

11.5 Policy (Review) - Monuments & Memorials on Public Land

POLICY NAME: DRAFT REVIEW
MONUMENTS & MEMORIALS ON
PUBLIC LAND

POLICY REF: M02

MEETING ADOPTED: 25 October 2007
Resolution No. 251007/22

POLICY HISTORY:



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OBJECTIVE

The objectives of this policy are to:

- a) preserve the amenity of public reserves by managing the placement of private monuments and memorials, and
- b) To provide guidelines on what memorials may be placed in public places and the process that needs to be followed to gain consent for the placement of a memorial.

BACKGROUND

Memorials for Family Members

The placement of memorials such as rocks with plaques, plinths with plaques, seats with plaques have in the past been carried out by residents without reference to Council. These memorials are generally placed to commemorate the passing or the life of a family member and are placed in locations with views and of high scenic amenity and significance.

The placement of rocks and plinths to commemorate the life of a family member may not have any significance to the broader community. The appearance of such memorials may also be offensive to other members of the community and can have the affect of creating a graveyard appearance in reserves.

The placement of seats with plaques along paths or on headlands is another form of memorialisation that occurs without reference to Council.

Ballina's public reserves contain a wealth of biodiversity with high conservation value, especially the coastal reserves. Many individual threatened species exist on these sensitive sites and so too do several endangered ecological communities such as Themeda grasslands and littoral rainforests all of which are protected under the *Threatened Species and Conservation Act 1995*. A scientific license under the *National Parks and Wildlife Act 1974* is required to harm or damage threatened species or endangered ecological communities.

The Ballina Shire coastline and other public reserves are zoned 7(f) Environmental Protection – Coastal Lands under the Ballina Local Environmental Plan 1987 (BLEP). This zoning protects environmentally sensitive coastal lands and prevents adverse development. Any development in these areas requires the submission of a DA. The development must demonstrate an overriding public need.

The placement of memorials and seats as described is considered to be development in these sensitive areas and must be approved by Council.

Roadside Memorials

These can take a number of forms but are generally a cross or rock with the names of the deceased on them and there are generally flowers placed at the site with photos.

Such memorials, if safely located, can be a timely reminder to other road users of the need to drive safely. This policy does not seek to require applications for consent to install such memorials but does allow for the removal of a memorial if it is a safety hazard.

DEFINITIONS

Memorials and Monuments are structures made of concrete, marble or timber or the like which have words inscribed onto them and make take on a variety of sizes and shapes. Headstones in cemeteries are an example of a memorial or monument.

Plinths are structures onto which plaques are attached. They may be made of concrete, marble or timber or the like.

SCOPE OF POLICY

This policy applies to:

- Council employees
- Councillors
- Community members

RELATED DOCUMENTATION

Related documents, policies and legislation:

- Local Government Act 1993
- Crown Lands Act 1989

POLICY

1. Memorials Located on Public Land

1.1 The creation or placement of memorials or monuments on public land is not permitted unless the consent of Council is provided.

2. Seats

2.1 Council will consider applications for the placement of seats with plaques in appropriate locations, such as along paths and in accordance with any Plans of Management that may operate for the reserve. Applications must be made in writing with a clear description of the proposed location.

2.2 The placement of the seat will be at the expense of the applicant and the seat will be to Council's specifications and the location of the seat in accordance with Council wishes. Approval will also be required for the wording to be placed on a plaque.

3. Plinths and Rocks with Plaques

- 3.1 Such memorials will not be permitted on public land unless the person, event or location is of historical significance and the memorial is approved by resolution of Council.

4. Trees

- 4.1 Council will consider applications for the planting of trees on public land. The location and species of the trees will be to Council's specifications. Trees will not be marked with plaques.
- 4.2 Applications must be made in writing with a clear description of the proposed location.

5. Roadside Memorials

- 5.1 Council will permit the creation of small roadside memorials unless they are causing safety concerns for the public or if the RTA requires their removal.
- 5.2 Consent is not required for the placement or creation of these memorials however if they are considered a safety risk then the memorial will be removed without notification.

REVIEW

This policy is to be reviewed every four years.