

19th Sept 2010:

To: The Mayor, Fraser Coast Regional Council.

C.C: All Council Members, Fraser Coast Regional Council.

Subject: Hervey Bay Pool Season Ticket Prices for Concession card holders.

History:

I first raised this issue with Council in March 2009. The matter was reviewed by Council staff at that time and dismissed out of hand. I then asked what more could be done and I was referred to Councillor MuckKan. I left several messages for Councillor MuckKan which he did not return.

I again raised the matter with Councillor MuckKan in April this year. This culminated in a series of e-mail exchanges that resulted in Councillor MuckKan recommending that a report be prepared for Council. This happened at the 28th July 2010 Council meeting:

Minutes of the FCRC Ordinary Meeting No. 12 held on Wednesday 28 July 2010 Page 11 #1892087 ORD 14 GENERAL BUSINESS ORD 14.6 Aquatic Centre – Disability Pension Holder Concession Councillor MuckKan said that he had received approaches from members of the community enquiring as to why Council did not have a discounted seasonal ticket to the Aquatic Centre for disability pension holders, and he requested a report be presented to Council regarding this matter and possible implications. The meeting was advised that at the present time only people undertaking a rehabilitation program received a discount. RESOLUTION (MuckKan / Harris) That a report be brought to Council outlining the budget implications of implementing a concession seasonal pass at the Aquatic Centre for people with a disability pension. Carried Unanimously Ord 12/241/07/10

Please note the charter of the report as highlighted.

In an e-mail sent to me on the 15th July 2010 by Councillor MuckKan he stated, (as copied from the e-mail in question):

From: Les Muc Kan [mailto:Les.Muckan@frasercoast.qld.gov.au] Sent: Thursday, 15 July 2010 4:03 PM To: 'bleyzie@bigpond.com' Subject: RE: Swimming Pool

Hi Ian,

"Following up on your concerns and speaking with one of our Executive Manager today, (which has now replaced Andy Gaze with his position)! It was decided that I take your concerns to the next Ordinary Council Meeting, and raising it in General Business.

The Motion will be:

"At several times I have been approached by a member of the community who asked why the Council does not have discounted season tickets for people with a disability pension.

I would like council staff to investigate the possibility of introducing such a discount and its effect on the budgeting for the swimming pools.

Could a report be prepared and brought back to be presented to Council"

Hopefully, with this and the support of the other councillors we can ask the Officers or staffs members of the Council to prepare and bring back a report that outlines the benefits and costs of introducing a pensioner discount on a season ticket.

Once this report has been prepared it will be presented to Council for discussion. I will keep you posted on its progress, if that's ok with you!"

Is this ok with you and/or is there anything else you'd like to see "in this area" to come back in this report, that we (council) can discuss???

Regards,

Your Friendly Neighbourhood Councillor

Les Muckan

At the Community & Development Committee Meeting held on the 25th Aug 2010 the following motion is recorded:

Minutes of Community & Development Committee Meeting No 4 held on Wednesday, 25 August, 2010 Page 4

#1942868

Councillors in attendance:

Councillor Hovard, Councillor Arthur, Councillor McNeven, Councillor Brooks, Councillor Muckan, Councillor Dagleish, Councillor Nioa, Councillor Kruger, Councillor Hawes, Councillor O'Connell, Councillor Harris

C&D 6 OFFICERS' REPORTS – COMMUNITY & CULTURE C&D 6.3 Fees at the Hervey Bay Aquatic Centre RECOMMENDATION (Brooks / Nioa)

That the Council recommend that the enquirer be advised that the current Fees and Charges offer a substantially discounted fee for regular users.

Carried Unanimously C&D 4/64/08/10

The Council Report:

The motion authorising the report had as its charter as follows:

That a report be brought to Council **outlining the budget implications** of implementing a concession seasonal pass at the Aquatic Centre for people with a disability pension.

When the report as presented hereto is read, and I am assured by Mr Gaze that the report as presented in the minutes of the FCRC Community Development Committee meeting on the 25th Aug 2010, is an exact copy of the report that was compiled by Mr Jeff Jenkins, the 'budget implications' that were to be the focus of the report are not even mentioned. There are:

1. No comparisons of any budgetary content,
2. No summary of current disability users and their discount implications,
3. No pool usage relating to carer or disability users,
4. Definitely no information presented to Council that give it any information as to what cost would be incurred if a Disability concession was offered on season tickets.

This report does not go near any of the charter that was requested at the Council meeting. It was a complete waste of Council time, resources and effort. Every member of the public could look up the information presented in this report if they cared to do so. As a report that Council used to make their decision and acted upon, it says so much about the general interest the elected members of my Council have in this matter.

For your information, the actual report that was sent to Council is pasted below:

ITEM NO: C&D 6.3 FRASER COAST REGIONAL COUNCIL COMMUNITY & DEVELOPMENT COMMITTEE MEETING NO. 4 WEDNESDAY 25 AUGUST, 2010

SUBJECT: FEES AT THE HERVEY BAY AQUATIC CENTRE

DIRECTORATE: COMMUNITY & DEVELOPMENT RESPONSIBLE

OFFICER: DIRECTOR, COMMUNITY & DEVELOPMENT, Peter Smith

AUTHOR: EXECUTIVE MANAGER, COMMUNITY & CULTURE, **Jeff Jenkins**

DOC NO: #1940345

LINK TO CORPORATE / OPERATIONAL PLAN:

1. PURPOSE

The purpose of this report is to seek Council’s direction on discounts to fees for holders of Pension Cards, Seniors Cards and other bona fide discount cards at the Hervey Bay Aquatic Centre.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Following a recent enquiry regarding Council’s position on concessions for pensioners, especially season tickets for disability pensioners, Cr Muckan requested that a report be prepared for Councils consideration.

The request is for Council to provide discounted seasons tickets for disability pensioners.

The fees and charges that are focussed on are the Daily Discount Rate and the Half Year and All Year season ticket charges. Taken from the 2010/11 Fees and Charges Schedule these are:

Daily: Holder of a Disability Pension Card or Health Care Card - \$1.85

Season Pass: Half Yearly (Adult) - \$164; All Year (Adult) - \$293.00

The following example was provided by the enquirer:

“200 visits a year (average 4 times a week) using the daily entrance discount costs 200 \$1.85= \$370. The normal cost would be \$740.

A season ticket for a full year costs the public: \$293.

A season ticket for a Concession/Pensioner card holder is also: \$293”.

25 AUGUST, 2010

On the 24th of May 2010 the Executive Manager – Environmental Health and Regulation corresponded with the enquirer outlining Council’s fees and charges schedule pertaining to the Hervey Bay Aquatic Centre and stating, in part, that the pricing structure “provides a fair and equitable service to the multitude of different user groups that use the pool while allowing the pool to operate and be maintained at an affordable level for the community as a whole.”

In addition a comparison with other nearby Councils Fees and Charges shows the following:

Council	Pension Discount Price	Half Yearly Season Ticket	Yearly Ticket	Season
Fraser Coast Regional Council	\$1.85 per entry	\$164.00	\$293.00	
Gympie Regional Council (War Memorial Pool)	No Discount Adult \$3.00	N/A	\$180.00	

Gladstone Regional Council	No Discount Adult \$4.60	No Season Tickets Multi Passes in packs of 20 = 10% Discount off Adult Price	
Rockhampton Regional Council (Sth. Rockhampton Pool)	\$2.10 per entry	No Half yearly Pass	\$99.75 (Closed for five months of the year)
Bundaberg Regional Council (Anzac Park)	\$2.00 per entry	N/A	\$160.00

There appears to be no consistency in the setting of fees and charges and those that apply a discount do so only on single admissions. The opening period affects the cost of a season ticket and those that do provide a season ticket do not provide a discounted ticket.

3. PROPOSAL

The complaint focuses on the non-provision of a discount fee for a Season Ticket but if we use the above example of 200 visits a year we find there is a saving of \$447 if a season ticket is purchased.

The proposal is that Council acknowledge the concern raised but reiterate that the season ticket provides a 61% saving.

4. FINANCIAL & RESOURCE IMPLICATIONS

Further discounts to the Hervey Bay Aquatic Centre fees and charges are not budgeted for.

5. POLICY & LEGAL IMPLICATIONS

In accordance with current Council policies.

6. CRITICAL DATES & IMPLEMENTATION

Any changes to the Schedule of Fees and Charges would require a report to Council.
25 AUGUST, 2010

7. CONSULTATION

The following people and Council websites have been consulted:

Cr Les Muckan

Executive Manager – Environmental Health and Regulations – Andy Gaze

Hervey Bay Aquatic Centre Manager – Paul Jones

Gladstone Regional Council Fees and Charges

Rockhampton Regional Council Fees and Charges

Gympie Regional Council Fees and Charges

Bundaberg Regional Council Fees and Charges

8. CONCLUSION

That Council advise the enquirer that the current Fees and Charges Schedule provides for access to a discounted fee.

9. OFFICER'S RECOMMENDATION

That the Council recommend that the enquirer be advised that the current Fees and Charges offer a substantially discounted fee for regular users.

ATTACHMENTS: NIL

The following are additional observations concerning the report presented to Council:

1. At no time did the author contact me to discuss the issues I had and were raising.
2. At no time did the author of the report speak with other regional pools to discuss their policies. He extracted the information from their websites.
3. At no time did the author approach or seek legal opinion over the discriminatory policy of offering discounts to concession card holders on a daily entry basis, but not on a season ticket basis.
4. There was no research undertaken to ascertain what new usage might be expected from Fraser Coast Community services with a reduction in season ticket prices.
5. No contact was made with any disability advocacy group to ask or enquire to what is required to be done to comply with the State Disability Act, or what could be done to assist those with mobility issues wanting to use the pool on a regular basis.
6. Nobody from Council bothered to contact me after the decision had been made to advise the Council decision as decreed.

8. CONCLUSION

That Council advise the enquirer that the current Fees and Charges Schedule provides for access to a discounted fee.

7. I discovered that the decision had already been made after I sent Cr Books an e-mail asking her at what stage the Council

was in reviewing my submission. Her response is pasted hereto:

From: Sue Brooks [mailto:Sue.Brooks@frasercoast.qld.gov.au]
Sent: Monday, 13 September 2010 9:55 PM
To: 'bleyzie@bigpond.com'
Cc: Les Muc Kan; Andy Gaze
Subject: Re: Swimming Pool discount for season tickets for concession card holders...

Hi Ian.

The report has gone to Council recommending no change to pricing and this was agreed to by Council. I'm currently on leave for my son's wedding in China so I trust Cr Muckan can organise a copy of the report for you. Cheers. Sue

Councillor Sue Brooks
Environment portfolio

Reference Resources:

To have only used fellow Council staff, Jones, Gaze and MucKan as the resource reference persons in this report, does not make it independent in any way.

Mr Jones, the pool Manager, is on record as saying that he: 'does not think any person should get a discount on pool entry'.

Mr MucKan's interest is only peripheral and not personal, and Mr Gaze is a promoter of current Council policy and declared to me when we first spoke as recorded in the FCRC minutes:

On the 24th of May 2010 the Executive Manager – Environmental Health and Regulation corresponded with the enquirer outlining Council's fees and charges schedule pertaining to the Hervey Bay Aquatic Centre and stating, in part, that the pricing structure "provides a fair and equitable service to the multitude of different user groups that use the pool while allowing the pool to operate and be maintained at an affordable level for the community as a whole."

His interest is in complying with Council policy. The author of the report no longer works for Council so I have no opportunity to ask what research he did do. For all that I know, he wrote this report in an hour to satisfy a Council policy and to dismiss my submission.

Mr MuckKan's lack of interest was very obvious from the first instance. In a period of 18 months he never took the time to knock on my door to find out what my issue really was. This is despite him saying in a recent Council minute:

Minutes of the FCRC Ordinary Meeting No. 15 held on Wednesday 8 September 2010 Page 10

ORD 15 GENERAL BUSINESS

ORD 15.7 Return of Council Vehicle

Councillor MucKan said that if people were wondering why he was walking around was because he had given his vehicle back to Council. He said he wanted to get out and walk around and see our city first-hand.

He said that for those living on the outskirts of town it was a long way but if people offered him a cup of tea and lunch he would be happy to visit the outlying areas.

His interest in getting to understand the issues I have tried to raise were not something he though important enough to visit me.

Doctors Certificate:

As recorded in the 28th July minutes:

Councillor MucKan said that he had received approaches from members of the community enquiring as to why Council did not have a discounted seasonal ticket to the Aquatic Centre for disability pension holders, and he requested a report be presented to Council regarding this matter and possible implications.

The meeting was advised that at the present time only people undertaking a rehabilitation program received a discount.

There was no mention in the report that your concession discount policy is only granted to those undertaking a rehabilitation program as provided by a current Doctors certificate. Yet this is stated as being the Council policy. I asked in my submission why this is so for genuine concession card holders. This question was not even addressed by the Report.

The FCRC policy on this issue is discriminatory, and disadvantages concession card holders. The Legal issue on this policy is also questionable and the report summation on this issue is:

5. POLICY & LEGAL IMPLICATIONS

In accordance with current Council policies.

What are Council's current policies on Disability matters?

Pool Comparisons:

As regards to other Regional Pool data content contained within the report, the information presented is misleading on so many levels:

1. Gladstone City Council offer 10 hours of free pool time to a Community based organisation called Gladstone Aqua Therapy

Association (GATA), who provide a bus pickup and return for members. This information is readily available if the report author had bothered to contact Gladstone Pool as opposed to extracting information from an on-line web site.

2. Sunshine Coast Council pools all offer season ticket discounts for concession card holders of 25% on daily and similar discounts for season prices.
3. Bundaberg Council pools are leased and the Lessor's have discretion to offer whatever discounts they want for disability and other concessions card holders.
4. Rockhampton Council pools are council Managed and their discounts for daily entrance are 25% and similar for season tickets.
5. In the report, there was no comparison given for the daily entrance fees for concession and general public. This gave the Councillors no opportunity to make any real comparisons.

I have extracted a more detailed Regional pool pricing schedule that provides more detailed information hereto:

Council Region:	Pool:	Daily Admission		Half Year Season:		Yearly Season Price:	
		Adult:	Concession:	Adult:	Concession:	Adult:	Concession:
Bundaberg:	*Anzac Park:	\$3.00	\$2.00	\$160	discretionary	Open 7-8 months	
	*Isis:	\$1.50	\$1.00	\$230	\$90	Open 7-8 months	
	*Norville Park:	\$3.00	\$2.00	n/a	discretionary	Open 7-8 months	
	*Gin Gin:	\$2.40	discretionary	\$120	discretionary	Open 7-8 months	
*Pools leased. Lessor has discretionary price structures for Concession/Disability by private arrangement.							
Fraser Coast:	Hervey Bay:	\$3.70	\$1.85	\$164	None	\$293	None
	Maryborough:	\$3.20	\$1.60	\$160	None	\$290	None
Sunshine Coast:	Cotton Tree:	\$4.60	\$3.80	\$239	\$191	\$419	\$335
	Nambour:	\$4.60	\$3.80	\$239	\$191	\$419	\$335
	Coolum:	\$4.20	\$3.80	\$218	\$175	\$382	\$306
	Noosa:	\$4.90	\$3.80	\$239	\$191	\$419	\$335
	Kawana:	\$4.60	\$3.80	\$239	\$191	\$419	\$335
	Caloundra:	\$4.60	\$3.80	\$239	\$191	\$419	\$335
	Beerwah:	\$4.20	\$3.55	\$218	\$175	\$382	\$306
	Buderim:	\$4.20	\$3.55	\$218	\$175	\$382	\$306
	Palmwoods:	\$4.20	\$3.55	\$218	\$175	\$382	\$306
	Eumundi:	\$4.20	\$3.55	\$218	\$175	\$382	\$306
	Coolum-Peregian:	\$4.20	\$3.55	\$218	\$175	\$382	\$306
	Tewantin:	\$3.60	\$3.00	\$187	\$150	\$328	\$262
	Mooloolah:	\$3.60	\$3.00	\$187	\$150	\$328	\$262

Gladstone:	Calliope:	\$3.30	n/a	n/a	n/a	Open 7-8 months	
	*Gladstone:	\$4.60	n/a	n/a	n/a		
*Council provide 10hrs a week free to GATA: (Gladstone Aqua Therapy Assoc) for members who pay a Special rate of \$2.70 to Assoc. Bus provides pick up to and from pool.							
Rockhampton:	Mt Morgan:	\$3.70	\$2.10	\$100	n/a	Open 7-8 months	
	Rockhampton Sth:	\$4.20	\$3.20	\$100	n/a	Open 7-8 months	
	Marlborough:	\$3.70	\$2.10	\$100	n/a	Open 7-8 months	
	Gracemere:	\$4.00	\$2.50	\$280	\$180	Open 7-8 months	
	Yeppoon (Heated):	\$4.50	\$4.50	No Season tickets issues when spoke to pool.			
	*Yeppoon(Olympic):	\$3.50	\$3.00	n/a	n/a	Open 7-8 months	
	Rockhampton Nth:	\$4.50	\$3.50	\$160	\$125	Open 7-8 months	
*Only offers a discounted 20 Pass entry, no concessions.							
Morten Bay	Deception Bay:	\$3.90	\$3.30	\$259	\$229	Open 7-8 months	
	Caboolture:	\$4.80	\$4.00	\$309	\$279	Open 7-8 months	
	Bribie Island:	\$4.40	\$3.40	\$263	\$243	\$388	\$357
	Woodford:	\$3.30	\$2.70			Open 7-8 months	
	Redcliffe:	\$4.00	\$3.00	Only offer a 30 pass card at discounted price.			
	*Albany Creek:	\$4.20	\$3.20	\$199	\$149	\$320	\$235
	*Dayboro:	\$4.20	\$3.20	\$199	\$149	\$320	\$235
	*Ferny Hills:	\$4.20	\$3.20	\$199	\$149	\$320	\$235
	*Lawnton:	\$4.20	\$3.20	\$199	\$149	\$320	\$235
	*Murrumba:	\$4.20	\$3.20	\$199	\$149	\$320	\$235
	*Pathways:	\$4.20	\$3.20	\$199	\$149	\$320	\$235
*Pools Managed by Belgravia Leisure Group. All pools also offer 30 pass/6m/12m where heated available.							

A number of pool management/staff when asked about admission prices for normal and discounted season tickets for concession/disability card holders, offered that their policy is as it is because no one had asked, or bought the matter to the attention of Council, or the pool operator.

As can also be seen from the data presented hereto, the Council Report submitted was completely misrepresentative of the facts, and as such the Council members ought to be chastened for their trust in their staff in producing such a one-eyed and inaccurate report.

The fact that all FCRC Councillors voted on this matter based on the content of this internally produce report, with no independent authority consulted before it was presented to Council, makes it a big issue when it comes to the Council's creditability and accountability.

I trust that with the information presented here, you might like to review your own report information and take this issue a little more seriously.

Other Factors:

There are also a number of other factors missing that were suggested but never factored into the report summation. These had been discussed at some length with Mr Muckan and Mr Gaze prior to Mr Muckan's motion.

These included:

1. A survey of all local retirement and carer facilities to ask whether a reduction in season ticket prices would encourage more usage among these aged care, and disadvantaged cared groups.
2. Any numbers that costed or reflected a healthier and more active community who were encouraged to use the pool as part of their exercise among the aged or concession card holder.
3. Any presumption that the Council recognised other public service sectors, either sub-contracted out, or managed by Council, and how they priced daily and season ticketing when it came to concession card holders.

Surely as Councillors, you understand that living on a pension is a difficult life. Budgeting for an exercise program to assist with disability mobility issues that dictate the quality of life, and knowing that the season admission price you pay is the same as the general public cost, is seen as unfair and unreasonable, particularly when you offer a daily concession discount.

If you cannot work or earn an income and have to rely completely on your pension, you are vulnerable to many personal sacrifices. Finding the \$293 to pay for a yearly season ticket for a pensioner is impossible if you are living solely on your pension income. There is no payment system offered to allow instalment payment. Using the pool three times a week means the daily discount fare still means you pay almost the same price as the general public pay when they purchase a season ticket.

i.e. $3 \times \$1.85 = \$5.55 \times 52 = \$288.60$.

If you use it more then the 3 times a week, and I would use it 6-7 times if I could afford the entrance cost, my costs would be:

i.e. $6 \times \$1.85 = \$11.10 \times 52 = \$577.20$.

i.e. $7 \times \$1.85 = \$12.95 \times 52 = \$673.40$... more than twice the cost of the general public season ticket.

As a pensioner, most of our pride is gone, yet to have to approach Council for something that should be considered a community disability and assistance policy, the FCRC appears to be more concerned with

equating this issue to a budget exercise than with any positive community spirit intent.

Financial Costings:

As for the financial costings contained within the report:

3. PROPOSAL

The complaint focuses on the non-provision of a discount fee for a Season Ticket but if we use the above example of 200 visits a year we find there is a saving of \$447 if a season ticket is purchased.

Not only did the author of the report use the information I provided in compiling the numbers he used in the report, he used them to provide a summary conclusion that gave the discount value applicable to the general public, and not the concession discount. This was misleading and did not serve the purpose of the report.

The proposal is that Council acknowledge the concern raised but reiterate that the season ticket provides a 61% saving.

This sentence from the Council minutes reflects the discount applicable to the **general public**. The concession card user is required to pay the same price to obtain the same discount, yet on a daily admission price structure, they receive a 50% discount on the public cost.

My submission to Mr Muckan and Ms Brooks, made comparisons for the **daily** entrance for Concession card holders and the general public of 50% savings. Yet there is no savings on the general public cost for a concession card holder if they purchased a season ticket.

Nobody in Council it seems understands this issue, given the 18 months of efforts to make you aware on my part. I have contacted Advocacy groups and am still chasing down other legal resources concerning this matter. May I suggest that you ask someone on your Council staff to take this issue a little more seriously than what has taken place too date.

Summary:

Council has fumbled the ball in this instance and fumbled badly. Councillors Muckan and Brooks were given several opportunities to intercede on my behalf and yet they both decided to rely on a Council report. I advise them both about the possible shortcomings about such a report but they insisted. It told me so much about their attitude to my issue and approach to Council.

The rest of the Councillors had their opportunity to question the Report content and its validity to the charter of the report. They also failed to take independent counsel and relied on the content of the report to make their decision.

Herein lays the problem. If Councillors can be so easily duped into accepting such a false and misleading report on a simple matter like this, how concerned are they when it comes to much more important matters?

My research undertaken in this matter confirms that most Regional Councils **do have** a separate price structure for concession/disability card holders when it comes to season and daily entry prices. FGRC is the only Council who does not offer discounts on season ticket prices for concession/disability card holders. The Doctors Certificate policy is also original to the FCRC.

I do not take issue with Councils rights to structure their fees and price recovery structures. But I do question the Councils observance of the State Disability Act, and the Local Authorities Act 2009, when it comes to intent and Community acceptance of usual practices.

Project Development:

As part of my ongoing research I have started to contact Community Health assistants who provide services to aged and disability citizens. This group include Blue Care, Trans Com Care, Centre Care, Allied Health and additional Community Care groups.

The concept being researched is something similar to the Gladstone Aqua Therapy Assoc. This requires further research to be completed in a number of areas. These include:

1. Availability of new or existing Bus transport and driver for pick ups from and drop off back to homes. Initial requirements would budget around a 10-15 seater, with a review if initial advertising for such an association fostered more users.
2. It would require Council to make available 'lap lanes' for the Association during Summer and Winter seasons at a cost to the Association that would include pool entry costs.
3. The budget would factor any availability of Federal, State and Community budgets that cater for this type of service.
4. There would need to be a Committee structure that administers the program. Either an existing Community based service or Council would be deemed appropriate.
5. The concept is to provide a community based service that assists those with mobility issues to get to the Hervey Bay pool to exercise on a regular basis. It would be a six of seven day service depending on availability of transport and drivers.
6. Participants would become a member of the Association and pay a usage fee to the Association for the service. This fee would reflect a reasonable cost structure to the users and

would offer substantial discounts to the current existing Council Pool fee structure for Concession card holders,

Yours sincerely,
Ian Bleys.