

Memorials Policy

POL-CMR 12



Objective

The City of Mandurah (the City) acknowledges the use of memorials as a means for community members to reflect and remember loved ones or past events of significance. The purpose of the Memorials Policy (Policy) is to provide guidance for the approval, placement and ongoing management of existing and proposed new memorials on City owned or managed land.

Applicability

This Policy applies to all Elected Members and City officers and assists with decision making in relation to the approval and appropriate placement of physical structures or objects on City owned or managed land, including buildings and community facilities, road reserves, parks and public open spaces, to commemorate an individual or significant event.

Statement

Memorials perform an important function for communities by providing a physical place and presence to aid in remembering and honouring deceased individuals or commemorating a significant event. They can provide comfort to those grieving the loss of loved ones or pay tribute to the significant impact a person or group of people may have had within or for the community.

Memorials can also present some practical challenges and when placed in public spaces have the potential to conflict with other functions of that space if not managed appropriately. A management approach is required that ensures decisions regarding memorials are handled with consistency, fairness, and empathy, addressing both the emotional significance of memorials and the practical concerns associated with them.

1) Definition

Within the context of this policy, a memorial is defined as any temporary or permanent physical structure or object such as a statue, image, sculpture or plaque, that is designed to commemorate the memory of a person, a group of people or event.

2) Types of Memorials

The following outlines the various types of memorials and the City's position in relation to the provision for that type of memorial in public facilities, road reserves, parks and public open spaces:

2.1) Commemorating a deceased person

The City does not support the installation of permanent memorials in parks or public open space. The installation of memorials in parks and public open space to commemorate a deceased person should be limited to locations specifically designated for that purpose i.e. cemeteries.

Existing memorials, including plaques, that have been approved prior to December 2024, to commemorate a deceased person will be removed when the memorial has fallen into disrepair or when there are other circumstances under which City officers have reasonable grounds for removal as outlined in section 4 of this Policy. City officers will make reasonable efforts to contact the relevant stakeholder(s) prior to the removal of the memorial and arrange for the handover of any remaining property i.e. plaques, to the stakeholder.

The City will facilitate any requests for tree planting to commemorate a deceased person in accordance with the City's operating practices. Plaques will not be supported.

2.2) Commemorating significant events or contributions from a person or a group of people

Memorials that commemorate a significant event or contribution from an individual person or group of people, for the benefit of the community, may be considered on an individual basis and will be approved by the Chief Executive Officer in accordance with conditions outlined in the Council Naming of Community Infrastructure and Public Places Policy (POL-PRK 04). These memorials are in the form of a public infrastructure donation such as an artistically designed structure or sculpture or tree planting, designed in consideration of the place, the needs of the community and the other functions of that space.

Public infrastructure donations would be managed under the Council Community Initiated Infrastructure Policy POL-CNP 08.

2.3) Mandurah and Dawesville War Memorials and Mandurah Missing Persons Memorial

The Mandurah and Dawesville War Memorials commemorate people who have served in or died in military service. The Mandurah Missing Persons Memorial is a place where those with missing friends and family can commemorate and find solace. The commemoration of individual people at these memorials is managed by the Mandurah and Dawesville Returned and Services League (RSL) and the Zonta Club of Peel, respectively.

2.4) Roadside Memorials

Memorials that commemorate a loved ones' memory by marking the location of a fatal crash site on or near a road will be permitted in accordance with the 'Main Roads Western Australia Policy and Guidelines for Roadside Memorials', noting that these guidelines apply to all roads within the City. City officers will work with applicants to ensure the safe placement of the memorials and that they do not present a hazard to people or property.

To ensure that a roadside memorial is safe for road users and to enable notification to family and friends of upcoming roadworks, the City will maintain a register of approved roadside memorials on local roads including contact details for stakeholders. Stakeholder contact details may be used for future contact regarding the relevant memorial and the stakeholder will be responsible for the maintenance and safety compliance of the memorial.

2.5) Temporary Memorial

Temporary memorials that commemorate a loved one through marking the location of a tragic incident may be permitted by City officers on a temporary basis, provided they do not present a hazard to people or property, according to the following conditions:

- The temporary memorial including items such as flowers, crosses, toys and written messages may be placed on a site for a period of up to 18 months, or a longer term if approved by the Chief Executive Officer.
- Alterations to the surrounding area must not be made.
- The temporary memorial must be placed or constructed in a way that it will not detract from amenity or compromise the functionality of the space for other users.
- The location of the temporary memorial should not detract from the amenity of the local area or impact on the quality of life of adjacent landowners, property occupiers or other members of the public.

3) Maintenance and Management of Memorials

Memorials for deceased persons within designated cemetery sites shall be managed and maintained in accordance with the *Cemeteries Act 1986* and the *Cemeteries Local Law 2010* and subsequent amendments.

Management and maintenance of roadside memorials will be conducted in accordance with the 'Main Roads Western Australia Policy and Guidelines for Roadside Memorials'.

In all other cases the management and maintenance of memorials will be completed in accordance with the relevant City Infrastructure Asset Management Plan, which will determine the relevant inspection and maintenance requirements.

4) Decommissioning of Memorials

Memorials will be decommissioned and removed when the memorial has fallen into disrepair or when there are other circumstances under which City officers have reasonable grounds for removal including, but not limited to, where the memorial:

- is not approved,
- is considered to pose a hazard to people or property,
- is considered to be no longer appropriate for cultural, social or other reasons, or
- is located on a site that is to be redeveloped as part of an approved maintenance, renewal or upgrade program.

City officers will ensure these matters are handled sensitively and make reasonable efforts to contact the relevant stakeholder(s) prior to the removal of the memorial and arrange for the handover of any remaining property i.e. plaques, to the stakeholder(s).

Legislative Context

Cemeteries Act 1986

Cemeteries Local Law 2010

Local Government Act 1995

Local Government (Uniform Local Provisions) Regulations 1996 - Regulation 6

Public Places and Local Government Property Local Law 2018

Land Administration Act 1997

Review

At a minimum this Council Policy will be reviewed every two years.

Related Documents

These documents are mandatory and required to give effect to this policy:

Council Naming of Community Infrastructure and Public Places Policy POL-PRK 04

Council Community Initiated Infrastructure Policy POL-CNP 08

Buildings and Community Facilities Infrastructure Asset Management Plan

Roads and Transport Infrastructure Asset Management Plan

Parks and Open Space Infrastructure Asset Management Plan

Memorials Policy

POL-CMR 12



Supporting Documents

The following documents inform this Policy (i.e. documents that are not mandatory to the implementation of this policy but may support the implementation of the Policy):

Main Roads Western Australia Policy and Guidelines for Roadside Memorials

Responsible Directorate: Built and Natural Environment

Responsible Department: Landscape Management

Reviewer: Executive Manager Natural Environment

Creation date and reference: 26 November 2024 **G.5/11/24**

Last Review: New Policy

Amendments			
Version #	Council Approval Date, Reference	Date Document In force	Date Document Ceased
1	26 November 2024, G.5/11/24	27/11/2024	