CHAPTER 255

PLANNING AND SUBDIVISION

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CHAPTER 255

PLANNING AND SUBDIVISION

PLANNING AND SUBDIVISION (EXTENSION TO FAMILY ISLANDS) ORDER

S.I. 59/2012

(SECTION 2(1))

[Commencement 23rd April 2012]

Citation.

1. This Order may be cited as the Planning and Subdivision (Extension to Family Islands) Order.

Application of Act. Ch. 255. Schedule.

2. With effect from the lst day of December, 2011, the Planning and Subdivision Act (with the exception of sections 15 to 21), shall extend to the Islands specified in the Schedule.

3. *Repealed*.

SCHEDULE

Abaco (including cays)

Grand Bahama and Cays (excluding the Port Area of Grand Bahama)

Sweeting's Cay

Biminis'

The Berry Islands

Eleuthera

Andros (including cays)

Exuma (including cays)

Cat Island

San Salvador

Long Island

Rum Cay

The Ragged Island Chain

Crooked Island and Long Cay

Acklins

Mayaguana

Inagua

CHAPTER 255

TOWN PLANNING

G.N. 146/1956
G.N. 134/1959
G.N. 131/1960

TOWN PLANNING ZONING (No. 1) ORDER, 1956

(SECTION 5)

[Commencement 4th August, 1956]

Title.

1. This Order may be cited as the Town Planning Zoning (No. 1) Order, 1956.

Building only for specific purposes.

2. It is hereby ordered with effect from the date of the coming into operation of this Order that building upon that area of land described in the First Schedule to this Order will be permitted only for the purposes set out in the Second Schedule to this Order.

FIRST SCHEDULE

All that area, situate in the Eastern District of the Island of New Providence, the boundaries of which commence at the point of intersection of the centre line of East Shirley Street with the centre line of Retirement Road and extend thence southwardly along the centre line of the said Retirement Road to its junction with the centre line of Tedder Street in the subdivision known as Palmdale, thence continuing southwardly along the centre line of the said Tedder Street to its junction with the centre line of Madeira Avenue in the said subdivision known as Palmdale, thence westwardly along the centre line of the said Madeira Avenue to its junction with the centre line of the road which runs westwardly through the subdivision known as Shirley Heights from a point opposite the western end of Madeira Avenue to the eastern end of Sixth Terrace in the subdivision known as Centreville, thence northwardly along the eastern boundary of the said subdivision known as Centreville to the junction of the line of the said eastern boundary of the said Centreville subdivision with the centre line of East Shirley Street, thence eastwardly along the centre line of East Shirley Street back to the point of commencement as shown hatched red on a plan signed by the Chairman of the Town Planning Committee and lodged with the Director of Public Works which plan may be inspected during official office hours.

G.N. 131/1960.

SECOND SCHEDULE

Dwelling houses, apartments (which may or may not include office accommodation), buildings for religious or educational purposes, schools, the expansion of any existing business house on its own or adjoining property, provided that the approval of the Minister for Works is first obtained.

TOWN PLANNING ZONING (No. 2) ORDER, 1959

G.N. 228/1959.

(SECTION 5)

[Commencement 31st October, 1959]

Title.

1. This Order may be cited as the Town Planning Zoning (No. 2) Order, 1959.

Building only for residential purposes.

2. It is hereby ordered that building upon that area of land described in the Schedule hereto shall be permitted for residential purposes only.

SCHEDULE

All that area of land bounded as follows:

From the point where the western boundary of the house now known as "Surf Villa" produced northwards meets the line of high water easterly along the high water mark of ordinary tides to the point where the eastern boundary of the property now known as the "Drake Hotel" produced northwards meets the high water mark of ordinary tides, thence southwardly along the centre line of Chippingham Road to its junction with the road leading to Ardastra Gardens, thence westerly along the centre line of this road to a point where the line of the western boundary wall of the Ardastra Gardens produced meets this centre line thence southwardly along this wall for 350 feet, thence due west along an imaginary line to a point 150 feet west of the road leading to the telecommunications station thence northerly along an imaginary line running parallel to this road to the centre of West Bay Street and thence northerly along the western boundary of "Surf Villa" to high water mark:

Provided that there shall be excluded from this area that land bounded as follows:

From a point where the eastern boundary of the property known as Malcolm's Garage, produced meets the centre line of West Bay Street thence easterly along this centre line to a point where the eastern boundary of the property known as Caribbean Motors meets this centre line, thence 300 feet southwardly along this boundary line, thence along an imaginary line westwardly to a point on the western boundary of the Malcolm Court property which is 300 feet from the centre of Bay Street thence in a northerly direction along this boundary to West Bay Street.

G.N. 95/1963

TOWN PLANNING ZONING ORDER, 1963

(SECTION 5)

[Commencement 27th April, 1963]

Title.

1. This Order may be cited as the Town Planning Zoning Order, 1963.

Building only for specific purposes.

2. It is hereby notified that from the date of the coming into operation of this Order building for the purposes set out in the First Schedule to this Order only will be permitted upon that area of land shown in the Second Schedule to this Order.

FIRST SCHEDULE

(a) Dwelling houses.

(b) Apartments.

(c) Hotels.

(d) Retail stores and filling stations.

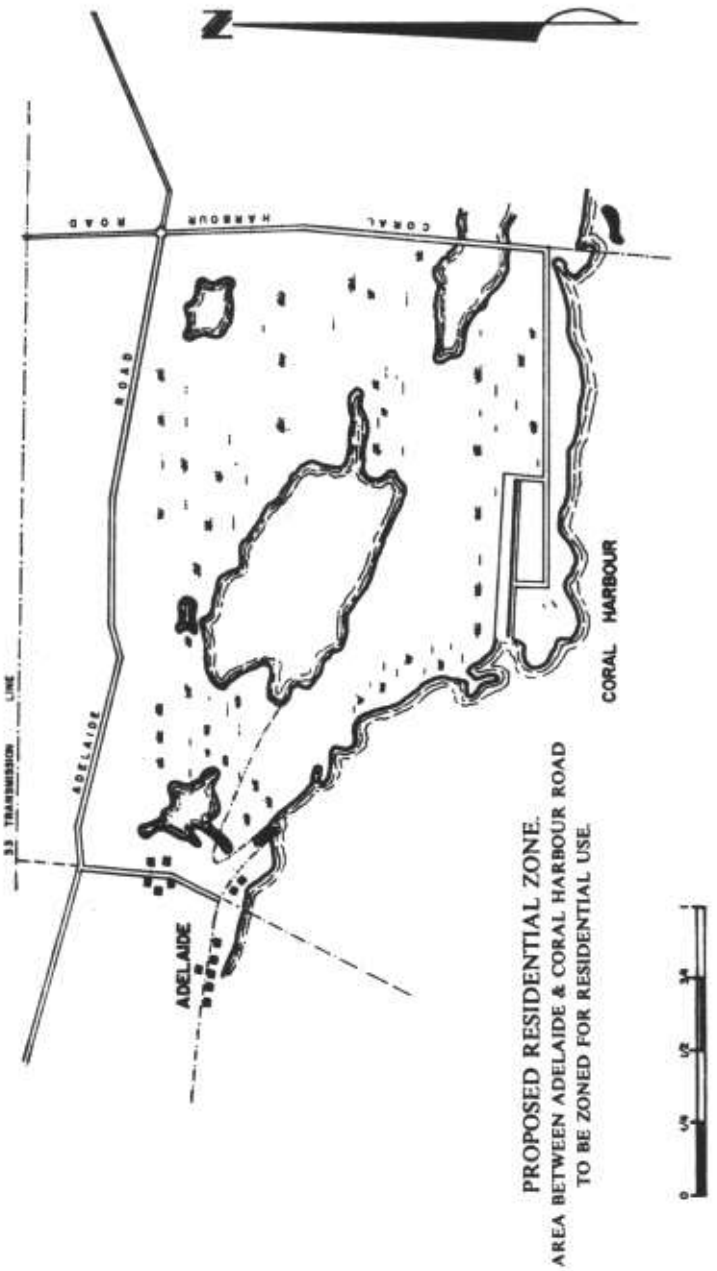
(e) Schools and churches.

(f) Community centres, banks and offices.

(g) Docks and marinas.

(h) Other uses normally located in residential areas, each such use being approved by the Town Planning Committee for this purpose.

SECOND SCHEDULE



G.N. 149/1963
G.N. 316/1964

TOWN PLANNING ZONING (No. 2) ORDER, 1963

(SECTION 5)

[Commencement 22nd June, 1963]

Title.

1. This Order may be cited as the Town Planning Zoning (No. 2) Order, 1963.

Building only for specific purposes.

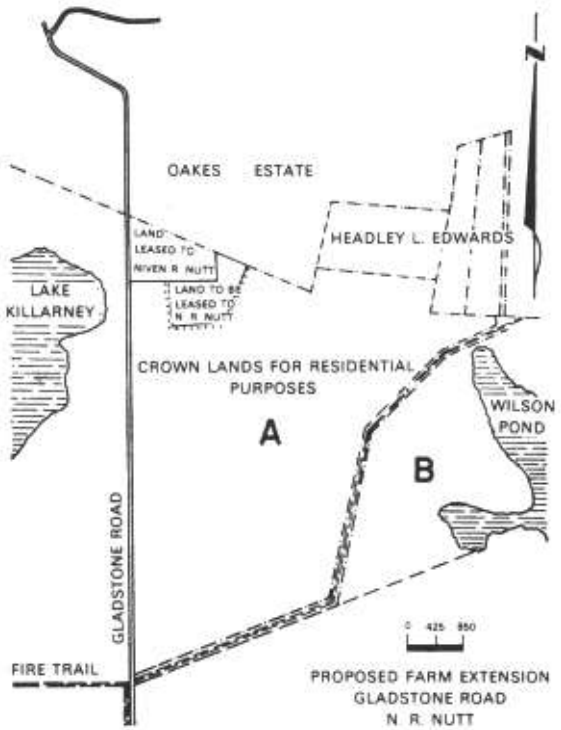
2. It is hereby ordered as follows —

(a) building for residential purposes only will be permitted upon those areas of land marked "A" and "B" as shown on the plan in the First Schedule to this Order and upon that area of land marked "C'' as shown on the plan in the Second Schedule to this Order;

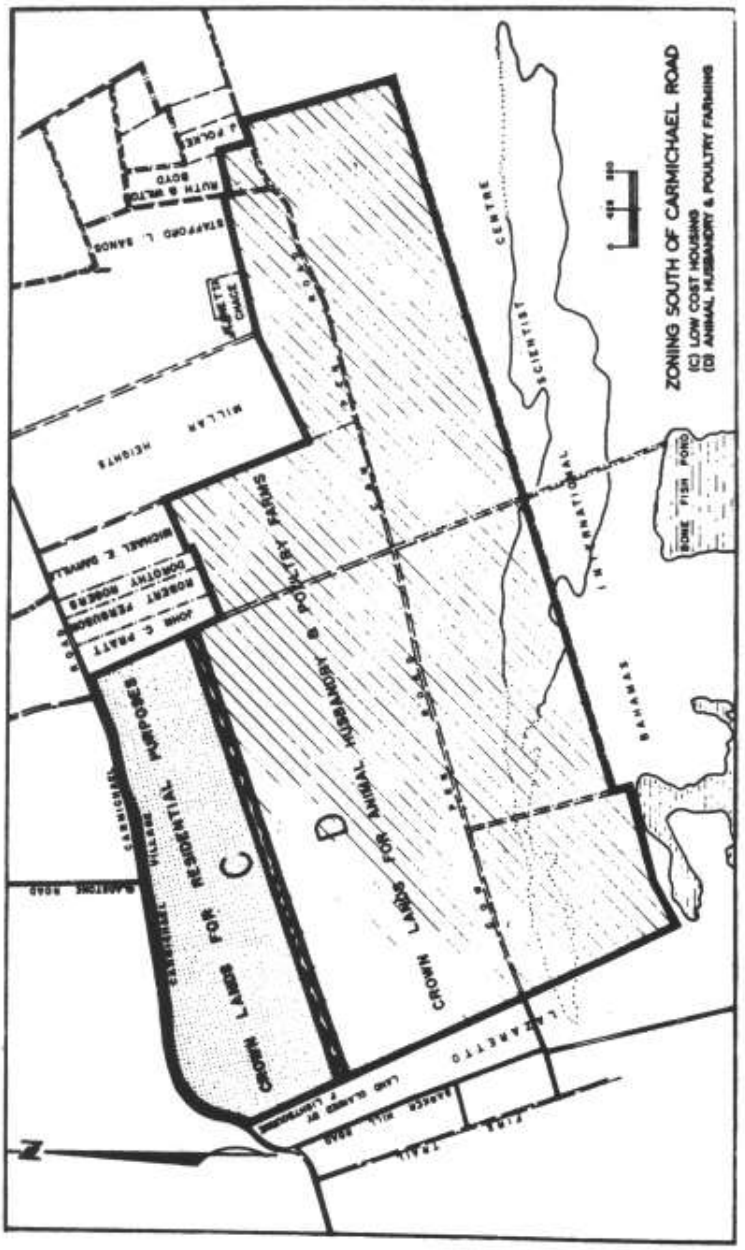
(b) building for the purposes of animal husbandry and poultry farms only will be permitted upon that area of land marked "D'' as shown on the plan in the Second Schedule to this Order.

G.N. 316/1964.

FIRST SCHEDULE



SECOND SCHEDULE



S.I. 142/1965

TOWN PLANNING ZONING (No. 3) ORDER, 1965

(SECTION 5)

[Commencement 31st July, 1965]

Short title.

1. This Order may be cited as the Town Planning Zoning (No. 3) Order, 1965.

Restrictions on building.

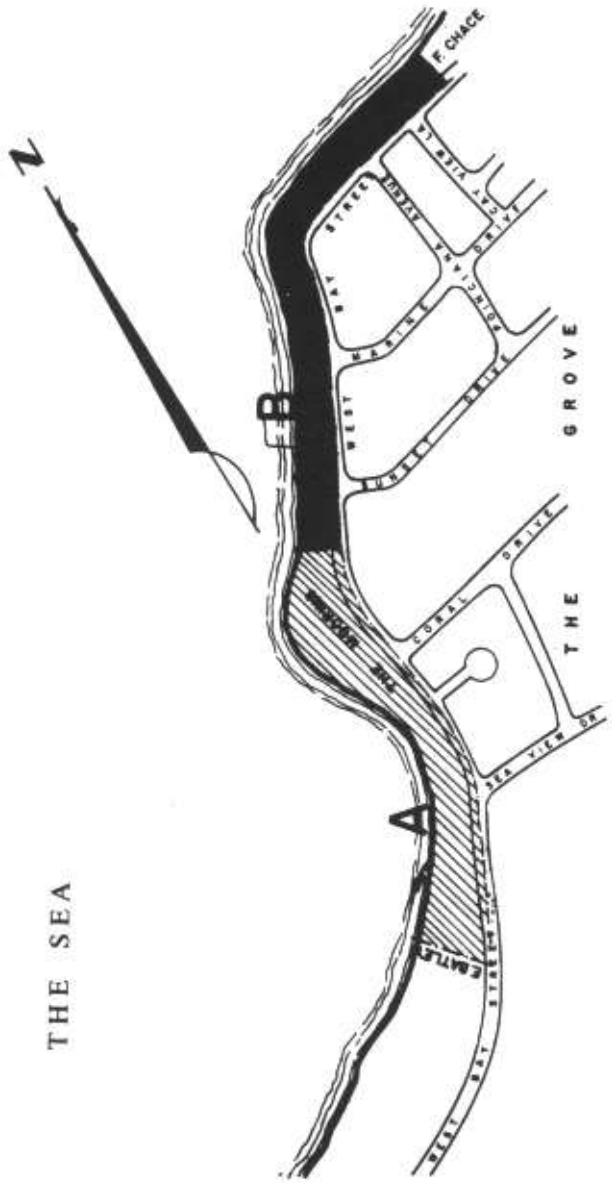
2. It is hereby ordered as follows —

(a) buildings for the purpose of single family residence only shall be permitted upon that area of land marked "A" and shown cross-hatched on the plan appearing in the Schedule hereto;

(b) no building for any purpose shall be permitted upon that area of land marked "B" and shown shaded on the said plan appearing in the Schedule hereto.

SCHEDULE

ZONING WEST BAY STREET



S.I. 37/2007

TOWN PLANNING ZONING ORDER, 2007

(SECTION 5)

[Commencement 20th April, 2007]

Citation.

1. This Order may be cited as the Town Planning Zoning Order, 2007.

Building only for specific purpose.

2. (1) It is hereby ordered that new buildings shall be permitted only for use as apartment houses, hotels and dwelling houses and for purposes incidental to such use within those two areas of land in the Western District of the Island of New Providence known as Cable Beach firstly bounded on the north by the Sea on the east by the eastern boundary of the property known as Westwind II on the south by West Bay Street and the west by the property known as "Casa Rosa" and secondly bounded on the west by the eastern boundary of the property known as Rock-N-Roll Cafe on the north by the Sea on the east by a line from West Bay Street to the Sea running parallel to and 180 feet east of the eastern side of the former Nassau Golf Club building and on the south by West Bay Street which areas are marked by the letter "A" and "A1" and are respectively shown as shaded on the plan appearing in the First Schedule hereto.

(2) It is hereby ordered that new buildings shall be permitted only for use as hotels, condominium-hotels, timeshare units, offices, retail-commercial space, villas and for purposes incidental to such use within that area of land adjacent to the area referred to in subparagraph (1) of this paragraph bounded on the west by the eastern boundary of the property known as Westwind II and the eastern boundary of the subdivision known as Westward Villas on the south by West Bay Street (as to be realigned) on the east by the eastern boundary of the property known as Rock-N-Roll Cafe which said land is marked by the letter "B" and is shown as shaded on the plan appearing in the First Schedule hereto.

(3) It is hereby ordered that new buildings shall be permitted only for use as hotels and for purposes incidental to such use within that area of land adjacent to the area referred to in subparagraph (2) of this paragraph bounded on the west by such area on the north by the Sea on the east by a line from West Bay Street to the Sea running parallel to and 560 feet west of the western boundary of the property of the late Commander Dwight Paul and on the

south by West Bay Street which land is marked by the letter "C" and is shown as hatched on the plan appearing in the First Schedule hereto.

Prohibition of buildings.

(4) It is hereby ordered that no building for any purpose, other than a purpose ancillary to use as a public beach and recreational area, shall be permitted upon that area of land adjacent to the area referred to in subparagraph (2) of paragraph 2 of this Order bounded on the west by such area on the north by the Sea on the east by the property of the late Commander Dwight Paul and on the south by West Bay Street which land is marked by the letter "D" and is shown as crosshatched on the plan appearing in the First Schedule hereto.

(5) It is hereby further ordered that no new building or use for any purpose, other than a golf course, a purpose ancillary to use as a golf course, or an emergency generator or electricity substation shall be permitted upon that area of land south of the area referred to in paragraph 2, subparagraphs (2) through (4) of this order which land is marked by the letter "E" and shown shaded on the plan in the First Schedule hereto.

Maximum of buildings in areas "A" and "A-1".

3. All new buildings constructed within the areas of land described in paragraph 2, subparagraphs (1) and (3) of this Order shall be limited to a maximum height of 73 feet and shall be subject to the formula restricting height set out in the Second Schedule hereto.

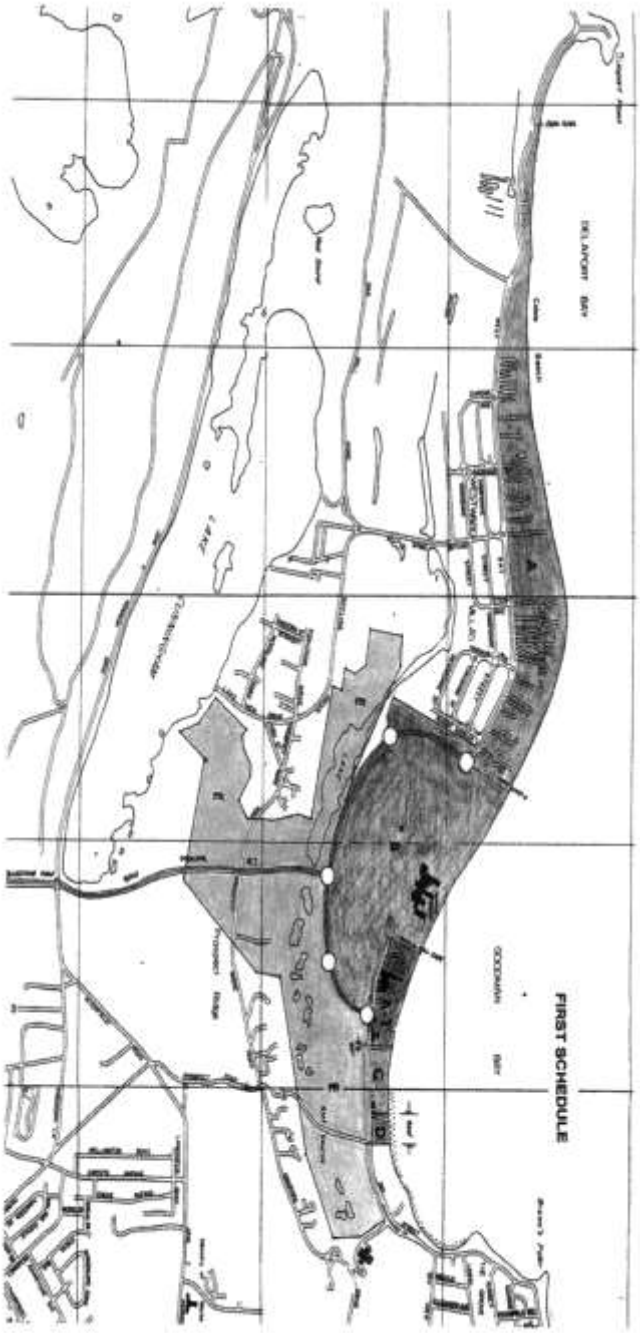
Maximum height of buildings in area "B".

4. All new buildings constructed within the area of land described in paragraph 2, subparagraph (2) of this Order shall be limited to a maximum height of 330 feet and shall be subject to the formula restricting height set out in the Second Schedule hereto.

Maximum height of buildings two storeys.

5. All new buildings constructed within the area of land described in paragraph 2, subparagraph (5) of this Order shall be limited to a maximum height of two storeys.

FIRST SCHEDULE



SECOND SCHEDULE

FORMULA RESTRICTING HEIGHT

Using the minimum dimension measured at right angles to the north south central axis of the site, building shall be allowed only within a vertical plan formed by a triangle having as its base the minimum dimension, with base angles totaling 100 degrees, subject to a minimum angle of 35 degrees.

TOWN PLANNING ZONING (ARAWAK CAY) ORDER, 1973

S.I. 5/1973

(SECTION 5)

[Commencement 22nd February, 1973]

Citation.

1. This order may be cited as the Town Planning Zoning (Arawak Cay) Order, 1973.

Permitted land use.
First Schedule.
Second Schedule.

2. Subject to the provisions of paragraph 3 of this Order, in the several areas on and adjacent to Arawak Cay described in the First Schedule to this Order; being areas more particularly shown on the plan set forth in the Second Schedule hereto, only the land uses respectively set forth in the said First Schedule, and building for the purpose of any such use, shall be permitted.

Temporary permission for certain area.
First Schedule.

3. The land uses set forth in the First Part of the said First Schedule, and building for the purpose of any such use, shall be permitted in the area specified in that Part on or before the 25th day of February, 1977, but not after.

FIRST SCHEDULE (Paragraphs 2, 3)

FIRST PART

AREA "A"

(i) Cargo handling.

(ii) Cargo storage facilities and Port Authority Offices.

(iii) Ship Berthing.

(iv) Parking.

SECOND PART

(a) Area ‘‘A” and Area “B”

(i) Hotels

(ii) Apartments and Residences

(iii) Convention Facilities

(iv) Entertainment and Recreational Centre

(v) Festival Theatre

(vi) Outdoor Amphitheatre

(vii) Financial Centre

(viii) Cruise Ship Berthing

(ix) Beach and Recreational Facilities

(x) Aquacade Stadium

(xi) Straw Market

(xii) Commercial and Government Buildings

(xiii) Shops

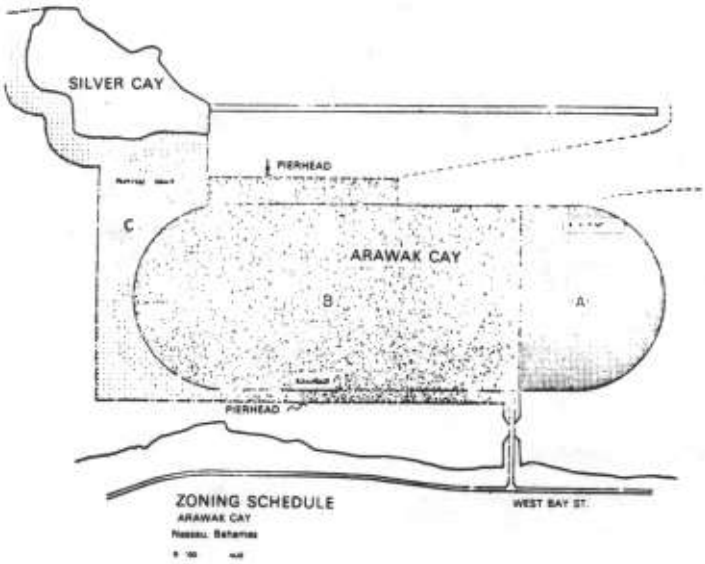
(xiv) Yachting, Marina and Water Sports Facilities

(xv) Parking Spaces and Structures

(b) Area “C”

Beach and Recreational Facilities, but so that any building shall not exceed one storey.

SECOND SCHEDULE (Paragraph 2)



TOWN PLANNING ZONING (GOLF COURSE ESTATES) (LA PLAYA) ORDER, 2010

S.I. 147/2010

(SECTION 5)

[Commencement 10th December, 2010]

Citation.

1. This Order may be cited as the Town Planning Zoning (Golf Course Estates) (La Playa) Order, 2010.

Interpretation.

2. In this Order —

"apartment dwelling" means a building with a suite of rooms which are used or intended to be used as a place of residence for more than two families each of which lives in a separate self-contained unit or area of the building;

"conference facilities" means facilities for holding of meetings;

"dwelling house" means a building providing complete, independent living facilities for a single family including permanent provisions for living, cooking, eating and sanitation;

"office" means a building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations and does not include a clinic, or the production, distribution or sales of goods or commodities which are physically located on the premises;

"boutique hotel" means a building or part of a building in which not more than 1 room or suite per 10 feet beach frontage is reserved primarily for transient guests who rent rooms or suites on a daily basis and where meals, prepared in a kitchen on the premises by the management or a concessionaire of the management, may be eaten in a dining room which shall be internally acessible from the lobby.

Building only for specific purposes.

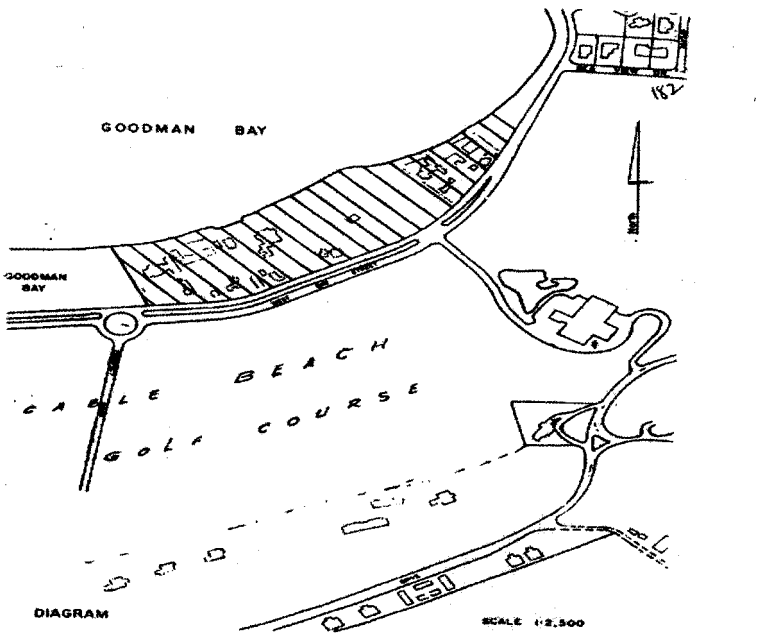
3. With effect from the date of the coming into operation of this Order, new buildings shall be permitted, upon the area of land described in Part A of the Schedule, only for use as dwelling houses, apartment dwellings, conferences facilities, offices and boutique hotels and for purposes incidental to those uses.

4. *Repealed.*

SCHEDULE
(Paragraph 3)
PART A

All that area of land being a portion of Golf Course Estates situated in the Western District of New Providence fronting onto Goodman's Bay Waterway and located between West Bay Street and Mean High Water Mark and between the eastern boundary of the open area known as 'GOODMAN'S BAY' on the west and a line located approximately 380 feet west of the junction of a centreline of Sea View Drive with West Bay Street on the east; a distance of approximately 1640 feet along West Bay Street, and which area of land is shown cross-hatched on the Diagram appearing in Part B of this Schedule.

PART B
DIAGRAM



TOWN PLANNING (GREEN CAY) ZONING ORDER, 1998

S.I. 45/1998

(SECTION 5)

[Commencement 21st July, 1998]

Citation.

1. This Order may be cited as the Town Planning (Green Cay) Zoning Order, 1998.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and, any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

(c) any other boundary wall, fence or similar structure.

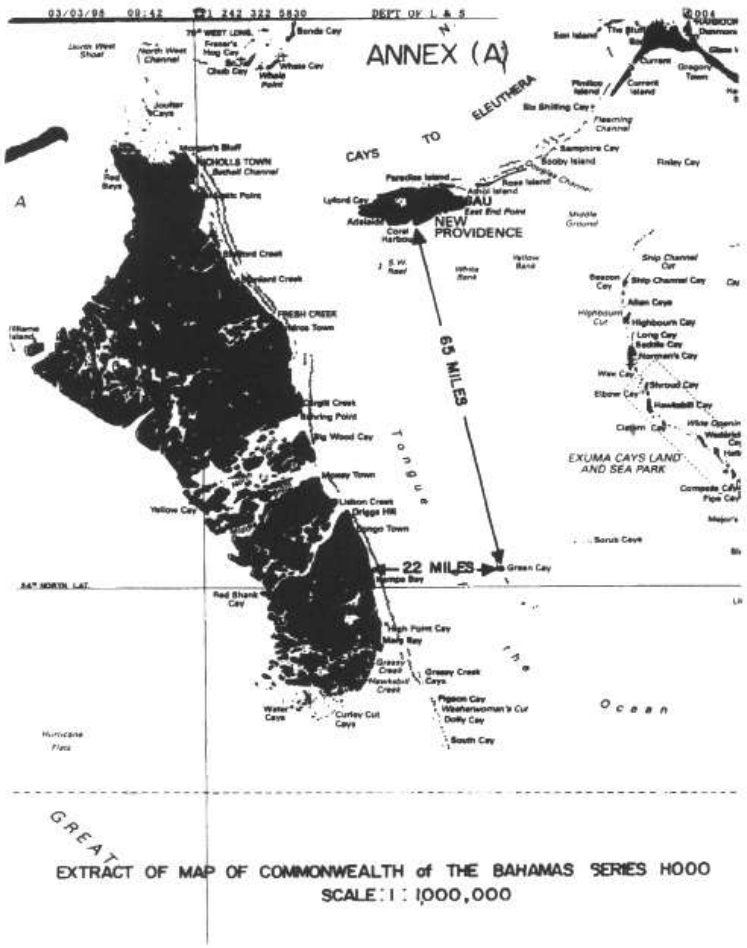
Building prohibited.

3. No person shall build any buildings upon the area of land described in the Schedule hereto.

SCHEDULE (Paragraph 3)

ALL THAT certain Island, Cay or Islet known as GREEN CAY containing by admeasurement FIVE HUNDRED AND TWENTY ACRES or thereabouts recorded in Grant Book K Page 136 at the Department of Lands and Surveys situated on the eastern edge of the Tongue of the Ocean sixty-five (65) miles Southwardly of the Island of New Providence and twenty-two (22) miles Eastwardly of the Island of South Andros in the Commonwealth of The Bahamas ABUTTING AND BOUNDING on all sides by the Sea which said Island, Cay or Islet is more particularly delineated and shown coloured pink on the extract of the map of the Commonwealth of The Bahamas series H 000 attached hereto and marked Annex (A).

ANNEX (A)
EXTRACT OF MAP OF COMMONWEALTH OF THE BAHAMAS



EXTRACT OF MAP OF COMMONWEALTH of THE BAHAMAS SERIES H000
SCALE: 1 : 1000,000

TOWN PLANNING ZONING ORDER, 1999

S.I. 17/1999

(SECTION 5)

[Commencement 2nd March, 1999]

Citation.

1. This Order may be cited as the Town Planning Zoning Order, 1999.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

(c) any other boundary wall, fence or similar structure.

Buildings prohibited.

3. It is hereby ordered that no buildings other than buildings used for the purposes of a public park shall be permitted upon the area of land described in the First Schedule.

Buildings only for specific purposes.

4. It is hereby ordered that buildings shall be permitted upon those areas of land described in the Second Schedule for the purpose of beach preservation and improvements.

FIRST SCHEDULE (Paragraph 3)

PART ONE

FIRSTLY ALL THAT certain lot, piece or parcel of land containing by admeasurement TWELVE ACRES AND EIGHTY-FOUR THOUSANDTHS OF AN ACRE (12.84) or thereabouts being a lot of land situate at the southeastern junction of West Bay Street and Ferguson Road in the Island of New Providence in the Commonwealth of The Bahamas ABUTTING AND BOUNDING towards the East on land now or formerly the property of Kirkwood G. Malcolm towards the SOUTH by land the property of The Bahamas Government (Drainage Ditch) towards the WEST on a public road known as Ferguson Road and towards the NORTH on a public road known as West Bay Street or however

else the same may abut and bound **AND SECONDLY ALL THAT** certain lot, piece or parcel of land containing by admeasurement SIXTY-FIVE HUNDREDTHS OF AN ACRE (0.65) or thereabouts being a lot of land situate on the northern side of West Bay Street in the said Island of New Providence ABUTTING AND BOUNDING towards the WEST on land now or formerly the property of the Rock Sound Club Foundation towards the NORTH on The Sea towards the EAST on land now or formerly the property of Theodore Damianos and towards the SOUTH on a public road known as West Bay Street or however else the same may abut and bound which said lots, pieces or parcels of land are more particularly delineated and shown coloured pink on Diagram 1 attached hereto.

PART TWO

ALL THAT certain lot, piece or parcel of land containing by admeasurement FOUR ACRES (4) or thereabouts and known as Saunders Beach being a lot of land situate on the northern side of West Bay Street about Three Hundred (300) Feet westerly from Ferguson Road in the said Island of New Providence ABUTTING AND BOUNDING towards the WEST on lands known as "Sea Grapes" towards the NORTH on The Sea towards the EAST on Crown Lands and towards the SOUTH on a public road known as West Bay Street or however else the same may abut and bound which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on Diagram 2 attached hereto.

SECOND SCHEDULE (Paragraph 4)

PART ONE

ALL THAT certain lot, piece or parcel of land containing by admeasurement FIVE ACRES AND FOUR TENTHS OF AN ACRE (5.4) or thereabouts being a lot of land situate on the western and northern sides of West Bay Street approximately Three Hundred (300) feet northerly from Coral Drive and about One Hundred and Sixty (160) feet westerly from Bougainvillea Avenue in the said Island of New Providence ABUTTING AND BOUNDING towards the SOUTH on property known as "The Moorings" towards the WEST on The Sea towards the NORTH on The Sea towards the EAST on land the property of Seamark Davies and a public road known as West Bay Street or however else the same may abut and bound which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on the plan of the area and coloured pink on Diagram 3 attached hereto.

PART TWO

ALL THAT certain lot, piece or parcel of land containing by admeasurement TWO ACRES AND FORTY-EIGHT HUNDREDTHS OF AN ACRE (2.48) or thereabouts being a lot of land situate on the western side of West Bay Street opposite Sea View and Coral Drives in the said Island of New Providence ABUTTING AND BOUNDING towards the NORTH on land known as "The Moorings" towards the EAST on a Public Road known as West Bay Street towards the SOUTH on Lot Number Twelve (12) of Golf Course Estates and towards the WEST on The Sea or however else the same may abut and bound which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on the plan of the area and coloured pink on Diagram 3 attached hereto.

PART THREE

ALL THAT certain lot, piece or parcel of land containing by admeasurement ELEVEN ACRES (11) or thereabouts and known as Goodman's Bay situate on the northern side of West Bay Street between the land occupied by the Gaming Board for The Bahamas and land the property of Sir Nicholas Nuttall ABUTTING AND BOUNDING towards the WEST on land occupied by the Gaming Board for The Bahamas towards the NORTH on The Sea towards the EAST on land now or formerly the property of Sir Nicholas Nuttall and towards the SOUTH on a Public Road known as West Bay Street or however else the same may abut and bound which said lot, piece or parcel of land is now particularly delineated and shown coloured pink on Diagram 4 attached hereto.

PART FOUR

ALL THAT certain lot, piece or parcel of land containing by admeasurement FOUR ACRES AND FIVE TENTHS OF AN ACRE (4.5) or thereabouts being a lot of land situate on the northern side of West Bay Street in the said Island of New Providence ABUTTING AND BOUNDING towards the WEST on land now or formerly the property of Berkley "Peanuts" Taylor towards the NORTH on The Sea towards the SOUTH on a Public Road known as West Bay Street and towards the EAST on land now or formerly the property of the Bahamas Telecommunications Corporation save and except the condominiums/apartments said to be owned by Al Collie or however else the same may abut and bound which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on Diagram 5 attached hereto.

PART FIVE

ALL THAT certain lot, piece or parcel of land containing by admeasurement THREE ACRES AND SIXTY-SEVEN HUNDREDTHS OF AN ACRE (3.67) or thereabouts being the lot of land situate on the northern side of West Bay Street between Delaporte Point Development and land now or formerly the property of Gordon Carey in the said Island of New Providence ABUTTING AND BOUNDING towards the WEST on Delaporte Point Development towards the NORTH on The Sea known as Delaporte Bay towards the EAST on land now or formerly the property of Gordon Carey and towards the SOUTH on a Public Road known as West Bay Street save and except the Poop Deck Restaurant, Sandy Port Beach Club and Restaurant and the Canal or however else the same may abut and bound which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on Diagram 6 attached hereto.

PART SIX

ALL THAT certain lot, piece or parcel of land containing by admeasurement SEVENTEEN ACRES (17) or thereabouts being a lot of land situate on the northern side of West Bay Street and about seven (7) feet westerly from land now or formerly the property of George Mosko at Rock Point and continuing westerly to Crown Lands originally leased to the Board of Works near Gambier Village save and except lands owned by Caves Point Condominiums Limited in the said Island of New Providence ABUTTING AND BOUNDING towards the West on Crown Lands originally leased to the Board of Works towards the NORTH on The Sea towards the EAST on land now or formerly the property of George Mosko and towards the SOUTH on a public road known as West Bay Street or however else the same may abut and bound which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on Diagram 7 attached hereto.

DIAGRAM 1

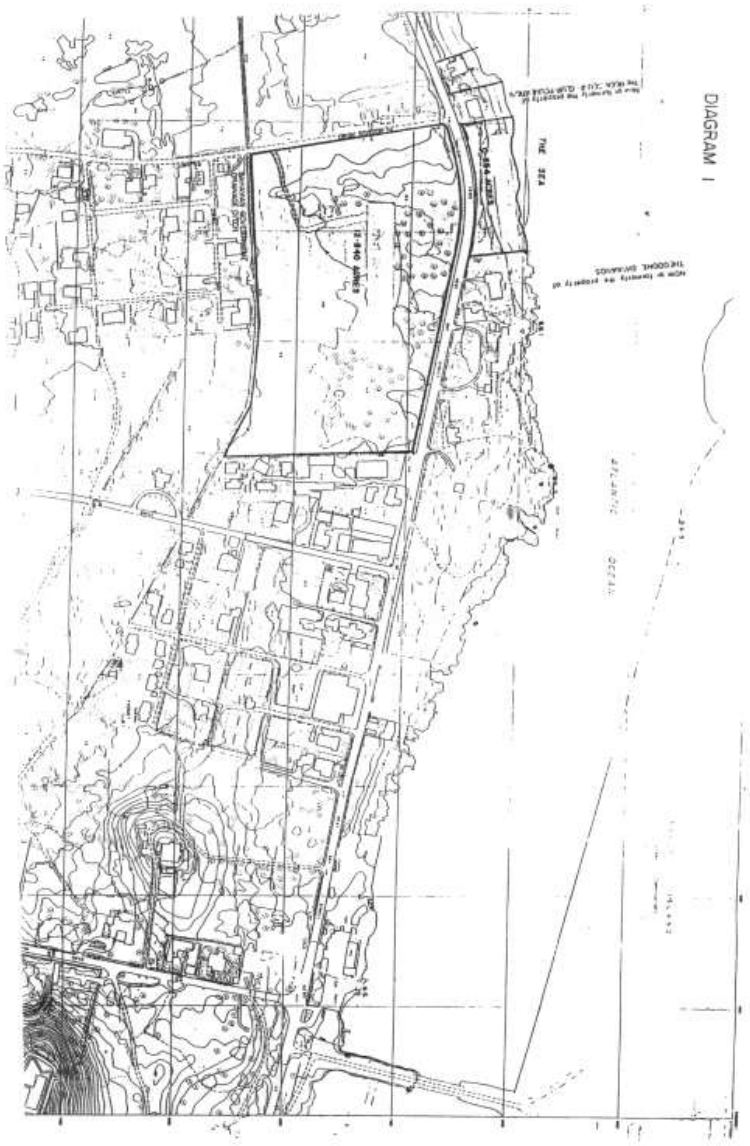


DIAGRAM 2

DIAGRAM 3

OCEAN
ATLANTIC
OCEAN
ATLANTIC
OCEAN
ATLANTIC
SEA VIEW DRIVE
GOLF COURSE ESTATES

DIAGRAM 4

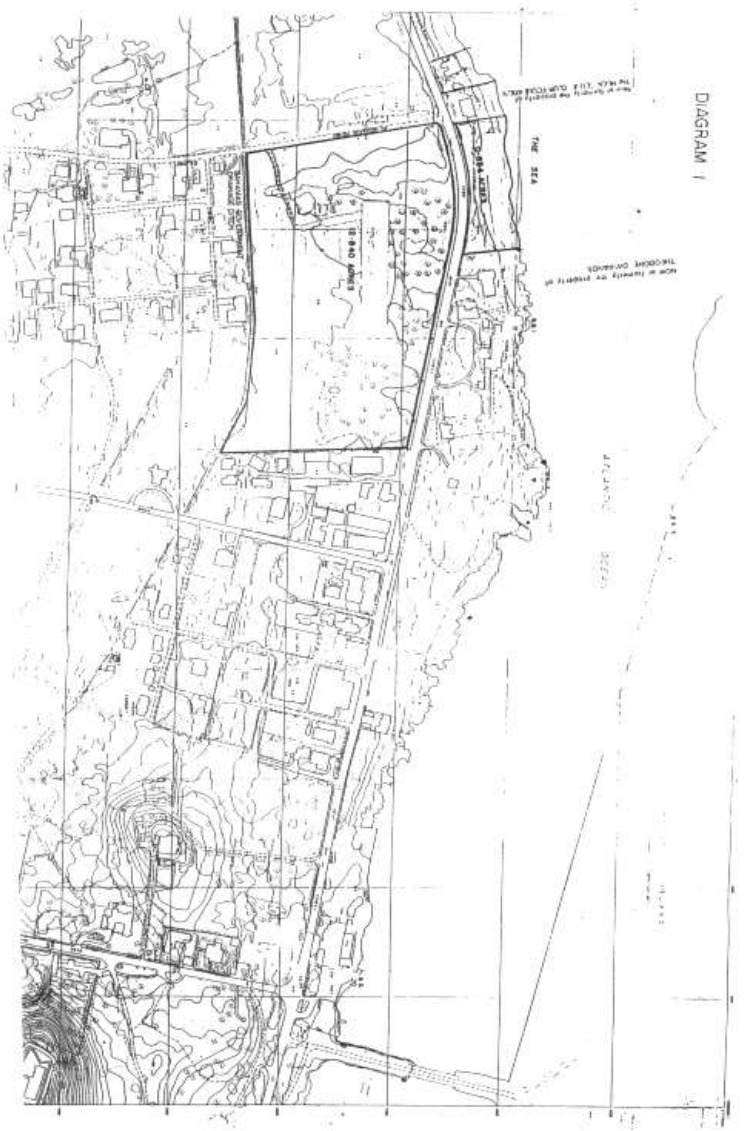


DIAGRAM 5

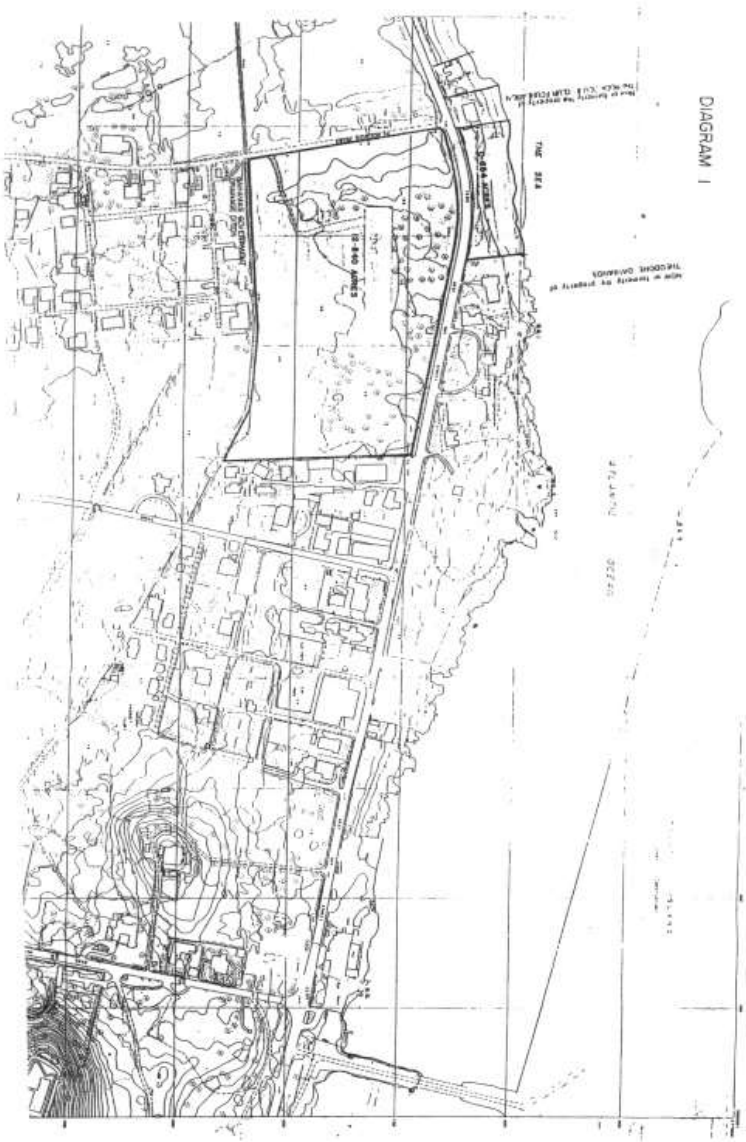


DIAGRAM 6

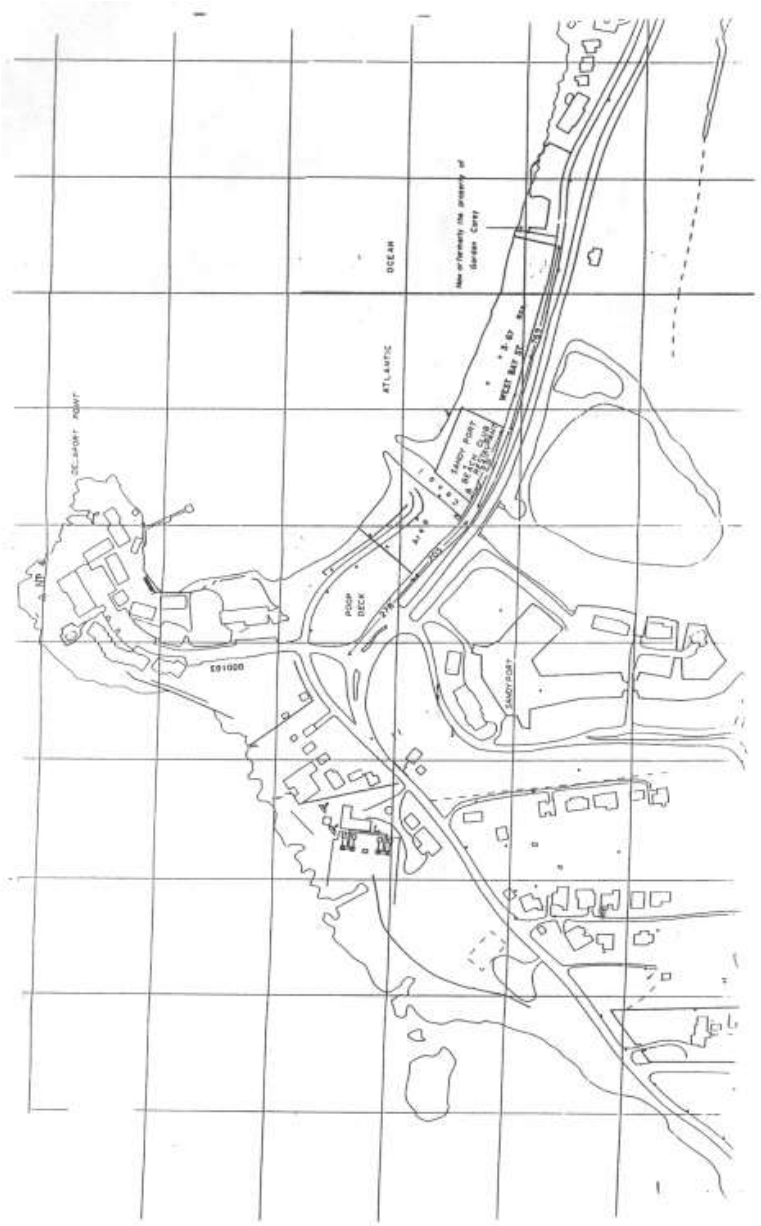
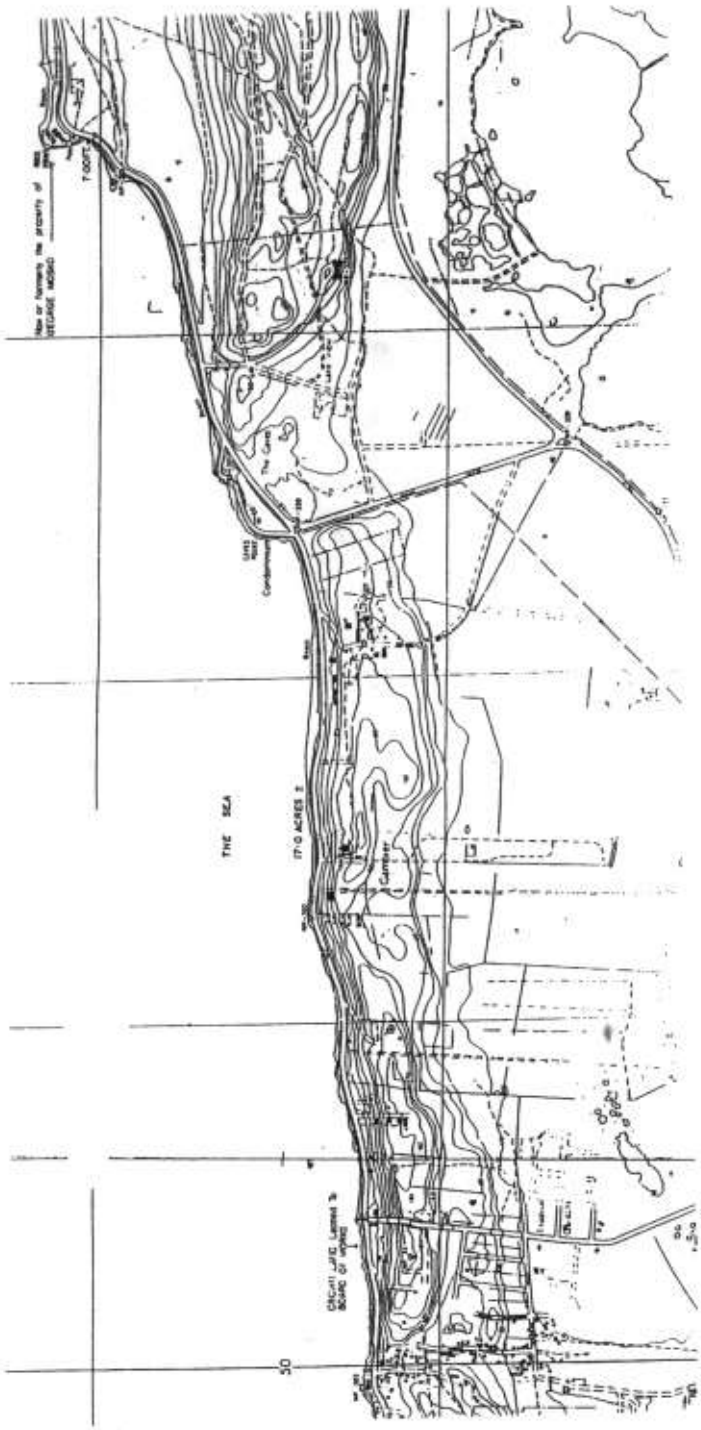


DIAGRAM 7



S.I. 5/2001

TOWN PLANNING (FINLEY CAY) ZONING ORDER, 2001

(SECTION 5)

[Commencement 24th January, 2001]

Citation.

1. This Order may be cited as the Town Planning (Finley Cay) Zoning Order, 2001.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

(c) any other boundary wall, fence or similar structure.

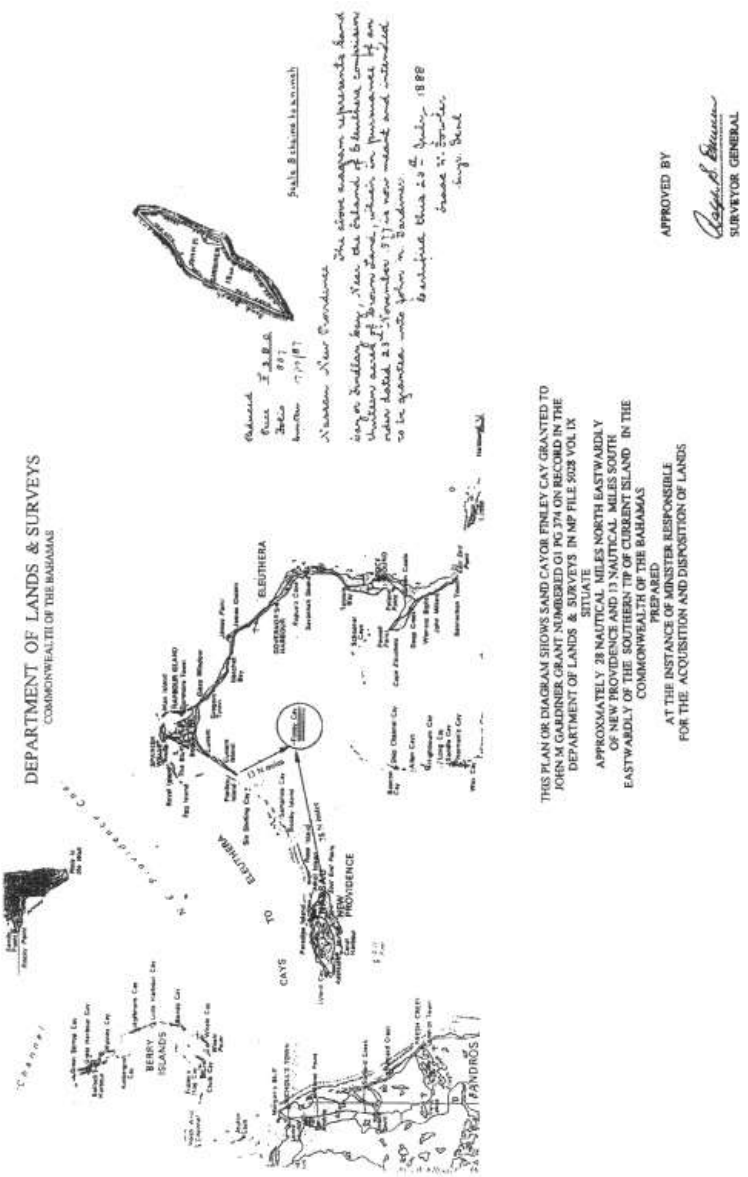
Buildings prohibited. Schedule.

3. No person shall build any buildings upon the area of land described in the Schedule hereto, except buildings relating to the enhancement and the preservation of the Cay in its natural state.

SCHEDULE (Paragraph 3)

All that certain Island, Cay or Islet known as **SAND CAY** or **FINLEY CAY** originally granted to John M. Gardiner (grant numbered GI Folio 374) on record in MP File 5028 Vol IX in the Department of Lands Surveys situate approximately 28 Nautical miles Northeastwardly of New Providence and approximately 13 Nautical miles Southeastwardly of the southern tip of Current Island Eleuthera in the Commonwealth of The Bahamas Abutting and Bounding on all sides by the sea or however else the same may Abut and Bound which said Island, Cay or Islet is more particularly delineated and shown colored pink on the extract of the map of the Commonwealth of The Bahamas attached hereto.

DIAGRAM OF FINLEY CAY (SAND CAY)



S.I. 70/2001

TOWN PLANNING (O'BRIEN'S CAY) ZONING ORDER, 2001

(SECTION 5)

[Commencement 30th April, 2001]

Citation.

1. This Order may be cited as the Town Planning (O'Brien's Cay) Zoning Order, 2001.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and, any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

(c) any other boundary wall, fence or similar structure.

Certain buildings prohibited.

3. No person shall build any buildings upon the area of land described in the Schedule hereto except buildings relating to the enhancement and preservation of the Cay in its natural state.

SCHEDULE

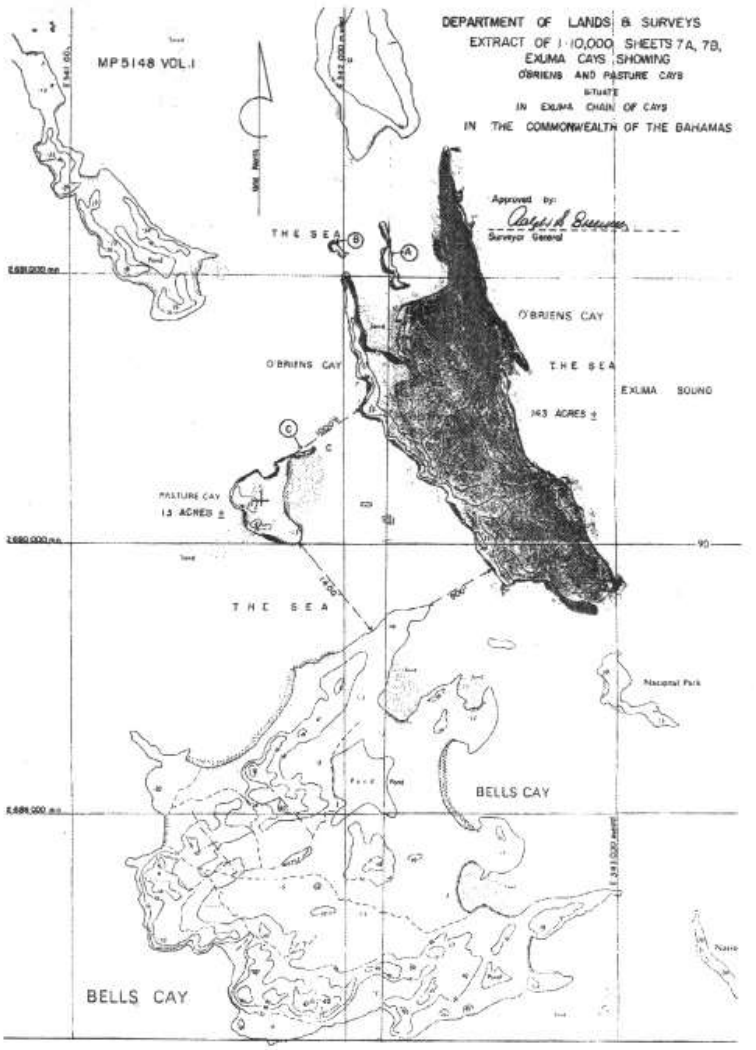
All those certain islets, islands or cays consisting of O'Brien's Cay containing by admeasurement One Hundred and Forty-three (143) Acres or thereabouts and shown on an extract of 1:10,000 map of Exuma Sheets 7A, 7B on record in MP File 5148 Vol. 1 in the Department of Lands and Surveys situate in the Exuma Chain of Cays in the Commonwealth of The Bahamas Abutting and Bounding and approximately Five Thousand Eight Hundred (5,800) Feet long and Two Thousand (2,000) Feet at its widest points situate at North Latitude N24º19'14" and West Longitude W76º32'13" approximately Nine Hundred (900) Feet Northeastwardly of Bells Cay in the Exuma Chain of Cays and including two rocks lettered (A) and (B) Abutting and Bounding on all sides by the sea.

Schedule

All that certain islet, island or cay being O'Briens Cay containing by admeasurement One Hundred and Forty-three (143) Acres or thereabouts and shown on an extract of 1:10,000 map of Exuma Sheets 7A, 7B on record in MP File 5148 Vol. I in the Department of Lands and Surveys situate in the Exuma Chain of Cays in the Commonwealth of The Bahamas Abutting and Bounding and described as follows:

O'Briens Cay — An islet island or cay Five Thousand Eight Hundred (5,800) Feet long and Two Thousand (2,000) Feet at its widest points situate at North Latitude N24º19'14" and West Longitude W76º32'13" approximately Nine Hundred (900) Feet Northeastwardly of Bells Cay in the Exuma Chain of Cays and including two rocks lettered (A) and (B) Abutting and Bounding on all sides by the sea or however else the same may Abut and Bound which said islet island or cay is more particularly delineated and shown coloured pink on the map of the area.

DIAGRAM SHOWING O'BRIEN'S CAY AND PASTURE CAY



TOWN PLANNING (PASTURE CAY) ZONING ORDER, 2001

S.I. 71/2001

(SECTION 5)

[Commencement 30th April, 2001]

Citation.

1. This Order may be cited as the Town Planning (Pasture Cay) Zoning Order, 2001.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and, any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

(c) any other boundary wall, fence or similar structure.

Certain buildings prohibited.

3. No person shall build any buildings upon the area of land described in the Schedule hereto except buildings relating to the enhancement and preservation of the Cay in its natural state.

SCHEDULE

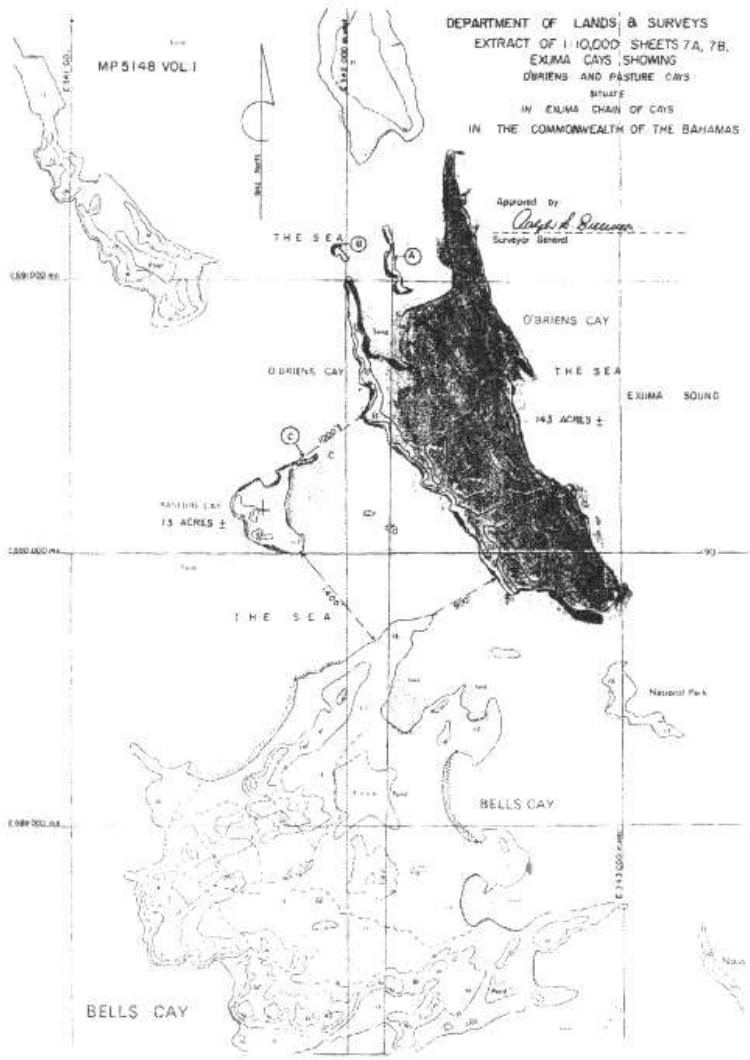
All those certain islets, islands or cays consisting of Pasture Cay containing by admeasurement Thirteen (13) Acres or thereabouts and shown on an extract of 1:10,000 map of Exuma Sheets 7A, 7B on record in MP File 5148 Vol. 1 in the Department of Lands and Surveys situate in the Exuma Chain of Cays in the Commonwealth of The Bahamas Abutting and Bounding and approximately One Thousand (1,000) Feet long and Seven Hundred (700) Feet at its widest points situate at North Latitude N24º19'02" and West Longitude W76º33'38" approximately One Thousand Four Hundred (1,400) Feet Northwestwardly of Bells Cay and One Thousand (1,000) Feet Westwardly of O'Brien's Cay in the Exuma Chain or Cays including one rock lettered (C) Abutting and Bounding on all sides by the sea or however else the same may Abut and Bound which said islets islands or cays are more particularly delineated and shown on the map of the area.

Schedule

All that certain islet island or cay being Pasture Cay containing by admeasurement Thirteen (13) Acres or thereabouts and shown on an extract of 1:10,000 map of Exuma Sheets 7A, 7B on record in MP File 5148 Vol. I in the Department of Lands and Surveys situate in the Exuma Chain of Cays in the Commonwealth of The Bahamas Abutting and Bounding and described as follows:

Pasture Cay — An islet island or cay One Thousand (1,000) Feet long and Seven (700) Feet at its widest points situate at North Latitude N24º19'02" and West Longitude W76º33'38" approximately One Thousand Four Hundred (1,400) Feet Northeastwardly of Bells Cay and One Thousand (1,000) Feet Westwardly of O'Briens Cay in the Exuma Chain of Cays including one rock lettered (C) Abutting and Bounding on all sides by the sea or however else the same may Abut and Bound which said islet island or cay is more particularly delineated and shown coloured pink on the map of the area.

DIAGRAM SHOWING PASTURE CAY AND O'BRIEN'S CAY



S.I. 6/2008.

TOWN PLANNING ZONING ORDER, 2008

(SECTION 5)

[Commencement 27th February, 2008]

Citation.

1. This Order may be cited as the Town Planning Zoning Order, 2008.

Interpretation.

2. In this Order "building" includes —

(a) any part of a building and any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

(c) any other boundary wall, fence or similar structure.

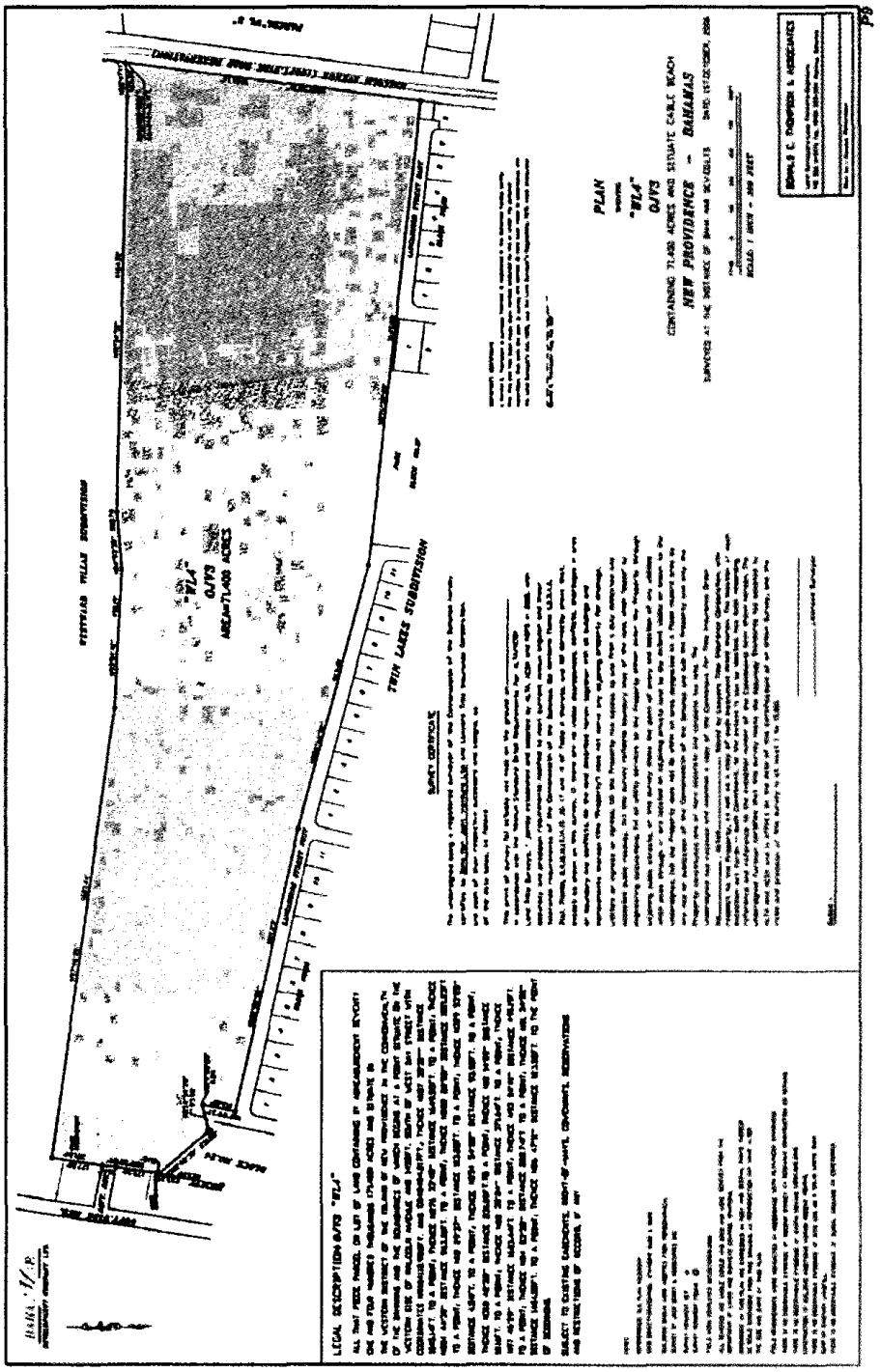
Buildings Prohibited.

3. It is hereby ordered that no building other than buildings used for the purposes of Wet Lands Preservation & Enhancement shall be permitted upon the area of land described in the Schedule attached hereto.

LEGAL DESCRIPTION

AREA = 71.400 ACRES

ALL THAT certain lot, piece or parcel of land containing by admeasurement **SEVENTY-ONE AND FOUR HUNDRED THOUSANDTHS ACRES** or thereabouts being Parcel "OJV3" "WL4" shown on a Plan on record in the Department of Lands and Surveys as Plan numbered 4017NP of New Providence situated 1,455 ft. south of West Bay Street and on the western side of Malcolm Avenue in the Western District in the Island of New Providence in the Commonwealth of The Bahamas **ABUTTING** and **BOUNDING** towards the **NORTH** partly on Chapman Estates Subdivision and partly on Westward Villas Subdivision towards the **EAST** on 100 ft. wide road reservation known as Malcolm Avenue towards the **SOUTH** on Twin Lakes Subdivision towards the **WEST** partly on a fifty (50) feet wide road reservation and partly on Westridge Estate Commercial Subdivision or however else the same may ABUT and BOUND which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on the plan attached.


PLAN
OF
"ELA"
OF
CONTAINING 71.400 ACRES AND SITUATE CABLE BEACH
NEW PROVIDENCE – BAHAMAS
SURVEYED AT THE DISTRICT OF BAHAMAS AND SURVEYED
SCALE 1 INCH = 200 FEET
SURVEY CERTIFICATE
LEGAL DESCRIPTION OF "ELA"
TWIN LAKES SUBDIVISION
"ELA"
71.400 ACRES

TOWN PLANNING ZONING (NO.2) ORDER. 2008

S.I. 7/2008.

(SECTION 5)

[Commencement 27th February, 2008]

Citation.

1. This Order may be cited as the Town Planning Zoning (No.2) Order, 2008.

Building only for specific purpose.

2. (1) It is hereby ordered that new buildings shall be permitted only for use as apartment houses, hotels and dwelling houses and for purposes incidental to such use within those two areas of land in the western district of the island of New Providence known as "Cable Beach" firstly bounded on the North by the Sea on the East by the eastern boundary of the property known as "Westwind II" on the South by West Bay Street and on the West by the property known as "Casa Rosa" and secondly bounded on the West by the eastern boundary of the property known as "Hubbard Cottages" on the North by the Sea on the East by a line from West Bay Street to the Sea running parallel to and 180 feet east of the eastern side of the former Nassau Golf Club building and on the South by the existing West Bay Street which areas are marked by the letter "A" and "A 1" and are respectively shown as shaded on the plan appearing in the First Schedule hereto.

First Schedule.

(2) It is hereby ordered that new buildings shall be permitted only for use as hotels, condominium-hotels, timeshare units, offices, retail-commercial space, villas and for purposes incidental to such use within that area of land adjacent to the area referred to in subparagraph (1) of this paragraph bounded on the West by the eastern boundary of the property known as "Westwind II" and the eastern boundary of the subdivision known as "Westward Villas" on the South by West Bay Street (as to be realigned) on the east by the eastern boundary of the property known as "Hubbard Cottages" which said land is marked by the letter "B" and is shown as shaded on the plan appearing in the First Schedule hereto.

First Schedule.

(3) It is hereby ordered that new buildings shall be permitted only for use as hotels and for purposes incidental to such use within that area of land adjacent to the area referred to in subparagraph (2) of this paragraph bounded on the West by such area on the North by the Sea on the East by a line from West Bay Street to the Sea running parallel to and 560 feet west of the western boundary of the property of the late Commander Dwight Paul and on the

South by West Bay Street which land is marked by the letter "C" and is shown as hatched on the plan appearing in the First Schedule hereto.

First Schedule.

(4) It is hereby ordered that no building for any purpose, other than a purpose ancillary to use as a public beach and recreational area, shall be permitted upon that area of land adjacent to the area referred to in subparagraph (3) of paragraph 2 of this Order bounded on the West by such area on the North by the Sea on the East by the property of the late Commander Dwight Paul and on the South by West Bay Street which land is marked by the letter "D" and is shown as crosshatched on the plan appearing in the First Schedule hereto.

First Schedule.

(5) It is hereby further ordered that no new building or use for any purpose, other than a golf course, a purpose ancillary to use as a golf course, or an emergency generator or electricity substation shall be permitted upon that area of land south of the area referred to in paragraph 2, subparagraphs (2) through (4) of this order which land is marked by the letter "E" and is shown shaded on the plan in the First Schedule hereto.

First Schedule.

Maximum of buildings in areas "A" and "A-1". Second Schedule.

3. All new buildings constructed within the areas of land described in paragraph 2, subparagraphs (1) and (3) of this Order shall be limited to a maximum height of 73 feet and shall be subject to the formula restricting height set out in the Second Schedule hereto.

Second Schedule.

Maximum height of buildings in area "B".

4. All new buildings constructed within the area of land described in paragraph 2, subparagraph (2) of this Order shall be limited to a maximum height of 330 feet and shall be subject to the formula restricting height set out in the Second Schedule hereto.

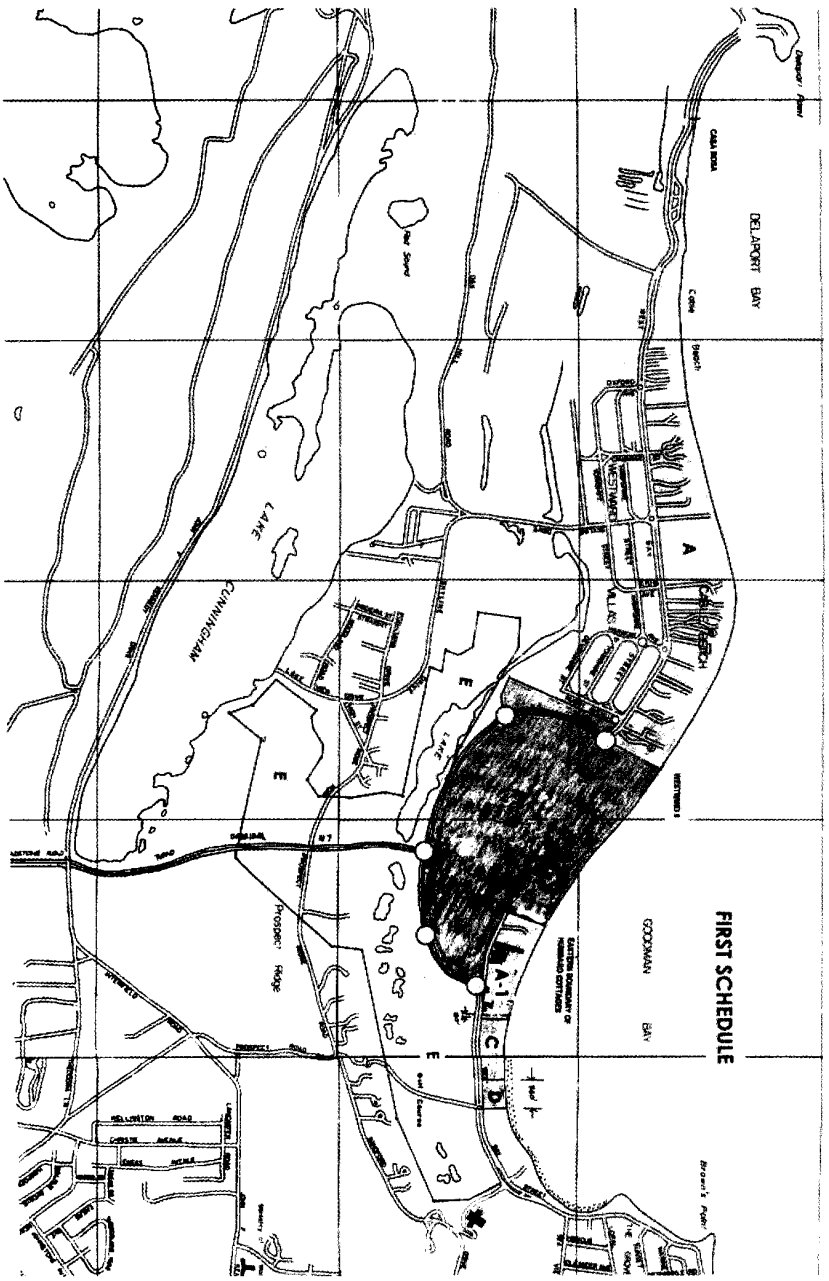
Maximum height of buildings two storeys.

5. All new buildings constructed within the area of land described in paragraph 2, subparagraph (5) of this Order shall be limited to a maximum height of two storeys.

6. *Repealed*.

FIRST SCHEDULE

PLAN



SECOND SCHEDULE

FORMULA RESTRICTING HEIGHT

Using the minimum dimension measured at right angles to the north south central axis of the site, building shall be allowed only within a vertical plan formed by a triangle having as its base the minimum dimension, with base angles totalling 100 degrees, subject to a minimum angle of 35 degrees.

TOWN PLANNING ZONING ORDER

S.I. 8/2010

(SECTION 5)

[Commencement – 10th August, 2010]

Citation.

1. This Order may be cited as the Town Planning Zoning Order.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and any addition to any building of whatsoever material and in whatsoever manner constructed, any installlation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

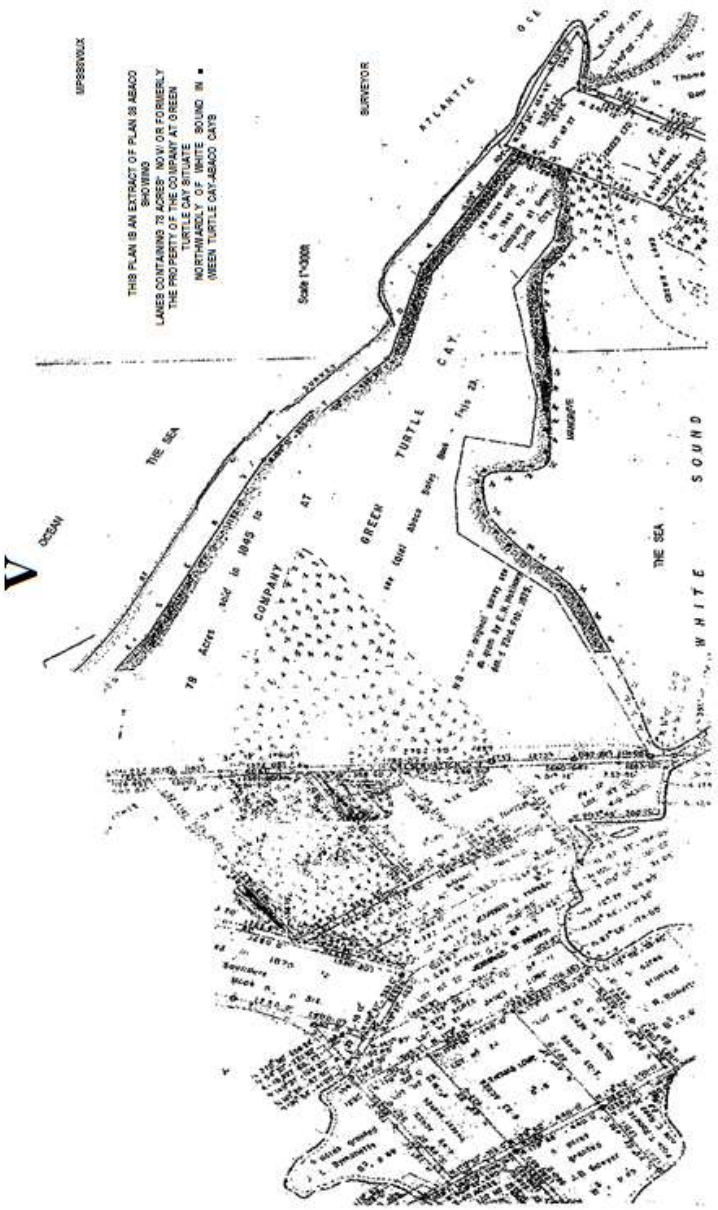
(c) any other boundary wall, fence or similar structure.

Buildings Prohibited.

3. It is hereby ordered that no buildings other than buildings used for the purposes of Wet Lands Preservation and Enhancement shall be permitted upon the area of land described in the Schedule attached hereto.

SCHEDULE

ALL THOSE certain pieces or parcels of swamp lands lying on or within the northern part of the Island of Green Turtle Cay one of the Abaco Group of Cays in the Commonwealth of The Bahamas and shown on an extract of plan 36 Abaco on record in MP File 5028 vol. XVI in the Department of Lands and Surveys situate in the vicinity of White Sound and Cocoa Bay and particularly on lands granted to James Frew Limited B6 - 48 Green Turtle Limited B5 - 12 Marion F. Garland B6 - 60 and Jennings B. Parker B5 - 4 or however else the same may ABUT and BOUND which said certain pieces or parcel of swamp lands are more particularly delineated and shown coloured pink on the plan of the area.


THIS PLAN IS AN EXTRACT OF PLAN 98 ABACO
SHOWING
LANDS CONTAINING 78 ACRES NOW OR FORMERLY
THE PROPERTY OF THE COMPANY AT GREEN
TURTLE CAY SITUATE
NORTHWARDLY OF WHITE SOUND IN
GREEN TURTLE CAY-ABACO CAYS
SURVEYOR
Scale 1"=300ft
ATLANTIC
OCE
THE SEA
OCEAN
TURTLE CAY
GREEN
COMPANY
78 Acres
THE SEA
WHITE SOUND

TOWN PLANNING ZONING ORDER

S.I. 96/2010

(SECTION 5)

[Commencement 10th August, 2010]

Citation.

1. This Order may be cited as the Town Planning Zoning Order.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

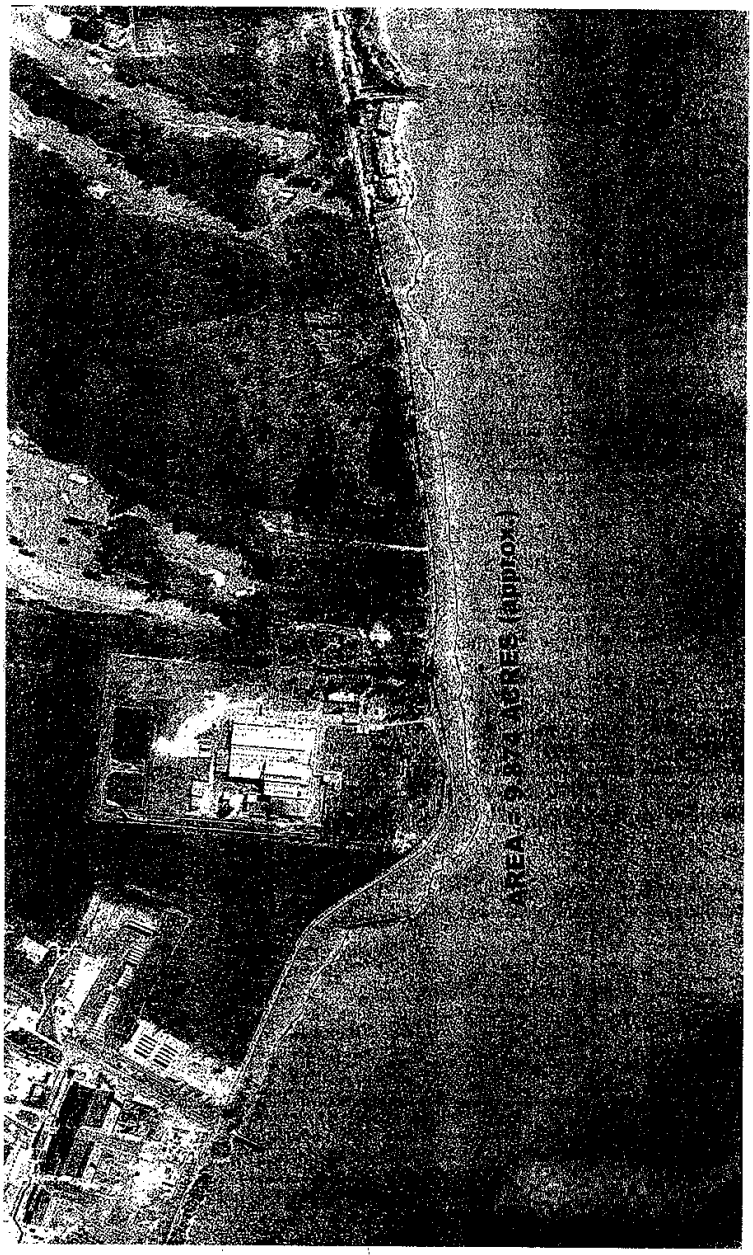
(c) any other boundary wall, fence or similar structure.

Buildings Prohibited.

3. It is hereby ordered that no buildings other than buildings used for the purposes of Preservation and Enhancement for public enjoyment of the waterfront shall be permitted upon the area of land described in the Schedule attached hereto.

SCHEDULE

ALL THAT piece, parcel or lot of land containing by admeasurement 9.874 acres more or less situate along the southern foreshore in the southwestern district of the Island of New Providence in the Commonwealth of The Bahamas ABUTTING and BOUNDING towards the NORTH on a public thoroughfare called and known by the name of South West Road towards the EAST on land said to be the property of Royal Beach Estates towards the SOUTH on the sea and towards the WEST on land said to be the property of Shell Bahamas Ltd. or however else the same may ABUT or BOUND which said piece, parcel or lot of land is more particularly delineated and shown coloured pink on the attached diagram.


AREA = 9.94 ACRES (approx.)

TOWN PLANNING ZONING ORDER

S.I. 97/2010

(SECTION 5)

[Commencement 10th August, 2010]

Citation.

1. This Order may be cited as the Town Planning Zoning Order.

Interpretation.

2. In this Order —

"building" includes —

(a) any part of a building and any addition to any building of whatsoever material and in whatsoever manner constructed, any installation, machinery and plant fixed or attached to any building or property;

(b) any wall, fence or similar structure bounded by or fronting on a public highway;

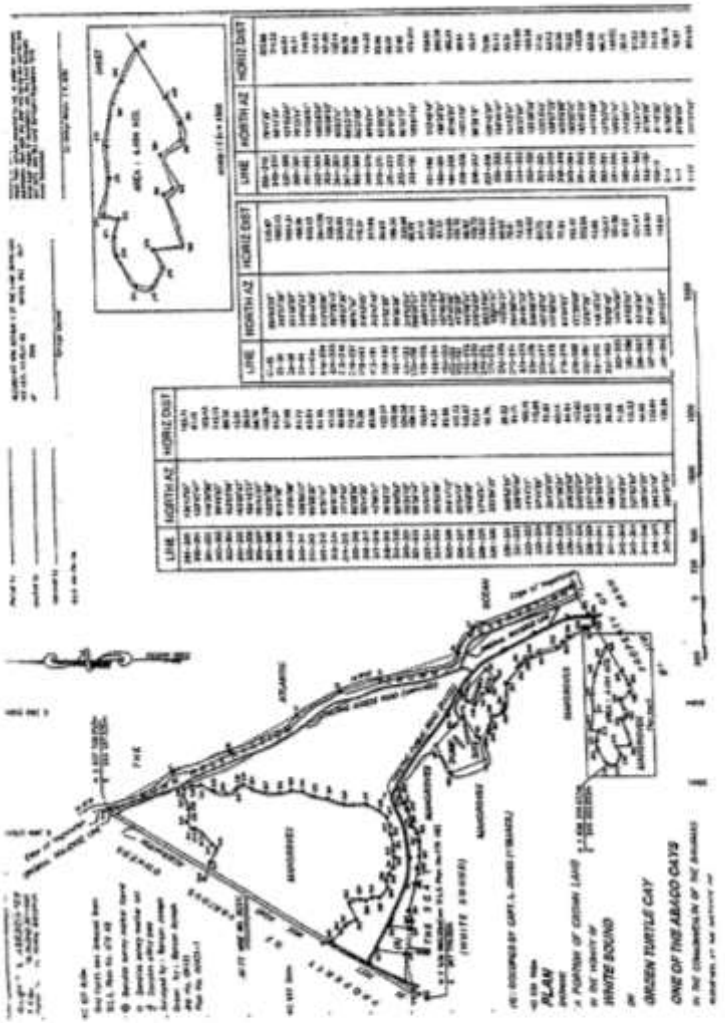
(c) any other boundary wall, fence or similar structure.

Buildings Prohibited.

3. It is hereby ordered that no buildings other than buildings used for the purposes of Wet Lands Preservation and Enhancement shall be permitted upon the area of land described in the Schedule attached hereto.

SCHEDULE

ALL THAT certain islet containing FOUR ACRES AND FOUR NINETY-FOUR THOUSANDTHS OF AN ACRE or thereabouts situate in the vicinity of White Sound off the Island of Green Turtle Cay one of the Abaco Groups of Cays in the Commonwealth of The Bahamas and shown on an extract of a plan on file in MP File 5028 Vol. XVII in the Department of Lands and Surveys ABUTTING and BOUNDING on all sides by the sea in White Sound or however else the same may ABUT and BOUND which certain islet is more particularly delineated and shown coloured pink on the plan of the area.



CHAPTER 255

PLANNING AND SUBDIVISION

TOWN PLANNING COMMITTEE RULES

ARRANGEMENT OF RULES

PART I
PRELIMINARY

RULE

1. Citation.
2. Interpretation.

PART II
TOWN PLANNING COMMITTEE

3. Constitution and procedures of Committee.

PART III
HEARINGS BY COMMITTEE

4. Sitting of hearing.
5. Right to be heard.
6. Technical support.

PART IV
DECISIONS OF COMMITTEE

7. Consideration of submissions.
8. Committee to act judicially.
9. Decisions of Committee.

PART V
MISCELLANEOUS MATTERS

10. Documents issued by Committee.
11. Effect of false information.
12. Exemption from liability.
13. Minister may appoint experts.

SCHEDULE

CHAPTER 255

PLANNING AND SUBDIVISION

S.I. 4/2011

TOWN PLANNING COMMITTEE RULES

(SECTION 5(8))

[Commencement 10th January, 2011]

PART I
PRELIMINARY

Citation.

1. These Rules may be cited as the Town Planning Committee Rules.

Interpretation.

2. In these Rules —

Ch. 255.

"Act" means the Planning and Subdivision Act;

"Chairman" means the Chairman of the Committee;

"Committee" means the Town Planning Committee appointed under section 5(1) of the Act;

"Department" means the Department of Physical Planning established under section 6(1) of the Act;

"Minister" means the Minister responsible for the Environment.

PART II
TOWN PLANNING COMMITTEE

Constitution and procedures of Committee.

3. (1) The Committee is constituted in accordance with section 5(2) of the Act.

Schedule.

(2) The Schedule shall have effect with respect to the procedures of the Committee.

PART III
HEARINGS BY COMMITTEE

Sitting of hearing.

4. (1) In accordance with section 37(1) of the Act, the Committee shall hold public hearings to hear and decide on applications for development of land at least once in every month at such times and places within The Bahamas as the Chairman may designate and shall conduct its proceedings in such manner as it may consider most convenient for the efficient and effectual dispatch of its duties.

(2) The Committee may —

(a) impose time constraints on parties appearing before the Committee where time constraints are in the interest of the resolution of matters before the Committee; and

(b) give directions to parties with respect to the conduct of a hearing.

(3) The Committee may schedule a special hearing in addition to a Committee hearing, if so required.

(4) Unless otherwise directed, the hearing of an appeal shall take place on the island to which the application applies in accordance with the Subdivision and Development Appeal Board Regulations.

Right to be heard.

5. (1) An applicant and all interested parties shall be given the right to be heard by the Committee and may be represented by counsel or an agent.

(2) Any person may make written submissions to the Committee before the Committee makes a decision and such submissions shall be considered by the Committee in their determination of the application.

(3) Within twenty-one days of receiving notice of an application, all relevant referral agencies shall submit comments, if any, on applications made to the Department for circulation to members of the Committee.

Technical support.

6. (1) Where the Committee is of the opinion that policy advice or planning expertise is required, the Committee may request a representative of the Department to attend the hearing to provide information to assist the Committee in understanding the aspects of an application and in reaching its decision.

(2) Where the Committee is of the opinion that an outside expert is required, the Committee may request the assistance of an external expert to provide information to assist the Committee in understanding the aspects of an application and in reaching its decision.

PART IV
DECISIONS OF COMMITTEE

Consideration of submissions.

7. Every submission (whether an objection or representation) —

(a) made in writing and received by the Department on or before the date stated in the notice; or

(b) made in person before the Committee during the hearing,

in respect of a proposed development, shall be considered by the Committee in its deliberation of the application.

Committee to act judicially.

8. In considering whether or not to issue approval under the Act, the Committee shall hear the application in as judicial a manner as possible having regard to all the circumstances of the particular application.

Decisions of Committee.

9. (1) The Committee may exercise any power conferred on it under the Act or under any other Act.

(2) The Committee shall orally render its decision at the conclusion of a hearing of an application and where approval has been granted, the Committee shall state the conditions, if any, which have been imposed.

(3) Notwithstanding paragraph (2), the Committee may refer the rendering of an oral decision at the conclusion of a hearing of an application.

(4) The Committee shall within seven days of its decision, give written notice of its decision and any conditions imposed to the Department, the applicant and every person or referral agency that made a written request to be notified of the decision.

(5) All decisions made or issued by the Committee shall be signed by the members presiding.

(6) The Committee shall cause to be published its decisions in accordance with section 5(9) of the Act and in any other manner in which in its opinion is considered appropriate.

(7) Where the Committee grants approval to an application, that approval shall be valid for one year from the date on which the approval was given unless action has been taken by the applicant within the twelve month period to further the necessary approvals for, or development of,

the site to which the application applies, failing which the decision shall lapse and become null and void.

(8) Where the Committee has made a decision which contravenes these Rules, whether through inadvertence or by reason of an error in judgment made in good faith, that decision shall be deemed void and the application shall be reconsidered by the Committee as a new application.

(9) A decision of the Committee is final and binding, subject only to an appeal to the Subdivision and Development Appeal Board in accordance with section 65 of the Act.

PART V
MISCELLANEOUS MATTERS

Documents issued by Committee.

10. All documents (other than decisions) issued by the Committee shall be signed by the Chairman or acting Chairman.

Effect of false information.

11. The supply of incorrect or false information in the making of an application or presentation to the Committee may result in that application and any decision of the Committee being rendered null and void.

Exemption from liability.

12. (1) No action, suit, prosecution or other proceeding shall be brought or instituted personally against the Chairman or members of the Committee in respect of any act done *bona fide* in pursuance or execution or intended execution of the provisions of these Regulations.

(2) No member of the Committee or any of its officers, servants and agents is required to give testimony in any civil suit with regard to information obtained in the discharge of official duty.

Minister may appoint experts.

13. The Minister may from time to time, upon the recommendation of the Committee, appoint one or more experts or persons having technical or special knowledge of matters or subjects within the jurisdiction of the Committee or in respect of any particular matter or subject before the Committee to assist the Committee in an advisory or other capacity.

SCHEDULE

Appointment of officers.

1. (1) The Committee shall appoint and employ at such remuneration and on such terms and conditions as it thinks fit, a Secretary to the Committee and such officers as it thinks necessary for the proper performance of its functions under the Act.

(2) The Secretary to the Committee shall —

(a) keep a record of all applications and proceedings before the Committee and every decision in relation thereto;

(b) keep proper books of record in which shall be entered a true copy of every decision made by the Committee and of every other document that the Committee may require to be entered therein, and such entry constitutes and is the original record of every such decision or document;

(c) have the custody and care of all records and documents pertaining to the business of the Committee; and

(d) carry out such other functions and duties as may from time to time be assigned.

Conflicts of interest.

2. (1) Any member of the Committee who —

(a) holds an interest, directly or indirectly, in any share, stock or other security of a Bahamian owned public utility;

(b) makes use of any privileged information for personal gain or the gain of others; or

(c) accepts any remuneration, fee, gift, gratuity or other benefit which could reasonably be considered to influence his decision in respect of the performance of his functions,

has a conflict of interest.

(2) Any member who has a conflict of interest pursuant to paragraph 1(a) shall resolve such conflict by dissolving that interest.

(3) Any member who has a direct or indirect pecuniary or other personal interest in a matter before the Committee shall declare such interest and —

(a) shall immediately leave the meeting or that part of the meeting during which the matter is under consideration;

(b) shall not take part in the discussion of the matter;

(c) is not entitled to vote on the matter; and

(d) shall not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

(4) When a declaration pursuant to paragraph (1) is made —

(a) the secretary shall record the member's declaration; and

(b) the Chairman shall ensure that the member is not present at the meeting during which time the matter is under consideration or at the time of any vote on the matter.

(5) A member of the Committee who contravenes paragraph (1) or (3) is disqualified from continuing to hold office as a member unless the contravention was done through inadvertence or of an error in judgement made in good faith, such to be determined by the Minister.

Resignation of member.

3. The Chairman or any member of the Committee may at any time resign office by instrument in writing addressed to the Minister and from the date of the receipt by the Minister of such instrument the Chairman or member shall cease to be a member.

Remuneration.

4. There shall be paid to the members of the Committee such remuneration (whether by way of honorarium, salary, fees or allowances), as the Minister may determine.

Revocation of appointment.

5. The Governor-General may at any time by instrument in writing revoke the appointment of any member if such member —

(a) becomes of unsound mind or becomes permanently unable to perform his functions by reason of ill health;

(b) is convicted and sentenced to a term of imprisonment;

(c) fails without reasonable excuse to carry out any of the functions conferred or imposed on him under the Act or these Regulations; or

(d) engages in such activities as are reasonable considered prejudicial to the interest of the Committee.

Gazetting of membership.

6. The names of all members of the Committee as first constituted and every change thereafter shall be published in the *Gazette*.

Protection from liability.

7. No, member of the Committee or any of its officers, servants or agents shall be —

(a) required to give testimony in any civil suit with regard to information obtained in the discharge of official duty;

(b) personally liable for anything done under the authority of this or any other Act.

TOWN PLANNING ZONING ORDER, 1988

S.I. 32/1988

(SECTION 6)

[Commencement 12th August, 1988]

1. This Order may be cited as the Town Planning Zoning Order, 1988.

2. Subject to clauses 3, 4 and 5 with effect from the coming into operation of this Order building upon that area of land described in Part A of the Schedule will be permitted only for use as dwelling houses and purposes incidental to that use.

Schedule.

3. With effect from the coming into operation of this Order —

(a) building upon the area of land described in Part B of the Schedule will be permitted for use only as office, dwelling houses, apartment dwellings and purposes incidental to those uses, and

Schedule.

(b) building upon the areas of land described in Parts C and D respectively of the Schedule will be permitted only for use as dwelling houses, apartment dwellings and purposes incidental to those uses.

Schedule.

4. For the purposes of this Order —

"dwelling house" means a building providing complete, independent living facilities for a single family including permanent provisions for living, cooking, eating and sanitation;

"apartment dwelling" means a building with a suite of rooms which are used or intended to be used as a place of residence for more than two families each of which lives in a separate self-contained unit or area of the building.

SCHEDULE

PART A

All that area of in the vicinity of Breezy Hill situate in the Eastern District of the Island of New Providence and shown on Diagram No. 1, the boundaries of which commence at a point where the southeastern boundary of the property of Hill Top Holdings Limited when projected northeastwards meets the line of

low water mark of ordinary tides, thence southeastwards following the line of the low water mark of ordinary tides to East End Point, thence following the said line of low water mark in a southerly direction to the centre of East End Light, thence in a westerly direction to the centre of East Bay Street. From this point at right angles to the centre line of East Bay Street 500 feet in a westerly direction, thence along an imaginary line 500 feet from the centre of East Bay Street to a point where this imaginary line meets the southeastern boundary line of the said property of Hill Top Holdings Limited thence northeastwards along this boundary to the line of the low water mark of ordinary tides.

PART B

All that area of land known as "The Knowle" situated in the Eastern District of the Island of New Providence commencing at the eastern boundary of Breezy Hill at a point on East Bay Street approximately 638' east of the intersection of Village Road and Shirley Street and running easterly along East Bay Street for a distance of 160.16' and being bounded by the western boundary of "Montrose" and running thereon in a southerly direction for a distance of 284.64', thence in a westerly direction along Breezy Hill Estates Lot No. 12 and running thereon 150.10' to the said eastern boundary of Breezy Hill and running thereon in a northerly direction for a distance of 376.62' to the point of commencement and which area of land known as "The Knowle" is shown shaded on Diagram No. 2 hereunder in this Schedule.

PART C

All that area of land known as Dick's Point situated in the Eastern District of the Island of New Providence adjacent to the area known as Dick's Point Subdivision bounded on the north by the sea and running thereon 560.63' bounded by the sea on the east and running thereon 323.41' partially bounded by the sea and partially by privately owned land on the south and running thereon 523.57', the west boundary is located approximately 585' east of the centre line of East Bay Street a portion thereof being bounded by Dick's Point Road and the other portion bounded by a Road Reservation and which area of land known as Dick's Point is shown shaded on Diagram No. 3 hereunder in this Schedule.

PART D

All that area of land in the Eastern District of the Island of New Providence known as Block No. 3 comprising of Lots 1 through 12 (Winton Estates Subdivision) and bounded on the east by Yamacraw Hill Road, on the south by Prince Charles Drive, on the west by an unnamed road and on the north by Hill View Drive and which area of land is shown shaded on Diagram No. 4 hereunder in this Schedule.

DIAGRAM ONE

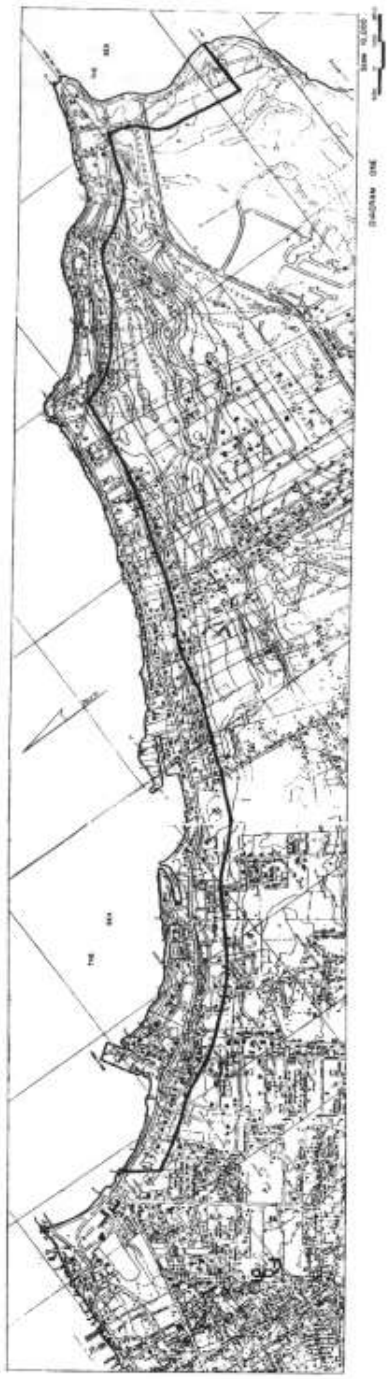


DIAGRAM TWO
ZONING FOR "THE KNOWLE"

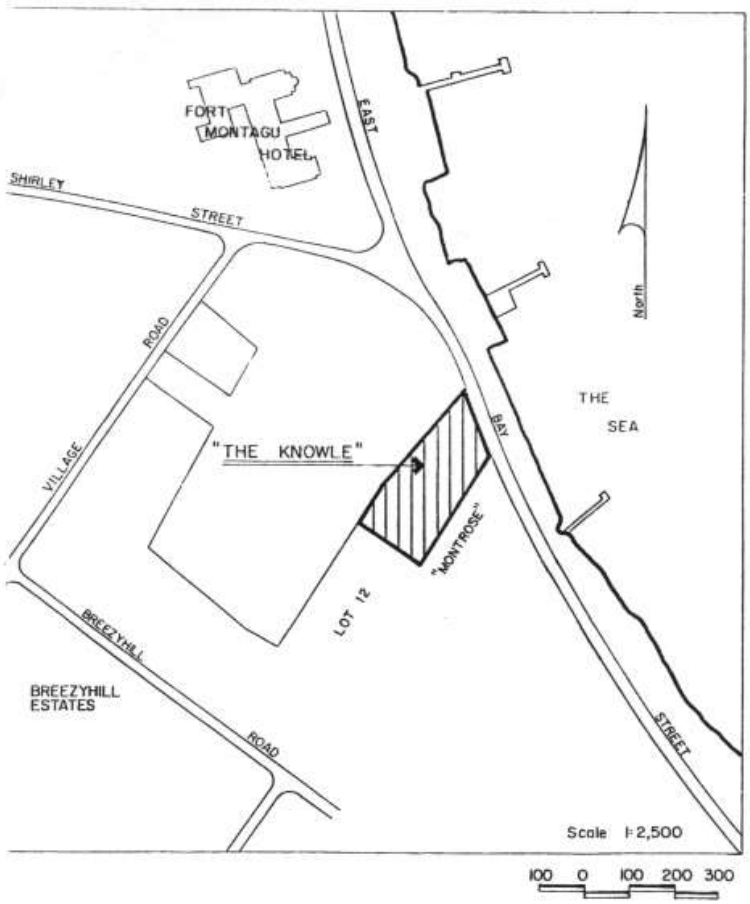


DIAGRAM THREE
ZONING FOR DICK'S POINT

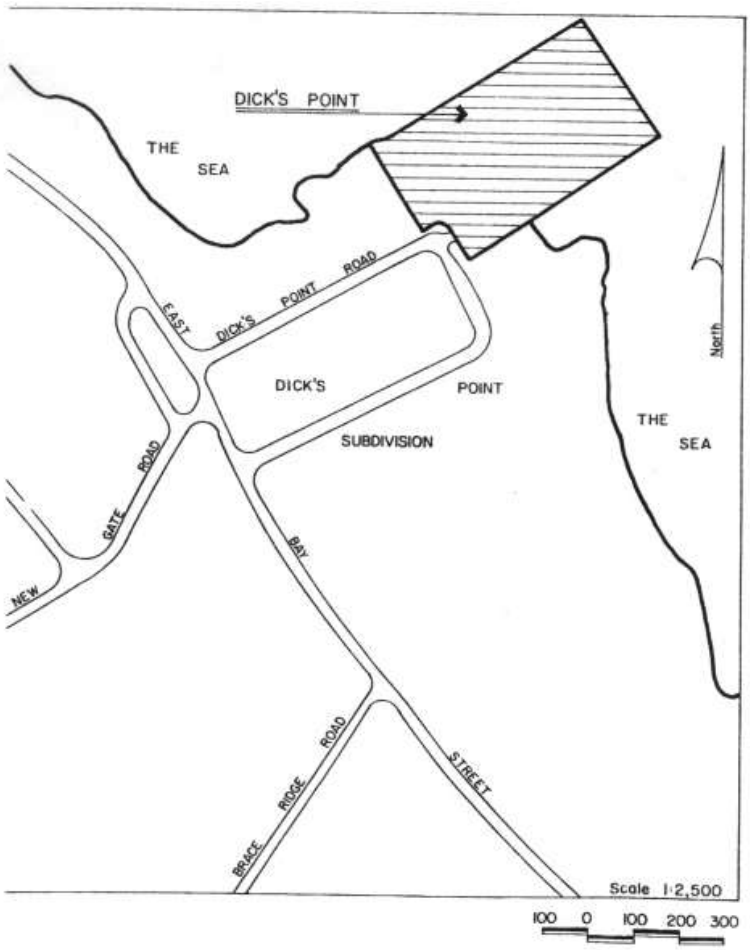
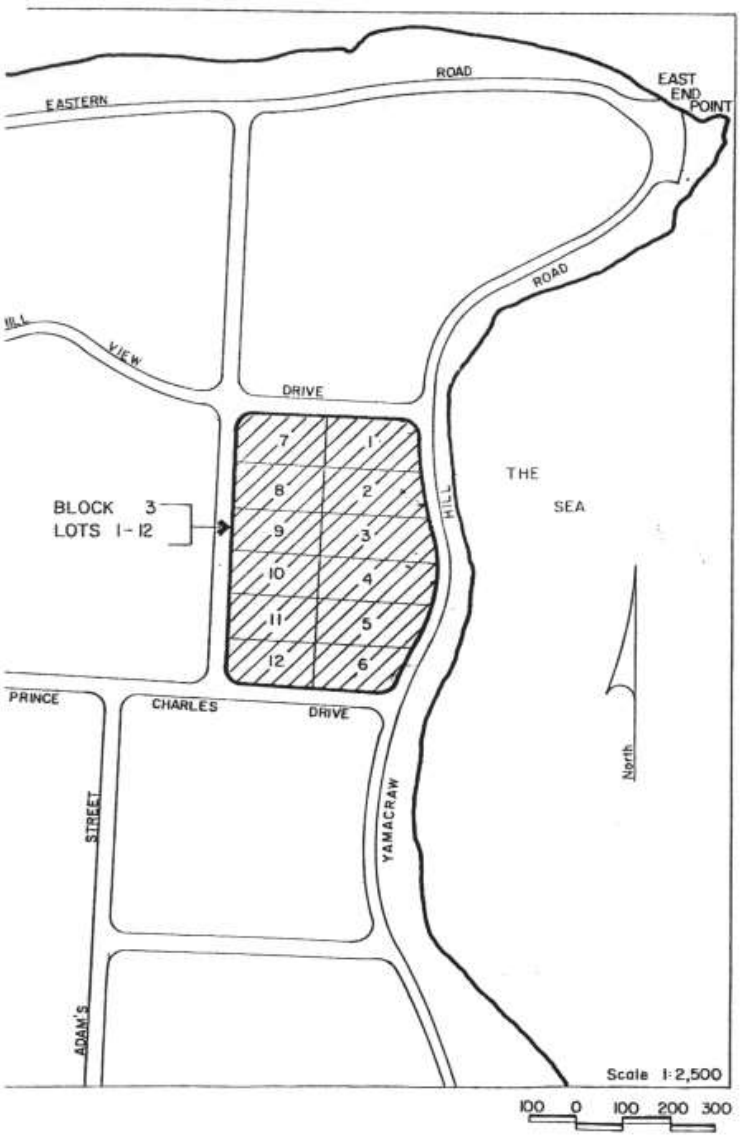


DIAGRAM FOUR
ZONING FOR BLOCK No. 3 THROUGH 12 WINTON ESTATES SUBDIVISION



CHAPTER 255

PLANNING AND SUBDIVISION

DEPARTMENT OF PHYSICAL PLANNING REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY

REGULATION

1. Citation.
2. Interpretation.

PART II
CONSTITUTION OF THE DEPARTMENT OF PHYSICAL PLANNING

3. Department of Physical Planning.

PART III
POLICY PLANNING DIVISION

4. Policy Planning Division.
5. Land Use Plan Section.
6. Zoning Bye-law Section.

PART IV
DEVELOPMENT REVIEW DIVISION

7. Development Review Division.
8. Site Plan Control Section.
9. Subdivision Section.
10. Architectural Control Section.
11. Enforcement Section.

CHAPTER 255

S.I. 5/2011

PLANNING AND SUBDIVISION

DEPARTMENT OF PHYSICAL PLANNING REGULATIONS

(SECTION 6(5))

[Commencement 10th January, 2011]

PART I
PRELIMINARY

Citation.

1. These Regulations may be cited as the Department of Physical Planning Regulations.

Interpretation.

2. In these Regulations —

Ch. 255.

"Act" means the Planning and Subdivision Act;

"Committee" means the Town Planning Committee appointed under section 5 of the Act;

"Department" means the Department of Physical Planning established under section 6 of the Act;

"Director" means the Director of Physical Planning appointed under section 7 of the Act.

PART II
CONSTITUTION OF THE DEPARTMENT OF PHYSICAL PLANNING

Department of Physical Planning.

3. In accordance with section 6(3) of the Act, there shall exist two divisions within the Department of Physical Planning —

(a) a Policy Planning Division; and

(b) a Development Review Division.

PART III
POLICY PLANNING DIVISION

Policy Planning Division.

4. The Policy Planning Division of the Department shall be comprised of —

(a) a Land Use Plan Section; and

(b) a Zoning Bye-law Section.

Land Use Plan Section.

5. (1) The Land Use Plan Section shall consist of persons within the Policy Planning Division who are directly involved in —

(a) the review of applications for Land Use Plan Amendment; and

(b) the review and upkeep of the Land Use Plan.

(2) The Land Use Plan Section shall review and produce a written report to be signed by the Director in relation to Land Use Plan Amendment applications and shall submit such report to the committee.

(3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Land Use Plan Section shall attend the Committee hearings.

Zoning Bye-law Section.

6. (1) The Zoning Bye-law Section shall consist of persons within the Policy Planning Division who are directly involved in —

(a) the review of applications for Zoning Bye-law Amendment and Minor Variance; and

(b) the review and upkeep of Zoning Bye-laws.

(2) The Zoning Bye-law Section shall review and produce a written report to be signed by the Director in relation to Zoning Bye-law Amendment and Minor Variance applications and shall submit such report to the Committee.

(3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Zoning Bye-law Section shall attend the Committee hearings.

PART IV
DEVELOPMENT REVIEW DIVISION

Development Review Division.

7. The Development Review Division of the Department shall be comprised of —

(a) a Site Plan Control Section;

(b) a Subdivision Section;

(c) an Architectural Control Section; and

(d) an Enforcement Section.

Site Plan Control Section.

8. (1) The Site Plan Control Section shall consist of persons within the Development Review Division who are directly involved in the review of applications for Site Plan approval.

(2) The Site Plan Control Section shall review and produce a written report to be signed by the Director in relation to Site Plan applications and shall submit such report to the Committee.

(3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Site Plan Control Section shall attend the Committee hearings.

Subdivision Section.

9. (1) The Subdivision Section shall consist of persons within the Development Revision Division who are directly involved in the review of applications for Subdivision and Severance approval.

(2) The Subdivision Section shall review and produce a written report to be signed by the Director in relation to Subdivision applications and shall submit such report to the Committee.

(3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Subdivision Section shall attend the Committee hearings.

Architectural Control Section.

10. (1) The Architectural Control Section shall consist of persons within the Development Review Division who are directly involved in the review of applications of Architectural Design either within or outside of the area defined in the First Schedule to the Act.

(2) The Architectural Control Section shall review and produce a written report to be signed by the Director in relation to Architectural Design applications and shall submit such report to the Committee.

(3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Architectural Control Section shall attend the Committee hearings.

Enforcement Section.

11. (1) The Enforcement Section shall consist of persons within the Development Review Division who are directly involved in the review of applications for compliance with planning and related laws and Town Planning Committee decisions.

(2) The Enforcement Section shall review and produce a written report to be signed by the Director in relation to violations, complaints or deviations in respect of approved applications and shall submit such report to the Committee.

(3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representtative of the Enforcement Section shall attend the Committee hearings.

The next page is 72

S.I. 73/1965
S.I. 72/1967
S.I. 18/1969
S.I. 11/1983
S.I. 134/2001

TOWN PLANNING (EXTENSION TO OUT ISLANDS) ORDER

(SECTION 14)

[Commencement 27th March, 1965]

Title.

1. This Order may be cited as the Town Planning (Extension to Out Islands) Order.

Extension of Act.

2. (1) AlI the provisions of the Town Planning Act, as amended, with the exception of section 7 thereof, shall apply to the Out Island districts and parts of districts which are specified in the Schedule to this Order.

Schedule.

(2) Section 9 of the Town Planning Act shall, in its application to the districts and parts of districts specified in the Schedule to this Order, be modified by deleting the words "fourteen days" in paragraph (c) of subsection (1) and by substituting therefor the words "twenty-eight days".

Appointment of local committees.

3. There shall be a local committee for each of the districts or parts of districts specified in the Schedule to this Order. Each such local committee shall consist of not less than five members, one of whom shall be the chairman, appointed by notice in the *Gazette*, who shall hold office at the Governor-General's pleasure and subject to this shall hold office for a period of twelve months from the first day of January in each year:

Provided that in the case of a casual vacancy occurring in the membership of any such local committee a member appointed to fill such vacancy shall hold office until the 31st day of December next ensuing.

Powers of local committees.

4. Every local committee appointed under the provisions of this Order shall, within the district or part of a district for which it is appointed, have and exercise all the powers and discharge all the responsibilities of the Town Planning Committee constituted under section 4 of the Town Planning Act, except the following which shall remain the responsibility of the Town Planning Committee aforesaid —

(a) the sanction or refusal to sanction the commencement or erection of any building or group of buildings having a floor area of one thousand two hundred square feet or more or, where there is in that district a government engineering officer of or above the grade of a District Works Controller advising the local committee, a floor area of not less than two thousand five hundred square feet; *S.I. 11/1983.*

(b) the sanction or refusal to sanction the commencement or erection of any building —

(i) for any industrial purpose; or

(ii) for use as a garage or service station; or

(iii) for use as a shop, club, bar-room or place of public entertainment; or

(iv) for any special use or purpose notified by the Minister to such local committee as being a use or purpose requiring consideration by the Town Planning Committee;

(c) the exercise of any power to make recommendations with regard to the purposes for which land or buildings in any area shall be used.

SCHEDULE (Rule 2) *S.I. 134/2001.*

GRAND BAHAMA AND BIMINI DISTRICT

The Grand Bahama District shall include:

(a) The District of Freeport, West of Hawksbill Creek (excluding the Port Area as defined under the Hawksbill Creek, Grand Bahama (Deep Water Harbour and Industrial Area) Act;

(b) The District of Freeport, East of Hawksbill Creek (excluding the Port Area defined as aforesaid);

(c) The District of West End, Grand Bahama;

(d) All islands and cays lying for a distance of fifteen miles ot the east and southeast and south of that part of the island of Grand Bahama;

(e) The islands of North Bimini, South Bimini, East Bimini and Cat Cay and all islands and cays adjacent thereto and including Great Isaacs Light Station and Ocean Cay.

CAT ISLAND, RUM CAY AND SAN SALVADOR DISTRICT

The Cat Island, Rum Cay and San Salvador District shall include:

(a) Cat Island and all islands and cays within twelve miles of the shoreline of Cat Island;

(b) Rum Cay;

(c) San Salvador or Watlings Island;

(d) Conception Island;

(e) All islands and cays being within twelve miles of Rum Cay and San Salvador.

EXUMA DISTRICT

The Exuma District shall include:

(a) The Exuma Cays which lies northwardly of Great Exuma Island as far and including Great Ship Channel Cay and Sail Rocks;

(b) The island of Great Exuma and all cays eastwardly within nine miles of the said island of Great Exuma and westwardly as far as and including such cays;

(c) The island of Little Exuma and all islands and cays within nine miles of the said island.

LONG ISLAND AND RAGGED ISLAND DISTRICT

The Long Island and Ragged Island District shall include:

(a) The island of Long Island and cays situate and lying within nine miles of the island;

(b) Ragged Island and all the islands and cays situate northward and southward within sixty miles of Ragged Island.

MAYAGUANA, INAGUA, CROOKED ISLAND, ACKLINS AND LONG CAY DISTRICT

The Mayaguana, Inagua, Crooked Island, Acklins and Long Cay District shall include:

(a) The islands of Mayaguana, Great and Little Inagua, Crooked Island, Acklins and Long Cay;

(b) All the islands and cays within nine miles of the islands of Mayaguana, Great and Little Inagua, Crooked Island, Acklins and Long Cay including Fortune Island, Castle Island, Atwood or Samana Cay and Plana or French Cays.

ABACO DISTRICT

The Abaco District shall include:

(a) The islands of Great and Little Abaco;

(b) All the islands and cays situated northwestwardly of Great Abaco and Little Abaco from Walker's Cay to Hog Cay to Spanish Cay to Ambergris Cay to Green Turtle Cay as far south as Whale and including Whale Cay including all the islands to the west as far as and including Little Jerry Cay and within two miles of the southern shores of the said islands;

(c) All the islands and cays situated northwardly and eastwardly of Great Abaco from Guana Cay to Man-O-War Cay to Elbow Cay to Lynyard Cay and all the islands and cays situated westwardly of Great Abaco including Gorda Cay and Moores Island.

ANDROS AND BERRY ISLANDS DISTRICT

Andros and Berry Islands District shall include:

(a) The island of Andros;

(b) All the islands and cays in the Berry Island Group of Cays;

(c) The Joutler Cays and all islands and cays situated within fifteen miles of the northernmost point of Andros;

(d) All the islands and cays south and west of Andros within fifteen miles of South Andros including Cay Sal Bank for a distance of one hundred and sixty miles from the southernmost point of Andros island.

ELEUTHERA DISTRICT

The Eleuthera District shall include:

(a) The island of Eleuthera;

(b) All the islands and cays situated and being within nine miles southwards, eastwards and westwards of Governor's Harbour Airstrip.

(c) All the islands and cays situated and being within nine miles eastward, northward and westward of Governor's Harbour Airstrip including Spanish Wells, Harbour Island and Current Island.

CHAPTER 255

PLANNING AND SUBDIVISION

S.I. 2/2011

PLANNING AND SUBDIVISION (PUBLIC NOTICE) REGULATIONS

(SECTIONS 16 AND 75)

[Commencement 10th January, 2011]

Citation.

1. These Regulations may be cited as the Planning and Subdivision (Public Notice) Regulations.

Interpretation.

2. In these Regulations —

Ch. 255.

"Act" means the Planning and Subdivision Act;

"Committee" means the Town Planning Committee appointed under the Act;

"Department" means the Department of Physical Planning established under the Act;

"Director" means the Director of Physical Planning appointed under the Act.

Publication of notice by Director.

3. (1) Where a notice is required to be given in accordance with sections 39(5), 40(3), 41(4), 42(6), 43(4), 44(6) and 45(2), the Director shall cause such notice —

(a) to be given in two issues of two newspapers published and circulated in The Bahamas at intervals of not less than three days;

(b) to be posted —

(i) at the offices of the Department; and

(ii) on the official website of the Government of The Bahamas,

for the period commencing on the date of the issuance of the notice until the date of the hearing of the application by the Committee.

(2) A notice referred to under paragraph (1) shall specify —

(a) the purpose, location by way of a written description and map, size and any other pertinent details of the proposed development as the Director may think fit to include;

(b) the date of the public meeting or hearing of the application on or before which any objection against, or support for, the proposed development may be made in writing to the Department by any interested person;

(c) that the application and material submitted with the application is available for viewing by the public at the offices of the Department;

(d) that every objection against, or support for, the proposed development, made in writing and received by the Department on or before the date stated in the notice, shall be considered by the Committee in their deliberation of the application;

(e) that a copy of any written submission will be forwarded to the Committee to become part of the public record with respect to the application;

(f) that if a person or public entity does not make oral submissions at the public meeting, oral or written submissions to the Department on or before the date of the hearing or oral or written submissions at the hearing, the person or public entity is not entitled to appeal the decision of the Committee to the Subdivision and Development Appeal Board; and

(g) that if a person or public entity does not make oral submissions at the public meeting, oral or written submissions to the Department on or before the date of the hearing or oral or written submissions at the hearing, the person or public entity may not be added as a party to the hearing of an appeal before the Subdivision and Development Appeal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Development site notice by developer.

4. In respect of any application made under the Act, a developer shall cause notice of the application to be posted on the site where the development is to take place and such notice shall —

(a) be placed on each side of the property that abuts a road;

(b) be placed on a wall or mounted on sign posts within five feet of the property line with full visibility from the road; and

(c) be in the form shown in Part A of the Schedule and contain the information provided in Part B of the Schedule.

Schedule.

Application available for viewing.

5. The Department shall upon request make any application available for viewing by the public during normal business hours at the offices of the Department.

SCHEDULE

PART A

Notice of Development Proposal

The Department of Physical Planning has received a (state particulars here)

4" X 4" wood posts

PART B

NOTICE OF DEVELOPMENT PROPOSAL

The Department of Physical Planning has received a (specify whether a *Land Use Plan Amendment, Zoning Bye-law Amendment, Subdivision Site Plan Minor Variance, Severance, Architectural Design)* application for this property.

Development Proposal Description: _____

_____

_____

Applicant: _____

Application file number: _____

For additional information, please contact:

The Director of Physical Planning at the Department of Physical Planning at (242)322-7550/2 (242)328-3202, fax(242)328-3206, P. O. Box N-1611 or visit the Department of Physical Planning on J. F. K. Drive.

CHAPTER 255

PLANNING AND SUBDIVISION

PLANNING AND SUBDIVISION ORDER

S.I. 38/2013

(SECTION 24)

[Commencement 10th January, 2011]

Citation.

1. This Order may be cited as the Planning and Subdivision Order.

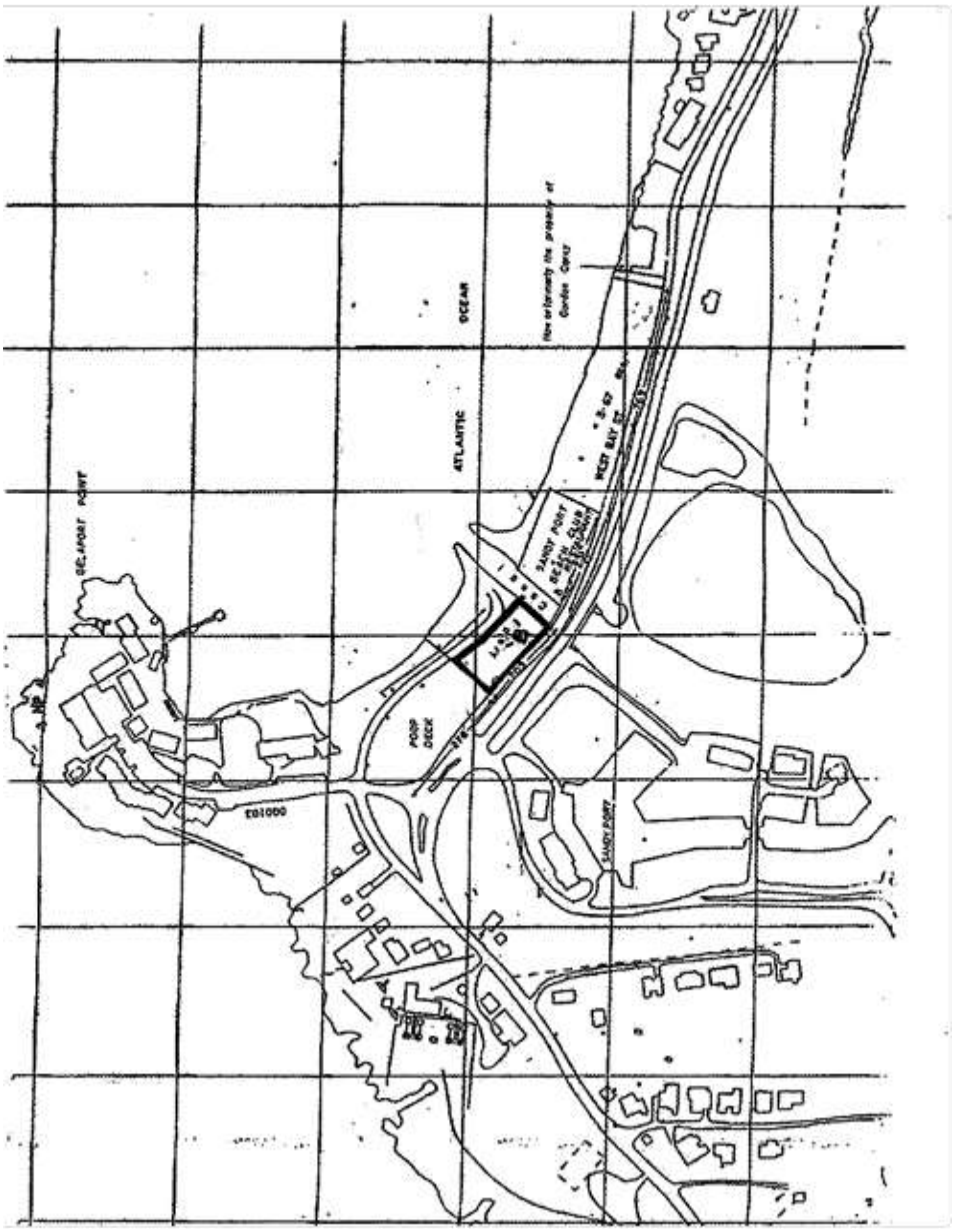
Buildings only for specific purposes. Schedule.

2. It is hereby ordered that buildings shall be permitted upon those areas of land described in the Schedule for the purpose of beach preservation and improvements —

SCHEDULE

ALL THAT certain lot, piece or parcel of land containing by admeasurement THREE ACRES AND SIXTY-SEVEN HUNDREDTHS OF AN ACRE (3.67) or thereabouts being the lot of land situate on the northern side of West Bay Street between Delaporte Point Development and land now or formerly the property of Gordon Carey in the said Island of New Providence ABUTTING AND BOUNDING towards the WEST on Delaporte Point Development towards the NORTH on The Sea known as Delaporte Bay towards the EAST on land now or formerly the property of Gordon Carey and towards the SOUTH on a Public Road known as West Bay Street save and except the Poop Deck Restaurant, Sandy Port Beach Club and Restaurant, Parcel "B" and the Canal or however else the same may abut and bound which said lot, piece or parcel of land is more particularly delineated and shown coloured pink on Diagram 6 attached hereto.

DIAGRAM 6


OCEAN
ATLANTIC
SANDY PORT
WEST BAY ST.
SANDY PORT
POOP DECK
SANDY PORT

CHAPTER 255

PLANNING AND SUBDIVISION

SUBDIVISION AND DEVELOPMENT APPEAL BOARD RULES

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4. Duties and functions of Board .

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6. Appeal Record.

PART IV
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7. Preliminary hearing.
8. Notice of hearing.
9. Publication of notice of hearing.
10. Hearing date.
11. Adjournment of hearing.
12. Sitting of hearing.
13. Right to attend hearing.

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14. Powers of Board.
15. Evidence before Board.
16. Decisions of Board.
17. Publication of decision.
18. Appeal to Supreme Court.

FIRST SCHEDULE 9 (RULE 3)

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2. Term of office.
3. Quorum.
4. Authority of Members.
5. Conflict of Interest.
6. Vacancy or Absence.
7. Resignation.
8. Revocation of appointment.
9. Gazetting of membership.
10. Remuneration.
11. Appointment of officers.
12. Signature and seal.
13. Protection from liability.

SECOND SCHEDULE

NOTICE OF APPEAL

CHAPTER 255

PLANNING AND SUBDIVISION

SUBDIVISION AND DEVELOPMENT APPEAL BOARD RULES

S.I. 3/2011

(SECTION 65(5))

[Commencement 10th January, 2011]

PART I
PRELIMINARY

1. These Rules may be cited as the Subdivision and Development Appeal Board Rules.

2. In these Rules — Interpretation.

"Act" means the Planning and Subdivision Act; Ch. 255.

"Board" means the Subdivision and Development Appeal Board established under section 11 of the Act;

"Chairman" means the Chairman of the Board;

"Committee"means the Town Planning Committee appointed under section 5(1) of the Act;

'Department" means the Department of Physical Planning established under section 6(1) of the Act;

"Director" means the Director of Physical Planning appointed under section 7(1) of the Act;

"Minister" means the Minister responsible for the Environment.

PART II
DUTIES, FUNCTIONS AND POWERS OF THE BOARD

3. The provisions governing the composition, functions and procedures of the Board are contained in the First Schedule. Constitution and procedures of Board. First Schedule.

4. The Board shall perform the duties and functions required to be performed by the Board under the Duties and functions of Board.

Act and may exercise any power conferred on it under the Act or any other Act.

(2) A member shall not accept or hold any office or employment inconsistent with such duties under this Act, unless otherwise authorised by statute.

PART III
REQUIREMENTS FOR APPEALS

Notice of appeal.

5. (1) An appeal shall be made within twenty-one days after the making of a decision by the Committee in accordance with section 65(1) of the Act and shall be —

(a) in writing;

(b) signed by the appellant or the agent acting on behalf of the appellant; and

Second Schedule.

(c) in the form set out in the Second Schedule.

(2) Service of the notice of appeal on the Board may be effected on the Department —

(a) by personal service; or

(b) by registered mail.

(3) A notice of appeal shall be accompanied by a written undertaking by the appellant, agreeing to pay the costs of advertising the notice of hearing for the appeal.

(4) Failure by the appellant, to file a written undertaking in accordance with paragraph (3) shall not preclude the Board from —

(a) setting the appeal down for hearing;

(b) advertising the notice of hearing;

(c) thereafter, recovering the cost of such advertisement from the appellant.

(5) When more than one notice of appeal is filed with the Board arising out of the same decision or affecting the same matter, the Board may require the several appellants to file a joint undertaking agreeing to pay the cost of advertising a notice of hearing.

(6) The Director shall be a party to every appeal.

Appeal Record.

6. (1) The Department shall, not later than seven days prior to the date of hearing —

(a) forward to the Board two copies of the appeal record and one copy of the relevant Land Use Plan and Zoning By-laws;

(b) deliver to the appellant and any other party a copy of the appeal record.

(2) An appeal record shall consist of —

(a) a table of contents;

(b) the application;

(c) the decision under appeal;

(d) a copy of the advertisements for any public hearing held relating to the application;

(e) a copy of the minutes of any public hearing relating to the application;

(f) a copy of the minutes of any council meeting at which the application was discussed; and

(g) a copy of any report, letter, submission, recommendation or other matter relating to the subject of the appeal which was submitted to and considered by the Committee.

PART IV
HEARING OF APPEAL

Preliminary hearing.

7. (1) Where it is considered necessary to do so, any party to the proceedings, may request to appear before the Board for a preliminary hearing to consider —

(a) an application for an order dismissing the appeal and the grounds for such an order;

(b) simplifying the issues regarding the appeal;

(c) the participation by other interested persons;

(d) a request for access to information in the custody or control of any party; or

(e) any other matter which may aid in the disposition of the appeal.

(2) The member of the Board who presides at a preliminary hearing shall not necessarily be required to hear the appeal.

(3) Unless otherwise ordered by the Board, it shall not be necessary to give notice of a preliminary hearing to the public.

Notice of hearing.

8. (1) The Board shall serve a copy of a notice of hearing to the parties and such other persons as the Board may determine, within three months of the filing of the appeal unless agreed to by all parties and not later than fourteen days before the date of the hearing.

(2) Service of a notice of hearing of appeal to the parties and such other persons as the Board may determine, may be effected by —

(a) personal service;

(b) registered mail; or

(c) such other manner as the Board may determine.

(3) Where the Board determines service other than in paragraph (2), such other service shall be verifiable.

(4) A notice of hearing shall include —

(a) the date, location and time of the hearing;

(b) the address of the subject property;

(c) the name(s) of the owner(s) of the subject property;

(d) the nature of the application subject to the appeal;

(e) the grounds of the appeal; and

(f) the name(s) of the appellant(s).

Publication of notice of hearing.

9. (1) The Director shall cause every notice of a hearing to —

(a) be given to the public in not fewer than two issues of a daily newspaper published and circulated in The Bahamas at intervals of not less than three days;

(b) be posted at the offices of the Department for the period commencing on the date of the issuance of the notice until the date of the hearing.

(2) In addition to the notice given in accordance with paragraph (1), the Director may cause notice to be given on the official website of the Government of The Bahamas for the period commencing on the date of the issuance of the notice until the date of the hearing.

Hearing date.

10. An appeal shall be heard no later than four months after the date of the notice of appeal, unless otherwise agreed by all parties.

Adjournment of hearing.

11. (1) Subject to paragraph (2), the Board, either upon its own motion, or upon application of any party, may adjourn a hearing.

(2) Where an adjournment is requested after the notice of hearing has been published in the newspaper or the appellant has been served the notice of hearing, the Board may grant an adjournment of the hearing for any period and on any terms it considers appropriate if the Board is satisfied that there are compelling reasons for —

(a) granting the adjournment; or

(b) not granting the adjournment if such adjournnment would amount to a denial of fairness to one or more of the parties to the appeal.

Sitting of hearing.

12. (1) Subject to paragraph (3), the Board shall sit at such times and places within The Bahamas as the Chairman may designate and shall conduct its proceedings in such manner as it may consider most convenient for the efficient and effectual dispatch of its duties.

(2) The Chairman may assign one or more members of the Board to a hearing of the Board and may from time to time vary a hearing and may direct any staff of the Board to attend any of the hearings.

(3) Where the Board considers it prudent to do so, the hearing of an appeal shall take place on the island to which the application applies.

(4) All hearings before the Board shall be open to the public.

Right to attend hearing.

13. (1) Every party to an appeal before the Board shall have a right to attend, be heard and represented at all the hearings.

(2) Where a party to an appeal fails in respect of that appeal to be represented within one hour of the time set out in the notice for the hearing, the appeal may be conducted and determined in the absence of the party as the Board considers appropriate in the circumstances.

PART V
POWERS AND DECISIONS OF THE BOARD

Powers of Board.

14. (1) The Board may conduct its proceedings without procedural formality but must observe natural justice.

(2) The Board may —

(a) impose time constraints on parties appearing before the Board where time constraints are in the interest of the resolution of matters before the Board;

(b) give directions to the parties with respect to the conduct of the hearing.

(3) The Board may recommend to the Minister from time to time, to appoint one or more persons having technical or special knowledge of matters or subjects within the jurisdiction of the Board or in respect of any particular matter or subject before the Board to assist the Board, in an advisory or other capacity.

Evidence before Board.

15. The Board is not bound by the rules of evidence and may inform itself on any matter as it considers appropriate.

Decisions of Board.

16. (1) The Board shall give its decision on an appeal within sixty days after the conclusion of the hearing.

(2) A decision of the Board shall be in writing and include the reasons for the decision.

(3) The Board shall provide a copy of the decision to all parties to the appeal.

(4) The Board shall forward a copy of the decision to the Minister.

(5) Any order, ruling, decision or document made or issued by the Board in respect of an appeal shall be signed by the chairman and two other members of the Board.

Publication of decision.

17. The Director may publish the decision of the Board in any manner the Director considers appropriate.

Appeal to Supreme Court

18. Subject to section 66 of the Act, a decision of the Board is final.

FIRST SCHEDULE

(Rule 3)

Composition of Board.

1. (1) The Board shall consist of a Chairman and six other members who shall be appointed by the Governor-General in accordance with section 11 of the Act and who shall possess knowledge and experience in one or more of the following professions —

(a) municipal planning;

(b) engineering;

(c) environmental matters;

(d) sustainable development;

(e) agriculture;

(f) architecture;

(g) utilities;

(h) accounting or business;

(i) law, economics or finance.

(2) There shall be a vice-chairman who shall be elected by a majority of the members.

(3) No public officer shall be eligible to hold office as a member of the Board.

(4) No action, suit, prosecution or other proceeding shall be brought or instituted personally against any member of the Board in respect of any act done *bona fide* in pursuance or execution or intended execution of the provisions of these Rules.

Term of office.

2. (1) A member of the Board shall be appointed for a term not exceeding three years and is eligible on the expiration of his term of appointment for reappointment.

(2) The Governor-General, on the recommendation of the Minister, may suspend a member of the Board on the ground of misbehaviour or physical or mental incapacity.

(3) If a member of the Board commences to hold a hearing and the term of office of the member expires before the proceeding is disposed of, the member shall remain a member of the Board for the purpose of completing the disposition of the proceeding in the same manner as if his or her term of office had not expired.

Quorum.

3. Four members of the Board shall form a quorum

(one of whom shall be the Chairman or vice-chairman) for meetings of the Board.

Authority of Members.

4. The Chairman, or other person presiding at a hearing, may administer an oath and by subpoena, compel the attendance of witnesses and the production of books, accounts, papers, records, documents and other evidence.

Conflict of Interest.

5. (1) Any member who —

(a) holds an interest, directly or indirectly, in any share, stock or other security of a local public utility;

(b) makes use of any privileged information for personal gain or the gain of others; or

(c) accepts any remuneration, fee, gift, gratuity or other benefit which could reasonably be considered to influence his decision in respect of the performance of his functions,

is in conflict of interest.

(2) A member of the Board shall declare any other information to the Board that may result in a conflict of interest.

(3) Where a member voluntarily holds an interest described in regulation 5(1)(a), he shall vacate his office.

(4) Where a member holds an interest otherwise than voluntarily, he shall within a reasonable time, divest himself of the interest, and if he fails to do so, his office shall thereupon become vacant.

Vacancy or Absence.

6. (1) Vacancies in membership of the Board caused by death, resignation, removal or otherwise may be filled by appointment by the Governor-General.

(2) If any vacancy occurs in the membership of the Board during mid-term of a member, such vacancy shall be filled by a member who shall hold office for the remainder of the period for which the previous member was appointed.

(3) Where the chairman is absent or unable to act or the office of the chairman is vacant, the vice-chairman has and shall exercise the jurisdiction and powers of the chairman including the power to complete any unfinished matters during the period of absence or vacancy of the chairman.

(4) A vacancy in the membership or the absence or inability of a member to preside over a hearing, or to continue to preside over a hearing, does not impair the powers of the Board or of the remaining members.

Resignation.

7. The Chairman or any member of the Board may at any time resign his office by instrument in writing addressed to the Minister and from the date of the receipt by the Chairman of such instrument such person shall cease to be a member of the Board.

Revocation of appointment.

8. The Governor-General may at any time by instrument in writing revoke the appointment of any member if such member —

(a) becomes of unsound mind or becomes permanently unable to perform his functions by reason of ill health;

(b) is convicted and sentenced to a term of imprisonment;

(c) fails without reasonable excuse to carry out any of the functions conferred or imposed on him under the Act or these Regulations; or

(d) engages in such activities as are reasonable considered prejudicial to the interest of the Board.

Gazetting of membership.

9. The names of all members of the Board as first constituted and every change thereafter shall be published in the *Gazette*.

Remuneration.

10. There shall be paid to the members of the Board such remuneration (whether by way of honorarium, salary, fees or allowances), as the Minister may determine.

Appointment of officers.

11. The Board may, subject to the approval of the Minister, appoint and employ at such remuneration and on such terms and conditions as it thinks fit, such officers as it thinks necessary for the proper performance of its functions under the Act.

Signature and seal.

12. Any document issued by the Board (other than a decision) shall be signed by the Chairman or any other person authorised to act.

Protection from liability.

13. No member of the Board or any of its officers, servants or agents shall be —

(a) required to give testimony in any civil suit with regard to information obtained in the discharge of official duty;

(b) personally liable for anything done under the authority of this or any other Act.

SECOND SCHEDULE

(Rule 5(1)(c))

NOTICE OF APPEAL

IN THE MATTER OF an appeal under the Planning and Subdivision Act —

Appellants):)
) State names of
) person(s) appealing

TAKE NOTICE that the appellant(s) hereby appeal Application Number _____ regarding the property located at *(specify location)* on the Island of ***(specify Island)*** made the day of , 20 , which decision:

)
) State details of
) the decision

AND THAT the grounds of appeal are:

DATED at _____, The Bahamas, this ___ day of _____, 2__.

_____
Signature of Appellant(s), Attorney-at-law or Agent

Address of Appellant: Phone:
_____ _____
_____ Email address:
_____ _____

Undertaking to Pay Costs

The appellant(s) hereby agrees to pay the costs of any advertising of the notice of hearing for the Appeal.

_____
Signature of Appellant(s)

CHAPTER 255

PLANNING AND SUBDIVISION

PLANNING AND SUBDIVISION (APPLICATION REQUIREMENTS) REGULATIONS

ARRANGEMENT OF REGULATIONS

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4. Application for Zoning Bye-law Amendment.
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8. Application for Subdivision.
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FOURTH SCHEDULE:	Application for Site Plan Approval
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TENTH SCHEDULE:	Fees

CHAPTER 255

PLANNING AND SUBDIVISION

S.I. 1/2011

PLANNING AND SUBDIVISION (APPLICATION REQUIREMENTS) REGULATIONS

(SECTION 75)

[Commencement 10th January, 2011]

Citation.

1. These Regulations may be cited as the Planning and Subdivision (Application Requirements) Regulations.

Interpretation.

2. In these Regulations —

Ch. 255.

"Act" means the Planning and Subdivision Act;

"Committee" means the Town Planning Committee appointed under section 5(1) of the Act;

"Department" means the Department of Physical Planning established under section 6(1) of the Act;

"Director" means the Director of Physical Planning appointed under section 7(1) of the Act;

Application for Land Use Plan Amendment. First Schedule.

3. An application for approval for a Land Use Plan Amendment under section 36 of the Act shall be made to the Director in the Form set out in the First Schedule.

Application for Zoning Bye-law Amendment. Second Schedule.

4. An application for approval for a Zoning Bye-law Amendment under section 36 of the Act shall be made to the Director in the Form set out in the Second Schedule.

Application for Minor Variance. Third Schedule.

5. An application for approval for Minor Variance to the Zoning Bye-law under section 36 of the Act shall be made to the Director in the Form set out in the Third Schedule.

Application for Site Plan. Fourth Schedule.

6. An application for approval for a Site Plan under section 36 of the Act shall be made to the Director in the Form set out in the Fourth Schedule.

Application for Architectural Design. Fifth Schedule.

7. An application for approval for an Architectural Design under section 36 of the Act shall be made to the Director in the Form set out in the Fifth Schedule.

Application for Subdivision. Sixth Schedule.

8. An application for approval for a Subdivision under section 36 of the Act shall be made to the Director in the Form set out in the Sixth Schedule.

Application for Severance. Seventh Schedule.

9. An application for approval for Severance under section 36 of the Act shall be made to the Director in the Form set out in the Seventh Schedule.

Department may require additional documentation.

10. The Department may require any one or more of the following documents to be submitted along with an application —

(a) the conveyance in respect of the application;

(b) specifications for the construction and maintenance of any proposed road;

(c) specifications and design drawings showing grading, road reservations, access or landscaping;

(d) a key plan showing —

(i) the site location including any nearby landmark for proper site identification, existing street names, existing land uses on surrounding adjacent land and all adjacent land that is owned by the applicant;

(ii) existing contours at two feet intervals or less to show the grade and drainage of the proposed development;

(iii) existing and proposed land uses on the subject property and adjacent to the subject property;

(iv) the nature and extent of any restrictions affecting the land to be developed including restrictive covenants or easements;

(v) existing natural and artificial features such as buildings or other structures, roads, watercourses, drainage ditches, wetlands, wooded areas, environmentally sensitive areas, swamps, etc., within or adjacent to the land proposed to be developed;

(e) supporting documentation in respect of —

(i) Planning Rationale, if required;

(ii) Environmental Impact Study, if required;

(iii) Traffic Impact Analysis, if required; unless otherwise exempted by the Ministry responsible for Public Works and Transport;

(iv) Servicing Study, if required;

(v) Heritage Impact Statement, if required;

(vi) any additional supporting documentation that may be required;

(f) additional supporting documentation for a Land Use Plan Amendment applications including but not limited to a Comprehensive Development Plan, if required; and

(g) additional supporting documentation for Subdivision and Site Plan Applications, including, but not limited to —

(i) an Applicant Report as detailed in the application form;

(ii) a Stormwater Management Study, if required;

(iii) a Noise Study, if required;

(iv) an Archaeological Study, if required;

(v) a Soil/Geotechnical Study, if required; and

(vi) a Comprehensive Development Plan, if required.

Department may refuse to accept or consider application.

11. The Department may refuse to accept or consider an application that fails to —

(a) comply with these Regulations or is incomplete;

(b) have accompanied along with the application any information required by the Act or requested by the Department;

(c) have accompanied with it the prescribed fee.

Applications submitted to Committee.

12. (1) All applications made in accordance with regulations 3 to 9 shall be submitted to the Committee for consideration along with —

(a) any material as required by the Department in support of the application;

(b) a letter of authorisation signed by the property owner(s) explicitly authorising the submission of such application; and

(c) the requisite prescribed fee.

(2) All applications submitted to the Committee shall be accompanied with a report prepared by the Department in the form set out in the Eighth Schedule.

Eighth Schedule.

Application for Zoning Compliance. Ninth Schedule.

13. (1) All applications for a Notice of Zoning Compliance under section 36 of the Act shall be submitted to the Director in the form set out in Part A of the Ninth Schedule and accompanied with —

(a) the requisite prescribed fee; and

(b) any additional information requested by the Director.

(2) The Director may, based solely on the information provided in the application, issue a Notice of Zoning Compliance in the form set out in Part B of the Ninth Schedule. Ninth Schedule.

14. The fees for an application made under these Regulations are specified in the Tenth Schedule. Fees. Tenth Schedule.

FIRST SCHEDULE

(Regulation 3)

APPLICATION TO AMEND THE LAND USE PLAN

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for an amendment to the Land Use Plan. The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below). To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorised government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorised agent. Where an agent makes the application, the owner's written authorisation is required. If more than one owner owns the subject land, the authorisation of all owners is required. The authorisation must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

An amendment to the Land Use Plan does not constitute a change to the zoning of the subject property. An amendment to the Zoning Bye-law is still required if the proposal does not conform to the existing zoning. In the event that a Zoning Bye-law Amendment is required, please refer to the Zoning Bye-law Amendment application form.

COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town

Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include —

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the proposed development concept plan, if applicable, (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the proposed development concept plan, if applicable (either 8½ x 11 or 8½ x 14 format)
- One (1) copy of the proposed wording of the Land Use Plan amendment
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee (to be determined during Pre-Submission Consultation)
  - $ 1,500 for a simple Land Use Plan Amendment Application
  - $2,500 for a complex Land Use Plan Amendment Application

6. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

An additional non-refundable fee of $500 may be charged if more than one public open house or public meeting is required.

7. REFUND POLICY

A refund of an application fee will be calculated as follows —

- For application withdrawn before having been circulated 90%

- For application withdrawn after having been circulated but before public meeting 50%
- For application withdrawn after public meeting 20%
- For application withdrawn after public hearing 0%

The next page is 101

APPLICATION TO AMEND THE LAND USE PLAN

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:

To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				

The applicant is: □ Owner □ Tenant or Lessee of land □ Prospective owner	Matters relating to this application should be sent to ***(select one only):*** □ Owner □ Applicant □ Agent or Attorney-at-law
If applicant is not the owner, the owner must consent to the application: □ separate letter of author-isation attached; or □ signature at right	Owner's Signature: Date:

Has a Pre-Submission Consulation taken place with the Department of Physical Planning?

□ Yes If yes, provide date _____

□ No If no, a Pre-Submission Consultation is required prior to submission of application.

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Existing Land Use Designation in the Land Use Plan:	
Existing Zoning in the Zoning Bye-law:	

4. CURRENT, PREVIOUS AND PROPOSED USES OF THE SUBJECT LAND

Current use of the land:	
Previous and historic use of the land, if different from above:	
Proposed use of the land:	

5. PROPOSED LAND USE PLAN AMENDMENT

Describe the purpose of the proposed amendment:	
Identify the proposed designation and the proposed land uses:	
Identify the written policies, if any, to be added / deleted / changed:	
Identify the Schedule(s) in the Land Use Plan to be affected:	

6. PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type		File Number	Purpose	Status
□	Zoning Bye-law Amendment			
□	Site Plan			
□	Subdivision			
□	Severance			
□	Minor Variance			
□	Architectural Design			

7. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	□ yes □ no	□ yes □ no
Zoning Bye-law Amendment	□ yes □ no	□ yes □ no
Subdivision	□ yes □ no	□ yes □ no
Site Plan	□ yes □ no	□ yes □ no
Severance	□ yes □ no	□ yes □ no
Minor Variance	□ yes □ no	□ yes □ no
Architectural Design	□ yes □ no	□ yes □ no

8. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Consultation)	Required		Title of Report
	Yes	No	
Planning Rationale	□	□	
Environmental Impact Study (EIS)	□	□	
Traffic Impact Analysis	□	□	
Heritage Impact Statement	□	□	
Servicing Study	□	□	
Comprehensive Development Plan	□	□	
Noise Study	□	□	
Archaeological Study	□	□	
Soil/Geoteehnical Study	□	□	
Stormwater Management Study	□	□	

9. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant Date

SECOND SCHEDULE

(Regulation 4)

APPLICATION TO AMEND THE ZONING BYE-LAW

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for an amendment to the Zoning Bye-law.

The applicant is advised to approach The Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below). To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorised government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorised agent. Where an agent makes the application, the owner's written authorisation is required. If more than one owner owns the subject lands, the authorisation of all owners is required. The authorisation must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

The zoning of the subject property must conform to the Land Use Plan. If the proposed zoning does not conform to the existing Land Use Plan designation a Land Use Plan Amendment application must first be submitted.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include —

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the proposed development concept plan, if applicable, (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the proposed development concept plan, if applicable (either 8½ x 11 or 8½ x 14 format)
- One (1) copy of the proposed wording of the Zoning Bye-law amendment
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee (to be determined during Pre-Submission Consultation) —
  - □ $1,500.00 for a simple Zoning Bye-law Amendment Application
  - □ $2,500.00 for a complex Zoning Bye-law Amendment Application

6. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

An additional non-refundable fee of $500 may be charged if more than one public open house or public meeting is required.

7. REFUND POLICY

A refund of an application fee will be calculated as follows —

- For application withdrawn before having been circulated 90%
- For application withdrawn after having been circulated but before public hearing; 50%
- For application withdrawn after public hearing 0%

APPLICATION TO AMEND THE ZONING BYE-LAW

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:

To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				

The applicant is: □ Owner □ Tenant or Lessee of land □ Prospective owner	Matters relating to this application should be sent to ***(select one only):*** □ Owner □ Applicant □ Agent or Attorney-at-law
If applicant is not the owner, the owner must consent to the application: □ separate letter of author-isation attached; or □ signature at right	Owner's Signature: Date:
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? □ Yes If yes, provide date _____ □ No If no, a Pre-Submission Consultation is required prior to submission of application.	

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Existing Land Use Designation in the Land Use Plan:	
Existing Zoning in the Zoning Bye-law:	

4. CURRENT, PREVIOUS AND PROPOSED USES OF THE SUBJECT LAND

Current use of the land:	
Previous and historic use of the land, if different from above:	
Proposed use of the land:	

5. PROPOSED LAND ZONING BYE-LAW AMENDMENT

Describe the purpose of the proposed amendment:	
Identify the proposed zoning and the proposed land uses:	
Identify any zoning standards, to be added / deleted / changed:	

6. PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type		File Number	Purpose	Status
□	Land Use Plan Amendment			
□	Subdivision			
□	Site Plan			
□	Severance			
□	Minor Variance			
□	Architectural Design			

7. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	□ yes □ no	□ yes □ no
Zoning Bye-law Amendment	□ yes □ no	□ yes □ no
Subdivision	□ yes □ no	□ yes □ no
Site Plan	□ yes □ no	□ yes □ no
Severance	□ yes □ no	□ yes □ no
Minor Variance	□ yes □ no	□ yes □ no
Architectural Design	□ yes □ no	□ yes □ no

8. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Consultation)	Required		Title of Report
	Yes	No	
Planning Rationale	□	□	
Environmental Impact Study (EIS)	□	□	
Traffic Impact Analysis	□	□	
Heritage Impact Statement	□	□	
Servicing Study	□	□	
Comprehensive Development Plan	□	□	
Noise Study	□	□	
Archaeological Study	□	□	
Soil/Geotechnical Study	□	□	
Stormwater Management Study	□	□	

9. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant Date

THIRD SCHEDULE

(Regulation 5)

APPLICATION FOR MINOR VARIANCE APPROVAL

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for a variance of a minor nature from the regulations of the Zoning Bye-law. The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below).

To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorised government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorised agent. Where an agent makes the application, the owner's written authorisation is required. If more than one owner owns the subject lands, the authorisation of all owners is required. The authorisation must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of a scaled survey sketch (see note below) showing the proposed minor variance(s) (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the survey sketch (either 8½ x 11 or 8½ x 14 format)
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee —
  - □ $250 for residential
  - □ $500 for non-residential

6. NOTE – SCALED SURVEY SKETCH

The following information is required to be shown on the scaled survey sketch —

- A north arrow and scale
- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land
- The boundaries and dimensions of the subject land showing the proposed minor variance(s)
- The location of all natural and artificial features (i.e. buildings, roads, watercourses, drainage ditches, wet-lands, wooded areas, wells, septic tanks) located on or adjacent to the subject land, including those that may not abut the subject land but that may affect the application
- The current use(s) of the subject property and land adjacent to the subject land (i.e. residential, agricultural, commercial, industrial, etc.)
- The location, width and name of any roads within or abutting the subject land, indicating whether it is a public or private road
- If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used, and
- The location and nature of any easements or rights-of-way and any restrictive covenants affecting the subject land.

7. REFUND POLICY

A refund of an application fee will be calculated as follows —

- For application withdrawn before having been circulated 90%
- For application withdrawn after having been circulated but before public hearing; 50%
- For application withdrawn after public hearing 0%

APPLICATION FOR MINOR VARIANCE APPROVAL

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:

To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				

The applicant is: □ Owner □ Tenant or Lessee of land □ Prospective owner	Matters relating to this application should be sent to ***(select one only):*** □ Owner □ Applicant □ Agent or Attorney-at-law
If applicant is not the owner, the owner must consent to the application: □ separate letter of author-isation attached; or □ signature at right	Owner's Signature: Date:
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? □ Yes If yes, provide date _____ □ No If no, a Pre-Submission Consultation is required prior to submission of application.	

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Status	Existing	Amendment Required?
Land Use Designation in the Land Use Plan		□ Yes □ No
Zoning in the Zoning Bye-law:		□ Yes □ No
If required, submit amendment applications prior to minor variance application		
Is land within area defined in the First Schedule of the Planning and Subdivision Act?	□ Yes □ No	
Are there any easements, restrictive covenants or rights-of-way affecting the land? If yes, explain.	□ Yes □ No	
Are there any wetlands on the property as designnated in the Land Use Plan?	□ Yes □ No	
List any approvals or permits previously issued for the property.		

4. CURRENT, PREVIOUS AND PROPOSED USES OF THE SUBJECT LAND

Current use of the land:			
Previous and historic use of the land, if different from above:			
Are there any existing buildings or structures on the land?	□ Yes □ No	If yes, are they to be demolished?	□ Yes □ No
Does the land contain any areas of archaeological potential?	□ Yes □ No	If yes, provide an archaeological assessment and a conservation plan for such resources	
Proposed use of the land:			

5. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type		File Number	Purpose	Status
□	Land Use Plan Amendment			
□	Zoning Bye-law Amendment			
□	Subdivision			
□	Severance			
□	Site Plan			
□	Architectural Design			

6. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	□ yes □ no	□ yes □ no
Zoning Bye-law Amendment	□ yes □ no	□ yes □ no
Subdivision	□ yes □ no	□ yes □ no
Site Plan	□ yes □ no	□ yes □ no
Severance	□ yes □ no	□ yes □ no
Minor Variance	□ yes □ no	□ yes □ no
Architectural Design	□ yes □ no	□ yes □ no

7. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Consultation)	Required		Title of Report
	Yes	No	
Planning Rationale	□	□	
Environmental Impact Study (EIS)	□	□	
Traffic Impact Analysis	□	□	
Heritage Impact Statement	□	□	
Servicing Study	□	□	
Comprehensive Development Plan	□	□	
Noise Study	□	□	
Archaeological Study	□	□	
Soil/Geotechnical Study	□	□	
Stormwater Management Study	□	□	

8. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant Date

FOURTH SCHEDULE

(Regulation 6)

APPLICATION FOR SITE PLAN

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for Site Plan Approval.

The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below.) To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorised government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorised agent. Where an agent makes the application, the owner's written authorisation is required. If more than one owner owns the subject lands, the authorisation of all owners is required. The authorisation must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other

agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the proposed site plan (folded to either 8½ x 11 or 8½ x 14 format)

- One (1) reduced copy of the proposed site plan (either 8½ x 11 or 8½ x 14 format)
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee (To be determined during Pre-Submission Consultation) —
  - □ $1,500 for simple Site Plan Application
  - □ $2,500 for complex Site Plan Application PLUS $200 per unit
  - □ $500 for an amendment to a Site Plan Application

6. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

7. REFUND POLICY

A refund of an application fee will be calculated as follows —

- For application withdrawn before having been circulated 90%
- For application withdrawn after having been circulated but before public hearing; 50%
- For application withdrawn after public hearing 0%

APPLICATION FOR SITE PLAN APPROVAL

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:

To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				

The applicant is: □ Owner □ Tenant or Lessee of land □ Prospective owner	Matters relating to this application should be sent to ***(select one only):*** □ Owner □ Applicant □ Agent or Attorney-at-law
If applicant is not the owner, the owner must consent to the application: □ separate letter of author-isation attached; or □ signature at right	Owner's Signature: Date:
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? □ Yes If yes, provide date _____ □ No If no, a Pre-Submission Consultation is required prior to submission of application.	

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Status	Existing	Amendment Required?
Land Use Designation in the Land Use Plan		□ Yes □ No
Zoning in the Zoning Bye-law:		□ Yes □ No
If required, submit amendment applications prior to site plan application		
Is property within area defined in the First Schedule of the Planning and Subdivision Act?	□ Yes (Architectural Design Approval required) □ No	
Are there any easements, restrictive covenants or rights-of-way affecting the land? If yes, explain.	□ Yes □ No	
Are there any wetlands on the property as designnated in the Land Use Plan?	□ Yes □ No	
List any approvals or permits previously issued for the property.		

4. CURRENT, PREVIOUS AND PROPOSED USES OF THE SUBJECT LAND

Current use of the land:			
Previous and historic use of the land, if different from above:			
Are there any existing buildings or structures on the land?	□ Yes □ No	If yes, are they to be demolished?	□ Yes □ No
Does the land contain any areas of archaeological potential?	□ Yes □ No	If yes, provide an archaeological assessment and a conservation plan for such resources	
Proposed use of the land:			

5. PROPOSED SITE PLAN

Describe the purpose of the proposed site plan and use of proposed/ existing buildings	
If proposed plan is for a new building, state total floor space	_____ sq. ft.
If proposed plan is for an addition, state: □ existing floor space □ proposed floor space □ total floor space	 _____ sq. ft. _____ sq. ft. _____ sq. ft.

6. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type		File Number	Purpose	Status
□	Land Use Plan amendment			
□	Zoning Bye-law Amendment			
□	Subdivision			
□	Severance			
□	Minor Variance			
□	Architectural Design			

7. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	□ yes □ no	□ yes □ no
Zoning Bye-law Amendment	□ yes □ no	□ yes □ no
Subdivision	□ yes □ no	□ yes □ no
Site Plan	□ yes □ no	□ yes □ no
Severance	□ yes □ no	□ yes □ no
Minor Variance	□ yes □ no	□ yes □ no
Architectural Design	□ yes □ no	□ yes □ no

8. SERVICING

Select the sewage disposal and water supply servicing type from the tables below. If applicable, attach servicing information / report(s) to application.

Sewage Disposal

Name of attached servicing information / report: _____

Service Type		
Piped sewage system		□ existing □ proposed
Private communal wastewater system		□ existing □ proposed
Private individual septic system(s)		□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed

Water Supply

Name of attached servicing information / report: _____

Service Type		
Piped water system		□ existing □ proposed
Private communal well(s)		□ existing □ proposed
Private individual well(s)		□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed

9. STORM DRAINAGE

Select the stormwater drainage servicing type from the table below. If applicable, attach stormwater information / report(s) to application.

Name of attached drainage information / report: _____

Service Type		
Sewers		□ existing □ proposed
Ditches or swales		□ existing □ proposed
Stormwater Management Pond		□ existing □ proposed
Infiltration trenches		□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed

10. ACCESS ROADS

Name of the access road(s): _____

Access Type		
Controlled Access Highway		□ existing □ proposed
Public road		□ existing □ proposed
Private road		□ existing □ proposed
Private gated road		□ existing □ proposed
Other access type: *(specify)*		□ existing □ proposed

11. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Consultation)	Required		Title of Report
	Yes	No	
Planning Rationale	□	□	
Environmental Impact Study (EIS)	□	□	
Traffic Impact Analysis	□	□	

Heritage Impact Statement	□	□	
Servicing Study	□	□	
Comprehensive Development Plan	□	□	
Noise Study	□	□	
Archaeological Study	□	□	
Soil/Geotechnical Study	□	□	
Stormwater Management Study	□	□	

12. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant Date

FIFTH SCHEDULE

(Regulation 1)

APPLICATION FOR
ARCHITECTURAL DESIGN APPROVAL

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to apply for Architectural Design Approval.

The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below.)

To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorised government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorised agent. Where an agent makes the application, the

owner's written authorisation is required. If more than one owner owns the subject lands, the authorisation of all owners is required. The authorisation must acknowledge that (he owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the proposed Architectural Design drawings (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the proposed Architectural Design drawings (either 8½ x 11 or 8½ x 14 format)
- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee (To be determined during Pre-Submission Consultation) —
  - □ $250 for simple Architectural Design Application
  - □ $500 for complex Architectural Design Application
  - □ $100 for an amendment to an Architectural Design Application

6. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

7. REFUND POLICY

A refund of an application fee will be calculated as follows —

- For application withdrawn before having been circulated 90%
- For application withdrawn after having been circulated but before public hearing; 50%
- For application withdrawn after public hearing 0%

APPLICATION FOR
ARCHITECTURAL DESIGN APPROVAL

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:

To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				

The applicant is: □ Owner □ Tenant or Lessee of land □ Prospective owner	Matters relating to this application should be sent to ***(select one only):*** □ Owner □ Applicant □ Agent or Attorney-at-law
If applicant is not the owner, the owner must consent to the application: □ separate letter of author-isation attached; or □ signature at right	Owner's Signature: Date:
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? □ Yes If yes, provide date _____ □ No If no, a Pre-Submission Consultation is required prior to submission of application.	

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Status	Existing	Amendment Required?
Land Use Designation in the Land Use Plan		□ Yes □ No
Zoning in the Zoning Bye-law:		□ Yes □ No
If required, submit amendment applications prior to Architechural Design application		
Is property within area defined in the First Schedule of the Planning and Subdivision Act?	□ Yes Architectural Design Approval required □ No	
Are existing buildings considered monuments under the Antiquities, Monuments and Museum Act?	□ Yes □ No	
Are there any easements, restrictive covenants or rights-of-way affecting the land? If yes, explain.	□ Yes □ No	
Are there any wetlands on the property as designnated in the Land Use Plan?	□ Yes □ No	
List any approvals or permits previously issued for the property.		

4. CURRENT AND PREVIOUS USES OF THE SUBJECT LAND

Current use of the land:			
Previous and historic use of the land, if different from above:			
Are there any existing buildings or structures on the land?	□ Yes □ No	If yes, are they to be demolished?	□ Yes □ No
Does the land contain any areas of archaeological potential?	□ Yes □ No	If yes, provide an archaeological assessment and a conservation plan for such resources	

5. PROPOSED ARCHITECTURAL DESIGN

Describe the purpose of the proposed Architectural Design and use of proposed buildings	
If proposed plan is for a new building, state total floor space	_____ sq. ft.
If proposed plan is for an addition, state: □ existing floor space □ proposed floor space □ total floor space	 _____ sq. ft. _____ sq. ft. _____ sq. ft.

6. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type		File Number	Purpose	Status
□	Land Use Plan Amendment			
□	Zoning Bye-law Amendment			
□	Subdivision			
□	Severance			
□	Minor Variance			
□	Site Plan			

7. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	□ yes □ no	□ yes □ no
Zoning Bye-law Amendment	□ yes □ no	□ yes □ no
Subdivision	□ yes □ no	□ yes □ no
Site Plan	□ yes □ no	□ yes □ no
Severance	□ yes □ no	□ yes □ no
Minor Variance	□ yes □ no	□ yes □ no
Architectural Design	□ yes □ no	□ yes □ no

8. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Con-sultation)	Required		Title of Report
	Yes	No	
Planning Rationale	□	□	
Environmental Impact Study (EIS)	□	□	
Traffic Impact Analysis	□	□	
Heritage Impact Statement	□	□	
Servicing Study	□	□	
Comprehensive Development Plan	□	□	
Noise Study	□	□	
Archaeological Study	□	□	
Soil/Geotechnical Study	□	□	
Stormwater Management Study	□	□	

9. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant Date

SIXTH SCHEDULE

(Regulation 8)

APPLICATION FOR SUBDIVISION APPROVAL

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to subdivide land by way of subdivision approval (for subdividing more than four new lots from an existing lot).

The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below.)

To avoid delay, it is important to provide complete and accurate information.

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorised government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorised agent. Where an agent makes the application, the owner's written authorisation is required. If more than one owner owns the subject lands, the authorisation of all owners is required. The authorization must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to

arrange a Pre-Submission Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) copy of documentary proof of ownership of the tract of land which is to comprise the subdivision
- One (1) original and ten (10) copies of the application form
- Ten (10) copies of the scaled and dimensioned subdivision plan (showing title block, north arrow and scale, the siting of all proposed roads and street names, all proposed lots and blocks, grading and all items prescribed in Section 4 of the Planning and Subdivision (Application Requirements) Regulation of the Planning and Subdivision Act) (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the scaled subdivision plan (either 8½ x 11 or 8½ x 14 format)

- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- Ten (10) copies of the Applicant Report, as outlined below
- The application fee of (to be determined during Pre-Submission Consultation) —
  - □ $250 for simple Architectural Design Application
  - □ $500 PLUS $100 per/1,000 sq. ft. of net residential acre
  - □ $500 for an amendment to a Subdivision Application requiring full recirculation
  - □ $250 for an amendment to a Subdivision Application not requiring full recirculation

6. SUBDIVISION PLAN

The following information is required to be shown on the subdivision plan.

- A north arrow and scale
- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land
- The boundaries and dimensions of the subject land showing all proposed lots
- The location of all natural and artificial features (i.e. buildings, roads, watercourses, drainage ditches, wetlands, wooded areas, wells, septic tanks, etc.) located on or adjacent to the subject land, including those that may not abut the subject land but that may affect the application
- The current use(s) of the subject property and land adjacent to the subject land (i.e. residential, agricultural, commercial, industrial, etc.)
- The location, width and name of any roads within or abutting the subject land, indicating whether it is a public or private road
- The siting of all proposed roads with proposed street names
- Existing and proposed grading
- If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used, and

- The location and nature of any easements or rights-of-way and any restrictive covenants affecting the subject land.

7. APPLICANT REPORT

All Subdivision Applications must be accompanied by ten (10) copies of an Applicant Report which is to include the following —

Introduction - A general discussion of the subject area that is under consideration and any pertinent background information.

General Description - A legal description of the property including location, size and physical features.

Conformity - A discussion on conformity of the proposed subdivision with the Land Use Plan and the Zoning Bye-law.

The Concept - A brief description of the road pattern with regard to traffic flow on existing roads and on internal streets, and a description of existing or planned community developments and facilities in the service area of the proposed subdivision.

Site Development - A description of the elements in the plan such as walkways / parkland network, utilization of watercourses, area grading, and treatment of low lying wetlands.

Land Use Pattern - A discussion of proposed densities, location of housing types, commercial facilities, schools, parks, etc., and the relationship of these land uses to the natural features of the site. A discussion of existing buildings or structures on the site, and if any, those intended for demolition or retention, including a review of any heritage impact.

Statistical Analysis - A calculation of density ranges, service and commercial facilities, schools, parks and open spaces, churches, major roads, community centres, etc., with sizes noted and percentage of land proposed for each use. This analysis will assist in determining school and servicing requirements and overall population densities.

Utilities and Engineering - A discussion of sanitary sewers or sewage disposal, water supply/distribution, lands below identified flood lines, drainage and storm water management, watershed study and

electricity and telephone servicing. (This information will be of a preliminary nature but will indicate an awareness of conditions to be resolved.)

Boundary Conditions - A discussion of existing land use and environmental conditions at least 100 feet beyond the subject area. Such a discussion shall be sufficiently thorough to ensure that no impediment is caused by the proposed development on any adjacent lands.

Staging and Phasing of Development - An estimate should be included as to phasing (if any) and timing of development.

Noise Impacts - A discussion of how the plan has been designed to address impacts from any nearby road or other noise sources and mitigation techniques, if any, to be implemented.

Odour Impacts - A discussion of how the plan has been designed to address impacts from any existing or proposed odour sources in the vicinity of the subject site and mitigation techniques, if any, to be implemented.

8. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

9. REFUND POLICY

A refund of an application fee will be calculated as follows —

- For application withdrawn before having been circulated 90%
- For application withdrawn after having been circulated but before public hearing; 50%
- For application withdrawn after public hearing 0%

APPLICATION FOR
SUBDIVISION APPROVAL

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:

To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				

The applicant is: □ Owner □ Tenant or Lessee of land □ Prospective owner	Matters relating to this application should be sent to ***(select one only):*** □ Owner □ Applicant □ Agent or Attorney-at-law
If applicant is not the owner, the owner must consent to the application: □ separate letter of author-isation attached; or □ signature at right	Owner's Signature: Date:
Has a Pre-Submission Consultation taken place with the Department of Physical Planning? □ Yes If yes, provide date _____ □ No If no, a Pre-Submission Consultation is required prior to submission of application.	

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Status	Existing	Amendment Required?
Land Use Designation in the Land Use Plan		□ Yes □ No
Zoning designation in the Zoning Bye-law:		□ Yes □ No
If required, submit amendment applications prior to Subdivision application		
Is property within area defined in the First Schedule of the Planning and Subdivision Act?	□ Yes Architectural Design Approval required □ No	
Are there any easements, restrictive covenants or rights-of-way affecting the land? If yes, explain.	□ Yes □ No	
Are there any wetlands on the property as designnated in the Land Use Plan?	□ Yes □ No	
List any approvals or permits previously issued for the property.		

4. CURRENT AND PREVIOUS USES OF THE SUBJECT LAND

Current use of the land:			
Previous and historic use of the land, if different from above:			
Are Uiere any existing buildings or structures on the land?	□ Yes □ No	If yes, are they to be demolished?	□ Yes □ No
Does the land contain any areas of archaeological potential?	□ Yes □ No	If yes, provide an archaeological assessment and a conservation plan for such resources	

5. PROPOSED USE OF THE SUBJECT LAND

Proposed use of the land	Number of Units	Lot Number on Plan	Area in Acres	Density (units/ acre)	Number of parking spaces
Residential — Single Detached					n/a
Residential - Semi Detached					n/a
Residential - Duplex					
Residential - Triplex					
Residential - Townhouse					
Residential - Apartment					
Commercial				n/a	
Industrial				n/a	
Parkland	n/a			n/a	n/a
Open Space (wetlands, etc.)	n/a			n/a	n/a
Stormwater Management	n/a			n/a	n/a
Institutional (Church, school, etc.)				n/a	
Roads	n/a			n/a	n/a
Other (specify)					
Other (specify)					
TOTAL				n/a	
Total Number of Residential Lots					

6. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type		File Number	Purpose	Status
□	Land Use Plan Amendment			
□	Zoning Bye-law Amendment			
□	Severance			
□	Minor Variance			
□	Site Plan			
□	Architectural Design			

7. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	□ yes □ no	□ yes □ no
Zoning Bye-law Amendment	□ yes □ no	□ yes □ no
Subdivision	□ yes □ no	□ yes □ no
Site Plan	□ yes □ no	□ yes □ no
Severance	□ yes □ no	□ yes □ no
Minor Variance	□ yes □ no	□ yes □ no
Architectural Design	□ yes □ no	□ yes □ no

8. SERVICING

Submit plans and specifications for the provision of electricity servicing, electricity substation, water supply, sanitary sewers or substations or septic systems, telephone or any other utility or facility required.

Select the sewage disposal and water supply servicing type from the tables below. If applicable, attach servicing information / report(s) to application.

Sewage Disposal

Name of attached servicing information / report(s): _____

Service Type		Severed Land	Retained Land
Piped sewage system		□ existing □ proposed	□ existing □ proposed
Private communal wastewater system		□ existing □ proposed	□ existing □ proposed
Private individual septic system(s)		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	□ existing □ proposed

Water Supply

Name of attached servicing information / report(s): _____

Service Type		Severed Land	Retained Land
Piped sewage system		□ existing □ proposed	□ existing □ proposed
Private communal well(s)		□ existing □ proposed	□ existing □ proposed
Private individual well(s)		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	□ existing □ proposed

9. STORM DRAINAGE

A preliminary stormwater drainage report is required for all types of storm drainage.

Select the stormwater drainage servicing type from the table below. If applicable, attach stormwater information / report(s) to application.

Name of attached drainage information / report(s):_____

Service Type		Severed Land	Retained Land
Sewers		□ existing □ proposed	□ existing □ proposed
Ditches or swales		□ existing □ proposed	□ existing □ proposed
Stormwater Management Pond		□ existing □ proposed	□ existing □ proposed
Infiltration trenches		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	

10. ACCESS ROADS

Name of the access road(s): _____

Access Type		Severed Land	Retained Land
Controlled Access Highway		□ existing □ proposed	□ existing □ proposed
Public road		□ existing □ proposed	□ existing □ proposed
Private road		□ existing □ proposed	□ existing □ proposed
Private gated road		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	□ existing □ proposed

11. SUPPORTING DOCUMENTATION

During the Pre-Submission Consultation the required reports and studies would have been identified. Use the following checklist to ensure that the required number of reports or studies form part of the application submission.

Documentation Type (determined during Pre-Submission Consultation)	Required		Title of Report
	Yes	No	
Applicant Report (as detailed in section 8 of this application form)	□	□	
Planning Rationale	□	□	
Environmental Impact Study (EIS)	□	□	
Traffic Impact Analysis	□	□	
Heritage Impact Statement	□	□	
Servicing Study	□	□	
Comprehensive Development Plan	□	□	
Noise Study	□	□	
Archaeological Study	□	□	
Soil/Geotechnical Study	□	□	
Stormwater Management Study	□	□	

12. DECLARATION OF OWNER(S)

I hereby agree that all studies submitted in support of this application may be made available for public review.

Pursuant to section 49(2) of the Planning and Subdivision Act, 1 hereby acknowledge the intent and meaning of section 49(1) of the Planning and Subdivision Act which prohibits the sale or conveyance of any lot in a subdivision that has not received Subdivision Approval by the Town Planning Committee in accordance widi die provisions of the Act. I further agree to not sell or convey any lot in the subdivision unless and until it receives Subdivision Approval. I acknowledge my understanding of that Preliminary Support of Application is not Subdivision Approval.

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

Signature of Owner or Applicant Date

SEVENTH SCHEDULE

(Regulation 9)

APPLICATION FOR
SEVERANCE APPROVAL

1. NOTE TO APPLICANT

This application form is to be used by persons or public bodies wishing to subdivide land by way of severance approval (for severing not more than four new lots from an existing lot, adding land to an existing lot, lot line adjustments, rights-of-ways or easements) (development is not of a scale requiring subdivision approval).

The applicant is advised to approach the Department of Physical Planning for information prior to submitting a formal application. (Please note Pre-Submission Consultation requirement below.)

To avoid delay, it is important to provide complete and accurate information,

In this form, the term "subject land" refers to the land that is the subject of the application.

Submission of this application constitutes consent for authorised government staff to inspect the subject lands.

The application must be completed by the owner or the owner's authorised agent. Where an agent makes the application, the owner's written authorisation is required. If more than one owner owns the subject lands, the authorisation of all owners is required. The authorisation must acknowledge that the owner has knowledge of and does not object to the making of the application.

Sufficient studies for the completion of the application should be carried out prior to submission and should be included with the application.

2. COMPLETE APPLICATION

This application form requires information (i.e. technical information or reports) that will assist the Government and other agencies in the planning evaluation of the application. To ensure a prompt and complete review, all information must be included at the time of the submission of the application. In the absence of this information, the application is considered incomplete and will not be processed until all required information and material is submitted.

3. PRE-SUBMISSION CONSULTATION

A Pre-Submission Consultation with the Department of Physical Planning staff is a requirement for the submission of an application. Applicants are advised to contact the Department to arrange a Pre-Submisston Consultation Meeting prior to submitting the application.

The consultation allows for a review of the proposed application with Department staff. The consultation will assist in determining technical and submission requirements and any additional materials (i.e. reports or studies) that must accompany the application. In the event that an Environmental Impact Study is required the consultation will serve to establish the Terms of Reference and outline the process.

4. DEVELOPMENT APPLICATION SIGN

The Applicant will supply the Department of Physical Planning with a Development Application Sign(s). The applicant shall erect such sign(s) in accordance with the size, content and quality directed by the Department of Physical Planning in the following manner —

- Along the street frontage of the property with one sign per frontage
- As near to the street line as feasible
- At least three feet above grade and parallel to and facing the street
- Not attached or nailed to trees

A Development Application Sign(s) shall remain in place until the application is considered and determined by the Town Planning Committee. It is the responsibility of the applicant to remove the sign(s) thereafter.

5. SUBMISSION REQUIREMENTS

All submissions to be submitted to the Department of Physical Planning, Ministry of the Environment, Dockendale House, West Bay Street, P.O. Box N-1611, Nassau, Bahamas and to include:

- One (1) original and ten (10) copies of the application form
- Ten (10) copies of a scaled survey sketch (see note below) showing the severance line(s) (folded to either 8½ x 11 or 8½ x 14 format)
- One (1) reduced copy of the scaled survey sketch (either 8½ x 11 or 8½ x 14 format)

- Six (6) copies of any supporting documentation or technical or information reports, as required by staff in the Pre-Submission Consultation
- The application fee of $2,000

6. NOTE – Scaled Survey Sketch

The following information is required to be shown on the scaled survey sketch:

- A north arrow and scale
- The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land
- The boundaries and dimensions of the subject land showing all proposed lots
- The location of all natural and artificial features (i.e. buildings, roads, watercourses, drainage ditches, wet-lands, wooded areas, wells, septic tanks, etc.) located on or adjacent to the subject land, including those that may not abut the subject land but that may affect the application
- The current use(s) of the subject property and land adjacent to the subject land (i.e. residential, agricultural, commercial, industrial, etc.)
- The location, width and name of any roads within or abutting the subject land, indicating whether it Is a public or private road
- If access to the subject land will be by water only, the location of the parking and boat docking facilities to be used, and
- The location and nature of any easements or rights-of-way and any restrictive covenants affecting the subject land.

7. OTHER FEES

The applicant may be responsible for the cost of third party reviews of supporting studies, if required. This requirement applies to matters such as, but not limited to, the review of traffic, servicing, environmental, noise, and engineering reports, etc. In all cases the Department of Physical Planning will notify the applicant to seek approval and payment before proceeding to a third party review of supporting studies.

8. REFUND POLICY

A refund of an application fee will be calculated as follows —

- For application withdrawn before having been circulated 90%
- For application withdrawn after having been circulated but before public hearing; 50%
- For application withdrawn after public hearing 0%

APPLICATION FOR
SEVERANCE APPROVAL

(For Government Use Only)

File Number:	Date of Receipt:	Date of Complete Application:

To: Director of Physical Planning

1. OWNER/APPLICANT/AGENT

PLEASE PRINT	Mailing Address	Telephone Number	E-mail Address	Facsimile number
Owner:				
Applicant:				
Agent or Attorney-at-law				

The applicant is: □ Owner □ Tenant or Lessee of land □ Prospective owner	Matters relating to this application should be sent to ***(select one only):*** □ Owner □ Applicant □ Agent or Attorney-at-law
If applicant is not the owner, the owner must consent to the application: □ separate letter of author-isation attached; or □ signature at right	Owner's Signature: Date:

Has a Pre-Submission Consultation taken place with the Department of Physical Planning?

□ Yes If yes, provide date _____

□ No If no, a Pre-Submission Consultation is required prior to submission of application.

2. SUBJECT LAND

Location:			
Address:		Closest intersection and directions to land	
Description:			
Frontage (sq. ft.)	Acres (sq. ft.)	Average Depth (ft.)	Average Width (ft.)

3. CURRENT PLANNING STATUS

Status	Existing	Amendment Required?
Land Use Designation in the Land Use Plan		□ Yes □ No
Zoning in the Zoning Bye-law:		□ Yes □ No
If required, submit amendment applications prior to minor variance application		
Is property within area defined in the First Schedule of the Planning and Subdivision Act?	□ Yes Architectural Design Approval required □ No	
Are there any easements, restrictive covenants or rights-of-way affecting the land? If yes, explain.	□ Yes □ No	
Are there any wetlands on the property as designnated in the Land Use Plan?	□ Yes □ No	
List any approvals or permits previously issued for the property.		

4. DETAILS OF LAND

	Land to be Severed	Land to be Retained
Frontage		
Depth		
Area		
Existing Use		
Proposed use		
Previous and historic use of the land, if different from above:		
Are there any existing buildings or structures on the land?	□ Yes □ No	□ Yes □ No
If yes, are they to be demolished?	□ Yes □ No	□ Yes □ No
Does the land contain any areas of archaeological potential?	□ Yes □ No	□ Yes □ No
If yes, provide an archaeological assessment and a conservation plan for such resources		
Type and purpose of severance	□ Division of land (*specify: new lot, addition to lot*) □ Other (*specify: mortgage, lease, easement, right-of-way*)	□ Division of land (*specify: new lot, addition to lot*) □ Other (*specify: mortgage, lease, easement, right-of-way*)

5. SERVICING

Select the sewage disposal and water supply servicing type from the tables below. If applicable, attach servicing information / report(s) to application.

Sewage Disposal

Name of attached servicing information / report(s): _____

Service Type		Severed Land	Retained Land
Piped sewage system		□ existing □ proposed	□ existing □ proposed
Private communal wastewater system		□ existing □ proposed	□ existing □ proposed
Private individual septic system(s)		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	□ existing □ proposed

Water Supply

Name of attached servicing information / report(s): _____

Service Type		Severed Land	Retained Land
Piped water system		□ existing □ proposed	□ existing □ proposed
Private communal well(s)		□ existing □ proposed	□ existing □ proposed
Private individual well(s)		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	□ existing □ proposed

6. STORM DRAINAGE

Select the stormwater drainage servicing type from the table below. If applicable, attach stormwater information / rcport(s) to application.

Name of attached drainage information / report(s): _____

Service Type		Severed Land	Retained Land
Sewers		□ existing □ proposed	□ existing □ proposed
Ditches or swales		□ existing □ proposed	□ existing □ proposed
Stormwater Management Pond		□ existing □ proposed	□ existing □ proposed
Infiltration trenches		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	□ existing □ proposed

7. ACCESS ROADS

Name of the access road(s): _____

Access Type		Severed Land	Retained Land
Controlled Access Highway		□ existing □ proposed	□ existing □ proposed
Public road		□ existing □ proposed	□ existing □ proposed
Private road		□ existing □ proposed	□ existing □ proposed
Private gated road		□ existing □ proposed	□ existing □ proposed
Other system: *(specify)*		□ existing □ proposed	□ existing □ proposed

8. OTHER PLANNING APPLICATIONS OR APPROVALS REQUIRED

Application Type		File Number	Land Affected	Purpose	Status
□	Land Use Plan Amendment		□ severed □ retained		
□	Zoning Bye-law Amendment		□ severed □ retained		
□	Subdivision		□ severed □ retained		
□	Site Plan		□ severed □ retained		
□	Minor Variance		□ severed □ retained		
□	Architectural Designation		□ severed □ retained		

9. PREVIOUS APPLICATIONS OR APPROVALS

Has a previous application for approval ever been submitted for the subject lands?

Application Type	Applied for (if yes, indicate file #)	Approved (if yes, indicate file #)
Land Use Plan Amendment	□ yes □ no	□ yes □ no
Zoning Bye-law Amendment	□ yes □ no	□ yes □ no
Subdivision	□ yes □ no	□ yes □ no
Site Plan	□ yes □ no	□ yes □ no
Severance	□ yes □ no	□ yes □ no
Minor Variance	□ yes □ no	□ yes □ no
Architectural Design	□ yes □ no	□ yes □ no

10. SUPPORTING DOCUMENTATION

Documentation Type (determined during Pre-Submission Consultation)	Required		Title of Report
	Yes	No	
Planning Rationale	□	□	
Environmental Impact Study (EIS)	□	□	
Traffic Impact Analysis	□	□	
Heritage Impact Statement	□	□	
Servicing Study	□	□	
Comprehensive Development Plan	□	□	
Noise Study	□	□	
Archaeological Study	□	□	
Soil/Geotechnical Study	□	□	
Stormwater Management Study	□	□	

11. DECLARATION OF OWNER OR APPLICANT

I hereby declare that the information contained in this application is true and correct and I hereby agree to permit access by relevant persons to the subject property.

I hereby agree that all studies submitted in support of this application may be made available for public review.

Signature of Owner or Applicant Date

EIGHTH SCHEDULE

(Regulation 12)

DEPARTMENT OF PHYSICAL PLANNING

PLANNING REPORT

REPORT TO:	Town Planning Committee		
SUBMITTED BY:	Director of Physical Planning		
MEETING DATE:			
DISTRICT:			
PROPERTY ADDRESS:			
APPLICANT:			
APPLICANT TYPE:		File #	

RECOMMENDATION:
EXECUTIVE SUMMARY:
BACKGROUND:
PROPOSAL:
SURROUNDING LAND USES:
LAND USE PLAN:
ZONING BYE-LAW:
COMMENTS RECEIVED FROM AGENCIES:
DISCUSSION:
CONCLUSION:

_____

Director of Physical Planning

_____

Planner

NINTH SCHEDULE

(Regulation 13)

PART A

APPLICATION FOR ZONING COMPLIANCE

NAME OF APPLICANT:_____

DATE: _____

ADDRESS:_____

TELEPHONE: _____

E-MAIL ADDRESS: _____

ISLAND/DISTRICT:	
PROPERTY ADDRESS:	
OWNER:	
EXISTING USE:	
PROPOSED USE:	

I, _____ , certify that the uses identified above are the true, complete and accurate uses of the subject property.

_____

Signature of owner

Required Fee: $100.00 per property. Please make cheque payable to the 'Treasurer, Government of The Bahamas'.

NOTE: Incomplete Applications May Be Returned.

PART B

NOTICE OF ZONING COMPLIANCE

DATE:	
ISLAND/DISTRICT:	
PROPERTY ADDRESS:	
OWNER:	
EXISTING USE*:	
PROPOSED USE*:	
EXISTING # OF UNITS:	

The Department of Physical Planning has undertaken a review of the Land Use Plan and Zoning Bye-law to determine that the above referenced property is compliant as noted below:

EXISTING USE*:

	Compliant	Not Compliant
LAND USE PLAN	□	□
ZONING BYE-LAW	□	□

PROPOSED USE*:

	Compliant	Not Compliant
LAND USE PLAN	□	□
ZONING BYE-LAW	□	□

Authorized by:

_____ _____

Director of Physical Planning Planner

*** The issuance of this Notice is based solely on the information provded by the applicant.**

TENTH SCHEDULE

(Regulation 14)

FEES

The following fees are hereby established for applications submitted under the Planning and Subdivision Act —

1.	Fee for Land Use Plan Amendment	$1,500 for a simple application
	Application (determined during Pre-Submission Consultation)	$2,500 for a complex application
2.	Fee for Zoning Bye-law Amendment Application (determined during Pre-Submission Consultation)	$1,500 for a simple application
		$2,500 for a complex application
3.	Fee For Minor Variance Application	$250 For Residential
		$500 For Non-Residential
4.	Fee for Site Plan Application (determined during Pre-Submission Consultation)	$1,500 for a simple application
		$2,500 for a complex application
5.	Fee for An Amendment to a Site Plan Application	$500
6.	Fee for Architectural Design Application (determined during Pre-Sub-mission Consultation)	$250 for a simple application
		$500 for a complex application
7.	Fee for an amendment for an Architectural Design	$100
8.	Fee for Subdivision Application (determined during Pre-Submission Consultation)	$500 plus $10/1,000 sq. ft. of net for residential area
9.	Fee for an Amendment to a Subdivision Application requiring full circulation	$500
10.	Fee for an Amendment to a Subdivision Application not requiring full circulation	$250
11.	Fee for Severance Application net	$250 plus $10/1,000 sq.ft. of residential area
12.	Fee for Zoning Compliance Application	$100
13.	Fee for each additional public meeting	$500