	<b>COUNCIL POLICY</b>	<b>POLICY NUMBER</b>
	C 036 – RECORDING OF COUNCIL MEETINGS	C036
<b>RESPONSIBLE OFFICER</b>	<b>FIRST APPROVED</b>	<b>LAST REVIEWED</b>
General Manager	April 2018	July 2022

## 1. GUIDELINES

This policy has been created to ensure that audio recordings of Council Meetings are created, stored, used and disposed of in an appropriate manner and to provide guidance about access to audio recordings for the public, Councillors and Council Officers.

## 2. PROCESSES

Audio recordings will be made of Council Meetings for the purpose of:

- assisting in the preparation of minutes;
- ensuring decisions are accurately recorded; and
- verifying the accuracy of minutes prior to their confirmation.

Audio recordings of Council Meetings shall be appropriately identified and stored within Council's records management system and server and be managed in accordance to the *Local Government (Meeting Procedures) Regulations 2015* as per Regulation 33:

### 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 the 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 free of charge for listening on written request by any person.*

*(3) If after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that part of the meeting is noticed, the council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording and then confirm the minutes as amended to be a true record.*

*(4) A council may determine any other procedures relating to the audio recording of meetings it considers appropriate.*

As per Regulation 33 (2) (a) above, audio recordings of meetings will be made available to Councillors, staff and members of the wider community including Government Agencies at no charge, and will be made available on Council's website as soon as practicable after each Council Meeting.

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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The recording does not replace the written Minutes of the Council Meeting and a transcript of the recording **will not** be prepared.

Any corrections to the Minutes required, as a result of reviewing of the meeting recordings, should be reported to the General Manager in sufficient time to be circulated with the Agenda for the following Council Meeting.

If, due to a technical difficulty, an audio recording is not possible, the Chairperson of the Meeting will advise those present of the circumstances. In the event that an audio recording file becomes corrupt for any reason and therefore unavailable, this information will be provided on the Tasman Council website.

At the commencement of those meetings being audio recorded, the Chairperson will announce to all present that an audio recording of the meeting will be made.

Audio recording should only be terminated in exceptional circumstances including (but not limited to) it being clearly evident that the discussion is (or potentially likely to be):

- an infringement of copyright
- a breach of privacy and/or unlawful disclosure of personal information
- a release of privileged or confidential information of Council.

If recorded, only the audio recording of proceedings made of meetings or parts of meetings open to the public will be made available to the public.

Any audio recordings of Council Meetings made available on the Council website will be considered by Council as a routine disclosure under the *Right to Information Act 2009*.

The original unmodified audio recording will be suitably stored in accordance with the Council's information management requirements. Under Regulation 33(2)(a), the General Manager may dispose of the audio recordings after six (6) months from the date of recording. The General Manager is authorised, pursuant to section 64 of the *Local Government Act 1993*, to delegate these functions to a Council Officer.


Tasman Council Audit Panel Meetings and Council Workshops will not be recorded.

### 3. SPECIAL PROVISIONS – COVID 19

To make provision to deal with certain risks arising from the COVID-19 disease Council will, in conducting Ordinary and Special Council Meetings, take into consideration Part 4 – 'Reduction of Public Physical Contact' as stipulated in the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

Where it is not possible for members of the public to attend Ordinary or Special Council Meetings, an audio recording of the open part of any Ordinary or Special Council Meeting will be made available via Council's website following the meeting.

This policy will be reviewed in conjunction with State and Federal compliance requirements associated with COVID-19.

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#### 4. APPLICATION

This policy applies to:

- Councillors and members of the public requesting access to records of audio recordings of Council meetings; and
- Staff involved in creating, storing, providing access to, managing and disposing of audio recordings of meetings.

This policy applies to the recording of:

- Ordinary and Special Council Meetings including Council acting as the Planning Authority and the Annual General Meeting.

#### 5. REFERENCES

*Local Government Act 1993*

*Local Government (Meeting Procedures) Regulations 2015*

*COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*

*Right to Information Act 2009*

This Policy has been reviewed and adopted by resolution number 09/08.2022/C on 24 August 2022.



**Kim Hossack**  
General Manager

#### **Disclaimer**

That this policy be read in conjunction with any or all other Council and/or Management Policies

Policy developed and approved:	April 2018
Policy reviewed:	January 2021
Policy reviewed:	July 2022
Policy to be reviewed:	July 2026