

TERMS OF APPOINTMENT - LOCAL GOVERNMENT MONITOR TO THE CITY OF SOUTH PERTH UNDER SECTION 8B.39 OF THE LOCAL GOVERNMENT ACT 1995

Part 1 - Monitoring Assignment

Without limiting the Monitor's functions and powers under sections 8B.40 of the *Local Government Act 1995* (Act), the Monitor is to perform the monitoring assignment as set out below:

1.1 To monitor the City of South Perth's governance, relationship and decision-making processes and practices, with specific regard to the following matters:

- a. Council Member understanding and performance of their collective and individual statutory roles and responsibilities, as prescribed under Section 2.7, Section 2.8 and Section 2.10 of the Act;
- b. relationships between the Council Members and between the Council Members and the City's employees, including Council Member behaviour with respect to the City's Code of Conduct for Council Members, Committee Members and Candidates;
- c. the Council's practices and processes in the relation to its post-appointment obligations to the Chief Executive Officer, including the development and monitoring of performance criteria (KPIs) as required under section 5.39(3)(b) of the *Local Government Act 1995*;
- d. the Council's decision-making processes at ordinary and special meetings, the efficacy of the City's committees and the adequacy of the City's Standing Orders Local Law 2007 in relation to Council Member participation in deliberation and decision-making at meetings;
- e. the City's contemporary processes and practices in relation to monitoring, reviewing and eliminating worker health and safety risks and provision of safe systems, training and consultation in accordance with obligations of a PCBU as provided for under the *Work Health and Safety Act 2020*;
- f. the efficiency and effectiveness of the Chief Executive Officer's advice in relation to Council's decision-making functions at ordinary and special meetings, and the performance of the Council's functions, in accordance with section 5.41(3) of the *Local Government Act 1995*;
- g. to identify underlying causes of any issues affecting the ability of the Council and / or individual Council Members to properly perform their statutory roles, with specific regard to the matters raised in clause 1.1.

1.2 Assist the City develop an Action Plan setting out any necessary governance and/or relationship improvements, with specific regard to remedying identified issues relative to the matters set out in clause 1.1.

1.3 To provide a Final Report to the Local Government Inspector by Wednesday 29 April 2026 with respect to the conduct of the Monitoring Assignment as set out in Part 1 of the Terms of Appointment.