
LAND ADMINISTRATION

LA301*

Land Administration Act 1997

**Land Administration Amendment
Regulations 2000**

Made by the Administrator in Executive Council.

1. Citation

These regulations may be cited as the *Land Administration Amendment Regulations 2000*.

2. The regulations amended

The amendments in these regulations are to the *Land Administration Regulations 1998**.

[* *Published in Gazette 27 March 1998, pp. 1741-61.*
For amendments to 17 May 2000 see 1999 Index to Legislation of Western Australia, Table 4, p. 155.]

3. Regulation 3B inserted

After regulation 3A the following regulation is inserted —

“

3B. Prescribed person for the purposes of section 9(1)(c) of the Act

For the purposes of section 9(1)(c) of the Act, the Commissioner within the meaning of section 6 of the *Main Roads Act 1930* and officers of the Commissioner appointed under section 10(1) of that Act are a prescribed person.

”.

4. Regulation 6 amended

- (1) Regulation 6(1)(d) is amended by deleting “evidence that satisfies the Minister” and inserting instead —

“ written advice ”.

- (2) Regulation 6(2) is repealed.

5. Regulation 12 amended

- (1) Regulation 12 is amended by inserting before “For” the subregulation designation (1).

- (2) At the end of regulation 12 the following subregulations are inserted —

“

- (2) Subregulation (1) does not apply to Crown land that was a private road that became Crown land under section 52 of the Act if —
- (a) the land is being sold at the request of the local government within whose district the land is situated;
 - (b) the purpose of the sale is to allow the land to be amalgamated with adjoining land held in fee simple for the purpose of reducing crime or anti-social behaviour;
 - (c) an adjoining land owner did not request the acquisition of the private road under section 52 of the Act for a purpose other than a purpose referred to in paragraph (b); and
 - (d) the land is being sold to an adjoining land owner.
- (3) Subregulation (1) does not apply to —
- (a) Crown land that was vested in the Crown under section 20A of the *Town Planning and Development Act 1928* as a right of way or pedestrian access way;
 - (b) land referred to in section 167A(2)(b) of the *Transfer of Land Act 1893*; or
 - (c) land shown and marked on a plan of subdivision of Crown land as a pedestrian accessway, right of way, or other similar use,
- if —
- (d) the land is being sold at the request of the local government within whose district the land is situated;
 - (e) the purpose of the sale is to allow the land to be amalgamated with adjoining land held in fee simple for the purpose of reducing crime or antisocial behaviour;
 - (f) an adjoining land owner did not request the sale of the land for a purpose other than a purpose referred to in paragraph (b); and
 - (g) the land is being sold to an adjoining land owner.
- (4) Subregulation (1) does not apply if, after having regard to —
- (a) the location of the relevant Crown land;
 - (b) the area of the relevant Crown land;
 - (c) the value of land adjoining or in the neighbourhood of the relevant Crown land; and

- (d) other factors that might affect the value of the relevant Crown land,

the Minister is of the opinion that the market value of the relevant Crown land is less than \$1 000.

”.

6. Regulation 15 amended

- (1) Regulation 15(1) is repealed and the following subregulation is inserted instead —

“

- (1) If, as a result of being determined as at 1 July 1999 under section 123(4) of the Act, the annual rent for an existing pastoral lease payable in respect of the lease that applied immediately before the appointed day would —

- (a) be increased (“**the increased amount of rent**”); or
(b) be decreased (“**the decreased amount of rent**”),

the increased amount of rent or the decreased amount of rent, as the case may be, must be phased in by means of 2 equal annual increases or decreases in rent, as the case may be, on 1 July 2000 and 1 July 2001, so that the full annual rent as determined under section 123(4) of the Act is payable as at 1 July 2001.

”.

- (2) Regulation 15(2) is amended as follows:
- (a) after the definition of “existing pastoral lease” by deleting the semicolon and inserting a full stop;
- (b) by deleting the definition of “the fixed percentage”.

By Command of the Administrator,

M. C. WAUCHOPE, Clerk of the Executive Council.
