

Enclosure permit | Minimum rent changes

This document provides guidance on the upcoming changes to the annual rent for enclosure permits.

Changes to enclosure permit concessions

Under the *Crown Lands Management Act 2016* (CLMA) (section 6.2), the department is required to apply statutory minimum rent for enclosure permits.

As a result, Crown Lands will commence standardising rent to ‘minimum rent’ for all enclosure permit holders. From 1 July 2024, Crown Lands will be phasing out concessions for enclosure permit holders over a 2-year period. For holders of multiple enclosure permits, concessions will be phased out over a 3-year period.

Removing concessions ensures enclosure permit rent complies with the CLMA and there is a consistent, fair, and transparent approach to applying rent. Minimum rent means tenure holders who benefit from the use of Crown land pay a reasonable return on behalf of the people of NSW.

Rental income is vital as it is used to maintain the Crown land estate, including recreation land for local communities, fire trails to keep communities safe, and to remediate contaminated land so that it can be reused.

What is ‘minimum rent’ rent and how much is it?

‘Minimum rent’ is a rental amount prescribed under section 6.2 of the CLMA for all Crown land tenures. As at April 2024, ‘minimum rent’ is \$595.00 annually. This figure is adjusted each quarter by the Consumer Price Index (CPI) set by the Australian Bureau of Statistics.

What am I currently paying for an enclosure permit?

Information about your current enclosure permit rent can be found on your most recent rent notice.

On the second page of your rent notice, you will see the account details that list the charges and credits applied to your enclosure permit account. An example is provided below.

If you see ‘less waiver’ under RENT, it means that you currently have a concession applied to your enclosure permit account. This will change from 1 July 2024.

| Account Details | |
|--|-----------------|
| Registered Holder(s): [REDACTED] | |
| Enclosure Permit [REDACTED] | |
| LGA: QUEANBEYAN-PALERANG REGIONAL Folio Identifier: [REDACTED] | |
| NEW CHARGES | |
| RENT | |
| Current Rent due 07Dec2023 | \$587.00 |
| Rent at \$587.00(Adjusted to minimum rent) per year for the period from 07Dec2023 to 06Dec2024 | |
| less waiver | -\$414.00 |
| BALANCES | |
| Balance due on last account notice | \$94.00 |
| Payments received | -\$94.00 |
| Adjustments / Waivers | \$0.00 |
| New Charges (see above) | \$173.00 |
| TOTAL AMOUNT DUE FOR THIS ACCOUNT | \$173.00 |

What will my new rental amount be?

To reduce the financial impact to customers, Crown Lands will phase-out the current concessions from 1 July 2024.

- a) For customers who hold one enclosure permit, concessions will be phased out over a 2-year period. The new rental amounts due from 1 July 2024 are as follows:

| | Current Rent | Year 1 1 Jul 24 – 30 Jun 25 | Year 2 1 Jul 25 – 30 Jun 26 |
|--------------|--------------|--------------------------------|--------------------------------|
| Total | \$173.00* | \$295.00* | \$595.00* |

**Please note these figures are as at April 2024 and will be subject to change for CPI adjustments; this will be reflected on your invoice.*

b) For customers who hold multiple enclosure permits, concessions will be phased out over a 3-year period. The new rental amounts due from 1 July 2024 are as follows:

| | Current Rent | Year 1 1 Jul 24 – 30 Jun 25 | Year 2 1 Jul 25 – 30 Jun 26 | Year 3 1 Jul 26 – 30 Jun 27 |
|---|--------------|--------------------------------|--------------------------------|--------------------------------|
| Total: | \$173.00 | 295.00* | 413.00* | 595.00* |
| <i>*Please note these figures are as at April 2024 and will be subject to change for CPI adjustments; this will be reflected on your invoice.</i> | | | | |

Do I need to pay the new rent now?

No, payment of the new rent is not due until you receive your invoice for the 2024/25 financial year. The invoice will be issued 3 weeks before payment is due.

If you would like to know when your next invoice is due, please contact us on 1300 886 235, option 1.

What are my options if I cannot afford to pay?

We understand the past few years may have been difficult for many of our customers and we are here to provide support.

If you are unable to pay the amount, we encourage you to contact us on 1300 886 235, option 1.

We can talk to you confidentially about your personal circumstances and discuss options for assistance. This includes 12-month payment plans or changes to your billing frequency to receive quarterly bills.

You can find further information on our [Financial Assistance](#) webpage, or by contacting Crown Lands on 1300 886 235, option 1.

If you'd like to schedule a call from us to discuss your enclosure permit, please complete the Enquiry Form on the [Enclosure Permit](#) webpage.

I have not paid last year's rent, how will the increase affect what is owed?

If you are struggling to pay your account or experiencing financial hardship, we are here to assist. We encourage you to contact us to discuss your situation.

Any outstanding rent will remain owed, noting penalty interest will be charged on any unpaid rent at a daily rate.

What happens if I don't pay?

While the Crown road remains enclosed within your property, you are liable to pay an annual rent.

Penalty interest will continue to accrue at a daily rate on your account. Continued non-payment may result in additional debt recovery action and may affect your future tenure options regarding other parcels of Crown land.

Can I change the frequency of my billing cycle?

Yes, rental frequency options are available for enclosure permits holders. You can apply online on our [Billing Frequency Change](#) webpage, accessible under the [Financial Assistance](#) webpage, or contact us on 1300 886 235, option 1.

I have multiple enclosure permits, can I combine them and pay for one?

Crown Lands is currently reviewing the policy on combining enclosure permits. We are not accepting applications to combine enclosure permits while the review is underway.

Please note, that combining enclosure permits does not reduce the total rental amount to the cost of a single permit.

Can I apply to purchase the Crown road rather than have an enclosure permit?

Yes, you can. However, please note there is no guarantee that an application will lead to an offer to purchase. The assessment can be an extended process and requires consideration of multiple existing or future interests.

An application to purchase a Crown road may be submitted by an adjoining landowner (connects to the Crown road). In instances where the applicant is not an adjoining owner, they must seek consent from all adjoining landowners of that Crown road prior to submitting an application.

Before applying to purchase a Crown road the applicant must:

- Not be in debt with Crown Lands and be able to pay the purchase fee when required.

- Attempt to seek general agreement from neighbouring landowners or other parties who may be affected by the proposal, and
- Gather your property's Lot/DP details.

For further information, you can go to our [Purchase a Crown Road](#) webpage.

Will I be reimbursed the rent paid for my enclosure permit if my Crown road sale application gets approved?

No, as you have benefited from the enclosure permit arrangement whilst your application is being assessed, rent is still payable.

What happens if I make an application to purchase a Crown road and I am not successful?

If an application to purchase a Crown road is not successful, the enclosure permit is still required to lawfully use the Crown road and rent will be payable.

I don't want to use the Crown Road anymore. What can I do?

You can apply to cancel your enclosure permit if you fence-out the Crown road with stock proof fencing and you remove any structures from the Crown road. Crown Lands will also consider, on a case-by-case basis, requests to cancel the permit where the holder cannot physically access the road due to obstacles such as swamps, marshes, cliffs etc.

Further information can be found on our [Enclosure Permit](#) webpage.

What happens if I cancel the permit but continue to use the land?

Crown Lands is responsible for ensuring compliance with the CLMA and the *Roads Act 1993*, this is for the benefit of the whole community and ensures a fair return for NSW residents, allowing investment in other community spaces.

Crown Lands encourages tenure holders and the community to voluntarily comply with the provisions of these Acts. Where non-compliance is found, Crown Lands will take appropriate action to ensure that Crown land and Crown roads are being appropriately used and occupied.

For further information can be found on our [Compliance](#) webpage.

What is my annual rent used for?

Rental income is vital as it is used to maintain the Crown land estate, including recreation land for local communities, fire trails to keep communities safe, and to remediate contaminated land so that it can be reused.

Can I appeal this decision or ask for a review?

No, you cannot appeal. The decision to charge minimum rent is determined by the CLMA.