

## 1.29 Council Meeting Recordings and Live Streaming

### Objective

This Policy provides a framework for the audio and video recording and live streaming of Council meetings of the Shire of East Pilbara. Live streaming and recording improves accessibility of Council meetings for a broader audience, particularly recognising the vast size of the District of East Pilbara.

### Definitions

**Recording** means any recording made by an electronic device capable of recording sound and/or video images.

**Confidential/Closed** means meetings that are closed to the public in accordance with section 5.23 of the *Local Government Act 1995*.

**Live Streaming** means to transmit or receive live video and audio coverage of an event over the Internet with the content simultaneously recorded and broadcast in real time to the viewer.

**Ordinary Council Meeting** means a meeting for the purpose of considering and dealing with the ordinary business of the Council.

**Special Council Meeting** means a meeting dealing with Council business that is urgent, complex in nature, for a particular purpose, or confidential.

### Policy

All Ordinary and Special Council meetings will be live streamed and be publicly available through the Shire's website, or nominated social media platform. The live streaming will commence at the times that the meetings are due to commence and finish when the presiding member closes or adjourns the meeting for any reason. Instances of public participation in meetings will not be included in the live stream or recordings.

Confidential Council meetings and confidential items of business in a Council meeting will not be streamed live or made available later as a recording.

Video recordings of a meeting will be available for viewing on the Shire's website or nominated social media platform approximately two business days after the meeting.

The Shire will make every reasonable effort to ensure that a live stream and video recording is available.

Should technical difficulties arise in relation to live streaming or access to the Shire's website, or appropriate social media platform, live streaming may be stopped and the availability of recordings may be delayed.

The Shire will make every effort to make live streaming available from whichever location the Ordinary or Special Council Meeting is to be held, including those Meetings held by electronic means in accordance with regulation 14D of the *Local Government (Administration) Regulations 1996*.

### Public Participation

It is intended that the Shire's live streaming cameras and microphones will provide live and recorded vision and audio of members of the public who address a Council Meeting when they speak. This applies

to members of the public wishing to ask questions or to present a deputation. By participating in a public Council meeting, those members of the public in attendance agree to being recorded. As far as practically possible, it is not intended that there be either live or recorded video footage or audio of those members of the public who do not address the meeting, however this Policy recognises that there might be incidental capture of members of the public and employees and contractors of the Shire.

Signage immediately outside the Council Chamber or other meeting venue, a statement on the Public Question Time submission form, and a statement made by the presiding member at the commencement of each meeting, will inform the public that audio and video of the meeting will be streamed live on the Internet and that the video recording will be made publicly available on the Shire's website or nominated social media platform/s.

To protect personal information of any member of the public addressing a Council meeting, that member of the public need only provide their name and suburb, not their full address, when addressing the meeting, but will still be required to provide contact details (such as a postal or email address) on the Public Question Time submission form in order that responses can be provided to them for any questions taken on notice.

Should a member of the public proposing a question prefer not to be recorded or have their image or voice live streamed, and who has identified themselves and their question on a 'public question time submission form' before the meeting commences, they may request that their question be read to the meeting by a Shire officer.

### Meetings or Items of Business Closed to the Public

If Council resolves to close a meeting to the public in accordance with section 5.23 of the *Local Government Act 1995*, live streaming will cease. Audio recording of closed sessions will continue to assist in the keeping of minutes but will not be available for release.

### Access to Recordings of Meetings

Council meetings that are live streamed will be made available for viewing on the Shire's website or nominated social media platform/s, approximately two business days after the meeting. Council meeting recordings will be accessible on the Shire's website, or nominated social media platform/s, at any point in time. The Shire will retain recordings of meetings for a period of one year after the minutes have been confirmed. Recordings of meetings will be disposed of in accordance with the *State Records Act 2000* and *General Disposal Authority for Local Government Records*.

### Risk management considerations

Under section 9.57A of the *Local Government Act 1995* the Shire is not liable for an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording, or video recording, of Council proceedings. Council officers and Council Members are not liable in defamation for any statements made in good faith. Council officers, Council Members and members of public are not liable in defamation for any statements to which a defence is available under the *Defamation Act 2005*.

Following any meeting, the Chief Executive Officer may exclude all or part of any meeting recording considered inappropriate to be published. Material considered to be inappropriate may include, but is not limited to, material that may:

- Be defamatory;
- Infringe copyright;

- Breach the privacy of an individual, or provide unauthorised disclosure of the personal information of an individual;
- Be offensive, abusive or discriminatory;
- Constitute hatred or vilification of another person; and
- Disclose confidential or privileged information.

## Disclaimer

Endorsed Council minutes provide the definitive record of Council's resolutions. Opinions and statements made during a Council meeting should not be relied upon.

## Licence and Use of Live Streams and Recordings

Access to live streams and recordings of Council meetings is provided on the Shire's website, or nominated social media platform/s, for personal and non-commercial use.

Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of the Shire. Copyright remains with the Shire.

## Authorisation Details

|                                |   |                 |        |
|--------------------------------|---|-----------------|--------|
| <b>References:</b>             | <i>Local Government Act 1995</i><br><i>State Records Act 2000</i><br><i>Freedom of Information Act 1992</i><br><i>Defamation Act 2005</i><br><i>Shire of East Pilbara Meeting Procedures Local Law 2019</i><br><i>General Disposal Authority for Local Government Records</i> |                 |        |
| <b>Authorised by:</b>          | Council   |                 |        |
| <b>Date:</b>                   | 25 August 2023  | <b>Item No.</b> | 11.1.2 |
| <b>Review/Amendment Date</b>   |   | <b>Item No.</b> |        |
| <b>Next Review</b>             | Every four years  |                 |        |
| <b>Responsible Directorate</b> | Office of Chief Executive Officer   |                 |        |
| <b>Responsible Officer</b>     | Manager Governance, Risk and Procurement  |                 |        |
| <b>File No.</b>                |   |                 |        |