

Community Halls Governance Framework
Issues Paper

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Executive Summary

The purpose of this report is to inform Council of the Community Halls Governance Framework Project. This project has established a Community Halls Policy position for Council as well as operational leases / management agreements, Community Hall Management Committee terms of reference, guidelines and associated templates for Council-owned public halls in the Shire.

There are twelve Council-owned community halls, nine of which are managed by volunteer committees in Tweed Shire. Historically, and currently, these halls have provided spaces for an eclectic range of social and cultural, recreational, educational, environmental and economic activities.

This report focuses on nine halls located in Chillingham, Crabbes Creek, Crystal Creek, Doon Doon, Fernvale, Limpinwood, Piggabeen, Pottsville Beach and Tumbulgum. Three halls have been omitted from this report: Kingscliff Amenities Hall, which is managed by Council through a commercial contract; Kunghur Hall, which is operating as a pre-school with an interim management arrangement; and Reserve Creek Hall which is no longer open to the public.

The community halls are examined in relation to their local demography, intrinsic historical and social significance, current patronage, and fitness for purpose in the context of various legislation, policies and protocols. This report also provides a review of the hall committees' and Council's roles and responsibilities in ensuring a viable future for the halls.

Consultations held between May and August 2014 identified a number of issues that affect ongoing activation of the halls, and the risk exposure of both Council and individual hall committees. Issues include but are not limited to hall patronage and investment, management arrangements, legislative compliance, and insurance.

While some hall committees are actively engaged and enjoy strong community support, the hall committees of Crystal Creek, Limpinwood, Fernvale, and to a lesser degree Piggabeen and Chillingham report that the burden of managing these halls and events falls entirely on the committee members. Some management arrangements are not sustainable into the future and there is no evidence of any succession planning to date.

Pottsville Beach, Tumbulgum and Crabbes Creek halls are financially viable with good patronage; other halls are clearly underutilised. For example, Crystal Creek Hall hosts one event per year.

It would appear that improvements made to halls in recent years have been ad hoc and have not resulted in improved custom. For example, a new kitchen and accessible toilets were installed in Limpinwood Hall in 2011-2012, yet this hall remains very quiet. Moreover, due to insurance and compliance issues the committee disbanded all activities for most of 2014.

While Council has devolved the operational management of community halls to volunteer committees, it has not outlined or implemented working arrangements, administrative and reporting requirements, or mechanisms for ensuring statutory and legislative compliance. There are no terms of reference or operational leases / management agreements in place for the management committees.

In the absence of operational leases / management agreements, hall committees may contravene provisions under the *Local Government Act 1993* and *Crown Lands Act 1989* when they carry out regular duties such as fixing fees, voting on expenditure for the halls or adopting financial reports.

Until Council agreed to fund committees' insurances in October 2014, only four of nine hall committees had Public and Products Liability insurance; only one had Association and Officers Liability insurance and none had Personal Accident insurance leaving management committees and Council open to legal action in the event of a claim.

To ensure the halls are properly maintained and well utilised, and the hall committees are adequately supported in the work they undertake, the following general recommendations are made; namely, that Council:

1. Develops a Community Halls Policy to formalise Council's commitment to community managed halls.
2. Implements a governance model that balances Council's and the wider community's interest and investment in the halls. The formation of a Community Halls Advisory Committee has been adopted by Council, which will:
 - 2.1 Act as an information conduit between Council and the individual hall committees overseeing management and operations of the halls.
 - 2.2 Support individual committees and Council to improve hall usage through strategic planning, marketing and promotion.
 - 2.3 Support individual committees with skills development and succession planning.
 - 2.4 Enable hall committees and Council to comply with legislative and policy requirements.
3. Continues to fund a suite of insurances for all of the community hall management committees.
4. Develops Management Agreements and accompanying Terms of Reference for each of the community hall management committees.
5. Continues assessment of the sustainability of community halls through the development of the Community and Cultural Facilities Network Plan to:
 - 5.1 Inform decisions about re-purposing or divestment of community halls.
 - 5.2 Ensure decisions regarding halls on public land zoned 'community land' are made in consultation with the local community.
 - 5.3 Investigate opportunities to re-invigorate community halls through linkages with human services; and social, economic and environmental stakeholders in the region.
6. Ensures consideration is given to community halls in the Cultural Plan, including specific actions that foster the use of community halls to enhance or re-invigorate cultural activity at a local level across all ages and cultures.

1. Introduction

1.1 Project Background

In October 2013, CT Management Group consultants were engaged to undertake and deliver a comprehensive assessment of community buildings and facilities managed by the Community and Natural Resources Section of Tweed Shire Council. As part of this undertaking, CT Management Group provided building condition assessments, a review of governance and leasing arrangements and an evaluation of capacity and sustainability issues for twelve Council-owned community halls. The Community Halls Governance Framework project builds on the options and recommendations outlined in the Community Buildings Management Plan - Governance Review prepared by CT Management Group.

The Community Halls Governance Framework is aligned with other Council initiatives such as the Rural Villages Strategy and the Community Infrastructure Framework. With respect to the latter, the Community Halls Governance Framework encompasses two stages of the network planning and delivery cycle: *Monitor and evaluate performance of individual facilities*; and *Design and delivery*.

The Community Halls Governance Framework has implications for how Council manages all of its facilities in future. Specifically, Tweed Shire Council must consider how to improve asset management and activation of existing facilities, even as it is planning for future growth and the challenges that will accompany that growth.

1.2 Project Objectives

The objectives of the project are to develop a Community Halls Governance Model and accompanying policy, leases / management agreements, committee guidelines, and generic templates for use by all the hall committees.

2. Literature review / Stakeholder consultation

2.1 Literature review / Stakeholder consultation objectives

The Issues Paper summarises findings from:

- a review of relevant literature including: government legislation, Tweed Shire Council policies and protocols, ABS data for Tweed Shire, relevant plans, strategies and reports
- stakeholder consultations held between May and September 2014

Community hall committees, Council staff, associated service providers, and members of the broader community were consulted in order to gain information about:

- hall usage patterns
- management arrangements
- issues and risks with respect to governance
- recommendations for adding value

2.2 Method of engagement and timeframe

A range of strategies were used to engage stakeholders, including committee meetings, group forums, one-to-one conversations, telephone discussions and email correspondence and these are outlined in Table 1.

To avoid over-engaging a relatively small population, the decision was taken to attend the Rural Villages Strategy forums held in July 2014. These forums identified rural issues relevant to the Community Hall Governance Framework project such as:

- changing demographics and community needs
- emotional and historical connection to community halls
- the need for capacity building strategies in rural communities
- ideas for hall activation and future investment.

Table 1: Stakeholders, Method of Consultation, Purpose and Timing

Stakeholder	Method of Engagement	Purpose	Timing
Individual community hall committees	Introductory discussions: face to face	To develop relationships with management committees, identify hall usage patterns, management arrangements, issues and opportunities	May 2014
Individual community hall committees	Targeted discussion: email and telephone	To unpack governance issues: roles/responsibilities, management status, insurance and incorporation details	May - June 2014
Chair and secretary of each committee	Targeted discussion: face to face	To continue gathering information re: committee membership, governance and operational activities; WH&S issues, insurance	June 2014
Joint community hall committees	Forum	To discuss governance practices, WH&S risks and insurance	August 2014
Community members - hall catchment areas	Rural Villages Strategy forums	To gather information about hall catchment areas and community perceptions re: the	July 2014

Stakeholder	Method of Engagement	Purpose	Timing
		halls' roles and value	
Council staff	Targeted discussion: face to face, email and telephone	To gather information re: heritage listing, relevant policies and legislations, infrastructure planning and future investment	May - August 2014
Insurance providers	Targeted discussion: face to face, email and telephone	To ascertain Council's and individual hall committees' risk exposure and source a suite of insurances that will provide adequate cover to every committee	May - September 2014
Executive Management Team	Presentation of information	To inform Executive of key findings and provide recommendations with respect to governance models and insurance	September 2014
Councillors	Presentation of information	To inform Council of key findings and provide recommendations with respect to governance models and insurance	October 2014

3. Findings / Analysis

3.1 Overview of key issues

The Community Hall Governance Framework focuses on nine Council-owned and community-managed halls located in villages and communities throughout Tweed Shire: Chillingham, Crabbes Creek, Crystal Creek, Doon Doon, Fernvale, Limpinwood, Piggabeen, Pottsville Beach and Tumbulgum.

Three Council-owned halls are not discussed in this report: Kunghur Hall, which is operating as a pre-school with a peppercorn lease in place; Reserve Creek Hall which has closed to the public; and Kingscliff Amenities Hall, which is managed by Council through a commercial contract.

Research for this project involved reviewing the demographic trends and socio-economic features of the communities in which the halls are located, in order to determine whether these venues meet community needs.

Each hall faces different challenges with respect to population growth, community composition and employment and social opportunities. While some halls are in remote areas and are affected by stagnant population growth and ageing populations, others are in or near areas impacted by rapid urban growth with changing demographics.

Traditional facility and population benchmarks do not necessarily reflect the value of halls to the community. Halls in small rural villages often play important roles supporting isolated, and in some cases, disadvantaged social groups. The heritage listing of halls in Chillingham, Crabbes Creek, Limpinwood, Piggabeen and Tumbulgum, reflects their intrinsic historical and cultural value. Feedback from the Rural Villages Strategy forums suggests that community halls are often visual and social focal points for communities, providing a sense of identity and belonging, continuity with the past, and opportunities for future economic and social development.

Some halls are financially viable assets with good patronage; others are underutilised and unsustainable in their current form. Past investment in some halls seems arbitrary with significant building work done to poorly frequented halls, specifically Crystal Creek Hall and Limpinwood Hall. It may be that halls will better meet the needs of the community by being re-purposed. Consideration could be given to co-locating services or providing spaces that can serve multiple functions i.e. social enterprise sites, training venues, or health and community service hubs.

The Community Hall Governance Framework also focuses on the viability and sustainability of the committees managing the halls. In order to ensure that management committees are compliant with relevant legislation, and are in a strong position to embrace current and future social, cultural, environmental and economic opportunities, Council needs “a framework that establishes clear roles and responsibilities for management committees underpinned by a system of skills development and supporting documentation.”¹

Inadequate insurance is a critical issue for the hall committees and for Tweed Shire Council, as asset owner of the halls. Until late 2014, only four of the nine hall committees had Public and Product Liability insurance to provide protection in the event of injury or damage caused to a third party.

None of the hall committees had Personal Accident insurance to cover committee members and volunteers.

3.2 Socio-demographic characteristics of hall catchment areas

Population growth and decline play significant roles in decision making with respect to community amenities; however demand for services and facilities is largely determined by associated factors such as age distribution, household composition, and socialisation / support requirements of particular community groups.

For example, families with young children may need venues for play groups, after school care, or parent groups. Young people may require spaces for training, live music, or drop in centres.

¹ CT Group - Community Buildings Management Plan - Part 2 - Governance Review

Retirees or people living in lone households may want opportunities to socialise, share interests, or contribute to community. Empty nesters are more likely to stay in their local area if they know that support services are, and will continue to be available.

People with disabilities and the frail aged may need local and accessible health care and support services. Their carers may need facilities which offer peer support or respite care.

When determining how well facilities or services address community needs, it is important to look at characteristics that may signal disadvantage such as low income, low educational attainment, high unemployment, and / or a prevalence of unskilled occupations.

In areas where unemployment is high and / or incomes are low, people may need local affordable activities, possibly those which offer skills training and qualifications or activities which seem purposeful and personally beneficial.

An exodus of specific groups from the community may indicate lack of adequate services or facilities that meet their needs. For example, young people may leave small rural communities that lack social and employment opportunities. Likewise in ageing communities, a decline in the number of the very elderly or frail aged residents may indicate lack of affordable aged care options.

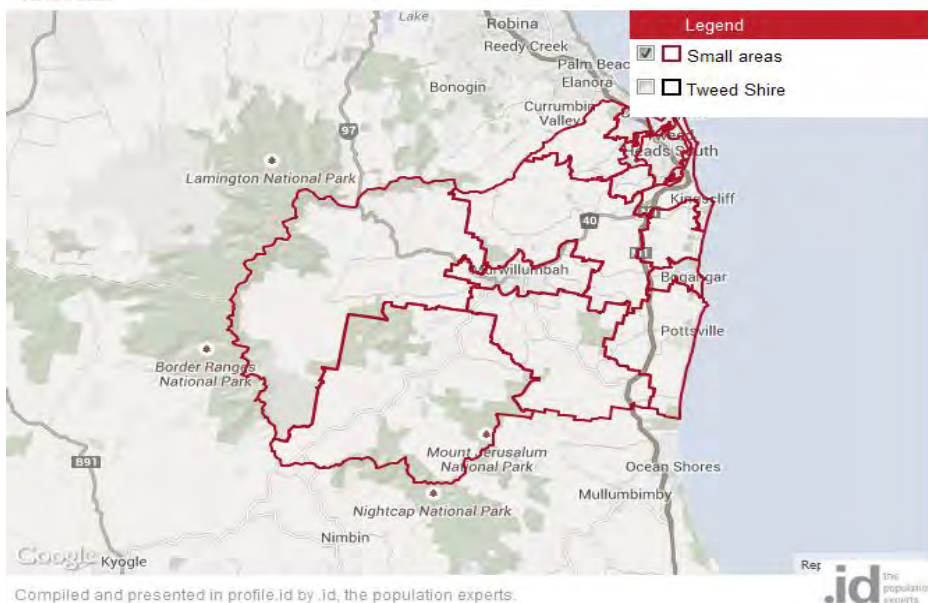
Finally, people who live in rural areas may need to travel to work, impacting on the amount of support that they can offer hall committees with respect to running, organising or attending activities.

3.2.1 Tweed Shire Profile

Figure 1: Tweed Shire Council Small Areas

Profile areas

Tweed Shire



The area and communities included in the Tweed Shire is illustrated in Figure 1. It has a population of just over 90,000 people, and is one of the fastest growing areas in New South Wales. The Shire is experiencing increasing pressure to provide facilities and services that meet the diverse needs of incoming and existing populations. Table 2 provides the latest

population statistics (2011 Census) and forecasted growth (Profile.id) for the nine hall communities that are being reviewed for this Issues Paper.

Table 2: Hall communities: Population and forecast growth

Hall community	Population (2011 Census)	Forecast growth (by local area 2014-2036)
Chillingham	286	1.01%
Crabbes Creek	294	15.63%
Crystal Creek	395	1.01%
Doon Doon	247 (Rowlands Creek)	1.24%
Fernvale	238	15.63%
Limpinwood	223	1.01%
Piggabeen (Cobaki)	327	2194.49%
Pottsville Beach	5735	36.68%
Tumbulgum	383	-1.61%

Compared with National, State and Regional data, Tweed Shire has:

- a lower proportion of pre-schoolers
- a higher percentage of persons at post retirement age
- a greater proportion of frail aged

On average, the number of people requiring day-to-day assistance due to disability, and the number of people providing unpaid care to a person with a disability, long term illness or old age are higher than State and National figures.

The dominant household types are lone person households and couples without children.

Unemployment rates, particularly amongst young people, exceed State and National averages. There are lower proportions of high income households and higher proportions of low income households.

On average, the number of people engaged in voluntary work is greater than New South Wales or Australian figures.

The profile of the rural communities mentioned in this report is largely Anglo-Celtic. This reflects past colonial history of European settlement in Tweed Shire.

The percentage of people who identify as Aboriginal or Torres Strait Islander in these rural communities is very low, between 0% and 1.5%. Notwithstanding this, their importance as the original custodians of the land cannot and should not be ignored.

Analyses are provided for the six local areas (see Figure 1) in which the community halls are located: North West Tweed – Tyalgum; South West Tweed – Uki; North East Hinterland – Tumbulgum; South East Hinterland – Burringbar; Cobaki – Bilambil and District (Cobaki – Piggabeen); and South Coast – Pottsville. Information is drawn from the Tweed Shire

Community Profile (Profile.id) and is based on 2011, 2006, 2001, 1996 and 1991 Censuses of Population and Housing, and population forecasts updated in 2014.

Socio Economic Indexes for Areas (SEIFA), derived from Census data, are also included. There are four indexes in the SEIFA. This report cites data from the Index of Relative Socio-Economic Disadvantage (IRSED). The IRSED identifies potential attributes of disadvantage such as low income, poor educational attainment, high unemployment and unskilled employment, and also includes factors such as high proportions of residents with poor English proficiency, single parent families and residents paying low rent.

A lower score (<1000) on the index means a *higher* level of disadvantage.

North West Tweed – Tyalgum:

Figure 2: Tweed Shire Council - North West Tweed - Tyalgum

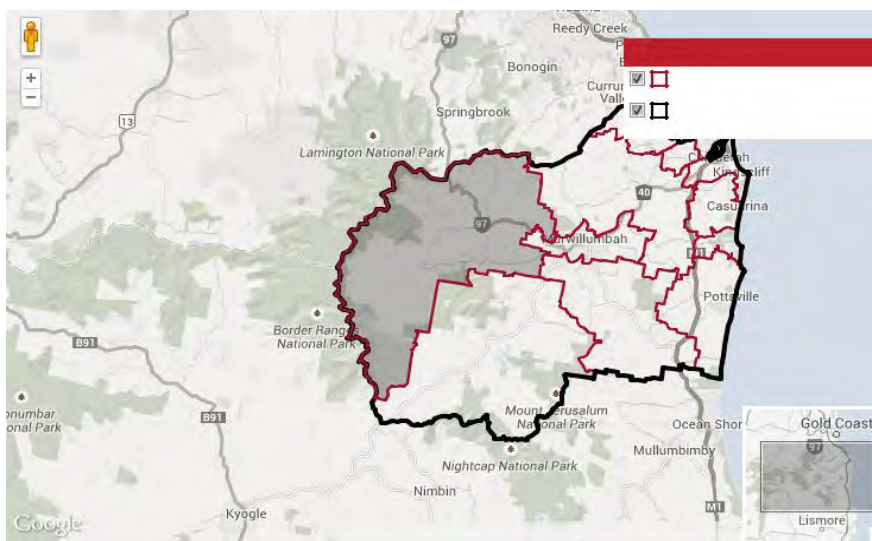


Figure 2 illustrates the North West Tweed - Tyalgum area. Chillingham Public Hall, Crystal Creek Hall and Limpinwood Public Hall are located in this suburb, a predominantly rural area with limited residential development and minimal population growth. The suburb is comprised of small, ageing communities with higher than average numbers of 'empty nesters' and retirees. The median

ages of Chillingham and Limpinwood are 51 and 49 respectively and exceed Tweed Shire, New South Wales and Australian median ages. Table 3 provides a demographic snapshot for North West Tweed - Tyalgum.

Table 3: Tweed Shire Council - North West Tweed - Tyalgum

North West Tweed -Tyalgum Snapshot	
Population (2011 Census)	<ul style="list-style-type: none"> children aged 0 - 14 years made up 16.1%, 18.6% and 18.3% of the populations of Chillingham, Crystal Creek and Limpinwood respectively people aged 65 years and over comprised 20.0%, 19.3% and 12.5% of the populations of Chillingham, Crystal Creek and Limpinwood respectively
Population Forecasts	<ul style="list-style-type: none"> the population of North West Tweed -Tyalgum is estimated to grow by 1.01% by 2036 the number of people of retirement age will rise by 63.8% there will be a 2.0% decrease in the population under working age the working age population will decrease by 13.5%
Household Types (2011 Census)	<ul style="list-style-type: none"> the dominant household type in North West Tweed - Tyalgum was couples without dependents

North West Tweed - Tyalgum Snapshot	
	<ul style="list-style-type: none"> • at 31%, the number of households comprised of couples without children exceeded Tweed Shire, State and National averages • 25% of households were made up of couples with children, compared with 23% in Tweed Shire • the proportion of lone person households was 23.6% compared to 26.7% in Tweed Shire • the largest predicted increase between 2011 and 2026 will be couples without dependents, which will grow to 34.6% of all households
Disability and Carers (2011 Census)	<ul style="list-style-type: none"> • Chillingham and Limpinwood had higher than average numbers of residents caring for people with disabilities, long term illnesses or problems related to ageing • the number of people who provided unpaid assistance in North West Tweed - Tyalgum increased between 2006 and 2011 • 4.9% of the population of North West Tweed - Tyalgum reported needing help in their day-to-day lives due to disability • 14.1% of the population of North West Tweed - Tyalgum provided unpaid care to family members with a disability, long term illness or problems related to old age compared with 12.2% for Tweed Shire • 12.8% of the population in Chillingham provided unpaid care • 11.8% of the population in Crystal Creek provided unpaid care • 17.5% of the population in Limpinwood provided unpaid care
Volunteering (2011 Census)	<ul style="list-style-type: none"> • the percentages of people engaged in volunteer work in Chillingham (21.8%), Crystal Creek (27.2%) and Limpinwood (27.7%) were higher than Tweed, State or National figures
Employment (2011 Census)	<ul style="list-style-type: none"> • unemployment rates for Crystal Creek (11.5%) and Limpinwood (9.9%) exceeded regional NSW, State and National rates • full-time employment rates for Chillingham (45.3%), Crystal Creek (49.7%) and Limpinwood (40.6%) were below State, 60.2%; and National, 59.7% averages • North West Tweed - Tyalgum had the second highest rate of unemployment in Tweed Shire at 11.1% • youth unemployment in North West Tweed - Tyalgum was 20.6%
Median Income (2011 Census)	<ul style="list-style-type: none"> • the median weekly personal and household incomes for Chillingham, Crystal Creek and Limpinwood were below Tweed Shire, NSW and National incomes • Chillingham's median weekly personal income was \$391 and median weekly household income was \$768 • Crystal Creek's median weekly personal income was \$456 and median weekly household income was \$1050 • Limpinwood's median weekly personal income was \$385 and median weekly household income was \$594

North West Tweed -Tyalgum Snapshot	
SEIFA Index	<ul style="list-style-type: none"> • North West Tweed – Tyalgum had a SEIFA score of 939.6 • Chillingham scored 916 and ranked 434 on the State Suburb Index. • Crystal Creek scored 997 and ranked 1256 on the State Suburb Index • Limpinwood scored 978 and ranked 1032 on the State Suburb Index

South West Tweed – Uki

Figure 3: Tweed Shire Council - South West Tweed - Uki

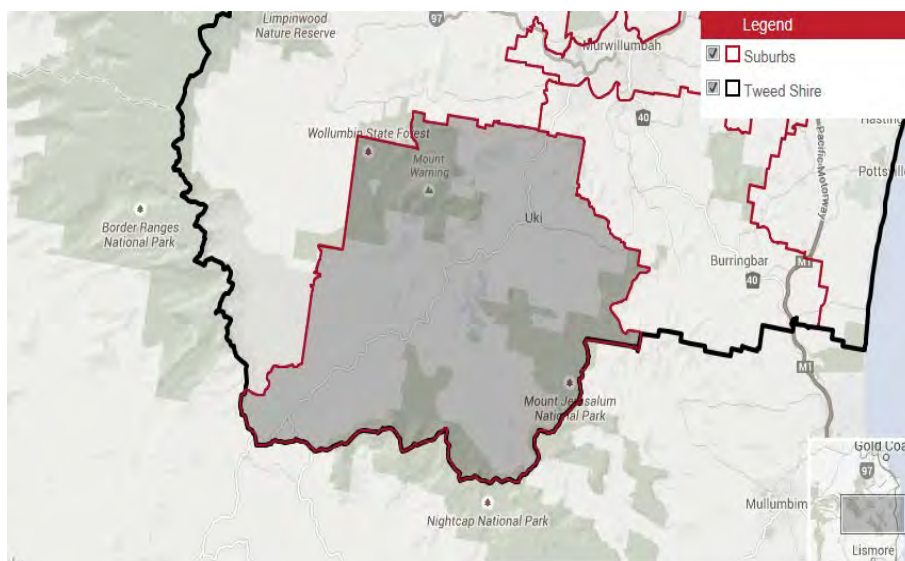


Figure 3 illustrates the South West Tweed - Uki area where Doon Doon Hall is located in Rowlands Creek, a rural area, with limited rural-residential development. South West Tweed – Uki is characterised by stable population growth. The population is ageing, with higher than average numbers of people of retirement age. Table 4 provides

a demographic snapshot for South West Tweed - Uki.

Table 4: Tweed Shire Council - South West Tweed - Uki

South West Tweed – Uki: Snapshot	
Population (2011 Census)	<ul style="list-style-type: none"> • the median age for Rowlands Creek was 46 years • children aged 0 - 14 years made up 22.9% of the population • people aged 65 years and over comprised 15.7% of the population • 11.9% of the population of was aged 50 to 54 in 2011
Population Forecasts	<ul style="list-style-type: none"> • an annual growth rate of -0.08% is forecast between now and 2026, but an overall increase of 1.24% is expected by 2036 • people aged 65 to 69 will account for 10.1% of the population by 2026, with <i>some</i> net migration of persons 65 years and over • there will be a 103.1% increase in population of retirement age • there will be a 19.4% decrease in the working age population • the population under working age is expected to decrease by 4.2%
Households (2011 Census)	<ul style="list-style-type: none"> • the dominant household type in South West Tweed - Uki was couples without dependents, which accounted for 26.2% of all households • couples with children made up 21.5% of the population

South West Tweed – Uki: Snapshot	
	<ul style="list-style-type: none"> lone households accounted for 23.1% of the population this trend is projected to continue through to 2026, at which time 32.4% of all household types will be couples without children in contrast, the number of couple families with dependents will decrease by 4.0%
Disability and Carers (2011 Census)	<ul style="list-style-type: none"> 4.5% of the population of South West Tweed - Uki reported needing help with core daily activities due to disability 13.3 % of the population of South West Tweed - Uki provided unpaid care to people with disabilities, long term illness or to the aged 16.7% of the population in Rowlands Creek provided unpaid care
Volunteering (2011 Census)	<ul style="list-style-type: none"> 28% of the Rowlands Creek population did voluntary work
Employment (2011 Census)	<ul style="list-style-type: none"> of those in the workforce in Rowlands Creek: <ul style="list-style-type: none"> 40.0% were employed full time 41.1% were employed part-time 14.4% were unemployed the South West Tweed - Uki unemployment rate of 9.8 exceeded Tweed, Regional NSW, State and Australian rates Youth unemployment in South West Tweed - Uki was 18.7%
Median Income (2011 Census)	<ul style="list-style-type: none"> the median weekly personal income of \$354 and household income of \$749 for Rowlands Creek fell below Tweed shire, NSW and Australian incomes
SEIFA Index	<ul style="list-style-type: none"> South West Tweed - Uki had a SEIFA score of 923.5 Rowlands Creek scored 917 442 on the State Suburb index

North East Hinterland – Tumbulgam:

Figure 4: Tweed Shire Council - North East Hinterland - Tumbulgam

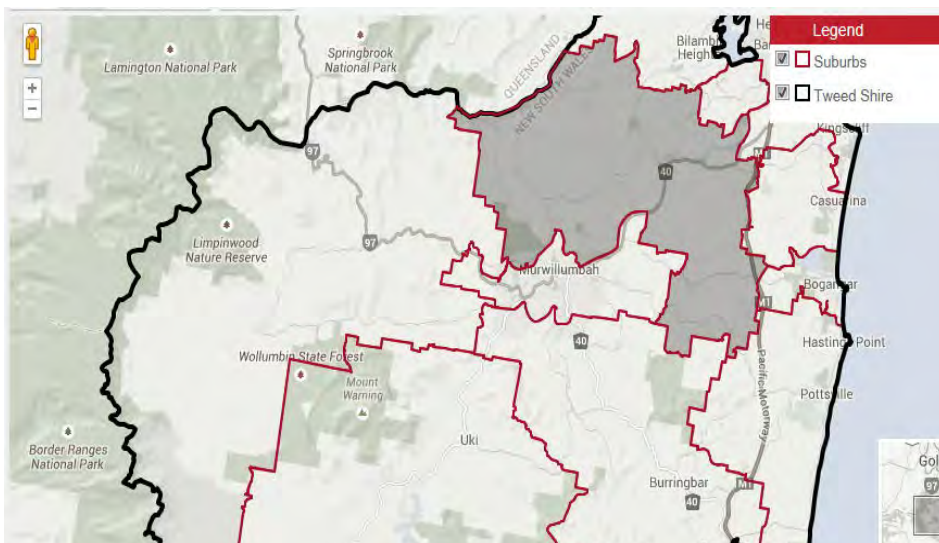


Figure 4 illustrates the North East Hinterland - Tumbulgam area where Tumbulgam Hall is situated on the Rous and Tweed Rivers, in a primarily rural area which is an attractive tourist destination. With the exception of retirees and empty nesters, the area is forecast to experience negative population growth and a decline in all other

age categories. Table 5 provides a demographic snapshot for North East Hinterland - Tumbulgam.

Table 5: Tweed Shire Council - North East Hinterland - Tumbulgum

North West Tweed-Tumbulgum Snapshot	
Population (2011 Census)	<ul style="list-style-type: none"> the dominant age structure for persons in North East Hinterland - Tumbulgum was ages 50 to 54 , which accounted for 10.8% of the total persons the median age of people in Tumbulgum was 42 years children aged 0 - 14 years made up 21.1% of the population people aged 65 years and over made up 9.4% of the population
Population Forecasts	<ul style="list-style-type: none"> the population is forecast to fall during the period 2014 to 2036 at a rate of -1.61% between 2011 and 2026 the age structure forecasts for North East Hinterland - Tumbulgum indicate <ul style="list-style-type: none"> an 11.9% decrease in population under working age a 68.5% increase in population of retirement age an 18.9% decrease in population of working age by 2026, the largest forecast increase is expected in couples without dependents
Households (2011 Census)	<ul style="list-style-type: none"> the dominant household type in North East Hinterland - Tumbulgum was couples without dependents 29.9% of households were made up of couples with children compared with 23% in Tweed Shire 30.6 of households were made up of couples without children 18.6 were lone households
Disability and Carers (2011 Census)	<ul style="list-style-type: none"> 3.5% of the population in North East Hinterland - Tumbulgum, reported needing help in their day-to-day lives due to disability 13.3% assisted family members or others due to a disability, long term illness or problems related to old age
Volunteering (2011 Census)	<ul style="list-style-type: none"> in North East Hinterland - Tumbulgum, 22.5% of the population reported doing some form of voluntary work in 2011
Employment (2011 Census)	<ul style="list-style-type: none"> 7% were unemployed in North East Hinterland - Tumbulgum; youth unemployment was 4.1%
Median Income (2011 Census)	<ul style="list-style-type: none"> the median weekly personal income for people aged 15 years and over in Tumbulgum (State Suburbs) was \$552 the median weekly household income was \$1149
SEIFA Index	<ul style="list-style-type: none"> North East Hinterland - Tumbulgum had a SEIFA score of 996.2 Tumbulgum scored 962 and ranked 848 in the State Suburb Index

South East Hinterland – Burringbar:

Figure 5: Tweed Shire Council - South East Hinterland - Burringbar

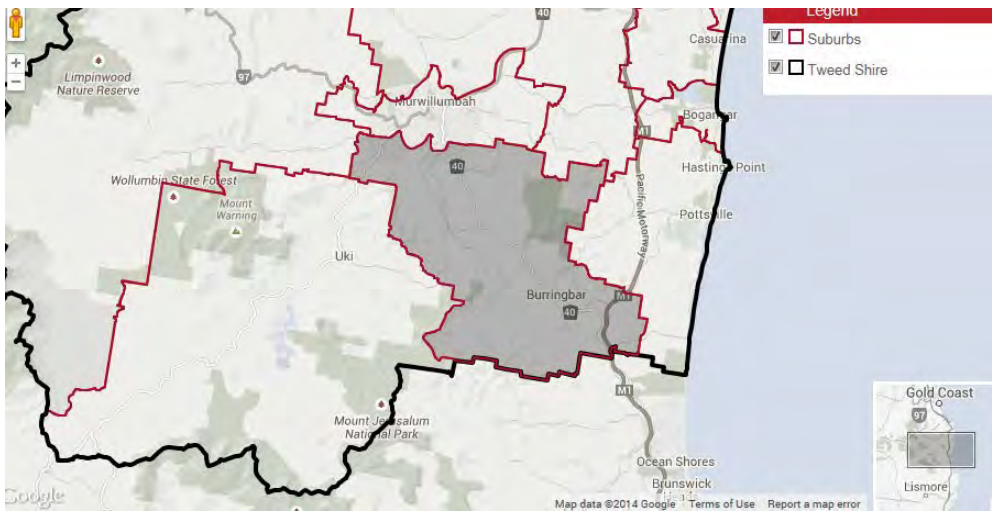


Figure 5 illustrates the predominantly rural area of South East Hinterland - Burringbar where Crabbes Creek and Fernvale halls are situated. The area is projected to grow by 15.63% between now and 2036. The median ages for Fernvale and Crabbes Creek

are 42 and 44 years respectively. Significant increases in the retirement age population and some growth in the numbers of people under working age are forecast for the area. Table 6 provides a demographic snapshot for the South East Hinterland - Burringbar.

Table 6: Tweed Shire Council - South East Hinterland - Burringbar

South East Hinterland - Burringbar Snapshot	
Population (2011 Census)	<ul style="list-style-type: none"> ● people aged 65 years and over made up 19.8% of Fernvale's population ● people aged 65 years and over made up 16.3% of the population of Crabbes Creek ● children aged 0 - 14 years made up 16.9% of the population of Fernvale ● children aged 0 - 14 years made up 17.0% of the Crabbes Creek's population
Population Forecasts	<ul style="list-style-type: none"> ● between 2011 and 2026, the age structure forecasts for South East Hinterland - Burringbar indicate: <ul style="list-style-type: none"> ○ 6.1% increase in population under working age ○ 7.8% decrease in the working age population ○ 81.4% increase in population of retirement age, with a small loss of older retirees and elderly persons (65 years and over)
Households (2011 Census)	<ul style="list-style-type: none"> ● 27% of households were couples with children, compared with 23% in Tweed Shire ● 29.1% of households were couples without children ● lone households accounted for 20.3% of the population ● by 2026 the largest forecast increase is expected in couples without dependents
Disability and Carers (2011 Census)	<ul style="list-style-type: none"> ● with the exception of persons aged 65 to 69, there was a lower proportion of people who reported needing assistance with core activities compared to Tweed Shire in 2011 ● 4.8% of the population in South East Hinterland - Burringbar

South East Hinterland - Burringbar Snapshot	
	<p>reported needing help in their day-to-day lives due to disability</p> <ul style="list-style-type: none"> • 6.2% of persons aged 65 to 69 required assistance compared to 8.3% for Tweed Shire • 34.8% of people 85 and over need assistance compared to 47.3% in Tweed Shire • of persons aged 80 to 84, 16.8% required assistance, compared to 24.2% in Tweed Shire • 5.5% of persons aged 70 to 74, required assistance compared to 10.4% in Tweed Shire • 13% of the population of South East Hinterland - Burringbar provided unpaid care to people with disabilities, long term illness or to the aged • in Crabbes Creek, 10.1% assisted family members or others due to a disability, long term illness or problems related to old age • in Fernvale, 11.3% of the population provided unpaid care
Volunteering (2011 Census)	<ul style="list-style-type: none"> • in 2011, the proportion of people engaged in voluntary work exceeded National (17.8%) and State (16.9%) rates • 20.9% of the population of Crabbes Creek were engaged in volunteer work • in Fernvale, 19.5% were engaged in volunteer work
Employment (2011 Census)	<ul style="list-style-type: none"> • the numbers of people engaged in fulltime work in Crabbes Creek (38%) and in Fernvale (49.5%) are below Australian (59.7%) and NSW (60.2%) averages • unemployment rates were 10.7% in Crabbes Creek and 6.5% in Fernvale • at 30.1%, the youth unemployment rate for South East Hinterland - Burringbar is the highest in Tweed Shire
Median Income (2011 Census)	<ul style="list-style-type: none"> • the median weekly household income for the Crabbes Creek and Fernvale - \$936 and \$949 respectively, are below Tweed, NSW or Australian incomes
SEIFA Index	<ul style="list-style-type: none"> • South East Hinterland - Burringbar had a SEIFA score of 980.5 • Crabbes Creek scored 946 and ranked 706 in the State Suburb Index • Fernvale scored 977 and ranked 1022 in the State Suburb Index

Cobaki - Bilambil and District (Cobaki - Piggabeen):

Figure 6: Tweed Shire Council - Cobaki - Bilambil and District (Cobaki - Piggabeen)

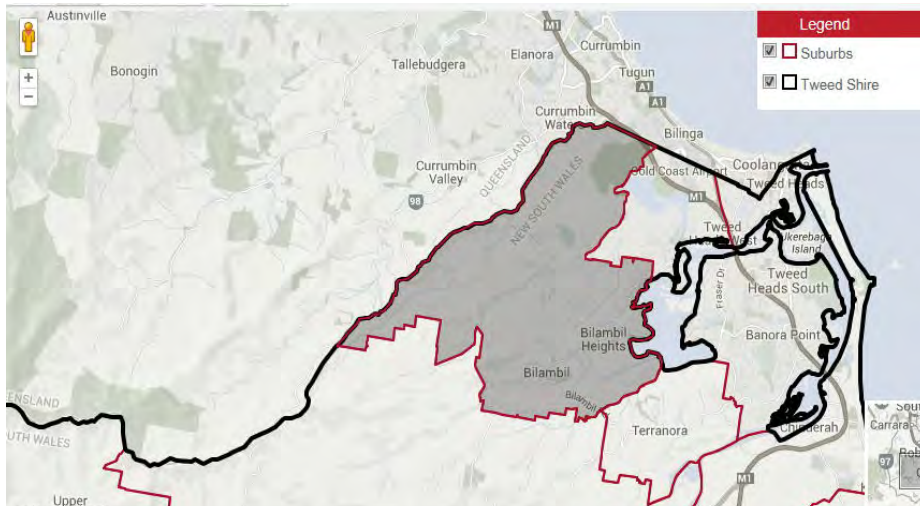


Figure 6 illustrates the rural area of Piggabeen where Piggabeen Hall is located, which may be impacted by significant population growth in nearby Cobaki: 2194.48% growth is expected between 2014 and 2036. Data and a demographic snapshot are provided for both the Cobaki - Piggabeen area and

the larger Cobaki - Bilambil and District in Table 7. The median age for Piggabeen in 2011 was 51 years which exceeds Tweed Shire, State and National median ages. The number of dwellings in Cobaki - Piggabeen area is forecast to grow from 186 in 2011 to 1,851 in 2026, with the average household size rising from 3.05 to 3.24 by 2026. Large scale residential development commencing in the 2011-2016 period will see a rise in the numbers of young and mature families (0-14 and 25-39 years), a moderate gain of older adults and retirees (50-64 years) and a small loss of young adults from 2021, as they leave the family home.

Table 7: Tweed Shire Council - Cobaki - Bilambil and District (Cobaki - Piggabeen)

Cobaki - Bilambil and District (Cobaki - Piggabeen) - Snapshot	
Population (2011 Census)	<ul style="list-style-type: none"> • 23.8% of the population of Piggabeen was 0 – 14 years • 11% of the population of Piggabeen was 65 years and over • the dominant age structure for persons in Cobaki - Piggabeen area was 55 to 59, which accounted for 10.5% of the total persons
Population Forecasts	<ul style="list-style-type: none"> • between 2011 and 2026, the age structure forecasts for Cobaki - Piggabeen area indicate: <ul style="list-style-type: none"> ○ 1158.0% increase in population under working age ○ 556.6% increase in population of retirement age ○ 888.6% increase in population of working age
Households (2011 Census)	<ul style="list-style-type: none"> • the dominant household type in Cobaki - Piggabeen area was couples with dependents • the largest increase between 2011 and 2026 is forecast to be in couple families with dependents, which will increase by 740 households and account for 46.5% of all households • in Cobaki - Piggabeen, 40.7% of households were made up of couples with children • the proportion of lone person households was 13% • the proportion of couples without children was 32.8%
Disability and Carers (2011 Census)	<ul style="list-style-type: none"> • a lower proportion of people reported needing assistance with core activities in Cobaki - Piggabeen compared to Tweed

Cobaki - Bilambil and District (Cobaki - Piggabeen) - Snapshot	
	<p>Shire</p> <ul style="list-style-type: none"> • overall, 4.1% of the population reported needing assistance with core activities, compared with 6.9% for Tweed Shire. • in Cobaki – Bilambil and District, 12.6% of the population provided unpaid care. • in Piggabeen, 8.1% assisted family members or others due to a disability, long term illness or problems related to old age
Volunteering (2011 Census)	<ul style="list-style-type: none"> • 25.6% of the population was engaged in volunteer work, exceeding State and National averages.
Employment (2011 Census)	<ul style="list-style-type: none"> • 42.5% worked full time, below Australian 59.7% and NSW 60.2% averages • 44.5% worked part-time, exceeding Australian 28.7% and NSW 28.2% averages • 5.5% were unemployed • 9.2% were unemployed in Cobaki – Bilambil and district area • youth unemployment was 14.3%
Median Income (2011 Census)	<ul style="list-style-type: none"> • the median weekly household income of \$1262 was above Tweed, NSW or Australian incomes • the median weekly personal income of \$496 was below Tweed, NSW or Australian incomes
SEIFA Index	<ul style="list-style-type: none"> • Cobaki - Bilambil and District had a SEIFA core of 1009 • Piggabeen scored 1015 and ranked 1503 in the State Suburb Index

South Coast – Pottsville:

Figure 7: Tweed Shire Council - South Coast - Pottsville

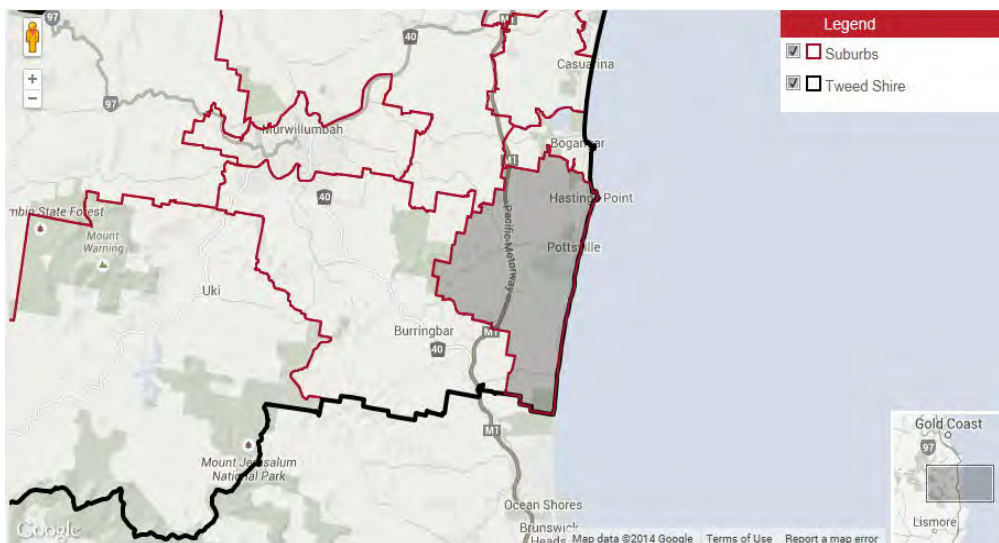


Figure 7 illustrates the South Coast - Pottsville area where Pottsville Beach is located on the coastal strip. With a median age of 38 years, Pottsville Beach is one of the younger communities in the Shire. Moderate growth of 36.68% is

expected for the area between now and 2036. Relatively stable migration profile is expected across the 2011-2026 period. Table 8 provides a demographic snapshot for the South Coast - Pottsville area.

Table 8: Tweed Shire Council - South Coast - Pottsville

South Coast – Pottsville Snapshot	
Population (2011 Census)	<ul style="list-style-type: none"> • 24.7% of the population of Pottsville Beach were 0 – 14 • 16.8% were 65 years and older • 53.3% were working age (15 years and older)
Population Forecasts	<ul style="list-style-type: none"> • between 2011 and 2026 the age structure forecasts for South Coast - Pottsville indicate: <ul style="list-style-type: none"> ○ a 5.4% increase in population under working age ○ a 39.4% increase in population of retirement age ○ a 13.4% increase in population of working age • in the period 2021 to 2026, the highest net migration in South Coast - Pottsville will occur amongst 30-34 year olds <ul style="list-style-type: none"> ○ there will be a significant loss of school leavers and young adults in their late teens and early twenties ○ there will be a large increase of young and mature families (25-39 years and 0-9 years) ○ the number of retirees (50-69 years) will increase ○ there will be a loss of elderly persons (70 years and over)
Households (2011 Census)	<ul style="list-style-type: none"> • the dominant household type in South Coast - Pottsville was Couples without dependents, which accounted for 33.1% of all households • couples with children comprised 30.5% of the population • lone families accounted for 21.2% of the population • the largest increase between 2011 and 2026 is forecast to be in couples without dependents, which will account for 35.4% of all households by 2026
Disability and Carers (2011 Census)	<ul style="list-style-type: none"> • 6.5% of the population in South Coast - Pottsville, reported needing help in their day-to-day lives due to disability • 12.8% of the population of South Coast - Pottsville provided unpaid care, compared with 12.2% for Tweed Shire
Volunteering (2011 Census)	<ul style="list-style-type: none"> • 18.4% of the populations was engaged in volunteer work (exceeding State and National figures)
Employment (2011 Census)	<ul style="list-style-type: none"> • 52% of the working population worked full time (below Australian 59.7% and NSW 60.2% averages) • 34.5% held part-time employment exceeding NSW (28.2%) and National (28.7%) averages • 8.2% of the population was unemployed • youth unemployment was 21.7%
Median Income (2011 Census)	<ul style="list-style-type: none"> • the median weekly household income of \$1036 was below Tweed, NSW and National incomes • the median weekly personal income of \$481 was below Tweed, NSW and National incomes
SEIFA Index	<ul style="list-style-type: none"> • South Coast - Pottsville had a SEIFA score of 991.7 • Pottsville scored 991 and ranked 1187 in the State Suburb Index

3.3 Community halls background

Chillingham, Crabbes Creek, Crystal Creek, Piggabeen and Tumbulgum halls have stood for more than 100 years. Chillingham, Crabbes Creek, Limpinwood, Piggabeen and Tumbulgum halls are heritage listed.



Chillingham Public Hall



Limpinwood

Over time, halls have hosted a wide range of activities and events including: weddings, reunions and funerals; balls, performance events and festivals; arts, music and fitness classes; markets and auctions; workshops and community meetings.

Some halls continue to be vibrant community hubs, providing spaces and opportunities for a range of enlightening and enriching experiences. Other halls are underutilised with only a handful of activities per year. Their roles in the community have diminished over time and consideration must be given to how (or if) these halls can be reinvigorated, and at what cost.



Doon Doon community meeting



Piggabeen drama classes

Current hall usage is contingent upon a number of factors including: the socio-demographic factors noted above, and pragmatic considerations such as location, hall characteristics including proximity to other facilities and services, hours of operation; fees and charges, hall capacity and hiring practices.

Accessibility and governance issues also play a role in how halls are utilised. They will be addressed in sections 3.4 and 3.5 respectively.

3.3.1 Hall location

While several halls in the Shire are located in remote or rural areas with populations of less than 300 people, some do benefit from their proximity to tourist destinations and / or much larger populations; Crabbes Creek Community Hall is close to Byron Shire renowned for its

festival culture, Chillingham Public Hall is on the tourist route to several National parks and the Queensland border, Pottsville Beach Community Hall is on the coastal strip, and the community hall in Tumbulgum benefits from the village's picturesque tourist setting.

Population growth in coastal areas and the urban north will invariably have an effect on community halls in those areas. As size, population composition and community identity change, hall committees may be asked to adopt different approaches in order to accommodate new needs.

For example, Pottsville Beach is expected to grow by just under 37% over the next twenty years. While this is not an excessive increase, there will be a significant rise in the number of people of retirement age. The community hall may be required to host more activities that meet the needs of an ageing demographic.

Conversely, Piggabeen, currently characterised by a large retired population, may be impacted by an influx of young people and families to nearby Cobaki where the population is expected to increase by over 2000% in the next two decades. Activities that cater to families and a younger demographic may be required to meet future community needs.

Rural halls such as Chillingham, Crystal Creek, Doon Doon, Fernvale, Limpinwood and Piggabeen are relatively quiet, particularly with respect to regular hirers. With the exception of Doon Doon, these halls draw primarily on local populations for their custom.

3.3.2 Hall characteristics

3.3.2.1 Chillingham Public Hall



Chillingham Hall



Recently refurbished kitchen

Built in 1910, heritage listed, and situated on 'community land', the Chillingham Public Hall is the designated electoral office and emergency evacuation site for the Chillingham region. While the hall is not well used for regular activities - there is only one regular hirer each week - it is host to approximately 10 events throughout the year: dance and choir performances, community auctions and garage sales, meetings and forums, the Chillingham Ball and private functions. Activities have been restricted to accord with Council's casual hirer insurance for individual persons or groups of persons to no more than 12 events per year).

The hall has a recently renovated kitchen, but still requires significant maintenance and building refurbishments including: new stair landings, and upgraded and accessible toilets.

Chillingham Public Hall is located on Route 34, the gateway' to Springbrook National Park and the Natural Bridge, Lamington National Park and southeast Queensland. Many local

activities and businesses focus on the historical, artistic and ecological characteristics of the area i.e. the Tweed Valley Timber Art Trail, the Gondwana Walk, the Bush Tucker Gardens, the Chillingham Flute Workshop and the Old Butcher Pottery Shop. There are competing venues in the immediate locale, including: Chillingham Community Centre which is very active and well supported; the Chillingham Public School Hall, though it is not clear if it used for non-school events; Bucks Barn which caters for bus tour groups; and Crystal Creek Hall, which is 4 km away.

3.3.2.2 Crystal Creek Hall



Crystal Creek Hall



New commercial Kitchen

Crystal Creek Hall opened in 1911 and is located in Crystal Creek, an area known as the Jewel of the Caldera. Today the hall, which holds up to 250 people and is situated on "community land", hosts no regular activities and only one event per year: the Crystal Creek Ball. Crystal Creek Hall competes for patronage with Chillingham Community Centre and Chillingham Public Hall. The local Crystal Creek School has a shed which is occasionally used for public activities such as elections. Despite having significant building upgrades including a new kitchen Crystal Creek still requires improvements such as disability toilets, painting and wall cladding.

A local business is currently operating out of the hall, using the kitchen and part of the main hall for storage on a permanent basis precluding other groups from using the venue.

3.3.2.3 Limpinwood Hall



Limpinwood Hall



New extension, toilets and kitchen

Limpinwood Hall is located near to Limpinwood Nature Reserve and is 15 minutes drive from Murwillumbah. The hall was built in 1923, is heritage listed and is located on 'community land'. Limpinwood Hall has a new kitchen and wheelchair accessible toilets. The hall's small size (55 person capacity), lack of internal cladding, and shaded location make it a quiet venue, particularly in winter. There are no upcoming regular or casual activities listed

on the Limpinwood calendar of events. In 2014, activities ceased pending the introduction of hall committees insurance.

3.3.2.4 Doon Doon Hall



Doon Doon Hall



Recently refurbished kitchen

Located on Crams Farm Reserve, with Clarrie Hall Dam as its backdrop, Doon Doon Hall (capacity 120 people) is an ideal venue for functions such as weddings and receptions, or for activities such as workshops and forums. Doon Doon Hall was moved to Cram's Farm in November, 2005 and re-opened in December, 2010.

In 2013-14 the hall and reserve were used by Matchbox Productions to film a television series.



Clarrie Hall Dam

While consideration must be given to activities which meet the social inclusion and support needs of the community, Doon Doon Hall's remote locale means it is not regularly used by the local community for activities.

There are a few community venues nearby. Uki School Hall and Kunghur Hall are less than 10 kilometers away; however, the closest of the two, Kunghur Hall, is used almost exclusively as a pre-school. The Cram Farm Bales draws some custom from the hall as it is less expensive to hire and the nearby covered picnic area is free to the public.

3.3.2.5 Fernvale Hall:



Fernvale Hall



Toilet block

Fernvale Hall is situated on Crown Land in a sheltered heavily treed area. With a capacity of 70 people - which appears to be high - Fernvale Hall hosts three annual functions: a Christmas dinner, a musical performance and a trivia night. The hall is also used for occasional community and committee meetings. A local group hires the venue for regular band practice and a local caravan club uses the grounds for its annual get together. From a noise perspective, the venue is ideal as it is segregated from the general population.



Hall interior

The Fernvale hall committee noted that the nearby Burringbar School of Arts and Stokers Siding-Dunbible Hall attract the same crowds to events.

Fernvale Hall needs significant building and maintenance investment including: accessible toilets, painting, kitchen upgrades and new guttering.

3.3.2.6 Piggabeen Hall



Piggabeen Hall



Hall interior

Piggabeen Hall was built in 1910 and is heritage listed. The hall is situated on 'community land' several kilometers from Tweed Heads. It can accommodate up to 200 people. The committee is very receptive to hosting more events and activities, however, distance from town, and poor amenities (outdoor toilets and small kitchen) make the hall unsuitable for large scale or disability-accessible activities.



Kitchen requires upgrading

Half a dozen events / activities are held in the hall each year including a Winter Solstice celebration, a Fire Brigade Bush Ball, a Christmas party, talent quests, children's drama classes and an adult theatre club. These activities are primarily run by committee members.

Piggabeen Hall has two facilities nearby which may compete for patronage: Piggabeen School (Reserve Trust) which hosts a number of regular fitness activities, and Woodlands Lakeside Function Centre / Abbey Golf course which offers conference / function facilities.

3.3.2.7 Pottsville Beach Hall



Pottsville Beach Hall

Built in 1984, Pottsville Beach Hall is located on Crown Land. The hall can hold up to 250 people, is within walking distance of the town centre and has ample off-street parking.

Regular activities such as Little Kickers, Daycare, Community Association meetings, Zumba, ballet classes, and a Church run in the hall seven days a week. Additionally, the hall is available for casual hire most evenings.

The other facilities that operate in the local area do not appear to impact on hall patronage: the Neighbourhood Centre, the Cabarita Community Centre, the Scout Hall and the Pottsville Beach Public School Hall.

3.3.2.8 Crabbes Creek Hall



Crabbes Creek Hall



Built in 1908, and heritage listed, Crabbes Creek Hall is located near to Byron Shire. The hall is very well utilised with a range of events: Australia Day breakfasts and New Years Eve fireworks; Friday pizza nights and regular barbecues; State of Origin and Bathurst nights, weddings and birthday parties, the Crabbes Creek Film Society, Crabbes Fest, and a number of regular activities. Crabbes Fest is now a well known yearly event that supports local small schools.

The hall has had recent refurbishments such as covered outdoor area and ramps, a new kitchen and wider doors. It requires new wheelchair accessible toilets and an upgraded septic system. The Crabbes Creek Hall Management Committee works collegially with the community and promotes the efforts of other committees and associations in the area such as the Burringbar School of Arts and Stokers Siding-Dunbible Hall groups and the local schools.

3.3.2.9 Tumbulgum Hall



Tumbulgum Hall

The heritage listed Tumbulgum Hall was established as a Literary Institute in 1913. Today the Tumbulgum Hall Association runs or supports a number of annual events: Australia Day and Anzac Day breakfasts, film nights, a full moon walk and the local fishing competition. The hall is also used for presentations and training. Regular hall users include Summer Dance Group, Boxing Group, the local choir and the historical society which has contributed to the Tumbulgum Heritage Trail and heritage art exhibits.

The Tumbulgum Conservation Area is well known for its sporting competitions, galleries and eateries. The committee is keen to strengthen the links between the Hall Association and the Tumbulgum business and residential community.

3.3.3 Hall hours of operation

Of the nine halls that form the focus of this report, seven have midnight curfews throughout the year (Crabbes Creek, Crystal Creek, Fernvale, Limpinwood, Piggabeen, Pottsville Beach and Tumbulgum). Doon Doon Hall is located within the gated surrounds of Crams Farm Reserve. Its committee is negotiating with Council to extend the closing times from 6:30pm to 10:00pm, with alternative arrangements to accommodate late events or overnight guests. Piggabeen and Fernvale hall committees have also indicated that they are willing to have people camp on the hall grounds overnight.

This information is readily available to potential hirers on Tweed Shire Council's website. Additionally Crabbes Creek, Piggabeen and Limpinwood committees have developed their own Facebook or websites to further promote activities in the halls.

3.3.4 Hall fees and charges

The hall committees have been provided with a recommended fee schedule from Council. However, each committee has elected to negotiate and / or waive fees according to the circumstances of individual hirers. Smaller hall committees such as the Limpinwood Association have queried the logic of a standardised fee structure noting that the recommended \$13-\$20 per hour discourages people from hiring a hall of its size.

Hire fees range between \$13-\$20 per hour, \$40-\$50 per half day, and \$100-\$150 per evening. Special events such as weddings attract higher fees to reflect the extended hours of use required for set up / knock down. Bonds also vary from nil to \$300 per event.

Few of the hall committees allow 'high risk' events. Crabbes Creek Community Hall Association is the only committee that currently allows 18th or 21st birthday parties. For these events, the bond is increased to \$1500 and further assurances including security guards and police notification are required.

3.3.5 Hall capacity

Limpinwood and Fernvale halls hold fewer than 70 people. Crabbes Creek and Doon Doon halls accommodate 70 and 120 people respectively. Five halls accommodate between 200 and 300 people (Tumbulgum, Piggabeen, Pottsville Beach, Crystal Creek and Chillingham).

It is not evident that hall capacities determined under 'Permit for Places of Public Entertainment' (POPE) regulations are currently accurate with respect to access, amenities or evacuation requirements. For example, both Fernvale Hall and Crabbes Creek Hall have a documented capacity of 70 people. Yet Fernvale is less than a quarter of the size of Crabbes Creek Hall. Council is in the process of re-assessing the venues.

3.3.6 Hall hiring practices

With the intention of protecting the hall assets, several hall committees have restricted the number and scope of activities they allow in the halls. This has inadvertently led to the potential exclusion of some people from full participation in the halls. Many management committees believe that the halls are primarily for the benefit of their local communities. Several committees restrict the number of activities they run for insurance and capacity reasons, and keep casual events to twelve or less per year, for individual persons or groups of persons, in accordance with the Council's Hall Hire Agreement.

Some committees note that hosting too many events in small catchment areas may actually lead to 'hall fatigue'. All but one of the hall committees refuse to host 18th or 21st parties. It is not clear if these pragmatic decisions effectively contravene Council's Access and Inclusion Policy and Youth Policy.

3.4 Fitness for purpose

Tweed Shire Council is committed to providing equitable and open access to community halls which are safe and secure. In determining the viability and sustainability of Tweed Shire's community halls, consideration is given to fitness for purpose in the context of legislation including: *Disability Discrimination Act 1992*; *Local Government Act 1993*; *Crown Lands Act 1989*; *Associations Incorporation Act 2009* and *Work, Health and Safety Act 2011*.

3.4.1 Disability Discrimination Act 1992

According to the 2011 ABS data, 5866 Tweed Shire residents require help with day-to-day activities due to disability or poor health; 1117 live in communities identified in this report. The greatest recorded need is amongst those 80 years of age and older.

Enhanced access to halls in the Shire helps people with disabilities and their carers to participate in community, and ensures that hall committees and Council meet their legal responsibilities under the *Disability Discrimination Act 1992* (DDA).²

² Tweed Shire Council Community Profile

The DDA, and the *NSW Disability Services Act 1993* provide protections against discrimination based on disability. The DDA is a complaints-based legislation. If persons with disabilities or their companions believe they have been victims of discrimination while using Council-owned, community-managed halls, they may seek address from hall committees, individual office bearers and / or from Tweed Shire Council.

While access issues are addressed in several provisions of the DDA, they are principally dealt with under section 23 of the Act which states that it is unlawful to discriminate against a person on the grounds of the person's disability:

- by refusing to allow a person with a disability to enter premises or use facilities that the public is entitled or allowed to enter or use
- by imposing less favourable conditions on a person with a disability in entering premises or using facilities
- by requiring a person to leave premises because they have a disability³

Under Section 27 of the Act, it is unlawful for a club or incorporated association, or members of the committees of management of clubs and incorporated associations to discriminate against a person (either a member or non-member) on the grounds of the person's disability.⁴

The Building Code of Australia (BCA) and the Disability (Access to Premises-Buildings) Standards 2010 are the key policy guidelines that ensure access to public buildings, services and facilities. Construction and renovation work, where a Development Application is required, must comply with the Disability (Access to Premises – Buildings) Standards 2010.

Factors such as uneven surfaces, stairs and inclines, barriers or hazards, poor lighting and acoustics, or security risks such lack of visibility are core considerations with respect to hall management. It is advisable for Council to develop and implement disability action plans and / or access audits to identify and address access and inclusion issues and practices.

3.4.2 Access

Since 2006, several halls including Crabbes Creek, Doon Doon, Chillingham, Crystal Creek, Piggabeen and Limpinwood have had building work and upgrades done which improve access and usability: disability toilets and access ramps, new kitchens, enlarged doorways and covered outdoor areas. Upgrades to disability toilets, and improved driveway access and parking are proposed for Pottsville Beach Hall and Crystal Creek Hall but must be considered in context of activity levels in the halls.

³ <https://www.humanrights.gov.au/frequently-asked-questions-access-premises#DDA>

⁴ http://www.austlii.edu.au/au/legis/cth/consol_act/dda1992264/s4.html#club



Piggabeen Hall ramp construction

Nine halls have disability ramps and / or paved entrances; however, access is frequently limited by factors such as insufficient lighting, no continuous path of travel (uneven surfaces and kerbs), lack of hand rails, limited parking, appropriate toilet facilities and steep inclines.

Although Fernvale Hall has an accessible ramp, access to the hall is impeded by narrow doorways and a 150 mm step. A buildup of leaf matter and branches clogs the gutter causing water to spill onto the deck making it slippery.

Crystal Creek Hall is situated on a hill. Access to the hall is impeded by a steep incline, lack of accessible parking and no designated pathway to the building.

According to the management committee, Pottsville Beach Hall has had two incidents where someone has fallen: one at the front entrance and the second in the parking lot. The committee cited uneven pathways, high kerbs, poor lighting, and the absence of hand rails as contributing factors in both cases. Hall users were not aware that there was a flood light which could light up the rear parking lot. In late 2014, handrails were constructed to address safety concerns.

Limpinwood Hall is heavily shaded by camphor laurel trees. Little natural light reaches the access ramp at the back of the building. Leaf matter and berries fall on the disability ramp making it slippery. Committee members noted it can be quite dangerous.

Only four halls have wheelchair accessible toilets: Doon Doon, Limpinwood, Pottsville Beach and Tumbulgum. However, the toilets at Doon Doon and Tumbulgum halls are located outdoors. At Doon Doon the absence of a pathway, lighting and adequate signage from the hall to the amenities blocks make visibility and access particularly difficult.

Fernvale and Chillingham halls have outdoor toilets with no disability access. In Chillingham, there is no lighting marking the way to the toilets, nor a handrail on the back steps leading to the toilets. The pathway to the toilets at Fernvale Hall is next to an embankment and is accessed by stairs.



Fernvale stairs and path to toilets

Several halls have performance stages which are only accessible by steps or stairs (Chillingham, Crystal Creek, Crabbes Creek, Doon Doon, Piggabeen and Tumbulgum). The Crystal Creek stage is currently accessed by a wooden stump.



Chillingham Stage with side stair access

Members of Crabbes Creek and Pottsville Beach committees note that their halls have poor acoustics. Similar feedback was provided at Rural Village Strategy forums in Chillingham, Tumbulgum and Crabbes Creek. The lack of baffles or hearing augmentation facilities means that people with hearing impairments may not be able to participate fully in hall activities.

3.4.3 Security

Several halls are isolated or have areas which are not clearly visible from the road. Doon Doon and Fernvale halls are located in remote areas; Doon Doon is on a reserve several kilometres from the main road and Fernvale is set back from the road in a heavily treed area.

While fronting directly onto roadway, Limpinwood and Piggabeen halls are several kilometres from main towns. The rear of the properties are not easily visible from the road.

The parking lot of Pottsville Beach Hall is behind the building and is surrounded by trees. Without lighting it is not visible from the road at night.

3.4.4 Local Government Act 1993

The *Local Government Act 1993* is the legal framework that enables communities to participate in the affairs of local government. Various provisions under the Act impact directly on hall management activities and practices.

Under Sections 25-26 of the Act, all public land must be classified by Council as "community land" or "operational land". Operational land has no special restrictions other than those that regularly apply to land parcels; however restrictions do apply to lands classified community land. Under the legislative requirements of the Act, community land:

- cannot be sold
- cannot be leased, licensed or any other estate granted over the land for more than 21 years
- must have a plan of management (POM) prepared for it

Seven halls are located on public land: four on community land and three on land zoned operational. Many of Tweed Shire's halls were purchased or constructed by local communities, and continue to occupy significant historic, social and cultural roles in the Shire. It is, therefore, both a legislative requirement and a civic responsibility that Council consults with the community when developing Plans of Management (POM), and acknowledges the long term investment people have had in these community halls.

Section 36 of the Act stipulates that Council must categorise community land as:

- Natural area
- Sportsground
- Park
- Area of cultural significance, or
- General community use

These classifications and categories have varying implications for the management of the halls. Council must determine the appropriate use, development and management of the land in accordance with the objectives of each category and should consult with the broader community about changes of use, or closures to venues located on community land. Further, under the Environmental Planning and Assessment Act 1979, community land can only be reclassified to operational land by the preparation, exhibition and gazettal of a Local Environmental Plan.⁵

Historically, when Chillingham, Limpinwood and Pottsville Beach Halls were surrendered to the care and control of Council as part of hand-over arrangements, the hall committees were made Committees of Council. This is no longer the case and all of the hall committees now operate autonomously as independent entities, with little or no oversight from Council.

Hall committees have not been informed about, or required to comply with Council policies such as: Access and Inclusion, Youth, (Model) Code of Conduct or Volunteers.

Council has not recruited, appointed, trained or up-skilled the management committees. It has delegated to the committees authority over the management of the halls, and put them in contact with Council staff, various contractors and the public with no formal management instructions in effect.

⁵ Department of Local Government Public Land Management

Under the *Local Government Act 1993*, as part of any delegating arrangement, Council must be clear about the functions it wishes to devolve, in what circumstances these functions are exercised and how reporting and other arrangements are put in place. Roles and responsibilities of management committees, and reporting structures must be clearly defined in written terms of reference.

If it can be demonstrated that Council has been remiss in delegating its responsibilities to volunteer management committees that are uninsured, ill informed or deemed not capable of fulfilling their roles and responsibilities, Council may be held legally accountable.

3.4.5 Crown Lands Act 1989

The *Crown Lands Act 1989* and associated *Crown Lands Regulation 2006* provide the principles and framework for the stewardship of Crown Land. Tweed Shire Council as 'Corporate' Reserve Trust manager has been set up under the Act to manage and care for Crown Reserve Land in the shire.

Under Section 97A of the Act, Council may delegate, with the Minister's consent, any of its functions to subcommittees. Under authority of Section 102 of the Act, Council may also grant leases, licences and related easements over Crown Reserves with Ministerial consent. Community halls on Crown Reserve land are required to have State approved leases in place.⁶

Two community halls are located on Crown Reserve Land: Fernvale Hall and Pottsville Beach Hall. Tweed Shire Council has delegated the management of Fernvale Hall and Pottsville Beach Hall to volunteer committees, but to date has only issued a lease to the Fernvale Hall management committee.

There is no lease between Council and the Pottsville Beach Hall Committee, although correspondence indicates that the Committee agreed to a management agreement in 2007.

Under the *Crown Lands Act 1989*, Council is not permitted to delegate to sub-committees the following functions:

- the making of a charge
- the fixing of a fee
- the borrowing of money
- the voting of money for expenditure on its works, services or operations
- the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment)
- granting leases, licences, easements and related matters
- the acceptance of tenders
- the adoption of a plan of management
- the adoption of a financial statement included in an annual financial report AGM reports and minutes are adopted
- a decision to contribute money or otherwise grant financial assistance to persons⁷

⁶ Reserve Trust Handbook

⁷ NSW Government Trade and Investment Crown Lands Trust Handbook

A number of activities which contravene the *Crown Lands Act 1989* are carried out by committees of halls on Crown Land and on public land. For example:

- all of the hall committees report that they regularly negotiate or waive fees depending on the circumstances of the hirer
- all of the hall committees adopt financial reports and vote on the expenditure of monies in order to carry out hall upgrades and activities
- at least one committee - Tumbulgum Community Hall Association – donates funds annually to students graduating from the local primary school

3.4.6 Associations Incorporations Act 2009

The *Associations Incorporation Act 2009* came into force in New South Wales in 2010 to regulate the activities of incorporated associations. Incorporated committees must comply with statutory and reporting obligations such as maintaining proper financial and membership records. Under the Act, failure to keep a register of committee members can exact penalties. It is mandatory to have a Model Constitution (formerly Model Rules).

It is not clear whether all committee members understand their responsibilities as office bearers. Several committees, including those that are incorporated have had unfilled office bearer positions. The Crystal Creek group, which is actually a sub-committee, has no chair and only three active members. Members of the Pottsville Beach Association have at times held multiple positions. The *Associations Incorporation Act 2009* requires an association to have a minimum of five members at all times.⁸

Four hall committees hold meetings on an 'as needed' basis (Chillingham, Crystal Creek, Piggabeen, and Pottsville Beach). It is not clear what constitutes 'as needed'. It is not evident whether two of these halls have held meetings in the last twelve months as they have not provided documents as requested.

3.4.7 Work, Health and Safety Act 2011

The purpose of the *Work, Health and Safety Act 2011* (WHS) is to provide a nationally consistent framework that ensures the health and safety of workers including volunteers. Objectives of the Act include providing advice, information, education and training in relation to work, health and safety; and securing compliance through appropriate scrutiny, review and enforcement measures.

The Act classifies Local Government as a 'Person Conducting a Business or Undertaking' (PCBU) with responsibilities for all workers including employees, work experience students and volunteers. While Council does not formally regard hall committee members as volunteers, they may in fact be classified as volunteers under the Act. With regard to work, health and safety for hall management committees," Council needs to be aware of its obligations under the Act; namely that:

- Council has a duty of care to volunteers
- volunteers have an increased duty of care to each other
- deliberate negligence by volunteers is a risk to individual(s), committees and to Council

⁸ Associations and Incorporation Act 2009

- Council needs to have a an active role in implementing WHS practices and processes in all volunteer activities including the management of halls and activities such as working bees."⁹

With respect to safety and duty of care, the Hall Committees have identified a number of safety risks or concerns including: unsafe stairs and ramps; slippery surfaces; insufficient lighting; exposure to chemicals such as cleaning products or machinery such as urns and gardening equipment; insufficient or non-hygienic toilets and hand basins; proximity to busy roadways, and challenging client behaviour. It is incumbent upon both the Hall Committees and Council to determine methods of reducing risk.

Most committees are very reluctant to host large events, particularly 18th or 21st parties because of crowd risks.

All of the hall committees have ceased to run working bees, and have limited the number of maintenance activities they perform. Council has agreed to deliver WHS training as part of its commitment to supporting the Hall Committees.

Limpinwood, Fernvale and Piggabeen committees note that access ramps become slippery with fallen leaves and mould. Council has implemented a more frequent maintenance regime that may address issues such as gutters.

Chillingham and Doon Doon committees feel there is insufficient lighting from the halls to the toilet blocks. Several halls have inadequate toilet facilities: Crabbes Creek, Fernvale, Piggabeen, Chillingham, and Crystal Creek. The state of repair of amenities has been noted in recent building assessments.

Limpinwood Hall has hazardous cleaning products on open kitchen shelves because they have no lockable cupboards.

Crystal Creek Hall has unsealed barrels filled with liquid, and stacked cases of glass bottles in the main hall.

All of the halls have freestanding hot water urns.

None of the hall committees regularly carries out formal risk assessments.

3.5 Management Committees

The community hall committees range on a continuum from formally organised and functioning well, to very loosely structured and not sustainable into the future. Some halls have very active and involved management committees and the support of the communities they serve. Others do not.

Well utilised halls are essentially the products of good management practices. Effective management committees are comprised of members who are easily contactable, flexible and accommodating, and confident using social media, applying for grants, and complying with regulations and legislation.

The current hall committees generally respond promptly to phone and email requests. They are willing to accommodate potential hirers' needs. For example, they will open the halls for

⁹ CT Group - Community Buildings Management Plan - Part 2 - Governance Review

viewings, and ensure keys are readily accessible by dropping them directly to hirers or by setting up a centralised key pick up / booking site.

They promote the halls through Council's website, making sure information is accurate, and / or have their own websites and Facebook sites. The busiest halls are generally those that are made available to outsiders as well as locals.

Successful management is also characterised by strong leadership. For example members of committees such as Crabbes Creek and Tumbulgum are recognised as the key drivers of social activities in the community, and are respected for their support of a broad range of local initiatives.

Where halls are less well frequented, committees note that the burden of managing the halls and events rests entirely with the committee members. Committees with ageing membership such as Crystal Creek and Chillingham are finding the demands of managing the halls increasingly taxing, particularly as many are also coping with health concerns, caring responsibilities and declining membership. It is evident that some halls have no succession plans in place. As their capacity to run the halls diminishes, these committees are finding that no one is prepared to provide support or take over the reins.

Three hall committees have experienced recent disputes in relation to management, access, and activities. They have indicated they would welcome a Community Halls Policy as well as Council's support in the event of future problems

Recently, the president and vice president of the Limpinwood Hall Committee resigned due to disagreements with the community over activities in the hall. The present committee must now contend with the residual effects of this dispute. They are trying to attract new interest in the hall and revive some of the former support where possible.

The Doon Doon Hall Committee is involved in an ongoing dispute with a previous member who volunteered to develop a promotional website for the hall; the committee understood this to be a freely donated service. However, the former member subsequently demanded payment which the committee refused to pay. As a result of this dispute the site has been used to publically criticise the present committee. This has raised a number of issues with respect to website development and ownership, and is an issue that might be of interest to other committees also considering creating their own websites.

Many committee members are ill informed about Council policies, government legislation, and committee roles and responsibilities. This is particularly evident with respect to provisions under the *Local Government Act 1992* and *Associations Incorporation Act 2009*. For example, in contravention of the *Local Government Act 1992*, all of the hall committees regularly negotiate or waive fees and vote on expenditure of monies.

Incorporated associations are required to have Model Constitutions (Model Rules) with documented roles and responsibilities. Only one committee has furnished Council with its Model Rules, though several committees note they refer to the Department of Fair Trading documents.

Several committees, including incorporated associations, report that office bearer positions have remained vacant for extended periods, and individual members have assumed multiple positions. Several committees have irregular meetings and two have not provided minutes or financial reports to Council as requested. While this has not necessarily lead to poorly

utilised, or for that matter poorly run halls, it does raise concerns with respect to open decision making, information sharing and to succession planning.

Several committees note that insurance concerns caused them to restrict activities. Prior to council agreeing to purchase insurances on behalf of the hall committees, only four committees had insurance. Until recently, most committee members were under the impression that they were covered under Council's insurance. This was not the case for incorporated committees. The following coverage has been recommended by insurance providers: Public and Products Liability; Personal Accident (Volunteers) insurance; Association and Officials Liability (where applicable); and to a lesser degree, Fidelity Insurance.

Committees were asked to provide details about membership, activities of the committee, and the number of regular and casual hall events and attendance. This information was required to prepare insurance quotes. It is also recommended that Council and committees improve information sharing practices.

All the committees note the onerous nature of risk assessment forms. Simplified forms have been developed and given to committees for feedback. Committees have also been invited to source alternative forms if possible.

There are a number of procedural concerns with respect to running meetings, decision making, record keeping, letting of halls, and handling of keys. Crystal Creek Hall Committee has let the hall to a for-profit business without first sighting a Certificate of Insurance. The Pottsville Beach Hall Committee provides permanent sets of keys to regular hirers.

Several hall committees are noncompliant with respect to issuing, completing and collecting documents such as hire forms, certificates of currency, and risk assessments. Some committee members admit that they do not complete hire forms every time they let the hall. Two committees have queried the need to sight the Certificates of Currency of clubs or associations.

3.6 Insurance

The lack of adequate insurance cover was the most critical issue facing both Council and the individual hall committees. Uninsured public liability claims potentially leave injured persons without appropriate compensation, and increase the chances of costly legal action against management committees and Council as the owner of the hall assets.

Until October 2014, only four hall committees / associations had Public and Product Liability cover: Chillingham, Crabbes Creek, Pottsville Beach and Tumbulgum. Only one committee, Chillingham, had Professional Indemnity insurance, and none had Personal Accident (volunteers) cover. Two incorporated committees were uninsured: Piggabeen Hall Association and Fernvale Hall Association. Council's insurance cover did not extend to incorporated groups .

Three unincorporated committees did not have insurance: Crystal Creek, Doon Doon and Limpinwood. Management committee office bearers can be held personally responsible if a committee is not incorporated.

As noted previously, hall committee members are not recognised as Volunteers of Council although this appears to contravene the *Work, Health and Safety Act 2011*. In undertaking their roles on committees, members are not covered under Council's Public Liability or

Personal Accident insurance if injured. They are not covered under the provisions of the *Local Government Act 1993* or under Work Cover legislation. Therefore, Personal Accident (Volunteers) insurance was part of the suite of insurances recommended for the hall committees.

Casual and regular hirers (not being a sporting body, club, association, corporation or incorporated body) are covered under a separate liability program. Commercial or for-profit hirers must have their own public liability cover with at least \$10 million indemnity.

Several insurance providers were invited to update Council about their insurance products and uniformly recommended a suite of insurances for volunteer management committees:

- Public and Property Liability insurance
- Personal Accident (Volunteers) insurance
- Associations & Officials Liability insurance

Aon Risk Solutions, Local Community Insurance Service and Community Underwriting deal with volunteer community organisations and committees. These providers offered affordable cover to suit the needs of hall committees. These insurance providers all required that a master policy be managed by a centralised body i.e. a Council committee.

Insurance providers require that committees keep accurate records in the event of a claim including records of hire, booking receipts, volunteer registers, and risk assessments, and note that Council must be listed as co-insured on all legal documents and have legally binding management agreements in place with all of the hall committees. This has not been common practice amongst some committees to date.

Council, as property owner, is required to have control of assets and in administering that control over the hall management committees should have legal arrangements in place. In the absence of such agreements, Council is exposed to uninsured liability. Management agreements have been approved and are under review.

4. Conclusions and recommendations

Tweed Shire's community halls have traditionally provided a range of activities to meet the social participation and access needs of the community. Some halls continue to be lively hubs, focal points of their communities. Other halls are no longer thriving. Ongoing investment in these halls must be informed by a realistic assessment of current and potential uses.

Where halls are underutilised and no longer sustainable, consideration must be given to a range of options such as re-purposing the spaces to better reflect community needs, attracting more active and engaged management committees, including community - particularly where halls are located on community land – in hall decision making, and / or closing venues to the public.

Several hall committees note they rely on the local community for patronage. The number and scope of hall activities is restricted to the needs of small local populations. Committees may need encouragement to accommodate tourists or people from larger catchment areas.

Remote halls, such as Doon Doon Hall, would benefit from dedicated marketing and promotion strategies, supported by Council, The venue is well managed and maintained and the setting is ideal for special functions.

Halls such as Crabbes Creek, Tumbulgum and Pottsville Beach attract people from wider catchments: larger populations, adjoining communities, and tourists. Engaging all the hall committees in integrated planning may help to activate quieter halls.

Now that insurance risks have been mitigated, governance is the primary concern that must be addressed as a matter of urgency.

Council can delegate its responsibility for the care, control and management of community halls to committees under provisions of the *Crown Lands Act 1989* and the *Local Government Act 1993*. However, as property owner, Council is required to have control of its assets, and in administering that control should have legal arrangements – management agreements - in place with the hall committees. In the absence of legal agreements and Terms of Reference, committees may not be aware of their administrative and reporting requirements, decision making limitations, and / or methods for ensuring statutory and legislative compliance.

Hall committees may be ill informed, but they are not exempt from the impacts of various legislation and statutory requirements i.e. *Local Government Act 1993*, *Work, Health and Safety Act 2011*, and *Disability Discrimination Act 1992*. If Council has been remiss in delegating its responsibilities to volunteer management committees it can be held to account.

To date, Council has had very limited information about the hall committees' membership, governance and operational activities, level of competence; or about hall usage and hire arrangements.

Council's informal approach to managing community halls has contributed to a situation in which procedural errors, lack of accountability and compliance issues with halls have become common and out of step with good governance and risk management practices.

No assumptions are made with respect to the long term sustainability of individual community halls; however, any plans for investment in, and activation of the halls in future are contingent upon governance and insurance issues being addressed in a thoughtful and sustained manner.

The following recommendations are submitted for consideration. It is recommended that Tweed Shire Council:

1. Develops a Community Halls Policy to formalise Council's commitment to community managed halls.
2. Implements a governance model that balances Council's and the wider community's interest and investment in the halls. The formation of a Community Halls Advisory Committee has been adopted by Council which will:
 - 2.1 Act as an information conduit between Council and the individual hall committees overseeing management and operations of the halls.

- 2.2 Support individual committees and Council to improve hall usage through strategic planning, marketing and promotion.
- 2.3 Support individual committees with skills development and succession planning.
- 2.4 Enable hall committees and Council to comply with legislative and policy requirements.
- 3. Continues to fund a suite of insurances for all of the community hall management committees.
- 4. Develops Management Agreements and accompanying Terms of Reference for each of the community hall management committees
- 5. Continues assessment of the sustainability of community halls through the development of the Community and Cultural Facilities Network Plan to:
 - 5.1 Inform decisions about re-purposing or divestment of community halls.
 - 5.2 Ensure decisions regarding halls on public land zoned 'community land' are made in consultation with the local community.
 - 5.3 Investigate opportunities to re-invigorate community halls through linkages with and human services; and social, economic and environmental stakeholders in the region.
- 6. Ensures consideration is given to community halls in the Cultural Plan, including specific actions that foster the use of community halls to enhance or re-invigorate cultural activity at a local level across all ages and cultures.

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