



ADELAIDE RAILWAY STATION DEVELOPMENT ACT, 1984

No. 31 of 1984

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ANNO TRICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1984

No. 31 of 1984

An Act to facilitate the development of the site of the Adelaide Railway Station by the construction of a hotel of international standard, an office tower and other improvements; and for other purposes.

[Assented to 10 May 1984]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the “Adelaide Railway Station Development Act, 1984”. Short title.

2. (1) This Act shall come into operation on a day to be fixed by proclamation. Commencement.

(2) The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

3. In this Act, unless the contrary intention appears— Interpretation.

“the contracting parties” means—

(a) the State;

(b) South Australian Superannuation Fund Investment Trust;

(c) Kumagai Gumi Co. Ltd.;

and

(d) Aser Property Trust:

“the development plan” means a plan promulgated by regulation for development of the development site:

“the development site” means the land comprised in Section 766 Hundred of Adelaide and the land marked “V” in the schedule:

“the Minister” means the Minister of Public Works:

“the proposed development” means the development of the development site in accordance with the development plan.

Vesting of land.

4. (1) An estate in fee simple in the land comprised in Section 766 Hundred of Adelaide is vested in the State Transport Authority.

(2) An estate in fee simple in the land marked “T” in the plan deposited in the General Registry Office at Adelaide and numbered No. 112 of 1984 is vested in the Corporation of the City of Adelaide.

(3) Any estate or interest in the land comprised in Section 766 Hundred of Adelaide or in the land marked “T” in the plan deposited in the General Registry Office at Adelaide and numbered No. 112 of 1984 that existed immediately before the commencement of this section is extinguished.

(4) The Registrar-General, on the application of a body in which land is vested under this section, shall, without payment of a fee, issue a certificate of title under the provisions of the Real Property Act, 1886, in respect of that land.

(5) The Registrar-General shall make all consequential amendments to the Register Book that become necessary by reason of the issue of a Certificate of Title pursuant to subsection (4).

(6) No duty is payable pursuant to the Stamp Duties Act, 1923, in respect of an application referred to in subsection (4).

The development.

5. (1) It shall be lawful to develop the development site in accordance with the development plan.

(2) No consent, approval or other authorization is required under the City of Adelaide Development Control Act, 1976, in respect of the proposed development.

(3) To facilitate the proposed development, the Minister may grant such exemptions from the Building Act, 1970, as he thinks fit.

(4) An exemption granted pursuant to subsection (3) shall be subject to such conditions as the Minister determines and an exemption, or a condition to which an exemption is subject, may be varied or revoked by the Minister at any time.

(5) Within six sitting days after the Minister grants or varies an exemption referred to in subsection (3) or varies a condition to which such an exemption is subject, he shall cause to be laid before each House of Parliament a written statement of—

- (a) the nature and extent of the exemption;
- (b) the person for whose benefit the exemption will operate;
- (c) the conditions (if any) to which the exemption is subject;
- (d) his reasons for granting or varying the exemption or the condition.

(6) A person who contravenes or fails to comply with a condition attached to an exemption granted pursuant to subsection (3) is guilty of an offence.

Penalty: Fifty thousand dollars.

(7) Where a person contravenes or fails to comply with a condition attached to an exemption granted pursuant to subsection (3), the Minister

may, by notice in writing, require him to desist from the contravention or remedy the default and if he fails to comply with the notice he shall be guilty of an offence and liable to a penalty not exceeding five thousand dollars for every day for which that failure continues.

(8) The exemption conferred by subsection (2) shall expire on the thirtieth day of June, 1991, and an exemption granted pursuant to subsection (3) shall expire on or before that date.

6. (1) An agreement between the State and any one or more of the contracting parties relating to the proposed development may confer an exemption from any rate, tax, duty or other impost under—

Exemption from certain Acts.

- (a) the Waterworks Act, 1932;
 - (b) the Sewerage Act, 1929;
 - (c) the Local Government Act, 1934;
 - (d) the Land Tax Act, 1936;
- or
- (e) the Stamp Duties Act, 1923.

(2) An exemption under subsection (1) (a), (b) or (c) shall expire before the first day of July, 1991, or such other date as may be agreed between the State and the other parties concerned.

(3) An exemption under subsection (1) (d) shall expire before the first day of July, 1996, or such other date as may be agreed between the State and the other parties concerned.

(4) An exemption under subsection (1) (e) shall relate only to documents executed before the first day of July, 1991, or such other date as may be agreed between the State and the other parties concerned.

7. (1) In order to facilitate the proposed development, the Minister may, subject to this section, by notice published in the *Gazette*—

Access to development site.

(a) confer upon any person access to the development site over specified municipal land;

and

(b) confer upon any person exclusive rights of occupation in respect of specified municipal land that is immediately adjacent to the development site.

(2) In subsection (1)—

“municipal land” means land that—

(a) is vested in the Corporation of the City of Adelaide;

or

(b) is under the care, control or management of the Corporation.

(3) The Minister shall not publish a notice pursuant to subsection (1) without first conferring with the Corporation of the City of Adelaide as to the rights to be conferred by the proposed notice.

(4) Any rights of access or occupation conferred pursuant to this section shall cease to operate after the completion of the proposed development.

Promulgation of
development plan
by regulation.

8. (1) The Governor may, by regulation—

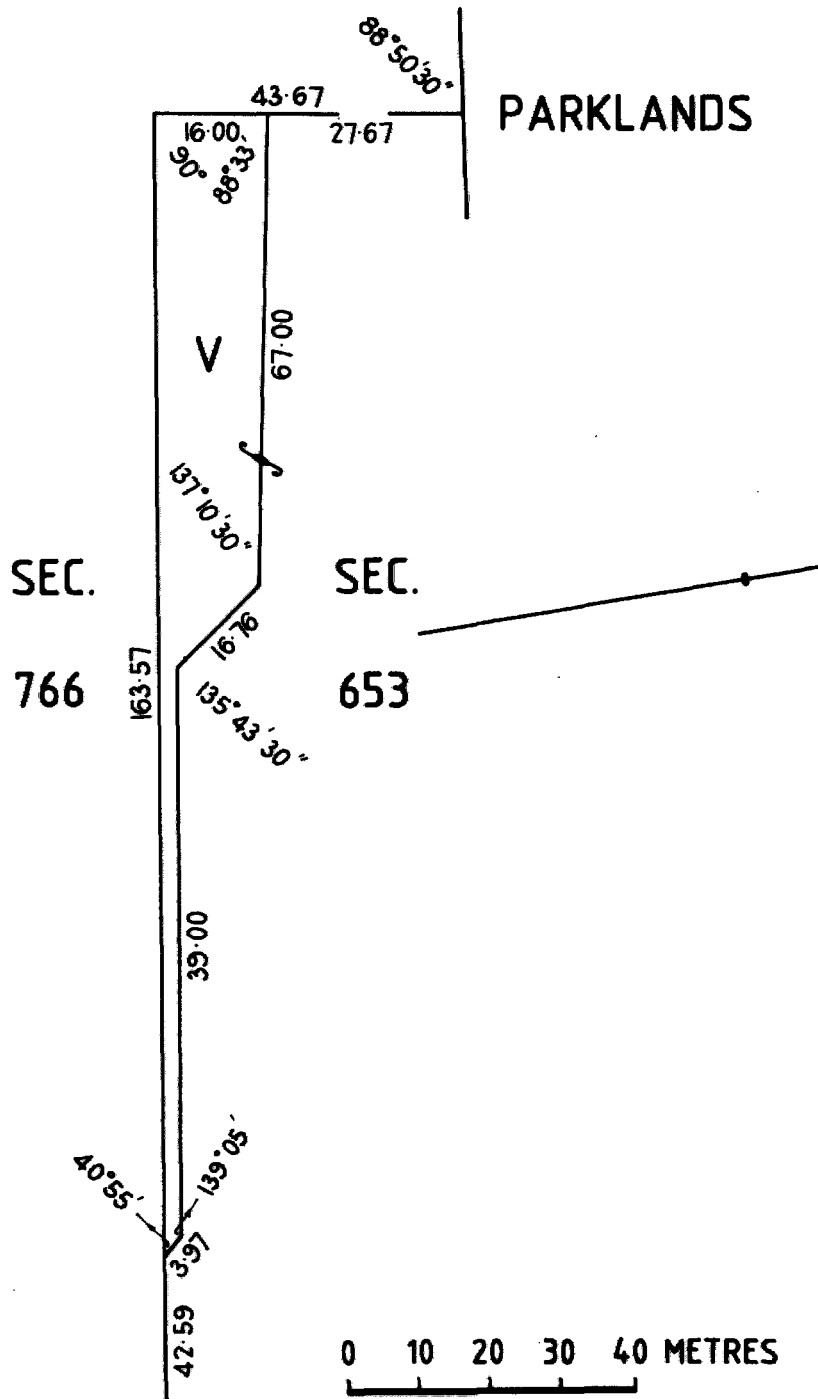
(a) promulgate a plan for development of the development site;

or

(b) amend a plan so promulgated.

(2) At least thirty days before a plan is promulgated as the development plan, or before the development plan is amended, the Minister responsible for planning shall invite representations in relation to the proposed plan or amendment from the Corporation of the City of Adelaide and the City of Adelaide Planning Commission and he shall have regard to any representations made in response to that invitation.

THE SCHEDULE



In the name and on behalf of Her Majesty, I hereby assent to this Bill.

C. L. LAUCKE, Governor's Deputy