



NAMBUCCA SHIRE COUNCIL DRAFT - MEMORIALS ON COUNCIL CONTROLLED LAND POLICY NO: ES07

Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

1.0 Policy objective

This policy states Council's position regarding private memorials to individuals, to preserve the amenity of public land by managing the placement of private memorials and monuments and provide guidelines on what memorials and monuments may be placed in public places and the process that needs to be followed to gain approval for them to ensure they do not negatively impact on these spaces.

Memorial applications will be considered in conjunction with Council's Capital Works Program in the first instance and then other areas limited to parks, reserves and road corridors.

All approved plaques and memorials will be placed on a register which will record the memorial and applicant details.

2.0 Related legislation

Not Applicable

3.0 Definitions

- 3.1 Memorials;** for the simplicity of reading this policy; means park furniture (i.e. park bench, seat or picnic setting) or tree designed to preserve the memory of a person or group
- 3.2 Standard memorials;** plaques on benches, wall or similar feature / item of furniture established in memory of an individual, organisation or event.
- 3.3 Park or Street furniture;** established in memory of an individual, organisation or event and taking the form of a bench seat, BBQ or other approved structure.
- 3.4 Commemorative tree;** Planted in memory of a person, organisation or event.
- 3.5 Landscape features;** Specific area that can be enhanced or redeveloped in commemoration of a person, organisation, event or place.

4.0 Policy Content

4.1 Background

The Policy provides an approach to the management of requests for the installation of commemorative plaques, memorial and monuments in public spaces within the Nambucca Local Government Area, avoiding duplication of the memorial facilities and services provided by cemeteries within the area.

This policy supports the ongoing community, cultural and social connection with the Shire's public places through the installation of appropriate memorials. The intent of the policy is to ensure that the placement of memorials does not result in particular locations reaching saturation point, or interfere with the intended use of the park or public space, and to ensure that memorials do not impact adversely on the future expenditure of Council.

A formal application will need to be submitted to Council for the approval of placing a monument /memorial within a public space.

4.2 Principles

This policy sets out Council's framework for the placement and maintenance of plaques, memorials and monuments in the Nambucca Shire Local Government Area, inclusive of, but not limited to, the following:

- To provide guidelines on what memorials may be placed in public places and locations of such;
- To explain the process that needs to be followed to gain consent from Council for the placement of a memorial in the Shire;
- To advise Council's approach to the management of requests for the installation of commemorative plaques, memorials and monuments in public spaces in the Shire, avoiding duplication of the memorial facilities and services provided by cemeteries in the region;
- To ensure the design and placement of memorials and plaques is consistent with community interest;
- To ensure the placement of memorials and plaques does not result in particular locations reaching saturation point, or interfere with the intended purposes of the region's parks, gardens and open spaces;
- To ensure that memorials and plaques do not impact negatively on the future maintenance expenditure of Council; and
- To ensure the placement of any memorials and plaques does not present a safety risk now or in the future.

4.3 Scope

Memorials to Individuals

All costs including purchase, installation overheads and administrative charges shall be borne by the donor / applicant 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. Goods and Services Tax (GST) is payable consistent with current GST legislation. There is no fee to submit a memorial application.

Once a memorial has been approved and installed on Council owned open space the particular memorial shall be added to Council's Assets Register. However, it should be noted that Council becomes the owner of the particular memorial and will be liable for any public complaints, potential hazards and risks that may arise in relation to the memorial. Council shall include the item as part of Council assets and reserves the right to remove the item should it become unserviceable

Council shall permit the display of private memorials in public places under the following guide. Any proposed memorial must:

- Be demonstrated to require a specific site, there should be some geographic justification for the memorial being located in that spot
- Not compromise the aesthetic integrity of the site or interfere or disturb the fabric or character of the proposed site
- Not interfere with the existing or proposed circulation and land use patterns

- Be consistent with Council approved plans for the site
- Ensure that any memorial associated with individuals or groups based or linked with a facility is located at a site connected to that facility or institution – for example within the buildings or grounds of a Church, Hospital or Community Hall.

Types of memorials

Memorials should be represented in a form that has broader community interest. Memorials may also take the form of a landscape or urban design feature such as trees, landscaping or seating which may be proposed within an approved park / public space.

Memorial Tree(s)

Memorial tree(s) for planting in any street, park or reserve within NSC LGA are available based on the following:

- Memorial trees for planting in any reserve or streets are to be provided by Council at the cost of the applicant and comply with the existing planting design in that place or street and the standards and requirements of Council tree guidelines.
- A small plaque (200mm x 120mm being standard size) may be installed at the base of the tree.
- All wording on plaques is subject to the approval of the Council.
- No special care or guarantee of replacement is given by Council.
- All costs are to be borne by the donor.
- The location of Memorial Trees is subject to the approval of the Council.

Park Infrastructure

Items of park infrastructure such as a park bench, picnic setting or public artwork, provided it complies with existing or proposed design standards in that park or open space, are available based on the following:

- A small plaque (200mm x 50mm being standard size) may be attached to a seat or picnic setting.
- All wording on plaques is subject to the approval of the council.
- No special care or guarantee of replacement is given by Council.
- All costs are to be borne by the donor.
- The type, content and location of any park infrastructure or public artworks is subject to the approval of the Council.

The ordering, supply and installation of memorial item/s and plaque will be undertaken by Council in consultation with the Applicant. All memorials and plaques placed on Council owned and managed land are Council assets and therefore are owned and under the care, control and management of Council.

The cost of maintenance, vandalism and replacement of plaques and memorials will be borne by the Applicant. Otherwise, Council may deem the asset to be at the end of its useful life.

Sample Plaque Inscription for Memorial Seats

RICHARD (RICK) CITIZEN
24.05.44 – 31.08.07
PLACED HERE IN HIS HONOUR BY RICHARD'S FAMILY
FOR THE ENJOYMENT OF SPORT FOR MANY YEARS
HE GAVE GENEROUSLY OF HIS TIME AND TALENTS TO THE COMMUNITY

Design

The memorial should display timeless qualities and make a statement to future generations. The quality and scale of the memorial should be commensurate with the particular setting or location. The memorial should contribute to the public space or site from a functional or design viewpoint

Historical Commemorations

That the memorial consists of an information sign in the recognised colours of brown and white for Tourist Information signs. The cost of the sign, installation and maintenance is to be borne by the applicant.

Maintenance

Maintenance concerns should be a primary consideration with adequate provision made for the continued future maintenance of the memorial. Memorials that may require significant ongoing maintenance should not be approved, unless the applicant provides the necessary funds in advance for the ongoing maintenance and upkeep of the memorial.

The Council reserves the right to remove or modify the memorial or any portion of the memorial.

Funding

Unless otherwise agreed, the cost of any community consultation, design, fabrication, transportation, installation, site preparation, construction, lighting, and statutory permits / approvals will be financed by the applicant.

Council contribution

That Council may consider contributing funds to a memorial on a case by case basis, or when broad community support has been demonstrated.

Partnership

The Council will work in partnership with State Government on any memorial to be located within the Shire area that has significance to the history of NSW.

Subjects for memorials

The subject of any new memorial should be:

- An individual or association that has made a highly significant contribution to the cultural, political or social development of the Shire and / or the history or development of NSW
- An important event or anniversary unique and significant to the history and development of the area and / or the state.
- An historical or culturally significant event related to a particular site.

Ownership

Any approved memorial that is placed within a public place / site will be deemed to be owned and under the control of Council.

Removal, relocation and de-accession

The Council reserves the right to remove or modify the memorial or any portion of the memorial

Approval process

Applicants desiring to place a memorial should submit details to Council outlining in detail the main purpose and concept of the proposal and include information as follows:

- A detailed schematic design identifying the size of the memorial, materials to be used and plaque text.
- A budget estimating all likely costs of implementing the proposal.
- A map identifying the preferred proposed site and reasons stating the appropriateness of the preferred site.
- Structural safety and other public safety issues.

- Maintenance plan for cleaning requirements and any likely long term repairs or restoration.
- Any impact on heritage, cultural significance or ecology of the site.
- Details of community consultation on the memorial's purpose, location and design.
- Including submission of letters of support from Community Associations etc.

Internal Assessment Procedures for all Memorials

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

- Ease of access to the proposed location provided by a grassed area or an existing pedestrian path.
- Potential views in and out of the location.
- Limited potential for misuse of the location.
- Current and future use of the location.
- Proximity to existing park equipment, street furniture or traffic facilities.
- Proximity to existing services (underground and overhead), driveways and constraints.
- Proximity to existing trees.
- Ground conditions, water table, aspect and slope.
- Existing and proposed lighting and signage.
- Nature strip width (if applicable).
- Soil profile and type.
- Drainage issues.
- Future maintenance.
- Cumulative impact of multiple memorials.
- Any content which may cause offence to members of the community.
- Proximity to existing services (underground and overhead), driveways and constraints.

5.0 Related Procedures or Documents

6.0 Service Clubs

6.1 The type of memorial may consist of a seat or information sign.

6.2 The service Clubs are responsible for the memorial erected within the reserves they "manage".

7.0 Exemption

This policy does not apply to the erection of memorial and plaques in Council's cemeteries.

8.0 Delegated Authority

Delegated Authority is given to the General Manager for approval of commemorative structures in accordance with this Policy.

9.0 History

Requests are received by Council from individuals and organisations for permission to place memorials or plaques to an individual, organisation or event within public spaces within the Council area. While appropriate memorials can enrich public open space, these areas are an important community resource,

and memorials, monuments and plaques need to be carefully considered to ensure that they do not impact negatively on these spaces.

The placement of memorials such as rocks and plinths with plaques and similar monuments have, in the past been carried out by residents without reference to Council. These memorials are generally placed to commemorate the passing of a person or the life of a family and are placed in locations with views and of high scenic amenity and/or significance. This placement may not have any significance to the broader community and can create a graveyard appearance in parks and reserves.

Initially, Council considered the erection of memorials and plaques on an individual application basis. Memorial rocks, seats and plaques currently exist at Swimming Creek, the Break-wall and Wellington Drive. Service Clubs also have plaques in a number of Council reserves in remembrance of their members.

In 2000 Council developed a policy that allowed the donation of a park bench with a plaque attached that could be placed in a public area once agreement was reached on a site. This approach was changed on the 17 February 2010 with the adoption of the current policy.

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