

A guide to

Unlocking Crown Land Opportunities



TBB Guide
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Introduction

Crown Land in Western Australia offers some of the most exciting opportunities for developers and investors. Whether you're looking to secure land for industrial use, residential projects, renewable energy ventures, tourism proposals or other purposes, understanding the process is essential. At TBB, we work closely with developers and entrepreneurs to turn ideas into reality—guiding you through every step, streamlining the complexities, and helping your projects succeed.

This guide outlines the key stages of a Crown Land enquiry and highlights how our specialist support can make the process simpler, faster, and more effective.



What Is Crown Land?



Crown Land refers to land owned by the State of Western Australia and managed by the Department of Planning, Lands and Heritage (DPLH). It includes:

- **Unallocated and Leasehold Land:** Areas that may be leased under specific conditions (ie. Pastoral Leases).
- **Reserves and Special Purpose Land:** Parcels set aside for community, environmental, or public uses (ie. reserves for recreation).

Fundamentally, Crown Land is held in the “right of the Crown” (by the State or, in some cases, the Commonwealth) and is managed to balance community, environmental, and economic priorities. Unlike land with a certificate of title (freehold), Crown Land is subject to various regulations and may have a Crown Land Title (CLT) issued through Landgate, the state’s land information authority.

Key Steps in the Enquiry Process

Embarking on a Crown Land project involves several stages. Here's what you can generally expect:

- 1 Define Your Project Objectives**

Start by clearly outlining your goals. Are you planning a subdivision and require freehold land, seeking a long-term lease for a unique development or business proposal, require short-term access to land for temporary accommodation or uses, or looking to secure space for industrial development? A solid understanding of your project's scope is essential to guide your enquiry.
- 2 Research Land Availability and Zoning**

Use tools like the SLIP Mapping Tool or explore the resources available on the DPLH website to identify potential parcels of land. At TBB, we help analyse any zoning or usage constraints, and stakeholders with registered interests early on—providing clarity and direction before you proceed.
- 3 Submit a Formal Enquiry**

Detailed plans and proposals must be submitted through the DPLH Crown Land Enquiries Portal. Depending on your needs, your enquiry might be structured as a request for:

 - A short-term licence (eg. for initial environmental studies).
 - An option to lease (often with conditions set for a future lease).
 - A direct lease application.
 - Purchase and conversion to Freehold land.

Key Steps in the Enquiry Process (cont.)

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Engage with the Assessment Process

Your enquiry will be reviewed by DPLH and may involve consultations with various stakeholders, including government agencies and traditional custodians. It is expected that all parties with registered interests in the land, and likely to be impacted, are consulted and, depending on the nature of the existing interests and form of tenure sought, their consent may be required. Importantly, where Native Title rights have been claimed and recognised under the Native Title Act 1993, consent will be required and an Indigenous Land Use Agreement (ILUA) will be required.

Delays often occur at this stage, which is why having planners experienced in Crown Land tenure on board is beneficial.

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Negotiate Terms and Conditions

Once your enquiry is approved, you'll need to negotiate terms—whether you're leasing or acquiring the land. Understanding the different tenure options (leasehold, freehold conversion, or development on reserves) and their obligations is vital to aligning your project goals with regulatory requirements.

Accurate preparation of your submission is key to improving your chances of success.

Land Tenure and Transfer Considerations

Understanding land tenure is critical to navigating Crown Land projects. Here are the key options:

Leasehold Arrangements:

Crown Land is commonly leased under specific conditions (eg. duration of use and development restrictions). It's crucial to ensure that these terms align with your project timeline

Freehold Conversion:

In some cases, leased Crown Land can be converted to freehold. This process involves a detailed understanding of legal and financial implications—a process where our expertise can prove invaluable.

Reserves and Special Purpose Lands:

Certain parcels are reserved for public or specific uses (such as conservation, recreation, or community facilities). Developing on these lands involves additional approvals and adherence to strict guidelines. Note that some reserves, established under historical legislation, might have documentation differences but are still managed under state policy.

When it comes to land transfers, whether through purchase or lease acquisition, independent assessments determine pricing and valuations. A well-prepared proposal is essential to secure favourable terms.

Crown Land Management and Application Options

Crown Land is used for a variety of purposes, from conservation and recreation to commercial activities (including mining leases). The application process for accessing Crown Land typically begins with an enquiry but can lead to different types of approvals:

Licences:

Often used for short-term, non-exclusive access (for example, environmental studies or events). These licences might be issued for up to two years.

Options to Lease and Leases:

Depending on the complexity of the project, you might first secure an “option to lease” before obtaining a full lease. Direct lease applications are also possible, typically offering terms up to 21 years, with some arrangements extending beyond the initial term, or in special cases, 99 year leases



For projects such as Crown lot subdivisions, the process is managed by DPLH through nominated licensed surveyors. These subdivisions offer unique benefits, including exemptions from Western Australian Planning Commission (WAPC) subdivision approval, statutory road frontage requirements and rates (if used for public purposes), although each project is assessed on its individual merits.

Traditional Custodians and their Rights



It's important to acknowledge that Crown Land has a complex history. Colonial policies led to the dispossession of Indigenous peoples, and today, the Native Title Act 1993 recognises the rights of Indigenous Australians over their traditional lands and waters. Indigenous Land Use Agreements (ILUAs) are often negotiated to ensure that development projects respect Indigenous rights while still achieving project goals.

Challenges and Opportunities

Navigating Crown Land involves balancing conservation with development. While challenges such as conflicting land uses or overlapping interests (eg. with mining tenements or local reserves) can create delays, they also highlight opportunities.

Sustainable Land Use:

Projects in eco-tourism, renewable energy, and community-led conservation demonstrate how responsible development can benefit all stakeholders.

Innovative Land Management:

Developers have the chance to pioneer practices that balance economic growth with environmental stewardship and create partnerships which deliver mutual benefits

Timeframes for enquiries and leases can vary – there is no statutory time limit for assessment and approval of Crown Land enquiries, and while some leases aim for terms up to 21 years (or even longer under certain acts), flexibility remains key.

How can we help?

Navigating Crown Land enquiries can feel overwhelming, but working with specialists makes the process far more manageable. At TBB, our experience in Crown Land projects means we can:

Conduct Feasibility Studies

We ensure your project is viable from environmental, social, and economic perspectives.

Navigate Complex Planning Frameworks

Our experts help you meet regulatory requirements and manage consultations with key stakeholders.

Clarify Tenure Options

We provide clear explanations of the implications of different land tenures on your project goals.

Expert Stakeholder Engagement

Our team includes IAP2-certified specialists and experts in stakeholder engagement, with extensive experience working with government agencies, local communities, and Traditional Custodians. We facilitate meaningful dialogue with Prescribed Body Corporates and Registered Native Title Bodies Corporate who manage the native title interests, as well as other interest holders, ensuring that all stakeholders are heard and their rights respected and integrated into the proposal.

Advocate During Negotiations:

We support you in securing favourable terms while ensuring full compliance with statutory obligations.

At TBB, we don't just tick boxes—we actively advocate for your project, aligning it with government requirements and engaging all relevant stakeholders to deliver the best outcomes.



Where to from here?

Western Australia’s Crown Land presents unique opportunities for those with a strategic and informed approach. From initial research to final agreements, TBB is here to help you unlock the full potential of Crown Land for your next project. If you’re considering a Crown Land venture, the DPLH website is a great starting point.

When you’re ready to move forward, we’re here to offer expert guidance tailored to your needs. Get in touch with one of experts below and let’s explore the possibilities together.



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RESOURCES

Western Australia offers several resources to assist with Crown Land enquiries:

[Submitting a Crown Land Enquiry](#)
The official DPLH guide to submitting an enquiry.

[SLIP Mapping Tool](#)
Access zoning and cadastral maps for WA.

[Land Tenure Information](#)
Details on types of tenure and their implications.

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Explore our projects

