



New South Wales

# Residential Tenancies (Residential Premises) Amendment (St Patrick's Estate, Manly) Regulation 2000

under the

Residential Tenancies Act 1987

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential Tenancies Act 1987*.

JOHN WATKINS, M.P.,

Minister for Fair Trading

## Explanatory note

The object of this Regulation is to amend the *Residential Tenancies (Residential Premises) Regulation 1995* so as:

- (a) to exempt from the operation of the *Residential Tenancies Act 1987* a residential tenancy agreement whose term is not less than 17 years (but not more than 99 years) in respect of certain land at Manly owned by the Trustees of the Roman Catholic Church for the Archdiocese of Sydney, but only with the consent of the parties to the agreement, and
- (b) to make minor amendments by way of law revision.

This Regulation is made under section 133 (3) (d) of the *Residential Tenancies Act 1987*.

**2000 No 381**

Clause 1 Residential Tenancies (Residential Premises) Amendment (St Patrick's Estate, Manly) Regulation 2000

---

**Residential Tenancies (Residential Premises)  
Amendment (St Patrick's Estate, Manly)  
Regulation 2000**

**1 Name of Regulation**

This Regulation is the *Residential Tenancies (Residential Premises) Amendment (St Patrick's Estate, Manly) Regulation 2000*.

**2 Amendment of Residential Tenancies (Residential Premises) Regulation 1995**

The *Residential Tenancies (Residential Premises) Regulation 1995* is amended as set out in Schedule 1.

**3 Notes**

The explanatory note does not form part of this Regulation.

---

## Schedule 1 Amendments

(Clause 2)

**[1] Clause 23B Exemptions in respect of certain portions of St Patrick's Estate, Manly**

Omit "comprised in St Patrick's Estate, Manly" from clause 23B (1).  
Insert instead "to which this clause applies".

**[2] Clause 23B (5)**

Omit "In this clause, *St Patrick's Estate, Manly* means the following lands held by the Roman Catholic Archbishop of Sydney".  
Insert instead "This clause applies to the following lands held by the Trustees of the Roman Catholic Church for the Archdiocese of Sydney".

**[3] Clause 23BA**

Insert after clause 23B:

**23BA St Patrick's Estate, Manly—other leases**

- (1) A residential tenancy agreement in respect of land to which this clause applies is exempted from the operation of the Act if the agreement:
  - (a) is for a term of not less than 17 years (excluding any period for which the agreement could be renewed by the exercise of an option) but not more than 99 years, and
  - (b) is in writing, and
  - (c) states that this clause applies to the agreement.
- (2) A residential tenancy agreement:
  - (a) that extends the term of an agreement exempted under subclause (1) (*the first agreement*), so that the term of the agreement ends not more than 99 years after the beginning of the term of the first agreement, or

## 2000 No 381

### Residential Tenancies (Residential Premises) Amendment (St Patrick's Estate, Manly) Regulation 2000

#### Schedule 1 Amendments

---

- (b) that renews the first agreement for a further term for not less than 17 years (excluding any period for which the agreement could be renewed by the exercise of an option) and that ends not more than 99 years from the beginning of the term of the first agreement,

is exempted from the operation of the Act if it complies with subclause (1) (b) and (c).

- (3) The exemption of a residential tenancy agreement from the operation of the Act under this clause does not:
  - (a) affect any other residential tenancy agreement (a *sublease*) effecting a demise of:
    - (i) the tenant's interest under the exempt agreement, or
    - (ii) any interest derived from that interest, or
  - (b) affect the rights or obligations under the Act, as landlord and tenant under the sublease, of the parties to the sublease.
- (4) This clause applies to the following lands held by the Trustees of the Roman Catholic Church for the Archdiocese of Sydney:
  - (a) Lots 1–7, DP 861974,
  - (b) Lot 2, DP 544297,
  - (c) Lot 1556, DP 752038,
  - (d) whole of the lands contained on Certificate of Title Volume 11531 Folio 17.
- (5) This clause also applies to the land comprised in Lots 1–3 in DP 205741, to the extent that clause 23B does not apply to that land.

BY AUTHORITY