

Memorials and Plaques Policy



Policy type	Council
Adopted by	Council
Responsible Director	Infrastructure
Responsible Manager	Manager Parks, Recreation and Facilities
Date adopted	26 July 2023
Scheduled for review	This policy will be reviewed four years from the date of adoption, or sooner if required.

PURPOSE

The purpose of this policy is to provide a framework for the approval, installation and management of community requests for memorials and plaques that publically commemorate the life of a deceased person, a group of people, association or event on land owned and managed by Moira Shire Council.

SCOPE

This policy applies to community requests for memorials or plaques on Council owned or managed land including:

- Permanent, fixed memorials and plaques
- Any proposal to move or significantly change an existing memorial
- A cluster or series of plaques associated with a particular theme
- Commemorative plantings
- Larger scale memorials such as walks or trails
- War memorials

EXCLUSIONS

This policy does not apply to:

- Significant cultural heritage sites defined under the *Aboriginal Heritage Act 2006*.
- The naming or renaming of a road (whether public or private) or a geographic feature consistent with the Councils Geographic Naming Policy and the Naming Rules for Places in Victoria.
- Memorials on road reserves not managed by Council under the *Road Management Act 2004*.
- Plaques or memorials dedicated to pets. The burial or memorialisation of domestic animals in open or public space is prohibited
- Public artwork such as statues, sculptures or murals.
- Bequests to Council. These will be considered in accordance with Council's Gift, Benefit and Hospitality Policy.
- Plaques or memorials to be installed in relation to a Council or Government funded project.

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DEFINITIONS

Applicant	A person or group who propose the installation of a memorial.
Council	Moirá Shire Council.
Heritage Recognition Markers	Communicate the listing of the building, its history and its significance.
Memorial	An object or feature designed to recognise a person, group or event.
Open Space	All land owned and/or managed by Council that is available for public access. Typically, open space includes parks, gardens, trails, habitat corridors, utilities reserves, foreshores, waterways, sportsgrounds and conservation reserves.
Plaque	A flat piece of metal, stone or other durable material with a two-dimensional face that can be fixed to an object, pavement or building to recognise a person, group, place or event, or to interpret the history of a public place.
Public Place	Road reserves, municipal buildings, streetscapes and other lands that are owned and/or managed by Council.
Roadside memorials	Any permanent or semi-permanent object constructed, erected or placed on the road or within the road reserve to commemorate/indicate a road fatality. Memorials may include items such as wooden crosses, coloured posts, flowers or any type of construction with or without plaques or inscriptions.
War Memorial	A memorial that commemorates the people who served and died as a result of war.

POLICY

Council recognises that members of the community may wish to publically commemorate the life of a deceased person, a group of people, association or event through the provision of a memorial or plaque.

As a general principle, memorial gardens, cemeteries and private properties are considered the most appropriate places for the erection of memorials. However, it is recognised that in some circumstances, events or people of outstanding significance may be appropriately commemorated by a public plaque or memorial.

Council is committed to minimising the risks and environmental impact of memorials and plaques and ensure that public open spaces serve their intended purpose and do not become dominated by memorials.

This policy ensures that Council provides an equitable decision-making approach which is clear and transparent.

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Eligibility Criteria

In order for Council to be able to consider an application for a plaque and memorial, the proposal must meet one of the following criteria:

- Commemorate an individual or Association that has contributed significantly to the cultural, political or social development of the Moira Shire region;
- Commemorate an individual or Association strongly linked to the Moira Shire region and its history;
- Commemorate a significant anniversary of an event unique to the history and development of the locality; or
- Provide historical or other information relevant to the site/location of the plaque or memorial.
- Commemorate a person or persons as a result of a road trauma fatality.

Council will not consider applications under this policy that:

- Commemorate a person, event or occasion already memorialised in Moira Shire;
- Interfere with the purpose and use of the proposed location;
- Adversely affect the heritage significance of the building or place;
- That may discriminate or be offensive.

Council can at its discretion install a memorial or plaque on Council owned or managed land outside the scope of this policy.

When considering whether to commemorate an individual or association Council will apply the principles relating to commemorative naming set out in the State Government's Naming Rules for Places in Victoria (Statutory Requirements for naming roads, features and localities) such as:

- Ensuring that if the proposal is to commemorate an individual, that individual must have been held in strong regard by the community;
- Avoiding commemorating individuals that are still alive because community attitudes and opinions can change over time;
- Not commemorating individuals that have been deceased for less than two years except under exceptional circumstances.

Community Consultation

The applicant will be required to demonstrate in their application that community consultation has been undertaken and must be able to provide evidence of community support for their application, such as letters of support or petitions.

If Council is not satisfied that the memorial or plaque meets the eligibility criteria in this policy, further community consultation may be required. In these cases, Council will work with the applicant to develop a Community Engagement Plan in accordance with Council's Community Engagement Policy.

Council will inform the community upon approval of a memorial and plaque application by publishing the location and summary of the memorial or plaque on Council's website.

Council may consider decommissioning a memorial or plaque if it becomes aware of high levels of community anxiety and negative feedback. If this occurs, attempts will be made to contact the applicant prior to removal.

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Assessment

All applications must be made using the Memorials and Plaques Application Form available on Council's website. All applications must address the criteria in this policy and provide all information as requested in the form. Applications will require:

- Written consent from the association or from the family (next of kin if possible) of the individual to be commemorated.
- Evidence of community support and the community benefit of recognising the individual or association as referred to above.

Following initial assessment, if the application does not meet the eligibility criteria, the applicant will be provided with the opportunity to provide further supporting information and/or documentation.

All applications will be assessed by a panel of Council officers from a range of departments with the final determination being made by the Chief Executive Officer.

If an application is approved, Council officers will liaise with the applicant to finalise design, wording, costings and location of the memorial/plaque. Council reserves the right to suggest an alternative memorial/plaque to what is proposed in an application.

Applications that meet the eligibility criteria may not necessarily be approved. Factors that may influence whether or not an eligible application is approved may include:

- the number of memorials that already exist at a certain location
- any future proposed development of the location
- planning or building legislation requirements

If the application that meets the eligibility criteria is unsuccessful due to the factors mentioned above, the application may be able to be considered for other naming throughout the shire (such as a road). Applicants should also refer to Council's Geographic Naming Policy.

Design Criteria

Design of memorials and plaques are required to:

- Be aesthetically suitable to the location;
- Relate to the proposed site or contribute to the design or function of the building/space;
- Conserve the cultural character and natural environment of the building/space;
- Where applicable be compliant with planning and/or building permit requirements.

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Memorial/Commemorative Park Furniture

Council reserves the right to decide the precise positioning, design and maintenance of the park furniture to ensure maximum benefit to the community and compliance with other park furniture in that vicinity.

A plaque for installation on the park furniture shall be made of stainless steel or bronze and of maximum dimensions (100mm long x 45mm wide x 1.5mm thick) with standard laser cut wording.

Only one plaque per seat will be approved.

Heritage Recognition Markers

The following criteria apply to Heritage Recognition Markers:

- The property must be State or Local Heritage listed;
- Development approval is required;
- Property owner permission is required; and
- Installation is the responsibility of Council.

Markers are generally installed directly onto the building or fence, if this is not possible, the markers will be post mounted as close to the building or fence as practical.

Memorial/Commemorative Trees and Plantings

Council reserves the right to select the tree species in accordance with the planting scheme at the requested site (as detailed in the Landscape Planting Guidelines) and timing of planting will be in line with Council's routine planting program.

Planting will include provision of backfill, stakes and guards, and mulch.

No more than one plaque per tree will be approved.

Plaques will not be directly attached to a tree, but can be placed in close proximity to the tree.

The suggested size of the plaque is 150mm x 100mm, mounted on a concrete or stone base plinth as near as practicable to the tree trunk.

Council will be responsible for the establishment and ongoing maintenance of the memorial tree. Council cannot not guarantee the longevity of the memorial tree. Trees are subject to various environmental stresses which may include (but not limited to) drought, borer attack, lightning strike and vandalism. If a tree dies or requires removal Council may replace the tree at Council's discretion.

Roadside Memorials

Road reserve areas outside of the carriageway on roads that fall under the *Road Management Act 2004* are the responsibility of Council. Arterial roads, Highways, and Freeways are, in most instances, are the responsibility of Regional Roads Victoria.

Roadside memorials erected for any reason other than a fatal motor vehicle accident will be removed.

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Memorials must not:

- Distract drivers' attention, disrupt traffic flow, upset nearby residents or road users, or prevent road maintenance;
- Provide a hazard for footpath users;
- Alter a public road;
- Be constructed of materials that will cause injury if struck by a vehicle;
- Become the subject of gathering creating public disturbance or littering;
- Be disrespectful, offensive or cause concern for other road users;
- Be attached to road or non-road related infrastructure (power poles, signs etc.)

In the event any of the above are evident the memorial will be removed unless corrected to Council's satisfaction.

The details of the memorial creator are encouraged to be included on the memorial for contact purposes. When Council needs to undertake any works in the vicinity of a roadside memorial, requiring its modification, relocation or removal, Council will endeavour to contact the memorial creator.

For further information relating to Roadside Memorials please refer to the VicRoads Roadside Memorial Policy.

War Memorials

Wherever possible, any war memorial and the remembrance of any future conflict should be made at an existing war memorial site (in consultation with the relevant Ex-Services Organisations RSL/SSA).

Where a request for a new war memorial is made on a site not currently recorded or used as a war memorial site, the request should be referred to Council's Planning Department for comment prior to Council's consideration.

Any proposal to move or significantly change an existing memorial shall be considered under this policy.

Installation

Installation will be managed by Council at the applicant's expense. All approved plaques and memorials are considered a Council asset once installed, and Council assume liability.

Maintenance

Maintenance of plaques and memorials is the responsibility of Council. The level to which a memorial or plaque is maintained will be at the discretion of Council in line with Council's maintenance program.

If an applicant or community member/ group wishes to undertake or fund additional maintenance, this will be considered on a case by case basis.

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Removal/Replacement

Council reserves the right to remove a plaque/memorial if it falls into a state of disrepair, is accidentally damaged or vandalised or if the asset it is affixed to requires replacement in order to maintain its amenity.

Every effort will be made to contact the applicant (or next of kin) prior to such removal, however, Council retains the right to conduct any works impacting a memorial or plaque directly or indirectly without further consent from the original applicant. Memorials will only be replaced or repaired at the specific request of the applicant and at their expense.

Council reserves the right to remove or reposition memorial park furniture if necessary for any future park and reserve improvements.

Memorials and Plaques that have been placed in any location without approval, or which do not meet the general requirements of this policy, may be removed. Attempts will be made to consult with the person(s) responsible for initially installing the plaque or memorial prior to its removal.

Expenses

All expenses including the design, permit fees and installation of the plaque or memorial will be borne by the applicant.

RELATED LEGISLATION

Local Government Act 2020
Road Management Act 2004
Aboriginal Heritage Act 2006
Gender Equality Act 2020
Geographic Place Names Act 1998

RELATED POLICIES

Geographic Naming Policy
Community Engagement Policy
Gift Benefit and Hospitality Policy
Asset Management Policy

REFERENCES

VicRoads Roadside Memorial Policy
Landscape Plan Guide – Developments in Campaspe Shire, Greater Shepparton & Moira Shire
Naming Rules for Places in Victoria