



## DIGITAL RECORDING POLICY

POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	Deputy CEO	Chief Executive Officer*	27 October 2025	October 2027
<b>PURPOSE</b>	This Policy provides Council with adopted guidelines for the transparent management of the digital recording of Council and Council Committee meetings.			
<b>SCOPE</b>	This Policy applies to all formal Council meetings (including special meetings and Planning Authority Committee meetings).			
<b>DEFINITIONS</b>	<p>For the purposes of this Policy the following definitions apply:</p> <p><b>Digital</b> - an audio or visual recording.</p> <p><b>Open Session</b> - A portion of a Council or Committee meeting that is open to the public and recorded for transparency. These sessions are live-streamed and made publicly accessible unless otherwise directed.</p> <p><b>Closed Session</b> - A confidential part of a Council meeting not open to the public, typically dealing with sensitive or private matters. These sessions are recorded separately and access is strictly controlled.</p> <p><b>Council Officer</b> - A staff member of the Council responsible for operational tasks, including managing digital recording equipment during meetings as directed by the CEO.</p> <p><b>Authorised Person</b> - An individual permitted to access Closed Session recordings, such as Councillors, designated staff, or external authorities, in accordance with the Policy and applicable legislation.</p>			
<b>POLICY</b>	<p><b>1. Recording of Open Council Meetings</b></p> <p>1.1 All Open sessions of Council meetings and Planning Authority Committee meetings shall be recorded in accordance with Regulation 43 of the <i>Local Government (Meeting Procedures) Regulations 2025</i>.</p> <p>1.2 At the commencement of each meeting, the Mayor or Chairperson shall notify those present, including members of the public, that the meeting is being live streamed on YouTube, and a recording of the Open meeting from commencement to conclusion will be captured unless terminated in accordance with this Policy.</p> <p>1.2.1 The Mayor or Chairperson has the discretion and authority at any time to direct the termination of the digital recording of the meeting. Such direction however shall only be given in exceptional circumstances (e.g. if a person's safety may be placed at risk by the continuation of the recording, privacy risk or legal advice).</p>			

1.2.2 A Council Officer will be responsible for the operation of the digital recording equipment including the commencement and termination of the recording in accordance with meeting procedures or as directed by the Mayor or Chairperson.

## **2. Retention and Use of Digital Recording of Open Session**

- 2.1. The Council is required to keep accurate minutes of Council meetings. The Regulations expressly provide that the minutes of a Council meeting, once confirmed, prevail over the recording of the meeting unless the Council has reviewed and amended its confirmed minutes at a subsequent meeting.
- 2.2. Digital recordings of Council meetings are considered temporary records under the *Archives Act 1983*; however, Council will retain such recordings on a permanent basis. Permanent retention supports the Council's commitment to open governance by ensuring that a complete and verifiable record of public decision-making is always available. Given the relatively low cost of digital storage, the burden of retaining recordings indefinitely is minimal compared to the potential value they provide over time.
- 2.3. The digital recording will be made available on Council's YouTube channel and Council's website for a minimum period of six months. After this time, requests to access recordings may be made in writing to the Chief Executive Officer, detailing the reason for the request.
- 2.4. There may be situations where due to technical difficulties, digital recordings will not be available. If such circumstances are known, at the commencement of a meeting, the Mayor or Chairperson will advise those present that the recording is not available. If a digital recording file becomes corrupt and is therefore not available in Council's archives, this information will be displayed on the website.
- 2.5. The digital recording of a meeting may be used by staff in the preparation of minutes or by Council (at the discretion of the Mayor or Chairperson) during the 'Confirmation of Minutes' section of a subsequent meeting to clarify a matter relating to the minutes being confirmed. The digital recording of the previous meeting should therefore be accessible at the meeting where the minutes will be confirmed.
- 2.6. The digital recording of a meeting does not supersede the written minutes, therefore a direct transcript (text version) of the recording will not be prepared.
- 2.7. In response to a formal request from an appropriate authority (i.e. Ombudsman, Tasmania Police, Integrity Commission), digital recordings are to be made available, providing such

requests are permissible under the laws of the State of Tasmania.

- 2.8. 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.

### **3. Recordings of Closed Council Meetings**

- 3.1. The Closed Session of Council meetings will be recorded.
- 3.2. To facilitate effective security and management of the digital recordings, the Open and Closed Sessions of meetings will be recorded separately.
- 3.3. The recordings of Closed Session Council meetings are to remain confidential and not be released to the public unless Council resolves to do so. The recordings will be kept in a secure location at the parnaple centre where access is strictly limited to authorised persons.
- 3.4. The Council may determine by simple majority to terminate the digital recording of a meeting that is in Closed Session.

### **4. Guidelines for Accessing Closed Session Recordings**

- 4.1. Other than for the purpose of preparing minutes or confirmation of minutes, any request to access the recording of a Closed Session must be made in writing to the Chief Executive Officer detailing the basis for the request. The CEO will acknowledge receipt of the request within 5 business days and provide a written decision within 15 business days of receiving the complete request.
- 4.2. In assessing the request, the CEO will consider the following criteria:
- Whether the request aligns with the principles of transparency, accountability, or lawful oversight;
  - Whether the requester is an authorised person under this Policy;
  - Whether the request relates to a legitimate operational, legal, or governance matter;
  - Whether the release or access would breach confidentiality, privacy, or legal obligations;
  - Whether the recording is still available and technically accessible.
- 4.3. If access is approved, the requester will be notified of the conditions of access, including the time, location, and any supervision requirements.
- 4.4. If access is denied, the requester will receive a written explanation outlining the reasons for the decision and, where applicable, any alternative means of obtaining the required information.

- 4.5. Requests to access recordings of Closed Session meetings may be granted by the Chief Executive Officer for the following reasons:
- 4.5.1. Where a Councillor wishes to review a recording of a Closed meeting for which they were absent, except in the case where the absence was due to a declaration of interest, or where absence due to a declaration of interest would have occurred at that meeting if the Councillor was not absent for other reasons;
  - 4.5.2. Where a Councillor wishes to review a recording of a Closed meeting for which they were present;
  - 4.5.3. Where a report author or endorser wishes to review the debate leading to a decision/s made about that report; and/or
  - 4.5.4. In response to a formal request from an appropriate authority (i.e. Ombudsman, Tasmania Police, Integrity Commission, Code of Conduct Panel) providing such requests are permissible under the laws of the State of Tasmania.
- 4.6. The Chief Executive Officer may access the recordings of Closed Council meetings for any purpose deemed necessary in the performance of their duties, except where the Chief Executive Officer was excluded from the Closed meeting under R17(5)(b) of the *Local Government (Meeting Procedures) Regulations 2025* or was absent due to a declared interest. This exception also applies to Council Officers.
- 4.7. The Chief Executive Officer must maintain a register of requests for access (whether granted or not) to recordings of Closed Session meetings of Council.
- 4.8. The register must contain the following details:
- name and position of the person requesting access;
  - reason for access;
  - approval status (yes/no);
  - if not approved, reason why;
  - date/time of access;
  - the recording/meeting or item ID accessed;
  - name of authorising officer.
- 4.9. Access to recordings of a closed session meeting, by authorised persons, will be by appointment at the paranapple centre.
- 4.10. Access to Closed Session recordings shall be limited to authorised personnel only, including Councillors, staff, and external authorities as permissible under applicable laws.

	4.11. In the event that a request for access to Closed Session recordings is denied, the requester shall be provided with a clear explanation of the denial.		
<b>LEGISLATION AND RELATED DOCUMENTS</b>	<i>Local Government Act 1993</i> <i>Local Government (Meeting Procedures) Regulations 2025</i> <i>Archives Act 1983</i> Devonport City Council Strategic Plan 2009-2030		
<b>ATTACHMENTS (IF APPLICABLE)</b>	N/A		
<b>STRATEGIC REFERENCE</b>	5.3 Council looks to employ best practice governance, risk and financial management		
<b>MINUTE REFERENCE</b>	25/193		
<b>OFFICE USE ONLY</b>	Update Register	Y	Training/Communication Y
	Advise Document Controller	Y	Advise HR / MCO Y
	Management Sign Off:  Date: 27 October 2025 * Please note reference to the Chief Executive Officer means the General Manager for the purposes of the <i>Local Government Act 1993</i> , and all other legislation administered by or concerning the Devonport City Council.		