

# Conversion of Term Western Lands leases to Perpetual Western Lands leases at Lightning Ridge

---

This document answers frequently asked questions about term leases at Lightning Ridge expiring from 2025.

---

## What is going to happen to my expiring term lease?

The department will write to you on or about 2 years prior to your lease expiry date inviting you to make an application to convert to a Perpetual Western Lands lease (Perpetual WLL). This lease will be ongoing and will require you to pay an application fee and costs associated with the conversion.

## When will my Perpetual WLL start?

The Perpetual WLL will start the day of approval by the Department. This will be on or prior to the expiry date of your existing Term Lease.

## How do I apply for a Perpetual WLL?

Once you receive your invitation from the department you will be required to complete the application form and send to the department by email or mail.

## Will I suddenly be evicted from my lease?

No, the department is not intending to evict any leaseholders who meet the Conversion of Term Western Lands leases to Perpetual Western Lands Leases at Lightning Ridge policy (Policy) and we will work with you to meet the application requirements.

## Do I have to accept the invitation for a Perpetual WLL?

Yes, if you want to continue to reside and use the area of your existing lease.

## What if I don't accept the Perpetual WLL invitation?

You will no longer be authorised to occupy the land and will be required to remove all your belongings and vacate the lease area at the expiry of your existing term WLL.

### What if I do not want my lease anymore?

You may sell the existing lease on the open market, in accordance with the terms of your existing term WLL including consent of the department, or you may apply to surrender the lease back to the department prior to expiry.

### Is the amount of rent I pay negotiable?

No, the *Crown Land Management Act 2016* sets the minimum rent that is payable for a lease. The department does not have the ability to enter in to or maintain lease agreements where the rent is less than the statutory minimum. If you are experiencing financial hardship, alternate payment frequency or provisions may be available where you meet the criteria set out in the Crown land financial concession policy (IND-O-254).

### What happens if I do not meet the requirements for a Perpetual WLL?

You will not be able to be granted a new lease. At the expiry of your existing term WLL you will no longer be authorised to occupy the land and will be required to remove all your belongings and vacate the lease area. If you are unsure about what the requirements for a Perpetual WLL are refer to the Policy and the Guideline 'Conversion of Term Western Lands leases to Perpetual Western Lands leases at Lightning Ridge'. You can also contact the department to discuss this further.

### Can I sell my lease?

Yes, you can sell your expiring lease at any time before it expires, in accordance with the terms of your existing term WLL including consent of the department, however a new Perpetual WLL can only be offered to the registered holder as shown on the Certificate of Title. You will need to ensure your Certificate of Title is updated accordingly. You are encouraged to seek advice from a conveyancer or solicitor.

### Can I purchase an expiring term lease when a Perpetual WLL is being offered?

Yes, you can purchase an expiring term lease at any time before it expires however a Perpetual WLL can only be offered to the registered holder as shown on the Certificate of Title. You are encouraged to seek advice from a conveyancer or solicitor.

### Are there any costs involved?

Yes, any costs and fees associated with the application and acceptance of a Perpetual WLL must be paid by the lease holder prior to conversion. These include:

- An application fee as prescribed by the *Crown Land Management Regulation 2018*.
- Costs and fees related to but not limited to:

- fees associated with registering the lease dealings with NSW Land Registry Services
- costs associated with rectification of any compliance or contamination issues, if required
- any required survey, subdivision, easement or plan registration, if required

### What if I have not been paying my rent?

A Perpetual WLL will not be approved until your rent payments are up to date or a department approved payment plan is in place.

### Can I convert my lease to freehold?

You may contact the department to check your eligibility. There are certain criteria that must be met when the Minister considers an application to convert to freehold, and such considerations are in the Minister's absolute discretion.

### If someone doesn't accept their lease invitation will their lease be available to others?

No, in these situations, the lease will expire and will not be offered as a Perpetual WLL to other interested parties.

### How long do I have to make an application?

It is preferable that you make an application as soon as possible after receiving the invitation to apply. At a minimum the department will require an application 6 months prior to the expiry of your lease.

### I hold several leases, can I combine them into one Perpetual WLL?

No, however where it is identified that a leaseholder holds multiple term WLL with adjoining boundaries, consolidation of these holdings may be allowed in accordance with relevant departmental procedures and in accordance with the *Walgett Local Environmental Plan 2013*. This is a separate application process through surrender and addition applications.

### Can I get an application for a Perpetual WLL now?

No, existing leaseholders will only be contacted by the department 2 years prior to their expiry date to commence the process of converting to a Perpetual WLL.

### How long will my Perpetual WLL be for?

If approved, a Perpetual WLL will be ongoing with no fixed term or expiry date.

### Can I continue to mine on my Perpetual WLL?

This will depend on whether you have a valid mineral claim over the land. Any mining related queries are to be directed to the Department of Regional NSW - Resources unit. Contact phone (02) 6820 5200 or email: [Lightningridge.office@planning.nsw.gov.au](mailto:Lightningridge.office@planning.nsw.gov.au)

### Can I sub-lease my Perpetual WLL?

Yes, however you are solely responsible for your sub-lessees.

### What can I do to assist my application?

You can:

1. Update your contact details (eg address, telephone or email) with the department;
2. Ensure your lease rent is up to date with no monies owing;
3. Ensure all your personal belongings (eg vehicles, machinery equipment, materials) are within the boundary of your lease;
4. Make sure you are the registered leaseholder on Title.

### What can I do if I am not the registered holder on Title?

If your existing lease is not held in your name you will need to seek advice from a conveyancer or solicitor to ensure the correct ownership is updated.

---

## Further information

Email: [cl.western.region@crowmland.nsw.gov.au](mailto:cl.western.region@crowmland.nsw.gov.au)

Web: [www.crowmland.nsw.gov.au](http://www.crowmland.nsw.gov.au)

Phone: 1300 886 235