

POLICY

Policy name	Memorial Seat Policy
Responsible manager(s)	Director Community, Arts and Recreation
Contact officer(s)	Divisional Manager Recreation Services
Directorate	Community, Arts and Recreation
Approval date	
Outcome area	4. Our Infrastructure
Strategy	4.4 Ensure community facilities and public spaces are clean, safe and have great amenity
Delivery Program	4.4.1 Provide and manage quality community facilities and public spaces to meet the needs of current and future communities
Operational Plan	4.4.1.3 Service, maintain and renew public recreation assets including Council's public BBQs, picnic sets, picnic shelters and public seats.

Purpose

This policy outlines the guidelines and procedures for requests for memorial seats in public spaces within Eurobodalla Shire. The purpose of memorial seats is to honour individuals who lived in the Eurobodalla shire, but have now passed away.

The policy aims to:

- Define conditions under which Council will accept requests for a memorial seat
- Ensure the fair and respectful allocation of memorial seats while considering the long-term management and maintenance of public spaces under the jurisdiction of Eurobodalla Shire Council
- Make Council's policy and requirements for requests for a memorial seat readily accessible and understandable to the public.

Policy criteria

1	Application This policy applies to individuals, community groups and organisations who wish to donate a memorial seat and plaque in recognition of a person who has passed away.
2	Legislation Council will comply with the <i>Local Government Act 1993</i> and the <i>Crown Land Management Act 2016</i> and any regulations made thereunder.
3	Approval process

	<p>Requests must be made to Council via the <i>Memorial Seat Application Form</i> available on Council's website at: https://www.esc.nsw.gov.au/council/forms. Hard copies will also be made available upon request.</p> <p>Requests will be considered according to the eligibility criteria (<i>refer to Clause 4</i>) by a Council panel made up of relevant Council officers.</p> <p>Council retains the right to refuse any application which it considers inappropriate or does not meet the criteria set out in this Policy. The decision of the panel is final.</p>
4	Eligibility criteria
4.1	<p>Individual criteria</p> <p>Memorial seats may be installed to commemorate the memory of individuals who lived in the Eurobodalla shire, but have now passed away.</p>
4.2	<p>Location</p> <p>Council will consider locations in public spaces owned by Council, such as parks, gardens, or other areas with appropriate amenities and foot traffic based on the following:</p> <ul style="list-style-type: none"> a) accessibility, visibility, and the overall suitability of the location for a memorial seat b) current and future zoning, land classification and categorisation that may apply c) provisions of any existing Plan of Management, site plans or adopted strategies, including existing support for the proposal or any restrictions d) existing uses of the site and individuals or groups affected by the proposal e) alternative uses of the land, including short- and long-term revenue earning potential f) necessary assessments/approvals, such as environmental, cultural, Native Title. <p>To maintain a proportional ratio of memorial seats to overall seating capacity, no more than one memorial seat will be installed for every two seats in the park or public space.</p> <p>Possible alternative sites or asset replacement options may be identified and evaluated for suitability if the preferred location is not suitable.</p>
5	<p>Seat design and inscriptions</p> <ul style="list-style-type: none"> a) Selection of design of the seat and plaque will be at the discretion of Council. It will be consistent with other park furniture in the locality and suitable to the chosen locality. b) Inscriptions on the plaque should be concise and respectful. c) Council may provide recommendations regarding the design and content of inscriptions to ensure consistency and appropriateness.
6	Cost and installation

	<p>The applicant is required to meet all costs associated with the approved memorial seat option, as per the adopted fees and charges. For more information refer to the <i>Memorial Seat Application Form</i> here: https://www.esc.nsw.gov.au/council/forms</p> <p>Council will co-ordinate the purchase and installation of the plaque/memorial seat once the following has been finalised:</p> <ul style="list-style-type: none"> a) Council has approved the application; b) Council has approved the type and placement of the plaque/seat; and c) Council has received full payment. <p>All works are to be carried out by Council employees and/or it's nominated contractors as resources are available.</p> <p>Pricing is applied per current market conditions and is subject to annual review.</p> <p><u>Renewal Option</u></p> <p>Where the original applicant would like to renew for an additional 10 years, notification of intent to renew must be received by Council 6 months prior to the original expiration date. Once full payment is received the seat will be placed on the works scheduled.</p> <p>Council reserves the right to refuse renewal on the grounds set out in section 4.1 and 4.2. The cost of renewal will depend on the option selected by the applicant at time of renewal.</p> <p>When renewal does not proceed the seat will be placed back on Council's asset register and the original applicant advised, if possible. The plaque will be removed and held with the Parks Coordinator for a period of 6 months for collection. In the event of it not being collected at completion of the 6 month period the plaque may be disposed of.</p>
7	<p>Ownership and maintenance</p> <p>Newly installed seats and plaques are deemed Council property. Council will be responsible for the ongoing maintenance and repair of the seat and surrounds. Maintenance requirements of the seat will be determined by Council and subject to the same level of maintenance as similar Council assets in the same location.</p> <p>Council cannot guarantee against vandalism, the long-term safety or security of the memorial seat. However, Council will address any vandalism in line with normal maintenance practices.</p>
8	<p>Removal and relocation</p> <p>Memorial seats will be maintained for a period of 10 years, following which the plaque will be removed and the seat will be repurposed as a public park bench. This 10-year period is calculated from the date of installation.</p> <p>Council reserves the right to remove or relocate the seat in a timeframe of less than 10 years if the memorial seat is:</p> <ul style="list-style-type: none"> a) damaged beyond repair or poses safety concerns b) located in an area undergoing significant redevelopment

	<p>c) subject to changes to any Australian standards, legislative or regulatory rules and/or Council policies</p> <p>d) located on a site that is subject to changes in Land Assessment (<i>refer to clause 4.2 of the Policy criteria</i>).</p> <p>In these circumstances, Council will attempt to communicate to the applicant the decision-making process concerning the removal or relocation of a memorial seat.</p>
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Implementation

Requirements		Responsibility
1	<p>Memorial seat procedures</p> <p>This policy will be implemented by following Council's Memorial Seat Procedures and Memorial Seat Application Form, which specify in detail the procedures and matters to be considered, and pricing.</p>	Council officers
2	<p>Staff</p> <p>Under supervision and following appropriate training, relevant Council officers will be responsible for ensuring that this policy is implemented appropriately.</p>	Council officers
3	<p>Concerns</p> <p>Public concerns communicated to Council in relation to this policy will be documented on Council's records system and handled in line with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of any reported public concerns.</p>	Council officers
4	<p>Complaints</p> <p>Complaints received regarding this policy will be lodged with the Public Officer and handled in line with Council's Complaints Policy.</p>	Public Officer
5	<p>Consultation</p> <p>Public submissions regarding this policy will be considered during the policy exhibition period. Any other consultation deemed necessary may occur when and if required with key stakeholders and may include legislative bodies, other relevant legislation, and industry guidelines.</p>	As applicable

Review

This policy will be reviewed and updated as necessary when legislation requires it; or Council's functions, structure or activities change; or when technological advances or new systems change the way that Council manages the use of public land under this policy.

Supporting documents

Name	Link
Memorial seat application form	https://www.esc.nsw.gov.au/council/forms

Definitions

Word/Term	Definition
Memorial seat	A commemorative seat accompanied by a plaque that is installed in a public area as a way to remember and honour an individual who lived in Eurobodalla, but has now passed away.

Change history

Version	Approval date	Approved by	Min No-	File No	Change
1	TBA	Council	TBA	TBA	Policy commenced
2					
3					

Internal use

Responsible officer		Director Community, Arts and Recreation Services	Approved by	Council	
Min no	TBA	Report no	TBA	Effective date	TBA
File No		Review date	TBA	Pages	5