Our Corporation

Local Government
Participation
Elections Review

Council Submission

Governance
Alana Martin

CITY OF ADELAIDE

Key Questions

TOPIC 1

How people engage with their council?

TOPIC 2

How can we encourage a greater number of more diverse candidates?

TOPIC 3

How can we achieve a greater voter turnout?

TOPIC 4

Election improvement

- The Office of Local Government is conducting a state-wide consultation giving the community opportunity to feedback on ideas and suggestions on how communities can better engage with their councils throughout a council term and, particularly, at election time.
- The City of Adelaide submission is due **28 March 2024.**
- The draft City of Adelaide submission presented to City Finance Committee (20 February 2024) was deferred to a future CFG workshop.
- A Council member survey on the submission was subsequently undertaken, and survey comments have been added into the submission.

- This workshop will discuss responses where members' responses and the proposed City of Adelaide response were notably different.
- Outcomes will be included into a final City of Adelaide submission.

TOPIC ONE: HOW PEOPLE ENGAGE WITH THEIR COUNCIL

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- General agreement (with Administration) from Council Members on the proposed City of Adelaide response to all 11 questions on this topic.

Topic 1	Member agreement?	
Q.1	Yes 4 No 0 (agreement)	What requirements should be set for community engagement for what decisions?
Q.2	Yes 4 No 0 (agreement)	What should be included in the Charter and what should be left for councils' own community engagement policies?
Q.3	Yes 2 No 0 (agreement)	Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?
Q.4	Yes 3 No 0 (agreement)	What other ideas do you have for councils' community engagement?
Q.5	Yes 4 No 0 (agreement)	How would you like to see councils engage with you?
Q.6	Yes 4 No 0 (agreement)	Should councils be required to livestream their meetings and make recordings available?
Q.7	Yes 4 No 0 (agreement)	All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours.
Q.8	Yes 4 No 0 (agreement)	Should councils be required to hold their meetings at a particular time to maximise community participation?
Q.9	Yes 4 No 0 (agreement)	How should members be supported to engage directly with their communities?
Q.10	Yes 3 No 1 (agreement)	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?
Q.11	Yes 4 No 0 (agreement)	What other ideas do you have to strengthen the relationship between council members and their local community members?

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**Do Council Members have
any other suggestions?**

TOPIC TWO:
HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

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Local Government Participation Elections Review
Topic Two: How Can We Encourage A Greater Number Of More Diverse Candidates?

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- Agreement (with Administration) on 8 of 12 questions, and disagreement on question 2.
- Unclear direction on questions 3 and 9.

Topic 2	Member agreement?	
Q.1	Yes 4 No 0 (agreement)	Would more, and a more diverse range of, people be attracted to the role if allowances were increased?
Q.2	Yes 1 No 3 (disagreement)	Should council members be able to attend some council meetings electronically?
Q.3	Yes 2 No 2	Are there other efforts that councils could make to increase interest in standing over a council term, for example, by working with ratepayers other community organisations?
Q.4	Yes 1 No 3 (agreement)	Should term limits for council members be introduced?
Q.5	Yes 4 No 0 (agreement)	Should people be required to complete an online course before nominating?
Q.6	Text comments	
Q.7	Yes 0 No 3 (agreement)	Should councils have a role in the nomination process?
Q.8	Yes 3 No 1 (agreement)	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?
Q.9	Yes 1 No 1	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?
Q.10	Yes 1 No 3 (agreement)	Should potential boundary changes be referred to the South Australian Boundaries Commission when a council receives significantly nominations than it has vacancies?
Q.11	Yes 4 No 0 (agreement)	What are other factors that might encourage—or dissuade—people to stand for election to their councils?
Q.12	Yes 4 No 0 (agreement)	What ideas do you have to increase nominations?

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Topic Two: How Can We Encourage A Greater Number Of More Diverse Candidates?

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Question 2

Should Council members be able to attend some Council meetings electronically?

Proposed response
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:
- If it will accommodate this and;
- Include in its Code of Practice for Meeting Procedures (including how confidentiality will be protected).

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Topic Two: How Can We Encourage A Greater Number Of More Diverse Candidates?

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Question 3

Are there other efforts that councils could make to increase interest in standing over a council term, for example, by working with ratepayers other community organisations?

Proposed response

Councils already work extensively with community organisations to raise awareness concerning Local Government Elections and Nominations.

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Question 9

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?

Proposed response

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

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Do Council Members have any other suggestions?

TOPIC THREE: HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?

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Topic Three: How Can We Achieve A Better Voter Turnout?

- Agreement (with Administration) on 7 of 10 questions, (possibly) disagreement on question 6.
- Unclear direction on questions 4 and 5.

Topic 3	Member agreement?	
Q.1	Yes 4 No 0 (agreement)	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?
Q.2	Yes 3 No 0 (agreement)	How should people vote for their councils?
Q.3	Yes 3 No 1 (agreement)	Should the franchise for council elections be changed in any way?
Q.4	Yes 2 No 2	Should council elections be moved to a different year from South Australian Government elections?
Q.5	Yes 2 No 2	Should councils have a stronger role in promoting elections locally to increase voter turnout?
Q.6	Yes 1 No 2 (disagreement? unclear)	Would removing wards provide voters with greater choice, and produce fairer results?
Q.7	Yes 3 No 0 (agreement)	Is it fair for someone who has 'served their time' to have to release this information?
Q.8	Yes 4 No 0 (agreement)	What information should candidates be required to include with their nominations?
Q.9	Yes 3 No 1 (agreement)	Is there a role for councils to play in enabling all candidates to reach potential voters?
Q.10	Yes 1 No 0 (agreement)	What are other factors that might encourage—or dissuade—people to stand for election to their councils?

Question 4

Should council elections be moved to a different year from South Australian Government elections?

Proposed response

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.

Question 5

Should councils have a stronger role in promoting elections locally to increase voter turnout?

Proposed response

Councils already play a large role in local promotion.

Better coordination between ECSA and LGA campaigns and collateral would be beneficial.

Question 6

Would removing wards provide voters with greater choice, and produce fairer results?

Proposed response

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).

Do Council Members have any other suggestions?

TOPIC FOUR: ELECTION IMPROVEMENTS

- Agreement (with Administration) on 1 of 3 questions.
- Unclear direction on questions 2 and 3.

Topic 4	Member agreement?	
Q.1	Yes 2 No 0	All residential enrolments to be managed by AEC?
Q.2	Yes 1 No 1	Are Statute Amendments significantly problematic?
Q.3	Yes 1 No 1	Suggested change to existing voting eligibility for Head Leaseholder?

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Question 2

Are Statute Amendments significantly problematic?

Proposed response

The changes imposed on CoA under the recent Statute Amendments impose obligations on Council staff which are 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
- 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;

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Question 2

Are Statute Amendments significantly problematic?

Proposed response (cont)

- Redactions will need to be made to the version of voters roll available for inspection by the public (problematic in practice);
- 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 steps above must be applied for all those.
- 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 achieving the above obligations, Council believes additional staffing, postage and potential changes to systems would cost well in excess of $100,000.

Question 3

Suggested change to existing voting eligibility for head lease holders

Proposed response

- 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 unintended 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. change to existing voting eligibility for Head Lease holders.
- While the Council learns of changes to ownership through the LTO, there is no practical way to learn of changes to commercial leasing arrangements.

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Question 3

Suggested change to existing voting eligibility for head lease holders

Proposed response (cont)

- 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.

Do Council Members have any other suggestions?

Key Questions

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TOPIC 4

Election improvement

Thank You