The Council of the City of Cockburn

Special Council Meeting
Agenda

Tuesday 1 December 2026

City of Cockburn
PO Box 1215, Bibra Lake
Western Australia 6965
Cnr Rockingham Road and
Coleville Crescent, Spearwood
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Notice of Meeting

A Special Meeting of Council has been called for Tuesday 1 December 2026.

The meeting is to be conducted at 6:00pm in the City of Cockburn Council Chambers, Administration Building, Coleville Crescent, Spearwood.

Purpose of Meeting

For Council to:

- consider the submissions received on the review of the City of Cockburn (Local Government Act) Local Laws 2000 and the City of Cockburn Jetties, Waterways and Marina Local Law 2012; and
- determine whether the above local laws should be repealed, amended or remain unchanged.

Daniel Simms
Chief Executive Officer

Special Council Meeting
Tuesday 1 December 2026

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1 Declaration of Meeting

Acknowledgement of Country
The City of Cockburn acknowledges the Nyungar people of Beeliar Boodjar. Long ago, now and in the future they care for Country. We acknowledge a continuing connection to Land, Waters and Culture and pay our respects to the Elders, past and present.

2 Appointment of Presiding Member (when required)

3 Disclaimer

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position.

Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

4 Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflicts of Interest (by Presiding Member)

Item	Name	Type/Nature

5 Apologies and Leaves of Absence

Apologies

Ms K Johnson, Director Community and Place

6 Public Question Time

7 Deputations

Nil.

8 Declaration by Members who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting

9 Purpose of Meeting

For Council to:

- consider the submissions received on the review of the City of Cockburn (Local Government Act) Local Laws 2000 and the City of Cockburn Jetties, Waterways and Marina Local Law 2012; and
- determine whether the above local laws should be repealed, amended or remain unchanged.

10 Reports

10.1 Review of Consolidated and Jetties, Waterways and Marina Local Laws

Responsible Executive Chief Executive Officer

Author(s) Service Lead Governance and Council Support

Attachments
1. Schedule of Submissions - City of Cockburn (Local Government Act) Local Laws 2000 [**10.1.1** - 15 pages]
2. Schedule of Submissions - Jetties, Waterways and Marina Local Law 2012 [**10.1.2** - 14 pages]

Recommendation
That Council:

(1) NOTES the submissions received on the review of the City of Cockburn (Local Government Act) Local Laws 2000 and the City of Cockburn Jetties, Waterways and Marina Local Law 2012, as shown by Attachments 1 and 2;

(2) RESOLVES to REPEAL and REPLACE both local laws; and

(3) NOTES that the proposed City of Cockburn Public Places Local Law 2026 will, when adopted, repeal the main operative provisions of the City of Cockburn (Local Government Act) Local Laws 2000, as well as the entirety of the City of Cockburn Jetties, Waterways and Marina Local Law 2012.

To be carried by Absolute Majority

Background

The Local Government Act 1995 (the Act) now requires that all local laws are reviewed under section 3.16 of the Act once every 15 years. Prior to legislative reform which came into effect on 6 December 2024, this was once every 8 years.

As part of this same reform, any local laws which were overdue for review as at 6 December 2024 would lapse on 7 December 2026 if they are still in effect and had not undergone a legislative review. The City of Cockburn (Local Government Act) Local Law 2000 (Consolidated Local Law) and City of Cockburn Jetties, Waterways and Marina Local Law 2012 (Jetties, Waterways and Marina Local Law) are caught by this clause.

City officers, as part of a wider local law review, had drafted a suite of new local laws. 5/6 of these local laws are now in force and operational. One, being the City of Cockburn Public Places Local Law 2026, is still waiting for Governor approval. It was submitted to the Department of Local Government for this purpose at the end of May 2026. This local law will replace the main operative parts of the Consolidated Local Law, as well as the entirety of the Jetties, Waterways and Marina Local Law.

City officers expected that Governor approval and subsequent implementation of the City of Cockburn Public Places Local Law 2026 would have been completed by 6 December 2026, negating the need for any review of the Consolidated Local Law and Jetties, Waterways and Marina Local Law. Governor approval has still not been granted, and City officers are not confident this process will be complete and the local law process finalised by 6 December 2026.

Therefore, it is necessary for Council to review the Consolidated Local Law and Jetties, Waterways and Marina Local Law to ensure continued regulation of thoroughfares, local government property, public places, jetties, waterways and marinas until the City of Cockburn Public Places Local Law 2026 is approved by the Governor, adopted by Council and implemented.

This report presents to Council the submissions received by the City on the Consolidated Local Law and Jetties, Waterways and Marina Local Law, as per the requirements of section 3.16 of the Act.

Submission

Submissions are attached to this report as Attachments 1 and 2.

Report

From 30 September 2026 to 13 November 2026, the City sought comment on the Consolidated Local Law and the Jetties, Waterways and Marina Local Law, pursuant to section 3.16 of the Act.

Submissions are shown as Attachments 1 and 2.

As previously reported to Council as part of the wider local law review, the Consolidated Local Law is extremely old and out of date and not aligned with WALGA templates or best-practice.

In particular, the Consolidated Local Law purports to regulate a number of matters which are the subject of State legislation, examples being dog exercise areas and graffiti. It also attempts to regulate matters that are not properly the concern or responsibility of local government, for example, public decency.

The control and management of jetties, waterways and marinas is currently regulated by the Jetties, Waterways and Marina Local Law. As part of the wider local law review, Council determined it would be more effective and efficient to incorporate the requirements of this local law in any new local government property and thoroughfares local law, consistent with how these topics are approached at most other local governments in WA.

As such, a new City of Cockburn Public Places Local Law 2026 was developed and endorsed by Council. Many of the issues raised in the submissions have been addressed in the proposed City of Cockburn Public Places Local Law 2026.

City officers therefore recommend that Council resolve to repeal and replace both the Consolidated Local Law and Jetties, Waterways and Marina Local Law with the City of Cockburn Public Places Local Law 2026.

As the City of Cockburn Public Places Local Law 2026 is drafted, it will not repeal all remaining operative provisions in the Consolidated Local Law on enactment. This was a deliberate strategy taken by City officers, knowing that any remaining operative provisions would have lapsed on 7 December 2026.

As the Consolidated Local Law will now not lapse on 7 December 2026, Council will need to make a local law to repeal the remaining operative provisions. This will be done in 2027 once the City of Cockburn Public Places Local Law 2026 is in force and has gone through Parliamentary scrutiny.

Strategic Plans/Policy Implications

Our Governance
Transparent leadership that listens, communicates openly and plans for a sustainable future.

- Facilitate transparent and accountable governance for today and tomorrow.

Budget/Financial Implications

There are no significant budget or financial implications arising from the recommendations of this report.

Legal Implications

The City must review its local laws within the legislative timeframe otherwise they will lapse on 7 December 2026 if still in effect. The review has complied with the legislative requirements specified in section 3.16 of the Act.

Community Consultation

In accordance with section 3.16 of the Act, the City invited submissions between 30 September 2026 and 13 November 2026.

The opportunity to provide comment was advertised:

1. on the City's website
2. via a direct email sent to Comment on Cockburn subscribers
3. via a poster at the City's Main Administration Building and Spearwood, Coolbellup and Success Libraries
4. in the West Australian newspaper
5. on the City of Cockburn Instagram page

In total:

- 9 submissions were received on the Consolidated Local Law; and
- 7 submissions were received on the Jetties, Waterways and Marina Local Law.

Submissions raised broad and varied points, which can be found in the attached documents.

Risk Management Implications

There is a low level of risk associated with adopting the officer recommendations as presented to Council.

There is a moderate to substantial level of risk if Council were not to endorse the outcome of the section 3.16 local law review, as it means the Consolidated Local Law and the Jetties, Waterways and Marina Local Law are amenable to lapse on 7 December 2026.

Advice to Proponent(s)/Submitters

Those who lodged a submission have been advised that this matter is to be considered at the 1 December 2026 Special Council Meeting.

Implications of Section 3.18(3) Local Government Act 1995

Nil.

Schedule of Submissions

City of Cockburn (Local Government Act) Local Laws 2000

November 2026



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Acknowledgement of Country

Cockburn Nyungar moort Beeliar boodja-k kaadadjiny. Koora, yeyi, benang baalap nidja boodja-k kaaradjiny.

Ngalak kaditj boodjar kep wer kaadidjiny kalyakool yoodaniny, wer koora wer yeyi ngalak Birdiya koota-djinanginy.

The City of Cockburn acknowledges the Nyungar people of Beeliar Boodjar. Long ago, now and in the future they care for Country.

We acknowledge a continuing connection to Land, Waters and Culture and pay our respects to Elders, past and present.

Background

The *City of Cockburn (Local Government Act) Local Laws 2000,* also known as a Consolidated Local Law, sets the rules for how public spaces, local government facilities, and community assets can be used. It helps ensure public places remain safe, accessible, and enjoyable for everyone while protecting community infrastructure and local amenity.

The City's new *Public Places Local Law 2026* has been endorsed by Council and is awaiting final Governor approval. As the current local law regulating our public places will expire on 7 December 2026, the City reviewed its *(Local Government Act) Local Laws 2000* to ensure there are no gaps in how public places are managed until the new law comes into effect. This will ensure public places continue to be managed safely and effectively for our community. In accordance with section 3.16 of the *Local Government Act 1995*, the City of Cockburn sought community submissions on its *City of Cockburn (Local Government Act) Local Laws 2000* as part of the review process.

This document summarises the consultation process and the feedback received. In accordance with the Act's recommendation to prepare a schedule of submissions, the report also provides a schedule table containing the verbatim submissions received through the open-ended survey question, together with Officer responses to each submission.

This engagement was designed to gather community perspectives, experiences, and ideas to help inform future decisions. As a community engagement process, it is not intended to produce statistically representative results or be interpreted in isolation. This is one part of the broader evidence base to guide decision-making.

Process

In accordance with Section 3.16 of the *Local Government Act 1995*, the City of Cockburn advertised their intention to review the *City of Cockburn (Local Government Act) Local Laws 2000.*

Between Wednesday 30 September and Friday 13 November 2026, the City invited participants to provide feedback in the following ways:

- Online survey
- Hard copy survey (available on request)
- In writing
- Phone call
- Email.

To raise awareness and encourage input, the City distributed the following communications about the project:

- Project page on the City's Comment on Cockburn website
- Public Notice and printed copy of the *City of Cockburn (Local Government Act) Local Laws 2000.* available at the City's Main Administration Building, and Spearwood, Coolbellup, and Success Libraries
- E-newsletter to all Comment on Cockburn e-newsletter subscribers (11,363 recipients) on Wednesday 30 September 2026
- Public notice on the main City of Cockburn website on Wednesday 30 September 2026
- Public notice via the City's social media channels on Wednesday 30 September 2026
- Press advertising lineage in The West Australian on Thursday 1 October 2026.

During the comment period, the Comment on Cockburn e-newsletter public notice notifying subscribers of the local laws submission period was opened by 5,635 people. The Comment on Cockburn project page received 157 visits. Nine contributors provided input on the *City of Cockburn (Local Government Act) Local Laws 2000* review via the online survey.

Participant Submissions and City Responses

Submissions are shown as received, and therefore some spelling and grammatical errors may exist.

Online survey submissions

#	Date received	Name	Please provide your feedback/submission on the City of Cockburn (Local Government Act) Local Laws 2000	Officer response
1.	30 Sept	Withheld by request	Allow tenants to authorise who can park on their premise's verge as other Council's allow rather than having to get the property owner's permission. Stop residents from feeding birds an enforce those laws. Ravens, bin chickens and doves have taken over this suburb much to the detriment of native species such as magpies.	Noted. Parking is dealt with in the City of Cockburn Parking Local Law 2026 and is outside the scope of this project. The feeding of birds is dealt with in the City of Cockburn Health and Nuisances Local Law 2026 and is also outside the scope of this project.
2.	30 Sept	Nick Trevor	Commercial Vehicles Parked on Nature Strips – Enforcement and Compliance I have reported a number of occasions where heavy commercial vehicles have been parked on nature strips in apparent breach of Division 2, clause 9.3(b) of the relevant local law. On a number of occasions, Council Rangers or CoSafe have responded to these reports and I have subsequently been advised that an infringement notice was issued. However, in several instances, the same vehicle has returned and been parked on the nature strip again, sometimes shortly after the infringement was issued. This raises a significant concern about whether the current enforcement process is actually achieving its intended purpose. Clause 9.3(b) provides: A person shall not park a commercial vehicle or a caravan, omnibus or trailer on a nature strip or road for more than 4 hours consecutively or for more than 4 hours in a day unless in between each period that the commercial vehicle or caravan, omnibus or trailer is parked or allowed to remain stationary on the nature strip [it] has been removed from the nature strip for at least 24 hours. The purpose of such a provision is not simply to generate infringement notices. It is to regulate the use of nature strips and public places and, ultimately, achieve compliance. Where a person receives an infringement notice but continues to park the same commercial vehicle on the nature strip, the enforcement response appears to be having little deterrent effect. If the financial penalty is sufficiently low that the operator simply treats it as a cost of continuing to use the nature strip for commercial vehicle storage or parking, then the enforcement mechanism	Noted. Parking is now dealt with in the City of Cockburn Parking Local Law 2026 and is outside the scope of this project unless that parking has to primarily do with parking on a reserve or other local government property (not a thoroughfare, road or street – as this is the realm of the Parking Local Law). The City’s compliance and enforcement approach is outside the scope of this project and is guided by the City's Statutory Compliance and Enforcement Policy. This policy sets out the principles of compliance, which includes utilising a graduated approach to compliance, starting with education and warnings and escalating where necessary to infringements or prosecution. This ensures any action taken is fair and proportionate to the issue.

			is not achieving the policy objective of the local law. I therefore ask Council to consider whether its current approach is sufficiently effective and whether there is an opportunity to improve the enforcement process. In particular, Council should consider: 1. The effectiveness of repeated infringement notices – whether issuing further infringement notices to the same offender is actually bringing the person into compliance. 2. Repeat offending – whether Council has a mechanism for identifying vehicles or operators who repeatedly breach clause 9.3(b), rather than treating each report as an isolated incident. 3. Escalation of enforcement – whether the local law or Council's enforcement policy provides an appropriate escalation pathway where an offender continues to breach the provision after receiving an infringement notice. 4. Penalty levels – whether the applicable infringement penalty remains an adequate deterrent, particularly where a commercial operator repeatedly breaches the provision. 5. Evidence of ongoing non-compliance – whether photographs, dates, times, vehicle registration details and previous infringement records can be used collectively to demonstrate a continuing pattern of non-compliance. 6. Council's compliance objective – whether the current process is measuring success by the number of infringement notices issued, rather than by whether the offending vehicle is actually removed and the behaviour ceases. There appears to be an opportunity for Council to review this process and determine whether additional enforcement measures, higher penalties for repeat offending, or another form of escalation would be more effective in achieving compliance. I am not suggesting that infringement notices should not be issued. Rather, where the evidence demonstrates that infringement notices are repeatedly being issued but the same conduct continues, Council should examine why the existing process is failing to change the behaviour and whether its enforcement response can be strengthened. The objective should be effective compliance with the local law, rather than simply repeated enforcement action without a change in behaviour. I ask that Council review this matter and advise: * how repeat breaches of clause 9.3(b) are currently dealt with; * whether repeat offenders are identified and subject to an escalating enforcement response; * what options Council has where infringement notices have failed to achieve compliance; and * whether Council considers the current infringement penalty to be an adequate deterrent for repeated commercial vehicle parking on nature strips.	

			Given that this issue has occurred on multiple occasions, I believe it warrants consideration as a broader enforcement and compliance issue rather than being treated solely as a series of individual parking complaints.	
3.	30 Sept	Withheld by request	As a ratepayer in the City of Cockburn, my submission for the review of the City of Cockburn (Local Government Act) Local Laws 2000 focuses on four key priorities: 1. Protect Property Rights & Deregulate Verge Use: Remove council permit requirements and fees for standard, low-risk resident verge improvements (such as waterwise plants or low-lying landscaping). Council rules should not unnecessarily restrict or penalize residents' reasonable use of their own property and verges. 2. Reduce Red Tape & Cut Application Fees: Repeal permit requirements for low-risk, short-term community or family activities on public land. Where permits remain essential for public safety, eliminate application processing fees for ratepayers so administration is funded through rates rather than additional user charges. 3. Eliminate Redundant Regulations: Repeal local law clauses that duplicate existing Western Australian state legislation (e.g., state traffic, environmental, or criminal laws) to prevent administrative double-handling and clarify rules for residents. 4. Ensure Fair Penalty Enforcement: Cap modified penalties for minor non-compliance items and introduce a mandatory written warning system with a 30-day rectification window before issuing financial infringements. The primary focus of this review should be cutting unnecessary red tape, reducing administrative costs, and respecting ratepayer autonomy.	Noted. The City has given consideration to these factors as part of its local law review, particularly in the development of the proposed Public Places Local Law 2026. The City's proposed Public Places Local Law 2026 provides a framework for planting on verges. It sets out when approval is required, and when approval is not required. Generally speaking, the planting of a lawn or garden does not require approval, and the City would not intervene in this type of activity unless it posed a safety or other risk to the community or interfered with public assets and infrastructure. It is important to note that verges are the property of the City, not of the property owners abutting the verge. Fees are proposed for permits and other application processes to recover administrative costs associated with assessing, processing, issuing and managing permits. This ensures that the cost of providing services is funded by those who benefit from it, rather than the broader ratepayer community. The City considers this more equitable. The City's compliance and enforcement approach is guided by the City's Statutory Compliance and Enforcement Policy. This policy sets out the principles of compliance, which includes utilising a graduated approach to compliance, starting with education and warnings and escalating where necessary to infringements or prosecution. This ensures any action taken is fair and proportionate to the issue.
4.	1 Oct	Withheld by request	Please bring in cat control laws and associated fines for cat owners who allow their cats to roam free. Equal rights for dogs and cats	Noted. Cat control is outside the scope of this project. Further, the City of Cockburn Keeping of Animals Local Law 2026 prohibits cats from going into

				particular parks and reserves, as listed in that local law.
5.	1 Oct	Withheld by request	there is not enough big trees and or large plants or large shrubs planted along the verges. the blocks are too small and increase heating. Foxes and wild cats are not managed and attack native fauna so there needs to be traps set to catch them. Consider hiring professional fox/cat hunters..	Noted. The matters raised in this submission are outside the scope of this project.
6.	10 Oct	Withheld by request	I support retaining the existing protections against harming animals, damaging vegetation and littering. I would like the review to make protection of native wildlife and habitat an explicit priority when managing reserves, foreshores, beaches and other public places. This should include protecting nesting and breeding areas, native vegetation and coastal dunes, and preventing disturbance from vehicles, recreational activities and events. Please ensure that permits for activities in environmentally sensitive areas include appropriate environmental conditions, supported by clear signage and consistent enforcement. Where protections sit under other laws or policies, please explain how these work alongside the local laws so residents can understand the rules and report concerns.	Noted. The City's environmental and wildlife protection practices are outside the scope of this project.
7.	18 Oct	Withheld by request	I live on a two-hectare property in Banjup and chose to live here because of its open rural landscape, native vegetation, abundant wildlife and peaceful rural-residential character. These qualities make Banjup unique within the City of Cockburn and are highly valued by residents. Unfortunately, there has been a gradual loss of native vegetation and bushland character over many years, particularly along road verges, and I believe the City should do much more to reverse this trend. The City should significantly increase revegetation programs throughout Banjup, with a focus on restoring natural bushland ecosystems rather than simply planting trees. Successful revegetation requires a diversity of locally native species, including shrubs, bushes, sedges, grasses and groundcovers, as well as canopy trees. These different vegetation layers provide essential food sources, nesting habitat, shelter and movement corridors for native wildlife, including birds, reptiles, insects and pollinators. Restoring complete habitat systems would strengthen biodiversity, improve wildlife connectivity and help protect species that rely on remnant vegetation. I would also like to see stronger protection of existing native vegetation on verges and public land. Road, drainage and utility works should minimise unnecessary clearing, and opportunities should be taken to restore degraded areas wherever practical. Banjup's verges should be managed in a manner that reflects and enhances the area's rural bushland character rather than contributing to further suburbanisation. More broadly, I encourage the City to recognise that Banjup is different from suburban areas. Local laws, public land management and City decision-making should support the preservation of Banjup's rural-residential character, environmental values and unique landscape. Banjup's open	Noted. The majority of the matters raised in this submission are outside the scope of this project. The City's proposed Public Places Local Law 2026 provides a framework for planting on verges. It sets out when approval is required, and when approval is not required. Generally speaking, the planting of a lawn or garden does not require approval, and the City would not intervene in this type of activity unless it posed a safety or other risk to the community or interfered with public assets and infrastructure. The City's Street Verge Improvement Policy and Verge Improvement Guidelines set out the specifics of what is permitted on verges. The review of these documents is outside the scope of this project.

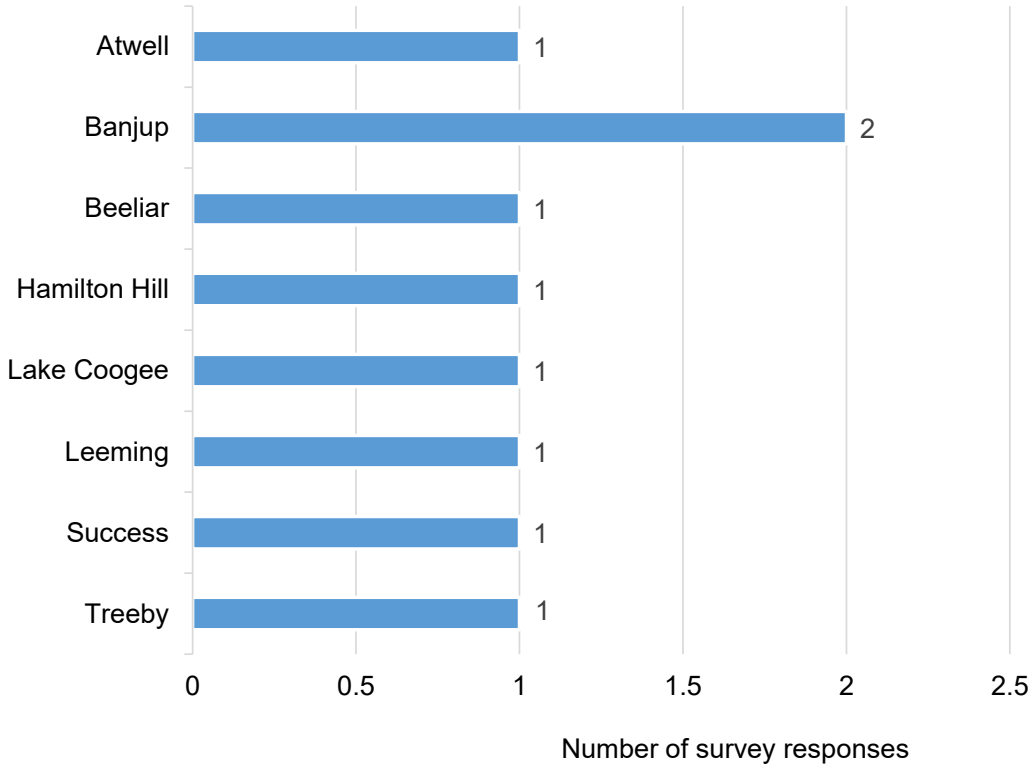
			spaces, native vegetation and wildlife are important community assets and should be actively protected and enhanced for future generations rather than gradually lost through incremental urbanisation and industrialisation.	
8.	23 Oct	Withheld by request	Submission on the Review of the City of Cockburn (Local Government Act) Local Laws 2000 Banjup Residents Group The Banjup Residents Group (BRG) welcomes the opportunity to comment on the review of the City of Cockburn (Local Government Act) Local Laws 2000. BRG acknowledges the City's stated purpose of ensuring there is no gap in the management of public places while the new Public Places Local Law 2026 progresses towards commencement. While BRG supports the effective management and protection of public places and community assets, we consider it essential that the review, and the administration of any continuing or replacement provisions, recognise the distinctive rural-residential character of Banjup. Protecting Banjup's rural-residential character Banjup should not be treated as simply another suburban area of the City. Its rural-residential character, natural environment, extensive vegetation, larger properties and open landscape are fundamental to the identity and amenity of the locality. Accordingly, BRG strongly supports local laws being administered in a manner that protects rather than progressively erodes this character. In particular, BRG does not support the incremental commercialisation, industrialisation or urbanisation of Banjup where this would be inconsistent with the legitimate planning framework applying to the locality. Local laws should not inadvertently provide an alternative mechanism that enables activities fundamentally inconsistent with the character or appropriate use of an area. Development and industrial-type activities BRG recognises that development control and land-use permissibility are primarily matters for the planning framework rather than this particular local law. Nevertheless, the way public places, verges, thoroughfares and local-government land are regulated can have a direct effect on local amenity. BRG therefore asks the City to ensure that decisions made under its local laws do not inadvertently facilitate or normalise industrial or commercial-type activity in the rural-residential parts of Banjup where such activity would otherwise be inconsistent with the applicable planning framework. Where an activity requires planning approval, environmental approval or another statutory authorisation, obtaining an approval or permit under a local law should not be represented or interpreted as approval of the underlying land use. Protection of vegetation, fauna and environmental values BRG particularly welcomes the inclusion in the proposed Public Places Local Law 2026 of provisions dealing with taking or injuring fauna and removing or damaging flora. These protections are particularly important in areas such as Banjup. Local law administration should support the retention of native vegetation, wildlife habitat and environmental values and should avoid unnecessarily creating conditions that progressively urbanise the appearance or function of rural-residential areas. Verges and thoroughfares	Noted. The majority of the matters raised in this submission are outside the scope of this project. The City's proposed Public Places Local Law 2026 provides a framework for planting on verges. It sets out when approval is required, and when approval is not required. Generally speaking, the planting of a lawn or garden does not require approval, and the City would not intervene in this type of activity unless it posed a safety or other risk to the community or interfered with public assets and infrastructure. The City's Street Verge Improvement Policy and Verge Improvement Guidelines set out the specifics of what is permitted on verges. The review of these documents is outside the scope of this project. As required under the proposed Public Places Local Law, the City will give local public notice of its intention to make a determination, as well as when Council does make a determination. The City’s compliance and enforcement approach is guided by the City's Statutory Compliance and Enforcement Policy. This policy sets out the principles of compliance, which includes utilising a graduated approach to compliance, starting with education and warnings and escalating where necessary to infringements or prosecution. This ensures any action taken is fair and proportionate to the issue.

			The proposed Public Places Local Law 2026 contains specific provisions concerning thoroughfares, permissible verge treatments, obligations of owners and occupiers, public works on verges, temporary vehicle crossings and redundant crossings. BRG asks the City to recognise that rural-residential verges should not automatically be managed according to suburban expectations. The City's approach should accommodate the different physical and environmental characteristics of Banjup and should preserve, wherever reasonably possible, its open and vegetated rural streetscape. Transparency of Council determinations BRG also notes that Part 2 of the proposed Public Places Local Law 2026 provides for Council determinations concerning the use of local-government property, including activities that may be permitted or prohibited, together with a register of determinations. BRG considers transparency in the exercise of these powers particularly important. Where a proposed determination could materially affect the amenity or character of a locality such as Banjup, affected residents and recognised local community organisations should be notified and provided a meaningful opportunity to comment before the decision is finalised, where the statutory framework permits this. Enforcement The effectiveness of any local law ultimately depends upon consistent administration and enforcement. BRG therefore encourages the City to ensure that existing and replacement local laws are actively and consistently enforced, particularly where activities on public land, verges or thoroughfares adversely affect rural amenity, vegetation, community safety or the environment. The objective should not simply be to establish rules, but to ensure those rules meaningfully protect the communities and places to which they apply. Conclusion BRG supports the continuation of an effective local-law framework during the transition to the Public Places Local Law 2026, but asks the City to expressly recognise that a one-size-fits-all suburban approach is not appropriate for Banjup. The administration and enforcement of the City's local laws should: Protect and reinforce Banjup's rural-residential character and amenity; Avoid facilitating incremental urbanisation, commercialisation or industrialisation inconsistent with the legitimate planning framework applying to Banjup; Protect native vegetation, fauna, habitat and the environmental values of the locality; Recognise the particular characteristics of rural-residential verges, thoroughfares and public spaces; Provide transparency and appropriate community involvement where determinations could materially affect the character or amenity of Banjup; and Ensure effective and consistent enforcement of applicable local laws. Banjup's rural-residential character should be regarded as an asset to be protected, not as an interim condition awaiting progressive urbanisation or industrialisation.	
9.	27 Oct	Withheld by request	I support the City reviewing Local Laws 2000 before it lapses. Much of it dates from 2000 and regulates ordinary, harmless activity. I ask the City to replace it with a shorter, plain-language law	Noted.

			that regulates only real harm to people or property, and not to carry any of the clauses below into the new Public Places Local Law. Clause 3.4(c) and (e): I oppose these. They require written permission to hand out a pamphlet or notice, address a gathering, take part in a procession or carry a placard on City reserves. Peaceful leafleting and small gatherings are lawful everyday activity. Please repeal them, or limit permission to large events that need bookings, traffic management or exclusive use of a space. Clause 3.4(g): I oppose requiring permission to take any alcohol onto a public reserve. A family picnic with a bottle of wine harms no one, and disorderly behaviour is already covered by clause 3.3(g) and State law. Please repeal it, or limit it to named reserves with a demonstrated problem. Clause 3.3(c): I oppose the offence of playing games "in such a way as to cause inconvenience or annoyance". It is too vague for anyone to know in advance whether they are breaking it. Please replace it with a plain standard such as endangering others or damaging property. Clause 9.3(c): I oppose the ban on repairing, servicing or cleaning any vehicle on a nature strip or road. Washing your own car outside your own home, or changing a flat tyre, should not be an offence. Please narrow it to ongoing commercial repairs or work that leaves an obstruction or spill. Clause 11.3: I oppose making possession of a "graffiti implement" an offence unless the person proves a lawful excuse, with a minimum $300 fine. Reversing the onus of proof is inappropriate for a local law, and the State's Graffiti Vandalism Act 2016 already deals with this. Please repeal it. Clause 12.6: I support officers being able to ask for a name and address for a genuine breach, but the demand for date of birth goes further than needed for a minor infringement. Please limit it to name and address. Overall, I don't think the City has the balance right yet. Each rule should be kept only if the City can identify the actual harm it prevents and why existing State law is not enough.	The City's proposed Public Places Local Law 2026 has been drafted in accordance with the principles of right-touch regulation and is primarily directed at activities that may adversely affect public safety, community amenity, or the safe and equitable use of public places. The requirement to obtain approval before advertising or conducting functions in public places has been retained, as it enables the City to assess potential impacts on public safety, amenity, traffic management, and other users of the space, and to ensure that appropriate measures are in place to support the safe and orderly conduct of such activities. The taking and drinking of alcohol in public places is primarily managed through State law, and clauses have been removed other than in the context of hiring of local government property and venues. The control of the repair and servicing/cleaning of vehicles on roads or thoroughfares is now dealt with in City of Cockburn Parking Local Law 2026 and is outside the scope of this project. Graffiti rules are now governed by State legislation and this clause does not feature in the proposed Public Places Local Law 2026. Enforcement clauses like clause 12.6 are provided for under the Local Government Act 1995 and do not feature in the City’s new local laws. It does include demanding birth, as this is necessary for identification reasons when an offence has been committed.

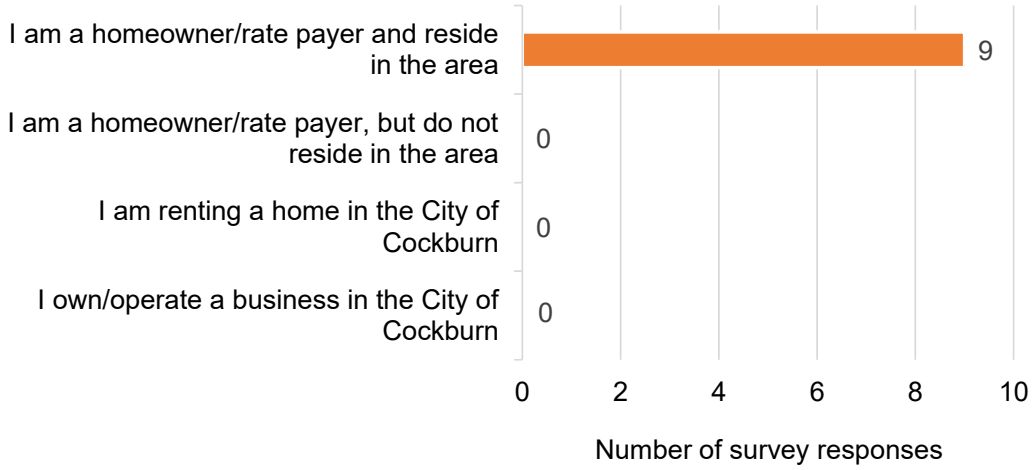
Survey Response Demographics

Suburb



Respondents could select one answer only. Answer was required.

Connection to the City of Cockburn



Respondents could select multiple answers. Answer was not required.

Comment on Cockburn Statistics

Type	
Visits to Comment on Cockburn page	157
Online contributions	9
Project followers	0
E-newsletter – Public Notice	
Recipients	11,363
Opens	5,635
Clicks	169
Top Traffic Channels	
Direct (this includes clicks from the e-news)	103
Social media	30
Website	14
Search engine	10

Next Steps

The City of Cockburn would like to thank the community for their involvement in the consultation process for the *City of Cockburn (Local Government Act) Local Laws 2000* review.

For further information, please contact the City of Cockburn at 08 9411 3444 or email comment@cockburn.wa.gov.au.

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ABN 27 471 341 209

Schedule of Submissions

City of Cockburn Jetties, Waterways and Marina Local Law 2012

November 2026



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Acknowledgement of Country

Cockburn Nyungar moort Beeliar boodja-k kaadadjiny. Koora, yeyi, benang baalap nidja boodja-k kaaradjiny.

Ngalak kaditj boodjar kep wer kaadidjiny kalyakool yoodaniny, wer koora wer yeyi ngalak Birdiya koota-djinanginy.

The City of Cockburn acknowledges the Nyungar people of Beeliar Boodjar. Long ago, now and in the future they care for Country.

We acknowledge a continuing connection to Land, Waters and Culture and pay our respects to Elders, past and present.

Background

The *City of Cockburn Jetties, Waterways and Marina Local Law 2012* prescribes how the City regulates use of public jetties, boat ramps, marinas, waterways, and associated facilities. The purpose is to ensure safety, protect public assets and the environment, and manage competing recreational and commercial uses.

The City's new *Public Places Local Law 2026* has been endorsed by Council and is awaiting final Governor approval. As the current local law regulating our waterways will expire on 7 December 2026, the City reviewed its *City of Cockburn Jetties, Waterways and Marina Local Law 2012* to ensure there are no gaps in how public places are managed until the new law comes into effect. This will ensure public places continue to be managed safely and effectively for our community.

In accordance with section 3.16 of the *Local Government Act 1995*, the City of Cockburn sought community submissions on its *City of Cockburn Jetties, Waterways and Marina Local Law 2012* as part of the review process.

This document summarises the consultation process and the feedback received. In accordance with the Act's recommendation to prepare a schedule of submissions, the report also provides a schedule table containing the verbatim submissions received through the open-ended survey question, together with Officer responses to each submission.

This engagement was designed to gather community perspectives, experiences, and ideas to help inform future decisions. As a community engagement process, it is not intended to produce statistically representative results or be interpreted in isolation. This is one part of the broader evidence base to guide decision-making.

Process

In accordance with Section 3.16 of the *Local Government Act 1995*, the City of Cockburn advertised their intention to review the *City of Cockburn Jetties, Waterways and Marina Local Law 2012.*

Between Wednesday 30 September and Friday 13 November 2026, the City invited participants to provide feedback in the following ways:

- Online survey
- Hard copy survey (available on request)
- In writing
- Phone call
- Email.

To raise awareness and encourage input, the City distributed the following communications about the project:

- Project page on the City's Comment on Cockburn website
- Public Notice and printed copy of the *City of Cockburn Jetties, Waterways and Marina Local Law 2012* available at the City's Main Administration Building, and Spearwood, Coolbellup, and Success Libraries
- E-newsletter to all Comment on Cockburn e-newsletter subscribers (11,363 recipients) on Wednesday 30 September 2026
- Public notice on the main City of Cockburn website on Wednesday 30 September 2026
- Public notice via the City's social media channels on Wednesday 30 September 2026
- Press advertising lineage in The West Australian on Thursday 1 October 2026.

During the comment period, the Comment on Cockburn e-newsletter public notice notifying subscribers of the local laws submission period was opened by 5,635 people. The Comment on Cockburn project page received 139 visits. Seven contributors provided input on the *City of Cockburn Jetties, Waterways and Marina Local Law 2012* review via the online survey.

Participant Submissions and City Responses

Submissions are shown as received, and therefore some spelling and grammatical errors may exist.

Online survey submissions

#	Date received	Name	Please provide your feedback/submission on the City of Cockburn Jetties, Waterways and Marina Local Law 2012	Officer response
1.	30 Sept	Withheld by request	My feedback on the City of Cockburn Jetties, Waterways and Marina Local Law 2012 focuses on supporting small business, preventing fee creep, and streamlining administration: 1. Deregulate & Support Small Business: Streamline or eliminate onerous council licensing for small-scale mobile commercial operators, eco-tours, or watercraft rentals. Red tape should not hinder local free enterprise or tourism along Cockburn's coastal and waterway precincts. 2. Prevent Fee Creep & Excessive Levies: Ensure that public jetties, boat ramps, and waterways remain accessible to local residents without inflating permit fees or creating new user-pays levies. Routine maintenance and inspection costs for public maritime infrastructure should be covered strictly through core rate revenue. 3. Simplify Permit Processing: Streamline mooring allocations and permit renewals for boat owners at Port Coogee Marina by removing unnecessary administrative delays and reducing recurring processing fees for local ratepayers. 4. Eliminate Legislative Duplication: Remove local provisions that duplicate existing state maritime laws (such as Department of Transport marine safety and navigation rules) to avoid administrative double-handling and legal confusion. The priority for this law should be maintaining safe public access and fostering local enterprise while keeping administrative costs and regulatory burdens to a minimum.	Noted. The City has given consideration to these factors as part of its local law review, particularly in the development of the proposed Public Places Local Law 2026. The proposed Public Places Local Law 2026 retains the requirement to seek approval for conducting business on City land, as it enables the City to assess potential impacts on public safety, amenity, traffic management, and other users of the space, and to ensure that appropriate measures are in place to support the safe and orderly conduct of such activities. Review of maintenance and infrastructure programs and the management of the Port Coogee Marina is outside the scope of this project.
2.	1 Oct	Withheld by request	Having reviewed the existing Local Law, it is my opinion that it is still fit for purpose and that there are no major updates required. I hope that the existing rules surrounding fishing are maintained as is, and are not made more restrictive. Fishing is a popular, active and healthy pastime for youth in our local area, and I would hate to see further restrictions placed on them to limit places they can throw in a line and fish together. I understand that there is a vocal minority who would prefer to do away with fishing on any beach or public jetty altogether, but I don't find this a reasonable position to take. We should maintain and in fact encourage all sorts of outdoor activities that keep our children occupied in healthy, positive and safe ways. Thank you for your consideration.	Noted. The proposed Public Places Local Law 2026 does provide a framework for regulating fishing in waterways. The management of fishing on beaches and in the ocean is properly a matter for the State Government.
3.	1 Oct	Withheld by request	there should be another jetty between woodman point and east Fremantle. consider a jetty to launch beaches near Fremantle for quicker access to Rottnest island	Noted. Whether or not there should be more jetties is outside the scope of this project.

4.	10 Oct	Withheld by request	I support retaining the existing pollution controls and would like marine life and habitat protection to be a clear priority in this review. Please clarify how the rules protect marine wildlife from disturbance and seagrass from anchoring damage, and address discarded fishing line, hooks, fuel spills and chemical discharge. Where these matters fall under other legislation, please explain how the City works with the responsible agencies. Clear signage, suitable waste disposal facilities and consistent enforcement should support these protections.	Noted. The City's environmental protection practices are outside the scope of this project.
5.	19 Oct	Dr Peta Straiton	I generally support the continuation of a local law regulating the use of jetties, waterways, marinas and associated infrastructure to ensure public safety, protection of community assets, environmental stewardship, and the orderly management of recreational and commercial activities. However, I consider the current review an important opportunity to modernise the Local Law and ensure it remains effective, enforceable and aligned with contemporary regulatory and community expectations. 1. Environmental Protection and Contemporary Waterway Management Parts 2, 4 and 7 should be reviewed to determine whether additional provisions are required relating to environmental protection, including spill prevention, pollution management, waste disposal, vessel maintenance activities and activities that may adversely affect water quality. Environmental standards, community expectations and best-practice waterway management have evolved considerably since 2012. The Local Law would benefit from stronger provisions that support the protection of the City's marine and coastal environments and provide greater clarity regarding the responsibilities of waterway users. 2. Clarity of Enforcement Provisions Several provisions rely on subjective terminology such as "nuisance", "obstruction" or other broadly framed behavioural standards. While these provisions are important, consideration should be given to defining key terms or providing additional guidance regarding the conduct that is prohibited. Clearer definitions would improve consistency in administration and enforcement, provide greater certainty for users, and reduce the risk of disputes arising from differing interpretations of the Local Law. 3. Review of Definitions and Terminology Given that the Local Law was adopted in 2012, the City should undertake a comprehensive review of definitions and terminology to ensure consistency with contemporary legislative, environmental, maritime and local government practice.	Noted. The City has given consideration to these factors as part of its local law review, particularly in the development of the proposed Public Places Local Law 2026. Environmental protection is largely covered by other State legislation and as such, it is not considered necessary or appropriate to include provisions directed to these matters in a local law. The proposed Public Places Local Law 2026 does define the word 'nuisance' in a way which is consistent with State Government requirements. Further, a comprehensive review of definitions has been conducted to ensure consistency with contemporary standards. However, it is challenging to define terms like "obstruction" in a fixed, technical way because their impact depends heavily on the specific context. A rigid definition could never capture every real-world situation and would limit the City's ability to address genuine safety issues simply because they fall outside narrow technical wording. A review of modified penalties has been conducted as part of the development of the proposed Public Places Local Law 2026. Offences that could result in more significant public safety, environmental or public health impacts have an increased penalty. The same applies for offences associated with commercial activities as a stronger deterrence is warranted due to

			Modernising terminology will improve clarity and assist both users and authorised officers in interpreting and administering the Local Law. 4. Review and Modernisation of Penalties The modified penalties established under the Local Law should be comprehensively reviewed as part of the current review process. Many of the penalty amounts were determined more than 15 years ago and no longer reflect contemporary economic conditions, the value of public infrastructure, the cost of compliance activities, or the seriousness of potential impacts on public assets and the environment. I recommend: Reviewing all modified penalties against contemporary local government practice. Adjusting penalty amounts to reflect 2027 economic conditions. Establishing a mechanism for periodic review and adjustment of penalty amounts. Considering indexation against CPI or another suitable benchmark to prevent penalties progressively losing their deterrent effect over time. Appropriately calibrated penalties are an important component of an effective regulatory framework and help ensure compliance obligations remain meaningful. 5. Recognition of State and Commonwealth Legislative Obligations The Local Law would benefit from a general provision clarifying that compliance with the Local Law does not remove or diminish obligations under any applicable State or Commonwealth legislation. This provision should expressly acknowledge that activities undertaken within waterways, marinas, jetties and associated infrastructure may also be subject to requirements under environmental, planning, maritime safety, heritage and other legislative frameworks. This would assist applicants, permit holders, contractors and members of the public to understand that approvals issued under the Local Law do not constitute approval under all other applicable legislation. 6. Submerged and Underwater Cultural Heritage The Local Law contains provisions relating to the construction, alteration, maintenance and use of jetties, marinas and waterway infrastructure. However, it does not appear to expressly recognise obligations relating to maritime archaeology, submerged cultural heritage or underwater cultural	the potential financial benefit from non-compliance. Subsequent offences also have an increased penalty. Local laws do not override, nor can they be inconsistent with State or Federal laws. The City does not consider it necessary to include a clause specifying that in a local law. Further, submerged and underwater culture is primarily the responsibility of the State and Federal Government, and is subject to State, Federal and sometimes International Law. It is not considered necessary or appropriate to re-state these requirements or the intersection between these requirements in a local law. The proposed Public Places Local Law 2026 introduces stronger powers to require repair or recover the cost of damage to public infrastructure. The construction, modification and maintenance of jetties, marinas and associated infrastructure is not generally dealt with in a local law and is outside the scope of this project. The City considers the current clauses appropriate when considering its broader objectives relating to coastal resilience, environmental protection and sustainable asset management.

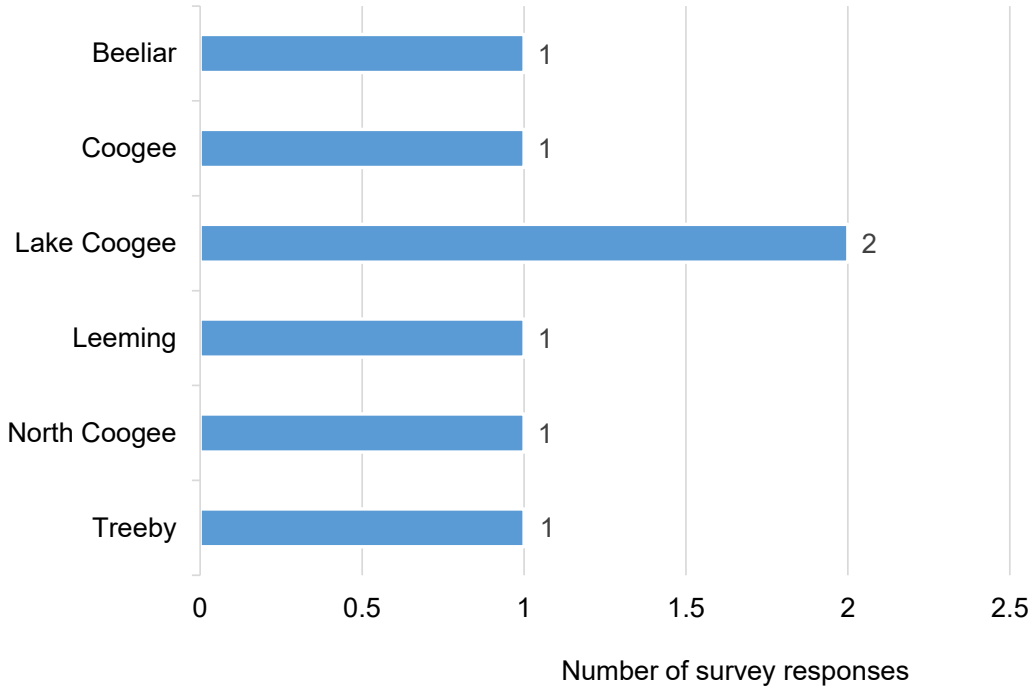
			heritage. Activities such as: dredging; piling; seabed disturbance; jetty construction; marina expansion; reclamation works; maintenance and repair activities; and installation of marine infrastructure may have the potential to impact submerged cultural heritage places, archaeological material, shipwrecks and other heritage values within Cockburn's coastal and marine environment. I recommend the inclusion of a provision, or alternatively an advisory note within relevant approval provisions, confirming that: approval under the Local Law does not remove or diminish obligations under State or Commonwealth heritage legislation; persons undertaking works must comply with all applicable heritage requirements and obtain any required approvals before commencing works; and where works involve seabed disturbance or other activities with the potential to impact submerged cultural heritage values, applicants should demonstrate that those impacts have been appropriately considered. The purpose of this recommendation is not to create a new layer of local government heritage regulation, but rather to improve awareness of existing statutory obligations, reduce the risk of inadvertent harm to cultural heritage, and provide greater confidence that local approvals are administered consistently with broader legislative requirements. 7. Recovery of Costs for Damage to Public Infrastructure Consideration should be given to strengthening provisions that enable the City to recover reasonable costs associated with the inspection, repair, remediation and reinstatement of public jetties, waterways infrastructure and associated facilities where damage has been caused by a responsible person. This would ensure that the financial burden of avoidable damage is not transferred to ratepayers and would reinforce accountability for users of public infrastructure. 8. Climate Resilience and Future Infrastructure Planning	

			The Local Law predates many current discussions regarding climate adaptation, sea level rise, coastal resilience and long-term management of marine infrastructure. The review provides an opportunity to ensure that provisions relating to construction, modification and maintenance of jetties, marinas and associated infrastructure support the City's broader objectives relating to coastal resilience, environmental protection and sustainable asset management. Conclusion Overall, the Local Law remains broadly fit for purpose and continues to play an important role in the safe and effective management of the City's waterways and marine infrastructure. However, the current review presents a valuable opportunity to modernise the Local Law by improving clarity, updating penalties, strengthening environmental protections, recognising interactions with other legislative frameworks, and addressing contemporary issues such as submerged cultural heritage and climate resilience. These amendments would improve regulatory certainty, strengthen governance outcomes, and help ensure the Local Law remains effective and relevant for the next decade and beyond.	
6.	22 Oct	Withheld by request	Can we please ensure that the Drone usage rules are looked at and updated and signage around the place as we are getting multiple drones hovering around our houses and some are very close to our homes and into the balcony areas especially from the canal side of our properties.	Noted. The City’s proposed Public Places Local Law 2026 provides rules in respect of drone use in public places. It does not cover drone use over private properties, as that is the realm of the Commonwealth and State Governments or alternatively, a civil matter.
7.	27 Oct	Withheld by request	I support the City reviewing the Jetties, Waterways and Marina Local Law 2012 before it lapses. Several clauses require written consent for ordinary recreation or rely on vague "nuisance" tests. I ask for a shorter, plain-language law that targets real safety, environmental and property risks, and that none of the clauses below are carried into the new Public Places Local Law. Clause 2.1: I oppose the default rule that no one may swim in a waterway without the City's written consent, with only limited exceptions near a beach or in signed areas. Swimming should be allowed by default. Please reverse the rule so that swimming is permitted unless an area is signposted as closed for a specific safety reason, such as boat channels. Clause 2.2: I oppose the blanket ban on fishing from a vessel, using any net and using a gidgee or spear gun anywhere in a waterway. Recreational fishing is already regulated by the State under the Fish Resources Management Act 1994. Please remove the duplication, or limit it to signed areas with a clear safety or congestion problem. Clauses 2.3, 2.4 and 3.8(b): I oppose the open-ended offences of using a waterway, mooring or	Noted. The proposed Public Places Local Law 2026 retains clauses 2.1 and 2.2 in modified formats. Waterways are primarily a thoroughfare for vessels and swimming, fishing or using spear guns or gidgees in these areas, otherwise than in designated areas, poses a significant public safety risk. A definition of nuisance has been included in the proposed Public Places Local Law 2026. The taking and drinking of alcohol in public places is primarily managed through State law, and clauses have been removed other than in the context of hiring

			maintaining a vessel "so as to cause a nuisance". Nuisance is not defined. Please replace it with specific conduct, such as obstructing navigation, excessive noise at night or releasing pollutants. Clause 4.6(e): I oppose banning jumping or diving from all public jetties and bridges. It is a long-standing, harmless summer pastime for local families. Please limit it to jetties or bridges that are signposted as unsafe because of shallow water or boat traffic. Clause 4.12(d): I oppose making it an offence to have any intoxicating substance on a public jetty. It catches an adult with a closed six-pack while fishing. Please narrow it to disorderly or dangerous intoxication. Clause 5.3(2) and (4): I oppose the outright ban on installing electricity, water or data services on a private jetty, and the open-ended duty to maintain a private jetty "to the satisfaction of the local government". Owners should be able to install compliant services under the relevant Australian Standards and building approvals. The maintenance duty should be a plain safety standard, not one left to an officer's opinion. I'd ask the City to keep only the rules it can show prevent real harm, and to rely on State marine and fisheries law where it already applies.	of local government property and venues. Public drinking is still an offence but this is a police matter. The proposed Public Places Local Law 2026 retains clause 5.3(2) and (4) but in a modified format. It now only requires owners or occupiers to maintain any private jetties so they do not become unsightly, dilapidated or dangerous. Other works may be done on private jetties subject to any required approvals (e.g., planning or building approvals). The City acknowledges that the management of fishing more broadly, particularly on beaches and in the ocean is properly a matter for the State Government.

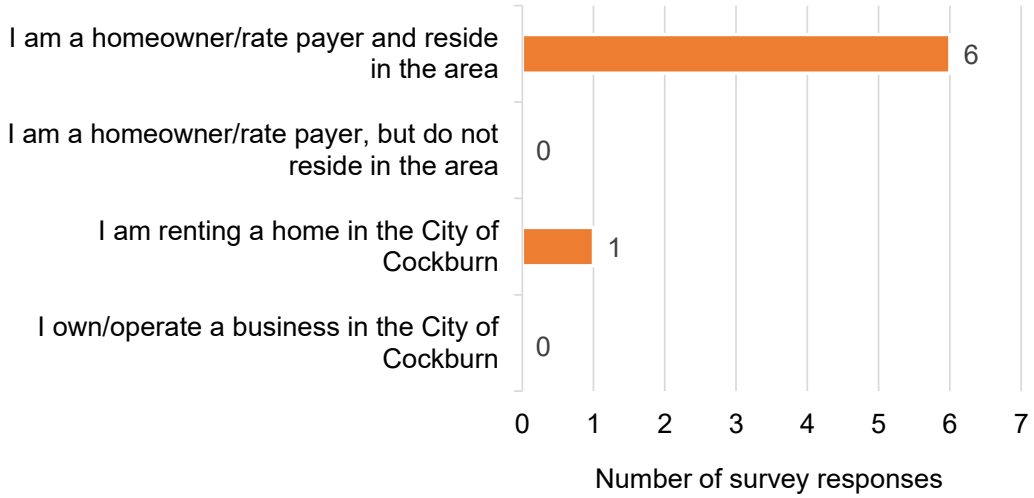
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For further information, please contact the City of Cockburn at 08 9411 3444 or email comment@cockburn.wa.gov.au.

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ABN 27 471 341 209

11 Confidential Business

Nil.

12 Closure of Meeting