

## Public Memorials and Donation of Park Furniture and Trees Policy

**Date** 30 October 2023  
**Council Resolution Date** 23 November 2023  
**Clause Number** CC23/313

**Responsible Position** Manager Recreation and Open Space  
**Branch** Recreation and Open Space  
**Division** Community, Culture and Places  
**Version** 1  
**TRIM Reference Number** ED24/15304  
**Review Period** 2 years following 2025  
**Review Date** June 2025  
**Consultation**

Document Revision History	
Description	Date
Redraft of Policy for public exhibition	25/07/2023
Amendments following ELT	30/10/2023
Adopted by Council	23/11/2023

## POLICY

### PURPOSE

The purpose of this Policy is to establish a framework and process path for members of the public to make donations of park furniture, trees and install suitably sized memorial plaques to recognise prominent people from our community or family members

The Policy aims to:

- Provide a framework for the application and installation of all public memorials on footpaths, in parks, gardens, streets or other public places.
- Establish guidelines for the application and installation of public memorials.
- Define the criteria that applications must meet.
- Provide an equitable decision-making approach which is clear and transparent.
- Ensure that proposals are assessed and managed in a timely manner.
- Minimise the risks and environmental impact of memorials and memorial plaques; and
- Ensure that public open spaces serve their intended purpose and do not become dominated by memorials.

### BACKGROUND AND RELATED LEGISLATION

Memorials and plaques to commemorate the life of a family member that may not have any significance to the broader community. However, the appearance of such memorials and plaques may also be offensive to other members of the community and can have the effect of creating a cemetery appearance on public land. Council has powers pursuant to the *Local Government Act 1993* to regulate the use of its public lands.

### SCOPE

This Policy applies to all requests for memorial plaques and donation of park furniture and trees.

This policy does **NOT** apply to the installation of historical markers, commemorative plaques, public art, statues, interpretative signage, the naming of public places and buildings, the scattering of cremated remains and roadside tributes.

### DEFINITIONS

A **Memorial** is any object, not including visible wording or dedication, in public open space for the purpose of acknowledging a deceased person or recognising an association or event which may take the form of

- Park furniture (seat/table/bench/shelter)
- A garden
- A tree or shrub
- A drinking fountain
- Other approved item

A **Plaque** is a flat tablet of metal or other durable material which includes text and/or images to commemorate an individual which is attached to a memorial or immediately adjacent plinth.

A **Historical Link** is where the nominated person has a long standing (more than 25 years) connection to a locality.

A **Significant contribution** is defined as a deceased individual that has gone above and beyond what would reasonably be expected through their dedication, exemplary service or voluntary contribution to the region or has left a tangible legacy to the municipality as part of their life's achievements for a minimum of 25 years

A person of **good repute** a person with a good reputation and known to honest, true and forthright.

**Public land** means any land (including a public reserve) vested in or under the control of the council, but does not include a public road.

## **APPLICATION OF POLICY**

### **1. Consideration of Applications**

A request will be considered where a person is deceased and meets the following 3 criterion:

- a. is widely known and respected within the local community;
- b. has a recognised historical link specifically with the locality or is generally acknowledged as having made a significant contribution to the social, economic, sporting and/or cultural development of the community; and
- c. is of good repute and not likely to be the subject of controversy

Under special circumstances, consideration may be given to a living person where the naming is deemed to be in accordance with (a) or (b) and (c) and the recognition is considered appropriate by the Chief Executive Officer.

### **2. Applications for Memorial Plaques**

Applications for Memorial Plaques must be made via the Memorials Application Form. Applications must include a supporting statement for the nominee detailing how the nominee meets the conditions as stated in this policy.

The application must be supported in writing by a minimum of three (3) third parties, one of which must be a local community group. The documentation must be validated by Statutory Declaration and signed by a Justice of the Peace.

In those circumstances where an application for a memorial plaque is potentially controversial or questionable, the application will be advertised for a period of twenty one (21) days to provide opportunity for community comment. Advertisements calling for comment may be coordinated to occur quarterly to streamline the application and feedback process. Applications and community feedback received, will be given careful consideration prior to being presented to Council with recommendation(s) for review and decision.

Memorial plaques will be limited to a maximum of A5 in size (148mm high x 210mm wide) and A6 in size for tree plantings (105mm high x 148mm wide), and may only be installed in a concrete base around the park furniture or tree, or affixed directly to the park furniture as deemed appropriate by the Branch Manager. Memorial plaques will not be attached to any existing Council furniture.

Donated memorials or acknowledgements for the promotion or advertising of commercial businesses, political or religious groups will not be considered.

Corporate branding or logos for groups or businesses will not be considered.

Wording would follow a simple and standard format and avoid terminology used in cemeteries. The wording would recognise the nominee and their qualities / attributes or an appropriate phrase as outlined in the application, and must be approved by the Branch Manager.

### **3 Applications for Donation of Park Furniture and Trees**

Applications for the donation of park furniture and trees must be made via the Memorials Application Form. Council will permit the donation of park furniture and trees (exclusive of memorial plaques) subject to Council's direction with respect to appropriateness, location, standards of park furniture type and style, or tree species choice. This may be done without the requirement for written references as outlined in Section 2.

The donated park furniture or tree(s) may be placed as near as possible to the position requested by the applicant. Consideration will need to be given to relevant plans of management, master plans, capital works programs, maintaining safe passage for pedestrians and other park users, avoidance of any damage to the natural environment whilst ensuring the donation meets with general community expectations for the area, including due consideration of any indigenous connection with the site.

Requests for new memorial park seats will only be approved where space is available for additional park/street furniture. The location of the seat will be determined by Council, and any seat must be in keeping with existing facilities in the public space and not conflict with Council's Strategies or any Plan of Management for the area.

The type of park furniture would be consistent with other park furniture or infrastructure in the locality. Other preferred styles may be approved at the discretion of Council.

The donation of park furniture may be recognised with a memorial plaque. Consistent with the requirements outlined in Section 2.

The type of tree would be consistent with the following Memorial Tree List and must be a minimum 25 litres in size and planted in accordance with the adopted Tree Planting Standards. The following list of exotic and indigenous plants are attributed to different plant communities in Dubbo Regional Council and as such need further research on specific planting based on the locality of the proposed memorial tree planting.

The planting of a memorial tree, or trees, must be sympathetic with the existing amenity, locality and other plant communities of the immediate area.

Exotic trees	
Botanical name	Common name
<i>Lagerstroemia indica</i>	Crepe Myrtle (various cultivars)
<i>Malus</i>	Crab Apple (various cultivars)
<i>Michelia doltsopa</i>	Michelia
<i>Lirodendron tulipifera</i>	Tulip tree
<i>Nyssa sylvatica</i>	Tupelo
<i>Quercus</i>	Oak (various species)
<i>Liquidamber straciflua</i>	Liquidambar
<i>Tabebuia chrysoricha</i>	Golden Trumpet Tree
<i>Zelkova serrata</i>	Zelkova
<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Magnolia</i>	Magnolia (various cultivars)
<i>Acer palmatum</i>	Japanese Maple (various cultivars)
Indigenous trees	
Botanical name	Common name
<i>Acacia pendula</i>	Weeping Myall
<i>Agathis robusta</i>	Kauri Pine
<i>Angophora floribunda</i>	Rough Barked Apple
<i>Brachychiton populneus</i>	Kurrajong
<i>Brachychiton populneus x acerifolius</i>	Jerilderie Red
<i>Callistemon vimalis</i>	Weeping Bottlebrush
<i>Eucalyptus sideroxylon</i>	Mugga Ironbark
<i>Eucalyptus microcarpa</i>	Grey Box
<i>Eucalyptus mellidora</i>	Yellow Box
<i>Banksia serrata</i>	Old Man's Banksia
<i>Corymbia eximia</i>	Yellow Bloodwood
<i>Tristaniopsis laurina</i>	River Gum
<i>Corymbia maculata</i>	Spotted Gum
<i>Ficus microcarpa "hillii"</i>	Hills Fig

#### **4 Costs**

The applicant is required to meet all costs associated with the purchase, delivery and installation of the approved memorial plaques and/or the approved park furniture and tree(s). A Memorials Application Form is to be completed and payment made at Council's Customer Experience service points. The form details the applicable fees and charges.

#### **5 Works**

Works will only be undertaken once Council has approved the type and placement of the donation and receives the agreed amount. All works are to be carried out by Council employees or pre-selected contractors.

Council will co-ordinate the purchase and installation of the park furniture or tree(s) and will arrange for the installation of memorial plaques with approved wording that have been provided to it.

#### **6 Maintenance**

The donated park furniture or tree(s) would be subject to the same level of maintenance as other infrastructure located in the park or reserve. The donation would remain in place as long as it remained in good condition and complied with council standards.

Should the seat or plaque be damaged, removed or stolen, repair and replacement costs would remain the responsibility of the applicant, and the applicant must seek Council permission to replace the plaque and/or the park seat in accordance with the Public Memorials Policy and these Guidelines. Council takes no responsibility for contacting the applicant if the seat is damaged, removed or stolen.

Council shall accept no responsibility or obligation for repair or damage to or theft of the structure.

Applicants may re-apply should the park furniture or tree(s) need to be removed or replaced.

#### **7 Timeframe for Memorial Plaques**

At the end of its useful life, the furniture, tree and plaque will be removed. Council has no obligation to replace the memorial.

### **IMPLEMENTATION**

All applications will be processed as follows:

- The application will be initially assessed by the Council Manager responsible for the area against the guidelines provided in this Policy.
- The applicant will be advised if the proposal is deemed inappropriate.
- If deemed appropriate, the Council Manager will submit the application to Manager Recreation and Open Space who will prepare a quarterly report to Executive Leadership Team (ELT) for approval. If the memorial and/or plaque is on Crown land under the control of Council, advise the State Government Department administering the *Crown Lands Management Act 2016*.
- The Manager Recreation and Open Space will advise the Branch Manager responsible for the management of the site in which the memorial is to be placed of the outcome of the report.
- The Branch Manager is responsible of advising the applicant of the outcome of the decision by ELT / Council or by the relevant State Government Department.
- The appropriate Branch Manager will consult with the applicant of a proposal deemed appropriate to implement the memorial and/or plaque.

- Memorials or plaques which have been placed on public land without Council approval will be removed. Prior to removal, all reasonable efforts will be made to identify and contact the persons responsible for placing the item to advise them of this policy, and the proposed removal. Reasonable attempts will be made to hold a removed item for collection by the persons responsible for its placement.
- Opportunities to develop and extend tree planting programs within the urban areas, but not specifically linked to memorial planting, will be investigated.
- Council, through the Recreation and Open Space Branch, will maintain a register of donated trees, park furniture and memorial plaques, and make them available to internal and external parties.

# MEMORIAL PLAQUES AND DONATION OF PARK FURNITURE AND TREES APPLICATION

This application for installation of Memorial Plaque, Park Furniture or Tree Planting, in memory of, or to commemorate a long term resident or to recognise someone who has lived in the Dubbo Regional Council region or contributed to Dubbo, Wellington or one of the surrounding communities over the years.

APPLICANT DETAILS						
Title	<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	<input type="checkbox"/> Other - Please specify:	
Name						
Date of Birth <i>(Optional)</i>						
Residential Address						
Suburb		State		Postcode		
Postal Address						
Suburb		State		Postcode		
Contact Number						
Email						

PREFERRED LOCATION OF MEMORIAL	
Please detail memorial location including, street names, junctions or geographical features:	
Additional map attached	<input type="checkbox"/> Yes <input type="checkbox"/> No

# MEMORIAL PLAQUES AND DONATION OF PARK FURNITURE AND TREES APPLICATION

## MEMORIAL PLAQUE DETAILS

Proposed wording on memorial plaque:

--

Reasons for installation of a memorial plaque, park furniture or tree, including details of the history of their residence and/or community contributions:

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**Three written references of support are required for Memorial Plaques – (3) references attached**

Yes  No



# MEMORIAL PLAQUES AND DONATION OF PARK FURNITURE AND TREES APPLICATION

## PREFERRED SPECIES OF TREE

From the list provided, please identify your preferred which tree you would like to have planted. Please also identify a second choice.

Additional map attached

Yes  No

## PREFERRED PARK FURNITURE

Please identify what type of park furniture you would like to donate? Please note that the style of park furniture may be limited to existing styles to retain consistency.

Additional map attached

Yes  No

## TERMS AND CONDITIONS

The following terms and conditions are intended to fully inform potential applicants. Additional requirements and conditions may be applicable, depending on the nature of each application and legal requirements:

1. All applications will be considered on merit and be subject to the published fees and conditions.
2. Three written references are required in support of applications for Memorial Plaques only.
3. Additional fees will be levied where site conditions dictate or additional installation requirements are necessary.
4. Council retains the right to refuse any application which it considers inappropriate.
5. All installations will be carried out by Council or its nominated contractors. Council will not permit installation by applicants or their contractors under any circumstance.
6. Seat / furniture provided meets Council standards.
7. The final location of the installation and orientation will be determined on site with the applicant.
8. Council will not be responsible for replacement of seats, plaques or concrete works which are vandalised, damaged or stolen.  
Standard maintenance activities such as graffiti removal will however be undertaken as required.
9. Installation which become dilapidated condition may be removed. The estimated asset life of a seat in a park is ten years.
10. Council retains ownership of the installation at all times.
11. A minimum of two (2) months is to be allowed for Council to undertake installation, following receipt of full payment.
12. No works will be undertaken until full payment is received.

# MEMORIAL PLAQUES AND DONATION OF PARK FURNITURE AND TREES APPLICATION

**Note to Applicant:** There is a fee associated with this application. For Council's current Fees and Charges, refer to our website <https://www.dubbo.nsw.gov.au/about-council/our-responsibilities/community-strategic-plan>

## APPLICANT ACKNOWLEDGEMENT/DECLARATION

I have read and accepted the memorial application terms and conditions as stated above.

Name			
Signature		Date	

### PRIVACY NOTE:

Council is bound by the provisions of the Privacy and Personal Information Act 1998, in the collection, storage and utilisation of personal information provided in this form. Accordingly, the personal information will only be utilised for the purposes for which it has been obtained. For further information, please refer to Council's Privacy Management Plan Policy located on Council's website [www.dubbo.nsw.gov.au](http://www.dubbo.nsw.gov.au)

## DUBBO REGIONAL COUNCIL OFFICE USE ONLY

Processing			Accepted
ROS Review		Included in Council Report ( <i>details</i> )	Yes No - Date:
Crown Land Referral	Yes No - Date:		Yes No - Date:
Council report	Yes No - Date:	Report ID.	Yes No - Date:
Approved/Rejected		Customer Advised of Outcome	Yes No - Date:
Fee (if applicable)		Invoice / Payment receipt details	/
Installed	Date:	Register Number:	