

Perpetual leases are registered Crown leases issued by the Minister for Environment and Heritage on behalf of the Crown in perpetuity. A large percentage of agricultural land in SA is held under perpetual lease tenure. As at 30 June 1999 16957 such leases existed and returned \$548 000 in rentals.

Functions performed by Crown Lands include the issue, amendment and cancellation of up to 28 different types of perpetual leases or agreements issued under [Crown Lands Act 1929](#) or associated legislation.

- While there is a policy restriction on the issue of new perpetual leases, new leases may be issued on division of existing leases.

Current policy requires leases in most cases to be freehold prior to division except leases issued under the War Service Land Settlement Agreement Act 1945 or leases in the defined transitional zone between the agricultural and pastoral lease country within the State

- Lease amendment occurs when land is added to or excised from leases, when rentals are amended, or when a condition or covenant is added or removed.

Lease rentals are set by the Land Board on advice from the Valuer General. Apart from a small number of revaluation (rental) leases, rentals were set in perpetuity at the time of allotment. Lease rentals are adjusted (up to a set minimum) whenever land is added to or removed from a lease.

- Lease cancellation occurs when a covenant is breached (eg non-payment of rent, abandonment) or when the lease is surrendered for other tenure (eg freehold, lease amalgamation).

Current policy is not to monitor or enforce any perpetual lease conditions, except those relating to the requirement to pay rent or other financial obligation. Uniform statewide policies and legislation now apply to matters such as pest plants and animals, soil and vegetation conservation, regardless of tenure. A renewed program of offering to convert perpetual leases to freehold title at a discounted rate has been in place since 1996.

- Formal consents are granted by the Minister for certain transactions (eg transfer or sublease of leases not issued under the [Irrigation\(Land Tenure\) Act 1930](#), consent as mortgagee)

Current Policy Objective

To treat perpetual leasehold land as freehold recognising the financial interest of Government and within the constraint that perpetual leaseholders are tenants.

For further information contact any Crown Lands office ([see Contact Details](#))

www.environment.sa.gov.au/mapland/crown_lands.html