

Cancelling a lease

The Minister for Sustainability Environment and Conservation may grant leases over unalienated Crown land under the *Crown Land Management Act (2009)*. A Crown lease can be cancelled for the following reasons:

- Breaching a condition of the lease;
- Abandonment of the land; or
- If the lease was obtained by false statement.

What if I no longer want the lease?

If you wish to surrender your lease, you will need to contact your local DEWNR office and submit an application form.

The surrender of a lease, or part of a lease, may be absolute or conditional on the granting of a lease or a fee simple title to the lessee. When the surrender of the lease, or part of the lease is:

- *Absolute*, then the land reverts to unalienated Crown land.
- *Conditional on the granting of a new lease or a fee simple title*, any registered interest on the lease will continue on all land included in the new lease or title.

DEWNR staff will inspect the land to ensure the site has been left tidy and clear of debris. The lease will not be cancelled until the site is in a satisfactory state. Clean up costs may be charged.

Application forms to surrender are available on the DEWNR website:

[www.environment.sa.gov.au/managing-natural-resources/Land/Crown lands/Forms and fact sheets](http://www.environment.sa.gov.au/managing-natural-resources/Land/Crown%20lands/Forms%20and%20fact%20sheets)

Completed applications should be sent to your local DEWNR office with the application fee.

Cancellation for breach of conditions

If the Minister is satisfied that a condition of a lease (including the payment of rent) has been breached, the Minister may cancel the lease providing either:

- The lessee has been given reasonable opportunity to rectify the breach and failed to do so (by payment of late rent due or by management of the land); OR
- The cancellation is necessary in order to prevent or arrest serious damage to, or deterioration of the land.

Abandonment

If a lessee no longer occupies Crown leasehold land the lease may be cancelled. Before a lease is cancelled for abandonment the Minister will publish a notice circulating throughout the state that identifies the leasehold land and specifies that the Minister intends to cancel the lease. The lessee then has one month to demonstrate to the Minister that he or she has not abandoned the land.

Cancellation for lease obtained by false statement

If a lessee has obtained the Crown leasehold by false statement the lease may be cancelled by the Minister.

Review and appeals

If you disagree with the cancelling of your lease, you can apply for a review of the decision. Refer to the 'Appeals and Reviews' factsheet for further information.



For more information

For enquiries, please contact the Department of Environment Water and Natural Resources:

DEWNR.CrownLandsEnquiries@sa.gov.au

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Phone: (08) 8204 1218

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PO Box 231, BERRI SA 5343

Phone: (08) 8595 2105 Fax: (08) 8595 2110

Regional Office - Kadina

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