

Report of Governance to the Ordinary Meeting of Council held on Monday 21 November 2016

GO5 – Webcasting of Council Ordinary Meetings

GO5

Webcasting of Council Ordinary Meetings

243371

TRIM 2370

EXECUTIVE SUMMARY

- It was resolved at the 18 October 2016 Ordinary meeting of Council that investigations into live streaming (Webcasting) of Council Ordinary meetings be undertaken.
- The cost of fixed Infrastructure to facilitate live webcasts of all Council meetings including supplementary information is presented for review.
- It is recommended that Council note the information in the report until results of the Community Strategic Plan Phone Survey can be considered in early 2017.

REPORT

Council resolved at the October Council Meeting that the matter of live streaming of Ordinary Council meetings be investigated including funding options and technology options for implementation.

Webcasting involves the use of the internet to broadcast live (or delayed) video and or audio over the internet using streaming media technology. The technology delivers the broadcast directly to a computers desktop via the worldwide web. It allows people simultaneously to attend important events and meetings without actually having to be there. Live events can also be stored or archived on a website and accessed at a later date.

Webcasting provides many benefits to Council and can be customised to include an individual Council's design and branding. It is accessed via a link on the Council website which cannot be downloaded to a copy.

Webcast meetings are considered open and transparent and remove the disadvantage currently experienced by members of the community who are physically restricted in accessing or attending the meetings. Australian Bureau of Statistics, 2011 Census of Population and Housing reported 73.13% of dwellings within Wollondilly Shire Council had a broadband internet connection. While broadband internet access has likely increased since 2011, it is not universal throughout the Shire.

Council is in the process of developing the Community Strategic Plan in consultation with residents. A phone survey is expected to be completed by the end of the calendar year that will capture how the community would like Council to communicate with them.

Governance

GO5 – Webcasting of Council Ordinary Meetings

LEGAL CONSIDERATIONS

Unlike the State and Federal Parliament, Local Government is not protected by parliamentary privilege and is therefore exposed to claims of libel, slander and defamation. Council should be aware, that while Council goes to great lengths to ensure a transparent and accountable relationship with its residents, the recording, hosting and storing of Council meetings has the potential to increase the likelihood of action being taken as a result of comments made during a Council meeting.

Council itself is also likely to be a defendant in any such proceedings, since it 'published' the allegedly defamatory comments by broadcasting them. This is to be sharply contrasted with the current situation, where, if an allegedly defamatory comment is made by a Councillor, only the Councillor could be the subject of proceedings. This will involve the Council in legal proceedings and additional legal costs in circumstances where, as an organisation, it has not generated the relevant comments, but still bears a liability. General external legal advice suggests that broadcasting Council meetings without first vetting them can cause a variety of problems. However, the process of 'vetting' a meeting to minimise the risk of defamation would require separate time and resources, and would not entirely remove the risk. The process of vetting, then calls into question the perception of Council transparency and accessibility.

Council holds a current "Councillors and Officers" Liability Insurance Cover policy that extends to claims of unintentional libel, unintentional slander or other unintentional defamation by the Council. Protection reaches a limit of \$500,000 and has a deductible of \$10,000 for each claim.

It should be noted that Council can be liable for a criminal offence under Commonwealth censorship legislation if it publishes content through a webcast which is likely to cause offence to a reasonable person and that infringements to copyright can occur if someone at a Council meeting reads material subject to copyright, without the express consent of the copyright owner.

Privacy Principles contained within the Privacy Act 1988 must be observed as breaches may occur if Councillors or Council Officers are found to have used, or disclosed, personal, health or sensitive information about individuals during a Council meeting and that information is webcast.

All attendees of any Council meeting must be given notice that the meeting is being filmed for the purpose of broadcasting over the internet. Some members of the community may not wish to be filmed and accordingly must be accommodated at the meeting in a manner that is not to discriminate or disadvantage.

GO5 – Webcasting of Council Ordinary Meetings

As a public document, any recording would be subject to Public Records Office requirements in terms of storage and retention. Council would need to update its Code of Meeting Practice prior to recording and webcasting any meeting.

CONSULTATION

This report on Webcasting Council Ordinary meetings has been communicated to the wider Management team. All feedback has been considered, and the report has been modified where appropriate.

FINANCIAL IMPLICATIONS

The cost of establishing the necessary fixed infrastructure to webcast Council meetings varies dependant on the level of sophistication of the system to be provided.

Below is a list of the indicative requirements for Council to conduct webcasts in the current Council Chamber from Camera's installed in a fixed position.

Streaming Requirement – incl. equipment	Comments
<p>Webcast Streaming Equipment and Installation</p> <p>3 only Panasonic HD PTZ (Pan Tilt Zoom , Cameras with 18X (4.1-73.8) lens. On-screen camera positioning with up to 18 preset positions</p> <p>Audio Mixer plus additional POE Router and hard drives</p> <p>Equipment Installation, supervision and Training</p>	<p>\$16,900.00</p>
<p>Live Streaming</p> <p>Live Streaming, Agenda / Items listings, Archiving, Editing, Web page setup and Hosting</p>	<p>\$1,260.00 per month</p>
<p>Employee costs</p> <p>1 x Information Technology Support staff to administer the system at Council meetings</p>	<p>\$5,000.00</p>

All figures are ex gst...

Governance

Report of Governance to the Ordinary Meeting of Council held on Monday 21 November 2016

GO5 – Webcasting of Council Ordinary Meetings

It should be noted that Council has not made any provision in the 2016/17 budget for the costs associated with webcasting of Council Meetings.

ATTACHMENTS

Nil.

RECOMMENDATION

That Council note the information in the report until results of the Community Strategic Plan Phone Survey can be considered in early 2017.