

**STANDING COMMITTEE ON PUBLIC ADMINISTRATION
AND FINANCE**

LAND INQUIRY

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
ON WEDNESDAY, 27 NOVEMBER 2002**

SESSION TWO

Members

**Hon Barry House (Chairman
Hon Ed Dermer (Deputy Chairman)
Hon Murray Criddle
Hon John Fischer
Hon Dee Margetts
Hon Ken Travers
Hon Sue Ellery**

[1.45 pm]

HOUGH, MR KIMBERLEY

**Farmer,
examined:**

The CHAIRMAN: On behalf of the committee, I welcome you to the meeting. You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

Mr Hough: In a fashion.

The CHAIRMAN: In a fashion?

Mr Hough: It is as clear as mud.

The CHAIRMAN: Which parts do you not understand?

Mr Hough: Quite a lot. It seems that everything is in favour of the committee, and not the people who are putting forward evidence.

The CHAIRMAN: These proceedings are being recorded by Hansard. 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 the microphones and talk into them so that your comments can be recorded. 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 premature publication or disclosure of public evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. Would you like to make an opening statement to the committee?

Mr Hough: No. I have had these notes printed and I do not want to waste time.

The CHAIRMAN: We have a copy of those notes, but none of the committee members has had time to read them yet. Would you like to paraphrase them briefly and state your case?

Mr Hough: These are my thoughts. I thought that freehold land meant that it was free of any hold, which means you can clear it, put bores in, dig dams, drain or deepen swamps and carry on certain types of mining. If not, the Government is misleading the general public. First, a property owner should be able to earn a living from his chosen occupation or carry out the abovementioned activities on his land. If not, the Government is breaking the law by denying owners the right to earn a living.

The reasons for clearing the land are: to earn a living to help feed and clothe the people of the world by growing crops and vegetables and by breeding cattle and sheep; to prevent bushfire danger; to clear out noxious weeds and vermin; to alleviate possible areas of criminal activity, such as growing drugs; and to control livestock. Owners of land must have access to water, be it dams, bores or swamps, and must be

able to deepen or drain them for stock and crops. Mining farmers should be able to mine or sell sand, gravel, limestone, peat, clay etc. Compensation is a hard case because people have different values for their land. Government bureaucrats and academics are stymying economic and primary industry growth by putting on these restrictions. Government departments have broken the law by denying persons the right to earn a living in their chosen trade, occupation or profession. Government departments are discriminating by not allowing them to use all their land; committing sabotage by destroying economic and private primary industry growth; and committing treason by getting involved in internal agreements without consulting the people who will be affected - for example, farmers, miners and those involved in the timber and fishing industries.

Farmers are committed to feeding and clothing the people of the world. If there are more restrictions and penalties, there could be a rebellion in the bush and they might deduct a percentage of rates and taxes to account for the land they cannot use. Sometimes rebellion leads to revolution.

The next part of my statement is private, so I think members can read that.

The CHAIRMAN: Can you give us some specific examples to help the committee understand your position?

Mr Hough: About what?

The CHAIRMAN: In other words, what has happened to you on your property that has led to you make these statements?

Mr Hough: There are clearing restrictions. Then a policy came in for the wetlands. In December they took photomaps of the Swan coastal plains and they were that far out of whack that even football grounds and sporting grounds were covered in green. Now they want to take a lot of these wetlands. We call them our summer pastures. If you take them away from us, the properties will be absolutely worthless. If the Government wants the land, it should buy the properties, but it should not expect us to carry the basket.

Hon SUE ELLERY: Where is your property? How big is your property?

Mr Hough: I have 523 acres.

Hon SUE ELLERY: What region are you in?

Mr Hough: I am in the Harvey shire.

Hon DEE MARGETTS: I assume that when you spoke about bores, you were referring to some of the new changes to the rights in water and irrigation.

Mr Hough: Yes. They have tried to divide the Harvey shire into sections. A few years ago it said that it wanted this area for vegetable growing and that area for dairying and so on. It more or less said that people could not grow vegetables in this area, because the vegetable growing section was over there. People could not put in a deep bore. Some of that has changed. We had a meeting and I asked why everything should be in specific sections. For instance, if a farmer gets a disease in his potato crop in this area, it will wipe out the whole area. If farmers are spread out, that one property can be isolated.

Hon DEE MARGETTS: How long have you had the property? Was it largely uncleared when you purchased it?

Mr Hough: I bought it in 1994. I have had farms for most of my life. It was bought by a company called WESFI. It had the idea of planting trees, but that fell through because it felt that this was not the soil for the trees. It sat there and the land went backwards and regrowth started. I removed the regrowth and got it back to its original state before the company bought it.

Hon DEE MARGETTS: Over what period? How long ago did WESFI buy it and clear it?

Mr Hough: It did not clear it. It had been cleared previously.

Hon DEE MARGETTS: How old was the regrowth?

Mr Hough: I do not know.

Hon DEE MARGETTS: It is not within your memory?

Mr Hough: No.

Hon DEE MARGETTS: When did you clear the land?

Mr Hough: I did a bit. It was mainly tea-trees and rushes.

Hon DEE MARGETTS: Around the wetlands?

Mr Hough: Over the good pasture lands.

Hon DEE MARGETTS: Did you make any application to do that?

Mr Hough: Yes. I put in an application, but it was for a different matter. Drug dealers were putting in crops behind a swamp.

Hon DEE MARGETTS: You put in a notification to clear tea-trees and the wooded areas around the wetlands.

Mr Hough: It was just around the swamp, where they had put in a cannabis crop.

Hon DEE MARGETTS: Did you get approval to clear?

Mr Hough: Yes.

Hon DEE MARGETTS: How much clearing was done?

Mr Hough: It was about an acre.

Hon KEN TRAVERS: You have given your definition of freehold. You heard the evidence of the previous witness and his views on freehold, which I suspect differ from yours. Do you have a comment to make about that? Were you surprised about that?

Mr Hough: I know that freehold means that there is no debt owed on or caveats over the property. That is misleading, because when it says free, it means free of any hold. People can clear land, dig a dam or put in a bore and they can do whatever they think is right.

Hon KEN TRAVERS: That is your view. You heard the previous witness make the comment that the Crown owns all the land. Were you aware of that previously?

Mr Hough: No. As far as I knew, when a person buys a farm and his name goes on the title, it is his. I know that there are mining rights and that people do not own the minerals under the ground.

Hon ED DERMER: I think Mr Hough's position is perfectly clear. It does not need further clarification.

The CHAIRMAN: Are you on the Harvey irrigation scheme?

Mr Hough: No.

The CHAIRMAN: You must come close to the area serviced by that scheme?

Mr Hough: I suppose it would be about 10 kilometres away. Last year was a terrible example. Swamps went dry and a drain goes through that area. I had to dig in it to get some water for stock because I have only a couple of windmills to supply the rest. I dug a few holes for my stock water. This is unusual. I dug out one tiger snake, one jilgie and one long-necked turtle. This year has been a dry year. The water in those swamps has not been made up this year. A couple of drains into it have never had a drop of water run into them. It has not made up from last year's dry year.

The CHAIRMAN: You put it down purely to seasonal conditions; that is, the succession of dry years.

Mr Hough: Last year was the driest year I have ever seen in my life and I have lived in the south west a long time. If those swamps had been deepened, a lot of things would not have died. I do not know how it fathered jilgies or how they stayed alive, but I found the remains of turtles around troughs because they could not get to the troughs to have a drink.

Hon JOHN FISCHER: Has a lot of water been taken from any areas near you? Are there any irrigation areas around you?

Mr Hough: Not within 10 miles. People on Old Coast Road pump water from their bores to water their vegetables.

Hon JOHN FISCHER: You are about halfway between Old Coast Road and Harvey.

Mr Hough: Yes, in that strip.

Hon DEE MARGETTS: The only way for a dam to be effective, especially in a dry season, is to find a stream or rivulet to catch water in those circumstances.

Mr Hough: No. There is water; you do not have to go that far down. Some people were interested in buying land to plant some trees, so they dug holes to test the water. They said that if they could get water at four metres, they would be right. A lot of them got it.

The CHAIRMAN: I think we have a good understanding of your position. Would you like to say anything in conclusion?

Mr Hough: We are having problems with government department red tape. My three sons have said, "What is the good of this? We are not getting any younger; we are getting older." One day we might have a big void and there will be only old men trying to manage the land. If I were under 40 years of age, I would say, "Let us look at South America or somewhere else and try to make a farm."

[2.00 pm]

Already, miners and timber workers are leaving the country. A lot of reserve is around us, even where we are. Much of it has not had a fire through it for years. We usually put out the fires; we arrive at the fires before the Department of Conservation and Land Management or anyone else.

The CHAIRMAN: Thanks very much for your time and your input.