

South Australia

Crown Land Management Regulations 2010

under the *Crown Land Management Act 2009*

Contents

- 1 Short title
- 3 Interpretation
- 4 Prescribed circumstances—section 25(1)(e)
- 5 Prescribed land—section 27(1)(b)(ii)
- 6 Prescribed period—section 61(1)(a)
- 7 Fees

Schedule 1—Fees

Schedule 2—Transitional provision

- 2 Transitional

Legislative history

1—Short title

These regulations may be cited as the *Crown Land Management Regulations 2010*.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Crown Land Management Act 2009*;

Adelaide City Council means The Corporation of the City of Adelaide;

Adelaide Park Lands has the same meaning as in the *Adelaide Park Lands Act 2005*.

4—Prescribed circumstances—section 25(1)(e)

The following circumstances are prescribed for the purposes of section 25(1)(e) of the Act:

- (a) where land is disposed of to a person who—
 - (i) is, or has previously been, a licensee of the land; and
 - (ii) has, in the opinion of the Minister, constructed or made significant improvements on the land;
- (b) where land is disposed of in order to comply with an obligation that the Crown, or a Crown agency, has assumed under a statutory indenture, or other statutory agreement, if the obligation existed (whether in the same or substantially similar terms) at the commencement of section 25 of the Act.

5—Prescribed land—section 27(1)(b)(ii)

For the purposes of section 27(1)(b)(ii) of the Act, land included in the Adelaide Park Lands and under the care, control and management of the Adelaide City Council (other than land in relation to which a power to grant easements otherwise exists under the Act or the *Real Property Act 1886*) is prescribed.

6—Prescribed period—section 61(1)(a)

For the purposes of section 61(1)(a) of the Act, a period of 3 weeks is prescribed.

7—Fees

The fees set out in Schedule 1 are payable to the Minister.

Schedule 1—Fees

1 Dedication

(a) application fee for—	
(i) dedication of land	\$391
(ii) alteration of purpose of dedication	\$391
(iii) revocation of dedication	\$391
(iv) consent to lease of dedicated land	\$391

Note—

If an application relating to a dedication involves more than 1 of the items referred to in paragraph (a) above, only 1 fee amount is payable.

(b) document preparation fee for—	
(i) dedication of land	\$260
(ii) alteration of purpose of dedication	\$260
(iii) revocation of dedication	\$260
(iv) expression of interest in purchasing Crown land	\$53

2 Disposal of land

(a) application fee for—	
(i) transfer or grant of fee simple in land to a custodian, lessee or licensee	\$391
(ii) transfer or grant of fee simple in land subject to Crown condition agreement	\$391
(iii) variation or revocation of Crown condition agreement	\$391

Note—

If an application relating to a disposal of land involves more than 1 of the items referred to in paragraph (a) above, only 1 fee amount is payable.

(b) document preparation fee for—	
(i) grant or alteration of grant of fee simple in land (whether or not purchased on the open market)	\$260
(ii) Crown condition agreement	\$516
(iii) variation or revocation of Crown condition agreement	\$260

3	Easements	
	(a) application fee for easement	\$391
	(b) document preparation fee for—	
	(i) easement	\$260
	(ii) plan of Crown land showing easements intended to be granted by Minister	\$260
	(iii) plan of Crown land showing instrument relating to each such easement	\$260
4	Leases	
	(a) application fee for—	
	(i) lease	\$391
	(ii) consent to assign, transfer, mortgage, sublet or otherwise deal with lease or part of lease	\$391
	(iii) surrender of lease	\$391
	Note—	
	If an application relating to a lease involves more than 1 of the items referred to in paragraph (a) above, only 1 fee amount is payable.	
	(b) document preparation fee for—	
	(i) lease	\$260
	(ii) assignment, transfer, mortgage, sublease or other dealing with lease or part of lease	\$260
	(iii) discharge of mortgage over lease	\$260
	(iv) surrender of lease	\$310
	(v) surrender of part of lease	\$516
	(vi) certificate where lease is altered, renewed or revived	\$260
	(vii) determination of lease on completion of purchase	\$310
	(viii) resumption of land	\$310
	(ix) resumption of part of land	\$516
5	Licences	
	(a) application fee for licence	\$391
	(b) application fee for consent to transfer or otherwise deal with licence	\$391
	Note—	
	If an application relating to a licence involves more than 1 of the items referred to in paragraph (a) or (b) above, only 1 fee amount is payable.	
6	Reviews	
	(a) application fee for Ministerial review	\$212
	(b) application fee for valuation review	\$212
7	Miscellaneous	
	(a) fee for preparing a request by the Minister to alter or cancel a grant of fee simple in land or certificate of title on behalf of another party	\$260
	(b) application fee for a duplicate or amended consent granted under any provision of the Act	\$28

- | | | |
|-----|--|-------|
| (c) | fee for correcting an error in the name or other particulars supplied by or on behalf of a lessee, purchaser or other party in the Crown land register | \$260 |
| (d) | fee for processing a transaction (other than a transaction for which an application fee has been paid) under the Act at the request of any person for the benefit of that person or some other person nominated by that person | \$391 |

Note—

Document preparation fees are payable in addition to the fee for processing a transaction.

- | | | |
|------|---|----------------|
| (e) | fee for preparing or checking definitions for notices under the Act— | |
| (i) | minimum fee | \$271 |
| (ii) | additional fee where the time spent in preparing or checking definitions exceeds 2½ hours | \$107 per hour |

Notes—

- 1 Lands Titles Office fees and stamp duty are not included in the fees in this Schedule but will, in appropriate circumstances, be payable.
- 2 This Schedule of fees also applies in relation to the *Irrigation (Land Tenure) Act 1930*. The *Irrigation (Land Tenure) Act 1930* is, under section 3 of that Act, incorporated with the *Crown Land Management Act 2009*.

Schedule 2—Transitional provision

2—Transitional

For the avoidance of doubt (and in accordance with section 81(2)(e) of the Act), nothing in the Act derogates from or affects any entitlement under a statutory indenture or other statutory agreement, existing immediately before the commencement of the Act, to the grant or transfer by the Crown or a Crown agency of an estate or interest in, or a right in respect of, land.

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Legislation revoked by principal regulations

The *Crown Land Management Regulations 2010* revoked the following:

Crown Lands Regulations 1996

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2010	19	<i>Gazette 18.2.2010 p848</i>	1.6.2010: r 2
2010	86	<i>Gazette 10.6.2010 p2773</i>	1.7.2010: r 2
2011	64	<i>Gazette 9.6.2011 p2077</i>	1.7.2011: r 2
2012	68	<i>Gazette 31.5.2012 p2306</i>	1.7.2012: r 2
2013	61	<i>Gazette 6.6.2013 p2131</i>	1.7.2013: r 2
2014	167	<i>Gazette 19.6.2014 p2731</i>	1.7.2014: r 2
2015	123	<i>Gazette 18.6.2015 p2717</i>	1.7.2015: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2010</i>
Sch 1	substituted by 86/2010 r 4	1.7.2010
	substituted by 64/2011 r 4	1.7.2011
	substituted by 68/2012 r 4	1.7.2012
	substituted by 61/2013 r 4	1.7.2013
	substituted by 167/2014 r 4	1.7.2014
Sch 2		

<i>cl 1</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.7.2010</i>
-------------	--	-----------------

Historical versions

1.7.2010
1.7.2011
1.7.2012
1.7.2013