1 Purpose

This policy establishes the procurement principles to be used by Toowoomba Regional Council (Council) and is supported by 5.07 Procurement Procedure (procedure) which establishes sound procurement practices based on the prudent use of public resources in order to achieve Council's objectives as outlined in the Corporate Plan, Operational Plan and other prescribed requirements.

2 Scope and applications

This policy applies to all procurement activities undertaken by Council.

2.1 Exceptions

Council's Chief Executive Officer may allow exceptions to the requirements of this Policy.

3 Principles

Council must adhere to the *Local Government Act 2009* s104(3) sound contracting principles. The sound contracting principles include:

3.1 Value for money

The concept of value for money is not restricted to price alone. Value for money decisions must consider:

- relevant government economic, ethical, social and environmental objectives and targets including but not limited to local benefits;
- whole-of-life costs; and
- non cost factors.

3.2 Open and effective competition

Purchasing should be open and transparent and result in effective competition in the provision of goods and services. Council must give fair and equitable consideration to all prospective suppliers.

3.3 The development of competitive local business and industry

Council is committed to fostering a competitive and sustainable local economy by prioritising procurement from businesses within the Toowoomba region, and secondly within Queensland. This includes actively supporting the development of a diverse supplier base that incorporates Aboriginal and Torres Strait Islander businesses and social businesses.

Procurement thresholds, non-local supplier engagement and interpretive guide may be found in Appendix 1.

3.4 Environmental protection

Council promotes environmental protection through its delivery of sustainable activities in support of its 2.82 Environment Policy.

Council supports the Queensland Government initiative for a ban on single-use plastic items. Further information may be found at: About the ban | Environment, land and water | Queensland Government.

3.5 Ethical behaviour and fair dealing

Council supports the Queensland Procurement Policy 2026 Principle 2:

Behave ethically, and embed integrity, probity and accountability in all procurement.

This includes but is not limited to the following examples:

- offering and providing timely and appropriate feedback to suppliers who have submitted offers
- actively managing contracts to monitor the delivery of obligations, and take appropriate action where a supplier does not meet their contractual obligations
- pursuing value for money;
- supporting local suppliers;
- procuring in an environmentally sustainable manner;
- applying requirements regarding the Council's Code of Conduct;
- be aware and take action as far as possible or mitigate modern slavery risks in accordance with the *Modern Slavery Act 2018 (Cth)*; and
- identifying and declaring any actual, potential or perceived conflicts of interest as per 4.19 Conflicts of Interest Policy and 5.35 Conflicts of Interest Procedure.

4 Content

This policy incorporates relevant requirements under Chapter 6 of the *Local Government Regulation 2012* regarding the acquisition of goods and services and the disposal of non-current assets.

Council has chosen to not apply the Strategic contracting procedures as outlined by Chapter 6 Part 2 of the Regulation. As a result, the Default contracting procedures set out in Chapter 6 Part 3 apply.

Council will actively implement the principles contained in this Policy by:

- provision of training and support for all staff with a delegated authority for procurement;
- regular review and enhancement of systems and processes to meet organisation needs in relation to procurement; and
- regular performance monitoring and evaluation to ensure compliance with the relevant procedure.

5 Responsibilities/accountabilities

Delegated officers must ensure compliance with this policy and in accordance with delegations contained in the Register of Delegations by CEO to Employees and Contractors.

Council officers must ensure compliance with this policy and related Council policies and procedures.

Principal Procure to Pay is responsible for:

- promoting a whole of Council procurement focus;
- providing guidance;
- ensuring policy and procedure are updated in line with changes in legislation;
- analysing supplier spend to ensure procurement activity complies with policy thresholds; and
- continually monitoring procurement activities in line with contemporary practices.

6 Relevant laws

Local Government Act 2009

Local Government Regulation 2012

Modern Slavery Act 2018 (Cth)

Public Sector Ethics Act 1994

7 Related policies/documents

Members of the public can access Council policies on Council's website. If a policy listed below does not appear on the website please contact 131 872 or email info@tr.qld.gov.au to request a copy. Staff may access policies via the Policy Register and Review Schedule.

Council policies

2.33 Fraud and Corruption Control Policy

2.36 Delegations Register Policy

2.53 Expenses Reimbursement and Provision of Facilities - Councillors Policy

2.55 Advertising Spending Policy

2.56 Entertainment and Hospitality Policy

4.11 Corporate Credit Card Policy

4.16 Travel and Related Expenses Policy

4.19 Conflicts of Interest Policy

5.03 Corporate Credit Card Procedure

5.07 Procurement Procedure

5.35 Conflicts of Interest Procedure

Other documents

Register of Delegations by CEO to Employees and Contractors

Corporate Plan 2024 - 2029

8 Related forms

Not applicable

9 Definitions

Term	Definition
Aboriginal and Torres Strait Islander business	Aboriginal and Torres Strait Islander business include: • Indigenous-owned businesses • Indigenous not-for-profit organisations • Queensland Indigenous local councils. All, except Queensland Indigenous local councils, must be registered on at least one recognised Indigenous business directory.
Contract	An agreement made in relation to the supply of goods or services or the disposal of non-current asset (*Local Government Regulation 2012 s216(1)(a) and (1)(b)*).

Delegated officer	An officer who holds a financial delegation and is responsible for Council expenditure within their area of influence.
Indigenous business directories	These are Indigenous business directories as determined by the Director-General, Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism and published on www.qld.gov.au/procurement.
Indigenous-owned business	An eligible Indigenous-owned business must be: • at least 50% owned by an Aboriginal person(s) and/or a Torres Strait Islander person(s); and • be either a sole trader, partnership, incorporated entity or trading through a trust; and • have a current Australian Business Number (ABN).
Indigenous not-for-profit organisation	An eligible Indigenous not-for-profit organisation must be: • an incorporated association or a public company limited by guarantee; and • can provide company constitution, charitable constitution or governance documentation; and • can demonstrate 50% of the board of directors are of Aboriginal or Torres Strait Islander descent; and • have a current Australian Business Number (ABN).
Medium-sized contractual arrangement	A contract worth $21,900 or more but less than $292,000 (excluding GST). (*Local Government Regulation 2012 s223B(2)*).
Large-sized contractual arrangement	A contract worth $292,000 or more (excluding GST). *(Local Government Regulation 2012 s223C(2)*).
Local supplier	a. Is beneficially owned by persons who are residents or rate payers of the local government area of Council; or b. Has its principal place of business within the local government area of Council; or c. Otherwise has a place of business within the local government area of Council which solely or primarily employs persons who are residents or rate payers of the local government area of Council.

Non-current asset	Assets recorded on Council's financial asset register as non-current assets or portable and attractive assets.
Non-local supplier	Is a supplier that is not a local supplier within the Toowoomba Regional Council local government area and refers to supplier in surrounding Councils, "Queensland", "Australian" and "International".
Social business	An organisation that: • is led by an economic, social, cultural or environmental mission consistent with a public or community benefit; and • trades to fulfil their mission and derive a substantial portion of their income from trade; and • reinvests most of their profit/surplus into the fulfilment of their mission.
Social procurement	Social procurement in government is when buyers use their purchasing power to generate social value in addition to the goods and/or services they require.
Social value	Social value is described as the positive impacts on people, places or communities generated through procurement practices. When undertaking procurement activities, social value considerations include, but are not limited to: • the creation of training and employment opportunities, particularly for disadvantaged or marginalised jobseekers such as people with disability • considering supplier's corporate social responsibility policies and practices.
Valuable non-current asset contract	A contract for the disposal of a valuable non-current asset. (*Local Government Regulation 2012 s223A*).
Valuable non-current asset	a. land; or b. another non-current asset that has an apparent value that is equal to or more than a limit set by the local government. A limit set by the *Local Government Regulation 2012* s223D cannot be more than: a. for plant or equipment - $7,300; b. for another type of non-current assets - $14,600.

10 Policy details

Policy category:	Council Policy	Policy version number[1]:	18.00
Date adopted/approved:	30 June 2026	Effective date:	1 July 2026
Approval authority:	Council		
Policy Owner:	Procurement – Financial Services Branch		
Contact officer:	Manager Financial Services		
Review date:	June 2027 (Review annually as per legislative requirements)		

11 Revision history

Policy version	Approval date	DM Reference
1.00	Upon amalgamation	3069151v1
2.00	10 November 2009	3435747v1
2.01	30 September 2010	3435747v2
3.00	16 August 2011	4667436v4
4.00	21 August 2012	5101059v3
5.00	11 August 2013	5218802v1
6.00	11 December 2014	6136617v2
7.00	16 June 2015	6233103v2
7.00	Transfer to new policy template on 10/11/2015 – no changes to policy content	6642543v1
8.00	30 June 2016	6881989v2
9.00	12 June 2017 (no changes)	73377267v2
10.00	04 June 2018 (no changes)	78389018v2
11.00	19 February 2019	8430982v2
12.00	16 April 2019	8529061v2

[1] Printed copies are uncontrolled. It is the user's responsibility to ensure that any copies of policy documents are the current issue. Any delegations should be verified via the relevant Delegation Register as it takes precedence if there is a conflict. The Chief Executive Officer will, if necessary, be the sole arbiter in resolving any issues of conflict

Policy version	Approval date	DM Reference
13.00	17 December 2019	8697975v2
14.00	19 May 2020	9194101v2
15.00	19 January 2021	9375727v2
16.00	18 June 2025	11050064v2
17.00	19 January 2026	12508689v2
18.00	30 June 2026	12632936v2

12 Appendix 1

12.1 Procurement Thresholds

1. Where a procurement with an expected value below $7,500 (exclusive GST):

   At least one quote is required from a local supplier where local suppliers exist.

2. Where a procurement with an expected value of $7,500 to and including $21,899 (exclusive GST):

   At least two written quotes are required from local suppliers where local suppliers exist.

3. Where a procurement with an expected value of $21,900 to and including $291,999 (exclusive GST):

   At least three written quotes are required from local suppliers where local suppliers exist.

   A local supplier price advantage of 10% must be applied to local suppliers where non-local suppliers are invited to quote.

4. For procurement with an expected value of $292,000 and above:

   Council uses the public tender or contractual arrangement exceptions in the *Local Government Regulation 2012* s230 to s235 and a 10% total local supplier weighting must be applied.

12.2 Non-local supplier engagement guidelines

1. Where it may be more advantageous to not buy local – whose approval must be sought?

   A manager's approval is required.

2. Leveraging government arrangement and Local Buy exemptions:

   Notwithstanding the law does not oblige a Council to obtain any quotes when they are leveraging either *Local Government Regulation 2012* s234 or s235(f), Council mandates that quotations must be obtained from those on those arrangements, as if s234 and s235(f) did not exist, i.e. inclusive of utilising a Local Buy or State Government contract, quotations must be sought from local suppliers where local suppliers exist. This only applies to procurement where the cost is estimated to exceed $21,900 and above.

12.3 Interpretative Guide

The following sliding scale (refer table below) may be used to determine the local supplier status only for tender responses where it specifically addresses previous real and/or perceived occurrences where some local suppliers consider themselves to be more 'local' than others and therefore should be assessed differently.

In a tender process:

- If a supplier does not meet the "local supplier" definition, their score is zero.
- If a supplier does meet the "local supplier" definition, they should be subject to a score utilising the sliding scale in the below table:

		Owned and Operated			
		TRC	Queensland	Australia	International
Suppliers and Labour	Use predominantly **local** suppliers, subcontractors and labour	5	3.5	3	2
	Use mix of local and **regional** (Toowoomba and surrounding Councils) suppliers and subcontractors	4.5	3	2.5	1.5
	Use mix of local and/or **Queensland** suppliers and subcontractors	4	2	1.5	1
	Rely significantly on labour and suppliers outside Queensland but within **Australia**	2.5	1.5	1	0.5
	Rely heavily on international suppliers, contractors and labour	1.5	1	0.5	0