

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

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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.

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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.

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(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.

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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)

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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)

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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)

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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.....

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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)

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.....

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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.....

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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.

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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.

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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.

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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

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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;

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"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.

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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)

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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.

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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		

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PART II

(Regulation 8)

WRITTEN ANALYSIS

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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.

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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.....			

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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	Acreage/ 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		

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PART IV

(Regulation 9)

BASIC MAP

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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

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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)

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(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 ofand 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 theday of

Dated this..... (Signed)..... day of..... for . Planning Authority

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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;

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- (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

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(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.

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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;

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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

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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:

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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

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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

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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 Namusasus River; thence down the Namusasus 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.