

GOVERNMENT NOTICE No. 125

TRINIDAD AND TOBAGO

THE TOWN AND COUNTRY PLANNING ORDINANCE, 1960

ORDER

MADE BY THE MINISTER UNDER SECTION 9 (1) OF THE TOWN AND
COUNTRY PLANNING ORDINANCE

THE TOWN AND COUNTRY PLANNING (GENERAL
DEVELOPMENT) ORDER, 1969

1. This Order may be cited as the Town and Country Planning (General Development) Order, 1969 and shall come into operation on the appointed day. Citation and
Commence-
ment

2. (1) In this Order:—

Interpretation

“aerodrome” means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing or departure of aircraft;

“development plan” means a development plan as approved or made by the Minister or as for the time being amended, under Part II of the Ordinance;

“industrial process” means any process for or incidental to any of the following purposes, namely:—

- (a) the making of any article or of part of any article, or,
- (b) the altering, repairing, ornamenting, finishing, cleaning, washing, packing or canning, or adapting for sale, or breaking up or demolition, of any article, or
- (c) without prejudice to the foregoing paragraph, the getting, dressing or treatment of minerals, being a process carried on in the course of trade or business, and for the purposes of this definition the expression “article” means an article of any description, including a ship or vessel;

“industrial undertakers” means undertakers by whom an industrial process is carried on; and “industrial undertaking” shall be construed accordingly;

“mineral undertakers” means undertakers engaged in mining operations and includes undertakers licensed to search and bore for and get petroleum, and for the purposes of this Order any land in respect of which licence is in force authorising any undertakers to search and bore for and get petroleum shall be deemed to be comprised in their undertaking;

“mining operations” means the winning and working of minerals in on or under land, whether by surface or underground working;

“painting” includes any application or colour.

3. (1) Subject to paragraph (2), this Order shall apply to all land in Application
Trinidad and Tobago.

(2) Where a special development order is made in respect of any land, this order shall apply to such land subject to such modifications as may be specified in the special development order.

Permitted
Development

4. (1) Subject to this Order, development of any class specified in the Schedule shall be permitted and may be undertaken without the permission of the Minister upon land to which this Order applies:

Provided that the permission granted by this Order in respect of any such class of development shall be subject to any condition or limitation imposed in the Schedule in relation to that class.

(2) Nothing in this Article or in the Schedule shall operate so as to permit any development contrary to a condition imposed in any permission granted or deemed to be granted under Part III of the Ordinance otherwise than by this Order.

Directions
Restricting
Permitted
Development

5. (1) If the Minister is satisfied that it is expedient that development of any of the classes specified in the Schedule should not be carried out in any particular area, or that any particular development of any of those classes should not be carried out, unless permission is granted on an application in that behalf, the Minister may direct that the permission granted by Article 4 of this Order shall not apply to—

- (a) all or any development of all or any of those classes in any particular area specified in the direction; or
- (b) any particular development, specified in the direction, falling within any of those classes.

(2) Notice of any direction given under paragraph (1) (a) of this Article shall be published in the *Gazette* and in at least one daily newspaper circulating in Trinidad and Tobago. Such notice shall contain a concise statement of the effect of the direction and name any place where a copy thereof and of a map defining the area to which it relates may be seen at all reasonable hours; and any such direction shall come into force on the date on which such notice is first published.

(3) No direction given under this Article shall have effect in relation to the carrying out in case of emergency of any development specified in the Schedule, or unless such direction specially so provides, to the carrying out by statutory undertakers of any of the following operations:—

- (a) maintenance of bridges or buildings;
- (b) maintenance of docks, harbours, quays and wharves;
- (c) provision and maintenance of mechanical apparatus or appliances (including signalling equipment) required for the purposes of shipping or in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, quay, harbour, wharf or basin;
- (d) any development required in connection with improvement, maintenance or repair of watercourses or drainage works.

Application
for Planning
Permission

6. (1) An application for planning permission shall be made on a form issued by the Minister and shall 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. In addition to the information required by the application form, the

Minister may by a direction in writing addressed to the applicant request such further information to be given to him in respect of any application for permission as may be necessary to enable him to determine that application.

(2) Where an applicant so desires, an application, expressed to be an outline application, may be made for permission to erect any buildings subject to the subsequent approval of the Minister with respect to any matter relating to the siting, design or external appearance of such 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. Where however:

- (a) such permission is granted, it shall be expressed to be granted on an outline application and the approval of the Minister shall be required with respect to the matters reserved in the permission before any development is commenced;
- (b) the Minister is of opinion that 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, shall, within one month from receipt of the outline application, notify the applicant that he is unable to entertain the application, and he shall specify the matters as to which further information is required where such further information is furnished the application shall be treated as having been made on the date when such information was received.

(3) An application for an approval required by the last preceding 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 permission together with such additional number of copies of the application and plans and drawings as were required in relation to the application for permission.

(4) Any application made under this Article shall be lodged with the Minister and on receipt of any such application, the Minister shall send to the applicant an acknowledgment thereof.

(5) The Minister may by a direction in writing addressed to the applicant require to be produced such evidence as may be reasonably called for to verify any particulars of information given in any application for permission.

(6) The period within which the Minister shall give notice to an applicant of the determination of an application shall be the following period from the date of receipt of the application, namely:—

- (a) in the case of an application referred to in paragraph (1) of Class XII of the Schedule, thirty months, and
- (b) in any other case, two months, or such extended periods as may at any time be agreed upon in writing between the applicant and the Minister.

(7) Every such notice shall be in writing and in the case of an application for planning permission or approval where the Minister decides to grant such permission or approval subject to conditions or to refuse it, he shall state the reasons therefor in writing.

Register of
Applications

7. (1) The Minister shall cause a register to be kept containing the following information in respect of all land to which this Order relates, namely:—

- (a) particulars of any application for permission for development made 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) the date and effect of any decision of the Minister in respect of the application;
- (c) 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.

(3) Such register shall be kept at the office of the Town and Country Planning Division of the Ministry of Planning and Development.

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

Notices and
Documents

8. Any notice or other document to be served or given under this Order may be served or given in the manner prescribed by section 36 of the Ordinance.

Saving

9. Nothing in this Order shall apply to any permission which is deemed to be granted under section 22 of the Ordinance.

SCHEDULE

PART I

Permitted Development

The development described in column (1) is permitted under Article 3 of this Order subject to the conditions set out in column (2) opposite the description of such development. The references to standard conditions set out in column (2) are to the conditions numbered and described in Part II of this Schedule.

COLUMN (1) <i>Description of Development</i>	COLUMN (2) <i>Conditions</i>
<p>CLASS I. DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLING HOUSE</p> <p>1. The 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 increased; and so long as the area defined by the external walls of the original building remains the same in both content and location, except in the case of the addition of a W.C., a bathroom or a kitchen.</p> <p>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, including the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwelling house.</p>	<p>1. No part of such building shall project beyond the forwardmost part of the front of the original dwelling house.</p> <p>2. Standard conditions 1 and 2.</p> <p>1. The height shall not exceed, in the case of a building with a ridged roof, 12 feet, or in any other case, 10 feet.</p> <p>2. Standard conditions 1 and 2.</p>
<p>CLASS II. SUNDRY MINOR OPERATIONS</p> <p>1. The erection or construction of gates, fences, walls or other means of enclosure not exceeding 4 feet in height where abutting on a road or 7 feet in any other case, and the maintenance, improvement, or other alteration of any gates, fences, walls, or other means of enclosure.</p> <p>2. The painting of the exterior of any building or work otherwise than for the purpose of advertisement, announcement or direction.</p>	<p>1. No improvement or alteration shall increase the height above the height appropriate for a new means of enclosure.</p> <p>2. Standard conditions 1 and 2.</p>
<p>CLASS III. TEMPORARY BUILDING AND USES</p> <p>1. The erection or construction on land, in, on, over or under which operations other than mining operations, being or about to be carried out in pursuance of planning permission granted or deemed to be granted under Part II of the Act, or on adjoining land, of buildings, works, plant or machinery needed temporarily in connection with those operations, for the period of such operations.</p> <p>2. The use of land (other than a building or the curtilage of a building) for any purpose on not more than 28 days in total in any calendar year, and the erection or placing of moveable structures on the land for the purpose of that use.</p>	<p>1. Such buildings, works, plant or machinery shall be removed at the expiration of that period and where they were sited on any such adjoining land, that land shall be forthwith re-instated.</p> <p>2. Standard conditions 1 and 2.</p> <p>Standard conditions 1 and 2.</p>

COLUMN (1) <i>Description of Development</i>	COLUMN (2) <i>Conditions</i>
<p>CLASS IV. USED BY MEMBERS OF RECREATIONAL ORGANIZATIONS</p> <p>The use of land, other than building and not within the curtilage of a dwelling house, for the purposes of recreation or instruction by members of a recreational organization and the erection or placing of tents or caravans on the land for the purposes of that use.</p>	<p>Standard conditions 1 and 2.</p>
<p>CLASS V. AGRICULTURAL BUILDINGS, WORKS AND USES</p> <p>1. The carrying out on agricultural land having an area of more than one acre of building or engineering operations requisite for the use of that land for the purpose of agriculture, other than the placing on land of structures not designed for those purposes or the provisions and alteration of dwellings.</p> <p>2. The erection or construction and the maintenance, improvement or other alteration of road side stands for milk churns.</p> <p>3. The winning and working, on land held or occupied with land used for the purposes of agriculture, of any minerals reasonably required for the purposes of that use, including the fertilization of the land so used and the maintenance, improvement or alteration of buildings or works thereon which are occupied or used for the purposes aforesaid.</p>	<p>1. The height of any building or works within 2 miles of the perimeter of an aerodrome shall not exceed 10 feet.</p> <p>2. No part of any buildings (other than moveable structures) or works shall be within 50 feet of the reserve of any road.</p> <p>3. Standard conditions 1 and 2.</p> <p>1. No alteration shall be made within 50 feet of the reserve of any road.</p> <p>2. Standard condition 1.</p>
<p>CLASS VI. FORESTRY BUILDINGS AND WORKS</p> <p>The carrying out on land used for the purposes of forestry (including afforestation) of building and other operations (other than the provision or alteration of dwellings) requisite for the carrying on of those purposes, and the formation, alteration and maintenance of private ways of such land.</p>	<p>1. The height of any buildings or works within 2 miles of the perimeter of an aerodrome shall not exceed 10 feet.</p> <p>2. No part of any buildings (other than moveable structures) or works shall be within 50 feet of the reserve of a road.</p> <p>3. Standard conditions 1 and 2.</p>
<p>CLASS VII. DEVELOPMENT FOR INDUSTRIAL PURPOSES</p> <p>1. Development of the following descriptions, carried out by an industrial undertaker on land used (otherwise than without planning permission granted or deemed to be granted under Part III of the Ordinance) for the carrying out of any industrial process, and for the purposes of such process, or on land used (otherwise than as aforesaid) as a dock, harbour or quay for the purpose of an industrial undertaking:—</p> <p>(i) the provision, rearrangement or replacement of private ways or private railways, sidings or conveyors;</p> <p>(ii) the provision or rearrangement of sewers, mains, pipes, cables or other apparatus;</p>	<p>1. No operations carried out under sub-paragraph (iii) or (iv) shall materially affect the external appearance of the premises of the undertaking.</p> <p>2. No part of any building or works shall be within 50 feet of the reserve of any road.</p> <p>3. Standard conditions 1 and 2.</p>

COLUMN (1) <i>Description of Development</i>	COLUMN (2) <i>Conditions</i>
<p>(iii) the installation or erection by way of addition or replacement of plant or machinery, or structures or erections of the nature of plant or machinery, not exceeding 50 feet in height or the height of the plant, machinery, structure or erection so replaced whichever is the greater;</p> <p>(iv) the extension or alteration of buildings so long as the height of the original building is not exceeded and the cubic content of the original building as ascertained by external measurement is not exceeded by more than one-tenth nor the aggregate floor space thereof by more than five thousand square feet;</p> <p>Provided that the erection on land within the curtilage of any such building of an additional building to be used in connection with the original shall be treated as an extension of the original building, and where any two or more original buildings comprised in the same undertaking, the reference in this permission to the cubic content shall be construed as a reference to the aggregate cubic content of those buildings, and the reference to the aggregate floor space as a reference to the total floor space of those buildings.</p>	
<p>2. The deposit by an industrial undertaker of waste material or refuse resulting from an industrial process on any land comprised in a site which was used for such deposit, on the appointed day, whether or not the superficial area or the height of the deposit is thereby extended.</p>	Standard conditions 1 and 2.
<p>CLASS VIII. REPAIRS TO PRIVATE WAYS</p>	
<p>The carrying out of works required for the maintenance or improvement of private ways, being works carried out on land within the boundaries of the way.</p>	
<p>CLASS IX. REPAIRS TO SERVICES</p>	
<p>The carrying out of any works for the purpose of inspecting, repairing, or renewing sewers, mains, pipes, cables or other apparatus, including the breaking open of any land for that purpose.</p>	
<p>CLASS X DEVELOPMENT BY LOCAL AUTHORITIES WHETHER OR NOT FUNCTIONS HAVE BEEN DELEGATED TO THEM UNDER PART III OF THE ACT.</p>	
<p>1. The erection or construction and the maintenance, improvement or other alteration by a local authority of:—</p>	
<p>(i) such small ancillary buildings, works and equipment as are required on land belonging to, or maintained by them for the purposes of any functions exercised by them on that land otherwise than as statutory undertakers;</p>	Standard condition 1.

COLUMN (1) <i>Description of Development</i>	COLUMN (2) <i>Conditions</i>
<p>CLASS X DEVELOPMENT BY LOCAL AUTHORITIES, &c.—<i>Contd.</i></p> <p>(ii) information kiosks, passenger shelters, public shelters and seats, public drinking fountains, horse-troughs, refuse bins or baskets, barriers for the control of persons waiting to enter public vehicles, and such similar structures or works as may be required in connection with the operation of any public service administered by them.</p> <p>2. The deposit by a local authority of waste material or refuse on any land comprised in a site which was used for that purpose on the appointed day.</p> <p>3. The carrying on by a local authority of any works required for the maintenance or improvement of existing roads being works carried out on land outside but abutting on the boundary of the road.</p>	<p>Standard condition 1.</p>
<p>CLASS XI DEVELOPMENT BY STATUTORY UNDERTAKERS</p> <p>A. <i>Transport Undertaking</i></p> <p>Development required in connection with the movement of traffic by road and carried out by undertakers in, on, over or under the operational land of the undertaking except the construction of bridges and the construction or erection, or the reconstruction or alteration so as materially to affect the design or external appearance of any bridge, or of any residential building, office, or building to be used for manufacturing or repairing work, which is not situate wholly within the interior of the operational land of the undertaking.</p> <p>B. <i>Dock, Pier, Harbour or Water Transport Undertaking.</i></p> <p>1. Development required for the purposes of shipping or in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at the dock, pier, or harbour, or the movement of traffic by any railway forming part of the undertaking, and carried out by the undertakers, in, on, over or under the operational land of the undertaking <i>except</i> the construction or erection, or the reconstruction or alteration so as materially to affect the design or external appearance thereof, of bridges or other buildings (not being structures or erections required in connection with the handling of traffic).</p> <p>2. The use of any land for the spreading of dredgings.</p>	<p>Standard conditions 1 and 2.</p> <p>Standard conditions 1 and 2.</p> <p>Standard conditions 1 and 2.</p>
<p>C. <i>Gas Undertaking</i></p> <p>Development required for the purpose of the undertaking of any of the following descriptions, that is to say:—</p> <p>(i) the installation in a gas distribution system of gas valve governor houses not exceeding (except when constructed underground elsewhere than under a road) six hundred cubic feet in capacity;</p>	<p>Standard conditions 1 and 2.</p>

COLUMN (1) <i>Description of Development</i>	COLUMN (2) <i>Conditions</i>
<p>(ii) any other development carried out in, on, over or under operational land of the undertaking except:—</p> <p>(a) the erection, or the reconstruction or alteration so as materially to affect the design or external appearance thereof, of buildings;</p> <p>(b) the installation of any plant or machinery, or structure or erections of the nature of plant or machinery, exceeding fifty feet in height, or capable, without addition, of being extended to a height exceeding fifty feet;</p> <p>(c) the replacement of any plant or machinery, or structures or erections of the nature of plant or machinery to a height exceeding fifty feet or the height of the plant, machinery, structure or erection so replaced whichever is the greater.</p>	
<p><i>D. Electricity Undertakings</i></p> <p>Development required for the purposes of the undertaking of any of the following descriptions, that is to say:—</p> <p>(i) the installation of service lines to individual consumers from an electric line and the erection, maintenance, improvement or other alteration of lamp standards;</p> <p>(ii) any other development carried out on, in, or under the operational land of the undertaking except:—</p> <p>(a) the erection, or the reconstruction so as materially to affect the design or external appearance thereof, of buildings; or</p> <p>(b) the installation or erection, by way of addition or replacement, of any plant or machinery, or structures or erections of the nature of the plant or machinery, exceeding fifty feet in height or the height of the plant, machinery, structure or erection so replaced, whichever is the greater.</p>	<p>Standard conditions 1 and 2</p>
<p><i>E. Water and Sewerage Undertakings</i></p> <p>Development required for the purposes of the undertaking of any of the following descriptions, that is to say:—</p> <p>(i) the construction of water pipelines of 8 inches diameter or less, booster stations and associated appurtenances;</p> <p>(ii) the installation of service lines from water mains to consumers;</p> <p>(iii) the construction of house sewer connections i.e. connections from the street sewer to the boundary of the property;</p> <p>(iv) the construction of domestic sewer connections i.e. connections of the sewer from the boundary of the property to the domestic plumbing;</p> <p>(v) the construction of laterals either on streets or in rights-of-way to collect sewer from buildings which cannot be connected to existing street sewers;</p>	<p>Standard conditions 1 and 2</p>

COLUMN (1) <i>Description of Development</i>	COLUMN (2) <i>Conditions</i>
<p>(vi) the construction of laterals of 8 inches to 12 inches as well as manholes and associated structures to serve existing streets;</p> <p>(vii) the construction of small sewer lift stations or ejector stations constructed with (vi).</p> <p>CLASS XII DEVELOPMENT OF MINERAL UNDERTAKERS</p> <p>1. Where mining operations have been carried out in any land at any time before the appointed day, the continuance of such mining operations in adjoining land (where they form a continuous operation in relation to the land first mentioned) for a period of four months from the appointed day (or for such longer period not exceeding six months from the appointed day as may be allowed in writing in any particular case by the Minister); and if during that period an application under Part III of the Act for permission to carry out those operations is made, the continuation of such operations until the application has been dealt with.</p> <p>2. The erection, alteration or extension by mineral undertakers on land in or adjacent to and belonging to a quarry or mine comprised in their undertakings of any building, plant or machinery, or structure or erection in the nature of plant or machinery other than a stone-crusher which is required in connection with the winning or working of minerals, in pursuance of permission granted or deemed to be granted under Part III of the Act, or which is required in connection with the treatment or disposal of such minerals:</p> <p>Provided that permission shall be required for the erection, alteration or extension of a building but the Minister shall not refuse permission and shall not impose conditions upon the grant thereof, unless he is satisfied that it is expedient so to do on the ground that—</p> <p>(a) the erection, alteration or extension of such building would injure the amenity of the neighbourhood and modifications can reasonably be made or conditions can reasonably be imposed in order to avoid or reduce the injury; or</p> <p>(b) the proposed building or extension ought to be, and can reasonably be, sited elsewhere.</p> <p>3. The deposit of refuse or waste materials by, or by licence of, a mineral undertaker in excavations made by such undertaker and already lawfully used for that purpose provided that the height of such deposit does not exceed the level of the land adjoining any such excavation.</p>	<p>Standard conditions 1 and 2</p>
<p>CLASS XIII USES OF AERODROME BUILDINGS</p> <p>The use of buildings on an aerodrome for purposes in connection with the air transport services or other flying activities of such aerodrome.</p>	<p>Standard conditions 1 and 2</p>

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 road.
2. No development shall be carried out which creates an obstruction to the view of persons using any road used by vehicular traffic at or near any bend, corner, junction or intersection so as to be likely to cause danger to such persons.

Made this 21st day of August, 1969.

ERIC WILLIAMS
Minister of Planning and Development