

GOVERNMENT NOTICE No. 114

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, 1960

THE TOWN AND COUNTRY PLANNING (CHAGUARAMAS)  
DEVELOPMENT ORDER, 1974

1. This Order may be cited as the Town and Country Planning (Chaguaramas) Development Order, 1974, and shall apply to the North-western Peninsula of Trinidad, being the area described in the Schedule. Citation
2. In this Order— Definitions
  - "Authority" means the Chaguaramas Development Authority established under section 3 of the Chaguaramas Development Authority Act, 1972; No. 37 of 1972
  - "Development Plan" means the Chaguaramas Development Plan as approved by Parliament;
  - "land" means any corporeal hereditament, including a building;
  - "layout plan" means a detailed plan showing the manner in which land vested in the Authority is to be subdivided and utilised;
  - "Minister" means the member of the Cabinet charged with responsibility for Town and Country Planning;
  - "offensive trade" has the meaning assigned to it by section 2 of the Public Health Ordinance;
  - "Ordinance" means the Town and Country Planning Ordinance, 1960. Ch. 12. No. 4  
Ord. No. 29  
of 1960
3. (1) Where the Minister is satisfied:— Directions  
restricting  
permitted  
development
  - (a) that development as indicated on the Development Plan should not be undertaken in any case; or
  - (b) that development should not be undertaken except express permission is granted by him in that behalf;he may direct that permission granted by paragraph 4(1) shall not apply to all or any development in any particular area specified in the direction.  
  
(2) Notice of any directions given under subparagraph (1) 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 the place where a copy thereof and of a map defining the area to which it relates may be inspected by the public.

(3) The Authority shall act in such a manner as to give effect to the terms of the directions made under subparagraph (1).

(4) No directions given under subparagraph (1) shall have effect in relation to the carrying out in case of emergency of any development specified hereunder:—

- (a) maintenance of bridges and 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 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 water-courses or drainage works.

Permitted  
development

4. (1) Notwithstanding the provisions of paragraphs 3 and 5, where a layout plan prepared by the Authority is approved by the Minister, development in accordance with such plan shall be permitted on the lands vested in the Authority and may be undertaken without any further permission from the Minister.

(2) It shall be the responsibility of the Authority to ensure that where lands vested in it are being developed such development is in conformity with the plan approved by the Minister, the relevant sections of the Ordinance, the provisions of this Order and any directives which may be issued by the Minister from time to time.

(3) The provisions of the Town and Country Planning (General Development) Order, 1969, shall not apply to lands vested in the Authority.

Development  
requiring  
special  
permission

5. Notwithstanding paragraph 4(1) the following types of development shall require the prior approval of the Minister:—

- (a) the construction of buildings for use as public conveniences;
- (b) the construction of buildings or use of land for the disposal of refuse or waste materials or as a scrap yard or for the winning or working of minerals;
- (c) the construction of buildings in areas allocated as National Parks and Nature Reserves;
- (d) the construction of buildings to a height exceeding forty feet;
- (e) the construction of buildings or use of land for sewerage treatment;
- (f) the construction of buildings for any of the following purposes, namely, recreation, resort, hotel, night club, cinema, dance hall, stadium, a Turkish or other vapour or foam bath;

(g) any development for the purpose of carrying on an offensive trade.

6. (1) This paragraph applies to the arterial roads indicated on the Development Plan.

(2) With respect to any development which consists of or includes:—

(a) the formation, laying out or alteration of any means of access to an arterial road to which this paragraph applies; or

(b) any other development of land within 100 feet (or such other distance as may be specified in a direction given by the Minister) from the middle of the existing or proposed road to which this paragraph applies,

the Authority shall notify the Minister and shall not undertake such development until it has received his approval.

7. The Minister may by notice direct that such buildings as may be specified in the notice may not be demolished, altered or extended without his permission. The notice shall be published in a newspaper in circulation in Trinidad and Tobago.

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.

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

10. The Authority shall submit to the Minister every six (6) months a Report on all development executed on lands vested in it.

11. In the exercise of the powers conferred by section 9(4) of the Ordinance it is hereby directed that the following Parts of the Public Health Ordinance and the subsidiary legislation made under such Parts shall not apply to any development specified in this Order, namely—Parts II, III, IV, V, VIII and sections 92 and 93 of Part XIII.

## SCHEDULE

### THE NORTH-WEST PENINSULA

1. (1) All that land situate in the north-western part of the Island of Trinidad in the Ward of Diego Martin in the County of St. George and bounded as follows:—

NORTH — by the Caribbean Sea, from the point whose co-ordinates are North 1188 097 m. and East 653 395 m. approximately two miles East of Macqueripe Bay, to Entrada Point, at the entrance of the Boca de Monos (commonly known as the First Boca);

WEST — by the Boca de Monos, from Entrada Point, to Delgada Point sometimes known as Canning's Point;

- SOUTH — by the Gulf of Paria, from Delgada Point, to the point whose co-ordinates are North 1181 332 m. and East 653 405 m., approximately 15 feet West of the pier of the Bauxite Transfer Station at Carenage;
- EAST — by a line starting at the above mentioned point North 1181 332 m. and East 653 405 m. and continuing for a distance of approximately 6.1 miles in more or less a northerly direction along the ridge that separates the Diego Martin Valley from the Tucker Valley and through the peaks known as Morne Distree, Morne Jean and Morne Pierre back to the point whose co-ordinates are North 1188 097 m. East 653 395 m.,

save and except those areas therein occupied by the Trinidad Omega Station and the Associated Monitor Site and the area extending northward and westward from Piers 1 and 2 in Carenage Bay, more particularly shown as N1, N2 and N3 respectively in the plan referred to hereunder.

(2) This area is more particularly shown as delineated on a plan filed in the vault of the Surveys Department, Red House, as PG 97.

2. The off-shore Islands of Gaspar Grande, Gasparillo, Monos, Huevos and Chacachacare.

3. The waters of all bays along the coasts of the area up to baselines connecting the furthestmost points of the projection of land encircling the bays.

Dated this 5th day of November, 1974.

B. M. BARROW  
*Minister of Planning and Development*