

**SCHEDULE 2**

**TERMS OF REFERENCE OF APPOINTMENT OF THE MUNICIPAL MONITORS TO BRIMBANK 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 Brimbank City Council's (Council) governance functioning, with specific regard to the following matters—
  - a. councillor understanding and performance of their statutory roles and responsibilities, including in relation to confidentiality requirements;
  - b. the relationships between councillors and between councillors and Council staff, including councillor behaviour with respect to the Councillor Code of Conduct and processes for resolving disputes between councillors;
  - c. the Council's meeting procedures and decision-making processes, including Council briefings and meetings, the adequacy of the Council's Governance Rules, councillor adherence to the Governance Rules, and councillor attendance and participation at meetings, including meetings of the Audit and Risk Committee;
  - d. the Council's processes and practices in relation to health and safety including any matters that may be creating a serious risk to the health and safety of councillors, Council staff or other persons;
  - e. the adequacy of Council's community engagement policies, processes and practices; and
  - f. any other matters that may be affecting the Council's ability to effectively perform, including behaviour that may be preventing the Council from performing its functions.
2. To identify the underlying causes of any issues affecting the ability of the Council and / or individual councillors to properly perform their statutory roles, with specific regard to the matters raised in clause 1.
3. 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 for the Council to ensure the proper performance of its statutory role, including in relation to the conduct of councillors; and
  - c. any recommendations in relation to the exercise of any Ministerial power under the Act.
4. 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 clauses 1 - 3.