

Unfair trading practices

We are pastoralists who have to follow particular rules and pay certain fees and charges for our land. We must deal with many different departments to prove that we are following all the rules and procedures. On top of this we are faced with mining companies who can 'buy' a lease and do whatever they please –depending on if they are “reasonable” they may contact us about the disruption but many do not. Prospectors also add to this and because they pay a fee for the permit they believe they have full access to the whole property and do not need take any notice of roads being unavailable to them or being wet /washed out.

This appears to us to be an unfair trading practice. We are a small business trying to raise cattle and yet we can be trampled by mining companies and prospectors who at the end of the day still have their own home to go to and their job is not at risk every time someone does something silly. The station is our home and our livelihood. We employ our staff and do everything we can to keep them safe and yet we are forced to accept miners and prospectors pleasing themselves.

If a road is on a map they believe it is a public road. This is not the case we build and repair these roads at our expense so we can check our windmills. The expense comes to us - the money for the permit does not, any 'found' profits do not and the money the mining company makes does not. We do not get any compensation for ore on our property and rarely for damage caused to our infrastructure because it 'wasn't them!'

We built the road for our one vehicle to travel twice a week in summertime, once a week in winter so in total approximately 78 traverses per year. With this low level of traffic the road stays safe for several months and the cows are not endangered on the road. Mining companies often bring upwards of 5 vehicles and travel to and from each day for several weeks so this “allows” approx. 7 days of travel before it has had 12 months of activity. After three weeks it is generally so rough as to be impassable by ourselves for checking the windmills and so we are forced to rebuild it or risk breakdowns on the road... costing even more time and money and risking the safety of our workers. Amazingly they are quick to complain that the road is rough when travelling at 90 to 100km per hour –to be home in time to knock off. This is even more unfair to us because at these speeds they are very likely to crash or run into a cow (our asset).

Both prospectors and mining companies have found to their delight that they can “go anywhere” on a motorbike/ 4 wheel buggy --- so now they are also going all over the place off the road as well. The grass we pay for (for our animals to eat) becomes churned up beach sand in no time. I have also had people tell me to my face that although they have agreed on the permit that they will not carry guns, they have just bought their shotgun with them in case of dingos. This does nothing for the safety of ourselves, our workers or our cattle.

Mining companies that set up mines believe they are saving the economy of WA and this in their minds over-rides any other consideration. We are producing food this should also be seen as an important job. Mine sites exclude our ventures and call us to remove our cattle –they built the mine and campsite (in the paddock) they should have organised a fence to keep the cattle out.

In summary all of this activity is mining companies and prospectors doing what they want to do. We are forced to accept the exploration, the interruption and the destruction that comes along with it. Then we get inspected by DPIRD and we are found to be at fault because the grass has not grown or the ground has washed out... bulldozers and motorbikes are what are causing these problems not cows.

We do not want all this activity on our leases but we have been told by mining company representatives that, "We have the government backing us and you can't stop us from doing what we want." Adding an enormous fee to the objection process certainly makes this seem to be the case – we do not support the introduction of a fee for objections. WE are the people who are forced to deal with this department and mining companies (and therefore the objection process.) It is absolutely unfair to insist that we participate in this procedure and pay a \$859 fee on top of the disruption to our business.

We are extremely frustrated that although the property has been leased to us it can also be leased again and again to mining companies and prospectors. The rules they follow are not relevant to our business when they should be. Traditional owners are consulted on every step the miners take but not us. How will it affect us to close down a third of our country to keep the cattle out of a mine? I would say it will come very close to breaking our business, how is this new venture going to help us – not at all. They have offered us nearly \$5000 a year to shut down our property. They seemed surprised when I said it costs \$5 an hour to park my car in the city –the connection is that the value of \$5000 a year is pathetic. Surely it is worth more than a month in a car park, it is thousands of acres, home to hundreds of cows and calves. \$5000 a year will cover approximately 7 cattle we are unable to breed but it won't be enough to cover the rents and rates we are required to pay to be able to breed these animals.

The mining companies hire many lawyers and are very keen to get us to sign their documents but asking them to pay for us to get legal advice is apparently quite unreasonable. So I suggested that we do not want your mine at all so we will not sign your papers at all. The next suggestion was for \$5000 for legal fees –is this reasonable? I don't know. I don't have a lawyer on staff to ask but I would guess they will be approximately \$400 an hour so the paperwork will need to be very basic! We believe this is also an unfair trading practice. If we don't want it why should we be required to pay for not having it? If they want to be fair they need to cover the legal fees and make us an attractive offer that will at least cover the income we will lose.

We believe that the mining companies as large businesses are trampling on the small businesses that hold the leases. Conversations, negotiations, discussions are all attended by lawyers all keen to save the big business some money. We can not compete in any way because they are bulldozing their agenda while we are still trying to run our own business, not waiting in an office with a lawyer for the latest suggestion.