

minutes

Policy Committee

MEETING HELD ON **TUESDAY 8 DECEMBER 2009**

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CITY OF JOONDALUP

MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 3, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY, 8 DECEMBER 2009

ATTENDANCE

Committee Members

Cr Kerry Hollywood	<i>Presiding Person</i>	North Ward	
Cr John Chester	<i>Deputy Presiding Person</i>	South-East Ward	
Mayor Troy Pickard			<i>From 1814 hrs</i>
Cr Liam Gobbert		Central Ward	
Cr Christine Hamilton-Prime		South-West Ward	

Officers:

Mr Garry Hunt	Chief Executive Officer	<i>Absent from 1812 to 1814 hrs</i>
Mr Jamie Parry	Director, Governance and Strategy	
Mr Martyn Glover	Director Infrastructure Services	
Mrs Janet Foster	Administrative Services Coordinator	

DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 1810 hrs.

ELECTION OF PRESIDING PERSON

The Chief Executive Officer advised of an error within the agenda, in relation to the procedure for the election of Presiding Person. The revised procedure is attached.

The Chief Executive Officer called for nominations for the position of Presiding Person.

Cr Kerry Hollywood nominated for the position. There being no further nominations, Cr Hollywood was elected unopposed to the position of Presiding Person.

Cr Hollywood assumed the Chair at this point.

The Chief Executive Office left the Room at 1812 hrs.

ELECTION OF DEPUTY PRESIDING MEMBER

The Presiding Person called for nominations for the position of Deputy Presiding Person.

Cr John Chester nominated for the position. There being no further nominations, Cr Chester was elected unopposed to the position of Deputy Presiding Person.

Mayor Pickard and the Chief Executive Officer entered the Room at 1814 hrs.

APOLOGIES/LEAVE OF ABSENCE

Apology for absence: Cr Fiona Diaz
Apology for late attendance: Mayor Troy Pickard

Leave of Absence previously approved

Cr Trona Young 26 November 2009 to 15 December 2009 inclusive

CONFIRMATION OF MINUTES

MINUTES OF THE POLICY COMMITTEE HELD ON 29 SEPTEMBER 2009

MOVED Mayor Pickard SECONDED Cr Hollywood that the minutes of the meeting of the Policy Committee held on 29 September 2009 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Crs Hollywood, Chester, Gobbert, Hamilton-Prime and Mayor Pickard

ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

DECLARATIONS OF INTEREST

Nil

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Nil

PETITIONS AND DEPUTATIONS

Nil

ITEM 1 SETTING OF MEETING DATES - 2010

WARD: All

RESPONSIBLE DIRECTOR: Mr Jamie Parry
Governance and Strategy

FILE NUMBER: 26176

ATTACHMENTS: Nil

PURPOSE

To provide a schedule of meeting dates for the Policy Committee for 2010.

DETAILS

It is suggested that quarterly meetings of the Policy Committee be set for 2010.

The meeting dates are based on the draft schedule of Council meeting dates, which will be considered by Council at its meeting to be held on 15 December 2009. The proposed meeting dates are as follows:

7.00 pm on Tuesday 23 February 2010;
7.00 pm on Tuesday 25 May 2010;
7.00 pm on Tuesday 24 August 2010;
6.00 pm on Tuesday 23 November 2010.

The commencement times for the February, May and August meetings allow for Audit Committee meetings to be held prior to the Policy Committee meetings.

VOTING REQUIREMENTS

Simple majority.

MOVED Cr Hollywood SECONDED Cr Chester that the Policy Committee APPROVES the following meeting dates for 2010:

**7.00 pm on Tuesday 23 February 2010;
7.00 pm on Tuesday 25 May 2010;
7.00 pm on Tuesday 24 August 2010;
6.00 pm on Tuesday 23 November 2010.**

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Crs Hollywood, Chester, Gobbert, Hamilton-Prime and Mayor Pickard

ITEM 2 DRAFT MEMORIALS POLICY

WARD:	All
RESPONSIBLE DIRECTOR:	Mr Martyn Glover Infrastructure Services
FILE NUMBER:	100385
ATTACHMENTS:	Attachment 1 Draft Policy

PURPOSE / EXECUTIVE SUMMARY

To provide members of the Policy Committee with a Draft Memorials Policy for their consideration.

It is recommended that the Policy Committee recommends that Council adopts the Draft Policy in the format prescribed in Attachment 1 to this report.

BACKGROUND

In recent months the City of Joondalup has received a number of requests to install memorials within the City's public open spaces and road reserves. These applications have been declined because the City does not have any guidelines, policy or protocol that either supports or does not support the placement of memorials within public open spaces and road reserves.

DETAILS

The City is of the opinion that there needs to be a process and policy to make applications for memorials straightforward for the officers at the City and less traumatic for the families and friends of the deceased and hopefully improve the understanding of the community.

Research indicates that little guidance exists in any of current State or Local Government policies that address this issue and which may assist the City in the development of its own position. Where references have been found, they relate mainly to the erection of crosses in road reserves such as those approved by Main Roads WA and the installation of memorials in specific locations for residents who have made significant contributions to the local community.

It is believed that prior to considering memorial requests, the City should establish a consistent position on the installation of memorials within public open spaces in order to process applications more efficiently and in a manner that balances all views and options.

Category One;*Conditions for "Significant Person" Memorials:*

Community members and groups may seek the installation of a memorial for a past resident or person outside of the City of Joondalup who has contributed significantly to the local Joondalup community. Applications for such memorials must, however be supported by family members of the deceased and submitted to Council for approval.

Category Two;*Conditions for “Temporary Memorials”*

Family members may seek the installation of a Temporary Memorial for a deceased person who has past away from tragic circumstances. Applications for these temporary memorials must be approved by the CEO.

Temporary memorials permit items such as flowers, crosses, toys, and notes to be placed on site for a period of one to six months after the passing of the deceased. Once this period has elapsed, all non-authorised material will be removed and returned to the family of the deceased. This seeks to acknowledge the needs of the family and friends whilst ensuring that an open and orderly process is available to return the location back to its original state for the benefit of local residents.

Issues and options considered:

1. To recommend that Council adopts the Draft Memorials Policy in current format (Attachment 1).
2. To recommend that Council adopts the Draft Memorials Policy subject to suggested amendments.
3. To recommend that Council does not adopt a Memorials Policy.

Legislation/Strategic Plan/Policy Implications

Legislation Not Applicable

Strategic Plan

Key Focus Area: Community Wellbeing

Objective: 5.1 To ensure the City's facilities and services are of a high quality and accessible to everyone.

Risk Management considerations:

Not Applicable

Financial/Budget Implications:

Subject to support, the cost of memorial installations would be borne by the applicant. The City would be responsible for the ongoing operational maintenance of the area where the memorial has been placed, which would be minimal and absorbed into existing operational costs of maintaining parks, public open spaces and road reserves.

Regional Significance:

Not Applicable

Sustainability implications:

Not Applicable

Consultation:

Not Applicable

COMMENT

The City of Joondalup currently does not have any guidelines, protocol or policy that supports the installation of temporary or permanent memorials. Experience reflects that when memorials have been placed within a Council verge area they have been dealt with very reactively and have had to be monitored fairly closely. If the City had an application process which was supported by Council, this would make the placement of memorials on Public Open Spaces and Road Reserves far less traumatic for the families and friends of the deceased and hopefully improve the understanding of the community.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Policy Committee RECOMMENDS that Council ADOPTS the Draft City Policy 5-7 Memorials In Public Reserves in the format provided in Attachment 1 to this Report.

The Director Infrastructure Services advised that minor amendments were required in the report. These amendments are as follows:

- Under "Conditions for Temporary Memorials"
 - Paragraph 1 should read *"Family members residing in the City of Joondalup may seek....."*.
 - Paragraph 2 should read *"Temporary memorials permit items such as flowers, crosses, toys, and notes to be placed on site for a period up to six months after the date of notification to the deceased's family. Once this period has....."*
- Under "Risk Management considerations" replace "Not Applicable" with *"The risk of public liability is reduced by specifying the allowable locations of the memorials. There will remain a risk of potential anti-social behaviour however this will be minimised by setting the rules for memorials at the beginning of the process."*

MOVED Cr Gobbert SECONDED Cr Chester that the Policy Committee RECOMMENDS that Council ADOPTS the Draft City Policy 5-7 Memorials In Public Reserves in the format provided in Attachment 1 to this Report, subject to the following amendments:

- 1 Deletion of reference to wall plaque;**
- 2 In-ground memorial plaque concrete surround to be a maximum of 300mm by 200mm, with stainless steel/brass plaque to be a maximum of 200mm by 150mm;**

3 Benches to conform to the City's street furniture standards.**The Motion was Put and****CARRIED (5/0)****In favour of the Motion:** Crs Hollywood, Chester, Gobbert, Hamilton-Prime and Mayor Pickard*Appendix 1 refers**To access this attachment on electronic document, click here: [Attach1agn081209.pdf](#)***MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**Christmas lights on private property**

Cr Gobbert queried whether the City had a policy in relation to Christmas lights on private property. The Chief Executive Officer advised that no policy existed and requested Cr Gobbert to lodge a request in this regard to enable information to be provided to him.

Alfresco Dining

Mayor Pickard referred to the petitions submitted in relation to alfresco dining and requested that the City write to the owners of La Vita Restaurant, Joondalup, and Kulcha Café and Noodle House, Joondalup to request them to submit a formal application.

Backyard burning

Cr Hollywood queried the current situation with regard to a policy on backyard burning and was advised that it is anticipated a report will be submitted to the Policy Committee in early 2010.

CLOSURE

There being no further business, the Presiding Person declared the Meeting closed at 1830 hrs, the following Elected Members being present at that time:

Cr Kerry Hollywood
Mayor Troy Pickard
Cr Liam Gobbert
Cr Christine Hamilton-Prime
Cr John Chester

POLICY 5-7 – MEMORIALS IN PUBLIC RESERVES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Infrastructure Services
OBJECTIVE:	To provide guidance on the installation of memorials in public reserves within the City of Joondalup

STATEMENT:

The City acknowledges the use of memorials as a means of assisting people to grieve for loved ones and to honour the past contributions of deceased persons within their local communities.

Notwithstanding the above, it is also recognised that the installation of memorials within public open spaces must be managed in a way so as to maintain local amenity, ensure the safety of residents and minimise maintenance requirements.

It is the City's position that persons be encouraged to install memorials within designated memorial facilities, e.g. cemeteries. However, applications for the installation of memorials in public reserves within the City may be considered in accordance with the conditions of this Policy.

General Conditions:

- Memorials in public reserves within the City of Joondalup are limited to temporary memorials for people who have died in tragic circumstances or permanent memorials for significant persons as approved by Council.

Conditions for Temporary Memorials:

Applicants

- Only applications from family members of the deceased person, who are residents of the City of Joondalup, are eligible for consideration.
- Only one memorial per deceased person may be applied for.

Locations

- Memorials may only be installed in Crown Land that is vested in the management of the City and is reserved for the purposes of recreation, public open space or road reserves.
- Memorials must be contained within an existing garden bed area or integrated with an existing tree.
- Memorials can only be installed where there is minimal impact on the local amenity and surrounding residents.

Design and Specifications

- Temporary memorials permit items such as flowers, crosses, toys and notes to be placed on site for a period of up to six months after the date of notification to the deceased's family from the City's CEO.
- Temporary memorials must be constructed from robust and durable materials and must not present a risk to the public.
- If wording for the memorial is considered by the City to be potentially offensive or inappropriate, it will not be approved. General wording and graphic artwork will be considered on a case-by-case basis.
- Approval for the design and location of the memorial must be obtained from the City's CEO.

Maintenance

- Applicants are responsible for the ongoing maintenance of their memorial, including, but not limited to, graffiti and weed removal.

Memorial Removal

- Should for any reason an installed memorial become disturbed through works, either by the City or by external contractors working for another Government Department or Agency, the memorial shall be removed at the expense of the party undertaking the works and returned to the family of the deceased. Subject to CEO approval, the memorial may be reinstalled, if appropriate, in the same location or installed in another location nearby.
- Should the ongoing maintenance of an installed memorial become neglected, the City reserves the right to remove the memorial and return it to the family of the deceased.
- The City will contact the deceased's family prior to the completion of the agreed period of installation to arrange for the memorial's removal or transfer.

Conditions for “Significant Person” Memorials:

Applicants

- Community members and groups may seek the installation of a memorial for a person who has contributed significantly to the local Joondalup community. Applications for such memorials must, however, be supported by family members of the deceased.
- Only one memorial per deceased person may be applied for.
- All eligible applications must be considered and approved by Council.

Locations

- Memorials may only be installed in Crown Land that is vested in the management of the City and is reserved for the purposes of recreation, public open space or road reserves.
- Memorials can only be installed where there is minimal impact on the local amenity and surrounding residents.
- Memorials may take the following forms:
 - In-ground memorial plaque contained within an existing garden bed area or integrated with an existing tree (refer diagram below);

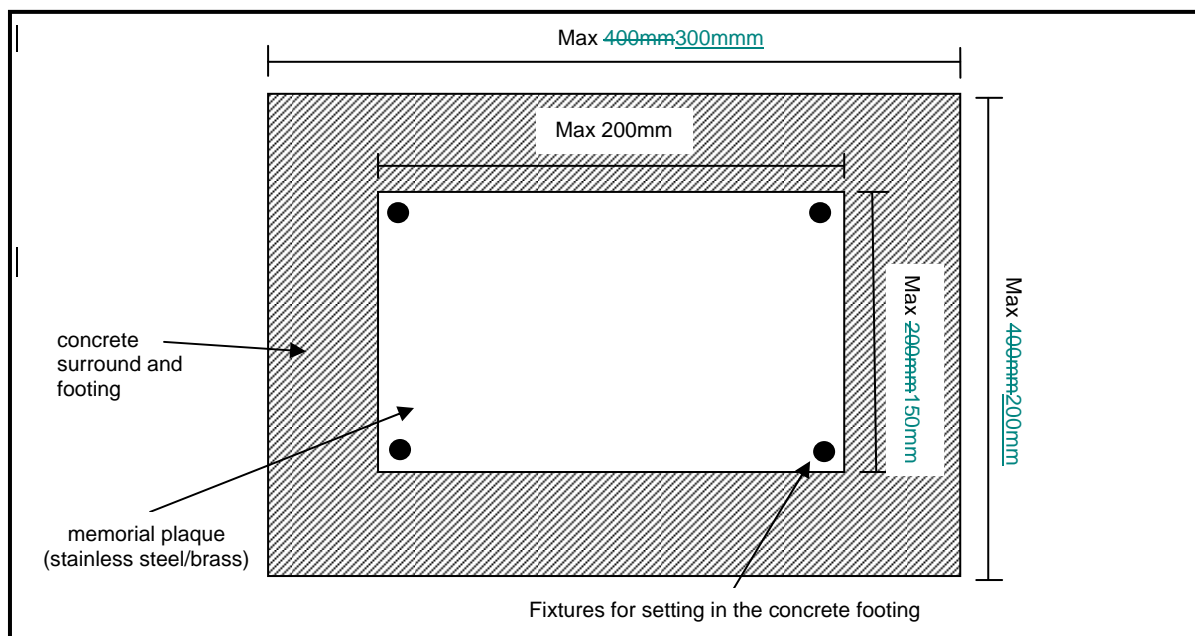


Figure 1

- ~~Wall plaque erected on a community building that is owned by the City of Joondalup and is of relevance to the contributions made by the deceased to the local Joondalup community (e.g. a wall plaque erected on the~~

~~outside of a clubroom facility for a person who has made significant contributions to a local sporting association); or~~

- Bench, that conforms to the City's street furniture standard, with integrated plaque located within a City managed reserve.

Design and Specifications

- The design and specifications of memorials for significant people will be considered on a case-by-case basis and require Council approval prior to installation.
- All memorials must be purchased and supplied by the applicants or by individuals/groups who have agreed to fund the cost of purchasing the memorial on behalf of the deceased's family.

Maintenance

- Applicants are responsible for the ongoing maintenance of their memorial, including, but not limited to, graffiti and weed removal.

Memorial Removal

- Should for any reason an installed memorial become disturbed through works, either by the City or by external contractors working for another Government Department, the memorial shall be removed at the expense of the party undertaking the works and returned to the family of the deceased. Subject to CEO approval, the memorial may be reinstalled, if appropriate, in the same location or installed in another location nearby.
- Should the ongoing maintenance of an installed memorial become neglected, the City reserves the right to remove the memorial and return it to the family of the deceased. Reinstalling the memorial will require a recommencement of the application process.
- Should for any reasons the family of the deceased seek the removal of an installed memorial, an application from the family must be submitted to the City for Officers to remove the memorial and return it to the family.

Temporary Memorials:

Members of the deceased's family who originally applied for the installation of a temporary memorial may also apply for a Significant Person Memorial. The determination of the approval still remains with Council.

Amendments:	XXXXX
Related Documentation:	XXXXXX
Issued:	XXXXXX