



1.0 Purpose

The Memorials Policy (Policy) provides guidance for the establishment, maintenance, removal and relocation of memorial objects such as monuments and plaques, and the scattering of ashes on land under the care and control of Canterbury-Bankstown Council (Council).

2.0 Scope

This Policy applies to land and roads under Council's care and control, including roads maintained by Council under agreement with Transport for NSW (TfNSW).

This Policy does not apply to State controlled roads. It is recommended that individual families or community groups consult directly with the TfNSW in this circumstance. Where necessary Council will liaise with the TfNSW on issues relating to temporary memorials in TfNSW jurisdiction, if it is in the interest of the community.

This Policy also excludes public art that is installed throughout the Local Government Area (LGA) as part of a town centre or public place improvement program.

3.0 Terms and Definitions

In this Policy the terms below have the following meanings:

Term	Definition
<i>Cremated Ashes</i>	Cremated body ashes of a deceased person.
<i>Memorial</i>	Recognising the memory of a person, event or place through a permanent or temporary object.
<i>Memorial Tree</i>	A tree planted to commemorate a person.
<i>Monument</i>	A structure or a three-dimensional physical object (e.g. a sculpture) created in memory of a person, group, event or place.
<i>Plaque</i>	A plate, tablet or slab made of metal, stone object or any other appropriate material with text and/or graphics displayed on it and fixed on, applied to, or inserted into a surface.
<i>Private Road</i>	A private road is any road that is not a public road, is on private property, and is not under the control of Council.
<i>Public Road</i>	A Council-controlled road, for which Council is the roads authority and does not include state-controlled roads.
<i>Small Infrastructure</i>	Refers to seats, park/play equipment.
<i>Temporary Roadside Memorial</i>	Any object temporarily placed within the road reserve to commemorate a death or indicate the site of a road fatality. This may include religious items, flowers or other gestures.



4.0 Policy Statement

Council is committed to providing the community with opportunities to recognise significant persons and events. Council recognises the importance that memorials serve as a statement of grief and love from the bereaved and that placing a tribute may assist with this grieving process.

4.1 Placement of Memorial Objects and Trees

Council does not generally accept donations of 'small infrastructure' such as seats and other park furniture as memorials on public land (nor dedication of existing furniture by assignment of a plaque). Such donations can divert resources from the delivery of outcomes endorsed by Council in its Community Strategic Plan. Existing memorial objects, such as monuments and plaques, are not considered precedence for Council approval of any future requests.

In exceptional circumstances, Council's Mayor or Chief Executive Officer has the delegated authority to approve requests for placement of donated small infrastructure, with subsequent reporting to Council.

Council will consider the planting of memorial trees with respect to appropriateness, public open space location and tree species choice.

Council will consider memorial objects such as a monument or plaque in accordance with the criteria below and other relevant policies.

This Policy is aligned to the *Safe and Strong* destination of the CBCity 2036 Community Strategic Plan.

5.0 Policy Criteria

5.1 Establishment of Memorial Objects

The proposal must be consistent with Council's approved plans for the proposed site or facility and undergo a public consultation process. Additionally, the proposed memorial object must not:

- Compromise the amenity value, aesthetic integrity 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 a religious or faith-based iconography;
- Be provocative to another culture or community by depicting or commemorating an event, conflict, weaponry or symbolism associated with such that may cause disharmony, hurt or offense.

As with Council's Naming Policy, Council will consider, by way of resolution, all proposals for memorial objects on their individual merits, and take into consideration the following:

- Community impact of the proposal;
- Commemoration of a person or a group who made a significant contribution to the Canterbury-Bankstown community;
- Commemoration of an event or an occasion that is important in local, state or national history;
- Reflection of the character, landscape, natural amenity, flora, fauna, and/or function of the site or area;
- The proposed memorial is significant to the Aboriginal community in the area;
- The proposed memorial promotes the cultural diversity of Canterbury-Bankstown.



Council must approve the design, size, material, text (wording), layout and graphics to be used for memorial objects, such as monuments and plaques. The Chief Executive Officer has delegated authority to approve or refuse design proposals.

It is the responsibility of Council to commission designers, fabricators, constructors and installers of these memorial objects to ensure;

- The character, design, scale and quality is compatible and at a level commensurate with the location or setting of the site and its surroundings;
- It is designed and manufactured by a qualified professional or artisan of repute approved by Council;
- A decommissioning plan considering the 'design life' of the memorial element is considered in the Artist Contract.

5.1.1 Memorial Trees

Council will permit tree planting with respect to appropriateness, public open space location and tree species choice.

Consideration will be given to relevant capital works programs, plans of management, master plans, avoidance of any damage to the natural environment, maintaining a safe passage for pedestrians and users of the open space, indigenous connection to the site, and general community expectations.

Trees planted as a memorial must be of a species approved by Council and must be planted in an approved location. Approval for plaques on the tree or on the ground next to the tree will not be granted.

Memorial tree planting will receive a six (6 month) maintenance period, as per Council's guidance document. Tree planting will be undertaken when growing conditions are most favourable.

A memorial tree will be recognised with a Memorial Tree Certificate, that includes global positioning system (GPS) coordinates of the tree. The location of the memorial tree and details of the person being commemorated will be recorded in Council's Asset Management Register.

All costs related to the memorial tree will be borne by the applicant.

All memorial trees remain the property of Council.

5.2 Removal or Relocation of Memorial Objects

Council reserves the right to remove and/or relocate a memorial object, such as a monument, plaque or a memorial tree. This may include when;

- The area is to be redeveloped.
- 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;
- The structure or support on which the item is located is to be removed or altered;
- The item has reached the end of its 'design life' as specified in the decommissioning plan.

Council will make every effort to work cooperatively with the donor to return any physical memorial-related elements if removal of the memorial object is required. If the memorial has been irrevocably damaged or destroyed (including the death of a memorial tree), Council will remove the memorial item, but is under no obligation to replace the infrastructure.



5.3 Temporary Roadside Memorials

Council recognises the importance that roadside memorials serve as a statement of grief and love from the bereaved and that placing a roadside tribute may assist with this grieving process. Whilst approval from Council is not mandatory, as the 'roads authority' for local roads, Council must ensure that all roadside memorial objects comply with the *Roads Act 1993* and the TfNSW guidelines for roadside tributes.

5.3.1 Installation and Maintenance of Temporary Roadside Memorials

Council will respect the wishes of bereaved families and individuals who wish to place a temporary roadside memorial object and will provide sympathetic advice and information about this Policy and the TfNSW Guidelines on installation. Council will not install or maintain temporary roadside memorial object on behalf of bereaved families or individuals. The establishment, maintenance and subsequent removal and disposal of temporary roadside memorial objects remains the responsibility of the bereaved parties.

In accordance with TfNSW guidelines, temporary roadside memorial objects;

- Must not be more than 50cm high, 40cm wide and 40cm in depth in the ground;
- Should not create a distraction to drivers (e.g. not be made of fluorescent, reflective or illuminative materials);
- Should be placed in a safe location (e.g. not on a sharp bend, well clear of passing traffic, not on traffic islands, away from road structures such as traffic signals or regulatory signage);
- Should consider property access, visual impact and the wishes of property owners.

Roadside memorial objects should not cause a distraction, pose a hazard to roads users, adversely affect nearby residents, or fall into disrepair and become unsightly. They should not be designed in such a way that encourages large groups of people to gather. Only one (1) memorial object per fatality is permitted.

Council will allow temporary roadside memorial objects for a maximum of three (3) months. In exceptional circumstances Council may allow an extended period of up to a maximum of 12 months beyond the initial three (3) month period. Additionally, the placement of a temporary memorial object again for one (1) month on an anniversary may be allowed.

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

5.3.2 Removal or Relocation of Temporary Roadside Memorials

The Chief Executive Officer has delegated authority to approve, remove or relocate a temporary roadside memorial object on or along a Council controlled road. Council reserves the right to remove or relocate temporary roadside memorial objects without notice if they do not comply with this Policy or the TfNSW guidelines. Council may also remove or relocate a temporary roadside memorial object 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;
- Has been there for more than the generally allowed period and neither Council has been contacted for an extension, nor the remains of the memorial been removed from the site.

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



During roadworks and maintenance, Council may need to move a temporary roadside memorial object. In this instance, Council will endeavour to contact the bereaved, if known, and advise them about the proposed roadwork or maintenance and the need to relocate the temporary roadside memorial object.

People visiting or establishing the temporary roadside memorial objects do so at their own risk. Council accepts no responsibility for the maintenance, vandalism, loss or damage to the object.

5.5 Scattering of Cremated Ashes

Members of the public who wish to scatter cremated ashes of a deceased family member or a friend on a Council reserve 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.

6.0 Approval and Review

6.1 Policy Owner

Manager Infrastructure Services

6.2 Authorisation

Adopted by Canterbury-Bankstown Council on 26/06/2018.

6.3 Reviews and Modifications

The next review is due on [DD/MM/YYYY].

Review Date	Modification	Approved by
10/11/2022	Inclusion of memorial trees in the policy.	Council on XX/XX/XXXX

7.0 Related Documents

7.1 Laws and Standards

- *Local Government Act 1993* (NSW)
- *Protection of the Environment Operations Act 1997* (NSW)
- *Roads Act 1993* (NSW)

7.2 Policies and Procedures

- Community Engagement Policy
- Memorial Tree Planting Procedure
- Naming Policy
- Plans of Management (site specific)
- TfNSW Roadside Tributes