

Public Place Names (Dickson) Revocation 2025

Disallowable instrument DI2025–306

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 revocation of a determination by the Minister is a disallowable instrument and as such must be notified in the ACT Legislation Register.

The factors that the Minister must have regard to in determining a name are set out in sections 2, 3 and 4 of the Act. Section 3 (3) (a) of the Act requires the Minister to consider the *Public Place Names (Naming of public places) Guidelines 2021* (the *guidelines*) when naming a public place. The guidelines are made under section 4A of the Act and are notified at www.legislation.act.gov.au/ni/2021-72/.

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

The Determination

The *Public Place Names (Dickson) Revocation 2025* (the *revocation instrument*) revokes the determinations of the delegate of the Minister of State for the Interior of 10 May 1963 of the public place name Karuah Street in the Division of Dickson, published in Commonwealth of Australia Gazette No. 47, dated 30 May 1963; and of the delegate of the Minister of State for the Capital Territory of 17 May 1982 of the nomenclature with reference to the origin of the public place name Karuah Street in the Division of Dickson, published in Commonwealth of Australia Gazette No. P9, dated 4 June 1982.

The public place name, origin and significance information in the 1963 and 1982 determinations relating to Karuah Street in the Division of Dickson is revoked.

Consultation

If a public place is proposed to be named after a particular person reasonable steps should be taken to obtain prior permission from the person's relatives, associates, an appropriate cultural group, or a relevant professional organisation, under clause 8 of the guidelines. No consultation is required because this revocation instrument revokes a non-personal name.

Gender representation

Section 3 (2) (b) of the Act requires that the Minister (or delegate) consider whether the names of women are well-represented when making a determination about the naming of a public place. This revocation instrument revokes one non-personal name.

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 revocation instrument does not impose any appreciable costs on the community or part of the community (section 34 (1) of the Legislation Act). Further, a RIS is also not required because, while the revocation of place names is culturally and socially significant, it does not adversely affect rights or impose liabilities on a person (section 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 revocation instrument does not have the potential to infringe this right because it does not name any places after people.

Delegation

This revocation instrument is made by a delegate of the Minister. The Minister has delegated the power under section 3 of the Act to name a division or public place to the people occupying the positions of Director-General and Deputy Director-General of the City and Environment Directorate, refer to the *Legislation (City and Environment Directorate) Delegation 2025* (NI2025-552).

Status of this Explanatory Statement

This explanatory statement relates to the *Public Place Names (Dickson) Revocation 2025* as made by the delegate of the Minister and presented to the ACT Legislative Assembly (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 of Place Name

This clause revokes the determinations of one public place.

Clause 4 – Determination of place names

This clause also revokes the public place's origin and significance information as specified in the schedule.