

POLICY			
TITLE:	PERSONAL MEMORIALS	CODE:	CM 195
PURPOSE or OBJECTIVE:	To set out the principles for the provision of personal memorials in public places.		
REFERENCE DOCUMENTS:	Local Government Act 1995 s 2.7.(2)(b) Policy CM 188 - Naming of Parks, Park Features, Community Buildings, Recognition of Long and Exemplary Service and Commemoration of Individuals or Events		

POLICY STATEMENT
This policy outlines the conditions for the provision of personal memorials to ensure that public spaces are well designed, that there is equity of access to popular locations, that personal memorials provide a benefit to the community and that persons being commemorated have a strong connection to place and are of good standing.

1. Scope

This policy applies to outdoor public areas, to applicants for personal memorials and to individuals for whom applications are made. This policy applies retrospectively to existing personal memorials.

2. Definitions

<i>Personal memorial</i>	An object established in memory of a person in their capacity as a private individual.
<i>Commemorative plaque</i>	A plate containing written information which is mounted on a structure to recognise the memory of an individual.
<i>Fully allocated area</i>	An area where the provision of an additional structure of a particular type would be inappropriate for the space.
<i>Strong connection to place</i>	Long association with the location for the memorial, including residing nearby or visiting frequently over many years.
<i>Criminal conviction</i>	Criminal conviction as defined by the Criminal Code, resulting in a jail term or a substantial fine.

3. Eligibility for Personal Memorials

- (1) A personal memorial shall only commemorate a person who is no longer living. Applications for personal memorials will only be accepted for persons who have been deceased for a minimum of six (6) months from the date of application.
- (2) Personal memorials will not be approved for animals.
- (3) Applications for personal memorials shall provide information with supporting evidence about the person to be commemorated that demonstrates a strong connection with the City and / or the location identified for the installation of the memorial.
- (4) Personal memorials will not be approved when the individual has been recognised in the City by a method set out in Policy CM 188, such as the naming of a park or a feature in a park unless approved by Council.

- (5) Every application for a personal memorial will be judged on its merits, taking into account a number of factors including, but not limited to, any known criminal convictions of the person for whom the application is made.

4. Characteristics and Types of Personal Memorials

- (1) Personal memorials shall be functionally and aesthetically appropriate to their purpose and place.
- (2) Personal memorials shall provide amenity to the community.
- (3) Personal memorials shall be durable items and shall conform to the City's standard specification for that item, if applicable. Suggested items include trees, picnic sets, benches, shelters, and drinking fountains.

5. Commemorative Plaques

- (1) A personal memorial may have a commemorative plaque affixed or located nearby, as appropriate.
- (2) 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.
- (3) Multiple Plaques – applicants who have previously had a memorial approved and installed may apply to have additional plaques affixed on or mounted near the memorial. The provision of an additional plaque will not extend the lifespan of the memorial (see section 7.1)
- (4) Where an application to make a contribution toward a facility of significant size and high monetary value is approved under clause 9(3) the City will determine the locations on or near the facility appropriate for the installation of commemorative plaques.
- (5) Approval for the installation of commemorative plaques recognising the memory of individuals is delegated to the Chief Executive Officer provided the application meets the requirements of the policy.
- (6) Approval for the installation of historic plaques, commemorative plaques recognising events and commemorative plaques recognising long and exemplary service is outside the scope of this policy.
- (7) Applications for personal memorials which do not meet the requirements of the policy shall be referred to Council for a decision.

6. Location of Personal Memorials

- (1) Applicants may nominate a location for a personal memorial.
- (2) Personal memorials will not be installed in Civic Centre Park or War Memorial Park unless approved by Council.
- (3) 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, the applicant will be required to pay the costs associated with the relocation of the existing asset and the provision of a new asset at the location as set out under section 9.
- (4) The City will assess the suitability of a nominated location with regard to the purpose of the area, the number and type of existing facilities and the effect that the provision of an additional facility will have on the functionality and appearance of the location and any impact it may have on the management of the space.
- (5) Fully Allocated Areas – The City may determine that specific areas are not suitable for the inclusion of additional facilities of a particular type. Such areas will be designated as 'fully allocated' for the relevant type of facility or for any additional facilities.
- (6) Where an application is submitted for an area that is designated as 'fully allocated' the City will liaise with the applicant to identify alternative facilities or items suitable for the area or alternative locations for the proposed memorial.
- (7) 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.

7. Duration of Personal Memorials

- (1) 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.
- (2) At least 3 months prior to the end of the 25 year period or the end of the asset's useful life, if sooner, the City will attempt to contact the applicant to advise the expiry date of the memorial.
- (3) The City will assess whether the asset is still in good condition, suitable to the location and of benefit to the community. If so, 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.
- (4) 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 will require the replacement of the asset. Extensions will be subject to the conditions of the policy current at the time of the new application.
- (5) 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.

8. Roadside Memorials

- (1) Applicants for roadside memorials on road reserves managed by Main Roads Western Australia will be referred to Main Roads Western Australia for advice and assistance.
- (2) The City will apply the principles of the Main Roads Western Australia Document 252657 Roadside Memorials Policy and Guidelines current at the time of application to applications for roadside memorials on road reserves managed by the City. Should a roadside memorial be installed without an application, the City will apply the same principles from the date that the roadside memorial is recorded by the City.

9. Costs

- (1) All applicants will be required to pay an application fee.
- (2) Except for memorial contributions approved under clause 9(3) below, if an application is approved, the applicant will be responsible for all 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.
- (3) Applicants may apply to make a contribution toward a facility of significant size and high monetary value which has a useful life expectancy of at least ten years. Facilities suitable for memorial contributions will be identified by the City and will include items such as playgrounds, viewing platforms and gazebos.
- (4) The minimum value of the contribution toward a facility approved under clause 9(3) will be equivalent to the costs associated with the provision of a memorial bench, including an allocation toward the cost of the routine maintenance of the item or facility.
- (5) For personal memorials approved under clause 6(3) the applicant will be required to pay all costs associated with the relocation of the existing asset.
- (6) Where the installation of an additional plaque is approved under 5(3) the applicant will be required to pay all costs associated with the provision and installation of the plaque.
- (7) The City will be responsible for the supply, installation, maintenance and repair of memorial items within the lifespan of the memorial as set out in 7(1).
- (8) Facilities identified by the City as eligible for contributions under Clause 9(3) may have multiple plaques attached from several applicants.

10. Retrospective Application of the Policy

(1) The provisions of this policy are retrospective.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Local Government Act 1995 s 2.7.(2)(b)</i>
Process Links	<i>Draft Revised Policy CM 188 (D19/1513)</i>

POLICY ADMINISTRATION

Directorate responsible		Officer Title	Date last approved by Exec Team
Canning Environment		Manager Natural Area Management and Conservation	
Version	Decision Reference	Synopsis	Delegation No
1	EN-011-19, 18 June 2019 OCM	Policy CM 195 Adopted by Council	N/A