

How to get a Cultivation Consent for a Western Lands lease

A Cultivation Consent is a permit approved by the Department of Planning, Industry and Environment that authorises cultivation activities on Western Lands leases.

A Cultivation Consent may include cereal/grain crops, improved pasture, fodder production, control of weeds and pests, saltbush planting, and other types of approved plantations.

The department can issue three types of Cultivation Consents:

- dryland cultivation
- pasture improvement
- cultivation after receding floodwaters.

Holding a current Cultivation Consent over a substantial area of your lease may also help you purchase your lease and convert it to freehold title by meeting the eligibility criteria.

For more information about purchasing your Western Lands lease, visit www.industry.nsw.gov.au/lands/use/leases/western.

Cultivation Consent renewals

When a Cultivation Consent is due to expire, the department must decide if we can renew it. We review several factors including compliance with conditions, current and historical use, and environmental impact.

If the department does not identify any issues, we post a Cultivation Consent renewal offer to you (the leaseholder) for your review and signature. To accept the renewal offer, you must return the signed application form, signed map and associated fee to the department.

If you (the leaseholder) do not want to renew the Cultivation Consent, you must notify us. You must then cease all cultivation activities.

New Cultivation Consents

To get a new Cultivation Consent, the registered leaseholder must lodge an application with the department and pay an application fee. Contact the department to discuss the Cultivation Consent approval process before lodging an application, and to get a copy of the form.

The process for obtaining a Cultivation Consent will include the following steps. The department

- receives the Cultivation Consent application from the leaseholder, along with the required application fee.
- confirms the areas proposed for cultivation.
- completes an environmental assessment of the proposed cultivation areas, including the presence of any Aboriginal and/or historic heritage items/site.
- undertakes an assessment of the proposed cultivation areas under the Land and Soil Capability (LSC) Assessment Scheme, developed for use in NSW by the department's Environment, Energy and Science Division (formerly known as the Office of Environment and Heritage). The LSC Assessment Scheme assesses the biophysical features of the land and soil (including landform position, slope gradient, drainage, climate, soil type, and soil characteristics) and assigns it one of eight land classes to decide if the proposed areas can be cultivated. Where the LSC class is greater than LSC 4, soil testing may be requested to demonstrate that the soil is capable of withstanding ongoing cultivation.

If the application is successful, the department will issue a new Cultivation Consent to the leaseholder.

If the application is unsuccessful, the department will notify the leaseholder.

Note:

- The approval of a new Cultivation Consent does **not** allow the lessee to clear and remove **native vegetation**. You must get an appropriate clearing certificate under the Land Management (Native Vegetation) Code 2018 before clearing vegetation or undertaking other development.
- Your local council may require **development consent** to authorise new cultivation. Contact your local council to confirm this.

Alteration of Lease Purpose

As an alternative to getting a Cultivation Consent, you may apply for an Alteration of Lease Purpose. The department uses this process to alter or add to the existing 'approved activities' on a Western Lands lease.

Areas of cultivation approved through this process are more secure as the use is recognised on the Certificate of Title to the land and in the lease conditions. The benefit for leaseholders is that they do not have to pay Cultivation Consent renewal fees.

If you (the leaseholder) want to undertake irrigated cultivation on a Western Lands lease, you must lodge an application to alter the purpose of your lease.

If you have both dryland and irrigation cultivation over your property, please consider the existing, authorised dryland cultivation in the Alteration of Lease Purpose application to avoid paying extra consent renewal fees.

Use the [Alteration of an existing lease form](#)¹ and lodge it with the department, along with the application fee. For more information, refer to the [Alteration of purpose fact sheet](#).²

Cancellation of a Cultivation Consent

The department may cancel a Cultivation Consent if the leaseholder does not comply with the lease and/or Cultivation Consent conditions, or if we discover new information about the consent area.

More information

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Far West Area

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¹ www.industry.nsw.gov.au/__data/assets/pdf_file/0017/164240/lease-alterations-of-purpose-and-or-conditions-application-form.pdf

² www.industry.nsw.gov.au/__data/assets/pdf_file/0006/145536/Alteration-of-purpose-or-conditions-of-a-Western-lands-lease.pdf