
LANDS

LA301*

Land Administration Act 1997

**Land Administration Amendment Regulations
(No. 3) 2009**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Land Administration Amendment Regulations (No. 3) 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Land Administration Regulations 1998*.

4. Regulation 4A replaced by regulations 5A to 5E

Delete regulation 4A and insert:

5A. Certain City Arcade transactions have authorisation under s. 18(7)

- (1) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a transaction being the grant of any further sublease in respect of the land that is the subject of Sublease G362051 are that —
 - (a) under Sublease G362051 the consent of the Minister and the Sublessor to the grant of the sublease is not required; and

- (b) the Sublessee under Sublease G362051 has granted, or consented to the grant of, the sublease; and
 - (c) the provisions of the sublease are consistent with the provisions of Sublease G362051.
- (2) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a transaction being the assignment, sale, transfer or other dealing with a sublease mentioned in subregulation (1) are that —
- (a) under Sublease G362051 the consent of the Minister and the Sublessor to the transaction is not required; and
 - (b) the Sublessee under Sublease G362051 has consented to the transaction.

5B. Certain Collier Park Retirement Complex transactions have authorisation under s. 18(7)

- (1) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a transaction being the grant of a lease, sublease, licence or sublicence in respect of part of the land within Reserve 38665 are that —
- (a) Reserve 38665 is subject to a management order at the time the grant takes effect; and
 - (b) the grant is in respect of residential premises under a retirement village scheme as defined in the *Retirement Villages Act 1992* section 3(1); and
 - (c) the management body for Reserve 38665 is a local government at the time the grant takes effect; and
 - (d) in the case of the grant of a sublease, licence or sublicence, the management body for Reserve 38665 has consented to the grant; and
 - (e) in the case of the grant of a lease or licence, the term of the lease or licence (including the further term that would apply if any applicable option to renew were exercised) is not longer than the term permitted under the management order for Reserve 38665 subsisting at the time the lease or licence takes effect.
- (2) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a transaction being the assignment, sale, transfer or other dealing with or disposal of a lease, sublease, licence or sublicence mentioned in subregulation (1), or the

mortgage of a lease mentioned in subregulation (1) are that —

- (a) Reserve 38665 is subject to a management order at the time the transaction takes effect; and
- (b) the transaction is in respect of residential premises under a retirement village scheme as defined in the *Retirement Villages Act 1992* section 3(1); and
- (c) the management body for Reserve 38665 is a local government at the time the transaction takes effect.

5C. Certain Perth Convention and Exhibition Centre transactions have authorisation under s. 18(7)

- (1) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a transaction being the grant of any sublease in respect of the land that is the subject of Lease I953026 are that —
 - (a) the sublease is for the purpose of short stay residential accommodation, in a hotel room, hotel suite or serviced apartment, only; and
 - (b) under Lease I953026 the consent of the lessor to the grant of the sublease is not required; and
 - (c) the lessee under Lease I953026 has granted, or consented to the grant of, the sublease; and
 - (d) the provisions of the sublease are consistent with the provisions of Lease I953026; and
 - (e) the sublease contains the provisions, and the provisions are in a form, that have been approved by the Minister as being required for subleases mentioned in this subregulation.
- (2) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a transaction being the assignment, sale, transfer or other dealing with a sublease mentioned in subregulation (1) are that —
 - (a) under Lease I953026 the consent of the lessor to the transaction is not required; and
 - (b) the lessee under Lease I953026 has consented to the transaction.

5D. Certain Old Swan Brewery transactions have authorisation under s. 18(7)

- (1) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a

transaction being the grant of any sublease in respect of the land that is the subject of Lease I219828 are that —

- (a) the sublease is for residential purposes only; and
 - (b) under Lease I219828 the consent of the lessor to the grant of the sublease is not required; and
 - (c) the lessee under Lease I219828 has granted, or consented to the grant of, the sublease; and
 - (d) the provisions of the sublease are consistent with the provisions of Lease I219828; and
 - (e) the sublease contains the provisions, and the provisions are in a form, that have been approved by the Minister as being required for subleases mentioned in this subregulation.
- (2) The circumstances and conditions prescribed for the purposes of section 18(7)(b) of the Act in relation to a transaction being the assignment, sale, transfer or other dealing with a sublease mentioned in subregulation (1) are that —
- (a) under Lease I219828 the consent of the lessor to the transaction is not required; and
 - (b) the lessee under Lease I219828 has consented to the transaction.

5E. Land to be regarded as having been reserved under s. 41

Reserve 26741 is land that is prescribed for the purposes of section 51A(1) of the Act.

5. Regulation 17B amended

In regulation 17B delete “Act, the *Local Government Act 1995* is prescribed.” and insert:

Act, the following Acts are prescribed —

- (a) the *Carbon Rights Act 2003*;
- (b) the *Local Government Act 1995*;
- (c) the *Tree Plantation Agreements Act 2003*.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.