

10.2.1 - Landcare SJ Inc. – Agreement for Funding and Use of SJ Community Landcare Centre

Responsible Officer:	Manager Subdivisions and Environment
Senior Officer:	Director Infrastructure Services
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to consider new arrangements for the future of services currently supplied by Landcare SJ Inc. (Landcare SJ) in the management of the natural resources of the Serpentine Jarrahdale Shire and Peel Harvey catchment area for the last 18 years.

For over 18 years, Landcare SJ has provided natural resource management (NRM) services in the area principally using various partnership agreements. This approach, which operated effectively in the past, is a traditional approach and based in part on external advice, a better and more contemporary method of acquiring these essential services would be via a procurement of community services.

To ensure continuity of the essential services in the short term, this report proposes engaging Landcare SJ services as a sole supplier over the next 12 month period. For future years Officers propose that a Request for Quote/Tender process be undertaken with a view of entering into a longer-term contractual arrangement for delivery of the community service.

In keeping with the transition to new arrangements, the report also proposes that Council formally removes its delegated representatives to the Landcare SJ Board and Management Committee to strengthen good governance of the procurement of community services.

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Relevant Previous Decisions of Council

Ordinary Council Meeting – 18 March 2019 - OCM044/05/18 - COUNCIL DECISION/Alternate Officer Recommendation:

That Council:

1. *RECEIVES* the annual audited report as per attachment 1 for the financial year ending 30 June 2018 and *NOTES* the Reporting Sheet to September 2018 in attachment 2.
2. *EXPRESSES* its gratitude to the Landcare SJ staff and volunteers for their continued service to the Serpentine Jarrahdale community and *ACKNOWLEDGES* the efforts Landcare SJ have taken to improve their financial reporting.

Ordinary Council Meeting – 28 May 2018 - OCM044/05/18 - COUNCIL DECISION/Alternate Officer Recommendation:

That Council:

1. *Notes* the Landcare SJ Inc. Strategic Plan 2018 to 2028 in attachment OCM044.1/05/18 and Business Plan 2018 to 2020 in attachment OCM044.2/05/18, in satisfaction of the KPIs stated in Annexure 2 of the Agreement for Funding and Use of SJ Community Landcare Centre as per attachment OCM044.3/05/18.
2. *Recognises* the significant contributions by Landcare SJ Inc. to the community and environment of the Shire of Serpentine Jarrahdale.

Ordinary Council Meeting – 24 July 2017 - OCM095/07/17 - COUNCIL DECISION/Alternate Officer Recommendation:

That Council authorises the Chief Executive Officer to execute the Agreement for Funding and Use of the SJ Community Landcare Centre in accordance with Delegation Instrument EX022D.

Ordinary Council Meeting – 22 May 2017 - OCM064/05/17- COUNCIL DECISION/Alternate Officer Recommendation:

That Council:

1. *Provides support for the Shire of Serpentine Jarrahdale to enter into a service partnership with Landcare SJ Inc via the 'Agreement for Funding and Use of the SJ Community Landcare Centre', on the following terms and conditions:*
 - a) *Agreement for Funding term of 3 years to commence 1 July 2017;*
 - b) *Annual direct funding amount of \$200,000, increased annually by the Consumer Price Index for Perth on 1 July 2018 and 1 July 2019;*
 - c) *Annual in-kind contribution to provide the SJ Community Landcare facility and payroll administration;*
 - d) *Retain existing services, with the addition of:*
 - i. *Landcare SJ to prepare a Strategic Plan within 6 months of the commencement of the Funding Agreement;*



- ii. Landcare SJ to prepare a Business Plan within 6 months of the commencement of the Funding Agreement;
 - iii. Shire to formalise a reporting process of Landcare SJ project activity and performance against key service areas by way of a quarterly report to Council;
 - iv. Shire to provide commitment for representation at Management and Board Meetings in accordance with the Funding Agreement;
 - v. Landcare SJ to recognise the Shire of Serpentine Jarrahdale in any branding and marketing material, and to ensure appropriate recognition of the partnership between the Shire of Serpentine Jarrahdale and Landcare SJ in the achievement of any awards or nominations.
2. Requests that the final Agreement for Funding and Use of the SJ Community Landcare Centre be brought back to Council for formal ratification and execution at the Ordinary Council Meeting to be held July 2017.

Council Note: Reasons for the change to the Officers Recommendation:

The Officers Recommendation was changed by amending the amount in 1(b) from \$150,000 to \$200,000.

Ordinary Council Meeting – 25 February 2002 - SM046/02/02- COUNCIL DECISION/Alternate Officer Recommendation:

1. The Chief Executive Officer and Shire President be authorised to execute the Partnership Agreement with the Serpentine-Jarrahdale Landcare Centre.
2. Council notes the approval of \$10,000 in the mid-year financial review to allow employment of a Landcare Executive Officer for a period of 12 months, commencing 1 April 2002 and concluding 31 March 2003.
3. Council commits to \$15,000 in the 2002/2003 financial year to allow continuation of the position of "Landcare Executive Officer" to 31 March 2003.

Background

The district of Serpentine Jarrahdale incorporates diverse land uses and geographical elements. A protected and enhanced natural, rural and built environment is one of the Shire's key themes in the Strategic Community Plan 2017 – 2027.

Effective land management, including management of weeds, invasive species and environmental protection at a community level is critical to maintaining and enhancing the Shire's forested hills and wetlands as well as the district's coastal flats and cleared grazing land that support the Shire's equine industry.

In 2017, the Shire of Serpentine Jarrahdale and Landcare SJ entered into a three-year agreement for the delivery of Landcare services in the Shire. The agreement provided for a \$200,000 p.a. (CPI adjusted) contribution to Landcare SJ wages, and an additional \$35,000 p.a. in-kind, which includes utilities, building accommodation, maintenance and cleaning, and provision of payroll administration advice. Under the Agreement, Landcare SJ provided to the Shire a Strategic Plan in relation to the Landcare objectives, and a Business Plan in relation to the performance of the Landcare services.

With the expiry of the current agreement, consideration needs to be given to the suitability of establishing a further agreement, or a different approach.



The 2017 agreement was a continuation of arrangements with Landcare SJ that date back 18 years. Landcare SJ are an incorporated, not for profit entity that has been functioning in the community since at least 1998. Landcare SJ was incorporated in 2002, entering into an agreement between the Shire of Serpentine Jarrahdale (Shire) (as per **CONFIDENTIAL attachment 6**) and the SJ Land Conservation District Committee (SJ LCDC) to provide coordination and management for environmental projects in the Shire. The goals and objectives of Landcare SJ include the development and management of programs promoting sustainable practices, conservation and restoration of native habitat and improvement of water quality in river systems, drains and wetlands.

These have been realised through activities such as:

- engaging and training landholders and community organisations
- publishing documents, guides and pamphlets
- managing to completion on-ground projects on Shire reserves and road verges
- cooperatively developing, promoting and implementing the Shire's environmental policy, including management plans, free verge plant scheme and the biodiversity strategy.

Landcare SJ fund their projects by obtaining grants from a number of government and non-government funding partnerships. Since their incorporation in 2002, the Shire have supported their operations with a financial contribution, which has been utilised to subsidise salary costs. It should be noted that the Shire and Landcare SJ have maintained a successful strong long-term partnership, dating back to at least April 1998.

Landcare SJ's Annual Report 2018/2019, Audited Financial Report 2018/2019, Strategic Plan 2018/2028 and Business Plan 2018/2020 are contained in **attachments 1, 2, 4 and 5** of this report for Council's consideration.

As the previous agreement has now expired, it is timely to consider the approach by which the Shire delivers NRM activities. Whilst the traditional arrangements of funding Landcare SJ to undertake these activities have had significant community and environmental outcome benefits, due consideration must be given to the requirements of Council Policy and legislation in regard to procurement of services.

Community / Stakeholder Consultation

External Stakeholders

- Executive Officer, Landcare SJ Inc.
- Landcare SJ Inc. Board
- Chief Executive Officer – Peel Harvey Catchment Council

Officers have maintained regular contact with the Executive Officer of Landcare SJ in relation to this matter.



Statutory Environment

Local Government Act (1995)

Section 3.57(1) - Tenders for providing goods or services

A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

Local Government (Functions and General) Regulations (1996)

Section 11 - When tenders have to be publicly invited.

Section 11 (1) States that... *tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.*

Local Government (Functions and General) Regulations (1996)

Section 11 - When tenders have to be publicly invited.

Section 11 (2)(f) States that a Council may determine to resolve that tenders do not need to be publically invited if... *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier.*

Local Government (Functions and General) Regulations (1996)

Section 30 - Dispositions of property excluded from Act s. 3.58

(2) A disposition of land is an exempt disposition if —

- (a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*
 - (i) its market value is less than \$5 000; and*
 - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*

or

- (b) the land is disposed of to a body, whether incorporated or not —*
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*



Comment

NRM services are required by the Shire to achieve strategic objectives of a protected and enhanced natural, rural and built environment. These services include:

- weed management;
- verge planting;
- reserve management;
- education of private landowners that reduces the impact of pests and weeds on Council reserves and road verges;
- better land management advice which assists in addressing water quality issues in waterways;
- managing a large number of volunteers which works on key environmental projects that Council could not consider being part of given the limited current number of staff available at this point in time;
- community activation and participation in natural resource management;
- tree planting programs that go towards strategies to retain and enhance tree cover.

A key factor in considering these services is the timeliness and continuity of service delivery. NRM involves continual activity and maintenance. A break in service delivery can have operational consequences.

Another important factor in the services that the Shire requires to achieve objectives is community activation and participation in NRM. A holistic approach to natural resource management operates best through community participation and grass-roots efforts. The Shire's approach in the past to NRM, which it is recommended be carried into the future, is community-led and empowers communities to undertake local natural resource management and environmental activities.

The Shire's required approach to NRM is unique in that it goes beyond a suite of weed management services and instead emphasises community activation and leadership.



Review of approach to acquire services

With the expiry of the existing agreement there is an opportunity to consider the arrangements by which the Shire acquires these services. These include in-house, via a formal procurement process, or sole-supplier arrangement. Each of these options is discussed in-turn.

A continuation of the current approach where services are delivered under a partnership arrangement is not considered appropriate. These types of arrangements, while suitable in certain circumstances such as grants or sponsorships, are out of favour in contemporary local government practice.

In-house

There are a number of ways that could be considered to achieve the essential services that have been provided historically by Landcare SJ - one approach would be to not pay the supporting funds that have been paid in the past and bring those services in-house. This option would require many additional teams of staff to either carry out the physical work, or uniquely skilled staff to coordinate up to 400-500 volunteers which currently is not a reality. It has been calculated that this would cost the Shire in the vicinity of an additional \$1M per annum.

Procurement - Contract for Services

Legal advice has been obtained and is included in this report as **CONFIDENTIAL attachment 7**. The advice in general is that an agreement for the provision of funds in return for the provision of NRM services, would constitute a contract for the supply of services under the *Local Government Act (1995)*. Given this, the previous approach of entering into a funding agreement with Landcare SJ is unable to continue and alternative approaches must be considered.

Sole supplier 12 month contract with re-assessment of arrangements taken to Council prior to the end of the contract(Recommended)

To issue as a Contract for Services, the main changes to the document itself lie in the details around the annexures, not the body of the agreement. It is recommended that this agreement would be executed as a sole supplier, for a period of 12 months (as per **CONFIDENTIAL attachment 3**), with the intent of a tender process beyond this period.

Under a procurement contract, the Shire would continue with the reporting requirements that currently exist under the agreement. Specifically defined KPI's would continue to be set and quarterly reports submitted to the Shire. Landcare SJ provide a bi-monthly report from their management committee and board meetings to Shire Officers. Their Strategic and Business Plans were both adopted by Council in May 2018 (see **attachments 4 and 5**). An annual report is also available to the public and in addition, Council is presented with audited financial reports.



The decision for a sole supplier stems from continuity of service provision as the current agreement has already expired and the service provided is considered **unique** for the following reasons:

- Landcare SJ are a unique not-for-profit community based service provider that exists to coordinate and provide landcare, bushcare and catchment care specific to the Shire of Serpentine Jarrahdale and the north Murray area. The unique nature of the operations of Landcare SJ are detailed below. Officers consider it would be difficult to find another organisation that offers such a broad and specialty range of services, with strong community connection and involvement.
- The Shire's investment of \$204 826.60 does not meet Landcare SJ's full wages bill, with the shortfall of funds being made up from the funds received from external funding through grant administration or fee for service. Therefore, it is unlikely commercial ventures would provide the same level of services at this level of funding.
- On average, Landcare SJ engages between 430 – 500 volunteers each year. This human resource base is quite unique. Over the first two years of the previous agreement Landcare SJ was able to gain 5846 hours of volunteer time, which equates to a value of \$175,380.00.
- They have developed strong community capital making them unique to the Shire of Serpentine Jarrahdale. Landcare SJ currently manages up to nine community groups from across the Shire and assists and supports the coordination of each of these group's activities.
- Over the first two financial years of the last agreement, Landcare SJ secured over \$836,537.70 worth of grants and other funding.
- They coordinate delivery of NRM and Landcare activities in the Shire of Serpentine Jarrahdale. Particular priority is given to ongoing maintenance programs, enhancement and restoration of remnant natural areas containing nationally significant plant communities, and water quality improvement in rivers, wetlands and waterways.
- The group works to represent the interests of landcare, bushcare and catchment care in Serpentine Jarrahdale, in conjunction with the community, government bodies (including but not limited to) the Department of Primary Industries and Regional Development (DPIRD), Department of Biodiversity, Conservation and Attractions (DBCA), Department of Health (DoH), Public Transport Authority (PTA), Department of Fire and Emergency Services (DFES), industry and Non-Governmental Organisations (NGOs). Landcare SJ delivers Federal, State and Local government environmental priorities to address issues of sustainable agriculture, biodiversity resilience, water quality, biosecurity, and impacts of climate change within the Shire.
- Landcare SJ events and projects also support Shire initiatives and strategies including tourism, health and environmental projects within the community.



Contract details

A copy of the proposed Contract for Services and Use of Reserve 32180, 12 Paterson Street Mundijong is contained within **CONFIDENTIAL attachment 3**. The key terms are as follows:

- 1) Agreement for a funding term of 12 months.
- 2) Funding amount of \$204,826.60 plus consumer price index at the quarter ending March 2021, to be paid to Landcare SJ.
- 3) The contract is to include the use of the house at 12 Paterson Street, Mundijong as a base for the operations of Landcare SJ for the period of the contract. Section 30 of the *Local Government (Functions and General) Regulations (1996)* allows a local government to dispose of property where the organisation is a charitable organisation or similar and the disposition is not required to be advertised as per the requirements of the *Local Government Act (1995)*. Landcare SJ will be required to pay a Licence fee of \$1 payable by on demand.

When entering agreements with organisations for the disposal of Shire facilities and land, permission is sought from the Department of Planning, Lands and Heritage for the leasing of the land. The Department has advised that the Management Order for Reserve 32180 – (Lot 218) number 12 Paterson Street, Mundijong, currently has a purpose of Kindergarten site assigned to it. This purpose will be changed to community purposes, which will enable the intent for the facility to be used by a NRM supplier. The letter of approval from the Department will be included as an attachment to the contract once it has been received.

- 4) That Landcare SJ Inc. carry out the activities as set out in the Contract for Services and meets its KPI's.
- 5) That the Shire will provide in-kind contributions including:
 - Insurance;
 - Cleaning;
 - building and grounds maintenance;
 - utilities;
 - printing.

Councillor withdrawal from the Board and Management Groups

Historically, within the terms of the Agreement, the Shire had an obligation to ensure attendance of suitable Shire representatives to Landcare SJ's Board and management group meetings. If Council proceeded with approving a sole supplier arrangement as a Contract of Services between the Shire and Landcare SJ, it is recommended that Council, in keeping with good procurement practice, cease this arrangement by formally resolving that Council withdraws its nominations of Councillors to the Landcare Centre Management Committee and Landcare SJ Inc. Board made at the 16 December 2019 Ordinary Council Meeting.

This resolution would mean that the nominations resolved by Council at the meeting of nominating Cr Strautins and Deputy Member – Cr Coales to the Landcare Centre Management Committee Member and Cr Rich and Deputy Member – Cr Strautins to the Landcare SJ Inc. Board would no longer be in effect and that the Councillors would no longer be formal delegates.

Any Councillors who are members of Landcare SJ in a non-Council capacity would be unaffected by this resolution.



Monitoring and contract management

The continuity of reporting and documentation supplied to the Shire including minutes of meetings, audited financial reports, Annual Report, Strategic and Business Plans and reporting on jointly agreed upon KPI's would provide a measure of accountability for spending Shire funds and meeting contractual outcomes.

It should be noted that there have always been and it is proposed to continue, oversight of Landcare SJ operations, by way of audited financial accounts and reporting against KPI's created jointly between Landcare SJ and Council.

Options and Implications

Option1

That Council:

1. DETERMINES, in accordance with Regulation 11(f) of the *Local Government (Functions and General) Regulations 1996*, that because of the unique nature of the services required, it is unlikely that there is more than one potential supplier.
2. APPROVES the Shire entering into a sole supplier contract with Landcare SJ Inc. via the Contract for Services and Use of Reserve 32180, 12 Paterson Street, Mundijong as contained within **CONFIDENTIAL attachment 3**, on the following terms and conditions:
 - a) Agreement for funding term of 12 months to commence 1 July 2020.
 - b) Annual direct funding of \$204,826.60.
 - c) Licence fee of \$1 payable on demand, in accordance with Regulation 30, of the *Local Government (Functions and General) Regulations 1996* as a community organisation.
 - d) That Landcare SJ Inc. carry out the activities as set out in the Contract for Services and meets its KPI's.
 - e) That the Chief Executive Officer be authorised to execute the Contract for Services.
3. APPROVES the Shire amending the management order suitable for Reserve 32180, 12 Paterson Street, Mundijong, prior to formal consent.
4. SUPPORTS a future request for Quote/Tender procurement process and REQUESTS the Chief Executive Officer to bring a report to Council that identifies the scope of services required for a 5 year contract.
5. WITHDRAWS Council's nominations of formal Council member delegates to the Landcare SJ Inc. Board and Landcare Centre Management Committee resolved by Council at the 16 December 2019 Ordinary Council Meeting.



Option 2

That Council

1. DOES NOT endorse a sole supplier Contract for Services with Landcare SJ Inc.
2. RESOLVES to proceed with a Quote / Tender process for the procurement of Natural Resource Management Services for a five year period.
3. REQUESTS the Chief Executive Officer provides a report that identifies the scope of services for Consideration by Council at the Ordinary Meeting of Council prior to tendering.
4. WITHDRAWS Council's nominations of formal Council member delegates to the Landcare SJ Inc. Board and Landcare Centre Management Committee resolved by Council at the 16 December 2019 Ordinary Council Meeting.

Option 3

That Council

1. DOES NOT endorse a sole supplier Contract for Services with Landcare SJ Inc..
2. RESOLVES to proceed with bringing Natural Resource Management Services in- house.
3. REQUESTS the Chief Executive Officer provides a report that identifies the services and resourcing costs of in-house service provision for Consideration by Council at an Ordinary Meeting of Council.
4. WITHDRAWS Council's nominations of formal Council member delegates to the Landcare SJ Inc. Board and Landcare Centre Management Committee resolved by Council at the 16 December 2019 Ordinary Council Meeting.

Option 1 is recommended as this ensures continued provision of Natural Resource Management Services in the Shire whilst allowing appropriate time for the preparation and procurement of services into the future.

Conclusion

Landcare SJ is a coordinator of community environmental projects in the Shire of Serpentine Jarrahdale. They are highly respected in their field and within the local community. Shire officers regard the financial support previously given by Council and requested now, as value for money and recommends financially supporting Landcare SJ through a sole supplier Contract for Services as per **CONFIDENTIAL attachment 3**.

If discontinuing support, the Shire would risk reputational harm, and there would be a significant reduction in environmental projects, external funding secured and community engagement within this Shire.



Attachments (available under separate cover)

- **10.2.1 - attachment 1** – Landcare Serpentine Jarrahdale Inc. - Annual report 2018/2019 (IN20/13117)
- **10.2.1 - attachment 2** - Landcare Serpentine Jarrahdale Inc. – Audited Financial report 2018/2019 (IN20/13017)
- **10.2.1 - CONFIDENTIAL - attachment 3** – Draft Contract for Services and Use of Reserve 32180, 12 Paterson Street, Mundijong (E20/8301)
- **10.2.1 - attachment 4** – Landcare Serpentine Jarrahdale Inc. – Strategic Plan 2018 / 2028 (IN18/9870)
- **10.2.1 - attachment 5** - Landcare Serpentine Jarrahdale Inc.– Business Plan 2018 / 2020 – (IN20/10231)
- **10.2.1 – CONFIDENTIAL - attachment 6** - SJ Community Landcare partnership agreement Serpentine- Jarrahdale Shire and Landcare Management committee 2002 (IN02/3676)
- **10.2.1 - CONFIDENTIAL – attachment 7** – Legal Advice - McLeods (IN20/14176)

Alignment with our Strategic Community Plan

Outcome 2.2	A sustainable natural environment
Strategy 2.2.1	Develop, maintain and implement plans for the management and maintenance of Shire controlled parks, reserves, and natural assets
Strategy 2.2.4	Support community groups (both new and existing), who are preserving and enhancing the natural environment
Outcome 4.1	A resilient, efficient and effective organisation
Strategy 4.1.2	Maximise the Shire’s brand and reputation in the community
Outcome 4.2	A strategically focused Council
Strategy 4.2.1	Build and promote strategic relationships in the Shire’s interest

Financial Implications

The 12 month sole supplier Contract for Services with Landcare SJ allows for the provision of \$204,826.60 (plus Consumer Price Index for Perth) which is already budgeted for in the 2020/21 approved Annual Budget.

The Shire will provide in-kind contributions valued at \$35,000 already budgeted for in the 2020/21 approved Annual Budget for:

- Insurance;
- Cleaning;
- building and grounds maintenance;
- utilities;
- printing.



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council does not proceed with the 12 month sole supplier contract and Landcare SJ is left with significant financial impact	Possible (3)	Moderate (3)	Moderate (5-9)	Reputation - 3 Moderate - Substantiated, public embarrassment, moderate impact on key stakeholder trust or moderate media profile	Accept Officer Recommendation
That there is a loss of provision of NRM services in the Shire for a significant period of time.	Possible (3)	Moderate (3)	Moderate (5-9)	Environment - 3 Moderate - Contained, reversible impact managed by external agencies	Accept Officer Recommendation

**Risk Matrix**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk rating of **9** has been determined for this item.

Voting Requirements: Simple Majority

Officer Recommendation**That Council:**

1. **DETERMINES**, in accordance with Regulation 11(f) of the *Local Government (Functions and General) Regulations 1996*, that because of the unique nature of the services required, it is unlikely that there is more than one potential supplier.
2. **APPROVES** the Shire entering into a sole supplier contract with Landcare SJ Inc. via the Contract for Services and Use of Reserve 32180, 12 Paterson Street Mundijong as contained within CONFIDENTIAL attachment 3, on the following terms and conditions:
 - a) Agreement for funding term of 12 months to commence 1 July 2020.
 - b) Annual direct funding of \$204,826.60.
 - c) Licence fee of \$1 payable on demand, in accordance with Regulation 30, of the *Local Government (Functions and General) Regulations 1996* as a community organisation.
 - d) That Landcare SJ Inc. carry out the activities as set out in the Contract for Services and meets its KPI's.
 - e) That the Chief Executive Officer be authorised to execute the Contract for Services.
3. **APPROVES** the Shire amending the management order suitable for the site, prior to formal consent.
4. **SUPPORTS** a future request for Quote/Tender procurement process and ask the Chief Executive Officer to bring a report to Council that identifies the scope of services required for a 5 year contract.
5. **WITHDRAWS** Council's nominations of formal Council member delegates to the Landcare SJ Inc. Board and Landcare Centre Management Committee resolved by Council at the 16 December 2019 Ordinary Council Meeting.