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— PART 1 —

PROCLAMATIONS

AA101

Aboriginal Cultural Heritage Act 2021

Aboriginal Cultural Heritage Act 2021 Commencement Proclamation (No. 2) 2023

SL 2023/40

Made under the *Aboriginal Cultural Heritage Act 2021* section 2(e) by the Governor in Executive Council.

1. Citation

This proclamation is the *Aboriginal Cultural Heritage Act 2021 Commencement Proclamation (No. 2) 2023*.

2. Commencement

The *Aboriginal Cultural Heritage Act 2021*, other than the provisions listed in the Table, comes into operation as follows —

- (a) section 316(3) — on 30 June 2023;
- (b) the rest of the Act — on 1 July 2023.

Table

Part 1	Part 2 Divisions 1 and 2
Part 2 Division 3 Subdivisions 1 and 2	Part 2 Division 3 Subdivision 3 (but only section 50)
Part 4 Division 1 (but only section 69)	Part 4 Division 5 (but only section 86(2) to (4))

Part 5 Division 1 (but only section 90)	Part 6 Division 1
Part 6 Division 3 (but only section 107)	Part 6 Division 6 Subdivision 1 (but only section 139)
Part 13 Division 2 (but only sections 282, 283 and 286)	Part 13 Division 3
Part 13 Division 4 (but only sections 307 and 308)	Part 14 Division 1
Part 14 Division 2 Subdivision 1	Part 14 Division 2 Subdivision 2 (but only sections 314 and 315)
Part 14 Division 2 Subdivision 4 (but only sections 327 to 329)	Part 14 Division 2 Subdivision 5 (but only section 336)
Part 15 Divisions 1 and 2	

C. DAWSON, Governor.

L.S.

A. BUTI, Minister for Aboriginal Affairs.

Note: The provisions listed in the Table are not brought into operation by this proclamation because —

- (a) in the case of Part 14 Division 1, that Division comes into operation under section 2(c) and (d) of the Act; and
- (b) in the case of the other provisions listed in the Table, those provisions are already in operation.

COMMUNITY AND CHILD SERVICES

CN301

Children and Community Services Act 2004

**Children and Community Services Amendment
Regulations 2023**

SL 2023/52

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Children and Community Services Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

3. Regulations amended

These regulations amend the *Children and Community Services Regulations 2006*.

4. Regulation 20A amended

In regulation 20A(a) delete “*Aboriginal Heritage Act 1972*;” and insert:

Aboriginal Cultural Heritage Act 2021;

B. D'SA, Clerk of the Executive Council.

ENVIRONMENT

EV301

Conservation and Land Management Act 1984
Environmental Protection Act 1986

Environment Regulations Amendment (Aboriginal Cultural Heritage) Regulations 2023

SL 2023/50

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Environment Regulations Amendment (Aboriginal Cultural Heritage) Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

Part 2 — *Conservation and Land Management Regulations 2002* amended

3. Regulations amended

This Part amends the *Conservation and Land Management Regulations 2002*.

4. Regulation 2 amended

- (1) In regulation 2 delete the definitions of:
Aboriginal artefact
Aboriginal site

- (2) In regulation 2 insert in alphabetical order:

Aboriginal object has the meaning given in paragraph (b)(ii) of the definition of *Aboriginal cultural heritage* in the *Aboriginal Cultural Heritage Act 2021* section 12;

Aboriginal place has the meaning given in paragraph (b)(i) of the definition of *Aboriginal cultural heritage* in the *Aboriginal Cultural Heritage Act 2021* section 12;

5. Regulation 37 amended

In regulation 37(2) delete “Aboriginal site or artefact,” and insert:

Aboriginal place or Aboriginal object,

Part 3 — *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* amended

6. Regulations amended

This Part amends the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

7. Regulation 13 amended

- (1) In regulation 13(1) delete the definition of *Aboriginal site*.
(2) In regulation 13(1) insert in alphabetical order:

Aboriginal place has the meaning given in paragraph (b)(i) of the definition of *Aboriginal cultural heritage* in the *Aboriginal Cultural Heritage Act 2021* section 12;

- (3) In regulation 13(2)(d) delete “Aboriginal site, if the precise location of that site” and insert:

Aboriginal place, if the precise location of that place

Part 4 — *Environmental Protection Regulations 1987* amended

8. Regulations amended

This Part amends the *Environmental Protection Regulations 1987*.

9. Regulation 3D amended

- (1) In regulation 3D(1) delete the definition of *Aboriginal site*.
- (2) In regulation 3D(1) insert in alphabetical order:

Aboriginal place has the meaning given in paragraph (b)(i) of the definition of *Aboriginal cultural heritage* in the *Aboriginal Cultural Heritage Act 2021* section 12;

- (3) In regulation 3D(2)(d) delete “Aboriginal site, if the precise location of that site” and insert:

Aboriginal place, if the precise location of that place

B. D'SA, Clerk of the Executive Council.

FIRE AND EMERGENCY SERVICES

FE301

Bush Fires Act 1954

Bush Fire Risk Treatment Amendment Standards 2023

SL 2023/53

Made by the Acting FES Commissioner under section 35AA of the Act.

1. Citation

These standards are the *Bush Fire Risk Treatment Amendment Standards 2023*.

2. Commencement

These standards come into operation as follows —

- (a) clauses 1 and 2 — on the day on which these standards are published in the *Gazette*;
- (b) the rest of the standards — on 1 July 2023.

3. Standards amended

These standards amend the *Bush Fire Risk Treatment Standards 2020*.

4. Clause 4 amended

Delete clause 4(2)(h) and insert:

- (h) that is an Aboriginal place as defined in paragraph (b)(i) of the definition of *Aboriginal cultural heritage* in the *Aboriginal Cultural Heritage Act 2021* section 12; or

C. WATERS, Acting Fire and Emergency Services Commissioner.

HERITAGE

HR301

Aboriginal Cultural Heritage Act 2021

**Aboriginal Cultural Heritage Amendment
Regulations (No. 2) 2023**

SL 2023/41

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Aboriginal Cultural Heritage Amendment Regulations (No. 2) 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

3. Regulations amended

These regulations amend the *Aboriginal Cultural Heritage Regulations 2022*.

4. Regulation 3 amended

- (1) In regulation 3 insert in alphabetical order:

Aboriginal party has the meaning given in section 100 of the Act;

ACH management system means a system for the management of applications, information and processes under the Act, accessed through the ACH Council's website;

ancillary dwelling has the meaning given in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 1;

application area has the meaning given in section 69 of the Act;

boat means a vessel, craft or floating platform of any description that is capable of use in or on water, whether floating or submersible;

coastal waters means the coastal waters of the State as defined in the *Off-shore (Application of Laws) Act 1982* section 2;

common property means —

- (a) in relation to a strata titles scheme as defined in the *Strata Titles Act 1985* section 3(1) — common property as defined in that section; or
- (b) in relation to a tier 1 scheme, tier 2 scheme or tier 3 scheme as defined in the *Community Titles Act 2018* section 3(1) — common property as defined in that section;

emergency management has the meaning given in the *Emergency Management Act 2005* section 3;

grouped dwelling has the meaning given in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 1;

informed consent has a meaning affected by section 146 of the Act;

interested Aboriginal party has the meaning given in section 135(1) of the Act;

litter has a meaning affected by the *Litter Act 1979* section 5(1);

multiple dwelling has the meaning given in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 1;

organisation has the meaning given in section 53 of the Act;

planning and development lot means a lot as defined in the *Planning and Development Act 2005* section 4(1);

public road means a road as defined in the *Road Traffic (Administration) Act 2008* section 4;

residential building means a building occupied, or intended for occupation, as a place of residence;

strata or community titles lot means —

- (a) a lot in a strata scheme or lot in a survey-strata scheme as defined in the *Strata Titles Act 1985* section 3(1); or
- (b) a lot as defined in the *Community Titles Act 2018* section 3(1);

strata or community titles scheme means —

- (a) a strata titles scheme as defined in the *Strata Titles Act 1985* section 3(1); or
- (b) a tier 1 scheme, tier 2 scheme or tier 3 scheme as defined in the *Community Titles Act 2018* section 3(1);

tracks includes walking tracks, horse tracks and access tracks;

waterway includes the following —

- (a) a river, creek, brook or other naturally flowing stream of water, whether or not it flows permanently;
- (b) a lake, salt lake, claypan, lagoon, marsh or swamp;
- (c) a floodplain, estuary or inlet;
- (d) an artificial waterway as defined in the *Planning and Development Act 2005* section 4(1).

- (2) In regulation 3 in the definition of **committee** delete “Act.” and insert:

Act;

5. Regulation 30 inserted

At the end of Part 2 Division 4 insert:

30. Other notices in relation to local ACH services

In a circumstance set out in the Table, the ACH Council must give written notice to the person referred to in the description of the circumstance within the period set out for the circumstance.

Table

Item	Circumstances of notice	Period for giving notice
1.	The ACH Council decides to designate a person as the local ACH service for an area under section 37(1) of the Act	14 days after the decision is made
2.	The ACH Council decides to cancel the designation of a person who is designated as the local ACH service for an area under section 43(1) of the Act	14 days after the decision is made
3.	The ACH Council decides to amend the area for which a person is designated as the local ACH service under section 44(1) of the Act at the request of the person	14 days after the decision is made
4.	The ACH Council amends details or information of a person designated as a local ACH service under section 45(1) of the Act at the request of the person	As soon as practicable after the details or information are amended
5.	A person designated as a local ACH service requests the ACH Council to amend the person's details or information under section 45(1) of the Act and the ACH Council decides not to amend the details or information	As soon as practicable after the decision is made

Item	Circumstances of notice	Period for giving notice
6.	The ACH Council decides to approve a variation of a fee structure in response to a request by a person under section 50(1) of the Act	14 days after the decision is made

6. Parts 3 and 4 replaced

Delete Parts 3 and 4 and insert:

Part 3 — Protected areas

31. Notice of Minister's direction to give public notice

- (1) This regulation applies if the Minister gives a direction to the ACH Council under section 78(4)(b) of the Act.
- (2) The ACH Council must give written notice of the direction to —
 - (a) the applicant under section 72(1) of the Act; and
 - (b) each person notified under section 75(1) of the Act.

32. Conditions for protected area orders

For the purposes of sections 79(3)(c), 81(4)(c) and 83(3)(d)(iii) of the Act, the other matters to which a condition may relate are —

- (a) the activities, or classes of activities, that may be carried out in the protected area; or
- (b) the recognition, protection, conservation or preservation of the Aboriginal cultural heritage located in the protected area.

33. Activities in protected areas

The following activities may be carried out in a protected area —

- (a) driving on a public road;
- (b) in relation to part of a protected area that is Crown land — burning carried out by a public authority for fire prevention or control purposes or other fire management works;

- (c) measures to control declared pests under the *Biosecurity and Agriculture Management Act 2007*;
- (d) activities carried out in accordance with a remediation order;
- (e) a burial authorised under the *Cemeteries Act 1986* section 12 of an Aboriginal person;
- (f) activities carried out in accordance with the *Coroners Act 1996* in the course of determining whether human remains are Aboriginal ancestral remains;
- (g) activities carried out in an emergency situation for the purpose of preventing, or minimising, loss of life, prejudice to the safety, or harm to the health, of people or animals;
- (h) activities undertaken by a public authority in an emergency situation for the purpose of preventing or minimising irreversible damage to a significant part of the environment;
- (i) installing, inspecting, maintaining, repairing or replacing road infrastructure or associated ancillary infrastructure in relation to public roads, carried out by or on behalf of the Commissioner of Main Roads.

34. Notices or signs for protected areas

- (1) If the Governor makes an order under section 82(1) of the Act declaring an area as a protected area, the ACH Council may authorise a person to erect or place signs or notices —
 - (a) identifying the area as a protected area; and
 - (b) providing any information about the matters referred to in section 289(c)(i) to (iii) of the Act that the ACH Council considers appropriate.
- (2) A person who destroys, removes or otherwise interferes with a sign or notice erected or placed under subregulation (1) commits an offence.
Penalty for this subregulation: a fine of \$10 000.
- (3) *The Criminal Code* section 39 (which provides for the criminal liability of officers of a body corporate) applies to an offence under subregulation (2).

Part 4 — Managing activities that may harm Aboriginal cultural heritage

Division 1 — Terms used in Part 6 of Act

35. ACH impact statements

For the purposes of the definition of *ACH impact statement* in section 100 of the Act, an ACH impact statement must include —

- (a) details of the proposed activity, including the proposed duration of the activity and the extent of the ground disturbance caused by the activity; and
- (b) details of the impact (whether beneficial or detrimental) that the proposed activity may have on Aboriginal cultural heritage located in the area in which the activity is intended to be carried out, including —
 - (i) the impact on the value the Aboriginal cultural heritage has for Aboriginal persons, including the impact on social, spiritual, historical, scientific or aesthetic values; and
 - (ii) the extent to which the Aboriginal cultural heritage may be impacted; and
 - (iii) the cumulative impact on the Aboriginal cultural heritage that the activity may have in combination with the impact of past activities carried out in the area.

36. Exempt activities

- (1) Subject to regulation 40, for the purposes of paragraph (b) of the definition of *exempt activity* in section 100 of the Act, the types of development are those described by Schedule 1 item 1.
- (2) Subject to regulation 40, for the purposes of paragraph (h) of the definition of *exempt activity* in section 100 of the Act, the activities are those described by the items in Schedule 1 under the Subdivision headings referring to exempt activities (other than item 1).

Example for this subregulation:

An item under the heading to Schedule 1 Division 1 Subdivision 1, "Exempt general activities".

37. Tier 1 activities

Subject to regulation 40, for the purposes of the definition of *tier 1 activity* in section 100 of the Act, the activities are those described by the items in Schedule 1 under the Subdivision headings referring to tier 1 activities.

Example for this regulation:

An item under the heading to Schedule 1 Division 2 Subdivision 2, "Tier 1 emergency activities".

38. Tier 2 activities

Subject to regulation 40, for the purposes of the definition of *tier 2 activity* in section 100 of the Act, the activities are those described by the items in Schedule 1 under the Subdivision headings referring to tier 2 activities.

Example for this regulation:

An item under the heading to Schedule 1 Division 3 Subdivision 2, "Tier 2 Aboriginal cultural heritage investigation activities".

39. Tier 3 activities

Subject to regulation 40, for the purposes of the definition of *tier 3 activity* in section 100 of the Act, the activities are those described by the items in Schedule 1 under the Subdivision headings referring to tier 3 activities.

Example for this regulation:

An item under the heading to Schedule 1 Division 4 Subdivision 4, "Tier 3 activities impacting waterways or coastal waters".

40. Most specific description of activity applies

- (1) This regulation applies if an activity is described by more than 1 item in Schedule 1.
- (2) The activity is taken to be described by the most specific item, and not by any other item, in Schedule 1.
- (3) The most specific item is —
 - (a) unless paragraph (b) applies — the item in Schedule 1 that most specifically describes the activity; or
 - (b) if 1 or more of the items set out in Schedule 1 that describe the activity are under a Subdivision heading referring to exempt activities — the item in Schedule 1 under a Subdivision heading referring to exempt activities that most specifically describes the activity.

Division 2 — ACH permits**41. Notice of opportunity to submit views regarding tier 2 activity or extension of ACH permit**

- (1) A written notice given by a proponent under section 113(a) of the Act must set out an explanation of the opportunity to submit views under section 113(b) of the Act.
- (2) A written notice given by a permit holder under section 122(3)(a) of the Act must set out an explanation of the opportunity to submit views under section 122(3)(b) of the Act.

42. Additional documents and information accompanying application for ACH permit

For the purposes of section 115(2)(h) of the Act, an application for an ACH permit must be accompanied by —

- (a) a copy of —
 - (i) each notice given under section 113(a) of the Act; and
 - (ii) any notification referred to in section 114 of the Act carried out in satisfaction of the notice requirements in section 113 of the Act;
- and
- (b) details of how the notice or notification was provided.

43. Additional documents and information accompanying application for extension of ACH permit

An application for the extension of an ACH permit under section 122 of the Act must be accompanied by —

- (a) a copy of each notice given under section 122(3)(a) of the Act; and
- (b) details of how the notice was provided.

44. Minister may request further information when standing in for ACH Council

- (1) This regulation applies if the Minister stands in the place of the ACH Council to decide an application under section 119(6) or 126(6) of the Act.

- (2) The Minister may make a written request to the applicant to do any of the following —
 - (a) provide the Minister with further information relevant to the application that the Minister requires to assess the application;
 - (b) verify any further information by statutory declaration.

45. Applications to revoke condition on ACH permit

- (1) An application made under section 128(7)(b) of the Act for revocation of a condition must —
 - (a) set out why the condition should be revoked; and
 - (b) be made in the approved form.
- (2) The ACH Council may make a written request to an applicant under section 128(7)(b) of the Act to do any of the following —
 - (a) provide the Council with further information relevant to the application that the Council requires to assess the application;
 - (b) verify any further information by statutory declaration.

Division 3 — ACH management plans

46. Additional matters in ACH management plan

- (1) In this regulation —

AH Act section 18 consent has the meaning given in section 313 of the Act.
- (2) For the purposes of section 137(2)(i) of the Act, an ACH management plan must set out the following —
 - (a) details of the consultation about the carrying out of the activity that has been conducted with each of the persons to be consulted, including a summary of the outcomes of the consultation;
 - (b) evidence of the informed consent of each Aboriginal party (if any) to the plan, including —
 - (i) a summary of the information disclosed in accordance with section 146(1)(a) of the Act; and
 - (ii) evidence of the matters set out in section 146(1)(b) of the Act;

- (c) the contact details of —
 - (i) each party to the plan; and
 - (ii) each interested Aboriginal party for the plan;
- (d) in relation to the area to which the plan relates —
 - (i) a description of the ownership or tenure interest in the area held by the proponent; and
 - (ii) the details of each registered native title body corporate for the area or part of the area and any claim in relation to the area that is registered on the Register of Native Title Claims as defined in the Native Title Act section 253;
- (e) details of the steps taken to identify and obtain an understanding of —
 - (i) the Aboriginal cultural heritage located in the area; and
 - (ii) the characteristics of that Aboriginal cultural heritage;
- (f) details of the impact (whether beneficial or detrimental) that the activity may have on Aboriginal cultural heritage located in the area;
- (g) details of any rehabilitation and remediation measures for Aboriginal cultural heritage that will be impacted by the activity;
- (h) details of how any disputes between the parties in relation to new information about Aboriginal cultural heritage located in the area are to be resolved;
- (i) any measures that the parties must take to ensure compliance with the plan, including schedules for monitoring and reporting and roles and responsibilities regarding compliance;
- (j) the manner in which any Aboriginal party will be notified if the proponent changes;
- (k) if any Aboriginal party will be able to access Aboriginal cultural heritage located in the area while approval or authorisation of the plan is of effect — details of how the Aboriginal party will be able to access the Aboriginal cultural heritage;
- (l) details of any other ACH management plan —
 - (i) in which the proponent is identified under section 137(2)(a)(i) of the Act; and

- (ii) that has been approved under section 150(1)(b)(i) of the Act or authorised under section 165(1)(b)(i) of the Act, regardless of whether that approval or authorisation has ceased to be of effect; and
- (iii) that is relevant to the area or activity to which the plan relates;
- (m) details of any AH Act section 18 consent —
 - (i) granted to the proponent, regardless of whether the AH Act section 18 consent is no longer in force; and
 - (ii) that is relevant to the area or activity to which the plan relates.

Notes for this subregulation:

1. In relation to paragraph (l)(ii), see section 152 and 166 of the Act.
2. In relation to paragraph (m)(i), see section 319 of the Act.

47. Additional documents and information accompanying application for ACH management plan

For the purposes of sections 147(2)(g) and 157(2)(g) of the Act, an application for the approval or authorisation of an ACH management plan must be accompanied by —

- (a) evidence of the consultation about the carrying out of the activity that has been conducted with each of the persons to be consulted; and
- (b) a copy of any report prepared by or for the applicant arising out of an investigation into 1 or more of the following —
 - (i) whether Aboriginal cultural heritage is present in the area to which the plan relates;
 - (ii) the characteristics of Aboriginal cultural heritage located in the area to which the plan relates.

48. ACH Council must be satisfied in relation to compliance with Act s. 141

For the purposes of sections 151(f) and 163(1)(e) of the Act, the ACH Council must be satisfied that the proponent has complied with section 141 of the Act.

49. Minister may request further information when standing in for ACH Council

- (1) This regulation applies if the Minister stands in the place of the ACH Council to decide an application under section 150(6) of the Act.
- (2) The Minister may make a written request to the applicant to do any of the following —
 - (a) provide the Minister with further information relevant to the application that the Minister requires to assess the application;
 - (b) verify any further information by statutory declaration.

50. Requests from ACH Council in relation to ACH management plan

A request by the ACH Council under section 160(4)(a) or (b) of the Act must be in writing.

51. Applications to revoke condition on authorisation of ACH management plan

- (1) An application made under section 167(7)(b) of the Act for revocation of a condition must —
 - (a) set out why the condition should be revoked;
and
 - (b) be made in the approved form.
- (2) The Minister may make a written request to an applicant under section 167(7)(b) of the Act to do any of the following —
 - (a) provide the Minister with further information relevant to the application that the Minister requires to assess the application;
 - (b) verify any further information by statutory declaration.

52. Notice of amendment to exclude protected area

- (1) This regulation applies if the ACH Council approves an amendment to an approved or authorised ACH management plan under section 169(3) of the Act.
- (2) The ACH Council must give the parties to the plan written notice of the amendment within 14 days after the amendment is made.

53. Notice of determination about State significance

- (1) This regulation applies if the ACH Council, or the Minister standing in place of the Council, makes a determination under section 176(1)(b) of the Act.

- (2) The ACH Council or the Minister must, as soon as practicable after making the determination —
 - (a) give public notice of the determination; and
 - (b) give written notice of the determination to —
 - (i) if the application that gave rise to the determination is an application for approval or authorisation of an amendment to an approved or authorised ACH management plan — the parties to the approved or authorised ACH management plan; or
 - (ii) otherwise — the proponent and each interested Aboriginal party for the ACH management plan.
- (3) Notice given under subregulation (2)(a) must set out the following —
 - (a) details of the Aboriginal cultural heritage to which the notice relates;
 - (b) details of the area in which the Aboriginal cultural heritage is located;
 - (c) the day on which the determination was made.
- (4) Notice given under subregulation (2)(b) must set out the following —
 - (a) details of the Aboriginal cultural heritage to which the notice relates;
 - (b) details of the area in which the Aboriginal cultural heritage is located;
 - (c) the day on which the determination was made;
 - (d) an explanation of how section 177 of the Act applies in relation to the application that gave rise to the determination.
- (5) The ACH Council must notify the persons who were notified under section 175(4) of the Act that public notice has been given under subregulation (2)(a).

Part 5 — Prohibition orders

54. Notice of decision not to extend duration of prohibition order

- (1) This regulation applies if —
 - (a) the Minister has given written notice under section 191(3)(a) of the Act of a proposal to extend the duration of a prohibition order; and
 - (b) the Minister decides not to extend the duration of the order.

- (2) The Minister must give to the persons to whom notice was given under section 191(3)(a) of the Act written notice of the decision not to extend the duration of the order as soon as practicable after the decision is made.

55. Notice of decision not to amend or cancel prohibition order

- (1) This regulation applies if —
 - (a) the Minister has given written notice under section 203(2)(a) of the Act of a proposal to amend or cancel a prohibition order; and
 - (b) the Minister decides not to amend or cancel the order.
- (2) The Minister must give to the persons to whom notice was given under section 203(2)(a) of the Act written notice of the decision not to amend or cancel the order as soon as practicable after the decision is made.

Part 6 — Aboriginal Cultural Heritage Directory

56. Prescribed information and documents on ACH Directory

- (1) For the purposes of section 213(1) and (2)(b)(i) of the Act, the ACH Directory must contain the information and documents set out in Schedule 2.
- (2) A document on the ACH Directory may be the original document (in electronic, paper or another form) or a copy.

57. Requests to place information and documents on ACH Directory

A request by a local ACH service or another person that information or a document be placed on the ACH Directory under section 213(4)(b) of the Act must be made in writing.

58. Applications for access to ACH Directory

- (1) A person or other entity seeking access to information or a document on the ACH Directory under section 217, 219 or 220 of the Act must make an application to the ACH Council.
- (2) An application under subregulation (1) must —
 - (a) be in a form approved by the ACH Council; and
 - (b) describe the information or document in a way that is sufficient to identify it; and

- (c) set out why the applicant requires access to the information or document.

59. Conditions on access to ACH Directory

- (1) The ACH Council may make a person's access to information or a document under section 217, 219 or 220 of the Act subject to conditions relating to —
 - (a) the use or disclosure of the information or document; or
 - (b) the storage of the information or document.
- (2) The ACH Council must give to the person written notice of any condition to which access is subject at the time at which access is granted.
- (3) A person given access to information or a document under section 217, 219 or 220 of the Act must not contravene a condition to which the access is subject. Penalty for this subregulation: a fine of \$10 000.
- (4) *The Criminal Code* section 39 (which provides for the criminal liability of officers of a body corporate) applies to an offence under subregulation (3).

60. Information or documents excluded from Act s. 219

For the purposes of section 219(2) of the Act, information or a document is excluded from the operation of section 219 of the Act if it is of a commercially sensitive nature.

Part 7 — Securing compliance

61. Information provided with application for entry warrant

- (1) In this regulation —
inspection purposes has the meaning given in section 221 of the Act.
- (2) For the purposes of section 244(3) of the Act, the following information must be included with an application for an entry warrant authorising the entry of a place or vehicle under section 244(1) of the Act —
 - (a) the applicant's full name;
 - (b) details of the place or vehicle sufficient to identify it;
 - (c) details of the inspection purposes for which entry to the place or vehicle is required;
 - (d) why it is necessary to enter the place or vehicle for the inspection purposes;

- (e) the period, not exceeding 30 days, during which the entry warrant is proposed to be executed;
- (f) if section 245(3)(a) or (b) of the Act apply — details of why that section applies.

62. CEO may require inspectors and Aboriginal inspectors to give report

- (1) The CEO may by notice require an inspector or Aboriginal inspector to provide to the CEO a written report about specified matters related to the exercise of the inspector or Aboriginal inspector's powers or performance of the inspector or Aboriginal inspector's functions.
- (2) A notice under subregulation (1) must —
 - (a) be in writing; and
 - (b) specify the day by which the report must be provided, which must not be less than 14 days after the day on which the notice is given.

Part 8 — Miscellaneous

63. Prescribed periods

- (1) For the purposes of a provision of the Act listed in Schedule 3, the period set out in Schedule 3 opposite the provision is prescribed.
- (2) Despite subregulation (1), the period for the purposes of section 76(1) or 79(1) of the Act does not include any period commencing on the day on which a request is made under section 73(1) of the Act in respect of the application and ending on the day on which the first of the following occurs —
 - (a) the request is complied with;
 - (b) the period for complying with the request expires.
- (3) Despite subregulation (1), the period for the purposes of section 76(1), 79(1), 81(1), 119(2), 126(2), 150(2) or 162(2) of the Act does not include any period commencing on the day on which a request is made under regulation 67 and ending on the day on which the first of the following occurs —
 - (a) the request is complied with;
 - (b) the period for complying with the request expires.

64. Other means of giving notice

- (1) For the purposes of section 283(1)(f) of the Act, notice of a document required or permitted to be given under

the Act to a person may be given to the person by making the notice accessible to the person through the ACH management system.

- (2) The time when notice of a document is taken to have been given to a person if the notice is given under subregulation (1) is when the notice becomes capable of being retrieved by the person through the ACH management system.

65. Giving certain notices to landholders, occupiers of land or knowledge holders

- (1) For the purposes of section 285(1) of the Act, the notice may be given by publishing a copy of the document —
- (a) for a period of not less than 14 days on —
 - (i) the ACH Council’s website; or
 - (ii) another website that the ACH Council considers appropriate, taking into account the likelihood that the person to whom the notice is given will access that website;
- or
- (b) in a newspaper circulating —
 - (i) generally throughout the State; or
 - (ii) in the area, or areas, to which the document relates.
- (2) The time when the notice is taken to have been given to a person is —
- (a) if the notice is given under subregulation (1)(a) — the 1st day of the period during which the document is published on the website; or
 - (b) if the notice is given under subregulation (1)(b) — the day on which the document is published in the newspaper.

66. ACH Council must give notice if refusing to consider application or submission

- (1) This regulation applies if the ACH Council decides —
- (a) under section 74, 117, 124, 149 or 159 of the Act to refuse to consider, or consider further, an application by a person; or
 - (b) under section 209 of the Act to refuse to consider, or consider further, a submission by a person.

- (2) The ACH Council must, as soon as practicable after the decision is made, give to the person written notice of the decision setting out why the decision was made.

67. Requirement for statutory declaration

- (1) The ACH Council may make a written request to an applicant under section 38, 72(1), 83, 115(1), 122(1), 128(7)(b), 147(1), 157(1), 169 or 170 of the Act to verify by statutory declaration any information provided with the application.
- (2) The Minister may make a written request to an applicant under section 167(7)(b) of the Act to verify by statutory declaration any information provided with the application.
- (3) The ACH Council may make a written request to a person who makes a request under section 44(2)(a) or 50(1) of the Act to verify by statutory declaration any information provided with the request.
- (4) The ACH Council may make a written request to a local ACH service that provides a report under regulation 28 or 29 to verify by statutory declaration any information provided in the report.
- (5) If the Minister requests further information under section 80 or 164 of the Act, the Minister may make a written request to the person to whom the request is made to verify the further information by statutory declaration.
- (6) A request under subregulation (1), (2), (3), (4) or (5) must —
 - (a) be in writing; and
 - (b) specify the period within which the request must be complied with.

68. Disclosure of relevant information

- (1) In this regulation —

authorised officer has the meaning given in section 303(1) of the Act;

prescribed entity has the meaning given in section 303(1) of the Act.
- (2) For the purposes of paragraph (b) of the definition of *prescribed entity* in section 303(1) of the Act, a local ACH service is prescribed.
- (3) Information may only be disclosed by an authorised officer to an officer of a prescribed entity under section 303(4) of the Act on the written request of the prescribed entity.

- (4) A written request under subregulation (3) must —
 - (a) set out a description of the information sought to be disclosed sufficient to identify the information; and
 - (b) set out why the information is relevant to the performance by the prescribed entity of a function of the prescribed entity under a written law.
- (5) An authorised officer may, when disclosing information to an officer of a prescribed entity under section 303(4) of the Act, make the disclosure subject to conditions relating to —
 - (a) the use or disclosure of the information; or
 - (b) the storage of the information.
- (6) The authorised officer must give to the officer of the prescribed entity written notice of any condition to which the disclosure is subject at the time at which the disclosure is given.
- (7) The prescribed entity must not contravene a condition to which the disclosure is subject.

Penalty for this subregulation: a fine of \$10 000.

69. How requests to CEO must be made

A request under section 108(1) or 136(1) of the Act must be made —

- (a) through the ACH management system; or
- (b) by any other means approved by the CEO.

70. How applications and requests to ACH Council must be made

- (1) This regulation applies to the following —
 - (a) an application under section 38, 72(1), 83, 115(1), 122(1), 147(1), 157(1), 169 or 170 of the Act;
 - (b) an application under regulation 58;
 - (c) a request under section 44(2)(a), 45(1) or 50(1) of the Act;
 - (d) a submission under section 207(1) of the Act.
- (2) The application, request or submission must be made —
 - (a) through the ACH management system; or
 - (b) by any other means approved by the ACH Council.

Part 9 — Transitional provisions

Division 1 — Preliminary

71. Terms used

In this Part —

historical AH Act section 18 consent has the meaning given in section 313 of the Act;

transitional AH Act section 18 consent has the meaning given in section 313 of the Act.

Division 2 — Historical AH Act section 18 consents

72. Application to avoid expiry of historical AH Act section 18 consent

An application under section 325(2)(a) of the Act in relation to an historical AH Act section 18 consent must —

- (a) provide evidence that the purpose for which the land the subject of the consent may be used, as specified in the consent, has been substantially commenced; and
- (b) be made in the approved form; and
- (c) be made —
 - (i) through the ACH management system; or
 - (ii) by any other means approved by the Minister.

73. Further information in support of application

The Minister may make a written request to an applicant under section 325(2)(a) of the Act to do any of the following —

- (a) provide the Minister with further information relevant to the application that the Minister requires to assess the application;
- (b) verify information provided with the application, or any further information provided under paragraph (a), by statutory declaration.

74. Criteria for determining whether purpose has been substantially commenced

For the purposes of section 325(3) of the Act, the criteria to apply include the following —

- (a) whether the land is being used for the purpose specified in the consent;

- (b) whether relevant licences, permits and approvals have been obtained to use the land for the purpose specified in the consent;
- (c) whether any of the following activities have been undertaken on or in relation to the land in preparation for the purpose specified in the consent —
 - (i) clearing or other site works to support the construction of key infrastructure;
 - (ii) construction of new roads, tracks, trails, pathways or parking areas to service key infrastructure;
 - (iii) installation of new services including power, water, sewer or telecommunications services to service key infrastructure;
- (d) whether activities referred to in paragraph (c) have been undertaken on or in relation to any other land in connection with a larger project of which the purpose specified in the consent forms a part.

75. Notice of Minister's decision under Act s. 325

If the Minister makes a decision under section 325 of the Act regarding an application in relation to an historical AH Act section 18 consent, the Minister must give written notice of the decision to the applicant within 14 days after the decision is made.

Division 3 — Transitional AH Act section 18 consents

76. Application to extend duration of transitional AH Act section 18 consent

An application under section 326(2)(a) of the Act in relation to a transitional AH Act section 18 consent must —

- (a) provide evidence that the purpose for which the land the subject of the consent may be used, as specified in the consent, is a State significant project; and
- (b) be made in the approved form; and
- (c) be made —
 - (i) through the ACH management system; or
 - (ii) by any other means approved by the Minister.

77. Further information in support of application

The Minister may make a written request to an applicant under section 326(2)(a) of the Act to do any of the following —

- (a) provide the Minister with further information relevant to the application that the Minister requires to assess the application;
- (b) verify information provided with the application, or any further information provided under paragraph (a), by statutory declaration.

78. Criteria for determining whether purpose is State significant project

For the purposes of section 326(3) of the Act, the criterion to apply is whether the purpose is of critical strategic importance to the State.

79. Notice of Minister's decision under Act s. 326

If the Minister makes a decision under section 326 of the Act regarding an application in relation to a transitional AH Act section 18 consent, the Minister must give written notice of the decision to the applicant within 14 days after the decision is made.

Division 4 — Other transitional matters**80. Consultation under Act s. 329(2)**

- (1) If the consultation guidelines have not been made when the Minister begins to consult under section 329(2) of the Act, the consultation is not required to be carried out in accordance with the consultation guidelines.
- (2) If the knowledge holder guidelines have not been made when the Minister begins to consult under section 329(2) of the Act then, for the purposes of sections 107(1)(b)(ii) and 329(2)(b) of the Act, the knowledge holders for the specified area are —
 - (a) the members of Banjima Native Title Aboriginal Corporation RNTBC (Indigenous Corporation Number 7971); and
 - (b) the members of Wintawari Guruma Aboriginal Corporation RNTBC (Indigenous Corporation Number 4730).

7. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Exempt activities and tier 1, 2 and 3 activities

[r. 36, 37, 38, 39 and 40]

Division 1 — General activities**Subdivision 1 — Exempt general activities**

1. The following types of development —
 - (a) development set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 61(1) the Table item 1, 2, 3, 4, 7, 8 or 13 column 1, other than in relation to a building that is Aboriginal cultural heritage about which information is contained on the ACH Directory;
 - (b) the demolition of a multiple dwelling or grouped dwelling, other than in relation to a multiple dwelling or grouped dwelling that is Aboriginal cultural heritage about which information is contained on the ACH Directory;
 - (c) internal building work, other than in relation to a building that is Aboriginal cultural heritage about which information is contained on the ACH Directory;
 - (d) the erection or installation of, or alterations or additions to, any of the following on the same planning and development lot or strata or community titles lot as a multiple dwelling —
 - (i) an ancillary dwelling;
 - (ii) an outbuilding;
 - (iii) an external fixture;
 - (iv) a boundary wall or fence;
 - (v) a patio;
 - (vi) a pergola;
 - (vii) a verandah;
 - (viii) a deck;
 - (ix) a garage;
 - (x) a carport;
 - (xi) a swimming pool;
 - (xii) shade sails;

- (e) the installation of a water tank that complies with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 61(1) the Table item 12 column 2 conditions (b) and (c);
- (f) the erection or installation of a flagpole that complies with the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 clause 61(1) the Table item 14 column 2 conditions (a) to (d);
- (g) development carried out on a subdivided parcel of land if —
 - (i) a residential building is located on the land, or will be constructed on the land; and
 - (ii) the subdivision was the subject of an approved or authorised ACH management plan; and
 - (iii) the development is consistent with the subdivision.

Note for this item:

See regulation 36(1) and paragraph (b) of the definition of **exempt activity** in section 100 of the Act.

- 2. Construction, renovation or demolition of a residential building on a strata or community titles lot that is less than 1 100 m².
- 3. Installing or maintaining reticulated electricity, gas, water, sewerage, drainage or telecommunications services if the works are located between —
 - (a) the boundary of a planning and development lot, a strata or community titles lot in a strata or community titles scheme, or common property in the strata or community titles scheme if —
 - (i) a residential building is located on the lot, or will be constructed on the lot; and
 - (ii) the lot is less than 1 100 m²;and
 - (b) 1 of the following —
 - (i) the residential building;
 - (ii) a building ancillary to the residential building;
 - (iii) where the residential building or an ancillary building will be constructed.
- 4. Installing a driveway or crossover on a planning and development lot, a strata or community titles lot in a strata or community titles scheme, or common property in the strata or community titles scheme if —
 - (a) a residential building is located on the lot, or will be constructed on the lot; and
 - (b) the lot is less than 1 100 m².

5. Subdivision of land that results in the creation of no more than 5 planning and development lots or strata or community titles lots, each of which is less than 1 100 m².
6. Maintaining existing infrastructure in a way that does not involve disturbance to ground beyond that which was disturbed during the construction of, or earlier works in relation to, the infrastructure.
7. The demolition of a structure, other than a building, in a way that does not involve disturbance to ground beyond that which was disturbed during the construction of, or earlier works in relation to, the structure.
8. Undertaking an activity in an area that results in land use or development that —
 - (a) is no greater in surface area or height than existing land use or development in the area; and
 - (b) is either —
 - (i) no greater in depth than existing land use or development in the area; or
 - (ii) only greater in depth than existing land use or development in the area in a part of the area in which the depth of the existing land use or development extends 10 m or lower below natural ground level.
9. Temporarily placing equipment on an existing area of ground disturbance.
10. Visually inspecting an area as part of undertaking a due diligence assessment.
11. Lifestyle and general maintenance activities associated with a residential building, including gardening, repairs and carrying out minor development (for example installing a chicken coop or play equipment).
12. Driving a vehicle on an existing area of ground disturbance.
13. Setting up and using a temporary camp —
 - (a) in a way that does not involve clearing the camp site; and
 - (b) that involves only 1 or more of the following forms of accommodation —
 - (i) swags;
 - (ii) tents;
 - (iii) camper trailers;
 - (iv) caravans.
14. Aerial transportation that does not involve clearing at the landing site.
15. A burial authorised under the *Cemeteries Act 1986* section 12 of an Aboriginal person.
16. A burial under the *Cemeteries Act 1986* section 11, other than a burial authorised under section 12 of that Act.

17. Caring for, controlling or managing a cemetery declared under the *Cemeteries Act 1986* section 4(1).

Subdivision 2 — General tier 1 activities

18. Temporarily placing a structure on an existing area of ground disturbance.
19. Removing plant and equipment.
20. Maintaining existing infrastructure in a way that does not, over the course of 1 calendar year, involve any of the following —
 - (a) removing more than 4 kg of material;
 - (b) disturbing more than 10 m² of ground in total;
 - (c) disturbing more than 1 m² of contiguous ground;
 - (d) excavating to a depth of more than 0.5 m.
21. The demolition of a structure, other than a building, in a way that does not, over the course of 1 calendar year, involve any of the following —
 - (a) removing more than 4 kg of material;
 - (b) disturbing more than 10 m² of ground in total;
 - (c) disturbing more than 1 m² of contiguous ground;
 - (d) excavating to a depth of more than 0.5 m.
22. Erecting or installing a fence in a way that does not involve clearing.
23. Driving a vehicle in a way that does not result in a new track being formed.
24. Clearing for tracks in a way that does not, over the course of 1 calendar year, involve any of the following —
 - (a) removing more than 4 kg of material;
 - (b) disturbing more than 10 m² of ground in total;
 - (c) disturbing more than 1 m² of contiguous ground;
 - (d) excavating to a depth of more than 0.5 m.
25. Drilling, carried out as part of bore construction, in a way that does not involve any of the following —
 - (a) disturbing more than 10 m² of ground in total;
 - (b) disturbing more than 1 m² of contiguous ground.
26. Stockpiling on an established stockpile.
27. Stockpile sampling.
28. Removing a stockpile.

Subdivision 3 — General tier 2 activities

29. Construction or renovation of —
 - (a) a residential building on a planning and development lot, or strata or community titles lot in a strata or community titles scheme, that is 1 100 m² or larger; or

- (b) a building ancillary to such a building on —
 - (i) the planning and development lot; or
 - (ii) the strata or community titles lot or common property in the strata or community titles scheme.
- 30. Installing or maintaining reticulated electricity, gas, water, sewerage, drainage or telecommunications services if the works are located between —
 - (a) the boundary of a planning and development lot, a strata or community titles lot in a strata or community titles scheme, or common property in the strata or community titles scheme if —
 - (i) a residential building is located on the lot, or will be constructed on the lot; and
 - (ii) the lot is 1 100 m² or larger;and
 - (b) 1 of the following —
 - (i) the residential building;
 - (ii) a building ancillary to the residential building;
 - (iii) where the residential building or an ancillary building will be constructed.
- 31. Installing a driveway or crossover on a planning and development lot, a strata or community titles lot in a strata or community titles scheme, or common property in the strata or community titles scheme.
- 32. Erecting or installing a structure on undisturbed ground in a way that does not involve building foundations for the structure.
- 33. Maintaining existing infrastructure, other than as described in item 20, in a way that does not involve any of the following —
 - (a) removing more than 20 kg of material;
 - (b) disturbing more than 200 m² of ground in total;
 - (c) disturbing more than 10 m² of contiguous ground;
 - (d) excavating to a depth of more than 1 m.
- 34. The demolition of a structure, other than a building and other than as described in item 21, in a way that does not involve any of the following —
 - (a) removing more than 20 kg of material;
 - (b) disturbing more than 200 m² of ground in total;
 - (c) disturbing more than 10 m² of contiguous ground;
 - (d) excavating to a depth of more than 1 m.
- 35. Undertaking an activity in an area that results in land use or development that is no greater in surface area than existing land use or development in the area.

36. An activity that will, through repetition by the proponent, result in a new track being formed.
37. Clearing for tracks, other than as described in item 24, in a way that does not involve any of the following —
 - (a) removing more than 20 kg of material;
 - (b) disturbing more than 200 m² of ground in total;
 - (c) disturbing more than 10 m² of contiguous ground;
 - (d) excavating to a depth of more than 1 m.
38. Internal building work in relation to a building that is Aboriginal cultural heritage about which information is contained on the ACH Directory.
39. Burning, other than as part of an activity described by another item in Divisions 1 to 8.
40. A burial authorised under the *Cemeteries Act 1986* section 12 of a non-Aboriginal person.
41. Air core drilling.
42. Drilling, carried out as part of bore construction, other than as described in item 25, in a way that does not involve any of the following —
 - (a) disturbing more than 200 m² of ground in total;
 - (b) disturbing more than 10 m² of contiguous ground.
43. Establishing a stockpile with a surface area of 200 m² or less.

Subdivision 4 — General tier 3 activities

44. Subdivision of land.
45. Maintaining existing infrastructure, other than as described in item 20 or 33.
46. The demolition of a structure, other than a building and other than as described in item 21 or 34.
47. Clearing for tracks, other than as described in item 24 or 37.
48. The demolition of a building that is Aboriginal cultural heritage about which information is contained on the ACH Directory.
49. Blasting.
50. Drilling, other than as part of an activity described by another item in Divisions 1 to 8.

Examples for this item:

1. Rotary mud drilling.
2. Diamond drilling.
3. Percussion drilling.
4. Drilling carried out as part of bore construction that involves disturbing more than 200 m² of ground in total or more than 10 m² of contiguous ground.

51. Establishing or expanding a cemetery declared under the *Cemeteries Act 1986* section 4(1).
52. Establishing a stockpile, other than as described in item 43.

Division 2 — Emergency activities

Subdivision 1 — Exempt emergency activities

53. An emergency management activity intended to prevent imminent loss of life, prejudice to the safety, or harm to the health, of people or animals.
54. An activity undertaken in an emergency situation for the purpose of preventing or minimising irreversible damage to a significant part of the environment.

Subdivision 2 — Tier 1 emergency activities

55. Fire hazard reduction.
56. Inspecting, protecting, providing or restoring essential services.
57. Complying with a notice given under the *Bush Fires Act 1954* section 33(1) or a direction given under section 33(4)(a) of that Act.

Division 3 — Aboriginal cultural heritage investigation activities

Subdivision 1 — Exempt Aboriginal cultural heritage investigation activities

58. Investigation of Aboriginal cultural heritage, carried out on foot, that does not involve excavation or removal of Aboriginal cultural heritage.
Examples for this item:
 1. Site recording and assessment.
 2. Monitoring and auditing.
 3. Digital capture of Aboriginal cultural heritage.
 4. Non-digital photography.
 5. Probing.
59. Removal or relocation of an Aboriginal object located in an area by, or with the written approval of, a local ACH service for the area.
60. Investigation of Aboriginal cultural heritage located in an area by, or with the written approval of —
 - (a) a local ACH service for the area; or
 - (b) if there is not a local ACH service for the area —
 - (i) a native title party for the area; or
 - (ii) if there is not a native title party for the area — a native title representative body for the area.

Subdivision 2 — Tier 2 Aboriginal cultural heritage investigation activities

61. Investigation of Aboriginal cultural heritage that does not involve any of the following —
- (a) the use of non-handheld equipment;
 - (b) test pitting, excavation or other ground disturbance over a surface area that is greater than 1 m²;
 - (c) removing any more Aboriginal cultural heritage than necessary for investigation purposes;
 - (d) rock chipping or making moulds of petroglyphs or rock art.

Examples for this item:

- 1. Radiocarbon dating.
- 2. Luminescence dating.
- 3. Dosimetry.
- 4. Extraction of scarred element parts from scarred trees.
- 5. Mechanical sieving.

Subdivision 3 — Tier 3 Aboriginal cultural heritage investigation activities

62. Investigation of Aboriginal cultural heritage other than as part of an activity described by another item in this Division.

Division 4 — Activities impacting waterways or coastal waters**Subdivision 1 — Exempt activities impacting waterways or coastal waters**

63. Anchoring a boat in a waterway or coastal waters.
64. Maintenance of a waterway or coastal waters, including the bed or banks of a waterway or coastal waters, to rectify accretion and erosion of natural material.

Subdivision 2 — Tier 1 activities impacting waterways or coastal waters

65. Taking water from a waterway or coastal waters without causing ground disturbance.
66. Discharging water into a waterway or coastal waters in a way that does not involve disturbance to the bed or banks of the waterway or coastal waters.
67. Monitoring and sampling in relation to a waterway or coastal waters in a way that does not, over the course of 1 calendar year, involve any of the following —
- (a) removing more than 4 kg of material;
 - (b) disturbing more than 10 m² of the bed or banks of the waterway or coastal waters in total;

- (c) disturbing more than 1 m² of contiguous bed or banks of the waterway or coastal waters;
 - (d) excavating the bed or banks of the waterway or coastal waters to a depth of more than 0.5 m.
68. Removing litter from a waterway or coastal waters in a way that does not involve disturbance to the bed or banks of the waterway or coastal waters beyond that which was caused by leaving the litter.
69. Removing flora from a waterway or coastal waters in a way that does not, over the course of 1 calendar year, involve any of the following —
- (a) removing more than 4 kg of material (not counting the flora);
 - (b) disturbing more than 10 m² of the bed or banks of the waterway or coastal waters in total;
 - (c) disturbing more than 1 m² of contiguous bed or banks of the waterway or coastal waters;
 - (d) excavating the bed or banks of the waterway or coastal waters to a depth of more than 0.5 m.
70. Placing pipe or cable on the bed or banks of a waterway or coastal waters without anchoring the pipe or cable to the bed or banks.
71. Installing a structure into, or anchoring a structure to, the bed or banks of a waterway or coastal waters in a way that does not, over the course of 1 calendar year, involve any of the following —
- (a) removing more than 4 kg of material;
 - (b) disturbing more than 10 m² of the bed or banks in total;
 - (c) disturbing more than 1 m² of contiguous bed or banks;
 - (d) excavating the bed or banks to a depth of more than 0.5 m.

Subdivision 3 — Tier 2 activities impacting waterways or coastal waters

72. Discharging water into a waterway or coastal waters, other than as described in item 66.
73. Monitoring and sampling in relation to a waterway or coastal waters, other than as described in item 67.
74. Stabilising the bed or banks of a waterway or coastal waters using handheld equipment only, including —
- (a) matting installation; or
 - (b) brushing; or
 - (c) surface preparation for application of materials.

75. Removing flora from a waterway or coastal waters, other than as described in item 69, in a way that does not involve any of the following —
- (a) removing more than 20 kg of material (not counting the flora);
 - (b) disturbing more than 200 m² of the bed or banks of the waterway or coastal waters in total;
 - (c) disturbing more than 10 m² of contiguous bed or banks of the waterway or coastal waters;
 - (d) excavating the bed or banks of the waterway or coastal waters to a depth of more than 1 m.
76. Installing a structure to enable the movement of fauna within a waterway or coastal waters.
77. Installing a mooring into, or anchoring a mooring to, the bed or banks of a waterway or coastal waters.
78. Installing a structure into, or anchoring a structure to, the bed or banks of a waterway or coastal waters, other than as described in item 71, in a way that does not involve any of the following —
- (a) removing more than 20 kg of material;
 - (b) disturbing more than 200 m² of the bed or banks in total;
 - (c) disturbing more than 10 m² of contiguous bed or banks;
 - (d) excavating the bed or banks to a depth of more than 1 m.

Subdivision 4 — Tier 3 activities impacting waterways or coastal waters

79. Stabilising the bed or banks of a waterway or coastal waters using non-handheld equipment.
80. Reclaiming land from a waterway or coastal waters or reshaping a beach.
81. Capital dredging.
82. Removing flora from a waterway or coastal waters, other than as described in item 69 or 75.
83. Establishing new, or expanding existing, trench irrigation.
84. Establishing an aquaculture or mariculture pen and supporting infrastructure.
85. Erecting or installing a dam, weir or waterway diversion.
86. Installing a structure into, or anchoring a structure to, the bed or banks of a waterway or coastal waters, other than as described in item 71 or 78.
87. Erecting, installing or expanding a structure in a waterway or coastal waters, other than as part of an activity described by another item in this Division.

Division 5 — Agriculture and natural resource management activities**Subdivision 1 — Tier 1 agriculture and natural resource management activities**

88. Controlling feral or pest fauna without digging or excavating.
89. Managing weeds or flora in a way that does not, over the course of 1 calendar year, involve any of the following —
- (a) removing more than 4 kg of material (not counting the weeds or flora);
 - (b) disturbing more than 10 m² of ground in total;
 - (c) disturbing more than 1 m² of contiguous ground;
 - (d) excavating to a depth of more than 0.5 m.

Subdivision 2 — Tier 2 agriculture and natural resource management activities

90. Controlling feral or pest fauna, other than as described in item 88.
91. Managing weeds or flora, other than as described in item 89, in a way that does not involve any of the following —
- (a) removing more than 20 kg of material (not counting the weeds or flora);
 - (b) disturbing more than 200 m² of ground in total;
 - (c) disturbing more than 10 m² of contiguous ground;
 - (d) excavating to a depth of more than 1 m.
92. Erecting or installing new agricultural infrastructure on existing agricultural land.
- Examples for this item:
- 1. Erecting or installing a stock watering point.
 - 2. Erecting or installing a new yard.

Subdivision 3 — Tier 3 agriculture and natural resource management activities

93. Managing weeds or flora, other than as described in item 89 or 91.
94. Conducting agricultural activities in an area not previously subject to agricultural activities.
95. Establishing a new farm or pastoral station.
96. Establishing a new tree plantation.
97. Harvesting trees in an area not previously subject to tree harvesting.

Division 6 — Field investigation activities**Subdivision 1 — Tier 1 field investigation activities**

98. An aerial survey.
99. A field investigation (including exploration) that does not, over the course of 1 calendar year, involve any of the following —
- (a) removing more than 4 kg of material;
 - (b) disturbing more than 10 m² of ground in total;
 - (c) disturbing more than 1 m² of contiguous ground;
 - (d) excavating to a depth of more than 0.5 m.

Subdivision 2 — Tier 2 field investigation activities

100. A field investigation (including exploration), other than as described in item 99, that does not involve any of the following —
- (a) removing more than 20 kg of material;
 - (b) disturbing more than 200 m² of ground in total;
 - (c) disturbing more than 10 m² of contiguous ground;
 - (d) excavating to a depth of more than 1 m.
101. A seismic survey that does not involve using a seismic vibrator truck.

Subdivision 3 — Tier 3 field investigation activities

102. A field investigation (including exploration), other than as described in item 99 or 100.
103. A seismic survey, other than as described in item 101.
104. Costeaming.

Division 7 — Mining activities**Subdivision 1 — Tier 1 mining activities**

105. Marking out under the *Mining Act 1978*.
106. Metal detecting.
107. Scrape and detect activities using handheld equipment only.
108. Extracting basic raw materials —
- (a) from within existing pits; and
 - (b) in a way that does not involve an increase to the area of ground disturbance.

Subdivision 2 — Tier 2 mining activities

109. Bulk leach extractable gold (BLEG).
110. Reopening underground mine workings.

Subdivision 3 — Tier 3 mining activities

- 111. Scrape and detect activities using non-handheld equipment.
- 112. Activities involved with establishing a new, or expanding an existing, mine or mine site.

Division 8 — Rehabilitation and remediation activities**Subdivision 1 — Exempt rehabilitation and remediation activities**

- 113. Removing surface waste, litter or contaminated or waste material from —
 - (a) a planning and development lot on which a residential building is located, or will be constructed; or
 - (b) a strata or community titles lot on which a residential building is located, or will be constructed, or common property in the relevant strata or community titles scheme.

Subdivision 2 — Tier 1 rehabilitation and remediation activities

- 114. Preliminary contaminated site investigation.
 - Examples for this item:
 - 1. Identifying potential sources of contamination, contaminants of concern, receptors that may be exposed to contamination and exposure pathways.
 - 2. Carrying out a site inspection.
- 115. Removing surface waste, litter or contaminated or waste material in a way that does not, over the course of 1 calendar year, involve any of the following —
 - (a) removing more than 4 kg of material (not counting the surface waste, litter or contaminated or waste material);
 - (b) disturbing more than 10 m² of ground in total;
 - (c) disturbing more than 1 m² of contiguous ground;
 - (d) excavating to a depth of more than 0.5 m.
- 116. Revegetation using handheld equipment only.
- 117. Rehabilitation of drill holes, including casing removal, sealing and capping.

Subdivision 3 — Tier 2 rehabilitation and remediation activities

- 118. Detailed contaminated site investigation.
 - Examples for this item:
 - 1. Collecting and evaluating site-specific data.
 - 2. Carrying out a detailed site investigation to establish ground conditions.
 - 3. Collecting soil and groundwater samples.

119. Removing surface waste, litter or contaminated or waste material, other than as described in item 115, in a way that does not involve any of the following —
- (a) removing more than 20 kg of material (not counting the surface waste, litter or contaminated or waste material);
 - (b) disturbing more than 200 m² of ground in total;
 - (c) disturbing more than 10 m² of contiguous ground;
 - (d) excavating to a depth of more than 1 m.
120. Revegetation using non-handheld equipment.
121. A remediation activity not described by another item in this Subdivision or Subdivision 2, that does not involve any of the following —
- (a) removing more than 20 kg of material;
 - (b) disturbing more than 200 m² of ground in total;
 - (c) disturbing more than 10 m² of contiguous ground;
 - (d) excavating to a depth of more than 1 m.
122. A rehabilitation activity not described by another item in this Subdivision or Subdivision 2 that is carried out in an area that has been subject to ground disturbance.

Subdivision 4 — Tier 3 rehabilitation and remediation activities

123. Removing surface waste, litter or contaminated or waste material, other than as part of an activity described by another item in this Division.
124. Landform re-contouring or reshaping.
125. A remediation activity not described by another item in this Division.
126. A rehabilitation activity not described by another item in this Division.

Division 9 — Other activities

Subdivision 1 — Other tier 1 activities

127. An activity that —
- (a) is not described by an item in any other Division of this Schedule; and
 - (b) is not an exempt activity; and
 - (c) does not, over the course of 1 calendar year, involve any of the following —
 - (i) removing more than 4 kg of material;
 - (ii) disturbing more than 10 m² of ground in total;
 - (iii) disturbing more than 1 m² of contiguous ground;
 - (iv) excavating to a depth of more than 0.5 m.

Subdivision 2 — Other tier 2 activities

128. An activity that —
- (a) is not described by an item in any other Division of this Schedule; and
 - (b) is not an exempt activity or tier 1 activity; and
 - (c) does not involve any of the following —
 - (i) removing more than 20 kg of material;
 - (ii) disturbing more than 200 m² of ground in total;
 - (iii) disturbing more than 10 m² of contiguous ground;
 - (iv) excavating to a depth of more than 1 m.

Subdivision 3 — Other tier 3 activities

129. An activity that —
- (a) is not described by another item in this Schedule; and
 - (b) is not an exempt activity.

Schedule 2 — Prescribed information and documents on ACH Directory

[r. 56]

1. Information about protected areas

- (1) In relation to each protected area, the following information —
 - (a) the name of the area;
 - (b) the boundaries of the area;
 - (c) the conditions, if any, to which the protected area order is subject;
 - (d) a description of the Aboriginal cultural heritage of outstanding significance for the purposes of the Act that is located in the area;
 - (e) if the protected area order declaring the area as a protected area under section 82(1) of the Act is repealed — the day on which the order is repealed.
- (2) Each previous version of the information set out in subclause (1)(a), (b) or (c) and, in relation to each previous version —
 - (a) the day on which the information changed; and
 - (b) the reason the information changed.

2. Information about local ACH services

- (1) In relation to each person designated as a local ACH service for an area, the following information —
 - (a) the name of the person;
 - (b) details of how the person may be contacted;

- (c) a description of the area;
 - (d) the day on which the person's designation takes effect under section 42(1)(a) of the Act;
 - (e) if the designation is suspended under section 43(2)(a) of the Act —
 - (i) the day on which the suspension takes effect; and
 - (ii) the period of the suspension; and
 - (iii) if the suspension is not in relation to all of the area — a description of the part of the area to which the suspension relates;
 - (f) if the designation is cancelled in relation to the whole of the area under section 43(2)(b) of the Act — the day on which the cancellation takes effect;
 - (g) if the designation is cancelled in relation to a part of the area under section 43(2)(b) of the Act —
 - (i) the day on which the cancellation takes effect; and
 - (ii) a description of the part of the area to which the cancellation relates;
 - (h) the fee structure under section 49(2) of the Act for services that the person provides in connection with any local ACH service functions that they provide in relation to the area.
- (2) Each previous version of the information set out in subclause (1)(a) or (c) and, in relation to each previous version —
- (a) the day on which the information changed; and
 - (b) the reason the information changed.

3. Information about native title parties

In relation to each native title party for an area, the following information —

- (a) the name of the native title party;
- (b) a description of the area;
- (c) details of how the native title party may be contacted, including the native title party's preferred contact method.

4. Information about knowledge holders

In relation to each person identified by the ACH Council as a knowledge holder, the following information —

- (a) the name of the knowledge holder;
- (b) a description of the Aboriginal cultural heritage about which the knowledge holder holds knowledge;

- (c) details of how the knowledge holder may be contacted, including the knowledge holder's preferred contact method;
- (d) if the knowledge holder is a knowledge holder in relation to an area — a description of the area.

5. Information about ACH protection agreements

In relation to each ACH protection agreement endorsed under Part 8 of the Act, the following information —

- (a) the name of each party to the agreement;
- (b) the day on which the agreement was endorsed;
- (c) a description of the Aboriginal cultural heritage to which the agreement relates.

6. Information about ACH permits

- (1) In relation to each ACH permit, the following information —

- (a) the name of the holder of the permit;
- (b) details of how to contact the holder of the permit;
- (c) the activity to which the permit relates as set out in the permit granted under section 119(1)(c)(i) of the Act;
- (d) the area to which the permit relates;
- (e) a description of the Aboriginal cultural heritage located in the area to which the permit relates;
- (f) the day on which the permit takes effect;
- (g) if the holder of the permit applies for the term of the permit to be extended under section 122(1) of the Act — the name of, and details of how to contact, each of the persons notified under section 122(3) of the Act about the proposed extension;
- (h) the day on which the permit is set to expire;
- (i) if the permit is suspended under section 130(1)(a) of the Act —
 - (i) the day on which the suspension takes effect; and
 - (ii) the period of the suspension;
- (j) if the permit is cancelled under section 130(1)(b) of the Act — the day on which the cancellation takes effect;
- (k) any conditions imposed on the permit by the ACH Council under section 128(2) of the Act;
- (l) any condition on the permit imposed or amended by the ACH Council under section 128(3) of the Act and the day on which the condition, or the amendment of the condition, takes effect;
- (m) the name of, and details of how to contact, each of the persons notified under section 113 of the Act about the activity to which the permit relates.

- (2) Each previous version of the information set out in subclause (1)(a), (d), (e) or (h) and, in relation to each previous version —
 - (a) the day on which the information changed; and
 - (b) the reason the information changed.

7. Information about approved ACH management plans

- (1) In relation to each ACH management plan approved under section 150(1)(b)(i) of the Act, the following information —
 - (a) the names of —
 - (i) each party to the plan; and
 - (ii) each interested Aboriginal party for the plan;
 - (b) details of how to contact each party to the plan and each interested Aboriginal party for the plan;
 - (c) the name of, and details of how to contact, each of the persons to be consulted about the activity to be carried out under the plan;
 - (d) a description of the area to which the plan relates;
 - (e) a description of the Aboriginal cultural heritage located in the area to which the plan relates, and the characteristics of that Aboriginal cultural heritage;
 - (f) a description of the activity to which the plan relates;
 - (g) the conditions that must be complied with before, during and after the activity is carried out;
 - (h) the day on which the plan takes effect;
 - (i) the day on which the plan expires;
 - (j) if the approval of the plan is suspended under section 154(1)(a) of the Act —
 - (i) the day on which the suspension takes effect; and
 - (ii) the period of the suspension;
 - (k) if the approval of the plan is cancelled under section 154(1)(b) of the Act — the day on which the cancellation takes effect.
- (2) Each previous version of the information set out in subclause (1)(a), (d), (e), (f), (g) or (i) and, in relation to each previous version —
 - (a) the day on which the information changed; and
 - (b) the reason the information changed.
- (3) In relation to each ACH management plan approved under section 150(1)(b)(i) of the Act, a copy of any report that, under regulation 47(b), accompanies the application for approval of the plan.

8. Information about authorised ACH management plans

- (1) In relation to each ACH management plan authorised under section 165(1)(b)(i) of the Act, the following information —
 - (a) the names of —
 - (i) each party to the plan; and
 - (ii) each interested Aboriginal party for the plan;
 - (b) details of how to contact each party to the plan and each interested Aboriginal party for the plan;
 - (c) the name of, and details of how to contact, each of the persons to be consulted about the activity to be carried out under the plan;
 - (d) a description of the area to which the plan relates;
 - (e) a description of the Aboriginal cultural heritage located in the area to which the plan relates, and the characteristics of that Aboriginal cultural heritage;
 - (f) a description of the activity to which the plan relates;
 - (g) the conditions that must be complied with before, during and after the activity is carried out;
 - (h) the conditions to which authorisation of the plan is made subject under section 167(2) or (3) of the Act;
 - (i) the day on which the plan takes effect;
 - (j) the day on which the authorisation of the plan ceases to have effect;
 - (k) if the authorisation of the plan is suspended under section 168(1)(a) of the Act —
 - (i) the day on which the suspension takes effect; and
 - (ii) the period of the suspension;
 - (l) if the authorisation of the plan is cancelled under section 168(1)(b) of the Act — the day on which the cancellation takes effect.
- (2) Each previous version of the information set out in subclause (1)(a), (d), (e), (f), (g), (h) or (j) and, in relation to each previous version —
 - (a) the day on which the information changed; and
 - (b) the reason the information changed.
- (3) In relation to each ACH management plan authorised under section 165(1)(b)(i) of the Act, a copy of any report that, under regulation 47(b), accompanies the application for authorisation of the plan.

9. Information about State significance determinations

In relation to each determination under section 176(1)(b)(i) of the Act that Aboriginal cultural heritage is of State significance for the purposes of the Act, the following information —

- (a) the day on which the determination is made;
- (b) a description of the Aboriginal cultural heritage and the location of the Aboriginal cultural heritage.

10. Information about Part 7 orders

In relation to each Part 7 order, the following information —

- (a) the name of the person to whom the order is given;
- (b) the area to which the order relates;
- (c) a brief description of the Aboriginal cultural heritage the subject of the order;
- (d) the day on which the order takes effect;
- (e) the duration of the order, including any extension of the duration of the order under section 182 or 191 of the Act;
- (f) if the order is cancelled under section 203(1) of the Act — the day on which the cancellation takes effect;
- (g) if the order is a prohibition order that is amended under section 203(1)(a) of the Act — the amendment to the order;
- (h) a brief description of the grounds for giving the order;
- (i) the directions that are to be complied with under the order.

Schedule 3 — Prescribed periods

[r. 63]

Provision	Prescribed period
Part 2 of the Act	
Section 46(1)	The period of 28 days after the day on which notice of the decision to refuse to designate is given under section 47 of the Act
Section 46(2)	The period of 28 days after the day on which notice of the decision to which the objection relates is given under section 47 of the Act

Provision	Prescribed period
Part 3 of the Act	
Section 56(1)	<p>The period of —</p> <p>(a) if the organisation or individual is in possession of the Aboriginal ancestral remains immediately before transition day — 2 years after that day; or</p> <p>(b) otherwise — 6 months after the day on which the Aboriginal ancestral remains come into the possession of the organisation or individual</p>
Section 57(1)	The period of 3 years after the day on which the notice is given under section 56(1) of the Act
Section 57(4)	The period of 14 days
Section 58(1)	The period of 6 months after the day on which the notice is given under section 56(1) of the Act
Section 64(1)	<p>The period of —</p> <p>(a) if the person is in possession of the secret or sacred object immediately before transition day — 2 years after that day; or</p> <p>(b) otherwise — 6 months after the day on which the secret or sacred object comes into the possession of the person</p>
Section 65(1)	The period of 3 years after the day on which the notice is given under section 64(1) of the Act
Section 65(4)	The period of 14 days
Section 68(1)	<p>The period of —</p> <p>(a) if the person knew of the existence of the Aboriginal place, Aboriginal object or Aboriginal ancestral remains immediately before transition day — 2 years after that day; or</p> <p>(b) otherwise — 90 days after the day on which the person becomes aware of the existence of the Aboriginal place, Aboriginal object or Aboriginal ancestral remains</p>

Provision	Prescribed period
Part 4 of the Act	
Section 75(3)(c)	The period of 28 days after the day on which the notice is given
Section 76(1)	<p>The period of 28 days after the end of the period for submissions</p> <p>Note for this item:</p> <p style="padding-left: 40px;">Working out of this period may be affected by regulation 63(2) or (3)</p>
Section 77(3)(b)	The period of 28 days after the day on which the public notice is given
Section 78(2)	The period of 28 days after the day on which the notice is given
Section 79(1)	<p>The period of 28 days after the end of the period for making submissions</p> <p>Note for this item:</p> <p style="padding-left: 40px;">Working out of this period may be affected by regulation 63(2) or (3)</p>
Section 81(1)	<p>The period of 60 days after —</p> <p>(a) if further information is requested in relation to the application area under section 80 of the Act — the day on which the request is complied with or the day on which the time period for complying with the request expires, whichever occurs first; or</p> <p>(b) otherwise — the day on which the ACH Council makes the recommendation</p> <p>Note for this item:</p> <p style="padding-left: 40px;">Working out of this period may be affected by regulation 63(3)</p>
Part 6 of the Act	
Section 113(b)	The period of 28 days after the day on which the notice is given
Section 116(2)	The period of 14 days after the day on which the request is made
Section 118(2)	The period of 28 days after the day on which the notice is given

Provision	Prescribed period
Section 119(2)	<p>The period of 14 days after the end of the period for making submissions under section 118(2) of the Act in relation to the application</p> <p>Note for this item:</p> <p style="padding-left: 40px;">Working out of this period may be affected by regulation 63(3)</p>
Section 122(3)(b)	The period of 28 days after the day on which the notice is given
Section 123(2)	The period of 14 days after the day on which the request is made
Section 125(2)	The period of 28 days after the day on which the notice is given
Section 126(2)	<p>The period of 14 days after the end of the period for making submissions under section 125(2) of the Act in relation to the application</p> <p>Note for this item:</p> <p style="padding-left: 40px;">Working out of this period may be affected by regulation 63(3)</p>
Section 127(1)	The period of 14 days after the day on which the permit is transferred
Section 128(8)	The period of 14 days after the day on which the decision is made
Section 129(2)	The period of 14 days after the day on which the ACH Council amends the area
Section 131(1)	The period of 28 days after the day on which notice of the decision to refuse to grant the permit is given under section 132 of the Act
Section 131(2)	The period of 28 days after the day on which notice of the decision to which the objection relates is given under section 132 of the Act
Section 131(4)	The period of 14 days after the day on which the objection is made
Section 143(2)(a)	The period of 140 days
Section 148(2)	The period of 28 days after the day on which the request is made

Provision	Prescribed period
Section 150(2)	<p>The period of 28 days after —</p> <p>(a) unless paragraph (b) applies — the day on which the application is made; or</p> <p>(b) if the application is, under section 161 of the Act, considered as an application under section 147(1) of the Act — the day on which the applicant and each interested Aboriginal party have advised the ACH Council under section 161 of the Act that they have reached agreement on the terms of the plan</p> <p>Note for this item:</p> <p>Working out of this period may be affected by regulation 63(3)</p>
Section 155(1)	The period of 28 days after the day on which notice of the decision to which the objection relates is given under section 156 of the Act
Section 158(2)	The period of 60 days after the day on which the request is made
Section 162(2)	<p>The period of 90 days after —</p> <p>(a) unless paragraph (b) applies — the day on which the application is made; or</p> <p>(b) if section 177(1)(a) or (c) of the Act apply — the day on which the determination is made under section 176(1)(b)(i) of the Act</p> <p>Note for this item:</p> <p>Working out of this period may be affected by regulation 63(3)</p>
Section 171(1)(b)	The period of 14 days after the day on which the person ceases to be an interested Aboriginal party for the plan
Section 171(4)	The period of 14 days after the day on which the former proponent ceases to be the current proponent

Provision	Prescribed period
Section 175(3)(c)	The period of 28 days after the day on which the notice is given
Section 176(1)	The period of 35 days
Part 7 of the Act	
Section 186(4)	The period of 10 days ending on the day on which the stop activity order expires
Section 187(2)(c)	The period of — (a) if the notice relates to a recommendation under section 185(1) of the Act — 28 days after the day on which the notice is given; or (b) if the notice relates to a recommendation under section 186(1)(b) of the Act — 14 days after the day on which the notice is given
Section 192(1)(d)	The period of 28 days after the day on which the notice is given
Section 204(c)	The period of 28 days after the day on which the notice is given
Part 8 of the Act	
Section 208(2)	The period of 28 days after the day on which the request is made
Section 210(2)	The period of 60 days after the day on which the ACH protection agreement is submitted for endorsement

B. D'SA, Clerk of the Executive Council.

INDUSTRIAL RELATIONS

IR301

Work Health and Safety Act 2020

**Work Health and Safety (General) (Fees)
Amendment Regulations 2023**

SL 2023/42

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Work Health and Safety (General) (Fees) Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

3. Regulations amended

These regulations amend the *Work Health and Safety (General) Regulations 2022*.

4. Schedule 2 replaced

Delete Schedule 2 and insert:

Schedule 2 — Fees

[r. 5]

1. Purpose of Schedule

Table 2.1 specifies fees to be paid under these regulations.

Note for this clause:

See the definition of *relevant fee* in regulation 5.

Table 2.1

Regulation	Nature of fee	Fee
<i>Determinations by regulator</i>		
r. 6(4)	Determination of safety management system	\$357
r. 235(7)	Determination of competent person for major inspection of registered mobile cranes and tower cranes	\$325
r. 241(8)	Determination of competent person for annual inspection of amusement devices and passenger ropeways	\$325
<i>High risk work licences</i>		
r. 87(3)	Application for licence	\$86
r. 87(3)	Application to add a class to the licence	\$43
r. 98(4)(b)	Application for replacement licence document	\$29
r. 101(3)	Application for renewal of licence	\$44
<i>Accreditation of high risk work licence assessors</i>		
r. 116(3)	Application for accreditation	\$1 762
r. 116(3)	Application to add a class to the accreditation	\$504
r. 127(4)(b)	Application for replacement accreditation document	\$39
r. 130(2)(b)	Application for renewal of accreditation	\$467
<i>Registration of plant designs and items of plant (except mines)</i>		
r. 250(4)	Application for registration (design of item of plant)	\$669
r. 266(3)	Application for registration (item of plant)	\$691
r. 288(4)(b)	Application for replacement registration document	\$105
<i>Registration of plant designs and items of plant (mines)</i>		
r. 250(4)	Application for registration (design of item of plant)	\$580
r. 266(3)	Application for registration (item of plant)	\$64

Regulation	Nature of fee	Fee
r. 288(4)(b)	Application for replacement registration document	\$105
<i>Demolition licences</i>		
r. 142N(4)	Application for licence — Class 1	\$15 376
r. 142N(4)	Application for licence — Class 2	\$12 019
r. 143A(3)	Change to nominated supervisor	\$4 145
r. 143G(4)(b)	Application for replacement licence document	\$39
r. 143J(3)	Application for renewal of licence — Class 1	\$13 132
r. 143J(3)	Application for renewal of licence — Class 2	\$11 419
<i>Asbestos removal and asbestos assessor licences</i>		
r. 492(3)	Application for asbestos removal licence — Class A	\$5 716
r. 492(3)	Application for asbestos removal licence — Class B	\$1 416
r. 492(3)	Application for asbestos assessor licence	\$8 159
r. 507(3)	Change to nominated supervisor	\$5 245
r. 513(4)(b)	Application for replacement asbestos removal licence document	\$36
r. 513(4)(b)	Application for replacement asbestos assessor licence document	\$39
r. 516(3)	Application for renewal of asbestos removal licence — Class A	\$4 822
r. 516(3)	Application for renewal of asbestos removal licence — Class B	\$1 310
r. 516(3)	Application for renewal of asbestos assessor licence	\$8 239

B. D'SA, Clerk of the Executive Council.

JUSTICE

JU301

State Administrative Tribunal Act 2004

**State Administrative Tribunal Amendment
Regulations 2023****SL 2023/49**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *State Administrative Tribunal Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

3. Regulations amended

These regulations amend the *State Administrative Tribunal Regulations 2004*.

4. Schedule 3 amended

In Schedule 3 delete “*Aboriginal Heritage Act 1972* s. 18(5)” and insert:

Aboriginal Cultural Heritage Act 2021 s. 277(2)

B. D'SA, Clerk of the Executive Council.

LANDS

LA301

Community Titles Act 2018
 Registration of Deeds Act 1856
 Strata Titles Act 1985
 Transfer of Land Act 1893
 Valuation of Land Act 1978

Lands Regulations Amendment (Fees and Charges) Regulations 2023

SL 2023/44

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Lands Regulations Amendment (Fees and Charges) Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

Part 2 — *Community Titles Regulations 2021* amended

3. Regulations amended

This Part amends the *Community Titles Regulations 2021*.

4. Schedule 2 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 2 it. 1(a)	303.00	328.00
Sch. 2 it. 1(b) and (c)	79.50	86.00
Sch. 2 it. 2(a)	187.60	203.00

Provision	Delete	Insert
Sch. 2 it. 2(b)	6.70	7.25
Sch. 2 it. 2(c)	303.00	328.00
Sch. 2 it. 2(d), 3 and 4(a)	187.60	203.00
Sch. 2 it. 4(b)	6.70	7.25
Sch. 2 it. 4(c)	303.00	328.00
Sch. 2 it. 4(d) and 5(a)	187.60	203.00
Sch. 2 it. 5(b)	6.70	7.25
Sch. 2 it. 6	122.20	132.20
Sch. 2 it. 7	187.60	203.00

Part 3 — *Registration of Deeds Regulations 2004* amended

5. Regulations amended

This Part amends the *Registration of Deeds Regulations 2004*.

6. Schedule 1 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Div. 1 it. 1 and 2	\$163.30	\$176.70
Sch. 1 Div. 2 it. 1	\$28.20	\$30.50
Sch. 1 Div. 3 it. 1	\$67.00	\$72.00
Sch. 1 Div. 3 it. 2	\$163.30	\$176.70

**Part 4 — *Strata Titles (General) Regulations 2019*
amended**

7. Regulations amended

This Part amends the *Strata Titles (General) Regulations 2019*.

8. Schedule 5 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 5 it. 1(a)	303.00	328.00
Sch. 5 it. 1(b)	79.50	86.00
Sch. 5 it. 2(a)	187.60	203.00
Sch. 5 it. 2(b)	6.70	7.25
Sch. 5 it. 3 and 4(a)	187.60	203.00
Sch. 5 it. 4(b)	6.70	7.25
Sch. 5 it. 5(a)	187.60	203.00
Sch. 5 it. 5(b)	6.70	7.25
Sch. 5 it. 6, 7 and 8(a)	187.60	203.00
Sch. 5 it. 8(b)	6.70	7.25
Sch. 5 it. 9(a)	187.60	203.00
Sch. 5 it. 9(b)	6.70	7.25
Sch. 5 it. 10	122.20	132.20
Sch. 5 it. 11 to 13	187.60	203.00

Part 5 — *Transfer of Land Regulations 2004* amended

9. Regulations amended

This Part amends the *Transfer of Land Regulations 2004*.

10. Schedule 1 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Div. 1 it. 1	\$187.60 \$14.60	\$203.00 \$15.80
Sch. 1 Div. 1 it. 2 and 3	\$187.60	\$203.00
Sch. 1 Div. 1 it. 4	\$187.60 (each occurrence) \$197.60 \$217.60	\$203.00 \$213.00 \$233.00
Sch. 1 Div. 1 it. 5 to 11	\$187.60	\$203.00
Sch. 1 Div. 2 it. 1	\$187.60	\$203.00
Sch. 1 Div. 2 it. 2	\$303.00 (each occurrence) \$79.50	\$328.00 \$86.00
Sch. 1 Div. 2 it. 3(a)	\$303.00	\$328.00
Sch. 1 Div. 2 it. 3(b)	\$79.50	\$86.00
Sch. 1 Div. 2 it. 4	\$303.00	\$328.00
Sch. 1 Div. 2 it. 5(a)	\$93.80	\$101.50
Sch. 1 Div. 2 it. 5(b)	\$6.70	\$7.25
Sch. 1 Div. 2 it. 6 to 10	\$187.60	\$203.00
Sch. 1 Div. 3 it. 1 and 2	\$187.60	\$203.00
Sch. 1 Div. 3 it. 3	\$93.80	\$101.50

Provision	Delete	Insert
Sch. 1 Div. 4 it. 1(a)	\$187.60	\$203.00
Sch. 1 Div. 4 it. 1(b)	\$6.70	\$7.25
Sch. 1 Div. 4 it. 2	\$187.60 \$6.70	\$203.00 \$7.25
Sch. 1 Div. 4 it. 3 and 4	\$187.60	\$203.00
Sch. 1 Div. 4 it. 5	\$350.90	\$379.70
Sch. 1 Div. 4 it. 6 and 7	\$187.60	\$203.00
Sch. 1 Div. 5 it. 1	\$187.60	\$203.00
Sch. 1 Div. 5 it. 2 and 3	\$67.00	\$72.00
Sch. 1 Div. 6 it. 1 to 4	\$28.20	\$30.50
Sch. 1 Div. 6 it. 5(a)	\$14.10	\$15.25
Sch. 1 Div. 6 it. 5(b)	\$28.20	\$30.50
Sch. 1 Div. 6 it. 6(a)	\$14.10	\$15.25
Sch. 1 Div. 6 it. 6(b) to 10	\$28.20	\$30.50
Sch. 1 Div. 6 it. 12	\$14.10	\$15.25
Sch. 1 Div. 6 it. 13 to 15	\$28.20	\$30.50
Sch. 1 Div. 6 it. 16 and 17	\$14.10	\$15.25
Sch. 1 Div. 6 it. 18 and 19	\$28.20	\$30.50
Sch. 1 Div. 7 it. 1	\$187.60 (each occurrence)	\$203.00
Sch. 1 Div. 7 it. 3 to 5	\$163.30	\$176.70

Provision	Delete	Insert
Sch. 1 Div. 7 it. 6(a)	\$122.20	\$132.20
Sch. 1 Div. 7 it. 6(b)	\$93.80	\$101.50
Sch. 1 Div. 7 it. 8	\$163.30	\$176.70
Sch. 1 Div. 7 it. 9	\$233.00	\$252.00
Sch. 1 Div. 7 it. 13	\$6.70	\$7.25

Part 6 — *Valuation of Land Regulations 1979* amended

11. Regulations amended

This Part amends the *Valuation of Land Regulations 1979*.

12. Schedule 1 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 it. 1	163.50	168.80
Sch. 1 it. 2	65.60	67.70
Sch. 1 it. 3	9.00	9.30
Sch. 1 it. 4	19.60	20.20

B. D'SA, Clerk of the Executive Council.

LA302

Community Titles Act 2018

Community Titles Amendment Regulations 2023

SL 2023/51

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Community Titles Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

3. Regulations amended

These regulations amend the *Community Titles Regulations 2021*.

4. Regulation 13 amended

In regulation 13(1)(k):

- (a) delete “Aboriginal site (as defined in the *Aboriginal Heritage Act 1972* section 4) —” and insert:

Aboriginal place (as defined in paragraph (b)(i) of the definition of *Aboriginal cultural heritage* in the *Aboriginal Cultural Heritage Act 2021* section 12) —

- (b) in subparagraphs (i) and (ii) delete “Aboriginal site; and” and insert:

Aboriginal place; and

B. D'SA, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301

Local Government Act 1995

**Local Government (Functions and General)
Amendment Regulations 2023****SL 2023/47**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Local Government (Functions and General) Amendment Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Local Government (Functions and General) Regulations 1996*.

4. Regulation 11 amended

(1) In regulation 11(2):

- (a) after paragraph (i) insert:
 - (ia) the contract is formed by the novation of a contract to which subregulation (1) applies; or
- (b) after paragraph (ja) insert:
 - (jb) the contract is a renewal or extension of the term of a contract (the **original contract**) for the supply of dental or medical services by a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the dental profession or medical profession; or

- (2) After regulation 11(4) insert:
- (5) For the purposes of subregulation (2)(jb), it is immaterial that the supplier also supplies services under the original contract that are not dental or medical services.
 - (6) Subregulation (2)(jb) does not apply in relation to the renewal or extension of the term of a contract by —
 - (a) the local government of a district in the metropolitan area; or
 - (b) the City of Mandurah.

5. Regulation 21A amended

In regulation 21A(b) delete “11(2)(j).” and insert:

11(2)(j), (ja) or (jb).

6. Regulation 30 amended

In regulation 30(2)(f) delete “medical profession to be used for carrying on his or her” and insert:

dental profession or medical profession to be used for carrying on the person’s dental practice or

B. D'SA, Clerk of the Executive Council.

POLICE

PO301

Firearms Act 1973

Firearms Amendment Regulations (No. 2) 2023**SL 2023/46**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Firearms Amendment Regulations (No. 2) 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

3. Regulations amended

These regulations amend the *Firearms Regulations 1974*.

4. Regulation 2A amended

In regulation 2A(1) delete “the Table to regulation 26.” and insert:

Schedule 2A.

5. Regulation 4A amended

In regulation 4A delete “the Table to regulation 26.” and insert:

Schedule 2A.

6. Regulation 26 amended

- (1) In regulation 26(1) delete “the Table to this regulation is absolutely prohibited.” and insert:

Schedule 2A is prohibited.

(2) In regulation 26 delete the Table.

7. Schedule 2A inserted

After Schedule 2 insert:

**Schedule 2A — Descriptions of prohibited firearms
and ammunition for regulation 26**

[r. 26]

Division 1 — Prohibited ammunition

1. ammunition for a machine gun
2. ammunition for a mortar gun
3. ammunition for a bazooka gun
4. ammunition for a firearm designed to discharge tear gas
5. ammunition the missile from which includes any high explosive, smoke, chemical, lachrymatory agent, or flechettes
6. tracer ammunition
7. incendiary ammunition
8. armour piercing (hard steel core) ammunition
9. imprint free (accelerator) ammunition
10. frangible ammunition
11. ammunition the missile from which has a calibre of 20 mm or more
12. .340 Weatherby Magnum
13. .28 Nosler
14. .330 Dakota
15. .338 Lapua
16. .300 Lapua Magnum
17. .338-404 Jeffery
18. .338 Norma Magnum
19. .338-378 Weatherby Magnum
20. .338 Edge
21. .30-378 Weatherby Magnum
22. .300 Norma Magnum
23. .375 A-Square
24. .375 Gibbs
25. .460 Steyr
26. .375 CheyTac
27. .416 Barrett

28. .408 CheyTac
29. .50 BMG
30. .55 Boys

Division 2 — Prohibited firearms

Subdivision 1 — Prohibited firearms

1. a category D firearm
2. a machine gun
3. a hand grenade
4. a mortar gun
5. a bazooka gun
6. a fully automatic firearm
7. a firearm designed to discharge tear gas
8. a “forward venting” blank firing imitation firearm

Subdivision 2 — Prohibited firearms (cartridged)

Any of the firearms of the make and model listed in the table below that is chambered for any of the cartridges listed in item 12 to 30 of Division 1 of this Schedule.

Table

Item	Make	Model
1.	Accuracy International	AXMC
2.	APRS	Target
3.	Armalite	AR-30
4.	Armalite	AR-50
5.	Badger Ordnance	2013
6.	Barnard	GP
7.	Barnard	P-CHEY
8.	Barnard	PL
9.	Barrett	98B
10.	BAT Machine	HR
11.	BAT Machine	M
12.	Blaser	R8
13.	Blaser	R93 Tactical
14.	Browning	X-Bolt

Item	Make	Model
15.	CheyTac	M200
16.	Defiance	Deviant Tactical
17.	Desert Tech	HTI
18.	Gunwerks	Verdict LR1500
19.	Howa	1500
20.	H-S Precision	HTR
21.	McMillan	G30
22.	McMillan	MCRT
23.	McMillan	TAC-338
24.	McMillan	TAC-416
25.	McMillan	TAC-50
26.	Nesika	MT
27.	Pierce Engineering	Titanium
28.	Remington	40 X TARGET
29.	Remington	700
30.	Sako	M995
31.	Sako	TRG M10
32.	Sako	TRG 42
33.	Sako	85 LONG RANGE
34.	Savage	10
35.	Savage	110
36.	Savage	111 Long Range Hunter
37.	Savage	112 Magnum Target
38.	Serbu	BFG-50
39.	Steyr	CL II
40.	Steyr	HS-460
41.	Steyr	HS-50

Item	Make	Model
42.	Steyr	SSG 08-A1
43.	Stiller Precision Firearms	APRS
44.	Stiller Precision Firearms	Predator
45.	Stiller Precision Firearms	TAC 338
46.	Stiller Precision Firearms	TAC 408
47.	Surgeon Rifles	XL Remedy
48.	Victrix	Corvo
49.	Victrix	Scorpio
50.	Victrix	Tormento
51.	Voere	M2
52.	Weatherby	Mark V

B. D'SA, Clerk of the Executive Council.

PO302

Misuse of Drugs Act 1981

Misuse of Drugs (Amounts of Prohibited Drugs) Order 2023

SL 2023/48

Made by the Governor in Executive Council.

1. Citation

This order is the *Misuse of Drugs (Amounts of Prohibited Drugs) Order 2023*.

2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

3. Act amended

This order amends the *Misuse of Drugs Act 1981*.

4. Schedule III amended

(1) In Schedule III Division 1:

(a) after item 25B insert:

25C. 1-BUTYL-N-(2-PHENYLPROPAN-2-YL)-1H-INDOLE-3-CARBOXAMIDE (CUMYL-BICA)
(plant material) 60.0

25D. 1-BUTYL-N-(2-PHENYLPROPAN-2-YL)-1H-INDOLE-3-CARBOXAMIDE (CUMYL-BICA) (in any form except plant material) 4.0

(b) after item 32 insert:

32A. 1-(4-CYANO BUTYL)-N-(1-METHYL-1-PHENYLETHYL)-1H-INDAZOLE-3-CARBOXAMIDE (SGT-78; 4-CN-CUMYL-BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-CYANO CUMYL-BUTINACA) (plant material) 60.0

32B. 1-(4-CYANO BUTYL)-N-(1-METHYL-1-PHENYLETHYL)-1H-INDAZOLE-3-CARBOXAMIDE (SGT-78; 4-CN-CUMYL-BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-CYANO CUMYL-BUTINACA) (in any form except plant material) 4.0

(c) after item 33 insert:

33A. 1-CYCLOHEXYL-4-(1,2-DIPHENYLETHYL)PIPERAZINE (MT-45; IC-6) 6.0

(d) after item 40 insert:

40A. 2,5-DIHYDRO-2-(1-METHYL-1-PHENYLETHYL)-5-PENTYL-1H-PYRIDO[4,3-B]INDOL-1-ONE (CUMYL-PEGACLONE; SGT-151) (plant material) 60.0

40B. 2,5-DIHYDRO-2-(1-METHYL-1-PHENYLETHYL)-5-PENTYL-1H-PYRIDO[4,3-B]INDOL-1-ONE (CUMYL-PEGACLONE; SGT-151) (in any form except plant material) 4.0

(e) after item 59C insert:

59D.	5-(5-FLUOROPENTYL)-2-(2-PHENYLPROPAN-2-YL)-2,5-DIHYDRO-1H-PYRIDO[4,3-B]INDOL-1-ONE (5F-CUMYL-PEGACLONE; 5F SGT-151) (plant material)	60.0
59E.	5-(5-FLUOROPENTYL)-2-(2-PHENYLPROPAN-2-YL)-2,5-DIHYDRO-1H-PYRIDO[4,3-B]INDOL-1-ONE (5F-CUMYL-PEGACLONE; 5F SGT-151) (in any form except plant material)	4.0
59F.	2-(2-FLUOROPHENYL)-2-METHYLAMINO-CYCLOHEXANONE (2-FLUORODESCHLOROKETAMINE; 2FDCK)	4.0

(f) after item 80 insert:

80AAA.	METHYL 2-(9-(CYCLOHEXYLMETHYL)-9H-CARBAZOLE-3-CARBOXAMIDO)-3,3-DIMETHYLBUTANOATE (MDMB-CHMCZCA) (plant material)	60.0
80AAB.	METHYL 2-(9-(CYCLOHEXYLMETHYL)-9H-CARBAZOLE-3-CARBOXAMIDO)-3,3-DIMETHYLBUTANOATE (MDMB-CHMCZCA) (in any form except plant material)	4.0
80AAC.	METHYL 2-[1-(4-FLUOROBENZYL)-1H-INDOLE-3-CARBOXAMIDO]-3-METHYLBUTANOATE (MMB-FUBICA; AMB-FUBICA) (plant material)	60.0
80AAD.	METHYL 2-[1-(4-FLUOROBENZYL)-1H-INDOLE-3-CARBOXAMIDO]-3-METHYLBUTANOATE (MMB-FUBICA; AMB-FUBICA) (in any form except plant material)	4.0
80AAE.	METHYL 2-[[1-(4-FLUOROBUTYL)INDAZOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (4F-MDMB-BINACA; 4F-MDMB-BUTINACA) (plant material)	60.0
80AAF.	METHYL 2-[[1-(4-FLUOROBUTYL)INDAZOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (4F-MDMB-BINACA; 4F-MDMB-BUTINACA) (in any form except plant material)	4.0

(g) after item 81D insert:

81E.	METHYL 2-[[1-(5-FLUOROPENTYL)INDOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (5-FLUORO MDMB-PICA; 5F-MDMB-PICA) (plant material)	60.0
81F.	METHYL 2-[[1-(5-FLUOROPENTYL)INDOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (5-FLUORO MDMB-PICA; 5F-MDMB-PICA) (in any form except plant material)	4.0

(h) after item 94AL insert:

94AM.	N-[(1S)-1-(AMINOCARBONYL)-2-METHYLPYRROL]-1-(5-FLUOROPENTYL)-1H-PYRROLO[2,3-B]PYRIDINE-3-CARBOXAMIDE (5F-AB-P7AICA) (plant material)	60.0
94AN.	N-[(1S)-1-(AMINOCARBONYL)-2-METHYLPYRROL]-1-(5-FLUOROPENTYL)-1H-PYRROLO[2,3-B]PYRIDINE-3-CARBOXAMIDE (5F-AB-P7AICA) (in any form except plant material)	4.0

(i) after item 98 insert:

98A.	N-METHYL-1-(THIOPHEN-2-YL)PROPAN-2-AMINE (METHIOPROPAMINE; MPA)	4.0
98B.	N-(1-NAPHTHYL)-1-(5-FLUOROPENTYL)-1H-INDOLE-3-CARBOXAMIDE (5F-NNEI; 5F-MN-24) (plant material)	60.0
98C.	N-(1-NAPHTHYL)-1-(5-FLUOROPENTYL)-1H-INDOLE-3-CARBOXAMIDE (5F-NNEI; 5F-MN-24) (in any form except plant material)	4.0

(2) In Schedule III Division 2 before item 1 insert:

1A.	ANDROISOXAZOLE	100.0
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5. Schedule V amended

(1) In Schedule V Division 1:

(a) after item 25B insert:

25C. 1-BUTYL-N-(2-PHENYLPROPAN-2-YL)-1H-INDOLE-3-CARBOXAMIDE (CUMYL-BICA)
(plant material) 30.0

25D. 1-BUTYL-N-(2-PHENYLPROPAN-2-YL)-1H-INDOLE-3-CARBOXAMIDE (CUMYL-BICA) (in any form except plant material) 2.0

(b) after item 32 insert:

32A. 1-(4-CYANO BUTYL)-N-(1-METHYL-1-PHENYLETHYL)-1H-INDAZOLE-3-CARBOXAMIDE (SGT-78; 4-CN-CUMYL-BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-CYANO CUMYL-BUTINACA) (plant material) 30.0

32B. 1-(4-CYANO BUTYL)-N-(1-METHYL-1-PHENYLETHYL)-1H-INDAZOLE-3-CARBOXAMIDE (SGT-78; 4-CN-CUMYL-BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-CYANO CUMYL-BUTINACA) (in any form except plant material) 2.0

(c) after item 33 insert:

33A. 1-CYCLOHEXYL-4-(1,2-DIPHENYLETHYL)PIPERAZINE (MT-45; IC-6) 2.0

(d) after item 41 insert:

41A. 2,5-DIHYDRO-2-(1-METHYL-1-PHENYLETHYL)-5-PENTYL-1H-PYRIDO[4,3-B]INDOL-1-ONE (CUMYL-PEGACLONE; SGT-151) (plant material) 30.0

41B. 2,5-DIHYDRO-2-(1-METHYL-1-PHENYLETHYL)-5-PENTYL-1H-PYRIDO[4,3-B]INDOL-1-ONE (CUMYL-PEGACLONE; SGT-151) (in any form except plant material) 2.0

(e) after item 60C insert:

60D.	5-(5-FLUOROPENTYL)-2-(2-PHENYLPROPAN-2-YL)-2,5-DIHYDRO-1H-PYRIDO[4,3-B]INDOL-1-ONE (5F-CUMYL-PEGACLONE; 5F SGT-151) (plant material)	30.0
60E.	5-(5-FLUOROPENTYL)-2-(2-PHENYLPROPAN-2-YL)-2,5-DIHYDRO-1H-PYRIDO[4,3-B]INDOL-1-ONE (5F-CUMYL-PEGACLONE; 5F SGT-151) (in any form except plant material)	2.0
60F.	2-(2-FLUOROPHENYL)-2-METHYLAMINO-CYCLOHEXANONE (2-FLUORODESCHLOROKETAMINE; 2FDCK)	2.0

(f) delete items 82AAA, 82AAB, 82AAC and 82AAD and insert:

82AAA.	METHYL 2-(9-(CYCLOHEXYLMETHYL) -9H-CARBAZOLE -3-CARBOXAMIDO)-3,3-DIMETHYLBUTANOATE (MDMB-CHMCZCA) (plant material)	30.0
82AAB.	METHYL 2-(9-(CYCLOHEXYLMETHYL) -9H-CARBAZOLE -3-CARBOXAMIDO)-3,3-DIMETHYLBUTANOATE (MDMB-CHMCZCA) (in any form except plant material)	2.0

(g) after item 84C insert:

84D.	METHYL 2-[1-(4-FLUOROBENZYL)-1H-INDOLE-3-CARBOXAMIDO]-3-METHYLBUTANOATE (MMB-FUBICA; AMB-FUBICA) (plant material)	30.0
84E.	METHYL 2-[1-(4-FLUOROBENZYL)-1H-INDOLE-3-CARBOXAMIDO]-3-METHYLBUTANOATE (MMB-FUBICA; AMB-FUBICA) (in any form except plant material)	2.0
84F.	METHYL 2-[[1-(4-FLUOROBUTYL)INDAZOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (4F-MDMB-BINACA; 4F-MDMB-BUTINACA) (plant material)	30.0
84G.	METHYL 2-[[1-(4-FLUOROBUTYL)INDAZOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (4F-MDMB-BINACA; 4F-MDMB-BUTINACA) (in any form except plant material)	2.0

84H.	METHYL 2-(1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO)-3-METHYLBUTANOATE (5F-AMB) (plant material)	30.0
84I.	METHYL 2-(1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO)-3-METHYLBUTANOATE (5F-AMB) (in any form except plant material)	2.0
84J.	METHYL 2-[[1-(5-FLUOROPENTYL)INDOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (5-FLUORO MDMB-PICA; 5F-MDMB-PICA) (plant material)	30.0
84K.	METHYL 2-[[1-(5-FLUOROPENTYL)INDOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (5-FLUORO MDMB-PICA; 5F-MDMB-PICA) (in any form except plant material)	2.0

(h) after item 87 insert:

87A.	METHYL (S)-2-[1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO]-3,3-DIMETHYLBUTANOATE (5F-ADB) (plant material)	30.0
87B.	METHYL (S)-2-[1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO]-3,3-DIMETHYLBUTANOATE (5F-ADB) (in any form except plant material)	2.0

(i) after item 96AL insert:

96AM.	N-[(1S)-1-(AMINOCARBONYL)-2-METHYLPROPYL]-1-(5-FLUOROPENTYL)-1H-PYRROLO[2,3-B]PYRIDINE-3-CARBOXAMIDE (5F-AB-P7AICA) (plant material)	30.0
96AN.	N-[(1S)-1-(AMINOCARBONYL)-2-METHYLPROPYL]-1-(5-FLUOROPENTYL)-1H-PYRROLO[2,3-B]PYRIDINE-3-CARBOXAMIDE (5F-AB-P7AICA) (in any form except plant material)	2.0

(j) after item 100 insert:

100A.	N-METHYL-1-(THIOPHEN-2-YL)PROPAN-2-AMINE (METHIOPROPAMINE; MPA)	2.0
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100B.	N-(1-NAPHTHYL)-1-(5-FLUOROPENTYL)-1H-INDOLE-3-CARBOXAMIDE (5F-NNEI; 5F-MN-24) (plant material)	30.0
100C.	N-(1-NAPHTHYL)-1-(5-FLUOROPENTYL)-1H-INDOLE-3-CARBOXAMIDE (5F-NNEI; 5F-MN-24) (in any form except plant material)	2.0

(2) In Schedule V Division 2 before item 1 insert:

1A.	ANDROISOXAZOLE	50.0
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6. Schedule VII amended

(1) In Schedule VII Division 1:

(a) after item 2BA insert:

2BB.	1-BUTYL-N-(2-PHENYLPROPAN-2-YL)-1H-INDOLE-3-CARBOXAMIDE (CUMYL-BICA) (plant material)	420.0
2BC.	1-BUTYL-N-(2-PHENYLPROPAN-2-YL)-1H-INDOLE-3-CARBOXAMIDE (CUMYL-BICA) (in any form except plant material)	28.0

(b) after item 4 insert:

4AAA.	1-(4-CYANO BUTYL)-N-(1-METHYL-1-PHENYLETHYL)-1H-INDAZOLE-3-CARBOXAMIDE (SGT-78; 4-CN-CUMYL-BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-CYANO CUMYL-BUTINACA) (plant material)	420.0
4AAB.	1-(4-CYANO BUTYL)-N-(1-METHYL-1-PHENYLETHYL)-1H-INDAZOLE-3-CARBOXAMIDE (SGT-78; 4-CN-CUMYL-BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-CYANO CUMYL-BUTINACA) (in any form except plant material)	28.0
4AAC.	1-CYCLOHEXYL-4-(1,2-DIPHENYLETHYL)PIPERAZINE (MT-45; IC-6)	28.0

(c) after item 5AAB insert:

5AAC.	2,5-DIHYDRO-2-(1-METHYL-1-PHENYLETHYL)-5-PENTYL-1H-PYRIDO[4,3-B]INDOL-1-ONE (CUMYL-PEGACLONE; SGT-151) (plant material)	420.0
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5AAD.	2,5-DIHYDRO-2-(1-METHYL-1-PHENYLETHYL)-5-PENTYL-1H-PYRIDO[4,3-B]INDOL-1-ONE (CUMYL-PEGACLONE; SGT-151) (in any form except plant material)	28.0
(d) after item 6BA insert:		
6BAA.	5-(5-FLUOROPENTYL)-2-(2-PHENYLPROPAN-2-YL)-2,5-DIHYDRO-1H-PYRIDO[4,3-B]INDOL-1-ONE (5F-CUMYL-PEGACLONE; 5F SGT-151) (plant material)	420.0
6BAB.	5-(5-FLUOROPENTYL)-2-(2-PHENYLPROPAN-2-YL)-2,5-DIHYDRO-1H-PYRIDO[4,3-B]INDOL-1-ONE (5F-CUMYL-PEGACLONE; 5F SGT-151) (in any form except plant material)	28.0
6BAC.	2-(2-FLUOROPHENYL)-2-METHYLAMINO-CYCLOHEXANONE (2-FLUORODESCHLOROKETAMINE; 2FDCK)	28.0
(e) delete items 8AAA, 8AAB, 8AAC and 8AAD and insert:		
8AAA.	METHYL 2-(9-(CYCLOHEXYLMETHYL)-9H-CARBAZOLE-3-CARBOXAMIDO)-3,3-DIMETHYLBUTANOATE (MDMB-CHMCZCA) (plant material)	420.0
8AAB.	METHYL 2-(9-(CYCLOHEXYLMETHYL)-9H-CARBAZOLE-3-CARBOXAMIDO)-3,3-DIMETHYLBUTANOATE (MDMB-CHMCZCA) (in any form except plant material)	28.0
(f) after item 11A insert:		
11B.	METHYL 2-[1-(4-FLUOROBENZYL)-1H-INDOLE-3-CARBOXAMIDO]-3-METHYLBUTANOATE (MMB-FUBICA; AMB-FUBICA) (plant material)	420.0
11C.	METHYL 2-[1-(4-FLUOROBENZYL)-1H-INDOLE-3-CARBOXAMIDO]-3-METHYLBUTANOATE (MMB-FUBICA; AMB-FUBICA) (in any form except plant material)	28.0
11D.	METHYL 2-[[1-(4-FLUOROBUTYL)INDAZOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (4F-MDMB-BINACA; 4F-MDMB-BUTINACA) (plant material)	420.0

11E.	METHYL 2-[[1-(4-FLUOROBUTYL)INDAZOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (4F-MDMB-BINACA; 4F-MDMB-BUTINACA) (in any form except plant material)	28.0
11F.	METHYL 2-(1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO)-3-METHYLBUTANOATE (5F-AMB) (plant material)	420.0
11G.	METHYL 2-(1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO)-3-METHYLBUTANOATE (5F-AMB) (in any form except plant material)	28.0
11H.	METHYL 2-[[1-(5-FLUOROPENTYL)INDOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (5-FLUORO MDMB-PICA; 5F-MDMB-PICA) (plant material)	420.0
11I.	METHYL 2-[[1-(5-FLUOROPENTYL)INDOLE-3-CARBONYL]AMINO]-3,3-DIMETHYLBUTANOATE (5-FLUORO MDMB-PICA; 5F-MDMB-PICA) (in any form except plant material)	28.0
11J.	METHYL (S)-2-[1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO]-3,3-DIMETHYLBUTANOATE (5F-ADB) (plant material)	420.0
11K.	METHYL (S)-2-[1-(5-FLUOROPENTYL)-1H-INDAZOLE-3-CARBOXAMIDO]-3,3-DIMETHYLBUTANOATE (5F-ADB) (in any form except plant material)	28.0

(g) after item 12AN insert:

12AO.	N-[(1S)-1-(AMINOCARBONYL)-2-METHYLPROPYL]-1-(5-FLUOROPENTYL)-1H-PYRROLO[2,3-B]PYRIDINE-3-CARBOXAMIDE (5F-AB-P7AICA) (plant material)	420.0
12AP.	N-[(1S)-1-(AMINOCARBONYL)-2-METHYLPROPYL]-1-(5-FLUOROPENTYL)-1H-PYRROLO[2,3-B]PYRIDINE-3-CARBOXAMIDE (5F-AB-P7AICA) (in any form except plant material)	28.0

(h) after item 12F insert:

12G.	N-METHYL-1-(THIOPHEN-2-YL)PROPAN-2-AMINE (METHIOPROPAMINE; MPA)	28.0
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12H.	N-(1-NAPHTHYL)-1-(5-FLUOROPENTYL)-1H-INDOLE-3-CARBOXAMIDE (5F-NNEI; 5F-MN-24) (plant material)	420.0
12I.	N-(1-NAPHTHYL)-1-(5-FLUOROPENTYL)-1H-INDOLE-3-CARBOXAMIDE (5F-NNEI; 5F-MN-24) (in any form except plant material)	28.0
(2)	In Schedule VII Division 2 before item 1 insert:	
1A.	ANDROISOXAZOLE	700.0

B. D'SA, Clerk of the Executive Council.

TRANSPORT

TN301

Jetties Act 1926
Road Traffic (Vehicles) Act 2012

Transport Regulations Amendment (Fees and Charges) Regulations (No. 2) 2023

SL 2023/43

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Transport Regulations Amendment (Fees and Charges) Regulations (No. 2) 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2023.

Part 2 — *Jetties Regulations 1940* amended**3. Regulations amended**

This Part amends the *Jetties Regulations 1940*.

4. Regulation 2A deleted

Delete regulation 2A.

5. Regulation 6 amended

In regulation 6(2)(a):

(a) after subparagraph (i) insert:

(ia) by a recreational vessel that is 25 m or more in length — an amount calculated using standard Rate 1 set out in Schedule 1 clause 1;

(b) in subparagraph (ii) delete “vessel —” and insert:

vessel that is less than 25 m in length —

6. Regulation 6A replaced

Delete regulation 6A and insert:

6A. Requirement to pay berthing dues

(1) If a pen, berth or mooring at a jetty is used by a vessel, the chief executive officer may give the owner of the vessel a notice in writing requiring that the berthing dues specified in the notice be paid to the Department on or before the day specified in the notice.

(2) A person given a notice under subregulation (1) must pay the berthing dues specified in the notice on or before the day specified in the notice.

Penalty for this subregulation: a fine of \$500.

(3) Subregulation (2) does not apply if the person and the Department have agreed in writing that the person will pay the berthing dues specified in the notice on a day after the day specified in the notice.

7. Regulation 12 deleted

Delete regulation 12.

8. Regulation 67DG amended

In regulation 67DG(2):

- (a) delete “annual”;
- (b) delete “in advance, unless the chief executive officer approves, in a particular case, quarterly payments in advance.” and insert:

in accordance with a notice given by the chief executive officer to the exclusive operator or a written agreement between the exclusive operator and the Department.

9. Regulation 67DH amended

In regulation 67DH(a) delete “advance; or” and insert:

accordance with regulation 67DG(2); or

10. Regulation 72 amended

- (1) Delete regulation 72(2) and (3) and insert:
 - (2) The charge for a permit under regulation 71 or 73 granted to the owner of a vessel is the appropriate charge set out in Schedule 3, or provided for in subregulation (3A), and must be paid —
 - (a) on the date the permit is granted; or
 - (b) on or before any other date specified in —
 - (i) a notice given by the chief executive officer to the owner of the vessel; or
 - (ii) a written agreement between the owner of the vessel and the Department.
- (2) In regulation 72(3A)(a):
 - (a) after subparagraph (i) insert:
 - (ia) by a recreational vessel that is 25 m or more in length — an amount calculated using standard Rate 1 set out in Schedule 3 clause 2;
 - (b) in subparagraph (ii) delete “vessel —” and insert:

vessel that is less than 25 m in length —

- (3) In regulation 72(4) delete “advance.” and insert:

accordance with subregulation (2).

- (4) In regulation 72(6) delete “subregulation (3)” and insert:

subregulation (2)

- (5) Delete regulation 72(7).

11. Regulation 73 amended

In regulation 73(1) delete “Subject to the payment of the charge payable under regulation 72 the” and insert:

The

12. Regulation 87 amended

- (1) In regulation 87:

- (a) delete “The owner or owners of every” and insert:

- (1) The owner of a

- (b) delete “or owners liable for such damage, within 7 days after demand,” and insert:

liable for that damage, in accordance with a notice given under subregulation (2),

- (c) delete “or owners” (3rd occurrence).

- (2) At the end of regulation 87 insert:

- (2) The chief executive officer may give the owner of the vessel a notice in writing requiring that the costs referred to in subregulation (1) specified in the notice be paid to the Department on or before the day specified in the notice.

13. Regulation 114 replaced

Delete regulation 114 and insert:

113A. Partial waivers due to unavailable pens, berths or moorings

- (1) Subregulation (2) applies if —
 - (a) a vessel is allocated a pen at a jetty that is longer than necessary for the vessel due to the unavailability of a suitable sized pen for the vessel at the place where the vessel is berthed; and
 - (b) a due or charge prescribed in Schedule 1 or 3 is charged by reference to the length of the pen allocated to the vessel.
- (2) If the officer in charge of the jetty considers it is appropriate in the circumstances, the officer may, without the need for a written instrument, waive in part the due or charge so that the amount payable is the due or charge that would have been payable if a suitable sized pen were allocated to the vessel.
- (3) Subregulation (4) applies if a pen, berth or mooring is unavailable at a jetty (the *first jetty*) as a result of an operational decision by the Department and a vessel is allocated —
 - (a) a pen, berth or mooring of a different type at the first jetty; or
 - (b) a pen, berth or mooring at a different jetty (the *second jetty*) that is —
 - (i) the same type or a different type; or
 - (ii) the same size or a different size.
- (4) If the officer in charge of the first jetty or the second jetty considers it is appropriate in the circumstances, the officer may, without the need for a written instrument, waive in part a due or charge prescribed in Schedule 1 or 3 so that the amount payable is the due or charge that would have been payable if the unavailable pen, berth or mooring were allocated to the vessel.

114. Effect of waiver or partial waiver

Despite any other provision of these regulations, if a fee that would otherwise be payable is waived in whole or in part under regulation 111, 113 or 113A —

- (a) there is no requirement to pay —
 - (i) if the fee is waived in whole — the fee; or
 - (ii) if the fee is waived in part — the part of the fee that has been waived;
- and
- (b) the rights and obligations under the Act of every person are as they would be if the fee had not been waived or waived in part, and had been paid in full.

14. Schedule 1 Division 1 clause 1 amended

In Schedule 1 Division 1 clause 1:

- (a) delete “commercial vessel.” and insert:

commercial vessel or recreational vessel that is 25 m or more in length.

- (b) delete “recreational vessel.” and insert:

recreational vessel that is less than 25 m in length.

15. Schedule 1 Divisions 2 and 3 replaced

Delete Schedule 1 Divisions 2 and 3 and insert:

Division 2 — Dues and charges for specified places**5. Albany, Albany Waterfront Marina**

- (1) This clause applies to the Albany Waterfront Marina at Albany.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a floating pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	696.00

Item	Type of use	\$
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	556.80
3.	For the use, other than casual daily use, of a floating alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	696.00
4.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
5.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

6. Albany, Emu Point Boat Harbour

- (1) This clause applies to the Emu Point Boat Harbour at Albany.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	394.55
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	475.20
3.	For the use, other than casual daily use, of a floating pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	696.00
4.	For the use, other than casual daily use, of a floating alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	696.00

Item	Type of use	\$
5.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
6.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

7. Augusta Boat Harbour

- (1) This clause applies to the Augusta Boat Harbour.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a floating pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	696.00
2.	For the use, other than casual daily use, of a floating alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	696.00
3.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
4.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

8. Bremer Bay

- (1) This clause applies to Bremer Bay.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2
2.	For the short term use of a service jetty by a vessel for which a swing mooring fee has not been paid, an amount calculated using standard Rate 3

9. Bunbury, Casuarina Boat Harbour

- (1) This clause applies to the Casuarina Boat Harbour at Bunbury.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	556.80
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	556.80
3.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
4.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

10. Burswood Jetty

- (1) This clause applies to Burswood Jetty.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the exclusive use of Berth 1 under a Berth 1 permit, an annual amount of	16 638.00
2.	For the casual daily use of — <ul style="list-style-type: none"> • Berth 1 (otherwise than under a Berth 1 permit) or Berth 2 by a commercial vessel, an amount calculated using standard Rate 1 • Berth 1 (otherwise than under a Berth 1 permit) or Berth 3 by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • Berth 1 (otherwise than under a Berth 1 permit) or Berth 3 by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
3.	For the casual annual use of — <ul style="list-style-type: none"> • Berth 1 (otherwise than under a Berth 1 permit) or Berth 2 by a commercial vessel, an amount calculated using standard Rate 3 • Berth 1 (otherwise than under a Berth 1 permit) or Berth 3 by a recreational vessel, an amount calculated using standard Rate 3 	

11. Carnarvon Boat Harbour

- (1) This clause applies to the Carnarvon Boat Harbour.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	454.35
2.	For the use, other than casual daily use, of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	415.40
3.	For the use, other than casual daily use, of a floating pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	696.00

Item	Type of use	\$
4.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	545.05
5.	For the use, other than casual daily use, of a floating alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	696.00
6.	For the use, other than casual daily use, of a pile mooring, an amount calculated per metre of the vessel's length using the annual rate of	255.15
7.	For the casual daily use of a pen, alongside berth or pile mooring by a commercial vessel, an amount calculated using standard Rate 1	
8.	For the casual daily use of a pen, alongside berth or pile mooring by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1	
9.	For the casual daily use of a pen, alongside berth or pile mooring by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2	
10.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

12. Cervantes

- (1) This clause applies to Cervantes.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2
2.	For the short term use of a service jetty, an amount calculated using standard Rate 3

13. Coral Bay Maritime Facility

- (1) This clause applies to the Coral Bay Maritime Facility.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use
1.	For the use of an alongside berth — <ul style="list-style-type: none"> • for short term use by any vessel, an amount calculated using standard Rate 3 • for casual daily use by a commercial vessel, an amount calculated using standard Rate 1 • for casual daily use by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • for casual daily use by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2

14. Denham Maritime Facility

- (1) This clause applies to the Denham Maritime Facility.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	487.20
2.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
3.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

15. Esperance, Bandy Creek Boat Harbour

- (1) This clause applies to the Bandy Creek Boat Harbour at Esperance.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	385.40
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	554.25
3.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
4.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

16. Exmouth

- (1) This clause applies to Exmouth.
- (2) In this clause a reference to a service vessel is a reference to any vessel other than a recreational vessel, Government vessel, tourism vessel or fishing vessel.
- (3) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen with a walkway by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the pen's length using the annual rate of	556.80
2.	For the use, other than casual daily use, of a fixed pen with a walkway by a service vessel, an amount calculated per metre of the pen's length using the annual rate of	765.60

Item	Type of use	\$
3.	For the use, other than casual daily use, of a fixed alongside berth by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the vessel's length using the annual rate of	556.80
4.	For the use, other than casual daily use, of a fixed alongside berth by a service vessel, an amount calculated per metre of the vessel's length using the annual rate of	765.60
5.	For the use, other than casual daily use, of a floating pen with a walkway by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the pen's length using the annual rate of	696.00
6.	For the use, other than casual daily use, of a floating pen with a walkway by a service vessel, an amount calculated per metre of the pen's length using the annual rate of	904.80
7.	For the use, other than casual daily use, of a 25 m pen with a walkway by a vessel, an amount calculated per metre of the pen's length using the annual rate of	1 113.60
8.	For the use, other than casual daily use, of a floating alongside berth by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the vessel's length using the annual rate of	696.00
9.	For the use, other than casual daily use, of a floating alongside berth by a service vessel, an amount calculated per metre of the vessel's length using the annual rate of	904.80
10.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> <li data-bbox="488 1585 1114 1682">• by a Government vessel, tourism vessel or fishing vessel, an amount calculated using standard Rate 1 <li data-bbox="488 1711 1114 1807">• by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 <li data-bbox="488 1823 1114 1921">• by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
11.	For the short term use of an alongside berth on a service jetty by a vessel (other than a service vessel), an amount calculated using standard Rate 3	

Item	Type of use	\$
12.	For the casual daily use of a pen or alongside berth, other than on a service jetty, by a service vessel, an amount calculated per metre of the vessel's length using the daily rate of	12.75
13.	For the use of a service jetty, other than while refuelling, by a service vessel, an amount calculated per metre of the vessel's length using the 6-hourly rate of	9.80

17. Fremantle Fishing Boat Harbour

- (1) This clause applies to the Fremantle Fishing Boat Harbour.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	487.20
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	556.80
3.	For the use, other than casual daily use, of a floating pen with a walkway by a vessel, an amount calculated per metre of the pen's length using the annual rate of	696.00
4.	For the use, other than casual daily use, of a floating alongside berth by a vessel, an amount calculated per metre of the vessel's length using the annual rate of	696.00
5.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
6.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

18. Geraldton, Batavia Coast Boat Harbour

- (1) This clause applies to the Batavia Coast Boat Harbour at Geraldton.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a floating pen with a walkway by a vessel, an amount calculated per metre of the pen's length using the annual rate of	696.00
2.	For the use, other than casual daily use, of a floating alongside berth by a vessel, an amount calculated per metre of the vessel's length using the annual rate of	696.00
3.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
4.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

19. Green Head

- (1) This clause applies to Green Head.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2
2.	For the short term use of a service jetty, an amount calculated using standard Rate 3

20. Hopetoun

- (1) This clause applies to Hopetoun.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2
2.	For the short term use of a service jetty, an amount calculated using standard Rate 3

21. Jurien Boat Harbour

- (1) This clause applies to the Jurien Boat Harbour.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	487.20
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	556.80
3.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
4.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

22. Kalbarri Boat Harbour

- (1) This clause applies to the Kalbarri Boat Harbour.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	505.55
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	505.55
3.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
4.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

23. Lancelin

- (1) This clause applies to Lancelin.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2
2.	For the short term use of a service jetty, an amount calculated using standard Rate 3

24. Leeman

- (1) This clause applies to Leeman.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2
2.	For the short term use of a service jetty, an amount calculated using standard Rate 3

25. Onslow, Beadon Creek Boat Harbour

- (1) This clause applies to the Beadon Creek Boat Harbour at Onslow.
- (2) In this clause a reference to a service vessel is a reference to any vessel other than a recreational vessel, Government vessel, tourism vessel or fishing vessel.
- (3) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a pile mooring by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the vessel's length using the annual rate of	278.40
2.	For the use, other than casual daily use, of a pile mooring by a service vessel, an amount calculated per metre of the vessel's length using the annual rate of	487.20
3.	For the casual daily use of an alongside berth or pile mooring — <ul style="list-style-type: none"> • by a Government vessel, tourism vessel or fishing vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 	

Item	Type of use	\$
	<ul style="list-style-type: none"> by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
4.	For the short term use of a service jetty by a vessel (other than a service vessel), an amount calculated using standard Rate 3	
5.	For the casual daily use of a pile mooring by a service vessel, an amount calculated per metre of the vessel's length using the daily rate of	11.35
6.	For the use, other than casual daily use, of a fixed alongside berth by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the vessel's length using the monthly rate of	83.50
7.	For the use, other than casual daily use, of a fixed alongside berth by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the vessel's length using the weekly rate of	25.05
8.	For the use of the service jetty by a service vessel, an amount calculated per metre of the vessel's length using the 6-hourly rate of	9.80

26. Point Samson, Johns Creek Boat Harbour

- (1) This clause applies to the Johns Creek Boat Harbour at Point Samson.
- (2) In this clause a reference to a service vessel is a reference to any vessel other than a recreational vessel, Government vessel, tourism vessel or fishing vessel.
- (3) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed alongside berth at a service jetty by a recreational vessel, Government vessel, tourism vessel or fishing vessel, an amount calculated per metre of the vessel's length using the annual rate of	556.80
2.	For the use, other than casual daily use, of a fixed alongside berth at a service jetty by a service vessel, an amount calculated per metre of the vessel's length using the annual rate of	765.60
3.	For the casual daily use of a berth at a service jetty by a Government vessel, tourism vessel or fishing vessel, an amount calculated using standard Rate 1	

Item	Type of use	\$
4.	For the casual daily use of a berth at a service jetty by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1	
5.	For the casual daily use of a berth at a service jetty by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2	
6.	For the short term use of a berth at a service jetty by a vessel (other than a service vessel), an amount calculated using standard Rate 3	
7.	For the use of a berth at a service jetty by a service vessel, an amount calculated per metre of the vessel's length using the 6-hourly rate of	9.80

- (4) The charges payable under regulation 96 are set out in the Table.

Careening pad

Item	Type of use	\$
1.	For the use of a careening pad by a vessel, an amount per day of —	
	• if the vessel is 15 m or less in length	234.75
	• if the vessel is over 15 m in length	342.70

27. Port Denison

- (1) This clause applies to Port Denison.
 (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	521.40
2.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	521.40
3.	For the casual daily use of an alongside berth by a commercial vessel, an amount calculated using standard Rate 1	
4.	For the casual daily use of an alongside berth by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1	
5.	For the casual daily use of a pen or alongside berth by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2	

Item	Type of use	\$
6.	For the short term use of a service jetty by a vessel for which neither a swing mooring fee nor charge in item 1 has been paid, an amount calculated using standard Rate 3	

28. Port Gregory

- (1) This clause applies to Port Gregory.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
2.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

29. Two Rocks Marina

- (1) This clause applies to the Two Rocks Marina.
- (2) The berthing dues payable are set out in the Table.

Berthing

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	556.80
2.	For the use, other than casual daily use, of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	487.20
3.	For the use, other than casual daily use, of a floating pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	696.00
4.	For the use, other than casual daily use, of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	556.80
5.	For the use, other than casual daily use, of a floating alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	696.00

Item	Type of use	\$
6.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
7.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

Division 3 — State-wide charges

30. Living on vessel

- (1) In this clause —
enhanced facilities means toilet, shower and laundry facilities.
- (2) The charges relating to living on a vessel in a berth, mooring or pen at or near a jetty at a place mentioned in this Schedule or the Port of Perth are set out in the Table.

Living on vessel

Item	Service	\$
1.	For living on a vessel — <ul style="list-style-type: none"> • without enhanced facilities, an amount calculated using the monthly rate per vessel of • with enhanced facilities, an amount calculated using the monthly rate per vessel of 	53.30 162.30

31. Electricity supply

The charges for electricity supply to a vessel in a place are set out in the Table.

Electricity supply

Item	Service	\$
1.	For electricity supply that is — <ul style="list-style-type: none"> • single phase (metered) • 3-phase (whether metered or unmetered) 	Cost Cost

32. Water supply

The charge for water supply to a vessel in a place is set out in the Table.

Water supply

Item	Service	\$
1.	For water supply (metered)	Cost

33. Rubbish removal

The charges payable under regulation 53A are set out in the Table.

Rubbish removal

Item	Service	\$
1.	For rubbish removal —	
	• excess quantity, or from a source other than a vessel for which charges for using the harbour have been paid, per half skip supplied and emptied	Cost
	• waste oil from vessels in excess of 150 L	Cost
	• waste oil drum or other container not removed by owner, per drum or container	Cost
	• rubbish not put in supplied bins	Cost

34. Passengers and cargo

The charges payable for the loading and unloading of passengers and cargo are set out in the Table.

Passengers and cargo

Item	Service	\$
1.	For the use of a pen, berth or service jetty by a cruise liner transfer vessel to load or unload passengers —	
	• an amount calculated per metre of the vessel's length using the daily rate of	12.00
	• plus a charge per passenger of	4.95
2.	For the loading or unloading of general cargo from or to a vessel at a service jetty, or an appurtenant area, an amount calculated per tonne, per cubic metre, or per kilolitre, using the rate of	7.85
3.	If a vessel is lifted at a service jetty, or an appurtenant area, an amount calculated per metre of the vessel's length using the rate of	17.45

35. Floating dinghy pens

The charge payable for the use of a floating dinghy pen at a place is \$426.50 per vessel per year.

36. Use of jetty hardstand or appurtenant area

The charge payable for the use of a service jetty hardstand or appurtenant area for storage or maintenance is calculated per m² using the daily rate of \$2.05.

16. Schedule 3 amended

Delete the reference after the heading to Schedule 3 and insert:

[r. 72(2) and 78A]

17. Schedule 3 Division 1 clause 2 amended

In Schedule 3 Division 1 clause 2:

- (a) delete “commercial vessel.” and insert:

commercial vessel or recreational vessel that is 25 m or more in length.

- (b) delete “recreational vessel.” and insert:

recreational vessel that is less than 25 m in length.

18. Schedule 3 Divisions 2 and 3 replaced

Delete Schedule 3 Divisions 2 and 3 and insert:

Division 2 — Charges for jetties on Swan and Canning Rivers

6. Barrack Street and Mends Street jetties

- (1) This clause applies to jetties at Barrack Street and Mends Street.
- (2) The charge payable under regulation 72 for a permit to use a jetty is set out in the Table.

Jetty permits

Item	Type of use
1.	For a vessel for 12 months — the higher of \$5 012.55 and the result of the following calculation — <ul style="list-style-type: none"> • \$70.05 per passenger calculated on the vessel’s passenger carrying capacity under its highest class of survey

Item	Type of use
	plus —
	◦ for a vessel less than 35 m long, the higher of \$9 021.60 and \$501.20 per metre of the vessel's length;
	◦ for a vessel 35 m long or more, \$802.00 per metre of the vessel's length
	minus —
	◦ \$7 016.80

(3) The charge payable under regulation 78A for the removal of sullage from a vessel is \$102.15 per pump out.

(4) Subclause (3) does not apply if the charge referred to in subclause (2) has been paid in respect of the vessel.

7. Other jetties on Swan and Canning Rivers

(1) This clause applies to jetties on the Swan and Canning Rivers, other than at Barrack Street or Mends Street.

(2) The charge payable under regulation 72 for a permit to use a jetty is set out in the Table.

Jetty permits

Item	Type of use
1.	For short term use by a vessel, an amount calculated using standard Rate 3

Division 3 — Charges for other places

8. Fremantle, Challenger Boat Harbour

(1) This clause applies to the Challenger Boat Harbour at Fremantle.

(2) The charges payable under regulation 72 for a permit to use a pen or alongside berth are set out in the Table.

Pen and berth permits

Item	Type of use	\$
1.	For the use of a fixed pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	556.80
2.	For the use of a fixed pen without a walkway, an amount calculated per metre of the pen's length using the annual rate of	487.20
3.	For the use of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	556.80

Item	Type of use	\$
4.	For the casual daily use of a pen or alongside berth — <ul style="list-style-type: none"> • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
9.	Hillarys Boat Harbour	
(1)	This clause applies to the Hillarys Boat Harbour.	
(2)	The charges payable under regulation 72 for a permit to use a pen, alongside berth or service jetty are set out in the Table.	

Pen, berth and jetty permits

Item	Type of use	\$
1.	For the use, other than casual daily use, of a fixed pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	556.80
2.	For the use, other than casual daily use, of a floating pen with a walkway, an amount calculated per metre of the pen's length using the annual rate of	696.00
3.	For the use, other than casual daily use, of a floating alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	696.00
4.	For the casual daily use of a pen or an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2 	
5.	For the short term use of a service jetty, an amount calculated using standard Rate 3	

10. Jervoise Bay

- (1) This clause applies to Jervoise Bay.
- (2) The charges payable under regulation 72 for a permit to use an alongside berth are set out in the Table.

Berth and jetty permits

Item	Type of use
1.	For the casual daily use of an alongside berth — <ul style="list-style-type: none"> • by a commercial vessel, an amount calculated using standard Rate 1 • by a recreational vessel that is 25 m or more in length, an amount calculated using standard Rate 1 • by a recreational vessel that is less than 25 m in length, an amount calculated using standard Rate 2
2.	For the short term use of a service jetty, an amount calculated using standard Rate 3

19. Various fees and charges amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
r. 105L(2)(a) and (b)	\$145.90	\$150.65
r. 105L(2)(c)	\$141.65	\$146.25
r. 105L(2)(d)	\$49.30	\$50.90
r. 105M(2)(a)	\$657.40	\$678.75
r. 105M(2)(b)	\$424.90	\$438.70
r. 105M(2)(c)	\$141.65	\$146.25
r. 105M(2)(d)	\$150.15	\$155.00
r. 105M(4)(a)	\$584.95	\$603.95
r. 105M(4)(b)	\$424.90	\$438.70
r. 105M(4)(c)	\$141.65	\$146.25
r. 105M(4)(d)	\$75.20	\$77.65
r. 105N(2)(a)	\$1 386.60	\$1 431.65
r. 105N(2)(b)	\$1 036.20	\$1 069.90

Provision	Delete	Insert
r. 105N(2)(c)	\$141.65	\$146.25
r. 105N(2)(d)	\$760.95	\$785.70
r. 105N(4)(a)	\$2 032.10	\$2 098.15
r. 105N(4)(b)	\$1 036.20	\$1 069.90
r. 105N(4)(c)	\$141.65	\$146.25
r. 105N(4)(d)	\$1 140.80	\$1 177.90
r. 105N(5)(a)	\$2 679.90	\$2 767.00
r. 105N(5)(b)	\$1 036.20	\$1 069.90
r. 105N(5)(c)	\$141.65	\$146.25
r. 105N(5)(d)	\$1 521.05	\$1 570.50
r. 105O(a)	\$1 525.25	\$1 574.80
r. 105O(b)	\$1 138.80	\$1 175.80
r. 105O(c)	\$155.80	\$160.85
r. 105O(d)	\$837.05	\$864.25
r. 105P(a) and (b)	\$98.45	\$101.65
r. 105P(c)	\$141.65	\$146.25
r. 105P(d)	\$43.70	\$45.10
Sch. 1 cl. 1	\$8.00 \$57.00 \$91.40	\$8.25 \$58.85 \$94.35
Sch. 2 cl. 1	0.062 (each occurrence)	0.064
Sch. 3 cl. 2	\$8.00 \$57.00 \$91.40	\$8.25 \$58.85 \$94.35

**Part 3 — Road Traffic (Vehicles)
Regulations 2014 amended**

20. Regulations amended

This Part amends the *Road Traffic (Vehicles) Regulations 2014*.

21. Regulation 44 amended

In regulation 44(4):

- (a) in paragraph (a) delete “\$6.70; and” and insert:

\$6.80; and

- (b) in paragraph (b)(ii) delete “\$25.70.” and insert:

\$25.80.

22. Regulation 48 amended

In regulation 48(2) delete “\$5.30” and insert:

\$6.90

23. Regulation 86 amended

- (1) In regulation 86 insert in alphabetical order:

initial examination, in relation to a school bus or tow truck, means an examination of the vehicle by the CEO for the purposes of the Act, if the vehicle —

- (a) has not been licensed in this State; or
(b) has not been examined (other than at a first examination if a subsequent examination is required) as a school bus or tow truck in this State; or
(c) is a tow truck taken to comply with Part 12 Division 1 under regulation 510 that has not been examined (other than at a first examination if a subsequent examination is required) on or after 7 November 2023; or
(d) is required to be examined under a contract with the Authority (as defined in the *Public Transport Authority Act 2003* section 3);

other examination, in relation to a school bus or tow truck, means —

- (a) an examination of the vehicle by the CEO for the purposes of the Act conducted for the purpose of renewing the vehicle licence; or
- (b) any other examination of the vehicle by the CEO for the purposes of the Act that is not an initial examination;

school bus has the meaning given in regulation 226.

- (2) In regulation 86 in the definition of ***region*** delete “Schedule 1.” and insert:

Schedule 1;

24. Regulation 87 amended

At the end of regulation 87 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	150.00	119.25
Heavy vehicle (that is not a school bus or tow truck) examined at an inspection station	239.95	140.55
Heavy vehicle (that is not a school bus or tow truck) examined at a place other than an inspection station	255.30	193.10
School bus or tow truck — initial examination	313.30	140.55

Vehicle	First examination (\$)	Subsequent examination (\$)
School bus or tow truck — other examination	266.00	140.55
All other vehicles	187.90	124.00

25. Regulation 88 amended

In regulation 88 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	152.75	121.30
Heavy vehicle (that is not a school bus or tow truck)	244.80	143.10
School bus or tow truck — initial examination	319.85	143.10
School bus or tow truck — other examination	271.45	143.10
All other vehicles	191.55	126.20

26. Regulation 89 amended

In regulation 89 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	154.45	122.60
Heavy vehicle (that is not a school bus or tow truck)	247.75	144.65
School bus or tow truck — initial examination	323.80	144.65
School bus or tow truck — other examination	274.75	144.65
All other vehicles	193.75	127.50

27. Regulation 90 amended

In regulation 90 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	150.95	119.95
Heavy vehicle (that is not a school bus or tow truck)	241.65	141.45
School bus or tow truck — initial examination	315.55	141.45

Vehicle	First examination (\$)	Subsequent examination (\$)
School bus or tow truck — other examination	267.90	141.45
All other vehicles	189.15	124.75

28. Regulation 91 amended

In regulation 91 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	163.05	128.95
Heavy vehicle (that is not a school bus or tow truck)	262.70	152.55
School bus or tow truck — initial examination	343.95	152.55
School bus or tow truck — other examination	291.55	152.55
All other vehicles	205.00	134.20

29. Regulation 92 amended

In regulation 92 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	150.85	119.90
Heavy vehicle (that is not a school bus or tow truck)	241.40	141.35
School bus or tow truck — initial examination	315.30	141.35
School bus or tow truck — other examination	267.65	141.35
All other vehicles	189.00	124.65

30. Regulation 92A amended

In regulation 92A delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	150.00	119.25
Heavy vehicle (that is not a school bus or tow truck)	239.95	140.55
School bus or tow truck — initial examination	313.30	140.55

Vehicle	First examination (\$)	Subsequent examination (\$)
School bus or tow truck — other examination	266.00	140.55
All other vehicles	187.90	124.00

31. Regulation 93 amended

In regulation 93 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	168.00	132.65
Heavy vehicle (that is not a school bus or tow truck)	271.35	157.10
School bus or tow truck — initial examination	355.60	157.10
School bus or tow truck — other examination	301.25	157.10
All other vehicles	211.50	138.10

32. Regulation 93A amended

In regulation 93A delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	150.00	119.25
Heavy vehicle (that is not a school bus or tow truck)	239.95	140.55
School bus or tow truck — initial examination	313.30	140.55
School bus or tow truck — other examination	266.00	140.55
All other vehicles	187.90	124.00

33. Regulation 94 amended

In regulation 94 delete the Table and insert:

Table

Vehicle	First examination (\$)	Subsequent examination (\$)
Trailer without brakes, motor cycle, motor carrier	150.60	119.70
Heavy vehicle (that is not a school bus or tow truck)	241.00	141.10
School bus or tow truck — initial examination	314.70	141.10

Vehicle	First examination (\$)	Subsequent examination (\$)
School bus or tow truck — other examination	267.20	141.10
All other vehicles	188.70	124.45

34. Regulation 95 amended

In regulation 95(1) delete the Table and insert:

Table

Place of examination	Fee (\$)
Place other than a region mentioned in this Division	133.45
Gascoyne region	135.85
Goldfields-Esperance region	137.30
Great Southern region	134.30
Kimberley region	144.70
Mid West region	134.20
Peel region	133.45
Pilbara region	148.95
South West region	133.45
Wheatbelt region	133.95

35. Regulation 100 amended

In regulation 100 delete “\$19.40” and insert:

\$20.40

36. Regulation 107 amended

In regulation 107 delete “\$30.50.” and insert:

\$31.10.

37. Regulation 112 amended

In regulation 112:

(a) in paragraph (a) delete “\$30.50;” and insert:

\$31.10;

(b) in paragraph (b) delete “\$30.00;” and insert:

\$31.10;

(c) in paragraph (ba) delete “\$18.50;” and insert:

\$18.90;

(d) in paragraphs (bb) and (bc) delete “\$19.60;” and insert:

\$18.90;

(e) in paragraph (d) delete “\$44.50;” and insert:

\$46.50;

(f) in paragraphs (da) and (db) delete “\$35.20;” and insert:

\$46.50;

(g) in paragraph (g)(i) delete “\$256.50;” and insert:

\$264.20;

(h) in paragraph (g)(ii) delete “\$126.70.” and insert:

\$130.50.

38. Regulation 114 amended

In regulation 114(1) and (2) delete "\$19.20," and insert:

\$19.70,

39. Regulation 130 amended

(1) In regulation 130(1):

(a) in paragraph (a) delete "\$11 326.00;" and insert:

\$11 665.70;

(b) in paragraph (b) delete "\$2 266.20;" and insert:

\$2 334.20;

(c) in paragraph (c) delete "\$1 127.70;" and insert:

\$1 161.50;

(d) in paragraph (d) delete "\$225.10;" and insert:

\$231.80;

(e) in paragraph (e) delete "\$2 266.20;" and insert:

\$2 334.20;

(f) in paragraph (f) delete "\$98.20." and insert:

\$101.10.

(2) In regulation 130(2) delete "\$565.40." and insert:

\$582.40.

(3) In regulation 130(3):

(a) in paragraph (a) delete "\$22.90; or" and insert:

\$23.50; or

(b) in paragraph (b) delete “\$22.90.” and insert:

\$23.50.

40. Regulation 134 amended

(1) In regulation 134(1)(b) delete “\$27.30” and insert:

\$28.00

(2) In regulation 134(3) delete “\$44.80” and insert:

\$45.80

41. Regulation 235 amended

In regulation 235(4) delete “\$73.80.” and insert:

\$74.20.

42. Regulation 468 amended

In regulation 468(1) delete “\$53.40.” and insert:

\$54.60.

B. D'SA, Clerk of the Executive Council.

TN302

Jetties Act 1926
Marine and Harbours Act 1981
Perth Parking Management Act 1999
Road Traffic (Administration) Act 2008
Road Traffic (Authorisation to Drive) Act 2008
Road Traffic (Vehicles) Act 2012
Shipping and Pilotage Act 1967
Transport Co-ordination Act 1966
Transport (Road Passenger Services) Act 2018
Western Australian Marine Act 1982
Western Australian Photo Card Act 2014

Transport Regulations Amendment (Fees and Charges) Regulations 2023

SL 2023/45

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Transport Regulations Amendment (Fees and Charges) Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette* (**gazettal day**);
- (b) Part 8 — on the day after gazettal day;
- (c) the rest of the regulations — on 1 July 2023.

Part 2 — *Marine and Harbours (Departmental Areas) Regulations 1998* amended

3. Regulations amended

This Part amends the *Marine and Harbours (Departmental Areas) Regulations 1998*.

4. Regulation 3A amended

In regulation 3A:

- (a) in paragraph (a) delete “\$9.50;” and insert:

\$9.80;

- (b) in paragraph (b) delete “\$150.45.” and insert:

\$155.35.

Part 3 — Mooring Regulations 1998 amended**5. Regulations amended**

This Part amends the *Mooring Regulations 1998*.

6. Schedule 3 replaced

Delete Schedule 3 and insert:

Schedule 3 — Fees

[r. 7D, 7F, 8, 12, 13, 15, 25 and 27]

Table

Item	Description	Fee
1.	Shared-use mooring authorisation for 12 months (r. 7D(3)(b))	\$108.45
2.	Rental mooring site authorisation for each day of rental period (r. 7F(4)(b))	\$34.10
3.	Application for mooring licence (r. 8(2)(g)(i))	\$120.85
4.	Annual mooring licence for recreational mooring site (exclusive use) (r. 12(1)(c) and 13(1))	\$677.35
5.	Annual mooring licence for recreational mooring site (shared use) (r. 12(1)(c) and 13(1))	\$349.00
6.	Annual mooring licence for commercial general mooring site (r. 12(1)(c) and 13(1))	\$872.50
7.	Annual mooring licence for commercial resources mooring site (r. 12(1)(c) and 13(1))	\$2 836.30

Item	Description	Fee
8.	Annual mooring licence late payment (r. 13(3))	\$120.85
9.	Exchange of registered mooring sites (r. 15(2)(b))	\$120.85
10.	Substitution of licensed vessel (r. 25(5)(b))	\$120.85
11.	Application to register additional vessel (r. 27(1)(e))	\$120.85

Part 4 — *Navigable Waters Regulations 1958* amended

7. Regulations amended

This Part amends the *Navigable Waters Regulations 1958*.

8. Regulation 45AA amended

In regulation 45AA(3) delete “\$403.45.” and insert:

\$416.60.

9. Regulation 45AB amended

In regulation 45AB(3) delete “\$111.95.” and insert:

\$115.60.

10. Regulation 45B amended

(1) In regulation 45B(3a)(b) delete the Table and insert:

Table of fees

Length of vessel	Fee (\$)
(i) less than 5 m	147.50
(ii) 5 m or more but less than 10 m	313.10
(iii) 10 m or more but less than 20 m	628.00
(iv) 20 m or more	918.45

- (2) In regulation 45B(4) delete “\$31.00.” and insert:

\$32.55.

- (3) In regulation 45B(6A) delete “\$13.50.” and insert:

\$13.90.

11. Regulation 45BAA amended

In regulation 45BAA(4A):

- (a) delete “\$31.00” and insert:

\$32.55

- (b) delete the Table and insert:

Table

Length of vessel	Fee (\$)
(i) less than 5 m	4.45
(ii) 5 m or more but less than 10 m	8.25
(iii) 10 m or more but less than 20 m	10.75
(iv) 20 m or more but less than 30 m	21.45
(v) 30 m or more but less than 40 m	42.75
(vi) 40 m or more	85.60

12. Regulation 45BAB amended

In regulation 45BAB(2) delete “\$1.85.” and insert:

\$1.90.

13. Regulation 45BA amended

- (1) In regulation 45BA(2):

- (a) in paragraph (a) delete “\$391.35” and insert:

\$404.10

(b) in paragraph (b) delete “\$163.55” and insert:

\$168.90

(2) In regulation 45BA(3) delete “\$297.10” and insert:

\$306.80

(3) In regulation 45BA(6a)(b) delete “\$163.55.” and insert:

\$168.90.

14. Regulation 45E amended

In regulation 45E(2)(a) delete “\$31.00; and” and insert:

\$32.55; and

15. Regulation 47C amended

(1) In regulation 47C(3)(ba) delete “\$31.00; and” and insert:

\$32.55; and

(2) In regulation 47C(5)(b)(ii) delete “\$23.80.” and insert:

\$24.60.

**Part 5 — *Perth Parking Management Regulations 1999*
amended**

16. Regulations amended

This Part amends the *Perth Parking Management Regulations 1999*.

17. Schedule 2 amended

In Schedule 2 in the Table delete item 11 and insert:

11.	a facility that has more than 5 parking bays for the use of vehicles (excluding a bay set aside for the exclusive use of vehicles referred to in any of items 2 to 10 and 12 to 14) —	
	(a) for each motor cycle bay;	nil

	(b) for each bay (excluding a bay that is on a carriageway) that is available to the public for use without time constraints;	1 187.50
	(c) for each bay that is on a carriageway;	1 091.80
	(d) for each bay that is available to the public and in which 50% of the vehicles being parked stay for less than 4 hours and at least 90% stay for less than 6 hours;	1 091.80
	(e) for each other bay	1 240.90

**Part 6 — Road Traffic (Administration)
Regulations 2014 amended**

18. Regulations amended

This Part amends the *Road Traffic (Administration) Regulations 2014*.

19. Regulation 35 amended

In regulation 35(2) delete the Table and insert:

Table

Service	Fee \$
For searching records manually, per record	19.85
For searching records by computer where a list of vehicles to be searched is supplied to the CEO on a data storage device, per record	4.40
For production of an extract of a record, per extract	21.30
For detailed searching of current and historical information about a record, including production of supporting documentation, per search	27.25

**Part 7 — Road Traffic (Authorisation to Drive)
Regulations 2014 amended**

20. Regulations amended

This Part amends the *Road Traffic (Authorisation to Drive) Regulations 2014*.

21. Regulation 73 amended

In regulation 73(1) and (2) delete “\$30.90” and insert:

\$32.20

22. Regulation 77 amended

In regulation 77(2):

(a) in paragraph (a) delete “\$20.95;” and insert:

\$21.10;

(b) in paragraph (b) delete “\$41.90.” and insert:

\$42.20.

23. Regulation 77A amended

In regulation 77A(1) and (2) delete “\$173.60” and insert:

\$176.80

24. Schedule 9 replaced

Delete Schedule 9 and insert:

Schedule 9 — Fees relating to drivers’ licences

[r. 74, 76 and 79]

Terms used

In this Schedule —

car hazard perception test means a test referred to in regulation 16D(a);

hazard perception test means —

- (a) a car hazard perception test; or
- (b) a motor cycle hazard perception test;

motor cycle hazard perception test means a test referred to in regulation 16D(b);

practical driving assessment —

- (a) in relation to an application for a driver's licence, means a driving test to satisfy the CEO that the applicant is able to control a motor vehicle of the appropriate class;
- (b) in relation to an application by the holder of a driver's licence for a condition or limitation endorsed on the licence to be revoked, means a driving test to satisfy the CEO that the condition or limitation should be revoked;

theory test means a theory test to satisfy the CEO that the applicant has a reasonable knowledge of the traffic laws of the State and of safe driving techniques.

	\$
1. Fee to take a theory test for the first time	21.20
2. Fee to resit a theory test	18.20
3. Application for a driver's licence —	
(a) including one practical driving assessment —	
(i) if the motor vehicle is not of class HC or MC	138.70
(ii) if the motor vehicle is of class HC or MC	315.60
(b) if the motor vehicle is of class MC (in which case a practical driving assessment is conducted by someone other than the CEO) or if a practical driving assessment is not required	59.90
4. Each additional practical driving assessment —	
(a) if the motor vehicle is not of class HC or MC	113.70
(b) if the motor vehicle is of class HC or MC	283.10
5. For each duplicate tax invoice provided in respect of fees paid for any additional driving tests referred to in item 4	3.75
6. Grant of a driver's licence whether or not by way of renewal —	
(a) for one year	46.85
(b) for 5 years	163.50
(c) for any other period	for each year or part of a year, 20% of the fee under par. (b)

7.	First car hazard perception test in respect of a driver's licence application	28.40
8.	First motor cycle hazard perception test in respect of a driver's licence application	28.40
9.	Each additional hazard perception test in respect of a driver's licence application	22.90
10.	Fee for hard copy version of logbook referred to in regulation 16A(2)(b)(ii)	10.70
11.	Copy of excessive demerit points notice as defined in section 40(1) previously given to a person	23.30

Part 8 — *Road Traffic (Vehicles) Regulations 2014* amended

25. Regulations amended

This Part amends the *Road Traffic (Vehicles) Regulations 2014*.

26. Specified day

For the purposes of section 18 of the Act, the specified day in relation to this Part is 1 July 2023.

27. Regulation 57 amended

In regulation 57:

- (a) delete "\$25.52" and insert:

\$26.52

- (b) delete "\$533.00." and insert:

\$546.00.

28. Regulation 58 amended

In regulation 58:

- (a) delete "\$25.52" and insert:

\$26.52

- (b) delete "\$1 407.00." and insert:

\$1 442.00.

29. Regulation 59 amended

In regulation 59 delete “\$12.76” and insert:

\$13.26

30. Regulation 60 replaced

Delete regulation 60 and insert:

60. Motor cycle

For a motor cycle the charge is \$13.20 plus —

- (a) \$53.04 for a motor cycle that has a piston engine and an engine capacity that does not exceed 250 cm³; or
- (b) \$79.56 for a motor cycle that has a piston engine and an engine capacity that exceeds 250 cm³; or
- (c) \$53.04 for a motor cycle that does not have a piston engine and has a power to weight ratio that does not exceed 150 kW/t; or
- (d) \$79.56 for a motor cycle that does not have a piston engine and has a power to weight ratio that exceeds 150 kW/t.

31. Regulation 61 amended

In regulation 61:

- (a) delete “\$6.38” and insert:

\$6.63

- (b) delete “\$123.00.” and insert:

\$126.00.

32. Regulation 63 amended

In regulation 63 delete the Table and insert:

Table

Licence class	Charge \$
1B2	546
2B2	546
2B3	3 013
AB3	546

33. Regulation 64 amended

In regulation 64 delete the Table and insert:

Table

Licence class	Charge \$
1R2	546
2R2	938
1R3	938
2R3	1 237
1R4	938
2R4	1 237
1R5	938
2R5	1 237
SR2	938
SR3	1 237
SR4	2 299
SR5	2 299
MR2	8 420

Licence class	Charge \$
MR3	8 420
MR4	9 093
MR5	9 093
LR2	11 611
LR3	11 611
LR4	11 611
LR5	11 611

34. Regulation 65 amended

In regulation 65 delete the Table and insert:

Table

Licence class	Charge \$
SP2	1 442
SP3	5 675
SP4	6 244
SP5	6 244
MC2	10 187
MC3	10 187
MC4	11 206
MC5	11 206

35. Regulation 66 amended

In regulation 66 delete “\$533.00” and insert:

\$546.00

36. Regulation 67 amended

In regulation 67 delete the Table and insert:

Table

Licence class	Charge \$
PSV	126
TSV	126
OSV2	443
OSV3	888
OSV4	1 332
OSV5	1 777
OSV6	2 221
OSV7	2 666
OSV8	3 110
OSV9	3 554

**Part 9 — *Shipping and Pilotage (Ports and Harbours)*
Regulations 1966 amended**

37. Regulations amended

This Part amends the *Shipping and Pilotage (Ports and Harbours) Regulations 1966*.

38. Regulation 9B amended

In regulation 9B(2)(b) delete “\$574.60.” and insert:

\$593.30.

39. Regulation 9F amended

In regulation 9F(2)(c) delete “\$371.70.” and insert:

\$383.80.

40. Regulation 9J amended

In regulation 9J delete “\$210.15.” and insert:

\$217.00.

41. Regulation 16 amended

In regulation 16(d) delete “\$760.95” and insert:

\$785.70

**Part 10 — *Transport Co-ordination Regulations 1985*
amended****42. Regulations amended**

This Part amends the *Transport Co-ordination Regulations 1985*.

43. Regulation 8A amended

In regulation 8A(d) delete “\$2.85.” and insert:

\$2.95.

**Part 11 — *Transport (Road Passenger Services)
Regulations 2020* amended****44. Regulations amended**

This Part amends the *Transport (Road Passenger Services) Regulations 2020*.

45. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees

[r. 177]

Division 1 — Fees: general**Table**

	Description of fee	Fee
1.	Application fee for on-demand booking service authorisation (s. 29(4)(f) of the Act)	\$139.20

	Description of fee	Fee
2.	Fee for nomination of additional or replacement person to represent provider of authorised on-demand booking service (r. 50(5)(a))	\$24.60
3.	Application fee for variation of conditions of on-demand booking service authorisation (s. 34(2)(c) of the Act)	\$14.40
4.	Application fee for regular passenger transport service authorisation (s. 59(3)(e) of the Act)	\$119.00
5.	Application fee for renewal of regular passenger transport service authorisation (r. 69(2)(c))	\$119.00
6.	Application fee for variation of conditions of regular passenger transport service authorisation (s. 67(2)(c) of the Act)	\$159.40
7.	Application fee for variation of approved route or area (s. 69(2)(c) of the Act)	\$159.40
8.	Application fee for transfer of regular passenger transport service authorisation (s. 75(4)(d) of the Act)	\$79.70
9.	Application fee for passenger transport driver authorisation (s. 95(3)(c) of the Act)	\$65.00
10.	Application fee for variation of conditions of passenger transport driver authorisation (s. 99(2)(c) of the Act)	\$14.40
11.	Application fee for passenger transport vehicle authorisation (s. 124(3)(d) of the Act)	\$26.00
12.	Application fee for variation of conditions of passenger transport vehicle authorisation (s. 130(2)(c) of the Act)	\$20.70
13.	Application fee for category of service change for passenger transport vehicle authorisation (s. 132(2)(c) of the Act)	\$38.40

	Description of fee	Fee
14.	Fee for provision of unpublished de-identified data on request (s. 151(3) of the Act)	\$143.90 for each hour, or part of an hour, that a person spends extracting and providing data in response to request
15.	Fee for providing copy of authorisation document for passenger transport authorisation	\$12.40
16.	Fee for handling the following transactions in person or over the phone in relation to passenger transport authorisations — (a) changes to existing records (except changes of address) (b) late renewal of annual authorisations (c) manual search of records	\$20.70

Division 2 — Authorisation fees for on-demand booking service authorisations

Table

Number of vehicles to be covered by the authorisation	Fee
1	\$267.30
2 to 5	\$502.40
6 to 15	\$1 475.20
16 to 30	\$2 939.60
31 to 50	\$4 810.30
51 to 90	\$7 910.30
91 to 150	\$13 148.20
151 to 250	\$21 379.00
251 to 500	\$35 275.50
More than 500	\$69 482.00

Division 3 — Authorisation fee for passenger transport driver authorisation

The authorisation fee for a passenger transport driver authorisation is \$99.00.

Division 4 — Authorisation fees for passenger transport vehicle authorisations

Table

Duration of the authorisation	Fee
1 month	\$24.00
3 months	\$45.00
6 months	\$75.00
12 months	\$127.00
Another period specified under regulation 99	A pro rata amount based on the fee for a 12 month authorisation

Part 12 — *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983* amended

46. Regulations amended

This Part amends the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983*.

47. Schedule 3 amended

In Schedule 3 in the Table delete items 7 and 8 and insert:

7.	r. 13	Application for acceptance of certificate of competency issued by another marine authority	\$285.40
8.	r. 14	Issue of replacement certificate	\$210.60

Part 13 — *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983* amended

48. Regulations amended

This Part amends the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983*.

49. Schedule 1 amended

- (1) In Schedule 1 clause 1(a) delete the Table and insert:

Table

Length of vessel (metres)	Examination of plans (\$)	Initial survey (\$)	Subsequent surveys (\$)
Not over 5	647	910	278
Over 5 but not over 6	760	1 269	337
Over 6 but not over 7	826	1 788	410
Over 7 but not over 8	1 066	2 374	444
Over 8 but not over 9	1 317	3 093	479
Over 9 but not over 10	1 542	3 804	506
Over 10 but not over 11	1 902	4 572	557
Over 11 but not over 12	2 257	5 351	613
Over 12 but not over 13	2 609	6 125	670
Over 13 but not over 14	2 977	6 896	723
Over 14 but not over 15	3 337	7 666	776
Over 15 but not over 16	3 677	8 444	828
Over 16 but not over 17	4 036	9 216	885
Over 17 but not over 18	4 405	9 988	939
Over 18 but not over 19	4 745	10 760	991
Over 19 but not over 20	5 108	11 537	1 049

Length of vessel (metres)	Examination of plans (\$)	Initial survey (\$)	Subsequent surveys (\$)
Over 20 but not over 21	5 519	12 365	1 130
Over 21 but not over 22	5 935	13 195	1 219
Over 22 but not over 23	6 349	14 023	1 301
Over 23 but not over 24	6 776	14 866	1 383
Over 24 but not over 25	7 184	15 689	1 459
Over 25 but not over 26	7 612	16 517	1 542
Over 26 but not over 27	8 015	17 348	1 618
Over 27 but not over 28	8 444	18 193	1 709
Over 28 but not over 29	8 850	19 020	1 786
Over 29 but not over 30	9 266	19 845	1 870
Over 30 but not over 31	9 738	20 738	1 979
Over 31 but not over 32	10 222	21 643	2 092
Over 32 but not over 33	10 684	22 527	2 198
Over 33 but not over 34	11 169	23 421	2 310
Over 34 but not over 35	11 639	24 308	2 419
Over 35 but not over 36	12 124	25 197	2 529
Over 36 but not over 37	12 608	26 087	2 642

Length of vessel (metres)	Examination of plans (\$)	Initial survey (\$)	Subsequent surveys (\$)
Over 37 but not over 38	13 067	26 993	2 741
Over 38 but not over 39	13 550	27 876	2 852
Over 39 but not over 40	14 023	28 767	2 961
Over 40 but not over 41	14 565	29 711	3 107
Over 41 but not over 42	15 093	30 667	3 243
Over 42 but not over 43	15 628	31 629	3 374
Over 43 but not over 44	16 165	32 563	3 517
Over 44 but not over 45	16 698	33 532	3 651
Over 45 but not over 46	17 233	34 468	3 782
Over 46 but not over 47	17 768	35 418	3 920
Over 47 but not over 48	18 299	36 377	4 057
Over 48 but not over 49	18 845	37 321	4 189
Over 49 but not over 50	19 372	38 268	4 334
Over 50	19 673	38 770	4 413

(2) In Schedule 1 clause 2(1):

(a) in the Table item 3 delete “\$165.65” and insert:

\$171.05

(b) in the Table item 14 delete “\$205.40/hour” and insert:

\$212.10/hour

(c) in the Table item 15 delete “\$1.65/page” and insert:

\$1.75/page

Part 14 — *Western Australian Photo Card Regulations 2014* amended

50. Regulations amended

This Part amends the *Western Australian Photo Card Regulations 2014*.

51. Regulation 7 amended

In regulation 7 delete the Table and insert:

Table

Item	Matter	Fee (\$)
1.	Application for, and issue of, a photo card other than a photo card referred to in item 2 or 3	47.50
2.	Application for, and issue of, a replacement photo card in accordance with r. 4	32.20
3.	Application for, and issue of, an additional photo card in accordance with r. 5	47.50

B. D'SA, Clerk of the Executive Council.

WATER

WA301

Metropolitan Water Supply, Sewerage, and Drainage Act 1909
Water Agencies (Powers) Act 1984

Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2023

SL 2023/54

Made by the Minister under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* section 146 and the *Water Agencies (Powers) Act 1984* section 34.

1. Citation

These by-laws are the *Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws 2023*.

2. Commencement

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 July 2023.

3. By-laws amended

These by-laws amend the *Metropolitan Water Supply, Sewerage and Drainage By-laws 1981*.

4. By-law 1.1 amended

- (1) In by-law 1.1 delete the definition of *registered Aboriginal site*.
- (2) In by-law 1.1 insert in alphabetical order:

registered Aboriginal place means an Aboriginal place (as defined in paragraph (b)(i) of the definition of *Aboriginal cultural heritage* in the *Aboriginal Cultural Heritage Act 2021* section 12) about which information is contained on the ACH Directory (as defined in section 11 of that Act);

5. By-law 4.12 amended

Delete by-law 4.12.2(b) and insert:

(b) does so at a registered Aboriginal place; and

6. By-law 4.13 amended

Delete by-law 4.13(b) and insert:

(b) does so at a registered Aboriginal place; and

7. By-law 4.14 amended

In by-law 4.14(b) delete “on, a registered Aboriginal site” and insert:

at, a registered Aboriginal place

Note: The heading to amended by-law 4.14 is to read:

Entry to registered Aboriginal places by Noongar people

S. McGURK, Minister for Water.

— PART 2 —

EDUCATION

ED401**CURTIN UNIVERSITY ACT 1966****CURTIN UNIVERSITY COUNCIL (APPOINTMENT OF MEMBER) INSTRUMENT 2023**

Made by the deputy of the Governor in Executive Council under section 9(1)(a) of the *Curtin University Act 1966*.

Citation

1. This is the Curtin University Council (Appointment of Member) Instrument 2023.

Appointment of member

2. Ms Belinda Murray is appointed to be a member of the Council of the University for a term of office of three years.

Dated this 8th day of March 2023.

V. MOLAN, Clerk of the Executive Council.

ED402**MURDOCH UNIVERSITY ACT 1973****MURDOCH UNIVERSITY SENATE (APPOINTMENT OF MEMBER) INSTRUMENT 2023**

Made by the deputy of the Governor in Executive Council under section 12(1)(g) of the *Murdoch University Act 1973*.

Citation

1. This is the Murdoch University Senate (Appointment of Member) Instrument 2023.

Appointment of member

2. Emeritus Professor Krishna Sen is appointed to be a member of the Senate of the University for a term of office of three years.

Dated this 8th day of March 2023.

V. MOLAN, Clerk of the Executive Council.

FISHERIES

FI401**FISH RESOURCES MANAGEMENT ACT 1994****PROHIBITION ON FISHING (COCKBURN SOUND AND WARNBRO SOUND)
AMENDMENT ORDER 2023**

Order No. 2 of 2023

[A3845]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Fishing (Cockburn Sound and Warnbro Sound) Amendment Order 2023*.

2. Order amended

The amendment in this instrument is to the *Prohibition on Fishing (Cockburn Sound and Warnbro Sound) Order 2005*.

3. Commencement

This amendment comes into operation as follows—

- (a) clauses 1 and 2—on the day on which the amendment is published in the *Gazette*;
- (b) the rest of the clauses—on the day after that day.

4. Clause 3 amended

In clause 3 delete "1 September" and insert—

1 August

Dated 10th of May 2023.

Hon. DON PUNCH, MLA, Minister for Fisheries.

INSURANCE COMMISSION

IX401**MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT 1943**

In accordance with the requirements of Section 3C and 3D of *The Motor Vehicle (Third Party Insurance) Act 1943*, I give notice that the following amounts will apply for the purposes of those Sections with effect from 1 July 2023.

Amount A	\$463,000
Amount B	\$24,500
Amount C	\$70,500
Amount D	\$6,500

Dated 15 May 2023.

Hon. MARK McGOWAN, MLA, Premier; Treasurer.

JUSTICE

JU401**JUSTICES OF THE PEACE ACT 2004**

APPOINTMENTS

It is hereby notified for public information that the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Sylvana Lilliana Hargreaves of Rockingham

Alana Kathleen Kenzler of Baldivis

JOANNE STAMPALIA, Deputy Director General, Court and Tribunal Services.

JU402**PRISONS ACT 1981**

PERMIT DETAILS

Pursuant to Section 15U of the *Prisons Act 1981*, I hereby revoke the following permits—

Surname	Other Name(s)	Permit No.
Bayliss	Natasha	PA 0679
Buck	Maddison Rose	PA 0719
Burns	Suzanne Kay	PA 0372
Connolly	Stephen William	PA 0391

Surname	Other Name(s)	Permit No.
Fowler	Thomas John	PA 0558
Grainger	Katie Renee	PA 0428
Jefferies	Siobhan	PA 0559
Neave	Lavinia May	PA 0461
Ohrman	Anna Karin Olofsdotter	PA 0296

Dated 15 May 2023.

MIKE REYNOLDS, Commissioner, Corrective Services.

LANDS

LA401

ELECTRONIC CONVEYANCING ACT 2014

MAKING AND PUBLICATION OF OPERATING REQUIREMENTS

WA Operating Requirements Version 6.2

Notice is given that under section 22(1) of the *Electronic Conveyancing Act 2014* ("Act") the Registrar of Titles has determined that WA Operating Requirements Version 6.2 will come into effect in Western Australia on 16 June 2023. In accordance with section 25 of the Act, the WA Operating Requirements Version 6.2 were published on Landgate's website on 15 May 2023 and can be found at <http://www.landgate.wa.gov.au>.

Dated 15 May 2023.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Armadale

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from the date of this public notice, determined that the method of valuation to be used by the City of Armadale as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 227 to 230 inclusive, Lots 232 to 241 inclusive, Lots 257 to 262 inclusive, Lots 270 to 285 inclusive, Lots 293 to 303 inclusive and Lots 314 to 316 inclusive as shown on Deposited Plan 422548.

TIM FRASER, Executive Director Local Government,
Department of Local Government, Sport and Cultural Industries.

LG402

LOCAL GOVERNMENT ACT 1995

Shire of Augusta—Margaret River

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 15 May 2023, determined that the method of valuation to be used by the Shire of Augusta-Margaret River as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

Designated Land	
UV to GRV	All those portions of land being Lots 1 to 9 inclusive as shown on Strata Plan 85750 and Lots 1 to 26 inclusive as shown on Strata Plan 85752.

TIM FRASER, Executive Director Local Government,
Department of Local Government, Sport and Cultural Industries.

MINERALS AND PETROLEUM

MP401**MINING ACT 1978**

Section 19

INSTRUMENT OF CANCELLATION OF EXEMPTION OF LAND

I, Kristian Hartley Dawson, Executive Director Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby cancel the exemption of land described hereunder and originally declared on 4 September 2019 and published in the *Government Gazette* dated 20 September 2019. The subject land is now subject to Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Locality

Metropolitan Marine Park—South West Mineral Field

Description of Land

Land designated S19/376 in the TENGRAPH electronic plan of the Department of Mines, Industry Regulation and Safety. A geospatial description is filed in the Department of Mines, Industry Regulation and Safety electronic file number A1108/201901, document ID 6787216.

Area of Land

10,998.23 hectares

Dated at Perth this 12th day of May 2023.

KRISTIAN HARTLEY DAWSON, Executive Director Resource Tenure.

MP402**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN HOLGATE.

To be heard by the Warden at Kalgoorlie on 26 July 2023.

COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 15/6653-S	Larwood, Paul Kevin
P 15/6654-S	Larwood, Paul Kevin

MP403**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN HOLGATE.

To be heard by the Warden at Kalgoorlie on 26 July 2023.

COOLGARDIE MINERAL FIELD
Prospecting Licences

P 15/6474	Belararox Limited
P 15/6476	Belararox Limited
P 15/6477	Belararox Limited
P 15/6478	Belararox Limited
P 15/6479	Belararox Limited
P 15/6480	Belararox Limited
P 15/6482	Belararox Limited
P 15/6483	Belararox Limited
P 15/6484	Belararox Limited
P 15/6485	Belararox Limited
P 15/6491	Belararox Limited
P 15/6492	Belararox Limited
P 15/6562	Belararox Limited
P 15/6563	Belararox Limited

MP404**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

WARDEN HOLGATE.

To be heard by the Warden at Kalgoorlie on 26 July 2023.

COOLGARDIE MINERAL FIELD
Prospecting Licences

P 15/5989	Reid, Laurence Gary
P 16/3234	Howe, Terry James Miller Cockie, Janell Rose

MP405**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety,
Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN HOLGATE.

To be heard by the Warden at Kalgoorlie on 26 July 2023.

BROAD ARROW MINERAL FIELD*Prospecting Licences*

P 24/5110	Vincent, Gregory David
P 24/5111	Vincent, Gregory David
P 24/5341	Retz, Jordan Ewen
P 24/5498	Martin, Terry James

EAST COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 25/2399	Norton, Peter James
P 26/4447	D & G Transport Pty Ltd
P 26/4502	Mueller, Angela Renate
P 26/4645	Guerin, Murray John

NORTH COOLGARDIE MINERAL FIELD*Prospecting Licences*

P 30/1133	Falconer, David William
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MP406**MINING ACT 1978**
APPLICATION FOR AN ORDER FOR FORFEITUREDepartment of Mines, Industry Regulation and Safety,
Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licence is liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN GIBBS.

To be heard by the Warden at Leonora on 27 June 2023.

MT MARGARET MINERAL FIELD*Prospecting Licences*

P 37/8719	Hutchinson, Ronald John
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MP407

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for late payment of rent.

WARDEN GIBBS.

To be heard by the Warden at Leonora on 27 June 2023.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/8736	Pilkington, Lisa Jane
P 37/9234	Stoici, Benjamin Ruben
P 37/9235	Stoici, Benjamin Ruben
P 37/9236	Stoici, Benjamin Ruben
P 37/9249	Dubberley, Kateva Lillian Susan
P 37/9254	Stehn, Anthony Paterson Sullivan, Matthew Paul
P 37/9255	Summers Earthmoving Enterprises Pty Ltd

NORTH COOLGARDIE MINERAL FIELD

Prospecting Licences

P 40/1507	Blockchain Resources Pty Ltd
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PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Bayswater

Local Planning Scheme No. 24—Amendment No. 97

Ref: TPS/2855

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Bayswater Local Planning Scheme amendment on 26 April 2023 for the purpose of—

1. Zoning the unzone portion of land on the following lots –

Lot	No	Street Name	Suburb
Lot 4	130	Lawrence Street	Bedford
Lot 1	132	Lawrence Street	Bedford
Lot 264	134	Lawrence Street	Bedford
Lot 263	136	Lawrence Street	Bedford
Lot 262	138	Lawrence Street	Bedford
Lots 1 and 2	140	Lawrence Street	Bedford
Lot 259	144	Lawrence Street	Bedford
Lot 258	146	Lawrence Street	Bedford
Lot 508		Lawrence Street	Bedford
Lot 257	150	Lawrence Street	Bedford
Lot 256	152	Lawrence Street	Bedford
Lot 255	154	Lawrence Street	Bedford

Lot	No	Street Name	Suburb
Lot 1	156	Lawrence Street	Bedford
Lot 2	156A	Lawrence Street	Bedford
Lot 253	158	Lawrence Street	Bedford
Lots 1 and 2	160	Lawrence Street	Bedford
Lot 507		Lawrence Street	Bedford
Lot 250	168	Lawrence Street	Bedford
Lot 506		Lawrence Street	Bedford
Lots 1 and 2	58	Catherine Street	Bedford

to 'Medium and High Density Residential R25'.

2. Zoning the unzoned portion of land on Lot R21522, Lawrence Street, Bedford, to 'Local Open Space'; and
3. Amending the scheme map accordingly.

F. PIFFARETTI, Mayor.
J. EDWARDS, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Carnarvon
Local Planning Scheme No. 13—Amendment No. 4

Ref: TPS/2952

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Carnarvon Local Planning Scheme amendment on 2 May 2023 for the purpose of—

1. Rezoning part of Lot 9001 on Plan 402324 from the 'Urban Development' zone to the 'Residential R20' zone; and
2. Amending the Scheme map accordingly.

E. SMITH, President.
A. SELVEY, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Armadale
Town Planning Scheme No. 4—Amendment No. 120

Ref: TPS/2775

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 26 April 2023 for the purpose of—

- (a) Amending Special Control Area Map 3 by including Lots 4 and 502 Green Avenue, Armadale within Development Contribution Area 8.

R. BUTTERFIELD, Mayor.
J. ABBISS, Chief Executive Officer.

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Carnarvon
Local Planning Scheme No. 13—Amendment No. 4

Ref: TPS/2952

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Carnarvon Local Planning Scheme amendment on 2 May 2023 for the purpose of—

1. Rezoning part of Lot 9001 on Plan 402324 from the 'Urban Development' zone to the 'Residential R20' zone; and
2. Amending the Scheme map accordingly.

E. SMITH, President.
A. SELVEY, Chief Executive Officer.

PL405

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Irwin
Local Planning Scheme No. 5—Amendment No. 20

Ref: TPS/2868

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Irwin Local Planning Scheme amendment on 2 May 2023 for the purpose of—

1. Rezoning Lot 127 Point Leander Drive, Port Denison, from 'Special Use' zone to 'Residential R30' zone;
2. Deleting entry number 9 from Schedule 4—Special Use Zones; and
3. Modify the Scheme Map accordingly.

M. SMITH, Shire President.
S. IVERS, Chief Executive Officer.

PREMIER AND CABINET

PR401

DEPUTY OF THE GOVERNOR NOTICE (NO. 4) 2023

Given under the *Letters Patent relating to the office of Governor of the State of Western Australia* dated 14 February 1986 clause XXI.

1. Citation

This notice is the *Deputy of the Governor Notice (No. 4) 2023*.

2. Appointment of the deputy of the Governor

Under the *Letters Patent relating to the office of Governor of the State of Western Australia* dated 14 February 1986 clause XVI, the Governor has appointed the Honourable Justice Kenneth James Martin to be the deputy of the Governor and in that capacity to perform and exercise all of the powers and functions of the Governor for the period 19 May 2023 to 24 May 2023 (both dates inclusive).

DIRECTOR GENERAL, Department of the Premier and Cabinet.

RACING, GAMING AND LIQUOR

RA401

RACING AND WAGERING WESTERN AUSTRALIA ACT 2003 RWWA RULES OF THOROUGHBRED RACING 2019

In accordance with Section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 13 May 2023 resolved that the RWWA Rules of Thoroughbred Racing 2019 be amended as follows—

Amendments to National Rules effective 1 June 2023

Add new rule AR 88B

Amend sub-rules AR 78(2) and AR 297(3)

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, www.rwwa.com.au.

IAN EDWARDS, Chief Executive Officer.

TRANSPORT

TN401

SHIPPING AND PILOTAGE ACT 1967 SHIPPING AND PILOTAGE (MOORING CONTROL AREAS) REGULATIONS 1983 DETERMINATION OF FEES

Pursuant to regulation 7 of the *Shipping and Pilotage (Mooring Control Areas) Regulations 1983*, the controlling authority for the mooring control areas listed below, the Department of Transport, determines that the mooring registration fees and hiring fees shall be as follows –

Location	Fee Description	2022-23 Fee (Including GST)	2023-24 Fee (Including GST)
Bremer Bay	1. User installed and maintained swing (or fore/aft) mooring fees, per metre of the vessel's length—		
Bunbury, Casuarina Boat Harbour			
Carnarvon Fishing Boat Harbour	For 12 months	\$129.00	\$139.20
	For 3 months or more, per month	\$11.75	\$12.70
Exmouth Boat Harbour	For 1 month or more, per month	\$19.35	\$20.90
Jervoise Bay Boat Harbour	For 1 week or more, per week	\$5.80	\$6.25
	For 1 day or part thereof	\$2.60	\$2.80
Kalbarri River	2. Department of Transport installed and maintained swing (or fore/aft) mooring fees per vessel—		
Murchison			
Port of Onslow (includes Beadon Creek)	For 1 week or more, per week	\$208.80	\$215.60
Port Denison—Inner Harbour	For 1 day or part thereof	\$36.90	\$38.10

This determination is effective from 1 July 2023 and revokes the Determination of Fees signed on 8 April 2022, published 22 April 2022 and effective from 1 July 2022.

Dated this 10th day of May 2023.

PETER WORONZOW, Director General, Department of Transport.

PUBLIC NOTICES

ZZ401**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Ross Keith Raymond Smith, late of Unit 1, 4 Richardson Avenue, Claremont, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 20 February 2023, are required by the executor Amy Meg Nancarrow to send particulars of their claim to Zafra Legal of Level 10, 105 St Georges Terrace, Perth WA 6000 by the date one (1) month from the publication date of this notice, after which date the executor may convey or distribute the assets having regard only to the claims of which they then has notice.

ZZ402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Estate of the late Anne Margaret Roberg of 6 Fox St, Spearwood, Western Australia, deceased.

Creditors and claimants (to which Section 63 of the *Trustees Act 1962* relates), in respect of the estate of the deceased who passed on the 8th January 2023 are required to send their particulars to Executor, John Van Der Struyf of 9 Trident Close West Busselton 6280 within 30 days of the publication of this notice after which date the Executor may convey or distribute the assets only to claims of which notice has been given.

ZZ403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Leslie Stuart Davis late formerly of 40 Woodlake Retreat, Kingsley in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect to the estate of the deceased who died on 20 January 2023 are required by the Administrators, Adrian and Nigel Davis to send particulars of their claims to PO Box 3819 Success WA 6964 within 1 month of publication of this notice after which date the administrator may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Ronald Hardy James Scoble late of Bethel Aged Care Hostel, 2 Bethel Way, Albany, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased who died on the 8th day of November 2022 at Albany in the said State are required by the executors Ray Anthony Gerovich and Constantyn Willem Receveur to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the executors may convey or distribute the assets having regard only to the claim for which they then had notice.

ZZ405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Craig Stuart Robertson late of 13 Rambures Way, Hamilton Hill, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 16 June 2022 are required by the personal representative, Janet Elizabeth Robertson of care of IRDI Legal, 248 Oxford Street, Leederville, Western Australia 6007, to send particulars of their claims to her within 31 days from date of publication of this Notice after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

IRDI LEGAL as solicitors for the personal representative.

ZZ406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Henry Ernest Jeanes, late of 12 Cranley Place, Lynwood, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased who died on 15 January 2023 are required by the trustee to send particulars of their claims to the trustee at the office of their solicitor Crystal Lawyers, PO Box 8485 Angelo St, South Perth, WA 6151 by 19 June 2023, after that date the trustee will convey or distribute the assets, having regard only to the claims of which she then has notice.

ZZ407**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Yvonne Katrina McCall late of 15 Wolsely Road, East Fremantle, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 22 October 2022 are required by the personal representative, Catherine Ellen Parry and John Raymond Waddell of care of IRDI Legal, 248 Oxford Street, Leederville, Western Australia 6007, to send particulars of their claims to them within 31 days from date of publication of this Notice after which date the personal representative may convey or distribute the assets having regard to the claims of which they then have notice.

IRDI LEGAL as solicitors for the personal representative.

ZZ408**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Johannes Cornelis Holdermans late of Regis North Fremantle Hillcrest Nursing Home, 23 Harvest Road, North Fremantle, Western Australia, Telecommunications, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the Deceased, who died on 11 February 2023, are required by the trustees, Kerry Gwynfa Maddestra and Peta Roylyn Richards c/- Frichot Lawyers, Manning Buildings, Level 1, 135 High Street Mall, Fremantle WA 6160 to send particulars of their claim to them by 19 June 2023 after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ409**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Ian Broughton Lyon, late of 190 Cole Road, Sawyers Valley, in the State of Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relate in respect of the Estate of the deceased, who died on the 8th day of November 2022, are required by the Executor, Lynette Margaret Lyon, to send the particulars of their claim to Messrs Taylor Smart of Unit 18, Level 2, 100 Railway Road, Subiaco in the State of Western Australia, by the 27th day of June 2023, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated the 16th day of May 2023.

GLEN B. GILES, Taylor Smart.

ZZ410**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 19 June 2023 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Andruszkiewicz, Jillian, late of 31 Behan Street, Bentley, who died on 16 March 2023 (DE33071787 EM15).

Claridge, Marilyn, formerly of 27 Elanora Drive, Cooloongup, late of Regis Greenmount, 22 Coongan Avenue, Greenmount, who died on 26 March 2023 (DE19893210 EM37).

Dix, Norma Jean, late of 5 Market Street, Kensington, who died on 7 February 2023 (DE33125155 EM13).

Franin, Josephine Nedelka Patrica (also known as Joyce Franin), late of MercyCare Residential Aged Care Wembley, 18 Barrett Street, Wembley, who died on 29 November 2022 (DE19990121 EM22).

Gardner, Ronald Eric (Ron Gardner or Ronald Gardner), formerly of 4 Sulman Road, Wembley Downs, late of Menora Gardens Aged Care, 51 Alexander Drive, Menora, who died on 15 January 2023 (DE19894199 EM23).

Godfree, Gloria, late of Amana Living—Thomas Scott Hostel, Camillo, 63 Ypres Road, Camillo, who died on 23 February 2023 (PM33150533 EM214).

Luetchford, Alfred Ernest, late of 283 Sydenham Street, Belmont, who died on 19 March 2023 (DE19990003 EM32).

Michael, Dog Elizabeth (also known as Dog Elezibeth), late of Unit 18, 3-5 Carden Drive, Cannington, who died on 23 February 2023 (DE33010777 EM37).

Olsen, Hazel Kirstine (also known as Hazel Olsen), late of Amana Living—Edward Collick Home, Kalgoorlie, 173 Wilson Street, South Kalgoorlie, who died on 3 April 2023 (DE19921979 EM36).

Smith, Richard Wayne, late of 30 Frederick Street, Shoalwater, who died on 19 January 2023 (DE20002281 EM35).

BRIAN ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.
Telephone: 1300 746 212.

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PUBLIC TRUSTEE ACT 1941

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth on this 19th day of May 2023.

BRIAN ROCHE, Public Trustee,
553 Hay Street, Perth WA 6000.
Telephone: 1300 746 212.

Name of Deceased	Address	Date of Death	Date Election Filed
Matthews, Cary (DE33058859 EM32)	Late of 14 Hawthorne Crescent, Bentley	8 February 2023	17 April 2023
Bilos, Josip (DE19881183 EM32)	Late of Aegis Shoalwater, 72 Fourth Avenue, Shoalwater	1 January 2023	4 May 2023
