



INTERNATIONAL HOTEL DEVELOPMENT ACT 1985

No. 33 of 1985

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SCHEDULE 1

SPECIFIED LAND

AN ACT to provide for matters necessary and incidental to the development and establishment of an international hotel in Hobart.

[Royal Assent 1 May 1985]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled as follows:—

1—This Act may be cited as the *International Hotel Development Act 1985*. Short title.

Commence-
ment.

2—This Act shall commence on the day on which it receives the royal assent.

Interpretation.

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

“ development ” means—

(a) the carrying out of building, engineering, mining, or other operations in, on, over, or under the specified land;

(b) the carrying out of a work;

(c) the erection of a building;

(d) the demolition, in whole or in part, of any building or other works on the specified land; or

(e) an alteration in the use of the specified land or any buildings or works on the specified land;

“ Director ” means the person for the time being holding the office of Director of Construction;

“ Director-General ” means the Director-General of Lands appointed pursuant to section 7 of the *Crown Lands Act* 1976;

“ issuing date ” means the date on which a certificate is issued under section 8;

“ Licensing Board ” means the Licensing Board of Tasmania established under section 3 of the *Licensing Act* 1976;

“ Recorder of Titles ” means the Recorder of Titles appointed pursuant to section 4 of the *Land Titles Act* 1980;

“ specified land ” means the land specified in Schedule 1.

Powers of
Minister to
mortgage, &c.,
specified land.

4—(1) Notwithstanding the provisions of the *Crown Lands Act* 1976, the Minister for the time being administering that Act may mortgage, lease, sell, and otherwise deal with the specified land on such terms and conditions as the Minister thinks fit.

(2) The provisions of the *Stamp Duties Act* 1931 do not apply in respect of any instrument required in connection with, or arising out of, a dealing authorized by subsection (1).

Issue and
cancellation
of Folios of
the Register.

5—(1) On application by the Director-General, the Recorder of Titles may, pursuant to the *Land Titles Act* 1980, issue one Folio of the Register in the name of the Crown in respect of the specified land.

(2) On the issue of the Folio of the Register pursuant to subsection (1), the Recorder of Titles shall cancel in full any other Folio of the Register of which the specified land forms part.

6—(1) The provisions of any Act, regulations, rules, or by-laws— Non-application of certain provisions.

- (a) requiring the approval, consent, or permission of any body in respect of the development of the specified land;
- (b) empowering any body to grant or refuse its consent to the development of that land;
- (c) prohibiting the development of that land;
- (d) permitting the development of that land only upon specified terms or conditions; or
- (e) regulating or permitting the regulation of the development of that land,

do not apply and are deemed not to have applied during any period preceding the issuing date in relation to the specified land or any other land adjacent to the specified land which it is necessary to use in connection with the development of the specified land.

(2) An interim order issued pursuant to section 734 of the *Local Government Act 1962* does not apply in relation to the specified land during such period as may precede the issuing date.

7—(1) Unless the Minister for the time being responsible for the administration of the Department of Construction otherwise determines, the building, structure, or works to be erected on the specified land shall be built in accordance with the appropriate provisions of Division 1 of Part XVI of the *Local Government Act 1962* and any other requirements relating to the development of that land the Director may direct. Application of Division 1 of Part XVI of Local Government Act 1962.

(2) Where, under any Act, regulations, rules, or by-laws, any approval or inspection is required or discretion is permitted, that approval, inspection, or discretion in relation to the development of the specified land shall be made or carried out by the Director.

(3) The Director may, by instrument in writing signed by him, delegate the functions imposed on him under subsection (2) to such person as he may determine.

(4) The performance of a function delegated pursuant to subsection (3) shall, for all purposes, be deemed to have been performed by the Director.

(5) Subsections (2), (3), and (4) do not apply in relation to the specified land on or after the issuing date.

Certificate of compliance.

8—(1) The Director shall, if in his opinion the building, structure, or works referred to in section 7 (1) complies with—

(a) the provisions of Division 1 of Part XVI of the *Local Government Act 1962*;

(b) any requirements of the Director made pursuant to section 7;

(c) any determinations of the Minister made pursuant to that section; and

(d) any plans and specifications approved by the Director pursuant to section 7 (2),

issue a certificate to that effect.

(2) A certificate issued under subsection (1) is conclusive evidence that at the date on which the certificate was issued the building, structure, or works referred to in section 7 (1) complied with the matters referred to in subsection (1).

(3) This section does not apply to—

(a) any alteration or addition to the building, structure, or works referred to in section 7 (1); or

(b) any alteration in the use of the specified land, made on or after the issuing date.

Grant of licence under Licensing Act 1976.

9—Notwithstanding any provisions of the *Licensing Act 1976*, the Licensing Board shall, on application for the grant of a licence made under that Act in respect of the premises built on the specified land, grant that licence subject to such conditions as the Licensing Board may impose under that Act.

SCHEDULE 1
SPECIFIED LAND

Section 3



