

South Australia

Heritage (Beechwood Garden) Amendment Act 2005

An Act to amend the *Heritage Act 1993*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Heritage (Beechwood Garden) Amendment Act 2005*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Heritage Act 1993*

3—Amendment of section 32—Heritage agreements

Section 32(3)—delete "The Minister" and substitute:

Subject to Schedule 2, the Minister

4—Insertion of Schedule 2

After Schedule 1 insert:

Schedule 2—Heritage agreement relating to Beechwood Garden

1—Interpretation

In this Schedule—

the prescribed land means—

- (a) Certificate of Title Register Book Volume 5862 Folio 262 (formerly Volume 4175 Folio 187);
- (b) Certificate of Title Register Book Volume 5133 Folio 747 (formerly Volume 4175 Folio 188).

2—Heritage agreement relating to Beechwood Garden

- (1) A heritage agreement entered into in relation to the whole or any part of the prescribed land must not be—
 - (a) varied so as to provide for a significant variation; or
 - (b) terminated,unless the variation or termination (as the case may be) has been authorised by a resolution of both Houses of Parliament.
- (2) Notice of a motion for a resolution referred to in subclause (1) must be given not less than 14 sitting days before the motion is passed.
- (3) For the purposes of subclause (1), a *significant variation* is a variation of a heritage agreement that makes provision with respect to—
 - (a) the division of the prescribed land (being a division of land within the meaning of the *Development Act 1993*); or
 - (b) the granting of any lease, licence, easement or other right relating to the use, occupation or control of the prescribed land (but not including a case that only involves a transfer of the prescribed land to a new owner).