



Queensland

# Land Amendment Regulation (No. 1) 2014

## Subordinate Legislation 2014 No. 271

made under the  
*Land Act 1994*

## Contents

---

		Page
1	Short title . . . . .	2
2	Commencement . . . . .	2
3	Regulation amended . . . . .	2
4	Insertion of new pt 2, div 1A . . . . .	2
	Division 1A      Revocation of dedication of reserve	
	3A      Revocation of dedication of cemetery reserve—Act, s 34D	2
5	Replacement of s 25A (What this division does) . . . . .	2
	25A      What this division does . . . . .	3
6	Amendment of s 25B (Purchase price) . . . . .	3
7	Insertion of new s 25G . . . . .	3
	25G      Appeal against decision on purchase price by lessee	4
8	Amendment of s 27 (Rental categories for rental assessment) . .	4
9	Amendment of s 41 (When rent is payable) . . . . .	5
10	Omission of pt 7A (Review of rental category decisions and appeals)	5

[s 1]

---

**1 Short title**

This regulation may be cited as the *Land Amendment Regulation (No. 1) 2014*.

**2 Commencement**

This regulation commences on 21 November 2014.

**3 Regulation amended**

This regulation amends the *Land Regulation 2009*.

**4 Insertion of new pt 2, div 1A**

Before part 2, division 1—

*insert—*

**Division 1A Revocation of dedication  
of reserve**

**3A Revocation of dedication of cemetery  
reserve—Act, s 34D**

(1) For section 34D(3) of the Act, this section authorises the revocation of the dedication of the part of the Southport cemetery reserve shown as ‘new road’ on lot 91 on SP240307, containing an area of about 512m<sup>2</sup>.

(2) In this section—

*Southport cemetery reserve* means the land reserved for cemetery purposes on lot 91 on plan WD810502, County of Ward, Parish of Nerang, known as Southport cemetery.

**5 Replacement of s 25A (What this division does)**

Section 25A—

*omit, insert—*

## **25A What this division does**

- (1) This division prescribes the way the purchase price, unimproved value, value of commercial timber or cash premium must be decided for the purposes of the following sections of the Act—
  - (a) section 25(1);
  - (b) section 26B(6);
  - (c) section 34IA(2);
  - (d) section 69(1);
  - (e) section 109C(4);
  - (f) section 122(3);
  - (g) section 127(6)(b);
  - (h) section 170(1).
- (2) This division also provides for a right of appeal against the chief executive's decision on the purchase price for land in particular circumstances.

## **6 Amendment of s 25B (Purchase price)**

Section 25B—

*insert—*

- (3) If, under section 122 of the Act, the Minister proposes to grant unallocated State land to a constructing authority or MEDQ—
  - (a) subsections (1) and (2) do not apply to the land; and
  - (b) the purchase price for the unallocated State land is the amount the Minister considers appropriate.

## **7 Insertion of new s 25G**

After section 25F—

*insert—*

**25G Appeal against decision on purchase price by lessee**

- (1) This section applies if the chief executive decides the purchase price for an offer of a deed of grant to a lessee.
- (2) The lessee may appeal against the chief executive's decision on the purchase price.
- (3) However, an appeal of the chief executive's decision on the purchase price for a category 11.1 or 11.2 lease must not relate to the rental valuation for the lease.

*Note—*

A rental valuation is decided by the valuer-general under the Land Valuation Act and is used to calculate the unimproved value of lease land for a purchase price under sections 25C(1) and 25D(1)(a).

**8 Amendment of s 27 (Rental categories for rental assessment)**

- (1) Section 27(1)—

*omit, insert—*

- (1) The Minister may decide (a ***rental category decision***) to include a lease or licence into a rental category mentioned in subsection (4) for the purposes of rent assessment.
- (1A) The chief executive may decide (also a ***rental category decision***) to include a permit into a rental category mentioned in subsection (4) for the purposes of rent assessment.
- (2) Section 27(3), 'under part 7A'—  
*omit.*
- (3) Section 27(1) to (4)—  
*renumber* as section 27(1) to (5).

**9 Amendment of s 41 (When rent is payable)**

Section 41(b), '26A(4)'—

*omit, insert—*

26A(3)

**10 Omission of pt 7A (Review of rental category decisions and appeals)**

Part 7A—

*omit.*

---

ENDNOTES

- 1 Made by the Governor in Council on 20 November 2014.
- 2 Notified on the Queensland legislation website on 21 November 2014.
- 3 The administering agency is the Department of Natural Resources and Mines.

© State of Queensland 2014

Authorised by the Parliamentary Counsel