

Public Place Names (Belconnen District) Determination 2021

Disallowable instrument DI2021–25

made under the

Public Place Names Act 1989, s 3 (Minister to determine names)

EXPLANATORY STATEMENT

Overview

Background

The *Public Place Names Act 1989* (the Act) sets out the process and criteria for the naming of divisions and public places. Section 2 of the Act defines a “public place” as including “an avenue, road, street, geographical feature or place that the public is entitled to use, and any unleased land”.

Section 3 of the Act gives the Minister the power to determine the name of a division or public place. The determination of the Minister is a disallowable instrument and as such must be notified in the ACT Legislation Register.

Section 46 of the *Legislation Act 2001* specifies that power given under an Act to make an instrument includes the power to amend or repeal the instrument.

On 28 November 2018 the ACT Legislative Assembly (the Assembly) called on the ACT Government to review a number of matters relating to the naming of public places, including a review of particular place names that had been the subject of community disquiet. Following the completion of the ACT Place Names Committee and Guidelines Review in June 2019, the Minister for Planning and Land Management (the Minister) announced his decision to change the name of William Slim Drive.

This instrument REVOKES the determination of the public place name William Slim Drive, published in Commonwealth of Australia Gazette No. P4 dated 13 April 1976, Schedule ‘B’ and indicated on the associated map.

This instrument determines the name of the road previously named William Slim Drive to be Gundaroo Drive so that this name is extended to apply to the section of road from the Barton Highway intersection towards Ginninderra Drive.

Regulatory Impact Statement (RIS)

The *Legislation Act 2001* (Legislation Act) requires a RIS for regulations and disallowable instruments subject to specified exceptions. In this case, a RIS is not required because the determination does not impose any appreciable costs on the community or part of the community (s 34 (1) of the Legislation Act). Further, a RIS is also not required because, while the determination of place names is culturally and socially significant, it does not adversely affect rights or impose liabilities on a person (s 36 (1) (b) of the Legislation Act).

Human Rights

Section 12 of the *Human Rights Act 2004* creates a right to privacy and reputation. This determination does not have the potential to infringe this right because it does not name any places after people.

Status of this Explanatory Statement

This explanatory statement relates to the *Public Place Names (Belconnen District) Determination 2021* as made by the Minister and presented to the Assembly. It has been prepared in order to assist the reader of the disallowable instrument. It does not form part of the disallowable instrument and has not been endorsed by the Assembly.

Clause Notes

Clause 1 – Name of Instrument

This clause names the instrument.

Clause 2 – Commencement

This clause provides for the commencement of the instrument.

Clause 3 – Revocation

This clause revokes the name of one public place.

Clause 4 – Naming

This clause names one public place to extend the application of an existing name.