

Policy Reference Number:	1.51
Classification:	General
First Issued/Approved:	July 2020 Resolution 11/2021
Review Frequency:	Annually
Last Reviewed:	
Next Review Date:	July 2021
Responsible Officer:	Chief Executive Officer
Applicable Legislation:	Local Government Act 1999
Relevant Policies:	2.22 Procurement Policy 2.24 Prudential Management Policy
Related Procedures:	1.51.1 Market Engagement and Activating Opportunities Procedure 1.51.2 Market Led Proposals Procedure
Compliance Standard:	

1. Purpose

To provide a framework for engaging with the market and/or managing Market Led Proposals for new and innovative ideas while ensuring transparency, consistency, probity, legislative compliance and providing confidence to proponents and our communities.

2. Policy Statement

Council's role includes being an active facilitator and enabler of economic growth within the Robe district and wider Limestone Coast region and we recognise the importance of new ideas, innovation, strategic partnerships and entrepreneurialism in delivering on our strategic objectives.

We are open to working with the private sector, government and other not for profit organisations, to pursue opportunities and innovative ideas that will create jobs, facilitate the best use of public assets, provide positive financial outcomes and deliver enhanced, high quality services to our communities.

Council has procurement and related policies that provide a sound framework for the more standard forms of engaging with the market for the procurement of goods or services.

There are instances where the development and realisation of an opportunity would benefit from a non-standard Market engagement process. This can incorporate circumstances where Council is approached due to a market desire to unlock a strategic opportunity for a Market Led Proposal or where Council is seeking to understand and openly investigate opportunity, feasibility and strategic directions for our communities (Market Engagement).

In seeking to activate opportunities, Council may look to undertake direct Market

Engagement, to explore the market's appetite and capacity to partner with the Council to conceptualise, develop and potentially unlock a strategic opportunity for our communities. Market sounding and engagement may provide considerable benefits to Council in early formative stages over the traditional and more formal Expression of Interest or Request for Tenders/Quotes processes. Seeking the views and inputs of the market will assist Council in assessing the feasibility of an opportunity and determining its preferred direction on a no obligation, lower cost and lower risk basis.

This Policy and key procedures, provide a management framework for these non-standard approaches both with and from the market to ensure proponents and our communities are confident that it will be considered in a consistent, transparent and lawful manner while seeking to ensure best value for ratepayers and protection of the Intellectual Property of all parties.

This Policy is supported by two key procedures:

- 1.51.1 Market Engagement and Activating Opportunities Procedure; and
- 1.51.2 Market Led Proposals Procedure.

3. Objectives

The key objectives in facilitating a more comprehensive approach to Market Engagement in accordance with this policy include:

- promoting the development of innovative ideas by the market to support Council's role, functions and broad objectives as outlined in its Community Plan 2019-2039
- ensuring that the processes for engaging with the market occur within a framework that involves high standards of transparency, equity, probity and public accountability
- ensuring that the processes for engaging with the market in this policy meet the Council's legal obligations
- ensuring value for money for Council is achieved from any engagement with the market
- maximising the benefits from engaging with the market for Council and its communities
- ensuring the Intellectual Property of all parties is appropriately protected.

4. Legislation and References

Local Government Act 1999

- Section 49 - Contracts and Procurement requirements
- Section 48 – Prudential requirements

5. Definitions

Intellectual Property means inventions, original designs and practical applications of good ideas protected by law through copyright, patents, registered designs, circuit layout rights and trademarks and it also includes trade secrets, proprietary know-how and other confidential information protected against unlawful use and disclosure by common law and contractual obligations.

Chief Executive Officer is the person occupying the position of Chief Executive Officer at Council from time to time.

Council is the local government entity known as District Council of Robe.

Market Engagement means where Council seeks to activate opportunities and looks to undertake direct engagement with relevant parties, to explore the market's appetite and capacity to partner with Council to conceptualise, develop and potentially unlock a strategic opportunity for our communities. This may include market sounding and direct engagement seeking the views and inputs of the market to assist Council in assessing feasibility and viability of an opportunity and determining its preferred direction.

Market Led Proposal means a proposal submitted to Council that has not been requested by Council through its regular procurement processes. A proposal may include a proposal for:

- the purchase, lease or development of Council owned or managed land;
- the delivery of goods or services to or on behalf of Council;
- the provision of infrastructure for the community;
- an innovation or entrepreneurial project with benefits to Council; or
- any other innovative or entrepreneurial proposal.

Policy means this Market Engagement and Innovation Policy.

Procedure means the Market Engagement and Activating Opportunities Procedure

Procurement Process means the processes and methods outlined in Council's Procurement Policy.

Procurement Policy means Council's Procurement Policy as amended from time to time.

6. Relevance to Community Plan 2019-2039

THEME 2: ECONOMIC DEVELOPMENT

Goal: A strong, diverse economy that is innovative and adaptable

THEME 4 GOVERNANCE AND FINANCIAL SUSTAINABILITY

Goal: Provide leadership, good governance, efficient, effective and responsive Council services

7. Feedback

We invite your feedback on this policy which can be directed to the **Chief Executive Officer** at council@robe.sa.gov.au

8. Approval and Change History

Version	Approval Date	Approval By
New Policy	8 July 2020	Council Resolution 11/2021

9. Further Information

This policy will be available for inspection at Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: www.robe.sa.gov.au

3 Royal Circus, Robe SA 5276

Copies will be provided to interested parties upon request.

Email council@robe.sa.gov.au

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

10. Policy Review

This policy may be amended at any time and must be reviewed at least every four years since its adoption (or latest amendment).