



13 March 2020

SUPPLEMENTARY AGENDA:

(1) CORPORATE AND COMMUNITY

CC27/2020 Delegation of Authority - Risk Mitigation Against Potential
Impacts of Novel Coronavirus on Council Operations.....2

Corporate and Community

Report No. CC27/2020

Corporate and Community Services



SUBJECT: *DELEGATION OF AUTHORITY - RISK MITIGATION
AGAINST POTENTIAL IMPACTS OF NOVEL
CORONAVIRUS ON COUNCIL OPERATIONS*

RESPONSIBLE OFFICER: *Director Corporate and Community Services - Robert
Maginnity*

SUMMARY

This report seeks Council's approval for the provisional delegation of authority to the Mayor and/or Deputy Mayor, and the General Manager to jointly exercise the functions of Council should Council operations be adversely impacted by the Novel Coronavirus (COVID-19).

RECOMMENDATION

1. That Council pursuant to Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council should the need arise which would limit the orderly operations of Council in regards to the operations of the governing body of elected members.
2. That a list of any matters considered under such delegated authority be submitted for Council's information to the next available schedule Ordinary Meeting of Council after such decision is made under the temporary delegation.
3. That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus or if the administration centre or local government area is subject to a shutdown from the virus.
4. That Council reconsider the temporary delegation at the second meeting in May 2020.

BACKGROUND

There is the potential that the orderly operations of Council could be affected by COVID-19. This could be due to a need to isolate the administration centre and hence impact Council meetings or from elected members being affected which may affect the ability to form a quorum. As a risk management strategy it is proposed to provide a temporary delegation of Council functions to the Mayor and/or Deputy Mayor, and the General Manager should such an event occur.

REPORT/PROPOSAL

Council management has been actively monitoring all relevant advices issued in relation the spread of COVID-19, and in particular is being guided by NSW Department of Health advice related to the virus and has been reviewing contingency plans and best practice procedures to maintain a safe workplace.

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The Office of Local Government issued circular 20-06 *Novel Coronavirus (COVID-19) Development Updates* on 10 March 2020 (**Enclosure 1**) which in part recommended that;

“Councils should also review their delegations as a matter of urgency to ensure that decisions can be made quickly in response to any developments outside of the normal council meeting cycle”.

The General Manager has a number of delegations in relation to operational issues of Council, including the safety and welfare of staff. However, the potential impact of the spread of COVID-19 to the effective and orderly operations of the elected Council needs to be considered and managed.

If the administration centre was to be quarantined for a period of time the ability to hold Council meetings may be impacted. Additionally if elected members are personally impacted by the virus, the ability to undertake meetings may similarly be impacted due to a lack of quorum.

As a risk management strategy it is proposed that a temporary delegation of authority to the Mayor and/or Deputy Mayor, and the General Manager to undertake the functions of Council be provided if there becomes a need due to the effects of COVID-19 on the operations of Council.

OPTIONS

N/A

CONSULTATION

General Manager
Council Engagement Manager – Office of Local Government

STRATEGIC LINKS

a. Delivery Program

This report is linked to the Community Strategic Plan Cessnock 2027, specifically, the key objective of *Civic Leadership and Effective Governance*.

b. Other Plans

N/A

IMPLICATIONS

a. Policy and Procedural Implications

N/A

b. Financial Implications

N/A

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c. Legislative Implications

Section 377 of the *Local Government Act 1993* provides for delegations to the General Manager.

d. Risk Implications

The risks to the orderly operations of Council, including risks to the elected body need to be considered. This temporary, if needed, delegation will provide some mitigation to this risk.

e. Other Implications

N/A

CONCLUSION

To ensure effective and efficient functions of Council during any adverse impacts from COVID-19 it is proposed that Council provide temporary delegated authority for the functions of Council to the Mayor and/or Deputy Mayor, and the General Manager should the operations of Council be impacted by COVID-19.

ENCLOSURES

[1](#) Circular 20-06



Office of
Local Government

Circular to Councils

Circular Details	20-06 / 10 March 2020 / A694616
Previous Circular	NIL
Who should read this	Councillors / General Managers / All council staff / Specific business areas
Contact	Mr Chris Allen, Director Sector Performance and Intervention / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Response to OLG / Council to Implement

Novel Coronavirus (COVID-19) Development Updates

What's new or changing

- The NSW Human Influenza Pandemic Plan is the whole-of-government plan for an influenza pandemic in NSW. This plan is a sub plan to the NSW State Emergency Management Plan (EMPLAN). Under the EMPLAN, NSW Health is the combat agency for pandemic illnesses.
- The NSW Human Influenza Pandemic Plan details the coordination arrangements, responsibilities and mechanisms for all levels of government and compliments the federal government's *Australian Health Sector Emergency Response Plan for Novel Coronavirus (COVID-19)*.
- The Senior Officers Group of the NSW Government has been established to coordinate management of the NSW Government response to a pandemic. This group consists of Cluster Secretaries, the State Emergency Operations Controller (SEOCN), Chief Health Officer and State Emergency Recovery Coordinator and others as required.
- The SEOCN has hosted a number of teleconferences with members of the State Emergency Management Committee since 28 January 2020 to facilitate emergency management planning and information sharing.
- The SEOCN has opened the State Emergency Operations Centre with liaison officers from key stakeholders and they are supporting the planning for potential impacts and consequences of COVID-19.
- NSW Health has existing policies and plans for the management of a pandemic which have been well tested.
- NSW Health will be advising local councils on measures that need to be implemented within the workplace. Current information and advice for the community and business is available here: www.nsw.gov.au/coronavirus.
- Information is also available on the national health website: <https://www.health.gov.au/resources/collections/novel-coronavirus-2019-ncov-resources#find-the-facts>.

What this will mean for your council

- Councils should review their business continuity plans as a matter of urgency to ensure appropriate planning is undertaken to address any potential disruption to their operations and the provision of services to the community.
- NSW Health will issue instructions for all agencies and will liaise directly with councils on their role.
- Councils should take a precautionary approach in line with the principles of prevention and preparation as outlined in the State Emergency Management Plan regarding the COVID-19 outbreak, working collaboratively with NSW Health to implement strategies to minimise COVID-19's transmission.

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- All councils are advised to monitor the NSW Health website for updates:
<https://www.health.nsw.gov.au/Infectious/diseases/Pages/coronavirus.aspx>.
- The Office of Local Government (OLG) will continue close contact directly with affected councils for daily updates on any COVID-19 related developments within their Local Government Areas (LGA) in order to compile a daily report to SEOC. Councils can call OLG on 02 4428 4100, or OLG will contact affected councils as required.

Reports from affected councils will need to include the following information:

1. *Any staff members affected by COVID-19*
2. *Actions implemented by Council to date to contain COVID-19*
3. *Issues/requests for action by Council that have been identified/received.*

- Councils should continue to closely monitor issues reported or identified within their LGA, and actively engage with NSW Health Liaison Officers within their relevant Local Emergency Management Committees.
- Management of council operated facilities, such as council offices, childcare centres, swimming pools and public amenities must be maintained in accordance with most current NSW Health guidance and recommended processes.
- Councils should also review their delegations as a matter of urgency to ensure that decisions can be made quickly in response to any developments outside of the normal council meeting cycle.
- Councils can be assured that OLG has also undertaken its own contingency planning to identify possible regulatory changes that may be required to support council decision making should the need arise. Councils will be advised of any changes if and when they are required.
- Councils have been requesting advice regarding the conduct of public events. Please note the following advice issued by the Commonwealth Department of Health, from the Australian Health Protection Principal Committee (AHPPC) dated 8 March 2020:
<https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppc-coronavirus-covid-19-statement-on-8-march-2020>.
- Due to the ongoing developments of the COVID-19 outbreak and its implications for overseas travel:
 - All currently booked and approved international travel should be reevaluated in line with the most up to date travel advice available at
www.smartraveller.gov.au
 - International travel should be restricted to essential travel only
 - Any change to planned travel should be done in accordance with standing procedures for individual councils.

Key points

- Management of local COVID-19 issues should be undertaken at Council level and elevated where appropriate to Local Emergency Management Committees (LEMC), when operational.
- The LEMC can further elevate operational or strategic issues to Regional or State Level as required.
- There is no vaccine nor antiviral medication available at this stage.
- The most important message from [NSW Health](https://www.health.nsw.gov.au) is persistent, strict hand and respiratory hygiene, appropriate post exposure quarantine, provision of a nonjudgmental attitude toward those who are symptomatic and to ensure a proportionate and consistent response.
- COVID-19 is spread from an infected person to other people close to that person through contaminated droplets spread by coughing or sneezing, or by contact with contaminated hands, surfaces or objects. Signs and symptoms include respiratory symptoms and fever, cough and shortness of breath and/or diarrhoea.

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Where to go for further information

- For up to date information on the COVID-19 situation please visit:
<https://www.health.gov.au/resources/collections/novel-coronavirus-2019-ncov-resources#find-the-facts>.
- For any inquiries in relation to COVID-19, please ring the following health information line: 1800 020 080.
- For local operational issues in relation to COVID-19, please contact your LEMC.
- Contact details for local NSW Health Public Health Units are available here:
<https://www.health.nsw.gov.au/Infectious/Pages/phus.aspx>.
- State level strategic or operational inquiries in relation to COVID-19 and Local Government can be directed to OLG for further investigation via the State Emergency Management Committee (SEMC).
- For any concerns relating to 'what to do if stations and/or work areas have potentially been exposed to COVID-19', please contact NSW Health Public Health staff who will provide immediate post exposure advice.
- NSW Health has compiled a number of Frequently Asked Questions which can be found here:
<https://www.health.nsw.gov.au/Infectious/alerts/Pages/coronavirus-faqs.aspx#1-4>.



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