



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

3071



PERTH, FRIDAY, 31 JULY 2009 No. 143

SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

© STATE OF WESTERN AUSTRALIA

JETTIES ACT 1926

JETTIES AMENDMENT REGULATIONS (No. 2) 2009

Jetties Act 1926

Jetties Amendment Regulations (No. 2) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Jetties Amendment Regulations (No. 2) 2009*.

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 *Jetties Regulations 1940*.

Jetties Amendment Regulations (No. 2) 2009**r. 4****4. Schedule 1 Division 1 clause 1 amended**

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

Table

Provision	Delete	Insert
Sch. 1 Table 1.1 it. 1	244.04 24.40 48.82	254.30 25.42 50.86
Sch. 1 Table 1.1 it. 2	205.68 20.56 41.14	214.31 21.42 42.87
Sch. 1 Table 1.1 it. 3	186.47 18.64 37.30	194.29 19.43 38.85
Sch. 1 Table 1.1 it. 4	34.27	35.71
Sch. 1 Table 1.1 it. 5	6.86	7.15
Sch. 1 Table 1.1 it. 6	126.14 4.12	131.44 4.29
Sch. 1 Table 1.1 it. 7	31.54	32.86

5. Schedule 1 Division 1 clause 2 deleted

Delete Schedule 1 Division 1 clause 2.

6. Schedule 1 Division 1 clause 3 amended

In Schedule 1 Division 1 clause 3 Table 3.1 item 1:

- (a) delete “642.44” and insert:

669.42

Jetties Amendment Regulations (No. 2) 2009**r. 7**

(b) delete “3.84” and insert:

4.00

7. Schedule 1 Division 1 clause 4 amended

(1) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 4.1 it. 1	26.62 13.32 19.96 26.62	27.74 13.88 20.80 27.74
Sch. 1 Table 4.1 it. 2	26.62	27.74

(2) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 4.2 it. 1	6.65	6.93
Sch. 1 Table 4.2 it. 2	79.87 3.33	83.23 3.48
Sch. 1 Table 4.2 it. 3	6.65 26.62	6.93 27.74
Sch. 1 Table 4.2 it. 4	\$6.65 6.65	\$6.93 6.93

Jetties Amendment Regulations (No. 2) 2009**r. 8****8. Schedule 1 Division 1 clause 5 amended**

- (1) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 5.1 it. 1	271.40	282.79
	27.13	28.27
	54.28	56.55
	20.38	21.24
	4.07	4.25
Sch. 1 Table 5.1 it. 3	36.30	37.83

- (2) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 5.2 it. 1	57.00	59.39
	113.99	118.78
Sch. 1 Table 5.2 it. 2	193.86	201.99
	226.16	235.66
Sch. 1 Table 5.2 it. 3	8.14	8.48
	33.93	35.35
Sch. 1 Table 5.2 it. 4	8.14	8.48
	33.93	35.35

9. Schedule 1 Division 1 clause 6 amended

In Schedule 1 Division 1 clause 6 Table 6.1 item 5 delete "33.50" and insert:

34.91

Jetties Amendment Regulations (No. 2) 2009**r. 10****10. Schedule 1 Division 1 clause 8A inserted**

After Schedule 1 Division 1 clause 7 insert:

8A. Coral Bay Maritime Facility

- (1) This clause applies to the Coral Bay Maritime Facility.
- (2) In this clause a reference to an “E Class operator” or a “T Class operator” refers to an operator who is the holder of either an E Class licence or a T Class licence issued for the Ningaloo Marine Park.
- (3) The fees and charges to be paid under regulations 94A and 94C are set out in Table 8A.1.

Table 8A.1 (Berthing and jetty use)

Item	Service	\$
1.	E Class operators — For use of service jetty, low level landing and transfer moorings for short time to load or unload passengers and equipment from vessel, per vessel —	
	• for 12 months paid in advance	2 062.50
	• for one month paid in advance	495.00
	• for each day, \$74.25 per m of the vessel’s length	
2.	T Class operators — For use of boat ramp, low level landing and transfer moorings for short time (all subject to availability) to load or unload passengers and equipment from vessel, per vessel —	
	• for 12 months paid in advance	2 062.50
	• for one month paid in advance	495.00

Jetties Amendment Regulations (No. 2) 2009**r. 11**

Item	Service	\$
	<ul style="list-style-type: none"> • for each day, \$74.25 per m of the vessel's length 	
3.	Fishing vessels and other vessels — For use of service jetty, transfer moorings and tender moorings for short time (all subject to availability) to load or unload, per vessel —	
	<ul style="list-style-type: none"> • for 12 months paid in advance • for one month paid in advance • for each day, \$74.25 per m of the vessel's length 	2 062.50 495.00

11. Schedule 1 Division 1 clause 8 amended

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

Table

Provision	Delete	Insert
Sch. 1 Table 8.1 it. 1	241.31	251.44
	24.12	25.14
	48.26	50.28
	34.27	35.71
	6.86	7.15
Sch. 1 Table 8.1 it. 2	193.32	201.44
	19.34	20.15
	38.67	40.30
	34.27	35.71
	6.86	7.15

Jetties Amendment Regulations (No. 2) 2009**r. 12**

Provision	Delete	Insert
Sch. 1 Table 8.1 it. 3	168.64 16.86 33.74 20.56 4.12	175.73 17.56 35.16 21.42 4.29
Sch. 1 Table 8.1 it. 4	36.30	37.83
Sch. 1 Table 8.1 it. 5	3.43	3.58
Sch. 1 Table 8.1 it. 6	685.53 137.11	714.32 142.88
Sch. 1 Table 8.1 it. 7	205.68	214.31
Sch. 1 Table 8.1 it. 8	27.42	28.58

12. Schedule 1 Division 1 clause 9 amended

- (1) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 9.1 it. 1	5.48	5.71
Sch. 1 Table 9.1 it. 1	12.35	12.87
Sch. 1 Table 9.1 it. 2	4.12	4.29

Jetties Amendment Regulations (No. 2) 2009**r. 12**

(2) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 9.2 it. 1	403.09 40.31 80.62 39.93 3.99 7.98	420.02 42.00 84.01 41.60 4.16 8.32
Sch. 1 Table 9.2 it. 3	349.61 34.96 69.92 19.96 3.99 349.61	364.30 36.44 72.85 20.80 4.16 364.30
Sch. 1 Table 9.2 it. 4	281.06 28.11 56.21 33.26 6.65 281.06	292.86 29.28 58.58 34.65 6.93 292.86
Sch. 1 Table 9.2 it. 5	36.30	37.83
Sch. 1 Table 9.2 it. 6	other vessel 13.71	other vessel, per day 14.28
Sch. 1 Table 9.2 it. 7	5.32 7.98	5.54 8.32
Sch. 1 Table 9.2 it. 8	7.98 3.41	8.32 3.55

Jetties Amendment Regulations (No. 2) 2009**r. 13**

Provision	Delete	Insert
Sch. 1 Table 9.2 it. 9	199.67 3.99 399.34 7.98	208.05 4.16 416.11 8.32
Sch. 1 Table 9.2 it. 10	1.38 25.25	1.43 26.30
Sch. 1 Table 9.2 it. 11	34.28	35.72
Sch. 1 Table 9.2 it. 12	685.53 137.11	714.32 142.87
Sch. 1 Table 9.2 it. 13	6.86 26.62	7.15 27.74
Sch. 1 Table 9.2 it. 14	4.27	4.44
Sch. 1 Table 9.2 it. 15	68.54 6.86	71.42 7.15

13. Schedule 1 Division 1 clause 10 amended

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

Table

Provision	Delete	Insert
Sch. 1 Table 10.1 it. 1	227.17 22.71 29.53	236.71 23.67 30.76
Sch. 1 Table 10.1 it. 3	309.20 30.93 61.84	322.19 32.22 64.44

Jetties Amendment Regulations (No. 2) 2009**r. 14**

Provision	Delete	Insert
Sch. 1 Table 10.1 it. 4	31.53 6.30	32.85 6.56

14. Schedule 1 Division 1 clause 11 amended

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

Table

Provision	Delete	Insert
Sch. 1 Table 11.1 it. 1	332.75 33.28 66.55	346.73 34.67 69.34
Sch. 1 Table 11.1 it. 2	31.70 12.68 6.34	33.03 13.21 6.60
Sch. 1 Table 11.1 it. 3	22.19 8.88 4.44	23.12 9.25 4.63
Sch. 1 Table 11.1 it. 4	103.02	107.35
Sch. 1 Table 11.1 it. 5	951.06 3.17	991.00 3.30
Sch. 1 Table 11.1 it. 6	7.98 3.41	8.32 3.55

15. Schedule 1 Division 1 clause 12 amended

In Schedule 1 Division 1 clause 12 Table 12.1 item 1 delete “4.03” and insert:

4.20

Jetties Amendment Regulations (No. 2) 2009**r. 16****16. Schedule 1 Division 1 clause 13 amended**

In Schedule 1 Division 1 clause 13 Table 13.1:

- (a) in item 1 delete “79.87” and insert:

83.23

- (b) in item 2 delete “3.99” and insert:

4.16

17. Schedule 1 Division 1 clause 14 amended

In Schedule 1 Division 1 clause 14(3) delete Table 14.1 and insert:

Table 14.1 (Berthing, jetty use and pen rental)

Item	Service	\$
1.	For pen for commercial vessel, per m of the longer of the vessel’s length and the chargeable length for the pen —	
	• for 12 months paid in advance	349.59
	• for 3 months or more, per month paid in advance	34.97
	• for one month or more, per month paid in advance	69.91
	• for one week or more, per week paid in advance	33.66
	• otherwise, per day	6.73

Jetties Amendment Regulations (No. 2) 2009**r. 17**

Item	Service	\$
2.	For pen for pleasure vessel, per m of the longer of the vessel's length and the chargeable length for the pen —	
	• for 12 months paid in advance	335.50
	• for 3 months or more, per month paid in advance	33.56
	• for one month or more, per month paid in advance	67.10
	• for one week or more, per week paid in advance	22.75
	• for 3 days paid in advance	9.10
	• otherwise, per day	4.55
3.	For vehicular use of service jetty and land adjacent to it by a business (company or registered business name), other than lessee of land at Jurien Boat Harbour controlled or managed by Department, to load or unload vessels, for 12 months paid in advance, per business	4 148.10
4.	For use of service jetty by vessel for which the item 1 or 2 fee has not been paid, per m of vessel's length per day —	
	• for a commercial vessel	3.37
	• for a pleasure vessel	3.23

Jetties Amendment Regulations (No. 2) 2009**r. 18****18. Schedule 1 Division 1 clause 15 amended**

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

Table

Provision	Delete	Insert
Sch. 1 Table 15.1 it. 1	194.70	202.87
	19.47	20.28
	38.94	40.58
	22.00	22.92
	4.40	4.59
	44.00	45.85
Sch. 1 Table 15.1 it. 2	6.60	6.88
	66.00	68.77
Sch. 1 Table 15.1 it. 3	4.40	4.59
	44.00	45.85
Sch. 1 Table 15.1 it. 4	550.00	573.10
Sch. 1 Table 15.1 it. 5	5.50	5.73
	22.00	22.92

19. Schedule 1 Division 1 clause 17 amended

In Schedule 1 Division 1 clause 17 Table 17.1 item 1:

(a) delete "3.45" and insert:

3.60

(b) delete "51.88" and insert:

54.05

Jetties Amendment Regulations (No. 2) 2009**r. 20****20. Schedule 1 Division 1 clause 18 amended**

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

Table

Provision	Delete	Insert
Sch. 1 Table 18.1 it. 1	266.22	277.40
	26.62	27.74
	53.24	55.47
	33.26	34.66
	6.65	6.93
Sch. 1 Table 18.1 it. 2	133.11	138.70
Sch. 1 Table 18.1 it. 3	6.65	6.93
Sch. 1 Table 18.1 it. 4	6.65	6.93
	26.62	27.74
Sch. 1 Table 18.1 it. 6	6.65	6.93

21. Schedule 1 Division 1 clause 19 amended

(1) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 19.1 it. 1	399.34	416.12
	39.93	41.61
	79.87	83.23
	39.93	41.61
	7.98	8.32

Jetties Amendment Regulations (No. 2) 2009**r. 22**

Provision	Delete	Insert
Sch. 1 Table 19.1 it. 2	319.46	332.88
	31.95	33.30
	63.89	66.57
	33.26	34.65
	6.65	6.93
Sch. 1 Table 19.1 it. 3	13.32	13.88
	26.62	27.74

(2) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 19.2 it. 1	3.59	3.75
Sch. 1 Table 19.2 it. 2	6.19	6.45
Sch. 1 Table 19.2 it. 3	133.11	138.70
	189.01	196.96
Sch. 1 Table 19.2 it. 4	159.74	166.44
	232.95	242.73

22. Schedule 1 Division 1 clause 21 amended

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

Table

Provision	Delete	Insert
Sch. 1 Table 21.1 it. 1	242.70	252.90
Sch. 1 Table 21.1 it. 2	4.25	4.42

Jetties Amendment Regulations (No. 2) 2009**r. 23**

Provision	Delete	Insert
Sch. 1 Table 21.1 it. 2	47.16	49.14

23. Schedule 1 Division 1 clause 22 amended

- (1) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 22.1 it. 1	\$0.94 143.13	\$0.99 149.15
Sch. 1 Table 22.1 it. 2	\$5.18 95.38	\$5.39 99.39
Sch. 1 Table 22.1 it. 3	\$5.18 95.38	\$5.39 99.39
Sch. 1 Table 22.1 it. 4	\$7.43	\$7.73
Sch. 1 Table 22.1 it. 5	\$23.91	\$24.90

- (2) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 22.2 it. 1	82.96 102.65 52.07 164.52	86.45 106.96 54.26 171.44
Sch. 1 Table 22.2 it. 2	47.80	49.82

Jetties Amendment Regulations (No. 2) 2009**r. 23**

Provision	Delete	Insert
Sch. 1 Table 22.2 it. 3	2.05	2.13
	0.43	0.45
	8.71	9.08
	9.07	9.45
	2.05	2.13
	3.53	3.67
	2.87	2.99
	3.38	3.52
	2.80	2.92
	1.91	1.99
	3.37	3.51
	3.23	3.37
	12.73	13.27
	5.55	5.79

(3) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 22.4 it. 1	0.56	0.58
Sch. 1 Table 22.4 it. 2	0.56	0.58
	0.56	0.58
Sch. 1 Table 22.4 it. 3	30.48	31.76

(4) Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 22.5 it. 1	117.35	122.28
Sch. 1 Table 22.5 it. 1	170.93	178.11

Jetties Amendment Regulations (No. 2) 2009**r. 24**

Provision	Delete	Insert
Sch. 1 Table 22.5 it. 2	143.39	149.42

(5) Amend the provision listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 22.6 it. 1	10.91	11.37
Sch. 1 Table 22.6 it. 1	12.43	12.95
Sch. 1 Table 22.6 it. 1	15.53	16.17

(6) Amend the provision listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 Table 22.7 it. 2	26.35	27.47
Sch. 1 Table 22.7 it. 2	8.45	8.80
Sch. 1 Table 22.7 it. 2	2.80	2.92

24. Schedule 1 Division 2 clause 23 amended

In Schedule 1 Division 1 clause 23 Table 23.1 item 1:

(a) delete "5.32" and insert:

5.54

(b) delete "11.98" and insert:

12.49

Jetties Amendment Regulations (No. 2) 2009**r. 25****25. Schedule 1 Division 2 clause 24 amended**

In Schedule 1 Division 1 clause 24 Table 24.1 item 1 delete “66.56” and insert:

69.36

26. Schedule 1 Division 2 clause 25 amended

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

Table

Provision	Delete	Insert
Sch. 1 Table 25.1 it. 1	133.11	138.70
Sch. 1 Table 25.1 it. 1	26.62	27.74
Sch. 1 Table 25.1 it. 1	2.67	2.78

27. Schedule 1 Division 2 clause 26 amended

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

Table

Provision	Delete	Insert
Sch. 1 Table 26.1 it. 1	201.31	209.77
Sch. 1 Table 26.1 it. 1	3.99	4.16
Sch. 1 Table 26.1 it. 2	26.62	27.74

Jetties Amendment Regulations (No. 2) 2009**r. 28****28. Schedule 1 Division 2 clause 27 amended**

In Schedule 1 Division 2 clause 27 Table 27.1:

- (a) in item 1 delete “3.99” and insert:

4.16

- (b) in item 2 delete “6.65” and insert:

6.93

29. Schedule 1A clause 1 amended

In Schedule 1A clause 1 in the Table item 18 delete “0.00871” and insert:

0.00908

30. Schedule 2 Division 1 clause 1 amended

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

Table

Provision	Delete	Insert
Sch. 2 cl. 1 Table it. 1	\$3 327.83 \$46.59 \$5 990.08 \$332.78 \$532.45 \$4 658.97.	\$3 467.60 \$48.54 \$6 241.66 \$346.76 \$554.82 \$4 854.65.
Sch. 2 cl. 1 Table it. 2	\$66.56	\$69.36

Jetties Amendment Regulations (No. 2) 2009**r. 31****31. Schedule 2 Division 1 clause 2 amended**

In Schedule 2 Division 1 clause 2 in the Table item 1:

- (a) delete “63.10” and insert:

65.76

- (b) delete “12.63” and insert:

13.16

32. Schedule 2 Division 2 clauses 3 and 4 replaced

Delete Schedule 2 Division 2 clauses 3 and 4 and insert:

3. Fremantle, Challenger Boat Harbour

The fees to be paid under regulation 72 for a permit to use a boat pen at the Challenger Boat Harbour at Fremantle are set out in the Table to this clause.

Table

Item	Service	\$
1.	For catamaran pen with walkways, per m of the longer of vessel’s length and the pen’s length, paid in advance —	
	• for 12 months	591.67
	• for 3 months or more, per month	59.19
	• for one month or more, per month	118.36
2.	For other pen with walkways, per m of the longer of vessel’s length and the pen’s length, paid in advance —	
	• for 12 months	407.68

Jetties Amendment Regulations (No. 2) 2009**r. 32**

Item	Service	\$
	• for 3 months or more, per month	40.77
	• for one month or more, per month	81.53
3.	For pen without walkways, per m of the longer of vessel's length and the pen's length, paid in advance —	
	• for 12 months	368.22
	• for 3 months or more, per month	36.83
	• for one month or more, per month	73.64
4.	For casual use of pen —	
	• for one week or more, per week, paid in advance	164.39
	• otherwise, per day	32.87
5.	For living on board a vessel, per vessel per month	100.90

4. Hillarys Boat Harbour

- (1) The fees to be paid under regulation 72 for a permit to use a boat pen at the Hillarys Boat Harbour are set out in the Table to this clause.
- (2) In the Table, the fees set out in items 1 to 4 only relate to the A to L2 Pen System, but items 5 to 8 are charged on all pens.
- (3) In the Table items 1 to 4, the fee is charged per m of the longer of the vessel's length and the "chargeable length" (*cl*) for the pen set out as follows —
 - (a) if the pen is 10 m long, *cl* = 8 m;
 - (b) if the pen is 12 m long, *cl* = 9.6 m;
 - (c) if the pen is 13 m long, *cl* = 10.4 m;
 - (d) if the pen is 15 m long, *cl* = 12 m;

Jetties Amendment Regulations (No. 2) 2009**r. 32**

- (e) if the pen is 18 m long, cl = 14.4 m;
- (f) if the pen is 20 m long, cl = 16 m;
- (g) if the pen is 22 m long, cl = 17.6 m;
- (h) if the pen is 25 m long, cl = 20 m.

Table**A to L2 Pen System (items 1 to 4)**

Item	Service	\$
1.	For fixed pen for commercial vessel, paid in advance —	
	• for 12 months	403.27
	• for 3 months or more, per month	40.34
	• for one month or more, per month	80.65
2.	For floating pen for commercial vessel, paid in advance —	
	• for 12 months	429.78
	• for 3 months or more, per month	42.97
	• for one month or more, per month	85.97
3.	For fixed pen for pleasure vessel, paid in advance —	
	• for 12 months	371.11
	• for 3 months or more, per month	37.10
	• for one month or more, per month	74.23

Jetties Amendment Regulations (No. 2) 2009**r. 32**

Item	Service	\$
4.	For floating pen for pleasure vessel, paid in advance —	
	• for 12 months	397.62
	• for 3 months or more, per month	39.77
	• for one month or more, per month	79.51
5.	For pen for one week or more, per week —	
	• for commercial vessel, higher of \$175.02 and \$21.49 per m of vessel's length	
	• for pleasure vessel, higher of \$175.02 and \$19.88 per m of vessel's length	
6.	For pen, per day —	
	• for commercial vessel —	
	• per m of vessel's length	4.30
	• minimum fee for overnight use	34.99
	• for pleasure vessel —	
	• per m of vessel's length	3.97
	• minimum fee for overnight use	34.99
7.	For use of service jetty, per m of vessel's length —	
	• for commercial vessel	4.30
	• for pleasure vessel	3.97

Jetties Amendment Regulations (No. 2) 2009

r. 32

Item	Service	\$
8.	For use of service jetty for up to 3 hours by pleasure vessel, per vessel	25.73
9.	For living on board a vessel, per vessel per month	100.91

By Command of the Governor,

PETER F. CONRAN, Clerk of the Executive Council.
