

Personal Memorials In Public Place Council Policy

POLICY STATEMENT

The City of Bunbury (the City) acknowledges the use of memorials as a means of assisting people to grieve for loved ones and to honour the past contributions of deceased persons within their local community.

Notwithstanding the above, it is also recognised that the installation of memorials within public open space must be managed in a way to maintain local amenity, ensure the safety of residents and minimise maintenance requirements.

It is the City's position that persons be encouraged to install memorials within designated memorial facilities, such as cemeteries. However, applications for the installation of suitable memorials, plaques, trees and furniture in public parks and reserves within the City may be considered in accordance with the conditions of this Policy.

POLICY SCOPE

This policy is applicable to requests or applications for plaques 'personal memorials' in various formats, to be installed in public open spaces within the City of Bunbury.

This policy does not cover:

- Plaques and memorials on private land
- Roadside memorials
- Public Art
- Signage, display boards, banners – temporary or permanent.
- Naming of places
- Signage associated with Council-developed heritage walks or interpretive projects

POLICY DETAILS

The City of Bunbury provides an opportunity to acknowledge deceased persons that have made a significant social and/or cultural contribution to the City of Bunbury.

Approval must be obtained from the City of Bunbury prior to the installation of any personal memorials. Any existing plaque or memorial cannot be taken as a precedent for future approvals. All applications for memorials will be considered on an individual basis by the City.

No new personal memorials will be considered for persons already memorialised in the City of Bunbury unless there are exceptional circumstances and there is a demonstrated justification and need.

The number of personal memorials within a public open space cannot impact on the primary role of the area or the community's use and enjoyment of the public open space. The City of Bunbury may determine that specific areas are not suitable for the inclusion of additional personal memorials. Such areas will be designated as 'fully allocated'.

Should a proposed site be of substantial community significance, community consultation may be required and will be determined on a case-by-case basis. Applications will be considered within the context of existing asset management plans, potentially allowing applicants to utilise existing assets for the proposed memorial.

A memorial plaque will not be approved where it is for a religious or political affiliation. Approval will not be granted if the City of Bunbury is of the opinion the memorial plaque is considered offensive or has the potential to offend.

The City of Bunbury will not permit the burial or internment of ashes of deceased persons on Council owned or managed land.

i) Eligibility for Personal Memorials

The City will consider on its merits any request for personal memorials to be installed within the City's public open spaces or road reserves. The criteria to be considered shall include: -

- a) A personal memorial shall only commemorate a person who is no longer living and has been deceased for a minimum of twelve (12) months at the date of application.
- b) Personal memorials will not be approved for animals.
- c) The commemorated person must have had a relevant relationship to the proposed site.
- d) Applications for personal memorials shall demonstrate the individual's significant social and or cultural contribution* to the City of Bunbury, and their connection to the proposed site.
- e) All applications made by community members must be supported by a family member of the deceased person and shall include the signature of the spouse, children, or other family representative of the deceased.

**Full eligibility criteria (including examples) are outlined within the application form "Application for Personal Memorial in a Public Space".*

ii) Characteristics of Personal Memorials

- a) Personal memorials shall be functionally and aesthetically appropriate to their purpose and place.
- b) Personal memorials shall provide amenity to the community.
- c) Personal memorials shall be durable items and shall conform to the City's standard specification for that item, if applicable.

iii) Location of Personal Memorials

- a) Applicants may nominate a location for a personal memorial.
- b) Personal memorials will not be installed in Anzac Park.
- c) With the exception of existing trees, applicants may nominate an existing non-commemorative asset as the location for a personal memorial. If the location is approved, and relocation is required, the applicant may be required to pay the costs associated with the relocation of the existing asset and the provision of a new asset at the location.
- d) The City will assess the suitability of a nominated location regarding the purpose of the area, the number and type of existing assets and the impact that the provision of an additional asset will have on the functionality and management of the space.
- e) Where an application is submitted for an area that is designated as 'fully allocated' the City will liaise with the applicant to identify alternative options suitable for the area or alternative locations for the proposed memorial.
- f) The City reserves the right to relocate a personal memorial when the area in which it is placed is to be redeveloped. The relocation of a personal memorial requires the approval of the Chief Executive Officer. The City will attempt to contact the applicant to determine an acceptable alternative location for affected memorials.

iv) Commemorative Plaques

- a) A personal memorial may have a commemorative plaque affixed or located nearby, as appropriate.
- b) The size, material, text, and any other content (illustration, symbol etc.) of a commemorative plaque requires the approval of the Chief Executive Officer. The City will liaise with applicants to determine appropriate content for a plaque.
- c) Applications for personal memorials which do not meet the requirements of the policy may be referred to Council for a decision upon request by the applicant.

v) Duration of Personal Memorials

- a) Personal memorials shall remain as memorials for the useful life of the asset or for a maximum period of 25 years from the date of approval.
- b) At least 3 months prior to the end of the 25-year period or the end of the asset's useful life, the City will attempt to contact the applicant to advise the expiry date of the memorial.
- c) The City will assess whether the asset is still in good condition, suitable to the location and the benefit to the community. If applicable, the item will remain but will no longer be classified as a memorial and any plaques associated with it will be returned to the applicant if possible.
- d) Provided the expired memorial is not in a location which is classified as 'fully allocated', the applicant may apply for an extension. Except for trees, this may require the replacement of the asset. Extensions will be subject to the conditions of the policy current at the time of the new application.
- e) If the expiring memorial is in an area designated as 'fully allocated' an extension will not be granted for an existing memorial. With the exception of trees, if the item or structure is

still appropriate for the area, the location of the expired memorial will be made available to new applicants.

vi) Costs

- a) Applicants will be required to pay an application fee.
- b) If an application is approved, the applicant will be provided with the expected costs associated with the provision of the personal memorial, which will include an allocation toward the cost of the routine maintenance of the item or facility.
- c) For personal memorials approved for an existing asset the applicant will be provided with the breakdown of costs associated with the existing asset or its relocation (if applicable).
- d) The City will be responsible for the supply, installation, maintenance, and repair of memorial items within the lifespan of the memorial.

COMPLIANCE REQUIREMENTS

LEGISLATION

- *Local Government Act 1995*
- *Land Administration Act 1997*
- *Cemeteries Act 1986*
- *Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6: Public Places and Local Government Property Local Law 2018*

INDUSTRY

- Policies and Standards for Geographical Naming in Western Australia

ORGANISATIONAL

- City of Bunbury Naming Conventions Council Policy

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