

TN301

Jetties Act 1926
Marine and Harbours Act 1981
Shipping and Pilotage Act 1967
Western Australian Marine Act 1982

Transport Regulations Amendment (Fees and Charges) Regulations 2021

SL 2021/68

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Transport Regulations Amendment (Fees and Charges) Regulations 2021*.

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 — immediately after the *Transport Regulations Amendment (Ports) Regulations 2021* Part 2 comes into operation.

Part 2 — *Jetties Regulations 1940* amended

3. Regulations amended

This Part amends the *Jetties Regulations 1940*.

4. Schedule 1 Division 1 replaced

Delete Schedule 1 Division 1 and insert:

Division 1 — Preliminary matters

1. Standard rates for this Schedule

In this Schedule, the following rates are standard rates —

Rate 1: a casual daily rate of \$7.90 per metre of the vessel's length

Typically used to calculate the standard daily rate for casual use of a pen or alongside berth (whether or not the alongside berth is on a service jetty) for a commercial vessel.

Rate 2: a casual daily rate of \$56.00

Typically used to calculate the standard daily rate for casual use of a pen or alongside berth (whether or not the alongside berth is on a service jetty) for a recreational vessel.

Rate 3: an annual rate of \$89.90 per metre of the vessel's length

Typically used to calculate the standard annual rate for short term use of a service jetty for a vessel (other than service vessels at certain places).

2. Transferability of annual payments

- (1) A vessel for which there has been paid an annual amount to the Department for short term use of a service jetty at a place specified in this Schedule may use a service jetty for up to an hour in a day at any other place specified in this Schedule or at a place specified in Schedule 3.
- (2) A vessel for which there has been paid an amount to the Department for annual use of a pen, alongside berth or mooring at a place specified in this Schedule may use a service jetty for up to an hour in a day at any other place specified in this Schedule or at a place specified in Schedule 3.
- (3) If, in the exercise of the authority to use a service jetty under subclause (1) or (2), a vessel uses Burswood Jetty, that use is limited to —
 - (a) a single period that does not exceed 15 minutes; or
 - (b) a series of discrete periods, each not exceeding 15 minutes, that do not together exceed 1 hour in any period of 24 hours.

3. Service jetty entitlements

A vessel for which there has been paid an amount to the Department for use of a pen, alongside berth or mooring at a place specified in this Schedule may have access to a service jetty for up to an hour in a day for the duration of its stay at that place.

4. Active loading and unloading

A fishing vessel to which clause 2 or 3 applies may remain at a service jetty for longer than the time allowed under that clause if —

- (a) the extra time is required to complete active loading and unloading operations; and
- (b) the active loading and unloading operations are continuously in progress; and
- (c) the vessel vacates the berth during that extra time to facilitate other requirements or avoid adverse effects on other harbour operations, when directed to do so by an officer.

5. Schedule 1 Division 2 amended

In Schedule 1 Division 2 —

- (a) delete clause 8;
- (b) in clause 15(2) in the Table delete item 1.

6. Schedule 1 Division 3 replaced

Delete Schedule 1 Division 3 and insert:

Division 3 — State-wide charges

31. 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 place are set out in the Table.

Living on vessel

Item	Service	\$
1.	For living on a vessel —	
	• without enhanced facilities, an amount calculated using the monthly rate per vessel of	50.70
	• with enhanced facilities, an amount calculated using the monthly rate per vessel of	154.50

32. 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 —	
	• single phase (metered)	Cost
	• 3-phase (whether metered or unmetered)	Cost

33. 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

34. 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

35. 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	11.40
	• plus a charge per passenger of	4.75

Item	Service	\$
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	7.50
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	16.60

36. Floating dinghy pens

The charge payable for the use of a floating dinghy pen at a place is \$369.70 per vessel per year.

37. 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 \$1.95.

7. Schedules 2 and 3 replaced

Delete Schedules 2 and 3 and insert:

Schedule 2 — Fuel oil wharfage

[r. 11B(2)]

1. Wharfage for fuel oil

The wharfage rate to be paid for fuel oil under regulation 11B(2) at a place listed in the Table is set out opposite the place.

Wharfage for fuel oil

Item	Place	\$/L
1.	Albany, at Albany Waterfront Marina	0.061
2.	Albany, at Emu Point Boat Harbour	0.061
3.	Augusta Boat Harbour	0.061
4.	Barrack Street Jetty	0.061
5.	Bremer Bay	0.061
6.	Bunbury, at Casuarina Boat Harbour	0.061
7.	Carnarvon	0.061
8.	Cervantes	0.061
9.	Denham	0.061
10.	Esperance	0.061

Item	Place	\$/L
11.	Exmouth	0.061
12.	Fremantle, at Fremantle Fishing Boat Harbour	0.061
13.	Green Head	0.061
14.	Hillarys Boat Harbour	0.061
15.	Hopetoun	0.061
16.	Jurien	0.061
17.	Kalbarri	0.061
18.	Lancelin	0.061
19.	Leeman	0.061
20.	Onslow, at Beadon Creek Boat Harbour	0.061
21.	Point Samson, at Johns Creek Boat Harbour	0.061
22.	Port Denison	0.061
23.	Port Gregory	0.061
24.	Two Rocks Marina	0.061

Schedule 3 — Port of Perth charges

[r. 72(3) and 78A]

Division 1 — Preliminary matters

1. Application of this Schedule

The charges in this Schedule apply to the places specified in this Schedule in addition to the charges that apply State-wide under Schedule 1 Division 3.

2. Standard rates for this Schedule

In this Schedule, the following rates are standard rates —

Rate 1: a casual daily rate of \$7.90 per metre of the vessel's length

Typically used to calculate the standard daily rate for casual use of a pen or alongside berth (whether or not the alongside berth is on a service jetty) for a commercial vessel.

Rate 2: a casual daily rate of \$56.00

Typically used to calculate the standard daily rate for casual use of a pen or alongside berth (whether or not the alongside berth is on a service jetty) for a recreational vessel.

Rate 3: an annual rate of \$89.90 per metre of the vessel's length

Typically used to calculate the standard annual rate for short term use of a service jetty for a vessel.

3. Transferability of annual payments

- (1) A vessel for which there has been paid an annual amount to the Department for short term use of a service jetty at a place specified in this Schedule, may use a service jetty for up to an hour in a day at any other place specified in this Schedule or at a place specified in Schedule 1.
- (2) A vessel for which there has been paid an amount to the Department for annual use of a pen, alongside berth or mooring at a place specified in this Schedule, may use a service jetty for up to an hour in a day at any other place specified in this Schedule or at a place specified in Schedule 1.
- (3) If, in the exercise of the authority to use a service jetty under subclause (1) or (2), a vessel uses Burswood Jetty, that use is limited to —
 - (a) a single period that does not exceed 15 minutes; or
 - (b) a series of discrete periods, each not exceeding 15 minutes, that do not together exceed 1 hour in any period of 24 hours.

4. Service jetty entitlements

A vessel for which there has been paid an amount to the Department for use of a pen, alongside berth or mooring at a place specified in this Schedule may have access to a service jetty for up to an hour in a day for the duration of its stay at that place.

5. Active loading and unloading

A fishing vessel to which clause 3 or 4 applies may remain at a service jetty for longer than the time allowed under that clause if —

- (a) the extra time is required to complete active loading and unloading operations; and
- (b) the active loading and unloading operations are continuously in progress; and
- (c) the vessel vacates the berth during that extra time to facilitate other requirements or avoid adverse effects on other harbour operations, when directed to do so by an officer.

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 \$4 771.25 and the result of the following calculation — <ul style="list-style-type: none">• \$66.70 per passenger calculated on the vessel's passenger carrying capacity under its highest class of survey plus — <ul style="list-style-type: none">◦ for a vessel less than 35 m long, the higher of \$8 587.40 and \$477.05 per metre of the vessel's length; or◦ for a vessel 35 m long or over, \$763.40 per metre of the vessel's length minus — <ul style="list-style-type: none">◦ \$6 679.10
(3)	The charge payable under regulation 78A for the removal of sullage from a vessel is set out in the Table.

Sullage removal

Item	Service	\$
1.	For removal of sullage (per pump out)	97.25
(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	\$
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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	660.80
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	578.20
3.	For the use of a fixed alongside berth, an amount calculated per metre of the vessel's length using the annual rate of	660.80
4.	For the casual daily use of a pen or alongside berth by a recreational vessel, 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	660.80
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	781.60
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	781.60
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, 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 a pile mooring are set out in the Table.

Mooring permits

Item	Type of use	\$
1.	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	239.70
2.	For the casual daily use of a pile mooring —	
	• by a commercial vessel, an amount calculated using standard Rate 1	
	• by a recreational vessel, an amount calculated using standard Rate 2	

8. Various fees, dues 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)	\$140.90	\$143.40
r. 105L(2)(c)	\$136.80	\$139.20
r. 105L(2)(d)	\$47.60	\$48.45
r. 105M(2)(a)	\$635.00	\$646.10
r. 105M(2)(b)	\$410.40	\$417.60
r. 105M(2)(c)	\$136.80	\$139.20
r. 105M(2)(d)	\$145.00	\$147.55
r. 105M(4)(a)	\$565.00	\$574.90
r. 105M(4)(b)	\$410.40	\$417.60
r. 105M(4)(c)	\$136.80	\$139.20
r. 105M(4)(d)	\$72.60	\$73.90
r. 105N(2)(a)	\$1 339.30	\$1 362.75
r. 105N(2)(b)	\$1 000.90	\$1 018.40
r. 105N(2)(c)	\$136.80	\$139.20
r. 105N(2)(d)	\$735.00	\$747.85
r. 105N(4)(a)	\$1 962.80	\$1 997.15

Provision	Delete	Insert
r. 105N(4)(b)	\$1 000.90	\$1 018.40
r. 105N(4)(c)	\$136.80	\$139.20
r. 105N(4)(d)	\$1 101.90	\$1 121.20
r. 105N(5)(a)	\$2 588.50	\$2 633.80
r. 105N(5)(b)	\$1 000.90	\$1 018.40
r. 105N(5)(c)	\$136.80	\$139.20
r. 105N(5)(d)	\$1 469.20	\$1 494.90
r. 105O(a)	\$1 471.80	\$1 497.55
r. 105O(b)	\$1 100.00	\$1 119.25
r. 105O(c)	\$150.50	\$153.10
r. 105O(d)	\$808.50	\$822.60
r. 105P(a) and (b)	\$95.10	\$96.75
r. 105P(c)	\$136.80	\$139.20
r. 105P(d)	\$42.20	\$42.95
Sch. 1 cl. 5(2) Table it. 1	532.80	595.40
Sch. 1 cl. 5(2) Table it. 2	426.00	476.00
Sch. 1 cl. 5(2) Table it. 3	532.80	595.40
Sch. 1 cl. 6(2) Table it. 1	279.10	311.80
Sch. 1 cl. 6(2) Table it. 2	336.10	375.50
Sch. 1 cl. 7(2) Table it. 1 and 2	532.80	595.40
Sch. 1 cl. 10(2) Table it. 1 and 2	434.70	485.70
Sch. 1 cl. 10A(2) Table it. 1	15 565.00	15 837.35
Sch. 1 cl. 11(2) Table it. 1	321.40	359.10
Sch. 1 cl. 11(2) Table it. 2	293.80	328.30
Sch. 1 cl. 11(2) Table it. 3	385.50	430.70
Sch. 1 cl. 11(2) Table it. 4	180.50	201.70

Provision	Delete	Insert
Sch. 1 cl. 14(2) Table it. 1	364.10	406.80
Sch. 1 cl. 15(2) Table it. 2	272.65	304.60
Sch. 1 cl. 15(2) Table it. 3	392.00	438.00
Sch. 1 cl. 16(3) Table it. 1	554.10	619.20
Sch. 1 cl. 16(3) Table it. 2	735.30	821.60
Sch. 1 cl. 16(3) Table it. 3	554.10	619.20
Sch. 1 cl. 16(3) Table it. 4	735.30	821.60
Sch. 1 cl. 16(3) Table it. 5	785.50	826.00
Sch. 1 cl. 16(3) Table it. 6	1 066.00	1 073.80
Sch. 1 cl. 16(3) Table it. 8	785.50	826.00
Sch. 1 cl. 16(3) Table it. 9	1 066.00	1 073.80
Sch. 1 cl. 16(3) Table it. 12	11.95	12.15
Sch. 1 cl. 16(3) Table it. 13	18.40	18.70
Sch. 1 cl. 17(2) Table it. 1	406.75 546.00	454.50 578.20
Sch. 1 cl. 17(2) Table it. 2	441.20 588.20	493.00 657.30
Sch. 1 cl. 18(2) Table it. 1 and 2	706.00	788.90
Sch. 1 cl. 21(2) Table it. 1	518.50	578.20
Sch. 1 cl. 21(2) Table it. 2	560.80	626.80
Sch. 1 cl. 22(2) Table it. 1 and 2	357.50	399.50
Sch. 1 cl. 25(3) Table it. 2	462.10	516.30
Sch. 1 cl. 25(3) Table it. 5	10.70	10.85
Sch. 1 cl. 25(3) Table it. 6	87.70	97.95
Sch. 1 cl. 25(3) Table it. 7	26.30	29.40
Sch. 1 cl. 25(3) Table it. 8	9.20	9.35
Sch. 1 cl. 26(3) Table it. 1	644.80	660.80

Provision	Delete	Insert
Sch. 1 cl. 26(3) Table it. 6	9.20	9.35
Sch. 1 cl. 26(4) Table it. 1	219.60 320.60	223.45 326.20
Sch. 1 cl. 27(2) Table it. 1	368.75	412.00
Sch. 1 cl. 29(2) Table it. 1	532.80	595.40
Sch. 1 cl. 29(2) Table it. 2	520.20	578.20
Sch. 1 cl. 29(2) Table it. 3	699.50	781.60
Sch. 1 cl. 29(2) Table it. 4	532.80	595.40
Sch. 1 cl. 29(2) Table it. 5	699.50	781.60

Part 3 — *Marine and Harbours (Departmental Areas) Regulations 1998* amended

9. Regulations amended

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

10. Regulation 3A amended

In regulation 3A:

(a) in paragraph (a) delete “\$9.30;” and insert:

\$9.40;

(b) in paragraph (b) delete “\$145.30.” and insert:

\$147.85.

Part 4 — *Mooring Regulations 1998* amended

11. Regulations amended

This Part amends the *Mooring Regulations 1998*.

12. Schedule 2 replaced

Delete Schedule 2 and insert:

Schedule 2 — Fees

[r. 9, 12, 13, 15, 16, 25 and 27]

Item	Fee
1. Application for mooring licence (r. 9(1)(c))	\$117.00
2. Annual mooring licence fee (r. 12(1)(c), 13(1))	\$638.00
3. Late fee (r. 13(3))	\$117.00
4. Exchange of mooring sites (r. 15(2)(b))	\$117.00
5. Application for transfer of mooring licence (r. 16(2)(b))	\$117.00
6. Substitution of licensed vessel (r. 25(5)(b))	\$117.00
7. Application to register additional vessel (r. 27(e))	\$117.00

Part 5 — *Navigable Waters Regulations 1958* amended

13. Regulations amended

This Part amends the *Navigable Waters Regulations 1958*.

14. Various fees amended

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

Table

Provision	Delete	Insert
r. 45B(3a)(b) Table	129.30 274.40 550.40 804.90	133.80 284.00 569.60 833.00
r. 45B(4)	\$30.00	\$30.50
r. 45B(6A)	\$13.00	\$13.25
r. 45BAA(4A)	\$30.00	\$30.50
r. 45BAA(4A) Table	4.20 7.65 10.00 20.05 40.00 80.05	4.25 7.80 10.20 20.40 40.70 81.45
r. 45BA(2)(a)	\$378	\$384.60
r. 45BA(2)(b)	\$158	\$160.75
r. 45BA(3)	\$287	\$292

Provision	Delete	Insert
r. 45BA(6a)(b)	\$158	\$160.75
r. 45E(2)(a)	\$30.00	\$30.50
r. 47C(3)(ba)	\$30.00	\$30.50
r. 47C(5)(b)(ii)	\$23.00	\$23.40

N. HAGLEY, Clerk of the Executive Council.