

W.A. Property Rights Association (WAPRA) Inc

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United we stand – Divided we fail

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Got a story to tell?

Contact us with your details.

Leave a message if no one is in the office.

Are you interested in setting up a Property Rights Group in your area?

If you are please contact us and we will do all that is possible to assist you.

Protecting your property starts with you!

Matt & Janet Thompson and how the Government Bankrupted them.

Matt and Janet Thompson left the United States and came to Australia in 2001 with three things: their 11-month-old daughter, their life savings, and a dream. The dream was to build their own business – a beef cattle feedlot – something both had worked hard for all their lives. They dreamed of carving out a living for themselves while growing their family and enjoying life in regional Western Australia.

The Thompson's came to play by the rules – and to raise the bar on environmental, animal welfare, and beef production standards. Matt and Janet were on hold over a year getting environmental approvals to begin with; they were approved to build a 15,000 head feedlot 4.5 kilometres south of the Narrogin townsite, in a rural zoning. The Thompson's then proceeded to build the feedlot to 10,000 head capacity, hired upwards of 20 full time equivalent employees, and purchased close to \$10 million worth of inputs annually, mostly from locals.

When they applied to operate the final stage of development (up to 15,000 head of cattle as originally planned and approved, and with the ongoing support of local government and local people) the state's Department of Environment and Conservation (DEC) changed the rules of the game. Because of a vocal minority (fewer than 20) complaining about odour, the DEC increased license conditions from 8 to a draconian 33, and limited throughput to 6,000 head. That was an untenable position, and the Thompson's told regulators on numerous occasions that they could not cash flow the investment at the reduced occupancy rate. The same Government Department that had given them approval in 2002 shut them down anyway. The business now lies empty and quiet. No employees, no economic activity, and no end to their battle in sight.

Rather than enjoying the fruits of their hard work and risk-taking, and operating a thriving business that proved successful value-adding onshore in a regional town, Matt & Janet owe millions of dollars to good people who trusted them enough to do business with them. Their family of employees are scattered, with one family break-up and another suicide. Creditors, including local farmers and businesses, are hurting from the unpaid invoices. The Thompson family, now four children strong, all Australian citizens, risk losing their home, their vehicles, and their freedom to do business in future. The dream has turned into a nightmare.

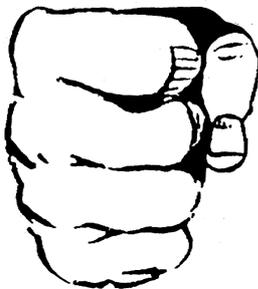
Peter Spencer lost everything

**QUESTION EVERYTHING!
ASK, ON WHAT BASIS OR
EVIDENCE IS A DECISION
BEING MADE ?**

BE WARNED !

**ALL PROPERTIES
THROUGHOUT THE
STATE OF WA
ARE UNDER
ATTACK**

**YOUR PROPERTY IS
UNDER THREAT
FROM
RESUMPTION,
REZONING
OR
QUARANTINING**



**STOP THE
LAND GRAB**

There are a number of farm landowners in Australia who would appear to have been deliberately targeted as 'test cases' by State and Federal bureaucrats using tough new planning and conservation regulations. Peter Spencer is certainly one of them.

His great grandfather took up 'Maragie' in the Australian Alps in the 1830's. This property was taken by the NSW government and disappeared into the Kosciusko National Park in the 1970's. Peter bought the highest farm in Australia, the 20,000 acre 'Saarahnlee' as a replacement in 1980, and immediately set about developing it as an eco-farming showplace.

He soon came into conflict with the Native Vegetation Act. He was unable to clear trees beneath his new wind turbines, and he was refused permission to graze his sheep, or even to grow trout. Eventually the entire property was 'blighted' and he was left entirely unviable and uncompensated.

His first glimmer of hope after 13 years of fighting both the Federal and State Governments, came around Christmas 2007 with two landmark court judgements. The first in the NSW Supreme Court allowed his case against the NSW Government to proceed and the other in the Federal Court agreed that he be permitted to proceed against the federal government.

These cases will have enormous consequences as they develop, eventually flowing through to local government for rating landowners who were prevented by higher legislation from using their land. If he can win, Peter will set a precedent for claiming some of the millions of dollars worth of carbon credits for which our governments now assume ownership. His case should be of concern to all Australian landowners.

In sheer desperation Peter Spencer climbed to the top of a tower and went on a hunger strike, there he stayed for 52 days coming down on 13th January 2010 to raise his plight to the public.

On the 1st September 2010 the High Court 'granted Mr Spencer special leave to appeal and allowed the appeal with costs.

HIGH COURT OF AUSTRALIA

Email: enquiries@hcourt.gov.au Website: www.hcourt.gov.au

SPENCER v COMMONWEALTH OF AUSTRALIA [2010] HCA 28

"In 2007 Mr Spencer commenced proceedings in the Federal Court of Australia claiming that certain Commonwealth legislation and intergovernmental agreements had effected an acquisition of his property other than on just terms. Today the High Court held that the case should not have been summarily dismissed under s 31A of the *Federal Court of Australia Act 1976* (Cth), as it could not be said that Mr Spencer had "no reasonable prospect" of successfully prosecuting the proceedings."

"The High Court held that, in light of the decision in *ICM*, it could not be said that Mr Spencer had "no reasonable prospect of successfully prosecuting the proceeding". The Court granted Mr Spencer special leave to appeal and allowed the appeal with costs."

1st September 2010

Websites to watch!

www.wapra.org.au

www.agmates.ning.com

www.joannenova.com

www.climatesceptics.com.au

Google: Lord Monckton

Peter Spencer Tower of Hope Speaking Tour Dates

Monday 1st November

Perth

8pm–10pm

Building 210 Room 101

The Elizabeth Jolley Lecture Theatre

Curtin University

Kent Street

Bentley

Wednesday 3rd November

Gingin

7pm–9pm

Granville Civic Centre

Weld Street

Gingin

Thursday 4th November

Narrogin

7.30pm–9.30pm

John Higgins Centre,

Clayton Road.

Narrogin

Friday 5th November

Albany

7.30pm–9.30pm

Stirling Club

14 Stirling Tce

Albany

MAX SZULC

A battler, Mr Szulc, 62, shore sheep and worked the mines, developing his (or what he THOUGHT was his) block of land near Esperance in WA as time and money permitted. He cleared regrowth on his land, most recently 40 hectares of fire breaks, after an injunction was sought by DEC to keep Mr Szulc from using his property. It was these 40 hectares of firebreak that landed Mr Szulc in prison.

When the laws change in such a way that good, productive members of society are outside the law, then that is bad law.

JOIN WAPRA !

“IT IS ESSENTIAL WE
MAINTAIN A FIGHTING
FUND TO EXPOSE THE
DISCRIMINATORY LOSS
OF PROPERTY RIGHTS.

BECOME A FINANCIAL MEMBER !

WHEN
REPRESENTATIVES OF
THE GOVERNMENT
MAKE CLAIMS
AGAINST YOUR LAND
ASK WHAT ACT AND
THE SECTION THAT
GIVES THEM THE
AUTHORITY. THE
ANSWER MAY
SURPRISE YOU.

“IF THEY DO IT TO
A FEW THEN THEY
CAN DO IT TO
YOU”

Commentary on 'Core Issues'

- **The erosion of traditional property rights, the rise of pseudo, biased and manipulative 'science' coupled with Green fanaticism, political correctness and the loss of common law rights, have a common consequence - the destruction of individual freedom and initiative.**
- **Individual freedom and initiative are critical forces in the creation of wealth. Economies that foster them, thrive. Economies that remove them, rapidly decline.**
- **Western Governments are playing a significant role in this loss of freedom. Parliamentary procedure with its traditional checks and balances, is increasingly subverted by burgeoning bureaucracy and media driven hysteria. Elected Members and Ministers are easily confused by the sheer volume and complexity of legislation brought before them. Their reliance then on public service 'advice' enhances the status and power of an unelected elite. Representative democracy becomes a charade while the risk of official corruption is greatly increased.**
- **Government Agencies increasingly use Science as the basis and justification of new policy and regulations. However, grave doubts have arisen in recent years that science increasingly follows funding and that selective or even fraudulent data has been used to shape government policy. Similarly, Australia's commitment to international environmental treaties and protocols rests on the assumption that scientific data underpinning them, is sound. Yet too often, independent expert opinion is only admissible when it supports the stated objectives. Contrary views are ignored.**
- **Serious injustice to individuals is occurring as a consequence of new planning and environmental policies. The cost of legal representation prevents many from seeking redress.**