

SCHEDULE 2

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

Without limiting the Municipal Monitor's functions and powers under sections 180 and 181, respectively of the *Local Government Act 2020* (Act), the Municipal Monitor is:

1. To monitor Kingston City Council's (Council) governance processes and practices, with specific regard to the following matters –
 - a. the Councillors' understanding and performance of their statutory roles and responsibilities, including the adequacy of the Council's Councillor induction training program and any ongoing professional development opportunities;
 - b. the relationship between Councillors and between Councillors and Council staff, including Councillor behaviour with respect to the Model Councillor Code of Conduct and processes for resolving disputes between Councillors;
 - c. the Council's policies, 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;
 - d. the Council's meeting procedures and decision-making processes, 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;
 - e. the Council's policies, processes and practices related to the management of conflicts of interest, including in relation to community grants
 - f. the Council policies, processes and practices to support adherence with the requirements of section 229 of the Act; and
 - g. any other matters that may be affecting the Council's ability to effectively perform its role, 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 role, 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 to 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
 - b. any recommendations for the Council to ensure the proper performance of its statutory role, including in relation to the conduct of Councillors;
 - c. any recommendations in relation to the exercise of any Ministerial powers under the Act.