

Misuse of Crown Land

What is misuse of Crown land?

Section 61 of the *Crown Land Management Act 2009* describes activities which constitute misuse of Crown land when undertaken without authority, being:

- Occupation of Crown land for longer than three weeks (21 days);
- Cultivation;
- Allowing animals to enter or remain on Crown land;
- Driving a motor vehicle on Crown land, other than on an established road or track;
- Damaging or removing fossils from Crown land;
- Excavating/damaging/interfering with Crown land;
- Cutting down, lopping branches from or otherwise damaging any tree or bush (whether alive or dead) on Crown land;
- Erecting any structure or fixture or carrying out any works, on Crown land;
- Depositing litter or abandoning property on Crown land; or
- Closing off or obstructing (whether by fences, gates or any means) a road or track on Crown land.

Reporting Misuse of Crown Land

If you believe Crown land is being misused, you should make a report to the Crown Lands Program (CLP), Department for Environment and Water (DEW). The CLP administers the *Crown Land Management Act* and leads investigations into reports of misuse of Crown land.

Contact details for the CLP can be found at the end of this fact sheet.

When making a report to the CLP, you are encouraged to provide the information including:

- Where - the location of the incident or alleged misuse including land details if known;
- What - details of the incident or alleged misuse;
- When – the date and time of the incident or alleged misuse;
- Who – details of the alleged offenders if known;
- Vehicle registration or any other information that may identify offenders; and
- Photos and Maps which support the report.

If observing or witnessing an alleged misuse of Crown land, you are advised not to make contact with alleged offenders for safety reasons.

What Happens Next

Upon receiving a report the CLP will first check that the land is Crown land and that there is no approval or authority which permits the activity.

The matter will be recorded on the CLP's Compliance Register and referred to the appropriate office for action.

The CLP will undertake an initial assessment of the report and determine what action, if any is required to be taken. In undertaking this assessment, the CLP may contact you and any other witnesses for further information. In most instances, alleged offenders will be contacted and provided an opportunity to clarify the circumstances of the incident. The details of any witnesses will not be provided to the alleged offender at this time.

Some activities may also be a breach of other legislation, such as the *Native Vegetation Act* or the *Development Act*. In such instances, the CLP will liaise with relevant government departments to determine the best course of action.

What Action Will be Taken

Once assessments have been completed and alleged offenders contacted, DEW will determine the appropriate action to be taken, which may include:

- Noting on Departmental registers, but no further action;
- Education letters or material;
- Formal advisory letter, written caution or seizure of a prohibited item;
- expiation notice; or
- further action including prosecution.

What Action Will be Taken

National Parks are managed by DEW and are subject to the *National Parks and Wildlife Act 1972*. Incidents in a National Park are encouraged to be reported to your local National Parks and Wildlife office.

For more information

To make a report or for more information, please contact the Department for Environment and Water:

E: DEWNR.CrownLandsEnquiries@sa.gov.au

P: (08) 8204 1218

W: www.environment.sa.gov.au