



CLOSED CIRCUIT TELEVISION (CCTV) POLICY

1. POLICY PURPOSE

McKinlay Shire Council (“**Council**”) owns closed circuit television (“**CCTV**”) facilities in its local government area, in order to enhance community safety, protect assets and infrastructure, and support law enforcement.

Council is committed to ensuring that the use of CCTV systems is conducted in a lawful, ethical and transparent manner, while balancing community safety with the protection of individual privacy.

This Policy:

- a) Sets out the lawful purposes for which CCTV facilities may be installed and CCTV footage collected;
- b) Sets out how CCTV facilities and footage may be accessed;
- c) Summarises the ways in which CCTV footage may be collected, used, disclosed, stored and disposed of; and
- d) Summarises the process for resolving complaints about the installation and use of Council’s CCTV systems.

2. SCOPE

This policy applies to closed circuit television (CCTV) systems owned and operated by McKinlay Shire Council and to all Council employees, and authorised persons involved in the operation, access, management or oversight of these systems.

3. PRINCIPLES

Council's CCTV operations are guided by the following principles:

- **Privacy protection** – CCTV will only be used where necessary and proportionate, with appropriate safeguards to protect personal information
- **Transparency** – The community will be informed about CCTV locations and purposes through clear signage and public information
- **Lawful operation** – All CCTV systems will comply with applicable legislation including privacy, human rights, and public records requirements
- **Evidence-based deployment** – New CCTV installations will be assessed using a consistent framework that considers necessity, effectiveness, and alternatives.
- **Accountability** – Clear responsibilities, access controls, and audit trails will ensure proper management of CCTV systems and footage

Date of Approval: 18 August 2026
Approved By: Council Resolution 054/2627

Effective Date: 18/08/2026
Version: 3.0
Review Date: August 2029

4. POLICY STATEMENT

4.1.1. Lawful Purposes

- i. Under the *Local Government Act 2009* (“**LGA**”), Council has a broad power to do anything it considers necessary for the good rule and government of its local government area.
- ii. Where CCTV footage may contain personal information, Council must collect that footage for a lawful purpose in compliance with the *Information Privacy Act 2009* (“**IP Act**”) and the Information Privacy Principles (“**IPPs**”), which are contained in the IP Act.
- iii. The lawful purposes for which Council may collect CCTV footage include:
 - a. to monitor and assist in the enforcement of Council’s local laws and other legislation in respect of which Council has jurisdiction;
 - b. to assist law enforcement agencies such as the Queensland Police Service in obtaining evidence and prosecuting offences;
 - c. to enhance the safety and security of Council staff, the community generally and Council assets.
 - d. to deter and assist in the investigation of anti-social behaviour, suspicious activity and unlawful conduct in public spaces and Council property;
 - e. to assist Council in internal investigations relating to safety incidents, misconduct or other workplace matters.
 - f. to support the protection of individuals, reduce the risk of harm, and promote confidence in the safety and security of public spaces managed by Council.
- iv. CCTV does not absolutely prevent crime or anti-social behaviour but can reduce the incidence of opportunistic anti-social behaviour and may provide forensic evidence when such events occur. Data from council’s CCTV system may be shared with the Queensland Police Service (QPS) and other authorised agencies where permitted by law and in accordance with applicable privacy and information management requirements.
- v. Council will not collect CCTV footage for unlawful or unfair purposes. Examples of unlawful or unfair purposes may include:

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- a. where the collection is not for a lawful purpose;
 - b. where the collection unduly infringes on an individual's right to privacy, and is in contravention of the IP Act;
 - c. where the CCTV installation monitors private property, without the permission of the occupier of that property.
- vi. Council will, where practicable and appropriate, install signs [\(Appendix 1 - Sample Signage\)](#) within the vicinity of a CCTV installation to disclose the existence of the installation. Signs may not be installed where Council considers it appropriate to obtain CCTV footage covertly.
- vii. Council will ensure that any installation of CCTV facilities in its local government area is for a lawful purpose.

4.1.2. Access to CCTV Installations and Footage

- i. Access to CCTV recordings are restricted and carefully controlled. This ensures that individuals' rights are preserved, and the continuity of evidence remains intact should copies of the footage or images be required for evidential purposes under the Evidence Act 1977.
- ii. Only the following entities are authorised to access Council's CCTV installations and CCTV footage:
 - (a) an Authorised Person of Council, who may be one of the following:
 - i) the Chief Executive Officer; or
 - ii) a person authorised in writing by the Chief Executive Officer.
 - (b) a person or entity that is authorised by an Authorised Person. This may include a contractor engaged to operate and manage the CCTV facilities;
 - (c) another person or entity authorised to access the information under the IP Act and the IPPs, for example a law enforcement agency such as the Queensland Police Service.
 - (d) A CCTV – Footage Release Request Form [\(Appendix 2\)](#) is to be completing by any applicant wishing to access CCTV footage. The application is to be approved by the CEO.

- iii. Access to CCTV installations and CCTV footage will only be permitted by Council if that access is lawful under the IP Act and the IPPs.
- iv. Council must maintain a register of all CCTV systems and cameras in operation ([Appendix 3](#)).
- v. Requests for footage from individuals or organisations that are not law enforcement agencies must be processed under the [Right to Information Act 2009 or Information Privacy Act 2009 Access Application](#). Where footage shows only the applicant and no other identifiable persons, Council may release footage administratively without a formal application. Where other identifiable persons appear in the footage, a formal application is required.

4.1.3. Retention and Disposal of CCTV Footage

- i. Downloaded CCTV footage obtained by Council is a “public record” under the Public Records Act 2002 (“PRA”).
- ii. Council, as a public authority under the PRA, must ensure that the CCTV footage is kept in accordance with the PRA.
- iii. The General Retention and Disposal Schedule (“[GRDS](#)”) prepared by Queensland State Archives under the PRA specifies the relevant timeframes for keeping public records before they can be lawfully destroyed.
- iv. Council will retain downloaded CCTV footage for at least as long as the time specified by the GRDS. After that time has elapsed, Council will dispose of the CCTV footage in accordance with the PRA in its discretion.
- v. Council CCTV footage is temporarily stored within Council's cloud-based CCTV system which has a storage capacity of 53 TB . Footage is retained until the available storage capacity is reached, at which time the oldest footage is automatically overwritten. Based on the current system configuration, CCTV footage is typically retained for approximately 1 month depending on recording activity and storage usage.

4.1.4. Data Security and Breach Notification

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Council will protect CCTV footage from misuse, interference, loss, and unauthorised access, modification, or disclosure by storing recordings within a secure system with appropriate access controls. Access to CCTV footage is restricted to authorised officers only. Password protection, encryption (where technically feasible), and audit logging are used to monitor and control access to the system. The CCTV platform maintains audit logs of significant user and system activities, providing an auditable record of access and actions undertaken within the system.

In the event of a data breach involving CCTV footage (including unauthorised access, loss, theft, or disclosure), Council's Mandatory Notification of Data Breach procedures under Chapter 3A of the Information Privacy Act 2009 will apply.

The Chief Executive Officer must be immediately notified of any suspected breach.

4.1.5 Dealing with Complaints about CCTV Systems

- i. In the first instance, the Chief Executive Officer will deal with complaints about Council's CCTV systems, including any complaints about unauthorised disclosures in accordance with Council's Complaint Managements Policy.
- ii. Council's Chief Executive Officer may delegate authority to deal with complaints to another officer of Council, or may refer the complaint to an appropriate third party organisation (for example, the Office of the Information Commissioner).

5. RESPONSIBILITIES

5.1. Council is responsible for:

- Adopting and reviewing this policy
- Approving significant CCTV installations through the Ordinary Meeting process
- Ensuring adequate budget allocation for CCTV operations

5.2 The Chief Executive Officer is responsible for:

- Authorising access to CCTV footage and delegating authority to other authorised personnel where appropriate.
- Responding to requests for CCTV footage in accordance with this Policy and relevant legislation, including the Information Privacy Act 2009 and the Right to Information Act 2009.
- Protecting the confidentiality, security and integrity of CCTV footage.
- Ensuring Council's overall compliance with this Policy.

5.3 The Director Corporate and Community Services

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- Leading the implementation, administration and periodic review of this Policy.
- Supporting compliance with CCTV-related legislative and operational requirements.
- Maintaining associated records, registers and administrative processes.

5.4 Employees are responsible for:

- Complying with this Policy and all applicable legislation

6 RELEVANT LEGISLATION

This Policy has been prepared by reference to, and should be read along with:

- Council's Code of Conduct;
- Council's Complaints Management Policy;
- Council's Information Privacy Policy;
- the *Local Government Act 2009* and *Local Government Regulation 2012*;
- the *Information Privacy Act 2009* and the Information Privacy Principles.
- Human Rights Act 2019 (Qld) – Section 25 (Privacy and reputation)
- Criminal Code Act 1899 (Qld) – Section 227A (Observations or recordings in breach of privacy)
- Public Records Act 2002 (Qld)
- Right to Information Act 2009 (Qld)
- Evidence Act 1977 (Qld)

7 RELATED POLICIES

- Council's Code of Conduct;
- Council's Complaints Management Policy;
- Council's Information Privacy Policy;

8 DEFINITIONS

Access - the act of viewing or requesting copies of surveillance cameras footage/images.

Antisocial Behaviour - riotous, disorderly, offensive, threatening or insulting behaviour.

Footage - Recorded video content captured by CCTV systems.

Law Enforcement Agency - Means any of the following:

- Queensland Police Service (QPS);
- A police force or police service of another State or a Territory;

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- c) The Australian Federal Police;
- d) The Police Integrity Commission;
- e) The Australian Crime Commission;
- f) The Department of Corrective Services;
- g) The Department of Juvenile Justice;
- h) Any other authority or person responsible for the enforcement of the criminal laws of the Commonwealth or of the State;
- i) A person or body prescribed for the purposes of this definition by regulations.

Public Space - Any place to which the public has access as of right or by invitation, whether express or implied and whether or not a charge is made for admission to the place. The public space can include, but is not limited to, public streets, public parks, public halls, museums, galleries, aquatic centres, sports grounds, and libraries.

Secure Area - A location where personal information is protected against loss, misuse and unauthorised access, use and disclosure.

9 AUTHORISATION

This policy was duly adopted by Council as McKinlay Shire Council Closed Circuit Television (CCTV) Policy on 18 August 2026 and shall hereby supersede any previous policies of the same intent.

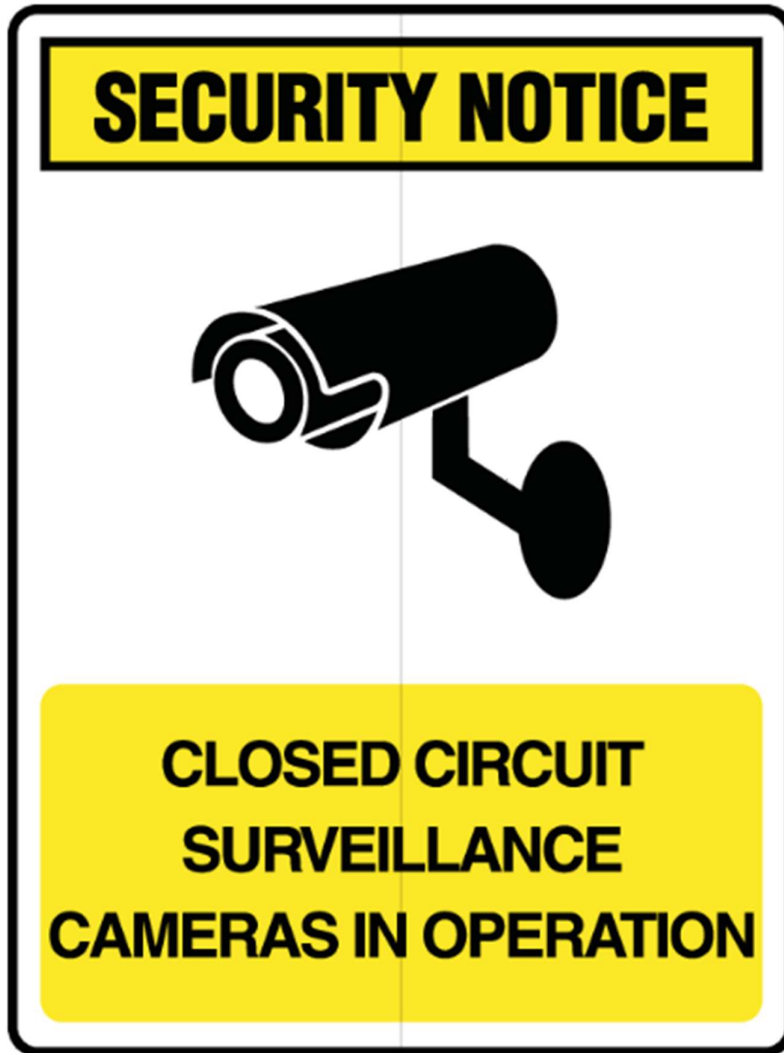
10 REVISION HISTORY

Version	Adopted Date	Policy Title	Responsible Officer	Authorised By	Next Review Date
1	16 July 2019	Closed Circuit Television (CCTV) Policy		Council Resolution	1 July 2020
2	16 August 2022	Closed Circuit Television (CCTV) Policy		Council Resolution	1 August 2025
3	18 August 2026	Closed Circuit Television (CCTV) Policy		Council Resolution	1 August 2029

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Appendix 1 - Sample Signage



Appendix 2 - CCTV – Footage Release Request Form

		McKinlay Shire Council Send completed form to : E: reception@mckinlay.qld.gov.au P.O. Box 177, Julia Creek Qld 4823 P: (07) 4746 7166	
		CCTV – Footage Release Request Form	
		Council is collecting your personal information (e.g. name, address, phone number etc), for the purposes as outlined on this form. This information will only be accessed by authorised Council officers and will be handled in accordance with Council's Privacy Statement governed by the Information Privacy Act 2009	
1. APPLICANT DETAILS			
Applicant Name:			
Postal Address:			
Phone/Mobile:		Email Address:	
2. REQUESTED FOOTAGE			
Camera Location:			
Times Required: Between _____ and _____		Date/s:	
Other information deemed relevant which may assist :			
3. RELEASE OF FOOTAGE/INCIDENT DETAILS			
The release of personal information is permitted under the following section of the Information Privacy Act 2009 (IP Act), Schedule 3 Information Privacy Principle, IPP 6, IPP 10 or IPP 11. Council has the right to refuse release of footage in the following circumstances: • The agency is authorised or required under an access law to refuse to give the access to the individual; • The personal information is expressly excluded from the operation of an access law; • On balance it is contrary to the public interest to give the access; or • Other individuals' personal information is also contained, unless the third-party individual is being depicted as being engaged in unlawful or anti-social conduct and the release of the record may assist in identifying the individual.			
Provide Details of the incident and/or purpose of obtaining the footage: (e.g. identify vehicle from collision):			
Provide Details of any third party you may be required to share footage to: (e.g. Insurance Agency):			
4. APPLICANTS DECLARATION			
I declare that the information provided within this form is complete and correct. I understand that footage will only be provided if it is located by Council or QPS based on the above information that I have provided and if the application satisfies the release criteria. I will provide a blank USB if the actual incident is found and will collect the footage in person. I acknowledge this will require presentation of Proof of ID prior to footage being provided.			
Sign:		Date:	
5. AUTHORISATION (Internal use only)			
Date requested received:		Received by:	
Approved for release: Yes / No		Applicable QPP:	
Name of authorising officer :			
Signature:		Date :	
Additional Information: The information in this request form must be sufficient to satisfy the provisions of the IP Act and enable Council to make an informed decision to release the information. In the event Council is not satisfied with this application, or the contents of the relevant footage do not satisfy the provisions of the Act, the release of footage will not be granted. In the event the Applicant is not satisfied with this response a further application can be made through the Right for Information Process, details of which can be obtained at https://www.mckinlay.qld.gov.au/About-Council/Right-to-information			

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Appendix 3 - Location of CCTV cameras

Town	Facility	Coverage	Category
Julia Creek	Main Street	From school pedestrian crossing through to intersection of Burke & Quarrel streets	Public Space
Julia Creek	Daren Ginns Centre (Gym)	Facility inside and outside	Council Facility
Julia Creek	Community Children's Services Hub	Within the facility	Council Facility
Julia Creek	Julia Creek Refuse Facility	Facility area	Council Facility
Julia Creek	Livestock Facility	The yards	Council Facility
Julia Creek	Truck Washdown Facility	Facility area	Council Facility

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