

Queensland



Land Act 1994

LAND REGULATION 1995

**Reprinted as in force on 2 August 1995
(includes amendments up to SL No. 224 of 1995)**

Reprint No. 1

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Information about this reprint

This regulation is reprinted as at 2 August 1995. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see List of legislation and List of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use expressions consistent with current drafting practice (s 29)
- use aspects of format and printing style consistent with current drafting practice (s 35).

Also see endnotes for information about when provisions commenced.

Queensland



LAND REGULATION 1995

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LAND REGULATION 1995

[reprinted as in force on 2 August 1995]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Land Regulation 1995*.

Commencement

2. This regulation commences on 1 July 1995.

PART 2—RESERVES AND DEEDS OF GRANT IN TRUST

Guidelines for trustee permits—Act, s 60

3.(1) For section 60 of the Act, subsection (2) prescribes the guidelines for a trustee permit.

(2) A trustee permit—

- (a) must state that the Minister or the trustee must give the permittee 28 days' notice of the Minister's or the trustee's intention to cancel the permit; and
- (b) must not be issued for a continuous period of longer than—
 - (i) if the Minister has given approval—3 years; or
 - (ii) if the Minister has not given approval—3 months; and
- (c) may not be issued for leased trust land; and
- (d) must not allow the construction of structural improvements; and

- (e) may allow the modification or use of existing structural improvements; and
- (f) if there is a management plan for the land—must be consistent with the management plan; and
- (g) must state that it is a condition of the permit that the permittee holds the permit so that the land may be used for the community purpose for which it was reserved or granted in trust without undue interruption or obstruction; and
- (h) must state the permittee’s proposed use of the land; and
- (i) must not grant a right to—
 - (i) renew the permit; or
 - (ii) a more secure tenure over the land; and
- (j) must not allow the permittee to transfer, sublet or mortgage the permittee’s right to use the land.

Statutory body to which Act, s 63(3) does not apply

4. For section 63(4)(b) of the Act,¹ a port authority, within the meaning of the *Transport Infrastructure Act 1994*, is a prescribed statutory body.

Guidelines for trustee lease without Minister’s approval—Act, s 64

5. For section 64(2) of the Act, a trustee lease must require the trustee to take out and maintain a public liability policy—

- (a) in the name of the Minister, the trustee and the lessee; and
- (b) with an insurer approved by the Minister; and
- (c) for liability related to the trust land for loss or damage to property or death or injury to a person; and
- (d) for an amount decided by the Minister.

¹ Section 63 (Rent to be charged)

PART 3—MAKING LAND AVAILABLE

How ballot must be conducted—Act, s 119

6.(1) For section 119 of the Act, this section prescribes the way a ballot must be conducted.

(2) Applications for inclusion in a ballot must be numbered consecutively in the order they are received.

(3) A list of all applicants and their application numbers must be—

- (a)** sent to each applicant with information about the time and place the ballot is to be conducted; and
- (b)** publicly displayed at the ballot.

(4) The chief executive must conduct the ballot.

(5) The chief executive must appoint an independent observer who is not an applicant, a relative or close associate of an applicant or an officer of the department.

(6) The chief executive must provide—

- (a)** sufficient numbered marbles or other similar things (“**marbles**”) with the numbers 6 and 9 underlined; and
- (b)** separate containers for units, tens, hundreds, thousands and so on as necessary for the number of applications received.

(7) Each container must contain the number of marbles (numbered from 0 to 9) necessary for the number of applications received.

(8) The marbles and containers must be available for inspection, by any person attending the ballot, before each draw.

(9) The chief executive must draw a marble from each container.

(10) The number on each marble must be announced as it is drawn and the number confirmed by the independent observer.

(11) If the complete number drawn does not have a corresponding application according to the published list, all marbles must be replaced and another draw conducted.

(12) If the complete number drawn has a corresponding application number, the applicant for the application is the winner of the draw.

(13) Immediately after each draw—

- (a) both the chief executive and the independent observer must inspect the containers to confirm that the correct number of marbles remains; and
- (b) the containers and the remaining marbles must be made available for inspection by any person attending the ballot.

(14) If the containers do not contain the correct number of marbles, the draw is invalid and must be conducted again.

(15) Within 7 days after the ballot, the chief executive must—

- (a) notify the winner of the ballot of the result; and
- (b) publish the result of the ballot in a newspaper circulating in the locality of the draw.

(16) If more than 1 parcel of land is to be made available by ballot, the marbles must be replaced in the containers and a separate draw conducted for each parcel.

(17) Unless the sale notice mentions that an applicant may win more than 1 parcel of land in a ballot, the name of an applicant who has been successful in a draw must be removed from the list of applicants before another draw is conducted.

PART 4—RENTS

Meaning of “lease”

7. In this part—

“lease” means lease, licence or permit.

Categories of leases for rent assessment—Act s 182

8. For section 182(1) of the Act, the following categories of leases are prescribed—

- (a) category 1—grazing and agriculture;

- (b) category 2—closer-in farming;
- (c) category 3—residential and rural residential;
- (d) category 4—commercial and industrial;
- (e) category 5—industrial (DBIRD);
- (f) category 6—charitable organisations;
- (g) category 7—communications sites;
- (h) category 8—public utilities;
- (i) category 9.1—tourism (mainland);
- (j) category 9.2—tourism (island);
- (k) category 10.1—sporting and recreation (gaming—Gaming Machine Act);
- (l) category 10.2—sporting and recreation (liquor—Liquor Act, but not gaming);
- (m) category 10.3—sporting and recreation (non-gaming, non-liquor).

Category 1 leases

9.(1) A lease is a category 1 lease if, under its conditions it may be used primarily for, and it is being used primarily for, grazing or broadhectare agriculture.

(2) In addition, a lease for grazing purposes over a state forest or a reserve is a category 1 lease.

Category 2 leases

10.(1) A lease is a category 2 lease if it is not a category 1 lease or a category 3 lease and, under its conditions may be used for, and it is being used for, intensive farming or primary production.

(2) In subsection (1)—

“**farming**” has the meaning given by the *Valuation of Land Act 1944*, section 17(2).

Category 3 leases

11.(1) A lease is a category 3 lease if, under its conditions it may be used solely for, and it is being used solely for, a single dwelling house.

(2) A lease that would be a category 1 lease or a category 2 lease is a category 3 lease if—

- (a) it is located close to a city, township or closely settled area; and
- (b) a dwelling house is, or under the lease, could be, erected on it; and
- (c) its market value would be based on its value as land able to be used for residential purposes.

(3) A special lease for grazing purposes, issued under the repealed Act, is a category 3 lease if—

- (a) a dwelling house is, or under the lease could be, erected on the land; and
- (b) the lease is not a category 1 lease.

Category 4 leases

12. A lease is a category 4 lease only if—

- (a) under its conditions the lease may be used for, and it is being used for, commercial, industrial or business purposes; and
- (b) the lease does not fulfil the requirements for another category.

Category 5 leases

13. A lease over land located at a place ordinarily known as a DBIRD industrial estate is a category 5 lease.

Category 6 leases

14. A lease is a category 6 lease only if—

- (a) the lessee is—
 - (i) a charitable organisation; and
 - (ii) an organisation whose constitution does not permit its profits to be distributed to its members; and

- (iii) not a sporting or recreational organisation; and
- (b) the lease is used for providing services that are charitable in nature; and
- (c) the lease does not fulfil the requirements for another category.

Category 7 leases

15. A lease is a category 7 lease if—

- (a) under its conditions the lease may be used for, or it is being used for, the provision, relay or transmission of telephonic, television, radio or other electronic communication services for commercial, domestic, emergency or essential service activities; or
- (b) the lease is being used in conjunction with an activity mentioned in paragraph (a).

Category 8 leases

16. A lease is a category 8 lease only if its use provides benefit to the community or the public free of charge or at nominal cost.

Category 9.1 and 9.2 leases

17. A lease is a category 9.1 or category 9.2 lease only if it is a lease for, or ancillary to, a major tourist facility or a major resort development.

Category 10.1, 10.2 and 10.3 leases

18. A lease is a category 10.1, 10.2 or 10.3 lease, whether or not it fulfils the requirements for a different category, if—

- (a) the lessee is a sporting and recreational organisation; and
- (b) the lessee's constitution does not permit its profits to be distributed to its members; and
- (c) the lease is used for sporting and recreational purposes.

Rate for calculating rent for leases—Act, s 183

19.(1) For section 183(1) of the Act, the following rates are prescribed—

- (a) for a category 1, 4, 5, 6, 9.1 or 9.2 lease—
 - (i) started before 1 July 1993—the prescribed rate set opposite the actual rate in schedule 1 for the category of lease; or
 - (ii) started on or after 1 July 1993—the highest of the prescribed rates set out in schedule 1 for the category of lease;
- (b) for a category 2 or 3 lease—3%;
- (c) for a category 7 lease—6%;
- (d) for a category 8 lease—1%;
- (e) for a category 10.1 lease—5%;
- (f) for a category 10.2 lease—3%;
- (g) for a category 10.3 lease—1%.

(2) In subsection (1)(a)(i)—

“**actual rate**” means the rate obtained using the formula—

$$\frac{\mathbf{R} \times 100\%}{\mathbf{V}}$$

if—

“**R**” is the rent applying to the lease on 30 June 1993; and

“**V**” is the valuation of the lease for rental purposes on 1 July 1993.

Minimum rent for lease—Act, s 183

20. For section 183(4) of the Act, the minimum rent for a lease is—

- (a) for a category 7 lease for—
 - (i) commercial use of a digital radio concentrator or VHF, UHF (narrow band) or HF aerials and masts—\$500; or
 - (ii) commercial use of UHF (broad band), a microwave relay station, a satellite communication earth station or a cable regeneration facility—\$1 000; or
 - (iii) emergency or essential services use of a facility mentioned in

- subparagraph (i) or (ii)—\$100; and
- (b) for a term lease for pastoral purposes (including a pastoral lease issued under the repealed Act)—\$100; and
 - (c) for a perpetual lease for grazing and agricultural purposes (including a grazing homestead perpetual lease issued under the repealed Act)—\$100; and
 - (d) for a term or perpetual lease that is a category 4 lease—\$100; and
 - (e) for any other lease—\$50.

Residential hardship concession criteria—Act, ss 187 and 459

21. For section 187(1)(b) and 459(1)(b), the criteria prescribed are—

- (a) the lessee holds, or is entitled to hold, a Commonwealth concession card; or
- (b) the net value of the lease constitutes a significant proportion of the net value of all property owned by the lessee; or
- (c) the annual rent or instalment payable under the lease is a significant proportion of the lessee's annual income.

Example for paragraph (a)—

a pensioner health benefits card.

When rent is payable—Act, s 190

22.(1) For section 190(1) of the Act, the time by which rent must be paid for a development lease issued under part 9, division 1 of the repealed Act is on or before 1 January of the calendar year for which the rent is payable.

(2) For section 190(1) of the Act, the time by which rent must be paid for a lease other than a lease mentioned in subsection (1) is on or before 1 September of the financial year for which the rent is payable.

When instalments are payable—Act, s 190

23.(1) For section 190(1) of the Act, this section prescribes the time by which instalments must be paid.

(2) The prescribed time for a pre-Wolfe freeholding lease that is one of

the following leases is on or before 31 March of the calendar year for which the instalment is payable—

- (a) a perpetual lease selection issued under part 4, division 2 of the repealed Act;
- (b) an agricultural farm issued before 31 December 1991 under part 4, division 1 of the repealed Act;
- (c) a grazing homestead freeholding lease issued under part 4, division 5 of the repealed Act because the application for conversion was received before 5 February 1990;
- (d) an auction perpetual lease that is a perpetual country, suburban or town lease issued under part 7, division 2 of the repealed Act.

(3) The prescribed time for a pre-Wolfe freeholding lease is on or before the quarter day that is the anniversary of the quarter day on which the lease commenced, if the lease is a perpetual country, suburban or town lease that was taken to be, under part 7, division 3 of the repealed Act, a lease for a term of years subject to a covenant entitling the lessee to the issue of a deed of grant if an application was received—

- (a) before 5 February 1990; or
- (b) for leases issued under the *Industrial Development Act 1963*—before 3 October 1991.

(4) The prescribed time for a pre-Wolfe freeholding lease that is a mining titles freeholding lease is on or before 31 December for the calendar year beginning on the following 1 January.

(5) The prescribed time for any other freeholding lease is on or before the anniversary of the day on which the lease started.

Where rent and instalments are payable—Act, s 190

24. For section 190(1) of the Act, the place at which rent and instalments must be paid is an office of the department or a place mentioned on the account setting out the rent or instalment payable.

PART 5—REGISTRATION AND DEALINGS

Number of executed copies of a document to be lodged—Act, s 290

25. For section 290 of the Act, the prescribed number of executed copies of a document is—

- (a) if the document is for an easement affecting land in more than 1 register in the land registry—2 copies; and
- (b) if paragraph (a) does not apply—1 copy.

Example of paragraph (a)—

An easement burdening a lease and benefiting freehold land.

Persons who may witness execution of a document—Act, s 310

26. For section 310(2)(b) of the Act, the following persons may witness execution of a document—

- (a) a notary public;
- (b) a justice of the peace;
- (c) a commissioner for declarations or for taking affidavits;
- (d) a lawyer;
- (e) a conveyancer;
- (f) a person approved by the registrar of titles under the *Land Title Act 1994*, section 161.

Guidelines for subletting without Minister’s approval—Act, s 333

27. For section 333(2) of the Act, a sublease must require the lessee to take out and maintain a public liability policy—

- (a) in the name of the Minister, the lessee and the sublessee; and
- (b) with an insurer approved by the Minister; and
- (c) for liability related to the sublease for loss or damage to property or death or injury to a person; and
- (d) for an amount decided by the Minister.

PART 6—GENERAL

Different periods for filing notice of appeal for particular decisions—Act, s 428

28. For section 428(4) of the Act, 14 days is the period for decisions under the following sections of the Act—

- section 118(2)— to exclude a person from a ballot or tender
- section 160(3)—to refuse a renewal application
- section 168(5)—to refuse a conversion application
- section 322(5)—not to approve a transfer
- section 332(6)—not to approve a sublease.

Exemption of documents from stamp duty—Act, s 448(2)(i)

29. The following documents about something done under the Act are exempt from stamp duty under the *Stamp Act 1894*—

- (a) for stamp duty payable on the document as a lease or agreement for a lease—a lease, licence or permit issued by or on behalf of the State;
- (b) a surrender of land held in fee simple to the State.

PART 7—CONTINUED RIGHTS AND TENURES

Discount applying for pre-Wolfe freeholding lease—Act, s 457

30. For section 457(1)(d) of the Act, the discount applying if the remaining purchase price of a pre-Wolfe freeholding lease is paid in cash during a lease is the percentage of the purchase price specified in schedule 2, column 2 opposite the balance of the term of the lease in years in column 1.

Minimum instalments—Act, ss 457, 462 and 466

31. For sections 457(1)(e), 462(1)(d) and 466(1)(d) of the Act, the minimum instalments are—

- (a) for a residential lease—\$200; and
- (b) for any other lease—
 - (i) for instalments that pay out the purchase price of the land—\$500; and
 - (ii) for instalments that pay out the purchase price of commercial timber on the land—\$500.

Interest rate for instalments under post-Wolfe freeholding lease—Act, s 462

32. For section 462(1)(b) of the Act, the rate of interest applying to instalments under a post-Wolfe freeholding lease is—

- (a) for an auction purchase freehold issued under the repealed Act on or before 31 December 1991—the fixed rate applying at the time of issue; and
- (b) for a special lease purchase freehold issued under the repealed Act because of an application for conversion of tenure received before 3 October 1991 for a special lease issued—
 - (i) under the repealed Act and the *Industrial Development Act 1963*, section 24; or
 - (ii) before the commencement of the *Industrial Development Act 1963*—under a recommendation of the Minister administering industrial development; or
 - (iii) subject to a condition about the freeholding of the lease—the fixed rate applying at the time of issue; and
- (c) for a special lease purchase freehold issued under the repealed Act because of an application for conversion of tenure received before 5 February 1990 for any other special lease—the fixed rate applying at the time of issue; and
- (d) for any other post-Wolfe freeholding lease—10.5%.

Interest rate for instalments under grazing homestead freeholding lease—Act, s 466

33.(1) For section 466(1)(b) of the Act, the rate of interest applying to instalments under a grazing homestead freeholding lease is—

- (a) if, in the Minister’s opinion, the lease has a higher value than for grazing or agriculture—10.5%; and
- (b) if paragraph (a) does not apply—6%.

(2) In this section—

“grazing homestead freeholding lease” means a grazing homestead freeholding lease (other than a pre-Wolfe freeholding lease) used for grazing or agricultural purposes.

Discount applying for grazing homestead freeholding lease—Act, s 466

34.(1) For section 466(1)(c) of the Act, the discount applying if the remaining purchase price of a grazing homestead freeholding lease is paid in cash during the lease is—

- (a) if, in the Minister’s opinion, the lease has a higher value than for grazing or agriculture—no discount; and
- (b) if paragraph (a) does not apply—the percentage of the purchase price specified in schedule 3, column 2 opposite the balance of the term of the lease in years in column 1.

(2) In this section—

“grazing homestead freeholding lease” has the meaning given by section 33(2).

Discount for payment of purchase price on conversion of lease—Act, s 469

35. For section 469(2) of the Act, the discount to which the lessee is entitled if the lessee elects to pay the purchase price by a single payment for conversion of a grazing homestead perpetual lease to freehold is the percentage of the purchase price specified in schedule 3, column 2 opposite the balance of the term of the lease in years specified in column 1.

When freeholding lease may not be subdivided—Act, s 489

36. For section 489(3)(d) of the Act, the prescribed amount is—

- (a) if the lessee is receiving a hardship concession or the subdivision is for a family member only—the minimum instalment payable under the lease; and
- (b) if paragraph (a) does not apply—\$5 000.

PART 8—MISCELLANEOUS**Interest rate prescribed**

37. The rate of interest prescribed for a section of the Act is the rate shown in schedule 4, column 2 opposite the section shown in column 1 to which the rate applies.

Amount prescribed

38. The amount prescribed for a section of the Act is the amount shown in schedule 5, column 2 opposite the section shown in column 1 to which the amount applies.

Fees

39. The fees payable under the Act are in schedule 6.

SCHEDULE 1

RATES PRESCRIBED FOR RENT CALCULATION

section 19

CATEGORY 1—GRAZING AND AGRICULTURE

Actual rate	Prescribed rate
≤ 1.1%	1.1%
> 1.1% but ≤ 1.2%	1.2%
> 1.2% but ≤ 1.3%	1.3%
> 1.3% but ≤ 1.4%	1.4%
> 1.4% but ≤ 1.5%	1.5%
> 1.5% but ≤ 1.6%	1.6%
> 1.6% but ≤ 1.7%	1.7%
> 1.7% but ≤ 1.8%	1.8%
> 1.8% but ≤ 1.9%	1.9%
> 1.9% but ≤ 2.0%	2.0%
> 2.0%	2.0%

CATEGORY 4—COMMERCIAL AND INDUSTRIAL, AND CATEGORY 5—INDUSTRIAL (DBIRD)

Actual rate	Prescribed rate
≤ 4.0%	4.0%
> 4.0% but ≤ 4.1%	4.1%
> 4.1% but ≤ 4.2%	4.2%

SCHEDULE 1 (continued)

> 4.2% but ≤ 4.3%	4.3%
> 4.3% but ≤ 4.4%	4.4%
> 4.4% but ≤ 4.5%	4.5%
> 4.5% but ≤ 4.6%	4.6%
> 4.6% but ≤ 4.7%	4.7%
> 4.7% but ≤ 4.8%	4.8%
> 4.8% but ≤ 4.9%	4.9%
> 4.9% but ≤ 5.0%	5.0%
> 5.0% but ≤ 5.1%	5.1%
> 5.1% but ≤ 5.2%	5.2%
> 5.2% but ≤ 5.3%	5.3%
> 5.3% but ≤ 5.4%	5.4%
> 5.4% but ≤ 5.5%	5.5%
> 5.5% but ≤ 5.6%	5.6%
> 5.6% but ≤ 5.7%	5.7%
> 5.7% but ≤ 5.8%	5.8%
> 5.8% but ≤ 5.9%	5.9%
> 5.9% but ≤ 6.0%	6.0%
> 6.0%	6.0%

CATEGORY 6—CHARITABLE ORGANISATIONS

Actual rate	Prescribed rate
≤ 0.5%	0.5%
> 0.5% but ≤ 0.6%	0.6%
> 0.6% but ≤ 0.7%	0.7%

SCHEDULE 1 (continued)

> 0.7% but ≤ 0.8%	0.8%
> 0.8% but ≤ 0.9%	0.9%
> 0.9% but ≤ 1.0%	1.0%
> 1.0% but ≤ 1.1%	1.1%
> 1.1% but ≤ 1.2%	1.2%
> 1.2% but ≤ 1.3%	1.3%
> 1.3% but ≤ 1.4%	1.4%
> 1.4% but ≤ 1.5%	1.5%
> 1.5%	1.5%

CATEGORY 9.1—TOURISM (MAINLAND)

Actual rate	Prescribed rate
≤ 4.5%	4.5%
> 4.5% but ≤ 4.6%	4.6%
> 4.6% but ≤ 4.7%	4.7%
> 4.7% but ≤ 4.8%	4.8%
> 4.8% but ≤ 4.9%	4.9%
> 4.9% but ≤ 5.0%	5.0%
> 5.0%	5.0%

CATEGORY 9.2—TOURISM (ISLAND)

Actual rate	Prescribed rate
≤ 3.5%	3.5%
> 3.5% but ≤ 3.6%	3.6%

SCHEDULE 1 (continued)

> 3.6% but ≤ 3.7%	3.7%
> 3.7% but ≤ 3.8%	3.8%
> 3.8% but ≤ 3.9%	3.9%
> 3.9% but ≤ 4.0%	4.0%
> 4.0% but ≤ 4.1%	4.1%
> 4.1% but ≤ 4.2%	4.2%
> 4.2% but ≤ 4.3%	4.3%
> 4.3% but ≤ 4.4%	4.4%
> 4.4% but ≤ 4.5%	4.5%
> 4.5% but ≤ 4.6%	4.6%
> 4.6% but ≤ 4.7%	4.7%
> 4.7% but ≤ 4.8%	4.8%
> 4.8% but ≤ 4.9%	4.9%
> 4.9% but ≤ 5.0%	5.0%
> 5.0%	5.0%

SCHEDULE 2

DISCOUNT APPLYING TO PRE-WOLFE FREEHOLDING LEASE

section 30

Column 1 Balance of term	Column 2 %	Column 1 Balance of term	Column 2 %
1	4.76	31	49.70
2	7.03	32	50.62
3	9.23	33	51.51
4	11.35	34	52.37
5	13.41	35	53.22
6	15.41	36	54.04
7	17.34	37	54.83
8	19.21	38	55.61
9	21.02	39	56.37
10	23.78	40	57.10
11	24.49	41	57.82
12	26.14	42	58.52
13	27.74	43	59.20
14	29.30	44	59.86
15	30.80	45	60.50
16	32.26	46	61.13
17	33.68	47	61.74
18	35.06	48	62.34
19	36.39	49	62.92
20	37.69	50	63.49
21	38.95	51	64.04
22	40.17	52	64.58
23	41.35	53	65.11
24	42.51	54	65.62
25	43.62	55	66.12
26	44.71	56	66.61
27	45.77	57	67.09
28	46.79	58	67.55

SCHEDULE 2 (continued)

29	47.79	59	68.01
30	48.76	60	68.45

SCHEDULE 3

**DISCOUNT APPLYING TO GRAZING HOMESTEAD
FREEHOLDING LEASE**

sections 34 and 35

Column 1 Balance of term	Column 2 %	Column 1 Balance of term	Column 2 %
1	2.75	16	17.74
2	4.05	17	18.45
3	5.30	18	19.14
4	6.50	19	19.79
5	7.66	20	20.41
6	8.77	21	21.01
7	9.84	22	21.58
8	10.87	23	22.13
9	11.86	24	22.66
10	12.80	25	23.16
11	13.71	26	23.64
12	14.59	27	24.10
13	15.43	28	24.54
14	16.23	29	24.96
15	17.00	30	25.36

SCHEDULE 4

INTEREST RATES PRESCRIBED

section 37

Section of Act	Yearly interest rate prescribed
section 184(4) and (5)	6.5%
section 192(4)	6.5% calculated on yearly rests
section 195(1)	13% calculated on yearly rests
section 500(1)	6.5% calculated on yearly rests

SCHEDULE 5

AMOUNTS PRESCRIBED

section 38

Section of Act	Amount prescribed
section 47(3)	\$2 500
section 184(7)	\$50
section 191(1)	\$50
section 499(2)(e)	\$110

SCHEDULE 6

FEES

section 39

	\$
1. Application for—	
(a) conversion of a lease—	
of town land or suburban land	77.00
of any other land	154.00
(b) a lease or subdivision or amalgamation of a lease—	
of town land or suburban land	77.00
of any other land	154.00
(c) approval to transfer freehold land under s 174(1) of the Act	77.00
(d) removal of a covenant under s 174(4) of the Act	77.00
(e) correction of a deed of grant or deed of grant in trust under s 359 of the Act	77.00
(f) permit to occupy under s 177 of the Act	77.00
(g) opening a road under s 94 of the Act	154.00
(h) closing a road under s 98 of the Act	154.00
(i) exchange of land under s 18 of the Act	154.00
(j) correction of a title under s 358 of the Act	154.00
(k) purchase of a reservation in title under s 24 of the Act	154.00
(l) purchase of land	154.00
2. Depositing a survey plan in the land registry—	
for a plan with 1 lot	115.00
for each additional lot (common property on a group titles plan is not counted as a lot)	15.00
for an easement plan	115.00
3. Requisition of survey content of plan	50.00
4. Lodging—	
(a) a document changing the lessee of a lease or the licensee of a licence—	
for 1 lease or licence	87.00

SCHEDULE 6 (continued)

for each additional lease or licence	20.00
(b) an enduring power of attorney to replace a power of attorney lodged before 3 September 1990	nil
(c) a surrender of a lease, s 57 lease or road licence . . .	nil
(d) any other document	87.00
(e) a document received through the post, courier or document exchange service—additional fee	20.00
5. Requisition of a document lodged for registration	25.00
6. Issuing and enrolling a deed of grant, lease, licence, permit to occupy or substitute document	40.00
7. Searches and copies of documents—	
(a) electronic search and print-out of a lease, licence or permit to occupy—	
within a land registry	10.00
by external access	8.00
(b) electronic search statement of unregistered dealing against a lease or licence	2.00
(c) microfilm copy, optical disk print-out or photocopy of—	
a lease, licence or permit to occupy	10.00
a dealing	16.00
(d) computer print-out of the details of the reserve recorded in the land registry	10.00
8. In addition to the fee mentioned in item 7(a), (c) or (d) for a copy of a document—	
(a) for certifying the document	20.00
(b) for sending the document by facsimile	8.00
9. Preparing an advertisement for—	
(a) dispensing with production of a document under s 314 of the Act	10.00
(b) issuing a substitute document under s 312 of the Act	10.00
10. Notice of resumption under s 224 of the Act	51.00
11. Instrument resuming a lease or an easement over a lease—	
for 1 lease or easement	102.50
for each additional lease or easement	51.00

SCHEDULE 6 (continued)

12. Instrument amending an instrument resuming a lease or an easement over a lease	51.00
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ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 2 August 1995. Future amendments of the Land Regulation 1995 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[x]	=	Reprint No. [x]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 List of legislation

Land Regulation 1995 SL No. 186

notfd gaz 9 June 1995 pp 1165–71

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 1995 (see s 2)

as amended by—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1995 SL No. 224 pts 1, 3

notfd gaz 28 July 1995 pp 1768–9

ss 1–2 commenced on date of notification

ss 5–6 commenced 1 August 1995 (see s 2)

5 List of annotations

SCHEDULE 6—FEES

sub 1995 SL No. 224 s 6