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THE TOWN AND COUNTRY PLANNING ACT

**THE TOWN AND COUNTRY PLANNING (PORTLAND PARISH) PROVISIONAL
DEVELOPMENT ORDER, 2013 (CONFIRMATION) NOTIFICATION, 2015**

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 (Portland Parish) Provisional Order, 2013 (Confirmation) Notification, 2015.
2. The Town and Country Planning (Portland Parish) Provisional Development Order, 2013 published in the Jamaica Gazette Supplement, Proclamations, Rules and Regulations Vol. CXXXVI No. 49C dated Friday, June 21, 2013 is hereby confirmed with the modifications set out in the Schedule.

SCHEDULE

(Paragraph 2)

*Modification to Town and Country Planning (Portland Parish)
Provisional Development Order, 2013*

A. TYPOGRAPHICAL CHANGES

1. In the Table of Contents delete "Section II—Local Development Area" and substitute therefor "Section II—Local Planning Areas".
2. On page 350B²⁵⁸ in the sixth line under "landscaping" insert a comma (,) between the words "trees" and "hedges".
3. On page 350B²⁵⁹—
 - (a) delete the words "section 2 of in the first line under "national monument";
 - (b) under "permitted use class" delete the words "paragraph 6" and substitute therefor the words "paragraph 7" therefor;
 - (c) delete the word "portland" and substitute therefor the word "Portland"; and
 - (d) under the words "protected national heritage" delete the words "section 2 of".
4. On page 350B²⁶¹ in paragraph 8(1) in the first line insert immediately after the words "application for planning" the word "permission".
5. On page 350B²⁶²—
 - (a) in the second line of paragraph 10(3) insert an "(a)" between the words "either" and "grant permission" to make a new paragraph and insert the word "or" immediately after the word "Authority";
 - (b) delete "(4)" in the next paragraph and substitute therefor "(b)";
 - (c) delete "(5)" in the next paragraph and substitute therefor "(4)" therefor; in line 2 of the same paragraph delete "(3) (b)" and substitute therefor "(3) (b)"; and
 - (d) in the first line of the new paragraph 10(4)(b) delete the word "act" and substitute therefor the word "Act".
6. On page 350B²⁶³—
 - (a) first line in paragraph 11(d) delete the word "as" which appears between the words "or" and "such";
 - (b) in the last line of paragraph 13(1) delete the word "Applicant" and substitute therefor the word "applicant";

SCHEDULE, *contd.*

- (c) at the end of paragraph 13(2)(c) delete the word "or"; and
- (d) delete the "(d)" at the beginning of the next paragraph.

7. On page 350B²⁶⁴—

- in paragraphs 15(1) and 15(2) delete the word "Directions" and substitute therefor the word "directions" wherever it occurs; and
- in last line of paragraph 16(1)(d) insert the words "and Appendix 4" immediately after the words "Appendix 3".

8. On page 350B²⁶⁵ in the second line of paragraph 16(1)(k) insert the word "is" between the words "plant" and "proposed".9. On page 350B²⁶⁶ in the second line of paragraph 18(1)(e) delete "11(1)" and substitute therefor "13(1)".10. On page 350B²⁶⁸—

- (a) in second line of paragraph 20 delete the word "Direction" and substitute therefor the word "directions"; and
- (b) in the third and the fourth line of paragraph 22 delete the words "of the Fifth Schedule";
- (c) in the fourth line of paragraph 22 delete the words "Fifth Schedule Appendix 12" and substitute "Fifth Schedule Appendix 14" therefor;
- (d) in the first and second line of paragraph 25 delete the words "subject to paragraph 23 the Town and Country Planning (Portland Parish) Development Order, 1974" and substitute therefor "subject to paragraph 26 the Town and Country Planning (Portland Coast) Development Order, 1964"; and
- (e) in the second line of paragraph 26 delete the words "paragraph 22" and substitute therefor the words "paragraph 25".

11. On page 350B²⁶⁹—

- (a) in the first line under the heading "*Portland Parish Development Order Area*" delete the words "of the seacoast and" and substitute therefor the word "where" therefor;
- (b) in the second and third line under the heading "*Portland Parish Development Order Area*" delete the words "at the sea coast";
- (c) under Part II delete the heading "*Local and Planning Areas in Portland*" and substitute therefor "*Port Antonio Local Planning Area*"; and

SCHEDULE, *contd.*

- (d) in the eleventh line under the heading "*Local and Planning Areas in Portland*" delete the word "a" and substitute therefor the word "another".

12. On page 350B²⁷⁰—

- (a) under the heading "*Buff Bay Local Planning Area*" delete the words "including any natural or man made accretions" at the end of the paragraph; and
- (b) under "*Hope Bay Local Planning Area*" delete the words "Samuel's River" in the first and last line and substitute therefor the words "Daniel River" where it appears.

13. On page 350B²⁷¹ in the eighth line under "*Long Bay Local Planning Area*" insert a "comma" (,) after the word "north-easterly".14. On page 350B²⁷⁴ under "Class 12—*Dwelling House*" delete the full stop (period) at the end of the first sentence.15. On page 350B²⁷⁵ under the heading "Class 13—*Non Residential Institutions*" delete the wording in line (b) and substitute therefor "as a creche, day nursery, day care centre, health centre or clinic".16. On page 350B²⁷⁹ delete the first "is" in line one of paragraph E1.17. On page 350B²⁸² in the sixth line under paragraph A1(a) delete the words "one meter" and substitute therefor "1.22 metres".18. On page 350B²⁹⁶ in the first line of paragraph D.4 A delete "A.2 (2)(cc)" and substitute therefor "A.2 (2)(d)(i)".19. On page 350B³⁰⁷—

- in "PART 10—*Telecommunications Operations*" delete the "A.1" at the beginning of the first sentence and substitute therefor "A." ; and
- in front of the paragraph beginning "(a) Cellular towers/mass ..." insert "A.1".

20. On page 350B³¹³ in the second line of the fifth paragraph delete the words "Guerilla fighters" and substitute therefor the words "guerilla fighters".21. On page 350B³¹⁸—

- in the second line of the second paragraph, delete the word "ENACT" and substitute therefor the words "Environmental Action Program"; and

SCHEDULE, *contd.*

- in the last line of the fifth paragraph delete the words “Third and Fourth Schedule” and substitute with the words “Second and Third Schedule”.
22. On page 350B³¹⁹ delete “Paragraph” in the second line of the first paragraph.
23. On page 350B³²³ in the third line of justification for “POLICY T2” delete the word “fright” and substitute therefor the word “freight”.
24. On page 350B³³⁶—
- (a) delete the words “development order” in the first paragraph and substitute therefor the words “Development Order” therefor; and
 - (b) In “POLICY H14” delete the words “Appendix 10” and substitute therefor the words “Appendix 11”.
25. On page 350B³³⁸—
- (a) in the first line of the first paragraph under the heading “*The Natural Environment*” delete the words “According to Wikipedia, the free encyclopedia” ; and
 - (b) in the first line delete the word “the” which appears before the word “natural” and substitute therefor the word “The”.
26. On page 350B³³⁹ in the third line of the first paragraph delete the words “Development” and “is” and substitute therefor the words “Developments” and “are” respectively.
27. On page 350B³⁴⁷—
- (a) in the first line of “POLICY C41” delete the words “industrial office”;
 - (b) in the second line of “POLICY C41” insert a comma between the words “area” and “commercial” in the second line; and
 - (c) in the third line of “POLICY C41” delete the numeral “0.5m2” and substitute therefor the numeral “0.5m²”.
28. On page 350B³⁴⁸ in the first line of the paragraph under the heading “RURAL ECONOMY” delete the word “Portland” and substitute therefor the word “Portland’s”.
29. On page 350B³⁵²—
- (a) in the fourth line of the second paragraph delete the word “inresidential” and substitute therefor the words “in residential”;

SCHEDULE, *contd.*

- (b) in the fifth line of the second paragraph the words “bad neighbour” to be written in quotation marks; and
 - (c) in the second and third lines of “POLICY UE6” delete the words “shown on the zoning maps”.
- 29A. On page 350B³⁵³—
- (a) in the fourth line of the first paragraph under the heading “MINERAL” delete the word “oremagnetite” and substitute therefor the words “ore magnetite”; and
 - (b) in the fourth line of the first paragraph under the heading “MINERAL” delete the word “loads” and substitute therefor the word “amount”.
30. On page 350B³⁵⁸ in the second line of “POLICY WT16” delete the word “site” and substitute therefor the word “sites”.
31. On page 350B³⁶⁰ in line 4 of “POLICY E 8” create a new paragraph beginning with “High tension wires. . .” as the justification for “POLICY E9”.
32. On page 350B³⁶¹—
- (a) in the fourth line in the paragraph above “POLICY TO3” delete the word “sustainable” and substitute therefor the word “sustainably”; and
 - (b) insert a comma (,) between the words “provided” and “the” in the third line of the paragraph above “POLICY TO5”.
33. On page 350B³⁶⁴—
- (a) in the third line of the first paragraph delete the word “apart” and substitute therefor the words “a part”; and
 - (b) in the first line of the justification for “POLICY Tele 11” delete the word “has” and substitute therefor the word “have”.
34. On page 350B³⁶⁶—
- (a) in the second line of the justification for “POLICY GD3” delete the word “When” and substitute therefor the word “Where” therefor;
 - (b) in the first line of “POLICY GD4” insert the word “normally” between the words “not” and “permit” ; and
 - (c) in the last line of “POLICY GD5” delete the word “proposal” and substitute therefor the word “proposals”.

SCHEDULE, *contd.*

35. On page 350B³⁶⁸ in the third line of the justification for "POLICY GD16" delete the words "make use of" and substitute with the words "be used".
36. On page 350B³⁷¹—
- in the fifth line of "POLICY GD30" delete the words "appendix 10" and substitute therefor the words "Appendix 11"; and
 - in the third line of "POLICY GD34" delete the words "appendix 10" and substitute therefor the words "Appendix 11".
37. On page 350B³⁷² in the second line of "POLICY GD37" delete the word "Appendix" and substitute therefor the word "Appendices".
38. On page 350B³⁷⁸ in the third line of "POLICY RAP 2" delete the words "overrides" and substitute therefor the word "overrides".
39. On page 350B³⁷⁹ in the justification for "POLICY RAP 7" insert a comma (,) after the word "land" in the first line.
40. On page 350B³⁸⁰ in the first line of "POLICY RAP 11" delete the word "business" and substitute therefor the word "businesses".
41. On page 350B³⁸¹ in the first line of "POLICY RAP 14" delete the word "eco-tourist" and substitute therefor the word "ecotourism".
42. On page 350B³⁸² in line one of POLICY RAP 19(i) delete the word "appreciably" and substitute therefor the word "appreciable".
43. On page 350B³⁸³—
- in the eighth line of paragraph one under the heading "PETROL AND OIL FILLING STATIONS" insert "9" between the words "Appendix" and "hence";
 - in the second line of "POLICY PFS1" insert the word "a" between the words "is" and "similar";
 - in the second line of "POLICY PFS3" delete the words "Appendix 8" and substitute therefor the words "Appendix 9" therefor; and
 - in second line of "POLICY PFS6" delete "PFS" and substitute therefor the words "petrol filling station".
44. On page 350B³⁸⁷ in the second line of "POLICY PAC 2" insert a comma (,) between the words "scale" and "building".
45. On page 350B³⁸⁸—
- (a) in the first line of the justification for "POLICY PAC 8" insert "37.2 hectares" immediately before "92 acres"; and

SCHEDULE, *contd.*

- (b) in the first line of the justification for "POLICY PAC 8" insert brackets around "92 acres".
46. On page 350B³⁹²—
- (a) in the third line of the justification for "POLICY PA SA 2" delete the word "school" and substitute therefor the word "schools";
 - (b) in the fifth line of the justification for "POLICY PA SA 2" insert "I" between the words "Section" and "Planning"; and
 - (c) in the last line of the justification for "POLICY PA SA 2" delete the words "which was prepared by the National Environment and Planning Agency, September 2005".
47. On page 350B³⁹³ move the paragraph above "POLICY PA SA 6" beginning with the words "The Parish of Portland..." to the left to create justification for "POLICY PA SA 6".
48. On page 350B³⁹⁵—
- (a) in the fifth line of the first paragraph under the heading "BUFF BAY LOCAL PLANNING AREA" delete the word "the" between "to" and "travellers"; and
 - (b) and in the first line of the third paragraph under the heading "BUFF BAY LOCAL PLANNING AREA" delete the words "development order" and substitute therefor the words "Development Order".
49. On page 350B³⁹⁹ in the fourth line in the justification for "POLICY BBC 2" delete the word "lines" and substitute therefor the word "lives".
50. On page 350B⁴⁰¹—
- in the first line of the first paragraph under the heading "CONSERVATION" delete the word "north" which comes immediately after the word "terrain"; and
 - in the second line of the first paragraph under the heading "CONSERVATION" delete the word "apart" and substitute therefor the words "a part".
51. On page 350B⁴⁰²—
- in the third line of "POLICY SH C 2" delete the word "are" and substitute therefor the word "is" therefor;
 - in the third line of "POLICY SH C 3" delete the words "in its location" and substitute therefor the words "in this location" therefor;

SCHEDULE, *contd.*

- in the fourth line of the first paragraph under the heading “URBAN ECONOMY” insert the word “Main” after the word “Papine”; and
 - In the justification for “POLICY SH UE 3” delete the words “from the region” and substitute therefor the words “to the area”.
52. On page 350B⁴⁰⁴ in the third line of “POLICY HB UE 2” delete the word “be” which appears immediately after the word “will”.
53. On page 350B⁴⁰⁵ in the third line of the justification “POLICY HB H3” delete the word “rest” and substitute therefor the word “rests”.
54. On page 350B⁴⁰⁷ in the second line of “POLICY SM UE 1” delete the word “its” and substitute therefor the word “their”.
55. On page 350B⁴⁰⁸—
- (a) in the sixth line of the first paragraph under the heading “SOCIAL AMENITIES” delete the word “sub-division” and substitute therefor the word “subdivisions” therefor; and
 - (b) in the third line of “POLICY SM SA 1” delete the word “recreation” and substitute therefor the word “recreational”.
56. On page 350B⁴¹¹ in the second line of the first paragraph under the heading “LONG BAY LOCAL PLANNING AREA” insert the word “Local” between the words “Long Bay” and “Planning”.
57. On page 350B⁴¹² in the first line in the first paragraph under the heading “Public Transportation Centre” delete the word “taxi” and substitute therefor the word “taxis”.
58. On page 350B⁴¹⁴—
- (a) in the first line of the first paragraph under the heading “HOUSING” delete the word “Center” and substitute therefor the word “Centre”;
 - (b) in the third line of “POLICY LB H1” delete the word “shall” and substitute therefor the word “will”; and
 - (c) Under the heading “WASTE TREATMENT AND DISPOSAL” in the third line of “POLICY LB WT 2” delete “NRCA” and substitute therefor the words “Natural Resources Conservation Authority”.
59. On page 350B⁴¹⁵ in the sixth line under the heading “Public Transportation Centre” delete “a” before “loading”; and delete the word “zone” and substitute therefor the word “zones”.

SCHEDULE, *contd.*

60. On page 350B⁴¹⁷—

- (a) the second line of the justification for “POLICY MC 8” delete the word “a” between “as” and “endangered” and substitute therefor the word “an” therefor;
- (b) in the third line of “POLICY MC 8” delete the word “as” which appears between the words “species” and “listed”; and
- (c) in the second line of “POLICY MC 9” delete the words “on” which appears between the words “improve” and “the appearance”.

61. On page 350B⁴¹⁹ in the first line of the first paragraph under heading “Sewerage Disposal” insert the word “therefore” between the words “system” and “in order”.

62. On page 350B⁴²⁰ insert the numeral “1.” immediately to the left of the heading “GENERAL GLOSSARY” under APPENDIX 1.

63. On page 350B⁴²² in the definition for “studio” insert “37.16 square metres”, delete “350 square feet” and replace with “400 square feet” in bracket.

64. On page 350B⁴²⁸ in item 28 delete the words “Winfred’s Rest” and substitute therefor the words “Winnifred’s Rest Home”.

65. On page 350B⁴³⁵ under “Appendix 8, *contd.*” delete the words “(2 for each bed)” under “Minimum Number of Vehicle Parking Spaces Required” for Hospitals in the first line.

66. On page 350BB⁴⁶⁰—

- (a) under “List of Abbreviations” insert “etc. – etcetera” immediately below “E Energy Conservation”; and
- (b) under “List of Abbreviations” insert the words “JRC Jamaica Railway Corporation” immediately above the words “LB Long Bay Local Planning Area”.

B. AMENDMENTS

1. In the “Contents” after Appendix 17 insert “Appendix 18 Advertisement Guidelines”.

2. In the “Contents” after the new Appendix 18 insert “Appendix 19 Agricultural Land Use Classification System”.

3. On page 350B²⁶⁰ insert the words “Change of use requiring a planning application Sui Generis” in the column to the left of Paragraph 5 (4) Use Class Second Schedule.

SCHEDULE, *contd.*

4. On page 350B²⁷² below the words "SECOND SCHEDULE — USE CLASSES" and above "Class 1—*Shops*" insert the words "Planning permission is required for change of use from one Class to another".

5. On page 350B²⁷⁵—

- (a) delete the words "(h) for, or in connection with, public worship or religious Institutions" under the heading "Class 13 Non-Residential Institutions"; and
- (b) under the heading "Class 13 Non-Residential Institutions" delete "(i)" and substitute therefor "(h)" and delete "(j)" and substitute therefor "(i)".

6. On page 350B³⁵⁴—

- (a) under the word "Sewage" delete the first sentence and substitute therefor the words "A central sewer system is being constructed to service the town of Port Antonio and environs";
- (b) in line one under the word "Sewage" insert the word "other" between the words "Three" and "sewage";
- (c) in line six under the word "Sewage" insert the words "and tertiary" between the words "secondary" and "treatment";
- (d) delete POLICY WT 1 and replace with the following—

"POLICY WT 1

The local planning authority will ensure that all sewage treatment systems are approved or recommended by the Ministry of Health and the Natural Resources Conservation Authority and are designed to treat to a tertiary level or to a level so recommended by the Ministry of Health and the Natural Resources Conservation Authority." therefor.

7. On page 350B³⁸² in line one of the paragraph under POLICY RAP 20 insert the words "Charles Town" immediately after the words "Maroon Town".

8. On page 350B³⁹³—

- (a) in line six after the last sentence of the paragraph immediately above POLICY PA SA5, insert the words "Presently the local planning authority is discouraging on site private burials and will seek to identify suitable lands for the development of Cemeteries,

SCHEDULE, *contd.*

Columbaria, and Mausoleums to serve the needs of the Order Area”;

- (b) in line one under the words “WASTE WATER TREATMENT AND DISPOSAL” delete the word “will” and replace with “is being” therefor.
9. On page 350B³⁹⁵ in line four of “POLICY PA H7” insert the words “including the disabled” immediately after the word “sex”.
10. On page 350B³⁹⁷—
- (a) immediately above POLICY BB TO2 and after the word “trail” insert the words “The culture and heritage of the Charles Town Maroon Community is unique tourism product which may be further developed in a sustainable manner.”;
 - (b) in line six immediately after the last sentence of the paragraph immediately above POLICY BB SA1, insert the words “At present, the local planning authority is discouraging on site private burials and will seek to identify suitable lands for the development of Cemeteries, Columbaria, and Mausoleums to serve the needs of the Order Area”.
11. On page 350B⁴⁰³ in the second line of the first paragraph under the heading “TOURISM” insert the words “to attract visitors” immediately after the words “beach in the area”.
12. On page 350B⁴⁰⁸, under the heading “WASTE TREATMENT AND DISPOSAL” delete “POLICY SM WT1” and replace with “POLICY SM WT 1 The local planning authority will support the use of sewage disposal methods in the area once they are approved or recommended by the Ministry of Health and the Natural Resources Conservation Authority”.
13. On page 350B⁴¹⁴ in the first line of “POLICY LB H1” under the heading “HOUSING” delete the word “meet” and substitute therefor the word “satisfy”.
14. On page 350B⁴²⁰ immediately below the definition of “apartment building” insert the following—
- ““bad neighbour” means any use that has a seriously detrimental effect on the locality in terms of noise, traffic or other disturbance to people living near it.”

SCHEDULE, *contd.*15. On page 350B⁴²¹—

- (a) in the third line of the definition of “ground cover” insert the words “outdoor” between the words “include” and “parking areas”;
- (b) next after the definition for “ground cover” insert the following—
“growth centre” means a “Local Planning Area” ; and
- (c) next after the definition of “industry” insert the following—

“habitable structure” means any structure primarily intended to be used for living, sleeping, eating or assembly purposes including but not limited to facilities and industrial buildings”.

15. On page 350B⁴²²—

- (a) insert next after the definition of “satellite antenna” the following—
“shop” means a building used for the carrying on of any retail trade or retail businesses where the primary purpose is the selling of goods by retail or for any other purpose appropriate to a shopping area”; and
- (b) insert next after the definition of “strategic gap” the following—

“structure” means anything constructed or erected with a fixed or permanent location on the ground or requiring a fixed location on the ground or attached to something having a fixed location on the ground such as buildings, platforms, swimming pools, sheds, boundary walls, fences, radio towers etc”.

17. On page 350B⁴²⁴ under the heading “APPENDIX 2” delete the subheading “LIST OF URBAN COMMUNITIES” and substitute therefor “LOCAL PLANNING AREAS”.18. On page 350B⁴³³ delete the parking standards indicated under the heading “Minimum Number of Vehicle Parking Spaces Required” for “Motels and Hotels” and substitute therefor the words “1 parking space for each 2 of the first 40 rental sleeping units; 1 additional space for every 3 rental sleeping units thereafter. In addition 1 employee parking space for each 10 guest rooms plus 1 for each 4.5m² of public dining room. 1 coach parking space for 50 bed spaces in the hotel”.19. On page 350B⁴³⁵ under “Minimum Number of Vehicle Parking Spaces Required” for “Place of public worship or religious institution” delete the

SCHEDULE, *contd.*

words "1 space per 10 square metres" in the third and fourth lines and substitute therefor the words "1 space per 6.5m²".

20. On page 350B⁴⁵⁰ at the end of "Appendix 17" insert the following:

"Fifth Schedule *contd.*".

APPENDIX 18

Advertisement Guidelines

The display of advertisements, whether illuminated or not, can have a considerable impact on visual amenities. This is evident along main roads especially in rural areas and on buildings and open spaces in urban areas. The local planning authority will therefore pay particular attention to the siting of advertisements to ensure that the character of the countryside, individual buildings and streets are not adversely affected. Signs will be controlled in accordance with the Control of Advertisements Regulations, 1978.

Applications will be considered in respect of the amenity and public safety and the following guidelines which have been adopted from the Lambert Draft Unitary Development Plan (1992) will apply:

A General Considerations

- (1) Regard will be paid to the general characteristics of the locality—existing advertisements in the locality will be disregarded in assessing its general characteristics.
- (2) Advertisements should respect the scale of the buildings or sites in which they are displayed, together with the surroundings.
- (3) Display at high levels will normally be resisted, particularly where they affect long range visibility.
- (4) Advertisements will be considered in respect of public safety.
- (5) The painting of walls as advertising space will not be allowed, rather, the use of free standing boards will be encouraged where possible.

B Residential Areas

Advertising is generally out of place in any predominantly resident locality and will normally not be allowed.

C Commercial Areas

- (1) All displays must be in scale with the particular building on which they are located and must not conceal any architectural features.

SCHEDULE, *contd.*

- (2) A display must not be unduly dominant and the most important criteria will be the overall visual effect upon the entirety of the building and its surroundings.

- (3) Advertisements must be properly organized and clutter will be resisted.

D Declared Buildings and Structures

- (1) Special consideration will be given to advertisements on, or adjoining buildings of architectural or historic interest.

- (2) Internally illuminated box signs will normally be resisted.

E Conservation Areas

- (1) Advertisements will be expected to preserve or enhance the character of Conservation Areas.

- (2) Signs should normally be located at fascia level and should not damage original mouldings or brackets. Size, design and method of illumination will be carefully controlled.

F Illumination

- (1) Illuminated advertisements will be considered in respect of amenity and public safety.

(i) Public Safety

Regard will be given to possible danger to users and operators of road transport particularly where—

- (a) the means of illumination is directly visible from the transport system;
- (b) the colour of the signs may cause confusion with traffic signals or other means of direction;
- (c) brightness could result in glare, dazzle or distraction.

(ii) Amenity

- (a) the illumination of advertisements at high levels with long range visibility, will not normally be permitted;
- (b) flashing or intermitted signs will not normally be permitted.

SCHEDULE, *contd.*G *Unauthorized Advertisements and removal of Displays*

The local planning authority will take action to secure the removal of unauthorized displays of advertisements which are being displayed with "deemed consent" where it is satisfied that this is necessary to remedy a substantial injury to the amenity of a locality or a danger to members of the public.

H *Hoardings and Poster Boards*

Advertisement hoardings either free-standing or attached to buildings are generally considered to be unacceptable as permanent features of the street scene, as they detract from the townscape. They will normally be resisted unless they can be advantageously used to screen unsightly building sites on a temporary basis pending development.

I *Blinds and Awnings*

- (1) In conservation areas, permission will only be granted for retractable blinds which have no adverse impact on the street scene.
- (2) On listed buildings, blinds will only be permitted where they do not adversely affect the architectural or historical interest of the building.
- (3) Blinds above the first floor sill level will only be permitted in exceptional circumstances.
- (4) Where blinds are unsuitably designed, mounted or located, the local planning authority will take appropriate action to remove them.
- (5) Very bright fluorescent, glossy or metallic finish blinds will not be permitted on listed buildings and in conservation areas.

21. At the end of Appendix 18 insert:

Fifth Schedule *contd.*".

APPENDIX 19

Agricultural Land Use Classification System

For agricultural purposes land is classified into the following categories related to agricultural use.

Class I

This is land which is level with deep fertile soil and no factors limiting its use for agriculture.

SCHEDULE, *contd.**Class II*

Land which is suitable for cultivation with moderate limitations such as slope, inter fill soils or poor drainage.

Class III

Land suitable for cultivation with strong limitations by one or more of the following factors:

- Steepness or slope;
- Infertile soils;
- Poor drainage.

Class IV

Land that is of marginal use for cultivation due to one or more of the factors listed above.

Class V

This is land that is suitable for cultivation due to adverse soil factors. It is usually steep land that should be used for forestry or fruit trees.

The classification system is of a general nature and in some instances may not be specific enough for detailed planning. Note should also be made of the fact that a classification could be improved by removing one or more limiting factor(s). Care should therefore be taken in the interpretation of agricultural land use and when in doubt, reference should be made to the Ministry of Agriculture and Fisheries."

C. Changes in Map Symbols and Colours

I. On the Long Bay inset map (inset No. 5)—

- (a) Between grids 821000N and 822000N and 663000E and 665000E delete "the slanting purple hatching indicating industry" and substitute therefor "slanting yellow hatching indicating resort/residential".
- (b) Between grids 821000N and 823000N and 663000E and 665000E delete "the vertical blue hatching indicating commercial" and substitute therefor "blue horizontal hatching indicating residential and commercial".

SCHEDULE, *contd.*

D. Amendment of POLICY LB H1 and new Policy LB H2

On page 350B⁴⁴ under the heading "HOUSING" insert next after Policy LB H1 the following:

"While agricultural lands will be given the utmost protection outside the Local Planning Area there are lands of agricultural significance within the area which are located in proximity to or surrounded by housing developments. These lands will continue in agricultural use until they are required for housing development at which time they may be released in an orderly fashion.

Policy LB H2

Planning permission for the development of lands of agricultural significance within the local planning area will only be granted provided the land is urgently needed for development and the proposal does not prejudice the existing residential and visual amenity of the area and the necessary infrastructure being available."

Dated this 27th day of April, 2015.

ROBERT PICKERSGILL
Minister of Water, Land, Environment
and Climate Change.