



THOMSON REUTERS

# Update Summary

PLEASE CIRCULATE IMMEDIATELY!

**UPDATE 83**

**OCTOBER 2016**

**LAND TITLES LAW AND PRACTICE**

**Sharon Christensen, Bill Dixon  
and Anne Wallace**

**Material Code 41725208**

**Print Post Approved PP255003/00333**

© Thomson Reuters (Professional) Australia Limited 2016

**Looseleaf Support Service**

You can now access the current list of page numbers at:

<http://www.thomsonreuters.com.au/support/product-support.aspx?id=/mediaTree/58599>. If you have any questions or comments, or to order missing pages, please contact Customer Care LTA ANZ on 1300 304 195 Fax: 1300 304 196 Email: [Care.ANZ@thomsonreuters.com](mailto:Care.ANZ@thomsonreuters.com)

## UPDATED ANNOTATIONS

Anne Wallace has updated annotations to s 185(1)(h), (i) and (j) of the *Land Title Act 1994* to reflect the commencement on 27 September 2016 of provisions in the *Mineral and Energy Resources (Common Provisions) Act 2014*. See:

### Section 185 Exceptions to s 184

- [10.3660] Interest of a petroleum authority holder under an access agreement;
- [10.3664] Interest of a GHG authority holder under an access agreement; and
- [10.3666] Interest of a geothermal tenure holder under an access agreement.

Sharon Christensen has updated annotations to the *Land Title Act 1994* to reflect the commencement on 27 September 2016 of provisions in the *Mineral and Energy Resources (Common Provisions) Act 2014* relating to conduct and compensation agreements and opt out agreements. See:

### Section 29 Particulars the registrar may record

- [3.300] Administrative advices recorded under legislation apart from the Land Title Act 1994.

Bill Dixon has updated annotations to the *Land Title Act 1994* to address decisions relating to the removal or lodgment of a caveat in the context of an analogous provision. See:

### Section 127 Removing a caveat

- [7.3570] The Supreme Court may make the order:
  - *Hanson Construction Materials Pty Ltd v Roberts* [2016] NSWCA 240.

### Section 130 Compensation for improper caveat

- [7.5070] Without reasonable cause; and
- [7.5110] Must compensate anyone else who suffers loss or damage as a result:
  - *Binning (as administratrix of the estate of Cowan) v Avsar* [2016] WASC 194.