



**Killing Justice  
7 July 2008**

The Rann Labor Government has found a way to kill justice. Do nothing.

That is the tactic being employed to annex hundreds of hectares of freehold land without compensation or notification.

"A dangerous precedent is being set for all coastal freehold landholders who thought they were protected from this governments insanity," Member for Flinders Liz Penfold said.

Bryan and Dianne Smith of Coorabie have come up against a brick wall of inaction in their attempts to break the silence about issues relating to their freehold land.

As a member of the Fowlers Bay Progress Association, Mr Smith was aware of zoning changes in the area in 2007 and made inquiries as to how these would affect Fowlers Bay township.

At no point did he consider that his freehold land would be affected as the closest point is 2.5 kilometres from the coast.

While undertaking planning for a subdivision that was lodged on 8th august 2007, he later learned in February 2008 that 1370 hectares of his property had been rezoned Coastal Conservation Zone taking land up to 8.5 kilometres from the coast.

This rezoning took place on August 14th 2007, 6 days after they had submitted their application for sub division, presumably as a result of it.

Letters and emails from Mr Smith and from Member for Flinders Liz Penfold to Ministers have not been answered.

The issue was raised by Legislative Councillor Caroline Schaefer in Parliament on 29 April 2008 when the Minister for Urban Planning and Development Paul Holloway admitted he knew of the matter and said "I hope to have a response back to the constituent fairly soon".

Three months later and still nothing has arrived.

While the Minister did not reply to some of the questions raised, he said the rezoned plan was introduced on 14 August 2007 as an interim plan which gave people 12 months to comment, and could be confirmed on 14 August 2008.

What happens when the 14 August 2008 comes around and Mr and Mrs Smith's concerns have not been addressed, nor correspondence from them and Mrs Penfold answered?

Will they do exactly what they wanted to do and restrict without compensation this so called coastal land that is more than 2.5 km up to 8.5 km from the coast and whose will be next?

"Justice and commonsense for all are not part of this governments vocabulary, particularly if you live outside of the city boundaries let alone on the Great Australian Bight. If peoples rights to subdivide freehold land and to extend a township were denied elsewhere by way of reclassification of this magnitude, there would be an outcry. As usual we are too far away for this injustice to be seen to matter but an unjust precedent is being set for all", Mrs Penfold said.

ends