



**Bayside Council**

Serving Our Community

# Memorial Policy

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Memorial Policy

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# 1 Introduction

## 1.1 Background

Requests for memorials to celebrate or remember individuals (who have passed), groups, culture, heritage and/or moments in history are received by Council from time to time.

This policy establishes the criteria by which Council will assess whether public open space or public facilities are appropriate places that provide the opportunity to create an individual memorial or a public tribute to a group or event that has had a significant impact on the local community.

The objectives of this policy are:

- To clearly define the type of memorial that Council will consider to be placed within its public open space areas and/or on public facilities.
- To ensure that any memorial placed in Council's public open space and/or on public facilities has wide community support, reflects the heritage of the local area and/or celebrates Australian heritage, community spirit and harmony as a whole.
- To provide members of the Community with the opportunity to create a memorial to a loved one through tree planting or a bench located in Council's public open space.
- To support Council's aim of managing, promoting and enhancing our tree canopy in urban and natural areas.
- To enable Council to acquire additional or replacement seating at no cost to Council via the Memorial funding scheme.
- To memorialise those who have made a significant contribution to the Bayside community.

## 1.2 Definitions

The definitions of certain terms are:

### **Assets**

Public open space and / or public facilities

### **Councillors**

Elected representatives of the Bayside Council

### **Council**

Within this policy Council means Bayside Council

### **CRMS**

Customer Request Management System

### **Public facilities**

Publicly owned facilities, or facilities that are under the care, control and management of Council. Facilities may include, but are not limited to; community halls, pools, administration buildings, libraries, play spaces and / or pre-schools.

### **Public Open Space**

Publicly owned land, or other land that is under the care control and management of Council. These areas may include, but are not limited to; parks, beaches, sports fields, bushland, wetlands, waterways, urban squares, walkways and / or gardens.

## **1.3 Policy statement**

Council is committed to assisting the community in remembering significant people, organisations and events across the LGA.

This policy provides Bayside Council with a clear and consistent response to requests from individuals and groups for private memorials, both individual and community, to be placed within/on public open space and Council facilities.

## **1.4 Scope of policy**

This policy applies to all Council owned land and other land that is under the care control and management Bayside Council. This policy does not apply to privately owned, leased or managed land.

# **2 Memorials**

A memorial is a physical or symbolic structure, object, or event that is created to honour and remember a person, group of people, or an event of significance.

The purpose of a memorial is to recognise the memory and legacy of individuals or events. They serve as historical markers and cultural symbols, adding to the community's appreciation of social, cultural and historical heritage within our Local Government area.

## **2.1 Memorials – Tree Planting**

This policy provides the local community the opportunity to create a memorial to a loved one or a public tribute to a group or event that has had a significant impact on the local community by planting a tree within public open space and enables Council to improve the look and feel of the parks in Bayside local Government area.

The memorial tree will be of a species approved by Council, with the cost borne by the person or group requesting the memorial. The preferred location of the tree will be determined in consultation between Council and the applicant, however final approval for the specific location of the tree remains the responsibility of Council.

The memorial tree will be:

- Planted when growing conditions are favourable.
- Planted in accordance with the principles of this policy and comply with other existing Council policies and plans of management.
- Replaced/substituted by Council, if it fails to thrive, at no extra cost to the applicant.
- Removed at Council's expense if it is found to be posing a risk to the public, or if other circumstances require its removal. Council is not obliged to notify the applicant prior to the removal of the memorial tree if its removal is considered to be a matter of urgency and in the interests of public safety.
- Remain the property of Council.

## **Useful Lives - Trees**

Trees are living things and have varying life expectancies. The cost of providing a Memorial Tree does not include maintenance to minimise the cost to the Applicant. Applicants will be encouraged to visit their trees periodically and, during periods of no rain, water their tree. When the memorial tree has reached the end of its useful life, that is, it is diseased, dying, dead, or poses an unacceptable risk to the community, the tree will be removed by Council.

If a memorial tree is removed, Council may choose to allow the planting of a replacement memorial tree.

## **2.2 Memorials – Bench and Garden Seats**

This policy provides the local community the opportunity to create a private memorial to a loved one by donating a seat within public open space and enables Council to improve the look and feel of the parks in Bayside local Government area. As part of the donation of a seat, applicants have the option of installing a plaque located on the back of the seat (at additional cost).

Council agrees to such requests where there is a need for additional seating, an existing seat is earmarked for replacement, or an opportunity arises for applicants to fund the installation of seats in newly created playgrounds, parks and the like. Council will retain control over the granting or otherwise of such requests. If necessary, a waiting list be maintained by Council to allow an orderly and controlled roll out of donated seats.

Rules and guidelines for plaques:

- The choice of wording is to be simple.
- Due to the limited space on the plaque not all requests can be accommodated.
- All wording must be approved by the General Manager.
- Please allow 4-6 weeks for manufacture and installation.

Suggested Format for plaques:

Plaque format:

- Dedicated to
- By/From or a short message (max 10 words)
- Year of donation
- An example of this may read “Dedicated to David John Smith by his Family 2015”

The memorial seat will be of a standard approved by Council, consistent in make and style with that of the other seats across the Local Government Area, and the preferred location of the seat will be determined in consultation between Council and the applicant. Final approval for the specific location of the seat remains the responsibility of Council. Moreover, Council reserves the right to move the seat to another location should this become necessary for operational or other reasons.

All costs associated, including administrative costs and an allowance for maintenance, will be met by the applicant. Council will be responsible for normal maintenance however acts of vandalism or wear and tear necessitating replacement of the seat will be at the cost of the applicant. Should the applicant decline to meet

the cost of replacement, Council will endeavour to return any plaque affixed to the applicant, or other identified family member.

## **Useful Lives –Bench/Garden Seats and Plaques**

The longevity of the seats and plaques will depend upon the environmental factors, materials, and fabrication process that the seats and plaques are exposed to and made from. Council will maintain and clean these memorial items however they will be removed at the end of their useful life. Council further reserves the right to remove seats and plaques that have become worn, are no longer situated in a feasible or desirable location, or are a public safety risk.

Circumstances may also arise where the open space area and/or the Council facility that the memorial is a part of is identified for redevelopment. When the individual memorial is removed, Council may choose to relocate the seats and plaques as a result.

### **2.3 Assessment Criteria**

Council will only consider applications for private memorials on public assets in the following formats:

- Individual memorial: In the form of a Tree Planting or Memorial Garden Seat (and/or Plaque)

Applications for Memorials must be submitted in writing to the General Manager with the following:

- An explanation of the connection between the person being memorialised and the Bayside community.
- A preferred location for the memorial tree or seat will be considered by Council, (noting Sections 2.1 and 2.2 above) however discretion over the final decision sits with Council.

If approved, the cost of the memorial seat and/or plaque and all associated costs (including fabrication, inscription, and installation) will be borne by the applicant requesting the memorial.

Applications that do not provide the required documentation will not be considered.

## **3 Policy Implementation**

### **3.1 Principles**

In consideration of the application the following principles will apply:

Council has the right to refuse a memorial application should the assessment find that the person who the memorial is commemorating does not represent the values that Council wishes to promote within the Community.

## 3.2 Review

This policy is to be reviewed in four (4) years and remains in force until otherwise determined by Council.

The General Manager may approve minor amendments to this policy as provided in Local Government Amendment (Governance and Planning) Act No. 38 under Section 377, subject to all Councillors being informed of the changes.

## 3.3 Related documents

### State Legislation

- Local Government Act 1993 (NSW)
- Crown Land Management Act 2016
- Government Information (Public Access) Act 2009 (NSW)

### Council documents

- Bayside Council Community Strategic Plan 2018 -2032
- Bayside Council Annual Operational Plan
- Asset Management Strategy 2022
- Bayside Council Plan of Management for Community Land and Public Open Space

## 3.4 Version history

Version	Release Date	Author	Reason for Change
1.0	27/09/2023 (Council) 13/09/2023 (CWA Ctte)	Manager Community Life	New document