

Terms of Reference – May 2026

Cockburn Sound Management Council

Background

The Cockburn Sound Management Council (the Council) is established under Part II, section 25(1) of the *Environmental Protection Act 1986* (EP Act) as an advisory Council to the Minister for the Environment. The Council is supported by the Department of Water and Environmental Regulation.

Since the 1970s, the Government of Western Australia, in partnership with industry, local government and the community, has worked to improve the environmental health of the Cockburn Sound. The partnerships formed over a number of years, and strong community support and concern for the state of the marine environment resulted in the formation of the Council in 2000, for the purpose of maintaining the value of Cockburn Sound as a multiple-use marine area.

The Council was originally established in February 2000 as a Committee of the Board of the Water and Rivers Commission under Clause 15 of Schedule 1 of the *Water and Rivers Commission Act 1995*. It was formed to assist in the management of Cockburn Sound and its catchment in accordance with the terms of the Council's Constitution.

Amendments to this legislation through the Machinery of Government Review at the time, acknowledged existing committees such as the Council and allowed for these committees to continue as if they were appointed by the Minister for Environment.

In October 2005, the then Ministers for Water and Environment created the Department of Water and the Department of Environment and Conservation. It was decided at this time that the Council would be supported by the Department of Environment and Conservation. In January 2007, the Council was re-established as an advisory council to the Minister for Environment under section 25 of the EP Act.

Under the EP Act, the Department of Water and Environmental Regulation and the Environmental Protection Authority have responsibility for the conservation, preservation, protection, enhancement and management of the environment, including the marine and coastal environments, for the prevention, control and abatement of pollution, environmental harm and other relevant matters that affect these environments. The Terms of Reference and the operations of the Council recognise and do not duplicate the statutory and non-statutory roles and responsibilities of the Minister for the Environment and portfolio, government agencies and statutory authorities.

Terms of Reference for the Council

The Council's Terms of Reference are to:

1. Facilitate and coordinate stakeholder and community input into the environmental management of Cockburn Sound, particularly in regard to the protection and maintenance of water quality and associated environmental values¹ for the Cockburn Sound marine area.
2. Oversee and coordinate environmental monitoring and research/ investigative studies in Cockburn Sound.
3. Provide advice to the Minister for the Environment on the environmental management of Cockburn Sound, particularly in regard to the protection and maintenance of water quality and associated environmental values for the Cockburn Sound marine area.
4. Report to the Minister for the Environment on the state of the environment of Cockburn Sound, particularly in regard to the protection and maintenance of water quality and associated environmental values for the Cockburn Sound marine area.

In meeting its Terms of Reference, the Council will undertake the following:

1. Provide advice and recommendations to the Minister for the Environment on:
 - i. issues impacting, or potentially impacting, the water quality and associated environmental values for the Cockburn Sound marine area
 - ii. management actions to protect and maintain the water quality and associated environmental values for the Cockburn Sound marine area
 - iii. monitoring of water quality and associated environmental values for the Cockburn Sound marine area, and
 - iv. strategies to improve the water quality and associated environmental values for the Cockburn Sound marine area.
2. Provide a report to the Minister for the Environment:
 - i. annually on the results of environmental monitoring of the Cockburn Sound marine area and the extent to which these meet the Environmental Quality Objectives and Criteria set in the State Environmental (Cockburn Sound) Policy, and
 - ii. every three years on the overall state of the Cockburn Sound marine area, including trends in water quality and associated environmental values.

¹ The environmental values for the Cockburn Sound marine area are: ecosystem health, fishing and aquaculture, recreation and aesthetics, cultural and spiritual, and industrial water supply.

Structure of the Council

The Council will consist of representatives with appropriate experience drawn from the community, Aboriginal Regional Corporations, conservation interests, recreational interests and industry, and Australian, state and local government. The Full Council will comprise 19 members.

An Executive Council of at least five members plus the Chair may be established from within the Full Council membership. The Executive Council, if established, shall be responsible for strategy, planning and management advice, policies and other activities as determined by the Council, in accordance with these Terms of Reference.

The Council (either Full Council or Executive Council) may recommend the formation of additional temporary Working Groups that are empowered to address specific initiatives or issues and report back to the Council. The purpose, objectives, resource requirements and operating rules of such Working Groups will be determined by the establishing Council.

Membership of the Council

Full Council

The members shall comprise:

- (a) an independent Chair
- (b) two Aboriginal and Torres Strait Islander representatives nominated (one representative each) by:
 - Gnaala Karla Booja Aboriginal Corporation
 - Whadjuk Aboriginal Corporation
- (c) two general community members who represent the broader community
- (d) one conservation representative nominated by the Conservation Council of Western Australia
- (e) two representatives nominated by any relevant recreation representative bodies, including powerboats, sailing or other recreational users of Cockburn Sound
- (f) two industry representatives nominated (one representative each) by:
 - Kwinana Industries Council
 - WA Fishing Industry Council
- (g) three local government representatives nominated (one representative each) by:
 - City of Cockburn
 - City of Kwinana
 - City of Rockingham

- (h) one representative from the Australian Department of Defence nominated by a senior departmental officer, and
- (i) five state government agency and statutory authority representatives, including one senior officer nominated by the Director General or Chief Executive Officer from each of:
 - Department of Water and Environmental Regulation
 - Department of Primary Industries and Regional Development (Fisheries)
 - Department of Health
 - Fremantle Ports
 - Water Corporation.

The Minister for the Environment may appoint any other person from time to time and for such period as determined by the Minister, where that person's experience, skills or qualifications would enable them to make a contribution to the Council.

Executive Council

The Executive Council shall comprise:

- (a) the independent Chair, and
- (b) a minimum of five representatives from the Full Council.

Every year the Full Council may be asked to nominate a minimum of five members for the Executive Council. In considering nominations, the Chair will seek balanced representation from across the Council membership including Aboriginal and Torres Strait Islander, industry, community, conservation, recreational, and Australian, state and local government representatives.

Working Groups

A Council member may be appointed by the Council to act as Chair of each Working Group and will have responsibility for the functioning and reporting of the Working Group. Other members of the Working Group shall also be determined by the Council.

Selection Process

A public call for expressions of interest in appointment to the office of Chair and two community members shall be made for consideration by the Minister for the Environment.

All other members of the Council shall be nominated by their respective organisations in accordance with the composition of the Full Council membership.

The Minister for the Environment will appoint all members of the Council.

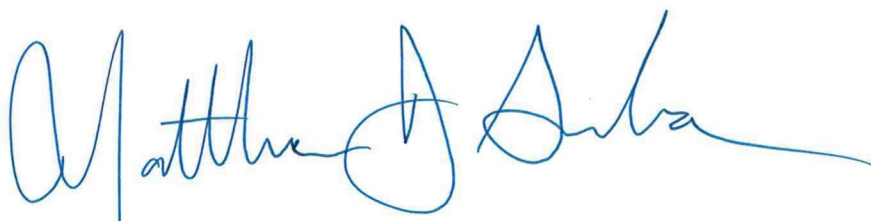
Operation of the Council

The Council shall ensure that appropriate policies, guidelines and procedures are developed and maintained in accordance with the Public Sector Commission's [Governance Manual for Western Australian Government Boards and Committees](#).

The Council shall determine its own meeting procedures and protocols. Those procedures shall include protocols such as calling of meetings, public access to meetings, meeting agendas and attachments, provision of agendas on notice, keeping of minutes, need for a quorum, voting, and resolution of issues.

Support for the Council

The Department of Water and Environmental Regulation will provide operational support to the Council in the form of a Coordinator and administrative support. The Council may sign a Memorandum of Understanding with the Department which specifies the services that are provided to the Council by the Department.

A handwritten signature in blue ink, appearing to read 'Matthew Swinbourn', with a stylized flourish at the end.

Hon Matthew Swinbourn BA LLB MLC

**MINISTER FOR THE ENVIRONMENT; COMMUNITY SERVICES;
HOMELESSNESS**

Date: 20 May 2026