

<b>Circular Details</b>	Circular No 18-12 / 30 April 2018 / A586188
<b>Previous Circular</b>	N/A
<b>Who should read this</b>	Councillors / General Managers / All council staff who may deal with unsolicited proposals
<b>Contact</b>	Council Governance Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information

## Management of unsolicited proposals received by councils

### What's new or changing

- The NSW Department of Premier and Cabinet (DPC) has recently updated its *Unsolicited Proposals Guide for Submission and Assessment* (the Guide) for NSW Government agencies.
- The Guide defines an unsolicited proposal as “an approach to Government from a proponent with a proposal to deal directly with the Government over a commercial proposition, where the Government has not requested the proposal”. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.

### What this will mean for your council

- Councils seeking to adopt their own unsolicited proposal guidelines should consider utilising the Guide as a model framework.

### Key points

- In developing guidelines and considering unsolicited proposals, councils must also comply with the relevant provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and any guidelines issued by the Chief Executive of the Office of Local Government (OLG). In particular, council guidelines on unsolicited proposals must be consistent with and reflect statutory requirements relating to tendering and public private partnerships and associated guidelines.
- Unsolicited proposals considered by councils must also align with the objectives articulated in their delivery programs and other associated integrated planning and reporting documents.

### Where to go for further information

- The Guide is available at <https://www.nsw.gov.au/contact-us/unsolicited-proposals/>.
- The State Economy Branch of DPC has offered to assist any council wishing to develop its own unsolicited proposal guideline. For assistance, contact [unsolicitedproposals@dpc.nsw.gov.au](mailto:unsolicitedproposals@dpc.nsw.gov.au).

- Information about statutory requirements relating to tendering, public private partnerships, integrated planning and reporting and relevant guidelines are available on OLG's website at [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au).



**Tim Hurst**  
**Acting Chief Executive**