

2.6 INSTALLATION AND MAINTENANCE OF CCTV CAMERAS IN THE OAKLEIGH ACTIVITY CENTRE FOR VICTORIA POLICE SURVEILLANCE

Responsible Director: Russell Hopkins

RECOMMENDATION:

That Council:

- *Notes the request for the installation of closed-circuit television (CCTV) cameras in the Oakleigh Activity Centre for the purposes of Victoria Police surveillance, including real-time live feeds into the Oakleigh Police Station.*
- *Notes that State Government funding of \$50,000 is offered for the purchase and installation of the cameras and that it is requested that Council funds the ongoing maintenance estimated to cost between \$2,500-\$5,000 per annum*
- *Notes the use of CCTV for the real-time monitoring of people activity is inconsistent with Council's current use of CCTV cameras.*
- *Conducts municipality-wide consultation to establish the community response to the use of Council assets and resources for the real-time monitoring and surveillance of people movement, activity, and behaviour by Victoria Police through the use of CCTV cameras, prior to resolving on the specific request.*
- *Receives an officer's report on the findings to enable Council to further consider the request for CCTV camera installation in the Oakleigh Activity Centre.*

INTRODUCTION

Following a number of reported incidents in and around the Oakleigh Activity Centre, including theft, alleged increasing anti-social behaviour and the fatal stabbing of a young man, Mr Steve Dimopoulos (State Member of Parliament for Oakleigh), together with Victoria Police, has requested the installation of closed-circuit television (CCTV) in the Oakleigh Activity Centre, including live monitoring by Oakleigh Police. This would enable Victoria Police to monitor activity, visitations to the centre and incidents as they occur, as well as providing a record of activity in areas of concern. This has been discussed at the Safety Committee established and chaired by Mr Steve Dimopoulos with Victoria Police, Council officers, and several traders. Mr Dimopoulos has now advised Council that State Government is willing to contribute \$50,000 for the purchase and installation of CCTV cameras.

Mr Dimopoulos is seeking permission and agreement on the siting of the cameras on Council land as well as requesting Council to purchase and install

the cameras. Funds of \$50,000 would be made available to Council. Additionally, it is requested that Council funds and conducts ongoing maintenance of the cameras. There is also an expectation of a live feed allowing for real-time monitoring by Victoria Police.

Monash City Council currently operates and manages 17 fixed CCTV surveillance systems within Council facilities and open space. The role of these CCTV surveillance systems is primarily to ensure public safety, more effectively manage risk and/or to protect Council assets. This request sits outside of Council's usual use of CCTV cameras in that it will be monitored by Oakleigh Police and is specifically used to monitor people activity.

BACKGROUND

Council currently operates CCTV systems within two car parks, the Euneva Avenue building car park and the Atkinson Street car park. There is no live monitoring of these systems and footage is downloaded to a secure storage area. The footage is made available, after consideration of a written request, to Victoria Police should a complaint or incident occur. Victoria Police has requested footage on a number of occasions following complaints from residents in response to hooning and other anti-social behaviour in these car parks. Requests for CCTV footage from members of the public are assessed under the *Freedom of Information Act 1982*.

Council's process for installation and use of CCTV cameras is carried out in accord with the *Monash City Council CCTV Surveillance System Policy*. This is an internal policy and does not currently allow for real-time monitoring.

DISCUSSION

The Oakleigh Activity Centre is a vibrant, bustling precinct that sees the local community and visitors frequent the area for business, shopping and dining, seven days a week, both day and night. Council has invested significantly over recent years to improve the area in terms of infrastructure and positive activation, which has resulted in strengthening Oakleigh's reputation in the wider community. It is renowned in and outside Monash for its culture, restaurants, family friendly atmosphere and a destination dining experience – a place where people choose to meet.

Since late 2019, the Oakleigh Activity Centre has experienced anti-social behaviours and significant incidents that have occurred in and around the centre have been highly publicised in the media. As a result of these incidents, Council has received anecdotal reports there has been a decrease in people's perception of safety and a shift in attitudes towards the general feel and vibe that Oakleigh has enjoyed.

Council officers meet regularly with Victoria Police, Oakleigh Village Traders Association, individual Oakleigh traders and their staff, and community

members who have explicitly expressed their concern over the increase of violence and anti-social behaviour in Oakleigh. The traders have expressed their concerns regarding the reactions of their patrons, customers, and community to the perceived lack of safety in the area and the reputational risk to their businesses. The traders and Victoria Police have also specifically requested that Council consider the installation of CCTV as one means of addressing their concerns. Concerns have also been raised around the behaviour of people congregating in Oakleigh carparks drinking and 'hanging around' in large groups.

It is recognised that there is conflicting evidence in relation to the impact and effectiveness of CCTV on crime prevention in public places. Evidence does suggest that CCTV can be beneficial to preventing property crimes, particularly vehicle crimes, when installed in car parks. Community Crime Prevention Victoria notes that:

“CCTV can deter potential offenders from criminal activity and help with detection, investigation and prosecution of offenders. CCTV can also increase people’s perception of safety and their use of public places. Evidence suggests that the best outcomes are achieved when CCTV is used together with other crime prevention strategies tailored to the specific local issues and context.”

Preliminary considerations have identified the Chester Street and Hanover Street carparks as potential sites for the installation of CCTV cameras, which would also cover the pedestrian crossing in Eaton Mall. It should be noted that in previous discussions with Victoria Police they have expressed an interest in a more comprehensive CCTV coverage of the Oakleigh Activity Centre, including of the entrances to Eaton Mall at Atherton Road and Portman Street. The most recent advice from Mr Dimopoulos’ office is that VicPol and the traders have a strong preference for CCTV coverage along Chester Street (including the carpark), Atherton Road and Portman Street that incorporates the entrances to Eaton Mall, without monitoring of the Mall itself. The cost of this greater coverage and any additional cameras may exceed the current \$50,000 offer.

POLICY IMPLICATIONS

Monash Council has primary responsibility for compliance, maintenance, management, and security of Council-owned and operated CCTV surveillance systems. Council fulfils its responsibility ensuring individuals’ rights to privacy are always maintained, by managing these systems in compliance with privacy requirements and in accordance with *Monash City Council CCTV Surveillance System Policy* and privacy legislation. If Council is

to provide CCTV as per the current request there will need to be a review and amendment to the current policy.

SOCIAL IMPLICATIONS

Monash Council's CCTV Surveillance System Policy was developed with regard to the recommendations outlined within a recent VAGO report in 2018. The following acts, legislation and standards documents, and Council policies have been used to ensure appropriate management, governance and privacy is safeguarded:

- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Freedom of Information Act 1982 (Vic)
- Privacy and Data Protection Act 2014 (Vic) ('PDPA 2014')
- Surveillance Devices Act 1999
- Standards Australia – Australian CCTV Standards (2006)
- Commissioner for Privacy and data Protection Guidelines to Surveillance and Privacy in the Victorian Public Sector, May 2017
- Guidelines to Surveillance and Privacy in the Victorian Public Sector – Commissioner for Privacy and Data Collection – May 2017
- Victorian Auditor General Office (VAGO) report Security of Surveillance Technologies in Public Places, September 2018
- Business Technology – Non-Employee Network Access Policy
- Business Technology – Non-Employee Network Access Confidentiality Agreement
- Business Technology – Standard Operating Environment Policy
- Community Consultation and Engagement Policy and Guidelines
- Freedom of Information – Request for Access to Documents
- Privacy Policy and Procedures February 2015

HUMAN RIGHTS CONSIDERATIONS

The request has the potential to impact on the right to privacy and reputation; and as such it is recommended that Council should consult broadly with the community ahead of making any decision on this request by the Local State Member.

CONSULTATION

As requests of this nature may become more frequent and have significant policy implications it is proposed that Council conducts municipality wide consultation ahead of any formal resolution on the matter to determine the community response to:

- The use of public land for the installation of CCTV cameras for policing purposes.

- The capturing of people movement and activity with real-time surveillance by Victoria Police.
- Council's financial contribution to the ongoing maintenance and replacement of CCTV cameras as required.

Additionally, if Council was to consider proceeding with the installation of the cameras in Oakleigh, officers would consult with relevant community members, traders and businesses that are in the vicinity of the car parks. Signs advising that CCTV cameras are operating and being monitored by Victoria Police will also need to be clearly displayed

FINANCIAL IMPLICATIONS

The cost of community consultation is estimated to be \$25,000

CONCLUSION

Whilst the request is specific to Oakleigh it is recommended that Council conduct a whole of municipality consultation to establish community response to the use of CCTV for police surveillance recognising the use of Council assets and resources in doing so.