

**40TH PARLIAMENT**



## **Report 30**

### **STANDING COMMITTEE ON PUBLIC ADMINISTRATION**

#### *Inquiry into Private Property Rights - Extension of time*

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Presented by  
Hon Adele Farina MLC (Chair)  
February 2020

## **Standing Committee on Public Administration**

### **Members as at the time of this inquiry:**

Hon Adele Farina MLC (Chair)

Hon Darren West MLC

Hon Ken Baston MLC

Hon Jacqui Boydell MLC (Deputy Chair)

Hon Kyle McGinn MLC

### **Staff as at the time of this inquiry:**

Ms Lisa Penman (Advisory Officer)

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# **Inquiry into Private Property Rights**

## **Extension of time**

On 12 June 2019, the Hon Rick Mazza MLC moved that the House:

- (a) recognises the fundamental proprietary right of private property ownership that underpins the social and economic security of the community
- (b) recognises the threat to the probity of the Torrens title system, which guarantees disclosure, and re-establishes the necessity for registration of all encumbrances that affect land including environmentally sensitive areas, bushfire-prone areas and implied easements for Western Power that currently sit behind the certificate of title
- (c) recognises the property rights of government-issued licenses and authorities including commercial fishing
- (d) asserts that fair and reasonable compensation must be paid to the owner of private property if the value of the property is diminished by a government encumbrance or resumption in order to derive a public benefit; and
- (e) directs the Standing Committee on Public Administration to conduct an inquiry into the matters described above - with them as its terms of reference - and to report to the House within nine months of the date of the referral.

The Standing Committee on Public Administration (Committee) commenced the inquiry into Private Property Rights in June 2019. The reporting date is 12 March 2020, being the last sitting day that is no later than nine months after the date of referral.

On 12 February 2020, the Committee resolved to seek an extension of time in which to report to the Legislative Council. The Committee has received a substantial amount of evidence, including 85 submissions, and is holding further hearings with government agencies this month. The inquiry deals with a diverse range of complex issues, and the wide variety of evidence received reflects this complexity.

An extension of time will enable the Committee to assess and deliberate on the significant amount of material received, so as to properly discharge its reporting obligations to the Legislative Council. The Committee therefore requests an extension of time in which to report from 12 March 2020 to 24 September 2020.



Hon Adele Farina MLC

**Chair**




## **Standing Committee on Public Administration**

### **Date first appointed:**

12 June 2019

### **Terms of Reference:**

That the House —

- (a) recognises the fundamental proprietary right of private property ownership that underpins the social and economic security of the community;
  - (b) recognises the threat to the probity of the Torrens title system, which guarantees disclosure, and re-establishes the necessity for registration of all encumbrances that affect land including environmentally sensitive areas, bushfire-prone areas and implied easements for Western Power that currently sit behind the certificate of title;
  - (c) recognises the property rights of government-issued licenses and authorities including commercial fishing;
  - (d) asserts that fair and reasonable compensation must be paid to the owner of private property if the value of the property is diminished by a government encumbrance or resumption in order to derive a public benefit; and
  - (e) directs the Standing Committee on Public Administration to conduct an inquiry into the matters described above - with them as its terms of reference - and to report to the House within nine months of the date of the referral.
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