

MEMORIALS OPERATING GUIDELINES

PARENT DOCUMENT: Public Art Action Plan 2019 - 2022

PURPOSE

The community and cultural value of the use of Council occupied/managed land by individuals or groups for commemorative purposes is recognised to be important by the City of Adelaide. In order to fulfil Council's custodian role, the City of Adelaide operates according to the *Local Government Act 1999* on behalf of and for the benefit of the City community and the people of South Australia.

Memorials in the City of Adelaide will be initiated and delivered by the community, including individuals and public, private, or government, organisations and where suitable, will be assisted by Council through an engagement and assessment process.

This Memorials Operating Guideline sets out the administrative processes and responsibilities for the development, delivery, maintenance, management and de-accessioning of memorials enabled by the City of Adelaide in the Park Lands.

OPERATION

Objectives

This Operating Guideline will inform the way the City of Adelaide considers proposals, assists the delivery of and manages memorials.

Council led commissioning

The City of Adelaide does not commission memorials.

Donations

The City of Adelaide will consider proposals from the community for the donation of fully funded public memorials (including long-term maintenance) at the early concept stage of development for the memorial.

Memorials will be considered where they demonstrate that they:

- Commemorate people, places, history and ideas of significance to South Australia (in line with the definition of memorial in the Public Art Action Plan 2019-2022);
- Provide a place of reflection and community gathering in the Park Lands;
- Are highly valued by a particular community and generally supported by the broader community;
- Contribute to a collection of memorials reflective of a diversity of community voices and;
- Are constructed of high-quality materials, with low maintenance considerations and are planned to be/designed to be integrated within the landscape.

Ideally, memorials donated to the City will also involve an artist/s and the incorporation of public art into their development, thus contributing to the cultural vitality of the City. This is a pre-requisite for all major memorials.

Proposals that respond to the key criteria above, may offer the donation of an existing memorial or put forward the development and delivery of a new commission to be donated to the City.

No new memorial will be considered of a person, group, animal, organisation or event that has already been memorialised in the City.

As best practice, Aboriginal Traditional Owners (or their delegates) will be consulted in relation to all proposed sites for memorials in the City and will have a place as a member of the Public Art Round Table.

Council reserves the right to refuse any memorial proposed in the City of Adelaide.

Operating Procedures for Memorials

External Proposals for the Donation of Major Memorials

Major memorials are those valued over \$50,000 and/or are scaled over 1.5 metres cubed.

The City of Adelaide will consider proposals from the community including individuals and public, private, government, organisations for the donation of fully funded public memorials that incorporate or act as an artwork in their own right. Along with delivering on the specific objectives of memorials outlined above, in this instance the memorial will add value to the public art collection, enliven the City, showcase creativity, build Adelaide's reputation as a globally renowned cultural destination, and align with the statements of intent, goals and deliverables outlined in the Public Art Action Plan 2019-2022.

Detailed fact sheet Community and Culture - Proposals for Memorials- Fact Sheet ACC2019/90408.

External Proposals for the Donation of Small Memorials

Small memorials are those valued under \$50,000 and/or scaled under 1.5 metres cubed.

The City of Adelaide will consider public requests for the donation of fully funded small memorials for individuals or organisations that have made a positive impact on the community and have a strong connection to the City of Adelaide.

Small memorials may take the form of one of the following:

- a tree, with or without a plaque;
- a new bench (which may replace an existing bench) fitted with a plaque;
- a plaque fitted to an existing bench (but only where the bench has a remaining useful life of at least eight years);
- a small object;
- a landscape feature.

No donor will be considered who has already provided a small memorial in the City.

Detailed fact sheet Community and Culture – External Proposals for Donated Memorials - Fact Sheet ACC2019/90408.

Location

The proposed location of all memorials in the Adelaide Park Lands must comply with the Adelaide Park Lands Strategy 2015-2025 and any relevant endorsed Community Land Management Plans, master plans, or concept plans.

New memorials will not be considered:

- Within the Pathway of Honour (where only bona fide Ex-Service Organisations verified by the RSL SA Branch, are permitted);
- Within established memorial gardens eg Women's Memorial Garden, Esther Lipman Garden, Angas Gardens;
- Himeji Gardens
- On small objects (eg boulders, posts and plinths with plaques) or on or next to existing trees;
- On as an addition or alteration to existing memorials unless there is documented support from key community stakeholders and/or established authorities eg: Cross of Sacrifice, South Australian Memorial to the Forgotten; or
- On City footpaths.

Delivery

Major memorials

Once Council endorsement has been gained for a major memorial the donor will lead the delivery of the memorial in line with the donation agreement and approved City Works permits and development approval. The donor will be responsible for all tasks associated with the development and delivery of the memorial including the commissioning of the creator/artist, project management, risk assessment, development approval, permits, structural engineering report, and appropriate and independently verified certificates of compliance to Australian standard. Administration will provide construction services advice and act as a touch point throughout the development and delivery phase to answer questions and undertake site reviews.

Small memorials

Once Council has approved the text and format of a small memorial the donor will supply the memorial ready for installation. Installation for all small memorials will be undertaken by Council staff.

Memorial acknowledgements and plaques

The creators of major memorials within the City of Adelaide will be acknowledged on, or near the memorial, unless the creator has requested in writing not to be acknowledged. A standard plaque that complies with Adelaide Park Lands Management Strategy 2015-2025 will include text that outlines the creators name; name of memorial; date of commission; name of the commissioner; and details of any partner organisations or stakeholders. All acknowledgements need to be subtle and respectful. Sponsorship representation with logos is not permissible.

Ownership

All memorials placed on public land within the City of Adelaide will be managed according to legislative and corporate compliance responsibilities. All memorials, major and small will become the property of Council.

Maintenance and Management of Memorials

The City of Adelaide holds a significant collection of donated memorials that are of financial, civic, social, and cultural value to the City. The maintenance and management of these assets is crucial to maintain their financial, and community value. Donors are responsible for funding the long-term maintenance of the memorial for a minimum of 15 years. City of Adelaide will undertake the maintenance. Detailed procedure Infrastructure - Infrastructure Asset Management Strategy.

Asset registration

At hand over of a memorial project all memorials will be entered onto the appropriate Council asset register. At this time a Memorial Manual is required to be supplied and will need to include creators/s names, copyright owner details (if different from the artist/s), intent of the memorial, date of commission, materials details, construction and for major memorials the recommended approach for maintaining memorial including a graffiti management plan, maintenance schedule detailing expected regular maintenance and when artist advice needs to be sought. These details will be included in the asset registration along with the identified life of the memorial and any particulars outlined in the donor agreement.

Monitoring

Regular monitoring of the condition of memorials is undertaken as part of the public realm maintenance activities schedule (at least annually) and is important to enable any maintenance issues to be addressed early before substantial deterioration has occurred to the memorials. A full audit of major memorials will be conducted every four years in line with the periodic valuation process of the public art collection to ensure the value (fabrication cost and significance) of the memorials are in line for insurance purposes.

Cleansing and repair

Prior to undertaking any cleaning or repair of a memorial the Memorial Manual must be consulted as a lead of how to proceed with any maintenance. As part of the ongoing care and maintenance of the City of Adelaide's collection of donated memorials regular cleaning and maintenance is routinely undertaken, including cleansing, coating replenishment, graffiti removal and minor repairs.

The City of Adelaide acknowledges that temporary floral tributes may spontaneously occur in the city to respond to events that are of significance to the community. Council will respectfully permit these tributes to remain for a two-week period, as long as they are not deemed a risk to public safety.

Graffiti management plan

All memorials in the City of Adelaide will have a graffiti management plan developed during the planning stages of the project in consultation with the artist/creator and Asset Management. The graffiti management plan will also form part of the regular maintenance schedule, as outlined in the Memorial Manual, with a planned response to prevent, minimise and respond to graffiti attacks and ensure integrity of the memorial. The suggested maintenance plan includes the application of a graffiti

coating as a sacrificial barrier, and regular maintenance schedule to be developed with the artist/creator.

Major repairs

Major repairs to major memorials will be undertaken as required, in consultation with professional conservators and the artist/s/creator/copyright holder in accordance with Moral Rights legislation.

Detailed fact sheet Community and Culture – City of Adelaide Artist Moral Rights – Fact Sheet ACC2019/92573.

Community use of Memorials

Memorials located within the City of Adelaide are of community importance and are part of the City's identity. Commercial use of any memorial managed by the City of Adelaide's is not acceptable, including using a memorial for advertising or income generation purposes. Temporary reinterpretation or alteration of a memorial is also not permissible.

Use of a memorial for charitable fund-raising purposes will be considered on a case-by-case basis.

Duration and de-accessioning memorials

Major memorials

The City of Adelaide will de-accession major memorials at the end of the lifespan of the memorial as outlined in the donor agreement or if the memorial is unsafe or no longer meets Council's goals and deliverables. This process will take into consideration the donor agreement, artistic merit, value, future urban designs or master plans. Detailed procedure Infrastructure – Acquisition and Disposal Policy.

Small memorials

Small memorials are installed for the life of the asset:

- Benches with plaques, objects, landscape features, no fewer than ten years.
- Trees will be determined by the life span of the tree.

If a bench, plaque, object or landscape feature has been irreconcilably damaged (other than by direct action of Council), every effort will be made to notify the donor who may elect to replace the small memorial at their expense.

OTHER USEFUL DOCUMENTS

Related documents

- [City of Adelaide Public Art Action Plan 2019-2022](#)
- [City of Adelaide Cultural Strategy 2018-2023](#)
- [Adelaide Park Lands Management Strategy 2015-2025](#)
- City of Adelaide Asset Management Policy

Relevant legislation

Implementation of this Memorial Operating Guideline will consider and comply with the following legislative requirements and standards:

Key legislation governing the delivery of Memorials:

Adelaide Park Lands Act 2005 (South Australia)
Copyright Act 1968 (Cth)
Copyright Amendment (Online Infringement) Act 2015 (Australia)
Copyright (Moral Rights) Amended Act 2007
Disability Discrimination Act 1992 (Commonwealth)
Intellectual Property Laws Amendment Act 2015 (Australia)
Local Government Act 1999 (South Australia)
Native Title Act 1993 (Commonwealth)
Planning, Development and Infrastructure 2016 (South Australia)

City of Adelaide policy informing the delivery of Memorials:

Access and Inclusion Strategy 2013 (under revision)
Adelaide Design Manual 2017
Adelaide Park Lands Management Strategy 2016
Community Consultation Policy 2018
Cultural Strategy 2017-2023
Infrastructure Asset Management Plans (as updated)
Stretch Reconciliation Action Plan 2018-2021

National protocols and Codes of Practice informing the delivery of the Memorials:

Code of Practice, National Association for the Visual Arts
Protocols for working with Indigenous Artists, Australia Council for the Arts
Protocols for Working with Children, Australia Council for the Arts
The Burra Charter 2013, Australia ICOMOS Charter for Places of Cultural Significance

Community Fact Sheets

Community and Culture – External Proposals for Public Art – Fact Sheet
ACC2019/90413
Community and Culture – External Proposals for Donated Memorials – Fact Sheet
ACC2019/90408
Community and Culture – City of Adelaide Art Moral Rights – Fact Sheet
ACC2019/92573
Community and Culture – Murals - Fact Sheet (under review)
City Works - Fact Sheets

[City Works Guide # 1: - Works in the Public Realm \(PDF\)](#)

[City Works Guide # 2: Works Impacting Council Assets \(PDF\)](#)

[City Works Activity Guide # 5 – Cranes and Elevated Work Platforms \(PDF\)](#)

[City Works Activity Guide #6 - Ladders, Industrial Bins and Shipping Containers \(PDF\)](#)

[City Works Guidelines. \(PDF\)](#)

Development Application – Fact Sheet

[How to Submit a Development Application \(PDF\)](#)

Heritage Plaques – Fact Sheet

[Heritage Plaques in the City \(PDF\)](#)

[Heritage Plaques in North Adelaide \(PDF\)](#)

Internal Work Procedures

Community and Culture – Internal Commissioning of Public Art- Operating Procedure ACC2019/90412

Community and Culture – Public Art Round Table Terms of Reference (under review)

Infrastructure – De-accessioning of Public Art & Memorials (to be developed)

Infrastructure - Infrastructure Asset Management Strategy (under development)

Infrastructure – Acquisition and Disposal Policy (under review)

Infrastructure - Asset Management Plan – Urban Elements ACC2016/17053

Infrastructure - Asset Management Plan - Park Lands and Open Spaces
ACC2016/17124

Strategy and Design – Graffiti and Bill Poster Management Policy and Operating Guideline ACC2003/1144

Finance - Procurement and Contract Approvals Operating Guideline ACC2019/76152

Customer – City Works Operating Guidelines ACC2002/38306

Customer – Objects of Public Footpath Policy ACC2006/44865

GLOSSARY

Throughout this document, the below terms have been used and are defined as:

Public Art: Artwork created by an artist, and located in the public realm, including permanent, temporary and ephemeral works such as installations, sculptures, murals, mosaics, projection, lighting, soundscapes, multi-media and performance-based work. It also extends to unique street design and furniture elements created by an artist to add value to public realm projects such as paving, ornamental wall inserts, windows, gates, grates, light fittings, bollards, water features and the like. Temporary artworks have a lifespan of under five years. These include relocatable and ephemeral artworks created with intentional temporary presence from a moment to under one year. Permanent art works have an expected lifespan of five years or more and enduring artworks are commissions with an expected lifespan of 25 years or more.

Artist: A creative person who devotes a reasonable portion of their time to making art, who promotes their work as art, and intends their work to be seen and read as art; and possesses qualifications in visual arts or has commensurate skills and experience. An artist will also usually have received public and peer recognition as a practising artist. At a minimum, an artist will be involved in the visual conception and planning of a Public Art work and typically lead the fabrication and installation of the work.

Integrated Art: The conceptual, and practical contribution of an artist to the design of public spaces and facilities. The product of an artist working as integral to a design

team on major public renewal or development projects in response to a site through scale, material and form and created through a dedicated artistic process, resulting in project outcomes that have a unique character that differentiates it from the typical design process. May result in either an artistic contribution to the overall design process or creating distinct built or street elements that are recognised by the community as artwork.

Memorial: An object or landscaped feature, including commemorative plaques. The purpose is to honour and commemorate a person, place, historical or social event or idea of significance that strongly contributes to and expresses Adelaide's and/or South Australia's communities and their cultural values. Memorials purposefully express public sentiment, signify the past, look to the future, and provide places for community reflection and gathering.

Street Art: Un-commissioned artwork that can include stencils, paste-ups, stickers, graffiti art, murals, installations and is generally perceived as artwork, which does not include tagging and vandalism.

Public Realm: The public realm includes, but is not limited to streets, squares, parks, built form and spaces within buildings that are accessible to the public, generally under the control of Local or State Government and are not private land.

Commissioning: The act of authorising the creation of a public artwork, which could include, but is not limited to planning for, engaging artists and financing artworks.

De-accessioning: The procedure for a withdrawal of a public artwork from public display for various reasons, including end of lifespan, quality or condition of the artwork, and/or strategic directions according to best practice protocols. Council holds discretion, although works with artists wherever possible, to plan for either disposal or storage of works.

Asset management: The ongoing process of protecting, maintaining, repairing, cleaning and preserving a Public artwork so as to sustain the artistic integrity of the artwork. Public artworks registered as part of the City of Adelaide's Public Art collection will receive regular inspection and care undertaken as required by staff, contractors and conservators.

ADMINISTRATIVE

As part of Council's commitment to deliver the City of Adelaide Strategic Plan, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

This Policy document will be reviewed every 3 (three) years unless legislative or operational change occurs beforehand. The next review is required in 2022.

Review history:

Trim Reference	Authorising Body	Date/ Decision ID	Description of Edits
ACC2019/111957	CEO	27/08/2019	<i>Memorial Operating Guideline Approved by CEO and noted by Council</i>
ACC2021/134561	CEO	9/9/2021	<i>Amendments to Location and Community Use Of Memorials Approved by CEO</i>

Contact:

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