

Council Meeting Agenda Monday, 23 November, 2015

7.00 PM / Council Chamber / Besgrove Street, Rosebud

3.6 Proposal to Rename Rosebud West to Capel Sound

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| Authorised By | Manager – Governance |
| Document ID | A6141621 |
| Attachment(s) | YES (3) |

PURPOSE

A proposal has been received from a group of local residents and property owners to change the name of Rosebud West to Capel Sound (refer Attachment 1).

The proposal submits “*the proposed name change aims to improve the pride that residents and businesses have in their locality. The name of ‘Rosebud’ communicates nothing of the special nature of the area and assumes it has no character in its own right. Being north, south, east or west of something implies it is merely an appendage to somewhere else. (The place naming standards now used across Australia avoid directional names for this reason)*”.

This report provides Council with the most applicable Principles provided in the Guidelines for Geographic Names 2010, Version 2 (the Guidelines). The Guidelines are mandatory for naming authorities in Victoria and are provided under Section 5 of the *Geographic Place Names Act 1998* (the Act).

BACKGROUND

The township of Rosebud West has approximately 4,700 rateable properties and within its boundary includes the Tootgarook Wetlands, Rosebud Hospital, Capel Sound Foreshore, Vern Wright Reserve, Truemans Road Reserve, Seawinds Community Hub, Eastbourne Primary School, Rosebud Kindergarten and the Rosebud Industrial Estate.

It is a stand-alone township with its own postcode of 3940 – refer Attachment 2 for an aerial view with boundaries shown in red.

The request to change the township name of Rosebud West initially came from two separate residents. Governance officers provided advice to both parties regarding the Office of Geographic Names (OGN) Guidelines and suggested they work together on a proposal. It is understood that they then canvassed for additional residents to form a working party.

The group was advised to provide Council with evidence of community support and the proposal includes data analysis of a door knock survey undertaken in eight areas within Rosebud West. The survey areas included residents and businesses along Point Nepean Road and within the Industrial Estate (Attachment 1).

DISCUSSION

Mornington Peninsula Shire is the naming authority for localities within the Shire boundary. Unlike road namings which are determined under delegated authority from Council, locality and feature namings and changes must be approved by Council resolution.

Of the Principles outlined in the Guidelines, the following are the most relevant to this proposal.

Principle 1(B) – Recognising the public interest

“Regard needs to be given to the long-term consequences and effects upon the wider community of naming, renaming or adjusting the boundary of a feature, locality or road. Changes to existing names or boundaries will affect not only the current community but also future residents, business, property owners and visitors. Changes to existing names and boundaries of localities and roads can affect emergency response zones, land titles and addresses. A proposal will be registered only when the long-term benefits to the community can be shown to outweigh any private or corporate interests, or short-term effects.”

There has been significant discussion in the community regarding the proposal and the story has featured in local newspapers (Attachment 3) and on radio. The survey data from the proposal suggests the community does support the change of name.

Following publication in local newspapers, four submissions have been received from residents; three objecting and one in favour of the new name.

Principle 1(E) – Directional names to be avoided

“Cardinal directions (north, south, east and west) must be avoided. A proposed name that uses a cardinal direction to distinguish itself from another similar name is considered to be a duplicate name. In these instances a different name should be chosen to allow for a clear distinction between the two or more features, localities or roads.”

The OGN have advised that if there is an opportunity to change Rosebud West, in order to remove the cardinal direction, then Council should consider Principle 1(E).

Principle 1(F) – Assigning extent to a feature, locality or road

“When a proposal to name a feature, locality or road is being developed, the naming authority must clearly define the area and/or extent to which the name will apply. At a minimum, a proposal for a locality must include the polygon attributes.”

Rosebud West is a stand-alone township with a separate postcode (3940) to Rosebud (3939). Attachment 2 shows the locality boundary. Officers do not believe there would be issues associated with changing the township name as the postcode would remain the same. Australia Post and other service providers use postcodes to determine location.

Principle 1(G) – Linking the name to the place

“Place names should be relevant to the local area, with preference given to unofficial names used by the local community. Infrastructure features should use the name of the locality. For example, railway stations should be named after the locality in which the station is located. Names of private estates should not be applied to features or localities to avoid possible addressing issues in the future.”

There are several references to the name Capel Sound within Rosebud West. Businesses along Point Nepean Road are collectively called Capel Sound Shopping Village (with signage provided by the Shire) and some businesses also use Capel Sound (or just Capel) as part of their business name. In addition, Capel Sound Foreshore is a camping area on Point Nepean Road managed by the Capel Sound Foreshore Committee of Management, under delegation from the Department of Environment, Land, Water and Planning.

The name originates from an area of water stretching from Rye to Rosebud West that was named ‘Capel Sound’ in 1836 (refer to Attachment 1 for history and references on Capel Sound).

Principle 1(M) – Consulting with the public

“Naming authorities must consult with the public on any naming proposal. The level and form of consultation can vary depending on the naming proposal.”

The Guidelines state that as a minimum, when a proposed naming, renaming or boundary change will affect current addresses, the naming authority must contact the immediate community in writing (by letter or email).

If Council resolves to proceed to public consultation, the following process has been approved by the OGN.

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|-------------------------------|--|
| | Letter sent to the owner/occupier of each rateable property within Rosebud West; |
| First letter and advertising | Public Notice inviting submissions from the wider community in local newspapers; and Public Notice and information on the Shire website regarding the proposal. |
| | ■ ■ ■ After the advertising process a report will be brought to Council outlining the |
| Council Meeting | submissions received. Council will then determine whether to abandon or proceed with the renaming. Council decision notified via: |
| Second letter and advertising | Letter sent to the owner/occupier of each rateable property within Rosebud West; Public Notice in local newspapers; and Public Notice and information on the Shire website outlining Council decision. |
| Proposal lodged with the OGN | If Council resolves to proceed with the renaming, the OGN will be notified. Submitters will have 30 days to send objections to the OGN. |

Evaluation of Results

Under the Guidelines, when seeking a response from the community for one proposed name, a non-response to the survey is taken as tacit approval of the name. Officers have discussed this with the OGN regarding the number of surveys to be considered and the concern that Rosebud West residents and ratepayers would not return the survey form. It is estimated that there will be approximately 5,500 letters and surveys posted out, with additional submissions received from the wider community.

Officers sought permission from the OGN to analyse the surveys based on 'YES', 'NO' and 'No response received'. This would be a more equitable way of determining the majority vote.

The Registrar of Geographic Names has advised that given the number of surveys to be sent, he feels it is not appropriate to include the tacit clause in the letter to the residents and ratepayers due to the potential impact on the results.

CONSULTATION

Officers have consulted internally with various units that, in particular, deal with community groups, Shire services, property and economic development.

The main request was that public consultation letters should be also sent to community organisations, not just to the owner/occupier of a listed property. If Council resolves to commence the public consultation phase, Governance will seek community group details from Shire units to include in the process.

A consultation period is generally for 30 days from the date of the letter however to ensure maximum responses, officers have asked the OGN for an exemption to lengthen the consultation period to 60 days to allow for the Christmas/New Year holiday period when some residents may be away for an extended period.

OGN decision If the OGN agrees with the renaming, Council will send letters to property owners/occupiers with new address details. Letters will also be sent to objectors outside the Rosebud West area.

FINANCIAL ISSUES

Below is an approximate cost for the consultation process. Please note, that if Council determines to abandon the proposal after receiving the survey results, the third letter will not be required.

| | Cost Per Letter | Number of Letters | Total Cost |
|--|-----------------|-------------------|------------|
| First Letter | | | |
| <i>Outlining proposal and provision of survey form</i> | \$0.76 | 5,500 | \$4,180 |
| Second Letter | | | |
| <i>Advising of Council decision</i> | \$0.74 | 5,500 | \$4,070 |
| Third Letter | \$.074 | 5,500 | \$4,070 |

Advising of OGN decision

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|-----------------------------------|-----------------|
| Public Notices – local newspapers | \$3,600 |
| Public Notices – Shire website | Nil |
| Total | \$15,920 |

If Council chooses to include a reply paid envelope with the first letter for return of surveys, this would be an additional \$3,080 to the total cost.

Governance has a minimal budget for costs associated with road/feature namings (approximately \$2,000). There is currently no budget allowance for the costs quoted above for a locality change. Should Council resolve to consult with the community, approval is required for allocation of funds to cover the associated costs.

Township signage is also to be considered however the recent change of Mornington Peninsula Shire logo would also be an impetus to change the sign therefore no additional cost as part of this proposal is envisaged.

OFFICER DIRECT OR INDIRECT INTEREST

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

CONCLUSION

Given the profile of the proposal and the initial survey results provided, it is recommended that Council proceeds to consultation with the community via letters/surveys and advertisements in local newspapers.

A further report will be brought to Council summarising the submissions from the community, and Council will then formally resolve to adopt or abandon the proposal.

Only if the proposal is approved by Council, following public consultation, will it be forwarded to the Registrar for final approval.

It should be noted that under the Act, the Minister, through the Registrar, has the ultimate power to approve, assign or alter the recorded name of a place as its official name.

RECOMMENDATION

- 1. That Council determines to commence the statutory naming process by consulting with the community for a period of 60 days from the date of the initial letter.**
- 2. That the community consultation include: Letters and surveys to affected owners and occupiers of rateable properties and community groups and organisations within Rosebud West; Public Notices in local newspapers; and Public Notice and information on the Shire website inviting submissions.**
- 3. That Council approves allocation of funds for associated consultation costs.**
- 4. That following the initial public consultation phase, a further report with a summary of the submissions will be provided to Council to formally determine the naming proposal.**

[VIEW ATTACHMENT 1](#)

[VIEW ATTACHMENT 2](#)

[VIEW ATTACHMENT 3](#)