

Roadside Tributes Policy

Date Adopted: 28 March 2023

Version: 4.1

Policy Objectives

The objective of this policy is to construct guidelines on advice, installation, removal or relocation of Roadside Tributes.

Policy Scope

This policy provides guidance for individual families, the community, and operational staff in advising on the installation, removal or relocation of roadside tributes such as flowers or small crosses of similar size.

This policy statement applies to all roads under Council's care and control. It does not apply to State controlled roads such as New England Highway, Raymond Terrace Road and Cessnock Road where consultation should be with Transport for NSW (TfNSW).

Policy Statement

1. Advice

The placement of roadside flowers / tributes is a matter for individual families and is recognised as an important part of the grieving process for the loss of life of a person involved in a road trauma. Council respects their wishes and will provide sympathetic advice for those seeking it.

Council is the road authority for local roads within the Maitland City Council Local Government area, however TfNSW should be contacted for advice regarding tributes on:

- New England Highway
- Raymond Terrace Road
- Cessnock Road.

This Council policy has been prepared to assist members of the community to plan and prepare roadside tributes to ensure they do not present a safety risk for other drivers or those visiting a tribute site.

Although there is no limit to the time a tribute can remain, Council will remove any tribute that appears to have been neglected.

2. Installation

Anything more substantial than flowers or small, lightweight wooden crosses of similar size to a floral tribute should not be placed in the road reserve. Families should be advised that anything larger could itself become a road safety hazard and also contravene road safety requirements. In the interest of the wider community and adjoining residents Council assistance should be sought in regard to tribute location prior to installation.

Community members are invited to contact Council to discuss and plan the location with Council's Road Safety Officer on 02 49349700.

a. The tribute must

- Not create a distraction. For example, not be placed on a sharp bend, not be illuminated or contain fluorescent materials
- Be made of breakable material
- Have dimensions of no more than
 - 50cm high
 - 40cm wide
 - 40cm deep in the ground.

b. Roadside areas which are especially busy are generally not the most appropriate location to place a tribute. There are safer places where a tribute can be placed and consideration should be given to alternatives.

c. If the Tribute location is close to the roadside, consider whether:

- It is well clear of the passing traffic, with room for a vehicle to safely pull over to create or visit the tribute, and
- Vehicles can safely exit and re-enter the roadway after creating or visiting the tribute
- You should also contact Council prior to placement.

d. Consideration must also be given to nearby residents when choosing a tribute location. Issues can include (but are not limited to):

- Access to the property
- Visual impact and
- The wishes of these property owners who may have been first at the scene and are dealing with trauma issues as a result.

3. Removal and Relocation

In the event that there are concerns regarding a tribute or its location, it may be removed or relocated. These concerns may arise from Council staff, other road authorities, as a result of representations from the public or due to road works and maintenance. Authority for Council to remove articles placed on a public road is granted under the Roads Act 1993. The process for removal or relocation is generally as follows:

- a. Concerns are considered and a recommendation for removal or relocation is prepared for approval by the Group Manager Infrastructure and Works, provided one of the following criteria are met:
 - The size, material or location of the tribute has the potential to cause adverse road safety impact;
 - Deterioration of the tribute indicates that it may no longer be maintained and may soon pose a hazard or problem for roadside drainage; or
 - Proposed road works or maintenance impacts on the current location of the tribute.
- b. If possible, the approved recommendation is discussed with the family or other persons responsible for placing the tribute.
- c. Agreement is reached regarding the action to be taken and whether it should be done by Council or the family.
- d. If it is agreed that Council undertake the removal or relocation, the final recommendation is submitted for approval.
- e. Whilst undertaking removal or relocation, Council staff and/or contractors will show respect for the feelings of the bereaved and every effort made to return any materials removed to the family in an appropriate manner, time, and place.

4. Delegated Authority

Authority to approve installation, or removal or relocation, subject to the process identified in this statement, is delegated to the Group Manager Infrastructure and Works, or their delegate.

Policy Administration

Business Group:	City Services
Responsible officer:	Manager Asset Strategy & Engineering
Council reference:	Ordinary Council Meeting 28 March 2023 – Item 11.4
Policy review date:	Three (3) years from date of adoption
File number:	122/909
Relevant legislation	<ul style="list-style-type: none"> • Roads Act 1993 NSW
Related documents	<ul style="list-style-type: none"> • Roadside tributes 2016 - TfNSW

Policy History

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	27 October 1998	New policy adopted
2.0	23 August 2016	Policy reviewed
3.0	March 2020	Policy reviewed
4.0	March 2023	Policy reviewed
4.1	-	Updated to new branding and alignment to organisation structure. No change to content.