

LEGISLATIVE ASSEMBLY

Read 1° 17 August 1989

(Brought in by Mr Roper and Mr Cain)

A BILL

to amend the *Historic Buildings Act* 1981 and for other purposes.

Historic Buildings (Amendment) Act 1989

The Parliament of Victoria enacts as follows:

Purpose

1. The purpose of this Act is to provide for the inclusion of certain government buildings in the Register of Historic Buildings.

5 Commencement

2. This Act comes into operation on the day on which it receives the Royal Assent.

Principal Act

10 3. In this Act, the *Historic Buildings Act* 1981 is called the Principal Act.

No 9667
Reprinted to No.
10262 and
amended by Nos
121/1986,
9/1987,
45/1987,
12/1988,
80/1988,
12/1989,
18/1989,
19/1989,
44/1989,
47/1989 and
57/1989.

Register of Historic Buildings

4. In section 14 (2) of the Principal Act, omit “other than government buildings”.

Notice to Registrar-General and Registrar of Titles

5. (1) In the definition of “Owner” in section 3 of the Principal Act, for “whose interest in the land” substitute “whether or not the person’s interest in the land”.

(2) In section 16 (2) after “land” insert “, other than unalienated land of the Crown,”.

(3) After section 16 (6) insert— 10

“(7) Where a Crown grant is issued in respect of a registered building or registered land that is unalienated land of the Crown, any matters in the Register of Historic Buildings affecting the land shall be specified—

(a) in the Crown Grant; or 15

(b) in a notice in the prescribed form to the Registrar of Titles accompanying the Crown Grant.”.

(4) After section 41 (11) of the Principal Act, insert—

“(12) Where a covenant entered into under this section affects unalienated land of the Crown, the Council shall amend the Register of Historic Buildings by entering a memorandum of the effect of the covenant.”. 20

Council to make examination and recommendation

6. (1) In section 18 (1) of the Principal Act, for the words “a building should be added to or removed from” substitute “a building, other than a designated building should be added to or whether a building should be removed from”. 25

(2) After section 18 (1) of the Principal Act, insert—

“(1AA) The Council may, at the direction of the Minister, make an examination as to whether a designated building should be added to the Register. 30

(1AB) The Council may, at the direction of the Minister, make an examination as to whether a designated building should be removed from the Register of Government Buildings.”.

Register of Government Buildings 35

7. (1) In the heading preceding section 32A of the Principal Act, omit “Register of”.

(2) In section 32A (3), paragraph (a) is repealed.

(3) After section 32A (3) insert—

“(3A) After the commencement of the *Historic Buildings (Amendment) Act* 1989 the Minister may not—

- 5 (a) amend the Register of Government Buildings by adding any building; or
- (b) remove a designated building from the Register of Government Buildings unless the Minister has obtained a report from the Council.”.

Section 32G substituted

10 8. For section 32G of the Principal Act, substitute—

Removal of designated building from Register

“32G. If a designated building is added to the Register of Historic Buildings under section 14 (4), the designated building is deemed to be removed from the Register of Government Buildings.”.

15 **Historic Buildings Fund**

9. The Principal Act is amended as follows:

- (a) In section 47 (1), after “registered building” insert “, other than a government building”;
- 20 (b) In section 49 (1), after “registered building” insert “other than a government building”;
- (c) In section 51 (1), after “registered building” (where first occurring) insert “, other than a government building”.

Amendment of section 26

10. After section 26 (11) insert—

25 “(12) Where a government building is specified in the Register, any alteration of the building approved by the Minister under section 32D, 32E or 32F before the building was registered has the same effect as an alteration approved under a permit under this section.”.

