

# OFFICIAL

## SCHEDULE 2

### TERMS OF REFERENCE OF APPOINTMENT OF THE MUNICIPAL MONITORS TO DAREBIN 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 Darebin City Council (the Council), with specific regard to the following matters –
  - a. the Council's policies, processes and practices related to the recruitment, appointment, and proposed employment conditions of an ongoing Chief Executive Officer, including but not limited to materials developed and advice used to inform the processes and practices of the Council's CEO Employment and Remuneration Committee;
  - b. the establishment of an effective working relationship between the ongoing Chief Executive Officer and the Council;
  - c. any outstanding actions by the Council to address the findings and recommendations identified in the *Municipal Monitor's Final Report – 2 February 2023*;
  - d. 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;
  - e. the Councillors' understanding and performance of their statutory roles and responsibilities, including in relation to confidentiality requirements;
  - f. the Council's meeting procedures and decision-making processes, including Council briefings and meetings, and councillor adherence to the Governance Rules;
  - g. 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;
  - h. any support needed following the elections in October 2024 to ensure good governance at the Council;
  - i. the adequacy of Council's community engagement policies, processes and practices; and
  - j. 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 advise, and provide any relevant assistance and support to the Council in relation to the improvement of the Council's governance processes and practices, 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 clauses 1 – 2.
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; and

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- b. any recommendations in relation to the exercise of any Ministerial power under the Act.