

**PAR-LA-VILLE HOTEL AND RESIDENCES SPECIAL
DEVELOPMENT ORDER 2006**

BR 83/2006

DEVELOPMENT AND PLANNING ACT 1974

1974 : 51

**PAR-LA-VILLE HOTEL AND RESIDENCES SPECIAL
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The Minister of the Environment, Telecommunications and E-Commerce, in exercise of the powers conferred upon her by section 15(2)(a) of the Development and Planning Act 1974, makes the following Order:

Citation

1 This Order may be cited as the Par-La-Ville Hotel and Residences Special Development Order 2006.

[Title and paragraph 1 amended by GN 476/2009 para 2 effective 19 June 2009]

Interpretation

2 (1) In this Order—

"Act" means the Development and Planning Act 1974;

"applicant" means Unified Resorts Limited, a company registered under the Companies Act 1981 on 7 December 2006;

"Building Official" has the meaning given in the Building Act 1988;

"Development" means the Development referred to in the planning application and more particularly described in the First Schedule;

"planning application" means the application for planning permission for the development made by the applicant,

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numbered P0869/06 and dated 13 October 2006, and the accompanying drawings numbered SK01 REV A to SK14 REV A, dated March 2007, prepared by Linberg & Simmons Architects and submitted on behalf of the applicant; and

"site" means the land described in the Second Schedule.

(2) Subject to subparagraph (1), any expression used in this Order that is also used in the Act has the meaning assigned to it in the Act.

[Paragraph 2(1) amended by GN 463/2007 para 2 effective 13 July 2007]

Planning permission in principle

3 (1) Subject to the conditions specified in subparagraph (2), planning permission in principle is granted by this Order for the development of the site.

(2) The conditions referred to in subparagraph (1) are as follows—

- (a) prior to submission of an application for final planning permission, the applicant shall submit to the Minister responsible for Tourism and the Minister of the Environment, Telecommunications and E-Commerce for their review, information and details sufficient to satisfy both Ministers that the applicant will make adequate provision for staff housing;
- (b) design, external appearance and landscaping are reserved matters to be determined at the Final Approval stage and shall be to the satisfaction of the Development Applications Board. The application for final planning permission shall be made to the Department of Planning and shall be accompanied by comprehensive details on design, external appearance and landscaping. The landscape works should include street trees, lighting and improvements within Par-la-Ville Park to the satisfaction of the Corporation of Hamilton;
- (c) an application for a building permit shall be submitted to, and shall be approved by, the Building Official prior to the commencement of any construction work;
- (d) the application for a building permit shall comply with the requirements of the Building Act 1988 and the Bermuda Building Code 1998, with any directions given by the Chief Fire Officer in respect of fire protection, and

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- with any directions given by the Chief Environmental Health Officer in respect of public health;
- (e) all roads, junctions with public roads and sidewalks shall be sited, designed and laid out in accordance with the requirements of the Corporation of Hamilton and the City of Hamilton Plan 2001;
 - (f) the mode, design and specifications of the proposed methods of sewage disposal, the supply of water and the provisions made for disposing of all storm water run-off within the curtilage of the site shall comply with the requirements of the Corporation of Hamilton and the Chief Environmental Health Officer;
 - (g) all utility cables shall be placed underground within the curtilage of the site and shall be to the satisfaction of the Corporation of Hamilton;
 - (h) a public art feature shall be required as part of the final planning application and shall be in general conformance with the requirements of the City of Hamilton Plan 2001.

Saving

4 For the avoidance of doubt, it is hereby declared that nothing in this Order grants planning permission for any matters of development for which planning permission, or the approval of the Corporation of Hamilton, is required, apart from any matter for which planning permission in principle has been granted by paragraph 3.

[Paragraph 4 amended by GN 463/2007 para 3 effective 13 July 2007]

FIRST SCHEDULE (paragraph 2(1))

The Development

1 The construction of a ten-storey hotel and residence complex at the site of Par-la-Ville Car Park, with six storeys for the hotel and four storeys for the residences.

2 The new hotel and residences will comprise 160 hotel rooms including suites, 77 luxury apartments (a mix of one-bedroom, two-bedroom and three-bedroom units), two restaurants and bars, a spa, gym, swimming pool and roof garden

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3 The construction of a 15,400 square foot conference facility, approximately 20,000 square feet of retail space along the road frontages, and ancillary service areas and public areas.

4 The construction of three levels of underground parking for up to 500 cars.

5 The construction of a new amphitheatre and fountain at the north end of Par-la-Ville Park.

6 The construction of pedestrian overpasses connecting Par-la-Ville Park to the hotel.

7 The extension of Par-la-Ville Park along the eastern boundary, connecting it with Church Street.

8 Vehicle access to the hotel drop-off, parking garage and conference facility drop-off will be from Par-la-Ville Road. An auxiliary connection to and from Church Street will be provided by an extension of the existing service road, on the east boundary, along the south boundary of the site. The residences' entrance drop-off area will be on the northeast corner of the site.

[First schedule amended by GN 463/2007 para 4 effective 13 July 2007]

SECOND SCHEDULE (paragraph 2(1))

The Site

ALL THAT LAND in the City of Hamilton having an approximate area of 80,000 square feet and containing the existing Par-la-Ville Car Park, bounded by Par-la-Ville Road to the west, Church Street to the north, the entrance road to Par-la-Ville Car Park to the east and Par-la-Ville Park to the south as is shown, outlined in black, on the site plan (job no. AR2382, drawing no. SK 02 REV A) by Linberg & Simmons Architects, dated March 2007.

Made this 11th day of December, 2006

Minister of the Environment,
Telecommunications and E-Commerce

[Amended by:

GN 463/2007

GN 476/2009]