



George Town Council

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# **DRAFT Audio Recording of Council Meetings Policy**

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Policy No.40 - Version 2

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## Introduction

This operational Policy sets out the procedures for the audio recording of Council meetings in regard to the creation, storage, use, access and disposal of audio recordings (in accordance with the relevant legislative and policy requirements).

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## Background

**In accordance with Section 33 of the Local Government (Meeting Procedures) Regulations, 2005:**

**33. Audio recording of meetings**

- (1) A council may determine that an audio recording is to be made of any meeting or part of a meeting.
- (2) If a council so determines, the audio recording of a meeting or part of a meeting that is not closed to the public is to be:
  - (a) retained by the council for at least 6 months; and
  - (b) made available for listening on written request by any person.
- (3) The minutes of a meeting, once confirmed, prevail over the audio recording of the meeting.
- (4) A council may determine any other procedures relating to audio recording of meetings it considered appropriate.

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## Policy Statement

Information collected at a Council meeting is mainly used to ensure the accuracy of minutes. Keeping accurate minutes is a requirement under the Local Government Act 1993, so no question can be raised as to the lawfulness of this purpose.

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## Policy Objective

The objective of this Policy is to provide greater transparency, accountability and efficiency in relation to meetings of Council.

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## Statement of Principles

Audio recordings will be made of all Council meetings and may be used by staff to assist with the preparation of the minutes or by Council to clarify a dispute or query relating to the Minutes that is raised during a subsequent meeting under the section "Confirmation of Minutes".

The recording does not replace the written minutes and a transcript of the recording will not be prepared.

All meetings of the Council shall be digitally recorded as provided for by Regulation 33 of the Local Government (Meeting Procedures) Regulations 2005 except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15(2).

The Chairman is to ensure that no recording is made of the proceedings of a meeting or part of a meeting closed to the public in accordance with Regulation 15(2) except where the Council has specifically resolved to record the proceedings of that meeting or part thereof.

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## Link to Strategic Plan

### George Town Council Strategic Plan 2012-2017

#### Goal 1 – Organisational Accountability

*Aim: To be a responsible, accountable local government by:*

*Objective: Providing and maintaining a high standard of governance, performance and accountability.*

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## Legislation

- Regulation 33 of the Local Government (Meeting Procedures) Regulations 2005
- Personal Information Protection Act 2004
- Local Government Act 1993
- Tasmanian Archive & Heritage Office (Records Retention & Disposal Schedule for Local Government in Tasmania)

Unlike Parliament, Council meetings are not subject to parliamentary privilege and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.

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## Definitions

**Audio recording** or **recording** means “for the purposes of these guidelines refer to a digital audio file”

**Council** means “George Town Council”

**Workers** means “Council employees, elected members, contractors, volunteers”

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## Internal Council Documents

- George Town Council Code of Conduct Policy No. 21
  - George Town Council Risk Management Policy No. 33
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## Audio recordings by Individuals

Members of the public are not permitted to make audio recordings of Council meetings.

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## Procedure

### Communication

Advice is to be printed within the agenda of all Council meetings to inform the public that the proceedings are recorded in accordance with the requirements of this Policy.

A notice to inform the public that meeting proceedings are recorded is also to be displayed at the entrance to a room in which a meeting, the proceedings of which are to be recorded, is to be held.

At the commencement of each meeting, the Chairperson shall also notify those present, including members of the public, that an audio recording of the meeting will be made. It must be announced that the audio recording will last the length of the open meeting unless terminated in accordance with this policy.

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## Procedure (Cont.)

### **Audio recording equipment**

A Council Officer (under delegation of the General Manager) or an appointed contractor at the direction of a Council Officer will be responsible for the operation of the audio recording equipment including the commencement and termination of the recording in accordance with meeting procedures or as directed by the Chairperson.

The Chairperson has the discretion and authority at any time to direct the termination of the audio recording of the meeting. Such a direction however, shall only be given in exceptional circumstances (eg. if a person's safety may be placed at risk by the continuation of the audio recording).

Should the situation arise, due to technical difficulties, that audio recording will not be available, the Chairperson will advise those present that audio recording is not available.

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## Storage of Recordings

The General Manager is to retain the audio recording of Council meetings for 6 months in accordance with Regulation 33 and to dispose of the files promptly following the expiry of that period. The General Manager is authorised, pursuant to *section 64 of the Local Government Act 1993 "Delegation by general manager"* to delegate these functions to a Council Officer.

Audio recordings will be stored securely so that only persons authorised to do so by the General Manager can access them. Storage of the recordings will be for a period of six (6) months after the minutes of the meeting to which they relate have been formally confirmed by Council.

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## Access to Audio Recordings

The audio recording of the last Council meeting will be made available on the Council website [www.georgetown.tas.gov.au](http://www.georgetown.tas.gov.au) prior to the distribution of the Agenda for the next ordinary Council meeting and as soon as practicable (normally within five (5) business days).

The recording of the last two Council meetings will be made available on Council's website for listening by any person for the period they are retained by Council. Council makes this information available as a routine disclosure under the Right to Information Act 2009.

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## Copies of Recordings

A copy of the audio recording of the last Council meeting will be made available prior to the distribution of the Agenda for the next ordinary Council meeting and as soon as practicable (normally within five (5) business days).

Any request for a copy of an available Council meeting/s audio recording by a member of the public is to be made in writing using the application form "**Request for Audio Recording**" (See Appendix One) and accompanied by the payment of the prescribed fee in accordance with Council's Fees and Charges.

All requests are to be forwarded to the General Manager.

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## Copies of Recordings (Cont.)

A copy of an available Council meeting/s audio recording will be produced using a Council provided **audio CD in MP3 format only.**

Requests for multiple Council meeting date audio recordings are to be made individually using the **“Request for Audio Recording”** form and each separate form is to be accompanied by the prescribed fee.

To minimise risk to Council equipment, recordings will only be made using Council provided audio CDs.

Council holds no responsibility in relation to compatibility with other devices.

Council staff will advise the applicant at the time of the receipt of the application and the prescribed fee as to the process and availability of the recording for collection.

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## Risk Management

This Policy aligns itself with objectives for risk management at George Town Council, namely:

- To protect Council’s reputation; and
- Provide a basis for higher standards of accountability.

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## Scope of Policy

This policy applies to George Town Council workers and the public.

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## Implementation and Review

This operational Policy is effective immediately and will be implemented by Council and is subject to periodic review.

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## Responsibility

Responsibility for the operation of this Policy rests with the General Manager.



**REQUEST & PERMISSION TO  
COPY AUDIO RECORDINGS**

**Date of Application:** .....

**Date of Council Meeting:** .....

**APPLICANTS DETAILS:**

Requested by: .....  
Name (Please Print)

Address: .....  
.....

Contact Telephone No.: .....

**OFFICE USE ONLY**

Receiving Officer: .....  
Name (Please Print)

Amount Received: \$.....

Receipt No.: .....

**APPROVED BY:**

General Manager: .....

Signature: .....

Date: .....

**ACTIONED BY:**

Actioning Officer .....  
Name (Please Print)

Applicant Notified: Yes/No

Date of collection  
by applicant: .....

Registered in DataWorks  
(File Ref 14.12) Yes/No