

## 6.5 Safe City Camera Policy

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### Executive Summary

1. The purpose of this report is for the Future Melbourne Committee (FMC) to endorse the final Safe City Camera Program (SCCP) Policy (final Policy).
2. Community engagement was undertaken with feedback was sought via Participate Melbourne on the draft SCCP Policy between 8 October 2025 and 29 October 2025. We received 2158 submissions, which included 1388 survey responses, 770 free text submissions and seven documents were uploaded.
3. Changes have been made to the policy to reflect arrangements for non-Council owned cameras being monitored through the SCCP, adding additional information included in the Privacy Impact Assessment into the policy and minor editorial changes.
4. A phased implementation approach for the new policy is proposed to allow important transitional activities to be undertaken which aim to enhance the governance, oversight and accountability of the SCCP, ensure appropriate safeguards for privacy are in place, to mitigate the risk of disproportionate impact on vulnerable groups and to increase transparency and community awareness about the SCCP.

### Recommendation from management

5. That the Future Melbourne Committee resolves to
  - 5.1. Endorse the Safe City Camera Program Policy (Attachment 4 of the report from management) and direct that it be annexed to the minutes.
  - 5.2. Authorise the General Manager Infrastructure and Amenity to make any further minor editorial changes prior to publications.

**Purpose**

6. The purpose of this report is to seek endorsement of the Safe City Camera Program Policy.

**Background**

7. At the 6 May 2025 meeting of the Future Melbourne Committee it resolved:
  - 7.1. That the Future Melbourne Committee:
    - 7.1.1. Notes the resolution of Council dated 30 May 2023 relating to the Safe City Camera Program.
    - 7.1.2. Resolves to allocate new capital expenditure to upgrade the existing Safe City Camera Program, and the purchase and installation of new cameras to expand the network and refers this expenditure to the 2025/26 draft Budget.
    - 7.1.3. Requests City of Melbourne management undertakes a review of the Safe City Camera Program policies and manual which will include consulting with the SCCP Audit Committee, Victoria Police and similar stakeholders involved in advising the program at its inception and in the 2010 policy review, to consider:
      - 7.1.3.1. permitting the use of camera footage by Council authorised officers for the investigation and enforcement of incidents involving:
      - 7.1.3.2. damage to public or private property and infrastructure
      - 7.1.3.3. defacement or destruction of the natural environment
      - 7.1.3.4. acts of public nuisance, and
      - 7.1.3.5. other enforcement issues that result in costs to the organisation and ratepayers.
    - 7.1.4. Requests City of Melbourne management review options regarding the use of video analytics to enhance the effectiveness of the Safe City Camera Program.
  - 7.2. Requests management seek expert assistance in assessing whether the above proposals are reasonable and consistent with the Victorian Charter of Human Rights and Responsibilities and include this assessment in its report to Council.
  - 7.3. Requests Management prepare a report to Council on the outcomes of the review by July 2025.
8. Subsequently, at the 29 July 2025 meeting of Council a report outlining a phased program of delivery was considered by council. At this meeting, Council resolved:
  - 8.1. That Council:
    - 8.1.1. Note the update provided on the review of the SCCP Manual and that a draft SCCP Policy will be prepared for the Future Melbourne Committee's endorsement on 16 September 2025.
    - 8.1.2. Note that a broader update on the SCCP program of work will be provided to the Future Melbourne Committee on 16 September 2025.
    - 8.1.3. Note that should the Future Melbourne Committee endorse the draft SCCP Policy, a community engagement process will be undertaken.

- 8.1.4. Note that following community engagement, the final SCCP Policy will be considered at the Future Melbourne Committee's 18 November 2025 meeting for endorsement.
9. This report noted that in 2018 the Victorian Auditor General's Office (VAGO) conducted an audit titled *Security and Privacy of Surveillance Technologies in Public Places*, which examined several Victorian councils including CoM's use of CCTV surveillance systems. VAGO made nine recommendations relevant to the CoM all of which were accepted. By 2020 all recommendations relevant to the CoM had been implemented, which was validated by the SCCP Audit Committee in 2020.
10. At its 7 October 2025 meeting, the Future Melbourne Committee considered a report and draft policy, resolving to:
- 10.1. Endorse the draft Safe City Camera Policy for commencement of a 3-week period of community engagement commencing on 8 October 2025 to 29 October 2025 and direct that it be annexed to the minutes; subject to the following amendments:
- 10.1.1. Under the safe city cameras program policy, remove the list of purposes on page 3 in which Council uses the SCCP to enforce laws against and replace with:
- 10.1.2. The purposes of the SSCP are to:
- 10.1.3. Assist Victoria Police to identify, detect, and respond to crime;
- 10.1.4. Assist in emergency response;
- 10.1.5. Assist Council to identify and respond to damage to public or private property and infrastructure, defacement or destruction of the natural environment, acts of public nuisance, and other breaches of local laws leading to costs to ratepayers; and
- 10.1.6. Enforce Council Local Laws and regulations
- 10.2. Authorise the General Manager Infrastructure and Amenity to make these and any further minor editorial changes prior to publication.
- 10.3. Note the final Policy will be included in a report back to Council on 9 December 2025 and if endorsed published on Councils website.

## **Key considerations**

### **Community engagement**

11. Community engagement on the draft SCCP Policy was conducted between 8 October – 29 October 2025 and involved a Participate Melbourne page, engagement survey, pop-ups at community events and targeted outreach to stakeholders and community groups.
12. The community engagement was promoted by Council through several channels including direct emails, Councils website, the Neighbourhood Portal, in community groups, through newsletters and through Councils social media.
13. The engagement survey identified several areas of common concern including surveillance, privacy, data protection including concerns with artificial intelligence, use during protests, risks related to inappropriate use and function creep and the potential impact on vulnerable people.
14. The engagement survey also highlighted where people saw benefits including through improving the presentation of the city, safety including road and pedestrian safety, addressing waste management and environmental issues and providing more accountability for people breaching local laws

15. Issues with particular relevance to the proposed expansion identified through community engagement identified sentiment that local law issues did not justify the privacy intrusion and support for preventative measures such as education and awareness campaigns or alternative reporting pathways like Snap Send Solve.
16. Further community engagement will be undertaken in later stages of the Program of Work.
17. A summary report of the community feedback has been attached for information.

### **Revisions to the draft Policy**

18. Revisions to the draft Policy include:
  - 18.1. Enabling Council authorised officers to apply to view or obtain footage from the SCCP.
  - 18.2. Reflecting instances where non-Council owned cameras may be monitored via the SCCP.
  - 18.3. Including additional information from the Privacy Impact Assessment in the Policy.
  - 18.4. Including references to related documents including Councils Privacy and Complaints policies as well as related legislation.
  - 18.5. Adding a standard review period of two years, or sooner where a material change is proposed to the Policy purpose.
19. Refining language and minor editorial changes.

### **Implementation considerations**

20. Should FMC endorse a final policy, several actions will be undertaken as part of implementation including:
  - 20.1. **Governance, oversight and accountability:** Reviewing and refreshing the governance and oversight mechanisms in place for the SCCP including the SCCP Audit Committee and its membership, requesting that the SCCP Audit Committee monitor and report on the expanded policy settings including performance data and publishing the SCCP Audit Committee's Terms of Reference.
  - 20.2. **Notification:** Reviewing existing public signage and considering what additional steps Council could take to notify individuals when they enter an area that the SCCP operates in.
  - 20.3. **Information sharing:** Establishing a secure procedure for Council authorised officers to request and be provided with SCCP recorded material including a supervisor approval process, protocols to ensure the minimum required recorded material is provided, guardrails for the identification of individuals and a mechanism for review where individuals may have been mis-identified.
  - 20.4. **Training:** Developing and delivering training for staff on the new policy settings and procedures, refreshing existing training relating to privacy and exploring additional training in the areas of child safety, human rights and discrimination.
  - 20.5. **Role-based guidance:** Reviewing and updating standard operating procedures to reflect that the SCCP will not be monitored in real time for local laws issues, emphasising the continued primary reliance on patrols and in person engagement, with the SCCP recorded material treated as supplementary and to provide guidance on the management of SCCP recorded material by Council authorised officers.
  - 20.6. **Transparency and communication:** Developing a communications plan to support the new policy settings which will include updating Councils website, providing additional information to address issues raised during community engagement including data security and information protection, internal audit controls, clarifying issues that are in and out of scope for Councils use of the SCCP,

promoting the preventative approach that Council takes to issues address issues beyond local law compliance and publishing the Privacy, Human Rights and Gender Impact Assessments conducted on the draft Policy.

- 20.7. **Safeguards:** Working with internal stakeholders across Council to ensure that vulnerable groups are not disproportionately impacted by the SCCP.
- 20.8. **Monitoring and evaluation:** Subject to endorsement of a final Policy an evaluation and report back to Council will be prepared no later than 12 months from when the Policy commences to ensure it is meeting its intended purpose and not having any unintended consequences;
21. Management will also request that the SCCP Audit Committee reports on the use of the SCCP under the expanded purpose within its annual reporting process and from 2026 Council members will be provided with this report via a briefing note following consideration by Council's Audit and Risk Committee.
22. The new policy settings will not come into effect until the above actions have been completed which management estimates will occur within 3 – 6 months from the policy being endorsed.
23. It is proposed to roll the policy out gradually in a controlled way, adapting the implementation as required.

### **Legal**

24. Council engaged Maddocks to advise on the development of the SCCP Policy.

### **Finance**

25. The 2025-26 Budget allocates \$2.07m for the upgrade and expansion of the SCCP. The works associated with the policy development and implementation and associated network works have been accommodated with the allocated budget.

### **Conflict of interest**

26. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

### **Charter of Human Rights and Responsibilities**

27. Council engaged Maddocks to undertake a Charter of Human Rights Compatibility Assessment on the final draft SCCP Policy. The Charter of Human Rights Compatibility Assessment is attached to this report.

### **Health and Safety**

28. Work Environment: enabling Council authorised officers to utilise SCCP footage in investigations is expected to positively impact occupational health and safety risks which can arise from conducting investigations.
29. Community Health and Safety: Strengthening Councils ability to identify and respond to breaches of its local laws is anticipated to improve responses to amenity and environmental issues which impact the quality of life of residents and visitors to the municipality.

### **Consultation**

30. Key stakeholders were also invited to participate in the engagement, with some key stakeholders also invited to meet with Council officers.

31. In recognition of Liberty Victoria unavailability to participate in the consultation process, Council officers invited the Human Rights Law Centre to participate, however we did not receive a response.
32. Seven document submissions were uploaded to Participate Melbourne during the engagement period and raised issues including:
  - 32.1. The experiences of children and young people and measures Council could consider avoiding impacting this cohort.
  - 32.2. Concerns about surveillance and privacy including artificial intelligence, the risk of misuse and function creep, governance and accountability measures, concerns about use during protests, the cost/benefit of expenditure on CCTV, data protection, that the proposal to utilise CCTV is not proportionate to the issues and third-party contractor risks.
  - 32.3. Examples of experiences of the issues in scope for the policy including waste and noise management issues.

### **Relevance to Council Plan and Council Policies**

33. This action is delivered in line with Health and Wellbeing plan activity: *“Strengthen community safety by expanding visible safety presence and investing in safety infrastructure and cleaning”*

### **Social and environmental impacts**

#### **Social Impacts**

34. Public space CCTV can have both positive and negative social impacts. It can enhance public safety, provide valuable evidence for investigations and assisting to coordinate during emergencies. However, public space CCTV may also give rise to concerns about privacy and the impact of increased surveillance.
35. The new issues in scope for the final policy, being Councils local laws and regulations, provide for issues like the protection and conservation of the natural environment, the protection of public places and certain behaviours within them and the promotion of a physical and social environment in which residents of and visitors to the municipality can enjoy a quality of life that meets the general expectations of the community.
36. Council strives to achieve a balance between the objectives of the policy and community concerns regarding privacy by ensuring appropriate governance, accountability and oversight mechanisms and safeguards are in place for the operation of the SCCP.

#### **Gender Impact Assessment**

37. A Gender Impact Assessment has been undertaken and recommendations from this will be implemented into the Program of Work. The Gender Impact Assessment is attached to this report

#### **Environmental impacts**

38. Improving Councils ability to monitor compliance with its Environment Management Plan through the Environment Local Law is anticipated to assist in responding to issues which negatively impact the environment like waste management and disposal, burning of material in the open and open fires and the generation of offensive odours and fumes.
39. Further work is being undertaken to explore the environmental impact of the SCCP.

#### **Attachment List**

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1. Gender Impact Assessment [**6.5.2** - 6 pages]
2. Human Rights Impact Assessment [**6.5.3** - 12 pages]
3. Community Engagement Report [**6.5.4** - 25 pages]
4. Draft Safe City Camera Policy [**6.5.5** - 6 pages]

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**Creating equal opportunities for people of all genders in the community**

**Part one. Initiative**

Briefly describe the initiative (program, policy, service) background and approach.  
Is the initiative new or under review?

**Background to this Gender Impact Assessment**

This Gender Impact Assessment has been prepared in respect of the City of Melbourne's Safe City Cameras Program (**Existing Program**), and specifically in respect of the proposed changes to expand its scope to the investigation and enforcement of local laws and regulations (**Expanded Program**). The Existing Program involves a network of over 300 cameras around the City of Melbourne being used to detect and deter criminal activity and to support emergency management. The Expanded Program as outlined in the draft Safe City Camera Policy would permit footage from these cameras to be used to assist Council to investigate matters relating to Council local laws and regulations.

**Safe City Camera Program**

Council's Safe City Cameras Program (SCCP) was established by a resolution of Council in December 1995, with the initial cameras operational by February 1997. The purpose of the cameras has been, since the inception of the Program, to "aid detection of crime, aid identification and apprehension of offenders, and assist emergency response".

On 6 May 2025, the Future Melbourne Committee passed a resolution requesting Council Management undertake a review of the SCCP to consider expanding the SCCP to permit the use of camera footage by Council authorised officers for the investigation and enforcement of incidents involving: damage to public or private property and infrastructure; defacement or destruction of the natural environment; acts of public nuisance; and other enforcement issues that result in costs to the organisation and ratepayers. At its 7 October 2025 meeting, the Future Melbourne Committee resolved that all council Local Laws and regulations should be in scope for the draft Safe City Camera Program Policy (the Policy).

The purpose of the Existing Program is to assist Victoria Police to identify, detect, and respond to crime and to assist in emergency response. The Expanded Program retains this purpose, but also includes an aim to assist Council to identify, respond and enforce Councils local laws and regulations (henceforth referred to as local laws). The Expanded Program addresses the expectation that City of Melbourne, as a Council, must "ensure the peace, order and good government" of its municipal district.<sup>1</sup>

**Part two. Issues**

Start thinking about gendered issues right from the beginning.

When you start planning consider:

- Possible differences in impacts on people of different genders. Speak with a diverse group of people in your workplace about gender issues.
- Consider intersectionality – the influence of age, ability, indigenous status, culture, religion, sexual orientation, which can expose people to overlapping forms of discrimination and disadvantage.
- Important topics include the needs, preference, perceptions and experiences of women, men and gender diverse people, as well as differences in access owing to cost, transport, safety, child- care etc.
- What evidence might be required to investigate further?

**Who is affected by the policy? Who could be missing out?**

On one view, under the draft Policy the range of 'affected people' has only expanded insofar as it now includes those who have breached or are being investigated for breaching Councils local laws. However, an alternative view is that anyone who passes through the City of Melbourne within view of a Safe City Camera is affected by the Expanded Program which includes residents, workers, students, visitors and businesses, traders and service providers in the municipality, specifically where Safe City Cameras are in operation. The fact that one's movements and day-to-day activities, whether in breach of law or not, may be recorded and viewed constitutes an imposition on the right to privacy. In this way, all people who pass these cameras are affected to a degree by the Existing and Expanded Programs. The human rights implications for this proposal are explored in more detail in the Charter of Human Rights Impact Assessment. The privacy implications for this program are explored in more detail in the Privacy Impact Assessment conducted for the draft SCCP Policy.

<sup>1</sup> Local Government Act 1989 (Vic) s 1(1); Local Government Act 2020 (Vic) s 1.



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In the context of the expanded program, which aims to assist Council to investigate breaches of its local laws and regulations, people who could be missing out could be people who are impacted by these sorts of issues that Council have been unable to take action against due to a lack of evidence which could be mitigated through the expanded purpose. Another way to consider who may be missing out could be to consider where the Safe City Cameras are located within the municipality, being highly concentrated within the Central Business District and extending out to Carlton, Docklands and South Bank. In this sense, areas of the municipality where there is not currently Safe City Cameras could be considered as missing out.

*Are there possible differences in impacts on people of different genders may this policy have?*

The Expanded Program is decidedly indiscriminate in its application. People of all genders (including individuals identifying as non-binary) will be viewed and recorded in the same way and at the same rate. While the expanded purpose does not target any individual or group there are certain groups who may come into more frequent contact with the Safe City Cameras including people who live in the city, including people experiencing homelessness and people who work in the city or are otherwise frequent visitors to the city. However, as the Expanded Program exists in the public realm, we have considered the experiences of people of different genders and from an intersectional perspective in this context further in **Part Three**.

**Part three. Evidence and analysis**

Learn about the differences between women, men and gender diverse people in their needs, preferences, circumstances and access to the initiative. Sources could include:

- a) Internal data – existing
  - Discussions with residents, advisory committees, community reps or service providers
  - Surveys
  - Existing staff knowledge
  - Service usage among people or communities targeted by the initiative.
- b) Desktop research
  - Information about broad social conditions
  - Benchmarking
  - Implications for staff in the initiative

c) Meaningful consultation with community and stakeholders – New

Important note: Disaggregation of research and data by gender will provide the best possible information.

What is the evidence telling you?

- Who is getting a service/access/benefit and who is missing out?
- Is the initiative perpetuating existing stereotypes and inequalities?

**a) Internal data**

*Service usage or communities affected by the initiative*

High-level data about the existing program is published in annual reports prepared by the Safe City Camera Program Audit Committee. For example, during the 2023-24 annual reporting period, the SCCP recorded a total of 5,905 incidents, down from 5,986 in the same period in 2022-3. <sup>2</sup>

The Safe City Camera Program does not currently collect data about gender in a way which is able to be analysed.

*City of Melbourne demographic data*

The municipality's demographics provide a general overview of who is getting access to or is impacted by the expanded program. The City of Melbourne Council Plan 2025 – 2029 reflects that across the municipality there are:

- 189, 000+ residents
- 55% born overseas from more than 160 countries
- 0.5% Aboriginal and Torres Strait Islander population

<sup>2</sup> SCCP Audit Committee Annual Report 2023-24

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24% students  
44, 700 businesses  
Median age of 30  
46% speak a language other than English at home<sup>3</sup>.

In 2021, 44,119 females who were living in the City of Melbourne were employed, of which 52.7% were working full time and 39.8% part time. By comparison 46,232 males who were living in the City of Melbourne were employed, of which 64.4% were working full time and 29.3% part time. <sup>4</sup> In 2021, 60.8% and 64.1% of females in the City of Melbourne had a tertiary qualification. In the City of Melbourne, 12.7% of females earned \$2,000 or more per week with 20.7% of males earning \$2,000 or more per week. Analysis of the female individual income levels in the City of Melbourne in 2021 compared to City of Melbourne - Total population shows that there was a lower proportion earning a high income (those earning \$2,000 per week or more) and a higher proportion of low income persons (those earning less than \$500 per week). <sup>5</sup>

*Local Law investigation data*

In 2024, the top five reasons that City of Melbourne Local Laws Officers undertook investigations were for:

- graffiti investigations
- investigations into illegally dumped rubbish (including in parks and gardens)
- rapid response collections for illegally dumped rubbish
- investigations into public behaviour (including construction operations without a permit, skateboarding and e-scooters, illegal fundraising and defacement of public property)
- investigations into business compliance (including street trading, touting and handbilling without a permit)

Currently the City of Melbourne does not routinely collect demographic information relating to the individuals or organisations being issued with infringement notices.

**b) Desktop research**

Desktop research into issues covered by Councils local laws provide some further insights. While this report draws on a range of publicly available information, it does not capture all existing research or issues related to the draft SCCP Policy. For example:

- Research indicates there are gendered differences in **waste management** workforce demographics:
  - Data from the UK indicates that waste management is a male dominated industry<sup>6</sup> which, if the same demographic factors existed in the City of Melbourne, this could mean that male waste management employees may be more likely to receive an infringement for incorrect waste management practices.
  - Information published by the Australian Government highlights that 59% of commercial cleaners are women<sup>7</sup>, which could mean that a women working as a commercial cleaner in the municipality may be more likely to incur an infringement notice for the unlawful deposit of waste by a business or the unauthorised discharge in a public place.
- In relation to **construction or road management** related breaches, publicly available data indicates that these are male dominated fields so its possible that men could be more likely to receive an infringement notice for an offence in this context. <sup>8</sup>
- In relation to **graffiti**:
  - **Graffiti offenders**: the NSW Bureau of Crime Statistics advises that data available from police, while limited, suggests that graffiti offenders tend to be young males<sup>9</sup> which is supported by the Australian Institute of Criminology, however this research also identifies young females in certain age groups may engage in different styles of graffiti more than men. <sup>10</sup>
  - **Public space and graffiti removal**: research conducted in London examined the effect of three urban design interventions relating to: public toilets, removing solid walls (to improve visibility) and graffiti removal on people's perceptions of safety. This research found that graffiti removal had a positive impact on women's perceived safety but not men. It should be noted that this research was undertaken on graffiti in the form of tagging which this research

<sup>3</sup> City of Melbourne Council Plan 2025-2029.

<sup>4</sup> Sexes - Employment status | City of Melbourne | Community profile

<sup>5</sup> Sexes - Individual income | City of Melbourne | Community profile

<sup>6</sup> Women in Waste: A Smart Career Choice - Biffa

<sup>7</sup> Commercial Cleaners | Jobs and Skills Australia

<sup>8</sup> 8 Women in Construction Statistics in Australia: Updated in 2025 | House Grail

<sup>9</sup> Recent trends in recorded incidents of graffiti in New South Wales 1996-2005

<sup>10</sup> Key issues in graffiti | Australian Institute of Criminology

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identifies as the least popular form of graffiti and other graffiti typologies such as murals may not be considered in the same way.<sup>11</sup>

- Groups subject to offensive graffiti: Another way to consider the impact of graffiti is to consider the issue of offensive graffiti, such as that depicting homophobic<sup>12</sup>, racist<sup>13</sup> or anti-Semitic sentiment<sup>14</sup>, both of which have occurred recently in both the municipality and neighbouring Local Government Areas. It is reasonable to assume that the groups subject to this graffiti are more likely to be impacted by it and therefore could benefit from measures to strengthen controls around graffiti management. Whether these groups would support CCTV being utilised as part of these measures is a separate issue.
- In relation to **busking**, internal consultation within the City of Melbourne indicated that data around the demographics of buskers within the municipality is not captured. A 2017 report by Music Victoria surveyed musicians in Melbourne and found that 60% identified as male and 40% as female, though this was for the broader music industry and not specific to busking.<sup>15</sup>

Gendered differences in the perception of public spaces and the use of CCTV

Through desktop research we have explored the experiences and perspectives of women and gender diverse people in public spaces including those where CCTV is used as a security measure. Some of this research has been conducted overseas and some has been conducted locally to Australia. While this report draws on a range of publicly available information, it does not purport to capture all existing research or issues related to the topic.

The Department of Justice and Community Safety (Vic) summarises different experiences in public spaces based on gender, sex and sexuality and notes findings that overlapping combinations of identities such as age, race, culture, gender, location or religion have been found to increase vulnerability and discrimination in the experience of cities/urban environments.<sup>16</sup> The Municipal Association of Victoria highlights work undertaken by the Making Safer Places Project which worked with groups of women to produce safety audits on local parks, and identifies that the presence of CCTV made women feel that an area was unsafe.<sup>17</sup> Research conducted by the XYX Lab found that CCTV can negatively impact women's perceptions of safety, identifying that CCTV cameras can make women feel hypervigilant and lead to modified behaviour such as leaving an area quickly.<sup>18</sup>

*Experiences of marginalised groups on public spaces and security measures*

Research conducted by ARUP and the University of Westminster found that LGBTIQ+ peoples experiences within public spaces lead to "nuanced" perceptions of safety and security, with measures like active surveillance making some people feel like spaces were inclusive and others feel like spaces were non-inclusive, unsafe and unwelcoming. Data collected by this study found that transgender, non-binary & gender fluid participants preferred spaces with active surveillance the most, while heterosexual women have much less preference for active surveillance.<sup>19</sup> YourGround found that minoritised groups including LGBTIQ+, gender-diverse people, people with a disability, migrants and refugees all valued public spaces that were well maintained.<sup>20</sup>

*City of Melbourne Pride Network*

Engagement with the City of Melbourne Pride Network identified stakeholder organisations who could be consulted to inform our understanding of the impact on the LGBTIQ+ community and a number of these stakeholders were notified of the community engagement process and invited to participate.

Implications for staff

One benefit of the expanded purpose relates to the occupational health and safety of staff involved in local law investigations. Safety concerns can arise from rostering officers onto overnight shifts to monitor after hours compliance and through the risk of occupational violence for staff engaging with individuals breaching permits or otherwise breaching the local laws.

<sup>11</sup> Building safer spaces: exploring gender differences in public space through urban design interventions - LSE

<sup>12</sup> Homophobia: Melbourne's gay scene defies hate

<sup>13</sup> Racist graffiti smeared over Hindu temple, Asian restaurants in Melbourne's east

<sup>14</sup> Melbourne synagogue spray-painted in a series of attacks by man in Scream mask | Victoria | The Guardian

<sup>15</sup> <https://www.musicvictoria.com.au/wp-content/uploads/2023/07/MLMC-2017-Report.pdf>

<sup>16</sup> Fact sheet: Gender-sensitive design | Community Crime Prevention Victoria

<sup>17</sup> Fact-sheet-04-Land-use-planning-and-design\_2018.pdf

<sup>18</sup> Safe in the city? Shifting the focus on CCTV and women's safety – Monash Lens

<sup>19</sup> Queer Perspectives on Public Space

<sup>20</sup> YourGround Victoria Report.pdf - Google Drive

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<p><b>c) Consultation with community and stakeholders</b></p> <p>An engagement survey conducted as part of community engagement on the draft Policy was completed 2158 times. 24% of participants selected “prefer not to say” for gender, which is higher than standard City of Melbourne community engagement projects and likely reflects the sentiment around privacy that dominates this program.</p> <p>Of those that provided gender, 48% responses were from women, 37% of responses were from men and 14.7% of responses were from non-binary people or those who would use another term. This demonstrates an underrepresentation in responses from men compared to municipal demographics. While there is a lack of firm baselines for non-binary populations in Melbourne, this proportion of responses from the non-binary community is significantly higher than average responses to community engagement projects.</p> <p>Across all genders, support for the expanded local law use cases is relatively low; however, it does differ. On average:</p> <ul style="list-style-type: none"> <li>• 21% of men supported the expanded use cases (n=349)</li> <li>• 14.6% of women supported the expanded use cases (n=431)</li> <li>• 3% of non-binary people supported the expanded use cases (n=136)</li> </ul> <p>All genders had marginally higher support for the environment-related use case, but only as high as 25% support among men. With rates of support generally low across all genders, the underlying themes do not significantly differ. Women and non-binary people were referenced cameras being targeted at marginalised groups and protestors (around 170 comments) somewhat more often, though this is also raised by men (100 comments).</p>
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**Part four. Options Analysis and Recommendations**

**Options analysis**

Identify at least 1 option informed by evidence that will create a positive gender impact – for larger initiatives consider 2 or more options.

Proposed option / recommendation	Benefits	Costs and risks	Overall gender impact /response
Improve the demographic information collected during local law investigations and infringements	This would inform the development of a data/evidence-based understanding of the impact of the expanded program of different genders.	May require investment in technology solution and the consideration of legal and privacy obligations in relation to collecting personal information.  Additional training of staff may also be required.	This recommendation is expected to improve Councils understanding of the impact of the expanded SCCP purpose.
Refresh existing training for Safe City Camera Operators and local law officers in relation to gender equity and unconscious bias, cultural safety and/or LGBTIQ+ inclusion	Key staff involved in identifying and investigating suspected breaches under the expanded purpose have contemporary knowledge of issues impacting diverse communities.	Cost to deliver additional training.	This recommendation is expected to improve key staff understanding of issues impacting diverse communities which is expected to have a positive gender impact.
As part of communications activities outline the other measures Council is taking to address	The community understands that the Safe City Camera Program is one part of Councils broader	May be costs associated with communications materials and activities.	This recommendation is anticipated to have a positive gender impact as the community will have a broader understanding of the

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amenity related issues as well as safety related issues	approach to addressing the issues in the policy.		actions Council is taking both directly and in partnership to address safety related issues.
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**Actions**

Consider options and determine how you will design or revise your initiative in light of your evidence to make a positive gender impact.

Explains what actions you did or will take to:

- Meet the needs of people of different genders; and/or
- Promote gender equality; and/or
- Address gender inequality.

<ol style="list-style-type: none"> <li>1. Establish a process for baselining and the ongoing monitoring of local law compliance outcomes disaggregated by gender.</li> <li>2. Deliver additional or refresher training for Safe City Camera Operators and local law officers in privacy, human rights, gender equity and unconscious bias, cultural safety and/or LGBTIQ+ inclusion.</li> <li>3. Develop a communications strategy for the Safe City Camera Program.</li> </ol>
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**Intersectionality**

Explain how and why intersectionality was considered (or not)

Describe any actions taken specifically designed to address intersectional inequalities (compounded gender inequalities)?

<p>Intersectionality was considered in the context of understanding how diverse groups interact with the public spaces within which the SCCP program and the draft policy would operate.</p> <p>Engagement with the City of Melbourne Pride Network reiterated that the LGBTIQ+ community may be underrepresented in research and data related to this proposal and assisted to identify a number of organisations representing the LGBTIQ+ community who have been invited to participate in community engagement.</p>
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## Human Rights Impact Assessment – Safe City Cameras Program – expansion to enforcement of local laws

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### 1. Background to the human rights impact assessment

#### 1.1 The *Charter of Human Rights and Responsibilities Act 2006 (Vic)*

The main purpose of the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* (**Charter**) is to protect and promote human rights. To achieve this aim, the Charter:

- (a) sets out the human rights that Parliament specifically seeks to protect and promote; and
- (b) imposes an obligation on all public authorities to act in a way that is compatible with human rights.

#### 1.2 When is a human rights impact assessment required?

Under section 38(1) of the Charter, City of Melbourne (**Council**), as a public authority:<sup>1</sup>

- (c) must give proper consideration to relevant Charter rights when making a decision (the '**procedural**' obligation); and
- (d) must not act in a way that is incompatible with a human right (the '**substantive**' obligation).

There is no express requirement under the Charter to conduct a human rights impact assessment. However, appropriately undertaking human rights impact assessment will mean that Council has given "proper consideration" to Charter rights and discharged its procedural obligation.

For completeness, neither obligation applies to private acts or decisions.<sup>2</sup> The decision to use Safe City Cameras to prosecute local law infringements is evidently not of a private nature, so this exception does not apply.

#### 1.3 What should be included in a human rights impact assessment?

Council's procedural obligation can be discharged by undertaking the following steps in reasoning:

- (a) understanding in general terms the rights of the person (or class of persons) affected by the decision;
- (b) seriously turning its mind to the possible impact of the decision on a person's human rights and the implications for the affected person (or class of persons);
- (c) identifying any countervailing interests or obligations in a practical and common-sense manner; and

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<sup>1</sup> Charter s 4(1)(e).

<sup>2</sup> Charter s 38(3).

- (d) balancing competing private and public interests as part of the exercise or justification of any limits on a human right.

Steps (c) and (d) involve making a broad and general assessment of whether the impact of the decision upon relevant rights is appropriate in all the circumstances.

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## 2. Background to the Program

Council's Safe City Cameras Program (**Program**) was established by a resolution of Council in December 1995, with the initial cameras operational by February 1997. The purpose of the cameras has been, since the inception of the Program, to "aid detection of crime, aid identification and apprehension of offenders, and assist emergency response". Importantly, it was not at the time of introduction, proposed to use the Program to enforce local laws but to monitor criminal activity and any breaches of relevant Acts.

In 2010, Council considered expanding the scope of the Program to the enforcement of local laws, but decided not to proceed at that time.

On 6 May 2025, the Future Melbourne Committee passed a resolution requiring Council Management to consider expanding the Program to permit the use of camera footage by Council authorised officers for the investigation and enforcement of incidents involving:

- damage to public or private property and infrastructure;
- defacement or destruction of the natural environment;
- acts of public nuisance; and
- other enforcement issues that result in costs to the organisation and ratepayers.

At a meeting on 7 October 2025, Council resolved to expand the Program to include the enforcement of local laws and regulations more generally. The local laws and regulations that are now considered in scope of the expanded use consist of:

- the *Environmental Local Law 2024* and the *City of Melbourne Environment Management Plan* which is incorporated into it by reference;
- the *Activities Local Law 2024*;
- the *Melbourne Parks and Gardens (Joint Trustee Reserves) Regulations 1994 (Parks and Gardens Regulations)*,

collectively referred to in this Human Rights Impact Assessment as the **Local Laws**.

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## 3. Scope of this Human Rights Impact Assessment

This Human Rights Impact Assessment specifically considers the human rights implications of using the Program to assist in the enforcement the Local Laws. It does not consider any broader human rights implications around the existence or scope of Local Laws, including:

- the human rights implications of the Local Laws themselves;
- whether the Local Laws should be amended or modified in any way;

- the enforcement of the Local Laws by any other means, such as in-person by Council's Local Laws officers or inspectors; or
- the appropriateness or proportionality of the penalties for breaches of the Local Laws.

Importantly, this Human Rights Assessment has been written on the assumption that there will be no change to Council's enforcement approach for any of the Local Laws, and Council will address an infringement of a Local Law which it identifies through the Program in the same manner as an infringement which a Council officer currently responds to in person. This includes the decision to issue an infringement notice, special considerations, penalties, and the use of alternative approaches to enforcement (for example, referring a person to a homelessness support service).

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#### 4. Structure of this Human Rights Impact Assessment

There are a significant number of offences across the three Local Laws, covering a wide range of conduct and with potential for varying impacts on human rights. In order to consider every Local Law in the appropriate level of detail while minimising duplication, this Human Rights Impact Assessment groups the Local Laws as follows:

- **Laws relating to conduct:** Many of the Local Laws relate to public conduct, and prohibit behaviour which has potential to be considered indecent, offensive, disruptive, or otherwise creates a public nuisance or risk to health and safety. This grouping includes many of the laws in the Activities Local Law, including prohibitions on public smoking (section 4.1), public drinking (section 3.1), obstructing vehicles (section 8.9), and causing excessive noise (section 15.8). This grouping also include laws against nuisance, indecent acts and offensive acts in Melbourne reserves in regulation 13 of the Parks and Gardens Regulations. In this grouping, the activities relate to the behaviour of a person in a public place in Melbourne, and are designed to support the amenity of the city by prohibiting behaviour likely to cause disruption or offence. The prohibition against camping in Melbourne reserves in regulation 21 of the Parks and Gardens Regulations has been considered separately, as it has potential specific human rights implications for people experiencing homelessness.
- **Laws relating to waste disposal:** These include the majority of offences in the City of Melbourne Environment Management Plan, as well as certain offences in the Activity Local Law, such as animal waste disposal (section 5.5). They are designed to prohibit littering, the dumping of rubbish, the burning of waste, and the disposal of hazardous waste in bins not designed for such waste. Their purpose is to protect the environment and the amenity of the city. The Program is likely to play a role in enforcing laws relating to littering and dumping rubbish in public, although it may be less useful for other types of offences, such as failing to keep and maintain rubbish bins within a person's premises.
- **Laws relating to damage to property:** These include laws against damaging trees (Activities Local Law, section 2.7), interfering with street signs (Activities Local Law, section 14.6), or carrying out building works in public reserves (Parks and Gardens Regulations, regulation 18). In some cases, this conduct may also be a criminal offence, and there is overlap between the Local Laws and other laws against vandalism and the destruction of property enforced by Victoria Police. Offences against these types of Local Laws generally impose a cost on the ratepayer, as they lead to damage which needs to be repaired. The Program could play a significant role in enforcing these laws by capturing footage of offenders at the scene of the offence.



- **Laws relating to property maintenance:** A number of the Local Laws impose obligations on property owners and tenants to maintain their property. These include maintaining stormwater drain connections from premises (City of Melbourne Environment Management Plan, section 3.6) as well as avoiding creating obstructions from a premises into a public place (Activities Local Law, section 15.7). The Program is likely to have less utility for enforcing these laws than the other categories of Local Laws as they do not deal with public conduct, but it may still play a role.
- **Laws relating to public camping:** As noted above, this Human Rights Impact Assessment considers restrictions on camping in reserves or setting up tents in reserves separately. It is also important that this Human Rights Impact Assessment be considered in light of Council’s existing *Homelessness Operating Protocol (Protocol)*. The Protocol is relevant to the approach that is taken by Council in enforcing Local Laws relevant to individuals experiencing homelessness.

**5. The assessment set out below involves consideration of the Local Laws generally, and individual categories where appropriate. Analysis of rights affected by the expansion of the Program**

The table below outlines the rights identified as being affected by the expansion of the Program, including the nature and scope of these rights and the implications for affected persons.

Human right	Relevance	Is the right likely to be affected? If so, how?
<p><b>Right to privacy</b> Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with.</p>	<p>This right is broad and encompasses several fundamental values. The Supreme Court has interpreted it to include the right to be “left alone,” allowing individuals to engage in lawful daily activities without state surveillance.</p> <p>When information is collected, individuals retain the right to control how it is stored, used, and shared. This includes personal data such as one’s image, which is integral to private life and personal development.</p> <p>Section 13(a) contains internal qualifications – namely, an interference with privacy will only be taken to limit the Charter right if:</p> <ul style="list-style-type: none"> <li>• it is <b>unlawful</b>, in that an applicable law is infringed; or</li> </ul>	<p>The right to privacy may potentially be affected by the use of the Program to enforce any Local Law, as Council will use surveillance footage of members of the public within Council for a broader range of purposes than it currently does.</p> <p>Accordingly, Council has completed a full Privacy Impact Assessment (<b>PIA</b>) on the proposed expansion of the Program, which has considered its privacy impacts in more detail, including its compliance with the <i>Privacy and Data Protection Act 2014</i> (Vic).</p> <p>For the purposes of this Human Rights Impact Assessment, it is important to note that:</p> <ul style="list-style-type: none"> <li>• The Program has been designed to comply with the requirements of the <i>Surveillance Devices Act 1999</i> (Vic) and the <i>Privacy</i></li> </ul>

Human right	Relevance	Is the right likely to be affected? If so, how?
	<ul style="list-style-type: none"> <li>it is <b>arbitrary</b>, in that it is capricious, or has resulted from conduct which is unpredictable, unjust or unreasonable in the sense of not being proportionate to the legitimate aim sought.</li> </ul>	<p><i>and Data Protection Act 2014</i> (Vic), and the expansion is planned to facilitate the enforcement of valid Local Laws. As such, any interference with privacy from the expansion of the Program is expected to be lawful.</p> <ul style="list-style-type: none"> <li>The expansion of the Program is intended to provide for the consistent enforcement of existing laws. Matters of reasonableness and proportionality are considered in detail further on in this Human Rights Impact Assessment. Refer to <b>6.1 Potential interference with the right to privacy</b> below.</li> </ul>
<p><b>Right to equality and non-discrimination</b> Section 8(3) of the Charter provides that every person is entitled to equal and effective protection against discrimination.</p>	<p>'Discrimination' under the Charter is defined as discrimination on the basis of a protected attribute listed in section 6 of the <i>Equal Opportunity Act 2010</i> (Vic).</p> <p>Indirect discrimination occurs where a person imposes a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with a protected attribute as set out in section 6 of the <i>Equal Opportunity Act 2010</i> (Vic), but only where that requirement, condition or practice is unreasonable.</p>	<p>The Program, and the expansion of the Program, does not include any direct discrimination, and makes no distinction between the recording and use of surveillance footage between individuals with and without protected attributes.</p> <p>It is possible that a person with the protected attribute of disability, e.g. a mental health condition or disorder, may engage in public nuisance and destroy or deface Council property. it is noted that Council already enforces Local Laws against public nuisance and vandalism of Council property.</p> <p>In addition, the enforcement of Local Laws relating to camping in public have potential to impact on individuals who may be experiencing a mental health condition or disorder or mental health crisis. The enforcement of Local Laws of this type therefore has potential to disproportionately affect</p>

Human right	Relevance	Is the right likely to be affected? If so, how?
		individuals who experience mental health challenges.  Refer to <b>6.2 Potential indirect discrimination</b> below.
<p><b>Freedom of movement</b> Section 12 of the Charter provides that people have the right to move freely within and wherever in Victoria they want so long as they are here lawfully.</p>	<p>The Charter provides that every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it and has the freedom to choose where to live.</p> <p>There is potential for an individual to raise concerns in relation to the footage captured from the cameras in the Program in relation to the Charter’s freedom of movement regarding the location and placement of persons.</p>	<p>There are Local Laws which prohibit conduct such as camping in public reserves, which may impose some limitations on individual movement, although the risk of such an infringement is very low. Council already has the ability to enforce Local Laws in relation to public assemblies. The expansion of the Program will not result in any infringement of the right to freedom of movement which the Council has not already accepted in creating and enforcing the Local Laws.</p>
<p><b>Freedom of thought, conscience, religion and belief</b> Section 14 of the Charter provides that people are free to think and believe as they want both in public and in private.</p>	<p>The Charter provides that the right to freedom of thought, conscience, religion and belief includes:</p> <ul style="list-style-type: none"> <li>the freedom to have or to adopt a religion or belief of that person's choice; and</li> <li>the freedom to demonstrate that person's religion or belief in worship, observance, practice and teaching, either individually or as part of a community, in public or in private.</li> </ul> <p>Notably, section 14(2) of the Charter provides that a person must not be coerced or restrained in a way that limits that person's freedom to have or adopt a religion or belief in worship, observance, practice or teaching.</p>	<p>A person may express their views in a manner which infringes a Local Law, for example, creating noise or obstructing traffic through a demonstration. As such, the Program may identify conduct which infringes the Local Laws and may play a role in their enforcement.</p> <p>Council already has the ability to enforce Local Laws in relation to public conduct, assemblies, and excessive noise. The expansion of the Program will not result in any infringement of the right to freedom of thought, conscience, religion and belief which the Council has not already accepted in creating and enforcing the Local Laws.</p>
<p><b>Right to freedom of expression</b> Section 15(2) of the Charter provides that every person has the right to freedom of</p>	<p>The Charter provides that the right to freedom of expression may include the right to receive and impart information and ideas of all kinds:</p>	<p>It is possible that the right to freedom of expression may be affected where an individual seeks to receive and impart</p>

Human right	Relevance	Is the right likely to be affected? If so, how?
<p>expression which includes the freedom to seek, receive and impart information and ideas of all kinds.</p>	<ul style="list-style-type: none"> <li>• orally;</li> <li>• in writing;</li> <li>• in print;</li> <li>• by way of art; or</li> <li>• in another medium chosen by that person.</li> </ul> <p>Notably, section 15(3) of the Charter provides that special duties and responsibilities are attached to the right of freedom of expression and the right may be subject to lawful restrictions reasonably necessary:</p> <ul style="list-style-type: none"> <li>• to respect the rights and reputation of other persons; or</li> <li>• for the protection of national security, public order, public health or public morality.</li> </ul>	<p>information and ideas through (for example):</p> <ul style="list-style-type: none"> <li>• the performance of music or dance</li> <li>• the presentation of images, artwork or media;</li> </ul> <p>And where such expression is prohibited by the Local Laws relating to public conduct.</p> <p>Section 15(3) specifically reflects the importance of special duties and responsibilities for the protection of public order, public health or morality.</p> <p>Council already enforces Local Laws in relation to public nuisance, vandalism or Council property and busking. The expansion of the Program will not result in any infringement of the right to freedom of expression which the Council has not already accepted in creating and enforcing the Local Laws.</p>
<p><b>Peaceful assembly and freedom of association</b></p> <p>Section 16 of the Charter provides that people have the right to join groups and to meet peacefully.</p>	<p>The Charter provides that every person has the right of peaceful assembly, and every person has the right to freedom of association with others, including the right to form and join trade unions.</p> <p>It is possible that the footage captured from the cameras in the Program may cause an individual to raise concerns regarding the use of the footage for capturing assemblies and associations.</p>	<p>A person may participate in a public assembly which infringes a Local Law, in which case the Program may play a role in enforcing the law.</p> <p>Council already has the ability to enforce Local Laws in relation to public assembly. The expansion of the Program will not result in any infringement of the right to peaceful assembly and freedom of association which the Council has not already accepted in creating and enforcing the Local Laws.</p>
<p><b>Property rights</b></p> <p>Section 20 of the Charter provides that people are protected from unlawfully having their property taken.</p>	<p>The Charter provides that a person must not be deprived of that person's property other than in accordance with law. It is possible that a homeless person may have property which is protected by the Charter but is perceived to be in conflict with the Protocol.</p>	<p>The role of Program in enforcing these laws is likely to be minor. Council already enforces Local Laws in relation to the management of property, for example, in relation to signage. The expansion of the Program will not result in any infringement of the property right which the</p>

Human right	Relevance	Is the right likely to be affected? If so, how?
		Council has not already accepted in creating and enforcing the Local Laws.
<p><b>Cultural rights</b>                      Section 19(1) of the Charter provides that all persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background to enjoy their culture, to declare and practise their religion and to use their language.                      Section 19(2) provides for specific cultural rights for Indigenous people.</p>	<p>It is possible that a person may express their culture in a way which creates or has potential to be perceived to create, a public nuisance or infringement of a local law.</p>	<p>The possibility of such an infringement is very low, and the Council has already considered the human rights impacts of the Environment Local Law 2024 and Activities Local Law 2024 when passing them. The expansion of the Program will not change any impact these laws or their enforcement has on cultural rights, and as such, Council has not considered this further.</p>
<p><b>Right to a fair hearing</b>                      Section 24(1) of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.</p>	<p>Footage captured from the cameras in the Program is intended (where appropriate) to be used as evidence in local law enforcement matters. There is potential for an individual to raise concerns in relation to the relative probative weight that may be given to such evidence.</p>	<p>The use of footage in connection with Local Law enforcement will not affect the competence, independence or impartiality of a court. As such, Council has not considered this aspect further.</p> <p>Council has processes for decision making in relation to Local Law enforcement that take into account the nature of evidence that is required to support Local Law enforcement. Council will be updating the SOP relating to enforcement to include considerations around the use of SCCP footage.</p>

**6. Countervailing interests or obligations and balancing competing private and public interests (steps (c) and (d))**

The discussion below covers issues which Council must consider when balancing the competing interests relating to the decision (being the decision to expand the Program as described in section 2 above).

To assist in making this assessment, it is appropriate to have regard to section 7(2) of the Charter. This section states that all rights may be subject to reasonable limits as can be demonstrably justified, taking into account all relevant factors, including:

- i. the nature of any human rights affected;

- ii. the importance of the limitation on the right;
- iii. the nature and extent of the limitation on the right;
- iv. the relationship between the limitation and its purpose; and
- v. any less restrictive means available to achieve the purpose that the limitation seeks to achieve.

## 6.1 Potential interference with the right to privacy

### a) The nature of any human rights affected

As discussed in section 5 above, the expansion of the Program may have an impact on the right to privacy. While the expansion of the Program is lawful, it is also necessary for Council to determine that it is not unpredictable, unjust or unreasonable in the sense of not being proportionate to the legitimate aim sought.

### b) The importance of the limitation

To be lawful, a limitation of a right in the Charter must address “pressing and substantial” social concerns and pursue legitimate values or interests to be sufficiently important to justify limiting a Charter right.<sup>3</sup> The more pressing and substantial the purpose, the greater the limitation it will justify.

In this case, the purpose of the limitation is for the purposes described in the background section of this document. This includes:

- protecting the amenity of the City of Melbourne, by combating vandalism, graffiti, the dumping of rubbish, and acts of public nuisance;
- protecting the natural environment (for example, the Yarra River) and built environment (for example, buildings of historical significance) from pollution or damage;
- protecting private property from vandalism and destruction; and
- protecting ratepayers’ money, by making it more likely that individuals or corporations which breach Local Laws leading to a cost to the ratepayer, such as the illegal dumping of rubbish, are identified and can be compelled to pay to rectify any damage.

### c) The nature and extent of the limitation

In addressing proportionality, the nature and extent of the interference with human rights needs to be considered, as the more intrusive a limitation on a right is, the higher the level of justification required.

The extent of the interference is limited, as:

- the cameras are already in place and already record individuals in the City of Melbourne, and the expansion of the Program is solely to make broader use of the footage already taken; and
- the expansion of the Program is to allow for the enforcement of existing Local Laws through existing enforcement procedures.

<sup>3</sup> *Momcilovic v the Queen* [2011] HCA 34 per French CJ at p 41, [26]; *R v Oakes* [1986] 1 SCR 103 at [70] (Dickson CJ).

Council will need to continue to exercise judgement in taking enforcement action, including if there are any reasons, such as mental health risks or other special circumstances, disability or homelessness, which impact whether or not to proceed with enforcement in each case. These considerations are outside the scope of this Human Rights Impact Assessment, and are part of Council's overall approach to enforcement more generally. Notably, there are provisions relating to 'Special Circumstances' (as defined) in the *Infringements Act 2006 (Vic)* that are relevant to infringements. The use of the Program to assist in the enforcement of Local Laws is not intended to alter Council's obligations in respect of consideration of 'Special Circumstances' under the *Infringements Act 2006 (Vic)*.

**d) The relationship between the limitation and the purpose**

Next, it must be determined whether there is a rational connection between the limiting measures and the above objectives.

In this case, any limitation on an individual's use of privacy would be through the storage and use of footage of that individual for the purpose of investigating and taking enforcement action for one of the expanded purposes of the Program. As such, the limitation is directly related to the purpose.

**e) Any less restrictive means reasonably available to achieve the purpose**

The final step of the analysis is to consider whether there are any less restrictive means reasonably available to achieve the purpose. This includes implementing safeguards or practices to ensure that any interference which occurs is the minimum necessary to achieve the purpose.

It is open to Council to continue to address public nuisance and enforce Local Laws without the use of the Safe City Cameras. However, this will not achieve the same enforcement objectives.

Refer to the PIA for the expansion of the Program for a full description of the safeguards and controls put in place to manage the risk to individuals' privacy.

**6.2 Potential indirect discrimination**

**a) The nature of any human rights affected**

As discussed in section 5 above, the expansion of the Program may have an impact on the right to equality and non-discrimination if it leads to outcomes with a disproportionate impact on individuals with a protected attribute. Specifically, an individual experiencing mental illness (the protected attribute of disability) may be more likely to breach Local Laws against public nuisance, public camping, and property damage, particularly if they are also experiencing homelessness, and as such, may be more likely to be prosecuted under the expanded scope of the Program.

Council and Victoria Police have a Protocol to address rough sleeping in the city. The expansion of the Program may have an impact on the right to equality and non-discrimination if it leads to outcomes with a disproportionate impact on homeless persons.

The Program may impact on the property rights and the freedom of movement of homeless persons in the City of Melbourne as provided for in the Charter, and further impact Council's and Victoria Police's commitments under the Protocol.

Council has formed a view that it is likely that the interference is limited, as the cameras are already in place and already record individuals in the City of Melbourne. The Protocol and Charter will need to be read in conjunction with each other and Council will need to exercise judgment with respect to the use of the footage captured through the Program when enforcing Local Laws. Council does not plan to use the SCCP to enforce Local Laws against

camping in respect of people experiencing homelessness, and will continue to follow existing measures, such as referral to mental health support services, for vulnerable individuals who may breach other Local Laws.

**b) The importance of the limitation**

To be lawful, a limitation of a right in the Charter must address “pressing and substantial” social concerns and pursue legitimate values or interests to be sufficiently important to justify limiting a Charter right.<sup>4</sup> The more pressing and substantial the purpose, the greater the limitation it will justify.

Refer to 6.1(b) above for a description of the purposes of the expansion of the Program.

**c) The nature and extent of the limitation**

In addressing proportionality, the nature and extent of the interference with human rights needs to be considered, as the more intrusive a limitation on a right is, the higher the level of justification required.

In this case, it is possible that the expansion of the Program will lead to more enforcement against individuals with a disability than individuals without a disability. It is difficult to model what, if any, higher level of enforcement such individuals might experience.

Importantly, however, Council already take enforcement against the behaviours covered by the expansion of the Program. The expansion of the Program would not involve penalising of any activities that are not already sanctioned by Local Laws. The expansion of the Program would be expected to lead to the more frequent enforcement of existing law.

As in 6.1(c), Council will need to consider proportionality in taking enforcement action, including policy reasons that enforcement may not be appropriate. This will include taking into consideration Council’s Protocol.

**d) The relationship between the limitation and the purpose**

Next, it must be determined whether there is a rational connection between the limiting measures and the above objectives. In this case, achieving the objectives described in 6.2(b) would require more frequent enforcement action from Police or Council employees, which may lead to the potential inequalities of outcome described in 6.2(c).

**e) Any less restrictive means reasonably available to achieve the purpose**

The final step of the analysis is to consider whether there are any less restrictive means reasonably available to achieve the purpose. This includes implementing safeguards or practices to ensure that any interference which occurs is the minimum necessary to achieve the purpose. This will include taking into consideration Council’s Protocol, and whether a review of the Protocol is required by Council to remain compliant with other Local Laws.

It is open to Council, [and to Victoria Police], to continue to address public nuisance and enforce Local Laws without the use of the Safe City Cameras. However, this will not achieve the same enforcement objectives.

Additionally, Council has a range of safeguards in place to reduce the impact of the enforcement of Local Laws on members of vulnerable groups. For example, an ongoing practice of referral to support services, an independent review process via the Infringement Review business unit in Council, and special consideration for vulnerability in the infringement enforcement SOP.

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<sup>4</sup> *R v Oakes* [1986] 1 SCR 103 at [70] (Dickson CJ).



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## 7. Conclusions

On balance, the expansion of the Program may have an impact on the right to privacy and the right to equality, although any infringement of these rights will be minor when considering the existing purposes of the Program and existing procedures to enforce state and Local Laws.

With regard to each of the categories of Local Laws described in section 4 of this Human Rights Impact Assessment, Council has concluded as follows:

- **Laws relating to conduct:** These laws deal with a range of conduct, from behaviour which has potential to be considered by some to be disruptive or irritating to behaviour which is actually threatening and alarming. In some cases, the behaviour may arise in connection with behaviours linked to mental illness, and in others, a person may be creating a public nuisance for a reason connected to their freedom of expression (e.g. a protest). The Program can play a role in enforcement of these Local Laws, both by observing a person infringing them and by helping to identify an offender in cases where the offence is reported by a member of the public. To avoid a disproportionate or unreasonable impact to human rights, Council will need to conduct enforcement in a way which takes into account factors such as disability or mental illness for example, but the use of Program to enforce these laws is not disproportionate to the goal of addressing offensive or disruptive behaviour.
- **Laws relating to waste disposal:** Offences against these laws can have a significant negative impact on the amenity of the city and the experience of both residents and visitors. They may also impose costs on ratepayers in cases where Council needs to clean up litter and dumped rubbish. Council will need to rely on safeguards in its existing enforcement procedures to ensure that the Local Laws are enforced fairly and in a way which is non-discriminatory.
- **Laws relating to damage to property:** Offences against these laws impose a direct cost on the ratepayer, such as damage to Council property, such as signs that need to be repaired. Council will need to rely on safeguards in its existing enforcement procedures to ensure that the Local Laws are enforced fairly and in a way which is non-discriminatory.
- **Laws relating to property maintenance:** As noted in section 4, the Program may not have a significant role in enforcing laws relating to property maintenance as the cameras are unlikely to be positioned in such a way as to record the inside of private businesses and residences. As such, the impact on privacy is likely to be significantly lower than it is for the enforcement of laws relating to public activities. Individuals with a disability may struggle to maintain their property and may be more likely to breach one of these Local Laws, however, this can be addressed through existing enforcement procedures. On balance, the use of the Program is proportionate to enforcing these laws, although its role is expected to be minor.
- **Laws relating to public camping:** The Program may not play a significant role in enforcing these laws, depending on where cameras are positioned. Enforcement of these laws through any channel requires careful consideration of the special circumstances of individuals experiencing homelessness. However, it remains open to Council to use the Program to enforce such laws alongside other enforcement mechanisms and noting in particular the impact of 'special circumstances' under the *Infringements Act 2006 (Vic)*.

To the extent that the expansion of the Program will limit a person's human rights, it is deemed to be a limitation that is reasonable and demonstrably justified based on the matters set out above.

## **Draft Safe City Camera Program Policy Community Engagement Report**

### **Executive summary**

Community engagement on the draft Safe City Camera Program (SCCP) Policy commenced on 8 October 2025, concluding on 29 October 2025. An engagement survey received 2,158 responses including 1,388 survey responses, 770 free text written submissions. Seven document submissions were also uploaded from stakeholders.

Community engagement sought to understand community sentiment regarding the draft Safe City Camera Program (SCCP) Policy and to inform Councils understanding of community views in relation to utilising footage from the SCCP as part of investigations by Council authorised officers into breaches of the local laws, as well as levels of concerns in the community about issues relating to Councils local laws.

Community engagement aimed to provide community and stakeholders with accurate and objective information about the draft SCCP Policy to inform their understanding of the rationale for the proposed change, as well developing an understanding of topics and issues that future communications and engagement relating to the SCCP could address.

Overall, feedback gathered during the engagement indicates low levels of concerns for the highlighted local laws issues and low levels of support for footage from the SCCP being utilised to investigate these issues. Issues relating to the environment generally reflected higher levels of community concern, as did some specific issues including dumped rubbish and inappropriate waste disposal, cooking oil or construction waste being deposited into Council drains and gutters, trucks or service providers blocking streets without any notice and footpath and road obstructions.

Responses received as part of engagement activities identified recurring themes in relation to issues including surveillance, privacy, governance, oversight and accountability, and specific concerns relating to the impact on vulnerable communities, protests and use of artificial intelligence. Other themes identified in the engagement related to the presentation of the city, waste management, and protecting the environment.

### **Project Background**

The Safe City Camera Program (SCCP) was first introduced in the Melbourne Central Business District (CBD) nearly 30 years ago. Since its inception, the primary purpose of the SCCP was to assist Victoria Police to create a safer environment, reduce crime by deterring potential offenders, and help in crime detection. The SCCP now comprises 328 CCTV cameras in 126 locations throughout the CBD and parts of Carlton, Docklands and Southbank, which are routinely used to assist Victoria Police in identifying criminal activity and in broader emergency management.

In May 2025 the City of Melbourne Future Melbourne Committee requested Council management undertake a review of the Safe City Camera Program policies and manual to consider permitting the use of camera footage by Council authorised officers for the investigation and enforcement of incidents involving damage to public or private property and infrastructure, defacement or destruction of the natural environment, acts of public nuisance, and other enforcement issues that result in costs to the organisation and ratepayers.

Council management subsequently commenced a review of the SCCP Operating Manual as part of a broader phased program of work including essential maintenance on the existing system, planning for the expansion of the camera network and evolving the SCCP capabilities through technology and video analytics. A draft SCCP Policy was developed which reflected the existing purpose for the SCCP and included a proposed expansion to include certain local laws. In October 2025, FMC expanded the proposed use to include all City of Melbourne Local Laws and Regulations and endorsed the draft SCCP Policy for the commencement of community engagement.

### **Engagement Purpose**

The City of Melbourne's [Community Engagement Policy](#) outlines that:

*Whenever the City of Melbourne is planning, delivering a project or making a decision that significantly impacts the way our community experiences the city, or their interaction with our organization, the community must have the opportunity to meaningfully participate in that process.*

The SCCP Policy was previously combined with an Operating Manual which was an internal operational document. Council management committed to developing a public SCCP Policy and is concurrently considering expanding the issues that Safe City Camera footage could be utilised for.

While Council has considered various elements of the SCCP in open sessions over the years, community engagement directly related to the SCCP has not recently been undertaken.

The overarching purpose of the community engagement was to inform the community about the SCCP Policy, including the role of the SCCP and the proposed expansion of its use in the context of Councils local laws and regulations and to lay a foundation for future engagement relating to the SCCP.

### **Engagement Objectives**

Through this engagement, Council was aiming to gain an understanding of community sentiment relating to:

- using footage from the SCCP in investigations of breaches of local laws and regulations
- specific local law issues in the draft Policy
- whether different groups within our community could have different needs from the SCCP policy
- future uses of the SCCP.

The engagement aimed to provide community and stakeholders with accurate and objective information about the new SCCP policy and the rationale for the proposed policy change.

We were also interested in raising community awareness in relation to how Council maintains the privacy of personal information gathered via the SCCP, including the governance and privacy controls we have in place which would be unchanged and reinforced in the new policy.

Whilst primarily focused on the first phase of work, we also aimed to develop a picture of topics and issues that future communications or engagement could address.

While Council had some understanding of community sentiment relating to certain elements of the draft policy such as cleanliness and presentation, there was not a complete picture of community sentiment regarding the areas in scope for the draft SCCP Policy. Further, there was an important opportunity to understand community sentiment with respect to the use of the SCCP to investigate these issues.

#### Legislative Drivers

The *Local Government Act 2020* empowers Councils to ensure the peace, order and good government of the municipal district and also empowers Councils to make local laws.

City of Melbourne operates Local Laws, specifically the *Activities Local Law 2024* and the *Environment Local Law 2024*. Council authorised officers, known as Local Law officers, are empowered to undertake investigations into matters under the Local Laws.

The objectives of the Activities Local Law 2024 as outlined in S1.2 are to, amongst other things, promote a physical and social environment free from hazards to health, in which the residents of and visitors to the municipality can enjoy a quality of life that meets the general expectations of the community. Other objectives outlined in the Activities Local Law 2024 are to control noise, protect the use and provide for safety in public places.

The Environment Local Law 2024 promotes responsible land management through the Environment Management Plan. The objectives of the Environment Local Law 2024 as outlined in S 1.2 include to provide for the peace, order and good government of the municipality, control, protect and conserve the environment and the amenity of the municipality.

#### **Methodology**

The community engagement approach combined digital tools, face-to-face interactions and targeted outreach.

This methodology was intended to capture a broad spectrum of community voices and also aimed to capture harder to reach voices including young people and people from culturally and linguistically diverse backgrounds.

##### **1. Online survey via Participate Melbourne**

An online survey was available via Participate Melbourne to gather input from a wide cross-section of the community. The survey was available from 8 October 2025 – 29 October 2025 and allowed participants to contribute at their convenience.

The online format allowed for greater accessibility as Participate Melbourne can be translated into different languages. Engagement analytics indicate that visitors to the Participate Melbourne site primarily used English, however a small number of Thai and Chinese language translations were undertaken. A summary version of the draft Policy drafted in plain English was also provided.

The survey included both qualitative and quantitative questions, including free text response options and the ability to make a written submission.

Information about Council's local laws and regulations was provided, with documentation relating to the local laws available in an accessible format.

## 2. Pop ups at community events

Pop ups were planned at community events within the municipality with specific events chosen to encourage participation in the engagement from diverse groups within our community including young people, culturally and linguistically diverse people and the LGBTIQ+ community. Due to unforeseen circumstances, a number of these pop-ups were cancelled.

Pop ups were scheduled at:

- **Local Lunch Club:** Saturday 18 October at 12.45pm to 2pm, Kathleen Syme Library and Community Centre. Three people attended this pop up and were a mix of residents and visitors in the municipality and a mix of age groups.
- **Sensory Garden:** Thursday 23 October at 10.30am to 1pm, Kensington Neighbourhood House. *NB: This pop up was cancelled.*
- **Table Tennis at Boyd:** Friday 24 October at 4pm to 5pm, Boyd Community Hub. *NB: This pop up was cancelled.*
- **Melbourne Comics Art Jam:** Saturday 25 October at 1pm to 3pm, narm ngarrgu Library. *NB: This pop up was cancelled.*
- **Clean Up Our Carlton Estate Day:** 25 October at 2pm to 5:30pm, Carlton Public Housing Estate – 510 Lygon Street, Carlton. Council officers supported community members to complete 42 engagement surveys.

## 3. Business engagement

### *Engagement via the City of Melbourne Business Concierge*

Between 14 and 24 October, COM's Business Concierge Officers distributed 116 Safe City Camera postcards to street-facing businesses along Collins Street (Elizabeth to Spring Street), Swanston Street (Collins to La Trobe Street), Elizabeth Street, Lygon Street (to Grattan Street), Bourke Street, and Southbank.

Where business owners were unavailable, postcards were provided to staff with a request to share the information with their managers.

Anecdotal feedback provided by business owners through Council's Business Concierge during the engagement period was overall positive, with many businesses welcoming the initiative and noting that safety, anti-social behavior and theft remain ongoing challenges within these areas.

*Engagement with Business Precincts:*

Business Precincts were briefed with officers available to answer questions and hear feedback directly from residents and traders. Information was also distributed to all Business Precinct Associations. The Yarra River Business Association issued an article to all members outlining the SCCP.

#### **4. Targeted community engagement**

International student engagement

Council officers attended The Couch on 23 October 2025 during a Halloween event for international students.

Approximately 30 people attended this event comprising of a mix of genders and ages generally 30 years and under, with most born overseas. Approximately 30 people attended this event comprising a mix of genders and ages generally 30 years and under, with most born overseas.

Council officers engaged directly with five people providing background to the engagement and handing out postcards so attendees could learn more and participate via the engagement survey.

Multicultural communities

Council officers attended a local community event organised by and for multicultural communities. Attendees actively participated in the engagement activity and provided their feedback on the program.

#### **Communications approach**

Communications activities used a mix of digital, print and informational tools. These activities were designed to raise awareness, encourage participation and ensure clarity around key information, the purpose and process of engagement.

Engagement activities have been promoted through social media platforms and through community email networks including residents groups and business precincts.

Printed postcards have been distributed to businesses and in key community locations including libraries to provide tangible, accessible invitation to participate in the engagement process.

Specific communications channels included:

- Social media posts
- Coverage across traditional media outlets – including print, broadcast, and online

- Inclusion in two editions of the Business in Melbourne eNewsletter – sent to over 10,000 recipients
- Inclusion in Participate Melbourne and Melbourne News eDMs
- Supporting collateral – including A6 postcards and plain English factsheets
- Posts on the City of Melbourne Neighbourhood Portals
- Website update (during the engagement period)
- Direct stakeholder engagement via email

Comprehensive FAQs were also sent to customer-facing teams (i.e. media, customer focus, neighbourhood partners and business concierge) to equip them in responding to any public queries.

**Participation**

Engagement survey

The engagement program received 2,158 responses including 1,388 survey responses, 770 free text written submissions and seven documents uploaded from stakeholders.

The Participate Melbourne page received 11,385 views from 4,745 visitors.

Survey participation trends

Engagement survey responses saw an increase after promotion on CoM social media channels on 15 October and spiked significantly following the 21 October 2025 FMC meeting.

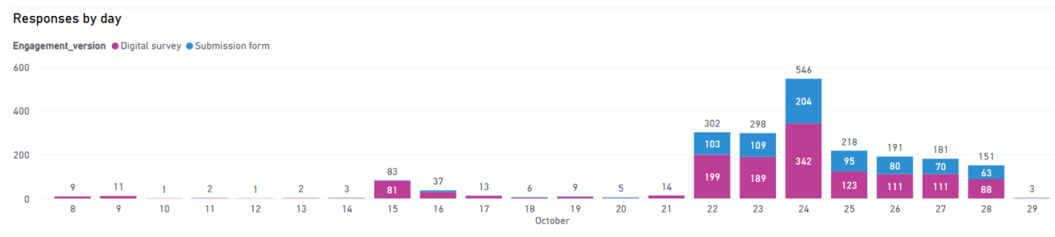


Figure 1. Draft SSCP Policy submission analytics

Who we heard from

Below is an overview of who contributed to the engagement survey:

**Connection to the City of Melbourne:**

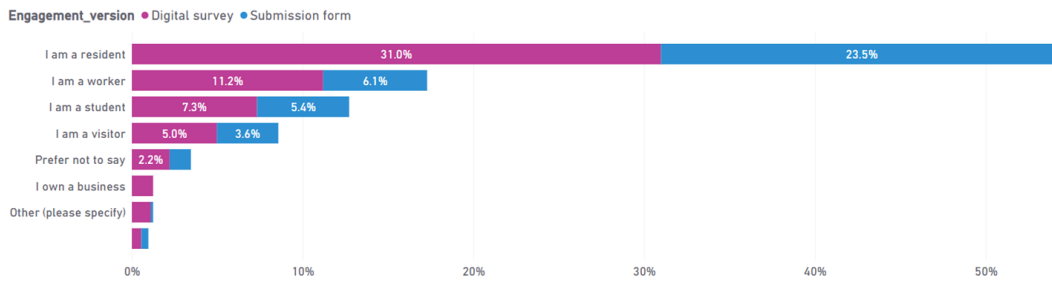


Figure 2. Engagement survey demographics - connection to the City of Melbourne

### Age

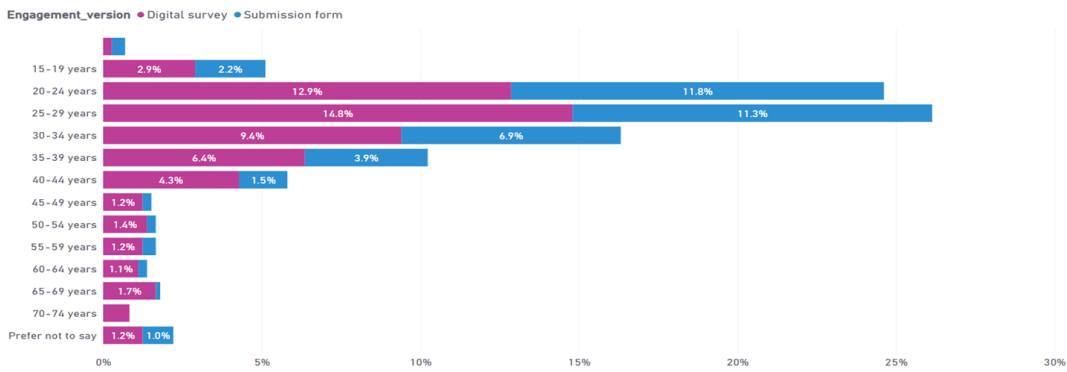


Figure 3. Engagement survey demographics - age

### How did people describe themselves?

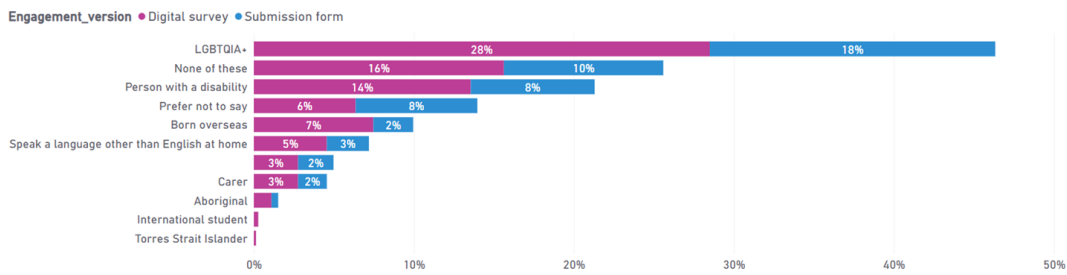


Figure 4. Engagement survey demographics

## Engagement Results

### Overview



The engagement survey included a mix of multiple choice and open-ended questions. Responses were anonymous unless individuals chose to share their email address. Participants were asked questions relating to how easy the draft SCCP Policy was to understand, how concerned they were with key local laws areas included in the draft SCCP Policy and how supportive they were of footage from the SCCP being utilised to investigate these issues.

Questions also explored levels of awareness and confidence in the steps Council takes to protect the information gathered by the SCCP and asked participants to identify topics or issues that future communications from Council could address.

Overall, feedback gathered during the engagement was negative, with low levels of concerns for local laws issues, low levels of support for footage from the SCCP being utilised to investigate these issues and low confidence in Council to utilise the SCCP footage responsibly and in accordance with privacy laws.

Environmental issues tended to have greater community support for using SCCP footage in investigations. This was also true for specific concerns, such as dumped rubbish, improper waste disposal (including cooking oil or construction materials in Council drains and gutters), and instances where trucks or service providers block streets without notice or create obstructions on footpaths and roads.

Recurring themes included concerns about surveillance, privacy, governance, oversight and accountability, as well as specific concerns relating to artificial intelligence and protests. Concerns about the potential impact on vulnerable communities such as people sleeping rough were identified, and responses advocated in favor of preventative measures in lieu of surveillance.

Many responses requested further time to consider the proposal.

Other themes identified in the engagement related to safety include road and pedestrian safety, the presentation of the city, and concerns about waste management and the environment. Some responses were supportive of increased accountability for people breaching local laws.

### **What we heard from the community**

This section explores what we asked and how the community responded, including whether questions were skipped.

#### We asked:

#### **Have you read the draft policy?**

This question was required and answered by 1388 (100%) respondents.

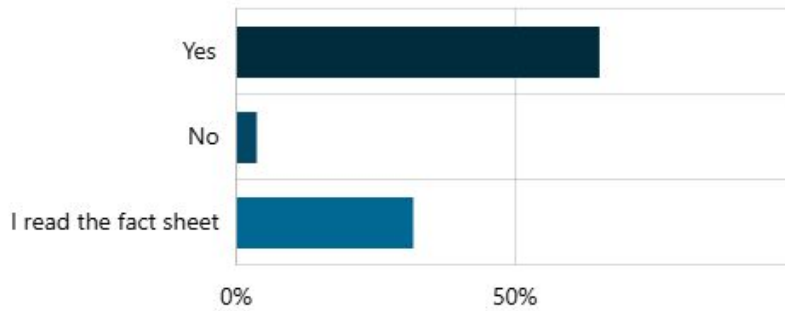


Figure 5. Survey results: participants who read the draft policy or fact sheet

**How easy was the draft policy to understand?**

This question was optional and answered by 880 (63.4%) respondents. The most selected response was “neither easy nor difficult to understand” followed by “easy to understand”

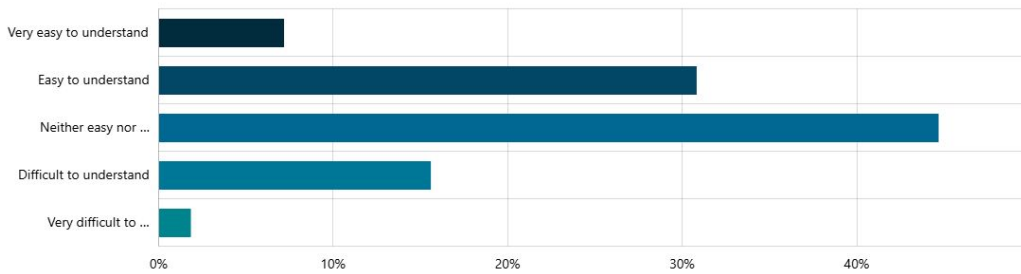


Figure 6. Survey results: understanding the draft policy

**Why did you find the draft policy difficult to understand?**

Participants could select multiple options. The question was skipped by 1238 respondents (who did not indicate difficulty understanding the policy) and answered by 150 respondents (10.81%)

The most selected reason with 8.2% of those who provided an answer selecting was “the policy wasn’t explained clearly enough”

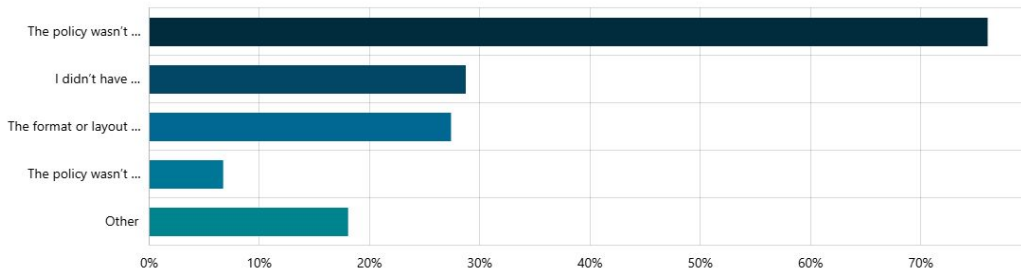


Figure 7. Survey results: understanding the draft policy - further information

The following section of the survey presented example uses for the Safe City Camera Program. These questions were designed to ascertain if there is a link between the level of concern about specific issues and level of support for Safe City Camera use in investigation and enforcement efforts.

Participants were asked to rate their level of concern with some commonly reported issues, followed by rating their level of support for the use of Safe City Cameras for that category of concerns.

**How concerned are you about the following waste management issues in the City of Melbourne?**

Participants were able to select options on a scale including “not at all concerned”, “not concerned”, neutral”, “concerned” and “extremely concerned” or “not sure”, the question was skipped by 31 people and answered by 1357 (97.77%).

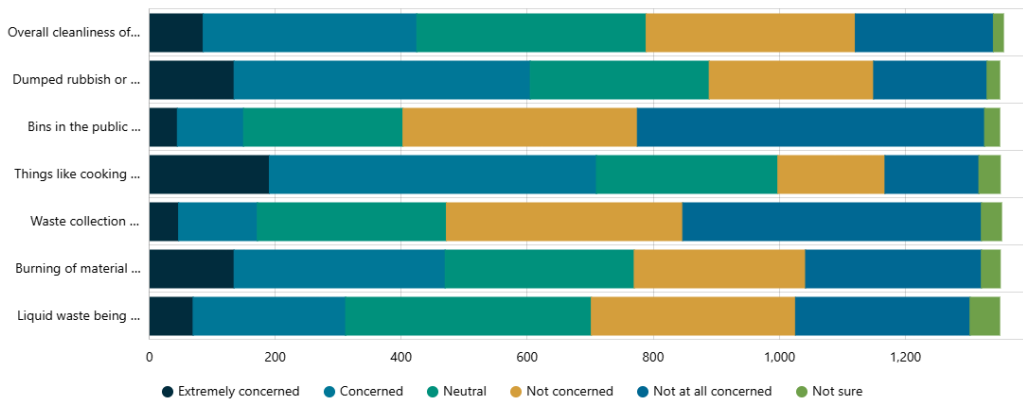


Figure 8. Survey results: level of concern for waste management issues

**How supportive are you about the City of Melbourne using the Safe City Cameras to address the waste management issues listed above?**

Participants were able to select multiple choice options on a scale including “very supportive”, supportive”, “neutral”, “not supportive”, “not at all supportive” or “not sure”. This question was skipped 18 times and answered 1370 (98.7%) times.

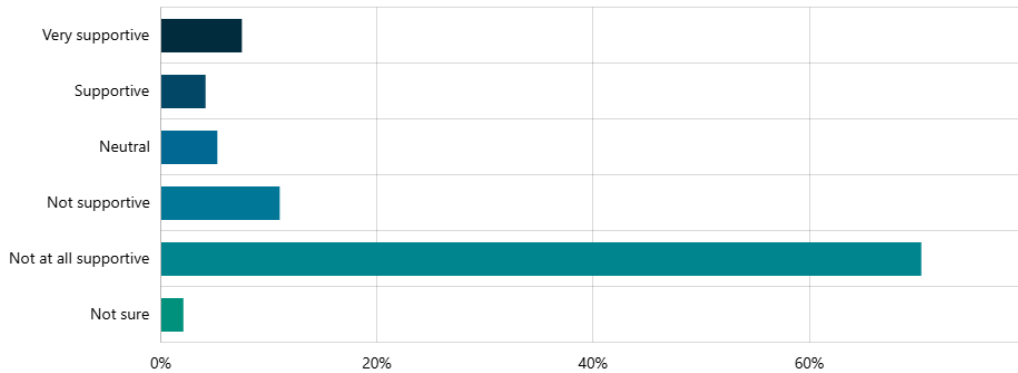


Figure 9. Survey results - level of support for SCCP use for waste management issues

**How concerned are you about the following construction activity in the City of Melbourne?**

Participants were able to select options on a scale including “not at all concerned”, “not concerned”, neutral, “concerned” and “extremely concerned” or “not sure”, this question was skipped 33 times and answered 1355 (97.62%) times.

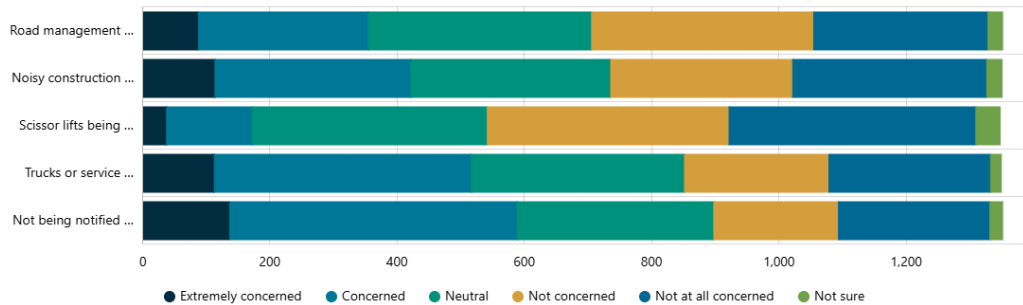


Figure 10. Survey results - level of concern for construction issues

**How supportive are you about the City of Melbourne using the Safe City Cameras to address the construction issues listed above?**

Participants were able to select multiple choice options on a scale including “very supportive”, supportive, “neutral”, “not supportive”, “not at all supportive” or “not sure”. This question was skipped 25 times and answered: 1363 (98.2%) times.

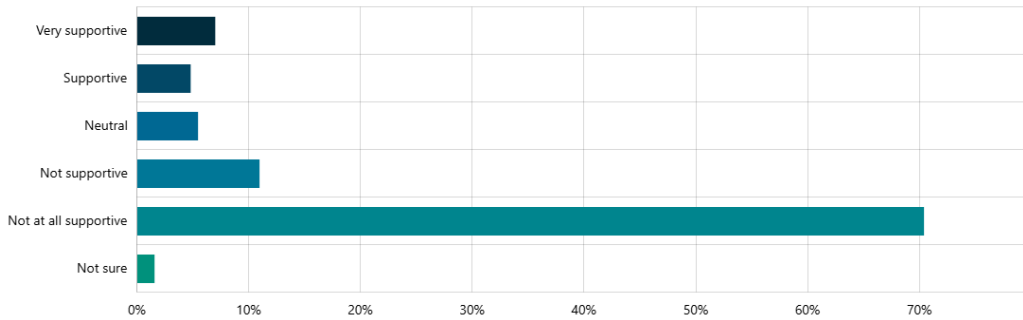


Figure 11. Survey results - level of support for SCCP use for construction issues

**How concerned are you about the following property damage issues in the City of Melbourne?**

Participants were able to select options on a scale including “not at all concerned”, “not concerned”, neutral”, “concerned” and “extremely concerned” or “not sure”, this question was skipped 34 times and answered: 1354 (97.55%) times.

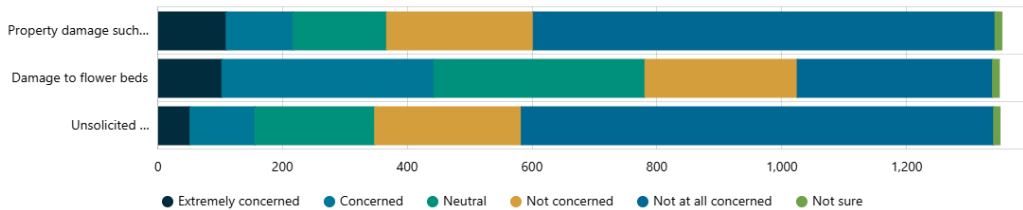


Figure 12. Survey results - level of concern for property management issues

**How supportive are you about the City of Melbourne using the Safe City Cameras to address the property damage issues listed above?**

Participants were able to select multiple choice options on a scale including “very supportive”, supportive”, “neutral”, “not supportive”, “not at all supportive” or “not sure”. This question was skipped 22 times and answered 1366 (98.41%) times.

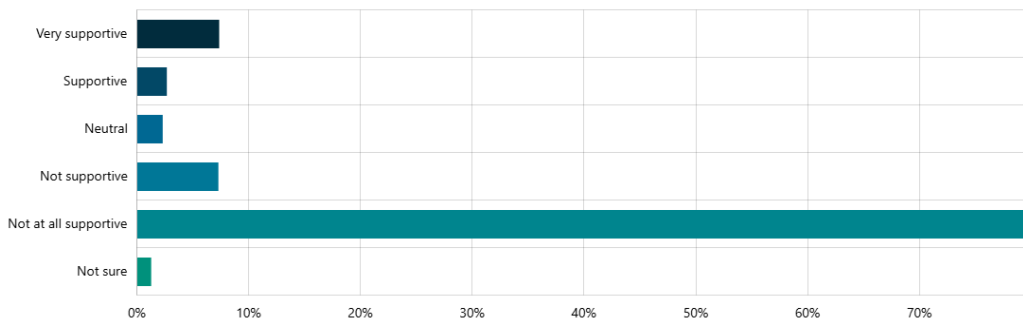


Figure 13. Survey results - level of support for SCCP use for property damage issues

**How concerned are you about the following issues in open spaces located in the City of Melbourne?**

Participants were able to select options on a scale including “not at all concerned”, “not concerned”, neutral, “concerned” and “extremely concerned” or “not sure”, this question was skipped 34 times and answered 1354 (97.55%)

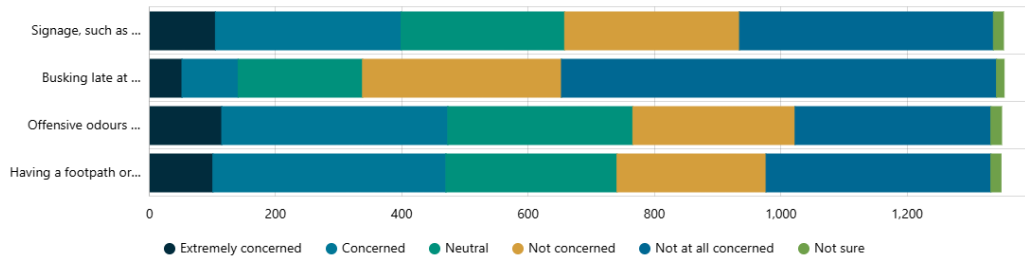


Figure 14. Survey results - level of concern for open space issues

**How supportive are you about the City of Melbourne using the Safe City Cameras to address the issues in open spaces listed above?**

Participants were able to select multiple choice options on a scale including “very supportive”, supportive”, “neutral”, “not supportive”, “not at all supportive” or “not sure”. This question was skipped 24 times and answered: 1364 (98.27%) times.

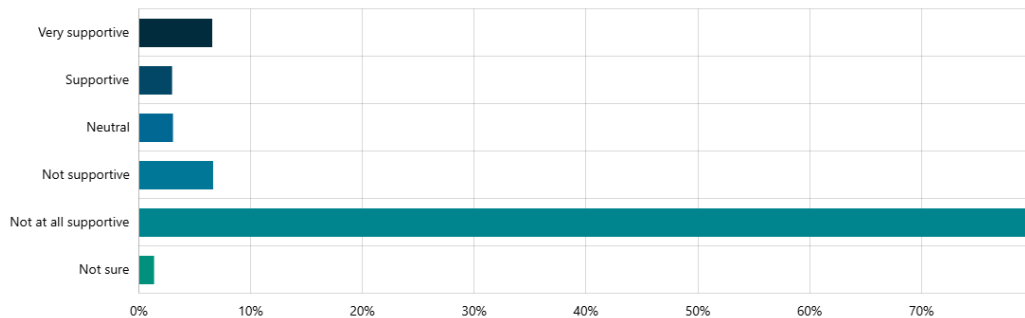


Figure 15. Survey results - level of support for using the SSCP for open space issues

**How concerned are you about the following environment related issues including those occurring in City of Melbourne reserves (e.g. parks and open spaces)?**

Participants were able to select options on a scale including “not at all concerned”, “not concerned”, neutral, “concerned” and “extremely concerned” or “not sure”, this question was skipped 39 times and answered 1349 (97.19%) times.

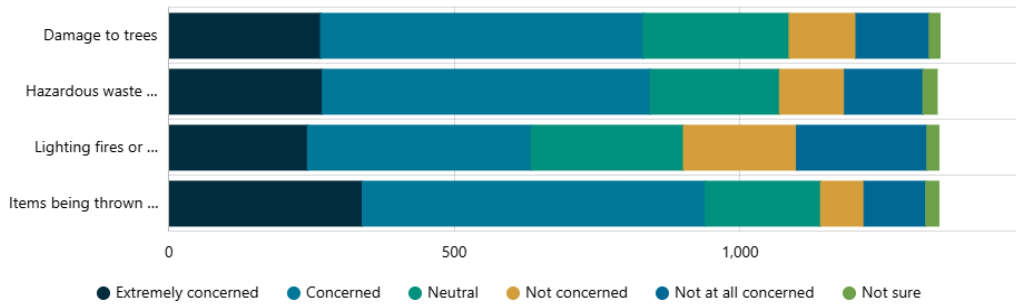


Figure 16. Survey results - level of concern for environment related issues

**How supportive are you about the City of Melbourne using the Safe City Cameras to address the environmental issues listed above?**

Participants were able to select multiple choice options on a scale including “very supportive”, supportive”, “neutral”, “not supportive”, “not at all supportive” or “not sure”. This question was skipped 21 times and answered: 1367 (98.49%) times.

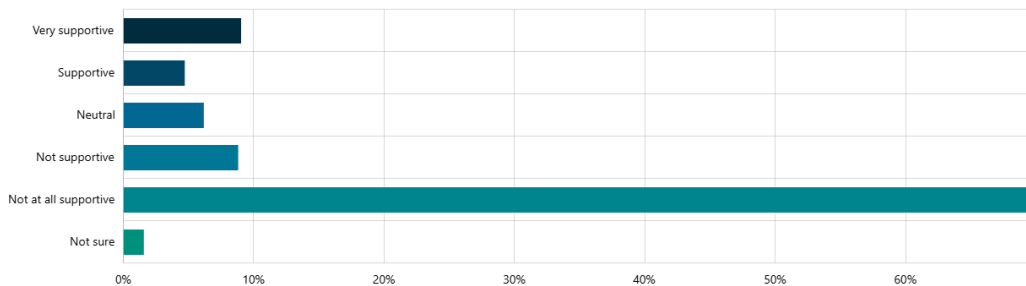


Figure 17. Survey results - level of support for using the SCCP for environmental issues

**Did level of concern for local laws matters correlate with the level of support for Safe City Camera Use?**

Across the five broad categories where community concern was measured, there were no strong trends identified between level of concern for specific issues and support for safe city camera use. While levels of concern fluctuated between 70% (items being thrown into the Yarra) and 10% (busking late at night, at loud volumes) there was consistently strong opposition to the SCCP being used in the investigation and enforcement of the issues listed.

**How familiar are you with City of Melbourne’s current processes for managing the personal information gathered by the Safe City Camera Program?**

Participants were able to select options on a scale including “very familiar”, “familiar”, “somewhat familiar”, “not at all familiar” and “neutral”, this question was skipped 31 times and answered 1357 times.

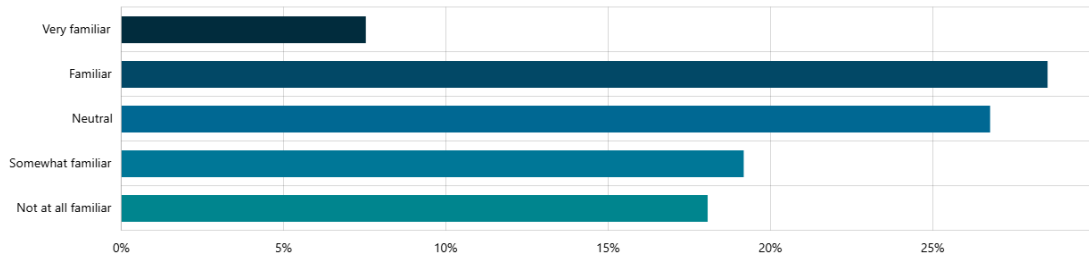


Figure 18. Survey results - level of familiarity with existing processes

**How confident are you that the City of Melbourne will use the Safe City Camera footage responsibly and in accordance with privacy laws?**

Participants were able to select options on a scale including “very confident”, “confident”, “not confident”, “not at all confident” or “neutral”, this question was answered 1388 times.

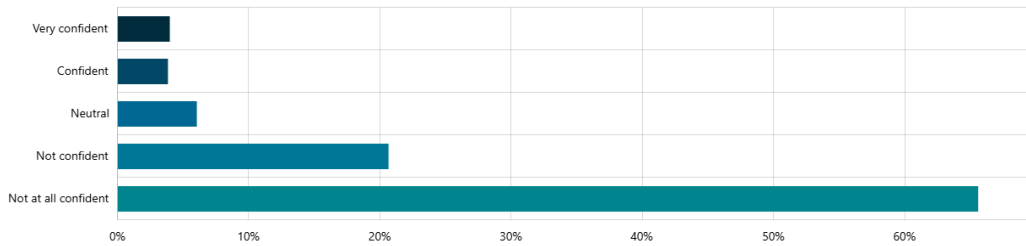


Figure 19. Survey results - level of confidence in use of footage

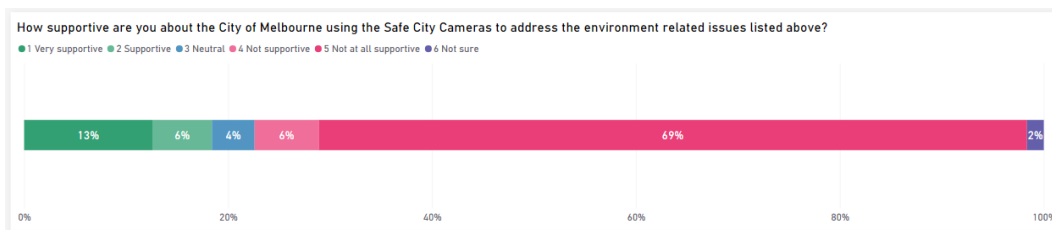
**Engagement results by community groups**

**Residents**

Residents account for 50% of participants in the engagement with 675 residents completing the full digital survey.

Only 16% of residents on average were supportive of using Safe City Cameras to address various issues. This was slightly higher for the use of cameras to address environmental issues, with 19% support.





Highest resident support for using cameras to address issues. N= 675

This corresponds with the highest level of resident concern being related to environmental issues like damage to trees, hazardous waste, lighting fires in reserves and items being thrown in the Yarra River.

The most common reasons for residents not supporting the expanded use were over-surveillance (212 comments) and an invasion of privacy (191 comments).

*“The use of cameras in surveillance of citizens has already gone too far.”*

*“Installing hundreds-thousands of cameras is an infringement of privacy to all people.”*

Around 100 of the 675 residents who participated in the survey were supportive of the use of safety cameras for the stated use cases. Those who supported the proposal referenced cleanliness and safety.

*“Using every effective tool at our disposal to maintain clean streets and safe public spaces aligns perfectly with the council’s stated commitment to improving city amenity.”*

*“I support camera footage to be used not for punitive action but to support social and economic initiatives to improve public safety”*

**Confidence of responsible use**

Residents had similarly low levels of confidence that the City of Melbourne would use the footage responsibly and in accordance with privacy laws compared to other participants.

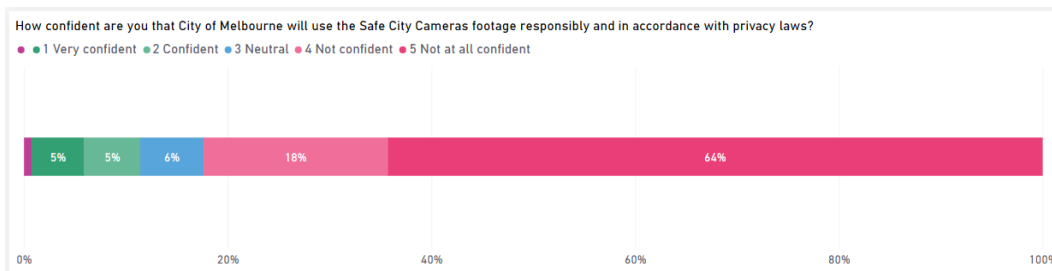


Figure 20. Resident confidence in responsible use of Safe City Cameras footage N = 675

**Business owners**

32 business owners participated in the online engagement of which, 27 completed the full online survey.

On average, only 12% of business owners (around 3) supported the use of Cameras to address various issues. The most supported topic was property damage, with 15% of business owners (4) expressing support for the use of the Safe City Cameras to address property damage.

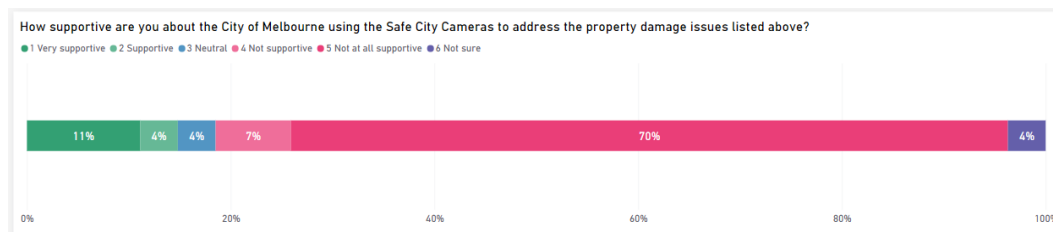


Figure 21. Property damage had the highest level of support for Safe City Camera use among business owners. N=27

Business owners had marginally lower rates of confidence in the City of Melbourne’s use of Safe City Cameras with only 2 business owners expressing confidence.

Business owners who expressed concerns about confidence cited improper uses and privacy concerns.

*“Stop using taxpayers’ money to fund this. Already having private security is insane, the fact that now “certain” council workers could access the footage is certainly a breach of privacy. No amount of training is going to stop stalkers, violent partners or bigots. You won’t be able to know if the council workers are reviewing a flower bed being damaged or tracking their ex-girlfriend. The police at least it’s approved by a judge in specific cases.”*

Of the small number of business owners who participated online and were in support of the program (~3) people referenced street safety and cleanliness as a benefit of the expansion:

*“It will help make our beautiful city cleaner, safer and liveable!”*

**People under 30**

994 people under 30 participated in this engagement, this is 57% of the total participant cohort who provided their age (n=1739).

For context and benchmarking, a graph of resident participation by age group for the full survey compared to census data is shown below. The cohort under 30 is marginally over-represented. This is unusual for City of Melbourne community engagement surveys, where young people are typically very underrepresented.

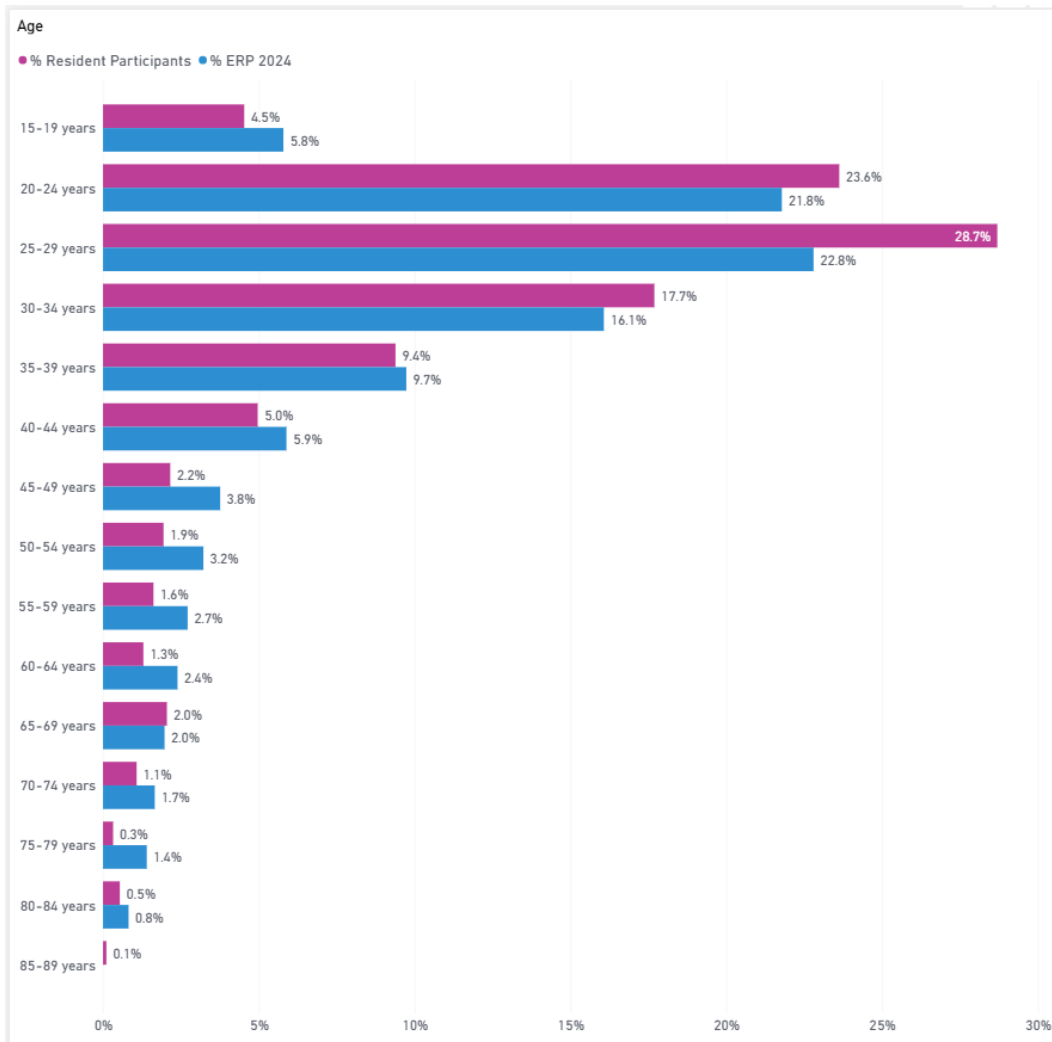


Figure 22. Resident age of engagement participants benchmarked against 2024 Estimated Resident Populations (ABS)

This was largely driven by community social media (47% of people under 30 heard about the engagement via community social media). Note the survey did not ask about the social media platform or publisher. 66% of people under 30 have not previously participated in a City of Melbourne community engagement.

Most uses cases for Safe City Cameras have a near universal lack of support from people under 30, with the highest rate of support being 8% for use for environmental issues.

People under 30 had higher rates of concern for:

- Dumped rubbish

- Cooking oil and construction waste issues,
- Notification about construction works and
- All environmental issues

And low rates of concern for

- Busking late at night
- Property damage such as graffiti
- Unsolicited advertising in public spaces

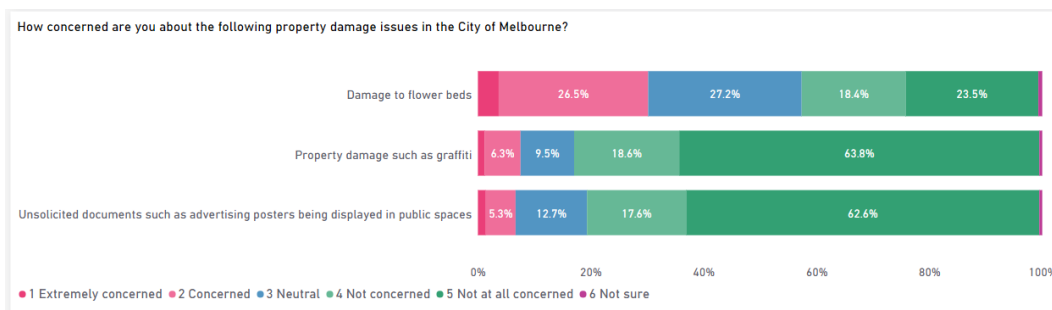


Figure 23. Low levels of concern relating to property damage issues from people under 30

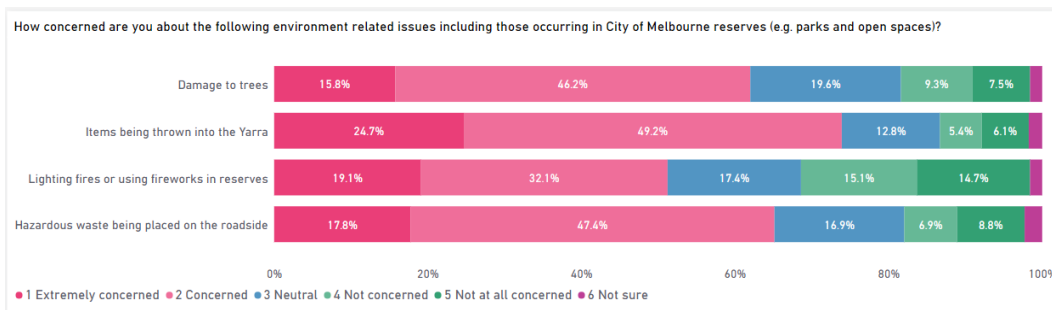


Figure 24. Higher levels of concern related to environmental issues

People under 30 indicated that the way to build trust would be to not expand the program and reduce the footprint of cameras in the city.

Beyond this, people under 30 referenced concerns about privacy and surveillance (502 comments), transparency and accountability (86 comments) and explicit carve outs for things that the cameras will not be used for, like people sleeping rough (107 comments) and protestors (166 comments)

*“I do not support the use of safe city camera footage for the issues listed because it raises serious concerns about privacy, civil liberties, and the right to protest.”*

*“Communicate more effectively with the public on how this policy will not infringe on their rights to privacy and protest”*

*“I don't feel comfortable with the safe city cameras policy as there doesn't appear to be any protections to ensure that it does not later get used to create a more hostile environment for the homeless population within the city, something that current policies are already doing.”*

*“Increased surveillance is not the answer, and I believe more time, education and community consultation needs to take place before this policy is implemented”*

**People over 30 and 49**

616 people between 30 and 49 participated in this engagement. This is 35% of total participants who provided age (n=1739). Of these, 51% are residents.

Context on resident benchmarking by age is detailed above.

On average, 12% of people between 30 and 49 support the use of safe city cameras for expanded use. The use case with the strongest support is environment-related issues with 14% support. When narrowing to residents between 30 and 49, this average increases to 15% and 19% support for environmental-related issues.

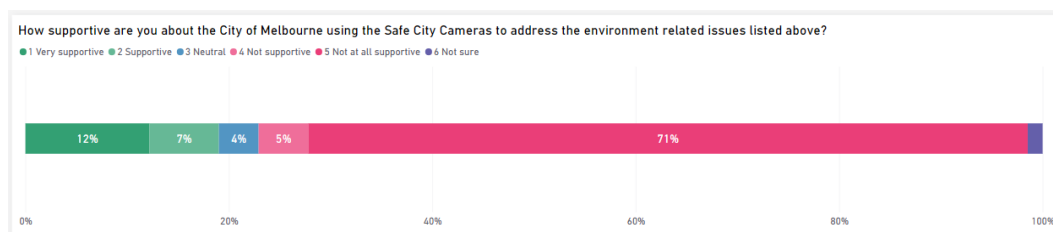


Figure 25. The environmental use case also had the highest support among residents between 30 and 49, however this is still low. (n=208)

**People over 50**

129 people aged 50 and over participated in this engagement. This is 7% of the total participants who provided age (n=1739). Of these 64% are residents. Context on resident benchmarking by age is detailed above, with this age cohort marginally underrepresented.

People over 50 were substantially more likely to support the program than people under 50.

On average, 64% of people over 50 support the use of safe city cameras for expanded use. Again, the use case with the strongest support is the environment related issues use. No use has less than 63% support from people over 50. When narrowing to residents over 50, this average increases to 73% support on average (note small n=74).

Those who support the expanded reference city cleanliness, safety and efficiency of use.

*“I support the use of Safe City Camera footage for these matters because it helps improve community safety, accountability, and compliance with local laws.”*

*“Keeping our citizens of Melbourne safe and feeling proud of their city needs to be our number one priority.”*

*“Using existing camera infrastructure for these purposes is an efficient and responsible way to enhance public safety without additional cost or intrusion.”*

*“I think it would also help address problems early rather than later.”*

*“It’s annoying to report a problem to council, then get told nothing can be done because the problem is gone by the time it’s investigated.”*

*“Crime, graffiti, waste, dirty streets, homeless people sleeping rough has turned Melbourne city into an unfriendly, uninviting and unsafe city that I’m now embarrassed to call my home.”*

Those who do not support the expanded use refer to cost concerns and surveillance (13 comments)

*“This is a waste of taxpayer money and a weird escalation is surveillance when the city is already lacking character and warmth.”*

*“This undermines the mission and focus of the system, it will be costly and increases the privacy risks”*

### **Gender**

24% of participants selected “prefer not to say” for gender, which is higher than standard City of Melbourne engagement projects and could reflect the sentiment around privacy that dominates this program.

Of those that provided gender, 48% responses were from women, 37% of responses were from men and 14.7% of responses were from non-binary people or those who would use another term. This demonstrates an underrepresentation in responses from men compared to municipal demographics.

While there is a lack of firm baselines for non-binary populations in Melbourne, this proportion of responses from the non-binary community is significantly higher than average responses to other City of Melbourne community engagement projects.

Across all genders, support for the expanded use cases is relatively low; however, it does differ. On average:

- 21% of men supported the expanded use cases (n=349)
- 14.6% of women supported the expanded use cases (n=431)
- 3% of non-binary people supported the expanded use cases (n=136)

All genders had marginally higher support for the environment-related use case, but only as high as 25% support among men.

With rates of support generally low across all genders, the underlying themes were mostly consistent across genders. A greater number of women and non-binary people referenced cameras being targeted at marginalised groups and protestors (around 170 comments), though this was also raised by men (100 comments).

### **Free text survey responses**

The engagement survey also asked several free text questions to provide participants with the opportunity to go into more detail, in their own words.

Some commonly raised concerns included privacy and surveillance, data protection and information security, concerns about misuse and function creep, a desire for more time to consider the proposal and concerns that the proposal was disproportionate to minor issues or may have a disproportionate impact on vulnerable groups.

An overview of questions and responses is below:

We asked

**In addition to the issues listed above<sup>1</sup>, the draft Safe City Camera Policy includes all other Council local laws and regulations. Please provide any feedback on Safe City Camera footage being used for these matters**

Many participants used this free text response to express concerns and raise issues including privacy and surveillance including artificial intelligence, the impact on vulnerable people such as people sleeping rough, and specific issues like protests and distrust in how recorded material may be used by Council or Victoria Police.

Responses to this question proposed or supported preventative measures including more street patrols, education and additional public realm interventions like additional bins or cleaning staff. Responses about privacy focused on balancing the privacy intrusion against issues seen as minor or provided conditional support for cameras being used to investigate waste management and serious crime and emergencies only.

Responses also raised the length of consultation and advocated for more time to consider the proposal.

We asked

**Please tell us why you support Safe City Camera Footage being utilised for any of the issues listed**

Many participants used this free text response to reinforce comments or answers made elsewhere in the survey.

Responses to this question identified matters such as safety (including road and pedestrian safety), protecting the environment, cleanliness and waste management and improving compliance with local laws as issues they supported the cameras being used for..

We asked

**Please tell us why you do not support the Safe City Camera footage being utilised for any of the issues listed above**

Many participants used this free text response to reinforce comments or answers made elsewhere in the survey.

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<sup>1</sup> This refers to the issues explored in pages 9-15 of this report including waste management, construction, open space, environmental and property damage.

Predominant issues raised included privacy and surveillance, including concerns with artificial intelligence, data protection and information security, the impact on vulnerable people such as people sleeping rough, human rights (particularly use during protests), recommending preventative measures and the importance of balancing the privacy intrusion against issues seen as minor.

Some responses provided conditional support for the SCCP in the context of serious crime and emergencies only.

As above, concerns about length of consultation and advocating for more time to consider the proposal were also raised.

#### We asked

#### **What action could CoM take to increase your confidence that we will use footage responsibly**

Many responses suggested that there was no way to increase confidence and advocated for not proceeding with the policy.

Other common themes and suggestions included:

- **Strengthening governance, audit and accountability measures:** with suggestions including public reporting and evaluations, a community panel, geo-fencing sensitive locations, more operational detail being made public, aligning to certain governance standards (e.g. ISO) adding privacy and human rights experts to the independent SCCP Audit Committee and publishing the Committee's Terms of Reference, mandatory training for staff. Accountability was referenced alongside utilising contracted security providers, but also in relation to the impact on people sleeping rough.
- **Artificial intelligence:** committing to not using artificial intelligence
- **Transparency and communication:** in relation to private cameras, signage, third party and contract arrangements, what the SCCP will not be used for and clarification on use in relation to protests, privacy breaches, informing the community when the SCCP leads to positive outcomes.
- **Preventative or alternative measures:** with suggestions including additional reporting methods like Snap Send Solve.
- **Vulnerable people:** create guidelines to prevent any disproportionate impact.
- **Further consultation:** additional time to consider the proposal was raised, along with requesting consultation with key stakeholders

#### We asked

#### **What questions do you have that we can answer in future project updates**

Survey responses identified key themes which future updates or communications activities should address which broadly relate to:

- Governance accountability, audit and oversight
- Data protection and information management
- how Council is considering privacy and human rights
- The safeguards in place to ensure that vulnerable groups are not disproportionately impacted



- the preventative measures that Council utilises to address local laws issues
- future plans, including adding additional cameras and artificial intelligence.

### Written submissions

Seven document submissions were made by stakeholders and raised issues including

- The experience of children and young and measures Council could consider to avoid impacting this cohort.
- Concerns about surveillance and privacy including artificial intelligence, the risk of misuse and function creep, governance and accountability measures, concerns about use during protests, the cost/benefit of expenditure on CCTV, data protection, that the proposal to utilise CCTV is not proportionate to the issues and third-party contractor risks.
- Examples of experiences of the issues in scope for the policy including waste and noise management issues.

### Limitations

While the engagement process yielded valuable insights, several limitations affected the reach, depth and inclusivity of community input including:

- **Reaching harder to engage audiences:** participation from some community groups including people from CALD backgrounds and business owners was lower than anticipated. This may reflect competing demands on their time or gaps in the engagement approach for this cohort.
- **Ability to reschedule in-person engagements:** The timeframe for community engagement restricted our ability to reschedule cancelled in-person engagement opportunities, cancelled for reasons which were outside officers control. The cancelled sessions were planned to reach a young adult audience, however this age group was well represented in the engagement.
- **Competing engagement activities:** Community had the opportunity to provide feedback on the Council Plan 2025-29 as it made its way through the Future Melbourne Committee and Council in October 2025 which coincided with the engagement period for the draft policy.

### Considerations

The results of this engagement highlight that there are strongly held views in the community in opposition to surveillance and concerns for the limitations that the SCCP may pose to the right to privacy.

Council's implementation actions in relation to governance, oversight, accountability, data protection, privacy and human rights safeguards and communications align with these concerns.

Many responses did not believe that utilising SCCP was proportionate to the issues captured by Council's local laws. While many engagement responses indicate some concerns about the local laws issues in scope for the draft policy, particularly for issues related to the environment, that concern does not extend to utilising SCCP footage to investigate these issues for most respondents. For others, their conditional support extends only to the use of the SCCP for serious criminal offences or emergencies.

Some responses indicated opposition to the SCCP as a whole, and requested that the SCCP be discontinued or not expanded. This could be linked to the aforementioned concerns about surveillance, but may also be a result of Council having limited direct engagement with community on the SCCP recently.

The results of the engagement survey indicate low confidence in Council to manage the information collected by the SCCP, which indicates that future work should focus on improving understanding in the community of the measures already in place. Further work should also aim to increase transparency around important issues like accountability and internal audit controls.

Community engagement identified issues on which Council could provide more information in the future, which includes governance, accountability, oversight and monitoring of the SCCP and related staff, controls in place to manage appropriate use of the SCCP, to protect data and the future plans around video analytics. A communications strategy will be developed to support implementation of the policy and should include accessible communications materials.

Engagement survey responses also indicated support for preventative measures in lieu of CCTV based interventions. Council already utilises a variety of preventative measures to address local laws issues including education, communications and program-based interventions. Future communications activities could highlight the holistic approach that Council takes to these issues beyond local law compliance.

The volume of participation and that many responses requested further time to consider the proposal indicates that groups within our community are highly interested in the SCCP. Future engagement activities should be planned to maximise participation and diversity of voices, particularly from groups who are less strongly featured in the present engagement including CALD people and business owners/traders.

### **Next Steps**

Council would like to thank everyone who participated and took the time to provide feedback on the Draft Safe City Camera Program Policy.

A report back to Council which includes a final Safe City Camera Policy will be presented to the Future Melbourne Committee on 2 December 2025.



# **Safe City Camera Program Policy**

Last updated: November 2025

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## Introduction

Melbourne City Council (**Council**) launched the Safe City Cameras Program (**SCCP**) on 27 February 1997. The SCCP relies on a network of cameras in the City of Melbourne to help to create a safer environment, reduce crime levels by deterring potential offenders and helping in crime detection, and to protect Melbourne's natural and built environment. In 2025, uses of the SCCP were expanded to support City of Melbourne Local Laws and Regulation enforcement. The SCCP is designed to protect the privacy of individuals and comply with Council's human rights obligations.

## The Operation of the SCCP

The SCCP area of coverage is a dynamic operating environment. Camera numbers inside the area of coverage change as we endeavour to minimise risks to the community. All cameras are placed in public places in the City of Melbourne. The primary camera locations are shown on the City of Melbourne website.

The SCCP comprises of Pan Tilt Zoom cameras, fixed cameras, Safe City Taxi Rank and Help Point cameras and shared or private cameras.

The majority of SCCP cameras are owned and operated by the City of Melbourne. The City of Melbourne also has entered into agreements with the owners of private or non-Council owned security cameras to gain access to their footage. Footage from these cameras is owned and retained by the owners/operators. The City of Melbourne obtains video footage from these cameras in the same way as the video footage from its own Council owned and operated cameras

Private or non-Council owned camera locations are shown on the City of Melbourne website. Specially trained and licenced security personnel actively monitor the cameras 24 hours a day, 7 days a week.

A Safe City mobile security patrol vehicle fitted with 360-degree CCTV surveillance cameras also operates during busy periods.

## Purposes

The purposes of the SCCP are to:

- assist Victoria Police to identify, detect, and respond to crime;
- assist in emergency response; and
- assist Council to identify, respond to and enforce Council local laws and regulations including, but not limited to damage to public or private property and infrastructure, defacement or destruction of the natural environment, acts of public nuisance, and other breaches of local laws leading to costs to ratepayers.

## Council's Legal Obligations

Council manages the SCCP subject to the following legal obligations:

**Charter of Human Rights and Responsibilities Act 2006:** This Act is a Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. It is about the relationship between government and the people it serves. The Act requires public authorities, such as Council, to act consistently with the human rights described in the Charter of Human Rights. For example, section 13 states that "a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and not to

have his or her reputation unlawfully attacked". There is more information on human rights on the [website of the Victorian Equal Opportunity and Human Rights Commissioner \(VEOHRC\)](#).

**Privacy and Data Protection Act 2014:** This Act places obligations on Victorian public authorities, such as Council, when it collects, holds, uses or discloses personal information. Specifically, Council must comply with the Information Privacy Principles (**IPPs**). There is more information on the IPPs and your privacy rights on the [website of the Office of the Victorian Information Commissioner \(OVIC\)](#). For more information on how Council complies with its privacy obligations, refer to Council's [Privacy Policy](#).

### **Privacy and Security Controls**

Council has put the following controls in place to protect the privacy of people who are recorded on an SCCP camera:

- all Council staff members and contractors who have access to the control room must sign a confidentiality agreement;
- there is permanent full-time security on the door to the control room;
- Council will only provide access to the footage to individuals and organisations in specific circumstances (refer to Application to view or obtain a copy of SCCP footage below), and requests must be made in writing; and
- footage is deleted after 28 days.

### **Application to view or obtain a copy of SCCP footage**

SCCP footage of incidents is made available only to authorised police members, Council authorised officers and civilians who meet the below criteria and agree to comply with the requirements for handling, use and return of footage. An application to view or copy footage by a civilian will only be approved if the applicant is:

- a lawyer acting on behalf of a person alleged to have committed an offence(s) which may have footage;
- a lawyer acting on behalf of the Victorian or Australian Government or Statutory Authority against a person alleged to have committed an offence(s) which may have been recorded;
- a lawyer acting on behalf of a person who alleges they have been a victim of an offence which has been recorded; and
- a victim of an offence who will represent themselves in a court of law or tribunal in relation to an offence which may have been recorded. In this instance the applicant must show evidence that there is a matter before the court or tribunal. This evidence could be a copy of the criminal charge or court or tribunal hearing date documentation.
- An individual charged with an offence will represent themselves in a court or tribunal in relation to an offence which may have been recorded. In this instance the applicant must provide evidence to substantiate that the individual has been charged with a criminal offence or has a civil matter before the court or tribunal. This evidence could be a copy of the criminal charge or court or tribunal hearing date documentation.

Footage is kept for 28 days. If no request has been made to view or access footage during this 28 day period the footage is destroyed.

Please note: Council does not provide material about traffic offences or insurance matters.

### **Freedom of Information (FOI) Requests**

FOI requests for SCCP footage are managed by Council's Governance and Legal Branch. Information on how to make an FOI request is available on the [City of Melbourne website](#).

### **Record keeping**

Council maintains records in relation to access to the SCCP Control Room and access to recorded material:

Real time access: Council maintains a record of visitors to the SCCP Control Room and maintains role and system-based access controls. Only staff who are working in the SCCP Control Room or designated personnel are allowed access via their building access pass.

Access to recorded material: Council maintains records in relation to accessing of recorded material. The Video Management System also records all actions of any person who signs into the system, including when cameras are selected and moved or footage is destroyed.

### **Making a Formal Complaint**

Council's Complaint Resolution Policy is managed through the Customer Experience Branch.

Information on how to make a formal complaint is available on the [City of Melbourne website](#).

### **Storage, Handling and Destruction of Electronic Records**

Under the Public Records Act 1973, Municipal Councils are responsible for carrying out a program of records management in accordance with the standards established under section 13 of the Act. Council deletes SCCP footage after 28 days.

### **Memorandum of Understanding with Victoria Police**

Council has established and maintains a Memorandum of Understanding (**MOU**) between City of Melbourne and Victoria Police regarding the operation of the SCCP and the partnership approach to the maintenance of a safe city.

### **SCCP Audit Committee**

The independent SCCP Audit Committee (**Audit Committee**) was established from the inception of the SCCP. There are three independent members on the Audit Committee, including a lawyer and a community representative. In addition, there are two representatives from Victoria Police as program partners and representatives from City of Melbourne who provide operational reports, briefings and the committee secretariat.

The Audit Committees Terms of Reference are published on Councils website.

The Audit Committee meets six times a year and provides an annual written Audit Report to Council. This report evaluates the operations of the SCCP, compliance with the requirements for handling, use and return of footage and Operating Procedures and any recommendations that may arise from the Audit. Audit reports must be published on the City of Melbourne website without unreasonable delay and remain published for five years.

### **Review of the Safe City Camera Program Policy**

The Safe City Camera Program Policy will be made available to the public via Councils website.

The Safe City Camera Program Policy will be reviewed every two years by the Manager, Security Services and in circumstances where a material change is proposed to the Policy.

**Related Documents**

City of Melbourne policies including:

- [Privacy Policy](#)
- [Customer Complaints Policy](#)
- [Freedom of Information Statement](#)

**Related Legislation**

**City of Melbourne local laws and regulations**

*Local Government Act 2020*

*Privacy and Data Protection Act 2014*

*Charter of Human Rights and Responsibilities Act 2006*

*Public Records Act 1973*

*Health Records Act 2001*