1.0 Scope

The purpose of this policy is to set guidelines for the installation, placement and removal of roadside memorials on roads controlled by Mackay Regional Council.

2.0 Purpose

Mackay Regional Council recognises that some members of the community may wish to commemorate/indicate a road fatality by installing a roadside memorial. Council will deal sensitively with issues associated with memorials, but does not encourage the placement of roadside memorials within the road reserve.

3.0 Reference

- Local Law No. 1 (Administration);
- Local Law No. 4 (Local Government Controlled Areas, Facilities & Roads);
- Subordinate Local Law No. 1.01 (Alteration or Improvement to Local Government Controlled Areas and Roads);
- Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation);
- Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads).

4.0 Definitions

To assist in interpretation the following definitions shall apply:

A roadside memorial is any object placed within the road reserve to commemorate or indicate a road fatality. Memorials may include wooden crosses, coloured posts and flowers. Monuments (i.e. permanent commemorations) are not permitted within a road reserve.

5.0 Background

Mackay Regional Council recognises that some members of the community may wish to commemorate/indicate a road fatality by installing a roadside memorial. Council will deal sensitively with issues associated
6.0 Policy Statement

6.1 Location

- A memorial should be located in a position where it will not distract drivers’ attention from the driving task or interfere with the role of any traffic control item.

- A memorial should be located in a position where it will not be hazardous to passing traffic and or pedestrians or prevent appropriate maintenance of the road reserve.

- Applicants should be made aware of any possible risks in visiting roadside memorials and should be advised on safe practices in this regard, e.g. stopping clear of traffic. Wherever possible, the location should be chosen to minimise risk.

- In the interests of road safety of persons installing memorials there are a number of locations where the placement of memorials is restricted. Examples of locations where memorials are not permitted include urban multi-lane arterial roads, traffic islands, medians and roundabouts or where they may interfere with any traffic control devices. Subject to applications and location details being provided by the Applicant appropriate locations can be discussed with Council to maintain traffic, construction personnel and visitor safety.

- Applicants applying for installing a roadside memorial will not be required to provide indemnification or public liability coverage in favour of Council.

6.1.1 Construction

- A memorial must be constructed of material or installed in a way that will not cause injury if struck by a vehicle.

- Roadside memorials should be contained within the following dimensions:
  - Height 750 mm
  - Width 500 mm
  - Depth 400mm (below ground)

6.1.2 Relocation and Removal

Any objection or complaint from nearby residents or from road users regarding any aspects of memorials, including the activity of visitors to the memorial should be carefully considered and if necessary, the memorial should be relocated or removed.

Roadside memorials presenting a safety hazard to road and road verge users will be removed, however, every effort will be made by Council to contact the person/s responsible for the memorial.

There may be times when roadworks are required at the location of a
roadside memorial. When this is required Council will relocate the memorial for the duration of the works and then replace it, if possible.

Every attempt will be made by Council to consult those affected prior to the removal or relocation of the memorial. If the memorial obstructs the completed roadworks, it may be removed to a different location, following contact with those affected.

6.2 Other

- Council is not able to accept responsibility for the maintenance of memorials, or any loss, damage, removal or relocation of roadside memorials that may occur due to road maintenance of construction activities.

- Any proposal to establish memorial trees must comply with Council’s policy regarding street trees particularly in relation to spatial location, species and agreement from neighbouring property owners.

- In general, a time limit of twelve (12) months will be allowed for memorials subject to renewal after which it will be the responsibility of the applicant to remove the memorial or alternatively Council will remove the memorial at the applicant’s expense.

7.0 Review of Policy

This policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed at intervals of no more than two years.

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