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THE TOWN AND COUNTRY PLANNING ACT

(Act 55 of 1968)

**THE TOWN AND COUNTRY PLANNING (CLARENDON 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 (Clarendon Parish) Provisional Order, 2017 (Confirmation) Notification 2019.

2. The Town and Country Planning (Clarendon Parish) Provisional Development Order, 2017 published in the Jamaica Gazette Supplement, Proclamations, Rules and Regulations Vol. CXL No. 50'A dated Thursday, June 29, 2017 is hereby confirmed with the following modifications set out in the Schedule hereto.

Modifications of the Town and Country Planning (Clarendon Parish) Provisional Order, 2017

A. *Typographical Changes*

1. On page 664³A in the second line under “macrocell” delete the word “overage” and substitute therefor the word “coverage”.
2. On page 664⁴Λ:
 - under the heading “General Regulations- Use Classes. Second Schedule.” insert immediately after Paragraph 5 Subsection (1) the following:

“(2) Reference in paragraph 1 to “building” includes reference to land occupied with the building and used for the same purpose.”
 - under the heading “General Regulations—Use Classes. Second Schedule” in the fifth line delete the number “2” and substitute therefor the number “3”
 - delete the words “as a use, which is ordinarily incidental to and included in any use specified in the Second Schedule” in the eighth line under “General Regulations—Use Classes. Second Schedule and substitute therefor the words “as such.”
3. On page 664⁵Λ:
 - in the first line delete the number “3” and substitute therefor the number “4”; and
 - in the fourteenth line under “Applications for planning permission” delete the word “ensure” and substitute therefor the word “enure”.
4. On page 664²¹ Λ:
 - in the ninth line under “Class 1—Shops” insert the word “include” between the words “not” and “display” and
 - the word “of” between the words “display” and “coffins”.
5. On page 664¹⁷Λ:
 - delete the word “of” in the second line under “Conditions” and
 - in the third line under “Conditions” delete the word “and” and substitute the word “any” therefor.
6. On page 664³⁸Λ in the seventh line under “Conditions” delete the word “ship” and substitute therefor the word “shop”.

SCHEDULE, *cont'd*

7. On page 664⁵⁷A in the first line, under "Conditions" delete the number "3" and substitute therefor the number "2".
8. On page 664⁶⁸A in the third line under "*To be Endorsed on Notices of Decision*" delete the words "thirty days" and substitute therefor the words "the time not being less than twenty-eight days".
9. On page 664⁷⁰A:
 - in the first line under "FIFTH SCHEDULE" insert the phrase "Part 2" before words "THE PLAN" and
 - in the first line under "THE PLAN" insert the words "as required by section 6 (4) of the Act" between the words "plan" and "cover".
 - in the third line insert the words "in the form of Local Area Plans" after the word "treatment".
 - in the fourth line insert the words "at this stage" between the words "selected" and "based" and
 - in the fifth line insert the words "growth and development of" between the words "the" and "Order,"
 - in the sixth line delete the word "their" and substitute therefor "the"
 - in the sixth line delete the words "growth and importance" and substitute therefor the word "situation"
 - under "SECTION 1—*The Planning Framework*" delete the word "STATEMENTS".
 - in the second line under "*Clarendon Parish Development Order Area*" insert the word "square" between the number "1,196" and the word "kilometers".
10. On page 664⁷²A:
 - in the sixth line under "FIFTH SCHEDULE, *contd.*" delete the words "Brazille to" and substitute therefor the word "Brazilletto".
 - in the sixth line under "FIFTH SCHEDULE, *contd.*" delete the words "The Canoe Valley National Nature Preserve and".
 - in the seventh line under "FIFTH SCHEDULE, *contd.*" insert the words "Protected Area" between the words "Bight" and "which"
 - in the seventh line under "FIFTH SCHEDULE, *contd.*" delete the words "which includes the Salt River fish sanctuary and".

SCHEDULE, *cont'd*

- in the eighth line under “FIFTH SCHEDULE, *contd.*” delete the words “declared” and substitute therefor the word “designated” and insert the words “,(which includes the Salt Harbour Fish Sanctuary), and” after the year “1999”.
- 11. in the twelfth line under “FIFTH SCHEDULE, *contd.*” delete the words “RAMSAR Convention for the Protection of Wetlands and” and replace therefor the words “Convention on Wetlands of international importance especially”
- 12. On page 664⁷⁴A:
 - in the first line under “*Protected Areas*” delete the words “and the Canoe Valley National Nature Preserve”.
 - in the second line under “*Protected Areas*” delete the words “are areas” and substitute therefor the words “is an area”.
 - in the third line under “*Protected Areas*” delete the words “Both are” and substitute therefor the words “The area is”.
- 13. On page 664⁷⁷A in the first line under “VISION” delete the words “Council” and substitute therefor the words “Municipal Corporation”.
- 14. On page 664⁷⁸A:
 - in the fourth line under “FORMAT OF THE ORDER” insert the words “Plan and” between the words “The” and “Statements” and
 - in the fifth line insert the words “Plan and” between the words “The” and “Statements”.
- 15. On page 664⁸⁷A in the fifth line under “*roads*” insert the words “in certain situations” after the word “undertaken”.
- 16. On page 664⁹⁹A in the seventh line under “POLICY SP H8” delete the word “which” and replace with the word “wish”.
- 17. On page 664¹⁰³A:
 - in the fifth line under “POLICY SP C4” delete the words “such to”.
 - in the third line under “POLICY SP C6” insert the word “it” between the words “where” and “is”.
- 18. On page 664¹¹⁸A:
 - in the ninth line under “POLICY SP UE9” delete the word “have” and substitute therefor the word “provide”,
 - in the tenth line under “POLICY SP UE 9” insert the words “of the lower floor” between the words “operations” and “of”.

SCHEDULE, *cont'd*

19. On page 664¹¹⁸A delete the preamble above "POLICY SP UE 11" and also delete POLICY SP UE 11 and POLICY SP UE 12.
20. On page 664¹¹⁸A renumber policies thereafter so that POLICY SP UE13 becomes POLICY SP UE11; and POLICY SP UE14 becomes POLICY SP UE12; and POLICY SP UE15 becomes POLICY SP UE13.
21. On page 664¹²¹A:
 - delete the word "Quarries" in the first line under "POLICY SP M3" and substitute therefor the words "Mining and quarrying activities" and
 - in the first line under "POLICY SP M3" delete the word "quarry" and substitute therefor the word "established".
 - insert the words "in area where they exist" between the words "zones" and "and".
 - in the third line delete the word "established" and substitute therefor the word "undertaken".
 - insert the phrase "(See also SP RE 21-23)" in the fourth line under "POLICY SP M3" after the word "circumstances".
22. On page 664¹²⁴A in the fifth line under "POLICY SP MI8" delete the number "13" and substitute therefor the number "17".
23. On page 664¹³⁷A:
 - in the tenth line under "Fifth Schedule, *contd.*" insert the words "(See also SP UE 6 and SP UE 7)" after the word "impact".
 - in the eighth line under "POLICY GD 13" insert the phrase "(See also SP WT 9- SP WT 11)" after the word "abandoned".
24. On page 664¹⁴¹A in the eleventh line under "POLICY GD 32" delete the word "us" and substitute therefor the word "use".
25. On page 664¹⁵⁸A:
 - delete the word "prohibited" in the fourth line under "POLICY CD 15" and substitute therefor the word "located".
 - in the fifth line under "POLICY CD 17" delete the following:

"The coastal area and coastal waters are to be protected against pollution by the control of adjoining development and of such development inland, the effluent from which might be harmful to the marine area, irrespective of how it"

SCHEDULE, *cont'd*

26. On page 664¹⁶¹A in the sixth line under "POLICY CD 28" insert the phrase "SECTION 2 -" before the words "LOCAL PLANNING AREAS".
27. On page 664¹⁶⁵A:
 - in the third line under "POLICY MP T7" insert the words "all" between the words "of" and "pedestrians" and insert a comma "," between the words "pedestrians" and "including".
 - delete the words "including the disabled" in the third line under "POLICY MP T7" and substitute therefor the words "in accordance with Appendix 6".
28. On page 664¹⁷³A:
 - in the second line under "TOURISM" after the word "industry" delete the following: "The Denbigh Agricultural Show is the area of main cultural heritage activity within the local planning area. Any new proposals will therefore need to be satisfactorily located in terms of their likely effect on the roadway, safety and other visual impacts" and substitute therefor the words "Any proposal for hotel facilities should be approved by the local planning authority and be in accordance with Appendix 17."
29. On page 664¹⁸⁴A:
 - in the fourth line under "POLICY H T4" insert the word "motorist," between the words "accommodate" and "cyclists".
 - insert the words "and other similar users for example mothers with carriages" in the ninth line under "POLICY H T5" after the word "persons"
 - in the fourth line under "POLICY H T6" insert the word "all" between the words "of" and "pedestrians".
30. On page 664¹⁹¹A:
 - delete "POLICY H WT2" which reads as follows:

"On the introduction of central sewage to the area all developments in proximity to the sewerage infrastructure will be encouraged to connect to the central system".
 - renumber policies thereafter so that POLICY H WT3 becomes POLICY H WT2; and POLICY H WT4 becomes POLICY H WT3; and POLICY H WT5 becomes POLICY H WT4 and POLICY H WT6 becomes POLICY H WT5.

SCHEDULE, *cont'd*

31. On page 664¹⁹⁴A:
- delete “POLICY TG/OS T8” which reads as follows:
“The local planning authority shall seek to provide and implement parking arrangements for disabled persons which will be in accordance with Appendix 8.”
 - renumber policies thereafter so that POLICY TG/OS T9 becomes POLICY TG/OS T8.
 - in POLICY TG/OS RE1” delete the word “support” and substitute therefor the words “aid in”.
32. On page 664¹⁹⁵A in the third line under delete the words “can stimulate the economy” and substitute therefor the words “will be encouraged in this regard”.
33. On page 664¹⁹⁸A:
- in the third line under “*Solid Waste Disposal*” insert the word “of” between the words “amount” and “residents”;
 - in the third line under “*Description*” delete the word “Clarendon” and substitute therefor the word “Chapelton”.
34. On page 664¹⁹⁹A:
- in the seventh line under “*Transportation and Traffic*” insert the words “most of” between the words “however” and “the”;
 - and the word “in” between the words “circulating” and “the”;
 - delete the words “in conjunction with” in the first line under “POLICY C T1” and substitute therefor the words “will seek to have”;
 - and in the second line delete the words “will seek to”.
35. On page 664²⁰⁰A:
- in the fifth line under “*Road Network*” delete the words “pedestrians and cyclist, as well as access for the disabled” and substitute therefor the words “all road users”
 - delete the words “disabled persons” in the second line under “POLICY C T5” and substitute therefor the words “persons with special needs”.
36. On page 664²⁰²A in the first line under “FIFTH SCHEDULE, *contd.*” delete the word “as” and substitute therefor the word “has”.

SCHEDULE, *cont'd*

37. On page 664^{202A}:
- in the second line under “POLICY C SA3” insert the word “planning” between the words “local” and “authority” and;
 - in the third line under “POLICY C SA5” insert the words “or education” after the word “school”.
38. On page 664^{204A}:
- in the ninth line under “POLICY C H3” delete the words “The growth in population over the last ten years has resulted in an increase in the demand for housing”.
 - in the tenth line delete the words “The introduction of” and substitute therefor the word “Multi-family”; and
 - delete the word “however” in the twelfth line and substitute therefor the word “If”
39. On page 664^{205A}:
- delete the word “stringent” in the fifth line under “*Sewage Disposal*” and substitute therefor the word “concerned”.
40. On page 664^{207A}:
- delete “POLICY LT T4” which reads as follows:

“The local planning authority shall seek to provide and implement parking arrangements for disabled persons which will be in accordance with Appendix 8.”
 - renumber policies thereafter so that POLICY LT T5 becomes POLICY LT T4; POLICY LT T6 becomes POLICY LT T5; POLICY LT T7 becomes POLICY LT T6 and POLICY LT T8 becomes POLICY LT T7.
41. On page 664^{210A} in the second line under “FIFTH SCHEDULE, *contd.*” insert the word “planning” between the words “local” and “authority”.
42. On page 664^{213A}:
- delete the word “as” in the sixth line under “POLICY LT WT2” and
 - in the eighth line insert the words “including Ventilated Improved Pit (VIP) Latrines” after the word “agencies”.
43. On page 664^{215A} in the third line under “POLICY F C3” insert the words “and will ask to have the road authorities undertake this activity in a short space of time” after the word “Frankfield”.

SCHEDULE, *cont'd*

44. On page 664²¹⁹A:
- in the second line under “POLICY F WS1” insert the words “source of water supply and as a” between the words “a” and “supplement”
 - in the fourth line under “POLICY F WT1” insert the words “including VIP Latrines” after the word “used”.
45. On page 664²²⁶A:
- in the third line under “POLICY S WT3” insert the words “by the appropriate authority” after the word “basis”.
 - in the third line under “POLICY S WT4” insert the words “location of” between the words “the” and “facilities”;
 - in the second line under “POLICY S WT5” insert the word “local” between the word “the” and “planning”.
46. On page 664²²⁷A:
- in the third line under “POLICY K T1” delete the word “disabled users and”.
47. On page 664²³⁸A in the third line under “POLICY M WT3” insert the words “by the relevant authority” between the words “waste” and “which”.
48. On page 664²⁴⁵A in the third row of the column “LOCATION” of the table listing special attractions and places of interest in Clarendon insert “Suttons” in the row above “Rock River”.
49. On page 664²⁴⁶A in the table listing Declared National Sites and Monuments:
- insert a row below “St. Peter’s Church Alley” and insert the words “St. Paul’s Anglican Church, Chapelton declared 17/03/2016”.
 - insert a row below “Milk River Spa” and insert the words “Mason River Botanical Station declared 28/11/2002”.
 - insert a row below “May Pen Clock Tower” and insert the words “Chapelton Clock Tower declared 28/03/2017”.
 - insert two rows below “Chapelton Clock Tower” and insert the words “Statues and Other Memorials” in the first row and “Bust of Cudjoe-Chapelton declared 28/03/2017” in the second row.
50. On page 664²⁵⁵A in the fifth line under “Minimum Number of Vehicle Parking Space Required” delete the phrase “1 for each 16 of gross floor area”.

SCHEDULE, *cont'd*

51. On page 664²⁵⁶A:
 - in the first line under “Minimum Number of Vehicle Parking Space Required” delete the words “(2 for each bed)”.
 - in the fourth line under “Place of public worship or religious instruction” delete the number “10” and substitute therefor the number “6.5”.
52. On page 664²⁶⁹A in the twentieth line under “*Subdivision Assessment Criteria*” delete the words “at the minimum rate of and location”.
53. On page 664²⁹⁸A
 - insert “PCR Parish Council Road” below “OBJ Objectives” and above “PFS Petrol Filling Station.”
- B. *Minor Amendments*
 1. On page 664¹⁰A 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 (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 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.
 2. On page 664⁸⁶A after the Obj. WT5 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

SCHEDULE, *cont'd*

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." |

3. On page 664¹⁸³A under the heading Hayes Local Area Plan in the third paragraph, third line remove the words "a library" and replace with "a health centre".

C. Map Changes, Symbols and Colours

1. On the Clarendon Parish Development Order Map 1 in the Legend under the third column, remove the words "Bird Sanctuary" and replace with "Game Reserve".
2. On the Clarendon Parish Development Order Map 1 in the Legend under the third column, delete the words "Protected Areas" and substitute therefor "Portland Bight Protected Area".
3. On the May Pen Local Planning Area Land Use Proposals Inset No. 1- Change zoning on lot registered at Volume 912 Folio 5 (along Foga Road) from Educational to Light Industry and demarcate the section of the property used for educational purposes.
4. On the Hayes Local Planning Area Land Use Proposals (Inset No.2) change the zoning of lots registered at Land Valuation number of 22604007065 (in the vicinity of The Vere Technical High School) from residential to "Government Purposes and Statutory Undertakings".
5. On the May Pen Local Planning Area Land Use Proposal Inset No. 1 and Inset No. 1.4, change zoning of lot registered at Land

SCHEDULE, *cont'd*

Valuation Number 18704054000 (in the vicinity of the Mineral Heights Round-A-Bout) from Open Space to Office/Commercial.

Dated this 3rd day of May, 2019.

ANDREW HOLNESS,
The Most Honourable Andrew Holness, ON, MP,
Prime Minister, Minister of Economic Growth
and Job Creation.