

11.3 Policy (Review) - Monuments and Memorials on Public Land.DOC

POLICY NAME: MONUMENTS & MEMORIALS ON PUBLIC LAND
POLICY REF: M02
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1	OBJECTIVE	2
2	POLICY	2
	2.1 Memorials and Monuments Located on Public Land	2
	2.2 Seats with Plaques	2
	2.3 Plinths and Rocks with Plaques	2
	2.4 Trees	3
	2.5 Roadside Memorials	4
3	BACKGROUND	4
	3.1 Memorials for Family Members	4
	3.2 Roadside Memorials	4
4	DEFINITIONS	4
5	SCOPE OF POLICY	5
6	RELATED DOCUMENTATION	5
7	REVIEW	5

1 OBJECTIVE

The objectives of this policy are:

- a) to preserve the amenity of [public land](#) by managing the placement of private [memorials and monuments](#); and
- b) to 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.

2 POLICY

2.1 Memorials and Monuments Located on Public Land

The creation or placement of memorials or monuments on public land is only permitted with the approval of Council, other than for small roadside memorials.

2.2 Seats **with Plaques**

- ~~a) 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 public land. Applications must be made in writing with a clear description of the proposed location.~~
- ~~b) Delegation for the approval of memorial seats is with the Manager Open Spaces. High profile or highly saturated locations may be refused. Appeals against any determinations made may be referred to the General Manager for final consideration.~~
- ~~c) The seat will be made to Council's specifications, and Council approval will be required for the wording to be placed on a plaque. Council reserves the right to remove seats that are damaged or unsafe.~~
- ~~d) The purchase and placement of the seat will be at the expense of the applicant, and the location of the seat will be agreed with Council. Council is not liable for any replacement or maintenance cost due to vandalism or disrepair of plaques.~~

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.

2.3 **Plinths** and Rocks with Plaques

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.

11.3 Policy (Review) - Monuments and Memorials on Public Land.DOC

2.4 Trees

- a) 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. The cost of trees will be at the expense of the applicant.
- b) Applications must be made in writing with a clear description of the proposed location.

2.5 Roadside Memorials

Council approval is not required for the placement or creation of small roadside memorials. However, if a memorial is considered by Council to be a safety risk to the public or if the RMS requires its removal then the memorial will be removed without notification.

3 BACKGROUND

3.1 Memorials for Family Members

The placement of memorials such as rocks with plaques, plinths with plaques, seats with plaques or trees has 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 often placed along paths or in locations with views and high scenic amenity and significance.

The placement of rocks, and plinths and seats to commemorate the life of a family member may not have any significance to the broader community. However, the appearance of such memorials may also be offensive to other members of the community and can have the effect of creating a graveyard appearance on public land.

Ballina's public land contains 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 licence under the *National Parks and Wildlife Act 1974* is required to harm or damage threatened species or endangered ecological communities.

3.2 Roadside Memorials

Roadside memorials can take a number of forms, but are generally a cross or rock with the name of the deceased on them, and there are generally flowers placed at the site with photographs.

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.

4 DEFINITIONS

Council:	Ballina Shire Council
Memorials and monuments:	Structures made of concrete, marble or timber or the like, which have words inscribed onto them and may take on a variety of sizes and shapes. Headstones in cemeteries are an example of a memorial or monument.
Plinths:	Structures onto which plaques are attached. They may be made of concrete, marble or timber or the like.

11.3 Policy (Review) - Monuments and Memorials on Public Land.DOC

Public land: Land under the ownership or care and control of Council.

5 SCOPE OF POLICY

This policy applies to:

- a) Council employees
- b) Councillors
- c) Community members.

6 RELATED DOCUMENTATION

Related documents, policies and legislation:

- a) *Local Government Act 1993*
- b) *Crown Lands Act 1989.*

7 REVIEW

The Monuments and Memorials on Public Land policy will be reviewed at least every four years.