

IMPORTANT INFORMATION FOR TENANTS OF CROWN LAND

- Crown Land is owned by the State of Victoria
- The Bass Coast Shire Council manages the land on behalf of the State of Victoria in accordance with guidelines and principles established by the Victorian Government
- Crown Land is very different from private land
- **You should obtain legal advice before entering any lease of Crown Land to ensure you understand your rights and obligations**
- Specifically, the Victorian Government recommends that a competitive public expression of interest process should be utilised to determine the future tenant of any piece of Crown Land.
- There are only a few special circumstances where this may not be the case. These are
 - When the current market rental value of a property is low relative to the cost of conducting a competitive process; or
 - When an appropriate competitive process has not produced a satisfactory lease outcome; or
 - When it is clear beyond reasonable doubt that there is only one prospective tenant for a particular property asset; or
 - Where, after an assessment of the site, it can be determined that direct negotiations with a prospective tenant would maximize benefits to the community and or the government; or
 - When the lease is short term and does not include obligations on the tenant to carry out capital works;
 - Where there is evidence that conducting a competitive process may place a project of regional or state significance at risk; or
 - Where the only practical access is available from adjoining land owned by the proponent; or
 - When it can be demonstrated that the process of selection (other than a competitive) process will be open, fair and impartial.
- This means that at the end of any term the Bass Coast Shire **Council must run a competitive process** to determine who the future tenant of a particular parcel of land will be unless you can prove that one of the above special circumstances is applicable
- You have **no automatic right of renewal** or further tenure other than that provided in the initial lease regardless of any expenditure you have committed to the land.

Crown Land is an important public asset that is managed wisely to maximize social, environmental and economic benefits to the State. With the increasing pressures of population growth and environmental stress, the Victoria Government recognizes the importance of having a robust and relevant policy for the leasing of Victoria's valuable Crown Land. (Leasing Policy for Crown Land in Victoria 2010 p.1)