

POLICY TITLE MEMORIALS POLICY

POLICY NUMBER CPOL/INFRA519

1. PURPOSE

Swan Hill Rural City Council (Council) recognises that members of the community may wish to use public open space (parks, reserves, streets, etc.) to plant tree memorials or purchase and install a park bench or seat as a memorial to their loved ones. Other memorials may be placed by Council to commemorate an event or for the official opening of a completed Council project.

This policy has been established to provide consistency and control in relation to the use of public open space in the placement of memorials and to ensure they do not negatively impact these spaces.

Applications will be assessed strictly applying the criteria set out in this policy and the procedure.

2. SCOPE

This policy applies to assessing applications received by Council related to the placement of roadside memorials, memorial trees or the placement of memorial plaques on seating in all public roads, parks, reserves, public open space and streetscapes.

3. DEFINITIONS

Applicant/Donor: A person or group who proposes the installation of a memorial.

Council: Indicates reference to Swan Hill Rural City Council as a geographical area and also refers to the entity which has the authority to make decisions on behalf of the Swan Hill Municipal community.

Immediate family: For the purpose of this policy, “immediate family” refers to spouse/partner, parents, siblings and all children of the deceased.

Memorial: Park furniture or tree designed to preserve the memory of a person or group.

Public Open Space: Land that is available to the public for recreation, sport or has a conservation or aesthetic purpose. Open space includes reserves, parks, trains, sportsgrounds, civic area and play spaces.

Road: Road is defined in Section 3 of the Local Government Act 1989. The term 'road' includes but is not limited to a right of way, street or footpath.

4. POLICY

This policy applies to people and groups wishing to place a plaque or memorial within the Swan Hill Municipality as well as Councillors and staff who will decide on the applications.

Council is committed to providing a clear and compassionate approach to requests for permission to place memorial on public land whether they are permanent or temporary.

In the instance of existing memorials, installed prior to the date of this policy, which subsequently require removal, every effort will be made to contact next of kin prior to such a removal. Replacement will not occur if no contact can be made with the initial donor.

5. RELATED POLICIES/PROCEDURES/DOCUMENTS

CPOL/INFRA520 Asset Disposal Policy and Procedure

PRO/INFRA519 Memorial Procedure

POL/INFRA500 Asset Naming Policy

6. RELATED LEGISLATION

Nil

7. DOCUMENT HISTORY

Version Number	Issue Date	Description of Change
1.0	September 2020	Initial release
1.1	December 2021	Review

Signed: Jade Benham Mayor Date: 04/01/2022

PROCEDURE TITLE MEMORIALS PROCEDURE

PROCEDURE NUMBER PRO/INFRA519

ENABLING POLICY

Memorials Policy CPOL/INFRA519

1. PURPOSE

To provide consistency and control in relation to the use of public open space in the placement of memorials.

2. SCOPE

This procedure applies to the placement of roadside memorials, memorial trees or the placement of memorial plaques on seating in all public roads, parks, reserves, public open space and streetscapes.

3. DEFINITIONS

Applicant/Donor: A person or group who proposes the installation of a memorial.

Council: Indicates reference to Swan Hill Rural City Council as a geographical area and also refers to the entity which has the authority to make decisions on behalf of the Swan Hill Municipal community.

Local Government Land: Land owned or under Councils care, control or Management.

Immediate Family: For the purpose of this policy, "immediate family" refers to spouse/partner, parents, siblings and all children of the deceased.

Memorial: Park furniture or tree designed to preserve the memory of a person or group.

Plaque: A flat metal or brass plate that includes text that commemorates an individual.

Public Open Space: Land that is available to the public for recreation, sport or has a conservation or aesthetic purpose. Open space includes reserves, parks, trails, sportsgrounds, civic area and play spaces.

Road: Road is defined in Section 3 of the Local Government Act 1989. The term 'road' includes but is not limited to a right of way, street or footpath.

Roadside memorial: Any object constructed, erected or placed on the road or within the road reserve to commemorate/indicate a road fatality. Memorials may include items such as wooden crosses, coloured posts, flowers or any type of construction with or without plaques or inscriptions.

4. PROCEDURE

4.1. Types of Memorials

Memorial Tree

The installation of an unmarked memorial tree can be arranged to commemorate a deceased person. Proposed tree memorials shall be of a species that complies with Councils existing planting design in the chosen location.

Weed tree species or trees that require particular maintenance or specific environmental conditions that is not present on the proposed site will not be permitted. The memorial tree species will only be approved at the discretion of Council's Parks and Gardens Coordinator.

Donors of memorial trees must note that Council does not guarantee the longevity of the memorial tree. Trees are subject to various environmental stresses which may include (but not limited to) drought, borer attack, lightning strike and vandalism. No replacement tree will be provided should the tree be damaged or die.

Roadside memorials

In dealing with requests the following criteria will be considered:

- A memorial should be located in a position where it will not distract driver's attention from the driver task or interfere with the role of any traffic control item.
- A memorial should be located in a position where it will not be hazardous to passing traffic or prevent appropriate maintenance of the road reserve.
- Roadside memorials are to be located such that visitors are able to safely access the memorial and continue to be safe during their time there. Safe parking locations are a key consideration. Visitors to the roadside memorial should be aware that congregating on the roadside can be dangerous and also distracting to road users.
- Wherever possible, the location should be chosen to minimise risk, for example in locations other than:
 - on traffic islands.
 - on medians.
 - on roundabouts.
 - attached to road infrastructure (including guideposts, light poles, barrier or road signs).
 - within design deflection zone of barrier.
 - in close proximity to traffic signals, intersections (including T intersections) or curves (generally at least 30m).
 - on urban or rural freeways (including freeway ramps).
 - near the edge of road seals (generally at least 3 m away).
 - obscuring road signs or interfering with the role of traffic control devices.
 - near the edge of shared paths (ideally 2 m away).

- The preferred roadside memorial is a white cross, installed using the specified dimensions
 - Height 750 mm.
 - Width 500 mm.
 - Depth 400 mm (below ground level).
- Council will consider other memorials on a case-by-case basis.
- Items of a personal nature, such as flowers and mementos, are to be firmly affixed to the memorial so as not to pose a road safety hazard or maintenance issue.
- Any objection or complaint from nearby residents or from road users regarding any aspects of memorials, including the activity of visitors to the memorial, should be carefully considered and if necessary, the memorial should be relocated or removed.
- Applicants should be advised that Council is not able to accept responsibility for the maintenance of memorials, or any loss, damage, removal or relocation of roadside memorials that may occur due to road maintenance or construction activities.
- In general, a time limit of twelve months will be allowed for memorials of a temporary nature.

Street or Park Furniture

Street or Park furniture will be of a style that complements the location and must be approved by the Council's Parks and Gardens Coordinator.

Plaques must not exceed 200mm x 100mm in size and be affixed in situ. Text must be kept to less than 100 characters and avoid jargon and acronyms. The text must simply identify the person(s) to whom the furniture is dedicated i.e. "In memory of John Smith 1940–2020". Only one plaque per asset will be approved.

Council reserves the right to determine the need for additional park or street furniture. Council's Parks and Gardens Coordinator will negotiate the precise positioning and the appropriate maintenance of the seat to ensure maximum benefit to the community. Council reserves the right to remove or reposition a memorial seat if necessary for any future park and reserve improvements.

4.2. Process

4.2.1. Applications

All requests for memorials must be made using the form Application for a Memorial (attachment 1).

Applications for new memorials should include:

- The type of memorial requested
- Two feasible sites/locations, where possible for consideration
- Explanation of the significance of these sites
- Proposed text for the plaque (if appropriate)
- In Principle support from the public landowner if proposal on non-council managed land
- Letters of support signed by all immediate family members
- Any other pertinent information.

SHRCC will not consider the installation of plaques, memorials or monuments for domestic pets in any of its parks and reserves.

4.2.2. Internal Assessment

Council Officers will use the following criteria to assess the suitability of proposed memorials and their location:

- Current and future use of the location
- Masterplans and Capital work projects identified within the 10 Year Major Projects that may be impacted
- Potential Risks associated with the memorial and proposed location (e.g. overhead branches)
- Proximity to existing infrastructure including park equipment, buildings and underground services
- Drainage issues
- Future maintenance
- Cumulative impact of multiple memorials
- Any Content which may cause offence to members of the community

All applications must also meet the following criteria:

- Commitment to fund the memorial
- All immediate family are in support of the memorial
- For the installation of memorial street of park furniture, the deceased person must commemorate a local community member.

4.2.3. Location

The acceptance and exact location of memorial on Council managed land will be determined by decision of Council's Parks and Gardens Coordinator observing the following principles:

- Benches etc. will be located adjacent to walking trails, playgrounds or footpaths in previously disturbed areas where no ecological or cultural significant areas will be adversely affected
- Benches should not be placed under trees that have a high risk of dropping limbs
- Furniture or trees will be placed where they do not impede access to infrastructure or services or will interfere with land management operations such as lawn maintenance or where it may negatively impact on the amenity of an area or impede the area for events or recreation.

Council reserves the right to relocate a memorial. In such cases, every effort will be made to notify the applicant/donor and a new location will be negotiated.

4.2.4. Memorial Costs

All costs including purchase, installation overheads and administrative charges shall be borne by the applicant/donor and paid to Council prior to installation. Council will itemise the full cost for the installation of the memorial to the donor prior to the works proceeding for the donor's approval. There is no fee to submit a memorial application.

All routine maintenance costs and procedures, applicable to the location and type of memorial, shall be at Council's expense and responsibility. However, Council will not undertake special maintenance on memorials, for example polishing plaques or additional cleaning, beyond that required of the park, open space or street facilities. Council will not fund the replacement of a memorial.

4.2.5. Memorial Register

Once a memorial has been approved and installed on Council owned open space the memorial shall be added to Council's Memorial Register and included in on the Corporate GIS for reference.

4.2.6. Decommissioning

Council cannot guarantee that a memorial will be preserved or remain at the site indefinitely. Council may decommission a memorial on the following basis;

- Due to high levels of community anxiety or negative feedback
- At the end of life of the asset or if the asset presents a risk to public safety. For park furniture, the lifespan of the memorial will be approximately 10 years.
- Should a piece of memorial park furniture be vandalised beyond repair
- Should a reserve be redeveloped and the asset is deemed to be no longer consistent with a master or strategic plan for that location
- At the request of the applicant (and at no cost to Council)

Prior to the decommissioning of a memorial, Council will make every attempt to make contact with an applicant/donor to inform them. If the applicant wishes to renew the memorial, they will need to lodge a new application and the asset and plaque (if required) will be replaced at the applicant's cost.

In the instance of existing memorials, installed prior to the date of this policy, which subsequently require removal, every effort will be made to contact next of kin prior to such a removal. Replacement will not occur if no contact can be made with the initial donor.

5. RELATED POLICIES/PROCEDURES/DOCUMENTS

CPOL/INFRA519 Memorial Policy
CPOL/INFRA520 Asset Disposal Policy
PRO/INFRA520 Asset Disposal Procedure
POL/INFRA500 Asset Naming Policy

6. DOCUMENT HISTORY

Version Number	Issue Date	Description of Change
1.0	September 2020	Initial release

Signed: John McLinden CEO Date: 22/09/2020

ATTACHMENT 1

Memorial Application

Type of Memorial

Tree

Furniture with Plaque

Furniture

Roadside Memorial

Other (please describe):

Proposed wording for Plaque or memorial:

The wording I would like to be included on the memorial is:

Text must be kept to less than 100 characters and avoid jargon and acronyms. The text must simply identify the person(s) to whom the plaque is dedicated i.e. "In memory of John Smith 1940–2020". Final wording for the plaque/memorial will be subject to Council approval.

Reason for Request

- Commemorates an individual that is/was strongly linked to Swan Hill Rural City Council
- Commemorates an individual that has made a substantial contribution to the leadership, cultural and social aspects of SHRCC's development or shared community history
- Commemorates/indicates the site of a road fatality

The reasons for the proposed installation of a plaque/memorial are:

Please describe two proposed locations for the installation of the memorial:

I have attached a photograph/sketch of the proposed location for the Memorial

Applicant/Donor Declaration

- I declare that the information I have provided is true and correct and that I am familiar with the information relevant to this application.
- I agree that all costs associated with the installation of this memorial will be borne by myself.
- I accept that the memorial may be decommissioned for any of the following reasons.
- If Council receives high levels of community anxiety or negative feedback
 - Once an asset reaches its end of life or if the asset presents a risk to public safety. For park furniture, the lifespan of the memorial will be approximately 10 years.
 - If the memorial is vandalised beyond repair
 - Should a reserve be re-developed, and the memorial is deemed to be no longer consistent with master or strategic plan for that location
- I have attached letters of support from all immediate family members

Applicant Signature: _____ Date: / /20

Applicant Name:

Mailing Address:

Contact Number:

Email address: