

POLICY INCONSISTENCIES AND DUPLICATIONS

Section 5 of Council Policy 2.2.8 Laneways & Rights of Way (Policy 2.2.8)

&

Landgate's Policies & Standards for Geographic Naming in Western Australia (Landgate's Policies and Standards)

1. Clause 5.1 in Policy 2.2.8 sets out the instances in which the City may consider naming a Right of Way (ROW). The requirement for the City to name a ROW is covered under Section 2 of Landgate's Policies and Standards which requires all roads to be named.
2. Clause 5.2 in Policy 2.2.8 sets out specific criteria for assigning names to ROW's. These requirements are included in the specific naming requirements in Section 1, Clause 1.4.2 and Section 2 of Landgate's Policies and Standards.
3. Clause 5.2 in Policy 2.2.8 outlines the information required to be submitted along with a name submission including historical information and the link to the local community. Section 2 of Landgate's Policy includes the required information to be included with a naming submission.
4. Clause 5.2 in Policy 2.2.8 sets out that the City is required to write to affected residents within a 250m radius of the ROW explaining that an application to name the ROW has been received and inviting further names to be provided for a period of 21 days without disclosing the original naming submission. This process does not provide for a transparent approach as the initial naming proposal is not advertised during consultation.
5. Section 5 of Policy 2.2.8 does not recognise that consultation may be required with Aboriginal groups in relation to Aboriginal names and the consultation approach is not consistent with Landgate's Policies and Standards. Section 1.8, 9 and Appendix 1A of Landgate's Policies and Standards requires the City to invite naming submissions in the first instance, and then consult with affected residents, ratepayers, businesses and community groups on the recommended name for a period of 30 days. Section 7 of Landgate's Policies and Standards also requires consultation with the relevant Aboriginal communities.
6. Clause 5.3 in Policy 2.2.8 sets out how the naming submissions will be assessed by Administration. These requirements are procedural in nature and are not required to be set out in a Council policy.
7. Clause 5.3 in Policy 2.2.8 sets out the method by which Council must determine a ROW naming submission and sets out that the decision is required to be made by an Absolute Majority. An Absolute Majority decision is not required under the *Local Government Act 1995*.
8. Clause 5.3 in Policy 2.2.8 does not recognise that Landgate is the determining authority for road naming and that the City's role is to provide a recommendation to Landgate rather than to determine the name itself. The naming process in Policy 2.2.8 is not consistent with the process in Landgate's Policies and Standards as Policy 2.2.8 requires consultation with the Geographic Names Committee prior to determining the name, where Landgate's Policies and Standards require the City to undertake an assessment of names and make a recommendation to Landgate once this assessment and consultation has been undertaken.
9. Clause 5.4 in Policy 2.2.8 sets out the actions required once a ROW name is approved by Council. This includes the City advising relevant parties of Council's decision, manufacturing and installing nameplates, and recording historic information in the City's local history collection. These are administrative procedures and guidance is not required in a Council Policy.