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Livestreaming council and committee meetings and public forums: A Guide

January 2026



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Livestreaming council and committee meetings and public forums: A Guide

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More information

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Introduction

The Local Government (General) Regulation 2021 (the Regulation) and the 2025 Model Code of Meeting Practice for Local Councils in NSW (the 2025 Model Meeting Code) require meetings of the council and committees of councillors and public forums to be livestreamed and require the recordings to be retained on councils' websites.

This Guide has been developed by the Office of Local Government (OLG) to assist councils to comply with these requirements and provides best practice guidance.

This Guide has been issued under section 23A of the *Local Government Act 1993* (the Act). Councils must take it into consideration when livestreaming their meetings and public forums and managing and publishing recordings.

OLG wishes to thank the NSW Information and Privacy Commission, and State Records NSW for their invaluable assistance in developing this Guide.

Statutory Framework

Statutory context

The 2025 Model Meeting Code is prescribed under the Act¹ and the Regulation².

Councils are required to adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code³. A council's code of meeting practice sets out the rules governing how meetings of the council and committees of the council are to be conducted. Councils are required under the Act⁴ to conduct their meetings in accordance with their adopted code.

From 1 January 2026, section 236 of the Regulation requires all councils (including county councils) to broadcast their meetings online by means of an audio-visual device at the same time as the meeting is taking place (i.e. via a livestream). The recording must remain publicly available on the council's website either for 12 months or until the end of the council term, whichever is the later date.

These requirements are reflected in the mandatory provisions of the 2025 Model Meeting Code which councils are required to include in their adopted code of meeting practice. The 2025 Model Meeting Code also applies the requirement to livestream meetings to public forums held before meetings to hear from members of the public on items on the agenda for meetings.

What is a livestream?

The 2025 Model Meeting Code⁵ defines a livestream as:

“a video broadcast of a meeting transmitted across the internet concurrently with the meeting”.

¹ section 360(1) of the Act

² section 232 of the Regulation

³ Section 360(3) of the Act

⁴ section 360(5) of the Act

⁵ see Definitions, page 45 of the 2025 Model Meeting Code

What meetings must be livestreamed?

Under the Regulation⁶ and the 2025 Model Meeting Code⁷, the following meetings must be livestreamed on councils' websites:

- all council meetings - i.e. ordinary council meetings and extraordinary council meetings, and
- all meetings of council committees whose members are all councillors. These are referred to in this Guide as “committees of councillors”. The requirement to livestream meetings does not apply to meetings of other types of committees, for example, those whose members include council staff or members of the community.

Under the 2025 Model Meeting Code all public forums held prior to council meetings or committees of the council must also be livestreamed⁸

This reflects the principle that, as democratically elected officials, councillors should be accountable to the community that elected them for the decisions they make. Council staff and members of the public who are members of a council committee are not answerable to the public in the same way and therefore are not subject to livestreaming requirements.

Must closed meetings be livestreamed?

The Regulation⁹ and the 2025 Model Meeting Code do not require parts of a meeting that have been closed to the public under section 10A of the Act to be livestreamed.

More information about what parts of meetings can be closed to the public under section 10A of the Act can be found in the OLG's *Guidelines on the closure of council and committee meetings to the public* at www.olg.nsw.gov.au.

Are joint organisations required to livestream meetings?

Under the Regulation and the 2025 Model Meeting Code, joint organisations are not required to livestream their meetings. However, a joint organisation may choose to do so by resolution¹⁰.

⁶ section 236 of the Regulation

⁷ clause 5.38 of the 2025 Model Meeting Code

⁸ clause 4.3 of the 2025 Model Meeting Code

⁹ section 236(5)(a) of the Regulation

¹⁰ section 236(5)(b) of the Regulation

What platform must meetings be livestreamed on?

The Regulation and the 2025 Model Meeting Code require that a recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.

A 'council's website' can also include any internet platform on which a council can add or remove content. This could include, for example, third-party platforms such as the council's Facebook page, YouTube channel or other streaming platforms. Where these are used, a link should be provided to them on the council's website.

Do people need to know they are being livestreamed?

Livestreaming audio-visual content from a council meeting may pick up any words spoken or gestures, including content that may not be intended for public broadcast or to be kept on the public record.

This means that inappropriate comments or gestures made by a person at a council meeting may be recorded and broadcast to a larger audience. This could increase the potential impact of any breaches of privacy or defamation that occurs.

To manage this risk, the *Surveillance Devices Act 2007* requires that advice be provided to members of the public attending meetings that the meeting is being recorded and made publicly available. The NSW Information and Privacy Commission recommends including a notice on the council's website stating that meetings will be recorded and subsequently published on the council's website for public access.

Consistent with this, the Regulation and the 2025 Model Meeting Code require that the chairperson of a meeting inform the persons attending the meeting that

1. the meeting is being recorded and made publicly available on the council's website
2. persons attending the meeting should refrain from making any defamatory statements¹¹.

A person's attendance at the meeting can be taken by the chairperson that the person has agreed to be included in any livestream.

If any person attending a meeting (including a member of the public) does not agree to being livestreamed, they can choose to leave the meeting.

¹¹ clause 5.37 of the 2025 Model Meeting Code

How long should recordings of meetings be published on a council's website?

The Regulation¹² and the Model Meeting Code¹³ require recordings to be made publicly available on council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.

State Records NSW advises councils to include a statement on their websites advising users of how long the recordings will be available on the council's website.

Can a recording be altered before or after it is published on a council's website?

A livestream can be altered after it is recorded to remove any content that is not suitable for public broadcast or that may expose the council to a potential legal liability. Councils can decide how best to edit a recording. It can be simply muting the sound in the recording or removing portions of the recording.

The general manager is responsible for deciding if a livestream is to be altered. Before making such a decision, it may be appropriate for the general manager to seek legal advice and to consult with the mayor and the other councillors.

Councils should include a statement on their website where the recording can be accessed advising users that the livestream has been altered for legal reasons.

Councils should also monitor live broadcasts carefully. If guest participants are involved or the stream is interactive, councils should put in place moderation tools to filter out offensive language, hate speech or unlawful behaviour.

When can recordings be disposed of?

Online record keeping for councils is regulated under the *State Records Act 1998* (State Records Act). Consistent with this, the 2025 Model Meeting Code¹⁴ provides that recordings of meetings may be disposed of in accordance with the State Records Act.

¹² section 236(2)(b) of the Regulation

¹³ clause 5.39 of the 2025 Model Meeting Code

¹⁴ clause 5.41 of the 2025 Model Meeting Code

State Records NSW is responsible for authorising how government bodies, including councils, dispose of State records under the State Records Act. The *Functional retention and disposal authority: Local government (FA450)*¹⁵ issued by State Records NSW, identifies livestream recordings as a ‘record relating to administrative arrangements for meetings’.

FA450 requires councils to retain webcast recordings until their ‘administrative or reference use ceases’, after which they can be disposed of. Councils should determine how long recordings may have an administrative or reference use and therefore must be kept after they are removed from the council’s website. This includes recordings that may not have been made publicly available (for example, original versions of edited recordings).

Until a recording is destroyed, it is available for access under the *Government Information (Public Access) Act 2009* as it is a record held by council.

State Records NSW’s guidance on the disposal of livestream recordings can be accessed via its website at <https://www.nsw.gov.au/nsw-government/recordkeeping/guidance-and-resources/recordkeeping-for-local-government/web-recordkeeping-for-councils>.

What happens if there is no livestream available?

Despite a council’s best efforts, there may be unavoidable circumstances where a meeting is not able to be livestreamed. For example, there may be a power outage, internet connectivity issues, equipment malfunctions, weather events or human error that result in a meeting not being successfully livestreamed.

If this occurs, councils should advise viewers on their website that the livestream is unavailable for that particular meeting and the reasons why.

Councils should also, as far as practicable, make reasonable efforts to put into place contingency plans to minimise the potential for similar disruptions occurring in the future.

Why are councils required to livestream their meetings?

Transparency and accountability are essential prerequisites for good governance, particularly in local government.

As councillors are elected by their communities to make decisions on their behalf, it is important that the community can see this decision-making in action and understand how and why decisions are made.

¹⁵ item number 7.3; see www.records.nsw.gov.au

Livestreaming of council meetings is an accessible and cost-effective way for people who are unable to physically attend a council meeting to be able to watch and listen to the decision-making process. It also promotes greater community confidence in the integrity of meeting practices, and the conduct of their elected representatives.

Other benefits of livestreaming include:

- it demonstrates a council's commitment to open and transparent decision-making
- it encourages people at council meetings to be accountable for their actions, behaviour and comments
- the ability to view the meeting can assist with the accuracy of minutes and other records
- it provides the opportunity for more people to watch a council meeting
- it provides higher levels of transparency and accountability
- it eliminates geographical and time barriers which may prevent people from attending meetings in person
- it reduces or stops the spread of incorrect information
- it allows people to access source material when needed, and
- communities expect their councils to be accessible online, and livestreaming goes some way towards meeting this expectation.

Managing Risks

What are risks associated with livestreaming?

There always has been, and always will be legal, privacy and copyright risks associated with council meetings.

These risks are largely based on the potential that:

- a person's privacy may be breached through the disclosure or use of their personal information
- a person may make defamatory or inappropriate comments about another person, and/or
- a person may breach copyright.

Livestreaming does not increase the risk of these events occurring, but it could be seen to increase their impact (both on the people involved and the council) given the larger audience the livestream is broadcast to and the potential that it is shared immediately.

However, livestreaming meetings is also likely to motivate both councillors and members of the public who are speaking at council meetings to be on their best behaviour.

Any poor conduct they display will be seen and judged by a wider audience and may impact upon their reputation and standing in the community. It could also be used as evidence in any legal proceedings, code of conduct or OLG investigation that may result.

How can councils reduce risks?

There are a number of actions that councils can take to minimise these risks before, during and after meetings to address the consequences of an incident that occurred at a meeting that may leave the council legally exposed. Some specific risk mitigation strategies include:

Before the meeting

- undertaking a privacy impact assessment of the council's livestreaming arrangements (see <https://www.ipc.nsw.gov.au/resources/guide-guide-privacy-impact-assessments-nsw> for guidance on undertaking privacy impact assessments¹⁶)

¹⁶ Note: If the use of livestreaming includes some form of AI system there is specific guidance on this which is available at <https://www.ipc.nsw.gov.au/resources/guide-guide-undertaking-privacy-impact-assessments-ai-systems-and-projects>

- ensuring the council has addressed the privacy risks associated with livestreaming meetings in its Privacy Management Plan (see <https://www.ipc.nsw.gov.au/resources/guide-guide-making-privacy-management-plans> for guidance on preparing privacy management plans)
- reviewing council's insurance policies for appropriate protection against liability for meeting risks
- including on council's website terms and conditions regarding the use of livestreams to ensure they are not used to misrepresent, ridicule or cause detriment to another person or for the purposes of satire or advertising¹⁷
- ensuring any training (including refresher training) given to councillors and staff on council's code of conduct or code of meeting practice includes meeting risks
- if council has a time delay on its livestream, training for any council staff or third parties responsible for livestreaming to ensure they can identify and mute any comments that may present a legal risk from the livestream before they are broadcast¹⁸
- including written disclaimers in meeting agendas, business papers, 'request to speak' application forms¹⁹, and on notices displayed at the entrance of the meeting room and in relevant meeting rooms advising attendees that:
 - the meeting is being livestreamed via council's website and a person's image and/or voice may be broadcast
 - a recording of the livestream will be published on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period
 - attendance at the meeting is to be taken as consent by a person to their image and/or voice being livestreamed
 - all speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent
 - council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings –all liability will rest with the individual who made the comments

¹⁷ for example, see the NSW Parliament's terms and conditions at www.parliament.nsw.gov.au/Pages/Copyright--Conditions-of-Use.aspx

¹⁸ Note: When engaging a third-party provider for livestreaming, ensure that the council's requirements regarding third-party responsibilities are addressed. This may include contractual arrangements and requirements for handling breaches by the third party. For further guidance on data breaches and contracted service providers, refer to <https://www.ipc.nsw.gov.au/resources/fact-sheet-data-breaches-and-contracted-service-providers>

¹⁹ A request to speak application form must include all necessary requirements around the collection and use of personal information required under the *Privacy and Personal Information Protection Act 1998*

- the meeting must not be livestreamed or recorded by others without the prior written consent of the council in accordance with the council’s code of meeting practice²⁰. Any person who contravenes or attempts to contravene this requirement may be expelled from the meeting.
- for members of the public who wish to speak at a public forum:
 - obtaining their written consent prior to the public forum to broadcast their voice and/or image in the livestream (individuals who do not consent will be unable to address the public forum)
 - seeking their confirmation prior to the public forum that their address does not include any comments or information that may present a legal risk including defamatory comments or the disclosure of personal information of another person²¹
- putting procedures in place to minimise the showing of any copyrighted documents (for example, architectural plans, drawings, photographs, submissions etc.) in the livestream
- the chairperson or general manager confirming that the livestream has halted when a meeting goes into closed session

During the meeting

- the chairperson making a verbal statement at the start of the meeting advising attendees that:
 - the meeting is being livestreamed via council’s website and a person’s image and/or voice may be broadcast
 - attendance at the meeting is to be taken as consent by a person to their image and/or voice being livestreamed (time should be allowed by the chairperson for people to leave the meeting before it starts)
 - all speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent
 - council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings –all liability will rest with the individual who made the comments
 - the recording must be published on the council’s website for the balance of the council’s term or 12 months, whichever is the longer period, and retained as a council record
 - individuals acting in a disorderly manner can be asked by the chairperson to leave the meeting under the council’s code of meeting practice

²⁰ clause 15.27 of the 2025 Model Meeting Code

²¹ The requirements for applications to speak at public forums are outlined in OLG’s *Model public forum rules* available at www.olg.nsw.gov.au

- the meeting must not be recorded by others without the prior written consent of the council in accordance with the council’s code of meeting practice¹⁹
- utilising a time delay to the livestream broadcast feed so that any comments that present a legal risk can be muted from the livestream before it is broadcast
- positioning cameras away from the public gallery and on councillors (where practical) so that members of the public are not in view on the livestream
- positioning microphones away from the public gallery (where practical) so that the personal conversations of members of the public are not included in the webcast.

After the meeting

- requiring recordings to be reviewed and authorised for broadcast prior to their availability for on-demand viewing on council’s website
- seeking legal advice before publishing any comments that may present a legal risk
- enabling recordings to be edited to remove any comments that may present a legal risk before the recording is made available for on-demand viewing on council’s website
- if livestreaming via social media, having a:
 - strong social media policy and/or tight social media terms of use to govern how council’s social media can be used by staff and the community in relation to the livestream and recording
 - staff member moderate any comments made in reply to livestream posts on social media in case any comments that present a legal risk are posted by members of the public on the day of the livestream
- retaining an unedited recording of any livestream that contains comments that may present a legal risk for future use in possible code of conduct or legal proceedings
- accompanying recordings with:
 - a written disclaimer limiting liability and
 - instructions that the recording cannot be edited and/or shared in anyway, including on social media, without the prior written consent of the council
- storing recordings appropriately and securely in council’s records management system in accordance with legislative requirements and the Information Protection Principles²².

²² <https://www.ipc.nsw.gov.au/information-protection-principles-ipp-agencies>

Do councillors have legal protection?

As with other members of the community, councils and councillors can be sued for defamation for comments made in public forums such as council and committee meetings, in the media and on social media.

Unlike members of Parliament, councillors do not enjoy absolute privilege in relation to what they say at council or committee meetings. Absolute privilege provides complete protection for statements made during parliamentary proceedings meaning that defamation proceedings cannot be brought with respect to such statements.

By contrast, councillors can be sued for defamation in relation to their statements at meetings. They are partially protected from defamation by the defence of ‘qualified privilege’, but only to enable them to speak freely and publicly in undertaking their duties at meetings. To be protected, any comment or statement a councillor makes at a meeting must be relevant to the council business, made in good faith and without malice.

Section 731 of the Act provides councillors with a level of protection from civil liability, including in relation to defamation, for undertaking council-related and council-endorsed activities as a councillor. Protection from civil liability is only provided where a councillor’s actions are undertaken in good faith and for purposes related to council activities.

This protection against civil liability is given effect under council’s councillor and expenses and facilities policies adopted under section 252 of the Act which allow councils to meet councillors’ legal costs in defending proceedings in certain circumstances.

Consistent with section 731 of the Act, OLG’s *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW*²³ state that councils’ councillor expenses and facilities policies should only allow reasonable legal expenses to be reimbursed to councillors for defending an action in defamation, provided the outcome of the legal proceedings is favourable to the councillors. It is not permissible for councils to meet the cost of defamation proceeding initiated by councillors for seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

For more information, refer to [Free speech for local government in NSW: A guideline](#) on OLG’s website²⁴.

²³ <https://www.olg.nsw.gov.au/wp-content/uploads/Guidelines-for-the-payment-of-expenses-and-the-provision-of-facilities-for-Mayors-and-Councillors-in-NSW-2009.pdf>

²⁴ <https://www.olg.nsw.gov.au/wp-content/uploads/2025/06/Free-speech-guidelines.pdf>

Implementation

Checklist for councils

Planning and procedures

- Establish robust procedures and checklists to ensure livestreaming goes smoothly.
- Develop contingency plans for recording meetings during outages and technical failures.
- If using a third-party provider to conduct livestreaming, ensure they also manage and maintain the equipment to support reliable updates and servicing.
- When engaging a third-party provider for livestreaming, ensure that the council's requirements regarding third-party responsibilities are addressed. This may include contractual arrangements and requirements for handling breaches by the third party. For further guidance on data breaches and contracted service providers, refer to <https://www.ipc.nsw.gov.au/resources/fact-sheet-data-breaches-and-contracted-service-providers>.

Equipment and setup

- Use a fixed-position wide-angle camera that provides a clear image and accommodates the room's lighting conditions.
- Avoid pointing the camera at the public gallery unless necessary.
- Prefer 'push-to-talk' microphones to ensure speaker clarity and prevent overlapping speech.
- Avoid 'voice-activated' microphones, which may inadvertently broadcast private remarks.
- If council's WiFi is unreliable, consider hard-wired/fixed microphones that do not rely on internet connectivity.
- Check the acoustics of the meeting venue to confirm they are suitable.
- Ensure there is a good audio signal if council is going to rely on recording the audio externally (e.g. via a mobile phone or handycam).

- Conduct regular sound and video checks if the recording equipment is also used by others to record other meetings.
- Ensure any notices are clearly displayed at entrance of the meeting room and in the meeting room itself.

Streaming platform and accessibility

- Select a streaming platform that matches the bandwidth and resolution.
- If using a third-party platform, embed the video player on a dedicated page of the council's website (e.g. "Live Council Meetings")
- Ensure accessibility features such as autogenerated captions, screen reader compatibility and mobile-friendly layouts are enabled on the livestream page.

Communication

- Provide clear instructions for the public on how to watch live meetings and access past recordings.
- Promote livestreaming through multiple channels including council newsletters, websites, and social media to maximise public awareness.