

Public Private Partnerships Policy

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| Reference Number: | Section 4 No. 14 |
| Responsible Department: | Strategy & Development |
| Related Policy/Procedure: | See section 4 |
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1. POLICY STATEMENT

- 1.1 As facilitators and enablers of economic growth within its area, the Light Regional Council (**Council**) recognises that new ideas and partnerships are important to realising our strategic outcomes. The Council is open to working together with the private sector to pursue innovative ideas that will create jobs, contribute to the best use of public assets and deliver a high quality of service to communities. However, often the capacity and opportunity for the strategic partnerships to unlock these opportunities is not well known to either Council or the private sector.
- 1.2 While the Council's Procurement Policy provides for the most common situations and circumstances in which the Council engages with the market to procure goods or services, from time to time the development and realisation of an opportunity would benefit from a non-standard market engagement.
- 1.3 Specifically, there are situations where the Council will be unaware of the appetite and capacity of the private sector to unlock a strategic opportunity with Council for its community.
- 1.4 Accordingly, the Council wishes to establish a framework to manage the presentation of new and innovative ideas to the Council that give confidence to proponents of such ideas and our community confidence that proposals will be considered by the Council in a consistent, transparent and lawful manner to deliver the highest standards of public value - the **Unsolicited Proposals Procedure**.
- 1.5 There will also be other occasions where the Council may benefit from engaging directly with the private sector, on a preliminary basis, to explore the private sector's appetite and capacity to partner with the Council to frame, develop and potentially unlock a strategic opportunity for the Council's community.
- 1.6 In such circumstances – where an opportunity is at a very conceptual stage the Council would likely benefit from a 'market sounding' exercise rather than a formal (and costly) Expressions of Interest or Request for Tenders or Quotes process.

- 1.7 Accordingly, the Council wishes to establish a framework within which the Council can engage with the private sector - on a no obligation basis - to seek its views and input to assist the Council determine whether to develop an opportunity beyond the concept stage or abandon the opportunity. Again, it is important that such a framework gives confidence to the community and to parties engaged by the Council that the views and input provided will be considered in a consistent, transparent and lawful manner to deliver the highest standards of public value – refer the **Activating Opportunities Procedure**.
- 1.8 This Policy provides a framework for non-traditional market engagement (herein collectively referred to as “**Market Engagement**”) that ensures best value for ratepayers while also recognising and protecting the innovative capacity and intellectual property of the private sector. To achieve this, this Policy refers to two sets of procedures for Market Engagement being the **Unsolicited Proposals Procedure** and the **Activating Opportunities Procedure**.

2. COUNCIL’S ROLE AND FUNCTIONS

- 2.1 The Council is a council constituted under the *Local Government Act 1999* (**LG Act**).
- 2.2 The Council’s principal role and functions are detailed in sections 6 and 7 of the LG Act.
- 2.3 The Council’s strategic vision for its Council area is outlined in its Strategic Plan, a copy of which is available on the Council’s website or at the Council’s office. Copies of other Council policies and plans are also available on its website at <https://www.light.sa.gov.au/policies>.

3. COUNCIL’S OBJECTIVES

The following objectives will guide the Council’s Market Engagement in accordance with this policy:

- promoting the development of innovative ideas by the private sector to support the Council’s role and functions and the Council’s broad objectives as outlined in its Strategic Plan;
- ensuring that Market Engagement processes occur via a fair process that involves high standards of probity and public accountability;
- ensuring that the Market Engagement processes in this policy are not used to circumvent the Council’s regular procurement processes where appropriate;
- ensuring value for money for the Council is achieved from any Market Engagement;
- maximising the benefits from Market Engagement for the Council and its constituents; and
- ensuring the intellectual property of the private sector in participating in Market Engagement is appropriately protected.

4. SUPPORTING DOCUMENTS

This Policy is supported by the Unsolicited Proposals Procedure and the Activating Opportunities Procedure (**Procedures**) that set out the process for Market Engagement. The Procedures will be applied consistently to all Market Engagement.

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5. REFERENCES

Local Government Act 1999

Light Regional Council Procurement Policy

Treasury Management Policy

Prudential Management Policy

Risk Management Policy

History of Policy Amendment

Policy adopted by Council on date, 22 October 2019. Minute Reference Item 13.5.1 New Public-Private Partnerships Policy and Procedures, Page 2019/336.

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