

Public record pursuant to s39(1) of the *Environmental Protection Act 1986*

Proposal Title: Demolition and reconstruction of the Esperance Tanker Jetty

Proposal Location: Shire of Esperance

Case Number: CMS16629

Date referral received: 06-12-2018 **Date more information received:** 08-02-2019

Referrer: Friends of the Esperance Tanker Jetty **Proponent:** Shire of Esperance

Potential significant effects:

There are potential impacts from the deconstruction of the old Esperance Tanker Jetty structure and construction of the replacement jetty that may cause noise and vibrations, underwater noise, reduced water quality and health of benthic communities and habitat, and potential impacts to marine fauna.

The proposal also has the potential to impact the cultural heritage, aesthetic and social values of the State Heritage listed Esperance Tanker Jetty.

Public comment on referral information:

Do not assess:	54
Assess: a) Referral information	4
b) Environmental review - no public review	8
c) Public environmental review	90
<i>Total submissions:</i>	156

Decision: s. 39A – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act – Advice given.

Explanation of decision:

The EPA recognises the social importance of the Esperance Jetty to the local community and considers that the design for the replacement jetty is sensitive to the potential loss of cultural heritage and amenity values of the old Tanker Jetty through maintenance of its original alignment, inclusion of a historic section that references its original timber structure, continued public access, interpretative elements and improvements to fishing, diving and other recreational facilities.

The EPA considers that the likely environmental effects of the proposal are not so significant to warrant formal assessment. The deconstruction methodology includes the retention of the old timber jetty piles in-situ so that disturbance to the marine biota that has colonised the old jetty piles will be minimised. Impacts to marine fauna, marine environmental quality or benthic communities from construction activities are considered to be localised and temporary, and any affected benthic communities or habitats have the ability to recover within a reasonable timeframe.

Noise impacts on the local community and underwater noise impacts on marine fauna can be managed and mitigated. It is also noted that *Environmental Protection (Noise) Regulations*

1997 are relevant to managing potential impacts of noise from construction on the local community.

Appeals: This decision is appealable. Appeals close 8 July 2019. Appeals are administered by the Office of the Appeals Convenor.



Dr Tom Hatton

CHAIRMAN

Delegate of the Environmental Protection Authority

Date: 19 June 2019