

1.8 LIVE STREAMING AND RECORDING OF MEETINGS POLICY

Responsible Directorate	Corporate Services
Responsible Service Area	Governance and Risk
Adopted	14 April 2020 C15.04.20
Reviewed	November 2025 C-8-12-2025
Local Law Ref	Meeting Procedures Local Law 2015

1. PURPOSE

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

2. SCOPE

2.1. This Policy applies to –

- 2.1.1. Ordinary and Special Council meetings held in the Council Chambers and any other meetings in Council Chambers authorised by the Chief Executive Officer (CEO). These requirements apply to Council meetings but do not extend to committee meetings unless otherwise resolved by Council.
- 2.1.2. Council Members and employees of Shire of Mundaring; and
- 2.1.3. Members of the public attending Council meetings.

2.2. 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). However, such confidential items will be audio recorded for governance purposes. These recordings will:

- 2.2.1. Be retained for a minimum of five (5) years in accordance with statutory requirements;
- 2.2.2. Not be published or made publicly accessible;
- 2.2.3. Be securely stored and accessible only to authorised personnel as determined by the Chief Executive Officer; and
- 2.2.4. Comply with the technical quality standards applicable to other meeting recordings.

3. POLICY

This Policy establishes guidance for livestreaming and recording council meetings in compliance with Section 5.23 of the Local Government Act 1995, to enhance transparency by facilitating public access to council proceedings

3.1. Meetings to be streamed live and recorded

- 3.1.1. 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 14 days of the Ordinary or Special meeting

- 3.1.2. 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.
- 3.1.3. Recordings of Ordinary and Special Council meetings will be accessible on the Shire's website for a period of five years. 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.
- 3.1.4. During the live broadcast or recording of a Council meeting, the Presiding Person may pause or terminate the livestream immediately if any unreasonable or harmful content arises. Such action will only occur in exceptional circumstances, including but not limited to:
 - 3.1.4.1.1. Alleged defamation or potentially unlawful statements;
 - 3.1.4.1.2. Disclosure of confidential, private, or culturally sensitive information;
 - 3.1.4.1.3. Other content deemed inappropriate for public dissemination
- 3.1.5. Upon such direction, the Presiding Person will announce to all present:
 - 3.1.5.1.1. Their intention to interrupt or cease the livestream;
 - 3.1.5.1.2. A brief reason (e.g., "defamatory content" or "confidential matter").
- 3.1.6. Where feasible, an audio or video recording may continue off-stream to preserve the official record and support the confirmed minutes.
- 3.1.7. 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.
- 3.1.8. Recordings must be published on the Shire's website within fourteen (14) days of the meeting. The livestream must be accessible to the public via the Shire's official website or another publicly accessible platform.

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

- 3.2.1. 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.

- 3.2.2.** It is intended that the standard camera positions will provide live and recorded vision of all Council Members who are present at the meeting. There will be live and recorded audio of Council 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.

3.3. Opinions or statements made by Council Members during a meeting

- 3.3.1. 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.
- 3.3.2. 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.
- 3.3.3. 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.

3.4. Technical disclaimer

- 3.4.1. 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.
- 3.4.2. Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, power outages etc.
- 3.4.3. Where livestreaming or recording is not possible due to technical failure, the CEO must ensure alternative arrangements are made to meet legislative obligations, including publishing an audio-only recording or transcript where feasible.

3.5. Reproduction and Use of Recorded Content

- 3.5.1. Recordings may be used by the Shire for official purposes including public information, accessibility improvements, and archival reference.
- 3.5.2. Reproduction of Recorded Meeting Content

3.5.2.1. Recorded content must not be reproduced, repackaged, or republished in connection with any election campaign (Federal, State, or Local) or for any other political promotional purpose. This includes use on social media platforms, websites, printed materials, or any other medium intended to influence electoral outcomes. Such use is considered inconsistent with the protections and intent of Section 9.57A of the *Local Government Act 1995*, which provides immunity to the Shire for official publication but does not extend to third-party political use.

3.5.3. Permitted Use – Official and Informational Only

3.5.3.1. The CEO may authorise reproduction for official Shire uses, including:

3.5.3.1.1. Technical rectification (e.g., editing audiovisual errors).

3.5.3.1.2. Reissues of full meeting recordings for accessibility (e.g., adding captions/transcripts).

3.5.3.1.3. Educational or archival purposes, such as orientation sessions for new Councillors or public information campaigns.

3.5.4. Decision-Making Process & Criteria

3.5.4.1. Any proposed reproduction not covered above must be formally requested in writing and considered by the CEO against the following criteria:

3.5.4.1.1. Purpose and audience of the request.

3.5.4.1.2. Extent of content requested (specific excerpt vs. full recording).

3.5.4.1.3. Impact on privacy, defamation or sensitive information.

3.5.4.1.4. Compliance with Section 9.57A of the *Local Government Act 1995*.

3.5.4.1.5. Potential for political or electoral misuse.

3.5.4.2. The CEO's decision must be documented, clearly stating:

3.5.4.2.1. Date of request.

3.5.4.2.2. Applicant name and organisation.

3.5.4.2.3. Purpose and intended use.

3.5.4.2.4. Determination (approved/denied) and rationale.

3.5.5. Transparency & Record-Keeping

3.5.5.1. A public register of reproduction decisions shall be maintained on the Shire website. This register will include:

3.5.5.1.1. Date of request

- 3.5.5.1.2. Approved content excerpts
- 3.5.5.1.3. Approved purpose of use
- 3.5.5.1.4. CEO's determination and reason for decision
- 3.5.5.2. All granted reproductions must:
 - 3.5.5.2.1. Carry the same disclaimer as the original recording.
 - 3.5.5.2.2. Acknowledge the recording's source and date.

3.6. Roles and responsibilities

- 3.6.1. Council Members, Shire employees and members of the public, both as visitors in the public gallery and as contributors to any Council 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.
- 3.6.2. Clarification or advice about the interpretation of this Policy may be sought from the CEO. In accordance with section 5.23A of the Act, It is the CEO's role to provide oversight duties to :
 - 3.6.2.1. Ensure Compliance with Broadcasting and Recording Regulations
 - 3.6.2.2. Protect Confidentiality of Closed Meetings
 - 3.6.2.3. Manage Technical Failures
 - 3.6.2.4. Support Legal Compliance and Risk Management
- 3.6.3. For Council Members and employees, failure to comply with this Policy may constitute a breach of the Code of Conduct.

3.7. Use of Personal Recording Devices

- 3.7.1. Attendees may not use personal recording devices unless written permission is granted by the Presiding Person.

3.8. Retention and Disposal

- 3.8.1. Recordings will be retained and disposed of in accordance with the *State Records Act 2000* and the Shire's recordkeeping plan.

4. RELATED LEGISLATION

Section 5.23A LG Act & Part 2A Regulations

Section 9.57A of the Local Government Act 1995

State Records Act 2000

5. RELATED DOCUMENTS

Meeting Procedures Local Law 2015

Conducting Electronic meetings and Attendance by Electronic Means Policy

Code of conduct for Council Members, Committee Members and Candidates Policy