

MARTINBOROUGH COMMUNITY BOARD

Agenda

NOTICE OF MEETING

An ordinary meeting will be held in the Supper Room, Waihinga Centre, Texas Street, Martinborough on Thursday, 8 July 2021 at 6:30pm.

MEMBERSHIP OF THE COMMITTEE

Mel Maynard (Chair), Aidan Ellims, Nathan Fenwick, Michael Honey, Cr Pam Colenso, Cr Pip Maynard and Alex Mason (youth representative).

PUBLIC BUSINESS

1. EXTRAORDINARY BUSINESS:

2. APOLOGIES:

3. CONFLICTS OF INTEREST:

4. ACKNOWLEDGEMENTS AND TRIBUTES:

5. PUBLIC PARTICIPATION:

- 5.1 Charlotte Harding of Martinborough Business Association – Winter Martinborough event for 2022 and onwards
- 5.2 Stuart Campbell – Innovating Streets programme and survey

6. ACTIONS FROM PUBLIC PARTICIPATION/PRESENTATIONS:

As per standing order 14.17 no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

7. COMMUNITY BOARD MINUTES:

- 7.1 Minutes for Approval: Minutes of the Martinborough Community Board meeting held on 27 May 2021.

Proposed Resolution: *That the minutes of the Martinborough Community Board meeting held on 27 May 2021 be confirmed as a true and correct record.*

8. CHIEF EXECUTIVE AND STAFF REPORTS:

8.1 Action Items Report **Pages 6-11**

8.2 Income and Expenditure Report **Pages 12-19**

9. NOTICES OF MOTION:

9.1 None advised

10. CHAIRPERSON'S REPORT:

10.1 Chairperson Report **Pages 20-24**

11. MEMBER REPORTS (INFORMATION):

11.1 None advised

12. CORRESPONDENCE:

Proposed Resolution: *That the inwards correspondence be received.*

12.1 Inwards Correspondence **Pages 25-57**

To Martinborough Community Board from Jo Kelly, Constable of
New Zealand Police, received 27 May 2021



Minutes – 27 May 2021

Present:	Mel Maynard (Chair), Aidan Ellims, Michael Honey, Nathan Fenwick, Councillor Pip Maynard, Councillor Pam Colenso and Alex Mason (youth representative).
In Attendance:	Mayor Alex Beijen (to 7.53pm), Euan Stitt (Group Manager Partnerships and Operations) and Steph Frischknecht (Committee Advisor).
Conduct of Business:	The meeting was conducted in public in the Martinborough Supper Room, Texas Street, Martinborough between 6.30pm and 8.57pm.

1. EXTRAORDINARY BUSINESS

Ms Maynard explained a report from Mr Ellims on the 2021 Community Boards Conference would be tabled under agenda item 10.1, the Chairperson Report.

2. APOLOGIES

There were no apologies.

3. CONFLICTS OF INTEREST

There were no conflicts of interest.

4. ACKNOWLEDGMENTS AND TRIBUTES

Mr Ellims paid tribute to Martinborough resident Christine Mann who recently passed away and members acknowledged the efforts of the Martinborough Volunteer Fire Brigade.

Ms Maynard paid tribute to Jane Murray, a foundation teacher of the Kohanga Reo at Hau Ariki, who had recently passed away.

5. PUBLIC PARTICIPATION

Jenny Boyne – Coastal Reserves and Roads

Ms Boyne expressed the view that the reserves at Tora and Te Awaiti had deteriorated. Ms Boyne requested the addition of a picnic table and BBQs and advocated for alternative land being made available for recreational use. Ms Boyne was concerned about road safety around Tora and Te Awaiti and advocated for the sealing of roads in sections where accidents had occurred.

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Charlotte Harding – Pump Track Project and Flags

Ms Harding introduced a community-led proposal to construct a pump track at Considine Park. The project was in the design scoping phase and Ms Harding stated the Board would be engaged should the project progress.

Ms Harding spoke of her idea for the three towns to have Matariki street flags that had a local design element. Ms Harding requested the Board purchase fewer Matariki flags this year so that this could be pursued through the Boards and Māori Standing Committee next year.

Ms Harding informed members of the purchase of street flags with commercial advertising and sought clarification over the policy guidelines.

6. ACTIONS FROM PUBLIC PARTICIPATION/PRESENTATIONS

Jenny Boyne

Members discussed BBQs and picnic tables could be funded through a Council or Martinborough Community Board grant. Mr Stitt undertook to investigate the availability of reserve space and plans at Tora and Te Awaiti.

Mr Stitt advised he would be ensuring Council has visibility of accidents from NZ Police to ensure maintenance and upgrades are being done in the right place.

Charlotte Harding

Members were pleased to hear of a community project providing more facilities for youth.

Members discussed the intention of street flags to promote the community and requested clarification of whether flags with a commercial element were permitted under the Street Banners and Flags Policy. The policy was due for review in April 2020. Members requested it be updated and offered to support the review process.

MCB NOTED:

Action 193: Advise whether flags with a commercial element are permitted under the Street Banners and Flags Policy and request the policy be prioritised for review, E Stitt and K Yates.

7. COMMUNITY BOARD MINUTES

7.1 Martinborough Community Board Minutes – 29 April 2021

MCB RESOLVED (MCB 2021/23) that the minutes of the Martinborough Community Board meeting held on 29 April 2021 be confirmed as a true and correct record.

(Moved Ellims/Seconded Fenwick)

Carried

8. CHIEF EXECUTIVE AND STAFF REPORTS

8.1 Officer Report

Mr Stitt responded to questions on the dog pound, water leakages, the MRF recycling upgrade, the renewal of driplines at the Lake Ferry Wastewater Treatment Plant, extent of the Ruakokoputuna seal

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extensions, level of engagement expected on the speed limit review, status of the Ngwai Community Hall resource consent, progress on the Waihinga Centre lessons learned and development of a road stopping policy.

Mr Stitt updated members that checks would be done on fire hydrants across the network and those of concern would be put on a more regular testing regime.

Members sought reassurance of the justification for the Innovating Streets programme from a safety perspective, and discussed the safety of proposed design elements and alternative methods of improving safety. Mr Stitt undertook to communicate the Board's feedback to the project team and emphasised it was a trial with the opportunity for feedback.

Ms Maynard undertook to raise Mr Fenwick's query regarding the use of the Infrastructure Reserve Fund for the programme at the next Assets and Services Committee Meeting.

Mayor Beijen left the meeting at 7.53pm.

*MCB RESOLVED (MCB 2021/24) to receive the Officers Report
(Moved Cr Colenso/Seconded Cr Maynard)*

Carried

8.2 Action Items Report

Members reviewed open action items and noted further updates. Ms Maynard undertook to send Mr Stitt details of the additional financial information the Board was seeking in relation to the Pain Farm. Members discussed the allocation of funds in 2021/22 and the request to advise Finance officers the process they would be following. This would be discussed further in a workshop.

MCB NOTED:

Action 194: Hold a workshop to discuss the allocation of Martinborough Community Board funds for 2021/22, MCB.

MCB RESOLVED (MCB 2021/25) to receive the Action Items Report.

(Moved Fenwick/Seconded Cr Maynard)

Carried

8.3 Income and Expenditure Report

MCB NOTED:

Action 195: Provide clarification of the funds reimbursed for mileage as shown in the Martinborough Community Board's Income and Expenditure Statement, K Neems.

MCB RESOLVED (MCB 2021/26) to receive the Income and Expenditure Statement for 1 July 2020 – 30 April 2021.

(Moved Ellims/Seconded Cr Colenso)

Carried

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9. NOTICES OF MOTION

There were no notices of motion.

10. CHAIRPERSONS REPORT

10.1 Chairperson Report

Members discussed the recommendations pertaining to road safety, options for reinforcing speed limits outside the Martinborough kindergarten and considered additional lighting was needed at pedestrian crossings around the Martinborough Square.

Ms Maynard updated members of recent antisocial behaviour in the community. Discussions had taken place with NZ Police and Ms Maynard intended to present information received on CCTV cameras and privacy to the next Martinborough Community Board meeting. Members discussed storage of CCTV footage and the idea of a Neighbourhood Support group.

Members discussed design options for Matariki flags. Three designs were selected subject to amendments to include nine stars. Members agreed to fund nine flags; additional flags would be considered next year.

Mr Ellims provided a report back on the 2021 Community Boards Conference and advocated for SWDC to become accredited with Safer Communities NZ. Members discussed the timeframes for the Future of Local Government Review, opportunities to input into the process and preparing a joint Community Board submission.

MCB RESOLVED (MCB 2021/27):

1. To receive the Chairperson Report
(Moved Fenwick/Seconded Honey) Carried
2. To recommend the Assets and Services Committee considers the following road safety matters:
 - a. A temporary low sitting roundabout at the junction of SH53 Kitchener Street and Princess Street.
 - b. Temporary coloured cat eyes on both sides of pedestrian crossing on Jellicoe Street (at the footpath beside Venice Street) in the 50 metres before the crossing.
 - c. Temporary coloured cat eyes or speed bumps on both sides of the pedestrian crossing outside the school on Dublin Street on the Heavy Traffic Bypass.
 - d. Requests officers investigate options to slow traffic on Roberts Street outside the Kindergarten.
 - e. Request officers investigate options for a cycle/foot pathway along Puruantanga Road from the corner of Princess Street to Te Kairanga Vineyard.

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(Moved Fenwick/Seconded Ellims)

Carried

MCB RESOLVED (MCB 2021/28) to approve the purchase of nine Matariki Flags for Martinborough FlagTrax at a cost of \$684 + GST, to be funded from the beautification fund.

(Moved Cr Maynard/Seconded Maynard)

Carried

MCB RESOLVED (MCB 2021/29) to receive the tabled National Community Board Conference Gore 23/24 April 2021 Member Report from Aidan Ellims.

(Moved Cr Maynard/Seconded Ellims)

Carried

11. MEMBER REPORTS

There were no member reports.

12. CORRESPONDENCE

There was no correspondence.

The meeting closed at 8.57pm.

Confirmed as a true and correct record

.....Chairperson

.....Date

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MARTINBOROUGH COMMUNITY BOARD

8 JULY 2021

AGENDA ITEM 8.1

ACTION ITEMS REPORT

Purpose of Report

To present the Community Board with updates on actions and resolutions.

Recommendations

Officers recommend that the Community Board:

1. *Receive the Action Items Report.*

1. Executive Summary

Action items from recent meetings are presented to the Community Board for information in Appendix 1. The Chair may ask Council officers for comment and all members may ask Council officers for clarification and information through the Chair.

If the action has been completed between meetings it will be shown as 'actioned' for one meeting and then will be remain in a master register but no longer reported on.

2. Appendices

Appendix 1 – Action Items to 29 June 2021

Contact Officer: Steph Frischknecht, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive Officer

Appendix 1 – Action Items to 29 June 2021

Number	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
584	9-Oct-17	Resolution	MCB	<p>MCB RESOLVED (MCB 2017/96)</p> <p>1. To receive the Greater Wellington Regional Council (GWRC) Bus Shelter on Ohio Street report</p> <p>2. To defer further discussion on potential artists and murals at the next MCB workshop. (Moved Cornelissen/Seconded Roy) Carried</p>	Open	<p>12/3/18: Cr Colenso undertook to put an artist's brief together.</p> <p>6/6/19: Cr Colenso has been in contact with Jo Deans, Waste Management Officer. She is keen to do something to reflect saving the planet/saving out towns. MCB supported the idea noting it was a good fit with the plastic bag free approach. Also in discussion with GWRC. 18/7/19: Progressing, Cr Colenso still working on.</p> <p>22/8/19: To park for the new Board.</p> <p>25/09/20: Cr Colenso has contacted GWRC and is awaiting a response.</p> <p>5/11/20: Councillor Colenso updated members of discussions with GWRC and the Board agreed with the suggestion to approach an artist for design ideas for the bus shelter if this could be done at no cost.</p> <p>17/12/20: Cr Colenso undertook to approach Simon Fuller, principal of Kuranui College, to request students assist with the design for the bus shelter.</p> <p>25/02/21: Contact not yet made with Simon Fuller.</p> <p>29/04/21: Still work in progress.</p> <p>29/06/21: No update</p>
176	19-Sep-19	Resolution	4 & 5 – K Neems	<p>MCB RESOLVED (MCB 2019/70) that:</p> <p>1b. Officers report to the next full Community Board with a maintenance schedule for the homestead, cottage and surrounding land. (Moved Cr Maynard/Seconded Roy) Carried</p> <p>1c. Whilst work is being undertaken on the house and cottage, that officers report to the Board at each meeting (6 weekly) on the progress of maintenance until the work is completed, and</p> <p>Thereafter, officers report 6 monthly on the condition of the homestead, cottage, surrounding land, and farm.</p> <p>(Moved Cr Colenso/Seconded Beattie) Carried</p> <p>2. The repairs and maintenance work to bring the homestead and cottage up to an acceptable standard for rental purposes be undertaken as a matter of priority. (Moved Cr Colenso/Seconded Beattie) Carried</p> <p>3. The exterior painting of the homestead be undertaken as the next priority and that the Board recommends Council approves up to \$30,000 for this work. (Moved Cornelissen/Seconded Cr Colenso) Carried</p> <p>4. That Council review the overhead cost allocation model for the Pain Farm.</p> <p>5. That following this review, that Council consider whether any overhead allocations for the last three years should be credited back to the Pain Farm account. (Moved Read/Seconded Cornelissen) Carried</p>	Open	<p>1b – Superseded by resolution MCB2019/78 (point 3)</p> <p>1c – Done</p> <p>2 – Done</p> <p>3 – Done and has been reported to Council on 18 March 2020</p> <p>4 – Review of the overhead cost allocation model to be done as part of the Long-Term Plan.</p> <p>5 – See point 4 above</p> <p>05/11/20: Members discussed timeframes of the cost allocation model review, scope of original request and sought an update to clarify the connection between the overhead cost allocation model and crediting of funds back to the Pain Farm account.</p> <p>08/12/20:–It is considered efficient to look at the review of the costs at the same time as the allocation model is reviewed for the LTP. Due to resourcing constraints this has been pushed to early next year. As mentioned in a previous report it is unlikely any Corporate Support costs will be credited as they cover governance and secretarial duties, financial accounts, debt collection, internal administrative time etc for the residential accommodation, refuse station, and farm. The portion of the Professional Services which covers property management for these three income streams will form the basis of the review. The time taken for Officers to project manage the entire property including the recent upgrade to the house and farm fencing will also be taken into account.</p> <p>29/4/21: Awaiting confirmation of LTP.</p> <p>29/06/21: Report to be presented to FAR for discussion 11/08/21.</p>
293	5-Dec-19	Action	E Stitt	To request officers investigate lessons learned for the Waihinga Centre project.	Open	<p>02/07/20: This will an independent review planned to commence in July 2020.</p> <p>14/08/20: Independent reviewer identified but review not yet started.</p> <p>27/10/20: We've now got budget to proceed with the review and external recourses will be engaged to help us conduct it in the coming weeks.</p> <p>08/12/20: Relevant information has now been gathered and the process will begin in the New Year. It will take 6 weeks based on independent contractor availability.</p> <p>29/04/21: Project to commence end April.</p> <p>21/05/21: Review underway</p> <p>29/06/21: Interviews with project team undertaken and report being drafted.</p>
294	5-Dec-19	Action	H Wilson	Officers to report to the Martinborough Community Board on opportunities to maximise the revenue of the Pain Farm by looking at options for different land use.	Open	<p>27/10/20: Officers would welcome some direction from the MCB on what opportunities the Board consider could be taken in view of the existing residential tenancies, farm lease, transfer station and wastewater to land operation.</p> <p>05/11/20: Members discussed the request from officer's for further direction and requested a breakdown of the various Pain Farm income to show the current Pain Farm revenue sources mentioned above (refer to Action 615).</p> <p>18/2/21: Statement of Performance provided to meeting 25/2/21.</p> <p>21/05/21: Awaiting direction from MCB.</p> <p>27/05/21: Members discussed information missing from the Pain Farm Statement provided. Ms Maynard undertook to email officers with content missing so officers can investigate whether it can be provided.</p> <p>29/06/21: Ms Maynard confirmed all requested information had been received so officers now awaiting direction from MCB.</p>

Number	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
95	27-Feb-20	Action	MCB	Investigate forming a Martinborough Tree Group with representatives from the community and the Martinborough Community Board.	Open	02/07/20: Mayor Beijen and Michael Honey have started the process of establishing a Martinborough Tree Group. 14/08/20: Four representatives identified but group not yet established. 24/09/20: Still in progress of forming group. 17/12/20: Mayor Beijen updated members progress has been made and invitations would be sent within the coming weeks. 29/04/21: Work in progress. 29/06/21: No update.
314	2-Jul-20	Action	E Stitt	To investigate walking/cycling improvements along the eastern side of Princess street from the intersections of New York Street to Huangarua Road, and more broadly in Martinborough.	Open	23/07/20: The option of a walking /cycling path along Princess street is viable>estimate cost of approximately \$55,000 which there is no current budget for. This proposal will be addressed within the Spatial Plan and any walking cycling strategies developed. 27/10/20: This will be considered as part of a Walking/Cycling strategy and potentially funded within the Long Term Plan. 29/04/2021: Awaiting outcome of LTP to confirm funding of walking/cycling strategy. 29/06/21: As above.
429	13-Aug-20	Action	MCB	Investigate entering into a funding partnership agreement with Martinborough Community Garden for the remainder of the triennium.	Parked	24/08/20: Funding partnership offered through correspondence on grant. Martinborough Community Garden has requested to meet with MCB first and this request has been forwarded to the Chair. 27/10/20: Chair of MCB met with Martinborough Community Garden who has requested relocation options first be considered (refer to action 489). 27/10/20: A potential site behind the Cecily Martin Housing for Seniors area on the corner of Venice and Regent Street has been identified. 05/11/20: Members discussed the proposed location for the Martinborough Community Garden at the Cecily Martin Housing for Seniors area on the corner of Venice and Regent Street and sought clarification on the land available before members discussed the proposed location with the Martinborough Community Garden (refer Action 617) 8/12/20: The land area is approximately 1270m2 and maps of the area were provided in Appendix 3 of the Action Items Report to the meeting on 17/12/20. It is suggested if the Board wants to explore this that a community board representatives works with the Martinborough Community Garden to present a proposal to officers for consideration.
495	24-Sep-20	Action	K Neems	Confirm if the commitments for the Waihinga Centre and water fountain need to be retained or whether these can be released back to the beautification fund	Open	Waihinga \$30k was journaled against the project as part of the year-end adjustments. This was done after the last I&E statement was completed and has been updated in the latest I&E statement showing there is no commitment remaining to be released. Officers need to manually collate the remaining water fountain invoices before confirming the amount remaining for release. 20/04/21: The water fountain invoices will be manually collated at the end of the financial year (30-Jun-21) 29/06/21: As above, to be updated on the I&E statement once it covers the period through to 30-Jun-21.
497	24-Sep-20	Action	MCB	To continuing working with mana whenua on a Martinborough town sign entrance	Open	29/06/21: No update
606	5-Nov-20	Action	E Stitt	Request an update from Greater Wellington Regional Council on progress made to remedy the Hinekura Road slump issue	Open	17/12/20: There has been no concerns over the winter months and the heavy rain 9/10th November had no impact. The issue will be addressed with GWRC mid-summer 18/2/21: Monitoring regularly, meeting currently being organised with GWRC. 29/04/21 - Monitoring not showing significant shifts - developing plan with GWRC. 21/05/21: No shift observed. Culvert installed to mitigate stormwater risk prewinter. Discussions with GWRC continue. 29/06/21: An update will be provided at the MCB meeting given the evolving nature.
613	5-Nov-20	Action	K Yates	Seek a nomination from the Māori Standing Committee for a tangata whenua representative for the Considine Park User Group	Open	8/12/20: MSC are considering potential candidates to represent the interests of tangata whenua following a report to their meeting on 8-Dec-20. 25/2/21: Still in progress. 13/4/21: MSC Hau Ariki Marae representative to raise at next marae meeting. 29/6/21: MSC discussed this at their meeting of 8-Jun and are still awaiting discussion at an upcoming Hau Ariki Marae meeting.

Number	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
719	17-Dec-20	Action	E Stitt	Provide the Board with information on what is being done in response to difficulties accessing the fire hydrant on Jellicoe Street and an update on the hydrant maintenance schedule to resolve issues with accessing hydrants in Martinborough	Actioned	<p>25/02/21: Update reported to 25Feb21 meeting that this is being progressed with Wellington Water Ltd and negotiations are underway to increase the frequency of fire hydrant servicing.</p> <p>29/4/21: SWDC is negotiating a variation to the standard of fire hydrant servicing but there are cost implications.</p> <p>21/05/21: See information below on standard. We have asked for inspection to be accelerated in short term to ensure no legacy issues.</p> <p>Hydrants - To confirm the proactive maintenance programme for fire hydrants, as managed through the WWL Customer Operations Group. This complies with New Zealand Standard 4522:210 Underground Fire Hydrants: Annually:</p> <ul style="list-style-type: none"> 20% of all fire hydrants get inspected, operated (flushed till clear) and condition assessment recorded against the asset. <ul style="list-style-type: none"> Note: For SWDC, this 20% is split evenly across the three towns (approximately 40 hydrants per town per year). It therefore takes 5 years to get round all hydrants. 100% of all dead-end fire hydrants are operated (flushed till clear). <ul style="list-style-type: none"> These typically sit at the ends of the water network and the flushing helps to flush out old water. 100% of critical hydrants get tested for flow rate and pressure. <ul style="list-style-type: none"> These are a smaller number of selected hydrants which give an indication of the wider networks' supply and firefighting performance. 100% of all fire hydrants get a fresh paint, if required, as well as replacement of any missing blue reflector markers. <p>27/5/21: Mr Stitt updated members that checks would be done on fire hydrants across the network and those of concern would be put on a more regular testing regime.</p>
726	17-Dec-20	Action	E Stitt	Request the Roading Manager attends a Martinborough Community Board meeting to discuss the roading programme	Open	<p>29/04/21: Programme for 2021/22 will be developed over coming months.</p> <p>21/05/21: As above.</p> <p>29/06/21: Programme is not ready (budgets are still being developed by NZTA).</p>
727	17-Dec-20	Action	MCB	Consider putting forth a list of road names for use in the Martinborough Ward	Open	29/06/21: No update
731	17-Dec-20	Action	Cr Colenso	Investigate who originally designed the historical information sign at Bidwills Cutting	Open	<p>29/04/21: Still work in progress</p> <p>29/06/21: No update</p>
121	29-Apr-21	Resolution	K Neems	<p>MCB RESOLVED (MCB 2021/20):</p> <p>1. To receive the Financial Assistance Report. (Moved Fenwick/Seconded Honey) Carried</p> <p>2. To defer considering the grant application from Martinborough Music Festival Trust until the next available funding round in August 2021. (Moved Cr Colenso/Seconded Honey) Carried</p> <p>3. To close grant applications to the end of 2020/21 financial year and refer applicants to the next available funding round in August 2021. (Moved Ellims/Seconded Fenwick) Carried</p>	Open	<p>21/05/21: MCB grant funding has been closed for 202/21 and letter has been sent to Martinborough Music Festival seeking their confirmation of whether they would like their application to be presented to the Board for consideration in Aug-21.</p> <p>29/06/21: Followed up with Martinborough Music Festival for response to above correspondence.</p>
124	29-Apr-21	Action	MCB	Hold a workshop to discuss opportunities for innovative safety improvements on Martinborough streets such as at the intersections of Venice/Jellicoe Streets and Princess/Kitchener Streets	Actioned	
127	29-Apr-21	Action	MCB	Investigate the process for submitting an application to South Wairarapa Rotary Club for funding of new FlagTrax in Martinborough subject to confirmation that the Martinborough Community Board is able to apply for external funding	Open	<p>27/05/21: The Board is able to apply externally for funds. Cr Colenso updated members an application would be presented to the next MCB meeting for consideration.</p> <p>29/06/21: No update.</p>
190	27-May-21	Resolution	E Stitt	<p>MCB RESOLVED (MCB 2021/27):</p> <p>1. To receive the Chairperson Report (Moved Fenwick/Seconded Honey) Carried</p> <p>2. To recommend the Assets and Services Committee considers the following road safety matters:</p> <p>a. A temporary low sitting roundabout at the junction of SH53 Kitchener Street and Princess Street.</p>	Open	29/06/21: This needs to await the confirmation of budgets (which includes NZTA). Note that for 2 (e) we will be highlighting/considering this as part of the alcohol bylaw discussions going to Council on 28-Jul-21.

Number	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
				b. Temporary coloured cat eyes on both sides of pedestrian crossing on Jellicoe Street (at the footpath beside Venice Street) in the 50 metres before the crossing. c. Temporary coloured cat eyes or speed bumps on both sides of the pedestrian crossing outside the school on Dublin Street on the Heavy Traffic Bypass. d. Requests officers investigate options to slow traffic on Roberts Street outside the Kindergarten. e. Request officers investigate options for a cycle/foot pathway along Puruantanga Road from the corner of Princess Street to Te Kairanga Vineyard. (Moved Fenwick/Seconded Ellims) Carried		
191	27-May-21	Resolution	C Clarke	MCB RESOLVED (MCB 2021/28) to approve the purchase of nine Matariki Flags for Martinborough FlagTrax at a cost of \$684 + GST, to be funded from the beautification fund. (Moved Cr Maynard/Seconded Maynard) Carried	Actioned	29/06/21: Commitment added to I&E and invoice received for payment.
193	27-May-21	Action	E Stitt and K Yates	Advise whether flags with a commercial element are permitted under the Street Banners and Flags Policy and request the policy be prioritised for review	Actioned	29/06/21: Aside from road signs and permanent/temporary road safety signs, signs are not permitted in the road reserve area under the District Plan however SWDC does not seek resource consents for the flags promoting community events. If the commercial element of the flag was a sponsor of a community event being advertised this may be permitted subject to the temporary signs timeframes and it being clear on the sign that the business is on the flag as a supporter/sponsor of that event, but not for general promoting of businesses. The request to review the Street Banners and Flags policy will be considered alongside all the other policies due for review and we will report to FAR on the review programme.
194	27-May-21	Action	MCB	Hold a workshop to discuss the allocation of Martinborough Community Board funds for 2021/22	Actioned	29/06/21: Refer to Chairperson Report of 8-Jul-21 for update.
195	27-May-21	Action	C Clarke	Provide clarification of the funds reimbursed for mileage as shown in the Martinborough Community Board's Income and Expenditure Statement	Actioned	29/06/21: This is payment of the communications allowance. Description to be amended in future I&E statements.

MARTINBOROUGH COMMUNITY BOARD

8 JULY 2021

AGENDA ITEM 8.2

INCOME AND EXPENDITURE STATEMENTS

Purpose of Report

To present the Community Board with the most recent Income and Expenditure Statements.

Recommendations

Officers recommend that the Community Board:

1. *Receive the Income and Expenditure Statement for 1 July 2020 – 31 May 2021.*

1. Executive Summary

The Income and Expenditure Statement for 1 July 2020 – 31 May 2021 is attached in Appendix 1.

The Income and Expenditure Statement for 1 July 2019 – 30 June 2020 is attached in Appendix 2.

The Chair may ask Council officers for comment and all members may ask the Council officers for clarification and information through the Chair.

2. Appendices

Appendix 1 - Income and Expenditure Statement for 1 July 2020 – 31 May 2021

Appendix 2 - Income and Expenditure Statement for 1 July 2019 – 30 June 2020

Prepared By: Tania Fine, Committee Advisor

Reviewed By: Charly Clarke, Finance Manager

**Appendix 1 – Income and Expenditure
Statement for
1 July 2020 – 31 May 2021**

Martinborough Community Board
Income & Expenditure for the Period Ended 31 May 2021

Personnel & Operating Costs

Budget

Members' salaries	17,965.88
Mileage reimbursements	500.00
Operating expenses	6,944.00
Total Personnel & Operating Costs Budget 2020-21	25,409.88

Expenses

Personnel Costs

Members' Salaries	14,914.39
Communications reimbursements	1,294.94
Total Personnel Costs to 31 May 2021	16,209.33

Operating Expenses

26/08/2020 Local Government NZ	Community board levy 2020/21	216.68
25/02/2021 Two Community Board Members to attend 2021 CB Conference	3,714.50	3,714.50
13/05/2021 Sign Board community drop-in sessions	325.00	325.00

Total Operating Expenses to 31 May 2021	4,256.18
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Committed funds

Resolution date	Original commitment	Spent to date	Remaining commitment
Members' Salaries	17,965.88	14,914.39	3,051.49
Communications reimbursements	500.00	1,294.94	(794.94)
Honorarium payment to student rep (\$50 per meeting)	200.00		200.00
17/12/2020 MBO Community Board	500.00	325.00	175.00
25/02/2021 Two Community Board Members to attend 2021 CB Conference	4,310.00	3,714.50	595.50
Total Commitments			3,227.05

TOTAL OPERATING EXPENSE BUDGET AVAILABLE*

1,717.32

* remaining budget for personnel and operating expenses does not carry over into subsequent financial years

Grants

Income

Annual Plan 2020-21 grant allocation	4,343.00
Other miscellaneous income	-
Total Income for 2020-21	4,343.00

LESS: Grants paid out

21/07/2020 Kurunui College	First Aid, safety equipment, balls & bags	500.00
24/08/2020 Kidz Need Dadz	Father's Day bowling event	200.00
24/08/2020 Martinborough Community Garden	Contribution to ongoing costs	800.00
5/10/2020 Tora Bombora	Tora Bombora Music Festival	500.00
24/12/2020 Martinborough Business Assn	Christmas Decorations for Martinborough	750.00
28/09/2020 Guy Fawkes/Colour Run	Contribution towards event	500.00
1/11/2020 Neighbourhood Support	Promotional flag & collateral	200.00
17/12/2020 MADCAPS	Traffic Management MBO Xmas Parade	2,000.00
Total Grants paid out to 31 May 2021		5,450.00

LESS: Committed Funds

Resolution date	Original commitment	Spent to date	Remaining commitment
21/05/2020 Wairarapa Maths Association	Annual maths competition 2020-21	300.00	300.00
21/05/2020 Wairarapa Maths Association	Annual maths competition 2021-22	300.00	300.00
13/08/2020 Martinborough Community	Contribution to water tank	1,000.00	1,000.00
Total Commitments			1,600.00

PLUS: Balance Carried forward from previous year*

3,176.23

* excludes Swimming Pool funds

TOTAL GRANTS FUNDS AVAILABLE

469.23

Martinborough Community Board
Beautification Fund for the Period Ended 31 May 2021

Income

Annual Plan 2020-21 allocation 10,710.00

Total Income 2020-21 **10,710.00**

Beautification grants - operating

Total Beautification grants - operating to 31 May 2021 **-**

Beautification grants - capital

15/07/2020 Souness Developments FlagTrax 2,350.00

Total Beautification grants - capital to 31 May 2021 **2,350.00**

LESS: Committed Funds

Resolution date	Original commitment	Spent to date	Remaining commitment
13/03/2017 Waihinga Centre *	30,000.00	30,000.00	-
12/03/2018 Water fountain (\$17,500 less 3,222.15 2018-19)**	17,500.00	3,222.15	14,277.85
18/07/2019 Purchase of Flags for flagtrax (\$2,000 commitment)	2,000.00	3,298.50	(1,298.50)
17/12/2020 Tree to be planted in celebration of 150 years of Martinborough Township	500.00	-	500.00
29/04/2021 ANZAC Flags	1,250.00	1,137.70	112.30
27/05/2021 9 Matariki Flags	684.00		684.00

Total Commitments **14,275.65**

PLUS: Balance Carried forward from previous year **9,665.27**

TOTAL BEAUTIFICATION FUNDS AVAILABLE **3,749.62**

* An adjustment was made to record this spend in the final accounts of June 2020 after the August report had already been completed.

** There are further fountain invoices to be accounted for but will need to manually collate these.

Martinborough Community Board

Swimming Pools Fund for the Period Ended 31 May 2021

Income

Funds from Martinborough Swimming Club

17,678.80

17,678.80

Expenditure

Total Expenditure

-

-

Net Surplus/(Deficit) Year to Date

17,678.80

LESS: Committed Funds

Resolution
date

Original
commitment

Spent to date

Remaining
commitment

-

-

Total Commitments

-

TOTAL FUNDS AVAILABLE

17,678.80

Appendix 2 - Income and Expenditure Statement for

1 July 2019 – 30 June 2020

Martinborough Community Board					
Income & Expenditure for the Period Ended 30 June 2020					
Income					
	Annual Plan 2019/20 allocation				28,053.00
Total Income 2019/20					28,053.00
Expenditure					
	Members' Salaries				16,958.85
	Mileage reimbursements				111.00
Total Personnel Costs					13,003.38
General Expenses					
31/7/2019	Survey Monkey				178.26
31/7/2019	Conference Expenses				40.87
12/08/2019	Pirinoa Hall	Donation to the Hall in Lieu of Hireage			100.00
10/01/2019	Maisie Arnold-Barron	Student Member			100.00
11/05/2019	Office Max	Stationery			10.89
1/07/2020	Sundry expenses ex payroll				27.83
Total General Expenses					457.85
Grants					
6/09/2019	Epilepsy Foundation	Field Service Programme			500.00
11/09/2019	Bombora Events	Tora Bombora running costs			1,000.00
25/10/2019	Martinborough T	Fireworks			300.00
1/02/2020	Mad Caps	Christmas Parade			2,000.00
27/1/2020	Kuranui College	Matariki Celebration			1,000.00
20/12/2019	Waiwaste Martinborough	Fridge freezer			898.00
13/03/2020	Mad Caps	Music Festival			500.00
27/04/2020	Grant - Anglican Parish	Breakfast and Homework club			600.00
18/06/2020	Martinborough Netball Club	Uniform tops			950.00
30/06/2020	Wairarapa Maths Association	Annual maths competition			300.00
Total Grants					8,048.00
Capital Expenditure					
Total Capital Expenditure					-
Total Expenditure					21,509.23
Net Surplus/(Deficit) Year to Date					6,543.77
LESS: Committed Funds					
Resolution date			Original commitment	Spent to date	Remaining commitment
	Salaries to 30 June 2020*	Remaining balance	16,266.00	16,958.85	(692.85)
	Mileage to 30 June 2020*	Remaining balance	500.00	111.00	389.00
	Student Rep Honorarium	Remaining balance	400.00	350.00	50.00
27/11/2017	Grant - MBA Basketball	Backboards and Posts	500.00		500.00
27/2/2020	Grant - Kuranui College	First Aid, safety equipment, balls & bags	500.00		500.00
21/05/2020	Neighbourhood Support	Promotional flag & collateral	200.00		200.00
Total Commitments					946.15
Current Year Surplus/(Deficit)					5,597.62
PLUS: Balance Carried forward from previous year					6,881.14
(excludes Swimming Pool funds)					
TOTAL FUNDS AVAILABLE					12,478.76
* remaining budaet for salaries & milegae does not carry over into subsequent financial years					

Martinborough Community Board				
Beautification Fund for the Period Ended 30 June 2020				
Income				
	Annual Plan 2019/20 allocation			10,710.00
Total Income 2019/20				10,710.00
Expenditure				
19/09/2019	Souness Developments	Flag trax		9,000.00
24/10/2019	One Source	Happy Holidays flag trax		948.50
18/06/2020		Bike racks at Waihinga Centre		450.00
Total Capital Expenditure - Beautification				9,948.50
Total Expenditure				9,948.50
Net Surplus/(Deficit) Year to Date				761.50
LESS: Committed Funds				
Resolution date		Original commitment	Spent to date	Remaining commitment
13/03/2017	Waihinga Centre	30,000.00		30,000.00
12/03/2018	Water fountain (\$17,500 less 3,222.15 2018-19)	17,500.00	3,222.15	14,277.85
18/07/2019	Purchase of Flags for flagtrax (\$2,000 commitment)	2,000.00	948.50	1,051.50
Total Commitments				45,329.35
Current Year Surplus/(Deficit)				(44,567.85)
PLUS: Balance Carried forward from previous year				52,564.77
TOTAL FUNDS AVAILABLE				7,996.92

Martinborough Community Board				
Swimming Pools Fund for the Period Ended 30 June 2020				
Income				
	Funds from Martinborough Swimming Club			17,678.80
Total Income 2019/20				17,678.80
Expenditure				
Total Expenditure				-
Net Surplus/(Deficit) Year to Date				17,678.80
LESS: Committed Funds				
Resolution date		Original commitment	Spent to date	Remaining commitment
6/06/2019	Outdoor Clock	250.00		250.00
22/08/2019	Fred Cooper Estate	3,000.00		3,000.00
Total Commitments				3,250.00
TOTAL FUNDS AVAILABLE				14,428.80

AGENDA ITEM 10.1

CHAIRPERSON REPORT

Recommendations

The chairperson recommends that the Community Board:

1. *Receive the Chairperson Report.*
2. *Liaise with Council officers to investigate purchasing suitable BBQs for coastal reserves.*
3. *Agree to hold grant funding rounds biannually in August and February and that half the available grant funds will be made available in each of the two rounds, with any unspent funds from the August round being made available in the February round.*

Topic 1 – Community Engagement

Our Martinborough Community Board Drop In session on 5 June 2021 went really well. The following matters were raised by members of the community:

1. 70km speed zones need to become 50km. The Princess Street 70km heading up to the Huangarua bridge needs adjusting so it is 50km until past it then 100km
2. The 50km coming into Martinborough to be reviewed for a 50km at the 70km zone. It can be really dangerous with people on bikes and walking here.
3. Consider a walking/cycle lane on the eastern side of Princess Street to Puruatanga Road to keep walking/cycling traffic safe and on one side of the road.
4. Road sealing and repair at the road termination on Campbells Drive.
5. Pedestrian crossings at the Martinborough square need more lighting.

We will have had another Drop In on 3 July 2021 before our next Community Board Meeting. I will update on any issues discussed at our Drop In now.

Topic 2 – Innovating Streets and Town Road Safety

The Community Board would like Council officers to advise us of their progress to recommend to the Assets and Services Committee road safety investigations we discussed at our 27 May 2021 meeting.

These are at the sites within Martinborough with safety issues that were reported at our last meetings:

1. A temporary low sitting roundabout at the junction of SH53 Kitchener Street and Princess Street – like the one seen in Gore in Aidan Ellim’s presentation at our meeting on 29 April 2021. These are low enough for emergency services to drive over the top of them.
2. Temporary coloured cats eyes on both sides of the pedestrian crossing on Jellicoe Street (at the footpath beside Venice Street) in the 50 metres before the crossing (or as advised best by council officers). This is urgent. Even some fluoro paint or something to slow cars at this crossing please?
3. Temporary coloured cats eyes or speed bumps on both sides of the pedestrian crossing outside the school on Dublin Street (the Heavy Traffic Bypass)
4. Can officers please investigate and advise us on options to slow traffic on Roberts Road/Street, outside the Kindergarten, where young children pop out onto the road.
5. Can officers please investigate and advise us on an option for a “cycle/foot pathway” along Puruatanga Road from the corner of Princess Street to Te Kairanga Vineyard.

Can the Martinborough Community Board please be updated on the Innovating Street project which Council is running in Martinborough, at Soldiers Memorial Square.

Topic 3 – Matariki 2021

Our Matariki Flags were received and should still be flying now. I have attached Bernie’s Invoice for payment which is \$545.10. This was for 9 flags, the rework to add the missing stars and freight.

Martinborough Community Board has been working closely with Hau Ariki Marae to help facilitate two events for Matariki 2021 in Martinborough.

The first on Sunday 4 July is as follows.

Te Ritenga - Matariki Ceremony

Māori believe that the appearance of Matariki in the morning sky in mid-winter marks the Māori New Year or Te Mātahi o te Tau.

This year Fab Feathy, in collaboration with whānau from Pāpāwai Marae, Hau Ariki Marae, The Featherston Community Board, and the Martinborough Community Board will hold a traditional Matariki ceremony called Te Ritenga at te roto o Wairarapa (Lake Wairarapa).

The ceremony has 3 parts:

1. Te Tirohanga: The viewing of Matariki
2. Te Whakamahara i ngā mate - remembering the dead
3. Te Whangai i ngā whetu - Feeding the stars

Throughout the ceremony, a tohunga will conduct karakia (incantations). After the ceremony is complete there will be a time for breakfast, song, dance, and celebration.

The ceremony will take place at Lake Domain (starting at 5am). Breakfast will take place at Hau Ariki Marae (starting at 7am).

The second event taking place is on Saturday 10 July, in collaboration with Hau Ariki Marae and Wairarapa Wine and offers our community a second opportunity to participate in Matariki.

This begins with a Pōwhiri at 9.30am at Hau Ariki Marae followed by a Kapa Haka experience for children and adults. There will then be a Matariki Hākari (Feast) for everyone there.

Topic 4 – Grant Funding

The Martinborough Community Board held a workshop to discuss grant funding and how we would like to manage the funding rounds.

We would like to hold two rounds a year, in February and August, with the funds split as follows:

Half the available grant funds to be split equally between the August and February rounds, with the addendum that any funds left over from the round in August also be made available in the February round.

Topic 5 – Costs for Potential Coastal BBQ Options

Martinborough Community Board would like to work with council officers to investigate the costs to purchase suitable BBQ options in coastal reserves. We would like to consider purchasing between one and four of these.

Recommendation for the Martinborough Community Board to work with Council officers to investigate purchasing suitable BBQ options for coastal reserves.

Topic 6 – Appendices

Appendix 1 – Invoice for Matariki Flags

Nga mihi nui ki a koutou.

Report compiled by Mel Maynard
Chair
Martinborough Community Board

Appendix 1 – Invoice for Matariki Flags

Tax Invoice /Statement Date 18th/6th/2021 INV 19208



Outdoor Signage & Display, Fabric Lightboxes & Signage, Portable Display & Exhibition, Billboards

GST - No 112817980

Accounts payable C/O Martinborough Community Board Kitchener Street Martinborough	Customer Code Client Order Supplier No	Mel
---	--	------------

Qty	Description of services	
9	FlagTrax Flags Matariki 1750mmx 950 Flagtrax 2 x A LH 2 x E LH 1 X A RH 1 x E RH 3 x G RH	\$380
1	Rework artwork Matariki designs as brief supplied.	\$75
1	Freight & Packaging - NORTH ISLAND 1 included	\$19.00
Terms of payment Seven days from Receipt of Invoice Thank You		Total Ex GST: \$474
		Total GST 15%: \$71.10
		Total Amount Due: \$545.10

Please Note Our preferred method of payment is by direct credit. Our bank account details as follows:

[ANZ 06-0689-0918590-00](https://www.anz.co.nz) OneSource 4 Waka Lane, Martinborough.5711

Remittance.to Bernie@OneSourcenz.co.nz

Tel 021 841 349 Please put your Company's name and or **invoice number** as a reference.

OneSource, Thanks you for your Business

Providing you with Visual Solutions

Community Board.

On the 12th of May 2021, I attended a Community meeting in Martinborough.

Several residents and business owners were present.

Part of the discussion was around some recent antisocial behaviour at the playground and neighbouring skate park in Martinborough.

It was brought to Police attention that it was becoming a destination for youth to congregate in the evenings and weekends.

Evidence of alcohol being consumed was highlighted by Bryce Neems who is the Amenities and Solid Waste Manger for the South Wairarapa District Council. He stated his staff had made him aware of empty bottles scattered throughout the playground.

A local Facebook Post on the Martinborough page by a parent was warning residents of sharp items in the bark area of the playground. The post described that the lids of cans were deliberately placed in the bark in such a way they could not be seen. As a result, a child ended up with some minor cuts on his feet.

Further to the above, it was noted that over the same weekends human faeces had been located by council staff at the bottom of the slide.

This has sparked a conversation around the security and safety of the playground and skate park.

As a result, a discussion around the installation of cameras and security lights was top priority for the group.

Police support the installation of both cameras and lights in the park.

I have attached a guide to the Privacy Act for businesses, agencies and organisations, this highlights how and who will have access to the CCTV footage.

Police are happy to have the monitors for both Martinborough and Carterton in the Carterton Police station.

This will assist in identifying any offences committed and assist Police investigations should any further incidents occur.

Funding for the operation and installation of the monitors would need to be covered by both councils and the business communities. I have had some dealings with Carterton District Council who have suggested a cell phone or small device as another option to view footage.



Our Community group is due to meet again around the 14th of July, 2021. Any submissions for getting the installation and monitors up and running in the Carterton Station highlighting the costs and logistics could then be presented to those providing funding.

I look forward to working with those involved in this worthwhile community project.

Constable

Jo Kelly – JKY651

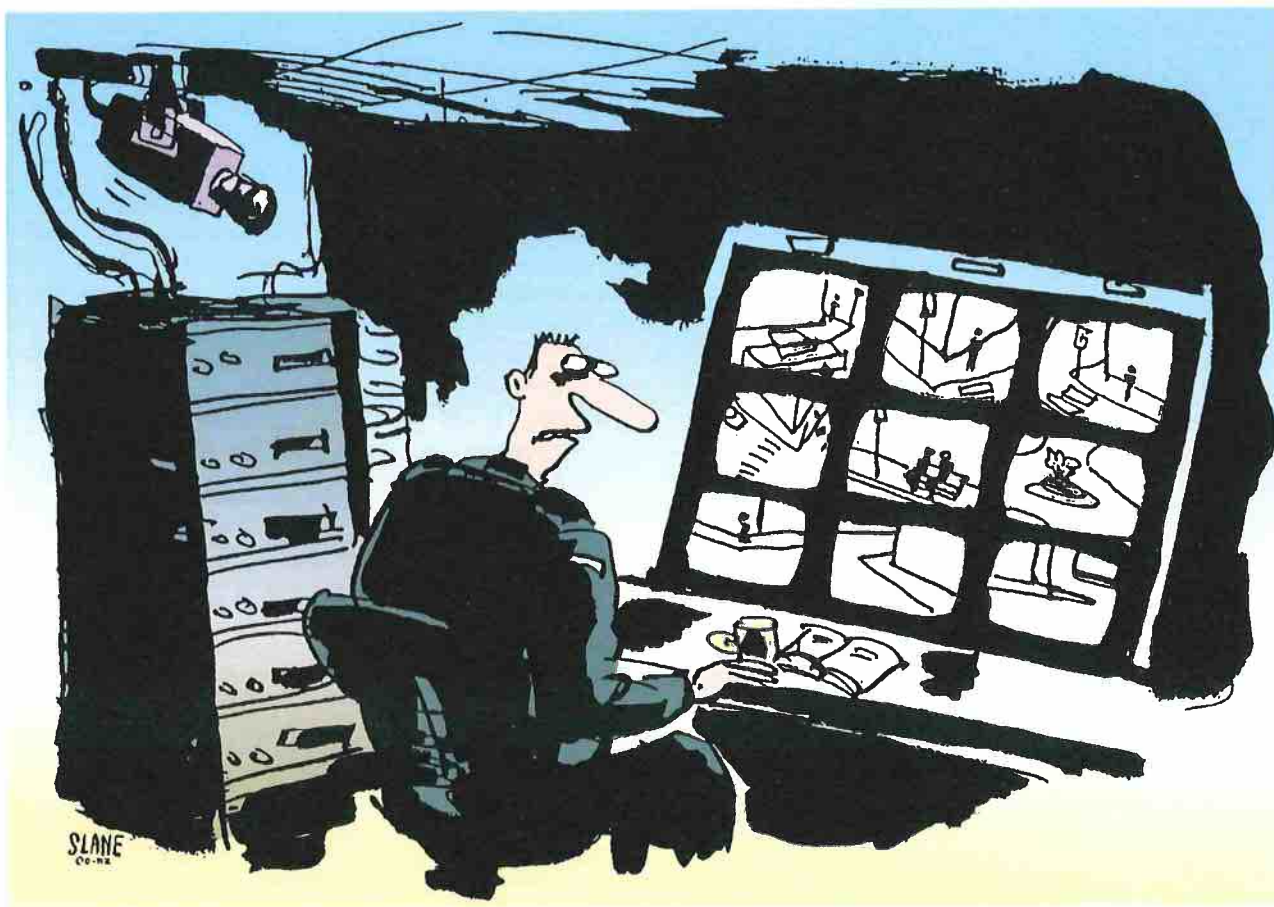
Safer Communities Together

MARTINBOROUGH POLICE

16-18 Cork Street, PO Box 34, Martinborough, New Zealand
Telephone: (06) 306 9401 Facsimile: (06) 306 9850 www.police.govt.nz



Privacy Commissioner
Te Mana Matapono Matatapu



Privacy and CCTV

A guide to the Privacy Act for
businesses, agencies and organisations

Privacy and CCTV
A guide to the Privacy Act for businesses, agencies and organisations

Published by the Office of the Privacy Commissioner
PO Box 10094
Wellington
gen-i Tower
109-111 Featherston Street
Wellington 6143

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ISBN 04 478 11730 2

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Introduction

In the last decade, CCTV technology has improved enormously and has become cheaper and easier to use. While highly sophisticated systems are still expensive and so, realistically, are only available to public authorities or major businesses, small business owners and even individuals can now install and use basic CCTV systems with ease. The result is that CCTV is now commonplace in New Zealand.

Because CCTV captures images of people, which can be used, stored, manipulated and disseminated, those who operate the systems need to be aware of how to manage privacy issues. Good management of personal information is essential to the effective running of CCTV systems (including ensuring that they are cost-effective). Businesses can only take advantage of the full benefits available from CCTV technology if they manage their system with privacy in mind.

Major organisations more commonly have the resources – and the legal compliance knowledge – to ensure that they address those issues. However, up to now, smaller operators have often been unsure how to find out how to manage their systems.

These guidelines attempt to close that gap. They will assist organisations of all sizes to manage CCTV systems in line with their legal obligations and good personal information handling practice. They aim to:

- deliver simple, practical help to those wishing to set up and operate CCTV, whatever the size of their organisation;
- encourage them to set up CCTV systems in ways that protect the privacy of individuals;
- help them to comply with their legal obligations under the Privacy Act; and
- encourage them to use best privacy practice, including using privacy-enhancing technologies.

If you are a small business or organisation, use the checklist in Appendix A for a quick guide to what you have to do. Then consult the rest of these guidelines, as they explain the points in the checklist.

What do we mean by “CCTV”?

“CCTV” or “closed circuit television” is a somewhat outdated term, given the changes in the technology. However, it is still the shorthand term that is in most common use, so we have employed it in these guidelines.

When we talk about “CCTV”, we mean camera surveillance systems that capture images of individuals or information relating to individuals.

For example, a CCTV system may be used:

- to track or monitor what an individual (or group of individuals) is doing, for example in a shop or walking down the street;
- to capture information that could be used to investigate a crime;
- to use surveillance as a means of deterring crime.

Some camera surveillance systems involve recording of information and others may involve only real-time viewing of information. Different aspects of these guidelines may apply depending on the type of system involved.

Who should use these guidelines?

If you are an “agency” under the Privacy Act, you should use these guidelines. Nearly every person, organisation or business that collects, holds or uses information about individuals is an “agency”. Only bodies such as courts or tribunals, or Parliament, or the news media when they are gathering or publishing news, are exempt from being “agencies”.

So if you are in New Zealand and you want to set up and/or operate CCTV, these guidelines are almost certainly for you. They apply equally to the public and private sectors, and to organisations of all sizes.

Scope of the guidelines

These guidelines do not attempt to cover all aspects of CCTV. For instance, we do not deal with covert CCTV (which is subject to special considerations and, often, special legal rules). Nor do we deal with surveillance systems in the home or other entirely private spaces. Instead, we focus on the majority of CCTV systems – that is, **non-covert CCTV** in **public and semi-public spaces**.

- By ‘**non-covert**’ we mean CCTV that is visible and that the people being monitored know about. For example, individuals can see the CCTV camera or there is a sign informing them about the camera.
- By ‘**public spaces**’ we mean spaces that are completely accessible to the public, such as streets, footpaths and public parks.
- By ‘**semi-public spaces**’ we mean spaces that (even if privately owned) are accessible to the public during opening hours. These include banks, libraries, shops, hospitals, malls, sports centres, educational institutions, taxis, trains or other transport systems, restaurants and so on.

What privacy issues are covered?

The guidelines reflect the information privacy principles in the Privacy Act. These deal with issues such as:

- being clear about why you are collecting information about people;
- making sure people know about the cameras and their purpose;
- how you use CCTV images;
- whether you disclose CCTV images or information to others (such as the Police);
- how long to keep the images for;
- keeping images safe, and making sure that only authorised people can see them; and
- rights of access to the information by the individual concerned.

So, to a large extent, the guidelines reflect your legal obligations in relation to CCTV. Occasionally, though, they indicate best practice – particularly where good privacy protection will help to enhance your business.

How to use the guidelines

Each section of the guidelines has three main parts.

- The first part gives a brief outline of how the Privacy Act applies to that particular aspect of CCTV. The relevant principles are in bold for easy reference. That way, if you want more information you can go to Appendix B, which contains the privacy principles, and find the text of the law.
- Second, the guidelines themselves are in a highlighted box and are numbered.
- The third part offers a bit more explanation about each of the guidelines to help you understand how to follow them. It may also include examples relevant to different sectors.

The first two sections of the guidelines will guide you through developing three key documents:

1. **an evaluation** of whether you need CCTV and what form that system might take;
2. **a business plan** which sets out your CCTV strategy; and
3. **a CCTV policy** which outlines how you will operate your system and the rules your staff will abide by when using the system.

For small businesses, this may look a little daunting but in fact these documents need not be onerous to produce, and are well worth the effort. They will help to ensure that you can operate your CCTV system legally, and that it is worth the resources that you are investing in it.

1. Deciding whether CCTV is right for you

Before you install CCTV, you need to make an informed decision about whether it is really necessary. This fits in with **principle 1** of the Privacy Act, which says that personal information shall not be collected unless:

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

Principles 10 and **11** also say you may only use and disclose personal information for the purpose that you collected it (except in certain specific circumstances).

So knowing your purpose for collecting personal information is important.

Guidelines

- 1.1 Clearly identify what you need CCTV for. This is your **purpose** for using CCTV.
- 1.2 Carefully consider whether CCTV will actually meet your needs. Identify:
 - the existing problem you seek to address;
 - whether CCTV could address that problem and, if so, how; and
 - whether there are other alternative options available.
- 1.3 Think about whether it would be useful to consult with people who will be affected. If so, talk to them.
- 1.4 You should repeat the steps above when expanding existing CCTV systems, and at regular intervals during the life of a CCTV system.

Guideline 1.1 – Identifying what you need CCTV for

Identifying the purpose of your proposed CCTV system is essential – that is, the reason you want to collect and use personal information. The Privacy Act requires that you have a clearly defined purpose when you collect personal information (and that you only use the information for that purpose). Also, you cannot adequately judge how effective your system is, or whether it is worth the expense and the risk to privacy or trust involved, unless you are clear about why you need it.

There can be many different reasons for using CCTV. For instance:

- it may detect and capture evidence of crime;
- it may actively deter crime; or
- it may allow a quick response to traffic accidents or other emergency situations.

Clearly state the purpose or purposes of your proposed CCTV system. When you do so, make sure you are specific. For instance, if your purpose for using CCTV is to prevent crime, explain the types of crime you seek to prevent.

Being specific about the purpose of the CCTV:

- helps you to comply with the law;
- makes it easier to assess the success of your system later on; and
- helps you to explain why the system is there to your staff, members of the public, or to whoever else will be affected by the cameras.

Guideline 1.2 – Evaluating the need for CCTV

This will help you make good decisions about whether CCTV is necessary and, if it is, what type of system is best for you.

Sometimes a negative incident, such as a hold-up in a shop, can result in the shop-owner feeling under pressure to install CCTV. However, it is important to resist a knee-jerk reaction. Instead, weigh up the evidence and decide whether CCTV is really the *right* response to that incident. There may be other options that could address your problem better than CCTV or that could be used alongside CCTV to make it more effective.

- Collect some facts and figures so you can see whether CCTV will fix your problem. For instance, if you are a small business with a shoplifting problem, what exactly is the scale of that problem? Or, if you are a large agency looking at installing CCTV cameras on city streets to address crime, collect statistics on the number and types of crimes in the area and the times they occur. If you do go ahead with CCTV, this will help to determine later on whether the CCTV has had an impact on the problem. If you do not collect this information, you have no way of checking whether the cameras are working, and whether you should continue to invest in them.
- Get some information about whether CCTV is likely to address your problem. For example, there is doubt about how effective CCTV is in preventing violent crimes, but research indicates it can be more effective in deterring property crime such as vehicle theft. Check with your local Chamber of Commerce or industry association – it may have some useful information for you to consult.
- Are there other options that might achieve the same benefits or objectives?
- What effect will it have on people? For instance, will it be stressful for your employees, or put off your customers?
- Are there ways of making it less intrusive?
- How much is it likely to cost – to set it up, to run it and to maintain it?

An evaluation need not be an extensive, time-consuming process. What you should do will depend on the size of the proposed system and the level of impact it is likely to have on people's privacy.

Guideline 1.3 – Consultation

If at all possible, as part of your evaluation process, talk to people who will be affected by the CCTV system. For instance, if you have employees who will be filmed by the cameras, you should definitely discuss things with them. Explaining the purpose of the CCTV, and getting your staff on-side will make the system more effective. Also, talking to others can give you excellent information – such as indicating whether CCTV might cause you problems that you had not thought about.

Depending on the size of your system, and the reasons for installing it, it may also be useful to consult with:

- customers and clients;
- public interest groups;
- local community groups;
- other businesses;
- other agencies similar to your own that use CCTV
- security specialists; and
- the Police.

With large-scale evaluation and consultation processes, it is a good idea to appoint a senior manager to be responsible for the project. It might also be appropriate to form a working group with different interests represented.

Guideline 1.4 – Evaluating the need for expansions of CCTV

Any time you significantly change your system, do a new evaluation to make sure that you are still managing the privacy issues successfully.

It is also important to keep checking that the CCTV system is achieving the results that you want, so do an evaluation regularly. (See guideline 9.1).

2. Have a clear plan

While the evaluation under guideline 1 is aimed at helping you decide *whether* to use CCTV, the business plan is the detailed document you produce *after* you have made a decision to go ahead with CCTV. It guides what you will do from now on.

It is worth spending some time on developing your business plan, though it does not need to be a difficult or costly task. Having good documentation can prevent mistakes later, and can save you a lot of time and money.

Guidelines

- 2.1 Develop a business plan for the CCTV system, setting out:
 - the purpose of the system;
 - the outcome/s that you expect;
 - the type of technology and equipment that will be used;
 - how the system will be operated; and
 - how privacy impacts will be minimised.
- 2.2 Where appropriate, consult with the community and other key stakeholders on your business plan.
- 2.3 Appoint a person to be responsible for the operation of the CCTV system.

2.4 Develop a clear policy on how images collected by CCTV will be handled. Make this policy easily accessible (for example, on your website).

2.5 Train staff in your policies and procedures for the CCTV system.

Guidelines 2.1 and 2.2 – Developing and consulting on a business plan

In your business plan reiterate the key purpose of the CCTV system to make sure you do not accidentally stray from this as you plan your system.

You can also now add detail around exactly what sort of CCTV system you will install and how it will operate. This planning stage is critical to ensuring you end up with a system that achieves all of your goals and objectives.

The topics you cover in your business plan can include:

- an assessment of what type of equipment will best balance your needs with managing privacy issues (check the rest of these guidelines to identify the privacy issues you need to address);
- detailed information on the start-up and running costs of the CCTV, and any additional resources you will require (for instance a staff member's time);
- proposed location and field of vision of your CCTV system;
- who will operate the CCTV, and who will be responsible for it;
- who will be able to see the images;
- how you will inform the public that CCTV is operating;
- what you intend to do with the CCTV images you obtain; and
- what risks there are and how you will manage them.

As with the initial evaluation you did under guideline 1, it is worth talking about your business plan with people who will be affected.

Guideline 2.3 – Have a person responsible for the CCTV

Whatever the size of your organisation, it is important to have someone in charge of the CCTV system who will:

- oversee how it works;
- take responsibility for enquiries from the public;
- deal with any problems or issues; and
- help you develop your policies and train your staff.

It is particularly important to set out clearly who is responsible if the CCTV system is being deployed by two or more agencies in partnership. For example, local councils often work closely with the Police to establish CCTV systems. In these circumstances, it is useful to have an agreement in place at the start that clearly sets out who has responsibility for what. This will minimise risks of miscommunication and mistakes.

Guideline 2.4 – Develop a CCTV policy

Privacy and good information handling need to be built in at the very start. It is much harder to incorporate privacy protections later on when the system is already operating. So having policies in place early is a key to the success of the system as a whole.

Your business plan will already have outlined many of the points you need to include in your policy (see guideline 2.1) so writing that policy is likely to be straightforward.

The guidelines throughout this document will offer help and direction for many of the issues you should consider in your policy, so again read the rest of this document before you start writing the policy.

Some of the key areas to include are:

- when the cameras will operate;
- if and how cameras will be monitored;
- how incidents captured by CCTV will be reported or acted on;
- access to, and security of, images;
- who will keep the footage and how long it will be kept;
- securely deleting the footage, and who will do this;
- who the public should contact if they have any enquiries;
- how any complaints will be handled;
- what might happen to a staff member if they breach the policy;
- how you will find out whether your policy is being complied with (eg audit); and
- when other audits and review will take place.

If you have a website, put your policy on it. Since not everyone will have access to your website, though, you should also have hard copies available on request.

Making your policy available for people to look at will help people understand why you have CCTV and how it works. It will also show that you have controls and procedures in place for your use of the cameras, which will minimise the concerns that people might otherwise have.

Guideline 2.5 – Training staff

A policy is only effective if it is put into practice. So make sure you:

- train all staff who will be involved in the CCTV operations, so they know exactly what to do;
- provide refresher training for those staff periodically, so they and you can continue to be confident that things are operating smoothly;
- include your CCTV system as part of your induction process for new staff, so they know who is responsible and what effect it may have on them;
- provide basic training in the system for all staff who may need to explain the CCTV system to customers. This also makes sure they know how it may affect them;
- ensure all staff have easy access to your CCTV policy; and

- ensure staff are aware that they need to protect people's privacy and what will happen if they do not (eg disciplinary procedures for unjustifiably accessing or using information).

3. Selecting and positioning cameras

When you come to choosing cameras, equipment and technology, constantly refer back to your purpose for having CCTV. This will help you to comply with **principles 1, 10 and 11** (these principles are explained under sections 1 and 6).

For example, if your main purpose for using CCTV is to get evidence to detect if an employee takes money from a till, the image will need to be clear enough to be able to be used as evidence against a person if necessary. Or, if your purpose is to monitor pedestrian traffic exiting and entering a large stadium so you can respond to overcrowding or delays, you will not need high resolution cameras that can identify people's faces – you simply need equipment that will let you check the movement of the crowds.

When positioning the cameras, make sure you do not collect personal information in a way that will intrude to an unreasonable extent on the privacy of the individual (**principle 4**). Using CCTV in bathrooms or change areas is highly likely to breach this principle.

Guidelines

- 3.1 Choose equipment which will achieve the purpose of your system in the most privacy friendly way.
- 3.2 Where feasible, also use 'privacy enhancing technologies'.
- 3.3 Position cameras in a way that will not intrude to an unreasonable extent on the privacy of individuals.

Guideline 3.1 – Choosing the right equipment

You need to take privacy into account when you choose your equipment. Some types of systems have relatively little effect on privacy, and others are highly intrusive. The more privacy intrusive your system is, the more careful you will have to be with managing it.

Some of the things you need to think about when choosing your cameras include:

- **Image quality:** Make sure you take into account image size, resolution and frames per second when choosing equipment and setting up your system. Bigger and clearer CCTV images are not always better. The more identifiable a person is, the more you have to think about privacy – and the more you capture, the more storage space the images will take. So only collect the amount and quality of footage you need. This will fit in with **principle 1** (see section 1).

For example, if you are using CCTV to capture evidence of a crime you may need more frames per second to ensure you clearly capture the movement and action of an individual to use as evidence in criminal proceedings. However, if you are only using your CCTV to alert you to the fact that someone is entering a restricted space, so that you can then respond, a low number of frames per second will probably suffice.

- **Zoom and rotation:** Zoom and rotation functions can help people monitoring CCTV cameras identify people and objects that are far away or swivel cameras to follow a particular incident across space.

However, be careful to make sure that zoom and rotation does not allow filming of private spaces that lie alongside the public or semi public spaces under surveillance by your system (such as a person's backyard). If possible, configure your cameras so that they are unable to turn towards private spaces. If you use zooming and rotating cameras, you should also have systems in place to oversee and audit the use of camera zoom and rotation by staff. You need to make sure staff are not misusing it. And if your system may cause concern for your neighbour, discuss it with them, and show them how it works so you can reassure them.

- **Fixed or portable cameras:** If you choose to install portable cameras that you move around at intervals, you will need to ensure that signage for the cameras is also moved. If the cameras move to a location far from the original location, you may need to do a new evaluation (see guideline 1.2). As much as possible, try to anticipate at the start where you might want to put the cameras.
- **Wired or wireless connections:** Generally, wired connections are more secure than wireless connections. So if you opt for wireless technology to connect your cameras and your monitor or control room, make sure you transmit images in an encrypted form.
- **Intelligent surveillance technology:** Intelligent surveillance technology allows CCTV images to be analysed for certain activities, objects or people. 'Automated face recognition' is an example of an intelligent surveillance technology. Intelligent surveillance technologies can be used in privacy friendly ways. For example, technologies that allow cameras to go unmonitored and only record particular types of events (such as movement in a restricted area or unattended objects) may allow your cameras to record less frequently and therefore have less impact on individuals' privacy.

Guideline 3.2 – Using privacy enhancing technologies

Privacy enhancing technologies – also known as 'PETs' – are technologies specifically designed to help to protect individuals' privacy and personal information. PETs can add to the efficiency of your system by making it easier to comply with privacy law and reducing people's worries over privacy.

An everyday example of a PET is encryption technology. Encryption protects personal information from being seen or used by others who are not the intended owners or recipients of the information. It can be used for such things as securing wireless connections, or protecting CCTV images stored in your system. Encryption is an easy method of protecting privacy, which is accessible for organisations of all sizes.

There are also new technologies available specifically for CCTV – though, because of their current cost, they may be particularly suitable for larger systems. For instance, technology developed at the University of Toronto blurs the images of people appearing in CCTV footage. This allows staff to monitor CCTV footage without being able to identify people. If it is necessary to identify a person in the footage, this can be done either in real-time or after the images are recorded, but only by an appropriate person with a decryption "key". These types of technologies will gradually become cheaper and so more accessible to ordinary CCTV users.

Guideline 3.3 – Avoiding intrusive camera locations

Take care where you place your CCTV cameras. You need to avoid unreasonably intruding on people's privacy. It is almost certainly going to be seen as unreasonably intrusive if you have cameras pointing at or into bathrooms, changing rooms, a person's private front or backyard or any other places where people are likely to expect privacy. Also be careful to avoid placing cameras in positions where they point through windows, regardless of whether the building is a private residence or a publicly accessible building.

You may also need to take care with where cameras point in public spaces. For example, cameras that point towards the entrance of a women's refuge or a sexual health clinic will raise considerable privacy issues.

4. Make people aware of the CCTV

Under **principle 3** of the Privacy Act, you need to make individuals aware that you are collecting their personal information and why. So you need to provide what is sometimes called a 'collection notice' or a 'privacy notice'.

A privacy notice will tell people:

- that the information is being collected;
- the purpose for which the information is being collected;
- if you intend to pass the information on to others, and if so to whom;
- your name and address;
- whether the collection of the information is authorised or required under a particular law; and
- the rights of the individual to access and correct the information.

Principle 3 is intended to make sure people know what is happening with their information so they are in a better position to protect and manage their privacy.

Of course, it will not always be practical or appropriate to include all this information in the signs that you display near your CCTV cameras. Your signs are likely to be brief. However, use additional methods to give people more detailed information (these are explained below).

Signage is not just something you have to do to comply with the law. It makes sense for your business. For instance, if your CCTV is aimed at deterring crime, letting people know it is operating is an essential part of fulfilling that purpose.

Guidelines

- 4.1 Erect signs both near the CCTV cameras and at the perimeter of the CCTV system's range (before individuals enter the range of the cameras) to notify people that cameras are operating.
- 4.2 The signs should make clear who owns and operates the CCTV system and the contact details of that agency (if this information is not already obvious).

- 4.3 Make sure there is a full privacy notice on your website, or in hard copy at your reception desk, to let the public know more about the operation of the CCTV cameras. If you are installing a system with a major public impact (such as a local council scheme), put notices in the media.
- 4.4 Ensure your staff can answer questions from the public about the system.

Guidelines 4.1 and 4.2 – CCTV signage

Ideally, people should know about the CCTV cameras before they get close enough to be filmed by them. Make sure you take this into account when choosing sites for signs. You should also have a sign close to where the actual camera is.

For CCTV operated indoors, make sure there are signs at the entrances to the building.

The signs should be simple and clear.

- They should briefly describe why the CCTV system is being used. For instance, it is common for signs to say 'crime prevention cameras in operation', or 'traffic management cameras in operation'.
- It must be obvious whom people should contact for more information. For example, if the camera is operating in a single shop and the shop owner is the operator, it may not be necessary to give contact details. If the shop is part of a chain, however, the CCTV may well be managed by someone off-site so you need to provide contact details. These should include a phone number and, if applicable, a website address. This is also important for CCTV in public places where it is not obvious who is running and monitoring the cameras.

Guideline 4.3 – Detailed CCTV notices

The notices you place in the newspapers and on your website should contain all the additional information about the CCTV that you are required to give people under principle 3 (see above) but that cannot fit on your signs.

The New Zealand Police have an example of a CCTV public notice available at www.police.govt.nz/resources/2003/cctv/cctv-public-notice-example.html which could provide a useful model for your own notice.

Notices should be posted both at the time the system is about to start operating and at regular intervals during the life of the system to ensure the public continues to be aware of the existence of the cameras.

If you have a fairly specific clientele or customer base, you should consider raising awareness of the CCTV cameras through your mailing lists or newsletters.

Guideline 4.4 – Make sure your staff can help if people ask for information

You will already have trained your staff and made them aware of your CCTV policies (see guideline 2.5). Make things easy for them – for instance, give them some hard copies of the policies to hand out to customers if people ask them for information.

5. Collecting only necessary images

In the Privacy Act, **principles 1 to 4** are 'the collection principles'. In summary, they generally require that you:

- only collect the personal information necessary to achieve your purposes;
- only collect personal information for a lawful purpose and by lawful means;
- collect personal information directly from the individual (rather than from someone else);
- give individuals a 'privacy notice' which tells them who you are and why you are collecting their personal information; and
- collect personal information fairly and avoid methods that will intrude to an unreasonable extent on the individual.

Many of these collection principles have already been covered earlier in the guidelines. However, guideline 5.1 helps you comply with your obligation to collect only the information that is *necessary* for your purpose. Avoid the temptation to collect additional information just in case there may be use for it later.

Guidelines

- 5.1 Limit the hours that the CCTV cameras operate to times where it is necessary (such as opening hours, or days and times during the week when crime peaks).

Guideline 5.1 – Limit the hours when CCTV operates

Collecting only "necessary" information can be a challenge with CCTV cameras, because you usually do not know when a particular incident of interest might happen. However, your CCTV evaluation (under guideline 1.2) will help you to determine what is necessary.

For example:

- If you are using the CCTV to address crime, your evaluation will have analysed the type and number of crimes and when they usually occur. This will help you to determine when the cameras should be operating. So if you have cameras to address vehicle theft, and thefts are high on week nights but negligible during the day and at weekends, limit the times when you operate the cameras.
- If you are using the cameras to ensure the smooth flow of peak hour traffic, your cameras should only operate Monday to Friday during peak hours.
- If you operate a bar that is busy on Friday and Saturday nights but also has a live music night every Wednesday where patrons are known to become rowdy and sometimes violent, run your cameras on Wednesday, Friday and Saturday nights. You may not need to run them on your quieter nights when there are rarely any problems.

It pays to be careful about the amount of personal information you collect. Apart from the risk of breaching principle 1, it can be expensive. For example, if you collect information you do

not need, you can use up time and storage space collecting, storing and destroying information you do not use.

6. Using the CCTV images

In the Privacy Act, **principles 10 and 11** say that you may only use or disclose personal information for the purpose you collected it, or for a directly related purpose.

You risk breaching these principles if you collect personal information for one thing and then later use it for a different reason. An example of this is where an agency collects CCTV footage to deter vehicle theft in a car park and later provides footage from the cameras to a television station for an entertainment programme. Having a clear purpose for the CCTV will help you avoid this.

There are some exceptions to principles 10 and 11. For example, you may use or disclose personal information for another purpose if:

- the use or disclosure is necessary for court or tribunal proceedings;
- the use or disclosure is necessary to enable a public sector agency (often the Police) to uphold the law. This includes enabling them to prevent, detect, investigate, prosecute and punish offences. (See guideline 8.3 for further information on disclosing images to the Police);
- the use or disclosure is necessary to prevent or lessen a serious and imminent threat to public health and safety or the life and health of an individual; or
- the individual has consented to the use or disclosure.

Principle 8 also says that you should take reasonable steps to check the accuracy of personal information before you use it. What are 'reasonable steps' will depend on the circumstances. For instance, if your use of the information is going to have an adverse impact on a person, it will be reasonable to go to more effort to check its accuracy.

Guidelines

- 6.1 Take reasonable steps to check CCTV images are accurate, complete, relevant and not misleading before you use them.
- 6.2 Only use or disclose the images you collect with CCTV cameras for the original purpose you collected them.
- 6.3 Do not publicly disclose images collected using CCTV unless you have the consent of the individual(s) shown in the footage or you have consulted the Police.
- 6.4 Follow the policy you developed under guideline 2.4.

Guideline 6.1 – Check the accuracy of CCTV footage

Although CCTV cameras capture a photographic record of an event or person, there is still the possibility that footage can be inaccurate, incomplete or misleading.

For example:

- If the date and time stamping on the footage is wrong, this can hinder investigations by leading to the wrong person being tracked down and questioned.
- Or the image might suggest that a person is a shoplifter where in fact that is not the case. Disclosing that image without checking its accuracy can cause the person serious embarrassment. You need to take great care before labelling someone as a criminal.
- Footage of an assault that does not show the moments before the person throws a punch may fail to show that that person was attacked first and was defending themselves.
- If images are too blurry or out of focus, they could be misleading and result in you targeting the wrong person. So take steps to ensure that images are of the appropriate quality for your purposes.

Guideline 6.2 – Limits on use and disclosure of CCTV images

Generally, under the Privacy Act, you should only use or disclose CCTV footage for the original purpose for which you collected it.

If you have followed these guidelines, you will have identified your purpose for using CCTV in your initial evaluation (guideline 1.2) and in your business plan (guideline 2.1). You will know to whom you might want to disclose the information. You will also have informed people of the purpose of the CCTV in your public notices about the cameras (guideline 4.3). So this obligation should not be at all difficult.

Once you have information, though, it can be tempting to use it for different purposes.

- For instance, if your purpose for using the CCTV is to catch shoplifters in your retail outlet, you may find out that it is also possible to use the footage for market research and analysis of customer shopping habits.

However, this is a purpose that is unrelated to the one you told people about when you set up the system. So you cannot just use the CCTV for that purpose – it is too different from the original purpose.

If you think that new purpose is now important to you, go back to the start of these guidelines and work through the evaluation, business plan and notification stages again. You are proposing to change your system substantially, so do it properly.

Some purposes are very closely connected to your original stated purpose. If this is the case, there is no problem with using or disclosing the information for those purposes.

- For example, suppose that your purpose for having CCTV is to “detect and prosecute shoplifting”. If your CCTV shows a person shoplifting in your retail outlet, you can use that footage to help security staff identify and apprehend the shoplifter while they are on the premises. And if the footage would help the Police in their investigations, you can give the footage to the Police. These uses and disclosures are clearly and closely linked with the purpose of detecting and prosecuting shoplifters.

The exceptions listed in the Privacy Act (see Appendix B for full details) also allow you to disclose CCTV images if:

- the use or disclosure is necessary for court or tribunal proceedings;

- the use or disclosure is necessary to enable a public sector agency to uphold the law (including preventing, detecting, investigating, prosecuting and punishing offences);
- the use or disclosure is necessary to prevent or lessen a serious and imminent threat to public health and safety or the life and health of an individual; or
- you have the consent of the people in them.

Guideline 6.3 – Avoid public disclosure of CCTV images

It is often difficult to justify public disclosure of CCTV images. By 'public disclosure' we mean releasing information to the public at large (not to a single agency such as the Police or to an individual).

Public disclosure includes:

- publishing still CCTV images in a newspaper or in the window of your premises;
- uploading footage to the internet;
- circulating it widely to an email group; or
- placing images on a workplace notice board where non-staff members may see it.

Releasing CCTV footage to the public can have a serious impact on the privacy of the individuals in the footage. For example, once something is uploaded to the internet, it can be difficult if not impossible to remove that information. Even if the individual in the footage is in the wrong, it is better to contact the Police and seek their advice. If you publicly release footage you may breach the Privacy Act or interfere with Police investigations.

The Police may publicly release CCTV images to investigate a crime, or to help identify or locate a person who is in danger or who is a danger to others. If you think that your CCTV images need to be released publicly for whatever reason, go to the Police. The Police will have the appropriate information to decide whether releasing the footage is necessary.

Guideline 6.4 – Use CCTV in accordance with your policy

It is surprising how many agencies have policies but do not follow them.

Under guideline 2.4, you will have developed a CCTV policy that should explain exactly how CCTV images will be used in your agency. As a reminder, make sure that:

- the policy is practical and easy for you and your staff to follow (if it is difficult, or people do not understand why it is there, they will ignore it);
- you continue to check that the policy is being followed; and
- all staff know about the policy and how to follow it.

7. Storage and retention of images

Principle 5 of the Privacy Act relates to the security of information. It says that agencies must protect personal information from loss and from unauthorised access, use, modification and disclosure. This also makes sense at a business level. Security breach incidents can seriously damage and even destroy the reputation of your business or organisation.

So you need technological and procedural steps in place to protect footage collected using CCTV.

Principle 9 says that you must not keep personal information for longer than you need for the purposes for which you collected it. In other words, if you collected personal information for a particular purpose and that purpose has passed or you have finished using the information, you must delete or destroy it.

Guidelines

- 7.1 Ensure that CCTV images are protected from loss and unauthorised access, use, modification and disclosure.
- 7.2 Only keep CCTV images for a specified time. This time period must not be longer than is necessary to achieve your purpose.

Guideline 7.1 – Protecting CCTV images

Security arrangements are essential to avoid or lessen the possibility that personal information is lost or inappropriately accessed or released. Treat footage as **confidential**.

Your safeguards can be both technical and procedural. Some **technical safeguards** include:

- having an audit trail (or electronic footprints) so you can monitor staff access to footage;
- using password protection to manage staff access to stored footage;
- transmitting and storing footage in encrypted form;
- encrypting any footage stored on removable storage devices (such as disks and USB sticks); and
- securely deleting or writing over footage you no longer need.

Procedural safeguards for CCTV footage include:

- limiting the number of staff who can access footage to those who 'need to know';
- ensuring confidentiality is part of your staff's contractual obligations and that there are penalties for breach;
- limiting access to your control room (if you have one – for more detail, see guideline 8.1);
- prohibiting the removal of footage from your premises on removable storage devices except in very limited circumstances (for example, in order to provide footage to Police);
- using physical barriers to secure footage and monitors. For instance, keep the tapes or storage media in locked rooms or cabinets; and
- doing regular audits of system security.

Guideline 7.2 – Retention of footage

Under the Privacy Act you are not permitted to hold onto information indefinitely 'just in case' you might want to use it in the future.

Unless you need to keep CCTV footage so you can fulfil the purpose for which you use the CCTV cameras (such as keeping evidence of a crime), you should permanently delete the footage after a specified time. You will need to determine what the appropriate length of time should be for your system to achieve its purpose. Keep storage time to a minimum.

For example:

- If your purpose for using CCTV is to detect and prevent vehicle theft in a car park then you would need to keep the footage long enough for any thefts to be reported (say, a few days if it is a short-term park). You should then delete the images if you do not receive any reports.
- Any footage that shows a crime can be kept as long as it is needed to undertake criminal proceedings. It can then be deleted (check with the Police to ensure you do not delete information that they need for their case).
- If your purpose for using CCTV is to detect and prevent fraud being carried out at ATMs, you may need to retain footage for long enough for people to receive their bank statements and alert their bank to a suspicious transaction.

As explained in guideline 6.2 on the use and disclosure of images, there are exceptions listed in the Privacy Act that allow you to use images for something other than your original purpose. This might include giving them to the Police for law enforcement purposes. Because it is lawful to hold the information for these purposes, you can retain the images for long enough to achieve those purposes.

For example, if a crime has been reported to the Police that relates to something you recorded with your CCTV cameras, you will need to keep your footage for long enough for the Police to collect it from you.

8. Controlling who can see the images

One of your obligations under **principle 5** is to protect personal information from unauthorised access. This means protecting both stored CCTV footage and the area where monitoring of CCTV takes place.

Individuals have the right to access the personal information you hold about them (**principle 6**). So, if an individual asks for access to CCTV footage and that footage is 'readily retrievable' you usually have to provide it.

If there are other identifiable people in the footage, you will need to look at options to protect those people's privacy.

Under **principle 7**, a person may also ask that their information be corrected if it is wrong.

If you are showing or giving CCTV footage to others who are not the subject of the footage, **principle 11** (disclosure of personal information) is relevant.

As discussed under earlier guidelines, you should generally treat CCTV footage as confidential to your organisation, and not disclose unless this is one of your purposes. However, if you want to give footage to the Police this will usually be fine because the disclosure will either be:

- directly related to the purpose you set up the CCTV for (eg investigation of crime); or

- a disclosure to a public sector agency so it can uphold the law (eg by prosecuting offences).

Guidelines

- 8.1 Ensure that the control or monitoring room is only accessible by authorised staff members.
- 8.2 Establish procedures for individuals to access images of themselves captured by your CCTV cameras.
- 8.3 Establish procedures for when and how you disclose your CCTV images to the Police.
- 8.4 Keep a log of all instances where an external party has accessed CCTV images.

Guideline 8.1 – Entry to the control room or monitoring area

If you have a CCTV monitoring room, it should only be entered by monitoring staff and other appropriate authorised people.

Sometimes small premises, such as small shops, have CCTV screens visible to customers. This is fine if the screens only show what the customers can already see by looking around them. However, if the premises are larger you will need to take more care. For instance, if a hotel has CCTV monitors in the reception area that show hotel guests in other parts of the building, those monitors should not be viewable by the guests in the reception area. The hotel should either move the monitors to somewhere more private, or turn the screens so that they are only viewable by the people behind the desk.

Guideline 8.2 – Individuals can access images of themselves

It is common for people to ask to see – or even ask to have copies of – information from CCTV about themselves. So you need to have procedures in place to deal with these requests.

Generally, people have a right to access images of themselves. However, there are good reasons to refuse a request in some cases.

For instance, you do not need to provide access if the information is not 'readily retrievable'. So, if an individual asks for footage of him or herself, but cannot provide a specific time or location, then this information might well not be readily retrievable.

When giving access, you must also be careful not to intrude on the privacy of others captured in the footage. Think about how you are providing access. Your starting point is to give access in the way the individual concerned wants. However, this is not always possible or desirable:

- Giving someone a copy of the footage has different privacy impacts from just allowing someone to come in and view the footage. For instance, it may not be a problem to let someone view a tape. However, there may be a good reason not to provide a copy if the information could be damaging or embarrassing for others who are pictured if it is put on the internet.
- If you have the technology to blur or pixellate the faces of the other people on a copy of the footage, this is a good way to protect others' privacy.

- If you cannot provide access to the footage without unreasonably breaching others' privacy, you could provide the individual with a written description of what they are doing in the footage.

You should develop procedures to deal with these issues and include these in the policy you develop under guideline 2.4. Use this to develop a checklist for staff on how to handle a request for access, setting out for example:

- how much time the staff member has to respond to the request (you must respond as soon as possible, but within a maximum of 20 working days);
- how the staff member will confirm that the person requesting access to the footage is actually the person featured in the footage;
- whether the staff member should provide a copy of the footage, a description of the footage, or require the person to come in to view the footage; and
- that, if the images are connected to a criminal investigation, the staff member should check with the Police before granting access to the footage.

Guideline 8.3 – Disclosing your CCTV footage to the Police

As explained above, you can usually disclose CCTV footage to the Police. You do not *have* to do so, unless the Police have a warrant for the information or there is a law requiring you to disclose. However you will often be willing to co-operate with the Police.

It is still a good idea to have a paper-trail, showing how you have dealt with requests by the Police. This will help you manage the requests properly, and will also demonstrate to anyone who later asks (for instance the Privacy Commissioner) why you disclosed the information.

Access to footage should not be ad hoc or unplanned, otherwise you might inadvertently find yourself in breach of the Privacy Act. So take the time to develop a procedure for giving Police access and make sure it is included in your CCTV policy developed under guideline 2.4.

The easiest way to do this is to have a simple form that the Police fill out if they want to access your CCTV footage. The form should ask specific questions about:

- the event the Police are interested in;
- the location where they think the event took place;
- the approximate time the event took place;
- the specific offence being investigated;
- the name and contact details of the Police Officer making the request; and
- the date of the request.

Once you have made a decision about the Police's request, you can then also note that on the form.

If you work with the Police regularly, it may be appropriate to have an agreement in place with them, such as a Memorandum of Understanding. For example, local councils may either own cameras that the Police monitor, or have staff who work with Police officers to monitor the cameras. The agreement can clearly set out the roles of the different parties and how access to footage will be managed.

Guideline 8.4 – Keep a log of access to CCTV

It is worth keeping a log of the people whom you allow to access your CCTV (including the Police and individuals), as well as the details of the request and the reason you agreed to provide access. You should also log the details of requests for access where you decided not to provide access.

Having a log helps you stay in control of disclosures of CCTV footage. Importantly, it also provides a record of your decisions if you are later asked to justify your decision whether to release CCTV footage. It is much simpler (and cheaper) to keep a log at the time than to try to remember later why you made a decision or who a particular requester was.

9. Audit and evaluation

Your initial evaluation of the need for CCTV (under guideline 1.2) helped you determine whether CCTV was necessary. You should continue to evaluate the need for CCTV and how you are running it to ensure you continue to comply with the privacy principles.

Audits and evaluations are also a good business practice to ensure you are getting value from your investment. Audits help ensure good information handling and the fast identification of problems.

Guidelines

- 9.1 Collect statistics about your CCTV system to allow you to assess its strengths and weaknesses.
- 9.2 After a year of operation and at regular intervals afterwards, evaluate the operation of the system to determine its effectiveness and continuing viability.
- 9.3 Do regular audits of your equipment and procedures to ensure the system is operating smoothly.
- 9.4 Check that your staff or CCTV operators are complying with your policies, and retrain as required.

Guideline 9.1 – Collect statistics

It is important to collect statistics about your CCTV system to help you assess its strengths and weaknesses and its general performance from month to month and year to year. Depending on the purpose of the cameras, you may wish to collect statistics or other information on:

- the number of incidents captured by the cameras;
- the types of incidents recorded by the cameras;
- the time/days of the week when incidents occurred;
- which cameras captured the most and the fewest incidents;
- the numbers and types of camera problems or repairs;
- the amount of money you spend on your CCTV system; and

- how many requests for access to CCTV you received and, of these, how many times you provided access to CCTV.

Guideline 9.2 – Regularly evaluate the system’s effectiveness

Do a complete evaluation of your system’s effectiveness at regular intervals. Although your system might be effective in the first year, in later years its success might taper off or be affected by other factors.

Repeating an evaluation is usually not onerous. Often, the same issues that were relevant for your initial evaluation will help you in your ongoing evaluations.

You may also need to assess whether you need to upgrade the system. For example, do you need to upgrade the technology you are using or move some of your cameras to get better results?

Guideline 9.3 – Check equipment and procedures

You should also do regular audits of the system as a whole to make sure it is running as it should. Checking equipment will allow you to respond quickly to mechanical failures and cameras in disrepair. Audits of equipment can include checking:

- camera zoom function;
- camera rotation function and whether it moves back to a ‘home position’;
- camera recording function and whether it is occurring at the right time;
- the image quality of recordings and whether it is at the appropriate standard;
- security of the transmission, storage and deletion of CCTV footage; and
- the performance of any ‘intelligent surveillance technologies’.

Guideline 9.4 – Regularly check that your policies are being followed

You should also make sure your staff or CCTV operators are following the CCTV policy you developed under guideline 2.4. You may need to do this fairly frequently, depending on the size of your CCTV system and the number of people involved.

Take the opportunity to remind your staff of the policies and do any retraining that is required.

In doing this, make sure you check the audit trails that record which staff have accessed footage and the way cameras are used by staff.

Review the policies regularly too. Are they still easy for your staff to follow? Do they explain clearly enough for your customers or others what you are doing?

Appendix A: CCTV checklist for small businesses

This checklist is for small businesses that operate or intend to operate small CCTV systems of a low number of cameras. **You should review the checklist regularly.**

Before you start, you need to have identified a clear reason for having a CCTV system. This is your purpose – see Section 1 and Guideline 1.1 for more details.

Purpose				
Relevant guidelines	Actions and practices	Date checked	By	Date of next review
Section 2 Guideline 2.3	Responsibility: There is a named individual who is responsible for the operation of the system.			
Section 3 Guideline 3.1	Equipment: You have chosen CCTV cameras and other equipment that are suitable for your purpose (outlined above) and they are operating properly.			
Section 3 Guideline 3.3	Unintrusive camera locations: The CCTV cameras are not located in places that intrude on the privacy of individuals (such as bathrooms, backyards, through windows etc).			
Section 4 Guideline 4.2 and 4.3	Signage: There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system, your name and contact details are displayed on the signs.			
Section 5 Guideline 5.1	Limits to time when cameras operate: CCTV cameras only operate when necessary, such as during opening hours or days and times of the week when crime peaks.			
Section 6 Guideline 6.2	Use and disclosure of CCTV images: You only use or disclose CCTV footage for the purpose outlined above and not for any other reason.			
Section 7 Guideline 7.1	Security of CCTV images: Images are transmitted and stored securely.			
Section 7 Guideline 7.2	Limited retention periods: Recorded CCTV images are kept for a specified time. This time period must not be longer than is necessary to achieve your purpose outlined above.			
Section 8 Guideline 8.2	Access to CCTV images by individuals: Individuals can access CCTV images of themselves, but you also protect the privacy of others in the footage.			
Section 8 Guideline 8.4	Log of access: You keep a log of who has accessed your CCTV footage, including access by individuals and the Police.			
Section 9 Guideline 9.3	Regular review: You do regular checks to ensure the system is working properly.			

Appendix B: Privacy Act principles

Information Privacy Principles

Principle 1 Purpose of collection of personal information

Personal information shall not be collected by any agency unless—

- (a) The information is collected for a lawful purpose connected with a function or activity of the agency; and
- (b) The collection of the information is necessary for that purpose.

Principle 2 Source of personal information

- (1) Where an agency collects personal information, the agency shall collect the information directly from the individual concerned.
- (2) It is not necessary for an agency to comply with subclause (1) of this principle if the agency believes, on reasonable grounds,—
 - (a) That the information is publicly available information; or
 - (b) That the individual concerned authorises collection of the information from someone else; or
 - (c) That non-compliance would not prejudice the interests of the individual concerned; or
 - (d) That non-compliance is necessary—
 - (i) To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
 - (ii) For the enforcement of a law imposing a pecuniary penalty; or
 - (iii) For the protection of the public revenue; or
 - (iv) For the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
 - (e) That compliance would prejudice the purposes of the collection; or
 - (f) That compliance is not reasonably practicable in the circumstances of the particular case; or
 - (g) That the information—
 - (i) Will not be used in a form in which the individual concerned is identified; or
 - (ii) Will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned; or
 - (h) That the collection of the information is in accordance with an authority granted under section 54 of this Act.

Principle 3 Collection of information from subject

- (1) Where an agency collects personal information directly from the individual concerned, the agency shall take such steps (if any) as are, in the circumstances, reasonable to ensure that the individual concerned is aware of—
 - (a) The fact that the information is being collected; and
 - (b) The purpose for which the information is being collected; and
 - (c) The intended recipients of the information; and
 - (d) The name and address of—
 - (i) The agency that is collecting the information; and
 - (ii) The agency that will hold the information; and

- (e) If the collection of the information is authorised or required by or under law,—
 - (i) The particular law by or under which the collection of the information is so authorised or required; and
 - (ii) Whether or not the supply of the information by that individual is voluntary or mandatory; and
 - (f) The consequences (if any) for that individual if all or any part of the requested information is not provided; and
 - (g) The rights of access to, and correction of, personal information provided by these principles.
- (2) The steps referred to in subclause (1) of this principle shall be taken before the information is collected or, if that is not practicable, as soon as practicable after the information is collected.
 - (3) An agency is not required to take the steps referred to in subclause (1) of this principle in relation to the collection of information from an individual if that agency has taken those steps in relation to the collection, from that individual, of the same information or information of the same kind, on a recent previous occasion.
 - (4) It is not necessary for an agency to comply with subclause (1) of this principle if the agency believes, on reasonable grounds,—
 - (a) That non-compliance is authorised by the individual concerned; or
 - (b) That non-compliance would not prejudice the interests of the individual concerned;
 - (c) That non-compliance is necessary—
 - (i) To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
 - (ii) For the enforcement of a law imposing a pecuniary penalty; or
 - (iii) For the protection of the public revenue; or
 - (iv) For the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
 - (d) That compliance would prejudice the purposes of the collection; or
 - (e) That compliance is not reasonably practicable in the circumstances of the particular case; or
 - (f) That the information—
 - (i) Will not be used in a form in which the individual concerned is identified; or
 - (ii) Will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned.

Principle 4 Manner of collection of personal information

Personal information shall not be collected by an agency—

- (a) By unlawful means; or
- (b) By means that, in the circumstances of the case,—
 - (i) Are unfair; or
 - (ii) Intrude to an unreasonable extent upon the personal affairs of the individual concerned.

Principle 5 Storage and security of personal information

An agency that holds personal information shall ensure—

- (a) That the information is protected, by such security safeguards as it is reasonable in the circumstances to take, against—
 - (i) Loss; and

- (ii) Access, use, modification, or disclosure, except with the authority of the agency that holds the information; and
- (iii) Other misuse; and
- (b) That if it is necessary for the information to be given to a person in connection with the provision of a service to the agency, everything reasonably within the power of the agency is done to prevent unauthorised use or unauthorised disclosure of the information.

Principle 6 Access to personal information

- (1) Where an agency holds personal information in such a way that it can readily be retrieved, the individual concerned shall be entitled—
 - (a) To obtain from the agency confirmation of whether or not the agency holds such personal information; and
 - (b) To have access to that information.
- (2) Where, in accordance with subclause (1)(b) of this principle, an individual is given access to personal information, the individual shall be advised that, under principle 7, the individual may request the correction of that information.
- (3) The application of this principle is subject to the provisions of Parts 4 and 5 of this Act.

Principle 7 Correction of personal information

- (1) Where an agency holds personal information, the individual concerned shall be entitled—
 - (a) To request correction of the information; and
 - (b) To request that there be attached to the information a statement of the correction sought but not made.
- (2) An agency that holds personal information shall, if so requested by the individual concerned or on its own initiative, take such steps (if any) to correct that information as are, in the circumstances, reasonable to ensure that, having regard to the purposes for which the information may lawfully be used, the information is accurate, up to date, complete, and not misleading.
- (3) Where an agency that holds personal information is not willing to correct that information in accordance with a request by the individual concerned, the agency shall, if so requested by the individual concerned, take such steps (if any) as are reasonable in the circumstances to attach to the information, in such a manner that it will always be read with the information, any statement provided by that individual of the correction sought.
- (4) Where the agency has taken steps under subclause (2) or subclause (3) of this principle, the agency shall, if reasonably practicable, inform each person or body or agency to whom the personal information has been disclosed of those steps.
- (5) Where an agency receives a request made pursuant to subclause (1) of this principle, the agency shall inform the individual concerned of the action taken as a result of the request.

Principle 8 Accuracy, etc. of personal information to be checked before use

An agency that holds personal information shall not use that information without taking such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date, complete, relevant, and not misleading.

Principle 9 Agency not to keep personal information for longer than necessary

An agency that holds personal information shall not keep that information for longer than is required for the purposes for which the information may lawfully be used.

Principle 10 Limits on use of personal information

An agency that holds personal information that was obtained in connection with one purpose shall not use the information for any other purpose unless the agency believes, on reasonable grounds,—

- (a) That the source of the information is a publicly available publication; or
- (b) That the use of the information for that other purpose is authorised by the individual concerned; or
- (c) That non-compliance is necessary—
 - (i) To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
 - (ii) For the enforcement of a law imposing a pecuniary penalty; or
 - (iii) For the protection of the public revenue; or
 - (iv) For the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
- (d) That the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to—
 - (i) Public health or public safety; or
 - (ii) The life or health of the individual concerned or another individual; or
- (e) That the purpose for which the information is used is directly related to the purpose in connection with which the information was obtained; or
- (f) That the information—
 - (i) Is used in a form in which the individual concerned is not identified; or
 - (ii) Is used for statistical or research purposes and will not be published in a form – that could reasonably be expected to identify the individual concerned; or
- (g) That the use of the information is in accordance with an authority granted under section 54 of this Act.

Principle 11 Limits on disclosure of personal information

An agency that holds personal information shall not disclose the information to a person or body or agency unless the agency believes, on reasonable grounds,—

- (a) That the disclosure of the information is one of the purposes in connection with which the information was obtained or is directly related to the purposes in connection with which the information was obtained; or
- (b) That the source of the information is a publicly available publication; or
- (c) That the disclosure is to the individual concerned; or
- (d) That the disclosure is authorised by the individual concerned; or
- (e) That non-compliance is necessary—
 - (i) To avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
 - (ii) For the enforcement of a law imposing a pecuniary penalty; or
 - (iii) For the protection of the public revenue; or
 - (iv) For the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
- (f) That the disclosure of the information is necessary to prevent or lessen a serious and imminent threat to—
 - (i) Public health or public safety; or
 - (ii) The life or health of the individual concerned or another individual; or

- (g) That the disclosure of the information is necessary to facilitate the sale or other disposition of a business as a going concern; or
- (h) That the information—
 - (i) Is to be used in a form in which the individual concerned is not identified; or
 - (ii) Is to be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned; or
- (i) That the disclosure of the information is in accordance with an authority granted under section 54 of this Act.

Principle 12 Unique identifiers

- (1) An agency shall not assign a unique identifier to an individual unless the assignment of that identifier is necessary to enable the agency to carry out any one or more of its functions efficiently.
- (2) An agency shall not assign to an individual a unique identifier that, to that agency's knowledge, has been assigned to that individual by another agency, unless those 2 agencies are associated persons within the meaning of subpart YB of the Income Tax Act 2007 (to the extent to which those rules apply for the whole of that Act excluding the 1973, 1988, and 1990 version provisions).
- (3) An agency that assigns unique identifiers to individuals shall take all reasonable steps to ensure that unique identifiers are assigned only to individuals whose identity is clearly established.
- (4) An agency shall not require an individual to disclose any unique identifier assigned to that individual unless the disclosure is for one of the purposes in connection with which that unique identifier was assigned or for a purpose that is directly related to one of those purposes.