

Shire of Mundaring

POLICY

LIVE STREAMING AND RECORDING OF MEETINGS

Policy Ref:	OR-27		
Committee Rec:		Date:	
Adopted:	C15.04.20	Date:	14 April 2020
Amended:		Date:	
Reviewed:		Date:	
Procedure Ref:		Delegation Ref:	
Statute Ref:			
Local Law Ref:	Meeting Procedures Local Law 2015		

PURPOSE

To enhance Council's commitment to engage with its community through the live streaming of its meetings.

SCOPE

This Policy applies to –

- Ordinary and Special Council meetings held in the Council Chambers and any other meetings in Council Chambers authorised by the Chief Executive Officer (CEO);
- Elected Members and employees of Shire of Mundaring; and
- Members of the public attending Council meetings.

This Policy does not apply to any parts of a Council meeting closed to the public under section 5.23 of the *Local Government Act 1995* (the Act).

POLICY

1. Meetings to be streamed live and recorded

- 1.1 Ordinary and Special Council meetings will be video recorded and streamed live on the Shire's website. The recordings will be published on the Shire's website within 24 hours of the Ordinary or Special meeting.
- 1.2 Council can resolve to close part of the meeting to the public in accordance with section 5.23 of the Act. The livestream will cease for that part of the meeting and the recording will not be made available for viewing on the Shire's website or as a recording upon request.
- 1.3 Recordings of Ordinary and Special Council meetings will be accessible on the Shire's website for a period of one year. The Shire will retain recordings of

meetings for at least one year after confirmation of the minutes, in accordance with the General Disposal Authority for Local Government Records.

1.4 The Presiding Person has the authority at any time to direct the termination or interruption of live streaming, if they believe it is advisable to do so. Such direction will only be given in exceptional circumstances, where the debate in progress is considered misleading, defamatory or potentially inappropriate to be published.

1.5 Members of the public invited to speak during the meeting (public question time, deputations), will be invited to the lectern, from where they will be audio recorded but not seen on the live stream footage. At the commencement of each Council meeting the Presiding Person will publicly announce that the meeting will be streamed live via the website, where the recording will be publicly available. By participating in a public meeting, members of the public agree to them being audio recorded.

2. Positioning of cameras during the live streaming of a Council meeting

2.1 It is not intended that public speakers or members of the public in the gallery are visible in the live stream or visual recording of the meeting. Cameras are positioned so that members of the public are not visible.

2.2 It is intended that the standard camera positions will provide live and recorded vision of all Elected Members who are present at the meeting. There will be live and recorded audio of Elected Members when they speak for the duration of the meeting, other than for confidential items. Shire employees who address Council may be seen and heard on the live stream.

3. Opinions or statements made by Elected Members during a meeting

3.1 The opinions or statements made during an Ordinary or Special Council meeting are those of the individuals, and not necessarily the opinions or statements of Council. Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming and recording of meetings.

3.2 Shire of Mundaring does not accept any responsibility or liability for any loss, damage, cost or expense incurred as a result of the viewing, use or reliance on information or statements provided in the live streaming of meetings. Confirmed Council minutes provide the only definitive record of Council's decisions.

3.3 Section 9.57A of the Act protects a local government from liability for defamation in relation to a matter published on its official website as part of a broadcast, audio recording or video recording of Council proceedings.

4. Technical disclaimer

4.1 There may be occasions where, due to technical difficulties, a live stream may not be available. Whilst every effort will be made to ensure the live stream and website are running smoothly, Shire of Mundaring takes no responsibility for and cannot be held liable for the live streaming or website being temporarily unavailable due to technical issues beyond its control.

4.2 Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, power outages etc.

5. Copyright terms

- 5.1 Copyright in the recording of proceedings is owned by Shire of Mundaring. Permission must be sought to copy, communicate or transmit a recording or part of a recording of the proceedings.
- 5.2 The following conditions apply to the use of recordings of Council meetings and will be placed on the Shire website:
- The user acknowledges that Shire of Mundaring is the owner of the copyright in the recording of a Council meeting or any other meeting and that the Shire has reserved all of its legal rights;
 - Users must not make or copy single images from the recordings; and
 - Any other copying or use of recordings of Council meetings is expressly prohibited unless specifically authorised in writing by the CEO.

6. Roles and responsibilities

- 6.1 Elected Members, Shire employees and members of the public, both as visitors in the public gallery and as contributors to any public meeting held in the Council Chambers, are responsible for ensuring that they are familiar with the terms of this Policy and are accountable for managing their own compliance.
- 6.2 Clarification or advice about the interpretation of this Policy may be sought from the CEO.
- 6.3 For Elected Members and employees, failure to comply with this Policy may constitute a breach of the Code of Conduct.