

Disposal of Crown land

The disposal of Crown land refers to the process of the government selling either:

- land owned by the Minister for Sustainability, Environment and Conservation; or
- unalienated Crown land.



Requirements to dispose

The *Crown Land Management Act 2009* outlines the process for selling (or disposing of) Crown land.

Generally there are three broad requirements, being

The Crown land is:

1. surplus to government requirements
2. sold through an open and competitive process
3. sold for market value.

Surplus to requirements

To sell Crown land the government must ensure that the land is surplus to any government requirements.

This involves two checks.

Firstly checking with all government agencies that the land would not be needed for a government purpose.

Secondly a planning assessment to determine if there may be a future government need for the land.

Open and competitive process

The disposal of Crown land must be by auction, public tender or another open competitive process as the Minister may determine.

Market Value

For the purposes of the Act, market value is considered to be a value determined by the Minister on the advice of the Valuer-General or a person who lawfully carries on business as a land valuer.

Exceptions:

Crown or Commonwealth agency

The Act allows Crown land to be transferred to a Crown or Commonwealth agency without declaring the land surplus, competitive process or the payment of market value.

Adjacent land

Crown land may be sold without competitive process to the owner of adjacent land providing that they will merge the Crown land with their private land. This will still require the land to be declared surplus and payment of full market value.

Dedicated Custodian

When dedicated Crown land is managed by a custodian, the custodian may apply to purchase without competition. This only applies where they have made significant improvements on the land. Purchase will still require the land to be declared surplus and payment of full market value.

Licensee with Improvements

In limited circumstances, usually old mining cottages or other historic residences held under licence, a licensee may apply to purchase without competition. This will still require the land to be declared surplus and payment of full market value.



Special Circumstances

The Minister may determine that there are special circumstances that warrant transferring Crown land without competitive processes or payment of market value. The land must still first be declared surplus.

Other considerations

A full investigation of the land is undertaken to determine if it is suitable for sale. Assessment of the land includes:

- native title
- biodiversity
- cultural heritage
- contamination
- legal access.

Public Consultation for Disposal of waterfront land

Waterfront land is defined by the *Crown Land Management Act 2009* as Crown land that includes or is next to the high water mark on the seashore or the edge of any other navigable waterway or navigable body of water in the State, such as along the River Murray. Waterfront land is generally reserved for public enjoyment and recreation.

When selling waterfront land the Minister for Sustainability, Environment and Conservation must undertake a public consultation process. This involves placement of an advertisement in the Government Gazette, a newspaper circulating throughout the state and a newspaper circulating through the area in which the land is situated.

- The Minister must give regard to all submissions when deciding to dispose of the land.

How do I know what land is for sale?

The sale of Crown land is usually managed through local Real Estate agents and are advertised for sale similar to other private land sales.

If you know of a parcel of Crown land that you are interested in purchasing, complete and lodge the application form *Expression of Interest to purchase Crown land*. An assessment can be undertaken to determine if the land is suitable for sale.

For more information

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

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