Public Memorial Policy

Purpose

The purpose of this policy is to provide a framework for public memorials in Moonee Valley City Council (Council) to ensure that fair and balanced decisions are made to cater for appropriate commemoration while the integrity of the city's public open spaces is upheld. Under this policy, previously established public memorials within Moonee Valley will not be considered a precedent for approval.

Scope

This policy applies to all requests for the installation of a memorial made by individuals, community groups, Council staff, Councillors or any other private or public party where the application is proposed to be on land or property owned by Council or managed by Council on behalf of other parties.

Policy statement

Public open space provides significant community benefits, including protecting biodiversity, improving psychological health and well-being, improving physical fitness, facilitating social interaction and cohesion, promoting community pride, enhancing child development through play, and creating a location for participating in civic life.

Council recognises that some community members wish to acknowledge the life of a deceased person or association or event by establishing a memorial in public open space on Council owned or managed property.

In making decisions of commemoration, Council has a responsibility to ensure its public open spaces continue to serve their intended purpose and is therefore unable to meet every request for recognition.

Policy principles

1. Requests for a public memorial

Requests for the installation of a public memorial must be made by completing the application form detailing the significant contribution by the individual or association to be commemorated.

DRAFT

2. Criteria

The following criteria will be used in determining whether an application is appropriate for commemoration.

1. For an individual, they must be deceased, and the application must be supported by the next of kin in writing;
2. For an association, the application must be supported by the head of the organisation in writing;
3. Must have made significant contributions to the Moonee Valley community in one or more fields being arts, business, civic/emergency/military services, culture, education, environment, health, social, and sporting;
4. Must have achieved at a high level, and their contribution must be considered over and above what might be reasonably expected through paid employment or their voluntary contribution to the community;
5. Has an Indigenous or/and historical connection to a site/location in Moonee Valley or close association with Moonee Valley; or
6. On compassionate grounds in compelling circumstances at the discretion of, and by resolution of, Council.

3. Application, Approval, Assessment and Review

Application

Applications can be made via the Public Memorials application form on Council's website.

Approval

The approval of the commemoration application requires a Council resolution.

Assessment

Council's Legal & Governance department will coordinate the application assessment process, with all applications assessed by Council officers from relevant internal departments. The assessment against the established criteria will also include the following:

- the proposal must be in the interest of the community as a whole;
- the proposed location must have relevance to the person or association;
- the proposal must not impact, be hazardous or diminish the intended use, purpose and functionality of the location; and
- the proposal must support and conform to any relevant Master Plan, Asset Protection Plans, and other associated policies or capital works plans for Moonee Valley.

Where an application meets the criteria for a public memorial, the Legal & Governance department will present a Council report with a recommendation to Council.

Where an application does not meet the criteria for commemoration, Councillors will be notified of the intention to refuse and will have the opportunity to call-in the application for determination by Council, before a notice of refusal is provided to the applicant.

DRAFT

Review of decision
A request to review a decision must be made in writing and include supporting information which should be forwarded to the:

Manager Legal & Governance
Email: council@mvcc.vic.gov.au
Mail: PO Box 126 Moonee Ponds VIC 3039

4. Permits, Fees and Charges

All costs for public memorials are to be borne by the applicant, including any additional costs specific to the installation, which may include, but are not limited to:

- Any development approval requirements (including all relevant permits).
- Design, engineering, or artist fees.
- Construction, manufacture, and installation fees (including site preparation).

Council may choose to contribute in part or full to the cost of the public memorial at its own discretion where appropriate.

5. Ownership and life of memorial

When a memorial is accepted by Council, it automatically becomes part of the Moonee Valley City Councils Asset Register, which is maintained and managed by Council.

Council cannot guarantee that a memorial will be preserved or remain at the site indefinitely. Council has the discretion for the relocation, removal, and/or decommissioning of all memorials as required.

Where a memorial is to be removed for any reason, every attempt will be made to

- return the memorial to the applicant or family members; or
- consult with the applicant or family members

6. Memorial types

6.1 The following memorials will not be considered under this policy.

Memorial type	Meaning
Cremated Remains	The scattering and/or burial of cremated remains on land or property owned by Council is not allowed.
Donated Memorials	A memorial or acknowledgement for the promotion, anniversary or advertising of commercial businesses, not-for-profit organisations, and political or religious groups.
Paver	A paver laid in a pedestrian walkway or prominent location, such as the entrance to a facility managed by Council to acknowledge the memory of a person, association or event.
Roadside Memorial	A roadside memorial on or near a Council owned road. All requests for memorials on VicRoads managed roads are to be referred to VicRoads in line with the VicRoads Roadside Memorial Policy.

DRAFT

6.2 The following memorials will be considered where an application meets the criteria outlined in this policy.

All memorial types will be determined and managed by Council in accordance with its approved policies and procedures. It should be noted that:

1. The preferred memorial type and location cannot be guaranteed.
2. Council will have the final determination of location and memorial type in accordance with its policies and procedures.
3. All memorial plaques must meet Council's Signage Guidelines.
4. To ensure public risk is minimised, plaques will not be installed on or around trees, in green open spaces, on any walkways including bridges or in any play space or play equipment.

Memorial type	Meaning
Commemorative Naming (Road, Building or Park)	A road, building or park named in memory of a person
Commemorative Tree	A tree in a civic or parkland location; or a specific tree planted for symbolic reasons.
Memorial Bench Seat with plaque	A seat owned and/or installed by Council and is located on Council land.
Memorial Plaque	A plaque mounted within a seat or other structure, with a message displayed and an acceptable size
Memorial Feature (object)	An object (e.g. statue, artwork) or a landscaped feature designed to preserve the memory of a person, association or event.
Traditional Land Owner Memorial	A memorial feature or plaque acknowledging the traditional custodians of the land.
War / Service Memorial	A memorial feature or plaque acknowledging a conflict, event or the service of elected officials, emergency, defence, public servant and war personnel.

DRAFT

Responsibilities

The following Council departments and business units have direct and / or supporting responsibilities associated with this policy:

Role	Responsibilities
Legal & Governance department	• applying the policy and assessment criteria to each application. • ensuring applicants are given timely information about the progress of their application. • approaching external experts to assist in the assessment of an application (if required)

Role	Responsibilities
	• making a recommendation on each application to Council for approval. • the ongoing review and update to this policy and associated procedures
Relevant department Manager and Coordinators	• providing expert and technical advice on an application under this policy. • coordinating all aspects associated with the manufacturing, installation and maintenance of memorials under this policy and adopted policies and procedures
Audit and Risk Committee	The Audit and Risk Committee provides an oversight function regarding: • Council's policies • Risk management system • Compliance controls • Audit functions

Definitions

Term	Definition
Applicant	• A person or association who propose the installation of a memorial and who will pay all costs of supply and installation of the memorial item
Memorial	• Any object in public open space for the purpose of acknowledging a deceased person or recognising an association or event.
Memorial Feature	• Is a memorial that is unique, substantial or tangible.
Plaque	• A flat tablet of metal or other durable material which includes text and/or images to commemorate an individual, association or event.
Public Open Space	• Open space refers to all land owned and/or managed by the Council that is zoned Public Park and Recreation Zone or Public Conservation Resource Zone and is available for public access. Typically, open space includes parks, gardens, trails, habitat corridors, utilities, reserves, waterways, sportsgrounds and conservation reserves.

DRAFT

Term	Definition
Public Place	• Refers to road reserves, streetscapes and other municipal places that are owned and/or managed by the Council.

Related legislation and reference sources

- *Geographic Place Names Act 1998*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*
- *VicRoads – Roadside Memorial Policy 2015*
- Naming Rules for Places in Victoria, Statutory Requirements for naming roads, features and localities 2022

Related Council documents

- Asset Management Policy
- Art and Heritage Collection Policy
- Public Memorial Application
- Council Signage Guidelines

DRAFT

Document Type	Council Policy	**Classification**	External	**Status**	Approved
Document Suite	Council Governance and Administration				
Author	Senior Governance Advisor	**Owner**	Manager Legal & Governance		
Approved by	Council			**Version**	2.0
Approved	8 August 2023	**Last Reviewed**	TBC	**Next Review**	TBC
Major Changes	No major changes have been made.				

Document control disclaimer
Minor amendments to this document may be required from time to time. Where amendments don't materially alter a document, they will be made administratively, without a requirement for formal approval. Printed copies of this document are considered uncontrolled.

Acknowledgement of Country
Moonee Valley City Council respectfully acknowledges the traditional custodians of this land – the Wurundjeri Woi-wurrung people of the Kulin Nation, their spirits, ancestors, elders and community members past and present.