

Agriculturally rich – Naturally beautiful

Yorke Peninsula Council

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council
will be held on Wednesday 9th November 2016,
in the Council Chambers,
57 Main Street, Minlaton commencing at 5.30pm

Andrew Cameron
CHIEF EXECUTIVE OFFICER

A G E N D A

ITEM 1 YORKE PENINSULA COUNCIL

- 1.1 Welcome by Mayor – meeting declared opened
- 1.2 Opening Prayer
- 1.3 Present
- 1.4 Leave of absence
- 1.5 Apologies

CHIEF EXECUTIVE OFFICER

IA/ITEM 4.3

1. STRONGER COMMUNITIES GRANT FUNDING SUCCESS

PURPOSE

To inform Elected Members of a recent successful grant submission under the Stronger Communities Federal Grants Programme.

RECOMMENDATION

That the report be received.

LINK TO STRATEGIC PLAN

- | | |
|-------------|--|
| Goal: | 4 Community Engaged and Supported |
| Strategy: | 4.1 Invest in youth activities and events
4.7 Foster productive working relationship with Progress Associations |
| Goal: | 5 Responsible Governance |
| Strategies: | 5.2 Effective leadership and informed decision making
5.4 Seek alternate income streams and ensure financial sustainability
5.10 Celebrate, communicate and promote Council's achievements |

BACKGROUND

Elected Members would be aware that staff continue to research and seek funding opportunities to increase Council's ability to support and work with local communities to provide projects and facilities that improve and enhance community well-being, build capacity and provide connections and collaboration.

DISCUSSION

Utilising the existing Youth Activities programme as the springboard, the Governance Officer has researched and successfully sourced funding under the Stronger Communities Federal Grants programme for a project entitled Active Ardrossan and Energised Edithburgh outdoor gym and nature play space.

The anticipated project cost is \$44,000 (GST inclusive) with Council receiving a 50% contribution through the funding programme. Other in-kind support will be provided by Country Health SA, Ardrossan and Edithburgh Progress Associations, with Council contributing the remaining 50% from within the Youth Services budget.

The project description outline is to provide outdoor gym equipment and nature play spaces for Ardrossan and Edithburgh townships. The Progress Associations and members of both the Ardrossan and Edithburgh communities have identified that outdoor gym equipment and landscaping on their foreshore areas would be of significant benefit to the communities.

Local schools will be involved with the design and development of the space and landscaping of the area which will include areas of nature play for young people.

Natural spaces offer the best opportunities for children to play freely outdoors. Nature play has flow on benefits in health, cognitive, social and emotional development and in the building of resilience and creativity.

The project outcomes identified within the application are as follows:

- Development of an outdoor gym equipment and nature play spaces at Ardrossan and Edithburgh.
- Young people from the local schools working together with the Ardrossan Progress Association, Edithburgh Progress Association and Yorke Peninsula Council in the design and landscaping of the gym and nature play space. This will provide young people and adults within the communities an opportunity to mentor and learn from each other, have ownership for the community asset that they are developing and contribute to community vibrancy and viability.
- There are no gym facilities in Ardrossan or Edithburgh and the outdoor free gym equipment will allow members of the community to utilize the equipment to improve their health and to participate, particularly the disadvantaged. This fits with the Yorke Peninsula's commitment in the Yorke Peninsula Alliance Regional Public Health Plan 2014-2020 priority area of "increasing opportunities for healthy living, healthy eating and being active".
- There will be opportunities for local sporting clubs and community groups to utilize the gym equipment as groups to increase social interactions in an active way.

This project is another way to showcase to the community, how a collaborative, partnership approach can achieve the goals and aspirations of the Council and community providing positive outcomes for all involved. We look forward to seeing this project come to fruition and providing a long term sustainable outdoor gym and space, in these communities, contributing to increased well-being. The Governance Officer is to be commended on her initiative and the pro-active way she is building relationships with community partners to achieve great outcomes.

COMMUNITY ENGAGEMENT PLAN

Level 1 – Inform

Information will be made publicly available via Council's website.

CONSULTATION PROCESS

In preparing this report, the following Yorke Peninsula Council officers were consulted:

- Chief Executive officer
- Governance Officer

In preparing this report, the following External Parties were consulted:

- Nil

POLICY IMPLICATIONS

Nil

BUDGET AND RESOURCE IMPLICATIONS

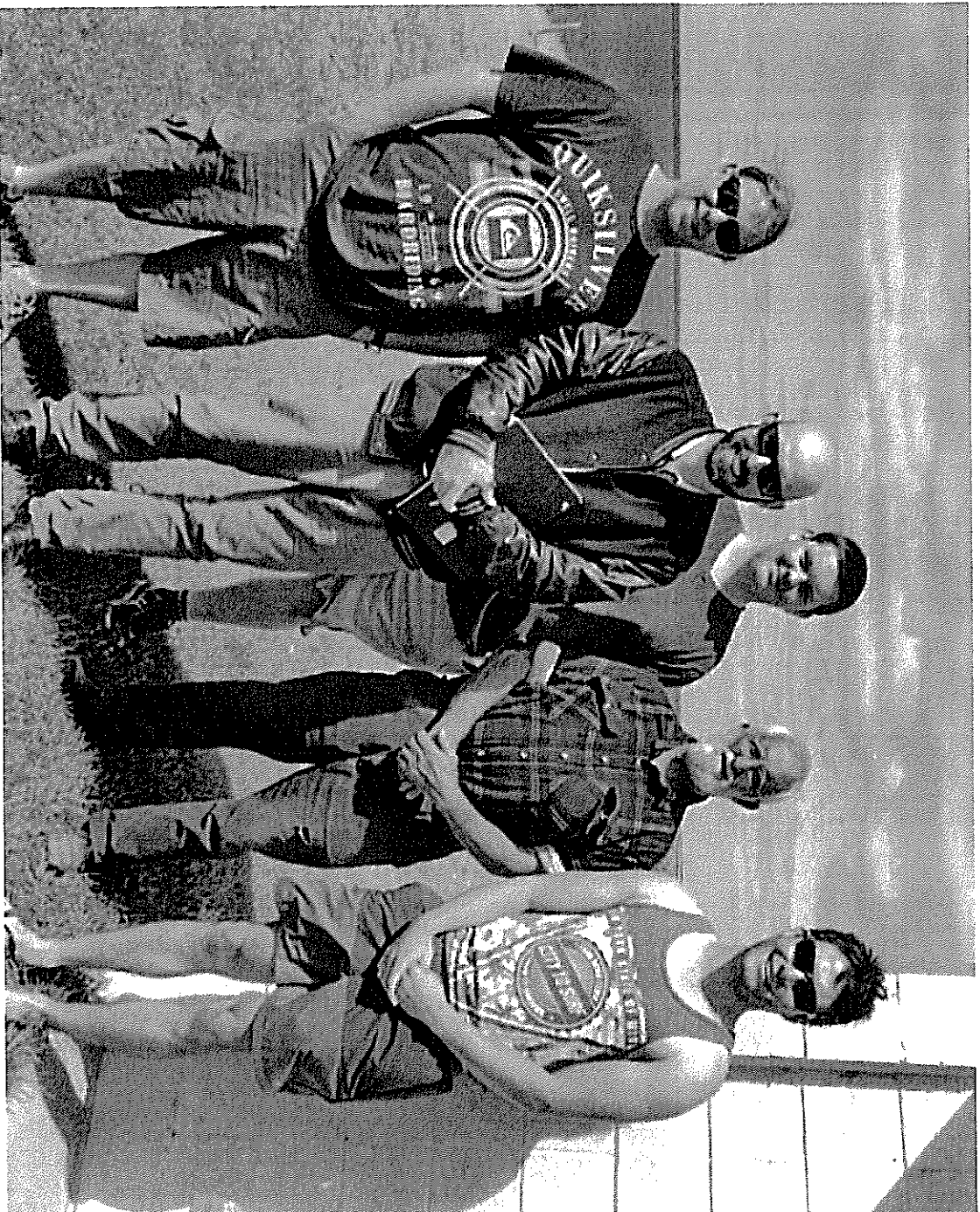
The anticipated total project cost is \$44,000 (GST inclusive) with financial and in-kind support being provided from both Ardrossan and Edithburgh Progress Associations, Country Health SA, Council and the provision of grant funding, the Council's contribution has been included in the Youth Activities budget.

RISK/LEGAL/LEGISLATIVE IMPLICATIONS

Local Government Act 1999

ATTACHMENTS

Nil



GYM PLANS... Yorke Peninsula Council youth worker Steve McNeair, ParkFit representative Callum Anderson, Yorketown Area School student Josh Absalom, Edithburgh Progress Association president John Edwards and personal trainer Brenton Burt discuss plans for the proposed outdoor gym on the Edithburgh foreshore.

Plans for outdoor gym

Mary Herrmann

From: Diana Sweeney <kevana.ds@gmail.com>
Sent: Monday, 1 May 2017 12:08 PM
To: Mary Herrmann; Steve Mcneair (steve.100line@gmail.com)
Subject: Fwd: RE: Edithburgh outdoor gym

Categories: Save

Hi Mary and Steve

Could you both please read the attached emails by the residents directly across from the site of Edithburgh's outdoor equipment.

We will need to address these concerns asap.

Thanks Diana

----- Forwarded message -----

From: "BM & J Mill" <abjlmill@gmail.com>
Date: 1 May 2017 11:20 am
Subject: RE: Edithburgh outdoor gym
To: "Diana Sweeney" <kevana.ds@gmail.com>
Cc:

Thanks for your reply. This new information has however prompted more questions.

1.Can you please advise the consultation process used?

2.Please advise the timeline.

3.What exactly is a "set of equipment"? We were under the impression that there were individual stations set up along the track, like Point Turton.

4.Please advise the size and height of the equipment and the actual footprint (i.e. how many square metres)?

5. Please advise the materials being used.

Your reply says that the area is "to the left of the shelter". Obviously this has come as quite a shock to us as in your minutes it states "between the bike track and the shelter".

So this is now of immediate concern to us as it is directly in front of our residence and will have implications for our property's value. This is also in the direct straight line of our view.

The gap between the road and path is quite narrow in front of our place. Other sections of the foreshore area have a far greater distance to the cliff from the road and other residences are set quite back or more elevated. We are quite close and privacy is an issue. As you can see we have just completed our fence design and had it specifically measured as to allow no obstruction of our view.

Our house is low, only has flat, forward facing windows and we have no deck or balcony as others do, (to enable us to see over the equipment).

This really is quite shattering news for us and we are distraught and feel targeted. We will be the only residents to have this impingement. Please do not underestimate our grief.

Please know that we think the idea of an outdoor gym is wonderful and we look forward to working with you, not against you, to reach a compromise prior to council approval.

Jillian and Andrew Mill

From: Diana Sweeney [<mailto:kevana.ds@gmail.com>]

Sent: Friday, 28 April, 2017 8:53 AM

To: BM & J Mill

Subject: Re: Edithburgh outdoor gym

Thank you for your comments and interest.

We have selected the grassed area at the end of Cross Street where the shelter and benches are for this first set of equipment. As you look at the ocean, the area chosen is to the left of that shelter. It offers soft grounding and a nicely all year round green area. We have a second location in mind for future equipment but this has not been decided upon yet and equipment does not have the funds allocated.

Thank you also for your comments on the work that we do for the community. Our Progress association is a very active one with enthusiastic people on the committee. We also welcome all thoughts from the residents on our activities.

I hope this answers your questions. If a second site is to be decided upon in the near future, I will make sure that your thoughts are included in the discussion.

I will also read this correspondence out at the next Progress meeting.

Thank you again for your interest.

With kind regards

Diana Sweeney

On Fri, Apr 28, 2017 at 8:48 AM, BM & J Mill <abjlmill@gmail.com> wrote:

Hello,

We recently read in The Country Times an article re: plans for outdoor gym and followed the story on the EPA website and now we are keen to find out more after reading the minutes from your March meeting.

We are wondering if there was any further discussion at your April meeting re: the exact locations of the places you are considering?

The March minutes state one of two locations discussed was “between the bike track and the shelter” and I can see in the Country Times photograph, that you are standing right out the front of our residence. So I am writing to seek some clarity on the locations you are considering.

Do you mean the area behind the shelter or in front of the old school/ where Cross Street intersects?

As a resident we would like to offer our observations and preferences for choice of location.

We notice that most people walking from the caravan park to the jetty are actually carrying their fishing gear and off to catch a bite.

We notice that many people utilise the lawn pool area for fitness activities, including myself, and the area you mention “lawned area east of the toilets” would prove popular because it offers :

the most shelter,

car parking,

lawn area sustained throughout Summer,

and less interruption for coastal views for residents and visitors as it is also flanked by the car park and building.

It is also by far the most popular area for visitors.

This choice of area also already provides car parking spaces for the users.

Also there are toilet facilities accessible right there.

It will more likely to be used.

As a side note I would also like to mention the playground/oval area. An extremely popular stop over for visitors and is right next to the nature flora park with it's wonderful walking trails. Please also consider this location as over the years I have taken my children to the playground and preferring not to just sit, I would appreciate some adult gym equipment there as I can be active without leaving the kids unattended. Also it's close to other sports clubs to use for training. A final thought is along the walking trail to Coobowie as I often use the benches in the golf course and along the track to do extra exercises.

Thank you for your consideration.

Finally I would like to thank you for the wonderful work you do. All of our friends visiting Edithburgh
ALWAYS comment on the well-kept public spaces on offer.

Jillian and Andrew Mill

abjlmill@gmail.com

0458221623

Mary Herrmann

From: Diana Sweeney <kevana.ds@gmail.com>
Sent: Tuesday, 9 May 2017 2:48 PM
To: Mary Herrmann
Subject: RE: Objection to the outdoor gym

I don't believe so no.

On 9 May 2017 2:44 pm, "Mary Herrmann" <Mary.Herrmann@yorke.sa.gov.au> wrote:

Hi Diana,

actually Vanderveer

Sorry, I am very behind in emails at the moment. I have also had a conversation with Julie O'Halloran. I do need to know though if there has been any contact (aside from the complaints) with the affected residents though? I think Jo was going to touch base with the key ones but not sure if she had the chance as yet?

I will get on to it as soon as possible.

Kind Regards,

Mary.

From: Diana Sweeney [mailto:kevana.ds@gmail.com]
Sent: Tuesday, 9 May 2017 2:41 PM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>; Steve Mcneair (steve.100line@gmail.com) <steve.100line@gmail.com>
Subject: Objection to the outdoor gym

Hi Mary and Steve

I forwarded to you both some emails I had received from Mr and Mrs Mills at Edithburgh regarding their concerns regarding the outdoor gym equipment.

Have you had a chance to read that email? We are having a meeting tonight and I'd like to be able to table your responses to the email.

Cheers Diana

From: Diana Sweeney [<mailto:kevana.ds@gmail.com>]

Sent: Friday, 12 May, 2017 8:59 AM

To: BM & J Mill

Subject: Edithburgh Outdoor Gym Equipment

Good morning Mr & Mrs Mills

Edithburgh Progress discussed your concerns at our meeting on Tuesday evening and feel that, given the Council is coordinating the Development Approval and public consultation process, it would be best for you, if you have further concerns, to please contact the Council directly - admin@yorke.sa.gov.au

Thank you for contacting us and please be aware that we have requested Council re-look at the location of the equipment.

With kind regards

Diana Sweeney

Please respond as a matter of priority, via return email, as this was brought to council's attention April 28th.

Jillian and Andrew Mill

171 37292

Mary Herrmann


From: BM & J Mill <abjlmill@gmail.com>
Sent: Monday, 29 May 2017 2:07 PM
To: Corporate Email Address; Mayor Ray Agnew
Subject: development Edithburgh
Attachments: EPAyptimes.jpg

Hello,

We would like to bring this matter to your attention.

Further to our phone call to your office, please forward to Mick Cartwright. Manager: Development Services
Please find below the original correspondence that Allan Cotton requested from us, after our initial phone call on 28/4/17. He stated to us that he would get back to us, but to no avail. We have been extremely disappointed to have NOT received ANY correspondence from ANYONE ELSE re information on this issue. As it is now into the fifth week we are expecting an immediate response.

As explained to Allan, we were first made aware of this issue from the attached Country Times article. We have had much correspondence with the Edithburgh Progress Association, the very latest being the outcome from their last meeting, where our concerns were raised. HOWEVER I see no mention of it either in your council's meeting minutes OR agenda items, even though it is obviously an ongoing project and there is a committee involved.
Further to this, our specific issue was raised in April and we believe 4 weeks is ample time to collect information, prioritise and reply to us, even if on leave from the office. The fact that this pressing issue has been left unattended is of great stress to us. Please rectify.

 This was our original email...

Hi Allan,

Please find attached YP Times article and email correspondence from the Edithburgh Progress Association.

Thanks,
Jillian And Andrew Mill

On Fri, Apr 28, 2017 at 8:48 AM, BM & J Mill <abjlmill@gmail.com> wrote: *to Progress

Hello,

We recently read in The Country Times an article re: plans for outdoor gym and followed the story on the EPA website and now we are keen to find out more after reading the minutes from your March meeting.

We are wondering if there was any further discussion at your April meeting re: the exact locations of the places you are considering?

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Also there are toilet facilities accessible right there.

It will more likely to be used.

As a side note I would also like to mention the playground/oval area. An extremely popular stop over for visitors and is right next to the nature flora park with it's wonderful walking trails. Please also consider this location as over the years I have taken my children to the playground and preferring not to just sit, I would appreciate some adult gym equipment there as I can be active without leaving the kids unattended. Also it's close to other sports clubs to use for training. A final thought is along the walking trail to Coobowie as I often use the benches in the golf course and along the track to do extra exercises.


Thank you for your consideration.

Finally I would like to thank you for the wonderful work you do. All of our friends visiting Edithburgh ALWAYS comment on the well-kept public spaces on offer.

Jillian and Andrew Mill

abjlmill@gmail.com

0458221623

 This was the EPA response...
(Progress)

From: Diana Sweeney [mailto:kevana.ds@gmail.com]

Sent: Friday, 28 April, 2017 8:53 AM

To: BM & J Mill

Subject: Re: Edithburgh outdoor gym

Thank you for your comments and interest.

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I hope this answers your questions. If a second site is to be decided upon in the near future, I will make sure that your thoughts are included in the discussion.

I will also read this correspondence out at the next Progress meeting.

Thank you again for your interest.

With kind regards
Diana Sweeney

 Please note that there have been many emails in-between, with discussion on this issue, but this is the latest update.

From: Diana Sweeney [<mailto:kevana.ds@gmail.com>]
Sent: Friday, 12 May, 2017 8:59 AM
To: BM & J Mill
Subject: Edithburgh Outdoor Gym Equipment

Good morning Mr & Mrs Mills

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Thank you for contacting us and please be aware that we have requested Council re-look at the location of the equipment.

With kind regards

Diana Sweeney

Please respond as a matter of priority, via return email, as this was brought to council's attention April 28th.

Jillian and Andrew Mill

Response to 17/39292

Mary Herrmann

From: Mary Herrmann
Sent: Wednesday, 31 May 2017 9:35 AM
To: 'abjlmill@gmail.com'
Cc: Point Turton Progress Association
Subject: HPRM: Edithburgh Outdoor Gym Space

Record Number: 17/39720

Dear Mr and Mrs Mills,
Michael Cartwright has forwarded your email correspondence to me, as I am project managing the proposed gym space.

Firstly, sincere apologies for the delay in response. I am not sure that Alan knew that I was the person looking after this.

The Project Team, which was made up of students from Yorketown Area School, the Edithburgh Progress Association and YP Council representatives (myself and Steve McNeair), in consultation with local personal trainers worked together to select the equipment and the location. A lot has happened recently in respect of the Project Team, in that Steve is no longer looking after this project and there has been a change with the school and the students. Long story short, both have caused delays beyond my control but I am now working with Progress to move forward. I can assure you that the site has certainly not been locked in and we will stay in touch and work with you as we move forward.

I will stay in touch and welcome any queries you may have in the meantime.

Thanks for your patience,
Kind Regards,
Mary.

Thank you for taking the time to contact me and provide feedback. I welcome and look forward to hearing your thoughts.

Mary Herrmann | Governance Officer
Yorke Peninsula Council | Principal Office - Maitland
Ph: 08 – 8832 0000 | F: 08-8853 2494
E: mary.herrmann@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Sunday, 9 July 2017 12:24 AM
To: Mary Herrmann
Subject: RE: Edithburgh Outdoor Gym Space
Categories: Save

Hi Mary, I am keen to hear if there has been any progress? According to the EPA minutes there seems to be ... yet we have not heard a thing directly. Jillian and Andrew Mill

From: Mary Herrmann [mailto:Mary.Herrmann@yorke.sa.gov.au]
Sent: Wednesday, 31 May, 2017 9:35 AM
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Cc: Point Turton Progress Association
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Mary Herrmann | Governance Officer
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Ph: 08 – 8832 0000 | F: 08-8853 2494
E: mary.herrmann@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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Mary Herrmann

From: Mary Herrmann
Sent: Friday, 14 July 2017 9:56 AM
To: BM & J Mill
Subject: HPRM: Re: Edithburgh Outdoor Gym Space

Record Number: 17/75132

Thanks for your email.

From my last discussions with Progress, they were going to talk over the location in consideration of different opinions and let me know their collective thoughts then we were going to determine the method of consultation. I haven't heard back yet but I promise that I will let you know when I know. I'm on leave until the 24th July but I will catch up with the minutes and follow up with Progress when I get back. I will let you know as soon as I know.

Kind Regards,
Mary

Sent from my iPhone

On 09/07/2017, at 12:24 AM, "BM & J Mill" <abjlmill@gmail.com> wrote:

Hi Mary, I am keen to hear if there has been any progress? According to the EPA minutes there seems to be ... yet we have not heard a thing directly. Jillian and Andrew Mill

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Cc: Point Turton Progress Association
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18 September 2017

PRINCIPAL OFFICE:
8 Elizabeth Street, Maitland
Telephone (08) 8832 0000

ALL CORRESPONDENCE TO:
PO Box 57, MAITLAND, SA 5573
Fax (08) 8853 2494

Email: admin@yorke.sa.gov.au
Website: www.yorke.sa.gov.au



Dear Ratepayer,

Energised Edithburgh Outdoor Gym Space

In partnership, the Yorke Peninsula Council ("Council"), the Edithburgh Progress Association ("Progress"), and the Yorketown Area School ("the School") were successful in securing funding under the Sustainable Communities Programme to create an outdoor gym space in Edithburgh.

The Stronger Communities Programme supports the Australian Government's commitment to deliver social benefits across Australia by funding small capital projects and input from the community is a key element.

The funding has provided a valuable opportunity for community members to work together towards creating a valuable, interactive outdoor gym space that will contribute to improved community health, participation and wellbeing.

In particular, students from the Yorketown Area School played a significant role in the project planning, design and risk management processes. This has provided participants with an insight into the requirements of preparing for medium to large scale projects and the opportunity for a sense of contribution to their community, along with skill development both relevant for today and into the future.

The students worked closely with Council and Progress ("the Project Team") and a local personal trainer, to consider and select some versatile outdoor gym equipment combinations, providing for a wide range of participants and abilities. We have attached pictures and information about the equipment to this letter as Attachments 1 and 2.

The Project Team have also identified the preferred location as the grassed area in front of the existing gazebo, located on O'Halloran Parade, adjacent to Cross Street, as shown in Attachment 3. Now, we would like your feedback as to the proposed location. By selecting either Option 1 – O'Halloran Parade, Edithburgh, adjacent to Cross Street or Option 2, where an alternative location can be nominated, and returning the slip at the bottom of this letter by Wednesday, 11 October 2017, you can have your say about where you would like to see the equipment located. Responses can be returned via email to mary.herrmann@yorke.sa.gov.au, to any Council office or via mail to PO Box 57, Maitland SA 5573.

For further information, please contact Mary Herrmann at the Yorke Peninsula Council on 8832 0000 or via the above email address.

Your participation will be greatly appreciated.

Yours sincerely

Mary Herrmann

GOVERNANCE OFFICER



Please cut here

Have your say!

Where do you prefer the Edithburgh Outdoor Gym to be located?

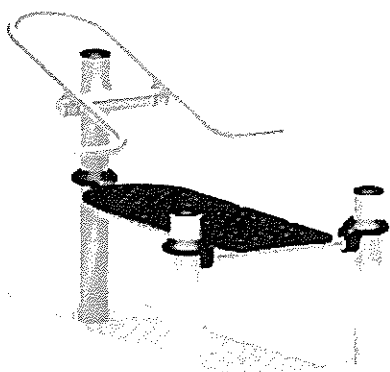
☐ Option 1 - O'Halloran Parade, Edithburgh, adjacent to Cross Street

☐ Option 2 – Alternative Location _____

Please return by Wednesday, 11 October 2017

BRANCH OFFICES

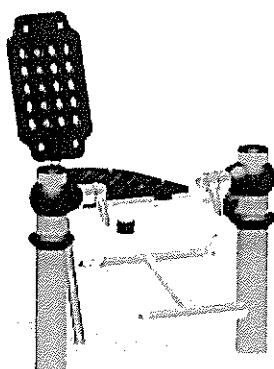
MINLATON: Phone 08 8853 3800
YORKETOWN: Phone 08 8852 0200
WAROOKA: Phone 08 8854 5055



BENCH PRESS

Develops pectorals, deltoids and triceps.

Lay on the bench with head under the bar, hold onto the bar. Push the bar upwards using your arms then lower to the starting position.

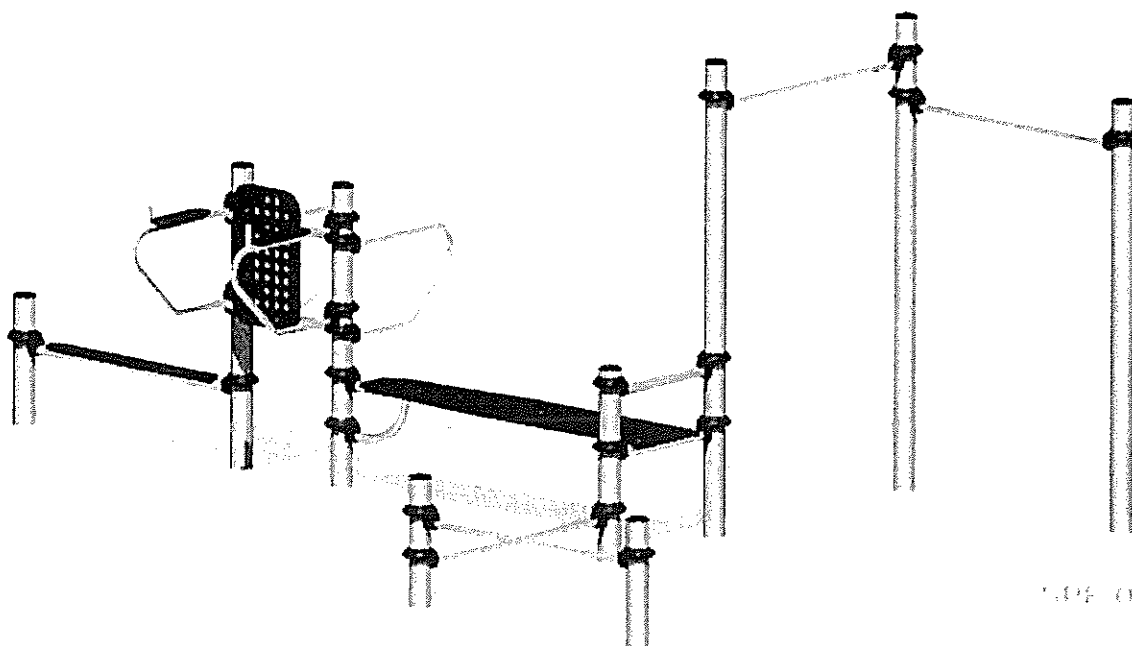


QUAD EXTENSION

Develops quadriceps.

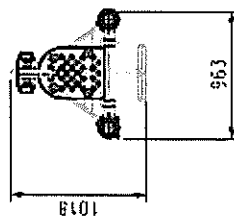
In a seated position, place knees over the top bar and with ankles under the lower front bar. Move lower legs forward and upward until knees are straight. Return to original position.

COMBINATION

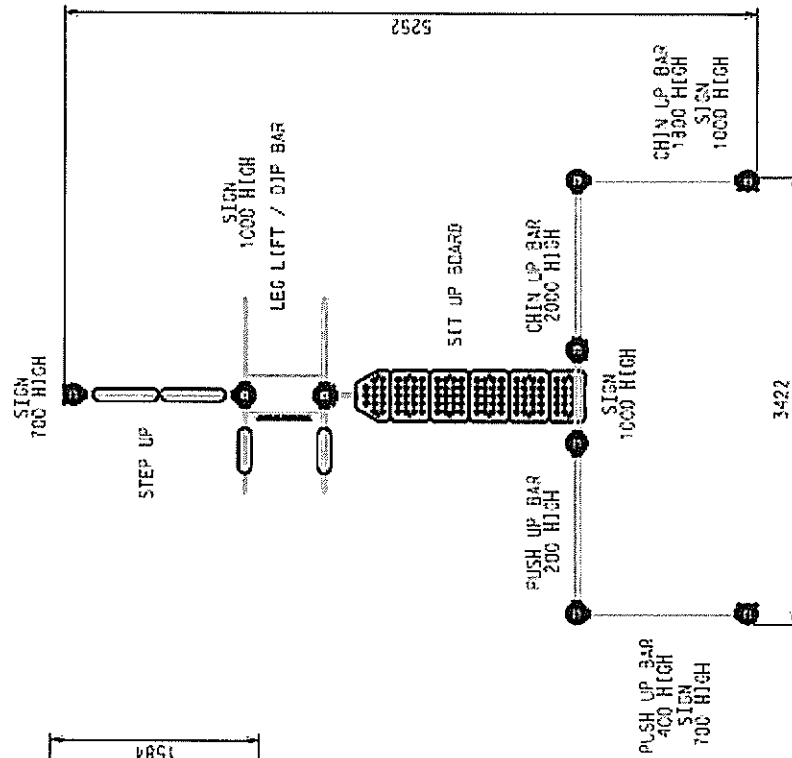
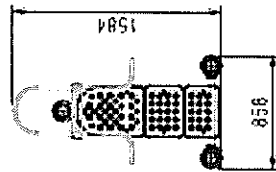


100-0000

SIGN
400 HIGH
GLAD EXTENSION



SIGN
400 HIGH
BENCH PRESS



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TITLE:

DCYF - Edinburgh Fitness

DWG NO: SAPF-0073

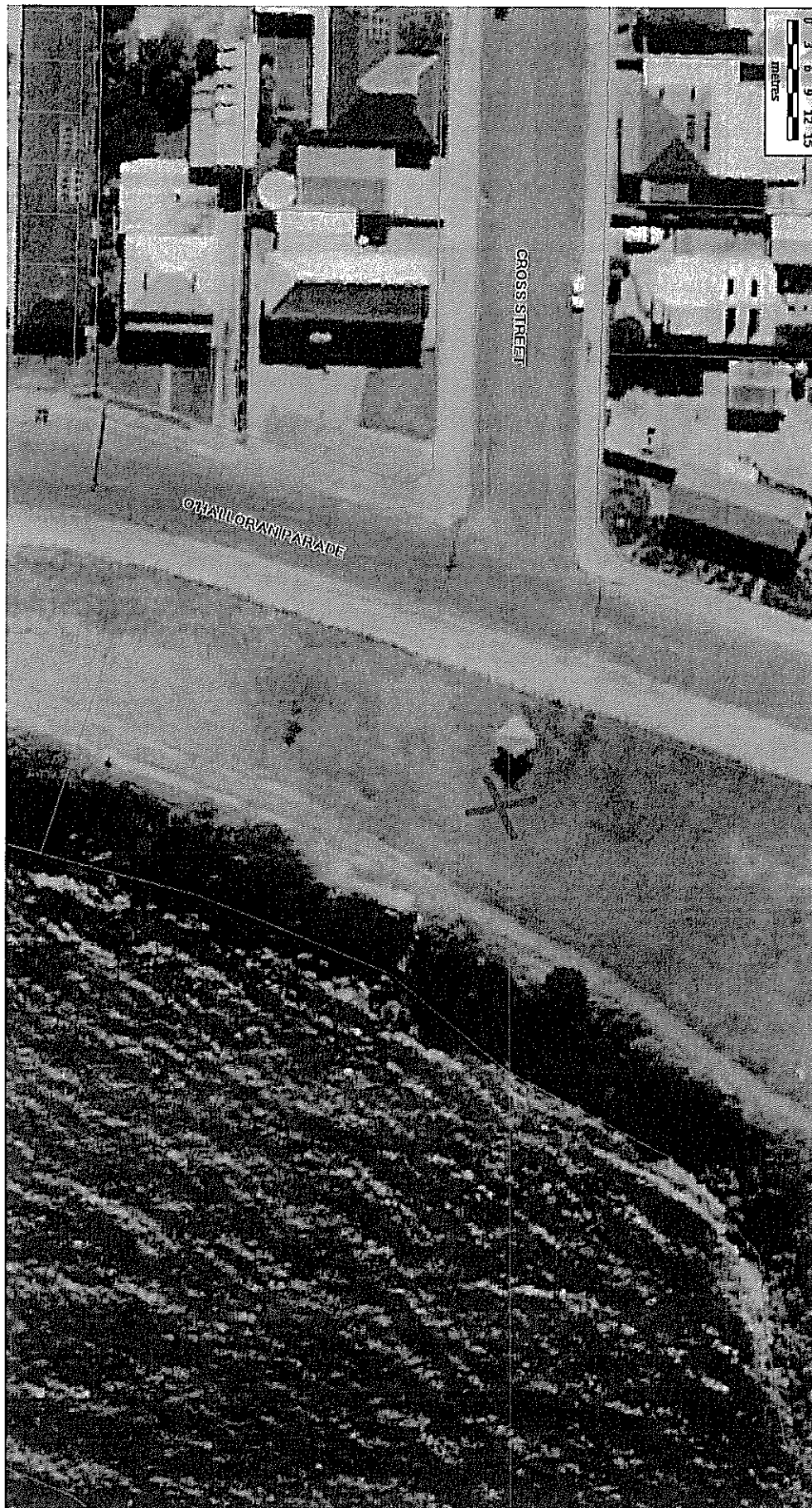
SCALE: N/A



ISSUE: 11/04/2017

BY: CEA

ALL DIMENSIONS IN
MILLIMETRES



Mary Herrmann

From: Mary Herrmann
Sent: Tuesday, 19 September 2017 2:23 PM
To: abjlmill@gmail.com
Subject: Edithburgh Outdoor Gym Space
Attachments: Consultation - Letter to Edithburgh Ratepayers.pdf

Categories: Save

Dear Jillian and Andrew,

I am writing to provide you with an update regarding the outdoor gym space in Edithburgh.

Council have decided to consult with all of the ratepayers within the Edithburgh township to seek feedback on the location of the gym. Please find attached a copy of the letter for your information and you will receive an original in the mail.

Kind Regards,
Mary.

Mary Herrmann | Governance Officer
Yorke Peninsula Council | Principal Office - Maitland
Ph: 08 – 8832 0000 | F: 08-8853 2494
E: mary.herrmann@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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Ref: 17/68763

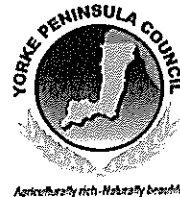
18 September 2017

(sent 07/9/17)

PRINCIPAL OFFICE:
8 Elizabeth Street, Maitland
Telephone (08) 8832 0000

ALL CORRESPONDENCE TO:
PO Box 57, MAITLAND, SA 5573
Fax (08) 8853 2494

Email: admin@yorke.sa.gov.au
Website: www.yorke.sa.gov.au



Dear Ratepayer,

Energised Edithburgh Outdoor Gym Space

In partnership, the Yorke Peninsula Council ("Council"), the Edithburgh Progress Association ("Progress"), and the Yorketown Area School ("the School") were successful in securing funding under the Sustainable Communities Programme to create an outdoor gym space in Edithburgh.

The Stronger Communities Programme supports the Australian Government's commitment to deliver social benefits across Australia by funding small capital projects and input from the community is a key element.

The funding has provided a valuable opportunity for community members to work together towards creating a valuable, interactive outdoor gym space that will contribute to improved community health, participation and wellbeing.

In particular, students from the Yorketown Area School played a significant role in the project planning, design and risk management processes. This has provided participants with an insight into the requirements of preparing for medium to large scale projects and the opportunity for a sense of contribution to their community, along with skill development both relevant for today and into the future.

The students worked closely with Council and Progress ("the Project Team") and a local personal trainer, to consider and select some versatile outdoor gym equipment combinations, providing for a wide range of participants and abilities. We have attached pictures and information about the equipment to this letter as Attachments 1 and 2.

The Project Team have also identified the preferred location as the grassed area in front of the existing gazebo, located on O'Halloran Parade, adjacent to Cross Street, as shown in Attachment 3. Now, we would like your feedback as to the proposed location. By selecting either Option 1 – O'Halloran Parade, Edithburgh, adjacent to Cross Street or Option 2, where an alternative location can be nominated, and returning the slip at the bottom of this letter by Wednesday, 18 October 2017, you can have your say about where you would like to see the equipment located. Responses can be returned via email to mary.herrmann@yorke.sa.gov.au, to any Council office or via mail to PO Box 57, Maitland SA 5573.

For further information, please contact Mary Herrmann at the Yorke Peninsula Council on 8832 0000 or via the above email address.

Your participation will be greatly appreciated.

Yours sincerely

Mary Herrmann

GOVERNANCE OFFICER



Please cut here

Have your say!

Where do you prefer the Edithburgh Outdoor Gym to be located?

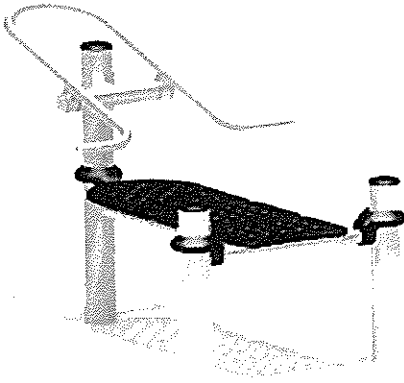
☐ Option 1 - O'Halloran Parade, Edithburgh, adjacent to Cross Street

☐ Option 2 – Alternative Location _____

Please return by Wednesday, 18 October 2017

BRANCH OFFICES

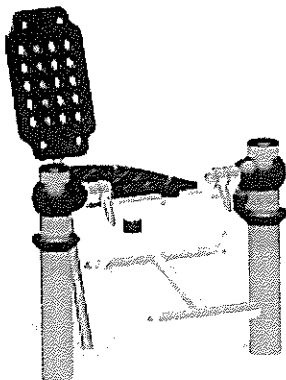
MINLATON: Phone 08 8853 3800
YORKETOWN: Phone 08 8852 0200
WAROOKA: Phone 08 8854 5055



BENCH PRESS

Develops pectorals, deltoids and triceps.

Lay on the bench with head under the bar, hold onto the bar. Push the bar upwards using your arms then lower to the starting position.

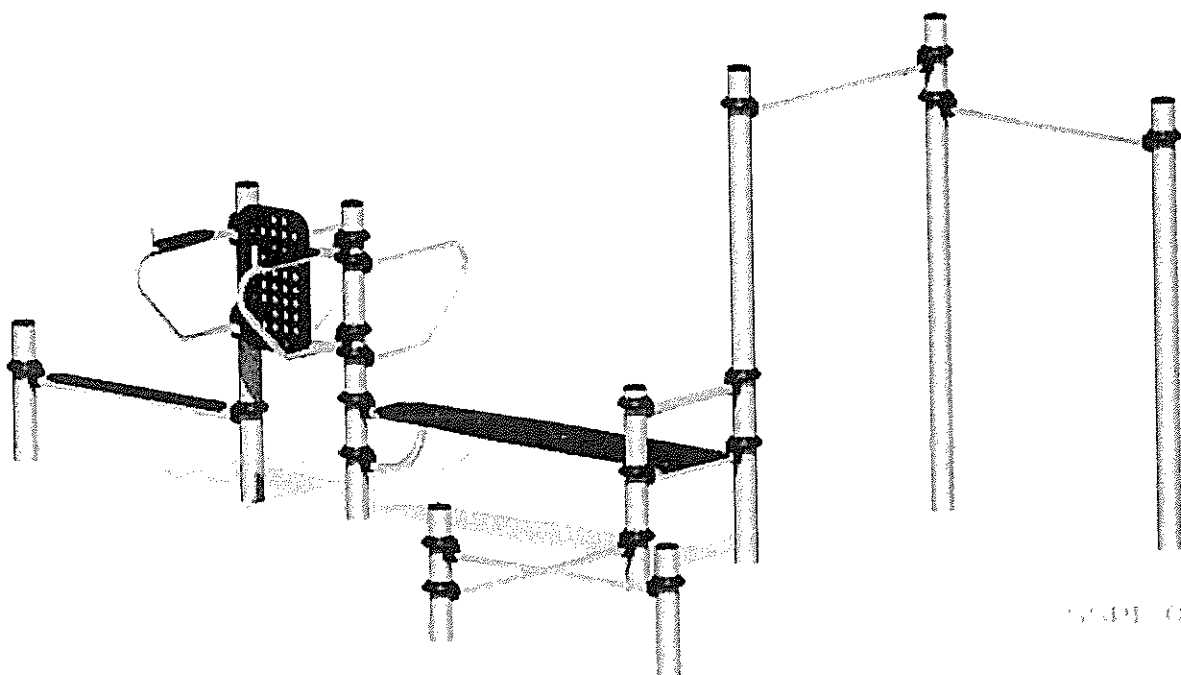


QUAD EXTENSION

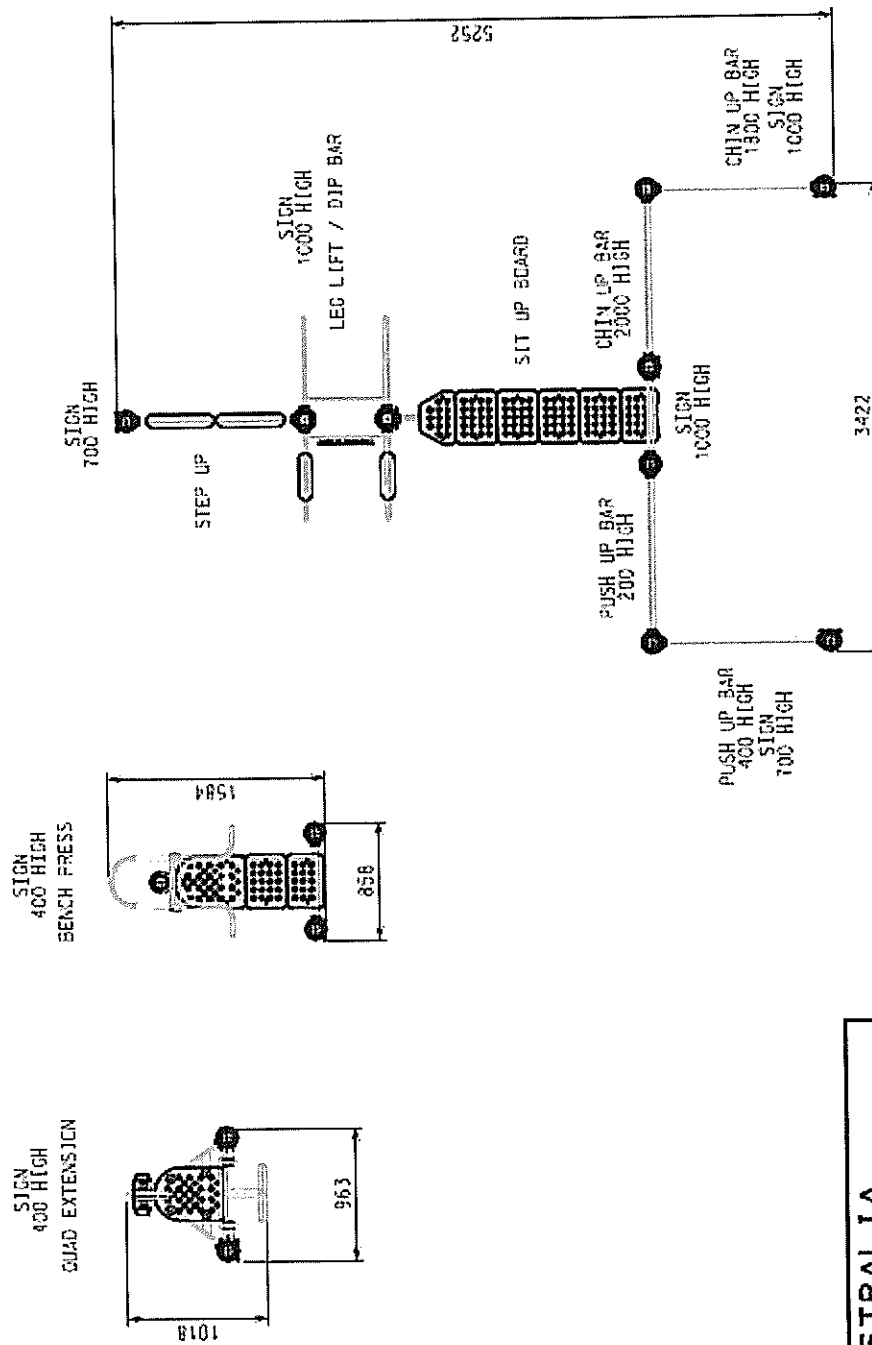
Develops quadriceps.

In a seated position, place knees over the top bar and with ankles under the lower front bar. Move lower legs forward and upward until knees are straight. Return to original position.

COMBINATION



COMB 0002



FORPARK AUSTRALIA

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NO UNAUTHORISED DUPLICATION OR USE IS PERMITTED.

TITLE: DCYP- Edinburgh Fitness

DWG NO: SAF-0073

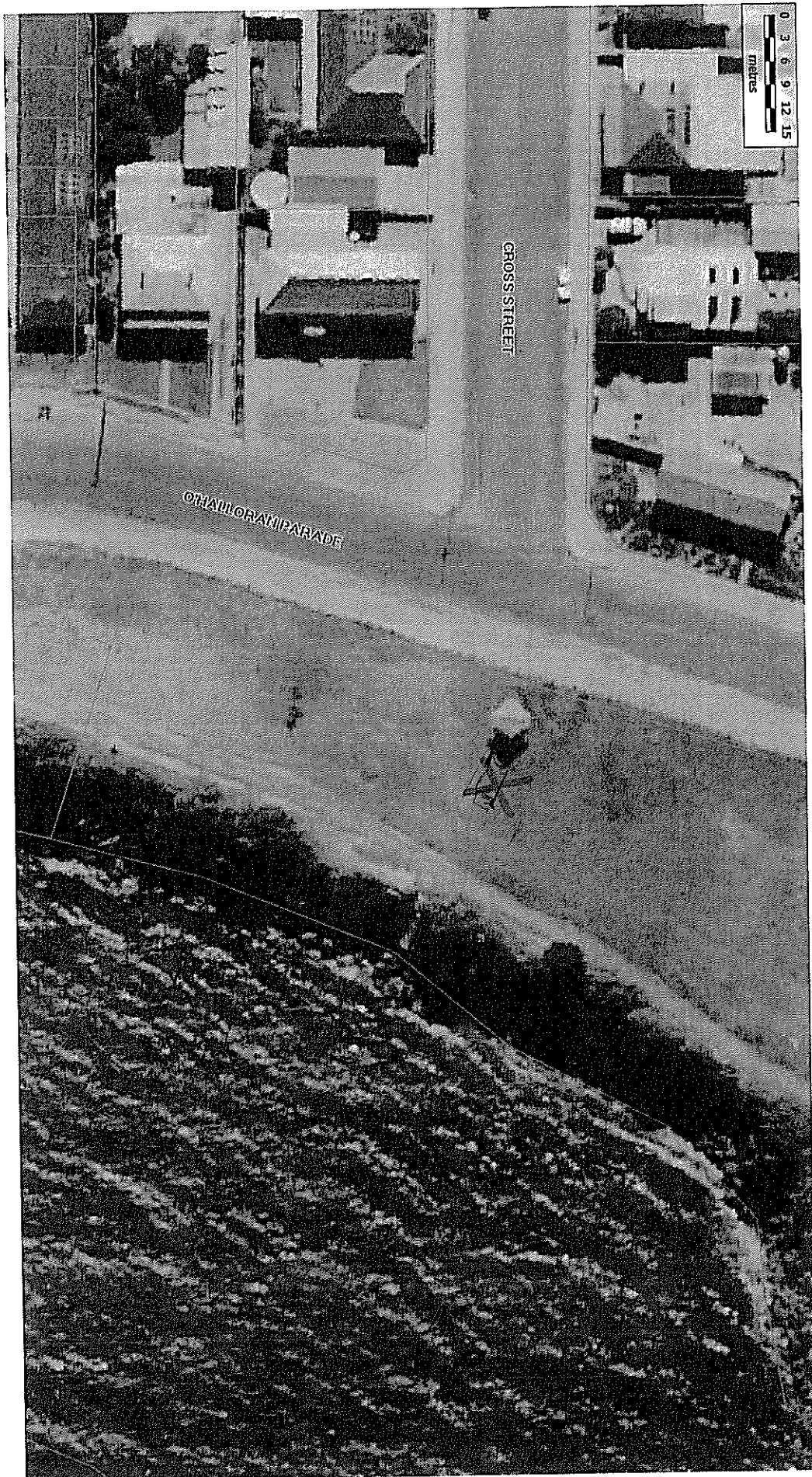
SCALE: N/A



ISSUE: 11/04/2017

BY: CEA

ALL DIMENSIONS IN MILLIMETRES



Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Monday, 9 October 2017 11:09 AM
To: Mary Herrmann
Subject: HPRM: RE: Edithburgh Outdoor Gym Space

Record Number: 17/73437

Thanks Mary.

In light of the recently received letter, we have been advised to seek answers to the following questions.

Have council met their obligations? I.e. satisfied the requirements prescribed by the regulations.

Communication is the key and we have had a hard time finding out information.

In the letter there is mention of "the project team". We are wondering who is on this team? (Reps from EPA and YP Council)?

Where are the references to this project team meeting and recorded decision making? We have looked extensively through progress and council agendas and minutes and cannot find any reference to this team.

Indeed there is no project listed, no communication plan, list of stakeholders affected, detailed consultation process AND implications to be found on the council website.

Where can the community access information?

Of immediate concern is the process that you are following. This voting slip has prompted many questions and we have been advised to reply by asking you to provide further detailed information in regards to the process being implemented as well as the process once the voting period has ended.

In providing the details of the steps used to determine the outcome please also clearly indicate:

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The percentage of votes returned that will be deemed a fair and valid vote.

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Originally we had submitted three (oval, pool, playground). Have they been ruled out?

Please provide details regarding the process you will use to deal with the "option two" ideas.

We have indeed been asked to find out if the option 2 ideas will then be listed and be presented equitably and without bias to the community for their voting?

Will they be listed as alternate locations and therefore address the issue of keeping the rate payers informed having other options in front of them to consider equally in an informed vote thus alleviating the weighting of the current ballot?

Will there be a public meeting for this public space? We have been advised that it is procedure.

What are the processes in place for the next round of alternate location choices.

Once again we are asking for the footprint size of the equipment when installed. We originally asked this question in an email dated May 1st, with no response. On your map it is the size of a small cross. Please provide actual dimensions of ground footprint.

We have heard that part of the submission actually required the equipment to be placed along the foreshore. Is this correct and what else do we need to know? We have found in the EPA minutes Feb 14th, "J. Forbes to confirm whether equipment has to be on foreshore." Once again we have been unable to find any response to this question in any minutes.

We would think that you would all be aware that Edithburgh's open seafront area is such a precious resource for the town and that you would sincerely regard that as a sacred asset, and therefore not start the process of the downward spiral of cluttering these spaces.

When is the next meeting of the project team?

We would appreciate you treat the responses to these questions as a priority.

Jillian and Andrew Mill

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]
Sent: Tuesday, 19 September, 2017 2:23 PM
To: abjlmill@gmail.com
Subject: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,

I am writing to provide you with an update regarding the outdoor gym space in Edithburgh.

Council have decided to consult with all of the ratepayers within the Edithburgh township to seek feedback on the location of the gym. Please find attached a copy of the letter for your information and you will receive an original in the mail.

Kind Regards,
Mary.

Mary Herrmann | Governance Officer
Yorke Peninsula Council | Principal Office - Maitland
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Mary Herrmann

From: Mary Herrmann
Sent: Tuesday, 17 October 2017 1:02 PM
To: 'abjlmill@gmail.com'
Cc: Mayor Ray Agnew
Subject: RE: Edithburgh Outdoor Gym Space
Attachments: ParkFit Brochure Colour.pdf; SAPF-0073.pdf

Dear Jillian and Andrew,
I have responded to each of your questions below.

Kind Regards,
Mary.

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To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
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I am not sure which regulations you mean however I am not aware that any regulations have been breached. I will be happy to provide you with a more specific answer in relation to specific regulations as required.

Communication is the key and we have had a hard time finding out information.

I am sorry to hear that you feel that way; I believe that I have provided you with everything that you have asked of me and also invited you to contact me if anything further was required.

In the letter there is mention of "the project team". We are wondering who is on this team? (Reps from EPA and YP Council)?

I did confirm to you in my email of 31 May this year, that the project team was made up of students from Yorketown Area School, the Edithburgh Progress Association and YP Council representatives. This was also described in the letter to the ratepayers (as described in the first to fourth paragraphs). The Project is auspices by the Yorke Peninsula Council and the Project Team is not a formally established group, rather an informal group of representatives of the partners to the funding.

Where are the references to this project team meeting and recorded decision making? We have looked extensively through progress and council agendas and minutes and cannot find any reference to this team.

The Project Team are an informal working party, not formally established by Council. The Project was valued at \$20,000 and there was no requirement to establish a formal committee to manage it. An information agenda report about the Project was presented to Council on 9 November 2016 (pages 12-14) is available on Council's website (I will be happy to send you a copy if required). It's my understanding that Progress have also tabled the Project from time to time at their meetings and Diana Sweeney should be able to help you out there. The names of the students would not usually be published without first obtaining parental consent as they are all under the age of eighteen years.

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The number of voting slips sent out, the number of responses, the nominated locations and the number of votes will all be provided in the public report.

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Originally we had submitted three (oval, pool, playground). Have they been ruled out?

No.

Please provide details regarding the process you will use to deal with the “option two” ideas.

We have indeed been asked to find out if the option 2 ideas will then be listed and be presented equitably and without bias to the community for their voting?

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Will there be a public meeting for this public space? We have been advised that it is procedure.

The alternate locations will be clearly listed and presented equally for the Elected Members to consider. No other public meeting will be held and Council’s Community Engagement Policy PO057 does not require that there is.

What are the processes in place for the next round of alternate location choices.

The Elected Members will be asked to consider selection of the location.

Once again we are asking for the footprint size of the equipment when installed. We originally asked this question in an email dated May 1st, with no response. On your map it is the size of a small cross. Please provide actual dimensions of ground footprint.

Since apologies for my misunderstand that you required the actual dimensions. Please find attached a diagram showing the dimensions along with a brochure showing pictures of the equipment. I will be happy to clarify further as you require.

We have heard that part of the submission actually required the equipment to be placed along the foreshore. Is this correct and what else do we need to know?

No, that’s not correct.

We have found in the EPA minutes Feb 14th, “J. Forbes to confirm whether equipment has to be on foreshore.” Once again we have been unable to find any response to this question in any minutes.

We would think that you would all be aware that Edithburgh’s open seafront area is such a precious resource for the town and that you would sincerely regard that as a sacred asset, and therefore not start the process of the downward spiral of cluttering these spaces.

When is the next meeting of the project team?

The Project Team have achieved its objectives and are not scheduled to meet again.

We would appreciate you treat the responses to these questions as a priority.

Jillian and Andrew Mill

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]

Sent: Tuesday, 19 September, 2017 2:23 PM

To: abjlmill@gmail.com

Subject: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,

I am writing to provide you with an update regarding the outdoor gym space in Edithburgh.

Council have decided to consult with all of the ratepayers within the Edithburgh township to seek feedback on the location of the gym. Please find attached a copy of the letter for your information and you will receive an original in the mail.

Kind Regards,
Mary.

Mary Herrmann | Governance Officer
Yorke Peninsula Council | Principal Office - Maitland
Ph: 08 – 8832 0000 | F: 08-8853 2494
E: mary.herrmann@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Friday, 20 October 2017 10:46 AM
To: Mary Herrmann
Subject: HPRM: RE: Edithburgh Outdoor Gym Space

Record Number: 17/75121

Dear Mary and YP Councillors,

Firstly, thank you to Mary for your detailed responses. You have personally been very helpful to us. Please understand that we have indeed had a particularly hard time accessing information from the very moment we were shocked to first hear about the project from the photo in The Country Times in April. Since dealing with you directly communication has definitely improved, but prior to this we were definitely given the run around. We are asking why these documents and links were never referred to or brought to our attention at any time throughout the past 7 months. Indeed YP Council staff were not aware of the project and who was in charge when spoken to on the phone and emails were left unanswered, which we find unacceptable given that you have now provided us with the link to the information agenda report, which was back in NOVEMBER!

Upon further advice and investigation we have been advised to ask the following:

The regulations that we are referring to are those of your own.

We are still questioning if this has been compliant with council policy, including but not limited to the Community Engagement Policy, PO057.

We cannot find any evidence/record of community consultation. This complaint is required to be addressed. We have looked at the YP Council website often. This information has been extremely hard for us to find and we find the site overwhelmingly difficult to pin point exact documents, even using the search function. (e.g. do you realise that typing in community engagement policy or Edithburgh outdoor gym do not bring up anything, and that is just 2 of many searches we tried).

We found the information agenda report in the Nov 9 *agenda*. We were looking in the minutes as we would expect it to be in the minutes recorded as items presented/discussed.

We are of the opinion that the committee should have kept minutes. How are the public to be kept informed?

We are particularly concerned about the information agenda report.

The goal listed in it is "community engaged and supported". What is that referring to as we were never engaged with this project/ or indeed informed?

Also of grave concern is top of page 13 "The Progress Associations and members of both the Ardrossan and Edithburgh communities have identified that outdoor gym equipment and landscaping their foreshore areas would be of significant benefit to the communities". We have read all the Co-ee s and EPA minutes and have never seen any reference to provide input or request for comment from the community about landscaping the foreshore. Please advise when/ where this occurred. ("communities have identified...")

Never have the community been asked to identify any landscaping of the foreshore areas.

Under the project outcomes dot point one mentions nature play spaces...please define this.

In regards to our question about the dimensions - we are referring to the ground footprint. We are needing more information in regard to the actual footprint, that being the area in square meterage when the equipment is spread out i.e. placed onto the ground.

Dot point two also mentions landscaping of the gym and nature play space". Exactly what is next to come? How can we access the foreshore plan?

Last dot point refers to "opportunities for local sporting clubs and community groups to utilize the gym equipment as groups". Where are the car parking spaces? What provisions does council have for these?

And if that's the case then surely it makes sense to have it at the sporting area of the town, as we first suggested. Please explain why it can't go there. Once again we are seeking reasons as to WHY the committee recommended the foreshore... no reasons were given in their mail out for voting and we have twice asked for their rationale.

"This project is another way to showcase to the community, how a collaborative, partnership approach can achieve the goals and aspirations of the Council and community providing positive outcomes for all involved."
We take offence at this quote from your document. We absolutely once again assure you that at NO time has there been collaboration.

Upon reading your community engagement policy we have one big question. Who decides what level of consultation is implemented?

The objective states that "community engaged and supported." By your definition this also includes people who "use the facilities in public places in the Yorke Peninsula region". How have they been included?
We are still wanting to know the total number of rate payers. In your response you said that that all ratepayers within the township. Why is that the part of the community you are accessing and not every part of your own definition of community.

Under point 4 it states "...will foster open, transparent and accountable processes". We have not found this to be true.

Level 1 consultation is defined as "we will keep you informed".

On the third page under level 1 at the bottom it states 5 dot points. In reference to these dot points that you have provided in your policy,

please provide us with:

details of when the public notice was put in The Country Times.

When there was a letterbox drop.

AND particularly WHEN the "letter of advice to affected properties" was mailed.

Once again we cannot understand what has happened with your communication process. Please advise WHEN the major stakeholders, the residents of O'Halloran Parade, the most affected residents, been notified. Why was it let go this far?

We have read your policies and would like to register our complaint to you in regards to the process and indeed your own policies NOT being followed. No one on YP Council or EPA has initiated an attempt to inform/contact or consult ANY of the residents on O'Halloran Parade. We are truly disappointed with the way this has been handled from day 1. We find this very unbecoming for the council and implore you to refine your processes and follow your processes vigilantly in the future. We believe if we were all on-board from the start then much of the anxiety could have been avoided and the timeline would not have blown out to 12 months. Part of your ethos is clear communication and sharing of information. We will never understand why a community meeting was not called in the first instance.

PLEASE do not underestimate the personal stress and indeed the monetary costs this has placed upon us. Also the disruption and delays in our future planning have taken their toll.

What is the "public report" that you refer to? When/where/how will this be relayed?

Can you please advise the time, date and location of the public council meeting? Is it on Wednesday November 8th? Is it 530pm at Minlaton still?

A couple of points we are still not sure on:

In reference to the votes being collated and presented at the next meeting... How will all the councillors hear about these issues to ensure a fully rounded conversation before they cast their vote?

How and when is all our information being shared with the council? Obviously we did not have enough room on the voting slip to raise all our ideas and concerns. Have our previous emails being presented to council? Where is our voice being heard and how? Will this letter then be presented and discussed? OR emailed prior to councillors?

It mentions in the Appendix 1 community engagement that written submissions can be received by council within 21 days. How is this to be when it was posted on your website (last November, yet we only knew about it when an article and photo appeared in The Country Times in April this year)!

Also in that same appendix under management plans – public consultation it states that

- (1) Before a council adopts a management plan for community land it must –
(a) Make copies of the proposed plan available for inspection or purchase at the council's principal office; and
(b) follow the relevant steps set out in its public consultation policy.”
When we look at that that policy we cannot follow where that has been done.

This whole process has not been handled well and we implore you to see things from many perspectives and think about your actions and policies, particularly in regards to the foreshore and the Edithburgh community.

Andrew and Jillian Mill

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]
Sent: Tuesday, 17 October, 2017 1:02 PM
To: abjmill@gmail.com
Cc: Mayor Ray Agnew
Subject: RE: Edithburgh Outdoor Gym Space

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We have indeed been asked to find out if the option 2 ideas will then be listed and be presented equitably and without bias to the community for their voting?

Will they be listed as alternate locations and therefore address the issue of keeping the rate payers informed having other options in front of them to consider equally in an informed vote thus alleviating the weighting of the current ballot?

Will there be a public meeting for this public space? We have been advised that it is procedure.

The alternate locations will be clearly listed and presented equally for the Elected Members to consider. No other public meeting will be held and Council's Community Engagement Policy PO057 does not require that there is.

What are the processes in place for the next round of alternate location choices.

The Elected Members will be asked to consider selection of the location.

Once again we are asking for the footprint size of the equipment when installed. We originally asked this question in an email dated May 1st, with no response. On your map it is the size of a small cross. Please provide actual dimensions of ground footprint.

Since apologies for my misunderstand that you required the actual dimensions. Please find attached a diagram showing the dimensions along with a brochure showing pictures of the equipment. I will be happy to clarify further as you require.

We have heard that part of the submission actually required the equipment to be placed along the foreshore. Is this correct and what else do we need to know?

No, that's not correct.

We have found in the EPA minutes Feb 14th, "J. Forbes to confirm whether equipment has to be on foreshore." Once again we have been unable to find any response to this question in any minutes.

We would think that you would all be aware that Edithburgh's open seafront area is such a precious resource for the town and that you would sincerely regard that as a sacred asset, and therefore not start the process of the downward spiral of cluttering these spaces.

When is the next meeting of the project team?

The Project Team have achieved its objectives and are not scheduled to meet again.

We would appreciate you treat the responses to these questions as a priority.

Jillian and Andrew Mill

Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Tuesday, 24 October 2017 1:54 PM
To: Mary Herrmann
Subject: RE: Edithburgh Outdoor Gym Space

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Save, Red Category

Dear Mary,

Thanks for the information.

Firstly, yes we would like this complaint to be referred to the Chief Executive Officer.

Is there a timeline in place re resolution? (three tiered scheme). Also the effects on the possible postponing of vote at November 8th meeting.

Secondly can you please give an answer to the couple of the questions highlighted in green below, that we had previously been advised to seek information :

1. about the footprint size (ground area - as in square meterage) this gymnasium will take. This question remains unanswered from our first email. (May 1).
2. the reasons as to why that foreshore area was listed in the voting letter as the recommended location by the committee. "The Project Team have also identified the preferred location as the grassed area in front of the existing gazebo, located on O'Halloran Parade, adjacent to Cross Street"

Please also provide us with the information in regards to the two yellow highlighted questions.

1. Level allocation
2. Information provided to councillors prior to voting

We have been asked to confirm time/ date/ location of meeting. Did your offices move to Maitland?

Previously you asked us to advise if we were wanting to present a submission to Council. What are your guidelines for a submission?

Finally, we phoned the YP Council office last week and asked for information in regards to the large rock that was craned into the foreshore area. We were initially told that it's part of the outdoor play space, but we refuted that and replied that the location is yet to be voted upon. We were told that someone would get back to us, but they have not. I was asked to email to Mick Hoskin about this, but no response. Can you shed any light on this sudden appearance?

Much appreciated.

Thanks,
Jillian and Andrew Mill

From: Mary Herrmann [mailto:Mary.Herrmann@yorke.sa.gov.au]
Sent: Tuesday, 24 October, 2017 11:21 AM
To: BM & J Mill
Cc: Councillors
Subject: RE: Edithburgh Outdoor Gym Space

Dear Andrew and Jillian,

I acknowledge your email to me. Can you please confirm if you would like me to respond to your complaint or if you would like me to refer the complaint to my direct supervisor, the Chief Executive Officer.

Kind Regards,
Mary.

Mary Herrmann | Governance Officer
Yorke Peninsula Council | Principal Office - Maitland
Ph: 08 – 8832 0000 | F: 08-8853 2494
E: mary.herrmann@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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From: BM & J Mill [<mailto:abjlmill@gmail.com>]
Sent: Friday, 20 October 2017 10:46 AM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
Subject: RE: Edithburgh Outdoor Gym Space

Dear Mary and YP Councillors,

Firstly, thank you to Mary for your detailed responses. You have personally been very helpful to us. Please understand that we have indeed had a particularly hard time accessing information from the very moment we were shocked to first hear about the project from the photo in The Country Times in April. Since dealing with you directly communication has definitely improved, but prior to this we were definitely given the run around. We are asking why these documents and links were never referred to or brought to our attention at any time throughout the past 7 months. Indeed YP Council staff were not aware of the project and who was in charge when spoken to on the phone and emails were left unanswered, which we find unacceptable given that you have now provided us with the link to the information agenda report, which was back in NOVEMBER!

Upon further advice and investigation we have been advised to ask the following:

The regulations that we are referring to are those of your own.

We are still questioning if this has been compliant with council policy, including but not limited to the Community Engagement Policy, PO057.

We cannot find any evidence/record of community consultation. This complaint is required to be addressed.

We have looked at the YP Council website often. This information has been extremely hard for us to find and we find the site overwhelmingly difficult to pin point exact documents, even using the search function. (e.g. do you realise that typing in community engagement policy or Edithburgh outdoor gym do not bring up anything, and that is just 2 of many searches we tried).

We found the information agenda report in the Nov 9 *agenda*. We were looking in the minutes as we would expect it to be in the minutes recorded as items presented/discussed.

We are of the opinion that the committee should have kept minutes. How are the public to be kept informed?

We are particularly concerned about the information agenda report.

The goal listed in it is "community engaged and supported". What is that referring to as we were never engaged with this project/ or indeed informed?

Also of grave concern is top of page 13 "The Progress Associations and members of both the Ardrossan and Edithburgh communities have identified that outdoor gym equipment and landscaping their foreshore areas would be of significant benefit to the communities". We have read all the Coo-ee s and EPA minutes and have never seen any reference to provide input or request for comment from the community about landscaping the foreshore. Please advise when/ where this occurred. ("communities have identified...")

Never have the community been asked to identify any landscaping of the foreshore areas.

Under the project outcomes dot point one mentions nature play spaces...please define this.

In regards to our question about the dimensions - we are referring to the ground foot print. We are needing more information in regard to the actual footprint, that being the area in square meterage when the equipment is spread out i.e. placed onto the ground.

Dot point two also mentions landscaping of the gym and nature play space". Exactly what is next to come? How can we access the foreshore plan?

Last dot point refers to "opportunities for local sporting clubs and community groups to utilize the gym equipment as groups". Where are the car parking spaces? What provisions does council have for these?

And if that's the case then surely it makes sense to have it at the sporting area of the town, as we first suggested. Please explain why it can't go there. Once again we are seeking reasons as to WHY the committee recommended the foreshore... no reasons were given in their mail out for voting and we have twice asked for their rationale.

"This project is another way to showcase to the community, how a collaborative, partnership approach can achieve the goals and aspirations of the Council and community providing positive outcomes for all involved."

We take offence at this quote from your document. We absolutely once again assure you that at NO time has there been collaboration.

Upon reading your community engagement policy we have one big question. Who decides what level of consultation is implemented?

The objective states that "community engaged and supported." By your definition this also includes people who "use the facilities in public places in the Yorke Peninsula region". How have they been included?

We are still wanting to know the total number of rate payers. In your response you said that that all ratepayers within the township. Why is that the part of the community you are accessing and not every part of your own definition of community.

Under point 4 is states "...will foster open, transparent and accountable processes". We have not found this to be true.

Level 1 consultation is defined as "we will keep you informed".

On the third page under level 1 at the bottom it states 5 dot points. In reference to these dot points that you have provided in your policy,

please provide us with:

details of when the public notice was put in The Country Times.

When there was a letterbox drop.

AND particularly WHEN the "letter of advice to affected properties "was mailed.

Once again we cannot understand what has happened with your communication process. Please advise WHEN the major stakeholders, the residents of O'Halloran Parade, the most affected residents, been notified. Why was it let go this far?

We have read your policies and would like to register our complaint to you in regards to the process and indeed your own policies NOT being followed. No one on YP Council or EPA has initiated an attempt to inform/contact or consult ANY of the residents on O'Halloran Parade. We are truly disappointed with the way this has been handled from day 1. We find this very unbecoming for the council and implore you to refine your processes and follow your processes vigilantly in the future. We believe if we were all on-board from the start then much of the anxiety could have been avoided and the timeline would not have blown out to 12 months. Part of your ethos is clear communication and sharing of information. We will never understand why a community meeting was not called in the first instance.

PLEASE do not underestimate the personal stress and indeed the monetary costs this has placed upon us. Also the disruption and delays in our future planning have taken their toll.

What is the "public report " that you refer to? When/where/how will this be relayed?

Can you please advise the time, date and location of the public council meeting? Is it on Wednesday November 8th? Is it 530pm at Miniaton still?

A couple of points we are still not sure on:

In reference to the votes being collated and presented at the next meeting... How will all the councillors hear about these issues to ensure a fully rounded conversation before they cast their vote?

How and when is all our information being shared with the council? Obviously we did not have enough room on the voting slip to raise all our ideas and concerns. Have our previous emails being presented to council? Where is our voice being heard and how? Will this letter then be presented and discussed? OR emailed prior to councillors? It mentions in the Appendix 1 community engagement that written submissions can be received by council within 21 days. How is this to be when it was posted on your website (last November, yet we only knew about it when an article and photo appeared in The Country Times in April this year)!

Also in that same appendix under management plans – public consultation it states that

(1) Before a council adopts a management plan for community land it must –

- (a) Make copies of the proposed plan available for inspection or purchase at the council's principal office; and
- (b) follow the relevant steps set out in its public consultation policy."

When we look at that that policy we cannot follow where that has been done.

This whole process has not been handled well and we implore you to see things from many perspectives and think about your actions and policies, particularly in regards to the foreshore and the Edithburgh community.

Andrew and Jillian Mill

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]

Sent: Tuesday, 17 October, 2017 1:02 PM

To: abjlmill@gmail.com

Cc: Mayor Ray Agnew

Subject: RE: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,

I have responded to each of your questions below.

Kind Regards,

Mary.

From: BM & J Mill [<mailto:abjlmill@gmail.com>]

Sent: Monday, 9 October 2017 11:09 AM

To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>

Subject: RE: Edithburgh Outdoor Gym Space

Thanks Mary.

In light of the recently received letter, we have been advised to seek answers to the following questions.

Have council met their obligations? I.e. satisfied the requirements prescribed by the regulations.

I am not sure which regulations you mean however I am not aware that any regulations have been breached. I will be happy to provide you with a more specific answer in relation to specific regulations as required.

Communication is the key and we have had a hard time finding out information.

I am sorry to hear that you feel that way; I believe that I have provided you with everything that you have asked of me and also invited you to contact me if anything further was required.

In the letter there is mention of "the project team". We are wondering who is on this team? (Reps from EPA and YP Council)?

I did confirm to you in my email of 31 May this year, that the project team was made up of students from Yorketown Area School, the Edithburgh Progress Association and YP Council representatives. This was also described in the letter to the ratepayers (as described in the first to fourth paragraphs). The Project is auspices by the Yorke Peninsula Council and the Project Team is not a formally established group, rather an informal group of representatives of the partners to the funding.

Where are the references to this project team meeting and recorded decision making? We have looked extensively through progress and council agendas and minutes and cannot find any reference to this team.

The Project Team are an informal working party, not formally established by Council. The Project was valued at \$20,000 and there was no requirement to establish a formal committee to manage it. An information agenda report about the Project was presented to Council on 9 November 2016 (pages 12-14) is available on Council's website (I will be happy to send you a copy if required). It's my understanding that Progress have also tabled the Project from time to time at their meetings and Diana Sweeney should be able to help you out there. The names of the students would not usually be published without first obtaining parental consent as they are all under the age of eighteen years.

Indeed there is no project listed, no communication plan, list of stakeholders affected, detailed consultation process AND implications to be found on the council website.

Where can the community access information?

The method of engagement was determined by Council staff in accordance with Council's Community Engagement Policy PO057.

Of immediate concern is the process that you are following. This voting slip has prompted many questions and we have been advised to reply by asking you to provide further detailed information in regards to the process being implemented as well as the process once the voting period has ended.

Council staff are individually entering all the voting results, along with the comments received, into a spreadsheet. Once all of the feedback has been captured into the spreadsheet, it will be provided to the Council for consideration of all of the proposed locations during a public Council meeting. Council will ultimately make the decision as to the location. You may also make a verbal presentation to Council if you would like the opportunity to do so. We normally allow 5 – 10 minutes to address the Council. Please advise me if you would like to do this and if so, if you agree to your details being included in a public agenda.

In providing the details of the steps used to determine the outcome please also clearly indicate:
How will the results be published and publicised?

As above, via public Council agenda/minutes.

The current total number of rate payers that were contacted eligible to vote.

All ratepayers within the Edithburgh township (as per the information Council holds for rate notices).

The number of voting slips needed to be returned to deem the vote valid.

There was no set figure in this regard; typically a return rate of ten percent can be anticipated for this type of survey and this has been well exceeded.

The percentage of votes returned that will be deemed a fair and valid vote.

All completed, returned slips.

The number of votes either as a percentage of total rate payers or percentage of total voting slips received (or outright number of votes) needed to proceed with a decision.

The number of voting slips sent out, the number of responses, the nominated locations and the number of votes will all be provided in the public report.

Also we are requiring a list of any reasons as to why "The project team have also identified the preferred location as the grassed area in front of the existing gazebo, located on O'Halloran Parade, adjacent to Cross Street". No information in regards to how this was arrived at are provided in this letter. Why was not the same type of location but adjacent to THOMAS street not considered? We cannot find any reasons as to why this location is recommended in our search of all minutes. Please provide the reasons as to why this sole location was the only option spruiked in your voting letter.

Also we are asking if you know why the other alternatives for the locations were NOT included on the ballot to ensure ALL options got an equal chance?

The Project Team discussed a number of locations and simply felt that this was the best option. Council staff decided to leave Option 2 open so as not to restrict new community ideas/opinions.

Originally we had submitted three (oval, pool, playground). Have they been ruled out?

No.

Please provide details regarding the process you will use to deal with the "option two" ideas.

We have indeed been asked to find out if the option 2 ideas will then be listed and be presented equitably and without bias to the community for their voting?

Will they be listed as alternate locations and therefore address the issue of keeping the rate payers informed having other options in front of them to consider equally in an informed vote thus alleviating the weighting of the current ballot?

Will there be a public meeting for this public space? We have been advised that it is procedure.

The alternate locations will be clearly listed and presented equally for the Elected Members to consider. No other public meeting will be held and Council's Community Engagement Policy PO057 does not require that there is.

What are the processes in place for the next round of alternate location choices.

The Elected Members will be asked to consider selection of the location.

Once again we are asking for the footprint size of the equipment when installed. We originally asked this question in an email dated May 1st, with no response. On your map it is the size of a small cross. Please provide actual dimensions of ground footprint.

Since apologies for my misunderstand that you required the actual dimensions. Please find attached a diagram showing the dimensions along with a brochure showing pictures of the equipment. I will be happy to clarify further as you require.

We have heard that part of the submission actually required the equipment to be placed along the foreshore. Is this correct and what else do we need to know?

No, that's not correct.

We have found in the EPA minutes Feb 14th, "J. Forbes to confirm whether equipment has to be on foreshore." Once again we have been unable to find any response to this question in any minutes.

We would think that you would all be aware that Edithburgh's open seafront area is such a precious resource for the town and that you would sincerely regard that as a sacred asset, and therefore not start the process of the downward spiral of cluttering these spaces.

When is the next meeting of the project team?

The Project Team have achieved its objectives and are not scheduled to meet again.

We would appreciate you treat the responses to these questions as a priority.

Jillian and Andrew Mill

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]

Sent: Tuesday, 19 September, 2017 2:23 PM

To: abjlmill@gmail.com

Subject: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,

I am writing to provide you with an update regarding the outdoor gym space in Edithburgh.

Council have decided to consult with all of the ratepayers within the Edithburgh township to seek feedback on the location of the gym. Please find attached a copy of the letter for your information and you will receive an original in the mail.

Kind Regards,

Mary.

Mary Herrmann | Governance Officer
Yorke Peninsula Council | Principal Office - Maitland
Ph: 08 – 8832 0000 | F: 08-8853 2494
E: mary.herrmann@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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Mary Herrmann

From: Mary Herrmann
Sent: Thursday, 26 October 2017 9:57 AM
To: 'BM & J Mill'
Subject: RE: Edithburgh Outdoor Gym Space
Attachments: PO147 Complaints Policy.pdf

Categories: Save

Dear Jillian and Andrew,

Just a quick email to let you know that the report to Council will be put on hold until the CEO, Andrew Cameron, has considered and provided a response to your complaint. I am working on another urgent matter at the moment but do want to let you know that I will respond to the rest of your questions shortly and provide you with detailed results of the feedback from the consultation process (it certainly was not a "clean sweep" for option 1).

In the meantime, I have attached Council's Complaints Policy for your reference as this is the policy under which complaints are managed. The policy requires that an initial response is provided to the person(s) who have made the complaint within ten working days.

Kind Regards,
Mary.

From: BM & J Mill [mailto:abjlmill@gmail.com]
Sent: Tuesday, 24 October 2017 1:54 PM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
Subject: RE: Edithburgh Outdoor Gym Space

Dear Mary,

Thanks for the information.

Firstly, yes we would like this complaint to be referred to the Chief Executive Officer.

Is there a timeline in place re resolution? (three tiered scheme). Also the effects on the possible postponing of vote at November 8th meeting.

Secondly can you please give an answer to the couple of the questions highlighted in green below, that we had previously been advised to seek information :

1. about the footprint size (ground area - as in square meterage) this gymnasium will take. This question remains unanswered from our first email. (May 1).
2. the reasons as to why that foreshore area was listed in the voting letter as the recommended location by the committee. "The Project Team have also identified the preferred location as the grassed area in front of the existing gazebo, located on O'Halloran Parade, adjacent to Cross Street"

Please also provide us with the information in regards to the two yellow highlighted questions.

1. Level allocation
2. Information provided to councillors prior to voting

We have been asked to confirm time/ date/ location of meeting. Did your offices move to Maitland?

Previously you asked us to advise if we were wanting to present a submission to Council. What are your guidelines for a submission?

Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Sunday, 29 October 2017 9:32 AM
To: Mary Herrmann
Subject: RE: Edithburgh Outdoor Gym Space

Categories: Save

Thanks Mary. The update is much appreciated.

From: Mary Herrmann [mailto:Mary.Herrmann@yorke.sa.gov.au]
Sent: Thursday, 26 October, 2017 9:57 AM
To: BM & J Mill
Subject: RE: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,

Just a quick email to let you know that the report to Council will be put on hold until the CEO, Andrew Cameron, has considered and provided a response to your complaint. I am working on another urgent matter at the moment but do want to let you know that I will respond to the rest of your questions shortly and provide you with detailed results of the feedback from the consultation process (it certainly was not a "clean sweep" for option 1).

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Please also provide us with the information in regards to the two yellow highlighted questions.

1. Level allocation
2. Information provided to councillors prior to voting

Mary Herrmann

From: Mary Herrmann
Sent: Thursday, 2 November 2017 12:09 PM
To: 'BM & J Mill'
Subject: HPRM: Edithburgh Outdoor Gym Space
Attachments: PO147 Complaints Policy.pdf

Record Number: 17/78463

Dear Jillian and Andrew,
Please find below, in green, the further responses that you have asked me provide.

Andrew Cameron is reviewing all of the information to hand and will provide a response to the further matters contained within your complaint as soon as possible.

From: Mary Herrmann
Sent: Thursday, 26 October 2017 9:57 AM
To: 'BM & J Mill' <abjlmill@gmail.com>
Subject: RE: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,
Just a quick email to let you know that the report to Council will be put on hold until the CEO, Andrew Cameron, has considered and provided a response to your complaint. I am working on another urgent matter at the moment but do want to let you know that I will respond to the rest of your questions shortly and provide you with detailed results of the feedback from the consultation process (it certainly was not a "clean sweep" for option 1).

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Is there a timeline in place re resolution? (three tiered scheme). Also the effects on the possible postponing of vote at November 8th meeting.

Secondly can you please give an answer to the couple of the questions highlighted in green below, that we had previously been advised to seek information :

1. about the footprint size (ground area - as in square meterage) this gymnasium will take. This question remains unanswered from our first email. (May 1).

I apologise for my misunderstanding. I thought that by providing the dimensions of the equipment that I had answered that question. From a best practice point of view, 1.5 metres is allowed between each piece of

equipment. In consideration of this and following discussions with Park Fit, it is estimated that the ground area will be up to 12 x 5 metres.

2. the reasons as to why that foreshore area was listed in the voting letter as the recommended location by the committee. "The Project Team have also identified the preferred location as the grassed area in front of the existing gazebo, located on O'Halloran Parade, adjacent to Cross Street"

The preferred location determined by the Project Team was relevant to the consultation process.

Please also provide us with the information in regards to the two yellow highlighted questions.

1. Level allocation

Council staff determined the level of consultation.

2. Information provided to councillors prior to voting

It is the intention that all of the feedback received will be presented to Council at the 13 December 2017 Council meeting; including all of your emails (unless you advise me that you do not wish to have all or some of them included) and the written feedback that Council have received during the consultation process. All of the suggested locations are also being included along with the number of times each was suggested. As mentioned, you are welcome to make a verbal presentation to Council if you would like the opportunity to do so, we normally allow 5 – 10 minutes to make a deputation to the Council. Please advise me if you wish to accept this offer by no later than 5.00pm on Friday 1 December 2017, to allow your details to be included in the public agenda.

We have been asked to confirm time/ date/ location of meeting. Did your offices move to Maitland?

Council's principal office is located in Maitland and this office was extended a couple of years ago. Some of the staff who were previously located in both Yorketown and Minlaton offices have been relocated to Maitland. Council meetings are still held in the Minlaton Council Chambers, 57 Main Street, Minlaton on the second Wednesday of each month from 5.30pm.

Previously you asked us to advise if we were wanting to present a submission to Council. What are your guidelines for a submission?

Aside from the time allocation, there is no other set guidelines for a deputation; the purpose is to allow members of the community to present their opinions to the meeting.

Finally, we phoned the YP Council office last week and asked for information in regards to the large rock that was craned into the foreshore area. We were initially told that it's part of the outdoor play space, but we refuted that and replied that the location is yet to be voted upon. We were told that someone would get back to us, but they have not. I was asked to email to Mick Hoskin about this, but no response. Can you shed any light on this sudden appearance?

I am not sure why you have not received a response from Nick (if you did use Mick instead of Nick the email would not have reached him?); do you have an email address that you used? As far as I know, the rock has no relevance to the outdoor gym space and that it has been put there by Progress (potentially as an art project I think). I believe that Progress will be able to provide you with some further information if you get in touch with them.

The results of the consultation process in respect of the location are as follows:

A twenty percent survey response rate was achieved and this is understood to be a good result, with an average response expected of around ten percent.

Five hundred and seventy one letters were distributed. One hundred and sixteen responses were received, with 4 respondents nominating a second or more locations. Sixty eight respondents (59%) selected the Project Team's preferred location (on the grassed area in front in front of the existing gazebo located on O'Halloran Parade, adjacent to Cross Street). The second most popular location was next to the swimming pool with thirty two respondents (28%) nominating this as their preferred location. Several other locations were also nominated by the public with much lower percentages.

Much appreciated.

Thanks,

Jillian and Andrew Mill

Regards,
Mary.

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]
Sent: Tuesday, 24 October, 2017 11:21 AM
To: BM & J Mill
Cc: Councillors
Subject: RE: Edithburgh Outdoor Gym Space

Dear Andrew and Jillian,

I acknowledge your email to me. Can you please confirm if you would like me to respond to your complaint or if you would like me to refer the complaint to my direct supervisor, the Chief Executive Officer.

Kind Regards,
Mary.

Mary Herrmann | Governance Officer
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To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
Subject: RE: Edithburgh Outdoor Gym Space

Dear Mary and YP Councillors,

Firstly, thank you to Mary for your detailed responses. You have personally been very helpful to us. Please understand that we have indeed had a particularly hard time accessing information from the very moment we were shocked to first hear about the project from the photo in The Country Times in April. Since dealing with you directly communication has definitely improved, but prior to this we were definitely given the run around. We are asking why these documents and links were never referred to or brought to our attention at any time throughout the past 7 months. Indeed YP Council staff were not aware of the project and who was in charge when spoken to on the phone and emails were left unanswered, which we find unacceptable given that you have now provided us with the link to the information agenda report, which was back in NOVEMBER!

Upon further advice and investigation we have been advised to ask the following:
The regulations that we are referring to are those of your own.

We are still questioning if this has been compliant with council policy, including but not limited to the Community Engagement Policy, PO057.

We cannot find any evidence/record of community consultation. This complaint is required to be addressed. We have looked at the YP Council website often. This information has been extremely hard for us to find and we find the site overwhelmingly difficult to pin point exact documents, even using the search function. (e.g. do you realise that typing in community engagement policy or Edithburgh outdoor gym do not bring up anything, and that is just 2 of many searches we tried).

We found the information agenda report in the Nov 9 *agenda*. We were looking in the minutes as we would expect it to be in the minutes recorded as items presented/discussed.

We are of the opinion that the committee should have kept minutes. How are the public to be kept informed?

We are particularly concerned about the information agenda report.

The goal listed in it is "community engaged and supported". What is that referring to as we were never engaged with this project/ or indeed informed?

Also of grave concern is top of page 13 "The Progress Associations and members of both the Ardrossan and Edithburgh communities have identified that outdoor gym equipment and landscaping their foreshore areas would be of significant benefit to the communities". We have read all the Coe-ee s and EPA minutes and have never seen any reference to provide input or request for comment from the community about landscaping the foreshore. Please advise when/ where this occurred. ("communities have identified...")

Never have the community been asked to identify any landscaping of the foreshore areas.

Under the project outcomes dot point one mentions nature play spaces...please define this.

In regards to our question about the dimensions - we are referring to the ground foot print. We are needing more information in regard to the actual footprint, that being the area in square meterage when the equipment is spread out i.e. placed onto the ground.

Dot point two also mentions landscaping of the gym and nature play space". Exactly what is next to come? How can we access the foreshore plan?

Last dot point refers to "opportunities for local sporting clubs and community groups to utilize the gym equipment as groups". Where are the car parking spaces? What provisions does council have for these?

And if that's the case then surely it makes sense to have it at the sporting area of the town, as we first suggested. Please explain why it can't go there. Once again we are seeking reasons as to WHY the committee recommended the foreshore... no reasons were given in their mail out for voting and we have twice asked for their rationale.

"This project is another way to showcase to the community, how a collaborative, partnership approach can achieve the goals and aspirations of the Council and community providing positive outcomes for all involved."
We take offence at this quote from your document. We absolutely once again assure you that at NO time has there been collaboration.

Upon reading your community engagement policy we have one big question. Who decides what level of consultation is implemented?

The objective states that "community engaged and supported." By your definition this also includes people who "use the facilities in public places in the Yorke Peninsula region". How have they been included?

We are still wanting to know the total number of rate payers. In your response you said that that all ratepayers within the township. Why is that the part of the community you are accessing and not every part of your own definition of community.

Under point 4 is states "...will foster open, transparent and accountable processes". We have not found this to be true.

Level 1 consultation is defined as "we will keep you informed".

On the third page under level 1 at the bottom it states 5 dot points. In reference to these dot points that you have provided in your policy,

please provide us with:

details of when the public box was put in The Country Times.

When there was a letterbox drop.

AND particularly WHEN the "letter of advice to affected properties "was mailed.

Once again we cannot understand what has happened with your communication process. Please advise WHEN the major stakeholders, the residents of O'Halloran Parade, the most affected residents, been notified. Why was it let go this far?

We have read your policies and would like to register our complaint to you in regards to the process and indeed your own policies NOT being followed. No one on YP Council or EPA has initiated an attempt to inform/contact or consult ANY of the residents on O'Halloran Parade. We are truly disappointed with the way this has been handled from day 1. We find this very unbecoming for the council and implore you to refine your processes and follow your processes vigilantly in the future. We believe if we were all on-board from the start then much of the anxiety could

have been avoided and the timeline would not have blown out to 12 months. Part of your ethos is clear communication and sharing of information. We will never understand why a community meeting was not called in the first instance.

PLEASE do not underestimate the personal stress and indeed the monetary costs this has placed upon us. Also the disruption and delays in our future planning have taken their toll.

What is the “public report” that you refer to? When/where/how will this be relayed?

Can you please advise the time, date and location of the public council meeting? Is it on Wednesday November 8th? Is it 530pm at Minlaton still?

A couple of points we are still not sure on:

In reference to the votes being collated and presented at the next meeting... How will all the councillors hear about these issues to ensure a fully rounded conversation before they cast their vote?

How and when is all our information being shared with the council? Obviously we did not have enough room on the voting slip to raise all our ideas and concerns. Have our previous emails being presented to council? Where is our voice being heard and how? Will this letter then be presented and discussed? OR emailed prior to councillors?

It mentions in the Appendix 1 community engagement that written submissions can be received by council within 21 days. How is this to be when it was posted on your website (last November, yet we only knew about it when an article and photo appeared in The Country Times in April this year)!

Also in that same appendix under management plans – public consultation it states that

(1) Before a council adopts a management plan for community land it must –

- (a) Make copies of the proposed plan available for inspection or purchase at the council’s principal office; and
- (b) follow the relevant steps set out in its public consultation policy.”

When we look at that that policy we cannot follow where that has been done.

This whole process has not been handled well and we implore you to see things from many perspectives and think about your actions and policies, particularly in regards to the foreshore and the Edithburgh community.

Andrew and Jillian Mill

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]
Sent: Tuesday, 17 October, 2017 1:02 PM
To: abjlmill@gmail.com
Cc: Mayor Ray Agnew
Subject: RE: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,
I have responded to each of your questions below.

Kind Regards,
Mary.

From: BM & J Mill [<mailto:abjlmill@gmail.com>]
Sent: Monday, 9 October 2017 11:09 AM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
Subject: RE: Edithburgh Outdoor Gym Space

Thanks Mary.

In light of the recently received letter, we have been advised to seek answers to the following questions.
Have council met their obligations? I.e. satisfied the requirements prescribed by the regulations.

I am not sure which regulations you mean however I am not aware that any regulations have been breached. I will be happy to provide you with a more specific answer in relation to specific regulations as required.

Communication is the key and we have had a hard time finding out information.

I am sorry to hear that you feel that way; I believe that I have provided you with everything that you have asked of me and also invited you to contact me if anything further was required.

In the letter there is mention of "the project team". We are wondering who is on this team? (Reps from EPA and YP Council)?

I did confirm to you in my email of 31 May this year, that the project team was made up of students from Yorketown Area School, the Edithburgh Progress Association and YP Council representatives. This was also described in the letter to the ratepayers (as described in the first to fourth paragraphs). The Project is auspices by the Yorke Peninsula Council and the Project Team is not a formally established group, rather an informal group of representatives of the partners to the funding.

Where are the references to this project team meeting and recorded decision making? We have looked extensively through progress and council agendas and minutes and cannot find any reference to this team.

The Project Team are an informal working party, not formally established by Council. The Project was valued at \$20,000 and there was no requirement to establish a formal committee to manage it. An [information agenda report](#) about the Project was presented to Council on 9 November 2016 (pages 12-14) is available on Council's website (I will be happy to send you a copy if required). It's my understanding that Progress have also tabled the Project from time to time at their meetings and Diana Sweeney should be able to help you out there. The names of the students would not usually be published without first obtaining parental consent as they are all under the age of eighteen years.

Indeed there is no project listed, no communication plan, list of stakeholders affected, detailed consultation process AND implications to be found on the council website.

[Where can the community access information?](#)

The method of engagement was determined by Council staff in accordance with [Council's Community Engagement Policy PO057](#).

Of immediate concern is the process that you are following. This voting slip has prompted many questions and we have been advised to reply by asking you [to provide further detailed information in regards to the process being implemented](#) as well as the process once the voting period has ended.

Council staff are individually entering all the voting results, along with the comments received, into a spreadsheet. Once all of the feedback has been captured into the spreadsheet, it will be provided to the Council for consideration of all of the proposed locations during a public Council meeting. Council will ultimately make the decision as to the location. You may also make a verbal presentation to Council if you would like the opportunity to do so. We normally allow 5 – 10 minutes to address the Council. Please advise me if you would like to do this and if so, if you agree to your details being included in a public agenda.

In providing the details of the steps used to determine the outcome please also clearly indicate:
[How will the results be published and publicised?](#)

As above, via public Council agenda/minutes.

The current total number of rate payers that were contacted eligible to vote.

All ratepayers within the Edithburgh township (as per the information Council holds for rate notices).

The number of voting slips needed to be returned to deem the vote valid.

There was no set figure in this regard; typically a return rate of ten percent can be anticipated for this type of survey and this has been well exceeded.

The percentage of votes returned that will be deemed a fair and valid vote.

All completed, returned slips.

The number of votes either as a percentage of total rate payers or percentage of total voting slips received (or outright number of votes) needed to proceed with a decision.

The number of voting slips sent out, the number of responses, the nominated locations and the number of votes will all be provided in the public report.

Also we are requiring a list of any reasons as to why "The project team have also identified the preferred location as the grassed area in front of the existing gazebo, located on O'Halloran Parade, adjacent to Cross Street". No information in regards to how this was arrived at are provided in this letter. Why was not the same type of location but adjacent to THOMAS street not considered? We cannot find any reasons as to why this location is recommended in our search of all minutes. Please provide the reasons as to why this sole location was the only option spruiked in your voting letter.

Also we are asking if you know why the other alternatives for the locations were NOT included on the ballot to ensure ALL options got an equal chance?

The Project Team discussed a number of locations and simply felt that this was the best option. Council staff decided to leave Option 2 open so as not to restrict new community ideas/opinions.

Originally we had submitted three (oval, pool, playground). Have they been ruled out?

No.

Please provide details regarding the process you will use to deal with the "option two" ideas.

We have indeed been asked to find out if the option 2 ideas will then be listed and be presented equitably and without bias to the community for their voting?

Will they be listed as alternate locations and therefore address the issue of keeping the rate payers informed having other options in front of them to consider equally in an informed vote thus alleviating the weighting of the current ballot?

Will there be a public meeting for this public space? We have been advised that it is procedure.

The alternate locations will be clearly listed and presented equally for the Elected Members to consider. No other public meeting will be held and Council's Community Engagement Policy PO057 does not require that there is.

What are the processes in place for the next round of alternate location choices.

The Elected Members will be asked to consider selection of the location.

Once again we are asking for the footprint size of the equipment when installed. We originally asked this question in an email dated May 1st, with no response. On your map it is the size of a small cross. Please provide actual dimensions of ground footprint.

Since apologies for my misunderstand that you required the actual dimensions. Please find attached a diagram showing the dimensions along with a brochure showing pictures of the equipment. I will be happy to clarify further as you require.

We have heard that part of the submission actually required the equipment to be placed along the foreshore. Is this correct and what else do we need to know?

No, that's not correct.

We have found in the EPA minutes Feb 14th, "J. Forbes to confirm whether equipment has to be on foreshore." Once again we have been unable to find any response to this question in any minutes.

We would think that you would all be aware that Edithburgh's open seafront area is such a precious resource for the town and that you would sincerely regard that as a sacred asset, and therefore not start the process of the downward spiral of cluttering these spaces.

When is the next meeting of the project team?

The Project Team have achieved its objectives and are not scheduled to meet again.

We would appreciate you treat the responses to these questions as a priority.

Jillian and Andrew Mill

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]
Sent: Tuesday, 19 September, 2017 2:23 PM
To: abjlmill@gmail.com
Subject: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,

I am writing to provide you with an update regarding the outdoor gym space in Edithburgh.

Council have decided to consult with all of the ratepayers within the Edithburgh township to seek feedback on the location of the gym. Please find attached a copy of the letter for your information and you will receive an original in the mail.

Kind Regards,
Mary.

Mary Herrmann | Governance Officer
Yorke Peninsula Council | Principal Office - Maitland
Ph: 08 – 8832 0000 | F: 08-8853 2494
E: mary.herrmann@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Thursday, 9 November 2017 7:27 PM
To: Mary Herrmann
Subject: HPRM: RE: Edithburgh Outdoor Gym Space

Record Number: 17/82334

Thanks Mary. We really appreciate the way you have set this out and the colour coding to answer the questions.

Please be advised that we will be doing a submission/deputation at the council meeting.

We are quite shocked with the area the gymnasium will take up. We wonder why this was not represented as a whole shaded block on the voting info? It was portrayed only as a small cross. Others did not have this accurate information provided to them prior to voting either.

We will also be pursuing an answer as to why the foreshore was listed in the voting letter as the rec location by the committee. You state: "The preferred location determined by the project team was relevant to the consultation process". We have no evidence of this consultation and in light of these two new pieces of information we have been advised to add these to our complaint.

Thank you for your time in providing answers to the questions. We appreciate it.
Andrew and Jillian Mill

From: Mary Herrmann [mailto:Mary.Herrmann@yorke.sa.gov.au]
Sent: Thursday, 2 November, 2017 12:09 PM
To: BM & J Mill
Subject: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,
Please find below, in green, the further responses that you have asked me provide.

Andrew Cameron is reviewing all of the information to hand and will provide a response to the further matters contained within your complaint as soon as possible.

From: Mary Herrmann
Sent: Thursday, 26 October 2017 9:57 AM
To: 'BM & J Mill' <abjlmill@gmail.com>
Subject: RE: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,
Just a quick email to let you know that the report to Council will be put on hold until the CEO, Andrew Cameron, has considered and provided a response to your complaint. I am working on another urgent matter at the moment but do want to let you know that I will respond to the rest of your questions shortly and provide you with detailed results of the feedback from the consultation process (it certainly was not a "clean sweep" for option 1).

In the meantime, I have attached Council's Complaints Policy for your reference as this is the policy under which complaints are managed. The policy requires that an initial response is provided to the person(s) who have made the complaint within ten working days.

Kind Regards,
Mary.

Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Thursday, 9 November 2017 7:34 PM
To: Andrew Cameron
Subject: Edithburgh outdoor gymnasium complaint

Dear Andrew,

Further to our emails with Mary to seek information re: outdoor gymnasium, just recently, after several attempts, we finally have been provided with the ground area/footprint. We are quite shocked with the area the gymnasium will cover. We wonder why this was withheld and not represented as a whole shaded block on the voting information? It was portrayed only as a small cross. Others did not have this accurate information provided to them prior to voting either.

Now that we have been made aware of this, we wish to inform you that, after taking further advice, we are adding to our official complaint the following two issues:

1. that the information on the form sent out with the voting slip did not contain a fair or reasonable indication of the amount of space this development will cover. By not providing full and accurate details of the impact of this project, voters were not able to accurately gauge the project's magnitude and fully consider its impact.
2. that when we asked as to why the vote was written with the end of Cross Street listed, without any reasons provided, in the voting letter as the recommended location by the committee, leading the public, the response recently provided to us was "The preferred location determined by the project team was relevant to the consultation process". And this has no supporting evidence of any process or original consultation occurring with the project team and the actual Edithburgh Community. We are adding to our complaint the process used by the project team.

This is separate from our complaint re council not following their own processes/policies.

Andrew and Jillian Mill

Mary Herrmann

From: Mary Herrmann
Sent: Wednesday, 15 November 2017 11:20 AM
To: 'BM & J Mill'
Subject: HPRM: RE: HPRM: RE: Edithburgh Outdoor Gym Space

Record Number: 17/82347

Dear Andrew and Jillian,

Thanks for letting me know. I confirm that you will have up to ten minutes, including questions, to make a submission/deputation at the December Council meeting. The agenda items are still being collated, so I will be able to let you know what time during the meeting will be set aside for you closer to the date.

I understand that Andrew is providing responses to the questions below as part of his reply to your complaint.

Kind Regards,
Mary.

From: BM & J Mill [mailto:abjlmill@gmail.com]
Sent: Thursday, 9 November 2017 7:27 PM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
Subject: HPRM: RE: Edithburgh Outdoor Gym Space

Thanks Mary. We really appreciate the way you have set this out and the colour coding to answer the questions.

Please be advised that we will be doing a submission/deputation at the council meeting.

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We will also be pursuing an answer as to why the foreshore was listed in the voting letter as the rec location by the committee. You state: "The preferred location determined by the project team was relevant to the consultation process". We have no evidence of this consultation and in light of these two new pieces of information we have been advised to add these to our complaint.

Thank you for your time in providing answers to the questions. We appreciate it.
Andrew and Jillian Mill

From: Mary Herrmann [mailto:Mary.Herrmann@yorke.sa.gov.au]
Sent: Thursday, 2 November, 2017 12:09 PM
To: BM & J Mill
Subject: Edithburgh Outdoor Gym Space

Dear Jillian and Andrew,
Please find below, in green, the further responses that you have asked me provide.

Andrew Cameron is reviewing all of the information to hand and will provide a response to the further matters contained within your complaint as soon as possible.

From: Mary Herrmann
Sent: Thursday, 26 October 2017 9:57 AM

Mary Herrmann

From: Jackie Reddaway
Sent: Friday, 17 November 2017 2:26 PM
To: 'abjlmill@gmail.com'
Subject: Letter from CEO re Edithburgh Outdoor Gym Space
Attachments: Letter to Andrew and Jillian Mill - Edithburgh Outdoor Gym.pdf; PO037 - Council Policy - Internal Review of a Council Decision.pdf; PO147 Complaints Policy.pdf

Good Afternoon

Please find attached correspondence from CEO Andrew Cameron in response to your complaint about the Edithburgh Outdoor Gym Space.

Kind Regards

Jackie Reddaway | Executive Assistant to the Chief Executive Officer and Mayor
Yorke Peninsula Council | Principal Office - Maitland
Ph: 08 – 8832 0000 | F: 08-8853 2494

E: jackie.reddaway@yorke.sa.gov.au | W: www.yorke.sa.gov.au

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16 November 2017

Andrew and Jillian Mill
Via email: abjlmill@gmail.com

Dear Andrew and Jillian,

Edithburgh Outdoor Gym Space

I am writing in response to the concerns you raised in your email of Friday 20 October 2017, addressed to Mary Herrmann and the Yorke Peninsula Councillors and to the further email you sent to me last Thursday, 9 November 2017. Thank you for taking the time to set your concerns out in writing so as to facilitate a clear understanding of the issues.

In accordance with Council's Complaint Policy PO147 (attached), I have undertaken a review of the process undertaken by Mary, as the project manager, to plan for and create an outdoor gym space within the Edithburgh Township.

For the purposes of continuity and correlation, I have set out the issues raised in your emails below and provided a corresponding response to each.

Email Friday 20 October 2017

Firstly, thank you to Mary for your detailed responses. You have personally been very helpful to us. Please understand that we have indeed had a particularly hard time accessing information from the very moment we were shocked to first hear about the project from the photo in The Country Times in April. Since dealing with you directly communication has definitely improved, but prior to this we were definitely given the run around. We are asking why these documents and links were never referred to or brought to our attention at any time throughout the past 7 months. Indeed YP Council staff were not aware of the project and who was in charge when spoken to on the phone and emails were left unanswered, which we find unacceptable given that you have now provided us with the link to the information agenda report, which was back in NOVEMBER!"

The information agenda is a publicly available report. This would not typically be distributed to individual residents in relation to any Council project to be undertaken. At the time of the article being placed in the Country Times, the project was still in the development stage and it was always the intention to undertake further consultation with the community.

I am aware that you were expecting a response to the email you refer to that you had sent to Allan Cotton and Mary has apologised for the delay in response in that regard. I have considered all the documentation since that time and it appears that you have received responses to all of your communications with Council.

BRANCH OFFICES

MINLATON: Phone 08 8853 3800
YORKETOWN: Phone 08 8852 0200
WAROOKA: Phone 08 8854 5055

Council staff deal with many and varied matters across the organisation and within departments; it is common that for smaller projects such as this, Council staff in one department may not be aware of projects being undertaken by others.

*"Upon further advice and investigation we have been advised to ask the following:
The regulations that we are referring to are those of your own."*

Council have the power to make By-Laws but not regulation. I do not believe that we have breached any By-Law or any Law or Regulation however if you are able to specify which By-Law, Law or Regulation you believe that Council have breached I will be able to investigate this further.

"We are still questioning if this has been compliant with council policy, including but not limited to the Community Engagement Policy, PO057.

We cannot find any evidence/record of community consultation. This complaint is required to be addressed."

In addition to the newspaper article, consultation was undertaken by a letter/survey being distributed to all ratepayers within the Edithburgh Township. This is in line with Level 2 Consult under Council's Community Engagement Policy PO057. Due to the concerns that you and another resident had raised, Council staff determined to exceed the Level 1 consultation required. The consultation process undertaken is considered appropriate for the Edithburgh Outdoor Gym Project (the Project).

"We have looked at the YP Council website often. This information has been extremely hard for us to find"

This is a Project that the Project Team develop over a period of time. Council would not typically report on small projects in detail on the website, particularly those that only relate to a specific township and are not directly affecting the broader community. Mary has also offered to assist in providing you with any information you require since the initial contact with you.

"and we find the site overwhelmingly difficult to pin point exact documents, even using the search function. (e.g. do you realise that typing in community engagement policy or Edithburgh outdoor gym do not bring up anything, and that is just 2 of many searches we tried)."

Thank you for your feedback in this regard, I have passed it on to our Information Technology Team for consideration in the further development of our website.

"We found the information agenda report in the Nov 9 agenda. We were looking in the minutes as we would expect it to be in the minutes recorded as items presented/discussed.

We are of the opinion that the committee should have kept minutes. How are the public to be kept informed?"

There was no formal committee established to administer this Project, which is the case for all small projects. The Project Team are an informal group of people and it has been made clear who the representatives were. The Project was valued at \$20,000 and there was no requirement to establish a formal committee to manage it.

"We are particularly concerned about the information agenda report.

The goal listed in it is "community engaged and supported". What is that referring to as we were never engaged with this project/ or indeed informed?"

You have been provided with the same information and opportunity to have your say as the other rate payers of the Edithburgh Township. Additionally, the email correspondence between you and Mary, in my view, shows that you have had the opportunity to put forward your views and to request information as required.

"Also of grave concern is top of page 13 "The Progress Associations and members of both the Ardrossan and Edithburgh communities have identified that outdoor gym equipment and landscaping their foreshore areas would be of significant benefit to the communities". We have read all the Co-ee s and EPA minutes and have never seen any reference to provide input or request for comment from the community about landscaping the foreshore. Please advise when/ where this occurred. ("communities have identified...")"

"Never have the community been asked to identify any landscaping of the foreshore areas."

That is the message conveyed to Mary Herrmann during initial conversations with Progress. You will need to contact the Progress Association to gain further information about why you have been unable to locate this information in the records of their meetings.

"Under the project outcomes dot point one mentions nature play spaces...please define this."

This means encouraging children to touch and interact with the natural environment in their everyday play. This was a consideration should the preferred location of the gym be in a place that would benefit from the creation of a nature play space, enhancing the family experience of the gym. There is quite a bit of information available about nature play on the internet.

"In regards to our question about the dimensions - we are referring to the ground foot print. We are needing more information in regard to the actual footprint, that being the area in square meterage when the equipment is spread out i.e. placed onto the ground."

I understand that Mary misunderstood what you were requiring and has since provided you with this information.

"Dot point two also mentions landscaping of the gym and nature play space". Exactly what is next to come? How can we access the foreshore plan?"

The Project Team are of the view that should the gym equipment be located on the foreshore, the natural experience was enough and no further landscaping would be required.

"Last dot point refers to "opportunities for local sporting clubs and community groups to utilize the gym equipment as groups". Where are the car parking spaces? What provisions does council have for these?"

Given the amount of people who can use the equipment at any one time, additional parking is not considered a requirement.

"And if that's the case then surely it makes sense to have it at the sporting area of the town, as we first suggested. Please explain why it can't go there. Once again we are seeking reasons as to WHY the committee recommended the foreshore... no reasons were given in their mail out for voting and we have twice asked for their rationale."

The Project Team felt that the gym would not be as visible in other areas away from the foreshore and were concerned that this would mean it would be under-utilised. They felt that it was important that the equipment be as visible as possible to maximise use by locals and visitors alike. In particular, it was intended that the gym would enhance the Walk the Yorke experience. The Project Team determined that the cliff top setting made the most contribution to a pleasurable experience while exercising.

"This project is another way to showcase to the community, how a collaborative, partnership approach can achieve the goals and aspirations of the Council and community providing positive outcomes for all involved." We take offence at this quote from your document. We absolutely once again assure you that at NO time has there been collaboration."

As Mary has mentioned, the Project has been made possible by the collaboration between Council, the Edithburgh Progress Association and the Yorketown Area School. Additionally and as previously

mentioned, consultation was also undertaken with a local personal trainer and each ratepayer within the township has been provided with the opportunity to have their say.

*"Upon reading your **community engagement policy** we have one big question. **Who decides what level of consultation is implemented?***

The objective states that "community engaged and supported." By your definition this also includes people who "use the facilities in public places in the Yorke Peninsula region". How have they been included? We are still wanting to know the total number of rate payers. In your response you said that that all ratepayers within the township. Why is that the part of the community you are accessing and not every part of your own definition of community."

As per the information I have provided above and in line with the Community Engagement Policy, Council would typically consult primary and/or secondary property owners for this type of project and not the broader community.

I understand that Mary has already provided you with information about the number of rate payers who received letters.

"Under point 4 it states "...will foster open, transparent and accountable processes". We have not found this to be true.

Level 1 consultation is defined as "we will keep you informed".

On the third page under level 1 at the bottom it states 5 dot points. In reference to these dot points that you have provided in your policy, please provide us with:

details of when the public notice was put in The Country Times."

A media release appeared in the Yorke Peninsula Country Times on 19 April 2017. All rate payers within the township of Edithburgh were informed individually via letter and given the opportunity to have their say and/or request further information on an individual basis. The email correspondence between you and Mary, in my view, also shows that Council have endeavoured to respond to your requests for information about the Project.

"When there was a letterbox drop."

As you are aware, letters were distributed via mail and email as requested. The letters were distributed between 18 and 27 of September 2017. A three week response time was provided.

"AND particularly WHEN the "letter of advice to affected properties "was mailed.

Once again we cannot understand what has happened with your communication process. Please advise WHEN the major stakeholders, the residents of O'Halloran Parade, the most affected residents, been notified. Why was it let go this far?"

As above.

"We have read your policies and would like to register our complaint to you in regards to the process and indeed your own policies NOT being followed."

I am unable to identify any breach based on the evidence I have to hand.

"No one on YP Council or EPA has initiated an attempt to inform/contact or consult ANY of the residents on O'Halloran Parade."

Each rate payer on O'Halloran Parade received the letter that provided them with the opportunity to have a say and request further information.

"We are truly disappointed with the way this has been handled from day 1. We find this very unbecoming for the council and implore you to refine your processes and follow your processes vigilantly in the future. We believe if we were all on-board from the start then much of the anxiety could have been avoided and the timeline would not have blown out to 12 months. Part of your ethos is clear communication and sharing of information. We will never understand why a community meeting was not called in the first instance. PLEASE do not underestimate the personal stress and indeed the monetary costs this has placed upon us. Also the disruption and delays in our future planning have taken their toll.

What is the "public report" that you refer to? When/where/how will this be relayed?

Can you please advise the time, date and location of the public council meeting? Is it on Wednesday November 8th? Is it 530pm at Minlaton still?"

As Mary has confirmed, it is intended that all of the feedback received will be presented to Council at the public Council meeting to be held on 13 December 2017 at 5.30pm in the Minlaton Council Chambers, 57 Main Street, Minlaton.

"A couple of points we are still not sure on:

In reference to the votes being collated and presented at the next meeting... How will all the councillors hear about these issues to ensure a fully rounded conversation before they cast their vote?

How and when is all our information being shared with the council? Obviously we did not have enough room on the voting slip to raise all our ideas and concerns. Have our previous emails being presented to council? Where is our voice being heard and how? Will this letter then be presented and discussed? OR emailed prior to councillors?"

Also as confirmed by Mary all of the feedback received will be presented to Council at the 13 December 2017 Council meeting; including all of your emails (unless you advise that you do not wish to have all or some of them included) and the written feedback that Council have received during the consultation process. All of the suggested locations are also being included along with the number of times each was suggested. As explained by Mary, you are welcome to make a verbal presentation to Council if you would like the opportunity to do so, we normally allow 5 – 10 minutes to make a deputation to the Council.

"It mentions in the Appendix 1 community engagement that written submissions can be received by council within 21 days. How is this to be when it was posted on your website (last November, yet we only knew about it when an article and photo appeared in The Country Times in April this year)!"

This is specifically referring to the timeframe for responding to the consultation process; which you met.

"Also in that same appendix under management plans – public consultation it states that

(1) Before a council adopts a management plan for community land it must –

(a) Make copies of the proposed plan available for inspection or purchase at the council's principal office; and

(b) follow the relevant steps set out in its public consultation policy."

When we look at that that policy we cannot follow where that has been done."

The Community Land Management Plans are available both on Council's website and at the Maitland Office. The Plans were finalised on 8 February 2005 and appropriate consultation was undertaken in accordance Section 197 of the Local Government Act and Council's Public Consultation Policy PO057 (the policy in place at that time).

Thursday, 9 November 2017

"Now that we have been made aware of this, we wish to inform you that, after taking further advice, we are adding to our official complaint the following two issues:

1. that the information on the form sent out with the voting slip did not contain a fair or reasonable indication of the amount of space this development will cover. By not providing full and accurate details of the impact of this project, voters were not able to accurately gauge the project's magnitude and fully consider its impact."

The letter to each rate payer included accurate dimensions of the equipment along with an aerial view of the area, with the location proposed by the Project Team marked with an "X". Although the area marked with the "X" was not to scale, a scale was provided on the map that indicated that 3mm was approximately equivalent to 3m. On this scale, the "X" indicates that the proposed area shown is larger than the 5m x 12m that it is anticipated to be. I have also measured the area marked "X" within Council's mapping system and confirm that this also revealed that the area shown is larger than the estimated footprint.

I am of the view that the rate payers were provided with information that was appropriate and adequate to enable an informed assessment of the project's magnitude and impact.

"2. that when we asked as to why the vote was written with the end of Cross Street listed, without any reasons provided, in the voting letter as the recommended location by the committee, leading the public, the response recently provided to us was "The preferred location determined by the project team was relevant to the consultation process". And this has no supporting evidence of any process or original consultation occurring with the project team and the actual Edithburgh Community. We are adding to our complaint the process used by the project team.

This is separate from our complaint re council not following their own processes/policies."

It was always the intention that the members of the Project Team would design the outdoor gym space, as is evident in the information report to the Council in November last year. I have explained above as to why the Project Team determined to recommend the proposed location. Mary has provided you with written confirmation of how the Project was developed by the Project Team. In addition to the responses provided above, I also verify the information provided to you by Mary. The steps undertaken by the Project Team will also be set out in the report presented to Council in December.

Although my responses may not be the answers you were seeking, they are based upon the evidence currently available to me. Should you feel that I have not been able to successfully resolve your complaint, you retain the right to seek other forms of resolution such as submitting an application for a review in accordance with Council's Internal Review of a Council Decision Policy PO037 (attached), contacting the SA Ombudsman, or taking legal action at any time.

Yours sincerely



Andrew Cameron
CHIEF EXECUTIVE OFFICER



This Crown Record Register Search is a true and correct extract of the Register of Crown Records maintained by the Registrar-General. Crown Land is administered pursuant to the Crown Land Management Act 2009 by the Department of Environment, Water and Natural Resources.

Crown Record - Volume 5744 Folio 653

Parent Title(s)

Creating Dealing(s) RT 8854020

Title Issued	17/03/2000	Edition	2	Edition Issued	11/05/2013
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Estate Type

CROWN LAND (UNALIENATED)

Owner

THE CROWN

Custodian

MINISTER FOR SUSTAINABILITY, ENVIRONMENT AND CONSERVATION
OF ADELAIDE SA 5000

Description of Land

SECTION 618
HUNDRED OF MELVILLE
IN THE AREA NAMED EDITHBURGH

TOTAL AREA: 1.49HA (APPROXIMATE)

Easements

NIL

Schedule of Dealings

NIL

Schedule of Interests

Licence Number	Description
OL020959	ANNUAL LICENCE TO YORKE PENINSULA COUNCIL FOR COMMUNITY PURPOSES COMMENCING ON 01/12/1993 AND EXPIRING ON 30/11/2017

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Sunday, 26 November 2017 11:39 PM
To: Mary Herrmann
Subject: HPRM: Friday's phone call CEO's letter follow up

Record Number: 17/86779

Hi Mary,

Luca asked me to send you an email, as we had trouble on Friday locating some information that CEO Andrew Cameron suggested we look at in his response letter to us. He sent a link for the Community Land Management Plans (please refer to letter of response bottom of page 5) and we clicked on that and began looking for the Edithburgh foreshore area. But unfortunately the section missing from the category 3 paper community land register is the exact section we are dealing with, sec 618. Although foreshore sections 651 and 643 either side are listed. Quite frustrating. We ended up having to call council and we were put through to a couple of different people, to no avail. Heidi put me through to Luca, who could not locate it either, so she met with Andrew and later called us back, stating that he could not locate it either and that they had phoned the licence officer, who told them it's crown land.

Therefore she said that she would ask you when you were back in Monday, and I said I would be happily send you an email, so hopefully we can pin point the information that's missing. Andrew states in his letter that these plans were finalised on 8th Feb 2005.

We are very keen to find out plans for the Edithburgh foreshore. Is there a development plan for that area? Is it just put things wherever, whenever they come up/ progress want? The future of the foreshore area is our concern. Any info would be greatly appreciated.

Also from CEO's response (please see letter page 3) he states that the Progress Association conveyed the message to you (in regards to any initial community consultation – listed in the information agenda report). And he goes on to suggest that we once again go back and ask progress this, even though they have previously stated "it would be best for you, if you have further concerns, to please contact the Council directly." We approached EPA first with these questions and then Council and now we have been re directed back to the EPA by the CEO. We can definitely state that at NO time has progress ever consulted the community regarding this or neither prior to stating it had actually done this as listed in its submission to council last November.

When we queried them in regards to not having records in their minutes, they stated that they keep some minutes just for progress...so HOW can we ever know what they are doing when they write their minutes not documenting decisions, and omit correspondence in and out? We are trying to ascertain the facts and gain information and not having success. Can you please advise what power the Progress Association has? Can we have a copy of their constitution? We see other projects listed there as "Council to be advised regarding the concept once Progress has given support to it, as it will need Council approval." What exactly is EPA and council's relationship?

Also in regards to the December meeting, I'm not sure how you list our agenda item, but I wanted to let you know that we have also been approached to speak on behalf of the group of concerned residents, who have given their opinions and ideas to me.

Thanks again Mary for all your efforts in helping us understand this process and obtain clear answers.

Sincerely, Jillian and Andrew Mill

Mary Herrmann

From: Mary Herrmann
Sent: Monday, 27 November 2017 2:52 PM
To: 'BM & J Mill'
Subject: HPRM: RE: Friday's phone call CEO's letter follow up

Record Number: 17/86776

Dear Jillian and Andrew,

Thank you for confirming your discussions with Luka. For consistency, I have provided the responses in green below.

Kind Regards,
Mary.

From: BM & J Mill [mailto:abjlmill@gmail.com]
Sent: Sunday, 26 November 2017 11:39 PM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
Subject: Friday's phone call CEO's letter follow up

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Sorry for that difficulty; unfortunately both myself (I work on a part-time basis and I am not usually at work on Fridays) and Jackie, who is on leave, were not available to help.

Both Section 618 and the second most popular location, Section 643 (near to the swimming pool) are Crown Land. Council have been granted care, control and management of Sections 651 and 643 via proclamation, whereas Council have held a licence over Section 618 "FOR COMMUNITY PURPOSES" (written in capitals as shown on the Crown Record) since 1993. Should the Council determine to select any of the sites located upon Crown Land, then permission will need to be sought from the Crown as such. This will be made clear to the Elected Members within the Council agenda report.

The way in which Council manage Council Land and other land can be confusing; there is a lot of land under varying types of arrangements.

Therefore she said that she would ask you when you were back in Monday, and I said I would be happily send you an email, so hopefully we can pin point the information that's missing. Andrew states in his letter that these plans were finalised on 8th Feb 2005.

We are aware that the Community Land Registers and Land Management Plans do need to be reviewed and the relevant personnel are currently working on this. That said, individual records have been updated within the Registers on an ongoing basis and it is anticipated that there will be very little change to the associated Plans.

We are very keen to find out plans for the Edithburgh foreshore. Is there a development plan for that area? Is it just put things wherever, whenever they come up/ progress want? The future of the foreshore area is our concern. Any info would be greatly appreciated.

[The Yorke Peninsula Council Development Plan](#) specifies the principles against which development within the Council area is assessed, including a range of social, environmental, economic, planning, building and environmental protection objectives. It is my understanding that Council have no other specific management plans for Edithburgh and any other proposed resource/facility, not requiring development approval, over which Council has any decision making powers is assessed in accordance with any applicable Council plans or on its merits.

Also from CEO's response (please see letter page 3) he states that the Progress Association conveyed the message to you (in regards to any initial community consultation – listed in the information agenda report). And he goes on to suggest that we once again go back and ask progress this, even though they have previously stated "it would be best for you, if you have further concerns, to please contact the Council directly." We approached EPA first with these questions and then Council and now we have been re directed back to the EPA by the CEO.

Andrew's reference back to Progress directly related to your question about why the Progress thought that outdoor gym equipment and landscaping the foreshore areas would be of benefit to the community and why you had not been able to locate any reference to this in their documentation. They are questions that Council can't answer.

It was appropriate for the Progress to direct you to Council in relation to concerns about the Project Team, the gym equipment, the proposed location and the consultation process undertaken by the Council.

We can definitely state that at NO time has progress ever consulted the community regarding this or neither prior to stating it had actually done this as listed in its submission to council last November.

I am not sure what you mean by this; Council undertook the consultation?

When we queried them in regards to not having records in their minutes, they stated that they keep some minutes just for progress...so HOW can we ever know what they are doing when they write their minutes not documenting decisions, and omit correspondence in and out? We are trying to ascertain the facts and gain information and not having success. Can you please advise what power the Progress Association has? Can we have a copy of their constitution? We see other projects listed there as "Council to be advised regarding the concept once Progress has given support to it, as it will need Council approval." What exactly is EPA and council's relationship?

The Progress are an incorporated body and completely separate from Council. In South Australia, incorporated bodies are governed by the [Associations Incorporations Act 1985](#). They are not a public organisation like the Council. You will need to ask Progress for a copy of their constitution. They may also have a terms of reference and/or some rules, along with a strategic plan or something similar.

There is no particular relationship between Council and the Edithburgh Progress Association other than partnerships relating to external funding applications, such as the outdoor gym space, from time to time. As is the case with all progress associations.

Also in regards to the December meeting, I'm not sure how you list our agenda item, but I wanted to let you know that we have also been approached to speak on behalf of the group of concerned residents, who have given their opinions and ideas to me.

That's fine Jillian.

Thanks again Mary for all your efforts in helping us understand this process and obtain clear answers.

You are welcome. Would you still like me to give you a phone call as well?

Sincerely, Jillian and Andrew Mill

Mary Herrmann

From: BM & J Mill <abjlmill@gmail.com>
Sent: Tuesday, 28 November 2017 1:08 PM
To: Mary Herrmann
Subject: HPRM: RE: Friday's phone call CEO's letter follow up

Record Number: 17/88151

Thanks Mary for the offer of the phone call, but having things in writing helps us when we go back and reference. I really do appreciate the way you set out the responses. This certainly isn't easy.
Thanks for the link to the development plan. Can you tell us which section? On p 97, zone section there are a few options and we want to make sure that we are getting the correct information.
So we are trying to unravel it in our heads, trying to get it right.
So, is it correct then, that out of the foreshore area, that it is only sec618, in front of our place, that council holds a licence over "FOR COMMUNITY PURPOSES"? What is that definition? Structural?

Is it correct that if progress want to do anything else anywhere else along the foreshore in the future that it must be go through and be approved by council? Voted on? We see they have another set of equipment for the pool. Also the new huge rock that suddenly appeared and the lighting. We really want to understand the PROCESS. Somethings are minuted and others are complete surprises. Of course we are not against progress, but neither the EPA nor us own this land.

We note in your reply the following:

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Also just re explaining what we mean here...

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Are you able to help us here? We are wondering is this another question for progress or the working group? All of the concerned residents are grappling with this fact, and how progress never initially spoke to the community or the major stake holders.

Thanks again Mary.

Jillian and Andrew Mill

From: Mary Herrmann [mailto:Mary.Herrmann@yorke.sa.gov.au]
Sent: Monday, 27 November, 2017 2:52 PM
To: BM & J Mill
Subject: RE: Friday's phone call CEO's letter follow up

Dear Jillian and Andrew,

Thank you for confirming your discussions with Luka. For consistency, I have provided the responses in green below.

Kind Regards,
Mary.

From: BM & J Mill [<mailto:abjlmill@gmail.com>]
Sent: Sunday, 26 November 2017 11:39 PM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
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Sorry for that difficulty; unfortunately both myself (I work on a part-time basis and I am not usually at work on Fridays) and Jackie, who is on leave, were not available to help.

Both Section 618 and the second most popular location, Section 643 (near to the swimming pool) are Crown Land. Council have been granted care, control and management of Sections 651 and 643 via proclamation, whereas Council have held a licence over Section 618 "FOR COMMUNITY PURPOSES" (written in capitals as shown on the Crown Record) since 1993. Should the Council determine to select any of the sites located upon Crown Land, then permission will need to be sought from the Crown as such. This will be made clear to the Elected Members within the Council agenda report.

The way in which Council manage Council Land and other land can be confusing; there is a lot of land under varying types of arrangements.

Therefore she said that she would ask you when you were back in Monday, and I said I would be happily send you an email, so hopefully we can pin point the information that's missing. Andrew states in his letter that these plans were finalised on 8th Feb 2005.

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Andrew's reference back to Progress directly related to your question about why the Progress thought that outdoor gym equipment and landscaping the foreshore areas would be of benefit to the community and why you had not been able to locate any reference to this in their documentation. They are questions that Council can't answer.

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Also in regards to the December meeting, I'm not sure how you list our agenda item, but I wanted to let you know that we have also been approached to speak on behalf of the group of concerned residents, who have given their opinions and ideas to me.

That's fine Jillian.

Thanks again Mary for all your efforts in helping us understand this process and obtain clear answers.

You are welcome. Would you still like me to give you a phone call as well?

Sincerely, Jillian and Andrew Mill

Mary Herrmann

From: Mary Herrmann
Sent: Thursday, 30 November 2017 2:32 PM
To: 'BM & J Mill'
Subject: HPRM: RE: Friday's phone call CEO's letter follow up
Record Number: 17/88148

Dear Jillian and Andrew,

I agree that having things in writing does help.

I have provided the responses below in purple so to keep the definition clear.

From: BM & J Mill [mailto:abjlmill@gmail.com]
Sent: Tuesday, 28 November 2017 1:08 PM
To: Mary Herrmann <Mary.Herrmann@yorke.sa.gov.au>
Subject: RE: Friday's phone call CEO's letter follow up

Thanks Mary for the offer of the phone call, but having things in writing helps us when we go back and reference. I really do appreciate the way you set out the responses. This certainly isn't easy.
Thanks for the link to the development plan. Can you tell us which section? On p 97, zone section there are a few options and we want to make sure that we are getting the correct information.
So we are trying to unravel it in our heads, trying to get it right.

Section 618 is a Coastal Open Space Zone.

So, is it correct then, that out of the foreshore area, that it is only sec618, in front of our place, that council holds a licence over "FOR COMMUNITY PURPOSES"? What is that definition? Structural?

Council hold licences over a lot of land within the Council area; I have not considered all of the land in the Edithburgh area but, in a broader sense, Section 618 is not the only land over which Council hold a licence.

I have confirmed with the Department of Environment, Water and Natural Resources that "FOR COMMUNITY PURPOSES" is not formally defined and that the general, intended definition is as it reads. Ultimately, whether or not a purpose met the definition of community purposes would ultimately be at the discretion of the Minister.

Is it correct that if progress want to do anything else anywhere else along the foreshore in the future that it must be go through and be approved by council? Voted on? We see they have another set of equipment for the pool. Also the new huge rock that suddenly appeared and the lighting. We really want to understand the PROCESS. Somethings are minuted and others are complete surprises. Of course we are not against progress, but neither the EPA nor us own this land.

Appropriate permissions need to be obtained for anyone to undertake works (I am using the word works in a broad sense) on land that is not owned by the person who wish to undertake the works. Additionally, works that constitute development, on any land also require appropriate approval. In the case where Council have care and control over the affected land or have an interest in the land under an alternative agreement, the type of approval required depends on the works proposed to be undertaken. A decision by the Elected Body is not always required. In some circumstances, approvals will be given by staff, under delegated authority, in others approvals via a development assessment may be required and in others approvals may be required through another tier of government or external party (appropriate approvals are not limited to these examples I have provided).

We note in your reply the following:

There is no particular relationship between Council and the Edithburgh Progress Association other than partnerships relating to external funding applications, such as the outdoor gym space, from time to time. As is the case with all progress associations. This bit worries us, as we look to our future plans at Edithburgh and other structures/add-ons they maybe planning here. We are trying to understand the power of progress. Can you elaborate on this?

Progress, as with any other organisation, need to seek the appropriate approvals.

Also just re explaining what we mean here...

We can definitely state that at NO time has progress ever consulted the community regarding this or neither prior to stating it had actually done this as listed in its submission to council last November.

I am not sure what you mean by this; Council undertook the consultation?

By this we mean progress's very first ideas and submission that the working group (or progress)? drew up that was initially presented at November council that states they did a public consultation and that the "public identified....etc.

Are you able to help us here? We are wondering is this another question for progress or the working group? All of the concerned residents are grappling with this fact, and how progress never initially spoke to the community or the major stake holders.

Thanks for that. It is my understanding that this belief was not formed by Progress as a result of a formal consultation process, rather through general discussions between members of Progress and community members that had taken place over a period of time. I understand that there was a genuine belief by the Progress that the Edithburgh community would welcome and benefit from an outdoor gym space and, as such, that was conveyed to me in good faith.

Thanks again Mary.
Jillian and Andrew Mill

Kind Regards,
Mary.

From: Mary Herrmann [<mailto:Mary.Herrmann@yorke.sa.gov.au>]
Sent: Monday, 27 November, 2017 2:52 PM
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The way in which Council manage Council Land and other land can be confusing; there is a lot of land under varying types of arrangements.

Therefore she said that she would ask you when you were back in Monday, and I said I would be happily send you an email, so hopefully we can pin point the information that's missing. Andrew states in his letter that these plans were finalised on 8th Feb 2005.

We are aware that the Community Land Registers and Land Management Plans do need to be reviewed and the relevant personnel are currently working on this. That said, individual records have been updated within the Registers on an ongoing basis and it is anticipated that there will be very little change to the associated Plans.

We are very keen to find out plans for the Edithburgh foreshore. Is there a development plan for that area? Is it just put things wherever, whenever they come up/ progress want? The future of the foreshore area is our concern. Any info would be greatly appreciated.

The Yorke Peninsula Council Development Plan specifies the principles against which development within the Council area is assessed, including a range of social, environmental, economic, planning, building and environmental protection objectives. It is my understanding that Council have no other specific management plans for Edithburgh and any other proposed resource/facility, not requiring development approval, over which Council has any decision making powers is assessed in accordance with any applicable Council plans or on its merits.

Also from CEO's response (please see letter page 3) he states that the Progress Association conveyed the message to you (in regards to any initial community consultation – listed in the information agenda report). And he goes on to suggest that we once again go back and ask progress this, even though they have previously stated "it would be best for you, if you have further concerns, to please contact the Council directly." We approached EPA first with these questions and then Council and now we have been re directed back to the EPA by the CEO.

Andrew's reference back to Progress directly related to your question about why the Progress thought that outdoor gym equipment and landscaping the foreshore areas would be of benefit to the community and why you had not been able to locate any reference to this in their documentation. They are questions that Council can't answer.

It was appropriate for the Progress to direct you to Council in relation to concerns about the Project Team, the gym equipment, the proposed location and the consultation process undertaken by the Council.

We can definitely state that at NO time has progress ever consulted the community regarding this or neither prior to stating it had actually done this as listed in its submission to council last November.

I am not sure what you mean by this; Council undertook the consultation?

When we queried them in regards to not having records in their minutes, they stated that they keep some minutes just for progress...so HOW can we ever know what they are doing when they write their minutes not documenting

decisions, and omit correspondence in and out? We are trying to ascertain the facts and gain information and not having success. Can you please advise what power the Progress Association has? Can we have a copy of their constitution? We see other projects listed there as "Council to be advised regarding the concept once Progress has given support to it, as it will need Council approval." What exactly is EPA and council's relationship?

The Progress are an incorporated body and completely separate from Council. In South Australia, incorporated bodies are governed by the [Associations Incorporations Act 1985](#). They are not a public organisation like the Council. You will need to ask Progress for a copy of their constitution. They may also have a terms of reference and/or some rules, along with a strategic plan or something similar.

There is no particular relationship between Council and the Edithburgh Progress Association other than partnerships relating to external funding applications, such as the outdoor gym space, from time to time. As is the case with all progress associations.

Also in regards to the December meeting, I'm not sure how you list our agenda item, but I wanted to let you know that we have also been approached to speak on behalf of the group of concerned residents, who have given their opinions and ideas to me.

That's fine Jillian.

Thanks again Mary for all your efforts in helping us understand this process and obtain clear answers.

You are welcome. Would you still like me to give you a phone call as well?

Sincerely, Jillian and Andrew Mill