

# Licences on Crown land

A Crown lands licence may be issued under the *Crown Land Management Act 2009* to allow a person or organisation to use an area of Crown land.



## What is a licence to occupy?

A Licence to occupy Crown land gives a person the right to use a specified portion of Crown land for the purpose(s) specified in the licence document.

A licence does not grant an exclusive right to the land and generally members of the public cannot be excluded from licensed land. In limited circumstances public access may be restricted in the interest of public safety. A licence does not confer a right to purchase.

Licensed activities include:

- installation of pumps and pipelines
- construction of boat ramps, jetties, pontoons and permanent boat moorings
- agricultural purposes (grazing)
- beekeeping
- aquacultural purposes
- dredging
- coastal protection works

When establishing any of the above licences, other permissions, for example, planning approval under the *Development Act 1993* may apply.

## How much does a licence cost?

A licence is subject to an application and annual fee that is reviewed on an annual basis. For more information contact your local natural resources office.

## How can I get a licence?

Application forms for licences are available online: [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 Department for Environment, Water and Natural Resources (DEWNR) office with the application fee.

In some cases, local councils manage Crown land and permission will need to be sought from the relevant council in addition to the licence.

## Licences and development

If you plan to develop the land you should consider if other options are available, such as purchasing the land. Where another option is available, a licence may not be granted.

Before conducting work on Crown land involving any kind of soil disturbance or the erection of any structure, you should contact your local natural resources office to determine if native title rights exist on the land. This will require additional processes to notify the native title claimant group of your application.

You are also required to contact your local council to determine if development approval is required. If you are required to submit a development application you will need to lodge this with your local council. Please note, this is separate to your Crown lands licence application.

The department can only finalise an application for a licence where development is proposed if you can provide:

- a copy of your development approval; or
- a copy of your development application; or
- written confirmation from your local council that development consent is not required.



## Assessment of applications

Licence applications need to be assessed before approval is given.

Assessment involves consideration of:

- departmental and government policies
- native title considerations.

NOTE: If native title rights have not been extinguished on the land, a notification process is required that will take a minimum of eight weeks. This may also trigger a cultural heritage survey that will attract additional costs and be subject to negotiated timeframes.

Applications for essential services such as pumps and pipelines are generally approved unless there is a specific impediment. Applications for purposes such as boat ramps, jetties, pontoons and permanent boat moorings will be assessed on a case-by-case basis against departmental policy.

Applications for public events and beekeeping activities will require proof of the appropriate amount of public indemnity insurance before any permission can be given. Licensing for other structures or use of the land that may restrict public use, create a potential public risk, or create the perception of private ownership are not likely to be approved. This is the case of even if you have obtained a development approval from local council.

## The licence and your property – transferring a licence

Some Crown land licences are connected to privately owned land, meaning when the land is sold the licence must be transferred with the land, or cancelled.

Application forms to transfer a licence are available online:

[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_lands/Forms_and_fact_sheets)

Completed applications should be sent to your local Department for Environment Water and Natural Resources (DEWNR) office with the application fee.

Not all licences are automatically transferable. If conditions have changed, or the licence no longer meets updated policy requirements, the licence may not receive approval to transfer.

It is recommended that you contact your DEWNR office when contemplating selling private land with a Crown licence to determine whether the licence is transferable

and to ensure that the transfer will occur when the main property is sold.

It is also recommended you keep a copy of your licence with your Certificate of Title documents. If approval is granted, a copy of the updated licence will be sent to the new licensees. Please note the licensee named on the document is responsible for complying with the licence conditions, including the licence fee until the transfer is completed.

## Your responsibility

Licensees must comply with licence conditions and keep the land in a satisfactory state. Where conditions are breached, or the land is found in an unacceptable condition the Department will require the licensee that the breach is rectified or the land is returned to a suitable state.

Where a licensee does not comply, the Department may seek to cancel the licence or take other compliance action against the licensee.

A person served a remediation notice must comply with the notice or risk a maximum penalty of \$50,000.

## For more information

For enquiries, please contact the Department of Environment, Water and Natural Resources:  
[DEWNR.CrownLandsEnquiries@sa.gov.au](mailto:DEWNR.CrownLandsEnquiries@sa.gov.au)

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### Kadina

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### Port Augusta

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### Mount Gambier

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[www.environment.sa.gov.au/crown-land](http://www.environment.sa.gov.au/crown-land)

