

THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

392F

Vol. CXLII

THURSDAY, JULY 4, 2019

No. 69C

No. 114C

THE TOWN AND COUNTRY PLANNING ACT

THE TOWN AND COUNTRY PLANNING (ST. MARY PARISH) 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. Mary Parish) Provisional Development Order (Confirmation) 2017 Notification 2019.
2. The Town and Country Planning (St. Mary Parish) Provisional Development Order, 2017 published in the Jamaica Gazette Supplement, Proclamations, Rules and Regulations Vol. CXL No. 27C dated Wednesday, April 19, 2017 is hereby confirmed with the following modifications set out in the Schedule hereto.

SCHEDULE

*Modifications to the Town and Country Planning (St. Mary Parish)
Provisional Order, 2017**A. Typographical Changes*

1. On page 106A¹⁴ in the fifth line under “landscaping” insert a comma (,) between the words “means” and “the”.
2. On page 106A¹⁸ in the second line of paragraph 9 delete the word “of” after the word “land”.
3. On page 106A²⁰ in the third line under paragraph 13(2)(c) insert the word “in” between the words “Form B” and “the”.
4. On page 106A³⁴ in the first line under Class 11—Secure Residential Institution, after the words “Use for” delete the word “a” and replace with the word “the”.
5. On page 106A⁶⁹ in the first line of Conditions A. 2(1) delete the number “3” and replace with the number “2”.
6. On page 106A³⁰⁰ in the last line under “Note” delete the word “downtown” and replace with the words “local planning areas”,
7. On page 106A³⁰⁸ under List of Abbreviations delete the abbreviation for Gayle/Lucky Hill “GL” and replace with the “GLH”.

B. Minor Amendments

1. On page 106A¹⁵ under “mobile network” insert the following “natural hazard has the meaning assigned to it by the Disaster Preparedness and Emergency Management Act”.
2. On page 106A¹⁷ under “(o)” insert “(p)” as a Business Process Outsourcing (BPO).
3. On page 106A²² under section (f)—Ministry of Health and their functions insert the following after roman numeral (iii):
 - (iv). the carrying out of works in relation to (iii), that the effluent discharge 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 siting 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.
4. On page 106A²⁶ in the fourth paragraph line 3 insert after the word “are” the word “hereby”, and after the word “revoked” insert “, but without prejudice to any permission granted or determination made thereunder”.
 5. On page 106A³³ under the heading “Class 9—Hotels” delete the definition and substitute therefor “for the use of a tourism accommodation such as hotel, guesthouse, villa or apartment”.
 6. On page 106A⁸⁴ under the heading Population Size and Demography in the first sentence delete the numbers “113,440” and replace with “113,446”.
 7. On page 106A⁸⁷ delete the first sentence of the first paragraph and substitute therefor “Sections of the Ocho Rios Marine Park Protected Area and the Blue and John Crow Mountains National Park are located within the parish and are the only designated protected areas under the Natural Resources Conservation Authority Act 1991.
 8. On page 106A⁸⁷ in the first paragraph line eight delete the words “slated as” after the word “also”.
 9. On page 106A⁸⁷ after paragraph 2 insert “There are several declared special fishery conservation areas located within the parish, namely; Sandals Boscobel, Oracabessa Bay, Boscobel East and West and a section of the White River Special Fishery Conservation Area.”
 10. On page 106A⁹⁷ under the objectives of Rural Economy insert “Obj. RE6 To diversify the economy and increase the employment base in rural areas through manufacturing, services, tourism, agriculture, mining and the arts”.
 11. On page 106A⁹⁹ after the Obj. WTD5 insert the heading “Water Supply” and the following preamble and objectives:

“The Development Order Area lacks adequate and reliable public water supply sources which at times results in restrictions on housing and other developments in areas where this is prominent. Additionally, inadequate production, old transmission and distribution infrastructure, commercial and technical losses are also a major concern. It is the intention of this Development Order to ensure sustainable supply of water in the Development Order Area.

Obj. WS1 To facilitate the development of or improvements to the potable water distribution system.

-
-
- | | |
|----------|---|
| Obj.WS2 | To seek to develop planning incentives to encourage the incorporation of water conservation and recycling devices and technology. |
| Obj. WS3 | To encourage the use of harvested rain water and recycled grey water for non-potable uses. |
| Obj. WS4 | To ensure the coordination of development with the provision of water supply services. |
| Obj. WS5 | To ensure the protection of water sources including watershed, wells and aquifers from unsuitable development.” |
12. On page 106A¹⁰² delete the wording of Policy SP T10 and substitute therefor “The planning authority will ensure that utility pole lines and installations in road reservations do not obstruct the free movement of pedestrians, including the disabled, before applications are granted for planning permission. Where possible, consideration should be given to the relocation of power, telephone and cable lines underground”.
 13. On page 106A¹⁰² delete the wording of Policy SP T12 and substitute therefor “The relevant authority will ensure consistency in the location of street furniture on roadways which can be hazardous to road users especially those with disabilities”.
 14. On page 106A¹³⁹, in the paragraph before Policy SP T07 after the words “character of the building” in the seventh line, delete the words “and its locality” and substitute therefor “, its locality and the natural environment”.
 15. On page 106A¹⁵⁴ delete the wording of Policy GD 21 and substitute therefor “Minimum setbacks from property boundaries of residential developments:
 - (i) 1.5 metres from the sides per floor to a maximum of 4.5 metres;
 - (ii) 1.5 metres from the rear per floor up to three (3) floors;
 - (iii) the front boundary should be in keeping with the existing building line or as stipulated by the local planning authority.”
 16. On page 106A¹⁸¹ delete the wording of Policy PM T2 and substitute therefor “In order to facilitate smooth operation of the facility, the relevant authority will ensure that transportation routes and bays are clearly identified and marked and that the facility can adequately accommodate persons with disabilities.”
 17. On page 106A¹⁹¹ under the heading *Historical, Archaeological Sites and Building* in the second line delete the word “Calder” and substitute therefor the words “Claude Stuart”.
 18. On page 106A²¹⁴ under the heading *CONSERVATION OF THE NATURAL AND BUILT ENVIRONMENT* in the sub-heading “The National Environment” delete the word “National” and substitute therefor the word “Natural”.

-
-
19. On page 106A²⁵⁸ delete the definition for “Local Planning Area” and substitute therefor “Local Planning Area is a growth centre or special area identified in a Development Order based on several criteria. See section II of the fifth schedule”.
 20. On page 106A²⁵⁹ insert after the definition of “Recreational Areas” “Recreational areas are lands that are designed, constructed, designated, or used for leisure activities” after the definition of “quarry”.
 21. On page 106A²⁵⁹ insert after the definition of “other service accommodation after the definition of “office.”

“Other service accommodation means other forms of accommodation in the tourism industry which includes but are not limited to Airbnb, bed and breakfast, hostels, motels, apartments, lodges, condominiums and villas.
 22. On page 106A²⁵⁹ insert the definition for “self-service tourism” to read self-service tourism are areas that provide all the amenities/facilities for tourist within one area after the definition of “satellite antennae.”

C. Map Changes, Symbols and Colours

1. On the Density Map please note the following changes:
 - Developments will be allowed at a maximum density of 125 habitable rooms per hectare (50 habitable rooms per acre) on coastal lands located between the Oracabessa Local Planning Area and the St. Mary—St. Ann Parish Boundary.
 - Developments will be allowed at a maximum of 75 habitable rooms per hectare (30 habitable rooms per acre) on developable land outside of the Local Planning Areas. The planning authorities may vary the densities and other relevant standards based on the existing, topography, amenities and infrastructure within an area in order to ensure sustainable development of the area.
2. On the Highgate Land Use Proposals Map Inset No. 3 in the Legend under the category “Proposals” insert the word “Assembly” after the word “Public” , thus reading “Public Assembly”.
3. On the Oracabessa Land Use Proposals Map Inset No. 4 amendments to the James Bond/Golden Eye area are reflected on the attached James Bond/Golden Eye Land Use Proposals Map Inset 4.1.
4. On the Islington Land Use Proposals Map Inset No. 7 in the sentence under the “Proposals” insert the numeral “7” after the word “Inset No.” thus reading “Inset No. 7”.
5. See section D New Policy “POLICY GD 2^A” of this Confirmation Notification in relation to amendments to the Whitehall area on the St. Mary Parish Development Order Map 1.

-
-
6. See section D New Policy “POLICY SP TO2^A” of this Confirmation Notification in relation to amendments to the Robins Bay area on the St. Mary Parish Development Order Map 1.

D. New Policy

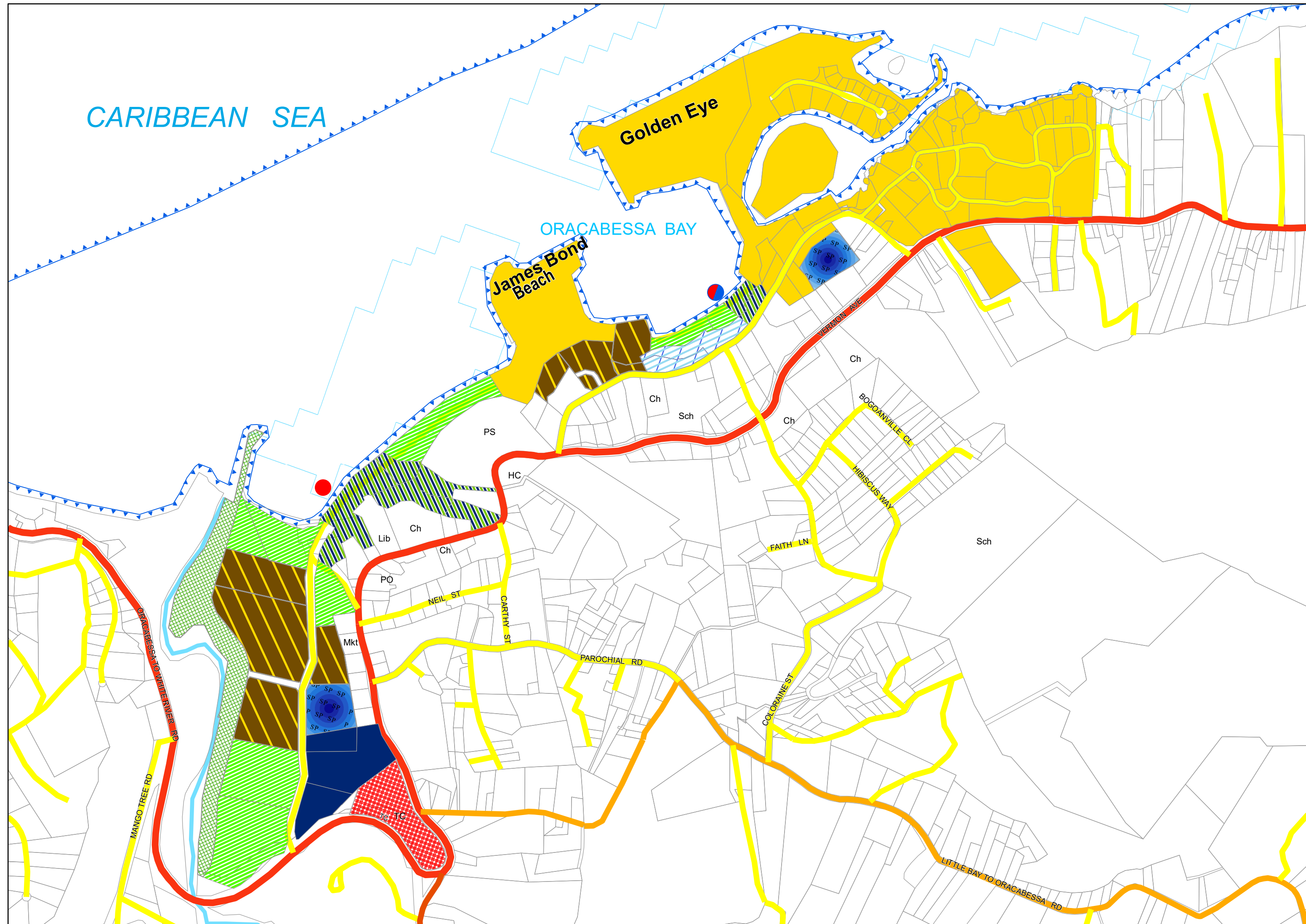
1. On page 106A¹³⁸ immediately below “POLICY SP T02” insert the following:
 - POLICY SP TO2^A The local planning authority will support residential/ resort facilities within the Robins Bay area along with the supporting and or ancillary facilities.
 - POLICY SP TO2^B Developments within the Robins Bay Area should be low intensity and will be permitted at a maximum density of 75 habitable room per hectare (30 habitable room per acre).
2. On page 106A¹¹² immediately below “POLICY SP H8” insert the following:
 - POLICY SP H8^A Where multi-family residential development is considered outside of Local Planning Areas, the maximum density allowed will be 75 habitable rooms per hectare (30 habitable rooms per acre) and will be determined by material considerations such as the character of the area, physical characteristics, the amenities available, the zoning and other planning considerations to the satisfaction of the Local Planning Authority.”
3. On page 106A¹⁵⁰ immediately below “POLICY GD 2” insert the following:
 - POLICY GD 2^A Consideration will be given for a development node in the Whitehall area provided that the necessary infrastructure, supporting services and amenities are included.

Dated this 3rd day of May, 2019

THE MOST HONOURABLE ANDREW HOLNESS, O.N., M.P.
Prime Minister/Minister of Economic Growth and Job Creation

ST. MARY PARISH DEVELOPMENT ORDER

ORACABESSA/GOLDEN EYE LAND USE PROPOSALS (Inset No. 4.1)



LEGEND

- Road Class A
- Road Class B
- Road Class C
- Road Other
- Bathing Beach
- Fishing and Bathing Beach
- River/Watercourse
- Fish Sanctuary
- Reefs
- Parcel Boundary

ABBREVIATIONS

- Ch Church
- FS Fire Station
- HC Health Centre
- Lib Library
- Mkt Market
- PO Post Office
- PS Police Station
- Sch School



PROPOSALS

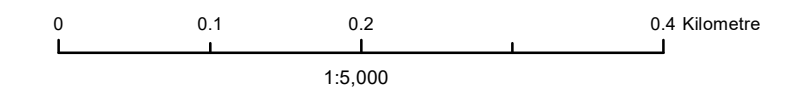
- Commercial
- Conservation
- Mix Use (Commercial/Residential/Resort)
- Recreational
- Recreational/Commercial
- Resort
- Resort/Residential
- Transportation Centre
- Utility - Sewage

POLICIES

- OC3
- OUE4
- OC 6-7, OSA 7-8
- OTO 1-3
- OT1

The letters and numbers refer to policies in the Draft St. Mary Parish Development Order. The following policies apply throughout the Oracabessa/Golden Eye Local Planning Area Inset No. 4.1

SP T1 - SP T4, SP T10 - SP T11, SP T16 - SP T61,
 SP H1 - SP H2, SP H5 - SP H21, SP C1 - SP C42,
 SP M2 - SP M12, SP RE3 - SP RE5, SP RE7 - SP RE10,
 SP UE1 - SP UE26, SP E1 - SP E13, SP TO1 - SP TO18,
 SP WT2 - SP WT14, SP WT17 - SP WT19,
 GD 1 - GD 8, GD 11 - GD 51, GD 59 - GD 61, UC 1 - UC 21
 DC 1 - DC 5, CD 1 - CD 8, RAP 4 - RAP 7, PFS 1 - PFS 7, CA 1 - CA 4



Prepared by: National Environment and Planning Agency
 10 & 11 Caledonia Avenue, Kingston 5.

Prepared for: The Town and Country Planning Authority
 March 2019