

Crown Land –River Structures Policy

Issuing Crown land licences for river structures is a common transaction for the Department for Environment, Water and Natural Resources (DEWNR). Many applications are for private, relatively minor recreational structures, often with a practical association with the adjacent private land. This Policy guides the assessment of such licence applications.

What do I need to know

Proposed Structures

Licence applications are generally approved for primary structures such as:

- Jetties
- Mooring structures
- Boat ramps
- Retaining walls for erosion protection purposes.

Approval is subject to compliance with this Policy.

Licence applications for pumps and pipelines and houseboat moorings are assessed under separate Crown land policy.

Additional or secondary structures may be included on the same licence provided they are associated with the primary structure (for example, a pontoon or a staircase associated with a jetty).

To protect riverine areas, minimise public safety risks and ensure the community can share the riverbank, licence applications for inappropriate structures that are likely to be declined include:

- Boat ramps where there are existing, available public facilities in the locality;
- New fixed landings, or extensions to existing landings, which include boardwalks and similar structures running parallel to the river bank, unless associated with development for conservation activities or public facilities;
- Fences or other barriers (except where required for authorised revegetation works, grazing or public safety); and
- Private shelters, hard-landscaping works, constructed barbeque facilities.

Existing Structures

We recognise that many existing private river structures on Crown land may not comply with this Policy.

A licence transfer application for existing structures of any type may be permitted because this ensures responsibility remains with the licensee until the structures are removed and the land remediated.



Public Access

Applications for new licences, or amendments or transfers of existing licences, should ensure free and unrestricted right of public access across the subject land is maintained, unless otherwise approved by the Minister for Sustainability, Environment and Conservation. Only for specific valid reasons, including public safety, may public access be restricted at a licensed site.

Adjoining Land Owner Requirements

River Structure Licences are issued inseparably with the adjoining land.

In regards to riverside shack settlements, or where the adjoining land contains multiple dwellings, such as rows of shacks, licences are restricted to owners of dwellings in the front row only - closest to the riverfront.



Applications for new licences, or amendments or transfers of existing licences, should ensure:

- Applicants are the adjoining land owners (freehold or registered leasehold);
- There is only one primary structure (e.g. only one jetty is permitted) associated with the adjoining land;
- There is a dwelling on the adjoining land;
- The structure, or use, is over Crown land located within the projected boundaries of the adjoining allotment, e.g. a jetty should generally be opposite the associated dwelling; and
- There is reasonable proximity and practical access from the adjoining land to the river front, avoiding conflict with other land uses.

Crown Land Dedicated to Council

DEWNR does not control structures proposed on Crown land dedicated under the care, control and management of a Council. In these instances please seek advice from the respective Council.

Licence applications adjacent Crown land dedicated under the care, control and management of a Council (e.g. a mooring in the riverbed adjacent a Council managed foreshore) may be permitted provided:

- Council provides written consent; and
- There are no unacceptable conflicts with the dedication of the Crown land and licence purpose; generally public open space for recreation purposes.

Licence Application

In order to obtain a licence you must:

- Lodge a licence application with the relevant application fee, plans and information in accordance with this Policy.
- Provide proof that you own or lease the adjoining land; and
- Obtain a Development Approval from the relevant authority.

Licences may be transferred provided the recipient is the new adjoining land owner and:

- An *Application for Licence Transfer* is submitted.
- The site is not identified as one to be remediated or resumed for other purposes.
- Licence fees have been paid up to date.

Licence Cancellation

A licence may be cancelled if the annual fee is not paid or if there is a breach of licence conditions or any other reason pursuant to the *Crown Land Management Act 2009*. A cancellation may be accompanied by a land remediation notice pursuant to the Act.

A licence may be cancelled following satisfactory removal of a structure or remediation of land pursuant to an order by a Council or relevant State Government agency.

Annual Licence Fees

The set annual licence fee applies to the primary structure. Any additional structures incur half the minimum fee. The fee is payable by the licence holder.

The fee will be reviewed annually by the Minister.

Why was this policy developed?

This policy is a refinement and consolidation of existing policies and procedures to:

- Avoid congestion and proliferation of private structures on Crown land along the River Murray and any other Crown waterfront land.
- Discourage trespass across private land in order to reach structures on Crown land; and
- Protect the environment and aesthetics of the River Murray and other Crown waterfront land.

For more information

Licensing Enquiries:

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

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

