

Before you build – Crown land and waterfront properties

What to do before you build

1. Determine if the development impacts Crown land

You can use the online Property Location Browser (PLB) <http://maps.sa.gov.au/plb/> to search for information about the land parcel or parcels neighbouring the site where you intend to build.

To find out if a parcel is Crown land use the info button in the PLB. Check the title reference, Crown land title references include the letters CR (for a Crown Record) or CL (for a Crown Lease).

If you are unsure contact us.

2. Find out what approvals you need

If the development impacts Crown land contact:

- Department of Environment Water and Natural Resources, Crown Lands Program in your region to determine if a licence or other form of tenure is required.
- Your local council to determine if development approval is required.

If a Crown land licence and development approval are required these must be obtained before development can commence.

3. Submit a Crown land licence application

All occupation of Crown land is required to be authorised. Authorisation is usually by a Licence to occupy Crown land. For example, licences are required for - pumps and pipelines, houseboat moorings, boat ramps, jetties, pontoons and retaining walls.

If required, complete the licence application form and submit with application fee.

Licence Application Form:

www.environment.sa.gov.au/managing-natural-resources/Land/Crown_lands/Forms_and_fact_sheets

Licence assessment

Criteria

The Crown Lands Program will assess your application to determine:

- the impact of the proposed development on Crown land;
- that other consents have been issued or applied for, e.g. council development approval; and
- that the application is consistent with departmental policy and any other criteria specific to the proposal. For example there are specific assessment criteria for Structures on the River Murray – refer to Crown land policy factsheets on the Department's website for more information.

The Crown Lands Program will advise you, in writing, of the outcome of your application.

Native Title Implications

The Crown Lands Program will establish the Native Title status of the land and inform you of any action you need to take regarding your proposed development.

If native title has not been extinguished, a notification process is required that will take a minimum of 8 weeks.

In some areas native title will have been extinguished by an Indigenous Land Use Agreements (ILUA).

If the proposed development is planned on land as comprised in the First People's ILUA (which includes areas of the River Murray), applicants may be required to comply with the provisions contained within this agreement.



Useful information

What land is Crown land?

Most land in South Australia is privately owned or held under a Crown lease or other arrangement. The remaining land is known as unalienated Crown land.

Waterfront Crown land includes land that adjoins the high water mark on the seashore and land that fringes the water's edge, including many parts of the River Murray and lakes and the river bed.

Development of leased or dedicated Crown land

Ministerial consent is required. For further information contact us.

Pump and Pipeline Licences

To extract water from a prescribed water resource you may need a water licence, please contact DEWNRwaterlicensing@sa.gov.au.

Encroachment

Encroachment into a Crown land reserve includes, but is not limited to, unauthorised private development such as recreational structures, staircases, retaining walls etc. It also includes inappropriate landscaping (e.g. native vegetation clearance, extending lawn areas etc.) and storage of items, creating a perception that the Crown land is private. This land belongs to the public and is not intended for exclusive private use.

It is the responsibility of the landowner to ensure boundaries are surveyed before building to avoid encroachment on Crown land.

You will be required to remove any unlawful encroachment and may also face action under the *Development Act (1993)*.

For more information

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

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www.environment.sa.gov.au/crown-land

