

**TOWN AND COUNTRY PLANNING
(GENERAL DEVELOPMENT) ORDER**

ARRANGEMENT OF CLAUSES

CLAUSE

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SCHEDULE.

125/1969.

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) ORDER

made under section 9 (1)

1. This Order may be cited as the Town and Country Planning (General Development) Order*.

2. In this Order—

“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 Act;

“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;

(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 sub-subclause (b), 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 subclause (2), this Order shall apply to all land in 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.

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; but 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 clause 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 Act otherwise than by this Order.

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, Minister may direct that the permission granted by clause 4 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 subclause (1)(a) shall be published in the *Gazette* and in at least one daily newspaper circulating in Trinidad and Tobago. The 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 the notice is first published.

(3) No direction given under this clause shall have effect in relation to the carrying out in case of emergency of any development specified in the Schedule, or unless the 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. 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 the information was received.

(3) An application for an approval required by subclause (2) 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 clause 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.

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:

(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) The register shall include an index, which shall be in the form of a map unless the Minister approves some other form.

(3) The 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 the register consisting of particulars of an application shall be made within twenty-eight days of the receipt of the application.

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 35 of the Act.

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

(Schedule omitted, please see .pdf)