

Council Policy

Council Policy Name: Recording and Livestreaming of Council Meetings

Responsible Directorate: Corporate Strategy and Performance **Version:** ADOPTED

1. PURPOSE

- 1.1. Amendments to the *Local Government Act 1995* require all class 1 and class 2 local governments to broadcast and make recordings of Council meetings publicly available from 1 January 2025.
- 1.2. The purpose of recording and livestreaming Council meetings is to:
 - a. facilitate increased engagement by the community in the City's decision making processes;
 - b. improve the transparency and accessibility of meetings of Council; and
 - c. assist in the preparation of the minutes of Council meetings
- 1.3. This Policy outlines the City's position with respect to the recording and livestreaming of Council meetings and access to the recorded proceedings.

2. SCOPE

- 2.1. This Policy is applicable to Livestreaming and Recordings of Council meetings, and all requests for such recordings.

3. DEFINITIONS

Term	Meaning
Act	<i>Local Government Act 1995</i>
Council Meeting / Meeting	Any City of Busselton Ordinary Council meeting or Special Council meeting
Livestream	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
Recording	Any recording made by an electronic device capable of recording vision and / or audio
Policy	this City of Busselton Council policy titled "Recording and Livestreaming of Council Meetings"

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 4 LEADERSHIP	4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

5. POLICY STATEMENT

- 5.1. All Ordinary and Special Council meetings, the Annual General Meeting of Electors, and Electors Meetings will, wherever technically possible, be video and audio recorded, and will be made available by Livestream.

- 5.2. Recordings of a meeting will be available on the City's streaming service with a link available on the meetings schedule section of the City's website for a period of five years after the meeting date.
- 5.3. The official record of the meeting will be the written minutes prepared in accordance with the requirements of the Act and the *Local Government (Administration) Regulations 1996*.
- 5.4. Council may resolve to close the Council meeting to the public in accordance with section 5.23 of the Act.
- 5.5. Video recording and Livestreaming of the meeting will be ceased when the meeting is closed to the public.
- 5.6. Closed proceedings will be audio recorded and the Recording will be retained for at least a period of 5 years after the meeting day. Audio Recordings of closed proceedings will not be made publicly available.
- 5.7. Clear signage will be placed in the Council chamber advising members of the public that the meeting will be recorded and livestreamed, and the Presiding Member will announce that the meeting is to be recorded and livestreamed at the commencement of the meeting.
- 5.8. It is intended that recording equipment will provide live and recorded vision and audio of the Council Chambers, including the Presiding Member, Elected Members and City officers when they speak, for the duration of the Council meeting (other than for confidential items or meetings).
- 5.9. This Policy recognises that there may be incidental capture of other City officers or members of the public due to seating arrangements in the Council Chambers and the position of recording equipment.
- 5.10. By participating in a public Council meeting, those members of the public in attendance consent to being recorded.
- 5.11. Other than in accordance with this Policy, a person must not use any recording device or instrument to record the proceedings of a meeting without the written permission of the Presiding Member.
- 5.12. The City retains copyright over its Livestreaming and Recordings of its Council meetings.
- 5.13. Members of the public may, by written request to the CEO, purchase a copy of an audio Recording of a meeting, with the fee for purchase set out in the City's fees and charges each year.
- 5.14. Members of the public are not entitled to receive a copy of the Recording of any part of the meeting that was declared confidential and closed to the public.
- 5.15. Current Elected Members may request from the CEO an audio Recording of a meeting at no charge.
- 5.16. All Elected Members are to be notified when requests for Recordings have been received.
- 5.17. Recordings will not be transcribed.
- 5.18. Recordings will be stored and disposed of in accordance with the *State Records Act 2000*.

5.19. Under section 9.57A of the Act, the City is not liable for defamation in relation to a matter published on its website as part of a Livestream or Recording of a Council meeting. Elected Members and City officers are not liable in defamation for any statements made in good faith or to which a defence is available under the *Defamation Act 2005*.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1 *City of Busselton Standing Orders Local Law 2018*
- 6.2 *Local Government Act 1995*
- 6.3 *Local Government (Administration) Regulations 1996*
- 6.4 *State Records Act 2000*

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	21 February 2024	Resolution #	C2401/31
Previous Adoption	DATE	11 May 2022	Resolution #	C2205/195