



Live Streaming and Publishing Recordings of Council Meetings Policy

1. PURPOSE

The 'Live Streaming and Publishing Recordings of Council Meetings Policy' (the Policy) provides information and procedures in relation to the live streaming and recording of Council meetings convened by Whitehorse City Council in its Council Chamber.

2. POLICY STATEMENT

This policy reflects Council's commitment to transparent and accessible decision making processes, with the live streaming and archiving of Ordinary and Special Council meetings, whilst noting that confidential meetings that are closed in accordance with section 66(2)(a) of the Local Government Act 2020, will not be recorded.

3. OBJECTIVE

To improve accessibility and community participation in relation to decision making processes.

The Live streaming and publishing of the video recordings of meetings on Council's website provides more flexible and convenient access to a wider audience, by allowing the public to watch meetings 'in real time' via the internet without the need to attend in person.

It provides the community greater access to viewing Council debate and decisions, eliminates geographic and time barriers which may prevent the public from attending meetings in person; thereby resulting in greater community awareness and confidence in the integrity and accountability of decision making processes.

4. SCOPE

This Policy will apply to all Ordinary and Special Council meetings conducted by Whitehorse City Council. This policy does not extend to any meeting closed to the public in accordance with Section 66(2)(a) of the Local Government Act 2020.

5. DEFINITIONS

Chair	Person presiding over the meeting, usually the Mayor.
Council	Whitehorse City Council.
CEO	Chief Executive Officer of Whitehorse City Council.
Defamation	Intentional false communication which damages the reputation of another individual.

Inappropriate material	May include, but is not limited to: inaccuracies, misinformation, defamation, infringement of copyright, breach of privacy / disclosure of personal information and confidential or privileged Council information.
Offensive behaviour	May include, but is not limited to: discrimination, vilification or inciting hatred.
Ordinary Meeting	An Ordinary meeting of the Council, is deemed as being a meeting fixed by Council, in accordance with clause 9 of Council's Governance Rules.
Special Council Meeting	A Special meeting of the Council, is deemed as being a meeting that has been initiated in reliance of clause 11 of Council's Governance Rules.
Confidential Meeting	A meeting of Council which has been closed to members of the public under Section 66(2)(a) Local Government Act 2020.
Privacy Breach	Unauthorised access to, or collection, use or disclosure of personal information.
Slander	Verbal defamation, in which someone tells one or more persons an untruth about another, which untruth will harm the reputation of the person spoken about or referred to.
Technical issues	May include, but are not limited to: the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

6. PROCEDURES

6.1 Meetings to be Streamed Live and Recorded

Ordinary and Special Council Meetings held in the Council Chamber will be streamed live on the internet via Council's website www.whitehorse.vic.gov.au.

The recording will then be uploaded to Council's website within 48 hours.

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

6.2 Access to Archived Recordings

Ordinary and Special Council meetings that are streamed live on the internet will later be archived on Council's website www.whitehorse.vic.gov.au, and available to be viewed by the public free of charge.

Bookmarks will be added to the agenda items considered at the meeting on the archived version of the recorded meeting to provide ease of navigation for viewers. Archived recordings of meetings will remain on the website for at least four years, after this time, the archived records will be destroyed.

6.3 Notice to Public Gallery

As far as practically possible, it is not intended that there be either live or recorded footage of the public, however this Policy recognises that there might be incidental capture of visitors in the public gallery. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast. At the commencement of each meeting, the Chair (or Council Officer nominated by the Chair) shall read a statement notifying those present that the meeting will be streamed live on the internet and that the recording will be made publicly available on Council's website.

6.4 Council Public Presentations and Questions to Ordinary Council meetings

Any members of the public who address Council will be heard on the live stream and the audio of them speaking will be recorded. Also, members of the public who submit a question for a Council meeting should be aware that their name and question will be read out during the live streaming.

6.6 Identified Risks and Mitigation Action

Council meetings are an open forum of statements, questions and answers. Occasionally, comments could be made which may be regarded as offensive, defamatory, inaccurate or contrary to law. By live streaming and publishing recordings of meetings, the potential audience is significantly increased, which also increases the likelihood and/or severity of potential liability.

Local Government decision making, unlike State and Federal Government, does not afford Councillors the benefit of parliamentary privilege. Therefore, no protection is afforded to Councillors, employees or the public for comments made during meetings which are challenged in a court of law and determined to be inaccurate or slanderous.

Whilst Council may not be liable for any inaccurate or defamatory comments made by an individual at a meeting, it may, however be liable if it publishes that material, albeit inadvertently.

The Chair and/or CEO have the discretion and authority during a meeting to correct inaccuracies and/or 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 content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Following any meeting, the CEO has discretion to direct the exclusion of all or part of any meeting recording which he/she deems to be inappropriate.

6.7 Privacy and Defamation

The audio-visual recording equipment will be configured in a way which avoids coverage of the public gallery area and Council will endeavour to ensure images in this area are not streamed.

However, Council expressly provides no assurances to this effect and in the event that your image is webcast, by remaining in the public gallery area, it is assumed that consent has been given to the Council to broadcast your image.

The opinions or statements made during the 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/recording of the Council meetings.

Council does not accept any responsibility for the verbal comments made during Council meetings which are inaccurate, incorrect or defamatory and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error. The Council does not accept any responsibility or liability for any loss, damage, cost, or expense you might incur as a result of the viewing, use or reliance of information or statements provided in the live streaming/recording of Council meetings.

A Privacy and Defamation Disclaimer has been prepared to ensure that visitors in the public gallery are aware of possible privacy concerns regarding the live streaming of meetings; and that Councillors and visitors in the public gallery are fully aware of the possible legal consequences arising from making defamatory gestures, statements and/or comments. Signage to this effect will be visibly displayed in the foyer of the Council Chamber and on Council's website.

7. RELATED POLICIES & STATUTORY OBLIGATIONS

Councillor Code of Conduct

Governance Rules

8. RELATED LEGISLATION

Local Government Act 2020

Privacy and Data Protection Act 2014

Internal Use Only

9. REVIEW

Responsible Manager: Manager Governance & Integrity

Next Review: June 2025

This policy has been reviewed for Human Rights Charter compliance.