

## Queenstown Lakes District Council Closed Circuit Television (CCTV) Policy

### 1. Purpose

Queenstown Lakes District Council (QLDC) owns and manages Closed Circuit Television (CCTV) networks in Queenstown, Wānaka and Arrowtown.

The purpose of this document is to outline QLDC's policy on the use of CCTV, and to provide guidance on the operation of these networks within the Queenstown Lakes District. It covers installation, monitoring, use and release of information.

### 2. Objectives for Camera Surveillance

QLDC's objectives for camera surveillance is to support crime prevention within the district, facilitate regulatory enforcement and support public safety on Council property. These align with Principle 1 of the Privacy Act 1993<sup>1</sup>, which states personal information shall not be collected unless:

1. The information is collected for a lawful purpose connected with a function or activity of the agency; and
2. The collection of the information is necessary for that purpose.

### 3. Principles for Camera Surveillance

QLDC's core principles of the Camera Surveillance Systems ensure that CCTV:

1. Is used for an appropriate, specified and justified purpose only;
2. Is chosen and managed in collaboration with others who are affected;
3. Is used as part of an integrated safety or crime prevention strategy;
4. Complies with the Privacy Act 1993<sup>1</sup> and is aligned to the principles and guidelines set out by the Privacy Commissioner;
5. Installation and use comply with all relevant standards and legislation;
6. Facial recognition, although technically available, is not a function currently utilised by QLDC;
7. Licence Plate Recognition (LPR), is used as a function for both crime prevention and by the QLDC Regulatory Team;
8. Financial costs are understood for owning and operating CCTV systems, and costs are affordable;
9. Systems and operational requirements are planned ahead of purchase and implementation;
10. Processes are in place to evaluate the effectiveness of CCTV and to identify and report on any required improvements;
11. Data analytics are used only to enhance operational effectiveness through improved management systems, e.g. energy consumption, demand management and environmental best practice;
12. Camera locations are recorded on QLDC's GIS system, records include data on the camera location, installation date and serial number and all future installations of new cameras, or updates to existing cameras will be added to the GIS data; and

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<sup>1</sup> and the Privacy Act 2020, when the relevant provisions come into force

13. System map of camera locations are available for public view and can be accessed through the mapping service on the QLDC website, the public map view shows only the locality of cameras.

## 4. Purpose of CCTV network

### 4.1 Release of Information/ Privacy:

QLDC must comply with the provisions of both the Privacy Act 1993<sup>1</sup> and the Local Government Official Information and Meetings Act 1987 (LGOIMA). All due care must be taken to ensure CCTV systems operated by QLDC do not capture images from private dwellings.

### 4.2 Signage

The Privacy Act 1993<sup>1</sup> requires that people are made aware that information is gathered about them and the purpose for doing so is made clear.

Areas where cameras are installed will be clearly signposted to notify the public that a camera is or may be in operation. The signs should be large enough and located in such a way that people should know about the cameras before they are close enough to be filmed. Refer to QLDC CCTV Public Use on the QLDC website. The signs will also serve as a general crime deterrent. (See also QLDC Signage Policy).

The below information is contained in the QLDC Privacy Notice on the website located here:

- Notice that information is being collected;
- The purpose that the information is being collected;
- Other agencies that the information might be passed onto;
- That it is a QLDC camera;
- The rights of the individual to request a copy of the information collected.

For practical reasons, it is unlikely to be possible for all the above information to be contained on each individual sign. However, each sign will clearly notify the public that a CCTV camera is or may be in operation, and that more information can be found on QLDC's website.

QLDC will also use social media to advise the public when any changes are made to the network (including adding new CCTV cameras or moving existing CCTV cameras), and at regular intervals to help ensure that the public are aware of the CCTV system.

### 4.3 Criminal matters:

QLDC will be willing to co-operate with NZ Police where requests for CCTV footage is justifiable.

It is QLDC's policy, in accordance with Principle 11(e) of the Privacy Act 1993<sup>1</sup>, to allow direct access to CCTV networks from the Dunedin central, Queenstown and Wānaka Police Stations as technology and budgets allow. Where **direct access is available** Police will be required to conform to the Privacy Act 1993<sup>1</sup> and the principles regarding disclosure set out in this policy.

Where **direct access is not available** CCTV footage may be requested by Police from QLDC subject to the requirements of the LGOIMA. If approved QLDC will either provide the information directly or via its CCTV Maintenance Contractor.

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<sup>1</sup> and the Privacy Act 2020, when the relevant provisions come into force

Public requests for images relating to a criminal matter will be referred to NZ Police. The Police may then request the images from QLDC (if there is any information held on the incident) following the process above. The Police will be required to conform to the Privacy Act 1993<sup>1</sup> with respect to that information.

#### 4.4 Parking Infringements:

Where a fine has been issued as a result of infringements recorded via CCTV, images are available on the website via the waiver process. QLDC will on request by relevant parties, provide a still image showing the infringement in question (refer CCTV Footage Request Form, [Appendix 5](#)). Requests will be handled by the Regulatory team. Footage/images will not include any information that could identify a person uninvolved with the infringement, such as identifiable images of bystanders and vehicle registration numbers of third party vehicles.

No footage will be provided to any other member of the public in relation to the infringement subject to the ***Requests for Official Information*** section below.

The NZ Transport Agency (NZTA) may request information for the purpose of enforcing passenger service rules. The request should be made via a Request for Service (RFS) to QLDC and must include the following information:

- The location of any suspected rule breach
- Date and time
- The information required

The information that may be provided to NZTA is at the discretion of the Regulatory Manager subject to the requirements of the LGOIMA in accordance with Section 7. Subject to LGOIMA, QLDC will provide only the information required for the purposes of enforcement.

#### 4.5 Release of Information within QLDC:

Internal requests for information held on any QLDC CCTV network shall be made via the QLDC CCTV Footage Request Form, and must be in writing or by email, and must be by the General Manager of the department requesting the information. Release of this information will be at the discretion of the General Managers of both the department holding the information and the one requesting it. The use of the information within QLDC is subject to the Privacy Act 1993<sup>1</sup> and must be for the purpose that the information was collected. The relevant form is included as [Appendix 4](#) to this Policy.

All such requests and responses shall be recorded on QLDC's document management system – Enterprise Content Management (ECM).

#### 4.6 Requests for Official Information made by parties other than the New Zealand Police or NZTA:

The Local Government Official Information and Meetings Act 1987 (LGOIMA) provides for people to request official information held by local government agencies. Any person can make a request for information held by the QLDC.

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<sup>1</sup> and the Privacy Act 2020, when the relevant provisions come into force

Requests for CCTV images made under LGOIMA will be handled by the Governance team and should be managed in accordance with section 7 of the LGOIMA Act. This process sits outside the Release of Information guidelines described above.

#### 4.7 Accuracy

Recorded material released to stakeholders shall be verified for accuracy, relevance and must not exceed that necessary to fulfil the purposes of the request. Material will be released only after a procedural review of the information has been actioned. Initial review is at authorised QLDC staff/Maintenance Contractor level and escalated to QLDC authorised Manager level, based on the complexity of the request.

## 5. Storage and Access

### 5.1 Retention and security of images:

All recorded images remain the property of QLDC. All stored information is erased within a specified period of time, at least 90 days of the date of recording, unless it is required for evidential purposes. Where an image is required to be held in excess of the retention period the General Manager of the department that holds responsibility for the CCTV network will be responsible for authorising such a request.

Servers and other technology devices containing recorded footage will be housed in a secure location with access by authorised personnel only.

Footage may only be downloaded to a:

- Secured QLDC network drive for storage or for sharing with another QLDC department
- Secured QLDC mobile device (USB, DVD) for providing large files to police
- Secured NZ mobile device (USB, DVD)

Footage cannot be downloaded to a personal mobile device such as:

- A USB, CD, DVD, hard drive etc.
- 
- Cloud folders like OneDrive, Dropbox or other third party sites

### 5.2 Monitoring

Authorised QLDC staff, NZ Police and QLDC Contractors monitor data for many reasons such as transport monitoring of traffic flows, open public areas for crime prevention, council buildings for health and safety compliance, and compliance with other regulatory functions, i.e. lakeside boat ramps, parking control and alcohol licensing.

### 5.3 Delegation of access rights:

Access rights may be delegated to other QLDC staff members at the discretion of the General Manager of the department that holds responsibility for the CCTV network.

Where such delegation is made the staff member being granted access rights must sign the Delegation of Access Rights to CCTV Network form ([Appendix 2](#) of this Policy). This will be held as part of their employee record.

**Appendix 1:** Table of Access Rights and Video Archive Periods details how long images are stored for and access rights for each of the networks.

## 6. Maintenance

The CCTV networks are maintained on behalf of QLDC by its CCTV Maintenance Contractor. Any fault or damage to the CCTV network may be reported to Council through a Request for Service via email to [services@qldc.govt.nz](mailto:services@qldc.govt.nz), by phone on 03 441 0499 or online at [www.qldc.govt.nz/council-online/online-forms/fix-it/](http://www.qldc.govt.nz/council-online/online-forms/fix-it/).

NZ Police may report outages on the Crime Prevention CCTV network directly to QLDC's CCTV Maintenance Contractor, they must also email [services@qldc.govt.nz](mailto:services@qldc.govt.nz) to ensure the fault is properly logged.

## 7. Decisions on CCTV location

This section offers guidance for decisions in relation to expanding camera coverage at existing or new locations, and to ensure that a CCTV system is the most appropriate tool for addressing the identified issues.

Options to respond to identified problems include:

- Crime Prevention Through Environmental Design (CPTED)
- Community-led initiatives involving government agencies, social service agencies, businesses and community groups or volunteers
- Liquor ban areas
- Security presence during seasonal/short term issues
- Education and social media campaigns
- Parking / enforcement

Approval for the addition of CCTV cameras is at the discretion of the CCTV Asset Manager and the manager of the QLDC department who will use the footage in conjunction with NZ Police where the camera is on the Crime Prevention network.

Funding for additional CCTV cameras must be established through the Long Term Plan (LTP process).

When determining the establishment and location of new CCTV camera installations a clear decision-making process should be followed, taking into considerations the following:

- There is funding available and it is being applied to areas with the greatest need.
- There is an identifiable crime, social behaviour, enforcement or security issue at the location in question.
- There is a clear understanding of the issue that the CCTV installation will address.
- Where a crime or social behaviour problem can be identified, a CPTED assessment of the space in undertaken to consider the different possible solutions. This may be completed internally by means of due process or by an external security consultant.
- CCTV must be implemented as a package of interventions to resolve the issues identified.
- Clear community objectives must be set for an area prior to the implementation of CCTV. There must be clear links between the installation of CCTV and the achievement of these objectives.
- Any new CCTV installed must be wired into one of the existing networks. Stand-alone systems are to be avoided.
- Placement of cameras must be carefully considered, to avoid being obstructed unnecessarily by trees, signs/hoardings, buildings, etc. and to maximise the scope of view each camera will have.

- The implementation of any new cameras in public places must comply with the principles of QLDC's CCTV Policy and applicable principles of the Privacy Act 1993<sup>1</sup>. Cameras should not be directed to look through windows into buildings or look into private residences

## 8. CCTV Installations on Private Property:

Where cameras are to be installed on private property, written permission must be obtained from the property owner.

This must include completion of an Approval to Supply Electricity form by the property owner where a connection to their power supply is required. This form is included as **Appendix 3** to this Policy.

## 9. Audit and evaluation

In order to demonstrate continued necessity of collecting CCTV information, QLDC's CCTV Policy will be reviewed every three years, or as required with legislative and technology changes.

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<sup>1</sup> and the Privacy Act 2020, when the relevant provisions come into force

## 10. Reference Materials:

The following documents set out further information relevant to this policy:

- [Privacy Commissioner – Privacy and CCTV – a guide to the Privacy Act for business, agencies and organisations](#)
- [Guidelines for operating crime prevention cameras in residential areas](#)
- [Police - crime-prevention-cameras-cctv-public-places-policy](#)
- [Private Security Personnel and Private Investigators Act 2010](#)
- [Privacy Act 1993<sup>1</sup>](#)
- [Human Rights Act 1998](#)
- [Crimes Act 1961](#)
- [Building Act 2004](#)
- [Health and Safety in Employment Act 1992](#)
- [Local Government Act 2002](#)
- [Local Government Official Information and Meetings Act 1987 \(LGOIMA\)](#)
- [Resource Management Act 1991](#)

**Appendix 1** - Table of Access Rights and Video Archive Periods

**Appendix 2** - Delegation of Access Rights to CCTV Network

**Appendix 3** - Approval to Supply Electricity Form

**Appendix 4** - QLDC Internal CCTV Footage Request Form

**Appendix 5** - QLDC CCTV Footage Request Form

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<sup>1</sup> and the Privacy Act 2020, when the relevant provisions come into force

## Appendix 1: Table of Access Rights and Video Archive Periods

Network	Locations	Use	Images stored <sup>6</sup>	Access Rights <sup>7</sup>		
				Live Footage	Recorded Footage	Download Footage
Crime Prevention	Queenstown, Wānaka and Arrowtown centres	CCTV is monitored in local police stations and also fed through to Dunedin Central Police.	90 days	NZ Police	NZ Police	NZ Police
Infringements	District Wide	Enforcement of parking restrictions. Fines are issued as a result of infringements recorded via these CCTV cameras in the same way as if the infringement was physically witnessed by a member of the Regulatory team on patrol. Monitoring compliance with other regulatory functions, such as Alcohol Licensing.	90 days	QLDC warranted officers	QLDC warranted officers	QLDC warranted officers
Security	Council offices and assets, including; <ul style="list-style-type: none"> <li>• QLDC offices and Service Centres</li> <li>• Queenstown Event Centre</li> <li>• Wānaka Recreation Centre</li> <li>• Dog Pounds, Public Toilets</li> <li>• Reserves and infrastructure</li> </ul>	Footage is monitored to enable staff to react real-time to public safety/behaviour situations and medical emergencies. Any criminal behaviour witnessed will be referred to NZ Police. May also be used to monitor infrastructure assets, particularly where access to those assets may present a danger to the public.	30 days	Delegated QLDC Department staff	Delegated QLDC Department staff	Delegated QLDC Department staff
Transport data	Potential future installations on key transport routes	Real-time transport monitoring of traffic flow. May be used to automatically feed to dynamic signage to reduce congestion. Statistics on travel trends and behaviour.		No need for capture or viewing of images from such a network as the systems are used to collect and use data en-masse.		

<sup>6</sup> Footage required for evidential purposes may be retained and stored for longer periods in accordance with NZ Police standard procedures for the safe custody of evidence or exhibits.

<sup>7</sup> The QLDC CCTV Maintenance contractor has full access to all networks

Appendix 2 – QLDC Delegation of Access Rights to CCTV Network

**Department:**

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**Staff member to be given access rights:**

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**Location of CCTV cameras for which access rights are to be granted:**

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**Purpose for which access is being granted:**

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Statement

I understand that in being granted access rights to monitor, review and/or download footage from a QLDC CCTV network I undertake to abide by the following:

- Footage may only be reviewed for the following reasons:
  - As part of the use defined for that CCTV network in QLDC’s CCTV Policy
  - Staff training where the footage may assist in demonstrating best practice
  - Review of a Health and Safety Incident
  - Investigation of an employment incident
  - Review of potential criminal behaviour – where such behaviour is witnessed NZ Police are to be contacted immediately.
- Footage may only be downloaded:
  - For use as defined for that CCTV network in QLDC’s CCTV Policy
  - To pass to NZ Police
  - To pass to another QLDC department where a specific request has been approved by the General Managers of both the department holding the information and the department requesting it.
- Footage may not be recorded to any external device (such as a mobile phone or tablet).
- Footage may not be shown to anyone outside QLDC unless they have delegated access rights or are a sworn officer of NZ Police.
- Breach of these undertakings may be addressed with reference to the QLDC Code of Conduct, Discipline and Dismissal policy and any other relevant employment-related procedure.

**Signed:** \_\_\_\_\_ **Full name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Role:** \_\_\_\_\_ **Department:** \_\_\_\_\_

Manager sign off (must be tier 3 or above)

**Signed:** \_\_\_\_\_ **Full name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Role:** \_\_\_\_\_ **Department:** \_\_\_\_\_

Appendix 3 - Approval to Supply Electricity Form

(Date)

Queenstown Lakes District Council
Property & Infrastructure
11 Church Street
Queenstown 9348

CC: services@qldc.govt.nz

APPROVAL TO CONNECT CCTV EQUIPMENT AND SUPPLY ELECTRICITY

XXXX, being the authorised proprietor of (address) (Legal Description XXXX) authorises the Queenstown Lakes District Council (QLDC) to connect to its power supply free of charge, for up to XXXX CCTV cameras supplied with Power over Ethernet (PoE), complete with and supplied PoE from XXXX CCTV receiver and PoE power source, with XXXX Ultra Fiber Wi-Fi connector for the purpose of infringements and crime prevention.

XXXX agrees to provide QLDC and its contractors with access to the (address) at all reasonable times to maintain and retrieve all information from the Ultra Fiber Wi-Fi connector.

XXXX agrees for the video recordings collected by the XXXX CCTV cameras to be sent to the New Zealand Police.

XXXX agrees that the video recordings collected by the XXXX CCTV cameras will not be accessible to XXXX. However, XXXX is able to make a request for the information from the New Zealand Police or QLDC. Any request for information from QLDC will be assessed under the Local Government Act Official Information and Meetings Act 1987.

The parties agree that this approval is ongoing but revocable by either party upon giving 8 weeks' notice.

Signed for and on behalf of

By \_\_\_\_\_ (Duly authorised representative)

Name \_\_\_\_\_

Date \_\_\_\_\_

Appendix 4 - QLDC Internal CCTV Footage Request Form

**Requestor**

QLDC Staff  Name

Department

**Location and description of incident:**

CCTV footage (please tick box)

Date and time of incident when you believe image was captured (within 1 hour)

Location of incident

Brief description of incident

Make, model, colour and License Registration number of the vehicle or a brief description of the clothing worn by the Data Subject at time of incident

**DECLARATION**

Signed	
Print Name	
Date	

**OFFICIAL USE ONLY**

**Please complete ALL sections**

Date Application received		ECM Reference	
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**Member of staff completing this section**

Name		Department	
Signature		Date	

## Appendix 5 - QLDC CCTV Footage Request Form

### How to apply for access to information held on the QLDC CCTV Network

This form is used to confirm the identity of the Vehicle / Data Subject, the identity and authority of the Applicant (where applicable) and to assist in locating Personal Data relating to the Vehicle / Data Subject.

#### Question 1 - Who is the Data Subject?

Data Subject's full name	
Date of Birth	
Address	..... ..... ..... .....Post code.....
Telephone No.	
E-mail address	

#### Question 2 - What are your Personal Details?

(a) Are you the Data Subject?

Yes

No

If you answered 'Yes', go straight to Question 3 on page 2. Otherwise, please provide the information below.

Your full name	
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Address	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....Post code.....</p>
Telephone No.	

(b) If you are NOT the Data Subject, state your relationship to them.

What is your relationship to the Data Subject?	
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(c) If you are NOT the Data Subject, describe your entitlement to receive details of their Personal Data, and the written authority enclosed (e.g. from the Data Subject) which supports this entitlement.

Why are you entitled to their Personal Data?	
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What written authority have you enclosed?	
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**Question 3 - How do you believe we process the Vehicle / Data Subject's Personal Data?**

Our search for information relating to the Vehicle/Data Subject will be based on the information provided below.

CCTV footage (please tick box)

Infringement number	
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Date and time of incident when you believe image was captured (within 1 hour)

Location of incident

Brief description of incident

Make, model, colour and License Registration number of the vehicle or a brief description of the clothing worn by the Data Subject at time of incident

**Question 4 - What documents can you send or produce to confirm the identity and address of the Data Subject?**

(a) You must **confirm the Data Subject's identity** by producing one of the documents listed below. Please tick the appropriate boxes to indicate which documents you have enclosed.

i) Photo ID (drivers licence or passport)

ii) Birth Certificate **or** Certificate of Registry of Birth **or** Adoption certificate

*If the Data Subject's name is now different from that shown on the document you submit to confirm identity, you must also supply evidence to confirm the Data Subject's change of name e.g. Marriage Certificate, Decree Absolute or Decree Nisi papers, Deed Poll or Statutory Declaration.*

## FORMAL DECLARATION

In exercise of the right granted to me under the terms of the Privacy Act 1993<sup>1</sup>, I request that you provide me with a copy of the Personal Data about the Vehicle / Data Subject which you process for the purposes I have indicated overleaf.

I confirm that this is all of the Personal Data to which I am requesting access. I also confirm that I am either the Vehicle /Data Subject, or am acting on their behalf.

Signed	
Print Name	
Date	

Make sure you have:

- (a) completed this form;
- (b) signed the declaration above;
- (c) enclosed originals of identification documents.

Send them to: [rfsupport@qldc.govt.nz](mailto:rfsupport@qldc.govt.nz)

### OFFICIAL USE ONLY

Please complete ALL sections

Application checked and legible?	<input type="checkbox"/>	Date Application received	
Identification documents checked?	<input type="checkbox"/>	ECM Reference	

### Member of staff completing this section

Name		Location	
Signature		Date	

<sup>1</sup> and the Privacy Act 2020, when the relevant provisions come into force

Comments