

RENAMING 'ROSEBUD WEST' AS 'CAPEL SOUND'

- Addressing Issues Raised

ABOUT THIS SUBMISSION

This submission is made by the group of residents that initiated the proposed name change from Rosebud West to Capel Sound. Its purpose is to provide balance to issues raised in submissions to the Minister for Planning and the Registrar of Geographic Names opposing the name change - specifically from the *Save Tootgarook Swamp* group and via the online petition *change.org*.

Following the decision by Mornington Peninsula Council to support the proposed name change, three primary issues have been raised in the above submissions and in social media as the basis for opposing the change:

1. 'The number of responses was too low to assume a majority'
2. 'Many people opposing the change believed not returning their survey would be considered a vote AGAINST the change'
3. 'Unauthorised and misleading material was distributed by the proponents of the change'.

In addition, this submission questions the value of online petitions.

RESPONDING TO THE ISSUES RAISED

Issue 1: '***The number of responses received was too low to assume a majority***'
Our Response: **The response rate was in fact very high**

The widely reported response rate of 33.9% was high in its own right. However the real response rate was considerably higher - over 45%.

As 5,600 letters were sent by council it has been assumed there were potentially 5,600 valid responses (or 'votes'). This was not the case.

Where the address of the ratepayer differed to the property address, council had no way of knowing whether a house was rented or was a holiday house.

- For a *rented property* there could be two valid votes - one of the ratepayer and one of the renter, however
- If it was a *holiday house* the owner was entitled to just the one vote.

This has a major impact on the maximum number of valid votes:

- Council figures show there are 4,700 rateable properties in Postcode 3940
- If we assume that 30% of these properties are holiday homes, then 1,400 of the letters sent out did not constitute valid votes
- This would mean the impact of holiday houses would reduce the number of valid votes from 5,600 to 4,200.

The number of valid votes was further reduced as people owning more than one rateable property could only vote once (these included people owning boatsheds).

Considering only the impact of holiday homes the figures would be:

Valid Votes	4,200
Votes Received	1,902 (45%)
Votes in FAVOUR	1,065 55.99% of Votes Received 25.35% of Valid Votes
Votes AGAINST	837 44.00% of Votes Received 19.92% of Valid Votes

45% is a very high response rate for a non-mandatory vote - the US Presidential elections elicit around 50% response rate.

Also noteworthy is that 56% of people supported the change. People are generally resistant to change as is demonstrated by the low rate of change achieved in Australian Referendums.

Issue 2: ***‘Many people opposing the change believed not returning their survey would be considered a vote AGAINST the change’***

Our response: This claim is without any substance.

A convention known as ‘Tacit Consent’ is commonly used by governments as they process a potential change where it is not mandatory for those affected to respond. This convention assumes that, if a person does not return their survey form, it will be assumed they consent to the proposed change.

This convention was not used here. Discussion between the Office of Geographic Names and Mornington Peninsula Shire prior to the consultation phase concluded this convention would not be appropriate. During the consultation period we became aware that parts of the community believed that ‘tacit consent’ DID apply. As a result, people supporting the change didn’t think they needed to return their vote.

As this was likely to have a major impact on the responses received by Council, we undertook a number of actions to address this misunderstanding. This potential problem and the actions we took were fully documented in the submission we made to Council during the consultation process (Attachment 2, p10).

Nobody could have realistically assumed ‘tacit opposition’ existed. To our understanding there is no such convention. At no time did we hear any suggestion that someone had assumed ‘tacit opposition’ until after the Council’s support for the change when it was ‘explored’ by opponents of the change on social media. It is difficult to imagine how a single person opposed to the change would have decided not to return their survey because of this belief.

Nothing we did could have been construed as supporting this belief. We worked to encourage widespread discussion of the merits or otherwise of the change and to maximise the number of people who voted - irrespective of their view. We believed that change of this magnitude would only be successful if it was accompanied by a broad and frank community discussion.

Everything we did throughout the change process has been documented in two papers we submitted to Council that were made available to the public on our website (www.capelsound3940.org):

- *Attachment 1: 'Who we Are'* - survey of the community and the case for change (July 2015)
- *Attachment 2: 'Having our own identity'* - consultancy phase submission (February 2016)

Issue 3: ***'Unauthorised and misleading, material was distributed by the proponents'***
Our Response: This claim is also without any substance

Under the relevant guidelines (Guidelines for Geographic Names 2010 - Version 2) - as with most or all periods of public consultation - there is no defined process for 'authorising' material before it can be distributed by parties who either support or oppose an idea. The imperative for people producing or distributing the material is to ensure:

1. The information communicated in the material is accurate, and
2. It is clear who has produced and is distributing the material.

This was clearly the case with all material distributed and representations made by the CapelSound3940 group. This is fully documented in Attachment 2.

Credibility of the Online Petition

Social media and online petitioning holds very little accountability. Petitions can be created on a whim, by anybody, based on any premise (however misleading) without any relevance to fact. They can be signed by anybody, from anywhere in the world, for whatever reason, to serve anybody's agenda.

Change.org (the online organisation that facilitates online petitions) only want people to sign petitions. They are not interested in the validity of the cause or the accuracy of the content. They are merely concerned about driving the maximum number of 'clicks'.

An analysis of the *change.org* online petition opposing the change shows the main reasons given for objecting have little or no basis in fact (as addressed in the above three issues) and only a minority of the 'signatories' claim to live in Postcode 3940.

We hope this submission has served to balance issues raised since the Mornington Peninsula Council decision to adopt the name change.

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