

## Compliance Information Sheet: Surveillance Cameras on Residential Property

This document is intended to assist residents who may be considering the installation of surveillance cameras or residents who are concerned with their use.

The installation of cameras on private property in residential areas is becoming very popular along with residents seeking confirmation that the surveillance cameras are being used appropriately, legal and are not being used to 'spy' on neighbours.

The City is not able to provide any specific advice related to individual rights and obligations as the use of surveillance cameras on private property does not fall under the jurisdiction of the City of Canning. However; from time to time the City receives complaints regarding surveillance cameras and we have put together some general advice for property owners.

### Installing Surveillance Cameras on Private Residential Property

The *Surveillance Devices Act 1998* (the Act), must be complied with in relation to the installation and operation of surveillance cameras. Having said that, as long as the cameras do not contravene Section 6 of the Act then the following applies:

- No permission is required for the installation of cameras, including from the local Police, neighbours or the City of Canning.
- If you pay someone to install the camera system the installer must be licensed as required under the *Security and Related Activities (Control) Act 1996*.
- You are not obligated to install any signage to warn that cameras are installed.

The City would suggest that you ensure the area under surveillance is of your property only, and you inform neighbours of the installation. If the property is part of a strata title, enquire with your strata company as to whether the cameras are contravening a bylaw.

### What to do if you have concerns regarding Surveillance cameras?

There are a few options you could consider:

- If you believe the surveillance is of your property, you can enquire with the WA Police 131 444, as to whether or not they will investigate such a complaint.
- If the footage is being used for indecent purposes, report it to the WA Police 131 444.
- It may be the case that a common law breach may have occurred if your privacy has been adversely impacted. A breach of the common law is said to give rise to a "cause of action". Private nuisance is a cause of action that might be available to you; however, you would need to seek your own legal advice.

For further assistance contact Legal Aid WA's InfoLine on 1300 650 579. Legal Aid is also available at [www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au), where you may find information regarding your rights.