



Policy Title	Memorial and Monuments on Council Open Space
Related Documentation	Roadside Memorials Policy, DocSet 1555152
Relevant Legislation	<i>Local Government Act 1993</i> <i>Copyright Act 2000</i>
Responsible Officer	Executive Manager Open Space

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Objectives

This policy is primarily to provide applicants and Council with a framework for assessment and review of Memorials and Monuments on Council Land within Campbelltown Local Government Area (LGA).

### Policy Statement

This policy provides framework and criteria to assist in the assessment of eligibility for proposed memorials and monuments on Council open space and provide guidance for the management of existing memorials and monuments on Council open space within the Campbelltown LGA.

Campbelltown City Council (Council) recognises that memorials and monuments are an important part of community, with social, historical, cultural and religious significance. Memorials and monuments have been an integral element of society for thousands of years, and have the ability to create community, provide comfort, encourage peace, offer respect and can improve the design and aesthetics of a city, including city centres and local parks.

In principal, Council acknowledges the historical concept and significance of memorials and monuments and supports the ongoing application of their purpose within Campbelltown LGA.

### Scope

This policy will provide applicants and Council basis for application, assessment, installation, costs responsibility, design consideration, maintenance and location of memorials and monuments on Council open space. This policy covers memorials and monuments proposed to be installed within public space and on Council land.

This policy only applies to memorials and monuments proposed within Campbelltown LGA.

This policy applies to proposed Memorials and Monuments not currently installed or constructed.

The approval of, location, size, funding, and specific detailing of existing memorials and monuments located within Campbelltown LGA are not considered to be 'precedence' for new or

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proposed memorials and monuments. Applicants should not rely on historic approvals as framework for new applications or assessment criteria.

This policy does not detail approval for spreading or placement of cremation ashes within public space or on Council land.

**Definitions**

**Memorial:**

A memorial is a structure or a statue that is built to remember a deceased person or a group of people whom passed away in an important past event. (Types of memorials/monuments include but are not limited to; unmarked tree, marked tree, seats/park benches, public art pieces such as sculptures, statues, structure or building).

**Monument:**

A monument is a structure, statue or a building that is built to honour someone notable or a special event. (Types of memorials/monuments include but are not limited to; unmarked tree, marked tree, seats/park benches, public art pieces such as sculptures, statues, structure or building).

**Plaque:**

A plaque is an ornamental tablet, typically of metal, porcelain, or wood, that is fixed to a wall, or other surface in commemoration of a person or event. (Under this policy all plaques are to be considered for assessment in the frame work established for memorials and monuments).

**Public Space / Open Space:**

Any lands which are in the ownership or management of Council, including road reserves, parks, bushlands, golf courses, playing/sports fields, buildings and their external feature owned/managed by Council or located on Council lands.

Note: Memorials proposed to be located on road reserves may be subject to approvals through both Council and other relevant authorities such as the Roads and Maritime Services.

**4.1 ASSESSMENT CRITERIA**

The proposed memorial or monument should be generally in remembrance of a person, event or milestone that is significant in the Campbelltown LGA.

If relevant to a person, said person should have been, or currently be a resident within Campbelltown LGA, or made significant contributions within the LGA. Contributions include, community, cultural, sporting, religious, or educational contributions. These contributions are to be independently verified by reputable source/sources.

If relevant to a cultural or religious event, figure, or movement, the memorial or monument should be relevant to a substantial portion of the local community. Evidence is to be provided to support the applicant's position including information and statistics relevant to Campbelltown's current demographic and/or future demographic.

Council reserves the right to request the applicant to provide verification/evidence of significance for a proposed memorial or monument. If Council is not satisfied with the verification or evidence provided, the applicant may be requested to seek and provide additional information to assist in the assessment of the application.

All monuments and memorials should be reviewed for their ability to offend public, culture or religion. If opportunity to offend exists, Council may reserve the right to reject the application.

The approval of an application for a memorial or monument is at the sole discretion of Council.

Council is under no obligation to approve the application of a memorial or monument. The presence of an existing memorial or monument, or approval of a current application, or future application, within Campbelltown LGA does not constitute precedence for any other memorial or monument application approval.

#### **4.2 PHYSICAL FORM, LOCATION AND DESIGN**

Memorials and monuments proposed for Council open space are to have suitable designs completed for assessment. Information is to be formally detailed on a design drawing prepared by a suitably qualified consultant or firm. The application is to detail the following information:

- the proposed size of memorials or monument, including height, width, length dimensions, weight etc;
- the construction materials intended to be used;
- the lifespan of the design;
- the views to and from the memorial or monument;
- the proposed access points to the memorial or monument, including access diagrams from nearby pathways, roadways, carparks etc;
- the proposed drainage solutions around the memorial or monument, and drainage assessment of change in existing drainage flows/catchments;
- shadow diagrams (where applicable);
- structural design certifications (registered structural engineer); and
- footing designs and certifications (registered structural engineer);

Note: The design drawing of the monument and or memorial is to include a site plan that shows the context of the surrounding area.

Large structures, with a footprint exceeding 10m<sup>2</sup>, may require additional information to support the application and design including but not limited to:

- geotechnical assessments on the proposed ground soil following in principal approval of the memorial or monument on Council open space and its location; and
- traffic impact assessments for parking (where it is expected that the proposed memorial or monument will attract large gatherings, services or spectators).

Council may require additional information further to that listed above, relevant to the proposed memorial or monument, at its sole discretion.

#### **4.3 PRIMARY USE OF SPACE**

Consideration for assessment and approval is to include a review of proximity to existing or proposed future open space sporting and recreational facilities, and community facilities. The primary purpose of the public space must not be compromised or inhibited by the erection and/or presence of the memorial or monument on Council open space. For example, a sporting grounds primary purpose is to be used for sport, therefore sports activities are not to be compromised. Applicants are to provide supporting evidence to this effect as part of their application.

#### **4.4 MEMORIALS AND MONUMENTS IN ROAD RESERVES**

Memorials and Monuments on Council Open Space proposed within road reserves are to be reviewed and approved by Council's Executive Manager – Infrastructure, as well as any other relevant authority such as Roads and Maritime Services, where applicable.

Where deemed necessary by Council, the applicant may be required to prepare and submit a road safety audit (by a registered Road Safety Auditor) with respect for the impact of the memorial or monument located within the road reserve to ensure that road user safety is not compromised by the installation of the memorial or monument.

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This policy should be read in conjunction with Roadside Memorials Policy, DocSet 112723 by Council.

#### **4.5 COMMUNITY CONSULTATION**

If the memorial or monument on Council open space, the applicant/Council is required to consult in accordance with Council's Community Engagement Policy for comment on the design. Any memorial or monument on Council open space may be subject to rejection at the sole discretion of Council.

#### **4.6 DELIVERY, COST AND OWNERSHIP**

All costs associated with the design, management and installation of any proposed monument or memorial is to be borne solely by the applicant. All applications are to be accompanied with a cost estimate from a suitably qualified consultant. This estimate will be checked by council at the applicant expense to ensure the cost estimate is accurate.

The applicant is to pay the proposed cost of the monument or memorial on Council open space in accordance with the estimate. Cost estimates are to be inclusive of 20 per cent construction contingency, with unspent funds to be returned to the applicant at the completion of works. (The unspent construction funds can be transferred to cover the cost of maintenance). It is Council's responsibility to deliver all proposed monuments or memorials on Council open space once approval granted and payment received, unless otherwise agreed.

Ongoing ownership of all monuments and memorials will rest solely with Council. Applicants are to transfer all rights they may legally have to the memorial or monument, including any moral rights under the *Copyright Act 2000*, to Council. All applications must be accompanied by a declaration from the applicant and designer/artist involved in the creation of the memorial or monument, transferring all rights and ownership to Council.

At all times, Council reserves the right to remove, replace and/or relocate any monument or memorial. Before any monument or memorial is removed, replaced or relocated, consultation is to be undertaken with the original applicant and any affected community members. Applicants will not be entitled to any reimbursement for memorials or monuments installed which have been removed, replaced or relocated by Council or its delegated agent.

#### **4.7 MANAGEMENT AND MAINTENANCE COST**

Subject to size, structure, material composition, and cost of the proposed monument or memorial, Council may request a contribution to the ongoing maintenance of the asset.

The proposed contribution will be fixed at 10 per cent of the construction cost. This is a one off cost by Council to the applicant. Irrespective of whether maintenance costs are contributed or not, Council reserves the right to request the applicant of the monument or memorial on Council open space to contribute to any rectification costs of property damage, or wear, to erected memorials and monuments. (Maintenance costs do not cover the cost of security for the memorial or monument)

If the applicant declines, Council reserves the right to remove or destroy the monument or memorial as specified under item section 4.6 above of this policy.

All maintenance of monuments and memorials is to be undertaken by Council and/or its delegated agents. Applicants are not to attempt repairs, rectification or maintenance without the formal written approval of Council.

If the applicant requests a Memorandum Of Understanding (MOU) or Operational Agreement between Council and the applicant with respect to maintenance then the maintenance cost may need to be adjusted to reflect the expectations of this agreement.

#### **4.8 APPLICATION AND APPROVAL**

All applications for monuments and memorials on Council open space are to be submitted to Council by way of a formal written application, which clearly identifies the name and contact details of the applicant. The application is to provide a statement addressing the criteria listed within this policy.

All applications which are received by Council are to be reviewed by the relevant assessing officer. If insufficient information is received, the Officer may either reject the application, or request further information to assist in the approval assessment. Once the assessing officer is satisfied that the application and supporting documentation meets the criteria of this policy, a formal recommendation is to be submitted to the next Council meeting for endorsement by the Councillors.

In the case of different memorial or monument designs being prepared for the same area of open space these designs will be referred to Council for a decision.

#### **END OF POLICY STATEMENT**