the

basis of advice provided by the Victoria Police, Council's CCTV Steering Group and other intelligence. A list with full camera locations is outlined in Schedule 2.

2.7 Accountability for the Mildura Rural City Council CCTV Program

The Mildura Rural City Council City is the owner of the Mildura CBD, Riverfront Precinct and Red Cliffs CBD CCTV systems. Council has ownership and copyright of all recorded information pertaining to the systems. The responsibilities of the Mildura Rural City Council in relation to the CCTV Program are outlined in section five. Victoria Police are partners in the Mildura Rural City Council CCTV Program. Their responsibilities are outlined within this Code of Practice.

A Memorandum of Understanding (MOU) has been entered into by the Mildura Rural City Council and Victoria Police outlining in detail the role and responsibilities of both parties.

3. CHANGES TO THE MILDURA RURAL CITY COUNCIL CCTV PROGRAM AND/OR CODE OF PRACTICE

3.1 A minor change to the Mildura Rural City Council's CCTV Program or the Code of Practice may be made by the designated MRCC Responsible Officer. A minor change may be required for the purposes of adjustment of the program or clarification of the Code of Practice.

3.2 A major change to the Mildura Rural City Council's CCTV Program or the Code of Practice may be made only after consultation and approval of Council's Executive Leadership Team. A major change is one which will have a significant impact upon the operation of the CCTV Program or the Code of Practice.

4. OBJECTIVES

Principle 1

The Mildura Rural City Council's CCTV Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

Principle 2

The CCTV Program will operate with due regard to the privacy and civil liberties of individual members of the public. This includes individuals' rights to freedom of religious and political expression and assembly.

Principle 3

The public interest in the operation of the CCTV Program will be recognised by ensuring the security, integrity and adherence of operational procedures.

4.1 The key objectives of the Mildura Rural City Council's CCTV Program include:

- To assist in the prevention of:

Graffiti

Assault

Anti-social behaviour

Violence

Burglary

Drug & Alcohol consumption

General property damage

- Improve actual and perceived levels of safety within the Mildura Rural City Council.
- To assist Victoria Police in the detection and prosecution of offenders.
- Provide a safe and secure environment for those who live, work and visit the Rural City of Mildura.
- Promote community access and use of public spaces.

5. RESPONSIBILITIES OF THE OWNER OF THE PROGRAM

Principle 4

The Mildura Rural City Council and Victoria Police have joint responsibility for compliance with the purposes and objectives of the CCTV Program, for the maintenance, management and security of the Program and the protection of the interests of the public in relation to the Program.

5.1 Mildura Rural City Council will be responsible for:

- Managing the contract for all installation, servicing, maintenance and replacement of all Program equipment;
- Ownership of the CCTV System infrastructure and all data generated by the system;
- Determining CCTV camera locations in consultation with Victoria Police;
- Notifying Victoria Police if it changes the location of any of the CCTV cameras installed at the Precincts;
- Scheduled and non-scheduled maintenance costs relating to the CCTV system;
- Responding to requests for CCTV maintenance in a timely manner.

5.2 Victoria Police will be responsible for:

- Day to day management of the CCTV Monitoring Program;
- Overseeing all monitoring operations.

5.3 Mildura Rural City Council and Victoria Police will be jointly responsible for:

- Overseeing all review, auditing and evaluating processes for the Program;

- Stakeholder consultation with regard to implementation and on-going operation of the Program;
- Promoting the Program and providing information to the public and other agencies about the operations of the Program;
- Ensuring staff are adequately trained for monitoring purposes;
- Developing and monitoring all Policies, Protocols and grievance processes in relation to their specific operations and responsibilities.

6. ACCOUNTABILITY

Principle 5

The Mildura Rural City Council and Victoria Police will be accountable to the community for the effective operation and management of the CCTV Program.

6.1 The Mildura Rural City Council will establish a CCTV Steering Committee which will meet periodically to monitor the operation and effectiveness of the program and identify opportunities for improvement. In addition Council's Audit Committee will be established to provide public reassurance that the camera network is operating transparently and ethically and that self-regulatory codes and protocols are being observed.

6.2 The CCTV Steering Committee will be Mildura Rural City Council and will consist of:

- Authorised Council Officers;
- Officer in Charge Mildura Police Station or his/her delegate;
- Other invited stakeholders

6.3 The functions of the CCTV Steering Committee will include:

- To provide an independent and continuous review mechanism for the Program;
- To identify and report any deviations from Policy or SOP's that come to notice;
- To recommend actions that will safeguard and enhance the CCTV Program;

6.4 The CCTV Steering Committee will review and report on matters including:

- Description of the system;
- Purpose and objectives of the program;
- Changes if any to the extent of the system;
- Any major amendments to the Code of Practice;
- Requests for copy of recorded material or photographs by Victoria Police and the assistance given to Victoria Police for detection of incidents and/or offenders;
- Locations where additional cameras may be required, or where cameras should be removed;
- Assessment of its impact upon crime where directly evident;
- Change in public perception of personal safety through an independent survey;
- Assessment of system and any technology problems.

6.5 Council's Audit Committee will examine such matters as:

- Complaints received, and responses provided;

- Processes used to receive, assess and process access requests;
- Whether the systems and processes utilised remain good practice;
- Procurement of CCTV.

6.6 The Mildura Rural City Council CCTV Program must comply with all applicable Legislation including the Australian Standard AS 4806 Parts 1 - 4, *Privacy and Data Protection Act 2014*, *Privacy Act 1988* and the *Freedom of Information Act 1982*.

7. PUBLIC INFORMATION

Principle 6

The community will be provided with clear and easily accessible information in relation to the CCTV Program.

7.1 Council will advise the community by installing signage to indicate that they are in an area of CCTV system where they may be observed or recorded. Signage will comply with Australian Standards AS2342-1992 Development, Testing and Implementation of Information and Safety Symbols and Symbolic Signs and legislative requirements with regard to areas such as:

- Signs will be placed at each main access to the CCTV coverage area where the members of the public are reasonably entitled to use and be monitored;
- Signs will be clearly visible, distinctive and located in areas with good lighting, placed within normal eye range and large enough so that any text can be read easily;
- Signs will be prepared to be easily understood by members of the public, including people who are from non-English speaking backgrounds. Signs will include a mix of worded text and symbols;
- Signs will identify Mildura Rural City Council as the operator of the system.

Information including a phone number will be provided if further information should be required.

7.2 Copies of the Code of Practice and information access policies will be made available electronically on Council's website and hard copies made available for viewing to the public upon request.

7.3 Inquiries in relation to the Mildura Rural City Council's CCTV Program and its operation can be made in writing to:

Manager – Community Futures
Mildura Rural City Council
P.O. Box 105
MILDURA VIC 3500
Email mrcc@mildura.vic.gov.au

Alternatively, contact (03) 50188100

8. ASSESSMENT OF THE CCTV PROGRAM

Principle 7

Regular monitoring and evaluation of the CCTV Program will be undertaken to identify whether the purposes and objectives are being achieved.

8.1 The Mildura Rural City Council and Victoria Police will regularly monitor and evaluate the CCTV Program to ensure that it is meeting with the purpose and the objectives of the Program. The first rigorous evaluation of the CCTV system will occur between 12 and 18 months following the full commissioning of the CCTV system.

8.2 The CCTV Steering Committee will evaluate and review the performance of the program

8.3 The CCTV Steering Committee will report on, and make recommendations to rectify, any divergence from the purposes and objectives of the program.

8.4 The results of the review may be taken into account in the future functioning, management and operation of the CCTV Program.

9. MANAGEMENT OF CONTROL ROOMS

Principle 8

Access to control rooms will be restricted and protected from all unauthorised access.

Principle 9

Control room personnel will meet the highest standards of probity.

9.1 The Mildura Rural City Council and Victoria Police will maintain stringent Standard Operating Procedures (SOP's) and internal policies to be adopted for their control room staff that address the following:

- All control room staff must be licensed, qualified at a suitable level on appointment and capable of meeting Victoria Police requirements;
- A procedure which is clear to staff that they risk disciplinary proceedings that may lead to termination of employment should they breach the provisions of the Code of Practice, any applicable Legislation, protocols and internal SOP's;
- Confidentiality during and after cessation of employment;
- System of supervision and on-going monitoring that ensures compliance with the Code of Practice, any applicable Legislation, protocols and internal SOP's.
- Access to the control room and recordings captured by the cameras are not available to the members of the public. The SOP's for that location regulate access for operating staff.

9.2 Victoria Police must put in place procedures ensuring access to control rooms are

restricted to operating staff and their managers. The rooms must be protected from unauthorised access.

9.3 Victoria Police must adhere to this Code of Practice and Protocols when acting in a monitoring capacity.

10. CONTROL AND OPERATION OF CAMERAS

Principle 10

Information recorded will not exceed that necessary to fulfil the objectives of the Program.

Principle 11

Information will be obtained fairly and in accordance with the privacy provisions of the Code of Practice.

10.1 The location of cameras will not be hidden to the public.

10.2 The use of cameras will be in accordance with the CCTV Program as outlined in the Code of Practice and Protocols.

10.3 Cameras will not intentionally be used to look into adjacent or nearby private dwellings or buildings, unless it is explicitly for the purpose of following (in real time) alleged participants in a crime, which originated in the public domain. Any misuse will be treated as a breach to this Code.

10.4 “Dummy” cameras will not be used.

10.5 Only the General Manager Corporate, authorised Council staff and authorised Victoria Police members with the responsibility for using the equipment will have access to operating controls.

10.6 Operators of camera equipment will act in accordance with the highest standards of probity.

11. RECORDED MATERIAL

Principle 12

The retention of, and access to recorded material will only be for the purposes provided by the Code of Practice and Protocols. Recorded material will be held for a period no longer than is required for the purpose of the Program and as outlined in the standard operating procedures.

11.1 Access to and use of recorded material will only take place:

- In compliance with the needs of Victoria Police in connection with the investigation of a crime;
- In compliance with the needs of Mildura Rural City Council Authorised Officers, in connection with the investigation of a crime;
- If necessary, for the purpose of legal proceedings;
- When required by a duly authorized subpoena;
- As otherwise required or permitted by law

11.2. Any request from an individual or organisation for the disclosure of information/data for the purposes of a non-criminal matter will be directed to the General Manager Corporate. The applicant will be issued with the appropriate data access application form which must be completed in full. The principles of the Freedom of Information Act 1982 should be followed in respect of every request. The person making the request must be able to satisfactorily prove their identity and provide sufficient information to enable the data to be located.

11.3 Recorded material will not be sold or used for commercial purposes or for the provision of entertainment.

11.4 The showing of recorded material to the public or the use of recorded material by the media will only be allowed once approval is given by the Mildura Rural City Council Chief Executive Officer and in keeping with Council's policies and procedures, the Code of Practice, the *Privacy and Data Protection Act 2014*, *Privacy Act 1988* and the *Freedom of Information Act 1982*.

11.5 Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

11.6 All recorded material may be subject to random inspection.

11.7 Recorded material will be treated according to Legislation and standards, to provide continuity of evidence and to avoid contamination of evidence.

11.8 Staff involved with the CCTV Program are required to adhere to the relevant Mildura Rural City Council and Victoria Police Internal Policies and Code of Conduct where applicable.

11.9 Recorded information will be kept on hard drive for a period no longer than 31 days. Footage removed under application may be kept for as long as is required.

12. BREACHES OF THIS CODE

Principle 13

Contact relating to the CCTV Program between Council and Victoria Police will be conducted strictly in accordance with the Code of Practice.

12.1 The Mildura Rural City Council has prime responsibility in ensuring that the Code of Practice is adhered to. The responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent that breaches of the Code are within the ambit of the Mildura Rural City Council's power to remedy.

12.2 All personnel involved in the CCTV Program have a responsibility to adhere to the Code of Practice.

12.3 Complaints in relation to any aspect of the management, operation or monitoring of the CCTV Program may be made in writing to:

Manager – Community Futures
Mildura Rural City Council
P.O. Box 105
MILDURA VIC 3500
Email mrcc@mildura.vic.gov.au

Alternatively, contact (03) 50188100

The *Privacy and Data Protection Act 2014*, *Privacy Act 1988* and the *Freedom of Information Act 1982* authorises the Office of the Victorian Information Commissioner to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with the Office of the Victorian Information Commissioner, contacts details are as follows:

Office of the Victorian Information Commissioner
PO Box 24274
Melbourne VIC 3001
Telephone: 1300 006 842
Email enquiries@ovic.vic.gov.au

12.4 The Mildura Rural City Council will cooperate with the investigation of the Office of the Victorian Information Commissioner.

Schedule 2 CCTV System

1. CCTV Cameras Installation

The Council has installed forty five (45) CCTV Cameras at the Precincts to monitor the activities taking place in the Precincts.

2. Location/s:

Red Cliffs Precinct

- 1 CCTV Camera 1 is installed Indi Avenue in the centre median, opposite Heath Street, facing towards Ilex Street (west)
- 2 CCTV Camera 2 is installed in the roundabout facing towards Heath Street (east), next to camera 3
- 3 CCTV Camera 3 is installed in the roundabout facing towards Calder Highway (west), next to camera 2
- 4 CCTV Camera 4 is installed in Ilex Street centre median, at the entrance to Dean Lane, facing north towards Heytsbury Avenue
- 5 CCTV Camera 5 is installed on Calder Highway at the entrance to Indi Avenue facing towards Ilex Street (east)

Mildura Precinct

- 1 CCTV Camera 1 is installed in Langtree Avenue 31.5 metres from Seventh Street facing north east
- 2 CCTV Camera 2 is installed in Langtree Avenue 31.5 metres from Seventh Street facing north west

- 3 CCTV Camera 3 is installed in Seventh Street at the beginning of Deakin Avenue facing north
- 4 CCTV Camera 4 is installed in Deakin Avenue at Eighth Street intersection facing north west
- 5 CCTV Camera 5 is installed in Deakin Avenue at Eighth Street intersection facing north east
- 6 CCTV Camera 6 is installed in Deakin Avenue at Eight Street intersection facing north west
- 7 CCTV Camera 7 is installed in Deakin Avenue at Eighth Street intersection facing north west
- 8 CCTV Camera 8 is installed in Langtree Avenue 110 metres from Seventh Street facing north east
- 9 CCTV Camera 9 is installed in Langtree Avenue 44.5 metres from Eighth Street facing north east
- 10 CCTV Camera 10 is installed in Langtree Avenue and Eighth Street intersection facing north
- 11 CCTV Camera 11 is installed in Langtree Avenue and Eighth Street intersection facing south
- 12 CCTV Camera 12 is installed in Langtree Avenue and Eighth Street intersection facing east
- 13 CCTV Camera 13 is installed in Eighth Street and Lime Avenue intersection facing south east
- 14 CCTV Camera 14 is installed in Lime Avenue 87 metres from Eighth Street facing north west

- 15 CCTV Camera 15 is installed at the beginning of Langtree Mall at Eighth Street end facing south west
- 16 CCTV Camera 16 is installed in Langtree mall 30 metres from end facing south west
- 17 CCTV Camera 17 is installed in intersection of Ninth and Lime Avenue facing east
- 18 CCTV Camera 18 is installed in Ninth Street 57 metres from Langtree mall facing north
- 19 CCTV Camera 19 is installed in Deakin Avenue and Ninth Street intersection on centre median facing north
- 20 CCTV Camera 20 is installed in Eighth Street at entrance to Risbey Lane facing south east
- 21 CCTV Camera 21 is installed in Eighth Street 30 metres from Deakin Avenue facing north east
- 22 CCTV Camera 22 is installed in Langtree Avenue and Eighth Street intersection facing west
- 23 CCTV Camera 23 is installed on 8th Street between Deakin Avenue and Langtree Avenue in front of the Taxi Rank
- 24 CCTV Camera 24 is installed in Langtree Avenue between Seventh and Eighth Street
- 25 CCTV Camera 25 is installed in Shilladays Lane on Eighth Street facing north of the Lane
- 26 CCTV Camera 26 is installed in Shilladays Lane on Eighth Street facing south of the Lane

- 27 CCTV Camera 27 is installed at the roundabout – Eighth and Madden (360 degree view)
- 28 CCTV Camera 28 is installed at the roundabout – Eighth and Madden
- 29 CCTV Camera 29 is installed at the corner of Eighth Street and Orange Avenue
- 30 CCTV Camera 30 is installed at the corner of Ninth Street and Deakin Avenue

Riverfront Precinct

- 1 CCTV Camera 1 is installed at the Langtree Connection – Seventh and Langtree end
- 2 CCTV Camera 2 is installed at the Langtree Connection after the railroad crossing
- 3 CCTV Camera 3 is installed at near JC Park and the café
- 4 CCTV Camera 4 is installed at the Riverfront Wharf Carpark
- 5 CCTV Camera 5 is installed at the Riverfront Skate Park
- 6 CCTV Camera 6 is installed at the Riverfront Splash Park (360 degree view)
- 7 CCTV Camera 7 is installed at the Riverfront Splash Park
- 8 CCTV Camera 8 is installed on the Lemon Avenue extension entry (360 degree view)
- 9 CCTV Camera 9 is installed at Nowingi Place

10 CCTV Camera 10 is installed at Nowingi Place (350 degree view)