

LAND ADMINISTRATION AMENDMENT BILL 2009

Second Reading

Resumed from 14 October.

MR C.J. TALLENTIRE (Gosnells) [12.25 pm]: I will resume my remarks from yesterday about this very important piece of legislation that relates to the rental value derived from the 36 per cent of the state that is covered by pastoral leases.

The Land Administration Amendment Bill 2009 has some details about the phasing in of a rental increase. It was interesting that today during grievances we heard comment made about the dramatic percentage increases that some pastoral leaseholders see coming their way in their rent notices. Although I agree with some of the comments made, I think it needs to be said that during the interchange between the member for Geraldton and the Minister for Lands, we did not actually hear mention of the real amounts; we heard only about percentage figures. I think it is important that I remind the house that we are talking about very low amounts of money and, as I said yesterday, we are probably talking about the lowest land rental in the world. For huge areas of land—say, 250 000 hectares—in the southern rangelands someone might be paying as little as \$2 851 a year in rent.

The member for Geraldton made some very important points, and as a fellow graduate of the Muresk Institute of Agriculture I trust that he is joining me and others in insisting that Curtin University of Technology tells all the facts before the university closes down Muresk. We have some work to do; I think the issue of so-called cost efficiency at Curtin University needs to be investigated. Clearly, the university has a rapacious desire to make profit rather than educate people in the management of our agriculture and rangelands futures.

The member for Geraldton mentioned the Jennings report. It is true that the report questioned the viability of pastoral leases; we have seen other reports do that as well. Indeed, as far back as 1940, a royal commission was conducted into the financial and economic position of the pastoral industry. Therefore, this issue has been with us for a long time. Hon Monty House and others looked at the issue in 1991 with the Western Australian parliamentary Select Committee on Land Conservation, which commented on the viability of pastoral leases. We know that this industry has a long history of questionable viability and challenging circumstances. Yes, I heard the comments the minister made in response to the member for Geraldton's grievance that we are talking about people who were the pioneers in the outback regions of the state and that, if I understood the minister correctly, somehow justifies the subsidies that go to them in the form of these incredibly cheap land rentals. I think that is something that the community needs to properly consider. More importantly, it should consider what the future of the rangelands is. It is clear that with the present forms of enterprise, livestock grazing in the rangelands simply is not viable from an economic point of view nor from an environmental one and probably not from a social point of view either. I would like to know more about the social circumstances that people in the rangelands face. Are they in fact ending up in very isolated circumstances? Hopefully not; with modern communications there is the potential for them to be linked into all sorts of positive networks of communication.

The minister commented on the issue of pastoral leases that are managed by the Department of Environment and Conservation. I think an interesting comment he made was that some of the DEC pastoral leases are less well managed than leases that are managed by pastoral leaseholders. I think it has to be said that in many areas of the state the Department of Environment and Conservation simply does not have the budget to ensure people are there to do the necessary management work. I have grave concerns when I see cuts in the Barnett budget that have made sure that the opportunity for additional staff to be trained and hired to manage pastoral leases is almost impossible. We have a serious problem there; there is no question about that. I would like to challenge the minister on the point that wild dogs, weeds, fires and all other pests come out of the natural areas. The natural areas did not originally have the various weeds that are spreading out or for that matter the wild dogs, unless we are talking about dingoes, and there is some ambiguity about that. Properly managed conservation areas can be a perfect complement to pastoral lease areas, ensuring the viability of them into the future. There may well be some agreement on that point.

I would like to recount a comment made by a former member of this place, the former Liberal member for Ningaloo, Rod Sweetman, in a 2003 media report. He was quoted in *The West Australian* as saying that he had lots of issues with the former Department of Conservation and Land Management but was behind it 100 per cent when it came to managing pastoral leases. He said that he did not think that a group of pastoralists who were flat-out managing their land under the requirements of their pastoral leases really had the expertise to properly manage a major tourism venture on land that was getting the daylight flogged out of it. He said that people had only to see the difference between CALM-managed land and that managed by pastoralists to know which was in better shape. I could imagine that the former member for Ningaloo was probably referring to the Cardabia station in the electorate that is now covered by the member for North West. Last time I saw that station it was indeed in

an absolutely dreadful state through a combination of circumstances. I think overgrazing and fire had meant that it was in a pretty bad way.

That leads me back to this anachronism that we have in our system of the compulsory stocking requirements that are forced onto these holders of pastoral leases. The minister really must address it.

Mr B.J. Grylls: I agree with you on that.

Mr C.J. TALLENTIRE: I thank the minister. I am glad to hear that. We have to find a mechanism for dealing with this.

We also need to ensure that there is a form of land tenure available to people that is called “conservation stations” or conservation management of a pastoral lease. If I may just recall for the house, we have in Western Australia a number of pastoral leases that are not run by the Department of Environment and Conservation but run by private and philanthropic institutions for the benefit of conservation. Those are run by organisations such as the Australian Wildlife Conservancy and include Mt Gibson station, Mornington station and Faure Island. Another organisation engaged in this work is Bush Heritage Australia, which has Whitewells station, now known as Charles Darwin Reserve, and Eurardy station as well. There is a growing demand from the broader community and the general public for stations to be managed for conservation.

In the remaining time I have I should just highlight how serious the problem of mismanagement in the rangelands actually is. To do that I should quote from a report that was prepared in 2003 by the Department for Planning and Infrastructure, which went through the various regions and gave them a condition rating. Unfortunately, only one region had a condition rating of “good” that applied to more than 50 per cent of its area, and that was the Roebourne Plains area. Two other areas got the rating that 50 per cent of the area was considered to be in good condition. The East Nullarbor got 50 per cent. Ashburton got 50 per cent. Many areas had predominantly “poor” or “fair” ratings. Those are the official figures. There are also rangeland ecologists and other scientists who are specialists in this area, who say that the condition scoring system is far too lenient. Some excellent rangeland ecologists have put together an article. The Pringle, Watson and Tinley report “Rangeland improvement, or ongoing degradation — reconciling apparent contradictions from the arid rangelands of Western Australia” actually questioned whether we were really getting to the truth when it came to the condition rating of the rangelands. It found that the scoring I just indicated was probably being way too optimistic.

There is urgent need for work to be done on the potential to link the rents with better quality management, on the rents to be used as an incentive for people to manage the conservation and on ensuring that we have a system of accredited property management plans. This is highlighted in the document called “A 100-year Biodiversity Conservation Strategy for Western Australia”, which was released in 2006, if I remember rightly, when the member for Rockingham was Minister for Environment. An excellent comment in it was that we do have to ensure that the Land Administration Act is properly applied. The comment is made that we must develop and implement ecologically sustainable development on pastoral land and management practices in accordance with the Land Administration Act 1997. Indeed, in that act there is mention of the need for sustainability principles to be used to guide the management of that land.

Mr B.J. Grylls: Can you point to any improvements over the past eight years in the management of pastoral leases?

Mr C.J. TALLENTIRE: There have been some enormous improvements because we have actually started to face the plight of the sector.

Mr B.J. Grylls: I do not mean in reports—on the ground.

Mr C.J. TALLENTIRE: I did touch on this yesterday. I would say that in Gascoyne-Murchison a number of stations’ better land management practices are being used as a model for other areas. The use of the EMU system, the environmental management unit system, is another development that we have seen in the past eight years.

I was just reaching a conclusion and saying that we have to have, for pastoral leases, accredited property management plans that sufficiently provide for biodiversity and codes of practice to minimise impacts on biodiversity. We also have to remove the perverse incentives for pastoral activities that run counter to the protection of the natural environment and the natural resource that is actually at the heart of productive pastoralism in the state of Western Australia.

I would like to conclude my comments there. We have already said that we will be supporting this legislation, but I think the minister needs to make a stronger point that these rent increases are, in the scheme of things, very,

very minor. For far too long we have been undervaluing the rangelands and allowing them to be rented at values that could only be described as the lowest land rental values in the world.

MR T.G. STEPHENS (Pilbara) [12.38 pm]: The lead speaker of the opposition has indicated our support for the legislation. He has made a number of comments, many of which I agree with. I have said to him by way of interjection that I do not exactly feel comfortable with the emphasis that he has placed on some of his commentary. I guess on these issues we all have perspectives based on experience. His own case is clearly enriched by professional experience, professional study, a profound knowledge of agriculture and an involvement in environmental issues. This experience has led him to be able to make a very useful contribution to the debate on this bill.

The opposition, in supporting this legislation, asks the house to think for a moment about the pastoral industry and the issues of pastoral land management for Australia. Those issues arrived with settlements in 1788, almost immediately after the first lot of cloven hoofed animals came off the boat. Almost immediately there were conflicts over the administration of cattle—how they would be managed and where they would roam. That debate in the Australian community has been lively ever since. One of the great stories of politics, conflict and dispute is that between the people who are in need of the products from cloven hoofed animals, the people who want to make money from that industry, and the first Australians. There has always been conflict about accessing land to graze cattle. The cattle industry was at the forefront of settlement on the edges of the community, and the settlers involved were often in conflict with the first Australians as the settlers tried to acquire access to land. The two groups often found themselves in conflict. Sometimes the settlers formed a symbiotic relationship of mutual dependence with Indigenous Australians. Sometimes the conflict was to the enormous advantage of one section of the Australian community over the other.

I have engaged with the pastoral industry since I first arrived in Western Australia and took up employment at a station in the north east Kimberley region that was previously owned by my wife's extended family. Through that connection with the Aboriginal people, who by that stage were the owners of the station, I got to know about an aspect of Western Australian life through my active engagement in the pastoral industry. I had to draw upon the expertise of people who knew the industry better than I did to try to secure a successful pastoral operation. It was in that context in 1978 that I was able to work closely with Ernie Bridge, who was to become my parliamentary colleague, to utilise the technologies available in the region, such as using a helicopter for mustering. I sat around the campfire and helped him put to music the very famous ballad that he sang called *The Helicopter Ringer*, which captured the feeling of our engagement with the property on which we were trying to assist Aboriginal people to make a quid in their country.

Mr M. McGowan: We should have got him to sing that in the house.

Mr P. Papalia: Can you sing?

Mr T.G. STEPHENS: I can sing, and it goes this way! It always disappointed me that during Hon Ernie Bridge's parliamentary career he never gave the chamber a good burst of music with his guitar.

Mr M. McGowan: He did, during his last speech.

Mr T.G. STEPHENS: I did not know that. I thank the member for telling me that. I am glad that he did. I had been urging him to do that for years.

Mr M. McGowan: It was during his final contribution at three o'clock in the morning. It was preceded by crying during a discussion about his dog that passed away, which was followed by a song.

Mr T.G. STEPHENS: I am pleased he finally took my advice and sang in the chamber. I missed the event. I did not realise that he had done that.

I have represented the North Province and the Mining and Pastoral Region in the upper house, the seat of Central Kimberley-Pilbara, and now the seat of Pilbara. My engagement with the pastoral industry has taken on many aspects. It is important to have a good knowledge of the players in that field, of which there is a diverse range. When we deal with a bill such as the Land Administration Amendment Bill, which lands on an industry like that, it affects that industry differently. As the member who spoke previously said, some nine per cent of pastoral properties are owned by resource companies. Often they are very wealthy and own huge pockets of land on which to operate a pastoral lease. Presumably, the land has been purchased for the purpose of making it easier for those companies to focus on their mining operations. They become pastoral leaseholders in order to not run into conflict with the land users adjacent to them.

Other people have purchased pastoral leases to utilise the land for purposes other than operating a pastoral operation. I am thinking of the very large number of Aboriginal communities and individuals who have successfully purchased pastoral leases to enjoy the uses and benefits derived from owning those landholdings

other than for operating a cattle station. The ownership allows them to not run into conflict with other land users. Members have mentioned the Australian Wildlife Conservancy and other organisations that have an interest in pastoral leases for reasons other than running a cattle station.

The Myers family comes to mind. It has a pastoral lease in Doongan in the northern Kimberley. The member for Warnbro was with me last year when we called in on some of those properties. The Myers family purchased the property because of its scientific interests. That Victorian family has utilised its resources to purchase properties not because it is preoccupied with running a cattle station, but because its members have a great interest in obtaining scientific knowledge about that area and to assist in the protection of the landscape and ecology of that area. They are interested in the interaction between the land and its inhabitants. They want to ensure that the environment is protected for scientific and geological research and to advance our knowledge and understanding of the earliest ancient Indigenous art forms and to see how those art forms interplay with the climate change that has occurred in that area. The Myers family, like the mining companies and Aboriginal groups, is obliged to discharge pastoral duties as an obligation of owning the pastoral lease.

The minerals in the ground are owned by the people of Western Australia and we allow mining companies to extract those minerals for our mutual benefit. Similarly, as the owners of the land of Western Australia, we allow some of that land to be utilised for pastoral purposes. If people want to use that land for alternative purposes, their ambitions and aspirations should not be pursued through the vehicle of a pastoral lease, regardless of whether it is for conservation purposes, Indigenous land use or the protection of a mining operation. These are unresolved issues in the area of pastoral land management. The pastoral lease operation is utilised as an imperfect instrument for those purposes and that is a failing of the Western Australian community and of Parliament. These issues would be resolved if we were dealing with the metropolitan area of Perth. However, the competing land aspirations and the needs of the rangelands remain unresolved and we are left with an imperfect instrument. Pastoral leases have been assigned to people who have utilised them for a range of purposes that have nothing to do with the object for which Parliament has entrusted those leases to them, which is the pursuit of pastoral operations.

At times in my life as a parliamentarian representing those areas, the use of those pastoral leases has produced most profound conflicts over access to pastoral leases. Members will have seen a series of questions that I have put to the Minister for Lands that probe the issue of whether people are trying to maintain access to coastal areas to the south west of Port Hedland across the Boodarie and Munda pastoral leases. Previously, those lands had always been accessible to the residents of Port Hedland and the Aboriginal people of that area. They were able to access the coast, and in particular Munda Beach. However, a new pastoral lease operator arrived relatively suddenly—12 years ago—off a cray boat from Geraldton. He seems to treat the pastoral lease as though it entitles him to the same exclusive possession of the land that he has over his cray boat. Okay, we can keep people off cray boats, but we are not necessarily entitled to keep people off the full width and breath of pastoral stations, particularly when that includes traditional owners and others who until fairly recently have found their way to the coast for recreation and the pursuit of their general life habits, as well as for the taking of fish and kangaroos and the like for their nourishment, but who are now suddenly finding closed access and locked gates.

Debate interrupted, pursuant to standing orders.

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