

# Policy – Memorials in the Road Reserve

<b>Owner:</b>	Road Network Division		
<b>Manager:</b>	Road Projects		
<b>Date of Effect:</b>	17 April 2007	<b>Number:</b>	RNDP07-01
<b>Amendment Date:</b>		<b>Previous Ref:</b>	

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## Definitions

**Sponsor:** the person who placed or erected the memorial or who has assumed responsibility for it.

**Memorial:** a marker, cross, or floral tribute placed or erected within a road reserve to commemorate any road fatality at or near the site where the fatality occurred.

**Monument:** a cairn or other permanent commemoration of; a significant event, or a person who has made a significant contribution to the Northern Territory.

**Road Reserve:** as defined in *Section 5 Subsections (a) and (c) of the Control of Roads Act*.

## Objective

The Department of Planning and Infrastructure permit the placement of memorials in the roadside under the conditions stated below out of sympathetic consideration to the grieving.

It is otherwise the practice of this Department to minimise the number of obstructions and distractions in Northern Territory Government road reserves.

This policy applies to roads on the Northern Territory Government network.

## Background

There are increasing numbers of roadside memorials being erected throughout the Territory. They are viewed by many as an important part of the grieving process for family and friends of those who have lost their lives on Territory roads. Additionally, roadside memorials can deliver a powerful message, potentially resulting in more cautious behaviour by road users.

However, the presence of roadside memorials needs to be treated with sensitivity, knowing that they:

- can be upsetting to some members of the community;
- can be distracting to other road users, thereby creating a safety hazard; and

- result in visitors stopping at memorials, potentially creating a traffic hazard especially on points of the road network which have subsequently been identified as an area of increased “risk”.

In addition, roadside memorials create a dilemma for ongoing road maintenance activities, as they:

- add to the task of maintaining the road verge by increasing the number of obstructions during surface maintenance, such as grading, and result in trimming having to be done by hand;
- may frustrate and delay the progress of programmed works which could be further complicated by the need to remove or relocate the memorial; and
- could be an impediment to service providers with assets in the road reserve.

Accordingly, it is appropriate that some controls be applied to their use.

## **Policy Principles**

<b>Monument:</b>	Monuments require approval from the Minister administering the <i>Control of Roads Act</i> .
<b>Period:</b>	Memorials may remain at the site for an indefinite period from the date of placement providing they are regularly maintained by the sponsor and do not cause any form of traffic hazard to the public. Should either of these occur this Department will endeavour to contact the sponsor of the memorial and request that the memorial be maintained or removed.
<b>Ownership:</b>	Maintenance and ownership of the memorial remain the sole responsibility of the sponsor. This Department accepts no responsibility for any loss or damage to the memorial.
<b>No Traffic Hazard:</b>	Memorials must not pose any form of traffic hazard. If a memorial becomes a traffic hazard, Departmental Officers shall remove the memorial without notice. The sponsor of the memorial, if known by this Department, will be notified as soon as possible thereafter.
<b>Commemoration:</b>	Visitors to the memorial must exercise due care and consideration to other road users.
<b>Construction:</b>	<p>Memorials must be:</p> <ul style="list-style-type: none"> <li>• of reasonable dimension;</li> <li>• must be firmly fixed and not result in the creation of litter; and</li> <li>• simple so that they do not cause road users to be distracted.</li> </ul> <p>Glass materials or containers shall not be used at memorials.</p> <p>Plants and trees shall not be used as memorials.</p>
<b>Location:</b>	<p>Memorials must be at least 1.0m from back of kerbs or footpaths and at least 5.0m from edge of bitumen where there is no kerb.</p> <p>Memorials must not be erected on central medians with a width less than 6m, nor within 25m of an intersection.</p> <p>Memorials shall be located so that any commemoration activity does not affect or hinder other road users passing the site.</p>

Memorials should be erected with consideration to neighbouring residents. Objections from nearby residents are grounds for the immediate removal of the memorial.

Arrangements can be made for placement of the memorial with the Departmental regional contacts.

**Departmental  
Programmed  
Works:**

This Department will attempt to contact sponsors of memorials that will require removal due to road works. The onus is on the sponsor to remove the memorial before works begin. Reinstatement of the memorial is the responsibility of the sponsor.

**Emergency  
Works:**

While all effort is taken not to disturb a memorial, this Department will not accept liability for damage to the memorial while emergency maintenance work is carried out.

**Regional  
Contacts:**

Contact Person	Region	Contact Number
Manager Road Operations	Darwin	8999 4521
Regional Director	Katherine	8973 8661
Regional Director	Tennant Creek	8962 4591
Regional Manager	Alice Springs	8951 5139
Regional Director	East Arnhem	8987 0198

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17 April 2007