

Review and appeals

The *Crown Land Management Act (2009)* allows some decisions made under the Act to be reviewed by the Minister for Sustainability, Environment and Conservation or appealed to court.

Ministerial Review

Non-valuation Ministerial review

Decisions for review include:

- The owner of personal property that has been compulsorily acquired;
- Receiving a remediation notice;
- A person who has been refused consent to lease dedicated land; and
- Receiving a notice to remove property or fixtures when vacating Crown land.

The holder of a Crown lease can request a Ministerial review on decisions, which include:

- Cancellation of a lease;
- Resumption of land subject to a lease;
- The inclusion of particular terms and conditions of a new lease where it has been issued because of a resumption of land;
- Being served a remediation notice;
- Being required to pay a financial assurance; and
- Receiving a notice to remove property or fixtures when vacating the land.

Valuation Ministerial review

The holder of a lease can request a Ministerial review for the valuation of their lease, for either or both of:

- The market rent applicable to the lease; or

- The market value of any improvements made to the land.

How can I seek Ministerial review of a decision?

Contact your local DEWNR regional office and send to:

Program Manager
Crown Lands – Urgent Matter
Department for Environment, Water and Natural Resources
GPO Box 1047
ADELADIE SA 5001

You must submit notify the department of your intent within 28 days of the date you received the decision. The review will be completed with 28 days of your application being lodged. The Minister may seek advice from an advisory committee. If no decision is made within 28 days, it will be taken that the original decision stands.

Further Action

If you are not satisfied with the result of your Ministerial review, there are a number of options available to you.

Non-valuation decisions

If you are not satisfied with the result of the non-valuation Ministerial review you can appeal to the Administrative and Disciplinary Division of the District Court.

Please see the Courts Administration Authority website www.courts.sa.gov.au for more information.

Valuation decisions

If you are not satisfied with the result of the valuation Ministerial review you have two options:

Valuation review

Apply to the Minister for a valuation review within 21 days of the outcome of your Ministerial review. This review will be determined by the Valuer-General or a panel made up of 3 professional land valuers. You will be given an opportunity to make representations on the valuation. The result can be a confirmation of the valuation or a changed valuation.

If you are not satisfied with the result of the valuation review, you can seek a valuation appeal.

Valuation appeal

You may seek a valuation appeal without having made a valuation review (as above), by applying to the Land and Valuation Court of the District Court.

Please see the Courts Administration Authority website www.courts.sa.gov.au for more 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

Regional Office - Berri

PO Box 231, BERRI SA 5343
Phone: (08) 8595 2105 Fax: (08) 8595 2110

Regional Office - Kadina

PO Box 195, KADINA SA 5554
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Regional Office - Port Augusta

PO Box 78, PORT AUGUSTA SA 5700
Phone: (08) 8648 5300 Fax: (08) 8648 5301

Regional Office - Mount Gambier

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