

**SUBSIDIARY LEGISLATION**

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THE URBAN PLANNING ACT  
(CAP. 355)

**REGULATIONS**

*(Made under section 77 (1)(o) and section 41)*

URBAN PLANNING (AMENDMENT AND MODIFICATION OF PLANNING  
SCHEMES) REGULATIONS, 2018

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8. Approval of modification by Director.

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PLANNING SCHEMES) REGULATIONS, 2018

PART I  
PRELIMINARY PROVISIONS

- Citation 1. These Regulations shall be cited as Urban Planning (Amendment and Modification of Planning Schemes) Regulations, 2018.
- Application 2. These regulations shall apply to all planning areas declared by the Minister under section 8 and Special Planning area declared by Director under section 24 of the Act.
- Interpretation 3. In these regulations, unless the context otherwise requires:-
- Cap. 355 “Act” means the Urban Planning Act;  
“Director” means the Director appointed pursuant to the provisions of section 6 of the Act;  
“Minister” means the Minister responsible for Urban Planning;  
“Planning Authority” means a planning authority referred to in section 7 of the Act.

PART II  
GRANT OF PLANNING CONSENT

- General Planning Scheme in preparation 4. Where a scheme is in course of preparation or has been submitted to the Director for approval as required by section 11 of the Act but has not yet been approved by the Director, and where the Director is satisfied that it is in the public interest that planning consent should be granted, so long as:-
- (a) it does not conflict with the general intentions of the scheme;

- (b) it does not involve a substantial departure from the provisions of the scheme;
- (c) it does not injuriously affect the amenities of any adjoining land.

Detail Planning Scheme after preparation

5. Where a scheme has been approved by the Director as required by section 17(1-3) of the Act and where the Director is satisfied that it is in the public interest that planning consent should be granted, so long as:-

- (a) it does not conflict with the general intentions of the scheme;
- (b) it does not involve a substantial departure from the provisions of the scheme;
- (c) it does not injuriously affect the amenities of any adjoining land.

Application for planning consent

6. An application to be granted planning consent referred to under regulation 4 shall be made in writing by the Planning Authority to the Director for approval.

Written explanation on desire to modify

7. The Planning Authority desiring such a modification under regulation 5 shall submit to the Director a written explanation as to the need for such modifications, together with a drawing to show its effect on the scheme, the observations of the Regional Secretariat, the Planning Authority (if the Planning Authority is not the local government authority), prove of Stakeholder participation and the owners of the land concerned.

Approval of modification by Director

8. The Director shall consider an application under regulation 6 within thirty (30) days of the receipt thereof and may approve the modification as submitted or may modify it. Thereafter, within thirty (30) days of granting approval thereof the Planning Authority shall announce in any local newspaper circulating in the area and any other means to the effect that such modification has been approved.

Dodoma  
14<sup>th</sup> February, 2018

WILLIAM V. LUKUVI,  
*Minister for Land, Housing and  
Human Settlement Development*