

MEDIA RELEASE

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HUNGER STRIKE FARMER HIGHLIGHTS EROSION OF PRIVATE PROPERTY RIGHTS IN AUSTRALIA

State and Federal environmental regulations are undermining property rights across Australia, according to the free market think tank the Institute of Public Affairs.

New research released today by the IPA highlights that in New South Wales alone there are at least a dozen state government statutes and regulations that take away land owners' rights to use their property. These total at least 700 pages.

"The hunger strike of NSW farmer Peter Spencer, who is demanding compensation for the reduction in the value of his farming land by government regulations, highlights this significant issue," said John Roskam, Executive Director of the Institute of Public Affairs.

"State governments are violating the basic right to property of thousands of landowners across the country. Private property rights are human rights just as much as freedom of speech and freedom of religion," said Mr Roskam.

"It is a fundamental principle that property owners should be compensated when they are stopped from using their land as they choose.

"The reported comments of Minister for Finance and Deregulation Lindsay Tanner that 'the commonwealth would face massive expense if it compensated farmers' reveals the potential billions of dollars of property value which has been appropriated by these laws," said Mr Roskam.

The statutes and regulations that take away rural landowners' rights to use their property in NSW are:

- *Native Vegetation Act 2003*
- *Environmental Planning and Assessment Act 1979*
- *Plantations and Reafforestation Act 1999*
- *National Parks and Wildlife Act 1974*
- *Forestry Act 1916*
- *Forestry and National Park Estate Act 1998*
- *Threatened Species Conservation Act 1995*
- *Environmental Planning and Assessment Act 1979*
- Tree Preservation Orders
- State environmental planning policies:
 - *SEPP 14 - Coastal Wetlands*
 - *SEPP 19 - Bushland in Urban Areas*
 - *SEPP 26 - Littoral Rainforests*
 - *SEPP 44 - Koala Habitat Protection*

Property confiscation by state governments is not confined to rural areas. For more than sixty years the IPA has been monitoring the many laws which intrude on property rights. In urban areas, heritage laws and planning restrictions prevent property owners from using their property as they choose.

The IPA has previously argued state governments must provide compensation whenever they appropriate property rights. State constitutions should be amended to guarantee such a right.

For more information and comment:

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