



**muswellbrook
shire council**

DRAFT Procurement Policy

MSC01E

Authorisation Details

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Community Strategic Plan Goal	6 Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community		
Community Strategic Plan Strategy	6.2 Ensure Council is well managed, appropriately resourced, effective, efficient, accountable and responsive to its communities and stakeholders		
Delivery Program activity	6.2.1 Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves		

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1. Policy objective

This Policy outlines the principles under which Muswellbrook Shire Council ('Council') makes its procurement decisions and conducts its procurement activities.

Council is committed to the competitive provision of services which meet best practice standards as a key organisational value. Council not only wishes to guarantee that its procurement, disposal and contract management practices comply with legislative requirements but wishes to ensure that these practices are conducted in an ethical manner achieving probity, fairness and transparency at every step in the process.

The Procurement Framework at Muswellbrook Shire Council consists of this Policy, the Procurement Procedure, the Contract Management Procedure, as well as the Standardised Procurement Contract and Insurance Frameworks and is supported by Council's Go-to-Market platform Vendor Panel, the Procurement Self-service Advice Platform Policy Guide as well as a standardised Procurement Document Suite.

Council's procurement activities will be fair, ethical and transparent from planning, over sourcing, to managing delivery under contract, and will achieve best value for money in the expenditure of public funds.

2. Risks being addressed

This Policy establishes a framework within which the procurement of goods and services will be managed to a best practice professional standard that ensures:

- Compliance with legislation;
- Superior financial controls are exercised over procurement;
- Procurement related risks are identified prior to approaching the market;
- Procurement related contracts entered into by Council are of favourable terms; and
- Procurement activity is cost effective, efficient, accountable, ethical, appropriately risk sensitive, safe, and sustainable.

3. Scope

This policy applies to all procurement activities undertaken for and on behalf of Council and is binding for Councillors, Council staff including temporary and contract employees as well as contractors and consultants while engaged by Council.

It applies to the procurement of all goods and services, including capital works, major plant and equipment, construction and improvement of infrastructure, Information Technology projects, professional services, leasing arrangements, utilities and contract labour services and external goods and services contracts, including panel contracts for the Council regardless of source of funding. This policy extends across the entire procurement cycle from procurement planning, over sourcing to contract management and review.

4. Definitions

Term	Definition
Probity	Complete and confirmed integrity, uprightness and honesty in a particular process. The evidence of ethical behaviour.
Procurement	<p>All activities involved in acquiring goods or services either outright or by lease (including disposal and lease termination).</p> <p>Includes management of the contract throughout delivery of the goods or services.</p> <p>Includes acquiring consumables, capital equipment, real property, infrastructure, and services under consultancies, professional services, facilities management and construction.</p>
Go-to-Market platform	Council utilises Vendor Panel Go-to-Market for all ad-hoc purchases
Ad-hoc purchase	A procurement for which Council does not have an established Panel Contract conducted in accordance with the Quotation Thresholds via a Request for Quotation or Tender Process. This excludes tender processes which establish panel contracts.
Aggregator purchase	A procurement made through contracts established by Local Government Procurement, Procurement Australia or Regional Procurement.
Aggregator Framework Contract	A contract established by a procurement aggregator, which is available to Council, but does not commit Council to use it and/or fixed rates are not expressed as \$ values.
Aggregator Panel Contract	A contract established by a procurement aggregator, for which Council has made a commitment to use the successful suppliers at the end of the tender process.
Council Panel Contract	A contract established by Muswellbrook Shire Council subsequent to an open tender process with commitment to suppliers that all purchasing for the specified items or services (within the panel scope and panel purchasing limits) will be made under the established panel contracts.
Self-service Procurement Advice	Vendor Panel's Policy Guide module utilised by Council to provide on-demand interactive procurement guidance to Council staff.
Local supplier	A supplier based within the boundaries of the Muswellbrook Shire. This means that the supplier should have an office and/or be registered with the Australian Securities and Investments Commission at an address within the Muswellbrook Shire.

Term	Definition
Local content	Means goods and services procured from a Local Supplier within the Muswellbrook Shire area.
Quadruple bottom line	A concept that balances benefits of profits (in this case best value for money), people (social procurement), planet (environmental considerations) and culture.
Contractor Management System	Council's Contractor Management system is Vault, which is administered and monitored by Council's WHS function.
Small and Medium sized Enterprise (SME)	An organisation will be considered a Small to Medium sized Enterprise if the total number of total staff employed does not exceed 199.
Indigenous Business	A business recognised by an organisation such as Supply Nation of NSW Indigenous Chamber of Commerce.
Social Enterprise	An organisation whose primary purpose it is to provide disadvantaged groups with employment, this includes but is not limited to Australian Disability Providers.
Evaluation Plan	A plan created by Council Officers detailing how the responses will be assessed for purchases above \$50,000 prior to release of the Request to the Market.
Procurement Plan	A plan created by Council Officers assessing the project risks and determining the appropriate approach to the Market.
Method of Procurement	Method of Procurement means one of the following options: Request for Quotation process, Request for Tender process, Aggregator purchase, NSW Government Scheme purchase.

5. Policy Statement

5.1 Procurement principles

Council bases its procurement decisions on the following principles:

5.1.1 Value for money

This is defined as minimising the total cost of ownership over the lifetime of the procured good or service. This takes into account factors such as quality, reliability, the ability to integrate with existing infrastructure, safety, risk reliability and sustainability and delivery considerations. Price will not be the sole determinant of suitability and value for money. Additional factors to be considered include the supplier's experience and capability, reputation, after sales service and warranties as well as upfront and ongoing costs.

5.1.2 Risk management through procurement planning

All procurements will consider the associated risks with each quotation, expressions of interest or tender process. This extends to proactive variation management by assessing the

supplier's understanding of the project and contingencies or exclusions referenced in the quotation or tender submission.

5.1.3 Proactive monitoring of Modern Slavery

Council commits to complying with its obligation under the *Modern Slavery Act 2018 (NSW)* and any other Modern Slavery legislation that may come into effect. Council adopts a proactive approach to management of Modern Slavery Concerns by ensuring its suppliers provide relevant information prior to commencement of work for Council.

Council will undertake ongoing due diligence to minimise or eliminate the risk of Modern Slavery occurring including, but not limited to, promoting awareness of how to identify and combat Modern Slavery, conducting periodic assessments of Council's supplier base and publishing findings and actions taken in Council's annual report.

5.1.4 Management of Work Health and Safety

In compliance with relevant Work Health & Safety legislation Council will consider the impact on the health and safety of staff and the community when procuring goods and services. Suppliers and Contractors must meet a minimum standard of demonstrated Work Health and Safety competence in accordance with Legislation. This is monitored centrally via Council's Contractor Management System supporting the Contractor WHS Management Procedure.

5.1.5 Consideration of environmental sustainability and circular economy

Sustainability factors will be considered in all Council procurements. This extends from only purchasing goods or services where necessary and to incorporating considerations of the quadruple bottom line in all procurements. It is understood that, in some cases, the selection of environmentally superior products may be less competitive than environmentally inferior products on the basis of price alone but will be most appropriate when taking into account all Procurement principles.

For the purpose of assessing sustainability, it is paramount to review procurements on a whole of life basis and consider how the following key points can be applied:

- Eliminating inefficiency and unnecessary resource consumption including water and electricity usage;
- Minimise waste and pollution and maximise opportunities for recycling and reusing products;
- Eliminate toxic products that are harmful to human health and ecosystems;
- Reduce greenhouse emissions;
- Achieve biodiversity and habitat protection where practicable; and
- Maximise opportunities to further stimulate innovation and demand for sustainable products.

5.1.6 Provision of equal opportunities and social inclusion

Council is committed to providing all suppliers with equal opportunity to participate in its procurement processes and to use its procurement process to generate positive social benefit. Council commits to:

- Stimulate Indigenous entrepreneurship, business and economic development, providing Indigenous Businesses with enhanced opportunities to participate in Council's procurement process;
- Providing advisory resources on how to participate in Council's procurement processes to the public, as well as removing barriers to entry for SME's where possible; and

- Consider unsolicited proposals from Social Enterprises, where permissible under legislation outside of its quotation framework. Any such proposals up to \$50,000 in value for the duration of the contract may be approved by the General Manager. Any proposals valued \$50,001 to \$250,000 will be referred to Council for resolution.

5.1.7 Prioritisation of local procurement

To stimulate economic development within the Muswellbrook Shire, Council will prioritise purchasing from Local Suppliers or offers which contain Local Content, where possible. Local Content is assessed as a key criterion in all Evaluation Plans. Council ensures increased visibility of opportunities to Local Suppliers by:

- advertising in local newspapers, Council's website and other means considered appropriate for any procurements including Aggregator Panel Contracts; and
- encouraging use of local suppliers by contractors, whenever goods or services are to be sourced from outside the Muswellbrook Shire.

Offers must be sufficiently detailed to enable Council to assess Local Supplier status or the level of Local Content included. A minimum non-price weighting of 5% will be applied for Local Content in any procurement requiring an Evaluation Plan. Any supplier that is deemed to be a Local Supplier will be awarded the maximum score for this criterion. In assessing Offers, Council and its officers must be reasonably satisfied as to Local Supplier status or the level of Local Content and in accordance with the guidelines for weighting of tenders. It is the responsibility of bidders to provide relevant documentary evidence to establish the veracity of the claimed Local Supplier status or level of Local Content. Council retains the right within its sole discretion to accept the veracity of stated Local Content.

Where appropriate, and to the extent permissible by law, Council will support Australian owned suppliers, and/or suppliers who manufacture in Australia. The Procurement and Finance Departments must be consulted prior to any international purchase being undertaken to ensure that risks are managed appropriately, and payment facilities are available.

5.2 Procurement conduct

Council seeks to ensure that corporate procurement, disposal and contract management practices comply with legislative requirements and ethical guidelines in order to achieve probity, fairness and transparency throughout the procurement process.

5.2.1 Conduct of Council Staff

All procurement shall be performed with integrity and in a manner that will withstand the closest possible scrutiny and procedural compliance. Staff shall conduct business in a manner that is ethical and in accordance with Council's Code of Conduct, Council's Business Ethics Policy, the Procurement Policy and associated procedures, as well as relevant legislation. Staff will be expected to:

- demonstrate utmost professionalism, honesty and fairness in all dealings with current or potential suppliers;
- maintain business relationships in good faith, based on open and effective communication, respect and trust, and adopt a non-adversarial approach to dispute resolution;
- be accountable and transparent in all procurement processes, by disclosing the assessment criteria to suppliers and providing feedback at the end of the sourcing process, when requested and to the extent permitted by law;

- declare any actual, potential or perceived pecuniary or non-pecuniary conflicts of interest in accordance with Council's Model Code of Conduct to ensure impartiality;
- maintain confidentiality of commercial in confidence information provided by suppliers except for disclosures required by law such as but not limited to the Government Information (Public Access) Act 2009 (NSW) (GIPA Act); and
- ensure all procurement decisions are made in accordance with this Policy, the Procurement Procedure and associated documentation.

5.2.2 Promotions and Incentives

The offering or acceptance of promotional goods, rewards, benefits or any other form of incentive in relation to the purchase of goods, works and services is strictly prohibited. Refer to Council's Gifts, Bribes & Benefits Policy.

5.2.3 Supporting Competition

Council recognises the need to allow suppliers to be able to fairly compete for Council's business, and as such, Council has set parameters around the number and the nature of quotes that staff are to obtain at various price levels.

Council staff must ensure equal dealings with suppliers and to refrain from engaging in practices that aim to give a party an improper advantage over another or could be perceived as anticompetitive.

5.2.4 Splitting of Orders

Council Officers are prohibited from splitting orders for the purposes of acquiring goods or services above their delegated financial and procurement levels, or to avoid the necessity to obtain quotes or call for tenders. An order will be considered to be split, where the goods, works or services:

- were similar in scope or would usually be able to be completed the same type of supplier;
- were requested within close time proximity of each other, and Council Staff were aware or should have been aware of the upcoming requirement; and
- were not required to be received or completed immediately due to a safety concern.

The reasonable person test should be applied when assessing if an order is to be considered to have been split.

5.2.5 Responsible Financial Management and Allocation of Funds

Staff will ensure Council funds are used most efficiently to obtain maximum benefit for Council and the Community in procurement of goods, works and services without compromising on the procurement principles set out in this policy. Staff will consider budgetary limitations and only carry out procurement of goods and services for which sufficient funding is available within the properly designated and approved Council budget.

All procurements undertaken on behalf of and by Council must have a "firm intention to proceed" substantiated by availability of funds prior to approaching the market, except in non-binding expressions of interest processes where the detailed scope and cost of the project are unknown. For special projects, contribution works, and grant works not specifically detailed in the Operational Plan, approval to purchase is dependent upon the funds being available. These funds must either be received or committed in writing by the funding body and accepted by Council.

5.2.6 Responsible Record Keeping

Council Staff shall ensure that a level of record keeping pertinent to the transaction will be maintained in accordance with the procurement procedure. In determining the appropriate

level of records to maintain, consideration will be given to matters such as the price and the degree of scrutiny the transaction is likely to attract. Such records may include all substantial communications between Council and the supplier as well as minuted meetings. Records of procurement shall be kept and recorded in Council's Electronic Records Management System.

5.2.7 In-house Tendering

In the event of a Council business unit lodging an in-house Tender submission, as part of an open Tender process, the relevant Director shall, prior to the commencement of the Tender ensure:

- To separate and clearly define the roles of Council undertaking the Tender submission from those undertaking the Tender preparation and assessment;
- To separate chains of management decision-making and reporting for those involved are established; and
- The in-house Tender will be treated as if it is an external Tender to ensure all Tenders are treated consistently. The policy will be applied accordingly.

5.2.8 Conduct of current or potential suppliers and contractors

Council will discontinue all dealings with suppliers who engage in unethical conduct. Staff found not to be acting in accordance with the principles, guidelines and procedures set out in this and other related documents will be subject to the applicable disciplinary processes.

Canvassing of Councillors and/or Council Staff (other than Council's nominated contract staff member specified for the tender process) at any stage of the procurement process will be deemed an unacceptable practice and will result in the applicant being disqualified.

5.3 Methods of Procurement

The Method of Procurement utilised by Council will be appropriate to the value, risk and complexity of the procurement.

5.3.1 Purchase Orders

Purchases made by Council must be accompanied by a purchase order. A purchase order will be raised prior to awarding work to a supplier to facilitate for the appropriate financial approvals of goods, services or works. Any applicable contracts will be executed prior to a purchase order being issued. Suppliers must quote the provided purchase order number on their Invoice to facilitate for payment. Goods and/or Services that may be exempt from requiring a purchase order include but are not limited to:

- statutory payments;
- employee reimbursements;
- loans and investments;
- insurance renewals;
- water usage charges and/or rates charges; and
- payments made under the Security of Payments Act 1999 (SOP Act) where a payment schedule has been created, an invoice was requested but not received and which have been approved by the relevant Director and CFO on a case-by-case basis.

Other situations where Council may make payments without a purchase order would be refunds of overpayments on rate and/or water accounts.

5.3.2 Procurement Aggregator Purchases

Where it represents best value for money Council will undertake its procurement processes through the establishment of formalised preferred supplier arrangements through procurement aggregators such as Local Government Procurement, Procurement Australia or Regional Procurement Initiative (a division of Arrow Collaborative Services on behalf of Hunter Councils) that are created through an open tender process with consideration given to such factors as price, value for money, quality, and other specifications attached to the good or service and the supplier's compliance with relevant safety requirements and other legislation.

5.3.3 Council Panel Contracts

Council will establish its own Panel Contracts where it identifies a need for reoccurring purchases of goods, services or works to obtain best pricing and streamline day-to-day purchasing activity whilst maintaining the required level of probity. Where no aggregator contracts are available or the aggregator contracts are not deemed to provide best value, Council may choose to tender for its own preferred supplier panels.

5.3.4 Ad-hoc purchases

Council will engage the market in accordance considering its quotation requirements for any goods, services or works for which a Council or Aggregator Panel Contract is not available, engagement under an Aggregator Framework Contract would not provide best value and/or the complexity of the project's scope warrants a standalone procurement process.

5.3.5 Purchasing Cards

Credit or Debit Cards may be used for low value purchases in accordance with the Corporate Card Policy. All purchases made in accordance with the Corporate Card Policy must be pursuant to the procurement principles outlined in this policy and accompanied by a Purchase Order.

5.3.6 Fuel cards

Fuel cards are purchased under the applicable NSW Government Contract. Fuel Cards will be used for any purchase of fuel and be utilised in accordance with the Motor Vehicle Fleet Procedure.

5.3.7 Motor Vehicles

The Council passenger vehicles are replaced on a cadence defined in the Motor Vehicle Fleet Policy. When purchasing passenger vehicles, only brands with the ability to be serviced locally will be given preference, due to the impact to the organisation related to servicing and warranty repairs. Purchases of new passenger vehicles will be made in accordance with this Policy and where practicable purchases will be made under NSW Government Scheme SCM0653.

5.4 Quotation Thresholds

Quotations will be called by Council Staff via Council's Go-to-Market platform Vendor Panel, except where it is impractical, and the below table does not require it. The following quotation thresholds are to be observed:

Estimated value of goods or services inclusive of GST	Minimum requirements
\$0 to \$1,000	Minimum of one (1) verbal or written quotation.
\$1,001 to \$5,000	Minimum of two (2) written quotations.

\$5,001 to \$50,000	Minimum of three (3) quotations obtained via Vendor Panel Go-to-Market.
\$50,001 to \$150,000	1. Creation of a project folder in the Records Management System; 2. Creation of Evaluation Plan; and 3. Minimum of three (3) written quotations obtained via Vendor Panel Go-to-Market OR Expressions of Interest process and three (3) quotations obtained via Vendor Panel Go-to-Market.
\$150,001 to \$249,999	1. Creation of a project folder in the Records Management System; 2. Creation of Procurement and Evaluation Plans; and 3. Minimum of three (3) written quotations obtained via Vendor Panel Go-to-Market OR Expressions of Interest process and three (3) quotations obtained via Vendor Panel Go-to-Market.
\$250,000 and above	Tender process in accordance with legislation or prescribed agency purchase administered by the Procurement Department.

5.4.1 Outsourcing of Council Services

For any services currently provided by Council Staff the legislated Tender threshold is \$150,000. Should any procurement effect a change in Organisational Structure or directly require a change in position descriptions to remove services, it will be deemed to currently be provided by Council staff.

5.4.2 Emergency procurement

Pursuant to reg 170A of the Regulation, Council is not required to Tender prior to entering into a contract with a value of less than \$500,000, where the contract:

- is primarily for the purpose of response to or recovery from a Declared Natural Disaster; and
- is entered into within 12 months after the date on which the Natural Disaster is Declared.

Any emergency purchases will be captured on a procurement process exemption form, reviewed by the General Manager, signed off by the Mayor, and reported to Council as soon as reasonably possible.

5.4.3 Exemption process

Where insufficient number of quotations were received the reason is be captured by a procurement exemption form, which is reviewed by the person with the appropriate financial Delegation of Authority, except where the requestor holds the appropriate financial Delegation of Authority. In this case the exemption is reviewed and/or approved by the requestor's manager to ensure probity and oversight is maintained.

5.4.4 Disposal of assets

Where disposal of Council assets is expected to yield a return, the disposal process will be conducted in a manner that ensures competitiveness and utmost transparency.

For disposal of fleet and plant, bids for the asset will be obtained from Suppliers such as Auction Houses in accordance with the Quotation Thresholds, except where the asset to be disposed of is traded in on a new replacement.

Where the asset in question is real estate, the appropriate disposal method will be assessed and planned in accordance with market conditions. Any such disposals must be in consultation with the Procurement Department.

5.5 Contract Establishment

Council manages risk associated with inconsistency in contract terms by establishing a standardised Procurement Contract Framework. Any amendments to the standard contracts must be reviewed and approved by the Legal Counsel prior to engagement.

In cases of procurement of goods, services or works with a specialised scope where the Procurement Contract Framework does not provide a suitable contract option, the desired terms must be reviewed by the Legal Counsel and approved by the General Manager prior to engagement.

Insurance requirements for any Contracts entered into by Council will be assessed in accordance with Council's Standard Insurance Framework.

5.6 Contract Management

Council is committed to managing its contracts and suppliers proactively to ensure maximum benefits are achieved and variations are minimised where possible. Council staff ensures that:

- Proactive communication is maintained with suppliers and contractors, suitable to the complexity and risk level of the contract;
- Any disputes are raised and/or responded to in a timely manner; and
- Variations and/or payment claims are assessed promptly.

Contracts must be managed in accordance with this Policy and Council's Contract Management Procedure.

6. Application of the policy

This procurement policy is binding on all Council staff, suppliers, contractors and consultants working on behalf Council.

Staff may only authorise procurement within the limit of their financial Delegation of Authority.

6.1 Key Responsibilities

All Council Staff must undertake procurement activities whilst fully aware of this policy and only within the limits of their financial Delegation of Authority.

6.1.1 Elected Body

- Ensure understanding of and compliance with this policy and associated procedures when making procurement decisions;
- Resolve all Tenders called by Council with a value of more than \$250,000; and
- Resolve all Tenders called by Council with a value of more than \$150,000 where the services are currently being provided by Council Officers.

6.1.2 General Manager

- Lead Council staff in their understanding of and compliance with this policy and associated procedures;
- Ensure adequate resourcing to develop, implement and review this policy and associated procedures;
- Review and approve procedures related to this policy;
- Take appropriate action in response to instances of non-compliance with this policy, relevant guidelines and legislation;
- Lead all investigations related to allegations of behaviours relating to fraud and corruption, maladministration and serious and substantial waste;
- Report any reasonably suspected “corrupt” conduct to the Independent Commission Against Corruption (ICAC);
- Participate in Project Governance Group meetings for high risk and/or value projects; and
- Execute procurement contracts for tenders as resolved by Council.

6.1.3 Directors and Managers

- Ensure all Procurement undertaken by their Business Unit complies with this policy and associated procedures;
- Monitor and ensure that Project Officers have relevant training, skills and are suitably qualified to undertake the required procurement and contract management activities;
- When requested partake in assessment of Tenders as part of the evaluation panel; and
- Partake in Project Governance Group meetings for high risk and/or value projects if requested by the General Manager.

6.1.4 Procurement Department

- Review procurement policy, related procedures and the procurement document suite to ensure alignment with best practice and legislation;
- Implement and oversee procurement training within the organisation;
- Facilitate tender processes called by Council including delegation for opening of tenders;
- Manage identified strategic supplier relationships and contracts;
- Report any non-compliance with this policy to the General Manager;
- Maintain the GIPA and conflict of interest registers; and
- Provide subject matter expertise to Council Staff when requested.

6.1.5 Finance Department

- Oversee purchase orders raised for procurements, undertake compliance checks where appropriate; and
- Partake in assessment of Tenders as part of the evaluation panel.

6.1.6 Internal Audit Department

- Conduct periodic reviews of Council's business units including their procurement activities; and
- Report all findings to the Audit Risk and Improvement Committee (ARIC).

6.1.7 Legal Counsel

- Provide specialist advice as and when requested; and
- Undertake reviews of contracts which differ from the standardised Procurement Contract Framework.

6.1.8 Council Officers

- Conduct request for quotation processes in accordance with this policy;
- Partake in assessments of quotations and tenders when requested;
- Manage contracts with suppliers in accordance with this policy and the contract management procedure;
- Assess contractor and/or supplier performance upon conclusion of the contract to be retained as internal supplier reference; and
- Report any suspected or actual breaches of this policy to the Procurement Team.

6.1.9 Contractors and Suppliers

- Conduct business with Council in accordance with Council's Model Code of Conduct;
- Comply with Council's Work Health and Safety requirements; and
- Provide any information reasonably required by Council to comply with its legislative obligations.

7. Compliance and references

In all of its purchasing decisions, Council will comply with all applicable legislation, guidelines, and Council policies/procedures and related documents including, but not limited to:

- Local Government Act 1993;
- Local Government (General) Regulations 2021;
- Public Interest Disclosure Act 1994;
- NSW Government – Code of Practice for Procurement 2005;
- Government Information (Public Access) Act 2009;
- Council's Business Ethics Policy;
- Council's Model Code of Conduct;
- Council's Contract Administration Procedure;
- Council's Delegations Register;
- Council's WHS Policy;
- Council's Procurement Procedure;
- Council's Corporate Card Policy;
- Council's Gifts, Bribes & Benefits Policy
- Council's Motor Vehicle Fleet Policy;
- Council's Motor Vehicle Fleet Procedure;
- Contractor WHS Management Procedure;
- Council's Procurement Contract Framework;

- Council's Insurance Framework;
- Local Government Amendment (Ecologically Sustainable Development) Act 1997;
- National Competition Guidelines;
- NSW WHS Act 2011;
- NSW WHS Regulations 2011;
- The Trade Practices Act 1974;
- Waste Avoidance and Resource Recovery Act 2001; and
- Relevant tendering guidelines adopted by the Chief Executive of the Office of Local Government from time-to-time.

8. Dispute resolution

Suppliers, tenderers and contractors should be aware that they may be subject to public scrutiny by such bodies as the Independent Commission Against Corruption (ICAC) and equally be afforded protections under the Public Interest Disclosure Act 1994.

9. Review

This policy will be reviewed by the Procurement Department and submitted to Council for resolution:

- Within twelve (12) months of the date of the election of a new Council; or
- Every four (4) years; or
- Should organisational structure change affect the key responsibilities; or
- As required by legislative changes which affect this policy.

Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

Version No.	Date changed	Modified by	Amendments/Previous adoption details
1	8/11/2016	Manager of Corporate Services	
2	11/9/2018	Manager of Corporate Services	Authorised by Council – minute no 95
3	01/06/2023	Contracts & Procurement Officer	Adopted by MANEX on 19/04/2021. Report item 5.3