

The Laws of Zambia

REPUBLIC OF ZAMBIA

**THE TOWN AND COUNTRY PLANNING ACT**

**CHAPTER 283 OF THE LAWS OF ZAMBIA**

**CHAPTER 283 THE TOWN AND COUNTRY PLANNING ACT**

THE TOWN AND COUNTRY PLANNING ACT

ARRANGEMENT OF SECTIONS

PART I PRELIMINARYPART I

PRELIMINARY

*Section*

1. Short title
2. Interpretation
3. Application
4. Disagreement between Republic and planning authority
5. Appointment of planning authorities

PART II TOWN AND COUNTRY PLANNING TRIBUNALPART II

TOWN AND COUNTRY PLANNING TRIBUNAL

The Laws of Zambia

6. Establishment of Tribunal
7. Constitution of Tribunal
8. Appointment of vice-president
9. Remuneration of president, vice-president, members and advisers
10. Record of proceedings
11. Appeals to Tribunal
12. Witnesses and evidence
13. Protection of president, vice-president, members and advisers
14. Regulations

PART III DEVELOPMENT PLANS

DEVELOPMENT PLANS

15. Order for preparation of development plans
16. Preparation of development plans
17. Approval of development plans
18. Revocation or modification of approved development plans

PART IV PROCEDURE FOR THE PREPARATION AND SUBMISSION  
OF DEVELOPMENT PLANS AND THEIR MODIFICATION AND EXTENSION

PROCEDURE FOR THE PREPARATION AND SUBMISSION OF  
DEVELOPMENT PLANS AND THEIR MODIFICATION AND EXTENSION

*Section*

19. Preparation and submission of development plans and objection thereto
20. Consideration of approval by the Minister
21. Notice of approval or rejection by the Minister

PART V PERMISSION REQUIRED FOR DEVELOPMENT AND  
SUBDIVISION OF LAND

PERMISSION REQUIRED FOR DEVELOPMENT AND  
SUBDIVISION OF LAND

The Laws of Zambia

22. Permission required for development and subdivision
23. Development or subdivision orders
24. Delegation to planning authorities
25. Application for planning permission
26. Additional powers of Minister to give directions to any planning authority
27. Supplementary provisions *re* grant of planning permission
28. Supplementary provisions *re* grant of permission to subdivide
29. Additional provisions for appeal to Tribunal
30. Revocation and modification of planning permission by the Minister
31. Enforcement of planning control
32. Supplementary provisions as to enforcement including penalties
33. Repealed operation of enforcement notices

PART VI COMPENSATION FOR REFUSAL OR CONDITIONAL GRANT OF PLANNING PERMISSION  
PART VI

COMPENSATION FOR REFUSAL OR CONDITIONAL GRANT  
OF PLANNING PERMISSION

34. Definition of "planning decision"
35. Compensation for planning decision
36. No compensation payable in certain cases
37. No compensation if other development permitted
38. Exclusion and limitation of compensation in certain other cases
39. General provisions as to claims for compensation

PART VII ACQUISITION OF LAND  
PART VII  
ACQUISITION OF LAND

*Section*

40. Acquisition of land
41. Owner may require acquisition of reserved land
42. Disposal of land
43. Assessment of valuation

PART VIII REGIONAL PLANS  
PART VIII  
REGIONAL PLANS

44. Preparation of regional plan
45. Appointment of regional planning authority
46. Approval of regional plan
47. Revocation or modification of approved regional plan
48. Application to Customary Areas and townships

PART IX GENERALPART IX

GENERAL

49. Power to hold or cause the holding of public inquiries
50. Service of notices
51. Right of entry
52. Additional consent required
53. Regulations
54. Savings
55. Acts, orders and conditions given or imposed under former Act

FIRST SCHEDULE-Planning authorities with delegated powers and responsibilities on the appointed day

SECOND SCHEDULE-Matters for which provision may be made in a development plan

THIRD SCHEDULE-Matters which may be included in permission to subdivide

**CHAPTER 283**

TOWN AND COUNTRY PLANNING

**An Act to make provision for the appointment of planning authorities, for the establishment of a Town and Country Planning Tribunal, for the preparation, approval and revocation of development plans, for the control of development and subdivision of land, for the assessment and payment of compensation in respect of planning decisions, for the preparation, approval and revocation or modification of regional plans; and for matters connected with and incidental to the foregoing.**

[16th November, 1962]

32 of 1961  
25 of 1962  
28 of 1964  
16 of 1965  
28 of 1965  
69 of 1965  
46 of 1969  
47 of 1970  
53 of 1970  
*Government Notice*  
232 of 1964  
*Statutory Instrument*  
65 of 1965  
*Acts No*  
13 of 1994  
29 of 1995

PART I PRELIMINARYPART I

PRELIMINARY

1. This Act may be cited as the Town and Country Planning Act. Short title
2. In this Act, unless the context otherwise requires- Interpretation
- "advertisement" means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purpose of advertisement or announcement and, without prejudice to the foregoing definition, includes any hoarding or similar structure used or adapted for use for the display of advertisement, and references to the display of advertisements shall be construed accordingly;
- "agriculture" means the use of land exclusively or mainly for agriculture, whether as arable, pasture, ranching, grazing, orchard or seed growing, or for fish farming, forestry or for the breeding and keeping of livestock including any creature kept for the production of food, wool, silk, skins or fur, and includes buildings necessary therefor and uses ancillary thereto;
- "appointed day" means the 16th November, 1962;
- "approved development plan" means a development plan and any amendment or modification thereof approved by the Minister under section *seventeen*;
- "building" includes any structure or erection and any part of a building so defined, but does not include plant or machinery comprised in a building;
- "building line" means a line specifying the minimum distance between the boundary of a stand, lot, plot or road, and any building or proposed building on the stand, lot or plot;
- "class", in relation to development, means the group of land or building uses to which the development is deemed to belong by virtue of any regulation made under section *fifty-three*;
- "Customary Area" has the meaning assigned thereto by section *two* of the Lands Act; Cap. 184
- "development" has the meaning assigned to it by section *twenty-two* and "develop" has a corresponding meaning;
- "development order" has the meaning assigned thereto by section *twenty-three*;

The Laws of Zambia

"development plan" means a development plan and amendment or modification thereof ordered, prepared or in the course of preparation in accordance with the provisions of this Act;

"erection", in relation to buildings, includes extension, alteration and re-erection;

"former Act" means the Town Planning Act, Chapter 123 of the 1959 Edition of the Laws, section *eighty* of the Municipal Corporations Act, Chapter 119 of the 1962 Edition of the Laws, and section *twenty-seven A* of the Townships Act, Chapter 120 of the 1962 Edition of the Laws, as the case may be;

"functions" includes power and duties;

"Government purpose" means a purpose of the Government of Zambia;

"highway authority" means a highway authority as defined in the Roads and Road Traffic Act; Cap. 464

"holding" means any area of land which is shown as a farm, stand, lot or plot on a general plan or other plan approved under the Land Survey Act, and includes any building erected thereon; Cap. 188

"land" includes any building erected thereon; and also includes land covered by water and any right in or over land, excepting mineral rights;

"local authority" means a City Council, a municipal council, township council or district council as defined in the Local Government Act; Cap. 281

"mining" means any operation lawfully carried out under the provisions of the Mines and Minerals Act; Cap. 213

"Natural Resources Board" means the Natural Resources Advisory Board established under the provisions of section *three* of the Natural Resources Conservation Act;

"owner" means-

- (a) the person registered as the proprietor of any land except where that person has leased or subleased the land to another person for a period of fourteen years or more;
- (b) the person in whom the lease of any land is vested under a registered deed except where that person has subleased the land to another person for a period of fourteen years or more;

The Laws of Zambia

- (c) the lessee of State Land held under a lease expressed to be for a period of fourteen years or more;
- (d) the lessee of land held under any other lease expressed to be for a period of fourteen years or more; and
- (e) the allottee of land held under a provisional title and in process of alienation by the President;

and includes the liquidator of any company which is an owner as aforesaid, and the representative recognised by law of any owner as aforesaid who has died, become insolvent, assigned his estate for the benefit of his creditors, or is under any legal disability;

"planning authority" means the local or other authority appointed by or under the provisions of section *five* and shall, for the purposes of Parts V and VI, include the Natural Resources Board;

"prescribed" means prescribed by regulation made under the provisions of this Act;

"public notice" means a notice published once in the *Gazette* and either in each of two consecutive issues of a newspaper circulating in the area to which the notice relates or in such other manner as the Minister may direct;

"public purpose" has the meaning assigned thereto in the Public Lands Acquisition Act; Cap. 189

"statutory undertaker" means Zambia Railways, and any body responsible under any written law for the supply of water or electricity within Zambia, and <sup>\*</sup>(1)any other body which the Minister may by statutory notice specify;

\* Any highway authority and any body responsible under any written law for the construction or maintenance of bridges, sewers or sewage disposal works, water courses or drainage works within Zambia, and any railway company as defined in the Regulation of Railways Act, Chapter 755 of the Revised Edition, specified by G.N. No. 358 of 1962.

"subdivision" has the meaning assigned to it by section *twenty-two* and "subdivide" has a corresponding meaning;

"subdivision order" has the meaning assigned thereto by section *twenty-three*;

"township authority" means a township council;

"Tribunal" means the Town and Country Planning Tribunal established under the provisions of section *six*.

(As amended by No. 69 of 1965, S.I. No. 65 of 1965  
and No. 53 of 1970)

The Laws of Zambia

\*Any highway authority and any body responsible under any written law for the construction or maintenance of bridges, sewers or sewage disposal works, water courses or drainage works within Zambia, and any railway company as defined in the Regulation of Railways Act, Chapter 755 of the Revised Edition, specified by G.N. No. 358 of 1962.

3. (1) Subject to the provisions of section *four* and save where otherwise expressly provided to the contrary, the Republic shall not be bound by the provisions of this Act. Application

(2) The provisions of this Act, other than those contained in Part VIII, shall not apply to customary areas as defined in the Lands Act: Cap. 184

Provided that the President may by statutory order apply all or any of the said provisions to any customary area.

(3) (*Repealed by No. 47 of 1970*)

(4) Nothing contained in this Act shall permit any act to be done which would derogate from any right or powers conferred on or acquired by any person under or pursuant to the Mines and Minerals Act. Cap. 213

(5) The provisions of this Act, other than those contained in Part VIII, shall not apply to the area of any mine township.

(*As amended by No. 28 of 1964, S.I. No. 65 of 1965, No. 46 of 1969 and No. 47 of 1970*)

4. (1) In any area which is subject to an approved development plan, the Republic shall not carry out any development or subdivision of land without prior consultation with the planning authority for that area. Disagreement between Republic and planning authority

(2) Where, after consultation as provided in subsection (1), the Republic and the planning authority are not in agreement concerning the carrying out of any development or subdivision of land, the planning authority may, within twenty-eight days of the completion of the said consultation, make written submissions to the Minister against the proposed development or subdivision of land.

(3) As soon as may be after the receipt of the aforesaid written submissions, the Minister shall refer them, together with any written submissions on behalf of the Republic, to the Tribunal.

(4) The Tribunal shall consider the written submissions referred to it and shall give the Minister its opinion concerning the proposed development or subdivision of land.

(5) The Tribunal may, for the purpose of giving its opinion, call on the Republic or the planning authority to provide it with such information as it may deem necessary for the purpose of reaching an opinion.

(6) As soon as may be after the Tribunal has given its opinion to him, the Minister shall notify the planning authority of his decision in relation to the written submissions made to him.

(7) In reaching his decision the Minister shall not be bound by the opinion of the Tribunal:

Provided that, where the Minister does not accept the opinion of the Tribunal, he shall notify the planning authority accordingly and shall advise the planning authority as to his reason for not accepting the opinion of the Tribunal.

(8) The decision of the Minister on any written submissions made to him shall be final and shall not be challenged in any proceedings whatsoever.

*(No. 28 of 1964 as amended by S.I. No. 65 of 1965)*

**5. (1)** The local authorities set out in the First Schedule are hereby appointed as the planning authorities for the respective areas described in that Schedule.

Appointment of  
planning authorities

(2) The Minister may, from time to time by statutory notice, appoint a planning authority for both or either of the following purposes and may specify the constitution of any such planning authority:

- (a) to prepare a development plan ordered under the provisions of section *fifteen*;
- (b) to exercise such functions as may be delegated to it under the provisions of section *twenty-four*.

(3) The Minister may, by statutory notice, change the constitution in whole or in part of any planning authority appointed under the provisions of subsection (2):

Provided that no change shall be made before the expiry of twenty-eight days' notice of the proposed change has been given by the Minister to the planning authority having jurisdiction at the time of such notice, and such planning authority may within such period of twenty-eight days request an inquiry under the provisions of section *forty-nine*, in which case no change shall be made until the inquiry has been held, and its decision, which shall be binding on the Minister, made known by public notice.

(4) The Minister may prescribe the procedure to be followed by the planning authorities appointed under the provisions of subsection (2).

*(As amended by No. 25 of 1962)*

## PART II TOWN AND COUNTRY PLANNING TRIBUNALPART II

### TOWN AND COUNTRY PLANNING TRIBUNAL

**6.** There is hereby established a Tribunal to be known as the Town and Country Planning Tribunal which shall have the jurisdiction, power and authority conferred upon it by this Act and by any regulation made hereunder. Establishment of Tribunal

**7.** (1) The Judicial Service Commission shall appoint a president of the Tribunal who shall hold office for such period and subject to such conditions as may be agreed. Constitution of Tribunal

(2) The president of the Tribunal shall be a barrister or solicitor entitled to practise in Zambia, or a person who holds or has held judicial office.

(3) The Tribunal shall consist of the president or the vice-president of the Tribunal and such other members, not less than two in number, as may be appointed by the Judicial Service Commission from time to time to sit with the president or the vice-president as members of the Tribunal for the determination of any matter before the Tribunal:

Provided that one of the members of the Tribunal so appointed shall be a Chartered Planner of the Town Planning Institute of the United Kingdom or hold such similar qualification as the Minister may approve.

(4) If the president or the vice-president of the Tribunal considers that any matter which has been brought before the Tribunal is likely to involve professional or special considerations, other than considerations pertaining to town and country planning, he may, with the agreement of the Minister, appoint a suitable person to advise the Tribunal on the said professional or special considerations.

(5) The Minister shall appoint a secretary to the Tribunal.

*(As amended by G.N. No. 232 of 1964, No. 16 of 1965  
and S.I. No. 65 of 1965)*

**8.** (1) The Judicial Service Commission may appoint a vice-president of the Tribunal who shall hold office for such period and subject to such conditions as may be agreed. Appointment of vice-president

(2) The vice-president of the Tribunal shall be a barrister or solicitor entitled to practise in Zambia, or a person who holds or has held judicial office.

(3) The president of the Tribunal or, if the president is unable to do so because of illness or other cause, the Minister, may call upon the vice-president to exercise and perform such functions of the president for such period as the president or the Minister may specify, and thereupon the vice-president shall, and the president shall not, exercise and perform such functions for such period.

(No. 16 of 1965)

9. The Minister may prescribe fees to be paid to the president, the vice-president and members of the Tribunal and to any advisers appointed by the president or the vice-president under this Part, who are not officers of the public service, and the president, the vice-president, members or advisers shall be paid in respect of the expenses incurred by them in travelling and subsistence when discharging their duties such sums as may be prescribed.

Remuneration of president, vice-president, members and advisers

(No. 16 of 1965)

10. A record of the proceedings of the Tribunal shall be kept and filed in the office of the secretary to the Tribunal and may be inspected and copies thereof obtained upon like conditions and upon payment of the same fees as if they were civil records of a subordinate court.

Record of proceedings

11. (1) Without prejudice to the provisions of section *twenty-nine* and Part VI-

Appeals to Tribunal

- (a) any person whose interest in any land may be affected by any decision of an appeal by the Tribunal shall have the right to appear and be heard on the hearing of any such appeal;
- (b) the Tribunal shall hear and determine the matter of the appeal and may make such order therein in addition to, or in substitution for, the matter appealed against as it thinks fit, including the award of costs to any party to an appeal, subject to the provisions of paragraph (c);
- (c) if the Tribunal, after considering any matter brought before it under this section, is of the opinion that the appeal should be allowed, it shall, before making any order under the provisions of paragraph (b), afford the Minister or planning authority an opportunity of making representations as to any conditions or requirements which he or it considers ought to be included in the order and shall afford the appellant an opportunity of replying thereto, and thereafter the Tribunal may make such order in the matter as it thinks fit, and any such order shall be binding on the Minister, planning authority and the appellant:

Provided that the Tribunal shall not make any order which would operate in conflict with any provision of an approved development plan;

- (d) all matters requiring to be determined by the Tribunal shall be decided by a majority of votes and such decision shall be the determination of the Tribunal:

Provided that-

- (i) any decision on a matter of law or on whether a matter for determination is a matter of fact or a matter of law shall be made solely by the president or the vice-president;
- (ii) the president, the vice-president and each member shall have and shall exercise one vote, and no adviser to the Tribunal shall be entitled to vote on any matter before the Tribunal.

(2) Where any person who has appealed to the Tribunal under the provisions of this Act is dissatisfied with the decision of the Tribunal, he may, within twenty-eight days of such decision, appeal to the High Court against such decision.

*(As amended by No. 25 of 1962, No. 28 of 1964  
and No. 16 of 1965)*

**12.** (1) The Tribunal may by notice in writing require any person, subject to the payment or tender of reasonable expenses of attendance, to attend as a witness and give evidence or to produce any documents in his possession or power which relate to any matter in question on an appeal under this Act, and if any person without reasonable excuse fails to comply with any of the provisions of such notice, he shall be guilty of an offence and may be fined summarily by the president or the vice-president of the Tribunal an amount not exceeding one thousand five hundred penalty units.

Witnesses and  
evidence

(2) The Tribunal may take evidence on oath and for that purpose the president or the vice-president shall have the power to administer oaths, and may make such other investigations as it may deem necessary in assisting it to come to a decision regarding any matter before it.

*(As amended by No. 16 of 1965 and Act No. 13 of 1994)*

**13.** No action shall be brought against the president, the vice-president or members of the Tribunal or advisers to the Tribunal in respect of any act done or order made by them in good faith in the execution or supposed execution of the powers and duties conferred upon them under this Act or any regulation made hereunder.

Protection of  
president,  
vice-president,  
members and advisers

*(As amended by No. 16 of 1965)*

**14.** The Minister may, by statutory instrument, make regulations prescribing-

Regulations

- (a) the rules of procedure to be adopted by the Tribunal;
- (b) the manner in which costs and charges imposed by the Tribunal may be recovered.

PART III DEVELOPMENT PLANS PART III

DEVELOPMENT PLANS

15. (1) The Minister may by statutory notice-

Order for preparation  
of development plans

- (a) order a development plan to be prepared for any area specified in such notice and may stipulate after consultation with the planning authority the time to be granted to the planning authority for the preparation and submission of the development plan to him, and may extend such time;
- (b) change the area of a development plan by additions or exclusions;
- (c) change the area of an approved development plan by exclusions:

Provided that the order to prepare a development plan or a notice changing the area of a development plan or an approved development plan shall not become operative until forty-five days after the date of publication of the said order or notice, and any interested person may, within twenty-one days after the date of the said publication, object to the Minister to the preparation of such a plan or such change in area and, where any person does so object, the Minister may, prior to the expiry of the said forty-five days, order a public inquiry thereinto under section *forty-nine*, in which case the said order or notice shall not become operative until the Minister by statutory notice so declares.

(2) The Minister shall cause an order made under subsection (1) to be published in three consecutive issues of a newspaper circulating in the area to which the order relates.

(3) Whenever the boundaries of the area of a development plan are extended, a development plan shall be prepared for such extended area within the time to be specified by the Minister or within such longer period as he may agree.

(4) The Minister may order that all approved development plans for any area shall be consolidated into one approved development plan:

Provided that, when plans are consolidated under the provisions of this section, each plan so consolidated shall maintain its original approved contents.

**16.** (1) A development plan shall consist of a report of the survey in respect of the area to which the development plan relates and the survey shall be carried out in such manner as may be prescribed, together with a plan indicating the manner in which it is proposed that land in the area may be used (whether by the carrying out thereon of development or otherwise) and the stages by which any such development may be carried out.

(2) A development plan shall include such maps and such descriptive matter as may be necessary to illustrate the proposals aforesaid with such degree of particularity as may be appropriate to the area to which the development plan relates, and a development plan may in particular designate as land subject to compulsory acquisition by the President or by a local or township authority, as the case may be-

- (a) any land reserved by the plan for any Government purpose or for the purpose of any function of a local or township authority;
- (b) any land comprised in an area defined by the plan as an area of comprehensive development, including any land therein that is reserved by the plan for any such purpose as is mentioned in paragraph (a), or any land contiguous or adjacent to any such area;
- (c) any other land that, in the opinion of the planning authority, ought to be subject to compulsory acquisition for the purpose of securing its use in the manner proposed by the plan.

(3) A development plan may define for the purpose of dealing satisfactorily with conditions of bad layout or obsolete development, and for providing for the relocation of population or industry or the replacement of open space in the course of the development or redevelopment of any other area, and for any other purpose specified in the plan as an area of comprehensive development any area that, in the opinion of the planning authority, should be developed or redeveloped as a whole; and land which may be included in any areas so defined may be designated as subject to compulsory acquisition in accordance with the provisions of subsection (2), whether or not provision is made by the plan for the development or redevelopment of that particular land.

(4) Without prejudice to the provisions of subsections (2) and (3), a development plan may make provision for any of the matters mentioned in the Second Schedule and the planning authority shall take into account the matters accordingly.

(5) The planning authority shall, in the course of preparing a development plan relating to any land, or preparing proposals for alteration, additions or substitutions to any approved development plan, consult with any highway authority and any township authority in whose area the land is situated.

*(As amended by S.I. No. 65 of 1965)*

17. (1) The Minister shall, with or without modification, approve a development plan submitted to him in accordance with Part IV, or reject it giving the reasons for such rejection and, by Gazette notice, order a new development plan to be submitted to him within such period as may be specified in the order, or within such longer period as he may agree.

Approval of  
development plans

(2) Notwithstanding the provisions of this Part, where a town planning scheme or zoning scheme for an area has been approved under the provisions of the former Act, then such scheme shall be deemed to be an approved development plan under this Act for that area.

18. (1) At least once in every five years, after the date on which a development plan for any area is approved by the Minister, or in the case of a scheme referred to in subsection (2) of section *seventeen*, after the appointed day, the planning authority shall carry out a fresh survey of that area in such manner as may be prescribed, and shall submit a report of the survey, together with proposals for any alterations, additions or substitutions to the plan that appear to the planning authority to be required, to the Minister who may if he deems it necessary order the preparation and submission of a new or amending development plan in accordance with the procedure in Part IV.

Revocation or  
modification of  
approved development  
plans

(2) Notwithstanding the provisions of subsection (1), the planning authority may, from time to time in such manner as may be prescribed, submit to the Minister proposals for the revocation or for such modification of an approved development plan as appear to the planning authority to be expedient stating in the submission the grounds of justification, for any of the following reasons:

- (a) on account of practical difficulties in the execution or enforcement of the approved development plan;
- (b) on account of circumstances which have arisen since the approval of the development plan;
- (c) on account of any minor errors or omissions therein or thereon.

(3) When an application has been made under subsection (2), the Minister may revoke or modify the approved development plan or refuse the application, and shall publish such decision of approval or modification in the *Gazette*:

Provided that the Minister shall require the planning authority to give prior public notice of any proposed modification and call for any objections to such modification to be made to him.

(4) When an approved development plan is revoked or modified under the provisions of this section, the planning authority shall, within twenty-eight days of the date of such revocation or modification, give public notice thereof.

PART IV PROCEDURE FOR THE PREPARATION AND SUBMISSION OF  
DEVELOPMENT PLANS AND THEIR MODIFICATION AND EXTENSIONPART IV

PROCEDURE FOR THE PREPARATION AND SUBMISSION OF DEVELOPMENT PLANS AND  
THEIR MODIFICATION AND EXTENSION

**19.** (1) A development plan shall be prepared and certified in duplicate by or on behalf of the planning authority, and one certified copy of the development plan shall be submitted to the Minister.

Preparation and  
submission of  
development plans  
and objection thereto

(2) When a development plan is submitted to the Minister, the planning authority shall give public notice that the development plan is open for inspection at such place or places as shall be notified as aforesaid.

(3) The notice referred to in subsection (2) shall call upon any interested person who desires to make any representation in connection with or objection to the development plan to do so to the Minister within such period, not being less than twenty-eight days after the date of the first publication of the notice, as shall be specified in the notice.

(4) A copy of any representation in connection with or objection to a development plan shall be lodged with the planning authority by the person making such representation or objection within the time specified in the notice under the provision of subsection (3).

(5) A planning authority may, if it thinks fit, agree with any person making a representation in connection with or objection to a development plan that such representation or objection should be met or withdrawn, in which case it shall so notify the Minister and the person making the representation or objection.

**20.** (1) Where a development plan is submitted to the Minister, he shall take into consideration such development plan and any representation or objection received by him in accordance with the provisions of section *nineteen*, and shall decide whether or not to cause a public inquiry to be held under the provisions of section *forty-nine* into all or any of the said representations or objections at which any interested person may be heard:

Consideration of  
approval by the  
Minister

Provided that if the Minister has been notified that the planning authority wishes to meet all or any of the representations or objections so lodged, then he shall take no action under this section for

a period of ninety days from the closing date for the lodging of objections, and the planning authority shall inform the Minister of its proposals for dealing with the said representations or objections within the said period of ninety days.

(2) If the Minister decides not to cause a public inquiry to be held, he shall, before approving the development plan, afford to the planning authority and to any person who has duly made a representation or objection to the planning authority and who has not withdrawn such representation or objection, and such other persons as he may deem fit, an opportunity of appearing before and being heard by a person appointed by him for that purpose.

**21.** The Minister shall notify the planning authority of his approval, with or without modification, or his rejection of the development plan and, on receipt of such notice, the planning authority shall forthwith give public notice of the approval or rejection, and shall serve notice of the approval or rejection on any person by whom a representation or objection was duly lodged, and on such other persons, if any, as may be required by a general or specific direction given by the Minister and, in the event of approval, shall place the approved development plan on permanent public deposit during the normal hours of official business and shall cause the descriptive matter of the approved development plan, if any, to be published for sale to the public.

Notice of approval or rejection by the Minister

## PART V PERMISSION REQUIRED FOR DEVELOPMENT AND SUBDIVISION OF LAND

### PERMISSION REQUIRED FOR DEVELOPMENT AND SUBDIVISION OF LAND

**22.** (1) Subject to the provisions of this section and to the following provisions of this Act, permission shall be required under this Part for any development or subdivision of land that is carried out after the appointed day.

Permission required for development and subdivision

(2) The provisions of this Part, in so far as they relate to development, shall apply only-

- (a) in areas in respect of which there is an order, made under the provisions of this Act, to prepare a development plan; and
- (b) in areas subject to an approved development plan: and
- (c) in such areas as are within a distance of twenty miles from the boundaries of any area mentioned in paragraph (a) or (b); and
- (d) in such other areas as may be specified by the Minister by statutory notice.

(3) In this Act, "subdivision", in relation to land, means the division of any holding of land into two or more parts, whether the subdivision is effected for purposes of conveyance, transfer, partition, sale, gift, lease, mortgage or any other purpose, and "subdivide" has a corresponding meaning.

(4) In this Act, "development" means the carrying out of any building, rebuilding or other works or operations on or under land, or the making of any material changes in the use of land or buildings but shall not include-

- (a) changes of use of land or buildings where the existing and the proposed uses both fall within the same group of land or building uses which may be prescribed;
- (b) the carrying out of works for the rebuilding, maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;
- (c) the construction of roads in an area not subject to a development plan or approved development plan, in respect of which the Director of Roads is the highway authority;
- (d) the carrying out by a highway authority of any works required for the maintenance or improvement of a road, being works carried out on land within the boundaries of a road or road reserve;
- (e) the carrying out by any local authority or any statutory undertaker of any works for the purpose of constructing, inspecting, repairing or renewing any sewers, drains, pipes, cables, rails or such other apparatus as may be prescribed;
- (f) the construction or use other than for human habitation of any building or the use of any land within the curtilage of a dwelling-house for any purpose incidental to the enjoyment of the dwelling-house as such;
- (g) the use of any land for the purpose of mining or agriculture, including the erection and use of buildings for such mining or agricultural purposes, but excluding the siting of buildings within nine hundred and fifteen metres from the centre line of any road or proposed road;
- (h) the erection of temporary buildings required in connection with any development for which planning consent has been given, for a period not exceeding twelve months or for such longer period as the Minister or the planning authority may permit;
- (i) the construction and maintenance of roadways, paths, standings and similar paved areas within a holding, or within any public open space;
- (j) development outside a development plan area in any of the following, namely, forest reserves protected forest areas and game reserves, but excluding the siting of buildings within nine hundred and fifteen metres from the centre line of any road or proposed road;

- (k) any other operation which may be prescribed.

**23.** (1) The Minister shall by order provide for the grant of permission for the development and subdivision of land under this Part, and such permission may be granted- Development or subdivision orders

- (a) in the case of any development or subdivision specified in any such order, or in the case of development of any class so specified, by that order itself;
- (b) in any other case, by the Minister on an application in that behalf made to him in accordance with the provisions of the order.

(2) Subject to subsection (4), the permission granted by any development or subdivision order may be granted either unconditionally or subject to such conditions or limitations as may be specified in such order.

(3) Without restricting the generality of subsection (2), a development order that grants permission for any development may-

- (a) where permission is thereby granted for the erection, extension or alteration of any buildings, require the approval of the Minister to be obtained with respect to the external design, appearance or materials used;
- (b) where permission is thereby granted for development of any specified class, enable the Minister to direct that the permission shall not apply either in relation to development in any particular area or in relation to any particular development.

(4) The Minister may, in any subdivision order in respect of land situated outside the area of a development plan or approved development plan, grant permission-

- (a) for residential purposes or purposes ancillary thereto:

Provided that-

- (i) no subdivision shall be less than twenty-five acres in extent;
- (ii) a condition that there shall be no further subdivision of the subdivision is stipulated by him in the approval;
- (iii) the land to be subdivided is not considered by the Natural Resources Board to be of high agricultural value;
- (iv) no installation of public services at the expense of the Government becomes necessary as a result of the subdivision or subdivisions;

- (b) for other purposes provided that he considers that approval will be in the best interests of Zambia.

(As amended by S.I. No. 65 of 1965)

**24.** (1) The Minister may by instrument in writing and subject to such conditions, directions, reservations and restrictions as he thinks fit, delegate to any planning authority his functions under subsections (1) and (2) of section *twenty-five* relating to the grant or refusal of permission to develop or subdivide land:

Delegation to planning authorities

Provided that-

- (i) the said functions of the Minister shall be delegated to the appropriate planning authority set out in the First Schedule when any development or subdivision order is made affecting any of the areas set out in the First Schedule and such delegation shall not be made subject to any conditions, directions or reservations;
- (ii) in respect of subdivision for agricultural purposes of agricultural land situated outside areas subject to a development plan or approved development plan, the Minister shall, when any subdivision order is made affecting any area, delegate the said functions to the Natural Resources Board in respect of that area.

(2) Without restricting the generality of subsection (1), the Minister may make provision in any instrument of delegation for transferring to any planning authority to whom functions are delegated in accordance with this section any liability to pay compensation under this Act in respect of anything done by that planning authority in the exercise of functions delegated to it as aforesaid:

Provided that when the Minister delegates under subsection (1) any of his functions to any of the planning authorities referred to in the First Schedule, he shall make provision in the instrument of delegation for transferring to such planning authority the said liability to pay compensation.

**25.** (1) Subject to the provisions of this section, where application is made to the Minister or planning authority to whom functions have been delegated under section *twenty-four* for permission to develop or subdivide land, the Minister or planning authority may grant permission either unconditionally or subject to such conditions as he thinks fit, or may refuse permission and, in dealing with any such application, the Minister or said planning authority shall have regard to the provisions of the development plan or approved development plan, if any, so far as material thereto, and to any other material considerations:

Application for planning permission

Provided that the granting of any such permission shall, in respect of the subdivision of land, other than the subdivision for agricultural purposes of agricultural land, situated outside areas subject to a development plan or approved development plan, be subject to the provisions of subsection (4) of section *twenty-three* which shall apply *mutatis mutandis* to any such permission.

(2) Without restricting the generality of subsection (1), conditions may be imposed on the grant of permission to develop or subdivide land thereunder-

- (a) for regulating the development, subdivision or use of any land or requiring the carrying out of works on any such land, so far as appears to the Minister or planning authority to be expedient for the purpose of or in connection with the development or subdivision authorised by the permission;
- (b) for requiring the removal of any buildings or works authorised by the permission, or the discontinuance of any use of land so authorised, at the expiration of a specified period, and the carrying out of any works required for the reinstatement of land at the expiration of that period.

(3) Provision may be made by a development or subdivision order for regulating the manner in which applications for permission to develop or subdivide land are to be made to, and dealt with by the Minister or planning authority and in particular-

- (a) for requiring the planning authority, before granting or refusing permission for any development or subdivision, to consult with such authorities or persons as may be specified by the order or by directions given by the Minister thereunder;
- (b) for requiring the planning authority to give any applicant for permission, within such time as may be specified by the order, such notice as may be so specified as to the manner in which his application has been dealt with;
- (c) for requiring the planning authority to furnish to the Minister, and to such other persons as may be specified by or under the order, such information as may be so specified with respect to applications for permission made to it, including information as to the manner in which any such application has been dealt with.

(4) The Minister and planning authority, as the case may be, shall keep, in such manner as may be specified by the appropriate development order, a register containing such information as may be specified in the said development order with respect to applications for permission made to the Minister or planning authority, including information as to the manner in which such applications have been dealt with; and every such register shall be made available for inspection by the public during normal hours of official business at such place as the Minister may direct.

**26.** (1) The Minister may give directions to any planning authority to whom functions have been delegated under section *twenty-four* that any application made to that authority for permission to develop or subdivide land, or all such applications of any class specified in the directions, shall be referred to the Minister instead of being dealt with by the planning authority, and any such application shall be so referred accordingly.

Additional powers of Minister to give directions to any planning authority

(2) Where an application for permission to develop or subdivide land is referred to the Minister under this section, subsections (1) and (2) of section *twenty-five* shall apply, subject to any necessary modifications in relation to the determination of the application by the Minister as they apply in relation to the determination of such an application by the planning authority.

(3) If the Minister, after consultation with a planning authority to whom functions have been delegated under section *twenty-four*, considers that the said planning authority has granted permission to any person to develop or subdivide land in a manner which is contrary to the provisions of an approved development plan, he may, not later than two years from the date of the granting of such permission, direct the said planning authority to cancel such permission and the planning authority so directed shall comply with the directions so given.

(4) Where any permission is cancelled under the provisions of subsection (3), the person to whom permission was granted shall be entitled to claim compensation from the planning authority in respect of any expenditure incurred by him in carrying out work that is rendered abortive by the cancellation of such permission and in respect of any other loss or damage which is directly attributable to the cancellation of such permission, and the planning authority shall pay compensation to such person in respect of any such expenditure, loss or damage.

**27.** (1) The power to grant permission to develop or subdivide land under this Part shall include power to grant permission for the retention on land of any buildings or works constructed or carried out thereon before the date of the application for such permission, or for the continuance of any use of land instituted before that date (whether without permission granted under this Part or in accordance with permission so granted for a limited period only); and reference in this Part to permission to develop or subdivide land or to carry out any development of land, and to applications for such permission, shall be construed accordingly.

Supplementary provisions re grants of planning permission

(2) Any such permission as is mentioned in subsection (1) may be granted so as to take effect from the date on which the buildings or works were constructed or carried out, or the use was instituted, or from the expiration of the said period, as the case may be.

(3) Where permission is granted under this Part for the erection of a building, the grant of permission shall specify the purposes for which the building may be used.

(4) Where permission to develop land is granted under this Part for a limited period only, nothing in this Part shall be construed as requiring permission to be obtained thereunder for the resumption, at the expiration of that period, of the use of the land for the purpose for which it was normally used before the permission was granted.

(5) In determining for the purposes of subsection (4) the purposes for which land was normally used before the grant of permission, no account shall be taken of any use of the land begun in contravention of the provisions of this Part.

**28.** (1) For the avoidance of doubt it is hereby declared that, on receipt of an application for subdivision made under the provisions of section *twenty-five*, the Minister or planning authority to whom functions have been delegated under section *twenty-four* may-

Supplementary provisions re grant of permission to subdivide

- (a) demand further information from the applicant; or
- (b) demand that public notice inviting objection to the application within a specified time and in a prescribed form shall be given at the cost of the applicant; or
- (c) approve the application subject to such written conditions as is deemed fit to impose in accordance with the Third Schedule, and any person developing the land pursuant to such approval shall comply with all conditions so imposed; or
- (d) approve the application in principle and require a detailed application to be submitted in terms of subsection (3); or
- (e) reject the application and state the reasons for the rejection.

(2) If, within a period of ninety days after receipt of an application for subdivision, the Minister or the planning authority, as the case may be, has failed to serve a notice on the applicant as to how the application has been dealt with under the provisions of subsection (1), then the application shall be deemed to have been approved by a decision of the appropriate authority.

(3) Where a detailed application is required under the provisions of this section, the Minister or planning authority shall notify the applicant of such matters listed in the Third Schedule which are to be included in the detailed application.

(4) On receipt of a detailed application, the Minister or planning authority shall approve the application absolutely or subject to such modifications, amendments and conditions as he deems fit to impose in accordance with the Third Schedule, and any person developing the land pursuant to such approval shall comply with such conditions.

(5) If no detailed application is received within six months of the date on which notification was given under subsection (3), or within such further period of time as the Minister or planning authority may agree in writing prior to the expiration of the said period of six months, the application shall be deemed to be withdrawn and the approval in principle granted under subsection (1) shall be deemed to be cancelled.

(6) Where an application has been approved but the records of the subdivisional survey required by subsection (1) of section *ten* and section *twenty-one* of the Land Survey Act are not lodged with the Surveyor-General within the period stated in the approval, such approval shall be deemed to be cancelled:

Cap. 188

Provided that the Minister or the planning authority, on application by the owner of the land, may extend the said period prior to its expiration where considered necessary.

**29.** (1) Where application is made under this Part to the Minister or planning authority to whom functions have been delegated under section *twenty-four* for permission to develop or subdivide land, or for any approval of that planning authority required under a development order or subdivision order, and that permission or approval is refused by the Minister or planning authority, or is granted subject to conditions, then, if the applicant is aggrieved by the decision, he may, within twenty-eight days from the receipt of notification of the decision or such longer period as the Tribunal in writing may agree, and in the manner prescribed, appeal to the Tribunal.

Additional provisions  
for appeal to Tribunal

(2) Any person, other than an applicant, or any local or township authority who is dissatisfied with any decision made by the Minister or a planning authority to whom functions have been delegated under section *twenty-four* in connection with an application for permission to develop or subdivide land, may, within twenty-eight days from the making of such decision or such longer period as the Tribunal in writing may agree, and in the manner prescribed, appeal to the Tribunal.

(3) Notwithstanding the provisions of subsection (1) or (2), the Tribunal shall not be required to entertain an appeal under the said subsection (1) or (2) in respect of the determination of an application for permission to develop or subdivide land-

- (a) if it appears to the president or the vice-president of the Tribunal that permission for that development or subdivision could not have been granted otherwise than subject to the conditions imposed, having regard to the provisions of section *twenty-five* and of the appropriate development order or subdivision order and to any directions given under such order; or
- (b) if the Minister has certified at the time of making the decision, or, if the decision is that of a planning authority to whom functions have been delegated under section *twenty-four*, the Minister has certified, within seven days of the making of such decision, that such decision is in the national interest.

(As amended by No. 25 of 1962, No. 28 of 1964  
and No. 16 of 1965)

30. (1) Subject to the provisions of this section, if it appears to the Minister or planning authority to whom functions have been delegated under section *twenty-four* that it is expedient, having regard to the development plan or approved development plan and to any other material considerations, that any permission to develop or subdivide land granted by a development or subdivision order or on an application made in that behalf under this Part should be revoked or modified, he may by order revoke or modify the permission to such extent as appears to him to be expedient as aforesaid.

Revocation and  
modification of  
planning permission  
by the Minister

(2) The power conferred by this section to revoke or modify permission to develop or subdivide land may be exercised-

- (a) where the permission relates to the carrying out of building or other operations, at any time before those operations have been completed;
- (b) where the permission relates to a change of the use of any land, at any time before the change has taken place:

Provided that the revocation or modification of permission for the carrying out of building or other operations shall not affect so much of those operations as has been previously carried out.

(3) Where permission to develop or subdivide land is revoked or modified by an order made under this section, then if, on a claim made to the Minister or planning authority within six months of the making of the order, it is shown that any person interested in the land has incurred expenditure in carrying out work that is rendered abortive by the revocation or modification, or has otherwise sustained loss or damage that is directly attributable to the revocation or modification, the Minister or planning authority shall pay to that person compensation in respect of that expenditure, loss or damage.

(4) For the purposes of this section, any expenditure incurred in the preparation of plans for the purposes of any work or upon other similar matters preparatory thereto shall be deemed to be included in the expenditure incurred in carrying out that work, but except as aforesaid no compensation shall be paid under this section in respect of any work carried out before the grant of the permission that is revoked or modified, or in respect of any other loss or damage (not being loss or damage consisting of the depreciation in value of an interest in land) arising out of anything done or omitted to be done before the grant of that permission.

(5) Where permission for the development of land granted by a development or subdivision order has been withdrawn, whether by the revocation or modification of the order or by the issue of directions under powers in that behalf conferred by the order, then if, on an application made in that behalf under this Part, permission for that development is refused or is granted subject to conditions other than those previously imposed by the development or subdivision order, the foregoing provisions of this section shall apply as if the permission granted under this Part by the Minister or planning authority had been revoked or modified by an order made under this section.

(6) Where the permission that is revoked or modified by an order under this section is permission for which compensation would be payable under Part VI in the circumstances therein mentioned, the provisions of sections *thirty-five* and *thirty-nine* shall apply as if for references in section *thirty-five* to the refusal of the permission or the imposition of conditions on the grant thereof were substituted references to the revocation of permission or the modification thereof by the imposition of conditions, and subsection (1) of section *thirty-five* shall have effect as if for the words "if the permission had been granted or had been granted unconditionally" there were substituted the words "if the permission had not been revoked or had not been modified".

(7) Where, by virtue of the provisions of this section, compensation is payable in respect of expenditure incurred in carrying out any work on land, then if the President or the local or township authority purchases any interest in that land, or a claim for compensation is made in respect of any such interest under section *thirty-five*, any compensation payable in respect of the acquisition of that interest or, as the case may be, any compensation payable in respect of the interest under section *thirty-five*, shall be reduced by an amount equal to the value of the works in respect of which compensation is payable under this section.

(As amended by S.I. No. 65 of 1965)

**31.** (1) If it appears to the Minister or planning authority to whom functions have been delegated under section *twenty-four* that any development or subdivision of land has been carried out after the appointed day without the grant of permission required in that behalf under this Part, or that any conditions subject to which such permission was granted in respect of any development or subdivision have not been complied with, then the Minister or planning authority may, within four years of such development being carried out, or, in case of non-compliance with a condition, within four years after the date of the alleged failure to comply with it, if he considers it expedient so to do having regard to the provisions of the appropriate development plan or approved development plan, if any, and to any other material considerations, serve on the owner and occupier of the land a notice (hereinafter called an enforcement notice) under this section.

Enforcement of  
planning control

(2) If it appears to the Minister or planning authority to whom functions have been delegated under section *twenty-four* that-

- (a) any use of land should be discontinued or that any conditions should be imposed on the continuance thereof; or
- (b) that any buildings or works should be altered or removed;

then the Minister or planning authority may by an enforcement notice served on the owner and occupier require the discontinuance of that use, or impose such conditions as may be specified in that notice on the continuance thereof or require such steps as may be specified to be taken for the alteration or removal of the building or works, as the case may be:

Provided that no such enforcement notice shall be served on an owner or occupier by a planning authority, other than any authority specified in the First Schedule, unless and until the Minister shall have approved such enforcement notice.

(3) Any enforcement notice served under subsection (1) shall specify the development or subdivision that is alleged to have been carried out without the grant of such permission as aforesaid or, as the case may be, the matters in respect of which it is alleged that any such conditions as aforesaid have not been complied with, and may require such steps as may be specified in the notice to be taken within such period as may be so specified for restoring the land to its condition before the development or subdivision took place, or for securing compliance with the conditions, as the case may be; and in particular any such notice may for the purpose aforesaid require the demolition or alteration of any buildings or works, the discontinuance of any use of land or the carrying out on land of any building or other operations.

(4) Except as otherwise provided in this section, an enforcement notice shall take effect at the expiration of such period (not being less than twenty-eight days after the service thereof) as may be specified therein.

(5) When, within the period mentioned in subsection (4), an appeal is made to the Tribunal under this section by a person on whom the enforcement notice was served, the operation of the enforcement notice shall be suspended pending the final determination or withdrawal of the appeal.

(6) If any person on whom an enforcement notice is served under subsection (1) is aggrieved by the enforcement notice, he may, at any time within the period mentioned in subsection (4), appeal against the enforcement notice to the Tribunal; and on any such appeal the Tribunal-

- (a) if satisfied that permission was granted under this Part for the development to which the enforcement notice relates, or that no such permission was required in respect thereof, or, as the case may be, that the conditions subject to which such permission was granted have been complied with, shall quash the enforcement notice to which the appeal relates;
- (b) in any other case shall dismiss the appeal.

(7) If any person on whom an enforcement notice is served under subsection (2) is aggrieved by the enforcement notice, he may, at any time within the period mentioned in subsection (4), appeal against the enforcement notice to the Tribunal, and the Tribunal may in respect of such enforcement notice make any order which it is empowered to make under the provision of section *eleven*.

(8) Where the enforcement notice is varied or the appeal is dismissed, then, subject to paragraph (a) of subsection (6), the Tribunal may, if it thinks fit, direct that the enforcement notice shall not come into force until such date (not being later than twenty-eight days from the determination of the appeal) as the Tribunal thinks fit.

(9) The Minister and planning authority, as the case may be, shall keep in such manner as may be specified a register of every enforcement notice which has been served under the provisions of this section; and every such register shall be made available for inspection by the public during normal hours of official business at such place as the Minister may direct.

**32.** (1) If within the period specified in an enforcement notice made under subsection (1) of section *thirty-one*, or within such extended period as the Minister or planning authority to whom functions have been delegated under section *twenty-four* may allow, any steps required by the enforcement notice to be taken (other than the discontinuance of any use of land) have not been taken, the Minister or planning authority may enter on the land and take those steps, and may recover as a civil debt in any court of competent jurisdiction from the person who is then the owner of the land any expenses reasonably incurred by the Minister or planning authority in that behalf; and if that person, having been entitled to appeal to the Tribunal, failed to make such an appeal, he shall not be entitled in proceedings under this subsection to dispute the validity of the action taken by the Minister or planning authority upon any ground that could have been raised by such an appeal.

Supplementary provisions as to enforcement including penalties

(2) Where, by virtue of an enforcement notice, any use of land is required to be discontinued, or any conditions are required to be complied with in respect of any use of land or in respect of the carrying out of any operations thereon, then if any person, without the grant of permission in that behalf under this Part, uses the land or causes or permits the land to be used, or carries out or causes or permits to be carried out those operations, in contravention of the enforcement notice, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifteen thousand penalty units and, in case of a continuing offence, to a further fine not exceeding one hundred and fifty penalty units for every day after the first day during which the use is so continued.

(As amended by No. 13 of 1994)

**33.** (1) Compliance with an enforcement notice, whether as respects-

Repeated operation of enforcement notices

(a) the demolition or alteration of any buildings or works; or

(b) the discontinuance of any use of land; or

(c) any other requirements in the enforcement notice;

shall not discharge the enforcement notice.

(2) Without restricting the generality of subsection (1), where any development is carried out on land by way of reinstating or restoring buildings or works that have been demolished or altered in compliance with an enforcement notice, the enforcement notice shall, notwithstanding that its terms are not apt for the purpose, be deemed to apply in relation to the buildings or works as reinstated or restored as it applied in relation to the buildings or works before they were demolished or altered and subsections (1) and (2) of section *thirty-two* shall apply accordingly.

PART VI COMPENSATION FOR REFUSAL OR CONDITIONAL GRANT OF PLANNING PERMISSION  
PART VI

COMPENSATION FOR REFUSAL OR CONDITIONAL GRANT  
OF PLANNING PERMISSION

**34.** In this Part, "planning decision" means, in the case of an application for permission made under Part V, a refusal by the Minister or planning authority to whom functions have been delegated under section *twenty-four* of that permission, or a grant thereof by the Minister or planning authority subject to conditions, or a notice served under the provisions of subsection (2) of section *thirty-one*.

Definition of "planning decision"

**35.** (1) If, on a claim being made to the Minister or planning authority to whom functions have been delegated under section *twenty-four*, it is shown that, as a result of a planning decision involving a refusal of permission or a grant thereof subject to conditions, the value of the interest of any person in the land to which the planning decision relates is less than it would have been if the permission had been granted or had been granted unconditionally, then the Minister or planning authority, as the case may be, shall, subject to the provisions of this Part, pay to that person compensation of an amount equal to the difference.

Compensation for planning decision

(2) Where an order is made under subsection (2) of section *thirty-one* requiring any use of land to be discontinued or imposing conditions on the continuance thereof, or requiring any buildings or works on land to be altered or removed, then if, on a claim made to the Minister or the planning authority, as the case may be, it is shown that any person has suffered damage in consequence of the order by the depreciation of any interest in the land to which he is entitled or by being disturbed in his enjoyment of the land, the Minister or planning authority shall pay to that person compensation in respect of that damage.

(3) In determining for the purposes of subsection (1) to what extent, if any, the value of any interest in land is less than it would have been if the permission therein referred to had been granted or had been granted unconditionally, it shall be assumed that any subsequent application for permission in respect of the land would be determined in the same way, except that if, on the refusal of permission for the development in respect of which the application is made, the Minister or planning authority undertakes to grant permission for any other development of the land in the event of an application being made in that behalf, regard shall be had to the undertaking in determining the matter aforesaid.

**36.** (1) Compensation under subsection (1) of section *thirty-five* shall not be payable-

No compensation payable in certain cases

- (a) in respect of the refusal of permission for any development that consists of or includes the making of any material change in the use of any buildings or land;

The Laws of Zambia

- (b) in respect of the refusal of permission to develop or subdivide land if the reason or one of the reasons for the refusal is, and is stated to be, that development of the kind proposed would be premature by reference to either or both of the following matters, that is to say:
  - (i) the order of priority, if any, indicated in the development plan for the area in which the land is situated for development in that area;
  - (ii) any existing deficiency in the provision of roads, water supplies, sewerage or other public services, and the period within which any such deficiency may reasonably be expected to be made good;
  
- (c) in respect of the refusal of permission to develop and subdivide land if the reason or one of the reasons stated for the refusal is that the land is physically unsuitable for the proposed development, or would be prejudicial to natural resources and public health or dangerous to human life;
  
- (d) in respect of the imposition, on the granting of permission to develop and subdivide land, of any condition relating to-
  - (i) the number or disposition of buildings on any land;
  - (ii) the dimensions, cost, design, structure or external appearance of any building, or the materials to be used in its construction;
  - (iii) the manner in which any land is to be laid out for the purposes of the development, including the provision of facilities for the parking, loading or fuelling of vehicles on the land;
  - (iv) the use of any buildings or land;
  - (v) the location or design of any means of access to a highway or the materials to be used in the construction thereof;
  - (vi) the provision of any roads, surface water drainage, water supply or sewerage including sewage disposal plant;
  - (vii) cash or land endowment;
  - (viii) the transfer of ownership of lands reserved for the President or the local authority or township authority, as the case may be;
  
- (e) in respect of any planning decision on an application for consent to the display of advertisements;
  
- (f) in respect of the subdivision of land, any condition stipulated under subsection (4) of section *twenty-three*;
  
- (g) in respect of the refusal to subdivide agricultural land for agricultural purposes where the refusal is on the ground that such subdivision would be uneconomic or would render the holding uneconomic for agricultural purposes;
  
- (h) in respect of the granting of permission subject to conditions to subdivide agricultural land for agricultural purposes.

(2) For the purposes of this section, a planning decision whereby permission to develop or subdivide land is granted subject to a condition prohibiting development or subdivision of a specified portion of that land shall be treated as a decision refusing the permission as respects that portion of the land only.

(As amended by S.I. No. 65 of 1965)

**37.** (1) Compensation under this Part shall not be payable in respect of a planning decision whereby permission is refused for the development or subdivision of land if, notwithstanding that refusal, there is available with respect to that land planning permission for development or subdivision to which this section applies.

No compensation if other development permitted

(2) Where planning permission for development or subdivision to which this section applies is available with respect to a portion only of the land, this section shall have effect only in so far as the interest subsists in that portion.

(3) Where a claim for compensation under this Part is made in respect of an interest in any land, planning permission for development or subdivision to which this section applies shall be taken for the purposes of this section to be available with respect to that land or a portion thereof if, immediately before the Minister or planning authority gives notice of the findings in respect of that claim, there is in force with respect to that land or a portion thereof a grant of, or an undertaking by the Minister or planning authority to whom functions have been delegated under section *twenty-four* to grant, planning permission for some such development or subdivision subject to no conditions other than such as are mentioned in paragraph (a) of subsection (1) of section *thirty-six*.

(4) This section applies to any development of a residential, commercial or industrial character, if the development consists wholly or mainly of the construction of houses, flats, shop or office premises, hotels, garages and petrol filling stations, cinemas, or industrial buildings (including warehouses), or any combination thereof.

**38.** Where any person who is entitled to compensation under this Act is also entitled to compensation under any other Act in respect of the same matter, then such person shall elect whether he will claim compensation under this Act or under the said other Act, and such election shall be a bar to any further claim in respect of the same matter:

Exclusion and limitation of compensation in certain other cases

Provided that, where a person elects to claim compensation under this Act, he shall not be entitled to receive any greater compensation under this Act than he would have received under the said other Act.

**39.** (1) Compensation under this Part shall not be payable unless a claim for it is duly made in accordance with the provisions of this section.

General provisions as to claims for compensation

(2) A claim for compensation under this Part shall not have effect unless it is made before the end of the period of six months beginning with the date of the planning decision to which it relates, but the Minister or planning authority to whom functions have been delegated under section *twenty-four* may, in any particular case (either before, on or after the date on which the time for claiming would otherwise have expired), allow an extended, or further extended, period for making such a claim.

(3) The Minister may, by statutory instrument, make regulations-

- (a) prescribing the form in which claims for compensation under this Part are to be made;
- (b) requiring a claimant to provide the Minister or planning authority with such evidence in support of the claim, and such information as to the interest of the claimant in the land to which the claim relates, and as to the interests of other persons therein that are known to the claimant, as may be prescribed.

(4) Compensation payable under this Part shall in default of determination by agreement be determined by the High Court in accordance with such procedure as shall be prescribed.

## PART VII ACQUISITION OF LANDPART VII

### ACQUISITION OF LAND

**40.** (1) Where any land is designated under subsection (2) of section *sixteen* in a development plan or approved development plan as subject to compulsory acquisition by the President or the local authority, the land may be acquired by the President or the local or authority.

Acquisition of land

(2) The compulsory acquisition of land under this section shall be carried out in accordance with the provisions of the Lands Acquisition Act, and that Act shall apply as though the said land were required for a public purpose.

Cap. 189

*(As amended by S.I. No. 65 of 1965)*

**41.** (1) If the owner of any land which is reserved under the provisions of an approved development plan is deprived of the reasonable beneficial use of such land by a refusal of permission to develop or subdivide such land solely on the ground that the proposed development or subdivision would interfere with the use of the land for the purpose for which it is reserved, he may call upon the Minister or the planning authority to whom functions have been delegated under section *twenty-four* to cause the reserved land to be acquired.

Owner may require acquisition of reserved land

(2) If the Minister or planning authority fails to effect the acquisition of such reserved land within such period as may be prescribed, the Minister, on request being made by the owner of the land, shall order the deletion of the reservation of such land from the approved development plan and shall substitute a zoning of the predominant use of the surrounding area, and the approved development plan shall be amended and revised accordingly.

(3) Subject to the provisions of this Part, an owner may serve notice on the Minister or planning authority requiring that an order be made to cause his land in whole or in part to be acquired if by reason of any provision in an approved development plan-

- (a) so great a proportion of his land cannot be permitted to be developed that the remainder is incapable of reasonable beneficial use; or
- (b) his land has been severed in such a manner that one or more severed portions are so small or so badly shaped as to be incapable of reasonable beneficial use.

**42.** The President or the local authority may, by way of sale or lease, with the agreement of the Minister or planning authority, as the case may be, dispose of land acquired (whether compulsorily or by agreement) under this Part to any body or person for development in accordance with permission granted under Part V.

Disposal of land

*(As amended by S.I. No. 65 of 1965)*

**43.** (1) In its application to this Act, Lands Acquisition Act, shall be read as if-

Assessment of  
valuation  
Cap. 189

- (a) section *eleven* were deleted;
- (b) in the case of acquisition by a local authority-
  - (i) every reference to the President or the Minister was a reference to the local authority acquiring the land;
  - (ii) the reference to the Government in the proviso to subsection (1) of section *fifteen* was a reference to the local authority acquiring the land;
  - (iii) in section *twenty-one*, for the words "the President" were substituted the words "the local authority".

(2) Where land is being compulsorily acquired by a local authority, then the forms in the Schedule to the Lands Acquisition Act, may be so varied as to render them applicable to acquisition by such local authority.

*(As amended by S.I. No. 65 of 1965)*

PART VIII REGIONAL PLANS PART VIII

REGIONAL PLANS

**44.** (1) The Minister may, when it appears necessary or desirable to him, order the preparation of a regional plan for any area for the general purpose of co-ordinating services and development within that area, and for the specific control of the use of land or for the provision of any land required for a public purpose with the same object in view and may include in the order such items listed in the Second Schedule, with such additional items as he may deem necessary, which the regional planning authority shall take into account in the preparation of the regional plan.

Preparation of regional plan

(2) A regional plan shall consist of a report of the survey in respect of the area to which the plan relates and the survey shall be carried out in such manner as may be prescribed, together with such maps and descriptive matter as may be necessary to indicate the manner in which land in the area may be used.

*(As amended by G.N. No. 232 of 1964)*

**45.** (1) The Minister may, by statutory notice, appoint a regional planning authority to prepare a regional plan ordered under section *forty-four*, and may specify the constitution of any such regional planning authority.

Appointment of regional planning authority

(2) A regional planning authority appointed under the provision of subsection (1) shall, when preparing a regional plan, consult with such authorities, persons or bodies as the Minister may from time to time direct.

(3) A regional planning authority shall, when it has prepared a regional plan, submit such plan in duplicate to the Minister.

*(As amended by G.N. No. 232 of 1964)*

**46.** The Minister may, after consultation with all planning authorities within the area of a regional plan submitted under this Part, approve the regional plan with or without modifications or reject it, and if the regional plan is approved, thereafter, no development plan will be prepared, or an approved development plan implemented or modified in a manner which does not have proper regard to the approved regional plan, without the consent of the Minister, nor shall any land reserved in any regional plan for a specific public purpose be used otherwise than for that purpose without the consent of the Minister:

Approval of regional plan

Provided that a regional plan shall not be approved with modifications unless and until the Minister has had consultation with the said planning authorities concerning the modifications which it is proposed to make.

*(As amended by G.N. No. 232 of 1964)*

The Laws of Zambia

**47.** (1) The Minister may revoke or modify by alteration or addition, a regional plan approved under the provisions of section *forty-six*.

Revocation or modification of approved regional plan

(2) At least once in every five years after the date on which a regional plan for any area is approved by the Minister, the regional planning authority shall carry out a fresh survey of that area in such manner as may be prescribed, and shall submit a report of the survey, together with proposals for any alterations, additions or substitutions to the plan that appear to the regional planning authority to be required having regard thereto, to the Minister, who may if he deems it necessary order the preparation and submission of a new or an amended regional plan.

*(As amended by G.N. No. 232 of 1964)*

**48.** (1) The provisions of this Part shall apply to Customary Areas as defined in the Lands Act and to every township.

Application to Customary Areas and townships  
Cap. 184

(2) The provisions of a regional plan shall bind the Republic.

*(As amended by S.I. No. 65 of 1965)*

PART IX GENERALPART IX

GENERAL

**49.** (1) For the purpose of the execution of his functions under this Act, the Minister may hold or cause to be held such public inquiries as he may deem necessary, and may for that purpose-

Power to hold or cause the holding of

(a) appoint any person to conduct a public inquiry and to report thereon to him in such manner as he may direct;

Public inquiries

(b) detail the terms of reference of such public inquiry.

(2) The provisions of sections *twelve* and *thirteen* shall apply, *mutatis mutandis*, to any such public inquiry, and the person appointed to conduct a public inquiry may exercise all or any of the powers conferred on the president or the vice-president of the Tribunal or on the Tribunal by the said sections.

**50.** Any notice or order served or made under this Act shall be in writing, and any notice or order shall be served on or given to any person or shall be sufficiently served if it is left at the last known postal, residential or business address of the person to be served or if it is sent by registered post addressed to the person by name at the last known postal, residential or business address of the person, and in such last case, the notice or order shall be deemed to have been received by the said person on the day on which such notice or order would have been received by the person in the ordinary course of post whether the same shall have been actually received by him or not.

Service of notices

**51.** (1) Subject to the restrictions imposed by subsection (2), any person authorised in writing by the Minister or by any planning authority shall have the right to enter upon any land or premises at all reasonable times with such men, vehicles, materials and instruments and to do all such acts thereon as are necessary for or incidental to the exercise of the powers conferred, or the performance of the duties imposed by this Act:

Right of entry

Provided that no person shall have the right to enter upon the said land until the expiry of a period of twenty-four hours after the serving of notice on the owner or occupier of the said land.

(2) The exercise of the rights conferred by subsection (1) shall be subject to any owner or occupier of any land or premises affected being entitled to compensation for any damage caused by the persons entering upon the land or premises under the provisions conferred by this section:

Provided that no matter or thing done by any duly authorised person in the proper execution of his duties in respect of any provision of this section shall make such person liable to any personal action, liability, claim or demand whatsoever.

(3) Any person who hinders or obstructs any other person in the exercise of any of the powers conferred by subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand five hundred penalty units.

*(As amended by Act No. 13 of 1994)*

**52.** Any consent granted under the provisions of this Act shall be in addition to and not in substitution for any consent required under any other written law or under any conditions or stipulations incorporated under the title of any land.

Additional consent required

**53.** (1) The Minister may, by statutory instrument, make regulations for carrying this Act into effect.

Regulations

(2) In particular and without prejudice to the generality of the foregoing, such regulations may be made-

The Laws of Zambia

- (a) prescribing the form of application, grant or refusal to subdivide or develop land, the information and documents to be submitted and the publication of any conditions of approval of such application;
- (b) defining the groups to which specific land and building uses shall belong;
- (c) prescribing the form of preparation, modification, revocation and submission of a development plan;
- (d) prescribing the form and contents of a planning survey, regional survey and plan;
- (e) prescribing anything which may or is to be prescribed.

**54.** The provisions of the former Act are hereby repealed:

Savings

Provided that any application to subdivide land or establish a township which had been granted under the former Act, but had not been fully approved in detail on the appointed day, shall remain subject to the provisions of the former Act up to the date of the final approval of the application or, if the applicant so desires, a fresh application may be made under the provisions of this Act.

**55.** (1) Any acts, orders and conditions lawfully done, given or imposed under the provisions of the former Act, or under the provisions of any town planning scheme or zoning scheme or zoning plan prepared under the former Act before the appointed day, shall remain in full force and effect and be deemed to have been lawfully done, given or imposed under this Act, but shall not in respect of anything done prior to the appointed day give rise to claims for compensation under Part VI:

Acts, orders and conditions given or imposed under former Act

Provided that any order to prepare a town planning scheme under the Town Planning Act, Chapter 123 of the 1959 Edition of the Laws, in force immediately prior to the appointed day, other than an order in respect of the places mentioned in the First Schedule, shall have no force or effect.

(2) The functions of the Town Planning Board and Responsible Authorities under the provisions of any scheme approved under section *nineteen* or *twenty-eight* of the former Act shall be exercised by the Minister:

Provided that-

- \***(2)(i)** the Minister may delegate any such functions to a planning authority or any other persons subject to such conditions, directions or reservations as he thinks fit;

The Laws of Zambia

**\*\* (3)(ii)** the said functions shall be delegated to the appropriate planning authority set out in the First Schedule when any such scheme affects any of the areas set out in the First Schedule, and such delegation shall not be made subject to any conditions, directions or reservations.

\* (1) Powers delegated to Lusaka Planning Authority in respect of the following townships: Avondale Park Private Township (General Notice No. 2232 of 1965). Barlaston Park Township (General Notice No. 2232 of 1965). Buckley's Township (General Notice No. 2232 of 1965). Handsworth Park Township (Government Notice No. 258 of 1963). Jesmondene Private Township (General Notice No. 2232 of 1965). St Mary's Private Township (General Notice No. 2232 of 1965).

(2) Powers delegated to Southern Planning Authority in respect of the following townships: Chelston Township (General Notice No. 1282 of 1963). Lilanda Estates Limited Private Township (General Notice No. 1121 of 1963).

\*\* Powers delegated to appropriate City and Municipal Councils by Government Notice No. 23 of 1963.

(3) For the purposes of this section-

"Responsible Authorities" means Responsible Authorities appointed under the provisions of section *thirty-two* of the former Act;

"Town Planning Board" means the Town Planning Board constituted under the provisions of section *seven* of the former Act.

(As amended by No. 25 of 1962)

The Laws of Zambia

FIRST SCHEDULE

(Sections 5, 24 and 55)

PLANNING AUTHORITIES WITH DELEGATED POWERS AND RESPONSIBILITIES ON THE APPOINTED DAY

<i>Area</i>	<i>Authority</i>
City of Lusaka .....	City Council of Lusaka
City of Kitwe .....	City Council of Kitwe
City of Ndola .....	City Council of Ndola
Chingola Municipality .....	Municipal Council of Chingola
Kabwe Municipality .....	Municipal Council of Kabwe
Livingstone Municipality.....	Municipal Council of Livingstone
Luanshya Municipality.....	Municipal Council of Luanshya
Mufulira Municipality .....	Municipal Council of Mufulira

The Laws of Zambia

SECOND SCHEDULE

(Sections 16 and 44)

MATTERS FOR WHICH PROVISION MAY BE MADE IN A DEVELOPMENT PLAN

Every development and regional plan shall have for its general purpose orderly, co-ordinated, harmonious and progressive development of the area and region to which it relates in order most effectively to promote health, safety, order, amenity, convenience and general welfare of all its inhabitants, as well as efficiency and economy in the process of development and the improvement of communications.

PART I. ROADS

1. Indicating proposals for the location of roads and the widening, improvement, realignment and extension of any roads.
2. Indicating proposals for the closure or diversion of existing roads and public and private rights of way and tracks.
3. Regulating the character, line, width, level and general dimension of roads, pavements and drains whether new or existing.
4. Providing for the reservation of land for parking, loading, unloading or fuelling of vehicles and for vehicular access points from adjoining land to any road.

PART II. PUBLIC SERVICES

Facilitating by reservation of land or any other measures the establishment, extension or improvement of works by local or township authorities or by undertakers, in relation to power, lighting, water supply, sewerage, sewage disposal, drainage, refuse disposal and other public services.

PART III. BUILDINGS AND OTHER STRUCTURES

1. Regulating and controlling either generally or in any particular area all or any of the following matters:
  - (a) the size, height, spacing and location of buildings;
  - (b) the density of development in any area either by designating the population, accommodation units, or buildings which may be established on any area or plot, or by designating the number and size of plots;
  - (c) the number of buildings of a specified class or classes which may be established, constructed or erected, temporarily or permanently;
  - (d) the minimum cost per square foot of the building with a minimum overall cost of erection of the building and a minimum or maximum floor space of a building;
  - (e) the purpose for and the manner in which buildings may or may not be used or occupied including in the case of dwelling-houses the letting thereof in separate tenements;
  - (f) the removal, demolition or alteration of buildings or works which are inconsistent with or obstruct or retard the implementation of a development plan;
  - (g) external appearance and materials of buildings and other structures.
2. Defining and regulating building lines.

## The Laws of Zambia

### PART IV. USE OF LAND

1. Providing for the control of the use and change of use of land zones and reservations for various purposes including-

- (a) dwelling-houses, flats or other residential development of various classes and densities;
- (b) offices, shops and other commercial development;
- (c) industries of various classes and warehouses;
- (d) public buildings and places of assembly;
- (e) Government and local authority or township authority purposes;
- (f) cemeteries and crematoria;
- (g) schools;
- (h) agriculture, horticulture and forestry.

2. Providing for the permanent restriction or prohibition of the development of land on the grounds that-

- (a) the land is physically unsuitable for building;
- (b) the development would be prejudicial to natural resources or to public health or other public interests or would be dangerous to human life.

3. Providing for the temporary restriction or prohibition of the development of land on the grounds that-

- (a) the land is physically unsuitable for building;
- (b) the development would be prejudicial to natural resources or to public health or other public interests or would be dangerous to human life;
- (c) the provision of public services would be uneconomic;
- (d) the use is undetermined and awaiting zoning.

### PART V. AMENITIES

1. Reserving of land for parks, recreation ground or other open space whether public or private.
2. Providing for the preservation of views, and places or features of natural beauty and interest.
3. Indicating or reserving sites of buildings and objects of archaeological, architectural, scientific or historical interest.
4. Preserving single trees, groups of trees and natural vegetation.
5. Prohibiting, restricting or otherwise controlling either generally or in any particular place the exhibition of all or any forms of advertising or public notice.
6. Prohibiting, restricting or otherwise controlling-
  - (a) the deposit or disposal of disused vehicles or waste materials;
  - (b) the pollution of rivers, lakes, lake shores and ponds.

### PART VI. TRANSPORT AND COMMUNICATIONS

Facilitating by the reservation of land and auxiliary protective measures the establishment, extension or improvement of-

- (a) systems of transport whether overland or by water or by air;
- (b) telegraphic or telephonic communications.

### PART VII. MISCELLANEOUS

## The Laws of Zambia

1. Providing for and regulating agreements for any purpose of a development plan by the planning authority with owners and other persons and by such persons with one another.
2. Enabling the planning authority to permit reasonable extension to any existing buildings, uses or works which are not in conformity with or which contravene any provision of a development plan and to enter into an agreement with owners of non-conforming buildings, uses or works for continuation of such, for a period not exceeding twenty-five years, without compensation.
3. Indicating areas for the comprehensive redevelopment of land.
4. Any other matter not hereinbefore mentioned necessary or incidental to a development plan or its administration. (The mention of particular matters in this Schedule shall not be held to prejudice or affect the generality of any other matter.)

The Laws of Zambia

THIRD SCHEDULE

(Sections 25 and 28)

MATTERS WHICH MAY BE INCLUDED IN PERMISSION TO SUBDIVIDE

When considering applications for subdivision, the Minister or planning authority to whom functions have been delegated under section 24 may impose conditions of approval in respect of the following matters and, after implementation of such approval, the conditions shall be binding upon the owner, his successors and assigns:

- (1) The type and form of development to be carried out or permitted and the size, form and situation of holdings and the condition on which such holdings may be transferred.
- (2) The reservation of land for roads and public services or for any other purposes referred to in this Act for which land may be reserved.
- (3) (a) The character and type of roads or public services or other works including the standard of construction and maintenance of a road, water supply, drainage and sewerage works which are to be undertaken and completed by the applicant for subdivision at his cost; or  
(b) The character and type of roads or public services or other works including the standard of construction of a road, water supply, drainage and sewerage works which are to be undertaken and completed by the applicant for subdivision at his cost.
- (4) Provision as to the forms of security to be given by the applicant for the due performance by him of any conditions imposed and provision as to the right of the Minister or planning authority, as the case may be, to carry out any such conditions at the expense of the applicant.
- (5) The co-ordination of the subdivision of contiguous properties in order to ensure the proper development of such properties.
- (6) The registration by the applicant of any conditions imposed in the deed of title of the property.
- (7) Notification by the applicant in the *Gazette* of the conditions imposed in such a manner as the Minister may direct.

(As amended by S.I. No. 65 of 1965)

**SUBSIDIARY LEGISLATION**

**SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) ORDER**

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Order. Title
  
2. All the provisions of the Town and Country Planning Act shall apply to the area of Trust Land Number 1 the boundary whereof is described in the Schedule hereto. Application of the Town and Country Planning Act

**SCHEDULE**

Starting at the confluence of the Mwombezhi River and the Chalamba River, the boundary follows the Chalamba River upstream for 2,200 metres to point C (grid reference LS425465); thence on a bearing of 358 degrees for a distance of 2,600 metres to Beacon No. 6; thence on a bearing of 80 degrees for a distance of 1,000 metres to Beacon 7; thence on a bearing of 74 degrees for a distance of 500 metres to Beacon 8; thence on a bearing of 130 degrees for a distance of 2,650 metres to point A (grid reference LS459477) situated on the east bank of Mwombezhi River at the confluence of the Mwombezhi River and an unnamed river; thence following this unnamed river upstream to its source situated 600 metres north-east of the T5 road; thence on a bearing of 220 degrees for a distance of 1,550 metres crossing the T5 road to point B (grid reference LS45448) at the source of an unnamed river; thence down this unnamed river to its confluence with the Mwombezhi River; thence up the Mwombezhi River to its confluence with Chalamba River, the point of starting.

All bearings and distances are approximate.

The above described area, in extent 1,450 hectares approximately, is shown bordered green on Plan No. MWO\1, deposited in the office of the Commissioner for Town and Country Planning.

(S.I. no. 102 of 1976)

**SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) ORDER**

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Order. Title

2. All the provisions of the Town and Country Planning Act shall apply to those areas of Trust Land No. I in the Zambezi District and Trust Land No. XX in the Kawambwa and Samfya Districts that fall within the boundaries of the areas described in the Schedule hereto.

Application of the  
Town and Country  
Planning Act

#### SCHEDULE

##### KAWAMBWA

Starting at point A, the junction of the main Mansa-Kawambwa Road with a road connecting the Kawambwa-Mushota Road to the main Mansa-Kawambwa Road the boundary proceeds westwards in a straight line for a distance of 2,000 metres to point B on a footpath; thence in a north-westerly direction along this footpath for a distance of 175 metres to where it meets the road running to the west from Old Messenger's Compound; thence along this road in a north-easterly direction for a distance of 60 metres to point C; thence in a north-westerly direction for a distance of 1,370 metres to point D which is 114 metres north of the centre line of the road from Kawambwa to Chief Munkanta's Village; thence north-eastwards for a distance of 380 metres to point E on the track running north from Kawambwa-Munkanta Road; thence northwards along this track to an unnamed stream; thence up this stream to its source and on to the junction of the Kawambwa-Mporokoso Road with the Kawambwa-Nchelenge Road; thence south-eastwards following a cut line for a distance of 310 metres to point F; thence northwards for a distance of 200 metres to point G; thence south-eastwards along a footpath for a distance of 375 metres to point H; thence in an easterly direction for a distance of 780 metres to point J; thence southwards for a distance of 1,140 metres to the north-eastern corner of the Kawambwa Airfield; thence southwards for a distance of 1,140 metres to the north-eastern corner of the Kawambwa Airfield; thence for a distance of 125 metres to point K the south-eastern corner of the aforesaid Airfield; thence following the footpath in a south-westerly direction for a distance of 150 metres to where it meets the Kawambwa-Mushota Road; thence south-westwards in a straight line for a distance of 1,720 metres to point A, the point of starting.

All distances are approximate.

The above described area is in extent 810 hectares approximately.

##### SAMFYA

Starting at point A, situated at the north-eastern corner of the Forest Plantation, the boundary proceeds in a westerly direction for a distance of 1,710 metres to point B, where this line meets the edge of the Chimana Dambo; thence following the edge of this dambo in a north-easterly direction for a distance of 3,230 metres to point C, where the main Samfya-Mansa road crosses the dambo; thence following this road in a north-westerly direction for a distance of 1,190 metres to point D; thence on a bearing of 85.5 degrees for a distance of 180 metres to point E, the junction of a track that runs along the north-western boundary of the Secondary School with a minor road running to the north of the main Samfya-Mansa road; thence north-eastwards, northwards and north-westwards along the centre of the road past the Secondary School and continuing along this road for a total distance of 3,360 metres to point F; thence eastwards through Lake Chifunauli for a distance of 3,042 metres to its intersection with the Lake Bangweulu shoreline; thence southwards along the Lake shoreline for a distance of 6,803 metres to the mouth of the Makula Dambo adjacent to the Samfya Harbour entrance; thence along the northern edge of this dambo to a point and then leaving the edge of the dambo westwards across the road on to point G, on the south-eastern boundary of the Forest Plantation for a total distance of 3,130 metres; thence following the plantation boundary northwards for a distance of 2,100 metres to point A, the point of starting.

All bearings and distances are approximate.

The above described area is in extent 670 hectares approximately.

##### ZAMBEZI

## The Laws of Zambia

Starting from point A, at the centre line of the intersection of the Zambezi-Chavuma Road and Chilenga Stream, the boundary proceeds upstream along its centre line, for a distance of 550 metres to point B, where the footpath from the Chilenga Primary School crosses the Chilenga Stream; thence on a straight line on a bearing of 125 degrees for a distance of 3,300 metres to the intersection of the Lishipa Village track with the main track leading towards the sand and gravel pits, south-west of Lishipa Village; thence along the latter track for a distance of 280 metres to point C; where the minor track crosses the Luampungu Stream; thence following the stream centre line downstream for a distance of 1,200 metres to point D, where the Old Kabompo Road crosses the stream; thence along the centre line of the road in an easterly direction for a distance of 40 metres to point E; thence following the track on a bearing of 185 degrees for a distance of 785 metres to the main Zambezi-Kabompo Road at point F; thence on a bearing of 208 degrees for a distance of 1,900 metres to point G on the Zambezi-Chitokoloki Road, 840 metres south-east of the low cost housing area attached to the Secondary School; thence on a bearing of 268 degrees for a distance of 980 metres touching the northern edge of permanent water on Lake Musekelembwa to point H, on a track from Secondary School to the small pier on the Zambezi River; thence following this track for a distance of 680 metres to point I which is adjacent to the pier; thence in a straight line across the Zambezi River on a bearing of 203 degrees for a distance of 230 metres to point J; thence up the Zambezi River along the western bank for a distance of 780 metres to point K, the confluence of Mwalya Stream with the Zambezi River; thence the boundary follows the eastern bank of Mwalya Stream to where it meets Lake Mwalya; thence following the eastern edge of that lake's permanent water to point L, at the estuary of an unnamed stream for a total distance of 2,580 metres; thence in a straight line on a bearing of 355 degrees for a distance of 1,000 metres to the Old Zambezi/Chinyama Litapi causeway at point M, being the beacon marking the most westerly point of the former Boma Boundary; thence along the old causeway for a distance of 780 metres to point N, being the former pontoon mooring (now crossing point); thence across the Zambezi on a bearing of 40 degrees for a distance of 320 metres to the old pontoon mooring on the eastern bank at point O; thence along the more northerly track on a bearing of 60 degrees for a distance of 100 metres to point P, whereat the track meets the boundary between the flats/dambo area and the permanently well drained land; thence in a northerly direction along the boundary between the flats and the permanently well drained ground for a distance of 1,550 metres to the centre line of the new Chinyama Litapi track at point Q; thence following the centre line of the track eastwards for a distance of 120 metres to point R being the intersection with the centre line of the Zambezi-Chavuma Road; thence along this road on a bearing of 335 degrees for a distance of 730 metres to point A, the point of starting.

All bearings are from true north and all distances are approximate.

The above described area, in extent 1,500 hectares approximately, is shown bordered green on Plan No. T2/2, deposited in the office of the Surveyor-General, signed by him and dated the 7th July, 1976.

(S.I. no. 45 of 1978)

### SECTION 3-THE TOWN AND COUNTRY PLANNING ACT (APPLICATION) ORDER

#### *Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Order, Title
2. All the provisions of the Act shall apply to Customary Areas defined in section two of the Lands Act. Application of Cap. 184

The Laws of Zambia

SCHEDULE

*(Paragraph 2)*

AREA IN KAPUTA RURAL DISTRICT TO WHICH THIS ACT APPLIES

Starting from point A which is situated approximately 1.6 kilometres offshore in Lake Tanganyika and due north east of Sumbu Old Boma; the boundary proceeds on a bearing of approximately 220 degrees for a distance of 1.6 kilometres to Beacon D erected near Sumbu Old Boma; thence the boundary proceeds on a bearing of approximately 235 degrees for a distance of approximately 4.8 kilometres to Beacon C erected on the Chisala stream; thence the boundary proceeds on a bearing of approximately 336 degrees for a distance of about 5.8 kilometres to Beacon B on the boundary of the Tabwa Reserve No. XXXII and approximately 5 kilometres due west of Cape Kachese; thence the boundary proceeds along this reserve boundary to the point where it meets the shoreline of Lake Tanganyika; thence on a bearing of approximately 101 degrees for a distance of approximately 2.3 kilometres and passing above the northernmost tip of Sumbu Island to point A, the point of starting.

All bearings are from magnetic north and all distances are approximate.

The above described area, in extent 1,508 hectares approximately, is shown bordered green on Plan No. T153, deposited in the office of the Surveyor-General, signed by him and dated 11th December, 1980.

*(S.I. no 56 of 1981)*

The Laws of Zambia

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) ORDER

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Order. Title
2. All the provisions of the Town and Country Planning Act shall apply to Customary Areas contained within the boundaries of the area described in the Schedule hereto. Application of the Town and Country Planning Act

SCHEDULE

*(Paragraph 2)*

SIAVONGA

Starting at the point where the international boundary between Zambia and Zimbabwe crosses the Kariba Dam, the boundary proceeds in the southwesterly direction along the international boundary for a distance of approximately 4 450 metres to point A; thence on a bearing of 270 degrees for a distance of approximately 7 300 metres to point B; thence on a bearing of 0 degrees for a distance of approximately 4 900 metres to point C; thence on a bearing of 90 degrees for a distance of approximately 3 850 metres to point D; thence south-eastwards along a track leading to Sianzala Village for approximately 1 750 metres to point E; thence southwards, south of the Sianzala Village, eastwards and north-eastwards along the top of the hills for approximately 4 000 metres to point F; thence southwards for approximately 100 metres to the source of the Nansimba River; thence down the Nansimba River to its confluence with the Zambezi River and then in a straight line to the international boundary between Zambia and Zimbabwe; thence up the Zambezi River and following the said international boundary to Kariba Dam, the point of starting.

All bearings and distances are approximate. Bearings are taken from Grid North.

The above described area in extent 2 340 hectares approximately is shown bordered green on Plan No. T60\3, deposited in the office of the Surveyor-General, signed by him and dated 26th October, 1981.

*(S.I. no 137 of 1981)*

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) ORDER

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Order, 1982. Title

The Laws of Zambia

2. All the provisions of the Town and Country Planning Act shall apply to Customary Areas contained within the boundaries of the area described in the Schedule hereto.

Application of the  
Town and Country  
Planning Act

SCHEDULE

(Paragraph 2)

MONGU

Starting at point P1, being on the Lusaka Road at the easternmost point of the previous Township Boundary, the new boundary runs southwards on a bearing of 175 degrees for a distance of 2,900 metres to P16, being the easternmost point of the new Cemetary Site; thence south-westwards on a bearing of 237 degrees for a distance of 1,390 metres to P15 on the Senanga Road; thence in a north-westerly direction along the western side of Senanga Road on a bearing of 327 degrees for a distance of 1,590 metres to P14; thence leaving the Senanga Road on a bearing of 292 degrees for a distance of 1,220 metres to P13; thence in a south-westerly direction on a bearing of 255 degrees for a distance of 540 metres to P12; thence it runs north-westwards following the bed of the second and lesser water-course for a distance of 1,160 metres to P10, which is the confluence of the two water-courses; thence in a north-easterly direction passing to the west of Maramba Harbour for a distance of 1,270 metres to P9 which lies on the water-course; thence in a north-easterly direction on a bearing of 35 degrees for a distance of 1,036 metres to P8 near the mouth of the Blue Gums Harbours; thence eastwards on a bearing of 85 degrees for a distance of 570 metres to P7 on the western side of the Limulunga Road opposite the present market; thence on a bearing of 35 degrees for a distance of 945 metres to P6 on the Limulunga Road; thence northwards following the road for a total distance of 1,500 metres to P5 at the north-west extremity of "ex W.N.L.A. Compound", still on the Limulunga Road; thence eastwards on a bearing of 75 degrees for a distance of 1,560 metres to P4; thence southwards on a bearing of 170 degrees for a distance of 1,850 metres to P3 on the road; thence along the Airport approach road westwards on a bearing of 260 degrees for a distance of 120 metres to P2; thence southwards joining the previous Township Boundary on a bearing of 170 degrees for a total distance of 1,140 metres to P1 on the Lusaka Road, the point of starting.

All bearings and distances are approximate.

The above described area, in extent 1,390 hectares approximately, is shown bordered green on Plan No. T79/2, deposited in the office of the Surveyor-General, signed by him and dated 10th February, 1975.

(S.I. no 120 of 1982)

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT (APPLICATION)  
ORDER, 1983

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Order.

Title

2. All the provisions of the Town and Country Planning Act shall apply to Customary Areas contained within the boundaries of the area described in the Schedule hereto.

Application of the  
Town and Country  
Planning Act

(S.I. no. 153 of 1983)

The Laws of Zambia

SCHEDULE

(Paragraph 2)

SENANGA

Starting at the intersection of Roads M10 and RD321, the boundary proceeds on a bearing of 280 degrees for a distance of 380 metres; thence on a bearing of 350 degrees for a distance of 400 metres; thence on a bearing of 4 degrees for a distance of 5,300 metres; thence on a bearing of 15 degrees for a distance of 750 metres; thence on a bearing of 328 degrees for a distance of 400 metres; thence on a bearing of 312 degrees for a distance of 570 metres; thence on a bearing of 317 degrees for a distance of 200 metres; thence on a bearing of 322 degrees for a distance of 360 metres; thence on a bearing of 353 degrees for a distance of 80 metres; thence on a bearing of 75 degrees for a distance of 960 metres; thence on a bearing of 8 degrees for a distance of 1,430 metres, along the Mongu/Senanga Road, thence on a bearing of 90 degrees for a distance of 3,400 metres; thence on a bearing of 180 degrees for a distance of 2 370 metres; thence on a bearing of 270 degrees for a distance of 730 metres; thence on a bearing of 217 degrees for a distance of 2 950 metres; thence on a bearing of 273 degrees for a distance of 630 metres; thence on a bearing of 280 degrees for a distance of 150 metres to the intersection of Roads M10 and RD321, the point of starting.

All distances and bearings are approximate, and all bearings are from true North.

The above described area in extent 1,350 hectares approximately is shown bordered green on Plan No. T67/1 deposited in the office of the Surveyor-General, signed by him and dated 6th July, 1983.

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) ORDER

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Title  
Order, 1984.

2. All the provisions of the Town and Country Planning Act shall apply to Customary Application of the  
Areas contained within the boundaries of the area described in the Schedule hereto. Town and country  
Planning Act

SCHEDULE

(Paragraph 2)

KALABO

The Laws of Zambia

Starting at Beacon A at the intersection of Road D316 and D319, the boundary proceeds on bearing of 353 degrees for a distance of 450 metres to Beacon B; thence on a bearing of 36 degrees for a distance of 250 metres to Beacon C; thence on a bearing of 60 degrees for a distance of 180 metres to Beacon D; thence on a bearing of 113 degrees for a distance of 500 metres to Beacon E; thence on a bearing of 46 degrees for a distance of 150 metres to Beacon F; thence on a bearing of 69 degrees for a distance of 150 metres to Beacon G; thence on a bearing of 111 degrees for a distance of 120 metres to Beacon H; thence on a bearing of 130 degrees for a distance of 380 metres to Beacon J; thence on a bearing of 80 degrees for a distance of 170 metres to Beacon K; thence on a bearing of 45 degrees for a distance of 440 metres to Beacon L; on the Luanginga River; thence along the right bank of the Luanginga River for 6 000 metres to its confluence with an unnamed tributary; thence up this tributary to Beacon M at its source; thence on a bearing of 265 degrees for a distance of 1 950 metres to Beacon N on the western edge of the Kalabo-Kalongola Pontoon Road D319; thence along this road for 1 259 metres to Beacon P; thence on a bearing of 266 degrees for a distance of 330 metres to Beacon Q; thence on a bearing of 356 degrees for a distance of 500 metres to Beacon R; thence on a bearing of 86 degrees for a distance of 330 metres to Beacon S on Road D319; thence along this road for a distance of 340 metres to Beacon A, the point of starting.

All distances are approximate, and all bearings are from true north.

The above described area in extent 1 085 hectares approximately is shown bordered green on Plan No. T21/1 deposited in the Office of the Surveyor-General, signed by him and dated 6th July, 1983.

(S.I. no 73 of 1984)

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT (APPLICATION)  
(NO.2) ORDER

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Title  
(No. 2) Order.

2. All the provisions of the Town and Country Planning Act shall apply to Application of the  
Customary Areas contained within the boundaries of the area described in the Schedule Town and country  
hereto. Planning Act

SCHEDULE

(Paragraph 2)

LUKULU

## The Laws of Zambia

Starting at Beacon F, the north-eastern corner beacon of the airfield, the boundary proceeds on a bearing of 161 degrees for a distance of 190 metres to Beacon G; thence on a bearing of 184 degrees for a distance of 2 350 metres to Beacon H; thence on a bearing of 125 degrees for a distance of 190 metres to Beacon L6 passing through Beacon L5; thence in a southerly direction on a bearing of 149 degrees for a distance of 370 metres to Beacon L7; thence westwards on a bearing of 243 degrees for a distance of 420 metres to Beacon L8; thence on a bearing of 274 degrees for a distance of 370 metres to Beacon L9; thence on a bearing of 306 degrees for a distance of 450 metres to Beacon L10; thence on a bearing of 239 degrees for a distance of 340 metres to Beacon L11; thence on a bearing of 299 degrees for a distance of 730 metres to Beacon L12; thence on a bearing of 249 degrees for a distance of 940 metres passing through Beacon L13 to Beacon A on the eastern bank of the Zambezi River; thence on a bearing of 354 degrees for a distance of 3 170 metres to Beacon B on the north extremity of Sancta Maria Mission; thence eastwards on a bearing of 96 degrees for a distance of 620 metres to Beacon C; thence northwards on a bearing of 13 degrees for a distance of 180 metres to Beacon D, the western boundary of the leprosarium; thence eastwards on a bearing of 108 degrees following the northerly boundary of the leprosarium for a distance of 820 metres to Beacon E, on the northern boundary of the airfield; thence on a bearing of 67 degrees for a distance of 1 050 metres along the northern boundary of the said field to Beacon F, the point of starting.

All distances are approximate, and all bearings are from true north.

The above described area in extent 726 hectares approximately is shown bordered green on Plan No. T148, deposited in the office of the Surveyor-General, signed by him and dated 5th April, 1974.

(S.I. no 74 of 1984)

### SECTION 3-THE TOWN AND COUNTRY PLANNING ACT (APPLICATION) (NO. 4) ORDER

#### *Order by the President*

**1.** This Order may be cited as the Town and Country Planning Act (Application) (No. 4) Order, 1984. Title

**2.** All the provisions of the Town and Country Planning Act shall apply to those areas of Trust Land contained within the boundaries of the area described in the Schedule hereto. Application of the Town and Country Planning Act

#### SCHEDULE

(Paragraph 2)

NICHELENGE/KASHIKISHI

The Laws of Zambia

Starting at Beacon A on the Nchelenge/Munungo Road, about 130 metres north of the hospital, the boundary proceeds eastwards for a distance of about 1 005 metres to Beacon B; thence southwards for a distance of about 5 500 metres to Beacon C; thence westwards for a distance of about 1 600 metres to Beacon D; about 1 000 metres south of Nchelenge Boma on the Nchelenge/Mwense Road; thence westwards along a footpath for a distance of about 550 metres to Beacon E on the shore of Lake Mweru; thence northwards following the shore line for a distance of about 7 900 metres to Beacon F north of the hospital; thence south eastwards for a distance of about 460 metres to Beacon A, the point of starting. All distances are approximate.

The above described area, in extent 1 600 hectares approximately, is shown bordered green on Plan No. T150 deposited in the Office of the Surveyor-General, signed by him and dated 1st October, 1976.

(S.I. No 153 of 1984)

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) (NO. 3) ORDER

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) (No. 3) Order. Title

2. All the provisions of the Town and Country Planning Act shall apply to Customary Areas contained within the boundaries of the area described in the Schedule hereto. Application of the Town and Country Planning Act

SCHEDULE

(Paragraph 2)

MWENSE

Starting at the confluence of Mwense Stream and the Nsakaluba Stream the boundary follows eastwards along the western edge of Nsakaluba Stream for a distance of 2 700 metres to Beacon A; thence southwards for a distance of 2 100 metres to Beacon B on the Mwense River; thence downwards along the western edge of Mwense River for a distance of 2 500 metres to the confluence of Mwense Stream and Nsakaluba Stream, the point of starting. All distances are approximate.

The above described area, in extent 400 hectares approximately, is shown bordered green on Plan No. T154 deposited in the office of the Surveyor-General, signed by him and dated 4th July, 1984.

(S.I. No 152 of 1984)

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) ORDER

*Order by the President*

The Laws of Zambia

1. This Order may be cited as the Town and Country Planning Act (Application) Order. Title

2. All the provisions of the Town and Country Planning Act shall apply to Customary Areas contained within the boundaries of the area described in the Schedule hereto. Application of the Town and Country Planning ActJ

SCHEDULE

(Paragraph 2)

KAOMA

Starting at the junction of the new Lusaka-Mongu Road, M9, and the road from Kaoma Township's Boma, D301 at point A, the boundary proceeds westwards along the Lusaka-Mongu Road for a distance of approximately 1 270 metres to point B, on the same road; thence northwards on a bearing of 0 degrees for approximately 1 250 metres to point C at the source of the Muhilo Stream; thence down the Muhilo Stream for approximately 600 metres to point D; thence north westwards on a bearing of 341 degrees for a distance of approximately 250 metres to point E; thence north westwards on a bearing of 320 degrees for approximately 410 metres to point F; thence north westwards on a bearing of 343 degrees for a distance of 140 metres to point G on the northern edge of the Old Lusaka-Mongu Road, RD467; thence eastwards along the Old Lusaka-Mongu Road, RD467, for a distance of approximately 100 metres to point H; thence north westwards on a bearing of 347 degrees for a distance of approximately 180 metres to point J; thence north westwards on a bearing of 328 degrees for a distance of 550 metres to point K on the left bank of the Luena River; thence up the Luena River to its confluence with the Mulamatila Stream; thence up the Mulamatila Stream to its source at point L; thence southwards on a bearing of 181 degrees for a distance of approximately 2 080 metres to point M on the new Lusaka-Mongu Road, M9; thence along the Lusaka-Mongu Road, M9, for a distance of 2 100 metres to its junction with Road D301 at point A, the point of starting. All bearings and distances are approximate.

The above described area in extent 1 445 hectares approximately, is shown bordered green on Plan No. T38/1 deposited in the office of the Surveyor-General, signed by him and dated 2nd December, 1983.

(S.I. no 105 of 1985)

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) ORDER

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Order. Title

2. All the provisions of the Town and Country Planning Act shall apply to Customary Areas contained within the boundaries of the area described in the Schedule hereto. Application of the Town and Country Planning Act

SCHEDULE

The Laws of Zambia

(Paragraph 2)

KAPUTA

Starting at the point where road D37 crosses Choma River, the boundary follows this road in a south westerly direction for a distance of approximately 1 530 metres to point A; thence on a bearing of 283 degrees for a distance of approximately 920 metres to point B; thence on a bearing of 348 degrees for a distance of approximately 1 140 metres to point C; thence on a bearing of 43 degrees for a distance of approximately 950 metres to point D on Choma River; thence down Choma River to the point where it is crossed by road D37, the point of starting.

All distances and bearings taken from north are approximate.

The above described area in extent 215 hectares approximately, is shown bordered green on Plan No. T156 deposited in the office of the Surveyor-General or signed by him and dated 26th April, 1985.

(S.I. no 22 of 1986)

SECTION 3-THE TOWN AND COUNTRY PLANNING ACT  
(APPLICATION) (NO. 2) ORDER

*Order by the President*

1. This Order may be cited as the Town and Country Planning Act (Application) Title  
(No. 2) Order.

2. All the provisions of the Town and Country Planning Act shall apply to Application of the  
Customary Areas contained within the boundaries of the area described in the Schedule Town and Country  
hereto. Planning Act

SCHEDULE

(Paragraph 2)

CHIBOMBO

Starting at point A the junction of the Great North Road T2, and Chibombo Road R133, the boundary proceeds north-westwards along Chibombo Road R133 for a distance of approximately 3 100 metres to point B, thence eastwards along a track for a distance of approximately 3 300 metres to point C, a point on the boundary of Farm No. 2112, thence southwards along the boundary of Farm No. 2112 for a distance of approximately 1 700 metres to point D, a point north of the Great North Road T2, thence in south-westerly direction along the Great North Road T2 for a distance of approximately 1 500 metres to point A the point of starting.

All distances are approximate. The above described area in extent 600 hectares approximately, is shown bordered green on Plan No. T155 deposited in the office of the Surveyor-General, signed by him and dated 27th August, 1985.

(S.I. no. 158 of 1985)

The Laws of Zambia

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (MPIKA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Mpika) Order. Title
2. The Northern Planning Authority is hereby ordered to prepare a Development Plan for the area within the border edged blue on Plan No. MPI/84. Order to prepare Development Plan
3. A copy of Plan No. MPI/84 may be inspected at the office of the Northern Planning Authority, Charter House, Buteko Avenue, Ndola, or at the office of the Mpika Township Council, during normal working hours until the 9th April, 1976, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, before the 9th April, 1976. Deposit of Plan and submission of objections

(S.I. no 57 of 1976)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (CHOMA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Choma) Order. Title
2. The Southern Planning Authority is hereby ordered to prepare a Development Plan for the area within the blue border on Plan No. CHO/221. Order to prepare Development Plan
3. A copy of Plan No. CHO/221 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Choma Township Council, during normal working hours until the 30th April, 1976, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, before the 30th April, 1976.

(S.I. no 73 of 1976)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (KAPIRI MPOSHI)  
ORDER

The Laws of Zambia  
*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Kapiri Mposhi) Order. Title
2. The Southern Planning Authority is hereby ordered to prepare a Development Plan for the area within the border edged blue on Plan No. KAP/81. Order to prepare Development Plan
3. A copy of Plan No. KAP/81 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Kapiri Mposhi Township Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period. Deposit of Plan and submission of objections

(S.I. no 79 of 1976)

SECTION 18-THE TOWN AND COUNTRY PLANNING  
(LUSAKA DEVELOPMENT PLAN) (REVOCATION) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Lusaka Development Plan) (Revocation) Order. Title
2. Following upon the submission of a proposal by the Lusaka Planning Authority in terms of subsection (2) of section *eighteen* of the Town and Country Planning Act, it has been decided to revoke the Lusaka Development Plan as approved by Government Notice No. 289 of 1958 and Government Notice No. 8 of 1959 and the said Lusaka Development Plan together with the said Government Notices shall stand revoked on the expiry of forty-five days after the publication of this order. Revocation of Lusaka Development Plan

(S.I. no. 80 of 1976)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (LUSAKA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Lusaka) Order. Title

The Laws of Zambia

2. The Lusaka Planning Authority is hereby ordered to prepare a Development Plan for the area within the border edged blue on Plan No. LUS/357. Order to prepare Development Plan

3. A copy of Plan No. LUS/357 may be inspected at the offices of the City Engineer, Civic Centre, Lusaka, during normal working hours on any day not later than forty-five days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period. Deposit of Plan and sub-mission of objections

4. The Government Notices and the Statutory Instrument specified in the Schedule are hereby revoked. Revocation

SCHEDULE

Government Notice No. 306 of 1951  
Government Notice No. 301 of 1952  
Government Notice No. 115 of 1956  
Government Notice No. 274 of 1963  
Government Notice No. 45 of 1964  
Statutory Instrument No. 299 of 1965

(S.I. no 81 of 1976)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (MWOMBEZHI) NOTICE

*Order by the Minister*

1. This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Mwombezhi) Notice. Title

2. (1) The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the border edged blue on Plan No. MWO/3. Order to prepare development plan

(2) The Order contained in sub-paragraph (1) shall not come into operation until the expiration of a period of forty-five days after the date on which this Notice is published in the *Gazette*.

3. (1) A copy of Plan No. MWO/3 may be inspected at the office of the Northern Planning Authority, Charter House, Buteko Avenue, Ndola, or at the office of the District Secretary, Solwezi, during normal working hours on any day during the period of forty-five days following the publication of this Notice in the *Gazette*. Inspection of development plan and submission of objections

The Laws of Zambia

(2) Any interested person who objects to the preparation of the development plan may, within the period of twenty-one days following the publication of this Notice in the *Gazette*, send his objection in writing to the Minister, Ministry of Local Government and Housing, P.O. Box RW27, Lusaka.

(S.I. no 141 of 1976)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (MAZABUKA) ORDER

*Order by the Minister*

- |  |  |
|--|--|
| <p>1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Mazabuka) Order.</p>   | Title  |
| <p>2. The Southern Planning Authority is hereby ordered to prepare a Development Plan for the area within the blue border on Plan No. MAZ/94.</p>  | Order to prepare Development Plan            |
| <p>3. A copy of Plan No. MAZ/94 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Mazabuka Township Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.</p> | Deposit of Plan and submission of objections |

(S.I. no 50 of 1977)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (KAFUE) ORDER

*Order by the Minister*

- |  |                                   |
|--|-----------------------------------|
| <p>1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Kafue) Order, 1977.</p>                          | Title                             |
| <p>2. The Southern Planning Authority is hereby ordered to prepare a development plan for the area within the blue border on Plan No. KAF/116.</p> | Order to prepare development plan |

The Laws of Zambia

3. A copy of Plan No. KAF/116 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of Kafue Township Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the development plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no. 64 of 1977)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (MANSA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Mansa) Order.

Title

2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. T17/3.

Order to prepare development plan

3. A copy of Plan No. T17/3 may be inspected at the office of the Northern Planning Authority, Charter House, Buteko Avenue, Ndola, or at the office of the Mansa Township Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.

Deposit of plan and submission of objections

(S.I. no 143 of 1977)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (LUANSHYA) ORDER

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Luanshya) Order.

Title

2. The Luanshya Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. T82/7.

Order to prepare development plan

3. A copy of Plan No. T82/7 may be inspected at the office of the Town Engineer, Civic Centre, Luanshya, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the development plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.

Inspection of plan and sub-mission of objections

(S.I. no 144 of 1977)

SECTION 18-THE TOWN AND COUNTRY PLANNING  
(LUANSHYA DEVELOPMENT PLAN) (REVOCAION) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Luanshya Development Plan) (Revocation) Order. Title

2. Following upon the submission of a proposal by the Luanshya Planning Authority in terms of subsection (2) of section *eighteen* of the Town and Country Planning Act, it has been decided to revoke the Luanshya Development Plan as approved by Government Notice No. 187 of 1961 and the said Luanshya Development Plan together with the said Government Notice shall stand revoked on the expiry of forty-five days after the publication of this Order. Revocation of Luanshya Development Plan

(S.I. no 145 of 1977)

SECTION 24-THE TOWN AND COUNTRY PLANNING (DELEGATION  
OF FUNCTIONS) (NORTHERN PLANNING AUTHORITY) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Delegation of Functions) (Northern Planning Authority) Order. Title

2. The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of the areas of the Kalulushi Township and the Chiliabombwe Township are hereby delegated to the Northern Planning Authority. Delegation of functions

(S.I. no 175 of 1977)

SECTION 15-THE TOWN AND COUNTRY PLANNING (PREPARATION  
OF DEVELOPMENT PLAN) (CHILILABOMBWE) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Chililabombwe) Order. Title

The Laws of Zambia

2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. C.1. Order to prepare development plan

3. A copy of Plan No. C.1. may be inspected at the office of the Northern Planning Authority, Buteko House, Buteko Avenue, Ndola and at the office of the Chililabombwe Township Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person who objects to the preparation of the development plan may send his objection in writing to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period. Inspection of Plan and submission of objections

(S.I. no 200 of 1977)

SECTION 15-THE TOWN AND COUNTRY PLANNING (PREPARATION OF DEVELOPMENT PLAN) (CHINGOLA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Chingola) Order. Title

2. The Chingola Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. C.17. Order to prepare development plan

3. A copy of Plan No. C.17 may be inspected at the office of the Town Engineer, Civic Centre, Chingola, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person who objects to the preparation of the development plan may send his objection in writing to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period. Inspection of Plan and submission of objections

4. The Government Notices specified in the Schedule are hereby revoked. Revocation  
(S.I. No. 201 of 1977)

SCHEDULE

(Paragraph 4)

Government Notice No. 351 of 1959

Government Notice No. 377 of 1963

SECTION 15-THE TOWN AND COUNTRY PLANNING (PREPARATION OF DEVELOPMENT PLAN) (NDOLA) ORDER

*Order by the Minister*

The Laws of Zambia

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Ndola) Order. Title
2. The Ndola Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. T122/7. Order to prepare development plan
3. A copy of Plan No. T122/7 may be inspected at the office of the City Engineer, Civic Centre, Ndola, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period. Inspection of plan and submission of objections

(S.I. no 210 of 1977)

SECTION 18-THE TOWN AND COUNTRY PLANNING  
(CHINGOLA DEVELOPMENT PLAN) (REVOCATION) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Chingola Development Plan) (Revocation) Order. Title
2. Following upon the submission of a proposal by the Chingola Planning Authority in terms of subsection (2) of section *eighteen* of the Town and Country Planning Act, it has been decided to revoke the Chingola Development Plan as approved by Government Notice No. 351 of 1959 and the said Chingola Development Plan together with the said Government Notice shall stand revoked on the expiry of forty-five days after the publication of this Order. Revocation of Chingola Development Plan

(S.I. no 80 of 1978)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (SAMFYA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Samfya) Order, 1978. Title
2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the blue border on Plan No. SAM/54. Order to prepare development plan

The Laws of Zambia

3. A copy of Plan No. SAM/54 may be inspected at the office of the Northern Planning Authority, Buteko House, Buteko Avenue, Ndola, or at the office of the Samfya Rural Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no 85 of 1978)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (ZAMBEZI) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Zambezi) Order.

Title

2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area bordered blue on Plan No. ZAM/172.

Order to prepare development plan

3. A copy of Plan No. ZAM/172 may be inspected at the office of the Northern Planning Authority, Buteko House, Buteko Avenue, Ndola, or at the office of the Zambezi Rural Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no 86 of 1978)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (KAWAMBWA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Kawambwa) Order.

Title

2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the blue border on Plan No. KAW/87.

Order to prepare development plan

The Laws of Zambia

3. A copy of Plan No. KAW/87 may be inspected at the office of the Northern Planning Authority, Buteko House, Buteko Avenue, Ndola, or at the office of the Kawambwa Rural Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no 84 of 1978)

SECTION 18-THE TOWN AND COUNTRY PLANNING  
(MUFULIRA DEVELOPMENT PLAN) (REVOCATION) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Mufulira Development Plan) (Revocation) Order.

Title

2. Following upon the submission of a proposal by the Mufulira Planning Authority in terms of subsection (2) of section *eighteen* of the Town and Country Planning Act, it has been decided to revoke the Mufulira Development Plan as approved by Government Notice No. 174 of 1961 and the said Mufulira Development Plan together with the said Government Notice shall stand revoked on the expiry of forty-five days after the publication of this Order.

Revocation of Mufulira Development Plan

(S.I. no 136 of 1978)

SECTION 15-THE TOWN AND COUNTRY PLANNING (PREPARATION OF DEVELOPMENT PLAN) (MUFULIRA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Mufulira) Order.

Title

2. The Mufulira Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. T.77/11.

Order to prepare development plan

3. A copy of Plan No. T77/11 may be inspected at the office of the Town Engineer, Civic Centre, Mufulira, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person may object to the preparation of the Development Plan to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no 137 of 1978)

The Laws of Zambia

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (KASEMPA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Kasempa) Order. Title
2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the blue border on Plan No. KASE/85. Order to prepare development plan
3. A copy of Plan No. KASE/85 may be inspected at the office of the Northern Planning Authority, Provident House, Broadway, Ndola and at the office of the Kasempa Rural Council, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person who objects to the preparation of the development plan may send his objection in writing to the Minister of Local Government and Housing, P.O. Box RW27, Lusaka, within the aforesaid period. Inspection of Plan and sub-mission of objections

(S.I. no. 181 of 1978)

SECTION 15-THE TOWN AND COUNTRY PLANNING (PREPARATION OF  
DEVELOPMENT PLAN) (MPULUNGU) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Mpulungu) Order. Title
2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the red border on Plan No. MPU/66A. Order to prepare development plan
3. A copy of Plan No. MPU/66A may be inspected at the office of the Northern Planning Authority, Ninth Floor, Provident House, Broadway, Ndola and at the Office of the Mbala Rural Council during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person who objects to the preparation of the development plan may send his objection in writing to the Prime Minister, P.O. Box RW27, Lusaka, within the aforesaid period. Inspection of Plan and sub-mission of objections

(S.I. no 76 of 1979)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN)  
(ZAMBIA/TANZANIA RAILWAY CORRIDOR) NOTICE

Copyright Ministry of Legal Affairs, Government of the Republic of Zambia

The Laws of Zambia

*Notice by the Minister*

- 1.** This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Zambia\Tanzania Railway Corridor) Notice. Title
  
- 2.** The Northern Planning Authority is hereby ordered to prepare development plans for the areas within the borders on Plans specified in column 2 of the Schedule hereto. Order to prepare development plans
  
- 3.** Copies of the Plans specified in column 2 of the Schedule hereto may be inspected at the office of the Northern Planning Authority, Provident House, Broadway, Ndola, during normal working hours on any day not later than twenty-one days after the publication of this Notice, and any interested person who objects to the preparation of the development plans may send his objection to the Prime Minister, P.O. Box RW27, Lusaka, within the aforesaid period. Inspection of Plans and Submission of objections

SCHEDULE

The Laws of Zambia

(Paragraph 2)

<i>Area</i> (1)	<i>Plan No.</i> (2)
1. Nakonde/Mwenz	T152
2. Msanza	TAZ/N/1
3. Ngumba	TAZ/N/1
4. Kapwila	TAZ/N/1
5. Luchinde	TAZ/N/1
6. Chozi	T151
7. Mtumba	TAZ/N/2
8. Luchewe	TAZ/N/2
9. Mbopo	TAZ/N/2
10. Kalulu	TAZ/N/2
11. Makasa	TAZ/N/2
12. Kasuwa	TAZ/N/3
13. Iyaya	TAZ/N/3
14. Chimba	TAZ/N/3
15. Mulele	TAZ/N/3
16. Nseluka	TAZ/N/3
17. Mulambe	TAZ/N/3
18. Kungu	TAZ/N/4
19. Chibuli	TAZ/N/4
20. Nkole	TAZ/N/4
21. Ishitu	TAZ/N/4
22. Nduta	TAZ/N/5
23. Chambeshi	TAZ/N/5
24. Mpepo	TAZ/N/5
25. Labushi	TAZ/N/5
26. Kasongo	TAZ/N/5
27. Katumba	TAZ/N/5
28. Kabuka	TAZ/N/6
<i>Area</i> (1)	<i>Plan No.</i> (2)
29. Milunga	TAZ/N/6
30. Sabwa	TAZ/N/6
31. Mwenda	TAZ/N/6
32. Chilonga	TAZ/N/7
33. Lusu River	TAZ/N/7
34. Kapoko	TAZ/N/7
35. Mikaeli	TAZ/N/7
36. Kalonje	TAZ/N/7
37. Salomo	TAZ/N/7
38. Lubanshi	TAZ/N/8
39. Mununga	TAZ/N/8
40. Finkuli	TAZ/N/8
41. Lubunga	TAZ/N/3
49. Lukulu	TAZ/8/8

(S.I. no 179 of 1979)

The Laws of Zambia

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN)  
(ZAMBIA\TANZANIA RAILWAY CORRIDOR) (NO. 2) NOTICE

*Notice by the Minister*

1. This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Zambia/Tanzania Railway Corridor) (No. 2) Notice. Title
2. The Southern Planning Authority is hereby ordered to prepare development plans for the areas within the borders on Plans specified in column 2 of the Schedule hereto. Order to prepare development plans
3. Copies of the Plans specified in column 2 of the Schedule hereto may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, during normal working hours on any day not later than twenty-one days after the publication of this Notice, and any interested person who objects to the preparation of the development plans may send his objection to the Prime Minister, P.O. Box RW27, Lusaka, within the aforesaid period. Inspection of Plan and submission of objections

SCHEDULE

*(Paragraph 2)*

<i>Area</i>	<i>Plan No.</i>
(1)	(2)
1. Jumeni	TAZ/C/1
2. Lushibashi	TAZ/C/1
3. Kanona	TAZ/C/1
4. Butetele	TAZ/C/2
5. Chankalamo	TAZ/C/2
6. Mulembo	TAZ/C/2
7. Kabuluma	TAZ/C/2

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (MUMBWA) NOTICE

*Notice by the Minister*

1. This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Mumbwa) Notice. Title

The Laws of Zambia

2. The Southern Planning Authority is hereby ordered to prepare a development plan for the area within the blue border on Plan No. MUM/13A. Order to prepare development plan

3. A copy of Plan No. MUM/13A may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Mumbwa Rural Council, during normal working hours on any day not later than twenty-one days after the publication of this Notice, and any interested person who objects to the preparation of the development plan may send his objection to the Prime Minister, P.O. Box 50027, Lusaka, within the aforesaid period. Inspection of plan and submission of objections

(S.I. no 18 of 1981)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (SIAVONGA) NOTICE

1. This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Siavonga) Notice. Title

2. The Southern Planning Authority is hereby ordered to prepare a development plan for the area within the red border on Plan No. SIA/119. Order to prepare development plan

3. A copy of Plan No. SIA/119 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Siavonga Rural District Council, Siavonga, during normal working hours on any day not later than twenty-one days after the publication of this Notice, and any interested person who objects to the preparation of the development plan may send his objection to the Prime Minister, P.O. Box 50027, Lusaka, within the aforesaid period. Inspection of plan and sub-mission of objections

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (MONGU) NOTICE

*Notice by the Minister*

1. This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Mongu) Notice. Title

2. The Southern Planning Authority is hereby ordered to prepare a development plan for the area within the red border on Plan No. MONG/146. Order to prepare development plan

The Laws of Zambia

3. A copy of Plan No. MONG/146 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Mongu District Council, Mongu, during normal working hours on any day not later than twenty-one days after the publication of this Notice, and any interested person who objects to the preparation of the development plan may send his objection to the Prime Minister, P.O. Box 50027, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no 176 of 1982)

SECTION 15-THE TOWN AND COUNTRY PLANNING  
(PREPARATION OF DEVELOPMENT PLAN) (SEANGA) NOTICE

*Notice by the Minister*

1. This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Senanga) Notice.

Title

2. The Southern Planning Authority is hereby ordered to prepare a development plan for the area within the blue border on Plan No. SENA/31.

Order to prepare development plan

3. A copy of Plan No. SENA/31 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Senanga District Council, Senanga, during normal working hours on any day not later than twenty-one days after the publication of this Notice, and any interested person who objects to the preparation of the development plan may send his objections to the Prime Minister, P.O. Box 50027, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no 71 of 1984)

SECTION 15-THE TOWN AND COUNTRY PLANNING ACT  
(PREPARATION OF DEVELOPMENT PLAN) (MWENSE) NOTICE.

*Notice by the Minister*

1. This Notice may be cited as the Town and Country Planning Act (Preparation of Development Plan) (Mwense) Notice.

Title

2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. TPN/MWE/F13.

Order to prepare development plan

The Laws of Zambia

3. A copy of Plan No. TPN/MWE/F13 may be inspected at the office of the Northern Planning Authority, Profund House, Broadway Road, Ndola, or at the office of the Mwense District Council, Mwense, during normal working hours on any day not later than twenty-one days after the publication of this notice, any interested person who objects to the preparation of the development plan may send his objection to the Minister, P.O. Box 50027, Lusaka, within the aforesaid period.

Inspection of plan and sub-mission of objections

(S.I. no 116 of 1985)

SECTION 15-THE TOWN AND COUNTRY PLANNING (PREPARATION OF DEVELOPMENT PLAN) (NCHELENGE) KASHIKISHIKI) NOTICE

*Notice by the Minister*

1. This Notice may be cited as the Town and Country Planning (Preparation of Development Plan) (Nchelenge) Notice.

Title

2. The Northern Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. NCHE/10.

Order to prepare development plan

3. A copy of Plan No. NCHE/10 may be inspected at the office of the Northern Planning Authority, Profund House, Broadway Road, Ndola, or at the office of the Nchelenge District Council, Nchelenge, during normal working hours on any day not later than twenty-one days after the publication of this Notice, any interested person who objects to the preparation of the development plan may send his objections to the Minister, P.O. Box 50027, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no. 123 of 1985)

SECTION 15-THE TOWN AND COUNTRY PLANNING (PREPARATION OF DEVELOPMENT PLAN) (KAOMA) ORDER

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Preparation of Development Plan) (Kaoma) Order.

Title

2. The Southern Planning Authority is hereby ordered to prepare a development plan for the area within the green border on Plan No. T. 38/1.

Order to prepare development plan

The Laws of Zambia

3. A copy of Plan No. T. 38/1 may be inspected at the office of the Southern Planning Authority, Government Road, Lusaka, or at the office of the Kaoma District Council, Kaoma, during normal working hours on any day not later than twenty-one days after the publication of this Order, and any interested person who objects to the preparation of the development plan may send his objections to the Minister of Decentralisation, P.O. Box 50027, Lusaka, within the aforesaid period.

Inspection of plan and submission of objections

(S.I. no. 130 of 1986)

SECTIONS 5-THE TOWN AND COUNTRY PLANNING (APPOINTMENT OF PLANNING AUTHORITIES) REGULATIONS

*Regulations by the Minister*

1. These Regulations may be cited as the Town and Country Planning (Appointment of Planning Authorities) Regulations.

Title

2. (1) The authorities set out in the First Schedule are hereby appointed as the planning authorities for the respective areas described in that Schedule.

Appointment of planning authorities

(2) The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land are hereby delegated to the planning authorities set out in the Schedule for the respective areas described in that Schedule.

3. (1) Except for the appointments made under section *five* of the Act, any other appointments of planning authorities made prior to the date hereof in respect of the areas described in the Schedule are hereby revoked.

Revocation of prior appointments

(2) Except for the delegation of functions made under proviso (i) of subsection (1) of section *twenty-four* of the Act, any other delegation of functions made prior to the date hereof to any other planning authority in respect of the areas described in the Schedule are hereby revoked.

SCHEDULE

(Regulations 2 and 3)

PLANNING AUTHORITIES

The Laws of Zambia

<i>Area</i>	<i>Authority</i>
Central Province. . . . .	Central Province Planning Authority
Copperbelt Province. . . . .	Copperbelt Province Planning Authority
Eastern Province. . . . .	Eastern Province Planning Authority
Luapula Province. . . . .	Luapula Province Planning Authority
Lusaka Province. . . . .	Lusaka Province Planning Authority
Northern Province. . . . .	Northern Province Planning Authority
North-Western Province. . . . .	North-Western Province Planning Authority
Southern Province. . . . .	Southern Province Planning Authority
Western Province. . . . .	Western Province Planning Authority

(S.I. no 12 of 1989)

SECTION 5-THE TOWN AND COUNTRY PLANNING  
(PLANNING AUTHORITY PROCEDURE) REGULATIONS

*Government Notice*  
418 of 1963

*Regulations by the Minister*

1. These Regulations may be cited as the Town and Country Planning (Planning Authority Procedure) Regulations. Title
2. These Regulations shall apply to all planning authorities appointed under the provisions of subsection (2) of section *five* of the Act. Application
3. In these Regulations, unless the context otherwise requires- Interpretation
  - "appointed person" means the chairman, members and alternate members of the authority;
  - "authority" means a planning authority appointed under the provisions of subsection (2) of section *five* of the Act;
  - "chairman" means the person appointed to be chairman of the planning authority, and shall include the appointed person elected to preside at a meeting in his absence;
  - "executive officer" means the executive officer and secretary of an authority.
4. (1) An authority shall meet as often as occasion may require but at intervals of not more than three months. Meetings

The Laws of Zambia

(2) The chairman shall convene a meeting of an authority on request by the Minister or person authorised to act on his behalf.

**5.** Three appointed persons shall form a quorum of a meeting of an authority: Quorum

Provided that, in the case of the Copperbelt Planning Authority, four appointed persons shall be required to form a quorum.

*(As amended by S.I. no 29 of 1991)*

**6.** The chairman shall preside at all meetings of an authority. In the absence of the chairman from a meeting at any time, the appointed persons present at that meeting shall elect one of their number to preside thereat. Chairman

**7.** (1) All matters coming or arising before a meeting of an authority shall be decided by a majority of the appointed persons present and voting at the meeting. Voting

(2) The chairman shall have a deliberative vote, and in addition, in the event of an equality of votes, a casting vote.

**8.** The public may attend meetings of an authority, but no person may be heard or otherwise take part in any proceedings save by invitation of the authority. Attendance by the public

**9.** An authority may at any time resolve into committee, whereupon the public shall withdraw and the proceedings and records of any matter thereof shall be confidential to the authority and such other persons as the Minister may decide from time to time. Committee

**10.** (1) No appointed person shall vote upon or take part in any discussion at a meeting of an authority of any matter in which he has a direct or indirect financial interest, save that he may provide information on the matter by specific invitation of the other appointed persons. Pecuniary interest of chairman and members in matters coming before the meeting

(2) Any appointed person having such an interest as aforesaid shall declare the same to the authority as soon as the discussion starts and shall thereupon retire and remain absent from the meeting while the matter is under discussion unless he is invited to provide information.

(3) Any invitation to give information or any declaration of interest and retirement shall be recorded in the minutes.

The Laws of Zambia

(4) The provisions of this regulation shall not apply to such person or persons who may be appointed to the Copperbelt Planning Authority by virtue of their employment with the Roan Selection Trust Limited and any of its subsidiary Mining Companies or the Anglo American Corporation Limited or any of its subsidiary Mining Companies in respect of any matters concerning any of the aforesaid companies.

- |  |                             |
|--|-----------------------------|
| <p><b>11.</b> An authority may authorise an appointed person or its executive officer or any other person authorised so to do to undertake matters on its behalf.</p>  | Persons to be authorised    |
| <p><b>12.</b> Minutes of the proceedings of every meeting of an authority shall be regularly entered in a book to be kept for that purpose and shall be signed by the chairman at the subsequent meeting.</p>      | Minutes of meetings         |
| <p><b>13.</b> Every notice, plan or other document requiring authentication by an authority shall be sufficiently authenticated if signed by the person authorised so to do by a resolution of that authority.</p> | Authentication of documents |
| <p><b>14.</b> Copies of all agendas and minutes of an authority shall be transmitted within one month of the meeting to the Minister and to any local or township authority concerned.</p>                         | Minutes                     |

SECTION 9-THE TOWN AND COUNTRY PLANNING  
(FEES AND ALLOWANCES) REGULATIONS

*Government Notice  
51 of 1963  
Statutory Instrument  
65 of 1965*

*Regulations by the Minister*

- |   |       |
|---|-------|
| <p><b>1.</b> These Regulations may be cited as the Town and Country Planning (Fees and Allowances) Regulations.</p> | Title |
| <p><b>2.</b> In these Regulations, unless the context otherwise requires-</p>                                       | Fees  |

"adviser" means a person appointed by the president of the Tribunal, with the consent of the Minister, to advise the Tribunal on matters involving professional or special considerations.

The Laws of Zambia

3. (1) Any member of the Tribunal who is a Chartered Planner of the Town Planning Institute of the United Kingdom or who holds a similar qualification which has been approved by the Minister shall, for each hour when he is engaged in discharging his duties as a member of the Tribunal, receive a fee of 1 fee unit subject to a maximum fee of 47 fee units respect of any one day. The president, the vice-president and any other member of the Tribunal shall, in respect of any period when they are discharging their duties as members of the Tribunal, be entitled to such fees as are in accordance with the amounts laid down from time to time by Government direction.

Interpretation

(2) Any adviser shall, for each hour when he is engaged in so advising, receive a fee of 1 fee unit subject to a maximum in any one day of 47 fee units.

*(As amended by No. 65 of 1965 and Act No. 13 of 1993)*

4. The president, the vice-president, members of the Tribunal and any adviser shall be paid such sum in respect of expenses incurred by them in travelling and subsistence when discharging their duties as is in accordance with the amounts laid down from time to time by Government direction.

Allowances

5. Regulation 3 shall not apply to any person who being president, vice-president, a member of the Tribunal or an adviser is an officer of the public service.

Non-application of regulation 3

THE TOWN AND COUNTRY PLANNING (APPEALS) REGULATIONS

ARRANGEMENT OF REGULATIONS

*Regulation*

1. Title
2. Application
3. Interpretation
4. Notice of appeal and appellant's case
5. Appeal not entertained
6. Publication of advertisement calling for objections
7. Objector's case
8. Respondent's case
9. Place and date of hearing
10. Hearing on written statements
11. Hearing of appeal in public
12. Inspection of site
13. Adjournment of appeal
14. Determination of appeal
15. Notification of decision
16. Service of notice on Tribunal
17. Costs and charges
18. Applications

SCHEDULE-Prescribed forms

SECTION 14-THE TOWN AND COUNTRY PLANNING (APPEALS)  
REGULATION

*Government Notice*  
50 of 1963

*Regulations by the Minister*

1. These Regulations may be cited as the Town and Country Planning (Appeals) Regulations. Title
  2. These Regulations shall apply to all appeals to the Tribunal made under the provisions of sections *eleven, twenty-nine* and *thirty-one* of the Act. Application
  3. In these Regulations, unless the context otherwise requires- Interpretation
- "appellant" means any applicant or person or any local or township authority who appeals to the Tribunal;

The Laws of Zambia

"interested party" means the appellant, respondent or any objector;

"objector" means any person, other than an appellant or a respondent, who wishes to exercise his right to be heard in any appeal under the provisions of section *eleven* (1) (a) of the Act;

"president" means the president of the Tribunal appointed under the provisions of section *seven* (1) of the Act;

"respondent" means the Minister or planning authority against whose decision, enforcement notice or order an appeal is made to the Tribunal;

"secretary" means the secretary to the Tribunal appointed under the provisions of section *seven* (5) of the Act;

"vice-president" means the vice-president of the Tribunal appointed under the provisions of section *eight* (1) of the Act.

4. (1) Every appeal to the Tribunal shall be instituted by serving on the secretary a written notice of appeal in quadruplicate signed by the appellant or his legal representative. Such notice of appeal shall include the residential or business and postal address of the appellant at which notices may be served.

Notice of appeal and  
appellant's case

(2) When an appellant gives notice of appeal, he shall at the same time lodge with the secretary a statement in writing (hereinafter called the "appellant's case") in quadruplicate, setting forth the grounds of his appeal and all the facts which he considers material and relevant thereto and his contentions in law based thereon.

(3) Upon serving notice of appeal on the secretary, the appellant shall forthwith serve a copy of such notice and of the appellant's case upon the respondent.

5. Where an appeal has been made under the provisions of section *twenty-nine* of the Act and it appears to the president or the vice-president that permission for the development or subdivision could not have been granted otherwise than subject to the conditions imposed having regard to the provisions of section *twenty-five* of the Act and of the appropriate development order and to any directions given under that order, he shall by notice served on the appellant and respondent give the reasons for his decision.

Appeal not entertained

6. As soon as possible after the receipt of the notice of appeal, the president or the vice-president shall cause to be published in a newspaper circulating in the area where the premises at which the subject of the appeal are situated an advertisement in the form set out in Part I of the Schedule calling upon any objector to serve on the secretary, within twenty-eight days of the date of publication of the advertisement, written notice of his intention to be heard on the hearing of the appeal therein referred to.

Publication of  
advertisement calling  
for objections

7. (1) Every notice of intention to be heard shall be in quadruplicate and shall contain, in addition to the residential or business and postal address of the objector at which notices may be served, a statement (hereinafter called the "objector's case") setting forth the grounds of the objector for wishing to be heard and all the facts which he considers material and relevant thereto and his contentions in law based thereon.

Objector's case

(2) Upon serving notice of intention to be heard on the secretary, the objector shall forthwith serve a copy of such notice upon the appellant and upon the respondent.

8. (1) Within fourteen days from the date of receipt of the copy of the appellant's case, or such longer period as the president or the vice-president in writing may agree, the respondent shall lodge with the secretary a statement in writing (hereinafter called the "respondent's case") in quadruplicate setting forth-

Respondent's case

- (a) the reasons for the decision appealed against;
- (b) which of the allegations in the appellant's case he admits as correct and which he denies;
- (c) all other facts which he considers relevant and material to the determination of the appeal; and
- (d) his contentions in law.

(2) Upon lodging the respondent's case with the secretary, the respondent shall forthwith serve a copy thereof on the appellant.

(3) As soon as possible after the receipt of the respondent's case, the secretary shall serve notice on every objector informing him that he may during normal office hours at the office of the secretary inspect and take copies of the notice of appeal, the appellant's case and the respondent's case.

9. The secretary shall, when the president or the vice-president has appointed the place and date of hearing of an appeal, cause notice thereof to be served on the appellant, the respondent and all objectors, if any, and shall forthwith cause an advertisement thereof in the form set out in Part II of the Schedule to be published in a newspaper circulating in the area where the premises which are the subject of the appeal are situated.

Place and date of hearing

10. (1) The appellant may, not less than seven days before the date appointed for the hearing of the appeal, serve on the secretary a written notice signed by himself, the respondent and all objectors, if any, requesting that the appeal be heard without appearances by the parties thereto on the notice of appeal, the appellant's case, the respondent's case and the objector's case.

Hearing on written statements

(2) If the president or the vice-president considers that such request is reasonable, the appeal may be determined on such notice of appeal, the appellant's case, the respondent's case and the objector's case or the Tribunal may, before determining the matter under appeal, require any interested party to submit within a time to be specified by the Tribunal any further information it may consider necessary.

(3) Where any interested party without reasonable cause fails to submit within the time specified the further information required under the provisions of sub-regulation (2), the Tribunal may proceed to determine the matter of the appeal on such evidence as is before it.

(4) Regulations 11, 12 (1), 13 and 18 shall not apply to an appeal heard under the provisions of this regulation.

**11.** (1) The Tribunal shall afford the appellant, the respondent and any objector or their legal representatives a full opportunity of being heard and of calling such evidence and producing such documents at the hearing of the appeal as may be deemed relevant and material.

Hearing of appeal in public

(2) The provisions of rule 9 of Order V of the High Court Rules shall apply, *mutatis mutandis*, to the hearing of any appeal to the Tribunal.

Cap. 27

(3) Where an appellant or an objector is not legally represented and the Tribunal considers that he is unable to do his case justice, it shall assist him to represent adequately his case by asking questions of any of the interested parties or by asking any witnesses such questions as it may deem necessary.

(4) In the absence of any or all of the interested parties or their legal representatives, the Tribunal may nevertheless proceed to determine the appeal on such evidence as is available to it.

**12.** (1) The Tribunal may, either at the request of any interested party or of its own volition, inspect the site to which the appeal relates.

Inspection of site

(2) The president or the vice-president at his discretion may request the Minister to appoint such a person as he considers suitable to inspect and report on the site to which the appeal relates and the adjacent area not less than fourteen days before the appeal is heard, and such report shall, if the appeal is heard in public, form part of the record of the proceedings, and any interested party shall be entitled to comment thereon, and for this purpose the secretary shall by notice served submit a copy of such report to all the interested parties not less than seven days before the appeal is heard.

The Laws of Zambia

**13.** If for any reason it appears desirable to the Tribunal to adjourn an appeal or application, it shall have full power to do so upon such terms and for such time as seems fit. Adjourment of appeal

**14.** The determination of every appeal shall be pronounced either immediately after the termination of the hearing or as soon as is reasonably practicable thereafter at some subsequent date. Determination of appeal

**15.** (1) A decision of or an order made by the Tribunal shall contain reasons for its decision and for any conditions included therein, and a copy thereof shall be sent by registered post to the appellant and the respondent and to every objector as soon as possible thereafter. Notification of decision

(2) Any decision of or order made by the Tribunal shall, on the copy sent to the appellant, include a statement to the effect that the appellant, if dissatisfied with the decision of the Tribunal, may, within twenty-eight days of such decision, appeal to the High Court against such decision.

**16.** A notice shall be sufficiently served on the Tribunal if it is served on the secretary at the official address of the Tribunal. Service of notice on Tribunal

**17.** Any costs and charges imposed by the Tribunal may be recovered by civil action. Costs and charges

**18.** (1) All applications, including applications for an extension of time within which to appeal, shall be made to the Tribunal by notice and, upon serving such notice upon the Tribunal, the applicant shall serve a copy of such notice upon the respondent. Applications

(2) The notice shall state shortly the reasons upon which the application is based and shall contain the residential or business and postal address of the applicant and the respondent.

(3) The secretary shall notify the applicant and the respondent of the date of hearing of the application. The applicant and the respondent shall be entitled to appear and be heard on such hearing.

SCHEDULE

PRESCRIBED FORMS

The Laws of Zambia

PART I  
(Regulation 6)  
FORM OF ADVERTISEMENT OF PUBLIC INQUIRY  
THE TOWN AND COUNTRY PLANNING ACT  
HEARING IN PUBLIC OF AN APPEAL

.....Development Plan

NOTICE IS HEREBY GIVEN THAT.....

of.....

is appealing to the Town and Country Planning Tribunal against the refusal/conditions of approval/approval of the\*  
.....Planning Authority/Minister of Provincial and Local Government in respect of (describe  
application for planning permission) at (address of land to which appeal relates).

Any person whose interest in any land may be affected by the decision of the Tribunal has the right to appear and be heard at this hearing and any person so wishing to appear and be heard shall within twenty-eight days from the date of publication of this notice serve notice in writing on the Tribunal of his intention to appear and be heard and such notice shall include written grounds in quadruplicate for wishing to be heard. At the same time as such person serves notice on the Tribunal he shall serve a similar notice on the appellant and the\* .....Planning Authority/Minister of Provincial and Local Government, P.O. Box.....and such notice shall include a copy of his grounds for wishing to be heard.

Any other person who so wishes may attend the hearing but shall not be heard.

Notices and other documents may be served on the above-named appellant at the following address.....

(Signed).....

Secretary,  
Town and Country Planning Tribunal,  
P.O. Box RW.27, Lusaka.

\*Where necessary insert the Natural Resources Board.

The Laws of Zambia  
PART II

(Regulation 9)  
FORM OF ADVERTISEMENT OF PUBLIC INQUIRY  
THE TOWN AND COUNTRY PLANNING ACT

HEARING IN PUBLIC OF AN APPEAL

.....Development Plan  
NOTICE IS HEREBY GIVEN that the appeal by.....  
.....of.....  
against the decision of the\*.....Planning Authority/  
Minister of Provincial and Local Government in respect of his application for permission to develop/subdivide land situated  
at.....  
.....  
will be heard in public at.....a/p.m. on.....  
the.....day of.....19.....  
at.....

Any person who has previously submitted representations or objections to the Tribunal in respect of this appeal has the right to appear and be heard.

Any other person may attend this hearing but shall not be heard.

(Signed).....  
Secretary,  
Town and Country Planning Tribunal,  
P.O. Box RW.27, Lusaka.

\*Where necessary insert the Natural Resources Board.

SECTION 15-PREPARATION OF DEVELOPMENT PLANS

*Government Notices*  
274 of 1963  
45 of 1964

*Orders by the Minister*

The City of Lusaka Planning Authority is hereby ordered to prepare a development plan in respect of each of the following areas:

- (a) City of Lusaka Development Plan No. 2. The area at Chunga within the boundary shown on Plan No. TP.140/32.
- (b) City of Lusaka Development Plan No. 3. The area east of and including the Kafue Road and within the boundary shown on Plan No. TP.140/33.
- (c) Lusaka Development Plan No. 4. The two areas at Handsworth Park within the boundaries shown on Plan No. TP.140338.

The City of Lusaka Planning Authority is hereby ordered to prepare the Lusaka Rural Development Plan in respect of the area contained within the inner edges of the boundary lines edged blue on Plan No. LUS-313.

*Statutory Instrument*  
299 of 1965

The Southern Planning Authority is hereby ordered to prepare a development plan for Chelston and any extension thereof.

*Statutory Instrument*  
69 of 1965

The Southern Planning Authority is hereby ordered to prepare a development plan in respect of Kabulonga.

*Government Notice*  
175 of 1964

The Southern Planning Authority is hereby ordered to prepare a development plan for the area within the border edged blue on Plan No. JAM/134.

*Statutory Instrument*  
120 of 1972

The Kabwe Planning Authority is hereby ordered to prepare the Kabwe (Amending) Development Plan in respect of the area contained within the inner edges of the boundary line edged blue on Plan No. KA-7.

*Statutory Instrument*  
279 of 1968

The Copperbelt Planning Authority is hereby ordered to prepare a development plan in respect of the Copperbelt Province but excluding all Trust Land and Reserves and all mine townships therein and excluding the City of Kitwe, the City of Ndola, Chingola Municipality, Luanshya Municipality and Mulfulira Municipality, and the said development plan shall be submitted for approval within a period of three years from the 14th December, 1962:

*Government Notices*  
296 of 1962  
322 of 1963  
*Statutory Instrument*  
65 of 1965

Provided that this Order shall not apply to any area for which any other Order to prepare a development plan is made under the provisions of section *fifteen* of the Act.

The Laws of Zambia

The City of Kitwe Planning Authority is hereby ordered to prepare a development plan in respect of the areas contained within the inner edges of the boundary lines coloured red on Plan No. TP/203/10. *Statutory Instrument 321 of 1967*

The City of Ndola Planning Authority is hereby ordered to prepare a development plan in respect of all extensions to the City of Ndola. *Statutory Instrument 150 of 1967*

The City of Ndola Planning Authority is hereby ordered to prepare a development plan in respect of the area contained within the City boundaries. *Statutory Instrument 32 of 1969*

The Chingola Planning Authority is hereby ordered to prepare a development plan in respect of the following area: *Government Notice 377 of 1963*

Chingola Development Plan No. 2.

The area within the boundary shown on Plan No. TP/INT/1963.

The Livingstone Planning Authority is hereby ordered to prepare a development plan for the area within the border edged blue on Plan No. LIV/177. *Statutory Instrument 256 of 1972*

The Luanshya Planning Authority is hereby ordered to prepare a development plan in respect of the following area: *Government Notice 107 of 1964*

Luanshya Development Plan No. 3

The area within the boundary shown edged blue on Plan No. W/LUA/C/4.

The Mufulira Planning Authority is hereby ordered to prepare a development plan in respect of the following area: *Government Notice 207 of 1963*

Mufulira Development Plan No. 2.

The areas "A", "B", "C", "D", "E", "F", "G", "H", "J", "K", "L", "M", and "N" within the boundaries shown on Plan No. IC/22.

The Laws of Zambia

The Western Planning Authority is hereby ordered to prepare development plans in respect of all townships in the Copperbelt Province for which a township council has been appointed under section *seven* of the Local Government Act and any extensions of such townships.

*Government Notice*  
106 of 1964

The Northern Planning Authority is hereby ordered to prepare a development plan in respect of each of the following:

Cap. 480

\**(4)(a)* Samfya

\**(5)(b)* Kabompo.

\*A description of the area of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

SECTION 23-THE TOWN AND COUNTRY PLANNING  
DEVELOPMENT ORDER

*Order by the Minister*

*Government Notices*  
348 of 1962  
98 of 1964  
*Statutory Instruments*  
65 of 1965  
337 of 1969

1. This Order may be cited as the Town and Country Planning Development Order. Title
  
2. This Order shall apply to all land- Application
  - (a) in any area in respect of which there is an Order, made under the provisions of the Act, to prepare a development plan; and
  - (b) in any area subject to an approved development plan; and
  - (c) in such areas as are within a distance of twenty miles of the boundaries of any area mentioned in paragraph (a) or (b); and
  - (d) in such other areas as may be specified by the Minister by statutory notice.
  
3. In this Order, unless the context otherwise requires- Interpretation

"planning authority" means a planning authority to which functions have been delegated under the provisions of section *twenty-four* of the Act.

*(As amended by No. 65 of 1965)*

4. As from the appointed day all development in the areas to which this Order applies shall require the grant of permission for the purposes of Part V of the Act. Grant of permission

5. (1) Subject to the provisions of this Order, development of any class specified in the Schedule is permitted by this Order and may be undertaken upon land to which this Order applies without the permission of the Minister or planning authority, as the case may be:

Permitted  
development

Provided that the permission granted by this Order in respect of any such class of development shall be subject to any condition or limitation imposed in the Schedule in relation to that class.

(2) Nothing in this paragraph or in the Schedule shall be deemed to permit any development which is not in accordance with any condition imposed when permission is granted or deemed to be granted under Part V of the Act otherwise than by this Order.

6. (1) If the Minister is satisfied that it is expedient that development of any of the classes specified in the Schedule should not be carried out in any particular area, or that any particular development of any of the said classes should not be carried out, unless permission is granted on an application in that behalf, the Minister may direct that the permission granted by paragraph 5 shall not apply to-

Directions restricting  
permitted development

- (a) all or any development of all or any of the said classes in any particular area specified in the direction; or
- (b) any particular development, specified in the direction, falling within any of the said classes.

(2) Notice of any direction specifying any particular area under paragraph (a) of sub-paragraph (1) shall be given by public notice by the Minister, and such notice shall contain a concise statement of the effect of the direction and name a place or places where a copy thereof and a map defining the area to which it relates may be seen at all normal hours of official business; and any such direction shall come into force on the date on which notice thereof is first published.

(3) Notice of any direction specifying any particular development under paragraph (b) of sub-paragraph (1) shall be served by the planning authority on the owner of the land affected, and any such direction shall come into force on the date on which notice thereof is served on the owner.

(4) No direction given or having effect under this paragraph shall have effect in relation to the carrying out in case of emergency of any development specified in the Schedule or, unless such direction specifically so provides, to the carrying out by statutory undertakers of the following operations:

- (a) maintenance of bridges, buildings and railway stations;

The Laws of Zambia

- (b) alteration and maintenance of railway track, and provision and maintenance of track equipment, including signal boxes, signalling apparatus and other appliances and works required in connection with the movement of traffic by rail;
- (c) maintenance of harbours, quays, wharves and canals;
- (d) provision and maintenance of mechanical apparatus or appliances required for the purposes of shipping or in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a harbour, quay or wharf;
- (e) any development required in connection with the improvement and maintenance or repair of water courses or drainage works, or sewers or sewage disposal works.

7. If any person who proposes to carry out any operations on land or make any change in the use of land or buildings wishes to have it determined whether the carrying out of those operations or the making of that change in the use of the land or buildings would constitute or involve development within the meaning of the Act and, if so, whether an application for permission in respect thereof is required under the Act having regard to this Order, he may apply to the Minister or planning authority, as the case may be, to determine that question.

Application for determination whether permission is required

8. (1) An application to the Minister or planning authority, as the case may be, for any permission or decision required under this Order shall, unless otherwise provided in this Order, be made in accordance with the provisions of the Town and Country Planning (Application for Planning Permission) Regulations.

Application for grant of permission

(2) Where an applicant so desires, an application, hereinafter called an application in principle, may be made under sub-paragraph (1) for permission for the use of any building or land or for the erection of any building, and any approval thereof shall be subject to the subsequent approval of the Minister or planning authority with respect to any matter relating to the siting, design or external appearance of the building, or the means of access thereto, in which case particulars and plans in regard to these matters shall not be required and permission may be granted subject as aforesaid (with or without other conditions) or refused:

Provided that-

- (i) where such permission is granted, it shall be expressed to be granted under this sub-paragraph on an application in principle and the approval of the Minister or planning authority shall be required with respect to the matters reserved in the permission before any development is commenced;

- (ii) where the Minister or planning authority is of the opinion that in the circumstances of the case the application for permission ought not to be considered separately from the siting, design or external appearance of the building, or the means of access thereto, he or it shall, within forty-two days from the receipt of the application in principle, serve notice on the applicant that he or it is unable to entertain such application, specifying the matters as to which he or it requires further information for the purpose of arriving at a decision in respect of the proposed development, and the applicant may either furnish the information so required (in which event the application shall be treated as if it had been received on the date when such information was furnished and had included such information) or appeal to the Tribunal within twenty-eight days of receiving such notice, or such longer period as the Tribunal in writing may agree, as if the application in principle had been refused by the Minister or planning authority.

(3) On receipt of an application under this paragraph or under paragraph 7, the Minister or planning authority shall send to the applicant an acknowledgment in writing thereof, which acknowledgment shall not be deemed to be a notice or document for the purposes of paragraph 16.

**9.** (1) Before granting permission for development in either of the following cases, whether unconditionally or subject to conditions, the Minister or planning authority shall consult with the following authorities:

Consultations

- (a) where it appears to the Minister or planning authority that the development is likely to affect adversely any land in the area of any local or township authority, with such authority;
- (b) where it appears to the Minister or planning authority that the development is likely to create or attract traffic which will result in a material increase in the volume of traffic entering or leaving a main road or using a level crossing over a railway, with the appropriate highway or railway authority.

(2) The Minister or planning authority shall give not less than fourteen days' notice to the authority required to be consulted that such an application is to be taken into consideration, and shall not determine the application until after the expiration of the period mentioned in such notice and shall, in deciding the application, take into account any representations or objections received from such authority.

**10.** On referring any application to the Minister pursuant to a direction in that behalf under the provisions of section *twenty-six* of the Act, a planning authority shall, within seven days of the receipt of the direction, serve on the applicant notice of the terms of the direction and of any reasons given by the Minister for issuing the direction, and such notice shall inform the applicant that the application has been referred to the Minister who shall, if the applicant so desires, afford him or his representative an opportunity of appearing before and being heard by a person appointed by the Minister for that purpose.

Reference of applications to the Minister

**11.** (1) The Minister or planning authority shall in every case serve notice on the applicant of his or its decision.

Notification to applicants

(2) The period within which the Minister or planning authority shall serve notice on the applicant shall be ninety days from the date of receipt of the application or such extended period as may be agreed in writing by the applicant.

(3) Every such notice shall be in writing, and in the case of an application for permission or approval where the Minister or planning authority decides to grant such permission or approval subject to conditions or to refuse it, or in the case of an application for determination under paragraph 7 (whether forming part of an application for permission or approval or not) where the Minister or planning authority determines that the carrying out of the proposals therein would constitute or involve development, he or it shall state the reasons therefor in such notice.

**12.** The Minister or planning authority, as the case may be, shall keep a separate register containing the following information in respect of all applications for permission to develop with which he or it is concerned, namely:

Register of applications

- (a) particulars of any application for permission to develop made to him or it in respect of any land, including the stand, plot, lot or farm number of the property, and the road, district and town in which it is situate, the name and address of the applicant, the registered number and date of receipt of the application, and brief particulars of the development forming the subject of the application;
- (b) particulars of any direction given under the Act or this Order in respect of the application;
- (c) the decision of the Minister or planning authority in respect of the application and the date of such decision;
- (d) the date and effect of any decision of the Minister in respect of any application referred to him under section *twenty-six* of the Act;
- (e) the date and effect of any determination or order of the Tribunal in respect of an appeal against a decision on the application;
- (f) the date and effect of any decision of the High Court in respect of an appeal against the determination of the Tribunal.

**13.** Every register shall contain an index in the form of cards, each card to contain the stand, plot, lot or farm number of the property which is the subject of the application and the road, district and town in which it is situate, the name and address of the applicant and the registered number of the application and to be filed by townships in numerical sequence according to the stand or plot number and by lots or farms in numerical sequence according to the lot or farm number.

Index to register

**14.** Every entry in the register shall be made within seven days of the happening of the event in respect of which an entry is required to be made.

Entry in register

**15.** The register shall be kept at the offices of the Minister or the planning authority, as the case may be, and made available for inspection by the public during normal hours of official business.

Inspection of register

The Laws of Zambia

**16.** Any notice or other document to be served or given under this Order shall be served or given in accordance with the provisions of section *fifty* of the Act. Notices

Provided that any notice of an unconditional grant of planning permission which is to be served under paragraph 11 may be served in accordance with the provisions of section *fifty* of the Act as though the word "registered" were deleted from the said section.

*(As amended by No. 98 of 1964)*

SCHEDULE

*(Paragraph 5)*

PART I

The Laws of Zambia

CLASSES OF DEVELOPMENT PERMITTED SUBJECT TO CONDITIONS

The following development is permitted under paragraph 5 subject to the conditions set out opposite the description of that development in Column (2).

The references in that column except where otherwise mentioned are to the standard conditions as numbered and set out in Part II.

<i>Column (1)</i> <i>Description of Development</i>	<i>Column (2)</i> <i>Conditions</i>
<p><i>Class I-Development within the curtilage of a dwelling-house</i></p> <p>The enlargement, improvement or other alteration of a dwelling-house materially affecting the external appearance of the building so long as the cubic content of the original dwelling-house (as ascertained by external measurement) is not exceeded by more than 1,750 cubic feet or one-tenth whichever is the greater subject to a maximum of 4,000 cubic feet.</p>	<p>1. The height of such buildings shall not exceed the height of the original dwelling-house.</p> <p>2. Standard conditions Nos. 1, 2 and 3.</p>
<p><i>Class II-Sundry minor operations</i></p> <p>1. The erection or construction of gates, fences, walls or other means of enclosure not being within the curtilage of a dwelling-house not exceeding seven feet in height and the maintenance, improvement or other alteration of such gates, fences, walls or other means of enclosure, except on land at the junction of two roads in front of a line joining a point on the boundary of each road reserve at a distance of thirty feet from the intersection of such road reserves, extended if necessary.</p> <p>2. The painting of the exterior of any building or work otherwise than for the purpose of advertisement.</p>	<p>Standard conditions Nos. 1 and 2.</p>
<p><i>Class III-Changes of use</i></p> <p>Development consisting of a change of use to-</p> <p>(a) as a light industrial building as defined by the Town and Country Planning (Use Groups) Regulations from use as a general industrial building as so defined;</p> <p>(b) use as any type of shop except-</p> <p>(i) a drive-in shop;</p> <p>(ii) a fried fish shop;</p> <p>(iii) a butcher's shop;</p> <p>(iv) a shop for the sale of pet animals or birds;</p> <p>(v) a shop for the sale of motor vehicles;</p> <p>from use as any type of shop except a drive-in shop.</p>	

<i>Column (1)</i> <i>Description of Development</i>	<i>Column (2)</i> <i>Conditions</i>
<p><i>Class IV-Temporary buildings and uses</i></p> <p>The use of land (other than a building or the curtilage of a building) for any purpose for not more than twenty-eight days in total in any calendar year, and the erection or placing of movable structures on the land for the purposes of that use.</p>	<p>Standard conditions Nos. 1, 2 and 3.</p>
<p><i>Class V-Development for industrial purposes</i></p> <p>The deposit by an industrial undertaker of waste material or refuse resulting from an industrial process on any land comprised in a site which was used for such deposit, otherwise than in contravention of previous planning control on the appointed day</p>	<p>Standard conditions Nos. 1 and 2.</p>

The Laws of Zambia

PART II

STANDARD CONDITIONS

Cap. 41

1. This permission shall not authorise any development which involves the formation, laying out, or material widening of a means of access to a main or district road as defined in the Roads and Road Traffic Act

2. No development shall be carried out which creates an obstruction to the view of persons using any road used by vehicular traffic at or near any bend, corner, junction or intersection of any roads so as to be likely to cause danger to such persons.

3. No part of any building shall project beyond any building line laid down for the holding or stand.

PART III

This Part shall apply only to areas for which a council has been appointed pursuant to section 3 of the Local Government Act. Cap. 2:

<i>Column (1)</i> <i>Description of Development</i>	<i>Column (2)</i> <i>Conditions</i>
<i>Class X-Conforming development</i> Where a layout or subdivisional plan has been lawfully approved and any conditions contained in such approval have been fulfilled, the erection in any use zone of buildings or the use of land for any purpose for which the permission of the planning authority is not normally required by the approved written document.	<ol style="list-style-type: none"><li>1. In residential use zones for the erection of dwelling-houses only, the approved subdivision of plot or stand shall not be greater than one and one-quarter acres in extent.</li><li>2. The Minister is satisfied that adequate provision for parking, loading and unloading of vehicles in the case of industrial and commercial buildings or uses has been made.</li><li>3. The approval of the Minister to the external design appearance and materials in the case of commercial buildings and uses has been obtained.</li><li>4. If the development is likely to affect adversely any land in the area of any local or other township authority or is likely to create or attract traffic which will result in a material increase in the volume of traffic entering or leaving a main road or using a level crossing over a railway, the provisions of paragraph 9 shall first be complied with.</li><li>5. For the purpose of the Town and Country Planning (Appeals) Regulations, any development permitted under this Class shall be treated as though it had been approved by the planning authority, and the date of receipt or issue of any building permit given under any building by-laws or the Public Health (Building) Regulations or in the case of a use of land the date on which it was first so used shall be regarded as the date of making a decision.</li><li>6. Standard conditions Nos. 1, 2 and 3.</li></ol> <p>(As amended by No. 98 of 1964)</p>

SECTION 23-THE TOWN AND COUNTRY PLANNING  
SUBDIVISION ORDER

*Order by the Minister*

*Government Notices*  
349 of 1962  
97 of 1964  
*Statutory Instrument*  
65 of 1965

1. This Order may be cited as the Town and Country Planning Subdivision Order. Title
  2. This Order shall apply to all land in the Republic to which section *three* of the Act applies. Application
  3. In this Order, unless the context otherwise requires- Interpretation  
  
"planning authority" means a planning authority to which functions have been delegated under the provisions of section *twenty-four* of the Act.  

(As amended by No. 65 of 1965)
  4. As from the appointed day all subdivisions in the areas to which this Order applies shall require the grant of permission for the purposes of Part V of the Act. Grant of permission
  5. (1) An application to the Minister or planning authority, as the case may be, for any permission required under this Order shall, unless otherwise provided in this Order, be made in accordance with the provisions of the Town and Country Planning (Application for Planning Permission) Regulations. Application for grant of permission
- (2) For the avoidance of doubt it is hereby declared that, on receipt of an application for permission to subdivide made under the provisions of section *twenty-five* of the Act, the Minister or planning authority may-
- (a) demand further information from the applicant; or
  - (b) demand that public notice inviting objection to the application within a specified time in the form set out in the Schedule shall be given at the cost of the applicant; or
  - (c) approve the application subject to such written conditions as is deemed fit to impose in accordance with the Third Schedule to the Act, and any person developing the land pursuant to such approval shall comply with all conditions so imposed; or
  - (d) approve the application in principle and require a detailed application to be submitted in terms of subsection (3) of section *twenty-eight* of the Act; or

- (e) reject the application and state the reasons for the rejection.

(3) Where an applicant so desires, an application, hereinafter called an application in principle, may be made under sub-paragraph (1), and any approval thereof shall be subject to the subsequent approval of the Minister or planning authority of a detailed application.

(4) On receipt of any application for permission to subdivide, the Minister or planning authority, as the case may be, shall send to the applicant an acknowledgment thereof, which acknowledgment shall not be deemed to be a notice or document for the purposes of paragraph 13.

**6.** (1) Before granting permission to subdivide in either of the following cases, whether unconditionally or subject to conditions, the Minister or planning authority shall consult with the following authorities: Consultations

- (a) where it appears to the Minister or planning authority that any development likely to arise out of such subdivision is likely to affect adversely land in the area of any local or township authority, with that authority;
- (b) where it appears to the Minister or planning authority that any development likely to arise out of such subdivision is likely to create or attract traffic which will result in material increase in the volume of traffic entering or leaving a main road or using a level crossing over a railway, with the appropriate highway or railway authority.

(2) The Minister or planning authority shall give not less than fourteen days' notice to the authority required to be consulted that such an application is to be taken into consideration and shall not determine the application until after the expiration of the period mentioned in such notice and shall, in determining the application, take into account any representations or objections received from such authority.

**7.** On referring any application to the Minister pursuant to a direction in that behalf under the provisions of section *twenty-six* of the Act, a planning authority shall, within seven days of the receipt of the direction, serve on the applicant notice of the terms of the direction and of any reasons given by the Minister for issuing the direction, and such notice shall inform the applicant that the application has been referred to the Minister who shall, if the applicant so desires, afford him or his representative an opportunity of appearing before and being heard by a person appointed by the Minister for that purpose. Reference of applications to the Minister

**8.** (1) The Minister or planning authority shall in every case serve notice on the applicant of his or its decision. Notification to applicants

(2) The period within which the Minister or planning authority shall serve notice on the applicant shall be ninety days from the date of receipt of the application.

(3) Every such notice shall be in writing and, in the case of an application for permission or approval where the Minister or planning authority decides to grant such permission or approval subject to conditions or to refuse it, he or it shall state the reasons therefor in such notice.

**9.** The Minister or planning authority, as the case may be, shall keep a separate register containing the following information in respect of all applications for permission to subdivide land with which he or it is concerned, namely: Register of applications

- (a) particulars of any application for permission to subdivide made to him or it in respect of any land, including the stand, plot, lot or farm number of the property and the road, district and town in which it is situate, the name and address of the applicant, the registered number and date of receipt of the application, and brief particulars of the subdivision forming the subject of the application;
- (b) particulars of any direction given under the Act or this Order in respect of the application;
- (c) the decision of the Minister or planning authority in respect of the application and the date of such decision;
- (d) the date and effect of any decision of the Minister in respect of any application referred to him under section *twenty-six* of the Act;
- (e) the date and effect of any determination or order of the Tribunal in respect of an appeal against a decision on the application;
- (f) the date and effect of any decision of the High Court in respect of an appeal against the determination of the Tribunal.

**10.** Every register shall contain an index in the form of cards, each card to contain the stand, plot, lot or farm number of the property which is the subject of the application and the road, district and town in which it is situate, the name and address of the applicant and the registered number of the application and to be filed by townships in numerical sequence according to the stand or plot number and by lots or farms in numerical sequence according to the lot or farm number. Index to register

**11.** Every entry in the register shall be made within seven days of the happening of the event in respect of which an entry is required to be made. Entry in register

**12.** The register shall be kept at the offices of the Minister or the planning authority, as the case may be, and made available for inspection by the public during normal hours of official business. Inspection of register

**13.** Any notice or other document to be served or given under this Order shall be served or given in accordance with the provisions of section *fifty* of the Act: Notices

The Laws of Zambia

Provided that any notice of an unconditional grant of planning permission which is to be served under paragraph 8 may be served in accordance with the provisions of section fifty of the Act as though the word "registered" were deleted from the said section.

(As amended by No. 97 of 1964)

SCHEDULE

(Form of advertisement)

THE TOWN AND COUNTRY PLANNING ACT

(Section 28)

APPLICATION FOR PERMISSION TO SUBDIVIDE

NOTICE IS HEREBY GIVEN that ..... of ..... has applied to the ..... Planning Authority/Natural Resources Board/Minister of Provincial and Local Government for permission to subdivide land situated at (address of property).....

A plan of the site and plans and details of the proposed subdivision is deposited at ..... and may be inspected free of charge between the hours of ..... and ..... on ..... and ..... \*until the ..... day of ....., 19.....

Any person who wishes to make any representations on or objections to the proposed subdivision should serve notice of such representations or objections in writing on the ..... Planning Authority/Natural Resources Board/Minister of Provincial and Local Government, P.O. Box ....., ..... not later than the \*\* ..... day of ....., 19..... and shall at the same time submit a copy of such representations or objections by notice served on the undersigned at the address mentioned below.

Signed.....

Dated this ..... day .....

of ..... 19.....

\*Not less than fourteen days from the date of the first advertisement shall be allowed for the inspection of the plan.

\*\*Not less than twenty-eight days from the date of the first advertisement shall be allowed for the submission of representations and objections.

SECTION 24-DELEGATION OF POWERS TO CITY AND MUNICIPAL COUNCILS

Government Notice 353 of 1962

Notice by the Minister

The Laws of Zambia

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of the areas set out in the First Schedule to the Act are hereby delegated to the appropriate planning authorities set out in the said First Schedule, and any liability to pay compensation under the Act in respect of anything done by any of the aforementioned planning authorities in exercise of the functions delegated to it hereunder is hereby transferred to the appropriate planning authority.

*Statutory Instrument  
no.  
83 of 1993*

SECTION 24-THE TOWN AND COUNTRY PLANNING  
(DELEGATION OF FUNCTIONS) ORDER

*Statutory Instrument  
no.  
83 of 1993*

*Order by the Minister*

1. This Order may be cited as the Town and Country Planning (Delegation of Functions) Order. Title

2. The functions of the Minister under section *twenty-five* of the Town and Country Planning Act, in so far as these powers relate to the grant or refusal of permission to subdivide for agricultural purposes agricultural land situated outside areas subject to a development plan or approved development plan are hereby delegated to the National Environmental Council established under the Environmental Protection and Pollution Control Act, 1990 and any liability to pay compensation under the Town and Country Planning Act in respect of anything done by the National Environmental Council in exercise of the functions delegated to it hereunder is hereby transferred to the National Environmental Council.

Delegation  
Cap. 204

3. Government Notice No. 354 of 1962 is hereby revoked.

*Revocation of G.N.No.  
354 of 1962*

SECTION 24-DELEGATION OF POWERS TO THE  
NORTHERN PLANNING AUTHORITY

*Government Notice  
356 of 1962*

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land, except where they are otherwise delegated, in respect of the Luapula Province, the Northern Province and the North-Western Province are hereby delegated to the Northern Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE  
SOUTHERN PLANNING AUTHORITY

*Government Notice  
357 of 1962*

The Laws of Zambia

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land, except where they are otherwise delegated, in respect of the Southern Province, the Central Province and the Eastern Province are hereby delegated to the Southern Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE CITY OF LUSAKA  
PLANNING AUTHORITY

*Government Notice*  
259 of 1963

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of Handsworth Park are hereby delegated to the City of Lusaka Planning Authority, and any liability to pay compensation under the Act in respect of anything done by the City of Lusaka Planning Authority in exercise of the functions delegated to it hereunder is hereby transferred to the City of Lusaka Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE CITY OF LUSAKA  
PLANNING AUTHORITY

*Statutory Instrument*  
346 of 1965

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of the planning area of the Lusaka Rural Development Plan are hereby delegated to the City of Lusaka Planning Authority, and any liability to pay compensation under the Act in respect of anything done by the City of Lusaka Planning Authority in exercise of the functions delegated to it hereunder is hereby transferred to the City of Lusaka Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE CITY OF KITWE PLANNING AUTHORITY

*Statutory Instrument*  
320 of 1967

*Notice by the Minister*

The Laws of Zambia

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of the planning areas shown on Plan No. TP/203/10 are hereby delegated to the City of Kitwe Planning Authority, and any liability to pay compensation under the Act in respect of anything done by the City of Kitwe Planning Authority in exercise of the functions delegated to it hereunder is hereby transferred to the City of Kitwe Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE CITY COUNCIL  
OF KITWE

*Statutory Instrument*  
76 of 1971

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of those areas on Plan No. T76/7 which are in excess of the area described in the Schedule to the City of Kitwe (Area) Order, 1967 (Statutory Instrument No. 15 of 1967) are hereby delegated to the City Council of Kitwe, and any liability to pay compensation under the Act in respect of anything done by the City Council of Kitwe in exercise of the functions delegated to it are hereby transferred to the City Council of Kitwe, and any delegation made in respect of the said area to any other planning authority prior to the date hereof is hereby revoked.

SECTION 24-DELEGATION OF POWERS TO THE  
CITY COUNCIL OF NDOLA

*Statutory Instrument*  
77 of 1971

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of those areas on Plan No. T122/7 which are in excess of the area described in the Schedule to the Variation of Ndola Municipal Boundaries (Government Notice No. 468 of 1964) are hereby delegated to the City Council of Ndola, and any liability to pay compensation under the Act in respect of anything done by the City Council of Ndola in exercise of the functions delegated to it are hereby transferred to the City Council of Ndola, and any delegation made in respect of the said area to any other planning authority prior to the date hereof is hereby revoked.

SECTION 24-DELEGATION OF POWERS TO THE  
CHINGOLA PLANNING AUTHORITY

*Government Notice*  
378 of 1963

*Notice by the Minister*

The Laws of Zambia

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of the planning area of the Chingola Development Plan No. 2 are hereby delegated to the Chingola Planning Authority, and any liability to pay compensation under the Act in respect of anything done by the Chingola Planning Authority in exercise of the functions delegated to it hereunder is hereby transferred to the Chingola Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE  
MUNICIPAL COUNCIL OF CHINGOLA

*Statutory Instrument*  
75 of 1971

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of those areas on Plan No. T95/5 which are in excess of the area described in the Schedule to the Municipality of Chingola (Area) Order, 1968 (Statutory Instrument No. 411 of 1968) are hereby delegated to the Municipal Council of Chingola, and any liability to pay compensation under the Act in respect of anything done by the Municipal Council of Chingola in exercise of the functions delegated to it are hereby transferred to the Municipal Council of Chingola, and any delegation made in respect of the said area to any other planning authority prior to the date hereof is hereby revoked.

SECTION 24-DELEGATION OF POWERS TO THE  
LUANSHYA PLANNING AUTHORITY

*Government Notice*  
108 of 1964

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of the planning area of the Luanshya Development Plan No. 3 are hereby delegated to the Luanshya Planning Authority, and any liability to pay compensation under the Act in respect of anything done by the Luanshya Planning Authority in exercise of the functions delegated to it hereunder is hereby transferred to the said Luanshya Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE  
MUNICIPAL COUNCIL OF LUANSHYA

*Statutory Instrument*  
74 of 1971

*Notice by the Minister*

The Laws of Zambia

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of those areas on Plan No. T82/7 which are in excess of the area described in the Schedule to the Variation of Luanshya Municipal Boundaries (Government Notice No. 247 of 1964) are hereby delegated to the Municipal Council of Luanshya, and any liability to pay compensation under the Act in respect of anything done by the Municipal Council of Luanshya in exercise of the functions delegated to it are hereby transferred to the Municipal Council of Luanshya, and any delegation made in respect of the said area to any other planning authority prior to the date hereof is hereby revoked.

SECTION 24-DELEGATION OF POWERS TO THE  
MUFULIRA PLANNING AUTHORITY

*Government Notice*  
323 of 1963

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of the planning area of the Mufulira Development Plan No. 2 are hereby delegated to the Mufulira Planning Authority, and any liability to pay compensation under the Act in respect of anything done by the Mufulira Planning Authority in exercise of the functions delegated to it hereunder is hereby transferred to the Mufulira Planning Authority.

SECTION 24-DELEGATION OF POWERS TO THE  
MUNICIPAL COUNCIL OF MUFULIRA

*Statutory Instrument*  
73 of 1971

*Notice by the Minister*

The functions of the Minister under subsections (1) and (2) of section *twenty-five* of the Act relating to the grant or refusal of permission to develop or subdivide land in respect of those areas on Plan No. T77/11 which are in excess of the area described in the Schedule to the Municipality of Mufulira (Area) Order, 1969 (Statutory Instrument No. 144 of 1969) are hereby delegated to the Municipal Council of Mufulira, and any liability to pay compensation under the Act in respect of anything done by the Municipal Council of Mufulira in exercise of the functions delegated to it are hereby transferred to the Municipal Council of Mufulira, and any delegation made in respect of the said area to any other planning authority prior to the date hereof is hereby revoked.

SECTION 39-THE TOWN AND COUNTRY PLANNING  
(CLAIM FOR COMPENSATION) REGULATIONS

*Government Notice*  
362 of 1962  
*Statutory Instrument*  
65 of 1965

*Regulations by the Minister*

1. These Regulations may be cited as the Town and Country Planning (Claim for Compensation) Regulations. Title

2. These Regulations shall apply to all claims for compensation made under the provisions of Part VI of the Act. Application

3. In these Regulations, unless the context otherwise requires- Interpretation

"claimant" means any person claiming compensation under the provisions of Part VI of the Act,

"planning authority" means a planning authority to which functions have been delegated under the provisions of section *twenty-four* of the Act, and includes in the case of subdivision for agricultural purposes of agricultural land situated outside areas subject to a development plan or approved development plan the Natural Resources Board;

"planning decision" means in the case of an application for permission made under Part V of the Act a refusal of the Minister or planning authority of that permission or a grant thereof by the Minister or planning authority subject to conditions or a notice served under the provisions of subsection (2) of section *thirty-one* of the Act.

(As amended by No. 65 of 1965)

4. Any person wishing to make a claim for compensation under the provisions of Part VI of the Act shall do so on a form, issued by and obtainable from the Minister or planning authority, as set out in the Schedule. Making of claim

5. Any claimant submitting a claim for compensation under the provisions of regulation 4 shall do so within six months of the date of the planning decision to which the claim relates: Period within which claim may be made

Provided that the Minister or planning authority may, in any particular case (either before, on or after the date on which the time for claiming would otherwise have expired) allow an extended or further extended period for making such claim.

6. If required by the Minister or planning authority by a direction in writing- Supporting evidence

(a) to provide evidence (which may include a statutory declaration) in connection with any particulars required to be supplied by the form set out in the Schedule;

(b) to provide further information as to his interest in the land to which the claim relates; or

(c) to provide further information as to the interests of any other persons;

the claimant shall furnish to the Minister or planning authority, as the case may be, such evidence or information as is available to him within such period (not being less than twenty-eight days) as may be specified in the direction.

The Laws of Zambia

7. (1) Where the Minister has not transferred under the provisions of subsection (2) of section *twenty-four* of the Act to a planning authority any liability to pay compensation under the Act in respect of anything done by that authority in the exercise of functions delegated to it under the provisions of subsection (1) of the said section, the planning authority shall forthwith forward a claim for compensation by registered post to the Minister, together with particulars of the application for planning permission and a copy of the planning decision, or a copy of any notice served under the provisions of subsection (2) of section *thirty-one* of the Act.

Where planning authority is not liable for compensation

(2) If no notice of appeal has been given to the Tribunal in respect of the matter which is the subject of the claim for compensation, such planning authority shall, within twenty-eight days from the date of forwarding the claim, notify in writing the Minister as to any more favourable decision or permission for alternative development or subdivision or requirements in an order made under the provisions of subsection (2) of section *thirty-one* of the Act which could in its opinion be given or made.

8. If the claimant does not accept the amount of compensation as determined by the Minister or planning authority, the amount of compensation shall be determined by the High Court and for this purpose either the claimant or the Minister or planning authority may apply to the High Court for an originating summons in accordance with the provisions of the High Court Act.

Non- agreement of compensation  
Cap. 27

SCHEDULE

(Regulation 4)

PRESCRIBED FORM

THE TOWN AND COUNTRY PLANNING ACT

CLAIM FOR PAYMENT OF COMPENSATION

The Laws of Zambia

To the..... (Insert Minister of Provincial and Local  
P.O. Box..... Government or the planning authority)  
.....

I declare that the statements made on this form are true to the best of my knowledge and belief and I hereby claim compensation to the amount set out hereunder to be due to me.

(Signed).....  
.....  
P.O. Box.....  
.....

If you have a professional adviser or agent to whom you wish communications regarding your claim to be sent, give his name, address and profession here.

Name.....  
Address.....  
.....  
Profession.....

- 
1. (i) Address and description of the land to which your claim relates. (You should enclose a map sufficient to identify the boundaries of the land.)
  - (ii) What is your interest in the land and when did you acquire it? (State whether freehold or leasehold and if the latter give details of the lease, period unexpired and rent payable.)
  - (iii) In which capacity do you claim (e.g. beneficial owner, trustee, mortgagee, etc.)?

- 
2. (i) Do you know of any other person who has an interest in or rights over the land (e.g. as lessee, sole mortgagee, owner of an easement, etc.)? If so give name and address of each person and nature and date of creation of his interest or right.
  - (ii) Give details of any outgoings affecting the land, other than ordinary rates and taxes.

---

3. Give such particulars as you can (including reference number and date) of the planning decision or enforcement notice which gives rise to your claim for compensation.

- 
4. (i) Give particulars of any development, subdivision, use or change of use since 16th November, 1962.
  - (ii) State whether planning permission was given for any of the above (give reference number and date).
  - (iii) Give details (with reference number and date) of any planning consents given under the former Act.

---

5. State what amount you claim as the depreciation in value of your interest in the land caused by the planning decision and state how you arrive at this figure.

---

The Laws of Zambia

SECTION 53-THE TOWN AND COUNTRY PLANNING  
(APPLICATION FOR PLANNING PERMISSION) REGULATIONS

*Regulations by the Minister*

*Government Notices*  
360 of 1962  
96 of 1964  
*Statutory Instruments*  
65 of 1965  
347 of 1966

1. These Regulations may be cited as the Town and Country Planning (Application for Planning Permission) Regulations. Title
2. These Regulations shall apply to any application for permission to develop or subdivide land or for any approval or determination under a development or subdivision order. Application
3. In these Regulations, unless the context otherwise requires- Interpretation
- "Order" means any order made under the provisions of section *twenty-three* of the Act;
- "planning authority" means a planning authority to which functions have been delegated under the provisions of section *twenty-four* of the Act.
- (As amended by No. 65 of 1965)
4. (1) All applications for planning permission shall be made on forms issued by the Minister or planning authority, as the case may be, and shall include such particulars and shall be accompanied by such plans and drawings as may be required by the directions printed on the forms. Planning permission
- (2) In the case of an application for determination whether any operations on land or any change in the use of any land or building would constitute or involve development of that land or building, it shall not be necessary to furnish plans and drawings, other than a plan sufficient to identify the land to which the application relates, in any case where the proposal is sufficiently described by the particulars together with that plan.
5. (1) All applications for planning permission or for determination shall be submitted to the Minister or planning authority, as the case may be. Submission of applications
- (2) Except in the area of a city or a municipality, an application for planning permission to develop or subdivide land, or for determination whether or not development is involved, may be submitted to the planning authority through the authority having local authority jurisdiction in the area to which the application relates, and the necessary application forms may be obtained from the authority.

The Laws of Zambia

(3) For the avoidance of doubt an application for permission to subdivide for agricultural purposes agricultural land situated outside areas subject to a development plan or approved development plan shall be submitted to the Natural Resources Board. Forms and notices

6. The application forms shall be in the form or substantially in the form as set out in the Schedule and any notices issued in connection with the said application forms shall be in the form as set out in the Schedule.

7. The Minister may at any time require copies of all or any decisions to be submitted to him whether in respect of development or subdivision and if so required a planning authority shall comply with such requirements. Minister may require copies of decisions

SCHEDULE

(Regulation 6)

PRESCRIBED FORMS

FORM T. & C.P. 1

Registered  
number of  
application

D/

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO DEVELOP

The Laws of Zambia

(Paragraph 8. The Town and Country Planning Development Order)

To the.....  
(insert name and address of the planning authority)

I/We hereby apply for permission to develop as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent.....

If signed by Agent state:

Name.....

Address.....

Profession.....

---

1. If an application in principle has previously been submitted state the registered number of the application.

---

2. State whether subdivision is involved and if so whether permission has been applied for and give registered number of the application.

- 
3. (a) Stand, Lot or Farm No.....(a)  
(b) Road, District and Town.....(b)

---

4. Applicant's name and address.....

---

5. Owner's name and address.....

---

6. If applicant is not the owner, state interest in the land, e.g. lessee, prospective purchaser, etc., and whether the consent of the owner to this application has been obtained.

---

7. Describe briefly the proposed development including the purposes for which land and/or buildings are to be used.

---

8. State the purpose for which land and/or buildings are now used. If not now used, the purpose for which and date on which they were last used.

---

9. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

---

10. If the proposed development consists only of a change of use and does not involve building operations state the exact nature of such change.

---

11. If the site abuts on a road junction, give details and height of any proposed walls, fences, etc., fronting thereon.

The Laws of Zambia

SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.
2. This form, duly completed, and all plans and drawings to be submitted in duplicate unless otherwise directed.

PLANS AND DRAWINGS REQUIRED

*Site Plan:* To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

*Block Plan:* To scale of not less than one inch to fifty feet, showing-

- (a) the boundaries of the land and any adjoining stand and any road fronting or adjoining those stands and its name and width;
- (b) the position of any existing or proposed building on the land;
- (c) the position of any existing or proposed boreholes, septic tanks, cesspits or cesspools, drains or sewers or other sewage disposal plant on the land;
- (d) the position, width and gradient of any existing or proposed means of access to any road from the land;
- (e) in the case of commercial development the height of any canopy, window head or parapet on the proposed building and on any adjoining building in relation to the pavement or road level.

*Building Plans:* To a scale of not less than one-eighth inch to one foot, showing-

- (a) the plan of each floor and the proposed use of each floor;
- (b) the elevation of all sides of the building;
- (c) the levels of the land and the ground floor in relation to the level of any adjoining or adjacent road.

NOTES

1. This application is for permission under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent under any law, by-law, regulation, State Lease agreement, etc., that may be required.
2. The planning authority reserves the right to require any further information or additional copies of plans and drawings as it may consider necessary.

(No. 96 of 1964 as amended by No. 65 of 1965)

The Laws of Zambia

FORM T. & C.P. 2

Registered  
number of  
application

S/
----

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO SUBDIVIDE LAND

The Laws of Zambia

(Paragraph 5. The Town and Country Planning Subdivision Order)

To the.....  
(insert name and address of the planning authority)

I/We hereby apply for permission to subdivide land as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent.....

If signed by Agent state:

Name.....

Address.....

Profession.....

---

1. If an application in principle has previously been submitted state the registered number of the application.

---

2. (a) Stand, Lot or Farm No..... (a)  
(b).....Road, District and Town (b)

---

3. Applicant's name and address.....

---

4. Owner's name and address.....

---

5. If applicant is not the owner, state interest in land, e.g. lessee, prospective purchaser, etc., and whether the consent of the owner to this application has been obtained.

---

6. Describe briefly the proposed subdivision including the purposes for which land and/or buildings are to be used.

---

7. State the purpose for which land and/or buildings are now used. If not now used, the purpose for which and date on which they were last used.

---

8. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

---

9. State method of-

(a).....water supply (a)  
(b).....sewage disposal (b)  
(c).....surface water disposal (c)  
(d).....refuse disposal (d)

## The Laws of Zambia

### SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.
2. This form, duly completed, and all plans and drawings to be submitted in duplicate.
3. If a survey diagram is to be submitted to the Surveyor-General under section 21 of the Land Survey Act three copies of the plans should be submitted.

### PLANS AND DRAWINGS REQUIRED

*Site Plan:* To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

*Subdivision Plan (other than an Estate Layout):* To a scale appropriate to the area of the land, showing-

- (a) the boundaries of the land, the number and area of any existing or proposed subdivisions, and the existing and proposed use thereof;
- (b) the position of any existing or proposed buildings on the land and of any roads, carriageways, service or sanitary lanes or roads or any footpaths adjacent to the land;
- (c) the position, width and gradient of all existing and proposed means of access from the land to any road.

NOTE.-The Subdivision Plan may be combined with the Site Plan if the scale permits.

*Estate Layout Plan* as for the Subdivision Plan, with the following additional information:

- (d) the line of any water-courses, dambos, water mains, drains, sewers, underground or overhead cables on the land;
- (e) the proposed layout of roads within the estate including all drains, culverts and stormwater drainage;
- (f) the proposed water reticulation, sewerage and electricity systems showing the source and method of servicing the individual stands;
- (g) the surface contours at ten-foot vertical intervals;
- (h) reservations for public utility services and other public purposes.

### NOTES

1. This application is for permission under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent under any law, by-law, regulation, State Lease agreement, etc., that may be required.
2. The planning authority reserves the right to require any further information or additional copies of plans and drawings as he or it may consider necessary.

(No. 96 of 1964 as amended by No. 65 of 1965)

The Laws of Zambia

FORM T. & C.P. 3

Registered  
number of  
application

S/ (for subdivision)
D/ (for development)

THE TOWN AND COUNTRY PLANNING ACT  
 APPLICATION FOR PERMISSION IN PRINCIPLE TO DEVELOP/SUBDIVIDE LAND  
 (Paragraph 8 (2). The Town and Country Planning Development Order)  
 (Paragraph 5 (3). The Town and Country Planning Subdivision Order)

To the.....  
 (insert name and address of the planning authority)

I/We hereby apply for permission *in principle* to develop/subdivide land as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent.....

If signed by Agent state:

Name.....

Address.....

Profession.....

---

The Laws of Zambia

1. (a) Stand, Lot or Farm No. of the site..... (a)  
(b).....Road, District and Town (b)

---

2. Applicant's name and address.....

---

3. Owner's name and address.....

---

4. If applicant is not the owner, state interest in the land, e.g. lessee, prospective purchaser and whether consent of owner to this application has been obtained.

---

5. Describe briefly but adequately the proposed development or subdivision including purposes for which land and/or buildings are to be used.

---

6. State the purpose for which the land and/or buildings are now used. If not now used state the purpose for which and date on which they were last used.

---

7. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

---

SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.
2. This form, duly completed, and all plans and drawings to be submitted in duplicate.

PLANS AND DRAWINGS REQUIRED

*Site Plan:* To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

The planning authority reserves the right to require any further information or additional copies of plans and drawings as he or it may consider necessary.

(No. 96 of 1964)

---

The Laws of Zambia

FORM T. & C.P. 4

Registered  
number of  
application

D/
----

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO DEVELOP STATE LAND

(Paragraph 8. The Town and Country Planning Development Order)

To the.....  
(insert name and address of the planning authority)

I/We hereby apply for permission to develop as described in this application and on the attached plans and drawings.

Date..... Signature of Applicant or Agent.....

If signed by Agent state:

Name.....

Address.....

Profession.....

---

The Laws of Zambia

1. (a) Stand, Lot or Farm No. of the site..... (a)  
(b) Road, District and Town..... (b)

---

2. Applicant's name and address.....

---

3. Describe briefly the proposed development including the purposes for which land and/or buildings are to be used.

---

4. State the purpose for which land and/or buildings are now used. If not now used, the purpose for which and date on which they were last used.

---

5. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

---

6. If the proposed development consists only of a change of use and does not involve building operations state the exact nature of such change.

---

7. If the site abuts on a road junction, give details and height of any proposed walls, fences, etc., fronting thereon.

- 
8. State method of-
- (a) water supply..... (b)
  - (b) sewage disposal..... (b)
  - (c) surface water disposal..... (c)
  - (d) refuse disposal..... (a)

---

9. Give details of any relevant easements affecting the proposals.

- 
10. State the-
- (a) area of land affected..... (a)
  - (b) area of buildings (proposed and existing).... (b)
  - (c) percentage of site covered-
    - (i) by existing buildings..... (c) (i)
    - (ii) by proposed buildings..... (ii)

- 
11. State the materials to be used for-
- (a) external walls..... (a)
  - (b) roof..... (b)

---

12. If the building is to be used for more than one purpose state the floor area

Ground Floor.....
First Floor.....

The Laws of Zambia

SUBMISSION OF PLANS

1. All plans and drawings to be signed on every sheet by the applicant or his agent and to be drawn in permanent ink or reproduced in a clear and intelligible manner on suitable material, one copy to be on linen or other equally durable material.
2. This form, duly completed, and all plans and drawings to be submitted in duplicate unless otherwise directed.

PLANS AND DRAWINGS REQUIRED

*Site Plan:* To an appropriate scale sufficient to identify the site showing the land to which this application relates edged red and any adjoining land in the same ownership edged blue.

*Block Plan:* To scale of not less than one inch to fifty feet, showing-

- (a) the boundaries of the land and any adjoining stand and any road fronting or adjoining these stands and its name and width;
- (b) the position of any existing or proposed building on the land;
- (c) the position of any existing or proposed boreholes, septic tanks, cesspits, or cesspools, drains or sewers or other sewage disposal plant on the land;
- (d) the position, width and gradient of any existing or proposed means of access to any road from the land;
- (e) in the case of commercial development the height of any canopy, window head or parapet on the proposed building and on any adjoining building in relation to the pavement or road level.

*Building Plans:* To a scale of not less than one-eighth inch to one foot, showing-

- (a) the plan of each floor and the proposed use of each floor;
- (b) the elevation of all sides of the building;
- (c) the levels of the land and the ground floor in relation to the level of any adjoining or adjacent road.

NOTES

1. This application is for permission under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent under any law, by-law, State Lease agreement, etc., that may be required.
2. The planning authority reserves the right to require any further information or additional copies of plans and drawings as it may consider necessary.

(No. 347 of 1966)

FORM T. & C.P. 5

Registered  
number of  
application

A/
----

THE TOWN AND COUNTRY PLANNING ACT

APPLICATION FOR PERMISSION TO SUBDIVIDE AGRICULTURAL LAND  
FOR AGRICULTURAL PURPOSES

(Paragraph 5. The Town and Country Planning Subdivision Order)

To The Natural Resources Board,  
P.O. Box 55,  
Lusaka.

I/We hereby apply for permission to subdivide land as described in this application and on the attached plans and diagrams.

Date..... Signature of Applicant or Agent.....

If signed by Agent state:

Name.....

Address.....

Profession.....

1. If an application in principle has previously been submitted state the registered number of the application and the decision.

---

2. Farm number and address of the land to be subdivided in sufficient detail to enable it to be readily identified.

---

3. Name and postal address of applicant (IN BLOCK CAPITALS). State whether Mr., Mrs. or Miss.

---

4. State applicant's interest in the land (e.g. owner, lessee, tenant, prospective purchaser, etc.)

---

5. If applicant is not the owner of the land state name and postal address of owner. In such case evidence of the consent of the owner to the proposed subdivision must be attached to this form.

---

6. State the acreage of the holding and of each proposed subdivision.

---

7. Describe briefly the present land use and system of farming carried out on the present holding and to be carried out on-

(a) the remaining unit of that holding ..... (a)  
and

(b) each proposed subdivision..... (b)

---

8. State what residential and/or other buildings are to be constructed on each proposed subdivision.

---

9. State the source of water supply for-

(a) domestic..... (a)  
and

(b) agricultural purposes on each proposed  
subdivision..... (b)

---

10. Give particulars of any easements, encumbrances, notarial leases or mortgage bonds affecting the holding.

---

11. State whether each proposed subdivision is to be by way of sale, gift, lease or mortgage.

---

12. Give any other information of which the applicant wishes the Natural Resources Board to be aware.

---

The Laws of Zambia

FOR OFFICE USE ONLY

PLANS REQUIRED

*Layout or Subdivision Plan* to scale appropriate to the area of the holding to which this application relates showing-

- (a) the farm to be subdivided in relation to adjoining farms and the farm numbers with names of owners;
- (b) the boundaries of the farm to be subdivided and the boundaries of each proposed subdivision;
- (c) the existing public and farm roads serving the farm;
- (d) the location of all residential and farm buildings on the farm;
- (e) all water supply points and weirs or streams on or adjacent to the farm;
- (f) fence lines;
- (g) all arable land.

NOTES

1. This application is for permission to subdivide under the Town and Country Planning Act and does not absolve the applicant from obtaining any other consent that may by law be required.

2. (1) An application *in principle only* subject to the *subsequent approval* of the Natural Resources Board to the details of the proposed uses of any subdivision before the subdivision is effected may be made in the first instance.

(2) An applicant who wishes to submit such an application should indicate clearly the fact by adding the words "IN PRINCIPLE ONLY" at the top of this form.

3. The Natural Resources Board reserves the right to require any further information or additional copies of plans which it may consider necessary.

SUBMISSION OF PLANS

1. All plans and diagrams to be signed on every sheet by the applicant or his agent and to be drawn or reproduced in a clear and intelligible manner on suitable and durable material.

2. This form duly completed in duplicate and all plans in quadruplicate to be submitted to the Natural Resources Board.

FORM T. & C.P. 6

Registered  
number of  
application

I/

Date of receipt.....

THE TOWN AND COUNTRY PLANNING ACT  
APPLICATION FOR DETERMINATION WHETHER DEVELOPMENT IS INVOLVED

(Paragraph 7. The Town and Country Planning Development Order)

To the.....(insert name and address of the Minister or planning authority).

I/We hereby apply for a determination whether the carrying out of the operations on or the making of the change in use of the land as described in this application and shown on the attached plan would constitute or involve development and, if so, whether an application for planning permission is required.

Date..... Signature of Applicant or Agent.....

If signed by Agent state:

Name.....

Address.....

Profession.....

- 1. (a) Stand, Plot, Lot or Farm No..... (a)
(b) Road, District and Town..... (b)

2. Owner's name and address.....

3. Applicant's name and address.....

4. State briefly the operations or change in use of land proposed. If more than one use, give details.

5. State the purpose for which the land and/or buildings are now used. If used for more than one purpose give details.

6. State whether the construction of a new or alteration of an existing means of access to or from a road is involved.

7. Give any other details the applicant may consider necessary.

The Laws of Zambia

FOR OFFICE USE ONLY

NOTES

1. One copy of this form and one copy of such plans and drawings as the applicant considers necessary to be submitted.
2. The Minister or planning authority has the right to require further information or additional copies of the plans and drawings as he or it may consider necessary.

The Laws of Zambia

FORM T. & C.P. 7

Registered  
number of  
application

THE TOWN AND COUNTRY PLANNING ACT

ACKNOWLEDGEMENT OF APPLICATION FOR PLANNING PERMISSION  
OR DETERMINATION

To: .....  
.....  
.....

Your application numbered as above in respect of .....  
situate in ..... Road .....  
was received in this office on ..... and you will be  
notified in due course of the decision of the Planning Authority.

Signed.....  
for.....  
.....

(No. 96 of 1964)

\_\_\_\_\_

FORM T. & C.P. 8

Registered  
number of  
application

THE TOWN AND COUNTRY PLANNING ACT

NOTIFICATION OF APPROVAL/REFUSAL OF PLANNING PERMISSION

To: .....  
.....  
.....

Your application numbered as above, submitted on .....  
for permission/permission *in principle* to .....  
on ..... situate in .....  
Road ..... has been .....  
on the ..... by the.....  
for the following reason\subject to the following conditions:

Date ..... Signed.....  
.....

(To be printed in duplicate)

NOTES

Cap. 21

1. In the case of subdivision approvals where the records of the subdivisional survey required by sections 10 (1) and 21 of the Land Survey Act are not lodged with the Surveyor-General within the period stated in the approval, such approval shall be deemed to be cancelled.

2. If the applicant is aggrieved by the decision of the planning authority to refuse permission for the proposed development or subdivision or to grant permission subject to conditions, he may, by notice served within twenty-eight days of the receipt of this notification or such longer period as the Town and Country Planning Tribunal in writing may agree, appeal to the Tribunal in terms of section 29 of the Act.

3. The Tribunal shall not be required to entertain an appeal under the aforesaid section 29 in respect of the determination of an application for permission to develop or subdivide land if it appears to the president or the vice-president of the Tribunal that permission or approval for that development or subdivision could not have been granted otherwise than subject to the conditions imposed, having regard to the provisions of section 25 of the Act and of the appropriate development or subdivision order and to any directions given under such order.

4. In certain circumstances a claim may be made against the Minister or planning authority for compensation or acquisition of the land affected where permission or approval is refused or granted subject to conditions. The circumstances in which such compensation is payable or acquisition of land may be required are set out in Part VI of the Act.

(No. 96 of 1964)

\_\_\_\_\_

FORM T. & C.P. 9

Registered  
number of  
application

THE TOWN AND COUNTRY PLANNING ACT

NOTIFICATION OF DETERMINATION

To: .....  
.....  
.....

Your application numbered as above submitted on .....  
.....for the determination whether the operation or change in use of  
land on.....  
.....situate in ..... Road .....

would constitute or involve development was considered on .....  
It has been determined that the said operation/change in use .....  
.....require an application to be submitted for planning permission in respect thereof.

Signed.....  
.....

(To be printed in duplicate)

(No. 96 of 1964)

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANS)  
REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I PRELIMINARY  
PART I  
PRELIMINARY

*Regulation*

1. Title
2. Application
3. Interpretation
4. Scale of map

PART II FORM AND CONTENT OF DEVELOPMENT PLANS  
PART II  
FORM AND CONTENT OF DEVELOPMENT PLANS

5. General description
6. Land utilisation map
7. Public utilities map
8. Written analysis
9. Basic map
10. Designation map
11. Comprehensive development map
12. Written statement
13. Written document
14. Titles of maps and documents
15. Reconciliation of maps and documents

PART III PROCEDURE FOR THE SUBMISSION AND APPROVAL OF DEVELOPMENT  
PLANS  
PART III

PROCEDURE FOR THE SUBMISSION AND APPROVAL OF  
DEVELOPMENT PLANS

The Laws of Zambia

16. Submission of development plans to Minister
17. Requirements in case of amendments to maps and documents
18. Notice of submission of development plan
19. Approval or rejection of development plan
20. Certificates

*Regulation*

21. Revocation of approval development plan
22. Access to development plan
23. Publication of approved developments plan

FIRST SCHEDULE-Particulars and proposals to be included in the various maps and documents forming the development plan

SECOND SCHEDULE-Prescribed forms

SECTION 53-THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANS) REGULATIONS

*Government Notice*  
363 of 1962  
*Statutory Instruments*  
65 of 1965  
323 of 1968  
336 of 1969  
58 of 1976  
180 of 1979

*Regulations by the Minister*

PART I PRELIMINARYPART I

PRELIMINARY

1. These Regulations may be cited as the Town and Country Planning (Development Plans) Regulations. Title

2. These Regulations shall apply to all development plans submitted to the Minister under the provisions of Parts III and IV of the Act. Application

3. In these Regulations, unless the context otherwise requires- Interpretation

"planning area" means the area specified by statutory notice for which an order to prepare a development plan has been made and shall include or exclude any additions or exclusions to the area of a development plan specified by statutory notice;

The Laws of Zambia

"planning authority" means the local or other authority appointed by or under the provisions of section *five* of the Act.

(As amended by No. 65 of 1965)

4. (1) Every map comprised in a development plan shall include a key describing the notation used. Scale of map

(2) Except where otherwise provided, the following scales shall be used for maps comprised in a development plan:

- (a) maps covering the planning area of any city, municipality or township, one inch to five hundred feet;
- (b) maps covering any other planning area 1/50,000;
- (c) Comprehensive development maps, one inch to two hundred feet.

(3) The Minister may, in any particular case, direct or approve a scale for any map comprised in a development plan which differs from the scale prescribed for that map in this regulation.

## PART II FORM AND CONTENT OF DEVELOPMENT PLANS PART II

### FORM AND CONTENT OF DEVELOPMENT PLANS

5. (1) Except where otherwise provided in sub-regulations (2) and (3), a development plan shall consist of a report of the survey and a basic map showing the manner in which land may be used and the stages by which any development may be carried out and such other maps and documents as may be appropriate under the succeeding provisions of these Regulations. General description

(2) A proposal for modification of an approved development plan shall consist of such maps and documents as may be appropriate to the proposals and shall include a statement of the reasons for the proposal and any such map or document may be in substitution for any part of any map or document or in addition to any map or document forming part of the approved development plan.

(3) A proposal for the revocation of an approved development plan shall include a statement of the reasons for the proposal.

6. The report of survey shall include a map to be known as a land utilisation map showing the existing use of land and buildings in respect of such of the items specified in Part I of the First Schedule as may be appropriate to the area to which the particular map relates and the date on which it was prepared.

Land utilisation map

7. The report of survey shall include a map to be known as a public utilities map showing particulars in respect of such of the items specified in Part I of the First Schedule as may be appropriate to the area to which the particular map relates.

Public utilities map

*(As amended by S.I. No. 58 of 1976)*

8. The report of survey shall also include a document to be known as a written analysis which shall contain such of the items, in that order, specified in Part I of the First Schedule as may be appropriate to the area to which the particular document relates and may include such other information as the planning authority considers necessary to support its planning proposals.

Written analysis

*(As amended by S.I. No. 58 of 1976)*

9. (1) The basic map shall be a map indicating the manner in which it is proposed that land may be developed during the subsequent period of thirty years in respect of such of the items specified in Part I of the First Schedule as may be appropriate to the area to which the map relates.

Basic map

(2) Notwithstanding the provisions of sub-regulation (1), the basic map shall include reservations of land for any public purpose, whether or not it is considered that such land will be so used within the subsequent period of thirty years, in every case where the boundaries or the approximate boundaries of the reservation are known at the time of preparation of the map.

(3) Notwithstanding the provisions of sub-regulation (1), the basic map may include reservations of land for any public purpose where it is known that such reservation will eventually be required and the site, size or boundaries have not been decided and any such reservation shall be diagrammatic and in the form set out in Part I of the First Schedule.

(4) Nothing in sub-regulations (2) and (3) shall in any way detract from the rights of any owner of land under the provisions of section *forty-one* of the Act.

(5) The basic map shall also show the stages by which development may be carried out by classifying that development which may be likely to be carried out within a period of five years immediately following the submission of the development plan to the Minister for immediate use and that development which may be likely to be carried out in the subsequent period of five years.

(6) The basic map shall also show the road layout for development for the two five year periods specified in sub-regulation (5) and the main road framework for the subsequent period of twenty years and at the end of each period of five years the road layout for development during the next subsequent period of ten years shall be shown by means of a modification to the approved development plan.

*(As amended by No. 336 of 1969 and No. 58 of 1976)*

**10.** A development plan which designates any land as subject to compulsory acquisition shall designate such land on a map to be known as a designation map and such map shall show particulars and proposals in respect of the items specified in Part I of the First Schedule.

Designation map

*(As amended by S.I. No 58 of 1976)*

**11. (1)** A development plan which defines any area as an area of comprehensive development shall define such area on a map to be known as a comprehensive development map and such map shall show particulars and proposals for development or redevelopment in respect of such of the items specified in Part I of the First Schedule as may be appropriate to the area.

Comprehensive development map

(2) Notwithstanding the provisions of sub-regulation (1), a planning authority, in the case of any area set out in the First Schedule to the Act shall and, in any other case, may, show its proposals for the development or redevelopment of the principal business area on a comprehensive development map.

*(As amended by S.I. No 58 of 1976)*

**12.** Every development plan shall contain a document to be known as a written statement and such written statement shall include-

Written statement

- (a) a summary of the main proposals of the development plan with such descriptive matter as the planning authority considers necessary to illustrate the various proposals shown on the basic map or as the Minister may from time to time direct for that purpose;
- (b) in relation to any comprehensive development map, except a map prepared under the provisions of sub-regulation (2) of regulation 11, a statement in accordance with the provisions of subsection (3) of section *sixteen* of the Act of the purpose or purposes for which the area is to be developed or redeveloped as a whole;
- (c) in relation to any designation map designating land allocated by the development plan for any Government purposes or for the purpose of any function of a local or township authority, a statement identifying separately the land allocated for each Government purpose or to each local or township authority and the purpose for which such land is allocated and, in relation to any such map designating land comprised in an area of comprehensive development or contiguous or adjacent to any such area or for the purpose of securing its use in the manner proposed by the development plan, a statement identifying the land proposed for each use and the nature of that use.

- 13.** Every development plan shall contain a document to be known as a written document and such document shall include provisions for the control of such of the items specified in the Second Schedule to the Act as may be included in the development plan. Written document
- 14.** The maps and documents referred to in this Part shall be identified on the face by the titles thereby conferred on them. Titles of maps and documents
- 15.** In the case of any contradiction in respect of any land to which a development plan relates between the particulars or proposals shown on one map comprised in the development plan and those shown on another or other such maps, the map which is to a larger scale shall, if those particulars or proposals are required by these Regulations to be shown thereon, prevail, and in the case of any contradiction between the maps included in the development plan and a document, the document shall prevail, and in the case of any contradiction between a symbol and a colour denoting a zone, reservation or use, the symbol shall prevail. Reconciliation of maps and documents
- PART III PROCEDURE FOR THE SUBMISSION AND APPROVAL OF DEVELOPMENT PLANS**  
**PART III**
- PROCEDURE FOR THE SUBMISSION AND APPROVAL OF DEVELOPMENT PLANS**
- 16.** A development plan shall be prepared in duplicate, each duplicate being certified by or on behalf of the planning authority by the person authorised so to do by a resolution of that planning authority. One duplicate shall be submitted to the Minister together with a certified copy thereof and a certificate that the provisions of subsection (5) of section *sixteen* and section *nineteen* of the Act have been complied with. Submission of development plans to Minister
- 17.** Any alteration, deletion, addition or other amendment to any map or document forming part of a development plan shall be signed by or on behalf of the planning authority by the person authorised so to do by a resolution of that planning authority or the Minister, as the case may be, and if not so signed shall not prevail. Requirements in case of amendments to maps and documents
- 18.** When a development plan is submitted to the Minister, the planning authority shall forthwith give public notice of the submission in the form set out in Part I of the Second Schedule. Notice of submission of development plan
- 19.** (1) Where the Minister approves with or without modification a development plan submitted to him in accordance with these Regulations, he shall so certify the duplicate and the certified copy and return the certified copy to the planning authority which shall forthwith give public notice of the approval in the form set out in Part II of the Second Schedule. Approval or rejection of development plan
- (2) Where the Minister rejects a development plan, he shall return the certified copy to the planning authority giving reasons for the rejection and the planning authority shall forthwith give public notice of the rejection.

The Laws of Zambia

**20.** (1) The planning authority shall submit as soon as possible to the Minister a certified copy of any advertisement published or notice served in pursuance of these Regulations or Parts III and IV of the Act. Certificates

(2) When the Minister has notified the planning authority of his approval with or without modification or his rejection of the development plan, the planning authority shall, within seven days of the giving of any public notice or the serving of any notice required to be given or served in accordance with the provisions of section *twenty-one* of the Act, submit to the Minister a certificate that the provisions of the said section *twenty-one* have been complied with.

**21.** For the purposes of regulations 17, 18, 19 and 20, a development plan shall be deemed to include a proposal for revocation of an approved development plan. Revocation of approved development plan

**22.** (1) Before a development plan is submitted to the Minister, the planning authority shall make available at its offices any information regarding its proposals for the development of the area covered by the development plan that may reasonably be required to be known by any person intending to develop or subdivide land. Access to development plan

(2) When the Minister has approved a development plan, certified copies of the basic map and any designation map and any comprehensive development map and the written statement and written document shall be kept at the offices of the planning authority and any local or township authority having jurisdiction in any planning area covered by the development plan and made available for inspection by the public during normal hours of official business.

**23.** As soon as possible after the approval by the Minister of a development plan, the planning authority shall arrange for the printing or reproduction and publishing of the basic map, any designation map and any comprehensive development map, the written statement and the written document and shall make available printed copies thereof for sale to the public at a reasonable cost. Publication of approved developments plan

APPENDIX

FIRST SCHEDULE

PARTICULARS AND PROPOSALS TO BE INCLUDED IN THE VARIOUS MAPS AND DOCUMENTS FORMING THE DEVELOPMENT PLAN

The colours specified hereunder to be used on the various maps are obligatory on all duplicates and certified copies submitted to the Minister, but shall not nevertheless form part of the development plan and copies of any map offered for sale to the public need not be so coloured.

All references to colours are to the Standard Town and Country Planning Colours approved by the British Colour Council.

PART I

## The Laws of Zambia

Regulation 6: Land Utilisation Map

Regulation 7: Public Utilities Map

Regulation 9: Basic Map

Regulation 10: Designation Map

Regulation 11: Comprehensive Development Map

The whole of a site should be coloured on the Land Utilisation Map to indicate the predominant use, but where there are two more or less equal but different uses they should be indicated separately. Where the ground floor use differs from the predominant use it should be indicated separately by a band along the frontage with the appropriate symbol or colour inside that band. The principal business area shall if necessary for clarity be shown on a separate map to a scale of 1:2 500.

Existing uses to be outlined by a solid black line, and shaded by evenly spaced black dots, sized and spaced according to the scale of the map.

Proposed uses to be outlined by a solid black line, not shaded, and indicated by the appropriate use letters.

Deferred uses (proposed uses for the plan period subsequent to the first ten years) to be outlined by a solid black line and not shaded, with the appropriate letters in brackets.

*(As amended by S.I. no 58 of 1976)*

The Laws of Zambia

Use	Symbol	Colour
1. <i>Boundary of planning area</i>	Thick dot/dash line	9mm blue 2.1 border outside boundary
2. <i>Boundary of local or ownship authority area</i>	Thick black dotted line with name of authorities inside boundary	
3. <i>Boundary of comprehensive development area</i>	Small inverted "V's" inside boundary	Opaque white ink border inside boundary
4. <i>Reservations</i>		
(a) <i>Public buildings and cultural uses</i>	P.....	Red 1
Community centre, public hall.....	PC	
Entertainment, theatre, cinema.....	PE	
Drive-in-cinema.....	PM	
Social club.....	PS	
Church.....	PW	
Public conveniences.....	PT	
Museum, cultural village.....	PV	
(b) <i>Administration</i> .....	A.....	Red 2
Central Government office.....	AC	
Local Government office.....	AL	
Post Office.....	AP	
(c) <i>Institutions</i> .....	G.....	Orange
(a) <i>Education</i> .....	P.....	(Four parts Orange 1 to one part Red 2)
University.....	GEU	
Training and technical colleges	GET	
Secondary school.....	GES	
Primary school.....	GEP	
Nursery school.....	GEN	
(b) <i>Health</i> .....	GH	
Hospital.....	GHO	
Mental hospital.....	GHM	
Rural health centre, clinic, dispensary	GHC	
(c) <i>Others</i> .....	GO	
Police station and camp.....	GCP	
Prison.....	GOG	
Military uses.....	GOM	
Research station..... (stating type)	GOR	
(a) <i>Public utilities</i> .....	X.....	Red brown 1.1
Electricity.....	XE	
Water.....	XW	
Sewage disposal.....	XS	
Refuse disposal.....	XR	
Fire station.....	XF	
*-surface.....	$\frac{v}{\wedge} \frac{v}{\wedge}$	
-underground.....	$\frac{v}{\wedge} \frac{v}{\wedge}$	
Telephone or telegraph lines		
-surface		
-underground	↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓	
Sewers*	-  -  -  -  -	
Water mains*	- · · · · ·	

\* Capacities or sizes should be figured.

The Laws of Zambia

10. Residential	U	.....	Green brown 1.5
Residential	R	.....	Yellow 2.1
Block of flats.....	RF	}	Deeper shade of yellow
Boarding-house.....	RB		
Residential hotel, licensed.....	RL		
Residential hotel, private.....	RP		
Residential hotel, motel.....	RM		
Squatter compound.....	RSC	.....	Brown 2 edging inside boundary
Site and service scheme.....	RSS	.....	Brown 1.1
11. Mining and quarrying	M	.....	Grey 1.2
Surface working.....	MS		
Mine plant.....	MP		
Mining claim area.....	MC		
Slimes dam.....	MD		
Slag heap.....	MH		
Magazine.....	MM		
Limit of underground working.....	- · · - · · - · · -		
12. Miscellaneous			
Cemetery or crematorium.....	CE	.....	Green brown 2
Building line (show distance in..... black)	- · · - · · - (10 m)		
Land covered by water.....	LW	.....	Blue 1
Water protection area.....	W	.....	Blue 1 edging
Land unsuitable for building..... development	US	.....	Yellow brown 1
Undetermined land use.....	UL	.....	Uncoloured
Undeveloped.....	V	.....	Uncoloured
<i>(As amended by S.I. No. 180 of 1979)</i>			
13. Areas for compulsory acquisition	Thick line around boundary and numbered		Orange 1 inside red 1 border
14. Diagrammatic reservation..... (Regulation 9 (3))	12 mm diameter circle with appropriate symbol		

The Laws of Zambia

PART II

*(Regulation 8)*

WRITTEN ANALYSIS

The Laws of Zambia

*The Report of Survey*

*The Report*

1. <i>Introduction</i> .....	The Maps and documents Notations, zones and reservations Non-conforming uses
2. <i>History</i> .....	History of the town General survey of plan Main planning problems
3. <i>Population</i> .....	Population trends Population structure Children of school age
4. <i>Housing needs</i> .....	Population densities Family sizes
5. <i>Areas of development</i> .....	Town centre Residential areas Commercial areas Industrial areas Other areas
6. <i>Employment</i> .....	Structure and ratios Trends and requirements Distance home to work
7. <i>Communications</i> .....	Roads and vehicle parks Railways and bus services Airfields
8. <i>Minerals</i> .....	Sand, gravel, copper, etc.
9. <i>Education</i> .....	Kindergarten, primary and secondary schools Post-secondary and adult schools
10. <i>Social</i> .....	Health and welfare Civic and cultural facilities Cemeteries
11. <i>Open spaces</i> .....	Standards and distribution Playing fields Other types Proposals in development plan
12. <i>Shopping facilities</i> .....	Situation and areas served
13. <i>Public utilities</i> .....	Water Electricity Sewerage and sewage disposal Refuse disposal
14. <i>Government development</i> .....	Housing Offices Works Police

15. *Conclusions*

*Appendix*

<i>Table 1</i> .....	Distribution of Population
<i>Table 2</i> .....	Distribution of Shops
<i>Table 3</i> .....	Distribution of Open Spaces
<i>Table 4</i> .....	Distribution of Schools
<i>Table 5</i> .....	Distribution of Industry
<i>Table 6</i> .....	Employment Summary
<i>Table 7</i> .....	Changes in Land Use

The tables are set out in a standard form so that the information may be readily extracted and collated for Zambia as a whole. They may not be fully applicable in every case and planning authorities should adapt them where necessary.

The Laws of Zambia

DISTRIBUTION OF POPULATION

Table 1

Index Number of area primarily for residential use	Estimated At time of survey 19....			Estimated At end of first stage 19	
	Gross acreage	Population	Gross density/ acre	Gross acreage	Population
1.					
2.					
3.					
Total in residential areas					
Areas not primarily allocated for residential use.					
Total .....					

Table 2

DISTRIBUTION OF SHOPS

Residential Area No.	Existing shops at time of survey 19.....				At beginning of plz	
	No. of shops	No./1,000 population	Foot frontage	Frontage/ 1,000 population	Foot frontage	Estima populat
1.....						
2.....						
3.....						
Central area						
Other areas						
Total .....						

Table 3

DISTRIBUTION OF OPEN SPACES

Residential Area No.	Existing at time of survey 19....		At be
	Acreage	Acreage/1,000 population	Acrea
1. Public playing fields.....			
Other public open spaces.....			
Private playing fields.....			
Other private open spaces.....			
Total open space.....			
2. Public playing fields.....			
Other public open spaces.....			
Private playing fields.....			
Other private open spaces.....			
Total open space.....			
All other areas:.....			
Public playing fields.....			
Other public open spaces.....			
Private playing fields.....			
Other private open spaces.....			
Total open space.....			

The Laws of Zambia

DISTRIBUTION OF SCHOOLS

Table 4

Residential Area No.	Estimated at time of survey 19...				Estimated at end of first stage		
	No. of classes	No. of pupils	Acreage	Agreage/ 1,0000 population	No. of classes	No. of pupils	Acreage
1. Local primary..... Local secondary.....							
2. Local primary..... Local secondary.....							
3. Local primary..... Local secondary.....							
Non-local ..... Secondary..... Other schools.....							

Table 5

DISTRIBUTION OF INDUSTRY

Type of industry	Acreage of existing industries at time of survey 19....	Acreage zoned at be of plan period 19
<i>Light:</i>		
Serviced.....		
Unserviced.....		
<i>General:</i>		
Serviced.....		
Unserviced.....		
<i>Special:</i>		
Serviced.....		
Unserviced.....		

Table 6

## EMPLOYMENT SUMMARY

Industrial Classification	Number of persons employ				
	195..population				Male
	Males	Females	Total employed	Percentage of population	
1. <i>Primary production:</i> Agriculture, forestry, etc..... Mining and quarrying.....					
Sub-total.....					
2. <i>Manufacture:</i> Chemicals..... Metals..... Non-metals..... Engineering..... Vehicles..... Textiles..... Clothing..... Food, drink, tobacco..... Timber..... Printing..... Other manufactures.....					
Sub-total.....					
3. <i>Service:</i> Central and Local Government Building and contracting Electricity, water..... Transport..... Distributive..... Professional, banking, etc. Miscellaneous.....					
Sub-total.....					
Total					

Table 7

CHANGES IN LAND USE

Acreage of land for	At time of survey 19...	At end of plan period
1. Net residential use.....		
2. Industry.....		
3. Education including playing fields.....		
4. Open spaces not included in above:		
(i) public playing fields.....		
(ii) private playing fields.....		
(iii) other open spaces.....		
5. Other major uses:		
(i) Commercial:		
(a) in town centres.....		
(b) in other areas.....		
(ii) Central and Local Government:		
(a) in town centres.....		
(b) in other areas.....		
(iii) Hospitals.....		
(iv) Railways.....		
(v) Airports and airfields.....		
6. Mining.....		
7. Other land.....		
Total acreage of planning area		

The Laws of Zambia  
PART IV

*(Regulation 9)*

BASIC MAP

The Laws of Zambia

Use	Symbol	Colour
1. <i>Boundary of planning area</i>	Thick dot/dash line	$\frac{3}{8}$ inch blue 2.1 border outside boundary
2. <i>Boundary of local or township authority area</i>	Thick dotted line with name of authorities inside boundary	
3. <i>Boundary of comprehensive development area</i>	Small inverted "v"s inside boundary	Opaque white ink border inside boundary
4. <i>Limits of underground mineral working</i>	Dash three dot line	
5. <i>Land subject to special restrictions</i>	Edged and wide hatched with nature of restriction shown	
6. <i>Reservations</i>		
(a) Aerodrome or airstrip.....	AD.....	Yellow green 1.2
Allotment, public.....	AL.....	Green brown 1.1
Forest reserve.....	WR.....	Green brown 1.1
Protected woodland.....	WP.....	Green brown 1.1
(b) <i>Open spaces:</i>		
<i>Public:</i>		
Garden or park.....	O	
Golf course.....	OG	
Playing field, tennis court, etc.....	OF	
Race track.....	OR	
Stadium.....	OS	
<i>Private:</i>		
Garden or park.....	O2	
Golf course.....	O2G	
Playing field, tennis court, etc.....	O2F	
Race track.....	O2R	
<i>Miscellaneous:</i>		
Camping site.....	CS.....	Yellow green 1.2
Caravan site.....	CA.....	Yellow green 1.2
Camping and caravan site.....	CAS.....	Yellow green 1.2
Magazine.....	D with danger area in thick circle.....	Grey 1.3 inside a F inch grey 1 border
Mission.....	M.....	Brown 2.3 diluted 1:16
(c) <i>Public buildings and places of assembly</i>		
Civic centre.....	P.....	Red 1.1
Central or local government.....	P2.....	Red 1.1 office
Drive-in cinema.....	P9.....	Green grey 1.1
(a) <i>Government purpose.....</i>	Thin line inside..... boundaries	Red 2 edging inside boundaries
Police camp.....	G.....	Green brown 2.1
Prison.....	G2.....	Yellow brown 2.1
Camp or barracks for armed services	G4.....	Green brown 2.1
(e) <i>Hospital.....</i>	H.....	Red 1.1 (where large grounds are attached -yellow green 1.2)
Hospital, mental.....	HM.....	
(f) <i>Public undertaking.....</i>	Red brown 1.1	
Electricity.....	X	
Water.....	X2	
Sewage disposal.....	X3	
Refuse disposal.....	X4	
Fire station.....	X5	
Wireless or television station.....	X6	

Use

Symbol

Colour

The Laws of Zambia

PART V

(Regulation 10)

DESIGNATION MAP

<i>Use</i>	<i>Symbol</i>	<i>Colour</i>
1. <i>Boundary of planning area</i>	Thin dot/dash line	Inner edge of 3/8 inch cobalt blue ink border
2. <i>Boundary of local or township authority area</i>	Thick dotted line with name of authority inside boundary	
3. <i>Each area to be compulsorily acquired.</i>	Thick line around boundary and numbered	Orange 1 inside red 1 border

PART VI

(Regulation 11)

COMPREHENSIVE DEVELOPMENT MAP

The symbols and colours to be used shall be the same as specified for a land utilisation map in Part I and for a basic map in Part IV.

SECOND SCHEDULE

PRESCRIBED FORMS

PART I

(Regulation 18)

NOTICE OF SUBMISSION OF DEVELOPMENT PLAN

THE TOWN AND COUNTRY PLANNING ACT

(Name of Planning Authority)

The Laws of Zambia

(Title of Development Plan)

NOTICE IS HEREBY GIVEN that the above Development Plan was on the ..... day of ..... submitted to the Minister of Provincial and Local Government for approval.

The Development Plan relates to land situate within .....

..... A duplicate of the Development Plan as submitted for approval has been deposited for public inspection at the offices of the ..... Planning Authority at .....

The duplicate so deposited is available for inspection free of charge by all persons interested at the above-mentioned address between the hours of ..... and .....

Any interested person who wishes to make any representation in connection with or objection to the above Development Plan may send such representations or objections in writing to be received by the Minister of Provincial and Local Government, P.O. Box RW,

27, Lusaka, not later than the ..... day of .....and any such representation or objection shall state the grounds on which it is made.

Any person sending such representation or objection to the Minister of Provincial and Local Government shall send a copy thereof to be received by the .....

Planning Authority not later than the .....day of .....

Dated this..... (Signed)..... day of..... for . Planning Authority

The Laws of Zambia  
PART II

(Regulation 19)

NOTICE OF APPROVAL OF DEVELOPMENT PLAN

THE TOWN AND COUNTRY PLANNING ACT

(Name of Planning Authority)

(Title of Development Plan)

NOTICE IS HEREBY GIVEN that on the..... day of .....  
the Minister of Provincial and Local Government Approved (with modifications) the above Development Plan.

A certified copy of the Development Plan as approved has been deposited at the offices  
of the ..... Planning Authority  
at .....  
(1) and at the offices of the .....  
at.....

The copy of the Development Plan so deposited will be open for inspection free of  
charge by an interested person between the hours of .....

Any person wishing to do so may purchase copies of the Basic Map, (2) the  
..... Map, the Written Statement and  
the Written Document on application to the ..... Planning Authority.  
Dated this ..... (Signed).....  
day of..... for ..... Planning Authority

NOTES

- (1) Insert the name and address of any local or township authority affected by the Development Plan.
- (2) Insert any Comprehensive Development Map.

SECTION 53-THE TOWN AND COUNTRY PLANNING  
(ENFORCEMENT NOTICES) REGULATIONS

*Regulations by the Minister*

*Government Notice  
361 of 1962  
Statutory Instrument  
65 of 1965*

1. These Regulations may be cited as the Town and Country Planning (Enforcement Notices) Regulations. Title
2. These Regulations shall apply to any enforcement notice served under the provisions of section *thirty-one* of the Act. Application
3. In these Regulations, unless the context otherwise requires- Interpretation  
  
"enforcement notice" means an enforcement notice served under the provisions of section *thirty-one* of the Act;  
  
"planning authority" means a planning authority to which functions have been delegated under the provisions of section *twenty-four* of the Act.  
  
(As amended by No. 65 of 1965)
4. An enforcement notice shall be in the form set out in Part I or Part II of the Schedule. Form of enforcement notice
5. (1) The Minister or planning authority, as the case may be, shall keep a register containing the following information in respect of every enforcement notice he or it serves, namely: Register
  - (a) the name and address of the person on whom the enforcement notice is served, the stand, plot, lot or farm number of the property affected and the road, district and the town in which it is situate, the number of the enforcement notice, the date of any approval by the Minister of the enforcement notice, the date of service of the enforcement notice and brief particulars of the nature of the enforcement notice;
  - (b) the date the enforcement notice is to take effect;
  - (c) the date and effect of any determination of the Tribunal in respect of an appeal against the enforcement notice;
  - (d) the date and effect of any decision of the High Court in respect of an appeal against the determination of the Tribunal;

The Laws of Zambia

(e) the date and brief particulars of any action taken by the person on whom the enforcement notice is served to satisfy the conditions therein and whether or not he has complied with the enforcement notice;

(f) the date and effect of any action taken by the planning authority to enforce the notice.

(2) Every enforcement notice in respect of which an entry is made in the register shall be numbered and such numbers shall run consecutively.

6. Every register shall contain an index in the form of cards, each card to contain the stand, plot, lot or farm number of the property affected and the road, district and town in which it is situate, the name and address of the person on whom the enforcement notice is served and the registered number of the enforcement notice, and to be filed by townships in numerical sequence according to the stand or plot number and by lots or farms in numerical sequence according to the lot number or farm number. Index to register

7. Every entry in the register shall be made within seven days of the happening of the event in respect of which an entry is required to be made. Entry in register

8. The register shall be kept at the office of the Minister or planning authority, as the case may be, and made available for inspection by the public during normal hours of official business. Inspection of register

SCHEDULE

(Regulation 4)

PRESCRIBED FORMS

PART I

ENFORCEMENT NOTICE THE TOWN AND COUNTRY PLANNING ACT

The Laws of Zambia

(Section 31 (1))

To .....

.....

1. \*It appears that the development/subdivision of land as described hereunder has been carried out after the 16th November, 1962, without the grant of permission required in that behalf under Part V of the Town and Country Planning Act.

1. \*It appears that the following condition/s .....

.....

subject to which permission for the development/subdivision of land as described hereunder was granted in respect thereof under Part V of the Town and Country Planning Act has/have not been complied with.

2. (Description of development or subdivision of land) .....

.....

3. You are hereby required to (describe the steps to be taken) .....

.....

within a period of ..... from the

date of this notice or such extended period as the .....

Planning Authority/Natural Resources Board/Minister of Provincial and Local Govern-

ment may in writing allow, failing which the .....

Planning Authority/Natural Resources Board/Minister of Provincial and Local Government may enter on the land and do

those things and may recover as a civil debt in any court of competent jurisdiction from the person who is then the owner

of the land to which this

notice relates any expenses reasonably incurred by the said .....

Planning Authority/Natural Resources Board/Minister of Provincial and Local Government in that behalf.

4. If any person uses or causes or permits to be used the land to which this notice relates or carries out or causes or permits to be carried out operations on the said land in contravention of this notice without the grant of permission in that behalf under Part V of the Town and Country Planning Act, he shall be guilty of an offence.

5. This notice shall take effect on the ..... day of ..... 19.....

6. If you are aggrieved by this notice you may appeal to the Town and Country Planning Tribunal in accordance with the

Town and Country Planning (Appeals) Regulations before the aforesaid.....day of

.....19.... in which case the operation of this notice shall be suspended pending the final determination or

withdrawal of the appeal.

Dated this ..... day of (Signed).....

.....19....

\*Delete whichever is inapplicable.

The Laws of Zambia

PART II

ENFORCEMENT NOTICE

THE TOWN AND COUNTRY PLANNING ACT (*Section 31 (2)*)

To.....

1. You are hereby required to .....  
(describe steps to be taken and the description of the property).....

.....  
within a period of ..... from the date of this  
notice or such extended period as the ..... Planning  
Authority/Natural Resources Board/Minister of Provincial and Local Government may in writing allow.

2. If any person uses or causes or permits to be used the land to which this notice relates or carries out or causes or  
permits to be carried out operations on the said land in contravention of this notice without the grant of permission in that  
behalf under Part V of the Town and Country Planning Act, he shall be guilty of an offence.

3. This notice shall take effect on the ..... day of  
.....19.....

4. If you are aggrieved by this notice you may appeal to the Town and Country Planning Tribunal in accordance with the  
Town and Country Planning (Appeals) Regulations before

the aforesaid ..... day of.....19.....  
in which case the operation of this notice shall be suspended pending the final determination or withdrawal of the appeal.

5. In certain circumstances a claim for compensation may arise as a result of this notice and the circumstances in which  
such compensation is payable are set out in Part VI of the Town and Country Planning Act.

Dated this ..... day of (Signed).....  
.....19....

SECTION 53-THE TOWN AND COUNTRY PLANNING  
(USE GROUPS) REGULATIONS

Government Notice  
359 of 1962

*Regulations by the Minister*

1. These Regulations may be cited as the Town and Country Planning (Use Groups) Regulations. Title
2. These Regulations shall apply to all land- Application
- (a) in any area in respect of which there is an order, made under the provisions of the Act, to prepare a development plan; and
  - (b) in any area subject to an approved development plan; and
  - (c) in such areas as are within a distance of twenty miles from the boundaries of any area mentioned in paragraph (a) or (b); and
  - (d) in such other areas as may be specified by the Minister by statutory notice.
3. In these Regulations, unless the context otherwise requires- Interpretation
- "building" includes any structure or erection and any part of a building so defined, but does not include plant or machinery comprised in a building, and references to a building shall, except where otherwise provided, include references to land occupied therewith and used for the same purposes as that building;
- "funfair" includes an amusement arcade or pin-table saloon;
- "general industrial building" means an industrial building other than a light industrial building or a special industrial building;
- "industrial building" means a building (other than a shop, or a building in or adjacent to and belonging to a quarry or mine) used for the carrying on of any process for or incidental to any of the following purposes, namely:
- (a) the making of any article or of any part of an article; or
  - (b) the alteration, repair, ornamentation, finishing, cleaning, washing, packing or canning, or adapting for sale, or breaking up or demolition of any article; or
  - (c) without prejudice to the foregoing paragraphs, the getting, dressing or treatment of minerals;

The Laws of Zambia

being a process carried on in the course of trade or business other than agriculture;

"light industrial building" means an industrial building (not being a special industrial building) in which the processes carried on or the machinery installed are such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit;

"office" includes a bank, but does not include a post office or betting office;

"shop" means a building used for the carrying on of any retail trade or retail business wherein the primary purpose is the selling of goods by retail, and includes a building used for the purposes of a hairdresser, undertaker or ticket agency or for the reception of goods to be washed, cleaned or repaired, or for any other purpose appropriate to a shopping area, but does not include a building used as a funfair, repair garage or garage, petroleum filling station, office, betting office, or hotel or premises (other than a restaurant) licensed for the sale of intoxicating liquors for consumption on the premises;

"special industrial building" means an industrial building used for one or more of the purposes specified in Use Groups 18, 19, 20, 21 and 22 in the Schedule.

**4.** (1) Where a building or land is used for a purpose described in any group specified in the Schedule, the use of such building or land for any other purpose described in the same group shall not be deemed for the purposes of the Act to involve development. Use groups

(2) A use which is ordinarily incidental to and included in any use specified in the Schedule is not excluded from that use as an incident thereto merely by reason of its specification in the Schedule as a separate use.

SCHEDULE

*(Regulations 3 and 4)*

USE GROUPS

## The Laws of Zambia

*Group 1.* Use as a board or guest house, a residential club or an hotel providing sleeping accommodation.

*Group 2.* Use as a residential or boarding school or a residential college.

*Group 3.* Use as a building for public worship or religious instruction or for the social or recreational activities of the religious body using the building.

*Group 4.* Use as a home or institution providing for the boarding, care and maintenance of children, old people or persons under disability, a convalescent home, a nursing home, a sanatorium or a hospital (other than a hospital, home, hostel or institution included in *Group 7*).

*Group 5.* Use (other than residentially) as a health centre, a school treatment centre, a clinic or a dispensary or use as a consulting room or surgery unattached to the residence of the consultant or practitioner.

*Group 6.* Use as a creche, a day nursery or a non-residential school for children.

*Group 7.* Use as a hospital; home or institution for persons suffering from mental disorder or epileptic persons, or a home, hosted or institution in which persons may be detained by order of a court or which is approved by Government for persons residing there under a requirement of a probation or supervision order.

*Group 8.* Use as an art gallery (other than for business purposes), a museum, a public library, a concert hall, an exhibition hall, a non-residential club or a social or community centre.

*Group 9.* Use as a non-residential college or technical institute or a Local or Central Government office.

*Group 10.* Use as a theatre, a cinema other than a drive-in cinema, a music hall, a swimming bath, a Turkish or other vapour bath or a gymnasium.

*Group 11.* Use as a funfair or an amusement hall.

*Group 12.* Use as a football ground, an athletic ground, a sports ground, a race course or track, a stadium or a drive-in cinema.

*Group 13.* Use as a shop for any purpose except as-

- (i) a fried fish shop;
- (ii) a butcher's shop;
- (iii) a shop for the sale of pet animals or birds;
- (iv) a shop for the sale of motor vehicles;
- (v) a drive-in shop.

*Group 14.* Use as an office for any purpose.

*Group 15.* Use as a wholesale warehouse or repository for any purpose (other than the storage of offensive or dangerous matter).

*Group 16.* Use as a light industrial building for any purpose.

*Group 17.* Use as a general industrial building for any purpose.

*Group 18.* Use for any of the following processes:

- (i) smelting, calcining, sintering or reduction of ores, minerals, concentrates or mattes;
- (ii) converting, re-heating, annealing, hardening, melting, carbonising, forging, rolling or casting of iron or other metals or alloys;
- (iii) recovery of metal from scrap, or drosses, or ashes;
- (iv) galvanising;
- (v) pickling or treatment of metal in acid;
- (vi) chromium plating.

*Group 19.* Use for any of the following processes so far as not included in Group 18 and except a process ancillary to the getting, dressing or treatment of minerals, carried on, in or adjacent to a quarry or mine:

- (i) the burning of building bricks;
- (ii) the burning of lime and dolomite;
- (iii) the production of coke;
- (iv) the production of calcium carbide, zinc oxide or sulphur chloride;
- (v) the foaming, crushing or screening of stone or slag.

*Group 20.* Use for any of the following processes so far as not included in Group 18:

- (i) the production or employment of cyanogen or its compounds;
- (ii) the manufacture of glass where the sodium sulphate used exceeds 1.5 per centum of the total weight of the melt:

The Laws of Zambia

NOTICES AND ORDERS MADE UNDER THE  
TOWN PLANNING ACT-CHAPTER 123  
OF THE 1959 EDITION OF THE LAWS

*(Section 15 of the Interpretation and General Provisions Act)*

APPROVED SCHEMES

<i>Area</i>	<i>Government Notice</i>
Avondale Park	88 of 1956 as amended by 219 of 1957
Barlaston Park	214 of 1954
Buckley's	242 of 1952
Buckley's	156 of 1957
Chelston	94 of 1960 as amended by 102 of 1960
Chingola	351 of 1959
Handsworth Park	47 of 1955 as amended by 8 and 268 of 1962
Jesmondene	153 of 1956
Kabwe	246 of 1962
Kabwe	248 of 1962
Kitwe	291 of 1958 and 7 of 1959
Kitwe	266 of 1962
Kitwe	322 of 1962
Lilanda	137 of 1958 as amended by 323 of 1959, 315 of 1961 and 100 and 347 of 1962

The Laws of Zambia

Luanshya	187 of 1961
Lusaka	300 of 1952 as amended by 237 of 1963
Lusaka	289 of 1958 and 8 of 1959 and 99 of 1964
Mufulira	174 of 1961 as amended by 206 of 1963
St. Mary's Estate	157 of 1956

PREPARATION BY THE TOWN PLANNING BOARD  
OF A SCHEME FOR CERTAIN AREAS

<i>Area</i>	<i>Government Notice</i>
Kitwe	314 of 1961
Luanshya	346 of 1962
Lusaka	326 of 1962
Ndola	316 of 1958

SECTION 24-THE TOWN AND COUNTRY PLANNING  
(DELEGATION OF FUNCTIONS) ORDER

*Statutory Instrument*  
83 of 1993

**1.** This Order may be cited as the Town and Country Planning (Delegation of Functions) Order Title

**2.** The functions of the Minister under section *twenty-five* of the Town and Country Planning Act, in so far as these powers relate to the grant or refusal of permission to subdivide for agricultural purposes agricultural land situated outside areas subject to a development plan or approved development plan are hereby delegated to the National Environmental Council established under the Environmental Protection and Pollution Control Act, 1990 and any liability to pay compensation under the Town and Country Planning Act in respect of anything done by the National Environmental Council in exercise of the functions delegated to it hereunder is hereby transferred to the National Environmental Council. Delegation  
Act No.  
12 of 1990

The Laws of Zambia

3. Government Notice No. 354 of 1962 is hereby revoked.

Revocation of  
G.N. No.  
345 of 1962

SECTION 3-THE TOWN AND COUNTRY PLANNING  
(APPLICATION) ORDER

*Statutory Instrument*  
145 of 1993

1. This Order may be cited as the Town and Country Planning (Application) Order

Title

2. The Town and Country Planning Act shall apply to all areas of Reserve Land contained within the boundaries or the area described in the Schedule to this Order

Application of the  
Town and Country  
Planning Act

SCHEDULE

*(Paragraph 2)*

CHIRUNDU

Starting at the confluence of the Zambezi and Nakakuyu Rivers, the boundary proceeds up the Nakakuyu River for a distance of 550 meters to the confluence of the Nakakuyu River with an unnamed tributary; thence the boundary proceeds up this unnamed stream to its confluence with another second unnamed stream; thence the boundary proceeds up the second unnamed stream crossing the Chirundu/Kafue Road-T2 Road to its source; thence on a bearing of 66 degrees for a distance of 960 meters to point D at the source of an unnamed tributary of the Namusasu River; thence down the Namusasu River to its confluence with the Zambezi River; thence in a straight line to the international boundary between Zambia and Zimbabwe; thence up the Zambezi River; thence in a straight line in the north-western direction to the confluence of the Nakakuyu and Zambezi Rivers, the point of starting.

1. all bearings and distances are approximate; and
2. bearings are taken from the North.

The above described area in extent 395 hectares approximately is shown bordered green on Plan No. T86/3 deposited in the Office of the Surveyor-General, signed by him and dated 29th May, 1992.

## **Endnotes**

### **1 (Popup - Popup)**

Any highway authority and any body responsible under any written law for the construction or maintenance of bridges, sewers or sewage disposal works, water courses or drainage works within Zambia, and any railway company as defined in the Regulation of Railways Act, Chapter 755 of the Revised Edition, specified by G.N. No. 358 of 1962.

### **2 (Popup - Popup)**

(1) Powers delegated to Lusaka Planning Authority in respect of the following townships: Avondale Park Private Township (General Notice No. 2232 of 1965). Barlaston Park Township (General Notice No. 2232 of 1965). Buckley's Township (General Notice No. 2232 of 1965). Handsworth Park Township (Government Notice No. 258 of 1963). Jesmondene Private Township (General Notice No. 2232 of 1965). St Mary's Private Township (General Notice No. 2232 of 1965).

(2) Powers delegated to Southern Planning Authority in respect of the following townships: Chelston Township (General Notice No. 1282 of 1963). Lilanda Estates Limited Private Township (General Notice No. 1121 of 1963).

### **3 (Popup - Popup)**

Powers delegated to appropriate City and Municipal Councils by Government Notice No. 23 of 1963.

### **4 (Popup - Popup)**

A description of the area of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.

### **5 (Popup - Popup)**

A description of the area of these former townships is contained in the Declaration of Townships made under section 3 of the Townships Act, Chapter 120 of the 1963 Edition of the Laws.