

STANDING COMMITTEE ON PUBLIC ADMINISTRATION

INQUIRY INTO PASTORAL LEASES IN WESTERN AUSTRALIA

**TRANSCRIPT OF EVIDENCE
TAKEN AT CARNARVON
TUESDAY, 5 NOVEMBER 2013**

SESSION THREE

Members

**Hon Liz Behjat (Chairman)
Hon Darren West (Deputy Chairman)
Hon Nigel Hallett
Hon Jacqui Boydell
Hon Amber-Jade Sanderson**

Hearing commenced at 12.39 pm

Mr RICHARD BROWN,
Partner Pastoralist, Yaringa Station, sworn and examined:

The CHAIRMAN: On behalf the committee, we would like to welcome you to the meeting. I ask you to take the oath or the affirmation.

[Witness took the oath.]

The CHAIRMAN: You will have signed a document entitled “Information for Witnesses”. Have you read and understood that document?

Mr Brown: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard and a transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record. Please be aware of that microphone. Try to speak into it and do not put any papers or make too much noise near it. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today’s proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that the publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege.

That is the formal bit over and done with, so you can relax now! Would you like to make an opening statement to the committee, as again, we did not have a written submission from you?

Mr Brown: It is mainly about our pastoral lease, the renewed one we are getting. As pastoralists partnerships, we totally do not think it is adequate for what we need to carry out our business. We have been on the station for eight years.

The CHAIRMAN: Could you give us a bit of a history of the station, your background and how long you have been there?

Mr Brown: We have been on the station for eight years. We invested a lot of money—so we bought it. Before that we had been farming for 20 years in the eastern wheatbelt, east of Mukinbudin. We were the last farmers out, so we certainly know what tough times were about. We were very successful there. It was one of the last CP blocks given out in WA. We cleared it and raised our four children there, and we made a very successful business. We have turned to pastoralism, which we very much enjoy. With the things we need to keep going on our station, the most interference we find is from government departments. It has taken me five years to just obtain a water licence for irrigation. We have six artesian wells. The pain that the government has put me through —

The CHAIRMAN: Can you just expand on some of the issues that you have had with getting the water licence so we can take a really full picture?

Mr Brown: The Department of Water was threatening. They came to threaten us that they would close all our bores down. We had more bores on a property than most stations, I understand, and we got the best quality water. When I bought the station and I saw all that water, I had a vision to irrigate and improve the station. We have done that. We are irrigating and we have grown lucerne, sorghum, and we have done it very well. With the government departments, we went to the ag

department and they said, “No, you can’t do that, because we’ve tried to it and you can’t do it.” And I said, “You mean you can’t do it, but we might be able to do it.”

The CHAIRMAN: Grow crops?

Mr Brown: Yes, grow crops. We do it completely differently. We farmed 20 years, so we tried out methods and different management. We do not want to waste water; we want to use it. The Department of Water sent me a bill for \$170 000 to be paid within six days to continue on with the boring capping program, which I had signed up for. That \$170 000 was not in the contract. I have been arguing with them for seven years, because they tried to give me one bore out of all the artesian bores. I said, “No, that’s closing me down.” We negotiated the two bores and I would pay for one myself and out of the blue they sent me this letter to pay in seven days, which is a false pool.

The CHAIRMAN: What was the expectation of the cost? What were you expecting that there would have been?

Mr Brown: The contract was 20 per cent from the owner, 40 per cent from the state government and there was another percentage from the federal government. They came around with this bill and the next day, I did not sleep, I actually had a brain haemorrhage. Just what sort of things do government departments do to people? I was fighting for my life for the next three months. It is a very touchy subject for me and unless you have been through it, you do not know. You have to go on the land to find out what government departments are capable of doing to people. The red tape kills you. I had a vision. I spent millions of dollars on the property and they try and close you down. Do you know what I mean? Now, the Department of Water in Carnarvon are not allowed on my property. I deal through Perth. I am allowed to irrigate from four artesian bores now. What was the problem? Why do they not let you progress and go ahead? This new pastoral lease does not even come with the water licence. I cannot transfer my water licence on if I want to sell it. It does not come with that water licence. I have fought for five years to get this water licence and I had to get CALM’s commission to clear land and so on and so on. All the departments you have to go through is ridiculous. Anyway, we have got through it all and the next concern is to get the —

Hon DARREN WEST: I just have a question about the licence. How big is the water licence?

Mr Brown: Now it is half a gigalitre.

The CHAIRMAN: Do you run stock as well?

Mr Brown: Yes.

The CHAIRMAN: What sort of stock are you running?

Mr Brown: Sheep.

The CHAIRMAN: So you are still running sheep?

Mr Brown: Yes.

The CHAIRMAN: How many head of sheep?

Mr Brown: At the moment we would have between 8 000 and 9 000.

The CHAIRMAN: How many acres is your property?

Mr Brown: It is 250 000 acres.

Hon DARREN WEST: I thought you were going to go and say something else.

Mr Brown: We also have a permit to do tourism and I have found the shire—we requested some help, and they have helped us.

The CHAIRMAN: What are you proposing in regard to a tourism venture?

Mr Brown: We have got the permit at the station for a campsite and bed and breakfast. Our homestead is situated only 500 metres off the North West Coastal Highway. We do get a lot of people calling in with breakdowns or whatever, because we are within walking distance, so we are going to take advantage of that.

The CHAIRMAN: But you have not started up your tourism venture yet?

Mr Brown: Not that venture, no, but that is our next step.

Hon DARREN WEST: Is the permit from the shire?

Mr Brown: From the Pastoral Lands Board, yes. That does not pass on to my next lease.

The CHAIRMAN: Did you have much trouble getting that arrangement in place the Pastoral Lands Board? Was that process difficult?

Mr Brown: Not the permit for the campsite, no, it was not. But the water licence and the clearing of the land for growing of the crop, the fodder, was very difficult. It was unbelievably difficult. They had no concept of what they were saying. They said we had to have an area outside a barrier of biosecurity if they get weed, so the crops do not get away into the wild. I am trying to grow lucerne and sorghum. We live in a semi-arid country and if we do not water it, it is never going to grow. It would be good if it did—I would be laughing!—but it does not happen. They wanted a five-page essay on something stupid like that, and then they would not reply to you. It took us three months to get a letter just to say we do not need a clearing permit, because it was already cleared. We picked a spot that did not have to be cleared—three months. And that was a lot of driving up and down to Perth.

Hon DARREN WEST: You mentioned that you could not transfer the water licence or the permit. Is that just a blanket cannot transfer or do you need permission to transfer —

Mr Brown: No, they have got to reapply.

Hon DARREN WEST: There is no mechanism by which you can transfer it through?

Mr Brown: No.

Hon DARREN WEST: So when you want to sell, you cannot say to a company —

Mr Brown: That is exactly right, yes. So we have got water pumps down and there is just —

Hon DARREN WEST: All the investment you have made.

Mr Brown: Yes, that is how it is—we have heavily invested in it.

Hon NIGEL HALLETT: Richard, when you took this lease on, what was the length of the lease then?

Mr Brown: The length of the lease here, which we have got a letter from, was until 2062, which was shown to us. Graham Robinson, chairman, Pastoral Lands Board.

Hon NIGEL HALLETT: So they are walking away from that now?

Mr Brown: Going by that, they are. This is what we went and got the money from the bank for. We showed them this —

The CHAIRMAN: The bank was quite willing to lend on the basis of that?

Mr Brown: From the Pastoral Lands Board, yes.

Hon NIGEL HALLETT: What is the bank's response now?

[12.50 pm]

Mr Brown: I asked them that. I said, "What comments are you going to make about it?" And they said, "Really we are going to leave it up to the banking association, what they think of it and they

will decide whether you are taking the easy way out.” This is what they were lending the money on—2062.

The CHAIRMAN: Would you be happy to allow us to have a copy of that letter that we could take into evidence from you?

Mr Brown: Yes certainly.

The CHAIRMAN: That would be great. We will organise for a photocopy of that at the close of this hearing. That would be terrific. It would be very helpful.

Mr Brown: Yes, but the bank does request its office —

The CHAIRMAN: Yes, but it would just be great if we have that piece as evidence for the hearing.

Mr Brown: Sure.

Hon NIGEL HALLETT: Richard, just going back to the bank’s attitude; I do not know whether you bank locally or in Perth, is there a cautiousness coming in if you want to go to go and develop another part of your station of advancing further money until this is sorted out, or not?

Mr Brown: I think the banks are being cautious towards pastoralists, to tell you the truth, I mean, with the live trade. That is really put a dampener on us. We have not sold any large numbers for two years now, of sheep, which has really taken a toll. I mean, we are lucky enough that we have got a few assets, but if we did not have them, I do not think the bank would be looking too brightly at me because I have not sold hardly any stock in two years?

Hon NIGEL HALLETT: Are you de mares?

Mr Brown: Yes.

Hon NIGEL HALLETT: They are being hammered.

Mr Brown: Yes very. It has been very hard. We were actually signing our own meat, at one stage. We were going up to Karratha, signing it up through there out of a killer van.

The CHAIRMAN: Did you have to get a licence for that?

Mr Brown: Yes.

The CHAIRMAN: What was the process for that or dare I not ask?

Mr Brown: It was a lot easier than the Department of Water, I can tell you that.

Hon DARREN WEST: Food is good, but not water!

The CHAIRMAN: So you are still running what they call small stock units, I have now come to learn in the last few days.

Mr Brown: Yes.

The CHAIRMAN: So do you have a problem with dogs and other ferals on your property?

Mr Brown: Yes; dogs are our major concern. They are definitely coming in more and more. We have got a program between probably 10 stations around us where we do four major baiting drives a year. The racks are actually on our station. I mean, we do four times a year of a major dry. We do a lot of dog trapping ourselves.

Hon DARREN WEST: Have you got a fence there or something to chuck them on? Is there an old fence somewhere or have you put up a fence to trap them on?

Mr Brown: No, we just trap them. Because we were the last farm out where we were farming originally, we always had dogs there as well. So, I have been chasing dogs for a long time. They have always been there, but the number more is a lot more.

Hon NIGEL HALLETT: What would you estimate your losses at, Richard?

Mr Brown: Because we had the live sheep trade, there was not a loss. You could get them on the boat without the dog bites because they were overseas. Now, we try to sell them domestic. You could be up to 50 per cent because if you get a dog bite on it, same as a cattle, get a dog bite on it, they do not want to know about it. That is it. The beast or the small stock is finished.

Hon NIGEL HALLETT: So you're having to sell your sheep through WAMMCO?

Mr Brown: No. We did send some down to Beaufort River and it is just not economic for us. It is a waste of time. Unless we can get that live sheep trade going again —

The CHAIRMAN: So at the moment your sheep are just there and you are not doing it until you can get some resolution to the live exports?

Mr Brown: Yes, we have been looking at other markets. We have been negotiating with a meat market person in Malaysia, so we are pretty active in what we do. We do not sit around.

The CHAIRMAN: For live export or chilled meat exportation?

Mr Brown: Chilled. We made contact with the meat market in Malaysia. We had a phone call and, hopefully, we can meet with them next week. So, we are pretty active in what we are doing and that is for goats as well as sheep.

The CHAIRMAN: Are there other feral animals that you have problems with in this region? We heard yesterday—we were in Kalgoorlie—there are camel problems there as well.

Mr Brown: No, we have not got any camels, no donkeys; anything like that. Dogs are our major problem. They weigh and grade our sheep at Beaufort River, and as soon as they see a dog mark off it, the whole sheep goes down.

Hon DARREN WEST: It is all behaving badly, the process as it is at the moment. You mentioned the draft lease before you got there. Can you tell us what your views are about the lease?

Mr Brown: The preservation permits, there is nothing to mention anything about them in our lease; what will happen to all our leases that the permits we have got. We can pay insurance, but we will never be able to get a claim on it. Our homestead is 112 years old. The insurance company does not want to know about it. And pollution things like that—contamination. I reckon 98 per cent of the stations have had contaminations from 100 years ago and now all of a sudden it has become my responsibility. That is how I bought it. Any normal landlord—it is their responsibility, not mine. If the contamination was there when I bought it, should not it have been fixed then? Do not go changing the rules now after I spent millions of dollars, and still expect your lease money to turn up because if I do not pay my lease on a certain day, I get a termination bill.

Hon NIGEL HALLETT: So you are concerned about the threat of termination in the lease?

Mr Brown: Very. Animal welfare—you only need someone with a camera these days for something to go wrong, out of your hands, and next minute you are gone.

The CHAIRMAN: Have you had any issues with any of the environmental groups in relation to —

Mr Brown: No, I have got a sign on my gate saying “no unauthorised entry”. I have only got one way into my station; I am very fortunate. Come through my homestead and I have got “no unauthorised entry” on my front gate, purely because I am worried. We should not have to live like this. Our home is our place. There was a fair bit on the rangeland monitoring in our first lot, but it is only my wife and myself who are running 250 000 acres and we were very happy for the ag department to be doing it and they were doing a good job and if we do not care for our land ourselves, we should not be there. We should not be there and we will not be there because we will have nothing to sell. If we do not look after our land, we are bugged. That is the same with wheat farming, anything. If the farmer does not look after his land, he has got nothing.

Hon AMBER-JADE SANDERSON: Did you say that you were happy with the ag department's assessment of the lands?

Mr Brown: Yes, we were. We had the local officer—I think he is in the room tonight—come out a couple of times. He actually said that our rangelands are improving. We have adopted a different management plan. We do rotational stocking and can shift our stock around. Since we have been there we have opened up more land that was never open by putting extra water out there. With rotational stocking and paddock management, we can send stock to all different parts of the station. We control our stock very well now.

The CHAIRMAN: There is no active monitoring going on by the department now is there?

Mr Brown: No; it is supposed to finish in 2015 when the new lease is up.

Hon AMBER-JADE SANDERSON: That is a concern.

Mr Brown: That is a concern. It is actually 2015 because we have the lease and in our lease agreement they have to do it until 2015. It is not in the new lease. We should be working together with government departments, not fighting each other.

Hon NIGEL HALLETT: Where are you going to go with this lease now, Richard?

Mr Brown: I am not going to sign it. To me it is suicidal. We have enough trouble. I have been dealt a mean blow and it is not healthy for me.

Hon NIGEL HALLETT: No.

[1.00 pm]

Hon DARREN WEST: The minister has charged some people to go back and have another go at this. What would you say to them?

Mr Brown: Come and talk to us. Come and see what it is like living out there. We work 13 hours a day, every day of the year. Come and talk to us and see what it is like. Come and live with us for a while. I would love them to come to my place. I reckon I would wear them out pretty quickly. We look after the land and I am sure we pastoralists can tell them how we feel it should be done in a fair manner. It has to be fair. Sitting in an office in Perth writing a document is a long way from being out here looking after our land. It is Australia; it is our land. All of it is our land to look after. Closing bores down and letting stock die and things like that because of the artesian basin was absolutely criminal. That was a government department. Come and work with us.

Hon NIGEL HALLETT: How close to you were the stations that were affected by that closure?

Mr Brown: One was across the road. Thousands of stock died. Kangaroos that had been going there for centuries died. That is the cruellest act that I have ever seen.

Hon NIGEL HALLETT: I agree with you; I was appalled. What effect has that had on feral animals on your place?

Mr Brown: They left that land and congregated on ours. They come from the east, down the rivers. All the kangaroos, emus, feral dogs and rabbits chase water. They will go across to eat but then come back to our land. Every year migrating birds would come there, but they have disappeared. It has caused a lot of harm. They said they left a few bores open for troughs, but if you have a thousand sheep drinking there, the budgies are not going to come and drink there at the same time. They are all competing for the one little waterhole now.

Hon NIGEL HALLETT: As a then station owner, did you contact the RSPCA?

Mr Brown: No, we did not witness it. As you have probably noticed, I am not a fan of government departments. When I was farming I had a seven-year fight with CALM about swapping some land and things like that. It goes back a long way with me and government departments. I am pretty headstrong and I like to see through what I think is right. I like to do the best for my family and the land. When I was farming I cleared all my land, but along every fence line and every creek line I had trees and shelter belts. That is how it was. I do like my animals; in fact, I love my animals. No-

one cares for animals as much as we pastoralists, because if we do not look after our animals we have nothing. It is exactly the same as the land. We have nothing without our land and our animals. We can have tourism, but it is not going to see us through.

The CHAIRMAN: I think that has given us, not a pretty picture obviously, but it has given us a good picture of what is happening, in particular in your area. Thank you for taking the time to come and speak with us today. We do appreciate it.

Mr Brown: Thank you for listening.

Hon DARREN WEST: Good luck with the new ventures.

Mr Brown: Thank you.

The CHAIRMAN: That is the end of our hearings for today. Thank you for your interest and attending.

Hearing concluded at 1.05 pm
