

30/07/2019

Mr. John horsley

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To- Hon. Adele Farina, chair

Standing Committee on public administration

Inquiry into Private Property Rights

Dear Ms. Farina

I the owner of the property of the address mentioned above, being lots m2051 and m2052 of which constitutes approximately 815 acres or 330 hectares, wish to convey to the committee the absolute distress and disillusionment of the effect of environmental laws currently enacted within my shire. These laws are restricting and prohibiting any development of the majority, approximately seven hundred acres of my property and has greatly impacted on my physical and mental wellbeing.

My property was my superannuation and legacy to be inherited by my family on my death. Under current environmental legislation, neither myself or my family in inheritance will see the property deliver its full potential due to severe restrictions applied. My council land rates rise un-abated, while the earning capacity is nil and no hope of matching anything remotely close to it.

The council knows from its own surveys that the area in which my property is located is agriculturally un-viable. I have property's bordering me that were sub-divided into 5-acre small holdings, but I am denied the same privilege. I was constantly told by councils planning department for some approximately ten years up until approx. three years ago that I was in a priority area for development, but then with a rate notice I was told I would no longer be considered for development due to environmental impact. It was at this time that I found out how legally weak FREE-HOLD TITLE was.

I had previously operated in conjunction with a local contractor a sandpit of which a royalty was earned for approximately 15 years up until an offer of purchase was made by a developer in approx.2007 and the pit was ended by virtue of final deposit to purchase. Unfortunately, the sale was reneged upon and some time later in early 2008 the sale fell through. Since then and especially since the environmental review was enacted, interest in the property has diminished to zero and any resources that occupy the property are locked out.

The irony of the whole situation is that when my parents bought the property from the MIDLAND RAILWAY CO. back in 1953, they also had to pay for the TIMBER RIGHTS which acquired a timber brand, so that to retain all that was still remaining on the property. Some years later it was extinguished and fast forward to today and it has been, along with anything else that is growing on the property, removed from my ownership to an entity that neither contributes to my council rates or legally responsible for it. I have been completely hamstrung to the point that I can't develop

agriculturally, I can't sub-divide as my neighbors have or access any resource on the property, but expected to pay ever increasing exorbitant rates.

To date there has been no offer of compensation or offer of purchase from any Government or environmental entity and why do they need to. It doesn't cost them anything. Under current law they merely just have to wait for me to die or go bankrupt for them to pick my property up cheaply. Joseph Stalin would be proud, he had to shoot them, they found a more diplomatic way. The pen is mightier than the sword, an asset has been turned into a liability in one foul swoop.

I would make myself available if the committee wishes me to address it.

Yours Truly John HORSLEY