

## AMENDED ITEM



**Item No:** 4.1  
**Title:** Questions with Notice  
**Department:** Governance

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27 July 2020 Ordinary Council Meeting

Reference: F2020/00039 - D14061602

### Questions with Notice

The following question was submitted by Councillor Gale:

#### **Derelict Properties – avoiding squatters**

*In residential areas, what remediation can residents take to avoid squatters when neighbouring properties are left derelict and the owners of such derelict properties seek unreasonable and unrealistic house sale prices?*

The response provided by the Director, Environment and Planning:

Residents may report alleged unauthorised occupation of a dwelling to Council. Where reported, staff will conduct an inspection and notify the owner requesting action to ensure the building is maintained and secured. The Orders provisions of the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979* only authorise Council to take enforcement action when unsafe conditions are present.

Council has no jurisdiction to control house sale prices.

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The following question was submitted by Councillor Gale:

#### **Derelict Properties – property maintenance**

*How can residents encourage and ensure appropriate property maintenance on such derelict properties?*

The response was provided by the Director, Environment and Planning:

Residents' ability to encourage maintenance is to advise Council of their concerns. Following notification, staff will undertake an assessment and may take action where warranted under the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979*. Action is limited to address unsafe conditions.

Residents have civil rights to take legal action where damages can be established.

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The following question was submitted by Councillor MacGregor:

**Tree removal over the last four years**

*In the last 4 years, since amalgamation, how many trees in parks and reserves have been removed due to 'poor health' or 'poor condition'? What is the cost to the council for removing these trees? How many '2 for 1' trees have been planted and are 'like for like' trees planted when natives are removed and is there a record kept by council?*

The response was provided by the Director, Environment and Planning:

This is a complex question requiring research and resources to provide an appropriate response. As a result it is not possible to provide a response for this Council meeting and it is proposed to provide the response for inclusion in the Business Paper for the meeting of 14 September 2020.

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The following question was submitted by Councillor MacGregor:

**Naming of streets, lanes, park and public spaces in Central Coast Council Area**

*What is the current process for the naming of streets, lanes, parks and public places in the CCLGA? Does this process take into account local history, indigenous culture, flora and fauna when selecting names for these said places?*

The response was provided by the Chief Information Officer:

**Streets and Laneways**

Road naming is legislated under the Roads Act 1993 and Roads Regulation 2018. These Acts empower the authority in charge of the road with the rights to name it.

Council is empowered for naming/re-naming and gazetting road names in the CCC LGA of the following road class:

- Regional and Local Roads
- Roads over rail bridges on Regional and Local Roads
- Private Roads/Crown Roads
- Right of ways/easements (those intended as roads)

The NSW Addressing User Manual outlines the Geographical Names Board (GNB) policy, principles, process and procedures for addressing and road naming in New South Wales. This manual is related to the following policies and standards; Australian/New Zealand Standard 4819:2011 - Rural and Urban Addressing; NSW Address Policy; NSW Retrospective Address Policy.

[http://www.gnb.nsw.gov.au/addressing/nsw\\_addressing\\_policies\\_guidelines](http://www.gnb.nsw.gov.au/addressing/nsw_addressing_policies_guidelines)

Section 6.7 of the NSW Addressing User Manual outlines the principles for road naming/re-naming in order to ensure that naming practices in NSW will be of the highest possible standard and will result in intuitively clear road names for all, minimising confusion, errors and omissions. The GNB encourages naming based on local history, indigenous culture, flora and fauna etc as per the excerpt below, which council follows accordingly.

### 6.7.5 Acceptable Road Names

*Names of early settlers, war servicemen and women and other persons who have contributed to the heritage of an area, local history themes, flora, fauna, ships etc. are usually most suitable for applying to roads.*

*Gender diversity in the selection of names is encouraged, as are names reflecting NSW multicultural heritage. Aboriginal names are also supported and shall be in a local language chosen in consultation with the Local Aboriginal Land Council.*

Process and consultation varies depending on the type of proposal ie public or private roads, greenfield sites and whether it is a road naming or re-naming (Section 7.1 outlines required consultation).

Specific to requesting a road name change, requests are required to be submitted to Council, who ensures the principles as outlined in Section 6.7 of the NSW Addressing User Manual are met. If a substantive reason can be provided and all principles are met, a report to the Council will be prepared for consideration to proceed with the re-naming including public consultation as appropriate. Once the consultation process is complete, the Council will need to ratify the proposal by either endorsing for submission to the GNB or discarding/amending the proposal. Final endorsement belongs to the GNB and appeals process if required is to the Roads Minister.

Below is an excerpt from the NSW Addressing User Manual (Section which summarises the above process:

- 1 Define road extent and select a road name
- 2 Check name against Gazetteer, Principles and Policies
- 3 Help and suitability assessment form
- 4 Consultation with public and authorities
- 5 Finalise Proposal and submit to GNB
- 6 GNB Secretariat considers Proposal
- 7 GNB considers Proposal
- 8 Update Gazetteer and issue Gazettal notice
- 9 Appeal decision- referral to Roads Minister
- 10 Notification and signage

In the case of naming a laneway, the same procedures apply, however this is a case by case consideration. Generally naming a laneway is only considered when no alternative addressing can be provided as in many cases the laneways are not sealed roads and also unsuitable for service providers to access.

### **Place Naming**

Geographical names (place names) fall under the authority of the GNB and operate under the Geographical Names Act 1966.

Process is as per the NSW Place Name Policy and all proposals are required to conform to the GNB's naming principles also outlined in the policy.

Proposals submitted through Council require a Council resolution and indication of community support.

Excerpt from the NSW Place Name Policy regarding council requirements is as follows:

#### 9.5 Council resolutions to identify community support

*When Council submit a naming proposal, it should be supported by a Council resolution. Council should also supply evidence that they have sought community feedback on the proposal. This could include advertising and inviting comment using:*

- *Local newspapers.*
- *Relevant web site.*
- *Local council facilities (eg offices, libraries etc).*
- *Notices to residents in the area surrounding the feature of the proposed name.*
- *Notices to local progress associations.*

See below link to the GNB website for Place Naming:

[https://www.gnb.nsw.gov.au/place\\_naming](https://www.gnb.nsw.gov.au/place_naming)

All of the above is considered when naming roads, laneways and places.

The response was provided by the Director of Environment and Planning:

### **Naming of Parks**

New names for Council facilities such as parks and sporting facilities are provided by developers during the subdivision process. Most of these names are location related, such as Hamlyn Terrace Oval in Hamlyn Terrace.

A request can be made to name or rename a Council facility. Council's Policy for Memorials, Naming of Facilities and Donations of Park Furniture and Trees sets out the current process for dealing with a request for naming of Council facilities. The purpose of policy is to ensure the naming of Council owned facilities is consistent with community expectations, relevant legislation and the Geographical Naming Board of NSW (GNB) guidelines where applicable.

An application must be supported by a minimum of three third parties, one of which must be a local community group. If Council staff consider the application for name or re-name may be controversial, it will be advertised for a period of 21 days to provide the opportunity for community comment and feedback.

The policy requires a supporting Council Resolution prior to a naming or re-naming of a Council facility. In some cases, the approval of the Geographical Naming Board will also be required. The GNB will consider the application. If it is supported, members of the public will be invited to comment. If no objections are received the name becomes official and GNB updates the official NSW mapping database and Geographical Names Register. If objections are received, Council will have an opportunity to comment prior to a report going to the Minister for approval.

**Attachments**

Nil