

**Version No. 004**  
**Geographic Place Names Act 1998**  
**No. 7 of 1998**

Version incorporating amendments as at 8 February 2008

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**The Parliament of Victoria enacts as follows:**

**PART 1—PRELIMINARY**

**1 Purpose**

The purpose of this Act is to make provision for the naming of places and the registration of place names, to amend the **Survey Co-ordination Act 1958** and the **Local Government Act 1989**.

**2 Commencement**

- (1) This Part comes into operation on the day on which this Act receives the Royal Assent.
- (2) Subject to subsection (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.
- (3) If a provision referred to in subsection (2) does not come into operation before 31 December 1998, it comes into operation on that day.

**3 Definitions**

In this Act—

*Committee* means a Geographic Place Names Advisory Committee appointed under section 12;

*geographic name*, in relation to a place, means the name registered in the Register as the name for that place;

***guidelines*** means the guidelines having effect under Part 2;

***place*** means any place or building that is, or is likely to be, of public or historical interest and includes, but is not restricted to—

- (a) township, area, park, garden, reserve of land, suburb and locality;
- (b) topographical feature, including undersea feature;
- (c) street, road, transport station, government school, government hospital and government nursing home;

***Register*** means the Register of Geographic Names established under section 9;

***Registrar*** means the Registrar of Geographic Names appointed under section 7.

#### 4 Restriction on operation of Act

This Act—

- (a) does not apply to the naming of—
  - (i) an electoral region or district; or
  - (ii) a municipal district or a ward of a municipal district; and
- (b) does not affect the powers and authorities conferred by or under any other Act on the Governor in Council or on any person to assign or amend the name of a place.

S. 4(a)(i)  
amended by  
Nos 24/1999  
s. 47, 2/2003  
s. 51.

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## **PART 2—GUIDELINES FOR GEOGRAPHIC NAMES**

### **5 Geographic Names Policy Guidelines**

- (1) The Governor in Council, on the recommendation of the Minister, by Order published in the Government Gazette, may make guidelines relating to procedures to be implemented in selecting, assigning or amending names of places.
- (2) Without limiting the generality of subsection (1), the guidelines—
  - (a) must set out the rules and process to be followed in selecting, assigning or amending a name of a place;
  - (b) must set out the process to be followed before selecting or assigning an Aboriginal or Torres Strait Islander name of a place;
  - (c) must specify criteria for the assessment of cultural heritage or other significance in relation to the naming of places;
  - (d) must set out requirements for consultation before a name of a place is selected, assigned or amended; and
  - (e) may specify any other matter or thing appropriate in relation to the naming of places.

### **6 Guidelines to be reviewed**

The Registrar must ensure that the guidelines are reviewed at least once every 5 years and that a report on any review is given to the Minister.

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**PART 3—REGISTRATION OF GEOGRAPHIC NAMES**

**7 Registrar of Geographic Names**

- (1) The Minister may appoint a person to be the Registrar of Geographic Names.
- (2) The Registrar holds office for a period not exceeding 3 years specified in his or her instrument of appointment.
- (3) The Registrar may be re-appointed.

**8 Functions and powers of Registrar**

- (1) The functions of the Registrar are—
  - (a) to carry out the functions under this Act of registering names of places;
  - (b) to keep and maintain the Register;
  - (c) to advise the Minister on the establishment and development of the guidelines;
  - (d) to disseminate information on the guidelines;
  - (e) to monitor and review compliance with the guidelines; and
  - (f) such other functions as are conferred on the Registrar by or under this Act.
- (2) The Registrar has such powers as are necessary for the carrying out of the functions of the Registrar under this Act.

**9 Register of Geographic Names**

- (1) There is established a Register of Geographic Names.
- (2) The Register is to be kept in such form as the Registrar determines.

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- (3) The register of place names and the register of the names of streets and roads under Part II of the **Survey Co-ordination Act 1958** form part of the Register under this Act.

#### **10 Applications to the Registrar**

Subject to and in accordance with the guidelines, a person or body may apply to the Registrar for the registration of a name of a place or the amendment of a geographic name.

#### **11 Registration of names**

- (1) The Registrar must enter in the Register each name for which an application for registration is made in accordance with this Act and the guidelines, other than an application that is referred to a Committee for advice.
- (2) The Registrar must amend a geographic name in accordance with an application for amendment made in accordance with this Act and the guidelines, other than an application that is referred to a Committee for advice.
- (3) The Registrar, upon receiving advice in accordance with this Act and the guidelines from a Committee to which a matter is referred under this Act, must make such entries or alterations in the Register as are necessary to give effect to that advice.
- (4) The Registrar may make such entries in the Register as the Registrar determines are appropriate to record the names of places for which names are assigned by or under any other Act.
- (5) The Registrar must comply with any directions given by the Minister from time to time concerning the registration of names in the Register and must not make an entry inconsistent

with any such direction as in force from time to time.

- (6) The Registrar must cause to be published in the Government Gazette, and in such newspapers circulating generally in the State as the Registrar thinks appropriate, a notice of each entry of a place name, and of each amendment of an entry, in the Register.

## **12 Geographic Place Names Advisory Committees**

- (1) The Minister may, in writing, direct the Registrar to refer a matter relating to the naming of a place, or class of places, to a Committee for its advice.
- (2) The Registrar may refer—
  - (a) an application under section 10; or
  - (b) any matter relating to the name of a place, or class of places—to a Committee for its advice.
- (3) The Registrar must appoint a chairperson and at least 2 other persons from the panel maintained under section 14 as the Committee for the purposes of a reference under this section.

## **13 Advice to Registrar**

A Committee must give its advice to the Registrar as to the matter that is referred to it under this Act.

## **14 Panel of eligible appointees**

- (1) The Minister may maintain a panel of persons for appointment as members of Committees.
- (2) The panel should comprise, so far as is possible, persons with knowledge, background or experience in at least one of the following areas and at least one person with knowledge background or experience in each area—



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- (a) mapping or geography;
  - (b) planning;
  - (c) local government administration;
  - (d) aboriginal culture and language;
  - (e) heritage or historical matters;
  - (f) orthography or linguistics.
- (3) A panel member may resign from the position of panel member by writing signed by the member and given to the Minister.
  - (4) The Minister may at any time remove a member from the panel.
  - (5) The Registrar is not eligible to be a member of the panel.

#### **15 Fees and allowances**

A member of a Committee, other than a member who is an employee of the public service, is entitled to receive the fees, travelling and other allowances from time to time fixed by the Minister.

S. 15  
amended by  
No. 46/1998  
s. 7(Sch. 1).

#### **16 Procedure of Committee**

- (1) Meetings of a Committee are to be held at such times and places as the Registrar determines.
- (2) A majority of the members for the time being constitutes a quorum of a Committee.
- (3) A question arising at a meeting must be determined by 3 members or a majority of votes of members present and voting on that question (whichever is the greater) and, if the voting is equal, the person presiding has a casting vote as well as a deliberative vote.

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- (4) The person presiding must ensure that minutes are kept of each of its meetings.
  - (5) Subject to this Part, a Committee may regulate its own procedure.

**17 Disclosure of interest**

- (1) A member of a Committee who has a direct or pecuniary interest in a matter being dealt with by the Committee must disclose the nature of that interest at a meeting of the Committee as soon as possible after becoming aware of the interest.
- (2) A member of a Committee who holds an office or possesses property as a result of which, directly or indirectly, duties or interests may be created in conflict with the member's duties as a member, must disclose that fact at a meeting of the Committee as soon as possible after having become aware of the potential conflict.
- (3) The person presiding at a meeting at which a disclosure under this section is made must cause that disclosure to be recorded in the minutes of the meeting.
- (4) A person who has made a disclosure under this section must not take any further part in the discussion or vote on the matter to which the disclosure relates.

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**PART 4—GENERAL**

**18 Evidence**

If the name of a place is registered in the Register, the name is evidence of the name of the place for the purposes of any Act, proclamation, Order in Council, local law, rule, regulation, official map, record, legal instrument or document.

**19 Regulations**

The Governor in Council may make regulations for or with respect to any matter or thing required or permitted to be prescribed or necessary to be prescribed for the purposes of this Act.

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**PART 5—CONSEQUENTIAL AMENDMENTS AND  
TRANSITIONAL PROVISIONS**

**20 Repeal**

Part II of the **Survey Co-ordination Act 1958** is repealed.

**21 Applications before the old Committee**

- (1) If, immediately before the commencement of Part 3 of this Act, the Place Names Committee established under section 24 of the **Survey Co-ordination Act 1958** has commenced but not yet completed an enquiry, examination or investigation into the naming of a place, that Committee may complete that enquiry, examination or investigation as if this Act had not been enacted and may make a recommendation to the Registrar.
- (2) A recommendation made to the Registrar under subsection (1) is deemed to be the recommendation of a Committee under this Act.

**22 Redundant reference to Subordinate Legislation Act**

Section 22(3) of the **Survey Co-ordination Act 1958** is repealed.

**23 Amendment to Schedule 10 of the Local Government Act 1989**

In Schedule 10 to the **Local Government Act 1989**, for clause 5(2) substitute—

- "(2) The Council, in exercising a power under paragraph (a) of subclause (1) must act in accordance with the guidelines in force for the time being under the **Geographic Place Names Act 1998** and must advise the Registrar under that Act of the action it has taken under that paragraph."

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**24 Statute law revision**

In section 3 of the **Survey Co-ordination Act 1958**—

- (a) in the definition of *Australian Geodetic Datum*, for "Spheroidal" substitute "Spheroidal"; and
  - (b) in the definition of *Australian Map Grid*, for "Australia Geodetic" substitute "Australian Geodetic".
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## ENDNOTES

### 1. General Information

*Minister's second reading speech—*

*Legislative Assembly: 26 February 1998*

*Legislative Council: 25 March 1998*

The long title for the Bill for this Act was "A Bill to make provision for the naming of places and the registration of place names, to amend the **Survey Co-ordination Act 1958** and the **Local Government Act 1989** and for other purposes."

The **Geographic Place Names Act 1998** was assented to on 21 April 1998 and came into operation as follows:

Part 1 (sections 1–4) on 21 April 1998: section 2(1); rest of Act on 31 December 1998: section 2(3)

Geographic Place Names Act 1998  
No. 7 of 1998

Endnotes

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## 2. Table of Amendments

This Version incorporates amendments made to the **Geographic Place Names Act 1998** by Acts and subordinate instruments.

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### **Public Sector Reform (Miscellaneous Amendments) Act 1998, No. 46/1998**

*Assent Date:* 26.5.98  
*Commencement Date:* S. 7(Sch. 1) on 1.7.98: s. 2(2)  
*Current State:* This information relates only to the provision/s amending the **Geographic Place Names Act 1998**

### **The Constitution Act Amendment (Amendment) Act 1999, No. 24/1999**

*Assent Date:* 25.5.99  
*Commencement Date:* 8.6.99: s. 2  
*Current State:* All of Act in operation

### **Constitution (Parliamentary Reform) Act 2003, No. 2/2003**

*Assent Date:* 8.4.03  
*Commencement Date:* S. 51 on 31.10.06: s. 2(3)  
*Current State:* This information relates only to the provision/s amending the **Geographic Place Names Act 1998**

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**Endnotes**

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**3. Explanatory Details**

No entries at date of publication.