

MEMORIAL TREE PLANTING IN PUBLIC OPEN SPACE POLICY

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PREPARED BY:

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SUTHERLAND SHIRE

MEMORIAL TREE PLANTING IN PUBLIC OPEN SPACE POLICY



1. PURPOSE

The purpose of this Policy is to provide guidance to members of the community who wish to create a memorial to a loved one through individual tree planting in Sutherland Shire Council's public open space.

2. APPLICATION

This policy applies to all members of the community who wish for a memorial tree to be planted in public open space in memory of loved ones.

3. PRINCIPLES

3.1 Application of Principles

No one principle should be applied to the detriment of another. Principles must be collectively considered and applied to the extent that is reasonable and practicable in the circumstances.

3.2 Memorial Tree Planting

Tree planting is considered to be Sutherland Shire Council's acceptable form of memorial for community members to remember loved ones in public open space.

3.3 Ownership

Memorial Trees are an asset of Sutherland Shire Council, not the applicant. We have the right to remove any Memorial Tree at a future time and will endeavour to advise the applicant where reasonable.

3.4 Locations

Tree planting locations will be determined based on the Tree and Bushland Strategy by identifying areas of planting priority and species in consultation with the Applicant. Council is under no obligation to accept the Applicant's preferred location and will consider all public open space users and future works within its reserves. Trees will not be planted along the Bate Bay foreshore due to a history of tree vandalism in this area.

3.5 Planting Season

Tree planting will occur between the months of March and September, when conditions are most favourable to the health of the tree.

3.6 Other Forms of Memorial

Other forms of memorial, such as the scattering of ashes, installation of memorial plaques or memorial seating will not be considered under this Policy.

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3.7 Applications

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.

3.8 Shared Responsibilities and Costs

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.

3.9 Replacement of Trees

Should a Memorial Tree fail to thrive and die for any reason within one year of planting, Council may replace the tree at its discretion.

4. RESPONSIBILITIES

4.1 Responsible Officer

The Senior Manager, Assets Strategy and Delivery, is the Responsible Officer for this Policy and is responsible for overseeing the Memorial Tree Planting Program.

4.2 Chief Executive Officer

Council has delegated the Chief Executive Officer the authority to exercise the responsibilities detailed in this Policy.

4.3 Directors

Directors are responsible for ensuring their Directorate adheres to the requirements of this Policy and providing guidance in respect of achievement of the strategic objectives of the Policy within their Directorate and the Organisation.

4.4 Employees

Employees must adhere to the requirements of this Policy and operate within its authorities.

5. POLICY COMPLIANCE

Customers are required to complete an online application form, which includes a checkbox that the person being commemorated has not been convicted of a crime.

6. RECORD KEEPING, CONFIDENTIALITY AND PRIVACY

Council adheres to and complies with the *NSW State Records Act 1998* and *Privacy and Personal Information Protection Act 1998* through its Access to Information Policy and Privacy Management Plan.

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7. BREACHES OF POLICY

Breaches of this Policy will be dealt with in accordance with normal disciplinary procedures and will be advised to the Chief Executive Officer and/or Director Infrastructure and Operations, via the Senior Manager, Assets Strategy and Delivery where appropriate.

8. RELATED DOCUMENTS

- Open Space Strategy and Implementation Plan
- Urban Tree and Bushland Policy

9. RELEVANT LEGISLATION AND REGULATIONS

- *Local Government Act 1993 (NSW)*
- *State Records Act 1998 (NSW)*
- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Government Information (Public Access) Act 2009 (NSW)*

10. DEFINITION OF TERMS

Term	Meaning
Applicant	The person who completes the online application form and liaises with Council in respect to the Memorial Tree.
Community	A group of people living in the same place or having a particular characteristic in common.
Council	Council refers to Sutherland Shire Council.
Criminal conviction	The outcome of a criminal prosecution which concludes in a judgment that the defendant is guilty of the crime charged.
Memorial	Something designed to preserve the memory of a person, or event.
Memorial Tree	A tree planted in Sutherland Shire Council public open space to commemorate a loved one.
Memorial Tree Certificate	A Certificate, signed by the Chief Executive Officer and Mayor, issued after planting to the family and including the name of the person being commemorated, planting date, tree species, public open space name and GPS coordinates.

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Term	Meaning
Public Open Space	Any parcel of land under the care, control and management of Sutherland Shire Council, regardless of tenure.

End of Document

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