Attachment A: City of Adelaide Submission

into Local Government Participation Elections Review

Topic 1: How People Engage With Their Council	
Community Engagement Charter	**What requirements should be set for councils' community engagement for what decisions?** • The City of Adelaide (CoA) endorses the Local Government Association's (LGA) draft Community Engagement Charter (Charter) and supports the minimum consultation period for those activities outlined in that document. • Standardised engagement approach for those items listed in Category A in the LGA's draft charter. **What should be included in the Charter and what should be left for councils' own community engagement policies?** • CoA considers the current proposal outlined in the draft LGA Charter appropriate. • The engagement approach should be standardised for significant engagements and activities listed in Category A. • Other engagements should be based on principles and what the council wants to achieve rather than being prescriptive about the how. **Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?** • Councils should have the capacity to determine how they engage. • It is recognised, however, that there are some topics (such as those identified in Category A of the draft charter) that there would be a community expectation to a minimum consistent standard. • As a Capital City Council, it is essential that CoA is able to develop a consultation policy appropriate for its community. As a capital city, a significant part of our community is non-residents. As such, we need to ensure our engagement approach is fit for purpose. **What other ideas do you have for councils' community engagement?** • Having a panel of hard-to-reach groups and stakeholders • CoA recognises the community's expectation of having plain English documents with both summarised and detailed information. • Councils must also communicate better regarding how community feedback has been incorporated into decisions. • Focus on building a relationship with the community rather than a one-way relationship of 'obtaining feedback'. **How would you like to see councils engage with you?** Feedback from we have heard from the community via our engagement activities includes the following: • Longer consultation periods so group submissions can be made • Regular events where community members can discuss matters directly with the Lord Mayor and Councillors. • The community is informed of the decision made and the outcome as a result of the feedback they have provided (closing the loop).

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Council meetings	**Should councils be required to livestream their meetings and make recordings available?** • CoA has live-streamed its meetings and made them available on the internet before COVID-19. • Councils should ensure that the meetings are inclusive and accessible to all members of the Community • Council considers live streaming an essential service for those members of the community unable to attend meetings in person • It should remain the decision of individual Councils whether they do so. **All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours.** • This should be an individual decision for each council, as well as considering how this may impact community participation • Some regional councillors may have to travel long distances to attend meetings. **Should councils be required to hold their meetings at a particular time to maximise community participation?** • Rather than a prescriptive time and given that each community has different needs, where a council chooses to hold meetings during business hours, community consultation should occur. • This could occur as part of the adoption of the Code of Practice for Access to Council Meetings and Documents.
Support council members to engage with communities	**How should members be supported to engage directly with their communities?** • There Needs to be a clear delineation regarding context and purpose, i.e are they representing a Council-endorsed view or their own? • If Council Members speak on behalf of the Council, all correspondence and communications should be authorised. • Council Members should remain responsible for their statements. **Should all council members be provided with a specific allowance to support constituent work, similar to the allowance that is provided to Members of Parliament?** • Should be a decision of council as part of the Allowance and Benefit policy. **What other ideas do you have to strengthen the relationship between council members and their local community members?** • Training as part of the Council Member Mandatory Training sessions on how to engage with communities. • This training should provide guidance on using social media as well as clarifying roles and responsibilities.

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Topic 2: How Can We Encourage A Greater Number Of More Diverse Candidates?	
Increase council members' allowances	**Would more, and a more diverse range of, people be attracted to the role if allowances were increased?** • Potentially, yes • Support a review of the construct of Council Member allowances, considering what the allowances are meant to be used for, and the expectations that community members have of Council Members. • Benchmarking should occur against interstate jurisdictions. • Awareness of what other reimbursements candidates are entitled to (such as babysitting, mileage, etc).

Make council meetings more flexible.	**Should council members be able to attend some council meetings electronically?**
	• Electronic attendance may assist flexibility, allowing Council Members to attend when they otherwise may not be able to.
	• The ability to attend a meeting electronically should be a discretionary provision in the legislation.
	• It should be a decision for each Council regarding:
	    o If it will accommodate this and
	    o Include in its Code of Practice for Meeting Procedures (including how confidentiality will be protected).

More local promotion	**Are there other efforts that councils could make to increase interest in standing over a council term, for example, by working with ratepayers or other community organisations?** • Councils already work extensively with community organisations to raise awareness concerning Local Government Elections and Nominations. **Would councils get a better local result if they make greater investments in local promotion and initiatives, particularly ahead of election periods?** • The City of Adelaide (and other councils) already do this
Term limits for council members	**Should term limits for council members be introduced?** • It is noted that the institutionalised knowledge long-serving Council Members bring • These members have served for a long time because their community continues to choose them to represent this. • If term limits are to be introduced, three consecutive terms are proposed (12 years).
Required training for candidates	**Should people be required to complete an online course before nominating?** • Yes, similar to Victoria. It is important for those wanting to be a Council Member to understand their roles and responsibilities and have had a thorough induction into Local Government. • This training should also include the legislative responsibilities of a candidate when campaigning. **What forms of training could both benefit candidates and generate more community confidence in the people who are standing for election?** • As above

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Topic 2: How Can We Encourage A Greater Number Of More Diverse Candidates?	
Consider real-time publishing of nominations	**Should councils have a role in the nomination process?** • No **If ECSA continues to receive nominations directly, should there be a requirement for nominations to be published throughout the nomination process, not just at the end? If so, how should these be published?** • ECSA should publish on their website daily. Extra resources should be assigned to ECSA for this purpose.
Remove council wards	**Should councils continue to have wards? If so, why? And if not, what would be the benefits of removing them? Should wards only be kept in councils where the council's size warrants their retention?** • It should be up to the Community to decide how they want to be represented and what (if any) ward structure they think is appropriate.
Lack of nominations trigger for boundary reform	**Should potential boundary changes be referred to the South Australian Boundaries Commission when a council receives significantly fewer nominations than it has vacancies?** • No. There are several reasons why Councils do not receive enough nominations. **What are other factors that might encourage—or dissuade—people to stand for election to their councils?** • Perception of a high-pressure culture for Council Members • Adversarial nature of debate • Public scrutiny • Time commitment required • Not knowing that training and support are provided for members to do their role • Understanding of local government • Lack of support for the campaign **What ideas do you have to increase nominations?** • Link to promotion – understanding of the role, making known the support available • Pre-mentor program started well before the election cycle • Mid-term programs promoting the role of the Council Member

Topic 3: How Can We Achieve A Better Voter Turnout?	
Make voting for councils compulsory	**Is there any particular reason why councils do not warrant compulsory voting when the two other spheres of Australian governments do? Should voting for councils be compulsory in South Australian council elections?**

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Topic 3: How Can We Achieve A Better Voter Turnout?	
	• Compulsory voting should be introduced for the House of Assembly Roll in line with other jurisdictions across Australia
Change the method of voting.	**How should people vote for their councils?** Postal • Postal voting is a very convenient method for the community. • It is noted there were numerous complaints during the last election with residents not receiving voting material or receiving incorrect voting material. • Delays by Australia Post meant some voting material wasn't reissued. • If postal voting is to be continued - the Council should be able to reissue in the last week of the voting period In Person • If compulsory voting was introduced, voting in person could be introduced. • If compulsory voting is not introduced, voter participation will likely decrease.

Consider who can vote for their council	**Should the franchise for council elections be changed in any way?**
	Form One
	• The requirements for non-citizens should be tightened to ensure that there is a reasonable interest in the outcome of the election, and, if a candidate, that the candidate will be able to fulfil their term of office. It is suggested that they:
	   o Be a permanent resident or have the right to work.
	   o Provide proof of identity, status and residence when completing the forms.
	This process should be managed by ECSA with consideration given to language barriers.

Change the timing of council elections	**Should council elections be moved to a different year from South Australian Government elections?** • Running the state and local government elections in the same year puts increased strain on ECSA's finite resources. • A move to a different year may increase the local government elections profile.
Election promotion	**Should councils have a stronger role in promoting elections locally to increase voter turnout?** • Councils already play a large role in local promotion. • Better coordination between ECSA and LGA campaigns and collateral would be beneficial.
Removing wards.	**Would removing wards provide voters with greater choice, and produce fairer results?** • In the City of Adelaide, it could decrease voter turnout, some voters currently vote in a number of wards (as they may live in one ward and own businesses in other wards). • The decision to remove wards should be up to that Community (as above).

Topic 3: How Can We Achieve A Better Voter Turnout?	
Consider candidate information	**Is it fair for someone who has 'served their time' to have to release this information?** • Candidates should meet minimum eligibility requirement (similar to ASX director requirements, working with children check). • That a candidate meets the minimum eligibility requirements to nominate is what the community should be informed of, not personal details. **What information should candidates be required to include with their nominations?** • Political affiliations • Live in the council area (and what ward) • A Declaration form (similar to register of interest) which has the same public information as serving Council Members have **Is there a role for councils to play in enabling all candidates to reach potential voters?** • It is a decision for each Council if they would like to run information sessions such as candidate nights etc. **What are other factors that might encourage—or dissuade—people to stand for election to their councils**? • Perception of a high-pressure culture for Council Members • Adversarial nature of debate • Public scrutiny • Time commitment required • Not knowing that training and support is provided for members to do their role • Understanding of local government • Lack of support to campaign

Topic 4: Election Improvements	
	Do you have any ideas to improve council elections?
CITY OF ADELAIDE SPECIFIC	
All residential enrolments to be managed by AEC	Currently individual councils manage Form 1 enrolment applications for residential individuals who do not currently qualify for entry on to the House of Assembly roll. An improvement would be for all residential enrolments regardless of the individual's status (citizen or not) be managed by the ECSA and included on the House of Assembly roll.

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Topic 4: Election Improvements	

Statute Amendments are significantly problematic	• The changes imposed on CoA under the recent Statute Amendments:
	• Impose obligations on Council staff which are very labour-intensive and costly, to be performed within very limited timeframes on top of current election activities and existing timeframes.
	• Additional FTE/s required as:
	
	  • new template correspondence will need to be drafted and sent to all bodies corporate and groups on the voter's roll;
	
	  • dealing with nominations received from bodies corporate and groups will require data entry, and will also require checking whether the nominated person already appears on the voters roll or is entitled to be enrolled on the voter's roll (in which case they are not eligible persons);
	
	  • the process for nominating 'default persons' for bodies corporate (and groups which include bodies corporate) which do not nominate their own eligible person relies upon data held in ASIC's database and therefore might not be possible to automate to any great extent;
	
	  • the process for nominating 'default persons' also requires checking whether the potential default person already appears on the voters roll or is entitled to be enrolled on the voters' roll;
	
	  • redactions will need to be made to the version of voters roll available for inspection by the public; (In practice would be problematic)
	
	  • all of the above must occur within strict timeframes; and
	
	• There are a significant number of bodies corporate and groups on the Council's voters roll compared to other councils, and the above steps must be applied for all of those bodies corporate and groups.
	
	• These obligations are in addition to the Council and the CEO's existing obligations which are already complex and challenging and may well require changes to the current system in place that produce the voter's roll.
	
	• CoA nominating a default nominee may disenfranchise a number of bodies corporate and groups solely on the irrational basis of what letter people's surnames begin with; and
	• In some cases, invest the Council's Chief Executive Officer (CEO) with the unusual power to 'choosing'; who can vote.
	• No similar amendments are being made with respect to any other Council.
	• In relation to achieving the above obligations, Council believes the costs associated with additional FTE requirements, postage and potential changes to systems would be well in excess of $100,000.

Suggested change to existing voting eligibility for Head Lease holders	• Currently a holder of a headlease who is not in occupation of the land (i.e. a head lessee who has wholly sub-let property to another) is considered an 'owner' under the *Local Government Act 1999.* • When this situation occurs, under *the Act* neither party is eligible to be enrolled to vote in their own right. Instead, they must be enrolled as a group of owners. • An unattended consequence is that each unique owner and head lessee combination would constitute a unique voter's group. • In relation to the above, there are significant practical issues in that Council is expected to somehow know of and record the details of all owners, including people who hold leases but do not occupy the land.

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	• While the Council learns of changes to ownership through the LTO, there is no practical way to learn of changes to commercial leasing arrangements. • The Council's system can record the property owner and the occupier but is not able to accurately record and capture head lessees and reflect the correct voting entitlement. • Further, it is unlikely that property owners and headlease holders would be aware they are only entitled to a group voting entitlement.

A UNIQUE TEAM CREATING AN EXTRAORDINARY CITY