

SCHEDULE 2

TERMS OF REFERENCE OF APPOINTMENT OF THE MUNICIPAL MONITORS TO WHITTLESEA CITY COUNCIL APPOINTED UNDER SECTION 179 OF THE LOCAL GOVERNMENT ACT 2020

Without limiting the Municipal Monitors' functions and powers under sections 180 and 181, respectively, of the Act, the Municipal Monitors are:

1. To monitor the governance processes and practices of the Council, with specific regard to the following matters –
 - a. any outstanding actions and recommendations to improve good governance as identified in the final report from the panel of administrators appointed to Whittlesea City Council, including the “Return of Council Transition Plan”;
 - b. the Councillors' understanding and performance of their statutory roles and responsibilities, including their ability to develop the council's strategic direction and the adequacy of the Council's Councillor induction training program and professional development training;
 - c. the Council's meeting procedures and decision-making processes, including attendance at briefings and Council meetings, and the adequacy of the Governance Rules;
 - d. the relationships between councillors and council staff, including councillor behaviour with respect to the Model Councillor Code of Conduct and processes for resolving disputes involving councillors;
 - e. the establishment of an effective working relationship between the Chief Executive Officer and the councillors;
 - f. the Council's policies and practices that manage the interactions between Councillors and Council staff and contractors, and compliance with those policies and practices;
 - g. the adequacy of Council's community engagement and project management policies, processes and practices; and
 - h. any other matters that may affect the Council's ability to effectively perform its functions, including councillor behaviour that is creating a serious risk to health and safety or preventing the Council from performing its functions.
2. To advise, and provide any relevant assistance and support to the Council to ensure good governance, with specific regard to the matters raised in clause 1.
3. To assist the Council to develop an Action Plan and progress updates for any necessary governance improvements, with specific regard to the matters raised in clause 1.
4. To report to the Minister for Local Government, with respect to the matters in clause 1, on:
 - a. any steps or actions taken by the Council to improve its governance and the effectiveness of those steps or actions;
 - b. any recommendations in relation to the exercise of any Ministerial power under the Act.