Australian Capital Territory

Public Place Names (Macnamara and Strathnairn) Determination 2026

Disallowable instrument DI2026–234

made under the

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

EXPLANATORY STATEMENT

This explanatory statement relates to the *Public Place Names (Macnamara and Strathnairn) Determination 2026* 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.

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.

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/.

The Determination

The *Public Place Names (Macnamara and Strathnairn) Determination 2026* (the ***determination***) determines the name of one road for the public place indicated in the diagram in the schedule to the determination.

The name is consistent with the themes for Macnamara which is 'Science and Technology', and for Strathnairn which is 'Primary Industry and Regional Service'. The purpose of this determination is to commemorate the name of a person who made notable contributions to science, technology and regional service.

This determination is consistent with section 4 (2) (b) of the Act and the requirement of the Minister (or delegate) to have regard to the names of persons who have made notable contributions to the existence of Australia as a nation. This determination is also consistent with the guidelines.

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. Consultation was undertaken in this instance in accordance with the guidelines.

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. Since 2016, the names of 212 women and 222 men have been commemorated under the Act across the ACT. In the Division of Macnamara, the names of 16 women and 12 men have been commemorated. In the Division of Strathnairn, the names of 26 women and 27 men have been commemorated. This instrument commemorates the name of one man.

Regulatory Impact Statement

The *Legislation Act 2001* (***Legislation Act***) requires a regulatory impact statement (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 (section 34 (1) of the Legislation Act). Further, a RIS is 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 (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. Conceivably, the naming of a place has the potential to infringe the right to privacy and reputation of a person after whom a place is named. In this case the process through which places are named ensures that this right is not infringed and that only appropriate information is included in a determination. This process includes the consultation described above. Additionally, in relation to places named after people, only the names of deceased persons are determined.

Delegation

This determination 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).