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**SUPPLEMENT**

**PROCLAMATIONS, RULES AND REGULATIONS**

392L<sup>1</sup>

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No. 114D

**THE TOWN AND COUNTRY PLANNING ACT**

THE TOWN AND COUNTRY PLANNING (ST. CATHERINE AREA) PROVISIONAL  
DEVELOPMENT ORDER, 2017 (CONFIRMATION) NOTIFICATION, 2019

In exercise of the powers conferred upon the Minister by subsection (2) of section 7 of the Town and Country Planning Act, the following notification is hereby given:

1. This notification may be cited as the Town and Country Planning (St. Catherine Area) Provisional Order, 2017 (Confirmation) Notification, 2019.
2. The Town and Country Planning (St. Catherine Area) Provisional Development Order, 2017 published in the Jamaica Gazette Supplement, Proclamations, Rules and Regulations Vol. CXL No. 45<sup>1</sup>A, dated Monday, June 5, 2017, is hereby confirmed with the following modifications set out in the Schedule hereto.

## SCHEDULE

*Modifications of the Town and Country Planning (St Catherine Area)  
Provisional Order, 2017*

## A. Typographical Changes

1. On page 636<sup>2</sup>A—
  - (a) in the paragraph “land” immediately below “filling station” delete the word “corporal” and substitute therefor the word “corporeal”; and
  - (b) in paragraph “land” delete the letter “s” immediately before the word “structure”.
2. On page 636<sup>6</sup>A—
  - (a) in the first line delete the word “ensure” and substitute therefor the word “enure”; and
  - (b) in the second line of paragraph 9 delete the word “of” immediately before the word “within”.
3. On page 636<sup>16</sup>A in the fourteenth line of the first paragraph delete the “()” before and after the word “point” and insert therefor the letter “a” before the word “point”.
4. On page 636<sup>19</sup>A add the words “at the starting point” to the end of the first paragraph.
5. On page 636<sup>20</sup>A—
  - (a) in the fourth line of the first paragraph delete the number “27” and insert the number “243” after the word “volume” and insert the number “27” after the word “folio” and before the word “to”; and
  - (b) in the twenty-fifth line of the first paragraph add the letter “s” to the word meet to read “meets”.
6. On page 636<sup>21</sup>A in the third line of the third paragraph delete the word “at” and replace therefor the word “and”.
7. On page 636<sup>24</sup>A in Use Class Order, Class 1 - Shops, sub-section h, insert the letter “s” at the end of the word good to read “goods”.
8. On page 636<sup>28</sup>A in the second line of subsection (a) of paragraph A.3, delete the word “the” between the words “in” and “appearance”.
9. On page 636<sup>31</sup>A—
  - (a) in the first line of paragraph C.1 insert the words “is not” immediately after the word “development” and before the word “permitted”.
  - (b) in the fourth line of sub-section (a) of paragraph C.2 insert the letter “m” after “1.7m” to read “1.7mm”.

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SCHEDULE, *contd.*

10. On page 636<sup>34</sup>A—
  - (a) in the first line of paragraph A insert (,) between the words “erection” and “construction”; and
  - (b) in the first line of paragraph A.1 insert (,) between the words “fence” and “wall”.
11. On page 636<sup>35</sup>A in the first line of subsection (c) insert (,) between the words “fence” and “wall”.
12. On page 636<sup>36</sup>A in the first line of subsection (iii) of paragraph D.1 delete the letter “f” from “isf” to read “is”.
13. On page 636<sup>41</sup>A in the third line of subsection (b) of paragraph A.2 delete the word “ship” and substitute therefor the word “shop”. Delete the word “the” before the word ship.
14. On page 636<sup>75</sup>A in the first line of the third paragraph under “Population Size and Growth” delete the words “stand at” and substitute therefor the word “be”.
15. On page 636<sup>76</sup>A—
  - (a) in the third line under “Natural Environment” after the word “has” delete the words “three areas declared as”;
  - (b) insert “, the Fishing Industry Act” between the words “Act” and “and”;
  - (c) in the sixth line delete the words “and in 1998 a portion of between the words “Act” and “the””; then insert a period and capitalize the word “the” between the words “Act” and “Portland”;
  - (d) in the seventh line insert the words “was established” between (PBPA) and “under”;
  - (e) in the eighth line delete the word “declared” and replace therefor the word “designated”; then insert the words “Wetland of International Importance” between the words “designated” and “Ramsar”;
  - (f) at the end of the eight line add the sentence “The Three Bays and the Galleon Harbour Fish Sanctuaries are declared under the Fishing Industry Act. The Amity Hall and Carbarita Point Game Reserve are declared under the Wild Life Protection Act.”.
16. On page 636<sup>81</sup>A in the seventh line under “Planning Strategy” insert the words “and other” between the words “residential” and “developments”.
17. On page 636<sup>87</sup>A in the third line of Obj. C12 delete the words “are preserved” at the end of the sentence.
18. On page 636<sup>89</sup>A in the second line of Obj. WS5 delete the word “unsustainable” and substitute therefor the word “unsuitable”.

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SCHEDULE, *contd.*

19. On page 636<sup>91</sup>A—
- (a) in the first line under Tourism insert the word “the” between the words “in” and “development”; and
  - (b) in the second line under Tourism insert the word “the” between the words “of” and “area”.
20. On page 636<sup>100</sup>A—
- (a) in the sixth line of the first paragraph delete the sentence “Both islands are declared under the Forest Act, 1996.”; and
  - (b) in the eighth line after the word “Fishing” delete the word “Industries” and replace therefor the word “ Industry”.
21. On page 636<sup>108</sup>A in the second line of POLICY SP C40 insert the word “and” between the words “Trust” and “ensure”.
22. On page 636<sup>111</sup>A in the second line of the first paragraph delete the word “of” and substitute therefor the word “a”.
23. On page 636<sup>119</sup>A in the third line of the second paragraph delete the words “has some” and substitute therefor the words “all have”.
24. On page 636<sup>136</sup>A in the fourth line of the third paragraph insert the word “be” between the words “to” and “properly”.
25. On page 636<sup>156</sup>A—
- (a) in the fifth line of the second paragraph delete the word “were” and replace with “where”;
  - (b) in the sixth line of the second paragraph delete the word “area” and replace with the word “are”;
  - (c) in the ninth line of the second paragraph, after the word “facilities” delete the words “which are”; and
  - (d) in POLICY GD51 in the third line insert the word “are” between the words “they” and “available”.
26. On page 636<sup>157</sup>A in the second line of the first paragraph delete the word “areas” and substitute therefor the word “area”.
27. On page 636<sup>161</sup>A in the second line of POLICY CD10 delete the word “agriculture” and substitute therefor the word “aquaculture”.
28. On page 636<sup>175</sup>A in the first line of the third paragraph delete the word “Fourth” and substitute therefor the word “Third”.

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SCHEDULE, *contd.*

29. On page 636<sup>181</sup>A—
- (a) in the fourth line of POLICY ST T8 insert the words “and sectoral” between the words “development” and “policies”; and
  - (b) at the end of POLICY ST T9 insert a period.
30. On page 636<sup>182</sup>A in the third line of POLICY ST T15 delete the words “in association” and substitute therefor the word “associated”.
31. On page 636<sup>185</sup>A—
- (a) in the third line of the first paragraph insert a “period” between the words “high” and “these”; and
  - (b) delete the word “these” and substitute therefor the word “These”.
  - (c) In the last line delete the word “form” and replace with the word “from.”
32. On page 636<sup>190</sup>A in the first line of POLICY ST WT2 delete the word “or” and substitute therefor the word “for”.
33. On page 636<sup>194</sup>A—
- (a) in the first line of POLICY ST TO1 delete the words “marketing and” immediately after the word “the” and before the word “development”; and
  - (b) in the second line of POLICY ST CA1 insert the word “needs” between the words “the” and “express”.
34. On page 636<sup>198</sup>A in the second line of POLICY BLE T8 insert comma (,) between the words “landscaping” and “all”.
35. On page 636<sup>209</sup>A in the fourth line of the third paragraph delete the word “centre” and substitute therefor the word “centres”.
36. On page 636<sup>212</sup>A in the ninth line of the second paragraph insert the word “and” between the words “applications” and “these”.
37. On page 636<sup>213</sup>A in the eleventh line of the first paragraph delete the words “the City” and substitute therefor the word “Jamaica”.
38. On page 636<sup>215</sup>A—
- (a) in the last line of POLICY OH UE9 insert the word “land” between the words “agricultural” and “use”; and
  - (b) in the third line of POLICY OH UE11 insert the word “Planning” between the words “Local” and “Authority”;

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SCHEDULE, *contd.*

39. On page 636<sup>218</sup>A in the first line of POLICY OH H9 delete the word “border” and substitute therefor the word “adjoin”.
40. On page 636<sup>224</sup>A in the first line under “Solid Waste” insert the words “responsibility of” between the words “the” and “National”.
41. On page 636<sup>229</sup>A—
- (a) in the second line of POLICY G WT3 delete the words “storage and collection” immediately after the word “the” and before the word “of”; and substitute therefor the words “collection, storage and disposal”.
42. On page 636<sup>236</sup>A in the sixth line of the first paragraph delete the words “using it” immediately after the word “pedestrian” and substitute therefor the words “to use”.
43. On page 636<sup>237</sup>A in the second line of POLICY LV C2 delete the word “production” and substitute therefor the word “extraction”.
44. On page 636<sup>241</sup>A in the second line of POLICY LV WT4 delete the word “and” immediately after the word “storage” and before the word “facilities”.
45. On page 636<sup>269</sup>A in the fourth line under “Place of Public Worship or Religious Instruction” delete the number “10” and substitute therefor the number “6.5”.

B. Minor Amendments

1. On page 636<sup>10</sup>A under subsection (f) Ministry of Health and their functions insert the following after roman numeral (iii)—
- (iv) the carrying out of works in relation to (f), iii, that the effluent be discharged into the appropriate conduit to ensure free and continuous flow at all times;
- (v) the carrying out of works in areas where the land is contaminated by hazardous or other material or close to waste disposal sites that may be harmful and/or pose a risk to health;
- (vi) the carrying out of works for the sitting or expansion of food handling establishments including hotels to ensure conformity to established standards;
- (vii) the carrying out of development of recreational water facilities or abstraction of raw water for processing for human consumption;
- (viii) the carrying out of works for the siting or expansion of institutions including medical facilities and infirmaries to ensure conformity with infection control standards.
2. On page 636<sup>15</sup> in line 15 under the heading “St Catherine Area Development Order Area” delete the words “and the west-bound lane of Mandela

SCHEDULE, *contd.*

Highway;” and delete lines 16 to 39 to the word “Creek” before the word “thence” and substitute therefor the following “; thence generally south-westerly from this point to and along the Gregory Park Parish Council Division Boundary (1991); to where it meets a railway track; thence north-easterly and along the railway track to where it meets the Naggo Head/Gregory Park Secondary Road; thence southerly and along this road meet Weeton Drive; thence westerly along this road to meet Municipal Boulevard; thence southerly along Municipal Boulevard to where it meets a drain parallel to the northern boundaries of the communities of Daytona and Monza to where it meets Braeton Road; thence north-westerly along Braeton Road to meet the Hellshire Parish Council Division Boundary (1991); thence south-westerly and along this Parish Council Division Boundary to where it meets Salt Island Creek;”.

3. On page 636<sup>63A</sup> in the third line under the subsection “General Note” delete the following “1957 Act” and substitute therefor “Town and Country Planning Act, 1957”.

4. On page 636<sup>87A</sup> under the heading “Mining” delete “Obj. M5” which reads as follows:

“Obj. M5 To ensure that mining is undertaken in a way that will enhance rather than destroy the environment.”.

5. Page 636<sup>100A</sup> in the sixth line of the first paragraph delete the sentence “Both islands are declared under the Forest Act, 1996”.

6. On page 636<sup>121A</sup>—

(a) delete POLICY SP M11 which reads as follows:

“POLICY SP M11 In the event that contemplated development might affect licensed quarry operation, the matter shall be referred to the Commissioner of Mines for his recommendation”;  
and

(b) in the third line of POLICY SP M14 add the words “and only after extensive studies” to the end of the policy.

7. On page 636<sup>124A</sup> in the third line of POLICY SP WT14 insert the words “of harvested rainwater or” between the words “use” and “recycled”;

8. On page 636<sup>126A</sup>—

(a) delete the preamble above POLICY SP WT27;

(b) delete POLICY SP WT27 which reads as follows:

“POLICY SP WT27 The planning authority will give special attention to the creation of special hazardous waste disposal sites where and when necessary for the safe disposal of hazardous materials”;

SCHEDULE, *contd.*

- (c) and renumber policies thereafter so that POLICY SP WT28 becomes POLICY SP WT27; and POLICY SP WT29 becomes POLICY SP WT28.
9. On page 636<sup>127A</sup>—
- (a) delete the preamble above POLICY SP WT30;
  - (b) delete POLICY SP WT30 which reads as follows:

“POLICY SP WT30 Commercial, industrial, office, and residential developments must provide vector/rodent proof receptacles on the premises for the storage and disposal of garbage”;
  - (c) delete POLICY SP WT32 which reads as follows:

“POLICY SP WT32 Solid waste management plans showing the separation, use, and disposal of solid waste shall be submitted to the planning authority with development applications”;
  - (d) and renumber policies thereafter so that POLICY SP WT31 becomes POLICY SP WT29; SP WT33 becomes POLICY SP WT30; and POLICY SP WT34 becomes POLICY SP WT31.
10. On page 636<sup>128A</sup> renumber policies thereafter so that POLICY SP WT35 becomes POLICY SP WT32; POLICY SP WT36 becomes POLICY SP WT33; and POLICY SP WT37 becomes POLICY SP WT34.
11. On page 636<sup>132A</sup>—
- (a) remove POLICY SP WS5 and POLICY SP WS6 from under first preamble and place under third preamble;
  - (b) and renumber policies thereafter so that POLICY SP WS7 becomes POLICY SP WS5;
  - (c) in the first line of POLICY SP WS5 between the words “of” and “recycled” delete the words “harvested rain water and or”; and
  - (d) renumber policies thereafter so that POLICY SP WS8 becomes POLICY SP WS6.
12. On page 636<sup>134A</sup>—
- (a) in the second line of POLICY SP UE2 delete the word “are” between the words “employment” and “generating”.

SCHEDULE, *contd.*

13. On page 636<sup>137A</sup>—
- (a) delete POLICY SP UE15 which reads as follows:

POLICY SP UE15 New bad neighbour use developments or the intention of intensification of existing bad neighbour use areas will not be permitted;
  - (b) and renumber policies thereafter so that POLICY SP UE16 becomes POLICY SP UE15; and POLICY SP UE17 becomes POLICY SP WS16; and POLICY SP WS18 becomes POLICY SP WS17.
14. On page 636<sup>140A</sup> in the fourth line under “TELECOMMUNICATIONS” delete “Kingston and St Andrew Development” and substitute therefor “St. Catherine”.
15. On page 636<sup>152A</sup> amend POLICY GD30 to read as follows:
- POLICY GD 30 Developments will be required to dispose of storm water runoff from roofs on their own property or under the side walk. No permission will be given for such storm water run-off to be disposed of unto the surface of the side walk or roadway unless warranted by the situation.
16. On page 636<sup>168A</sup> in the third line of the second paragraph delete the word “however” and substitute therefor the word “therefore” and delete the word “unidentified” and substitute therefor the word “identified”.
17. On page 636<sup>179A</sup>—
- (a) add the following words to the end of the first paragraph “and should be read in conjunction with the other Sectoral and General Development Policies”; and
  - (b) delete the last sentence of the third paragraph and replace therefor the following “In 2001, STATIN reported a further increase to 131,517 persons. The annual growth between 2001 and 2011 was approximately 1.1 percent. At this current rate, the population of Spanish Town is estimated to be 182,179 persons by 2030.
18. On page 636<sup>188A</sup> amend POLICY ST UE15 to read “The local planning authority will seek to ensure that the Spanish Town market is upgraded by the St. Catherine Municipal Corporation as the need arises.”.
19. On page 636<sup>189A</sup>—
- (a) in the last line of POLICY ST SA5 delete the word “the” and substitute therefor the word “such”; and

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SCHEDULE, *contd.*

(b) delete the word “zoning” and substitute therefor the words “land use”.

20. On page 636<sup>190</sup>A in the last line of POLICY ST WT5 add the words “and the National Resources Conservation Authority” to the end of the policy.

21. On page 636<sup>191</sup>A in the second line of POLICY ST WT7 delete the word “will” and substitute therefor the words “within the area should where possible” and delete the words “public central” between the words “the” and “system”.

22. On page 636<sup>197</sup>A—

(a) delete POLICY BLE T5 and substitute therefor POLICY BLE T5 to read “The local planning authority will recommend to the appropriate authority that on-street parking will only be allowed where it does not affect the free flow of traffic and is not detrimental to pedestrian and other road users”.

(b) delete POLICY BLE T6 and substitute therefor POLICY BLE T6 to read “To avoid congestion along the Bog Walk Main Road and Tulloch Main Road in Bog Walk; King Street, Fletchers Avenue, Forte Street and Victoria Street in Linstead; the Bog Walk/Linstead Bypass and; Ewarton Main Road the local planning authority will seek to have the local authority support on-street parking only in appropriately designated areas along these roads”.

23. On page 636<sup>199</sup>A—

(a) add the following words at the end of POLICY BLE T13 “by approving any facility necessary for this activity”.

(b) add the following words at the end of POLICY BLE T14 “related thereto”; and

(c) in the third line of POLICY BLE T15 delete the words “in association with” and substitute therefor the words “related to”.

24. On page 636<sup>200</sup>A—

(a) delete POLICY BLE UE7 which reads as follows:

“POLICY BLE UE7 Development proposals for any use which would result in a significant number of people living or working in close proximity of any hazardous industry or storage site will not normally be permitted.”

(b) and renumber policies thereafter so that POLICY BLE UE8 becomes POLICY BLE UE7.

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SCHEDULE, *contd.*

25. On page 636<sup>201</sup>A—

(a) delete POLICY BLE UE9 which reads as follows:

“POLICY BLE UE9 The local planning authority will give long term protection to the areas which have been delineated as agricultural lands associated with agro-industry on the land use proposal map and will give long term protection to the needs of agriculture over other planning considerations in dealing with any development of such lands, especially in light of food security concerns related to climate change”;

(b) and renumber policies thereafter so that POLICY BLE UE10 becomes POLICY SP UE8.

26. On page 636<sup>204</sup>A delete POLICY BLE H9 which reads as follows:

“POLICY BLE H9 Proposals for the partial change of use of a residential building to any other use will only be allowed if the character of the area is not altered and the privacy, amenity and enjoyment of neighbouring dwellings is not adversely affected” and the preamble above.

27. On page 636<sup>205</sup>A delete POLICY BLE H10 which reads as follows:

“POLICY BLE H10 Where there is a partial change of use of a building in a residential area to any other approved activity the local planning authority will institute strict operating hours especially if there are visitors to the premises and will ensure that there is no external alteration to the building and that those engaged in the non-residential use are resident in the property”.

28. On page 636<sup>206</sup>A in the second line of POLICY BLE WS1 delete the words “will be required to” and replace with “should”.

29. On page 636<sup>207</sup>A delete the wording of POLICY BLE WS2 and substitute therefor POLICY BLE WS2 “The local planning authority will seek to ensure that the authority responsible for the existing public water supply system infrastructure adequately improves the service to the local planning area”.

30. On page 636<sup>207</sup>A delete POLICY BLE WS4 which reads as follows:

“POLICY BLE WS4 The planning authority will encourage the use of recycled grey water for non-potable uses and will ensure that provision is made for this in new development proposals” and the preamble above.

31. On page 636<sup>208</sup>A—

(a) in the seventh line of the first paragraph delete the words “a favoured way” and replace with the words “an accepted method”; and

SCHEDULE, *contd.*

- (b) delete POLICY BLE WT4 and substitute therefor “POLICY BLE WT4 The Planning Authority will ensure that all developments make provision for the collection and disposal of waste within the curtilage of the development, including the siting of facilities for the separation and recycling of waste”.
- (c) delete POLICY BLE WT5 which reads as follows:
- “POLICY BLE WT5 The Planning Authority will facilitate the appropriate siting of facilities for the separation, and recycling of waste in existing and new developments.”
32. On page 636<sup>210</sup>A delete POLICY OH T7 which reads as follows:
- “POLICY OH T7 All new developments having outdoor parking lots shall make use of green and or permeable parking surface techniques.”
33. On page 636<sup>219</sup>A delete the wording of POLICY OH H11 and substitute therefor “In areas of conservation or environmental importance where low density accommodation or residential development is contemplated, the development will be prescribed to strict stipulations or conditions and must adhere to the recommendations of the relevant Planning Authorities”.
34. On page 636<sup>239</sup>A in the second paragraph, delete the last sentence under the heading Housing.
35. On page 636<sup>242</sup>A—
- (a) in the third line of the first paragraph capitalize the first letters of “agricultural land classification” to read “Agricultural Land Classification”; and
- (b) in the third line of the first paragraph delete the word “on” and replace therefor the word “of”.
36. On page 636<sup>272</sup>A in “paragraph 2 of Appendix 10”—
- (a) in the second line delete “112.0 sq.m.” and replace therefor “1,858 sq.m.”; and
- (b) in the third line delete “91.44m” and replace therefor “30.5m”.
37. On page 636<sup>294</sup>A under APPENDIX 21, in the first line of paragraph 7 delete the word “Ecological” and replace therefor the word “Geological”.
38. On page 636<sup>304</sup>A — “paragraph 5” delete the word “Downtown” and replace therefor the word “Order”.
39. On page 636<sup>312</sup>A in the list of Abbreviations insert “NSWMA – National Solid Waste Management Authority” under “M Minerals” and directly above “Obj. Objectives”.











