

THE TOWN AND COUNTRY PLANNING LAW, 1957

(LAW 42 OF 1957)

NUMBER 27



The Town and Country Planning

(Bog Walk/Linstead/Ewarton Area)

Provisional Development Order, 1964

BOG WALK/LINSTHEAD/EWARTON AREA

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1964

THE TOWN AND COUNTRY PLANNING LAW, 1957

(Law 42 of 1957)

THE TOWN AND COUNTRY PLANNING (BOG WALK/LINSTEAD/EWARTON) PROVISIONAL DEVELOPMENT ORDER, 1964

In exercise of the power conferred upon the Town and Country Planning Authority by section 5(1) of the Town and Country Planning Law, 1957, the following Provisional Development Order is, after consultation with the St. Catherine Parish Council, hereby made:—

1. This Order may be cited as the Town and Country Planning (Bog Walk/Linstead/Ewarton) Provisional Development Order, 1964, and shall apply to the area described in the First Schedule to this Order. Citation and application.
First Schedule.
2. In this Order the expression:
"the Law" means the Town and Country Planning Law, 1957;
"the Authority" has the meaning assigned to it by section 2 of the Law;
"Local Planning Authority" has the meaning assigned to it by section 2 of the Law;
"planning authority" means the local planning authority as defined by section 2 of the Law, and includes the Authority in any case where an application is referred to the Authority pursuant to the provisions of section 12 of the Law;
"development plan" means the plan including any accompanying statements, approved by the Governor in Council in relation to this Order;
"development" has the meaning assigned to it by section 5 of the Law, and "develop" shall be construed accordingly;
"original" means, in relation to a building existing on 1st January, 1964, as existing on that date; and in relation to a building built on or after 1st January, 1964, as so built;
"the Minister" has the meaning assigned to it by section 2 of the Law. Interpretation.
3. (1) Where a building or other land is used for a purpose of any class specified in the Second Schedule to this Order, the use of such building or other land for any other purpose of the same class shall not be deemed for the purpose of the Law to involve development of the land. Use Classes.
Second Schedule.
(2) A use which is ordinarily incidental to and included in any use specified in the Second Schedule to this Order is not excluded from that use as an incident thereto merely by reason of its specification in the said Schedule as a separate use.
4. (1) Subject to the provisions of this Order, development of any class specified in Schedule 4 thereto is permitted and may be undertaken upon land to which this order applies, without the permission of the local planning authority: Permitted Development.
Provided that the permission granted by this order in respect of any such class of development shall be subject to any conditions or limitation imposed in the aforementioned Schedule in relation to that class.
(2) Nothing in this paragraph or in Schedule 4 shall operate so as to permit any development contrary to any condition imposed in any permission granted under Part III of the Law.
5. Subject to the provisions of this Order no development of land within the area to which this Order applies, shall take place except in accordance with the development plan and any planning permission granted in relation thereto; Prohibition of development.
Provided that the planning authority may in such cases and subject to such conditions as may be specified by directions given by the Minister under this Order grant permission for development which does not appear to be provided for in this Order or the development plan, and is not in conflict therewith.
6. (1) An application to the local planning authority for planning permission shall be made in a form issued by the local planning authority and obtainable from that authority or from the Authority, and shall include the particulars required by such form to be supplied, and be accompanied by a plan sufficient to identify the land to which it relates and such other plans and drawings as are necessary to describe the development which is the subject of the application, together with such additional number of copies (not exceeding five) of the form and plans and drawings as may be required by the directions of the local planning authority printed on the form; and the local planning authority may by a direction in writing addressed to the applicant require such further information to be given to them in respect of an application for permission made to them under this paragraph as is requisite to enable them to determine that application. Applications for planning permission.
(2) Where an applicant so desires, an application expressed to be an outline application may be made under sub-paragraph (1) of this paragraph for permission for the erection of any building, subject to the making of a subsequent application to the local planning authority with respect to any matters relating to the siting, design or external appearance of the buildings, or the means of access thereto; in which case particulars and plans in regard to those matters shall not be required and permission may be granted subject as aforesaid (with or without other conditions) or refused:

Provided that—

- (a) where such permission is granted it shall be expressed to be granted under this paragraph on an outline application and the approval of the planning authority shall be required with respect to the matters reserved in the planning permission before any development is commenced;
- (b) where the planning authority are of the opinion that in the circumstances of the case the application for permission ought not to be considered separately from the siting, design or external appearance of the buildings, or the means of access thereto, they shall within the period of one month from the receipt of the outline application, notify the applicant that they are unable to entertain such application, specifying the matters as to which they require further information for the purpose of arriving at a decision in respect of the proposed development, and the applicant may either furnish the information so required (in which event the application shall be treated as if it had been received on the date when such information was furnished and had included such information) or appeal to the Minister under section 13 of the Law within one month of receiving such notice, or such longer period as the Minister may at any time allow, as if his outline application had been refused by the planning authority.

(3) An application for an approval required by virtue of proviso (a) to sub-paragraph (2) of this paragraph shall be in writing and shall include such particulars and be accompanied by such plans and drawings as are necessary to deal with the matters reserved in the planning permission together with such additional number of copies of application and plans and drawings as were required in relation to the application for planning permission.

(4) An application to the local planning authority for a determination under section 14 of the Law shall be in writing, and shall contain a description of the operations or change of use proposed and of the land to which such proposal relates.

(5) On receipt of any application under this paragraph the local planning authority shall send to the applicant an acknowledgment thereof in the terms (or substantially in the terms) set out in Part I of the Third Schedule hereto.

(6) The planning authority may by a direction in writing addressed to the applicant require to be produced to an officer of the authority such evidence in respect of an application for permission made to them as they may reasonably call for to verify any particulars of information given to them.

(7) Except where otherwise provided, the period within which the planning authority shall give notice to an applicant of their decision shall be three months or such extended period as may at any time be agreed upon in writing between the applicant and the planning authority.

(8) Every such notice shall be in writing, and—

- (a) where the planning authority decide to grant planning permission subject to conditions or to refuse it, they shall state their reasons in writing and send with the decision a notification in the terms (or substantially in the terms) set out in Part II of the Third Schedule hereto;
- (b) in the case of an application for a determination (whether forming part of an application for planning permission or not) where the planning authority determine that the carrying out of operations or the making of a change in the use of land would constitute or involve development of the land, they shall state in such notice the grounds for their determination and include a statement to the effect that if the applicant is aggrieved by their decision he may appeal to the Minister under section 13 of the Law within one month of the receipt thereof.

(9) The planning authority shall furnish to the Minister and to such other persons as may be specified by directions given by the Minister under this Order, such information as may be so specified with respect to applications made to the planning authority under this paragraph, including information as to the manner in which any such application has been dealt with.

7. (1) The Minister may give directions restricting the grant of planning permission by the planning authority during such period as may be specified in the directions, in respect of any such development or in respect of development of any such class, as may be so specified.

(2) The planning authority shall deal with applications for permission to develop to which such directions relate in such manner as to give effect to the terms of the directions.

8. Before granting permission for development affecting main roads, whether unconditionally or subject to conditions, the planning authority shall consult the Chief Technical Director, Ministry of Communications and Works (Public Works Department).

9. On referring any application to the Authority under section 12 of the Law, pursuant to a direction in that behalf the local planning authority shall serve on the applicant notice of the terms of the directions and of any reason given by the Authority for issuing the direction, and such notice shall inform the applicant that the application has been referred to the Authority and shall contain a statement that the Authority will, if the applicant so desires, afford to the applicant an opportunity of appearing before and being heard by a person appointed by the Authority for the purpose.

10. (1) Subject to the provisions of this Order, any person who desires to appeal

- (a) against a decision of the planning authority refusing planning permission or granting planning permission subject to conditions; or

Third
Schedule.

Directions
restricting the
grant of
planning
permission.

Development
affecting
main roads.

Referring
of applications
to the
Authority.

Appeals

- (b) against a determination of the planning authority under section 14 of the Law; or
 - (c) on the failure of the planning authority to give notice of their decision or determination, shall give notice of appeal to the Minister within one month of the receipt of notice of the decision or determination, or of the expiry of the period specified in paragraph 5(7) of this Order, as the case may be, or such longer period as the Minister may at any time allow.
- (2) Such person shall also furnish to the Minister a copy of the following documents—
- (i) the application made to the planning authority;
 - (ii) all relevant plans, drawings and particulars submitted to them;
 - (iii) the notice of the decision or determination, if any,
 - (iv) all other relevant correspondence with the planning authority.

11. (1) The planning authority shall keep a register containing the following information in respect of all land within the area to which this Order applies, namely — Register of applications.

- (a) particulars of any application for permission to develop made to them in respect of any such land, including the name and address of the applicant, the date of the application, and brief particulars of the development forming the subject of the application;
- (b) particulars of any direction given under the Law or this Order in respect of the application;
- (c) The decision, if any, of the planning authority in respect of the application, and the date of such decision;
- (d) the date and effect of any decision of the Minister on appeal, in respect of the application;
- (e) the date of any subsequent approval given in relation to the application.

(2) Such register shall include an index, which shall be in the form of a map unless the Minister approves some other form, for enabling a person to trace any entry in the register.

(3) Such register shall be kept at the office of the planning authority.

(4) Every entry in the register consisting of particulars of an application shall be made within fourteen days of the receipt of such application.

12. (1) Any power conferred by this Order to give a direction or consent shall be construed as including power to cancel or vary the direction by a subsequent direction or, as the case may be, to revoke or modify such consent. Directions, consents and Notices.

(2) Any notice or other document to be served or given under this Order may be served or given in the manner prescribed by section 30 of the Law.

13. (1) Where any land within the area to which this Order applies is subdivided into allotments for the purposes of sale lease or letting or for building purposes, a scheme plan showing the proposed subdivision shall be prepared by a Commissioned Land Surveyor and submitted to the local planning authority for approval. Control of subdivision of land.

(2) A person shall not sell, or offer or advertise for sale, or build upon, any allotment in any subdivision to which this paragraph applies, or from any proposed road in connection therewith, unless a scheme plan has been previously approved whether conditionally or unconditionally by the local planning authority.

“(3) Every scheme plan prepared for the purposes of this paragraph shall be in accordance with the requirements of the Local Improvements (St. Catherine) Regulations, 1939 and shall show—

- (a) all those lands which are either affected by existing easements or to be affected by easements which are to be created;
- (b) the nature of all easements whether existing or to be created; and
- (c) such other particulars as may be required in writing by the local planning authority”.

(4) The local planning authority may refuse to approve any scheme plan or may approve the plan either unconditionally or upon or subject to such conditions as they think fit.

(5) Without prejudice to the generality of sub-paragraph (4) of this paragraph the local planning authority may refuse to approve any scheme plan—

- (a) if in their opinion closer subdivision or settlement of the land shown on the scheme plan is not in the public interest or the land for any other reason whatsoever is not suitable for subdivision
- (b) if in their opinion adequate provision has not been made for the drainage of any allotment or the disposal of sewage therefrom;
- (c) if in their opinion the subdivision would interfere with or render more difficult or costly the carrying out of any public work or scheme of development which is proposed or contemplated by the Government of the Island or any local authority;
- (d) if in their opinion the proposed subdivision does not conform to recognised principles of town planning.

(6) The local planning authority shall give notice of any conditions upon or subject to which a scheme plan has been approved to the person who made application for the approval of the scheme plan.

(7) In any case where the local planning authority have refused to approve the scheme plan or have approved the scheme plan upon or subject to conditions; the planning authority shall so notify the applicant and he may thereupon appeal to the Minister whose decision shall be final.

(8) Where an appeal under sub-paragraph (7) of this paragraph is made to the Minister, the following persons shall be entitled to be heard, to produce evidence and to put questions to witnesses, namely—

- (a) the local planning authority;
- (b) the owner of the land or interest in the land, to which the appeal relates;
- (c) in any case where a main road is affected, or is likely to be affected the Chief Technical Director, Ministry of Communications and Works (Public Works Department) or his nominee.

(9) For the purpose of this paragraph—the expression—“owner”, in respect of any land or interest therein, includes an owner thereof, whether beneficially or as a trustee, and mortgagee acting in exercise of the power of sale, and any person whatsoever having power to dispose of the land or interest therein by way of sale; “sale” includes exchange, gift, devise or other disposition affecting the fee simple, and lease for any term (including renewals under the lease) exceeding twenty years and also includes any disposition affecting the leasehold interest under any such lease as aforesaid;

“surveyor” has the meaning assigned to it by section 2 of the Land Surveyors Law;

and any division of land whether into two or more allotments shall be deemed to be a subdivision of that land for the purpose of sale if at least one of these allotments is intended for sale.

Cap. 211.

“Compensation.”

14. The 1st day of January, 1964 shall be the base date for valuations in assessing compensation in relation to this Order”.

FIRST SCHEDULE

BOG WALK, Linstead, Ewarton, Development Area

Commencing at the intersection of the left bank of the Rio Dora and the right bank of the Rio Pedro rivers; thence due South across the Rio Pedro to its left bank; thence Westerly and generally Southerly along the left bank of the said river to the South-Eastern abutment of the Bridge across the Main Road leading from Bog Walk to Spanish Town; thence Southerly along the Eastern boundary of the said Main Road for a distance of 400 feet; thence due West across the Main Road and the Jamaica Railway Corporation tracks to intersect with the Western boundary of the Railway Reservation; thence Northerly along the Railway Reservation for a distance of 600 feet; thence due West for a distance of 1,200 feet; thence due North to intersect with the right bank of the Thomas River; thence generally North-Westerly and Northerly along the right bank of the said river to its source; thence due North to intersect with the right bank of the Black River; thence Westerly along the right bank of the Black River to its source at River Head; thence in a straight line to the most Southern corner of the property house on River Head; thence due West across the Parochial Road leading from River Head to Mount Idalia for a distance of 500 feet beyond the Western boundary; thence Northerly in a straight line crossing the Main Road from Ewarton to Worthy Park to the intersection of the Eastern boundary of Parochial Road No. 22C and the Southern boundary of Parochial Road No. 22B; thence due East for a distance of 2,000 feet; thence due North to intersect with the parish boundary between St. Ann and St. Catherine; thence North-Easterly along the said parish boundary crossing the Main Road from Ewarton to Faith's Pen for a distance of 4,200 feet from its Eastern boundary; thence due South to intersect with the centre line of the most Southern branch of the intermittent gully running through Charlemont; thence North-Easterly along the branch of the said gully to its intersection with the centre line of the Northern branch; thence Northerly along the Northern branch to its intersection with the property track through Charlemont leading to the Southern boundary of the private driving road to Capt. H. S. McGrath's residence on Charlemont; thence South-Easterly along the Southern boundary of the said private driving road to its intersection with the Western boundary of Parochial Road No. 10; thence Northerly and Easterly along the Western and Northern boundaries of Parochial Road No. 10 to join the end of the Main Road at Treadways leading to Russell Pen; thence continuing along the Northern boundary of the said Main Road to its intersection with the Western boundary of another branch of the Main Road leading to Palm; thence South-Easterly in a straight line crossing both branches of the Main Road to Palm to the intersection of the Southern boundary of York Street with the Eastern boundary of that branch of the Main Road leading from Russell Pen to Palm; thence along the Southern boundary of York Street crossing the Parochial Road from Time and Patience to Cheesfield to intersect with its Eastern boundary; thence along the Eastern boundary of the Parochial Road from Time and Patience to Cheesfield to its intersection with the Northern boundary of the property road leading to Wallens; thence along the Northern boundary of the property road leading to Wallens to its intersection with the Western boundary of the Main Road leading from New Works to Dover Castle; thence due East across the said Main Road and continuing in the same straight line to intersect with the right bank of the Cistern Gully; thence Southerly along the right bank of the Cistern Gully to its intersection with the right bank of the Rio Magno Gully; thence generally Southerly along the right bank of the Rio Magno Gully to a point due North of the intersection of the Eastern and Southern boundaries of Parochial Roads No. 23A and No. 23C; thence due South to the aforementioned intersection; thence generally South-Easterly along the Southern boundary of Parochial Road No. 23C crossing the Jamaica Railway Corporation tracks to its intersection with the Western boundary of the Main Road leading from Bog Walk to Riversdale; thence due East across the said Main Road and continuing in the same straight line across the Rio Dora river to intersect with its left bank; thence generally Southerly and South-Westerly along the left bank of the Rio Dora river back to the starting point.

SECOND SCHEDULE

USE CLASSES

In this Schedule—

“shop” means a building used for the carrying on of any retail trade or retail business wherein the primary purpose is the selling of goods by retail, and without prejudice to the generality of the foregoing includes a building used for the purpose of a hairdresser, undertaker, travel agency, or as the receiving office for goods to be washed, cleaned or repaired, or for any other purposes appropriate to a shopping area, but does not include a building used as funfair, garage, petrol filling station, office or bank.

Class 1	Use as a shop.
Class 2	Use as an office or bank.
Class 3	Use as a warehouse for any purpose, except storage of offensive or dangerous goods.
Class 4	Use as a building for public worship or religious instruction or for the social or recreational activities of the religious body using the building.
Class 5	Use as a health centre, a clinic, a creche, a day nursery or a dispensary or use as a consulting room or surgery unattached to the residence of the consultant or practitioner.
Class 6	Use as an art gallery (otherwise than for business purposes) a museum, a public library or a public reading room.
Class 7	Use as a public hall, a concert hall, an exhibition hall, a social centre or a community centre.
Class 8	Use as a theatre, a cinema, a music hall.
Class 9	Use as a dance hall, a swimming bath, a gymnasium or for indoor games.
Class 10	Use as a hotel, motel or apartment house.

THIRD SCHEDULE

(Paragraph 6 (5))

PART I

Notification to be sent to the applicant on receipt of his application

Your application dated.....has been received and, if on
(INSERT DATE)

.....you have not been given notice by
(INSERT DATE OF EXPIRY OF THE PERIOD UNDER PARAGRAPH 5 OF THE ORDER)

the planning authority of their decision you are entitled to appeal to the Minister in accordance with section 13 of the Town and Country Planning Law, 1957, by notice served within one month from that date. You may, however, by agreement in writing with the planning authority extend the period within which the decision of the planning authority is to be given.

PART II

(Paragraph 6 (8) (a))

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions

(To be endorsed on notices of decision)

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for the proposed development, or to grant permission subject to conditions, he may, by notice served within one month of the receipt of this notice, appeal to the Minister in accordance with section 13 of the Town and Country Planning Law, 1957. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that the planning permission for the proposed development could not have been granted by the planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provisions of section 11 of the Law and of the Development Order and to any directions given in the Order.

2. In certain circumstances provided in section 17 of the Town and Country Planning Law, 1957, a claim may be made against the Town and Country Planning Authority for compensation where permission is refused or granted subject to conditions by the Minister on appeal.

FOURTH SCHEDULE

(Paragraph 4)

PART I

The following development is permitted under paragraph 4 of this Order subject to the conditions set out opposite the description of such development in column 2. The reference in the column to standard conditions are to the conditions numbered and set out in Part II of this schedule.

Column 1: Description of Development	Column 2: Conditions
CLASS I—DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLING HOUSE	
1. The enlargement, improvement or other alteration of a dwelling house so long as the cubic content of the original dwelling house (as ascertained by external measurement) is not exceeded by more than one-tenth, subject to a maximum of 4,000 cubic feet, provided that the erection of a garage or stable within the curtilage of the dwelling house shall be treated as the enlargement of the dwelling house for the purposes of this permission.	1. The height of such buildings shall not exceed the height of the original dwelling house. 2. No part of such building shall project beyond the forward-most part of the front of the original dwelling house. 3. Standard conditions 1 and 2.
2. The erection, construction or placing and the maintenance, improvement or other alteration within the curtilage of a dwelling house, of any building or enclosure (other than a dwelling, garage or stable) required for a purpose incidental to the enjoyment of the dwelling house as such.	1. The height shall not exceed, in the case of a building with a ridge roof, 12 feet, or in any other case 10 feet. Standard conditions 1 and 2.
CLASS II—SUNDRY MINOR OPERATIONS	
1. The erection or construction of gates, fences, walls or other means of enclosure not exceeding 4 feet in height where abutting on a highway used by vehicular traffic or 7 feet in height in any other case, and the maintenance, improvement or other alteration of any gates, fences, walls or other means of enclosure.	1. No improvement or alteration shall increase the height above the height appropriate for a new means of enclosure. 2. Standard conditions 1 and 2.
2. The painting of the exterior of any building or work otherwise than for the purposes of advertisements, announcement or direction.	

PART II

Standard Conditions

1. This permission shall not authorise any development which involves the formation, laying out or material widening of a means of access to a highway.
2. No development shall be carried out which creates an obstruction to the view of persons using any highway used by vehicular traffic at or near any bend, corner, junction or intersection so as to be likely to cause danger to such persons.

Dated at Halfway Tree, St. Andrew, this

day of

19 .

G. C. HODGES,
Government Town Planner,
Town and Country Planning Authority.

BOG WALK, LINSTEAD, EWARTON, DEVELOPMENT AREA.

GENERAL DESCRIPTION

The intention of this Order is to make provision for the orderly and progressive development of that area extending from Bog Walk to Ewarton, as described in the First Schedule.

This area has been undergoing steady development over the past three decades, that has transformed it into semi-urban character. With the construction of the Condensary, the Citrus factory, the Alumina plant, in addition to the sugar factory and poultry farms, this is probably the most industrialised area of rural Jamaica. Present expectations are that further industries are likely to locate within the area in the near future.

- (a) *Bog Walk*, situated at the lowest and most southerly corner of St. Thomas-ye-Vale Plain—in the Rio Cobre basin, is at the northern entrance to the Gorge, and at the confluence of several rivers. It is watered by all the waters falling in Upper St. Catherine, on their way to the sea. This—as implied in its name—is one of the moistest areas in the whole parish—although it is not now swampy.

The major road and rail links between the south coast (Kingston) and the north central and north-east coast pass through this gorge and the town of Bog Walk. Branching here, the main rail link goes north-westerly on to Port Antonio, the branch to Ewarton. The roads follow similar courses, the main road going through Linstead, Ewarton, Moncague on to the St. Ann coastal road, the branch to Riversdale and variously back to the north-eastern coast. The junction location makes Bog Walk very accessible from any point north or south, and facilitates transportation by road and rail. This desirable feature for industry has been recognised by the establishment of the Sugar factory, the Condensary, and the Citrus factory in Bog Walk. Fuller use of these facilities should be encouraged by judicious grouping of industrial locations within the area.

- (b) *Linstead* has prospered as a Market town, and with its Regional Hospital, Court House and Technical Training Centre at Dinthill, it has a wide area of influence in Upper St. Catherine. Lying between Bog Walk and Ewarton it forms an effective link, being at the same time the main centre of activity.
- (c) *Ewarton*, lying at the foot of Mount Diablo, is on an elevated edge of the Rio Cobre valley adjoining the St. Thomas-ye-Vale Plain. Previously the terminal of a branch Railway line, and astride the main road to the north coast, it has good communication links to the south. Climatically, Ewarton is the most favourable end of the area, but it is not as well endowed with services. The construction of the Alumina works has brought some increase of prosperity to the overall area, although the parts outside the industrial reservation have not grown correspondingly with those inside.

GENERAL

The soil throughout the area varies from rich alluvial (around Bog Walk), to limestone of moderate to poor capability (near Linstead and Ewarton). The fertility follows the valley and flat ground as a rule, with the ridges in some instances subject to mild erosion. The incidence of rock outcrop in this area is not excessive, and certain types of tree cultivation flourish at all levels.

Most of this area is occupied by small holders who farm and live on their land. Very many of these holdings have been fragmented to uneconomic sizes for agriculture. This has resulted in a greatly increased population density.

In addition, several holdings in haphazard locations have been subdivided into urban sized plots. Some of these have been in rural setting without any suggestion of a proper need for urban development, without prospect of efficient urban services or effective co-operation with the existing settlement. The result is frustration for both agricultural and urban development.

While it is not visualised that the whole of this area will in the foreseeable future become fully urban, the existing concentration of settlements around the three major points—Bog Walk-Linstead-Ewarton—will expand. One of the aims of this Order is to guide this expansion so that as far as possible, each piece of new development adds its quota to the resources of established communities and draws its services from those existing resources. Development of large residential subdivisions outside of the established townships, lays unduly heavy demands on the authorities for provision of convenient and/or additional school facilities, health facilities, roadway, water, electricity and other services. In competing for these with existing settlements, unnecessary and expensive duplication is caused, and as often happens neither gets satisfactory services. It is, therefore, important that further development should be located where it will strengthen the framework of services and facilities existing, and not lead to its depletion.

Applications for urban subdivisions within the area will be approved only where they are situated in such position, as to be of general convenience to the population, and provide services and amenities economically. A compact town form is not being specially aimed at, but undue dispersal will not be permitted.

Urban use of good agricultural land will not normally be approved.

CONTROLLING TOWN GROWTH

This must follow good Town Planning practice. As far as is practical within the limits set by multiple ownership the towns must grow up to function as effective organism, with various areas providing particular forms of service, and reserved for certain types of activities only, in accordance with the zoning proposals.

Subdivision layout of individual holdings must relate to adjoining layouts, so that consistency of standards and ease of circulation will be achieved. No development will be permitted which will conflict with the general aim of improvement.

Transportation Access to the overall area by road and rail is reasonable. The rail service operates for passengers and freight to Linstead and extends to Ewarton as a freight service line only for the Alcan Alumina plant. Extension of passenger rail services in this area does not seem a necessity in the foreseeable future, if adequate road links are provided.

Within the area the main road acts as a spine linking the three centres. A number of secondary roads exist, but for satisfactory circulation, these need improvement and additional secondary roads will be required to join different parts of the area.

At Linstead, development on either side of the existing main road now restricts vehicle circulation. To permit the passage of north-south traffic, it is necessary to provide a bypass to this congested area.

The Ministry of Communications and Works are examining the possibility of constructing a new section of main road close to and parallel with the Railroad track running from Vanity Fair to Michelton Halt. It would pass over or under local transverse roads so that this length will be intersection-free.

To reinforce this and to provide temporary relief until this road is constructed, it is proposed that the existing roadway serving the railway station should be improved and extended south-easterly so as to link the Linstead-Ewerton road (near Vanity Fair) to the Parochial Road to Commodore at its junction with the Bog Walk-Linstead road.

Roads to be built within the area will fall into four classes as under, and as in the attached Schedule.

- | | |
|-----------------------|--|
| (a) Service Roads | These used for direct access to individual lots, being of short extent, and without branch. |
| (b) Estate Roads | Intermediate collector roads for traffic originating on Service Roads. |
| (c) Main Estate Roads | Main spine roads within an estate, fed by Estate and Service road and may link various parts of a district. Normally used as bus routes. |
| (d) Main Roads | Linking parts of the town, town to town, and town to country. |

SCHEDULE OF ROAD STANDARDS

(All measurements in feet minimum)

Type of Road	Total Reservation	Carriageways	SIDE RESERVATION (EACH SIDE)			Special Requirements
			Total	Paved	Planted	
(a) Service Roads	30	16	7	4	3	Reservation, carriageway, paving and planting may be varied by Local Planning Authority depending on circumstances.
(b) Estate Roads	40	20	10	4	6	Paving and planting may be varied by Local Planning Authority depending on circumstances.
(c) Main Estate Roads	50	30	10	4	6	Paving and planting may be varied by Local Planning Authority depending on circumstances.
(d) Main Roads	100	(2) 21 dual	See Special Requirements			(2) 8' shoulders and a median strip, or such requirements as the Local Planning Authority may consider adequate.
(e) Main Roads (where standards of (d) are not required)	70	21	See Special Requirements			(2) 8' shoulders or such requirements as the Local Planning Authority may consider adequate.

Services

- Electric* services are available in various parts of the area, but the area is inadequately served as a whole. This is mainly because of the lack of economic demand. Facilities exist which could be expanded to meet increased demands if these are made. (Total quantities available and consumed are not readily determinable).
- Water*—Pipeborne water is also to be found in parts, although, again, the area is inadequately served. The National Water Authority is at present engaged on a scheme for the improvement of the Water Supply of the area. The completion of this scheme should make sufficient water available at the points of need within the area.
- Telephone* and telegraphic services exist but are very limited in distribution as a result also of limited demand. Expansion in demand would quite probably lead to improved distribution.

Industry

The potential for industry at Bog Walk—previously mentioned—should be exploited. An area of approximately 280 acres is proposed for industry—including the existing locations. This is considered suitable for any kind of industry—(except very special industry releasing objectionable fumes and vapour) and should suffice for foreseeable demands. The lands may continue in their existing agricultural use, but if future developments should warrant an extension of the area proposed such a need will be viewed in the light of circumstances at the time.

The main industrial location is proposed in Bog Walk with smaller areas in Linstead, and Ewerton. Commerce, Administration and the land-tenure situation there, is expected to encourage the continued growth of Linstead. The smaller areas proposed for industry in Linstead should be used for light and service industries. The Alumina plant at Ewerton is unlikely to attract supporting industries, and should continue as a special industry in its relative isolation.

Commerce

Commercial development should be confined to the existing centres of nucleation. When bypass or relief roads are built, on no account should commercial development be permitted to locate along them.

Large scale developments should be sited with due regard to access and to the traffic generated, and should conform with standards for vehicle parking etc. Ribbonlike development of shops along main and estate roads on existing or future subdivisions, should be restricted.

Building and other structures

The provision and siting of community facilities, the layout of building areas, including density, spacing, grouping and orientation will be considered in dealing with applications to develop. The size, height, colour and finishing materials of buildings, the objects which may be affixed to buildings, the layout and site coverage of buildings, and the use to which land or buildings are to be put will all be subject to control by the local planning authority in order to improve standards of design and amenity.

Vehicle Parking

Public car parks and street parking will be available in certain locations but developers may be required to provide parking facilities within the curtilage of the site to be developed. Appendix I will be used as a guide to determine the parking facilities required provided that the following conditions are complied with:—

- (1) For each vehicle a parking bay not less than 144 square feet shall be allowed.
- (2) Reasonable vehicular access shall be provided to the parking area and to each parking bay.
- (3) Where a building is divided by permanent construction into more than one Use and Occupancy, the number of parking bays required shall be calculated separately for each Use and Occupancy but the permissible excess factors given in Appendix I shall only be allowed for the major Use and Occupancy.

Vehicle Loading and Off Loading

Certain types of development require facilities for loading of goods and developers will be required to provide vehicle-loading and off-loading bays within the curtilage of the site to be developed. Appendix 2 will be used as a guide to determine the number of loading bays required provided that the following conditions are complied with:—

- (1) Each bay shall have an area of not less than 200 square feet.
- (2) Reasonable vehicular access shall be provided to each bay.

Agriculture

The primary activity within the Area is agriculture, and most likely will be so for the foreseeable future. Agricultural holdings vary in size from the large estates (such as Tulloch and United Estates) to small holding of one acre or less.

The agricultural capability of the land varies considerably from place to place.

Agricultural production in this Valley is an important national resource and it is necessary to regulate development, so that it is not adversely affected. No permission will be given for the use of good farming land for non-agricultural purposes, unless there are exceptional circumstances.

In the farming areas deforestation and bush-burning should be regulated, and such soil conservation measures should be adopted, as will arrest soil erosion.

Bauxite

Bauxite extraction is not taking place within the area, but refinement into Alumina, and the concomitant handling, do take place. Apart from the large plant and railway shed, the cable cars and pylons extending across the landscape constitute a very prominent visual feature.

This is part of the scene now associated with industrial progress, but which nevertheless mars the landscape. Extension of these features if necessary, should be carefully located.

Zoning related to Land use

The use of land will be guided by the proposals shown on the accompanying Development Plan, which shows predominant land use patterns. Within the zones indicated, certain subsidiary or differing uses may be considered (see Appendix 3), but will not at any time be allowed to become dominant.

Amenities

Advertisement Control will be introduced in accordance with Regulations.

Immigration and Settlement

Other developments within the Region may lead to the influx of large numbers of persons into this area. Careful siting of settlements is essential, and extension and development of existing townships must be regulated by technical consideration.

Public Open Spaces and Public Recreation areas

With the present population and its distribution, the need for Public Open Space is not keenly felt. As development progresses the need will be more keenly felt and attention should be given now by the local authorities, to the possibility of acquiring suitable sites while these are still available and the cost not too exorbitant.

Schools

The number and distribution of existing schools do not allow for maximum convenience or accessibility to the public. To serve an increasing population, a number of sites are proposed to ease the journey now being taken and bring a school building within much shorter radius of dwelling areas.

APPENDIX I

Vehicle Parking Requirements within Site Boundaries

Type of Development	Number of Vehicle Parking Spaces Required
1. Private Residences	1 for each individual unit.
2. Apartment Buildings	1 for each individual unit up to 20 units. 1 for each 2 units in excess of 20.
3. Guest Houses Hotels	1 for each 3 guest bedrooms plus 1 for each 50 sq. ft. of Public Dining Room.
4. Motels	1 for each guest unit plus 1 for each 50 sq. ft. of Public Dining Room.
5. Civic Administration Buildings Office Buildings Libraries Museums	1 for each 500 sq. ft. of floor area.
6. Shops Showrooms Stores Markets	1 for each building up to 1,000 sq. ft. plus 1 for each 250 sq. ft. of sales floor area in excess of 1,000 sq. ft.
7. Industrial Buildings used for manufacture or storage	1 for each building up to 5,000 sq. ft. plus 1 for each 1,000 sq. ft. of floor area in excess of 5,000 sq. ft.
8. Dance Halls Games Buildings Permanent Exhibition Buildings	1 for each building up to 1,000 sq. ft. plus 1 for each 100 sq. ft. in excess of 1,000 sq. ft.
9.	1 for each 4 beds.
10. Clinics	3 for each Practitioner.
11. Assembly Halls Auditoriums Churches City and Town Halls Cinemas Court Houses Lecture Halls Schools Colleges Universities	1 for each 10 seats.

APPENDIX II

Vehicle Loading Requirements within Site Boundaries

Type of Building	Number of Loading or Off Loading Bays Required
Shops Showrooms Stores Markets Hospitals	1 for each building up to 10,000 sq. ft. plus 1 for each 20,000 sq. ft. of floor area in excess of 10,000 sq. ft. to a total of 3. 1 for each 10,000 sq. ft. thereafter.
Industrial Buildings used for Manufacture or Storage	1 for each building up to 5,000 sq. ft. plus 1 for each 10,000 sq. ft. of floor area in excess of 5,000 sq. ft. to a total of 3. 1 for each 50,000 sq. ft. thereafter.

APPENDIX III

STATEMENT OF INTENDED RELATION OF USES TO THE ZONES SHOWN IN THIS DEVELOPMENT AREA

Zone	Shop	Office	Warehouse	Industrial Building	Service Industry	Garage	Petrol Filling Station	Hall	Cinema	Church	Health Centre	Hotel	Club and Bar	Residence	Cemetery	School
Industrial	2	2	1	1	1	1	1	3	3	3	3	3	2	3	3	3
Commercial	1	1	1	3	2	2	1	2	1	1	1	2	1	2	3	2
Business and Professional	3	1	3	3	3	3	3	2	3	3	1	3	3	2	3	2
Residential	2	3	3	3	2	3	2	2	3	2	3	1	2	1	3	2
Educational and Cultural	3	2	3	3	3	3	3	1	3	3	3	3	3	3	3	1
Open Space	3	3	3	3	3	3	3	3	3	3	3	3	3	3	2	3
Govt. purposes and Stat. Undertaking	3	1	3	3	3	3	3	3	3	3	1	3	3	3	3	1

Normally Permitted	1
Permitted in certain cases	2
Not normally permitted	3