

YOUR REF CMS16229  
OUR REF F18/1224 D19/3484  
ENQUIRIES Matthew Scott 08 9071 0621  
DATE 8 February 2019



**Hans Jacob**  
**A/Executive Director**  
**EPA Services**  
**Department of Water and Environmental Regulation**  
**Cloisters Square WA 6892**

Dear Hans,

**RE: Notice Requiring Further Information – Esperance Tanker Jetty Concept Design Replacement Jetty**

In response to the Notice Requiring Further Information, the following information is provided.

The Shire is currently working closely with the Heritage Council of WA with the aim of meeting its requirements for lifting the Conservation Order over the existing structure in order to eventually replace the Esperance Tanker Jetty.

The Shire has engaged H+H Architects (heritage architects) to undertake the Detailed Design Development for a replacement Jetty, with the end product of this being detailed design drawings and a tender specification. To date, the heritage architects have produced a Draft Concept Design that has been endorsed by Council and the Final Concept Design has been finalised and will be presented to the Heritage Council in February for advice. In the absence of negative advice from the Heritage Council it is likely the Final Concept Design will be endorsed by Council by the end of February 2019.

The Shire has also applied for funding to undertake the replacement jetty project with an application to the Federal Building Better Regions Fund. The current timeline for the completion of the detailed design drawings is June / July 2019.

More information on the project can be found on the Shire's website <https://www.esperance.wa.gov.au/draft-concept-design-replacement-jetty>

The approval process for the replacement Jetty will involve a number of State Government Agencies, in particular the Heritage Council of Western Australia, Department of Transport, Southern Ports. The replacement jetty will also require planning approval including a Development Application.

Preliminary information on the proposal required by the EPA is provided below; more detailed information will be available as the project progresses:

- The timing of implementation and methodology for implementing the project
  - The exact timing of the project is subject to many variables. The methodology for implementation will be two stages, the first will be deconstructing the current jetty, and the second stage will be constructing a new jetty shortly after the deconstruction has been completed.
- What specific activities will be undertaken, when and for what duration?

- Deconstruction of the jetty is estimated to take 4-6 months, with the construction of a replacement jetty estimated to take 6 months
- Specific measures for minimising potential impacts on marine fauna and marine benthic communities
  - As part of the contract, Environmental Management Plans will be required by contractors undertaking the work addressing the construction impacts on the marine fauna and marine benthic communities.
- How much of the old jetty structure will remain in the marine environment following the completion of the project
  - The current replacement proposal involves leaving the old piles of the Tanker Jetty in-situ at mean sea level for the length of the replacement jetty and 3 meter below lowest astronomical tide (LAT) past the end of the replacement jetty to allow for safe boating. This is based on the advice of Southern Ports.

The Shire believes this project does not need to be assessed and would like the EPA to consider the following points on the significance of the environmental impacts of a replacement jetty and the need for the EPA to access the proposal:

1. The Tanker Jetty is a man-made structure that has created an artificial environment for marine life that would not naturally exist in this environment.
2. The current replacement proposal involves leaving the old piles of the Tanker Jetty in-situ at mean sea level for the length of the replacement jetty and 3 meter below lowest astronomical tide (LAT) past the end of the replacement jetty to allow for safe boating. This is based on the advice of Southern Ports.
3. Retaining the old piles in-situ will minimise the disturbance to marine benthic communities and help to retain these communities into the future.
4. The replacement contractor will be required to have an Environmental Management Plan and specifically address minimising the impact on Marine fauna and marine benthic communities. Further to this the Shire will apply, if required, for a native vegetation clearing permit to remove sea grasses required for the new pile location.
5. Given the conservation Order, the alternative to replacement is the Tanker Jetty is to allow the structure to continue collapsing into the ocean as a “managed ruin”; which is already having a detrimental effect to the marine environment with the debris on the ocean floor (the debris is also protected by the Conservation Order). This is also causing the loss of heritage fabric.
6. All alternatives to the replacement of the Tanker Jetty proposed have involved the complete replacement of the sub structure.
7. The former Heritage Minister recognised *“that restoration or reconstruction of the Jetty to its original form and scale is unlikely, and appreciate there is an urgent need to address the future of the current structure due to its condition”*.
8. The Shire, through its Heritage Architect, is working closely with the Heritage Council of WA to develop a solution with the best possible heritage solutions for the replacement structure.

Should you have any further queries please don't hesitate to contact me on the number above.

Yours sincerely



Matthew Scott  
**CHIEF EXECUTIVE OFFICER**