

## 1.07 – EXPENDITURE AUTHORITY IN EMERGENCIES POLICY

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### 1 POLICY PURPOSE

The purpose of this policy is for Council to delegate authority for the General Manager to incur individual amounts of expenditure up to an amount of \$300,000 in emergency and disaster cases (capped at \$1.5 million per case / event), where decisions to expend funds on repair or other emergent works are considered urgent and the requirement to comply with Council’s Procurement Policy, Tendering Procedure and Purchasing Procedure is considered impractical, exemptions are required and the emergency contracting provision contained in section 55(3)(k) of the *Local Government Act 1993 (NSW) (NI)* can be relied upon.

### 2 POLICY OBJECTIVE

In relation to its role of providing services to its community, Council is responsible to ensure that essential services can be maintained with minimal disruption. This includes, but not limited to, electricity, waste management, airport operations, telecommunications, infrastructure, and the road network.

Further, in accordance with the *Disaster & Emergency Management Act 2001 (NI)* and accompanying statutory plan (NORDISPLAN 2018), Council needs to maintain sufficient capability to respond to and manage an emergency event for up to 48 hours and is then responsible for ongoing costs of an event recovery.

The protection of life and property and the restoration of essential services and infrastructure is the key priority which requires an immediate response by Council, requiring resource investment. The objective of this policy is to provide the General Manager with the necessary flexibility to ensure an immediate Council response including commitment of financial resources to any emergency event.

This includes the ability to avoid standard procurement requirements included in Council’s Procurement Policy, Tendering Procedure and Purchasing Procedure to allow the immediate activation of recovery operations that requires Council entering into contractual arrangements for service provision.

### 3 POLICY SCOPE

This Policy applies to all Councillors and Council staff.

### 4 DEFINITIONS

TERM	DEFINITION
Council	Norfolk Island Regional Council
Disaster	Means any occurrence (including flood, fire, storm, tempest, earthquake, eruption, epidemic of human, animal, or plant disease, hostilities directed by an enemy against Australia, and accident) that –

TERM	DEFINITION
	<ul style="list-style-type: none"> <li>• Causes, or threatens to cause loss of life or injury to persons or animals or damage to property; and</li> <li>• Is of such a nature or magnitude that extraordinary measures are required in order to protect human or animal life or property</li> </ul>
Emergency	<p>Means any occurrence (including flood, fire, storm, tempest, earthquake, eruption, epidemic of human, animal, or plant disease, hostilities directed by an enemy against Australia, and accident) that –</p> <ul style="list-style-type: none"> <li>• Causes, or threatens to cause loss of life or injury to persons or animals or damage to property; and</li> </ul> <p>Whilst not constituting a disaster should, in the opinion of the Minister be dealt with under this Act because of the diverse resources required in response to the emergency, the likelihood of the emergency escalating into a disaster, or for any other reason.</p>
General Manager	A person who holds an appointment under section 334 of the <i>Local Government Act 1993 (NSW) (NI)</i> . This includes a person acting in this position.
Recovery operations	<p>Recovery of the normal pattern of life of individuals, families, and communities affected by a disaster or emergency and include these:</p> <ul style="list-style-type: none"> <li>• restoration of essential facilities and services;</li> <li>• restoration of other facilities and services necessary for the normal functioning of a community;</li> <li>• provision of material and personal needs; and</li> <li>• provision of means of emotional support.</li> </ul>
Response	Means any measure or measures taken in pursuance of the <i>Disaster &amp; Emergency Management Act 2001 (NI)</i> during the continuance of a declared state of disaster or emergency to protect life or property, but does not include a recover operation.
Staff	For the purposes of this policy includes employees and delegates such as agency staff and contractors.

## 5 LEGAL AND POLICY FRAMEWORK

### Legislation, Policies and Documents:

#### Legislation:

- *Local Government Act 1993 (NSW) (NI)*
- *Local Government (General) Regulation 2005 (NSW)(NI)*
- *Disaster and Emergency Management Act 2001 (NI)*

#### Policies:

- Procurement Policy

Documents:

- Norfolk Island Disaster and Emergency Plan 2018 (NORDISPLAN 2018)
- Financial Expenditure Delegations
- Procurement Procedure
- Tendering Procedure
- Standard Operating Procedures (SOP's) for the following Divisional service areas – Airport, Border Force, Emergency Operations Centre, Fire Service, Health, Media and Public Information, Police, St Johns Ambulance, Transport, Resources, Welfare

## 6 IMPLEMENTATION

### Communication

This policy is to be communicated to all staff and the community via Council's external website, media and radio.

The Emergency Management Norfolk Island Committee (EMNIC), Functional Service Coordinators, Office of the Administrator, Emergency Management Australia (EMA) and Crisis Coordination Centre (CCC) will also be informed of this policy.

### Implementation

Implementation of this policy will be triggered by the declaration of an emergency or disaster event by the Commonwealth government, or at the discretion of Council based on urgency.

## 7 POLICY STATEMENT

The General Manager is authorised to incur urgent individual items of expenditure (defined below) to an amount up to \$300,000, capped at \$1.5 million per disaster or emergency case / event. Decisions requiring urgent expenditure is authorised in cases of:

- Disaster or emergency;
- Environmental / pollution / contamination;
- Infrastructure failure (e.g. port emergency, road collapse, water contamination);
- Any situation threatening the immediate safety of human life; or
- Circumstances are such that immediate procurement decisions are required.

## 8 MONITORING AND REPORTING

The General Manager is to provide full details regarding any item of expenditure incurred under this policy to the next suitable Ordinary Meeting of Council for review and confirmation.

## 9 REVIEW AND VERSION CONTROL

<b>Policy Number:</b>	1.07	<b>Responsible Officer:</b>	General Manager
<b>Next Review Date:</b>	June 2024		
<b>Version:</b>	<b>Resolution Number:</b>	<b>Effective Date:</b>	<b>Description:</b>
1.0	2019/186	18 September 2019	Developed and adopted
2.0	2023/56	07 June 2023	Reviewed and adopted