

From: [Sandra and Mark](#)  
To: [Public Administration Committee](#)  
Subject: Submission - Inquiry into Private Property Rights  
Date: Wednesday, 31 July 2019 7:39:44 PM

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My name is Sandra Dennett [REDACTED] I write this submission on behalf of my parents Mr Vincenzo & Mrs Isoletta Caruso and their family.

[REDACTED] was purchased by the Mr Vincenzo Caruso in 1989. The 53 hectare property was purchased with the idea that a small section would be put aside for the Caruso family and the rest would be developed or sold. Vincenzo cleared a small portion (approximately 3 hectares) of land and began planting fruit trees and vegetables for the use of his family. He had other plans including developing the site for various business or selling it at, what he knew would be, a substantial profit.

By 1990 he was told to stop clearing and to stop working on his property as the State Government had intention to purchasing the block from him. At this stage the land would likely have been identified for future urban. Vincenzo did the right thing and stopped all work on his land. During this time there were various offers from private investors to purchase the land but he could not accept any offers as he had to wait for the WAPC. While he waited he put he plans on hold and no longer worked in his beloved vegetable patch and no longer tendered to his fruit trees.

Part of the block became reserved as part of the 1994 Wungong Water Strategy then in 2010 the balance of the land became reserved. The consequence was that the land was now reserved. The Caruso family has been paying land tax and council rates on the property as well as fighting a expensive losing battle to keep it maintained and clear of rubbish at their expense for the past 20 plus years.

When the WAPC acquires land on bush forever sites they should provide maintenance to ensure the property is at a requisite standard to meet legislative requirements for fire control and local council regulations. This was left to Vincenzo and his family. Added to this effectively managing the land, which apparently had significant environmental value, was and still is impossible for the family to manage due to the un-authorized use of trail bikes and off road vehicles and other anti social behavior such as dumping of rubbish and arson. It has been difficult to meet these requirements. Government agencies stopped the development of the site, which is surrounded by Urban and Industrial land. Acquisition of the land would

enable the Department of Biodiversity, Conservation and Agriculture to commence active management of this property. The lot is reserved in the metropolitan region scheme for parks and recreation which the WAPC is the authority responsible for acquiring. The lot is reserved under the MRS and has a bush forever designation which will remain even if the property is sold.

Over the last two decades Vincenzo and his family have been fighting to receive fair compensation and it has taken its toll on his health and that of his wife. The WAPC had initially made an offer of \$400,000 which the family rejected as it was a ridiculous offer when compared to neighboring properties which sold for many many millions of dollars and all of which were promptly cleared of any vegetation and developed for housing. There were no environmental studies done over our land before it was reserved, nevertheless it was reserved to fit with the Jandakot Regional Park.

After hundreds of thousands of dollars in lawyers and Arbitration fees Vincenzo received some compensation for the small area he had cleared. The rest of the property was valued at \$0 and yet he still pays land taxes and council rates to this day awaiting the WAPC to make another unfair offer of payment. The distress continues to take its toll on the health of Mr and Mrs Caruso who are both 82. Mr Caruso now battles cancer.