

**1.6 PROPOSED NAMING OF A LANEWAY ABUTTING TANDARA COURT, CHADSTONE**

Responsible Director: Peter Panagakos

**RECOMMENDATION**

*That Council:*

- 1. Notes the need to name the currently unnamed laneway abutting Tandara Ct, Chadstone (the Laneway) as outlined in the report.*
- 2. Resolves to enact its powers as a Road Authority to name the Laneway pursuant to clause 5(1)(a) of Schedule 10 of the Local Government Act 1989 and in doing so comply with the statutory naming requirements pursuant to the Geographic Place Names Act 1998 as outlined in "Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016".*
- 3. Notes that following the completion of the community consultation process, a further report shall be submitted to Council for consideration based on the feedback and submissions received regarding this proposal.*

**INTRODUCTION**

This report discusses a proposal for the naming of a currently unnamed laneway abutting Tandara Ct, Chadstone (the Laneway) and seeks approval from Council to begin the community consultation stage as part of the naming process. The report also makes a recommendation regarding which name to proceed with.

**BACKGROUND**

In August 2020, Council received an enquiry from the resident at 3/5 Tandara Court, Chadstone requesting Council name the Laneway which provides them with their main entry point to their property and is also used by Council for collection of waste (refer to blue bordered area in **Aerial 1** below):

**Aerial 1 – Laneway abutting 3/5, 2/5, 2/4 and 3/4 Tandara Ct, Chadstone:****Initial Investigations**

Initial investigations revealed the following:

- a) The Laneway is known as Road R1 on PS55996 (Volume 11168 Folio 088).
- b) It is registered in the name of the Director of Housing.
- c) The Laneway is not formally named.
- d) The Laneway is used as the main access point for 2/4 and 3/4 Tandara Court and 2/5 and 3/5 Tandara Court, Chadstone.
- e) The Laneway is listed on Council's Public Roads Register.
- f) Legal advice confirmed that as the Laneway is listed on Council's Public Roads Register, Council has powers to name it using its powers as a Road Authority pursuant to clause 5(1)(a) of Schedule 10 of the Local Government Act 1989.
- g) The need to comply with the Geographic Place Names Act 1998 as guided by *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016* (the Naming Rules).
- h) The Laneway should be named to assist Emergency Services as well as deliveries to those addresses.

**DISCUSSION****Geographic Naming**

The process for the naming of roads and features is complex and involved, and must be done in accordance with the statutory requirements under the Geographical Place Names Act 1998, and as outlined in *Naming rules for*

*places in Victoria – Statutory requirements for naming roads, features and localities 2016 (the **Naming Rules**).*

As a naming authority, Council is responsible for ensuring the correct naming of roads. Appropriate naming is essential to identify locations for managing emergencies and delivery of goods and services. Emergency Services in particular rely on accurate address information when attending to call-outs. Historically, there have been cases in Victoria where ambulances were unable to find properties due to address and access confusion, resulting in fatalities. Therefore, it is best practice to have properties addressed to the streets where their main access points are located. There is also an urgency to name the Laneway now that it has been identified to avoid potential confusion during an emergency.

### **The Naming Rules**

As a naming authority, Council must adhere to the principles of the Naming Rules to ensure no ambiguity, confusion, errors or discrimination are caused by the naming of the road or feature.

Council is also required to engage in a community consultation process prior to a final decision being made on a name. This provides an opportunity for the local community to provide feedback on the proposed name and helps Council gain a better understanding of the long-term consequences and short-term effects on the wider community of the naming, as the final decision affects not only the current community but also future residents, emergency response zones, land titles and addresses, property owners, businesses and visitors.

The Naming Rules are currently under review by Geographic Names Victoria, with a specific emphasis on promoting gender equality and improving the incorporation of Traditional Owner names in the naming of features.

When the review of the Naming Rules is completed, approved by the Minister for Planning and published (estimated December 2021 or early 2022), it may be prudent for the Council to review its own place naming policies and procedures to assist with future place-naming.

### **Linking Name to Place (“Principle C” of the Naming Rules)**

Principle (C) of the Naming Rules requires that any name submitted links to place, in recognition of any relevant historical or local significance.

The Waverley Historical Society were consulted regarding the Laneway and identified that from 1853 until the 1950’s, the owners of the land upon which the Laneway now sits were the Colwells. This family purchased the land from the Crown.

It was also noted that at some point in time, an old midden (or ground oven) was discovered by the Colwells when ploughing the land approximately in the vicinity of where the Laneway is now situated which would have been used by the Traditional Owners of the land. There were stones set about 30cm below the surface in a square and shells of mussels and other sea creatures. According to the Waverley Historical Society, neither the rocks nor the shells seem to have been local and would have been carried to the site.

Considering the history of this land and in accordance with Principle (C) of the Naming Rules, two names were proposed as suitable for the Laneway; "Colwell" and "Midden". The consideration of both names have their own requirements for assessment under the Naming Rules as detailed below.

### **"Colwell"**

The family name of the owners of the land from 1853 to 1950's who purchased the land from the Crown.

#### **Considerations**

- 1) Principle (H) of the Naming Rules requires that living relatives be contacted to obtain their consent where possible when using commemorative names.
- 2) Should Council resolve to proceed with "Colwell", the public notice advertising the proposed name will be used to call for consent from any family and to request family contact details from the community in accordance with the Principle (H).

### **"Midden"**

An archaeological term for a collection of refuse including bones or shells which is evidence of human use/occupation of the land. Such a site was discovered by the Colwells when ploughing their land.

#### **Considerations**

- 1) As "midden" in this case refers to a site historically used by the Traditional Owners of the area, consultation with the relevant Registered Aboriginal Party (RAP) is required in accordance with Principle (F) of the Naming Rules.
- 2) On 1 July 2021, new RAP boundaries were instated by the Victorian Aboriginal Heritage Council. The City of Monash now sits within both the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Land Corporation (WWWCHALC) and the Bunurong Land Council Aboriginal Corporation (BLCAC) areas.

- 3) With respect to the Laneway, while it sits clearly within the WWWCHALC boundary, it has been proposed that the BLCAC is also consulted on the name due to the fact that the rocks and shells found may have been brought to the site from somewhere else (potentially from within BLCAC land).
- 4) Initial inquiries with the two RAPs have confirmed the following:
  - a) The WWWCHALC would likely propose a different Woi Wurrung language name for the Laneway and/or provide a translation of "midden".
  - b) The total cost from the WWWCHALC for their services would be \$4,050 (excl. GST). This includes ongoing usage fees for the Woi Wurrung Language name.
  - c) The BLCAC have a policy of not participating in naming requests unless it can be guaranteed that a Bunurong language name would not compete with a different language name.
  - d) The BLCAC require a formal meeting to discuss any naming issues. The cost of such a meeting is \$1,500.00 (excl. GST).

### **Road Type**

The Naming Rules also provides a list of accepted road types for registration including descriptions. Two have been selected as suitable for the Laneway:

- 1) **LANE** - A narrow way between walls, buildings or a narrow country or city roadway.
- 2) **WAY** - An access way between two streets. Usually not as straight as an avenue or street.

Responses from internal departments of Council did not return a strong preference for either, although "Lane" was thought to more accurately represent the character of the Laneway.

### **Considerations**

Given the findings of the initial investigations and discussions into the naming of the Laneway, there are a number of considerations to take into account to inform the next steps:

- 1) Community Services in conjunction with an external consultant have formed a project reference group to develop a Reconciliation Framework and Action Plan, with the goal of having it endorsed by Council by June 2022.
- 2) The use of Traditional Owner language in naming is a sensitive and complex matter. Proceeding at this stage without an established Reconciliation Framework and Action Plan may cause unforeseen issues

during the naming process and have longer negative impacts for both Council and external stakeholders.

- 3) Council is required to engage in a community consultation procedure as part of the naming process. The nature of this consultation means that other names may be proposed by the community which will result in names being “in competition” with one another. This may not be acceptable to the relevant RAPs should Council propose a Traditional Owner language name.

### **CONSULTATION**

The Naming Rules outline the requirements for a community consultation process when naming a road. This includes informing both the **immediate** and **extended** community.

The current naming proposal will involve the following:

- 1) Writing letters to the adjoining landowners of the Laneway (the **immediate** community) informing them of the proposal and inviting feedback via survey. In accordance with the requirements of the Naming Rules, the survey will include the following:
  - a) A map indicating the location of the Laneway.
  - b) Background information on the proposed name.
  - c) Space for respondents to include their name, address, email and phone number.
  - d) The following questions:
    - i. Do you agree or disagree with the proposal to name the Laneway?
    - ii. If you do not support the proposal please indicate why.
    - iii. Would you like to make any other comments in support of or in objection to the proposed name?
- 2) Placing a notice on Council’s website and in a newspaper informing the **extended** community of the proposal and inviting feedback.

The consultation period will be for 30 days. Non-responses from the surveys sent to adjoining landowners will be taken as tacit approval for the proposal.

### **RECOMMENDATION**

Given the sensitivities and complexities around the use of Traditional Owner language in naming as well as the current absence of a Reconciliation Framework and Action Plan, it is recommended that Council resolves to proceed to the community consultation stage of the naming process with “Colwell Lane” as the proposed name for the Laneway.

***FINANCIAL IMPLICATIONS***

The cost to Council will be for the supply and installation of new signage for the Laneway if approved by Council. The estimated cost to install new signage is approximately \$100 (excl. GST) per sign.

***POLICY IMPLICATIONS***

The community consultation requirements under the Naming Rules are in line with Monash's Community Engagement Policy and the proposed process follows a model of **inform** and **consult**.

***HUMAN RIGHTS CONSIDERATIONS***

There are no human rights considerations which may impact on naming the Laneway. The process followed is in accordance with the Naming Rules.

***GENDER EQUITY ASSESSMENT***

Women's names and stories remain largely invisible and underrepresented in the names of Victoria's public places. Acknowledging the binary nature of the existing statistics, it has been found that there are many more place names commemorating men than women – for example, in Bass Coast Shire, of 111 features, 62 were non-gendered, 41 were male, and just 8 female. While the City of Monash does not currently have statistics on place names by gender, it is likely that a similar pattern will be found across many councils.

In the case of the currently laneway proposal, the name is a family name rather than a person's name, and so refers to people of different genders.

The aforementioned review of the Naming Rules includes in its draft Principle (G) – Gender Equality, which includes the following statements:

“Gender parity in the naming of roads, features and localities is encouraged.”

And

“When developing a naming proposal consideration should be given to gender parity....”

Once the review of the Naming Rules is published, it is likely that gender equality will become a requirement of all future considerations of place names. At that time, it may be appropriate for Council to consider auditing its own place names by gender to try to achieve parity in the future.

***CONCLUSION***

The naming of the Laneway will eliminate confusion for emergency services and other service authorities attending to the properties who use it as primary access.

Proceeding to the community consultation stage with “Colwell Lane” will expedite the naming process, thus providing clarity for both Council and the community.