

VOTING REQUIREMENTS

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 9.4.1
MOVED: CR CARMAN	SECONDED: CR DEVENPORT
That with respect to the Denmark Walpole Football Club Incorporated’s occupation of a portion of Reserve 15513, being part of Lot 1087 on Deposited Plan 193666, Council:	
1. AGREE to lease the premises for a period of 21 years for an annual rent of \$1.00, as per Attachment 9.4.1; and	
2. AUTHORISE the Shire President and the Chief Executive Officer to execute the lease, subject to obtaining Ministerial Approval.	
CARRIED: 8/0	Res: 100723

9.4.2 PROPOSED NAMING – PORTION OF WILSON INLET FORESHORE, ‘HART COVE’

File Ref:	File
Applicant / Proponent:	Serena Kirby on behalf of the family
Subject Land / Locality:	Portion of northern shoreline of Wilson Inlet
Disclosure of Officer Interest:	Nil
Date:	14 June 2023
Author:	Claire Thompson, Governance Coordinator
Authorising Officer:	David King, Chief Executive Officer
	9.4.2a – Proposal
	9.4.2b – Maps
Attachments:	9.4.2c – Advice from Wagyl Kaip Cultural Advice Committee

IN BRIEF

- The Shire has received a request to name an area along the Wilson Inlet Foreshore ‘Hart Cove’.
- Council is required to consider the proposal and if agreed to in principle, advertise and seek public and stakeholder input.

RECOMMENDATION

That with respect to the proposal to name a portion of the northern shoreline of Wilson Inlet, located within the Shire of Denmark local government area, Council:

1. SUPPORT the proposal in principle;
2. ADVERTISE the proposal broadly seeking public comment;
3. SEEK comment from residents and ratepayers who live near the location;
4. SEEK specific comment from the following stakeholders:
 - a) Department of Fisheries
 - b) Department of Transport
 - c) Department of Water
 - d) Department of Planning, Lands and Heritage
 - e) Southern Seafood Producers WA
 - f) Denmark Sea Rescue
 - g) Denmark Cruise and Adventures

- h) Madfish Charters
 - i) Wilson Inlet Restoration Group
 - j) Wilson Inlet Catchment Committee
 - k) South Coast Natural Resource Management
 - l) Denmark Historical Society
5. REQUEST that the Chief Executive Officer bring the matter back to Council with any submissions received for further consideration.

LOCATION

1. Portion of northern foreshore of Wilson Inlet, within the Shire of Denmark local government area. See Attachment 9.4.2b.
2. The location proposed is at the rear of Jim and Ethel Hart's residence of over 32 years. Ethel still resides at the dwelling.

BACKGROUND

3. The Shire has received a proposal from a member of the public, on behalf of the Hart Family, to name a portion of the Wilson Inlet Foreshore, 'Hart Cove'.
4. Council is required to consider and comment/endorse the proposal prior to it being submitted to Landgate.
5. This report and recommendation serves as the first part of the process, being initial in principle support for the purposes of consultation.

DISCUSSION / OFFICER COMMENTS

6. A copy of the naming proposal is attached (see Attachment 9.4.2a).
7. The documentation provides evidence of Jim's connection to Denmark and the area proposed for naming.

CONSULTATION AND EXTERNAL ADVICE

8. The *Policies and Standards for Geographical Naming in Western Australia* ('Policies and Standards') detail consultation requirements for different types of naming proposals, and requires consultation with Aboriginal communities prior to any public consultation.
9. The proposal has been referred to the Wagyl Kaip Cultural Advice Committee who have advised that they have no objection (see Attachment 9.4.2c). It is noted that this advice was received some time ago however, due to an administration oversight, the Author was only made aware of it in late May 2023.
10. Given the requirement for an assessment of Jim's 'significant community contribution', initial advice was also sought from Landgate. Landgate have provided in principle support noting that it will still need to be considered by the Geographic Names Committee and the Minister.
11. All commemorative name proposals must include evidence of support by the wider community and reach beyond a single local government, person or special interest group.
12. Officers consider this proposal to be of interest to the extended community, as defined in clause 1.8.1 of the Policies and Standards. Should Council support the proposal for the purpose of advertising, it is recommended that key stakeholders also be consulted.

STATUTORY / LEGAL IMPLICATIONS

13. Land Administration Act 1997

Section 26A(5) – a person must not assign a name to an area without the prior approval of the Minister for Lands.

14. The legislation is supported by the *Policies and Standards for Geographical Naming in Western Australia* ('Policies and Standards'), which detail the process to be undertaken prior to referring a proposed name to the Geographic Names Committee, who then make a recommendation to the Minister. Of note in the Policies and Standards:

- Clause 1.4.2
 - the use of a personal name can only be used posthumously. Jim passed away in February 2022.
 - permission of the immediate family must be obtained. The applicant is acting on behalf of the family.
 - There must be evidence of broad community support for the proposal.
- Clause 1.8.1 - Consultation
 - The immediate community is defined as including residents, ratepayers and businesses within the immediate area who are directly affected by the submission.
 - The extended community includes residents, ratepayers and businesses surrounding the area directly affected by the proposal, any visitor groups to the area, and government or non-government organisations with an interest in the area.
- Clause 3.1.2
 - Each topographic name proposal needs to include a feature class.
- Appendix 3A
 - Defines a 'Cove' as "a sheltered recess in a coast, a small bay, a creek or inlet where boats may shelter. This is considered appropriate for this proposal.
- Section 9
 - Provides guidance on consultation and naming proposals.

15. Road & Reserve Naming within the Shire Policy

The name 'Hart' is identified in the policy to be used in the future in recognition of a 'War Veteran'. There is no other information and from the history received, there is no mention of Jim Hart going to war, so it is unlikely that the 'Hart' reference is for Jim.

Notwithstanding, it does not negatively impact this proposal.

STRATEGIC / POLICY IMPLICATIONS

16. Our Future 3033

The proposed naming of Hart Cove is consistent with the engagement and decision making objectives of the Strategic Community Plan ‘Our Future 2033’.

FINANCIAL IMPLICATIONS

17. The cost of advertising the proposed name can be accommodated within the Shire’s current advertising budget.

OTHER IMPLICATIONS

Environmental

18. There are no known significant environmental implications relating to the report or officer recommendation.

Economic

19. There are no known significant economic implications relating to the report or officer recommendation.

Social

20. Geographic nomenclature can provide a mechanism to recognise a person’s connection and contribution to an area and/or community.

RISK MANAGEMENT

21. This report and recommendation seek the Council’s in principle to support, or not, the naming proposal for the purposes of consultation.

22. A risk assessment has been undertaken per the Shire’s Risk Management Governance Framework, and no risks have been identified in relation to the officer recommendation or the report.

VOTING REQUIREMENTS

23. Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 9.4.2
MOVED: CR GEARON	SECONDED: CR GIBSON
That with respect to the proposal to name of ‘Hart Cove’ for a portion of the northern shoreline of Wilson Inlet, located within the Shire of Denmark local government area, Council:	
<ol style="list-style-type: none"> 1. SUPPORT the proposal in principle; 2. ADVERTISE the proposal broadly seeking public comment; 3. SEEK comment from residents and ratepayers who live near the location; 4. SEEK specific comment from the following stakeholders: <ol style="list-style-type: none"> a) Department of Fisheries b) Department of Transport c) Department of Water d) Department of Planning, Lands and Heritage 	

- e) Southern Seafood Producers WA
 - f) Denmark Sea Rescue
 - g) Denmark Cruise and Adventures
 - h) Madfish Charters
 - i) Wilson Inlet Restoration Group
 - j) Wilson Inlet Catchment Committee
 - k) South Coast Natural Resource Management
 - l) Denmark Historical Society
5. REQUEST that the Chief Executive Officer bring the matter back to Council with any submissions received for further consideration.

AMENDMENT

MOVED: CR CARMAN

SECONDED: CR LEWIS

That the Part 4 stakeholder list include the South Coast Bushcare Services.

CARRIED: 8/0

Res: 110723

AMENDED MOTION

That with respect to the proposal to name a portion of the northern shoreline of Wilson Inlet, located within the Shire of Denmark local government area, Council:

1. SUPPORT the proposal in principle;
2. ADVERTISE the proposal broadly seeking public comment;
3. SEEK comment from residents and ratepayers who live near the location;
4. SEEK specific comment from the following stakeholders:
 - a) Department of Fisheries
 - b) Department of Transport
 - c) Department of Water
 - d) Department of Planning, Lands and Heritage
 - e) Southern Seafood Producers WA
 - f) Denmark Sea Rescue
 - g) Denmark Cruise and Adventures
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 - i) Wilson Inlet Restoration Group
 - j) Wilson Inlet Catchment Committee
 - k) South Coast Natural Resource Management
 - l) Denmark Historical Society
 - m) South Coast Bushcare Services
5. REQUEST that the Chief Executive Officer bring the matter back to Council with any submissions received for further consideration.

THE AMENDED MOTION BECAME THE SUBSTANTIVE MOTION WHICH WAS PUT &

CARRIED: 8/0

Res: 120723

REASONS FOR CHANGE

Council added South Coast Bushcare Services Inc. as a stakeholder because they work in land management on the Wilson Inlet Foreshore.