

## 8.2 ASSEMBLY OF COUNCIL RECORD

**Author:** Lidia Harding - Manager Governance & Corporate Accountability

**File No:** CL/04/013-02

**Attachments:** 1. Assembly of Council Record

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### SUMMARY

This report provides Records of Assemblies of Councillors that have occurred since the last Council meeting, which includes matters considered and any conflict of interest disclosures made by a Councillor.

### RECOMMENDATION

**THAT** Council receive and note the record of assembly of Councillors.

### BACKGROUND

Section 58(a) of the *Local Government Act 2020* refers to the public transparency principles and states that Council decision making processes must be transparent except when the council is dealing with information that is confidential by virtue of this Act or any other Act.

A written record of an assembly of council includes the following:

- (a) Names of all Councillors and members of Council staff attending.
- (b) Matters considered.
- (c) Any conflict of interest disclosures made by a Councillor attending the meeting.
- (d) Whether a Councillor who has disclosed a conflict of interest as required by leaves the assembly.

### ISSUES AND DISCUSSION

An Assembly of Councillors means:

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff (providing that the matter/s considered are intended or likely to be the subject of a future decision by the Council or an Officer decision under delegated authority); or
- An Advisory Committee of the Council where one or more Councillors are present.

Some examples include:

- Councillor Briefings – Strategy meeting, Councillor and Officer Discussion (Pre-Council meeting);

## ASSEMBLY OF COUNCIL RECORD (CONT.)

- Advisory Committees – Audit and Risk Committee, Mitchell Environment Advisory Committee, Mitchell Early Years Advisory Committee, Mitchell Fire Consultative Forum, Mitchell Youth Advisory Committee, Social Justice Advisory Committee, Australia Day Awards Committee and Mitchell Heritage Advisory Committee.

Lists of the Assembly of Councillors Records for the period April 2020 are attached.

**CONSULTATION**

Assembly of Council records have been received for meetings across Council services.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no financial resource and asset management implications associated with this report.

**POLICY AND LEGISLATIVE IMPLICATIONS**

This report is consistent with Section 58(a) of the *Local Government Act 2020* in relation to public transparency principles.

**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

This is an administration process and does not have any environment and sustainability implications associated with this report.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

**CONCLUSION**

This report outlines the assemblies of council records recorded over the April 2020 period.

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**18 MAY 2020**

**8.2**

**ASSEMBLY OF COUNCIL RECORD**

**Attachment No: 1**

**Assembly of Council Record**

## ASSEMBLY OF COUNCILLORS RECORD

APRIL 2020

**Assembly of Councillors -**

- A planned or scheduled meeting that includes **at least half the Councillors** and a **member of Council staff**; and the matter/s considered are intended **or likely to be** subject of a future decision by the Council; **OR**
- An **Advisory Committee** of the Council where **one or more Councillors** are present.

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Strategy Briefing 6 April 2020	<u>In Attendance</u> Cr Bill Chisholm Cr Rhonda Sanderson Cr Bob Cornish Cr David Lowe Cr Annie Goble (left at 5:15pm and did not return) Cr David Atkinson Cr Bob Humm Cr Rob Eldridge Cr Fiona Stevens  <u>Apologies</u> Nil	Acting Chief Executive Officer Director Governance & Corporate Performance Director Development & Infrastructure Acting Director Advocacy & Community Services Manager Information Technology and Business Transformation Manager Waste & Resource Recovery	<ul style="list-style-type: none"> <li>• ICT Pandemic Response</li> <li>• Expansion of Resource Recovery Centre and Purchasing of Wallan Property</li> </ul>	Nil

<p>Strategy Briefing 14 April 2020</p>	<p><u>In Attendance</u> Cr Rhonda Sanderson Cr Bob Humm Cr David Lowe Cr David Atkinson Cr Fiona Stevens Cr Bill Chisholm Cr Bob Cornish Cr Annie Goble</p> <p><u>Apologies</u> Cr Rob Eldridge</p>	<p>Acting Chief Executive Officer Director Governance &amp; Corporate Performance Acting Director Advocacy &amp; Community Services Director Development &amp; Infrastructure Manager Governance &amp; Corporate Accountability Community Development &amp; Youth Services Coordinator Manager Finance &amp; Assets Manager Operations &amp; Parks Statutory Planning Coordinator Manager Development Approvals Recreation &amp; Open Space Coordinator Manager Waste &amp; Resource Recovery</p>	<ul style="list-style-type: none"> <li>• Draft Council Agenda</li> </ul>	<p>Nil</p>
<p>Strategy Briefing 20 April 2020</p>	<p><u>In Attendance</u> Cr Bob Humm Cr David Lowe Cr David Atkinson Cr Fiona Stevens Cr Bob Cornish Cr Annie Goble Cr Rob Eldridge Cr Bill Chisholm Cr Rhonda Sanderson</p> <p><u>Apologies</u> Nil</p>	<p>Acting Chief Executive Officer Acting Director Advocacy &amp; Community Services Director Governance &amp; Corporate Performance Director Development &amp; Infrastructure Manager Governance &amp; Corporate Accountability Manager Engineering &amp; Major Projects Manager Strategic Planning Strategic Planner Community Development &amp; Youth Services Coordinator Recreation &amp; Open Space Coordinator</p>	<ul style="list-style-type: none"> <li>• RRV Update</li> <li>• Mitchell Integrated Transport Study (MITS)</li> <li>• Discuss Council Agenda</li> </ul>	<p>Nil</p>

<p>Strategy Briefing 27 April 2020</p>	<p><u>In Attendance</u> Cr Rhonda Sanderson Cr Bob Humm Cr David Lowe Cr David Atkinson Cr Fiona Stevens Cr Bob Cornish Cr Rob Eldridge Cr Annie Goble Cr Bill Chisholm (attended at 2.20pm)</p> <p><u>Apologies</u> Nil</p>	<p>Acting Chief Executive Officer Acting Director Advocacy &amp; Community Services Director Governance &amp; Corporate Performance Director Development &amp; Infrastructure Manager Finance &amp; Assets Business Growth Coordinator Manager Communication, Jobs &amp; Investments</p>	<ul style="list-style-type: none"> <li>• COVID-19 Finance Update and Business and Community Recovery Discussion</li> </ul>	<p>Nil</p>
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### 8.3 LIVESTREAMING, RECORDING AND PUBLISHING OF COUNCIL AND COMMITTEE MEETINGS POLICY

**Author:** Lidia Harding - Manager Governance & Corporate Accountability

**File No:** GV/10/022

**Attachments:** 1. *Livestreaming, Recording and Publishing of Council and Committee Meetings Policy*

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#### SUMMARY

The Livestreaming, Recording and Publishing of Council and Committee meetings Policy establishes protocols for virtual meetings, live streaming and subsequent uploading online of Council and Committee meetings. The policy outlines the process for livestreaming, recording and publishing Council and Committee meetings including signage requirements, public notice, equipment and liability.

The virtual meeting component of this policy is applicable for the period 1 May to 1 November 2020 as a result of the COVID-19 pandemic and meetings held by electronic means of communication will be held in accordance with s394 of the *Local Government Act 2020*.

#### RECOMMENDATION

**THAT** Council endorse the Livestreaming, Recording and Publishing of Council and Committee meetings Policy (Attachment 1).

#### BACKGROUND

As a result of the *COVID-19 Omnibus (Emergency Measures) Act 2020* which received Royal Assent on 24 April 2020, Council is required to hold virtual Committee and Council meetings for the period 1 May to 1 November 2020. In order to do this effectively, it is seen as appropriate to have a livestreaming, recording and publishing policy which outlines the process to be followed to achieve this objective.

#### ISSUES AND DISCUSSION

The Policy (Attachment 1) manages and sets out the requirements for council to livestream, record and publish council meetings as well as meeting requirements to hold virtual meetings during the current pandemic. Considerations include:

- Appropriate signage made visible to the public which notifies them that the meeting is being recorded and advise them on the agenda papers that an audio and digital recording of the meeting is taking place
- How and when the meetings will be livestreamed and differentiating between the open, closed and adjourned meetings
- How the information will be published on council's website and for what time it will be retained
- The requirements for virtual meetings and meeting legislative compliance

## LIVESTREAMING, RECORDING AND PUBLISHING OF COUNCIL AND COMMITTEE MEETINGS POLICY (CONT.)

- Liability and copyright components, dissolving council from any opinions and comments that are made by members of the public that may be defamatory or offensive
- Dealing with technical difficulties; and
- Using the minutes of the meeting as the official record of the meeting.

**CONSULTATION**

Sector consultation with LGPro, MAV and VLGA has occurred with guidance material for livestreaming and virtual meeting received.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

This policy does not have any financial, resource or asset management implications. There will, however, be ongoing costs in maintaining livestreaming.

**POLICY AND LEGISLATIVE IMPLICATIONS**

This policy is in line with the following policies and legislation:

Council Plan 2017-2021

Councillor Code of Conduct

*COVID-19 Omnibus (Emergency Measures) Act 2020 (1 May to 1 November 2020)*

Information Privacy Policy

*Local Government Act 2020*

MAV Guidance Paper: Virtual Council Meetings

Meeting Procedure Local Law 2014 (to be superseded by Governance Rules 1 September 2020)

Minister's Good Practice Guideline MGP-1: Virtual Meetings

*Privacy and Data Protection Act 2014*

**RISK IMPLICATIONS**

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High. The Policy itself does not pose any risk to council, however the function of livestreaming, recording and publishing Council and Committee meetings has the following risks:

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Defamation/Liability	Low	The VIMEO recording will be checked before uploaded to the website.  The Policy denies liability for council should a member of the public voice an opinion that is defamatory against another person outside of the control of council.	Yes



## LIVESTREAMING, RECORDING AND PUBLISHING OF COUNCIL AND COMMITTEE MEETINGS POLICY (CONT.)

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Technical difficulties	Low	The livestreaming will cease if technical difficulties occur and resume once resolved	Yes
Councillors being considered present	Low	Councillors need to be heard and seen by their colleagues to make the livestreaming compliant	Yes
Signage and notice to the public Members of the public notified of livestreaming and virtual meetings	Low	Signage will be present in the council chamber and public notice will be provided on the front cover of the agenda papers	Yes

**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

Nil.

**CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

**CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

As with all attendees at meetings children and young people will not be recorded where practical.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

**CONCLUSION**

This Policy will allow for the function of livestreaming, recording and publishing of Council and Committee meetings and will be reviewed as required or within 4 years of its publication.