

12.3 Botobolar Community Committee Minutes - 30 August 2022

REPORT BY THE DIRECTOR COMMUNITY
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0060107

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Botobolar Community Committee Minutes - 30 August 2022;**
2. **endorse the minutes of the Botobolar Community Committee meeting held on 30 August 2022;**
3. **endorse the Memorandum of Understanding between Council, the Rural Fire Service and the Botobolar community for the use of the Botobolar Fire Shed facility; and**
4. **provide the Botobolar Community Committee with a budget of \$10,000 for additional maintenance and improvements to the facility in the 2022/23 financial year to be funded from the Asset Replacement Reserve.**

Executive summary

The Botobolar Community Committee recently held a meeting on 30 August and a range of matters were discussed. The minutes from the meeting are presented to Council for information and endorsement.

Disclosure of Interest

Nil

Detailed report

The Botobolar Community Committee has successfully negotiated a Memorandum of Understanding between Council and the Rural Fire Service for the use of the facility. This MOU is now presented to Council and is recommended for endorsement.

There are a number of small maintenance and improvement projects that the Committee has put forward for the facility. While the majority of the funds for these projects are being paid for by the local brigade, a request for funds from Council has been made by the Committee and it is recommended that an amount of \$10,000 is provided for these works.

Community Plan implications

Theme	Looking After Our Community
Goal	Effective and efficient delivery of infrastructure
Strategy	Provide infrastructure and services to cater for the current and future needs of our community

Strategic implications

Council Strategies

Community Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

While the local rural fire brigade will provide the majority funds for the minor projects requested, it is recommended that Council also contribute \$10,000 to the works in the 2022/23 financial year. This will assist in future asset management of the facility.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2022/23	-	-	✓
Future Years	-	-	-

Associated Risks

Risk is mitigated by having clear documentation in place for the use of the Botobolar facility and ensuring all parties know who is responsible for matters that arise. As the facility is on Council land, it is important that the building asset is maintained in good condition.

SIMON JONES
DIRECTOR COMMUNITY

2 September 2022

Attachments: 1. DRAFT MOU - MWRC and RFS - Botobolar Community Room and Shed.
2. Minutes Botobolar Community Committee Meeting 30 August 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL
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Memorandum of Understanding for the operation of Cooyal Rural Fire Brigade (Botobolar) Station and the Botobolar Community Room Mid-Western Regional Council and NSW Rural Fire Service

1. Purpose

The purpose of this Memorandum of Understanding (MOU) is to facilitate the use of the Cooyal Rural Fire Brigade (Botobolar) Station and the Botobolar Community Room located at 737 Botobolar Road BOTOBOLAR NSW 2850 (Lot 2531 DP1010059). This includes the two firefighting appliance parking bays, community room, storage areas, amenities and the land generally. This MOU is between Mid-Western Regional Council (including the Botobolar Community Committee) and the NSW Rural Fire Service (Cudgegong District).

2. General

- 2.1 This agreement exists between Mid-Western Regional Council (MWRC) and the NSW Rural Fire Service (NSW RFS) Cudgegong District (on behalf of the Cooyal Rural Fire Brigade).
- 2.2 The Botobolar Community Committee is an Advisory Committee of Council that is constituted under Section 355 of the Local Government Act.
- 2.3 The site of the Cooyal Rural Fire Brigade (Botobolar) Station and Botobolar Community Room is on Council land.
- 2.4 The primary purpose of this facility is to support provision of rural fire services as stipulated by the Rural Fires Act 1997 and Rural Fire Regulations 2021.
- 2.5 A Rural Fire District Service Agreement exists between Council and the NSW RFS.
- 2.6 In circumstances where the Rural Fire District Service Agreement and this MOU are not aligned, the Rural Fire District Service Agreement will take precedence.

3. Responsibilities of Mid-Western Regional Council

- 3.1 The building is vested in MWRC – as per the Rural Fire District Service Agreement – and the owner the land.
- 3.2 MWRC is responsible for building and public liability insurance, and the ongoing asset management of the building, including any relevant fire services and security.

3.3 MWRC will be responsible for the payment of costs for power, water and rates.

3.4 MWRC is responsible for the relevant services connections (water, sewer, electricity)

3.5 MWRC will have keys and access to the building for maintenance and operational requirements. MWRC will provide reasonable notice of any maintenance works.

4. Responsibilities of the NSW Rural Fire Service

4.1 NSW RFS occupies the building as set out in the Rural Fire District Service Agreement

4.2 Keep the premises clean and tidy, and carry out any repairs and maintenance necessary to adhere to obligations under the Rural Fires Act 1997, Rural Fire Regulations 2021, Rural Fire District Service Agreement or as directed by the Commissioner of the NSW Rural Fire Service (or their delegate).

4.3 Liaise with MWRC regarding any significant infrastructure works proposed to the facility.

4.4 Report to MWRC any building maintenance issues requiring attention

4.5 Manage the movement of any NSW RFS firefighting appliances and equipment.

4.6 Maintain centralised key system and register – in line with existing system in place across other NSW RFS Brigade Stations within the MWRC area – with keys provided to MWRC and Botobolar Community Committee

5. Responsibilities of the Botobolar Community Committee

5.1 Manage the ongoing operation of the Botobolar Community Room including any bookings.

5.2 Report to MWRC any building maintenance issues requiring attention.

5.3 Make recommendations to Council for any future capital works.

5.4 Provide a minimum of 10 business days' notice to the NSW RFS Cudgegong District – to be forwarded to the Brigade Executive Committee of Cooyal Rural Fire Brigade – of any community event at the site.

5.5 Movement of any NSW RFS firefighting appliances and equipment is only to be undertaken by a representative of the NSW RFS.

5.6 Ensure that a holder of a Responsible Service of Alcohol (RSA) qualification is present at any community event where alcohol is being served.

6. Minor Dispute Resolution

In the event of a dispute arising, either party has the option of calling for a meeting between representatives to be held within 30 days for the purposes of mediation and conciliation.

7. Termination of Agreement

7.1 This agreement is intended to be an ongoing agreement between MWRC and NSW Rural Fire Service. In the first instance, this agreement is to be in place for five years (until the end of December 2027).

7.2 The option exists for both parties to agree to a review of the agreement at any time.

7.3 The agreement can be terminated at any time by agreement between MWRC and NSW Rural Fire Service.

BRAD CAM
GENERAL MANAGER
MID-WESTERN REGIONAL COUNCIL

TROY PORTER
DISTRICT MANAGER
NSW RURAL FIRE SERVICE

Date:

Date:



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MINUTES

BOTOBOLAR COMMUNITY COMMITTEE

Tuesday 30th August 2022 at the Botobolar Community Hall

Meeting opened at 3.03pm

Present: Cr Des Kennedy, Troy Porter (RFS), Garry Lynch (RFS), David Sargeant, David Swansson, Michael Burnicle, Diane Burnicle, Peter Lynch, Simon Jones (staff)

1. Welcome

Cr Kennedy opened the meeting and welcomed those present.

2. Apologies

Apologies were noted from Neil Williams (RFS), Adam Ellis and Matt Lynch

3. Minutes from the meeting held on 24th May 2022

The minutes were noted and accepted

4. Memorandum of Understanding

A draft Memorandum of Understanding between Council, the Rural Fire Service and the Botobolar community for the use of the facility was developed and circulated to Committee members. The MOU was discussed and it was agreed to by all present.

Motion: The Memorandum of Understanding is supported and is to be presented to Council for endorsement.

Moved: Michael Burnicle; Seconded: Troy Porter

Motion Accepted

5. Capital Works

The Committee discussed possible capital works at the site that would facilitate a better coordinated use of the shed and community room by the RFS and the community.

The main considerations are for additional toilets, an awning, a small storage shed and a 6 metre wide roller door to go between the vehicle shed area and the community room.

RFS Brigade has purchased toilets and has much of the budget available for the works.

Motion: That a request be sent to Council for an additional \$10,000 for the Committee to support the maintenance and minor upgrade works

Moved: D. Swansson/D. Sargeant

Motion Accepted

6. Village Subsidy

It was noted that the Village Subsidy of \$1,500 had been received from Council.

Meeting Closed at 3.44pm

Next meeting – to be confirmed