

Live Streaming of Public Meetings

Strategic Alignment - Our Corporation

Public

Tuesday, 21 May 2024

**City Finance and Governance
Committee**

Program Contact:

Kathryn Goldy, Acting Manager
Governance

Approving Officer:

Anthony Spartalis, Acting Chief
Operating Officer

EXECUTIVE SUMMARY

With the intention to encourage public engagement with Council's core decision making body, a trial for live streaming of Council meetings was introduced by Council resolution in May 2015, with a resolution to stream core Committees (committees comprising of all Council Members) following in July 2016. The trial period was successful with all Council and core Committee meetings being live streamed to the public by January 2017.

Committees established under sections 41 and 126 of the *Local Government Act 1999* (SA) (the LG Act) endorse their Terms of Reference (ToR) for recommendation to Council who adopt the ToR. While the meetings of these committees are required under section 90 the LG Act to be held in a place open to the public, there is currently no provision for the live streaming of meetings under the LG Act, within their individual ToR or within any other instrument applicable to Committees established under these sections of the LG Act. The ToR is identified as the most appropriate mechanism for the inclusion of a provision to enable live streaming.

Core Committees include the City Community Services and Culture Committee, City Planning, Development and Business Affairs Committee, City Finance and Governance Committee and Infrastructure Public Works Committee, which are due to review their ToR in June 2024. Advisory committees include the Audit and Risk Committee and the Reconciliation Committee, which are both due to review their ToR by September 2024.

Kadaltilla / Adelaide Park Lands Authority (Kadaltilla) is established under section 5 of the *Adelaide Park Lands Act 2005* (SA) and is taken to be a single subsidiary of the Council under section 42 of the LG Act. The provisions within the Kadaltilla Code of Practice and the Kadaltilla Charter currently do not provide for live streaming of meetings. Any amendment to the Code of Practice must be determined by the Kadaltilla Board and any amendments to the Charter must be approved by both Council and the Minister for Planning. Kadaltilla reviews its Charter every four years or otherwise at the request of the Kadaltilla Board. The Code of Practice is scheduled for review in late 2024.

The Council Assessment Panel (CAP) is established as a relevant authority under sections 82 and 23 of the *Planning, Development and Infrastructure Act 2016* (SA) (PDI Act). CAP's ToR does not currently provide a provision for live streaming.

It is proposed that each Committee established under section 41 of the LG Act will consider the inclusion of a standardised provision for Live Streaming within their ToR at their next scheduled review and that Administration will work with Kadaltilla and CAP to consider the inclusion of a standardised provision for Live Streaming within their ToR or equivalent document.

RECOMMENDATION

The following recommendation will be presented to Council on 28 May 2024 for consideration

THAT THE CITY FINANCE AND GOVERNANCE COMMITTEE RECOMMENDS TO COUNCIL
THAT COUNCIL

1. Receives the report.

2. Notes that City of Adelaide Committees established under section 41 and 126 of the *Local Government Act 1999* (SA) will consider the inclusion of a provision within their Terms of Reference to enable live streaming of their public meetings at the next scheduled review.
 3. Notes that Administration will work with the Kadaltilla/ Adelaide Park Lands Authority Board to consider the inclusion of a provision to enable live streaming of their public meetings within the Kadaltilla / Adelaide Park Lands Authority Charter.
 4. Notes that Administration will work with the Council Assessment Panel to consider the inclusion of a provision to enable live streaming of their public meetings within their Terms of Reference.
-

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation <i>‘Enable effective governance, risk management, accountability and transparency at all times in decision making.’</i>
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	<i>Local Government Act 1999 (SA)</i> <i>Adelaide Park Lands Act 2005 (SA)</i> <i>Planning, Development and Infrastructure Act 2016 (SA)</i>
Opportunities	Not as a result of this report
23/24 Budget Allocation	Not as a result of this report
Proposed 24/25 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	A figure is unable to be estimated at this time however consideration should be given to: <ul style="list-style-type: none"> • Ongoing maintenance and possible necessary equipment upgrades. • Staff training. • Set up, operation of and pack down of equipment, including after hours. • Systems administration.
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. At its meeting on 26 May 2015, Council resolved:
“That Council:
 1. *Notes the report outlining the opportunity and implications for live streaming of Council and possibly Committee meetings;*
 2. *Pursue the idea of live streaming of Council and possibly Committee meetings; and in the event it does*
 3. *Endorses a trial of Option 2 for a period of four months commencing at the Finance & Business Services Committee in July 2015 and requests that a further report is brought back to this Committee at the conclusion of the trial.”*
2. This resolution resulted in the investigation and implementation of a trial period for the live streaming of Council Meetings and core Committee meetings.
3. Due to barriers surrounding the technology infrastructure within the Council Chamber, the trial began on 4 August 2015 with streaming of core Committee Meetings only held in the Colonel Light Room.
4. On 31 January 2017 live streaming of Council Meetings was able to be achieved.
5. At the time of the COVID-19 shutdown in 2020, City of Adelaide was routinely live streaming all Council and core Committee meetings.

Section 41 Committees

6. Committees may be established by Council under Section 41 of the LG Act and include the following:
 - 6.1. City Community Services and Culture Committee
 - 6.2. City Planning, Development and Business Affairs Committee
 - 6.3. City Finance and Governance Committee
 - 6.4. Infrastructure Public Works Committee
 - 6.5. Reconciliation Committee.
7. All meetings of committees established under section 41 of the LG Act must be held in a place accessible to the public in accordance with section 90 of the LG Act.
8. Committees under points 6.1 - 6.4 are core Committees. Core Committees comprise of all Council Members and do not include any Independent Members. Core Committees are established with the purpose of assisting the Council in the performance of its functions, inquiring into and reporting to the Council on matters within the ambit of the Council's responsibilities, providing advice and recommendations to the Council.
 - 8.1. All Council Members were appointed to each core Committee by Council on 26 March 2024.
 - 8.2. Council resolved that all ToR for core Committees will be reviewed in June 2024.
9. The Reconciliation Committee is an advisory committee established under section 41 of the LG Act and is comprised of the Lord Mayor (*ex officio*), three Council Members, Strategic Agency Representatives, Kaurna Representatives and Aboriginal and/or Torres Strait Islander Community Representatives and is due to review its ToR in September 2024. It is proposed that:
 - 9.1. The Reconciliation Committee will consider the inclusion of a provision within their ToR to enable live streaming of the meetings of the Committee, taking into account:
 - 9.1.1. Cultural appropriateness of live streaming the Reconciliation Committee Meetings
 - 9.1.2. The Reconciliation Committee may from time to time meet in a location that does not support live streaming.
10. The Audit and Risk Committee is established under section 126 of the LG Act and is comprised of four independent members, a Council appointed member and the Lord Mayor (*ex officio*) and is due to conduct a review of the ToR in September 2024. It is proposed that:
 - 10.1. The Audit and Risk Committee will consider the inclusion of a provision within their ToR to enable live streaming of the meetings of the Committee.

Kadaltilla / Adelaide Park Lands Authority

11. Kadaltilla is established under section 5 of the *Adelaide Park Lands Act 2005* (SA) and is taken to be a single subsidiary of the Council under section 42 of the LG Act.
12. The Kadaltilla Board of Management is also appointed in accordance with section 6 of the *Adelaide Park Lands Act 2005* (SA) and schedule 2 section 4 of the LG Act.
13. Section 4.8.19 of the Kadaltilla Charter determines that the meetings of the Kadaltilla Board must be held in a place open to the public.
14. The provisions within the Kadaltilla Code of Practice and the Kadaltilla Charter do not currently provide for Live Streaming of meetings.
15. Amendments to the Kadaltilla Code of Practice must be determined by the Kadaltilla Board.
16. Amendments to the Kadaltilla Charter must be approved by the Kadaltilla Board and subsequently, both Council and the Minister for Planning.
17. The Kadaltilla Board reviews documents every four years with the next review due in March 2028. It is proposed that:
 - 17.1. Administration will work with the Kadaltilla Board to consider the inclusion of a provision within their Charter to require live streaming of the meetings of the Committee, taking into account:
 - 17.1.1. That the Kadaltilla Board may from time to time meet in a location that does not support live streaming.

Council Assessment Panel (CAP)

18. CAP is established under sections 82 and 23 of the *Planning, Development and Infrastructure Act 2016* (SA) (PDI Act). The Panel is appointed by Council, consisting of one Council Member and five Independent Members.
19. At the next review of its ToR, it is proposed that:
 - 19.1. Administration will work with CAP to consider the inclusion of a provision within their ToR to enable live streaming of the meetings of the Panel, taking into account:
 - 19.1.1. Any implications that may apply under the PDI Act.
 - 19.1.2. That CAP may from time to time meet in a place that does not support live streaming.

Information and Briefing Sessions

20. Information and Briefing Sessions are conducted in accordance with section 90A of the LG Act which does not set out or provide any decision-making mechanism to amend or alter the requirements of an information or briefing session.
21. Under section 90A(2) of the LG Act, a matter must not be dealt with at a council information or briefing session in such a way as to obtain, or effectively obtain, a decision on the matter outside a formal meeting of the council or a council committee.
22. Information and briefing sessions are not a formal meeting and require a minimum of two Council Members in attendance to be considered as a formal meeting or to progress with the briefing.
23. As information and briefing sessions are not a decision-making forum, it is not recommended that the sessions be live streamed.

Next Steps

24. Subject to Council receiving and noting the report, CoA Committees will consider the inclusion of a provision of live streaming meetings in their next scheduled ToR review and Administration will work with Kadaltilla and CAP to consider live streaming public meetings.

DATA AND SUPPORTING INFORMATION

[City Community Services and Culture Committee Terms of Reference](#)

[City Planning, Development and Business Affairs Committee Terms of Reference](#)

[City Finance and Governance Committee Terms of Reference](#)

[Infrastructure Public Works Committee Terms of Reference](#)
[Audit and Risk Committee Terms of Reference](#)
[Reconciliation Committee Terms of Reference](#)
[Kadaltilla / Adelaide Park Lands Authority Charter](#)
[Council Assessment Panel \(CAP\) Terms of Reference](#)

ATTACHMENTS

Nil

- END OF REPORT -