



Private Property Rights Policy

Secure private property rights underwrite all human rights and allow strong democracies to flourish. The PGA exists to ensure that Western Australian landholders remain the primary decision-makers on their own land. Government agencies, corporations and others must respect the basic principles of land tenure, established as far back as the Magna Carta which was enacted in 1215 and has become the bedrock of legislation for Western democracies.

Detailed Policy Positions

1. Security of Tenure and Use

Security of tenure is the prerequisite for investment, productivity, and succession planning. The PGA insists that any government action that removes land from agricultural production, or that significantly hampers the “business as usual” operations of a farming or pastoral enterprise, must trigger a right to fair compensation. For pastoral lessees, the PGA calls for a statutory right of renewal for compliant leaseholders, at the option of the leaseholder, to make pastoral leases bankable assets.

2. Recognition as Land Managers

Landholders are not merely users of the land; they are its long-term managers, living on it with their families and employees. Government must recognise the critical role pastoralists and farmers play in biosecurity, pest control, fire management, and environmental and cultural conservation. Policy should support and resource landholders in this role, not obstruct them with impractical regulations.

3. Aboriginal Cultural Heritage

The PGA acknowledges the importance of protecting cultural heritage. However, legislative frameworks must be workable and must not grant powers that allow for the effective “ransom” of a farming business. Heritage laws must facilitate coexistence on the land, not create conflict or halt productive operations. Landholders must be genuine parties to any



consultation regarding cultural heritage agreements, and cultural heritage must not operate as a blanket veto over normal farming practices.

4. Fair Access to Resources – Including Water

The PGA asserts the right of landholders to fair and equitable access to the natural resources of their land, including water. Development opportunities—from irrigated agriculture to carbon farming—must be accessible to all enterprises, not just large corporate interests. Water allocation and land-use planning must be based on sound science, must recognise the prior rights of established farming and pastoral operations, and must not arbitrarily lock away productive capacity. The PGA opposes any move to impose restrictions that limit a landholder’s right to access and manage this critical resource, including under the new National Water Agreement.

5. The Right to Fair Compensation

When government action—whether through legislation, regulation, or policy—substantially diminishes the value, productive capacity, or lawful use of private property (including pastoral leases), that action effects a *de facto* acquisition of property rights.

The PGA calls on the Western Australian Parliament to enact a **statutory Property Rights Bill** that provides for fair and just compensation in such circumstances, regardless of whether the State chooses to acquire title formally. Without such a scheme, the community benefit of regulatory changes is borne unfairly by a minority of landholders, and governments have no incentive to pursue the least costly or most efficient pathway.

The PGA notes that while the Commonwealth’s *Section 51(xxix)* does not bind Western Australia, it provides a principled model of just terms that a State-based Property Rights Bill should emulate. The absence of a Federal constitutional right to compensation for regulatory diminution of freehold land only strengthens the case for a **State legislative solution**.

6. Opposition to Government Overreach and Dilution of Decision-Making Authority

The PGA will vigorously oppose any legislation, regulation, or policy—whether relating to resource extraction, renewable energy transmission, environmental offsetting,



“regenerative” farming mandates, native title settlements, town planning, or federal “Nature Positive” laws—that dilutes the authority of landholders to make decisions about their own assets. The title holder must remain the primary decision-maker on their land.

Summary

The PGA is committed to working with our members, all stakeholders, and all levels of government to build a policy environment that supports the growth, sustainability, and prosperity of Western Australia’s farming and pastoral industry. We will continue to fight, with every available resource, to defend the private property rights of our members and ensure that those who produce food and fibre for the nation are protected, not persecuted.

The Origins of Property Rights

The PGA’s commitment to private property rights is not a modern political position: it is rooted in principles that reach back to the Magna Carta, first signed by King John in 1215. That great charter set out to limit the powers of the Monarch—or, in today’s terms, Government. It codified the right to swift and fair justice, *habeas corpus*, the common law right to a jury of “your peers,” and, all importantly, the notion of “innocent until proven guilty.” The intent was to guarantee personal liberties and freedoms from being eroded by vested interests or powerful governments.

The Magna Carta established that no free person could be deprived of their property, liberty, or livelihood except by the lawful judgment of their equals or by the law of the land. This principle—that government power must have limits and that property rights are foundational to all other rights—has echoed through centuries of common law. The PGA strongly believes in these principles and the rule of law as the foundation of our agricultural sector.

Secure property rights underwrite all human rights and allow strong democracies to flourish. Sound property rights lead to businesses, individuals, and families investing with confidence over the short, medium, and long term. Without that security, the pastoral and farming families of Western Australia cannot plan for the future, improve their land, or pass on their legacy to the next generation.
