

ADDRESS TO SHIRE COUNCIL – 13th December, 2011
REMOVAL OF PINE TREE ON MEMORIAL BLOCK

tabled 13/12/11

The Denmark RSL applied to the Denmark Shire for support and approval to upgrade and move the War Memorial to the rear of the block. This was proposed for the reasons of safety to crowds, to stabilize the memorial as it was moving on its foundations and to improve the function and aesthetics of the site.

The Denmark Shire approved the proposal in Council Resolution in November 2010. One of the conditions of that resolution was the retention of the existing conifer tree.

In May 2010 I had asked Bev McGuinness of the Denmark Historical Society if there was any record of that conifer being an especially important conifer: if there was any evidence of it being a gift, or symbol of a specific event etc. I contacted Bev this week and she has advised that whilst there was a mention of any intent to plant a tree on the war memorial site, there is no evidence to say it was actually done or what type of tree it was to be.

There is evidence there has already been one tree removed from the site. In a conversation recently with the Shire gardener, I was advised that the proprietors of the real estate office next to the memorial requested that tree be removed as it was hiding their advertising and signage.

I now ask the Shire Council to approve the removal of the existing Conifer tree. I request that a priority be given to making this decision. I have not previously proceeded with this request for the following reasons:

1. I had not had the funding approved for the costs of the project.
2. I was not sure if the project would go ahead even if the funds were available.
3. I did not have any confirmation whether or not the tree was of significance.

The project is now at the stage where all processes to allow the project to continue are in place. We have the funds, the Shire approval, the Heritage Impact Assessment is completed and has not found any objection to the project, and a building license has been issued.

The reason for a priority request is that the works need to be completed prior to ANZAC Day next year. This gives only a short time to have the Memorial and grounds re-established and in condition for the service.

The Conifer needs to be removed as its branches will hang over the memorial obscuring the Memorial from view and dropping vegetable matter on the Memorial which will cause a rapid deterioration of the Memorial.

The Conifer tree is a callitris, is not native to Australia and is not a Lone Pine (*Pinus halepensis* ss; *brutia*). There is another Pine Tree planted on the corner of Scottsdale Road and Hollings Road that is a tribute to the end of the Great War.

I request Council gives this matter their urgent and favourable attention.

The Denmark RSL thanks Council for allowing me to present this matter to them.



President
Denmark RSL Sub-Branch



8.5.1 DENMARK RSL SUB BRANCH – RELOCATION OF WAR MEMORIAL
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File Ref:	A3056
Applicant / Proponent:	Denmark RSL Sub-Branch
Subject Land / Locality:	(Reserve 19050) Lot 205 South Coast Highway (cnr Hollings Road)
Disclosure of Officer Interest:	Nil
Date:	5 November 2010
Author:	Claire Thompson, Executive Assistant
Authorising Officer:	Dale Stewart, Chief Executive Officer
Attachments:	Yes – Page 231

Summary:

The Denmark RSL Sub-Branch is requesting Council to consider their proposal to relocate the existing War Memorial on the corner of Hollings Road and South Coast Highway. This report recommends that Council support the proposal and allocate appropriate funds to assist with the cost of the project in the 2011/2012 Budget.

Note: the letter attached was only marked Confidential for the purposes of consultation with their members which has now concluded.

Background:

The Memorial was erected post World War I and is sited on Reserve 19050 which is vested in the Shire of Denmark for the purpose of 'Memorial'. It is currently maintained predominately by Council (included in GL 1138102) and the structure is listed on Council's Municipal Heritage Inventory (MHI).

The letter (attached) from the Denmark RSL notes that "it was the RSL who purchased that land for the specific purpose of building a Memorial to those who gave their lives. The RSL believes that that site should stand in perpetuity to their memory". The Reserve was vested in the Shire of Denmark on 10 June 1936.

Comment:

The project proposed involves moving the Memorial to the rear of the Reserve as shown on the attached plans. The reasons for relocation given by the Denmark RSL are as follows;

- *"During the recent few years there has been a marked increase in participation at the ANZAC Day Ceremonies. This has necessitated closing off the road at the intersection of the Highway where it crosses the bridge.*
- *It will provide more space to the front of the Memorial and allow a greater crowd to participate without endangering anyone from passing traffic.*
- *It will give a more spacious area in the front enabling seats to be placed for people to sit and view the Memorial."*

It is expected that the total cost of the project will be around \$80,000 and the Denmark RSL have verbally indicated that their aim is for the project to be mostly without cost to the Ratepayers.

Indicative Cost Breakdown

Construction	\$40,000.00
Relocate existing power pole	\$30,000.00
Siteworks & removal/relocation of front wall, garden and lawn	\$10,000.00

Denmark RSL have verbally indicated that they would prefer the existing tree (Conifer) to be removed however they have requested guidance from the Denmark Historical Society as to its significance and should it prove to be significant then they would be happy for it to be retained.

It is anticipated that the project will be completed by December 2011 in time for ANZAC Day 2012. It has also been noted that 2014 will be 100 years since ships assembled in King George's Sound (Albany) to transport Australia's first contingent overseas for service in World War 1. The Denmark RSL are anticipating this centenary as being a major year of commemoration and would prefer the project to be finished prior to this time. In addition, 1915 marks 100 years since the Battle of Lone Pine.

It has been observed that the number of people attending the Denmark ANZAC Day Service has been increasing steadily over the years and it is agreed that the proposal to move the Memorial back and remove the front wall will create more public space within the Reserve and 'open' the area up.

Crowds of people encroaching on the Hollings Road / South Coast Highway intersection on ANZAC Days is a major concern with respect to the public safety and the interruption to the traffic flow through the main eastern entrance to the townsite.

Currently most of the Reserve is not actually utilised. There is a bench and table on the site which is located behind the Memorial however the Author is unsure how often it is used given that it is essentially 'tucked away' and not very visible to the public from the footpath.

Denmark RSL Sub-Branch's requests of Council;

Financial

- Removal (& replacement if possible) of some lawn (indicative \$1,000);
- Removal and relocation of rose gardens in new beds (indicative \$1,000);
- Some siteworks for assisting the contractor/s (indicative \$3,000);
- Supply of one or more commemorative, reflective park benches (indicative \$1,000);
- Financial cash contribution (\$4,000).

Total financial contribution \$10,000 (incl. GST).

The addition of a suggested Heritage Assessment/Impact Statement would add another \$1,000 to this contribution, making a total of \$11,000.

Non-financial

- Support letter for funding application/s made by the Denmark RSL Sub-Branch for the project.
- Approval to plant an authenticated Turkish "Lone Pine" near the relocated Memorial (Lone Pines are grown from the pine cones, or descendents thereof, from the original Lone Pine which was the solitary tree on the Gallipoli Peninsular in Turkey, which marked the site of the Battle of Lone Pine in 1915).

Consultation:

The Denmark RSL Sub-Branch have engaged in consultation with their members since May 2010 and have advised that there have been no objections or negative feedback in relation to the proposal.

The War Memorial would be considered a significant community landmark and it is uncertain as to whether the community / public should be formally consulted via an advertising process or whether Council believes that the Denmark RSL would be the local body with the most correlation with the Memorial and as stated in their letter, "only seek to strengthen and perpetuate the previous recognition shown to those service men and women who gave their lives". It is therefore arguable whether public consultation would be necessary given there are no objections from the community's peak Veteran's affairs organisation.

Pursuant to Council's MHI recommendation for Management Category B properties, a Heritage Assessment/Impact Statement should be undertaken by the Denmark RSL in conjunction with assistance from Council's Officers in liaison with the Denmark Historical Society and the Heritage Council WA prior to any works commencing.

A Heritage Assessment/Impact Statement is a brief, independent evaluation by an architect or other professional, experienced in heritage conservation. It is not to be confused with a Conservation Plan, which is a more extensive, detailed and costly document.

Indicatively a Heritage Assessment/Impact Statement will cost between \$500 - \$1,000.

With respect to public consultation Council's Town Planning Scheme No. 3 provides the following guidance;

"6.1.2 The planning consent of a Council is not required for;
(a) the use of reserve land for the purpose for which it is reserved under the scheme where the land is owned or vested in Council or a public authority."

Appendix XII of the Town Planning Scheme includes a Schedule of Places of Heritage Value including number 49 "Soldiers' Memorial". In addition part 7 of the Scheme provides guidance with respect to places of heritage value.

"7.2 Development Approval

A person shall not without the approval of the Council at or on a place of Heritage Value, carry out any development including, but without limiting the generality of the foregoing:

- (a) the erection, demolition or alteration of any building or structure (not including farm fencing, wells, bore or troughs and minor drainage works ancillary to the general rural pursuits in the locality);*
- (b) the removal, felling, lopping, topping or damaging of trees associated with Places of Heritage Value;*
- (c) the erection of advertising signs; and*
- (d) clearing of land.*

7.3 Public Notice

The provisions of Clause 6.4 apply to applications for the approval of the Council under Clauses 7.1 and 7.2.

7.4 Restoration

The Council may give its approval to the restoration of a building declared to be a Place of Heritage Value notwithstanding that the work involved does not comply with the Building Code of Australia or with the development provisions of this Scheme."

Thus applications for development or alteration of heritage places are intended by the Scheme to be advertised, noting that clause 6.1.2 (a) provides an exemption if

Council so wished. This notwithstanding if Council chose to advertise it can be guided by clause 6.4 of the Scheme;

Statutory Obligations:

The Office of War Graves are unaware of any statutory obligations in relation to the relocation of war memorials which are not owned by them.

Policy Implications:

Policy P040123 (Community Consultation Policy).

Policy P100606 (Payment of Planning & Building Fees by Not for Profit Community Organisations).

Budget / Financial Implications:

The entire project is expected to cost around \$80,000. Should Council support the Officer's Recommendation the total net contribution of Council would be \$11,000 (incl. GST) made up of \$5,000 in kind (siteworks, garden relocation etc.) and \$6,000 cash component which may also be put towards the proposed Heritage Assessment/Impact Statement.

Strategic Implications:

There are no known significant strategic implications relating to the report or the officer recommendation.

Sustainability Implications:

➤ **Environmental:**

Should the proposal be approved by Council and the Denmark RSL obtain adequate funding, then a Lone Pine would be planted on site and possibly the removal of the Conifer Tree. Council's Parks Supervisor has verbally expressed that he has no concerns with the retention or removal of the tree.

➤ **Economic:**

There are no known significant economic considerations relating to the report or officer recommendation.

➤ **Social:**

It is the view of the Author that even if the existing Conifer tree is found to be insignificant it would be preferable for Council to retain the tree (if possible) due to, if nothing else, aesthetic reasons. The tree also provides shade for the site and a 'green' boundary between the Reserve and the adjacent car park.

The concept of relocating the Memorial and "refurbishing" it will provide a more suitable venue for 'growing' ANZAC Day events and improve the generally functionality of the Reserve.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION

ITEM 8.5.1

That with respect to the Denmark RSL Sub-Branch's request to relocate the War Memorial on Reserve 19050, at Lot 205 South Coast Highway, Denmark, further back onto the same Reserve, Council;

1. Grant approval for the project subject to the retention of the existing Conifer Tree;
2. Grant approval for the planting of a 'lone pine' on site at an agreed location in consultation with Council's Parks Supervisor;
3. Provide letters of support for funding application/s made by the Denmark RSL Sub-Branch for the project;
4. Agree to including a financial contribution of \$11,000 (inc. GST), reflecting cash and/or in-kind services, in the 2011/2012 Municipal Budget towards the cost of the project, subject to confirmation of approval of external funding application/s and the Denmark RSL Sub-Branch confirming, by June 2011, that they have sufficient funds to complete the project in 2011/12;
5. Request that the Denmark RSL Sub-Branch undertake a Heritage Assessment/Impact Statement of the site (which can be funded in 2011/12 from the Council's financial contribution), provide a copy of it to Council and comply with any recommendations contained therein; and
6. Require the Denmark RSL Sub-Branch to lodge a Building Application noting that the need for obtaining planning consent is waived and all Council fees are waived.

At the meeting held on the 16 November 2010, Cr Syme requested that the Chief Executive Officer investigate whether the Municipal Heritage Inventory requires public consultation on such matters and also requested that the Chief Executive Officer investigate concerns as to the size of the proposed lone pine to be planted.

The Chief Executive Officer has investigated both matters and provides the following information.

The Chief Executive Officer has included reference to provisions of the Council's Town Planning Scheme No. 3 regarding advertising. It is the Officer's view that Council should only advertise the proposal by the Denmark RSL if it believes there would be significant community concern or debate about the project, or that as a result of advertising the Council would seek to influence the RSL with the design, location or intent to relocate (or not).

Council's Parks Supervisor's comment;

"My view is that the tree is too large for the War Memorial especially given the proposal to move the Memorial further back onto the lawn area. It is a messy tree and in due course the grass will die underneath it. Surrounding buildings' gutters will fill with needles and surrounding lawns and gardens' soil acidity will be effected. The Pinus Brutia has invasive roots and the one at Mt Clarence (in Albany) is dying (see photo below), it is growing on top of granite. The ones at Mt Adelaide (see photos below) are also growing in hostile locations and the tree is highly flammable."



Mt Clarence Pictures



Mt Adelaide Pictures

ALTERNATE OFFICER RECOMMENDATION

ITEM 8.5.1

That with respect to the Denmark RSL Sub-Branch's request to relocate the War Memorial on Reserve 19050, at Lot 205 South Coast Highway, Denmark, further back onto the same Reserve, Council;

1. Grant approval for the project subject to the retention of the existing Conifer Tree;
2. Grant approval for the planting of a 'lone pine' on site, subject to consultation and liaison with Council's Parks Supervisor;
3. Provide letters of support for funding application/s made by the Denmark RSL Sub-Branch for the project;
4. Agree to including a financial contribution of \$11,000 (inc. GST), reflecting cash and/or in-kind services, in the 2011/2012 Municipal Budget towards the cost of the project, subject to confirmation of approval of external funding application/s and the Denmark RSL Sub-Branch confirming, by June 2011, that they have sufficient funds to complete the project in 2011/12;
5. Request that the Denmark RSL Sub-Branch undertake a Heritage Assessment/Impact Statement of the site (which can be funded in 2011/12 from the Council's financial contribution), provide a copy of it to Council and comply with any recommendations contained therein; and
6. Require the Denmark RSL Sub-Branch to lodge a Building Application noting that the need for submitting a development application and advertising is waived, given it is on Council land and that they have demonstrated significant consultation with their members.
7. Council fees are waived pursuant to Policy P100606.

COUNCIL RESOLUTION

ITEM 8.5.1

MOVED: CR BARROW

SECONDED: CR RICHARDSON-NEWTON

That with respect to the Denmark RSL Sub-Branch's request to relocate the War Memorial on Reserve 19050, at Lot 205 South Coast Highway, Denmark, further back onto the same Reserve, Council;

1. Grant approval for the project subject to the retention of the existing Conifer Tree;
2. Provide letters of support for funding application/s made by the Denmark RSL Sub-Branch for the project;
3. Agree to including a financial contribution of \$11,000 (inc. GST), reflecting cash and/or in-kind services, in the 2011/2012 Municipal Budget towards the cost of the project, subject to confirmation of approval of external funding application/s and the Denmark RSL Sub-Branch confirming, by June 2011, that they have sufficient funds to complete the project in 2011/12;
4. Request that the Denmark RSL Sub-Branch undertake a Heritage Assessment/Impact Statement of the site (which can be funded in 2011/12 from the Council's financial contribution), provide a copy of it to Council and comply with any recommendations contained therein; and
5. Require the Denmark RSL Sub-Branch to lodge a Building Application noting that the need for submitting a development application and advertising is waived, given it is on Council land and that they have demonstrated significant consultation with their members.
6. Council fees are waived pursuant to Policy P100606.

CARRIED: 10/2

Res: 121110

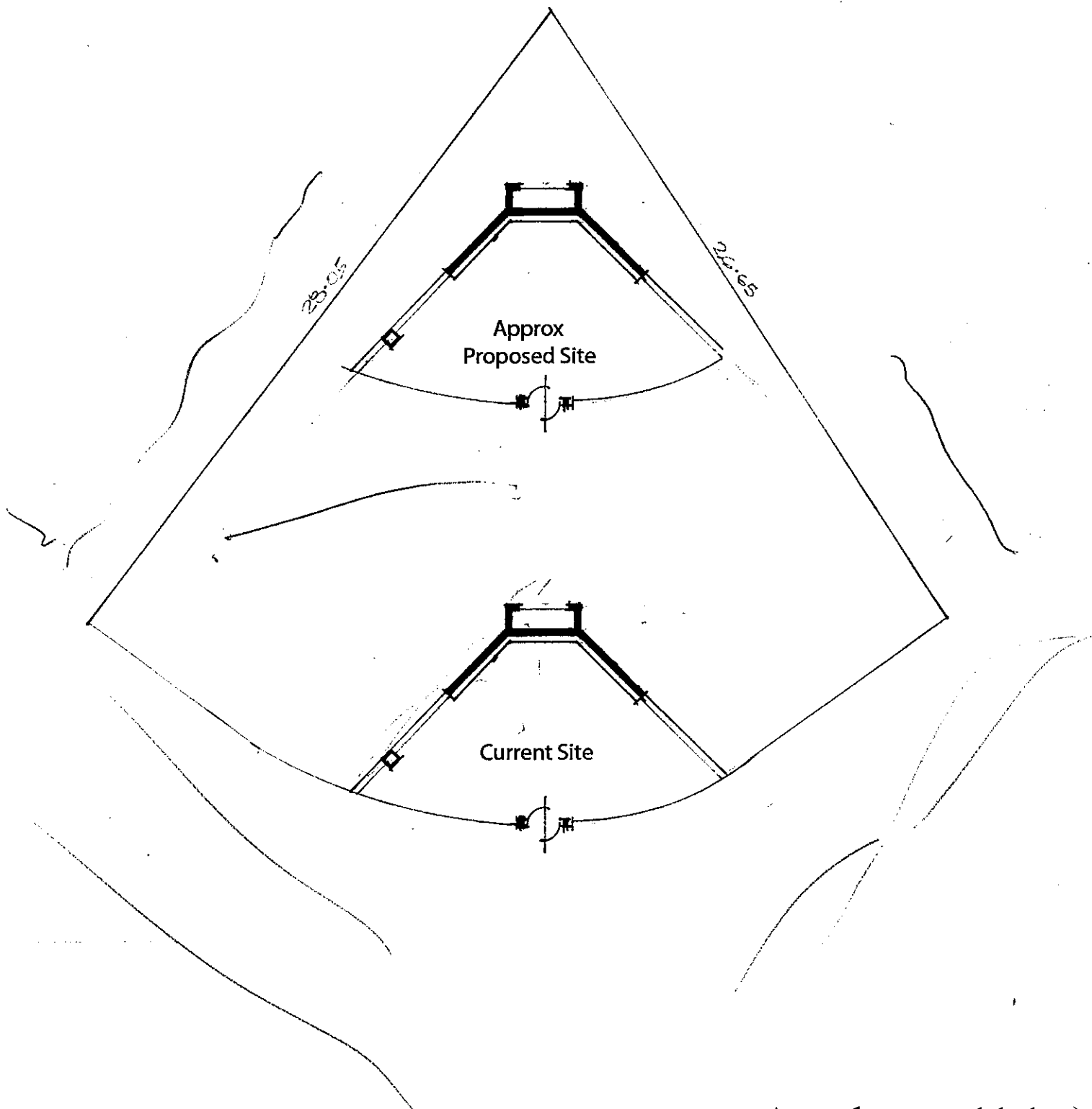
REASONS FOR CHANGE

Council wished to remove approval to plant a lone pine on site given the Council's Parks Supervisor's concerns about the size and root structure of the tree.



The diagram shown is an approximation of the block layout, indicating the proposed relocation site of the Memorial to the rear of the block.

There will be additional steps taken to ensure the surroundings are appropriate.





DENMARK R.S.L. SUB-BRANCH

P.O. Box 274
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Email: boobooknook@westnet.com.au

30th September, 2010

DENMARK WAR MEMORIAL REFURBISHMENT

DETAILED REQUIREMENTS

Overview

The Denmark War Memorial is to be moved further back on the existing site.

The current design and facade is to be maintained. The finished refurbished Memorial is to look just like the current Memorial with the addition of the Dais and the re-positioning of the Flame Plinth.

Details

1. The memorial to be sand finished to be suitable for painting all external surfaces.
2. Termite treatment is to be applied where necessary.
3. The angle of the wings in relation to the centre piece to be increased.
4. The "Ode" front and rear to be recovered from the demolition intact and re-built into the new wings as per the drawing.
5. The marble Honour Roll plaques to be recovered intact and relocated on the new wings centrally as shown.
6. The Bass Relief to be recovered intact and relocated centrally as indicated on the drawing.
7. The Header on the capital 'In Grateful Memory
8. The three plaques at the top centre of the current memorial are to be reformed after the design of the existing WW1 and to replicate the working on the current three plaques. The lettering is to be of the same font/design of the wording above "In Grateful Memory
9. The 'wreath' plinth is to be sharing the same footing as the wings to size as shown.
10. The presentation finials to be recovered and relocated as shown.
11. The clock to be recovered and refurbished (i.e.: cleaned, sanded, joints resealed) prior to installation centrally located in the new Memorial as shown.
12. The rear of the clock is to be accessible for the storage of the control unit and is to be independently lockable.
13. The enclosure at the rear of the Memorial is to be single brick construction with waterproof lockable door with metal jams and substantial durable furniture.
14. The roofing of the rear enclosure as shown on the drawing and flashed to the rear of the new Memorial as appropriate.
15. The new Dais is to be 2400mm wide and NOT 1500mm wide as shown on the diagram. The new Dais is to be constructed as indicated is to be sand finished and to be located on site in consultation with the Denmark RSL.



DENMARK R.S.L. SUB-BRANCH

16. All sand finishing throughout the construction is to include a waterproofing agent.
17. The current Flame plinth is to be removed. The Denmark RSL is to be contacted prior to removal so the "flame mechanism" can be recovered.
18. The new Flame plinth is to be as indicated with the flame mechanism provided by another in consultation with the brick layer and electrician.
19. The flag pole is to be recovered and placed at a location to be advised on site with the Denmark RSL.
20. The gates construction to be as shown. The gates to be recovered, sandblasted and enamel painted and upgraded lighting to be incorporated into the gate pillars as indicated. The type and size of the gate lighting to be discussed with the Denmark RSL. The gate lighting to be controlled by a light sensitive device as existing.
21. Brick paving to the extent shown on the drawing and to match and line with the existing footpath.
22. The Lone Pine Plaque to be provided by others.
23. Painting of the Memorial, the lettering on the Memorial, the Clock, the Gate pillars, the Gates, the vertical walls of the Dais and the Flame plinth is to be of the colour and style of the existing Memorial. Paint used is to be a commercial grade external gloss paint.

Damages to the Honour Rolls, the "Ode", the "Bass Relief" and any other recoverable items remain the responsibility of the contractor to make good.

Electrical works are to be installed by a qualified tradesperson.

The relocation of the water supply is to be by a qualified tradesperson.

The site is to be left in a clean and free of rubble etc.

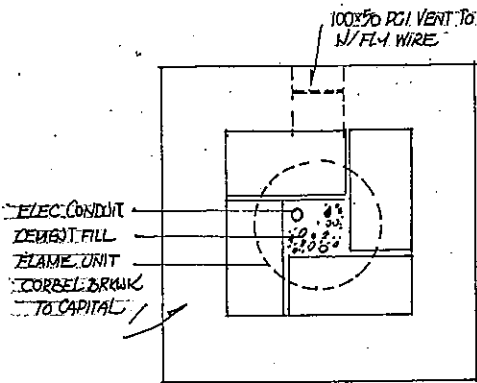
Drawings

These details are to be read in conjunction with the drawings "Proposed Relocation and Structural Maintenance of Denmark War Memorial" by R. Cooper dated 25 Sep 10. Any deviation from the drawings is to be confirmed in writing by the Denmark RSL and the builder prior to work on any deviations commencing.

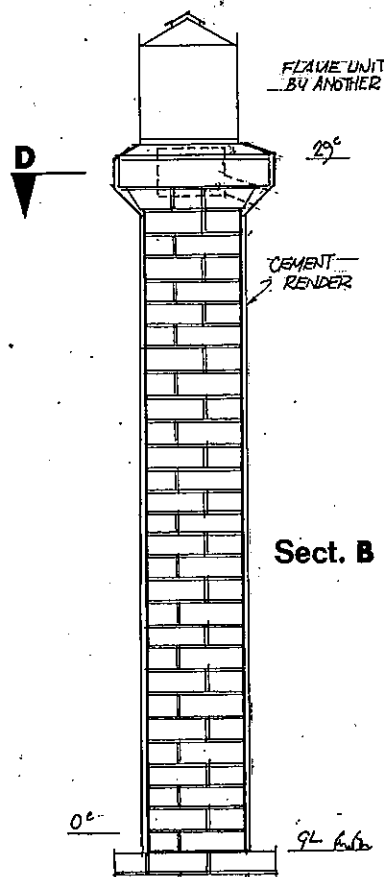
The Drawings remain the property of the Denmark RSL Sub-Branch and are to be returned to the Denmark RSL on demand.

Mark Davies
President
Denmark RSL Sub-Branch

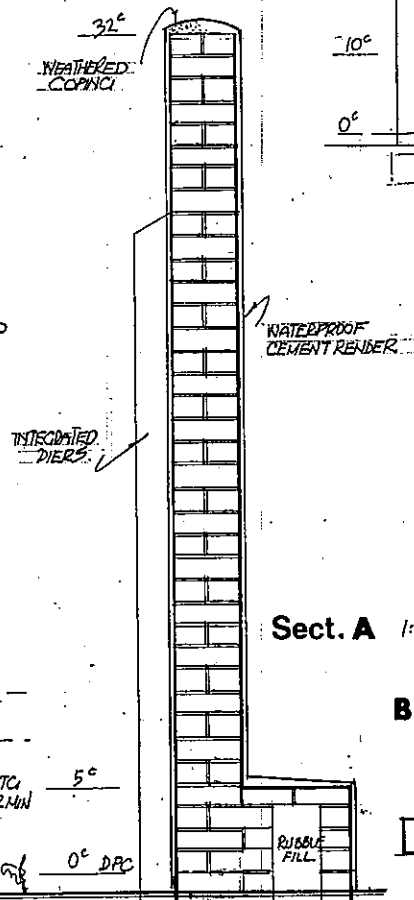
Att: Drawings – 1 sheet of "Proposed Relocation and Structural Maintenance of Denmark War Memorial" by R. Cooper dated 25 Sep 10



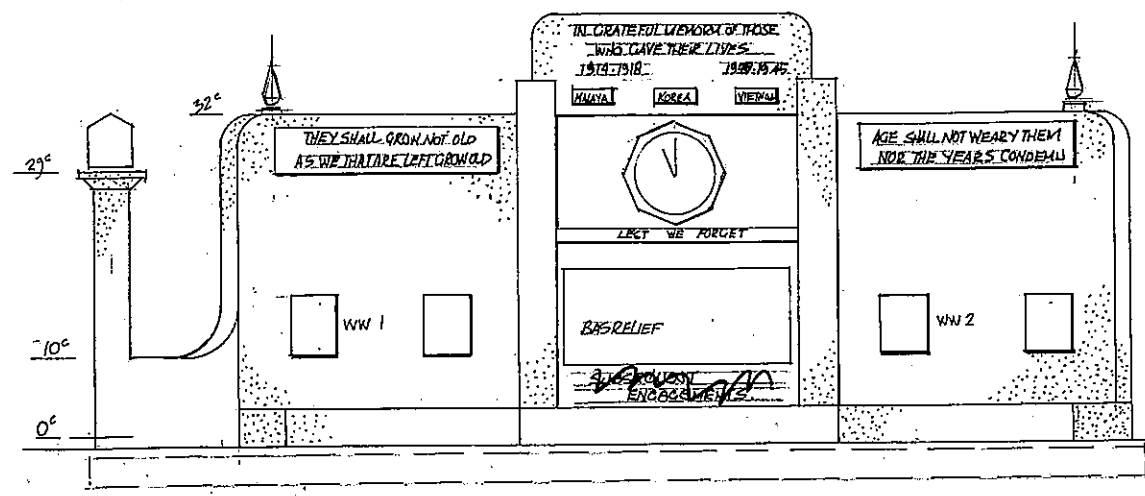
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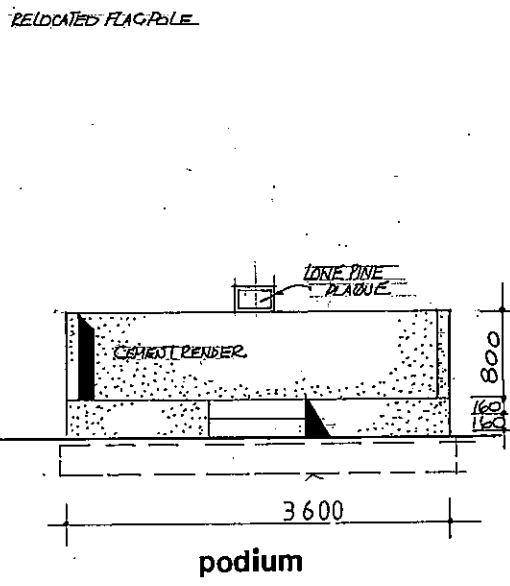
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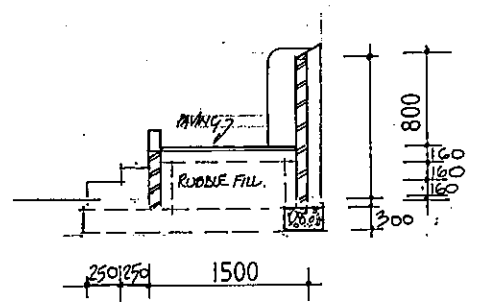
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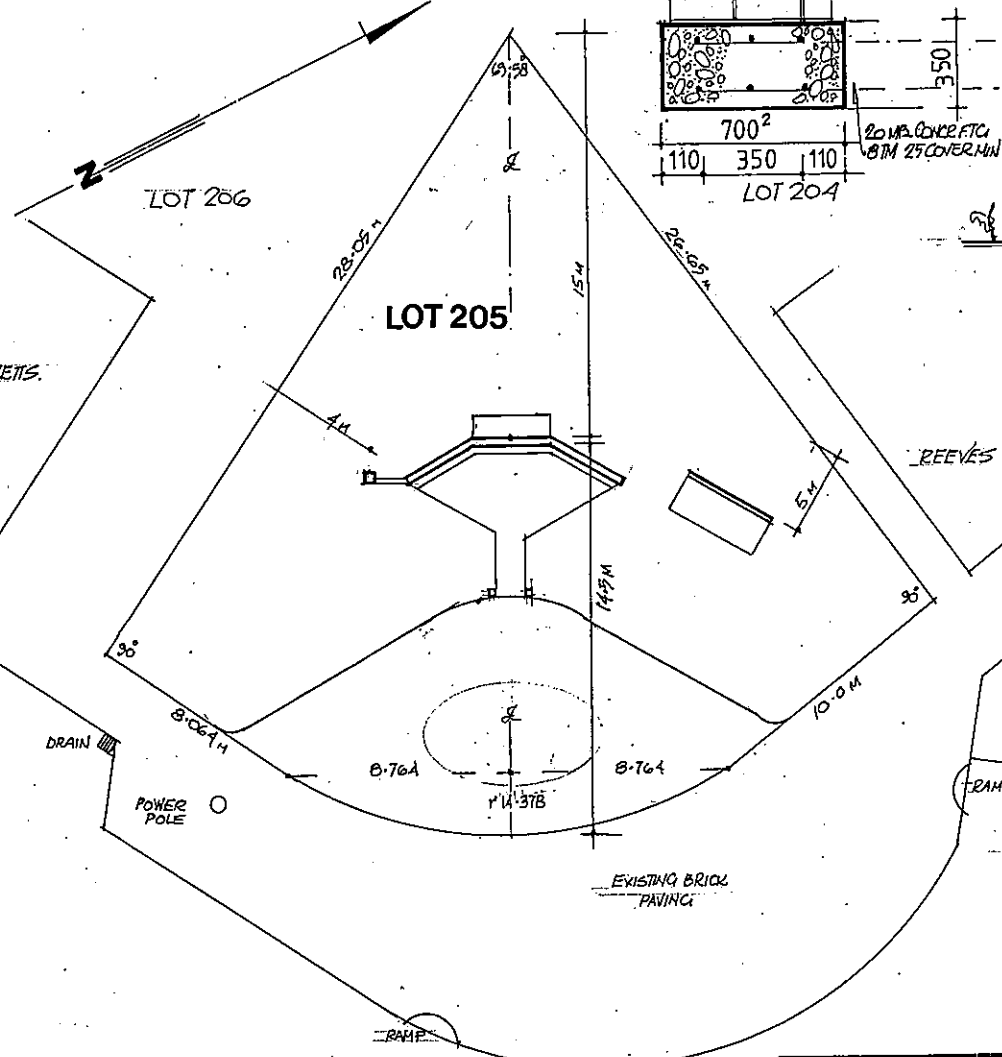
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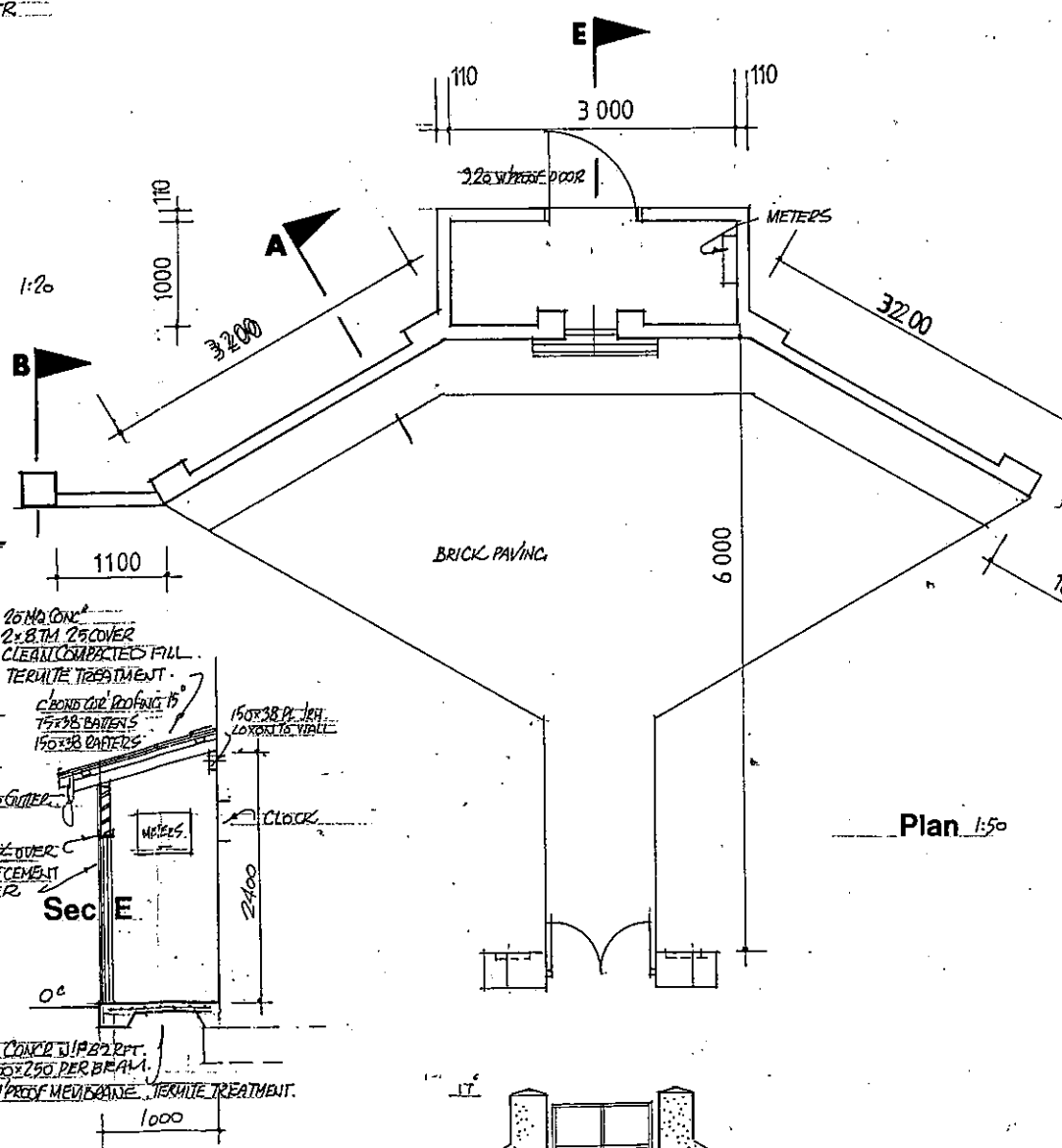
podium



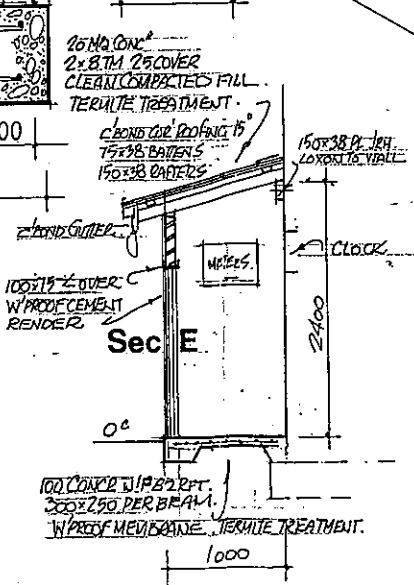
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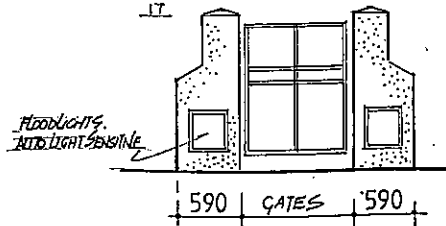
Block Plan 1:200



Plan 1:50



Sect. E



R. COOPER

SCALE: 1:200 1:50 1:100

PROPOSED RELOCATION & STRUCTURAL MAINTENANCE OF DENMARK WAR MEMORIAL

25 SEP 70

1 of 1