



Adrian Pederick MP
Member for Hammond

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CROWN LAND

Mr PEDERICK (Hammond) (15:10): I rise today to speak about Ms Annette Gilbert, a constituent of mine who lives on crown land just outside of Murray Bridge. Annette is a 63-year-old lady who is on a disability pension. In 2009, she was granted permission to occupy the property by ForestrySA, because at that time the land was under the control of PIRSA. At the time, the property was considered derelict and the department was not interested in maintaining it, so Annette was informed that there would be no fees as the fees would be waived. In fact, I note that ForestrySA staff identified that they were surprised that someone wanted to live in the house, and even assisted in changing locks and the pulling up of old carpets.

As I indicated earlier, at this time the crown land in question was under the management of PIRSA. In 2012, PIRSA handed the management of this land to DEWNR, and DEWNR were unaware of my constituent's occupation of the land. DEWNR became aware of my constituent's dwelling in 2013. In June 2013, a letter was sent by a DEWNR staff member to inform my constituent that she had to apply for a licence to occupy crown land, and she was told that it was subject to minister's approval.

There were also broad conditions mentioned in that letter: they were looking at a licence fee of \$100 a week, the area of the land was to be negotiated, there would be restrictions on activities, there had to be access by others to the scrub, and insurance and public liability was mentioned. It is to be noted that the previous tenants had been advised through the Residential Tenancies Tribunal that, because of the state of the house, a cap of \$50 a week should be set on the value of rent on this property.

These conditions had not been negotiated or finalised. My constituent Annette had written to the author of the letter (the staff member at DEWNR) and never received a response, but according to the department, my constituent was meant to sign the form. During the time that she has been residing in the house she has kept up the house and garden, including managing the land by poisoning weeds and keeping the grasses

down. Annette has spent a considerable amount of money for a person on a disability pension putting in a small kitchen, laying new carpet and other maintenance she can manage on her pension.

Ms Gilbert wrote to DEWNR with her concerns, stating that she had permission to occupy from PIRSA back in 2009, advising of the history and how much money she has spent on maintaining the house since she has occupied the property. She felt—and rightly so—that she could not fill in the licence to occupy crown land paperwork as the conditions were not finalised, and she never received a response to the letter she wrote. She advised DEWNR that she would wait for the negotiations to be complete. Annette did not hear back at all, so she assumed that it was decided to allow the arrangement to continue.

Some 16 months after the last communication, Annette received a phone call to say that DEWNR were coming out to discuss the land and the tenure. On 28 October this year, my constituent was handed a notice of termination of occupation of crown land by DEWNR staff. They gave her 90 days' notice to vacate and she must be out by Friday 30 January. DEWNR visited again on Thursday 27 November and still want to evict her.

As I indicated earlier, previous tenants were paying \$50 a week to be there. Where does the minister expect a woman in her 60s on a disability pension to go? Where is she going to get a bond from, and how is she going to afford living costs? Evidently, the Department of Environment, Water and Natural Resources is looking at getting a builder inspector in. I think this is an absolutely disgraceful act by the department. I have emailed the particulars to a staffer in minister Hunter's office. I think the minister needs to do the right thing, overturn this ruling and let this woman live in comfort, as she has done for five years.

Forestry staff in Primary Industries indicated that she was actually doing everyone a favour because she was in a house that Forestry did not think was worth keeping. She was maintaining the areas around the property, including the paddocks where her horses were. I think it is an absolute disgrace and a show of absolute heartlessness by a government minister who just has no idea of the circumstances of this woman who would not harm a fly and yet does not have the right to live in a house where she is prepared to work out a very low rate of rent for what the house deserves.