

Attachment A

Local Government Elections Participation review - proposed City of Adelaide submission

Topic One – How people engage with their council

<p>What requirements should be set for councils' community engagement for what decisions?</p> <ul style="list-style-type: none"> • 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.
<p>What should be included in the Charter and what should be left for councils' own community engagement policies?</p> <ul style="list-style-type: none"> • 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.
<p>Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?</p> <ul style="list-style-type: none"> • 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.
<p>What other ideas do you have for councils' community engagement?</p> <ul style="list-style-type: none"> • 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'.
<p>Should councils be required to livestream their meetings and make recordings available?</p> <ul style="list-style-type: none"> • 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.
<p>All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours.</p> <ul style="list-style-type: none"> • 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.
<p>Should councils be required to hold their meetings at a particular time to maximise community participation?</p> <ul style="list-style-type: none"> • Rather than a prescriptive time and given that each community has different needs, where a council

<p>chooses to hold meetings during business hours, community consultation should occur.</p> <ul style="list-style-type: none"> • This could occur as part of the adoption of the Code of Practice for Access to Council Meetings and Documents.
<p>How should members be supported to engage directly with their communities?</p> <ul style="list-style-type: none"> • 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.
<p>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?</p> <ul style="list-style-type: none"> • Should be a decision of council as part of the Allowance and Benefit policy.
<p>What other ideas do you have to strengthen the relationship between council members and their local community members?</p> <ul style="list-style-type: none"> • 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.

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

<p>Would more, and a more diverse range of, people be attracted to the role if allowances were increased?</p> <ul style="list-style-type: none"> • 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).
<p>Should council members be able to attend some council meetings electronically?</p> <ul style="list-style-type: none"> • City of Adelaide Council does not have a consensus view on this issue
<p>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?</p> <ul style="list-style-type: none"> • Councils already work extensively with community organisations to raise awareness concerning Local Government Elections and Nominations. <p>Would councils get a better local result if they make greater investments in local promotion and initiatives, particularly ahead of election periods?</p> <ul style="list-style-type: none"> • The City of Adelaide (and other councils) already do this.
<p>Should term limits for council members be introduced?</p> <ul style="list-style-type: none"> • City of Adelaide Council does not have a consensus view on this issue

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

Should councils have a role in the nomination process?

- City of Adelaide Council does not have a consensus view on this issue

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.

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?

- City of Adelaide Council does not have a consensus view on this issue

Should potential boundary changes be referred to the South Australian Boundaries Commission when a council receives significantly fewer nominations than it has vacancies?

- City of Adelaide Council does not have a consensus view on this issue

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 three – How can we achieve a better voter turnout?

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?

- Compulsory voting should be introduced for the House of Assembly Roll in line with other jurisdictions across Australia.

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.

Should the franchise for council elections be changed in any way?

Form One

- The requirements for non-citizens to be entitled to enrol to vote should be tightened to ensure that there is a reasonable interest in the outcome of the election. It is suggested that they:
 - be a permanent resident or have the right to work
 - provide proof of identity, status and residence when completing the forms.
- Noting that candidates must be Australian citizens, it is important that candidates will be able to fulfil their term of office.
- This process should be managed by ECSA with consideration given to language barriers.

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.

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.

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

- City of Adelaide Council does not have a consensus view on this issue.

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 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.

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.

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Topic 4 – Election improvements

Should 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.

Are statute amendments 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.

Should the existing voting eligibility for Head Lease holders be changed?

- 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.
- 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.