



Department of **Planning,
Lands and Heritage**

Your ref:
Our ref: P831
Enquiries: Adelyn Siew (08) 6552 4123

Chief Executive Officer
Shire of Esperance
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Dear Sir

TANKER JETTY, ESPERANCE

As agreed during the meeting at the office of the Minister for Heritage on 12 April 2019, please find below, the necessary next steps for progressing the replacement jetty at the *Tanker Jetty, Esperance*:

1. Concurrent actions to be undertaken:
 - Heritage Council Western Australia to recommend to the Minister for Heritage to issue a s. 64 Permit under the *Heritage of Western Australia Act 1990*, allowing the deconstruction and replacement of the Tanker Jetty structure to be undertaken subject to conditions.
 - Shire of Esperance to formally advise Southern Ports Authority that it wishes to take ownership of the existing Tanker Jetty prior to deconstruction works.
2. Southern Ports Authority and the Shire of Esperance to enter into a legal instrument transferring ownership of the existing Tanker Jetty from Southern Ports Authority to the Shire of Esperance.
3. Southern Ports Authority to then issue a seabed/deconstruction/construction licence to the Shire of Esperance to allow the deconstruction of the existing Tanker Jetty and construction of the new Shire owned jetty within the Port of Esperance boundary. This is a temporary measure whilst the Southern Ports Authority undertakes revision of the Port of Esperance gazetted boundary. (Note: Licence to terminate and be replaced by Department of Transport jetty licence if area is excised from the Port of Esperance boundary prior to completion of construction.)
4. The Minister for Heritage issues a s. 64 permit to the Shire of Esperance to undertake the deconstruction works and construction of a new jetty. (Timeframe: Permit to be issued by 30 June 2019)

5. Deconstruction works to commence when the legal instruments are in place between Southern Ports Authority and the Shire of Esperance, and the Shire of Esperance has been issued the s. 64 permit.
6. The Department of Transport to issue the Shire of Esperance a letter indicating its intentions to issue a jetty licence for the new jetty structure once the jetty site has been excised from the Port of Esperance gazetted boundary.
7. Prior to the jetty area being excised from the Port of Esperance gazetted boundary, the Shire of Esperance is to write to the Department of Planning, Lands and Heritage (Land Use Management) (DPLH) seeking a management order for the seabed of the jetty area.
8. DPLH is to lodge necessary documents and new deposited plan at Landgate to enable the reserve to be created and management of the jetty given to the Shire. This is to occur simultaneously with the jetty area being excised from the Port of Esperance gazetted boundary.
9. Heritage Council Western Australia to recommend to the Minister for Heritage to lift the Conservation Order following completion of replacement jetty construction.
10. The Department of Transport to issue the Shire of Esperance a jetty licence (following excision of the jetty area from the Port of Esperance gazetted boundary, which may be prior to completion of replacement jetty construction.)

Should you have any queries regarding this advice please contact me at adelyn.siew@dplh.wa.gov.au or on 6552 4123.

Yours faithfully



Vaughan Davies
Assistant Director General
Heritage and Property Services

13 May 2019