

# Live Streaming and Recording of Council Meetings

## Introduction

This policy ensures Council's commitment to engaging with its community by enhancing accessibility to formal decision-making processes at Council Meetings

Live streaming and recording practices must comply with s. 5.23AA of the Act, acknowledging that decisions to close meetings and exclude streaming may be subject to review by the Local Government Inspector.

## Objective

- To ensure transparency and accessibility for formal Council meetings – Ordinary and Special Council Meetings.
- To allow a broader audience to view formal Council proceedings in real time or at a later time, thereby supporting community engagement and accountability.
- To reduce geographic and time barriers that may prevent the public from attending formal Council meetings in person.
- To promote openness and transparency in formal decision-making processes, increasing community confidence in the integrity and accountability of Council governance.

## Scope

This policy outlines guidelines for the live audio and video streaming and recording of formal Council Meetings, specifically Ordinary and Special Council Meetings on the Shire's website and through an appropriate social media platform.

Live streaming will commence at the scheduled start time of the meeting and conclude when the Presiding Member closes or adjourns the meeting for any reason.

Instances of public participation during formal Council meetings may be included in the live stream or recordings.

Council Meetings shall be live streamed in accordance with this Policy unless a motion to the contrary is passed by simple majority at the beginning of the meeting or at any other time during the meeting.

## Definitions

Term	Definition
Closed Meeting	<i>Means closed proceedings</i> , in relation to a council; means any part of a meeting of the council that is closed to members of the public under section 5.23(2), (3) or (4) of the <i>Local Government Act 1995</i> .

Term	Definition
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Inspector	means the person holding the office of Local Government Inspector established by section 8B.1.
Member	In relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
Presiding Member	The Shire President, Deputy Shire President, or Councillor elected to chair the meeting.
Workers	Employees, contractors, and volunteers of the Shire as per the Work Health and Safety legislation (WHS) and regulations.

## Policy Statement

Live streaming and recording will only apply to formal Council meetings, including Ordinary and Special Council Meetings, and will not extend to informal gatherings, workshops, or Council Forums.

### 1. Live Streaming and Recording

- (a) Signage will be prominently displayed inside the Council Chambers and at entrances to the Council Chambers, notifying attendees that the meeting will be live streamed and recorded.
- (b) The Presiding Member will make an announcement at the start of every formal Council meeting, in respect to whether permission will be given to record proceedings in accordance with *Shire of Toodyay Standing Orders Local Law 2008* Clause 5.16(2).
- (c) Members of the public are required to extend due courtesy and respect to Members, Executive Managers, Workers and other members of the public who may be in attendance.
- (d) Where Council resolves to move behind closed doors at Council Meetings in accordance with Section 5.23 of the *Local Government Act 1995* to discuss items of business confidentially, that part of the meeting will not be streamed live and will not be recorded; thereby not enabling a recording of the session behind closed doors to be available to the public after the meeting as a recording. The resolution and reasons must be documented in compliance with s. 5.23AA, noting that such decisions may be reviewed by the Inspector.
- (e) Live stream recordings of a formal Council meeting will be publicly available as soon as practicable after the meeting on the Shire's website.
- (f) Copying or distribution of any part of the live stream or recording is not permitted, and the Shire reserves all rights in relation to its copyright.

## 2. Disclaimers

- (a) There may be technical difficulties beyond Council's control whereby a live stream or recording may not be available. Every reasonable effort will be made to ensure the availability of live streaming and recordings of meetings.
- (b) Council takes no responsibility for or accepts any liability in the event that live streaming of a meeting, a recording of a meeting, or the Shire's website is unavailable.
- (c) Technical issues may include, but are not limited to, the availability of the internet, network or device failure or malfunction of social media platforms or power outages, for any reason.
- (d) Council does not accept any liability for any inaccurate or defamatory statements or comments made at a meeting. Accordingly, at any time during a meeting the Presiding Member has the discretion and authority to direct the termination or interruption of a live streaming if it is believed advisable to do so.
- (e) The Presiding Member has the discretion and authority to direct the exclusion of all or part of any meeting recording that may be considered inappropriate.
- (f) Opinions expressed and statements made during a Council meeting are those of the individuals making them, and not those of Council; unless set out in a resolution of Council, Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a Council meeting, and which may be contained in a live stream recording of a Council meeting.
- (g) Council does not accept any responsibility for any verbal comments made during a formal Council meeting which may be 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.
- (h) Council does not accept any responsibility or liability for any loss, damage, cost or expense that might be incurred as a result of the viewing, use or reliance of information or statements provided in a live stream, or recording of a formal Council meeting.
- (i) Confirmed Council Minutes provide the definitive record of Council's resolutions.
- (j) All participants must comply with confidentiality obligations under Part 8A of the Act. Breaches of confidentiality during or after live streaming or recording may result in sanctions.

## 3. Live Streaming and Recording – Record Keeping

- (a) The official record of the formal Council meeting will be in the written minutes kept in accordance with the *Local Government Act 1995* and any relevant regulations.
- (b) All recordings and associated documentation must be retained as part of the Shire's records in accordance with the *State Records Act 2000* and be available for review by the Local Government Inspector if required.

#### 4. Public Notice requirements

Any change to meeting format or streaming arrangements must be publicly notified in accordance with s. 5.25 and relevant regulations.

#### Reference Information

- Western Australia [Recording Laws](#)

#### Legislation

[Local Government Act 1995](#)

[Local Government \(Administration\) Regulations 1996 \(Part 8 local government payments and gifts to members\)](#)

[State Records Act 2000](#)

[Surveillance Devices Act 1998](#) (section 5)

#### Associated documents

Code of Conduct

Shire of Toodyay Standing Orders

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