

Supplement No. 42

2nd December, 2011**SUBSIDIARY LEGISLATION***to the Gazette of the United Republic of Tanzania No. 48 Vol. 92 dated 2nd December, 2011*

Printed by the Government Printer Dar es Salaam, by Order of Government

GOVERNMENT NOTICE No. 395 published on 02/12/2011

**THE URBAN PLANNING ACT
(CAP. 355)****REGULATIONS***(Made under section 77(1))***THE URBAN PLANNING AND SPACE STANDARDS REGULATIONS, 2011.**

1. These Regulations may be cited as the Urban Planning and Space Standards Regulations, 2011. Citation
2. In these Regulations : - Interpretation
"Urban Planning and Space Standards" include standards for residential areas, building lines and set backs, plot coverage and plot ratio, health and education facilities, golf courses, passive and active recreation, public facilities by planning levels, public facilities by population size, parking and agricultural show grounds, standard for electric supply and its way leave, way leave for water supply, road width, communication pylons, sewerage treatment plants, ponds, transportation terminals, stream/river valleys buffer zone, beaches and industrial plots and recommended colors for Land uses.
3. Adequate and functional space shall be allocated in accordance with Urban Planning and Space Standards prescribed in the schedule to these Regulations. Functional space
4. Town and Country Planning (Town Planning Space Standards) Regulations, 1997 are hereby revoked. Revocation.
G.N. No.
157. 1997

Urban Planning and Space Standards Regulations

G.N. No. 395 (contd.)

SCHEDULE

URBAN PLANNING AND SPACE STANDARDS

1. Space and Planning Standards for Residential Area:-

(a) Detached house

S/No.	Density	Plot Size (M)	Maximum Coverage (%)	Maximum Plot Ratio	Minimum setbacks in metres		
					Front	Side	Rear
i	High	300-600	40	0.4	3	1.5	1.5
ii	Medium	601-1200	30	0.3	3	3.0	3
iii	Low	1201-1600	25	0.25	5	4.0	5
iv	Super low	1601-2500	20	0.2	7	7.0	7

(b) Terraced House

S/No.	Description	Value
i	Minimum Plot size M ²	150
ii	Maximum Plot Ratio	0.5
iii	Maximum site coverage	50%

(c) Multi Storey/Block of Flats

S/No.	Description	High Density	Medium Density	Low Density
i	Minimum Plot size M ²	400-600	1000	2500
ii	Maximum Plot Ratio	1.5	1.0	0.5
iii	Maximum plot coverage	70%	50%	25%

(d) Housing Estate /Apartments:-

5000m² to 10 hacters

2.Recommended Minimum Space and Planning Standards for Health Facilities

S/No.	Type	Beds/Unit facility	Population/Unit facility	Gross area/person	Plot size
i	Dispensary/Clinic	-	7,000-10,000	0.5M ²	3,500-500m ²
ii	Health Centre/MCH	20-40	10,000-25,000	3.0M ²	3.0-7.0.ha
iii	Hospital	100-400	25,000-120,000	3.0M ²	15.0-36.0ha
iv	Referral Hospital	400-1,000	120,000+	3.0M ²	45 ha.

Urban Planning and Space Standards Regulations

G.N. No. 395 (contd.)

3. Recommended Space Planning Standards for Education Facilities:

S/No.	Type	Planning Unit	Population/Unit (Students)	Gross area/person (M ²)	Plot size
i	Nursery School/ Kindergarten Day Care Centre	Housing cluster	50-150 Age 5-6 Each stream 50	30	1,500-2,500M ²
ii	Primary School	Neighbourhood	315-945 Age 7-13 years 1 to 3 streams	40	2.0-4.0 ha.
iii	Secondary School (O-Level) Secondary School (A-Level)	Community	160-640 Age 14-17 years 1 to 4 streams 60-240 students Age 18-19	50	2.0-5.0 ha. 1.5-2.0 ha.
iv	Polytechnic	District	300-500	100	3.0-5.0 ha.
v	Educational Centre	District	300-600	50	1.5-3.0 ha.
vi	College		500-1000	80	4.0-8.0 ha.
vii	University		1,000-10,000	100	10.0-100.0 ha

4. Recreation

(A) Space and Planning Standards for Recreational Facilities

S/No.	Type of facility	Planning level	Population/Unit	Gross area/person (M ²)	Plot size
i	Open spaces	Housing Cluster/ Neighbourhood	100-250	5.0-10.0	500-2500 M ²
ii	Neighbourhood Park	Neighbourhood	3,000-5000	2.0-5.0	0.6-2.5 ha.
iii	Community Park	Community	10,000-20,000	1.5-2.5	2.5-4.0 ha.
iv	Recreation Park (Amusement)	District/town	10,000-100,000	1.0-2.0	10-20 ha.
v	Central Park	City/Municipal	100,000-1,000,000	1.0-2.0	20-100 ha.

(B) Space and Planning Standards for Golf Course

S/No.	Course Type	Population Unit	Parking Lots (cars)	Length (M)	Plot Size (Ha)
i	9 holes	5,000-25,000	100	750	25.0-35.0
ii	9 holes per 3 course	5,000-25,000	100	750	20.0-25.0
iii	18 holes	25,000-50,000	200	2,170	45.065.0

Mwenda, A.

Urban Planning and Space Standards Regulations

G.N. No. 395 (contd.)

(C) Space and Planning Standards for Active Recreation

S/No.	Type of facility	Gross area/1000 Persons (Ha.)	Neighbourhood Level (Ha.)	Community Level (Ha.)	District Level (Ha.)
i	Children play area	0.2-0.4	1.0-1.5	4.0-6.0	5-10
ii	Play fields	0.5-1.0	2.5-5.0	10.0-15.0	10-50
iii	Sport fields and Stadia	1.0-1.5	5.0-8.0	20.0-30.0	50-100

(D) Space and Planning Standards for passive Recreation

S/No.	Type of Activity	Gross area/1000 Persons (Ha.)	Neighbourhood Level (Ha.)	Community Level (Ha.)	District Level (Ha.)
i	Picnicking	250-500 M ²	1.0-2.0 ha.	5.0-10.0	20
ii	Zoo or Arboretum	0.5-1.0 ha.	2.5-5.0 ha.	10.0-15.0	40
iii	Camping	1.0-1.5 ha.	10.0-25.0 ha.	40.0-100.0	100

5.Space and Planning Standards for Public Facilities

S/No.	Type of facility	Gross area/1000 Persons (M ² .)	Neighbourhood Level	Community Level (Ha)	District Level
i	Market	0.4-0.5	2000-2500M ²	0.5-1.5 ha	2.0 ha.
ii	Shops	0.8-1.0	400-500M ²	1.0-2.0 ha	2.5 ha.
iii	Public areas/buildings	0.25-0.5	1,500-2,500M ²	0.5-1.5 ha	2.5 ha.
iv	Religious sites	0.3-0.4	1,500-2000M ²	0.4-0.8 ha	1.5 ha.
v	Library	0.15-0.2	800-2000M ²	0.15-0.8 ha	1.0 ha.
vi	Community halls	0.2-0.4	1000-3000	0.4-1.0 ha	1.5 ha.
vii	Cemetery sites		0.5-1.5 Ha	2.0 - 5.0 ha	6.0 ha.
viii	Hotel sites	0.2	800-1200M ²	2000- 8000	
	Guest house	0.2	800-1000M ²	1000 - 2000	
ix	Bar/restaurant	0.2	800-1200M ²	1500-2500M ²	
x	Commercial zone/shopping mail	0.4	1000-2000M ²	2000-6000	115 ha.
xi	Technology Clusters including agricultural processing, manufacturing, IT park) etc.				100-200 acres
xii	Motorcars showroom			2000-3000M ²	3000-4000M ²
	Motorcycles showrooms			1000-1500M ²	1500-2000M ²
	Bicycles show rooms			400-600 M ²	600-1000M ²
xiii	Cinema Halls	0.3-1.0		2500-4000	4000-1600M ²

Urban Planning and Space Standards Regulations

GN. No. 395 (contd.)

6. Space and Planning Standards for Service Trade and Industries

S/No.	Type of facility	Gross area/person (M ²)	Plot size
i	Filling station Petrol and Service Station Fire Station		1,500-2000 M ² 2,800-4,500 M ² 2000-3000 M ²
ii	Service Industry		0.8-1.5 ha.
iii	Light Industrial Plot		0.2-0.5
iv	Warehouse/Go down	0.4-1.0	0.3 - 0.6 ha.
v	Manufacturing/Heavy Industry	0.4-10	10 - 20 ha.

7. Parking Lots.

(A) Space and Planning Standard Size for Parking Lot Requirements

S/No.	Type of Vehicle	In Line Parking (m ²)	45 Degree Parking	90 Degree Parking
i	Saloon Cars	10.0-15.0	20.0-30.0 ha.	20.0-25.0
ii	Buses and Coaches	-	-	-
iii	Lorries	-	135.0-145.0 ha.	990.0-1200.0

(B) Space and Planning standard Size for Parking

S/No.	Land Use	Parking Ratio
i	Office Buildings	5:500M ² of total gross floor area
ii	Commercial Buildings	5:1000 M ² of total gross floor area
iii	Hospital	5:50 beds
iv	Hotel	5:50 beds

8. Space and planning standard size for parking requirements.

S/No.	Level of provision	Area Required (ha.)
i	District Head quarter	50.0
ii	Regional headquarter	100.0
iii	Capital City-Dodoma	300.0
iv	Commercial City like Dar es Salaam	300.0

9. Space and Planning Standards for Electric Supply substations

S/No.	Types of electric supply lines in Kilowatts (KV)	Plot size (M ²)
i	33KV/11KV	30x40
ii	132KV/33KV	40x80
iii	220KV/132KV	50x100

Urban Planning and Space Standards Regulations

G.N. No. 395 (contd.)

10. Space and Planning Standards for Public Utility way leaves

(a) Electricity Supply

S/No.	Type of electric supply lines in Kilowatts (KV)	Right of way in metres (ROW)	Distance from Centre line
i	11	5.0	2.5
ii	33	10.0	5.0
iii	66	20.0	10.0
iv	132	40.0	20.0
v	220	60.0	30.0

(b) Water Supply

S/No.	Type of water supply pipe	Right of way in metres (Row)	Distance From Centre line
i	Trunk Mains (main pipe)	10.0	5.0
ii	Distributors (Minor pipe)	2.0	1.0

(c) Gas/Oil supply

S/No.	Type of gas/oil pipe	Right of way in metres (Row)	Width to each side in metres
i	Main pipe	30.0	15.0

(d) Roads

S/No.	Type of road	Right of way in metres (Row)	Measurements of Carriage way in meters
i	Trunk roads	100.0	12.0-15.0
ii	Primary distributors	80.00	7.0-10.0
iii	Secondary distributors	60.00	7.0-10.0
iv	Local distributors	30.00	5.0-7.5
v	Access Roads (Industrial areas)	20.00	7.0-10.0
vii	Access Roads (Residential)	10.00-15.00	5.0-7.00
viii	Foot patch	2.00-3.00	2.00

NB: weigh bridge stations are normally located within the right of way

(e) Railway

S/No.	Type of Railway	Right of way in metres	Measurements From Centre line in metres
i	Railway line	60.0	30.0
ii	Railway siding	30.0	15.0

11. Space and Planning Standards for Airport Sizes.

S/No.	Type of Airport	Area in Hacters
i	International Airport	400.00
ii	Regional Airport	150.00
iii	District Airport	100.00
iv	Air strip/landing ground	60.00

12. Space and planning Standards Size for Railway Stations.

S/No.	Type of Railway Station	Area in Hacters
i	Regional	50.00
ii	District	30.00
iii	Local	20.00

Urban Planning and Space Standards Regulations

G.N. No. 395 (contd.)

13. Space and Planning Standards for plot size for communication pylons is 20 x 20 m

14. Space and Planning standards for solid and liquid waste disposal

- i Sewerage treatment ponds is 650m x 10m
- ii Dumping sites: 4 to 8 hectares
- iii Collection points/centres: 400m²

15. Recommended Standard Colours for land-uses

- Yellow for Residential areas.
- Yellow encircled by blue colour for Residential Cum Commercial Uses.
- Red for public areas/institutions.
- Light blue for commercial areas.
- Dark blue for water bodies.
- Violet/purple for industrial areas and also for godowns.
- Black for contours and also for grid lines.
- Green for open spaces, green belts, parks, valleys and cemetery.

Dar es Salaam,
1st November, 2011

HON. ANNA TIBAJUKA (MP),
*Minister for Lands Housing and
Human Settlements Development*

Amul

Matter of the Transfer of Assets of the State Mining Corporation (Stamico, the National Transport Corporation (NTC) and the Tanzania Motors Services Company Limited (TMSC) to Tanzania Building Agency (TBA)

GOVERNMENT NOTICE No. 396 published on 02/12/2011

IN THE MATTER OF THE TREASURY REGISTRAR
(POWERS AND FUNCTIONS) ACT
(CAP. 370)

IN THE MATTER OF THE TRANSFER OF ASSETS OF THE STATE MINING CORPORATION (STAMICO), THE NATIONAL TRANSPORT CORPORATION (NTC) AND THE TANZANIA MOTORS SERVICES COMPANY LIMITED (TMSC) TO TANZANIA BUILDING AGENCY (TBA)

INSTRUMENT OF TRANSFER

(Made under section 7(2))

Made this day of 2011.

WHEREAS, under the Treasury Registrar (Powers and Functions) Act, read together with the Public Corporations Act, (Cap. 257), all assets of the Government area vested in the Treasury Registrar; and

WHEREAS, the Minister for Finance may, under section 7(2) of the Treasury Registrar (Powers and Functions) Act, give the Treasury Registrar directions as to the disposed of investments or other property held by the Treasury Registrar and the latter shall give effect to such directions; and

WHEREAS, the Government has deemed to be appropriate that some of the assets of the State Mining Corporation (STAMICO), the National Transport Corporation (NTC), the Tanzania Motors Services Company Limited (TMSC), be vested to Tanzania Building Agency.

NOW THEREFORE, it is hereby directed as follows:

The assets of the State Mining Corporation (STAMICO), the National Transport Corporation (NTC) and the Tanzania Motors Services Company Limited (TMSC) specified in the Schedule to this instrument are, without further assurance, vested to Tanzania Building Agency.

Road and Fuel Tolls (Exemption) (Messrs China Henan International Cooperation Group Company Limited) (Kigoma Kidahwe-Uvinza Upgrading Project) (Amendment)

GOVERNMENT NOTICE No. 397 published on 2/12/2011

THE ROAD AND FUEL TOLLS ACT,
(CAP. 220)

ORDER

Made under Section 8

THE ROAD AND FUEL TOLLS (EXEMPTION) (MESSRS CHINA HENAN INTERNATIONAL COOPERATION GROUP COMPANY LIMITED) (KIGOMA KIDAHWE-UVINZA UPGRADING PROJECT) (AMENDMENT) ORDER, 2011

1. This Order may be cited as the Road and Fuel Tolls (Exemption) (Messrs China Henan International Cooperation Group Company Limited) (Kigoma - Kidahwe - Uvinza Upgrading Road Project) (Amendment) Order, 2011 and shall be read as one with the Road and Fuel Tolls (Exemption) (Messrs China Henan International cooperation Group Company Limited) (Kigoma - Kidahwe - Uvinza Upgrading Road Project) referred herein as the "Principal Order".

Citation

2. The Principal Order is amended by deleting the whole of paragraph 4 and substituting for it the following new paragraph:

"4. This Order shall expire on the 30th day of October, 2012".

Amendment of
GN. No.
415 of
2010

Dar es Salaam,
21st November, 2011

MUSTAFA HAIDI MKULO,
Minister for Finance

Excise (Management and Tariff) (Remission) (Messrs China Henan International Cooperation Group Company Limited) (Kigoma Kidahwe-Uvinza Upgrading Project) (Amendment)

GOVERNMENT NOTICE No. 398 published on 2/12/2011

THE EXCISE (MANAGEMENT AND TARIFF) ACT,
(CAP. 147)

ORDER

Made under Section 128

THE EXCISE (MANAGEMENT AND TARIFF) (REMISSION) (MESSRS CHINA
HENAN INTERNATIONAL COOPERATION GROUP COMPANY LIMITED)
(KIGOMA KIDAHWE-UVINZA UPGRADING PROJECT) (AMENDMENT)
ORDER, 2011

1. This Order may be cited as the Excise (Management and Tariff) (Remission) (Messrs China Henan International Cooperation Group Company Limited) (Kigoma - Kidahwe - Uvinza Upgrading Road Project) (Amendment) Order, 2011 and shall be read as one with the Excise (Management and Tariff) (Remission) (Messrs China Henan International cooperation Group Company Limited) (Kigoma - Kidahwe - Uvinza Upgrading Road Project) Order, 2010 referred herein as the "Principal Order".

2. The Principal Order is amended by deleting the whole of paragraph 4 and substituting for it the following new paragraph:

"4. This Order shall expire on the 30th day of October, 2012".

Dar es Salaam,
21st November, 2011

MUSTAFA HAIDI MKULO,
Minister for Finance

Citation

GN. No.
414 of
2011

Amend-
ment of
GN. No.
414 of
2010

GOVERNMENT NOTICE No. 399 published on 2/12/2011

THE CONSTITUTION OF THE UNITED REPUBLIC
OF TANZANIA
(CAP. 2)

INSTRUMENT

(Made under Article 45(1)(d))

WHEREAS, Article 45(1)(d) of the Constitution of the United Republic of Tanzania, 1977, empowers the President of the United Republic to remit the whole or any part of any punishment imposed on any person for any offence;

AND WHEREAS the President of the United Republic is minded to grant remission for certain categories of Prisoners;

AND WHEREAS I, JAKAYA MRISHO KIKWETE, the President of the United Republic of Tanzania, being satisfied that there are sufficient reasons to warrant the exercise of powers vested in me under Article 45(1)(d) of the Constitution in respect of prisoners held for various offences and now serving the sentence of imprisonment in different prisons;

NOW THEREFORE, in exercise of the powers conferred on the President by Article 45(1)(d) of the Constitution, I do hereby order as follows:

1. This Instrument may be cited as the Constitution (Grant of Remission) Order, 2011 and shall come into operation on the 09th day of December, 2011 hereinafter referred to as "the effective date".

Citation

Constitution (Grant of Remission)

GN. No. 399 (Contd.)

Remission
of
sentence

2. Subject to paragraph 3 of this Instrument, the remainder of the sentence of—

- (a) any prisoner serving a term of imprisonment which does not exceed five years, and who has, immediately before the effective date, already served one quarter or more of his term of imprisonment;
 - (b) any prisoner who has been certified by the appropriate Regional or District Medical Officer as suffering from terminal diseases such as AIDS, TB or Cancer;
 - (c) any prisoner who has been certified by the appropriate Regional or District Medical Officer as being of or above the age of seventy;
 - (d) any woman prisoner who is pregnant, breast feeding or having a weaning baby;
 - (e) any prisoner who has been certified by the appropriate Regional or District Medical Officer as being physically or mentally permanently incapacitated;
- is hereby remitted.

Restric-
tions on
the
remission

3. The remission granted under paragraph 2 of this Instrument shall not apply to any prisoner who, before the effective date—

- (a) was convicted and sentenced to death;
- (b) was convicted and sentenced to life imprisonment;
- (c) was convicted and sentenced for the offence of trafficking in dangerous drugs such as cocaine, heroine, bhang etc;
- (d) was convicted and sentenced for corruption (soliciting and accepting bribery);
- (e) was convicted and sentenced for robbery with violence or armed robbery;

Constitution (Grant of Remission)

GN. No. 399 (Contd.)

- (f) was convicted and sentenced for being in unlawful possession of firearms or ammunition;
- (g) was convicted and sentenced for defilement, rape or unnatural offence;
- (h) was convicted and sentenced for car theft using firearms;
- (i) was convicted and sentenced for the offence of impregnating a primary or secondary school girl and who has committed the offence at the age of eighteen or above;
- (j) was convicted and sentenced for the offence of tempering with infrastructure or installations used for purposes of transportation, communication or telecommunication services or any kind of offence relating to disruption of electrical distribution system such as stealing of electrical fittings, accessories and transformer coolants;
- (k) is serving the sentence of imprisonment for the second time or more;
- (l) was granted remission by the President and is still in prison serving the remaining term of imprisonment;
- (m) is serving the sentence on Parole or under Community Service Programme;
- (n) escaped or attempted to escape from prison or any lawful custody and who is currently serving the sentence;
- (o) was convicted and sentenced for the offence of abuse of power and office;
- (p) was convicted and sentenced for the offence of preventing a primary or secondary school pupil from continuing with school.

Dar es Salaam,
30th November, 2011

JAKAYA MRISHO KIKWETE,
President