



Attachment 1 to Item 4.5.1

Draft Memorial Policy

Date of meeting: 12 September 2023
Location: Council Chambers
Time: 6:30 p.m.



Memorial Policy

DRAFT COUNCIL POLICY

Division:	Infrastructure Services	Policy Number:	
Branch:	City Services	Adopted Date:	
Responsible Officer:	Coordinator Open Space Services	Next Review Date:	
Director:	Infrastructure Services	Version:	1



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1. TITLE

Memorial Policy.

2. PURPOSE

The Memorial Policy provides guidance for the establishment, maintenance, removal and relocation of memorials, (including plaques, monuments, tree plantings) and the scattering of ashes on land under the care and control of Hawkesbury City Council (Council).

3. SCOPE

This Policy applies to all commemorative works and memorials within buildings, parks and other public domain under the ownership or management of Council. However, it does not apply to:

- Naming of roads or parks (see the Naming of Roads and Places Policy).
- Plaques required for projects by funding bodies as acknowledgement for their contribution.
- Plaques for infrastructure projects such as the opening of parks, pools, bridges and buildings.
- Commemorative objects in cemeteries, crematoria or burial grounds; (see Hawkesbury City Councils Cemeteries Strategic Conservation Management Plan).
- Signage, display boards, banners or public artworks.

4. BACKGROUND

This Policy is made in accordance with Resolution 75 of Item 064 of the Ordinary Council Meeting held on 29 March 2022, in which Council resolved, in part:

“That Council:

- 2. Develop a Memorials Policy to guide future decision making on such requests”*

5. POLICY DETAILS

Council is committed to protecting the unique character of our parks and other public domain for the benefit of the broader Hawkesbury community.

Council also recognises the value of providing opportunities for appropriately designed and located monuments and memorials that honour individuals, organisations or events significant to the community and place, and the important role memorials, both temporary and permanent, have in assisting individuals, families and community to process traumatic events, including grieving for loved ones who have died.

Decision making in relation to memorials within parks and open space areas needs to consider the balance between three competing objectives:

- The desire to commemorate events, groups or individuals,
- The ongoing enjoyment and use of safe, uncluttered public space by the public, and
- The ongoing maintenance, operational and financial impacts of memorials, individually and in the aggregate.



Public consultation is to occur for all large memorials proposals. The consultation would be in accordance with Councils Community Engagement Policy.

5.1 Placement of small memorials (including plaques, monuments, tree plantings)

Council does not accept unsolicited donations of small infrastructure such as standalone plaques, seats and other park furniture as memorials on public land.

Such unsolicited donations can divert resources from the delivery of outcomes endorsed by Council in its Operational Plan and other strategic plans. Existing memorials, monuments and plaques are not considered precedence for Council approval of any future requests.

In exceptional circumstances, the General Manager has the delegated authority to approve requests for placement of donated small infrastructure. Should such an approval be granted, applicants are liable for all costs associated with the supply, installation, and establishment of the memorial.

Council will accept requests for dedication of existing seats as a memorial by way of fixing a plaque to an existing seat. Costs associated with the design, manufacture and installation of such plaques will be met by the applicant. All plaques shall be of a standard dimension and style as determined by Council.

Where seats subject of a request are in a poor condition or within two years of the end of their useful life, a new seat will be considered as part of the memorial request, with the cost of providing the seat and its installation, to be met by Council.

Council will accept requests for the planting of trees on public land, where Council determines that there is sufficient space and that the planting of a tree is in keeping with the surrounding environment, plan of management, masterplan or any other guiding plan or document. Council will not accept accompanying plaques, plinths or any other marker in association with the planting of a tree. Costs associate with the supply and planting of a tree will be met by the applicant.

Council will make every endeavour to reasonable provide advanced notice of the installation of a plaque or planting of a tree.

Applicants who wish to hold a private ceremony following the planting/installation of a seat or plaque should consider other users of the public space and safety when planning and conducting any ceremony. No ceremonies will be permitted at the time of installation.

Council does not guarantee the longevity of a small memorial. Council reserves the right to remove or relocate any small memorial, including any street furniture to which a memorial plaque is attached, which, in its opinion, is a safety issue, is damaged or beyond reasonable repair, or no longer aligns with the purpose and function of the park or reserve. Council does not guarantee the replacement of any small memorial if it is damaged, removed or stolen. Should a small memorial be damaged, removed or stolen, repair and replacement costs would remain the responsibility of the applicant, and the applicant must seek Council permission to replace the small memorial in accordance with this Policy.

Council will make every effort to work cooperatively with the original proponent(s) if it is made aware that a memorial is damaged. Before removal Council will record/photograph the memorial.

If an application is refused as a result of a public space reaching saturation point, alternative sites may be discussed with the applicant.



5.2 Establishment of Large Memorials, Statues and Monuments

The establishment of monuments, statues and/or other memorials (collectively called large memorials), to commemorate an individual or event, is one of the highest levels of recognition Council can bestow.

Council recognises that space for such large memorials is finite. In recognition of this, any large memorial should be reserved for individuals and events which have had a significant and positive impact on the betterment or progression of the Hawkesbury Community.

Requests may be made to Council for the installation of memorials in public spaces owned/managed by Council.

5.2.1 Large Memorial Criteria

Any proposed memorial must be consistent with Council's strategic direction and/or plans for the proposed site or facility. Memorials for religious or political groups, or for living individuals will not be considered. Proposals for memorials will be subject to a public consultation process.

Prior to any such consultation, Council must be satisfied that the proposed memorial will not:

- Compromise the amenity value, aesthetic integrity, views or character of the proposed site,
- Interfere with existing and proposed usage patterns of the site,
- Pose any safety risk to users of the site or the facility,
- Be contrary to other Council Policy or direction such as plans of management/master plans.

Council will consider proposals and/or requests for Memorials on their individual merits, and take into consideration the following criteria:

1. Whether the proposed memorial is significant to the First Nation Groups/Organisations, who have a relationship to the site.
2. Whether the proposed memorial promotes the cultural diversity of the Hawkesbury.
3. Whether the proposed memorial commemorates an event or an occasion that is important in local, state, or national history.
4. Whether there is, and the nature of any, community impact of the proposal.
5. Whether the proposed memorial reflects the character, landscape, natural amenity, flora, fauna, and/or function of the site or area.
6. Whether the proposed memorial commemorates a person or a group who made a significant contribution to the Hawkesbury community, including:
 - Where the individual or group has contributed significantly to the cultural or social aspects of the development of the region, considering both the period of time dedicated and level of achievement

Applicants and/or proposals will need to demonstrate the significant contribution by persons, groups, organisations or events to the Hawkesbury community.

5.2.2 Large Memorial Design

The character, design, scale, material, text and graphics to be used for memorials is to be:

- Compatible and achieve a standard commensurate with the location or setting of the site and its surroundings.
- Is consistent with Council's approved plans for the proposed site or facility
- Is designed and manufactured by a qualified professional or artisan of repute.
- Accompanied by a decommissioning plan, taking into account the 'design life' of the memorial.



5.2.3 Approval of Memorials

The General Manager has delegated authority to approve or refuse Memorial proposals and may delegate this authority to other staff. All costs associated with the preparation of a proposal are to be borne by the applicant irrespective of the resultant determination.

5.3 Removal of Memorials

Council reserves the right to remove and/or relocate a memorial, monument, plaque or a memorial tree (whether approved under this Policy or not). This may include when:

1. The area is to be redeveloped,
2. The character and use of the area in which the item is sited has changed significantly and the item is no longer deemed suitable for the site,
3. Any structure or support on which the memorial is located is to be removed or altered,
4. The item has reached the end of its 'design life' as specified in the decommissioning plan.
5. Land on which Memorials are located, is sold.

Council will make every effort to work cooperatively with the original proponent(s) to return any physical memorial elements if removal of the memorial is required. Before removal Council will record/photograph the memorial.

If the memorial has been irrevocably damaged or destroyed (including the death of a memorial tree) Council will remove the memorial.

5.4 Temporary roadside memorials

Council recognises the importance that temporary memorials may serve as a statement of grief and love from the bereaved as a result of a fatal road crash, and that placing a temporary tribute, in the location of the crash may assist with this grieving process. Whilst approval from Council is not mandatory, in the case of the roadside memorials, as the Roads Authority for roads within the Local Government Area and which are not classified, Council will review any roadside memorial, as it becomes aware of its presence, to ensure that it complies with the Roads Act 1993 and the Transport for NSW (TFNSW) guidelines for roadside tributes.

5.4.1 Installation and maintenance of temporary memorials

Wherever possible and safe to do so, Council will respect the wishes of bereaved families and individuals who wish to place a temporary memorial.

Council will not install or maintain temporary memorials on behalf of bereaved families or individuals. The installation, maintenance and subsequent removal and disposal of temporary memorials remains the responsibility of the bereaved parties.

Temporary memorials should not cause a distraction, pose a hazard to road/park users, adversely affect nearby residents, or fall into disrepair and become unsightly and shall be limited to one temporary memorial per site.

Council will allow temporary memorials for a maximum of three months. In exceptional circumstances Council may allow an extended period of up to a maximum of 12 months including the initial three month period.

Temporary Memorials that are permanent, fixed or are substantially sized objects are not permitted.

5.4.2 Removal or relocation of temporary memorials

Council may remove or relocate a temporary memorial on or along a road for which it is the Roads Authority, or on land under its care and control. Council reserves the right to remove or relocate temporary memorials without notice if they do not comply with this Policy or related guidelines insofar as they represent a real and immediate risk to the safety of the public.



Council may also remove or relocate temporary memorials if it:

- appears neglected or unsightly
- adversely impacts surrounding residents or the community
- exposes Council to a public liability risk
- compromises the amenity value, aesthetic integrity or character of the site, or
- has been there for more than the generally allowed time period referred to in section 5.4.1 and Council has not received a request for an extension, and the memorial or elements of the memorial have not been removed from the site.

Council will make every effort to work cooperatively with the bereaved to return the memorial if removal is required.

During roadworks and maintenance Council may need to move a temporary memorial. In this instance Council will endeavour to contact the bereaved, if known, and provide advice of the proposed roadwork or maintenance and the need to relocate the temporary memorial.

People visiting or establishing the temporary memorial do so at their own risk. Council will not take any responsibility for the maintenance, vandalism, loss or damage to a memorial.

5.5 Scattering of Cremated Ashes

Council does not consider it appropriate to scatter ashes in Council parks or active, passive or maintained reserves (with the exception of bushland or other natural settings), including at or around memorials placed in accordance with this Policy. Council cemeteries and other cemeteries in the Council area can accommodate the placement of ashes.

Members of the public who wish to scatter cremated ashes on a Council reserve (natural area) or road reserve should consider the location carefully before doing so. When ashes are scattered or placed in parks or a public place, access to the area may be restricted for some reason in the future, undeveloped land may be developed, or many other conditions may arise that could make it difficult for you to visit the site to remember the deceased.

Ashes that have been scattered at a particular location will not bear on any decision to permit or otherwise the installation of a future memorial.



6. ROLES AND RESPONSIBILITY

Responsibility	Roles and Responsibility
General Manager	Council wide implementation of the Policy.
Manager City Services	Council wide implementation of the Policy. Review and update of this Policy
Council Officers	Receive and respond to memorial requests. Prepare relevant reports relating to memorial requests.

7. DEFINITIONS

Word/Term	Definition
Applicant	The person, group or organisation requesting approval for the establishment of a memorial.
Small infrastructure	Trees, plaques, seats and other park furniture as memorials on public land.
Memorial	An object established in memory of a person or an event. A memorial object may be a plaque, sculptural or other artistic work, fountain, seat or park bench, drinking fountain, or horticultural features such as a tree.
Plaque	A flat tablet of metal, stone or other appropriate material, which includes text and/or images which commemorate a person or an event and/or provide historical text or information relevant to its location. Such a tablet is to be affixed to an object, building or pavement.
Large memorials	Are monuments, statues and other memorials
Significant Contribution	A person who <ul style="list-style-type: none"> • more than 25 years dedicated to the development of the region, or • more than 25 years not-for-profit work on a community or social cause, such as sports, education, arts, culture, or providing assistance to the vulnerable.
Local Government Area (LGA)	A reference to the LGA in this policy refers to the Hawkesbury City Council Government Area.
Parks and Open Space Areas	Parks and Open Space Areas refer to Community and Crown land that is under the care, control and management of the Hawkesbury City Council for community recreational use and includes public open space which is accessible to the community.
Cremated Ashes	Cremated body ashes of a deceased person



8. RELATED DOCUMENTS

Legislation

- Local Government Act 1993
- Roads Act 1993
- Transport for NSW Guidelines for Roadside Tributes– <https://www.nsw.gov.au/roads-safety-and-rules/warnings-and-hazards/roadside-tributes>
- Protection of the Environment Operations Act 1997.

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