Policy G16 - Livestream and Recording of Council Meetings

1. Policy Intention

The purpose of this policy is to support transparency and accountability through improved engagement with the Shire of Murray (**Shire**) community and accessibility to Council decision-making through live streaming and recording of Ordinary and Special Council Meetings held in the Shire Council Chamber.

This policy establishes how audio and video recordings will be used and made available.

2. Policy Scope

This Policy applies to Council and Special Council (**Council Meetings**), and any other meetings as determined by Council, that are held in Council Chambers. It does not apply to Committee Meetings or Annual and Special Electors Meetings.

3. Policy Statement

The visual and audio of all Council Meetings will be publicly broadcasted live (i.e., live streamed) and recorded in accordance with the *Local Government Act 1995* (**Act**) and the *Local Government (Administration) Regulations 1996* (**Regulations**).

3.1 Access to the Live Stream and Recordings

The live stream will be publicly accessible via the Shire's website and its media platform at the commencement of the Council meeting.

The recording of the live streamed Council Meeting will be available within 14 days of the meeting taking place on the Shire website and its media platform.

3.2 Council Meetings or Items of Business Closed to the Public

In accordance with the Regulations, meetings, or part of meetings, closed for consideration of confidential matters, are not permitted to be live streamed. In this circumstance, live streaming will be suspended at the time the Council resolve the meeting is to be closed to the public and will recommence when the Council resolve to reopen the meeting to the public.

The Shire will not publish a recording of the closed proceedings of a Council meeting where confidential matters are deliberated by Council.

3.3 Public attending Council Meetings

To ensure that the public, Council members and staff are aware of the recording and live stream, clear signage will be placed prominently at the Council Chamber advising that the meeting is being recorded and live streamed. Additionally, at the commencement of the meeting, the Presiding Member will publicly announce that the meeting will be audio and video recorded, and live streamed.

Any member of the public who attends a Council Meeting accepts that their video and audio may be captured during the Council Meeting.

Those members of the public who are participating in the Council meeting through public questions or making a deputation will be captured in the live stream and recording of the meeting when speaking to the Council.

Members of the public seated in the public gallery and do not participate in the Council Meeting through public question or deputations are not intended to be captured in the camera positioning in the Council Chamber, however it is acknowledged that if the person is entering or departing the room during the meeting it may occur.

3.4 Council Meetings not held in the Shire Council Chambers

If a Council Meeting is held outside of the Council Chambers (1915 Pinjarra Road, Pinjarra) the meeting will be audio recorded at the minimum, as required under the Regulations and the recording will be made available within 14 days of the meeting taking place.

3.5 Technical Issues or Failure

The Shire will make every reasonable effort to ensure that a live stream and recording is accessible, however 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.

If technology failure prevents a council meeting (or part of a meeting) from being recorded, the meeting may still proceed and the Shire will, so far as reasonably practicable, make an improvised recording of the meeting.

Following the meeting where a technological failure occurred the Shire will publish a notice advising what occurred in accordance with the Regulations.

3.6 Recordkeeping

The official record of the Council meeting will be the adopted minutes of the meeting kept in accordance with the Act and the Regulations.

The recording must be made available on the Shire website or appropriate social media channel for 5 years and the recording must be retained for 5 years in accordance with regulation 14I of the Regulations.

All recordings will be retained in accordance with the *State Records Act 2000* and the Shire of Murray Recordkeeping Plan.

3.7 Liability and Defamation

In accordance with section 9.57A of the Act the Shire is not liable for an action for defamation in relation to matters published on its official website as part of a live stream, audio or video recording of Council proceedings.

Opinions expressed or statements made by persons during the course of a meeting and contained within a live stream, video and/or audio recording, are the opinions or statements of those individual persons and not necessarily the opinions or statements of the Shire or endorsed by the Shire.

The onus is on those in attendance at the meeting to ensure that their conduct, content and language are appropriate for the audience. The Presiding Member is responsible for maintaining the orderly proceedings of the meeting.

Shire Officers and Elected Members are not liable in defamation for any statements made in good faith in the performance of their statutory functions. Whilst defence under the *Defamation Act 2005* may also be applicable, this is a matter that can only be determined by the Court.

3.8 Copyright

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.

3.9 Disclaimer

The Council minutes provide the definitive record of Council's resolutions. Opinions and statements made during a live streamed or recorded Council meeting should not be relied upon or acted upon until notified by the Shire.

3.10 Electronic Attendance by Elected Members

Where an Elected Member attends a Council Meeting remotely by electronic means, the minimum requirement is for an audio broadcast of that Elected Member will be captured in the livestream and recording.

Audio participation is the acceptable minimum standard for council members attending meetings remotely. This minimum requirement acknowledges that there are certain circumstances where video participation may not be necessary or practical due to available technology or internet connectivity.

4. Related Legislation

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *State Records Act 2000*

5. Related Documents

- *Shire of Murray Recordkeeping Plan*

Policy Detail		
Responsible Directorate	Corporate Services	
Responsible Department	Governance	
Responsible Officer	Manager Governance	
Next Policy Review / Schedule	2026 (3-yearly)	
Council Adoption	**Date / Resolution**	27 February 2025 (OCM25/007)
Amendment Record	**Date / Resolution**	