

 Adelaide Plains Council	Prudential Management Policy	
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	Administered by: General Manager – Finance and Business	Last Review Date: 2022 Next Review Date: 2024
Document No: D22/1041	Strategic Response Proactive Leadership – Strategic and sustainable financial management	

1. Objectives

This policy has two objectives:

- 1.1 to ensure that a Council project is undertaken only after an appropriate level of “due diligence” is applied to the proposed project; and
- 1.2 to ensure that each Council project is:
 - managed during the project and
 - evaluated after the project, to achieve identified public benefits or needs; and to minimise financial risks.

The objectives of this Policy shall be considered in a report on any potential project, regardless of the financial impact or the size of the project.

2. Scope

This document sets out the policy of the Adelaide Plains Council for prudential management of all its projects. This policy applies to all projects (as defined below) no matter how big or small.

3. Definitions

Decision-maker may be an Elected Member of Council, the Chief Executive, or a Manager of Adelaide Plains Council.

Due Diligence is an expression used to describe the conduct of a systematic review of a transaction, prior to entering the transaction. The efficient and cost effective use of public funds is a fundamental of good government. A culture of public sector management that fosters accountability, integrity and due process results in the efficient use of public resources.

Effective due diligence requires a Council to devote at least some attention to:

- compliance
- benefits or needs; and
- financial risks.

Project is a new and discrete undertaking or activity that would involve the expenditure of money, deployment of resources, incurring or assuming a liability, or accepting an asset.

This should not be interpreted to mean that all Council activities are “projects”. Regular, ongoing deliveries of Council services are not “new and discrete” activities so therefore are not included within this definition. A project is a temporary endeavour with a defined beginning and end. The temporary nature of projects stands in contrast to business as usual (or operations) which are repetitive, ongoing functional activities to provide services.

Simply purchasing an item of plant or equipment, (e.g. a single vehicle) or a parcel of land will constitute a “project” if the purchase is not part of a wider project or part of ongoing operations. Any purchase must comply with Council’s Procurement Policy. However, a “project” will typically involve more than merely purchasing. It will always involve Council staff time, often in undertaking activities in association with other organisations. On the other hand, a project need not entail any expenditure. It may include, for example, receiving land or other assets for free, or granting permission for a private activity on Council land.

All projects should be considered in the context of not only this policy, but also Council’s Risk Management Plan.

Prudential Management is taking a precautionary approach to proposed projects. Put simply, prudential management attempts to foresee what adverse financial consequences might arise from any project that a Council is contemplating, and requires managing the project in such a manner as to capture the proposed benefits, while minimising, offsetting or otherwise taking account of the foreseeable financial risks.

4. Legislation

This Policy is made pursuant to section 48(aa1) of the [Local Government Act 1999](#) (“the Act”) which provides:

A Council must develop and maintain prudential management policies practices and procedures for the assessment of projects to ensure that the Council:

- (a) acts with due care diligence and foresight; and*
- (b) identifies and manages risks associated with a project; and*
- (c) makes informed decisions; and*
- (d) is accountable for the use of Council and other public resources.*

As such, this Policy applies to all Council projects, equal or greater than \$50k, to ensure compliance with this provision, and that decision-making in respect of any project is made with reliable, accurate and timely information.

5. Deciding upon an appropriate level of due diligence

Any proposed project must first be assessed as to the level of due diligence that is required.

The Council’s record of delegations lists the powers that the Council has delegated to the Chief Executive and/or other managers, including the power (depending upon budgetary allocations and other Council policies) to approve some projects. The record of delegations may distinguish types of projects that a specific manager is permitted to approve.

The Executive Leadership has delegated authority to exercise some, dependant upon budgetary allocations, of Council’s powers to approve projects. For a particular project, the decision-maker may be the Chief Executive Officer or Council.

When approval is being sought or considered for a specific project, information must be provided to the CEO and/or Council to indicate approximately, at first instance:

- the specific benefits or needs to be addressed;
- the extent to which it may be substantially similar to other past projects;
- the expected whole-of-life costs of the project; and
- what, if anything, is known about the levels of financial risk that may be involved.

Therefore, for a particular proposed project, (depending on the record of delegations) the decision-maker may be the Council, the Chief Executive, or a member of the Executive Leadership at the Adelaide Plains Council.

5.1 Two threshold questions

The decision-maker accordingly should make an evaluation as to the extent of due diligence that must be embarked upon before any subsequent decision is made whether or not to proceed with the proposed project.

As a first step, the decision-maker must ascertain:

- whether funding of the whole-of-life costs of the proposed project will (or might) require additional allocations beyond those already accommodated in Council's long-term financial plan; and
- whether the proposed project will (or might) generate any additional financial risk for the Council.

Seeking the answers to these two questions is a threshold 'due diligence' test. If the decision-maker is sure that whole-of-life costs and financial risks are already accounted for, then Council Administration will record in its' Records Management system the reason for not obtaining a Due Diligence Report (DDR) and no further action is necessary. However, in many cases, the decision-maker will not be sure of these answers, and will require a second step outlined below.

5.2 Due diligence report

To resolve any doubt, the decision-maker must request preparation of a ***due diligence report*** (DDR). See section 6 below.

For large commercial or non-commercial projects, section 48(1) of [the Act](#) requires that a full prudential report be prepared for Council. A report under section 48 will be regarded as the highest-level, most thorough type of DDR for the purposes of this Policy.

A full prudential report may also be commissioned under section 48, for "any other project for which the Council considers that it is necessary or appropriate".

If a full prudential report is not sought, the Council will record its reasons for *not* obtaining such a report. This might be satisfied simply by noting (if appropriate) that the proposed project has been assessed under 5.1 of this policy, or under a DDR as being of low or negligible financial risk.

6. Due diligence before a decision on whether to proceed

Depending upon the extent of due diligence required by the decision-maker, a DDR of greater or lesser detail will be prepared. This DDR will include, in relation to the proposed project:

- an analysis of the need or demand;
- identification and quantification of the expected financial and other benefits;

- identification and quantification of the likely whole-of-life financial and other costs, including staffing and project management costs;
- assessment of the associated financial risks, (including the financial risks of not proceeding or delaying the proposed project) and consideration of ways they can be managed and/or mitigated;
- an evaluation that weighs up all of the factors above.

For the smallest projects with least financial risk, this DDR may comprise only a single page and may be prepared by a single staff member. Larger, more complicated and/or financially riskier projects will require a DDR containing correspondingly more information and assessment, as required by the CEO and/or Council with input from two or more of Council Administration.

The CEO and or Council may request a DDR from a working party of Council Administration, or an external consultant, or a combination of both. Consideration will be given to whether those preparing a DDR require special skills such as engineering, finance, project management, town planning etc.

In requesting and preparing a DDR, the CEO and Council Administration must consider Council's Risk Management Framework, Long Term Financial Plan and Asset Management Plans and *where* the proposed project should be placed within each of the following two tables.

Financial risk (FR) including upfront and ongoing costs (whole of life) Likelihood of FR	Minor i.e. FR between \$1,000 and \$10,000	Moderate i.e. FR between \$10,000 and \$100,000	Major i.e. FR between \$100,000 and \$500,000	Catastrophic i.e. FR greater than \$500,000
Almost certain	Project Feasibility	Project Feasibility	Project Feasibility	Project Feasibility – Potential Prudential Report
Likely	Basic DDR – Potential Project Feasibility	Project Feasibility	Project Feasibility	Project Feasibility – Potential Prudential Report
Possible	Basic DDR – Potential Project Feasibility	Basic DDR – Potential Project Feasibility	Project Feasibility	Project Feasibility – Potential Prudential Report
Unlikely	Basic DDR	Basic DDR – Potential Project Feasibility	Basic DDR – Potential Project Feasibility	Project Feasibility
Rare	Basic DDR	Basic DDR – Potential Project Feasibility	Basic DDR – Potential Project Feasibility	Project Feasibility

Note: Exclusion of financial exposure mitigated by Council's insurance policy.

Whole of life (WoL) costs	Minor i.e. FR between \$1,000 and \$10,000	Moderate i.e. FR between \$10,000 and \$100,000	Major i.e. FR between \$100,000 and \$500,000	Catastrophic i.e. FR greater than \$500,000

Note: Electronic version in Council's EDRMS is the controlled version. Printed copies are considered uncontrolled.
Before using a printed copy, verify that it is the current version

For any project that falls into the shaded area of either table, a DDR must also include a project feasibility study, to provide a high level consideration of the expected costs and revenues over the life of the project, using discounted cashflow analysis. One important aspect that will be considered in such a study is the reliability of these costs and revenues within these calculations, particularly if revenues are dependent on future market conditions.

7. Due diligence during a project

After a decision has been made to commence a project, it will be managed according to the principles of due diligence.

The Council will take action to manage the project so that:

- the project remains focussed upon the expected public benefits or needs that have been identified in the DDR; and
- financial risks identified in the DDR are managed appropriately.

8. Due diligence after a project

After a project has been completed, it will be evaluated, according to the principles of due diligence, to determine the extent to which the project:

- has achieved the public benefits or needs identified in the DDR that it was intended to achieve or satisfy; and
- has avoided or mitigated the financial risks identified in the DDR.

A Council Report will be compiled for the Council's Audit Committee outlining full Due Diligence of the project.

9. Related Documents

Annual Business Plan

Asset Management Plans

Internal Financial Controls Policy

Long Term Financial Plan

Risk Management Policy and Framework

Strategic Management Plan

Procurement Policy

10. Records Management

All documents relating to this Policy will be registered in Council's Record Management System and remain confidential where identified.

11. Document Review

This Policy will be reviewed periodically to ensure legislative compliance and that it continues to meet the requirements of Council its activities and programs.

12. References & Related Regulations

Independent Commissioner Against Corruption Act 2012

[Local Government Act 1999](#) – s48 (aa1), (1),

LGA Financial Sustainability Information Paper 27 – Prudential Management December 2019

13. Further Information

Members of the public may inspect this Policy free of charge on Council's website at www.apc.sa.gov.au or at Council's Principal Office at 2a Wasleys Rd, Mallala SA 5502

On payment of a fee, a copy of this policy may be obtained.

Any queries in relation to this Policy must be in writing and directed to the General Manager – Finance and Business.