

5.4. PLAQUES MEMORIALS AND MONUMENTS GENERAL POLICY

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RECOMMENDATION

That Council resolves to adopt the Plaques, Memorials and Monuments General Policy.

EXECUTIVE SUMMARY

The intent of the Plaques, Memorials and Monuments General Policy is to advise the public of Council's approach to the management of requests for the installation of commemorative plaques, memorials and monuments in public spaces. This Policy covers all plaques, memorials and monuments proposed for any public space within the Shire, including temporary road-side memorials on Douglas Shire Council (Council) controlled land.

BACKGROUND

Requests are often received by Council from individuals and organisations for permission to place memorials for an individual, organisation or event in public spaces within the Shire.

Public open space areas are an important community resource and memorials need to be carefully considered to ensure they do not have a negative impact on these spaces. It is recognised that a particular location may become saturated with memorials; therefore it may be appropriate to place limitations on future installations at a particular location or area.

Members of the community may also lodge a request to place temporary memorials on road-sides following motor vehicle accidents. These memorials can be viewed as a road safety message. Council does not discourage the establishment of such memorials, however Council does have an obligation to manage the road reserves to ensure that they do not become unsightly and to minimise distractions or hazards to road users.

COMMENT

There are currently a total of five (5) outstanding requests for memorials to be actioned by Council. Requests are managed in an ad hoc approach and the decision often falls with one officer to determine the appropriateness of the memorial. In the past when requests have been declined, the applicant has approached Councillors to help secure an approval. These matters are very sensitive in nature and customers often become emotional. This Policy will help the community and staff to make informed, consistent decisions in relation to memorials.

Council Officers require a clear direction on how these matters should be dealt with. The policy aims to implement a process that clearly outlines the application and assessment process through the establishment of the Memorials Panel.

The Panel will assess applications for memorials against the following criteria:

- Community amenity/value will be enhanced by the memorial;
- The location and design of the memorial is appropriate;

- Appropriate consultation is undertaken;
- Sufficient capital and maintenance funding is available;
- The subject matter of the proposed memorial is appropriate; and
- Maintenance procedures.

PROPOSAL

That council adopts the Plaques, Memorials and Monuments General Policy.

FINANCIAL/RESOURCE IMPLICATIONS

The implementation of the Memorials Panel will create efficiencies in processing such requests for memorials. The internal panel will meet as required to ensure an appropriate response time to the requests. Adoption of the Plaques, Memorials and Monuments General Policy will result in potential savings for Council as it clearly outlines that the customer is responsible for all associated costs.

RISK MANAGEMENT IMPLICATIONS

The Plaques, Memorials and Monuments General Policy ensures that:

- the design and placement of the memorial is consistent with community interest;
- the placement of the memorial does not result in particular locations reaching saturation point;
- the memorial does not interfere with the intended purposes of the region's parks, gardens and open spaces;
- the memorial does not impact on future maintenance expenditure;
- the placement of the memorial does not present a safety risk now or in the future; and
- there is a compassionate and consistent approach to the placement of temporary road-side memorials on local government-owned land.

SUSTAINABILITY IMPLICATIONS

Economic: The applicant must meet all the costs associated with design, manufacture and installation of the memorial. In some instances, a contribution toward maintenance will be a condition of approval. Should the memorial be lost or vandalised, repair and replacement costs will remain the responsibility of the donor.

Environmental: Nil

Social: Any new memorial must demonstrate a lasting value to the community for social, cultural, historical, educational or aesthetic reasons and add to the existing community amenity of the proposed location, within the context of the current use of the area.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 5 – Governance

5.2.2 - Implement adopted policies and guidelines to ensure consistency in administrative management which also encourages innovation in Council operations.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Asset-Owner Meeting the responsibilities associated with owning or being the custodian of assets such as infrastructure.

CONSULTATION

Internal: The Draft Policy was presented to Council at the Workshop held on 6 June 2017. Discussions have also taken place with officers from the Governance Group and Sustainable Communities.

External: Nil

COMMUNITY ENGAGEMENT

If approved the Plaques, Memorials and Monuments General Policy will be made available to the community via council's webpage.

ATTACHMENTS

1. Plaques Memorials and Monuments General Policy **[5.4.1]**

PLAQUES, MEMORIALS AND MONUMENTS GENERAL POLICY

Intent

To advise the public of Douglas Shire Council's approach to the management of requests for the installation of commemorative plaques, memorials and monuments in public spaces and to ensure that:

- the design and placement of the memorial is consistent with community interest
- the placement of the memorial does not result in particular locations reaching saturation point
- the memorial does not interfere with the intended purposes of the region's parks, gardens and open spaces
- the memorial does not impact on future maintenance expenditure
- the placement of the memorial does not present a safety risk now or in the future
- there is a compassionate and consistent approach to the placement of temporary road-side memorials on local government controlled land.

Scope

This Policy covers requests received from the public for plaques, memorials and monuments proposed for any public space within the Shire, including temporary road-side memorials on Douglas Shire Council (Council) controlled land. All such plaques and memorials will be required to conform to this Policy.

Background

Requests are often received by Council from individuals and organisations for permission to place memorials for an individual, organisation or event in public spaces within the Shire.

Public open space areas are an important community resource and memorials need to be carefully considered to ensure they do not have a negative impact on these spaces. It is recognised that a particular location may become saturated with memorials, wherefore it may be appropriate to place limitations on future installations at a particular location or area.

Members of the community may also lodge a request to place temporary memorials on road-sides following motor vehicle accidents. These memorials can be viewed as a road safety message. Council does not discourage the establishment of such memorials, however Council does have an obligation to manage the road reserves to ensure that they do not become unsightly and to minimise distractions or hazards to road users.

Definitions

For the purposes of this document, the following definitions will apply:

Plaque: A flat metal, stone or other material, that includes text and/or images which commemorate a person or an event and are fixed to an object, building or pavement. The text may also provide historical text or information relevant to its location.

Memorial: An object established in memory of a person or event.

Monument: Similar to 'Memorial' for the purposes of this Policy. A monument may describe a statue or structure that is built for commemorative purposes.

Public Open Space: Includes community land, road reserve, operational land owned by Council, and other land in Council's care, control or management.

In this Policy the term 'memorial' will be used to describe plaques, memorials and monuments.

Provisions

1. Application and assessment process

Requests for memorials will be considered on a case-by-case basis and the assessment will be undertaken by the Memorials Panel (Panel) comprised of the Manager Infrastructure, Manager Sustainable Communities, Coordinator Public Spaces and the Team Leader Public Spaces.

Applications must be made in writing to the Panel, addressing the criteria outlined in sections 2 to 6 below and should include the preferred site or location, proposed text or images and any other pertinent information. Only sites that have relevance to the person, group or event being commemorated should be nominated.

Any existing memorial cannot be taken as a precedent for future approvals.

Applications should be addressed to:

The Memorials Panel
C/- Douglas Shire Council
PO Box 723
Mossman Qld 4873

The Panel will assess applications for memorials against the following criteria:

2. Community amenity value will be enhanced by the memorial

Any new memorial must demonstrate a lasting value to the community for social, cultural, historical, educational or aesthetic reasons and add to the existing community amenity of the proposed location, within the context of the current use of the area.

3. The location and design of the memorial is appropriate

Approval for a particular site will only be granted if consistent with Council's master plan or strategic development framework for that site. Council has final approval of appropriate sites and will determine the exact location of any memorial.

No new memorials will be considered on esplanades within the Shire, including the Port Douglas Esplanade, all public areas adjoining the Inlet and all beaches.

Council will oversee the design, manufacture and installation of the memorial. This service is inclusive in costs of the memorial as specified (refer also clause 5). Design and wording of memorials must be approved by Council and will be in line with Council's corporate protocols for use of the Council logo etc.

Any proposal for a memorial that incorporates sculptural reliefs, or may be considered an artistic work will need to be endorsed by the Panel prior to Council consideration.

4. Appropriate consultation is undertaken

Applications should include evidence of community consultation on the memorial's purpose, location and design, in the form of:

- at least 3 letters in support from relevant or affected interest groups or organisations; and
- evidence of an advertisement having been placed in the Port Douglas Mossman Gazette.

5. Sufficient Capital and maintenance funding is available

The applicant must meet all the costs associated with design, manufacture and installation of the

memorial. In some instances, a contribution toward maintenance will be a condition of approval. Should the memorial be lost or vandalised, repair and replacement costs will remain the responsibility of the donor.

6. The subject matter of the proposed memorial is appropriate

Subjects for memorials will be considered appropriate if they fit one or more of the following criteria:

- An individual or association that has contributed significantly to the cultural, political or social aspects of the development of the Douglas region. In determining this contribution, the following factors will be considered:
 - The length of time dedicated to the development of the Douglas region in a particular industry.
 - The extent of not-for-profit work on a community or social cause, such as sport, education, arts, culture, youth, mature age.
- The relevance of the person or organisation to the proposed site.
- A significant anniversary of an event unique to the region's history and development.
- Historical or other information relevant to the site/location of the memorial.

Applications will not be considered if:

- The person, event or occasion has an existing memorial within the Shire;
- Council considers the memorial offensive;
- The memorial has a religious or political affiliation.

7. Maintenance procedures

It is recognised that some memorials will have a limited lifespan and Council does not guarantee to retain a memorial after a period of 10 years.

Council may at any time temporarily remove the memorial for works or maintenance.

The memorial may be permanently removed if the use of the site changes significantly. Where possible, Council will consult with the original donor.

In the event the memorial is damaged or requires repair and the original donor is not able to be contacted, the memorial may be repaired or removed at Council's discretion without compensation to the original donor.

8. Burials and scattering of ashes

Burials are not permitted, in Council controlled land, outside of the Shire's cemeteries.

The scattering of ashes may be permitted in public spaces within the Shire by approval from the panel. Letters of request should be directed to the aforementioned address.

9. Tree dedications

Council has a process for the dedication of trees in public open spaces. Requests should be submitted to the Manager of Infrastructure. The location will be determined by Council staff, and may be part of a revegetation project. The tree will be planted by Council staff and family members are welcome to have a private ceremony at the site of the newly planted tree.

10. Temporary road-side memorials on local government owned land

Roadside memorials must be registered with Council. Applications must contain the names and contact details of at least two persons. Decisions regarding the lifespan of the temporary road-side memorial will be made on a case-by-case basis.

11. Location

A memorial should be located in a position where it will not:

- distract drivers' attention
- interfere with the role of any traffic control item
- be hazardous to passing traffic or pedestrians
- prevent appropriate repair and maintenance of the road reserve.

Applicants must be aware of potential risks in visiting roadside memorials and should be aware of safe practices in this regard (e.g. stopping clear of the traffic). Wherever possible, the location should be chosen to minimise risk.

12. Construction

A temporary roadside memorial must be constructed of material and installed in a way that will not cause injury if struck by a vehicle. The memorial size should not exceed more than one cubic metre which is consistent with the Department of Transport and Main Roads requirements.

13. Roles and Responsibilities

Council does not 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.

Neglected or overgrown memorials should be removed by the applicant.

Any objection or complaint from nearby residents or road users regarding any aspect of memorials, including activity of visitors to the memorial, will be carefully considered. If considered necessary, the memorial will be relocated or removed. Every effort will be made by Council to consult with the person/s responsible for the memorial.

Related Documents and Plans

- Adornment of Graves General Policy #809778
- Community Engagement General Policy #809922
- Vegetation on Council Controlled Land General Policy #771589
- Council adopted Master Plans
- Local Government Act 2009 (Chapter 3 The business of local governments; Part 3 Roads and other infrastructure).
- Department of Transport and Main Roads Roadside Memorials

This policy is to remain in force until otherwise determined by Council.

Manager Responsible for Review:

Manager Infrastructure Services

ORIGINALLY ADOPTED:

DUE FOR REVISION:

REVOKED/SUPERSEDED: