

PORTMORE MUNICIPAL COUNCIL

PLANNING DEPARTMENT

# MISSION STATEMENT

To provide excellent customer service and to facilitate the parish and the community in preparing and implementing plans and policies to encourage planning principles that promote rational, social, economic and environmentally efficient use of land now and for generations to come.

## PLANNING DEPARTMENT SERVICES

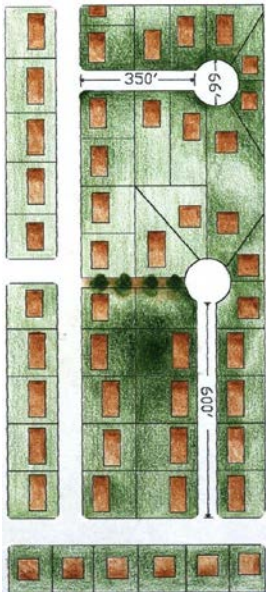
The Planning Department offers the service of processing development applications for:

- Subdivision approval
- Building approval
- Places of Amusement approval and licensing
- Advertisement approval
- Modification of Restrictive Covenants

The Planning Unit also provides:

General information on development within Portmore

## SUBDIVISION APPROVAL



Subdivision is the laying out or the division of land into 2 or more lots for the purposes of sale, gift or the erection of any type of buildings (commercial or residential).

A person shall not sell, offer, or advertise for sale, or build upon any lot in any subdivision unless it has been previously approved by the Municipal Council

The Planning Department ensures that:

- Subdivision proposals are designed to facilitate the designated land use and sustainable development.
- Plans are assessed to meet processing requirements such as:
  - Required number of copies of proposed plan
  - Signed by Commissioned Land Surveyor
  - Property Tax Compliance <sup>2</sup>
  - Minimum lot size of 800m<sup>2</sup> is upheld
  - Fully completed application form
- Preliminary data is provided on the NRCA project information form.
- Plans are dispersed to local agencies for site evaluation including Roads & Works & Fire Department.
- A Registry of the applications is developed and managed.
- Localized conditions of approval are prepared and sent to the client.
- Consent to the stipulated conditions by the client is received.
- A Preliminary decision on development proposal is prepared/ determined.
- A confirmation from the Minister is received on the subdivision approval.
- The applicant is facilitated in the appeal process if necessary.
- Release of titles are facilitated.

## **Building Approval**



The Planning Department in conjunction with the Roads & Works Department advises the public on the requirements to ensure that land is not misused and also to ensure:

- Safe and convenient access from main roads.
- Buildings adhere to the required setback stipulated on the titles.

### **Building Applications**

- The Planning Department in conjunction with the Roads & Works Department, undertakes the task of Managing and reviewing all building plans for the Parish under the Building and Town and Country Planning Act.
- Reference for approval is guided by the use of Land use plans, zoning and the previously stated governing legislation.
- Processing fees are charged for building plans at a fixed rate to cover costs incurred for time and evaluation.
- Monitoring and review of plans are also guided by architectural legislation.
- The Local Planning Authority has the task of Implementing building codes thus ensuring that building plans meet planning requirements, engineering standards, environmental/ health standards and fire safety standards. This process is carried

out in consultation with the Health Department, Fire and the National Works Agency.

- Applications are also evaluated to ensure their compliance to stipulated restrictive covenants on the land title.

The Council also facilitates the involvement of civil society/ community through consultative exercises for some development projects

## PLACES OF AMUSEMENT

The Planning Department processes all applications for Places of Amusement which includes parties, dances, cinemas, gospel concerts etc....

Regulations:

- The Parish Councils Act, The St. Catherine Parish Council (Places of Amusement) Regulations, 1999

Rates:

- \$2,500 currently being charged for processing

### Places of Amusement – application procedure

- Client receives letter from Police Station, which is stamped and signed, for submission to Planning Department.
- Application is received by the Planning Department and a fee is paid to the Accounts Department.
- Planning Officer ensures that the application is filled out properly and that the applicant has received approval from the Police.
- Application is either approved or rejected.

## ADVERTISEMENT



The Planning Department processes all advertisement applications and, sees to it that hoardings, banners and billboards are placed or erected in suitable areas that are aesthetically pleasing.

It is also ensured that they do not obscure residents vision or the motoring public.

## ADVERTISEMENT APPROVAL PROCESS

### **Application**

- The applicant pays a fee and fills out an application form at the Planning Department.

### **Committee Meeting**

- If the proposal is recommended for approval/ refusal, the application is sent back to the Planning Department where it is put on the Planning Committee Agenda.

### **Preparation of Documents**

- Upon final approval, the applicant is notified and the appropriate letter done

## MODIFICATION OF RESTRICTIVE COVENANT

Applications are received by means of Notice served on the Council by the Applicants lawyers

The Notice is stamped by the registry then forwarded to the Planning Department for Processing

Site inspection would be done and a recommendation would then be forwarded to the applicants lawyer, a copy of the same recommendation would be sent to the supreme court registry and the National Environment and Planning Agency.

A computer database is also maintained as well as a hardcopies of the files are kept for future references.

## LAWS & BYE-LAWS GOVERNING PLANNING RELATED ISSUES

### **Subdivisions**

Local Improvement Act  
Town and Country Planning Act  
Surveyor's Act  
NRCA Act  
Town and Communities Act  
Development Order, St. Catherine Coast  
National Physical Plan (NEPA)

### **Buildings**

Building Act, St. Catherine Coast Development Order under the Town and Country Planning Act NRCA Act

**CONSTRAINTS BEING FACED BY THESE LAWS**

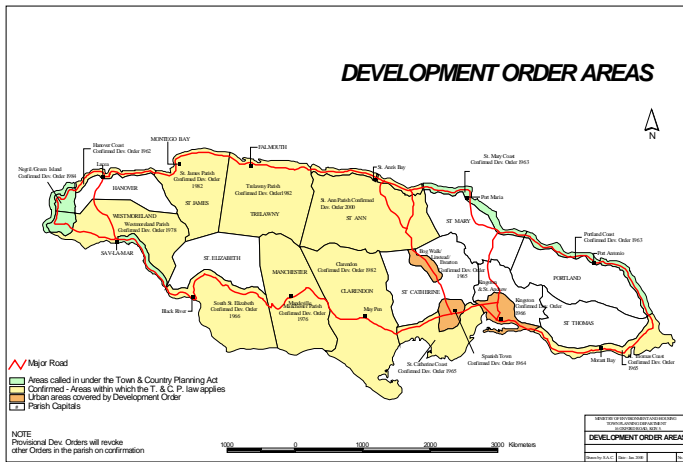
- These Laws are outdated and are not practical for use in today’s Planning Regime. They are however, currently being reviewed, but the reform process under which they are being reviewed is taking a great deal of time to be carried out.
- Fines and penalties stipulated by these laws are deemed mediocre hence making the enforcement process somewhat redundant.

Some of the Laws are too rigid and need to be more flexible in order to facilitate sustainable development.

**DEVELOPMENT ORDER**

The Town and Country Planning Act of 1957, empowers the Town and Country Planning Authority to prepare in consultation with the Local Planning Authority, legal documents called Development Orders for specific areas throughout Jamaica.

The aim of these documents is to regulate and control the use of land ensuring that land is not misused.



- The Local Planning Authority is granted power under Law through various Legislation covered by the confirmed Development Order for St. Catherine Coast.
- As the Map depicts, the Municipality of Portmore is completely covered by a confirmed Development Order.

**PLANNING DEPARTMENT**

- Building & subdivision plans, advertisement and Places of Amusement all account for much of the revenue generated by the Parish Council and this is reflected in the Council’s quarterly reports.

JANUARY – JUNE 2008

Service	No. of App. received	No. of App. processed	Average processing time
Building	190	179	6 – 8 weeks
Subdivision	59	52	1 year
Places of Amusement	123	123	1 day
Advertisement	110	110	6 weeks