FIRST SCHEDULE

Form A

The Beach Control Authority (Licensing) Regulations, 1956

APPLICATION FOR LICENCE

JAN 24 2014

JAN 27 2014
1. China Harbour Engineering Company, a construction company of 5th Floor Courtleigh Corporate Centre, 6 - 8 Saint Lucia Avenue, Kingston 5 in the parish of Saint Andrew hereby apply for a license to use the foreshore and/or floor of the sea situated at Galleon Harbour in the parish of St. Catherine.

1. Location of area in respect of which licence is required. (Applicant should state name, district and parish, distance from nearest town or village, and if located at some distance from a main road should attach a sketch showing means of access to the area with distance from and location of the most convenient driving road.)

The site is located within the Galleon Harbour and includes the Great Goat Island, Little Goat Islands and the waters south of the Goat Islands extending south towards the shipping channel. The northern most geotechnical test point in marine waters being approximately 350m south of the coastline and approx 6km from the HW2000 east-west highway, 15km from Spanish Town and 7km from Old Harbour. The marine investigation then extends southwards toward the shipping channel to encompass the Great and Little Goat Islands. The geotechnical testing will also include lands to the north of Galleon Harbour, however none of the test locations will fall within the wet lands area. (see diagram). The shoreline can be addressed by any of two roadways (see diagram) the closest being within 500m of the northern most marine test location.

2. Description of the area for which licence is required. (Applicant should state clearly the boundaries of the area, the extent of the area and should furnish a sketch to a scale sufficient to indicate the necessary details of the foreshore and/or floor of the sea and the land adjacent thereto with particular reference to the nearest main or parochial road or path used by the public)

The proposed test site is located within the Galleon Harbour and extends southwards toward the shipping channel and includes both the Great and Little Goat Islands. The Galleon Harbour falls within the Portland Bight Protected area and is bordered on the north and northeast by the Bushy Park, Amity Hall, Willkins, The Deanery, all in St. Catherine. The Galleon Harbour water depth varies from -0.3m to -2.7m and includes the marsh lands between the Little Goat Island and Great Goat Islands. The waters to the south of the Goat Island are of greater depths varying from -8m to -16m.

(Applicant should furnish a plan of any proposed or existing buildings and/or encroachments on the foreshore and/or floor of the sea). The Diagrams are attached

3. Names and addresses of the owners and/or occupiers of any lands adjacent to the area referred to in paragraph 2 above.

EAST: Hellshire Hills: Jamaica Gun Club, (Urban Development Corporation)
WEST: Caribbean Sea (distant east: Moore Pen, Old Harbour Power Plant & Port Esquivel) hence N/A
NORTH: Bushy Park; Agro-Investment Corporations, Rammarine Ramharrack et ux & Calma Ramnarrack, Commissioner of Lands, (Names and addresses attached)
The Caribbean Sea

4. Is Title registered?  Yes
   By metres and bounds? Yes
   By plan? Yes
   Give volume and folio of the Certificate of Title

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>Diagram Ref</th>
<th>VOLUME</th>
<th>FOLIO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Development Corporation</td>
<td>Lots 11A&amp;B</td>
<td>403</td>
<td>37</td>
</tr>
<tr>
<td>Agro-Investment Corporation</td>
<td>Lot 7</td>
<td>1396</td>
<td>980</td>
</tr>
<tr>
<td>(see attached diagram)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Give particulars of any encumbrances such as mortgages, leases, etc., affecting the said land

N/A for geotechnical investigation

5. Is the Title Common Law?  
   By deed?  
   If deed is recorded give Record Office reference.  
   By Long possession?  
   Who is in actual possession of Title Deeds, Diagrams, etc.?  

6. If applicant is not the owner of the fee simple of the land mentioned in the Application the following information must be given:-

   (a) Terms of lease or tenancy agreement; or other interest.
       Please see the attached correspondence

   (b) Name and address if any other party or parties having any interest in the land

   Government of Jamaica, Urban Development Corporation, Commissioner of Lands (National Land Agency)
7. Does the area specified in paragraph 2 above form part of enclosed land? If so by what means is the land enclosed. N/A

8. State type of enterprise previously carried on or now proposed (all activities must be stated)

Geotechnical investigation proposed for the proposed construction of a Container Port facilities Goat Island currently void of industry.

9. State changes made or proposed (if any) for the use of the area specified in the application

Proposed design for construction of a Container Port facilities in vicinity of Goat Island.

10. State whether any right-of-way or road exists across the land adjoining the foreshore to the area for which application is made

Neither exists

I hereby declare that all the information which I give above is true to the best of my knowledge and belief.

Signed before me this... 

10th Day of January, 2014

[Signature]

Justice of the Peace

Application fee of $1000.00 is enclosed.

Applicant’s telephone No.: (876) 622-8888

Fax No.: (876) 908-0432

Applicant’s TRN No.: 001 925 377
Check and identify as many activities as are appropriate for which approval is sought.

**Hotels**

- Hotels with 201 rooms and over ........................................... $150,000.00
- Hotels with 151 to 200 rooms ............................................... $100,000.00
- Hotel with 101 to 150 rooms ................................................. $75,000.00
- Hotels with 51 to 100 rooms .................................................. $45,000.00
- Hotels with 31 to 50 rooms ................................................... $12,000.00
- Hotels with under 31 rooms .................................................. $6,000.00

**Guest houses**

- Guest house with 31 to 50 rooms ........................................... $12,000.00
- Guest house with under 31 rooms ......................................... $6,000.00
- Commercial recreational beaches, public recreational beaches, proprietary members' clubs with beaches ....................................................... $13,000.00
- Beaches used exclusively in connection with a dwelling place, or building rented for recreational purpose ........................................... $6,000.00
- Commercial or industrial beaches (beaches used other than for commercial recreational purposes) ........................................... $20,000.00

**Fishing Beaches**

- Major beaches (beaches with 10 or more boats or beaches with a fish depot) ........................................... $500.00
- Minor beaches (beaches with less than 10 boats) ...................... $250.00

**Encroachment** on the foreshore or on the floor of the sea for private purpose (including groyne, pipeline, pump flight of step and enclosed pool or building but excluding encroachment to which section 8 of the Act and paragraphs 8 and 12 of this Schedule apply ... $5,000.00

The following encroachment on the foreshore or on the floor of the sea for any public purpose or for or in connection which any trade or business or commercial enterprise, that is to say:

- groyne )
- breakwater ) an initial fee of $25,000.00 payable in
- pipeline, duct ) full on any application
- or flume ) whenever made notwithstanding the provisions of paragraph (2) of regulation 5 and thereafter ........... $10,000.00 per annum
- Slipway ................................................................. $3,000.00
- Enclosed pool ............................................................. $3,000.00
- Building ................................................................. $4,500.00
- Fence ................................................................. $2,500.00
- Flight of steps .......................................................... $2,500.00
- Pyton ................................................................. $5,000.00
- Anchored raft .......................................................... $3,000.00
- Water slide .............................................................. $2,000.00
- Spring-Board .......................................................... $2,000.00
- Cable ................................................................. an initial fee of $25,000.00
- Seawall ) payable in full on any application
- Platform ) whenever made notwithstanding the provisions of Paragraph (2) of Regulation 5 and thereafter ........... $10,000.00 per annum
Capital dredging
for the first 100,000 cubic metres ........................................... $50.00 per cubic metre
for the next 100,000 cubic metres ........................................... $25.00 per cubic metre
for the next 100,000 cubic metres ........................................... $15.00 per cubic metre
for the next 100,000 cubic metres ........................................... $10.00 per cubic metre
for any additional cubic metres ........................................... $5.00 per cubic metre

Maintenance dredging
for the first 100,000 cubic metres ........................................... $25.00 per cubic metre
for the next 100,000 cubic metres ........................................... $12.50 per cubic metre
for the next 100,000 cubic metres ........................................... $7.50 per cubic metre
for the next 100,000 cubic metres ........................................... $5.00 per cubic metre
for any additional cubic metres ........................................... $2.50 per cubic metre

Dredging by the Port Authority Amount as agreed between the Natural Resources Conservation Authority on the Port Authority
Reclamation (Coastline or wetlands)
• for the first 100,000 cubic metres ........................................... $50.00 per cubic metre
• for the next 100,000 cubic metres ........................................... $25.00 per cubic metre
• for the next 100,000 cubic metres ........................................... $15.00 per cubic metre
• for the next 100,000 cubic metres ........................................... $10.00 per cubic metre
• for the next 100,000 cubic metres ........................................... $5.00 per cubic metre
Artificial reef ................................................................. $5,000.00 each

Moorings on the foreshore or on the floor of the sea for any purpose (excluding those to which section 9 of the Act applies)
1 - 5 moorings ................................................................. $200.00
6 - 50 moorings ................................................................. $1000.00
51-100 moorings ............................................................... $5,000.00
Over 100 moorings .............................................................. $5,000.00 for every 100 in addition to the first 100

Beach reserved exclusively for the use of owner of lots in a sub-division ........................................... $500.00 per developed lot

Beach reserved exclusively for the use of schools, churches, the Boy Scouts’ and Girl Guides Associations Friendly Societies or bodies for charitable or educational purposes ................................................................. $200.00

The following encroachments on the foreshore or the floor of the sea for private purposes -
(a) seawalls: an initial fee of $25,000.00 payable in full
(b) Platforms: on any application whenever made, notwithstanding the provisions of Paragraph (2) of Regulation 5 and thereafter $10,000.00 per annum.
January 23, 2014

Miss Frances Blair  
Applications Manager  
National Environment & Planning Agency  
10 Caledonia Avenue  
Kingston 5

Dear Miss Blair:

Re: Beach Control Licence Application for Geotechnical Investigation and Engineering Survey in respect of the Feasibility Study – First Stage Container Terminal

The Port Authority of Jamaica (PAJ) and China Harbour Engineering Company (CHEC), have an existing Memorandum of Understanding in which CHEC has expressed an interest in developing a Container Terminal and Industrial Zone.

Following a number of site inspections, it has been determined that the lands located at both Goat Islands and Amity Hall in St. Catherine, appear to be the most viable options for the proposed development. However, to determine the viability of the proposed development a Technical and Financial Feasibility Study will be conducted.

As part of the feasibility study CHEC intends to conduct both a topographical survey and geotechnical investigation of the land and marine environment.

The geotechnical investigation will include drilling of boreholes in the marine waters, north and south of the Goat Islands, on the coast of the Goat Islands and on the inlands of the Amity Hall land. The topographical survey will be conducted in the same general area, as defined in the Project Description, which is appended to the Beach Licence Application.
The Port Authority is aware of the necessity of obtaining a Beach Control Licence for the execution of the geotechnical and surveying investigatory works. Hence, on behalf of CHEC, we hereby submit a Beach Control Licence Application, and have enclosed the following:-

- Beach Control Licence Application.
- Certificate of Title.
- Location drawings – PAJ-FCST-01
- Implementation Plans
- Geotechnical Investigation
- Engineering Survey

The PAJ is also aware of the necessity for obtaining an Environmental Permit, for any investigatory works that is conducted within the wetlands area. However, in the proposed study by CHEC none of the boreholes will be drilled in the wetlands area, as confirmed by the coordinates for the proposed boreholes.

Your usual corporation is anticipated in having this matter reviewed at the earliest possible time. Therefore, should you require any further information please do not hesitate to contact the undersigned.

Yours sincerely,
THE PORT AUTHORITY OF JAMAICA

Mervis Edghill
SENIOR VICE PRESIDENT
ENGINEERING & PORT DEVELOPMENT

ME/jd
Att.

Copy: Prof. Gordon Shirley, President & CEO, PAJ
Mr. Peter Knight, J.P., Chief Executive Officer – NEPA
Dr. Paul Robertson, Senior Director – Government Relations, PAJ
Capt. Hopeton Delisser, Vice President – Harbours & Port Services/ Harbour Master, PAJ
Mr. Yang Yang, Business Officer/Investment Coordinator, CHEC
in the name of an estate on free simple

subject to the incumbrances set forth herein in ALL THAT parcel of land known as

Great Goat Island in the parish of Saint Catherine, containing by survey One Hundred and Thirty five Acres One Rood and

Sixty Two (62) Feet of the shape and dimensions and lying as appears by the plan

marked 2 and

being the same parcel of land known as Little Goat Island in the parish, of extent containing by survey One Hundred and Fifty five Acres One Rood and Twenty seven Shores of the shape and dimensions and lying as appears by the plan thereof and being in the Parish of Saint Catherine, and being the land hereby conveyed in Certificate of Title respectively.

Dated the Twenty fourth day of October One Thousand Two

Hundred and Forty-four.

[Signature]

Register of Titles
AGRICULTURAL DEVELOPMENT CORPORATION of Mais House, Hope Gardens Kingston 6 in the parish of Saint Andrew is now the proprietor of an estate in fee simple subject to the incumbrances notified hereunder in ALL THAT piece or parcel of land and hereditaments situate in the parish of Saint Catherine in this Island known by the name of AMITY HALL containing Two Thousand Eight Hundred and Seventy-seven Acres One Rood and Thirty-two Perches comprising Amity Hall proper containing One Thousand Six Hundred and Three Acres Two Rods and Twenty-Two Perches COLES PEN containing One Hundred and Eight Acres and One Rood EBONY PARK PEN containing One Hundred and Twenty-eight Acres Two Rods and Ten Perches land formerly known as MITCHELL'S BOC containing Fifty and Thirty-eight Acres and part of BUSHY PARK containing Four Hundred and Ninety-nine Acres which said hereditaments are biverted and bounded as appears in the plan or diagram thereof hereto annexed and being the land comprised in Certificate of Title formerly registered at Volume 27 Folio 31:

DATED this 3rd day of February Two Thousand and Six.

[Signature]
Register of Titles

Incumbrances above referred to:

No. 6411 Miscellaneous Agreement dated 26th July, 1939 whereby the United Fruit Company the Registered Proprietor of lands known as "Bushy Park" comprised in Certificate of Title registered at Volume 28 Folio 37 and Saint Catherine Estates Limited the registered proprietors of lands known as Cherry Gardens comprised in Certificate of Title registered at Volume 28 Folio 42 grant to Saint Helena Limited full and free right and liberty at all times to abstract from the said streams on Bushy Park beforehand at the point marked "X" on the plan annexed to the agreement a supply of water equivalent to the quantity of water which shall flow from a pipe of three inches in diameter or coexistent flow placed in the said canal at the said point marked "X" so long as there shall be sufficient quantity of water in the said canal and to lead the said supply of water either in a three inch pipe or as open trench or canal through ever and along the said lands known as Bushy Park and Cherry Gardens along the course or line shown on the said plan unto the lands comprised in this Certificate together with full right and liberty to Saint Helena Limited their servants agents with or without animals and vehicles at all times to enter upon the said lands known as Bushy Park and Cherry Gardens and to construct maintain and keep in repair the necessary works including the said three inch pipe line on the said canal at the said point marked "X" and to remove and keep in repair any leak or break in the said pipe or line at the said canal and to lead the said supply of water at all times along the said course or line unto the said land comprised in Certificate of Title. Recorded herein on the 2nd September, 1939.
THE BEACH CONTROL LAW, 1956

Notice of Application – Form B First Schedule

1. Every applicant for a licence shall exhibit for a period of at least one month after the application has been received by the Authority notices in the Form B set out in the First Schedule to these Regulations in a conspicuous place on that part of the foreshore mentioned in the application and on any land adjacent thereto and under the control of the applicant.

2. The notice on the foreshore shall face and be visible from the sea and that on the adjacent land shall be placed on the verge thereof which is nearest to a main or parochial road or path used by the public and shall if possible face and be visible from such road or path.

3. The applicant shall serve, either personally or by registered post a copy of the notice on every person, who is the owner of any land adjacent to the area defined in paragraph 2 of the application, so, however, that failure to comply with the provisions of the paragraph shall not be deemed to invalidate any licence granted by the Authority.

4. Every such notice shall be clearly printed or painted in letters and figures not less than one inch high.

FORM B

The Beach Control Authority ( Licensing ) Regulations, 1956

NOTICE OF APPLICATION

I, China Harbour Engineering Company, a construction company of 5th Floor Courtleigh Corporate Centre, 6 - 8 Saint Lucia Avenue, Kingston 5 in the parish of Saint Andrew have applied to the Beach Control Authority for a licence to encroach on and/or use that part of the foreshore and/or floor of the sea at Galleon Harbour in the parish of St. Catherine, and including the Great Goat Island, Little Goat Islands and the waters south of the Goat Islands extending south towards the shipping Channel,

for the purpose of GEOTECHNICAL SOIL TESTING.

DATED the 24 day of January, 2014.

Guangjie Ren
Assistant General Manager of CHEC Americas Division
China Harbour Engineering Company
THE BEACH CONTROL LAW, 1955

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for the purpose of GEOTECHNICAL SOIL TESTING.

DATED the 15th day of January, 2014.

Guangjie Ren
Assistant General Manager of CHEC Americas Division
China Harbour Engineering Company