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.

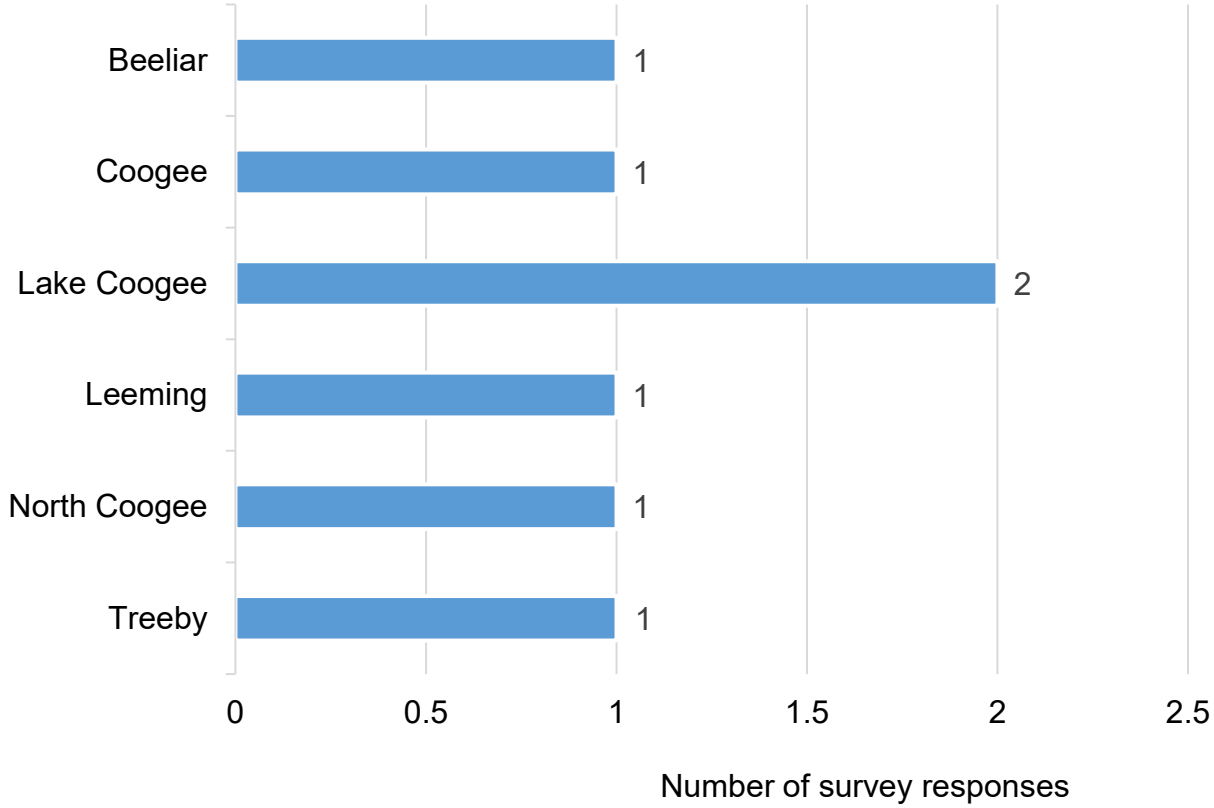
			heritage. Activities such as: dredging; piling; seabed disturbance; jetty construction; marina expansion; reclamation works; maintenance and repair activities; and installation of marine infrastructure may have the potential to impact submerged cultural heritage places, archaeological material, shipwrecks 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.

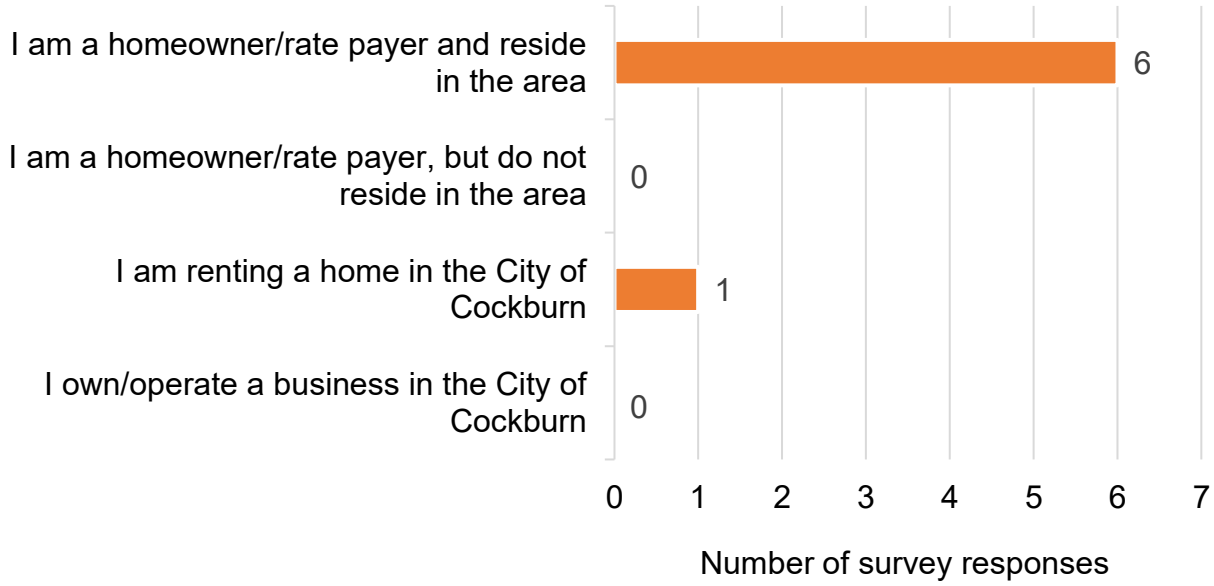
Survey Response Demographics

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	139
Online contributions	7
Project followers	2
E-newsletter – Public Notice	
Recipients	11,363
Opens	5,635
Clicks	169
Top Traffic Channels	
Direct (this includes clicks from the e-news)	97
Website	19
Search engine	17
Social media	6

Next Steps

The City of Cockburn would like to thank the community for their involvement in the consultation process for the *City of Cockburn Jetties, Waterways and Marina Local Law 2012* review.

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

City of Cockburn
Whadjuk Boodjar

9 Coleville Crescent, Spearwood WA 6163,
PO Box 1215, Bibra Lake DC WA 6965
Telephone: 08 9411 3444
Email: comment@cockburn.wa.gov.au
www.cockburn.wa.gov.au

ABN 27 471 341 209