



Petition No. 069 – Conduct of the Shire of Esperance

Esperance Tanker Jetty

The Tanker Jetty was listed on the WA State Heritage Register in 2008, demonstrating its aesthetic, historic, scientific and social values by its association with historic themes including farming, mining, shipping, economy, migration, settlement, national development and recreation. The degree of the Jetty's significance is classed as a rarity, being the last authentic timber Jetty remaining of the 80 built early last century on the WA coastline to facilitate trade. Its aesthetic significance relates to its size, scale and construction as well as its strong presence in the local seascape that ensures its landmark status.

The Jetty was an integral part of the 3500 Farm Scheme (1929) that planned to open 3.2 million acres of land between Salmon Gums (north of Esperance) and Southern Cross in the 1930s. This scheme, under the Land Settlement Scheme and Migration Agreement, was planned to develop WA's economy and populate the State after World War One. It was at the time the largest land scheme ever planned in the British Empire.

Jetty construction in 1934-35 facilitated employment for sustenance workers during the Great Depression, as well as in the State's agricultural and mining industries. During the Second World War, the Jetty was a source of fuel for the Goldfields; gold being important to the Nation's war effort.

The Jetty is also of significance to local Aboriginal people. Its strong visual link was a landmark to delineate the boundary between the Esperance town and the Aboriginal community. The Jetty continues to be a symbol of that harsh government segregation and assimilation policy up until the late 1960s.

Today, the Tanker Jetty is a tourist icon, its rich cultural fabric make it the town's most popular attraction. Its importance to a remote town like Esperance cannot be underestimated, particularly its economic benefits to local businesses and the employment opportunity it creates.

In 1990, the State Government handed responsibility for the Jetty's ongoing maintenance to the Esperance Shire Council. The License conditions require the Shire to keep the structure in a state of good repair at all times and open to the public. The Shire has failed to meet these commitments and for more than a decade deliberately neglected the structure. Only a Conservation Order placed on the Jetty by the Heritage Minister has saved the Tanker Jetty from demolition.

The Council has two options to follow. The first is to reconstruct the jetty and retain its rich cultural fabric, an option favoured by the community of which 8326 people signed a petition for this option to be implemented. Cost of reconstruction has been put at less than \$6 million by a number of qualified marine engineers, a figure that could be less than \$5 million if the work went to a competitive open tender. The Council will not consider this option, despite it being preferred by the Heritage Minister, Heritage Council and the community.

The other option is to demolish the structure at a cost of up to \$4 million, which will totally destroy the heritage values and replace it with \$6 million in steel and concrete, the length being as long as the money will buy.

The people of Esperance ask the members of the Legislative Council Standing Committee on Environment and Public Affairs to stop the destruction of a structure that has been of significance to the economic development of the State and has a strong emotional attachment for local citizens. The community has indicated a willingness to pay a small levy on its annual rates for the ongoing maintenance of a reconstructed jetty.

Money for stage 3 of the foreshore redevelopment, which targeted the jetty reconstruction, has been redirected to other projects. Shire has expended in excess of \$700,000 on engineering reports, claiming these constitute maintenance. These reports only look at the jetty's structural issues and do not consider reconstruction. A contract has been awarded to H & H architects for \$375,000 to re-design a jetty, while \$90,000 for the redesign of the original 1934 design was deemed too expensive and not undertaken.

Proposed Merivale Landfill

Esperance Shire Council's Merivale Road landfill proposal is a controversial and costly issue within the community. The Council's decision to buy the property was based on a hydrological investigation that stated that should any leak occur in the tip liner, escaping pollutants would take 579 years to reach nearby farm bores and the downstream internationally important and protected wetlands. Criticism has led to a hydrological review which found that the hydrological model originally used the wrong data on which it made its predictions.

Despite these findings the Shire is now seeking to have a Public Environmental Review (PER) of its proposal, which could take two years at a cost of an estimated several millions of dollars to complete. Esperance Council rates increased by 4.45 percent this year, one of the highest by a WA local government,

and the extra cost of meeting the requirements of a PER was a significant factor in this rise. Ratepayers will be required to carry the ever-increasing costs of placing a landfill in an inappropriate location.

Already, ratepayers have paid heavily for this misadventure. The Merivale location was purchased without any due diligence of the site. It cost \$1.445 million, and the feasibility and approval costs a further \$512,000. Approved further expenditures on the site was \$120,000 and the independent hydrogeology review \$27,000. The Shire has provided a further \$120,000 for further pump tests of the site.

Before the current site was purchased the Council paid \$138,000 in investigation costs plus a non-refundable deposit of \$30,000 for a site in Dalyup. The Shire lost these funds as the site was purchased by another party. Other costs incurred on investigations of other potential sites over a period of years and private land searches totalled more than \$15,000. There has been a further unknown internal Shire expenditure (staff time) on the process of finding a site for a new rubbish tip.

Total expenditure on these misadventures to date has been in excess of \$2.44 million with the cost of an expensive PER to come despite independent consultants indicating that the Merivale site is unsuitable for landfill. And the Shire has a forward budget of \$4 million for the 2020 financial year, and a further \$3.9 million in 2021 for the establishment of the new rubbish tip.

The current Shire of Esperance Council and Administration has failed the people of Esperance.

Sports Ground Stadium

A major issue impacting on a large number of the Esperance citizens, particularly children and teenagers, is the confusion over the future of the Esperance Sports Ground Stadium redevelopment. The Esperance Shire Council sought and received in principal approval for \$4.06 million in RforR funding in 2017 to extend the existing stadium to provide an extra indoor basketball court, taking the number from three to four as part of a \$7.447 million redevelopment project. Disbursement of RforR funding is conditional on the Shire securing the additional funding for the two-stage project.

According to the Shire, structural issues with the stadium required the new indoor court to be built adjacent to the existing stadium. An independent engineering report, however, indicates that there are no major structural issues with the building, and that the extension should be to the existing structure.

Two Sports Ground stakeholders - the Agricultural Society and Sports Ground Committee - have conflicting views on what they believe the Shire is doing, despite agreement on the way forward by all parties last year. That agreement was for a single stand-alone indoor court to be built alongside the existing stadium.

The Esperance Agricultural Society is a major stakeholder in the Sports Ground having paid for its own office building which is attached to the stadium, and has contributed significant monies and in-kind contributions to the constructions of the initial Sports Stadium, Stadium upgrades and the repayment of self-supporting loans.

The Agricultural Society supported the initial proposal to build one new indoor basketball court adjacent to the current Stadium, but has concerns with the building and placement of the proposed three-court stadium and its impact on the operation of the Annual Agricultural Show.

To date, there has been no consultation between the Shire of Esperance and the Agricultural Society Committee, and the Society has heard that the Council plans to demolish the existing Stadium. As far as can be ascertained, during consultation with the Shire demolition was not part of the business plan to secure funds, and neither was a new three-court stadium.

Apart from not solving the current issue relating to court requirements, a new three-court Sports Stadium may be significantly more expensive than the \$4 million received from RforR for one additional court, and the extra cost will have to be met by ratepayers. Significantly, approval to use funds provided for the original purpose for a new enclosed court is outside what the RforR were provided for, and where this has occurred elsewhere the funds have had to be returned to the Government.

It is possible that Esperance could lose the funding if the Shire goes ahead with its demolition plans, and a much-needed sporting facility upgrade may not go ahead due to the Shire's mismanagement of the project.

Adding confusion to the matter, the Greater Sport Ground Committee still believes that the project will develop one new indoor court as originally agreed to by all stakeholders.

These complaints have not been taken to the Parliamentary Commissioner for Administrative Investigations (Ombudsman).