

## Submission on the Local Government Amendment (Targeted Reform) Bill 2025

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**Date:** 8<sup>th</sup> November 2025

### Introduction

Thank you for the opportunity to provide feedback on the *Local Government Amendment (Targeted Reform) Bill 2025*.

Overall, I welcome the Government's intent to strengthen governance, accountability, and capability within the local government sector. The reforms present an opportunity to enhance the professionalism of elected members, clarify the leadership relationship between the Mayor and General Manager, and improve transparency and performance across councils.

However, several elements of the Bill could be refined to ensure these objectives are fully realised in practice. The following feedback highlights key areas of support and suggested improvement.

### 1. Councillor Capability and Professional Development

#### Context in the Bill:

Sections 28AB and 28AC introduce mandatory core learning and a continuing professional development (CPD) policy for councillors.

#### Feedback:

- Strongly support the inclusion of mandatory and ongoing learning. However, the **scope and standard** of these learning activities must be sufficient to build genuine capability — not just tick-box compliance.
- Suggest specifying **minimum learning outcomes** aligned with competencies such as:
  - Financial literacy and risk management
  - Strategic planning and governance
  - Ethical decision-making and integrity frameworks

- Data literacy and policy evaluation
- Councillors should be encouraged (or required) to demonstrate relevant professional experience or qualifications before nomination — particularly for mayoral candidates.
- Recommend that the Director’s approved learning framework be **publicly benchmarked** against recognised standards (e.g. Australian Institute of Company Directors or LG Professionals frameworks).

**Key point:**

Without robust standards, the intention of “professionalising” councillor roles may be undermined by uneven skill levels and poor decision quality.

## **2. Role and Independence of the Mayor**

**Context in the Bill:**

Sections 27A and 62B clarify the liaison functions between the mayor and general manager (GM), and both must now “have regard to” the *Local Government Charter* (section 20).

**Feedback:**

- The Bill should better articulate the **separation of powers** between elected leadership (mayor and councillors) and the administration (GM and officers).
- Recommend inclusion of a clause requiring the mayor to **maintain functional independence** from the GM to avoid undue influence or administrative capture.
- The *Local Government Charter* should explicitly outline the **governance relationship principles**, including:
  - The mayor’s role as a strategic leader and community representative — not an operational manager.
  - The GM’s accountability to council collectively, not to the mayor personally.
  - A requirement for clear governance protocols on communication, reporting, and transparency between the mayor and GM.

**Key point:**

Healthy tension between the mayor and GM is essential for good governance — it prevents blurred lines between strategic and operational functions.

### 3. Accountability and Performance of the General Manager

#### Context in the Bill:

Section 62 now adds the requirement for a *workforce development strategy*; however, there's no direct mention of performance frameworks or independent reviews of GMs.

#### Feedback:

- The Bill should strengthen **accountability mechanisms** for GMs, including:
  - Mandatory annual **performance reviews** against measurable criteria set by the council (with possible external oversight or audit).
  - Performance metrics tied to community satisfaction, service delivery, financial sustainability, and staff wellbeing.
  - Transparency provisions requiring a public summary of the GM's performance outcomes.
- Consider expanding section 84A (*Council performance reporting*) to include **executive performance** within the indicators.
- Encourage independent facilitation of GM reviews by an accredited governance advisor to mitigate bias and promote fairness.

#### Key point:

Without a robust performance framework, councils risk weak leadership accountability — which directly affects trust, efficiency, and community confidence.

### 4. Community Engagement and Organisational Culture

#### Context in the Bill:

Section **70DA** requires councils to establish and implement a *Community Engagement Strategy* that ensures the community is informed and has reasonable opportunity to contribute to decisions, activities, and services.

#### Feedback:

While this inclusion is welcome, in practice, community engagement within some councils remains superficial and transactional. Many councils, including my own experience, outsource engagement entirely to external consultants on specific projects. This creates distance between the council organisation and the community, reinforcing the perception that the council is detached or indifferent.

True engagement must go beyond statutory compliance. To build trust and transparency, councils should be required to:

- Treat community engagement as a **core internal responsibility**, not a function delegated to consultants.
- Demonstrate, through public reporting, **how community feedback has influenced council decisions and policy directions**.
- Require the **General Manager and senior leadership** to personally participate in engagement activities and respond to feedback.
- Undertake periodic, independently facilitated **community satisfaction and trust surveys**, with results made public and reflected in performance reporting (section 84A).

**Key Point:**

Legislating the requirement for a Community Engagement Strategy is a positive step — but it will only be effective if councils are also held accountable for *how authentically and transparently* they engage with their communities.

## **5. Leadership Integrity and Conflicts of Interest in Recruitment**

**Context in the Bill:**

The Bill strengthens governance and accountability through measures such as council performance reporting (section 84A) and temporary advisor appointments (Part 12C). However, it is silent on potential **conflicts of interest in employment decisions** made by General Managers.

**Feedback:**

There is currently no legislative obligation for General Managers to declare personal relationships or associations with individuals they recruit or supervise. This lack of transparency can result in perceptions of favouritism, undermine organisational integrity, and erode staff morale.

To ensure fair and merit-based recruitment, it is recommended that:

- The Bill require **disclosure of personal, familial, or close associations** in any senior staff recruitment or appointment processes.
- Councils maintain a **publicly available or auditable conflict-of-interest register** for executive appointments and contract engagements.
- Recruitment panels for director-level positions include **independent or external representation** to provide impartial oversight.

**Key Point:**

The General Manager holds significant hiring authority and influence. Requiring

disclosure and independent oversight of recruitment decisions would help preserve fairness, integrity, and confidence in council administration.

## **6. Accountability and Professional Standards of Senior Staff**

### **Context in the Bill:**

Section **62** outlines the General Manager's functions and powers, and section **84A** introduces performance reporting for councils. However, there is no explicit requirement for General Managers to maintain or report on internal performance management frameworks for staff.

### **Feedback:**

In practice, this gap can lead to weak accountability and inconsistent professional standards across the organisation. In some cases, community or staff complaints about underperformance or misconduct are ignored, while individuals lacking qualifications or capacity are promoted to senior roles.

To strengthen professional culture and leadership accountability, the Bill should:

- Require General Managers to implement and report on **formal internal performance and conduct management frameworks**, including grievance handling.
- Enable the **Director of Local Government** or an **independent governance auditor** to review and intervene where there are repeated or substantiated staff or community complaints.
- Link the General Manager's **annual performance review** to workforce culture, staff engagement, and complaint resolution outcomes.

### **Key Point:**

Effective governance depends on a professional and accountable workforce. Embedding performance and conduct accountability at the organisational level would promote higher standards of leadership and service delivery.