

TOWN AND COUNTRY PLANNING ACT

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1 Short title

This Act may be cited as the Town and Country planning Act.

2 Interpretation

(1) In this Act -

"Board" means the 'town and Country Planning Board established under section 3;

"building"-

(a) means any building, erection or any other structure erected or made on, in or under any land; and

(b) includes the land on, in or under which the building is situated "building operations" includes any building or erections operations, and the marking of access roads, railways, water works, electrical installations and any road works preliminary or incidental to the erection of buildings;

"committee" means a platting committee appointed under section 10;

"detailed scheme" means a scheme prepared under section 16;

"development" in relation to any land -

(a) includes building, engineering or other operations in, on, over and under the land, the ranking of any material change in the use of any building or other

land, within the cartilage of such building and the division of any land; but

(b) does not include -

(i) works for the maintenance, improvement or other alteration of any building, where the works affect only the - interior of the building or do not rmaterially affect the external appearance of the building;

(ii) works required for the maintenance or improvement of a road where the works are came out on land within the boundaries of the road;

(iii) works carried out for the purpose of inspecting , repairing or renewing any sewers, main pipes, underground or overhead cables or other apparatus;

(iv) the use of any building or other land within the cartilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling

house;

(v) the use of any land for the purposes of agriculture and forestry;

"division", in relation to any land, means the division of any land into 2 or more parts, whether the division is by

partition or otherwise;

"Existing building" means a building erected or constructed before the date of the Order declaring a planning area under section 6;

"fence" includes any hoarding or paling used as such, and also banks and walls;

"hedge" includes any tree, stump or shrub forming part of a hedge;

"land" includes land covered with water, rights to or over land, any interest in land, and any undivided share of land;

"local authority" means any municipal council, any district council, and any person whom the President may by Order declare to be a local authority for the purposes of this Act within the rural area specified in the Order, and where an area lies partly within the jurisdiction of one local authority and partly in that of another, includes the local authorities concerned acting jointly;

"outline scheme" means a scheme prepared under section 11;

"owner" includes joint owner, lessee, tenant for life, and any other person in actual possession of any land or building or entitled to receive the rents of premises of any tenure or description and the agent or attorney of such persons or any of them and any other person who has an interest in or draw the rents;

"road"-

(a) means any road whether public or private; and

(b) includes any street, square, court, alley, lane, bridge, footpath, trace, track, path, passage or highway, whether a thoroughfare or not;

"rural area" means an area not within the jurisdiction of a municipal council or a district council;

"scheme" means a scheme made under this Act;

"site", in relation to any buildings, includes offices, outbuildings, yards, courts or gardens occupied or intended to be occupied with the buildings.

(2) For the purposes of this Act, the placing or keeping on any land of any shed, tent, caravan, or other object whether fixed or movable or collapsible, which is not a building shall be a use of that land.

Amended 48/91

3 Establishment of the Board

(1) There is established a town and Country Planning Board which shall consist of-

(a) the Principal Assistant Secretary, Ministry of Housing, Lands and Town and Country Planning who shall be the President of the Board;

(b) the Town and Country Planning officer,

(c) one member to be nominated by and to represent the Ministry of Justice;

(d) one member to be nominated by and to represent the Ministry of finance;

(e) one member to be nominated by and to represent the Ministry of Health;

(f) one member to be nominated by and to represent the Ministry of works;

(g) one member to be nominated by and to represent the Ministry of Local

Environment;

(h) one member to be nominated by and to represent the Ministry of Agriculture, Natural Resources and the Environment;

(1) one member to be nominated by and to represent the Association of Urban Authorities; and

(j) Two other members to be appointed by the Minister, one of whom shall represent the interests of the district councils and the other those of the general public.

(2) The Board shall be a body corporate.

(3) The Board shall continue in existence notwithstanding any vacancy and shall not be disqualified for the transaction of its business by reason only of any vacancy.

4 Quorum

(1) (a) Four members of the Board shall constitute a quorum.

(b) In the absence of the President, the Board shall elect one of its members to act as chairman for that sitting only.

(2) Questions arising at any meeting of the Board shall be decided by a majority of the votes of those present and, in the event of an equality of votes, the President shall have a second or casting vote.

5 Offices and servants

(1) The Board may, subject to the approval of the minister, employ such officers and servants as may be reasonably necessary for the purposes of the Act and on such terms and conditions of service as it may determine.

(2) All officers and servants of the Board shall be deemed to be public officers within the meaning of the Criminal Code and the Public Officers' Protection Act

5A Finances of the Board

(1) The Board shall establish a general fund -

(a) into which all money, received by the Board shall be paid; and

(b) out of which all payments made by the Board shall be paid.

(2) The Board may charge to its general fund -

(a) the expenses, fees and allowances of its members;

(b) the salaries, fees or other remuneration of the officers, agents and servants and technical or other advisers of the Board;

(c) advances made to officers and servants of the Board for the purchase of motor vehicles upon such terms and conditions as the Board may determine (d) all costs, charges and expenses of, and incidental to, the exercise of its powers under this Act;

(e) any other expenditure authorised by the Board and properly chargeable to the general fund.

(3) (a) All money paid to the Board shall forthwith be paid by its Secretary into such banks as may be approved by the Board.

1. All orders or cheques against accounts with banks approved by the Board under subsection (1) shall be signed by the President and countersigned by such other officers as may be appointed by the Board for that purpose.

6 Declaration of planning areas

(1) (a) Where in respect of any area the Board is of the opinion that an outline scheme should be made in respect of that area and makes representations to that effect to the President, the President may, after consultation with the local authority concerned, by Order declare that the area specified in the representation shall be a planning area.

(b) Any representations under paragraph (a) shall be accompanied by a plan of the area concerned.

(2) Any order made under this section shall come into operation on the day of its publication in the Gazette and shall cease to have effect if within 3 years from that date no outline scheme in respect of the planning area or any part of it has been approved under section 14.

(3) A copy of every Order made under this section shall be posted at conspicuous places within the planning area as the Board shall direct.

(4) Where an area has been declared a planning area under subsection (1), the value of any building or land in the area shall, for the purposes of determining the amount of compensation payable under this Act, be deemed to be the value of the building or land on the day 12 months immediately before the declaration together with the value of any improvement and alteration carried out during those 12 months and subsequently approved by the Board.

[Amended 48/91]

7 Development permits

(1) Notwithstanding any other enactment, this section and section 8 shall have effect in relation to any area which is the subject of an Order under section 6.

(2) The local authority shall be the sole authority empowered to grant a permit for the development of land.

(3) Where application is made to a local authority for permission to develop land, the local authority may grant permission either unconditionally or subject to such conditions as it thinks fit, or may refuse permission.

(4) -

(5) The local authority shall, in dealing with any application under this section, have regard to the question whether the proposed development is in any way likely to contravene any outline or detailed scheme being prepared in respect of the area concerned.

(6) Any person aggrieved by a decision of a local authority under this section may, within 2 months of receipt of the decision, appeal to the Board, which may hear a representative of any party to the appeal and, subject to the Minister's approval, confirm, vary or revise the local authority's decision.

(7) (a) The Board may, proprio motu, where a permit under this section has been granted by a local authority, inquire into the facts of the case and, if it is satisfied that the granting of the permit is contrary to any scheme that is being prepared, may, subject to the Minister's approval, direct the local authority to cancel the permit.

(b) Any interested party, may be represented at an inquiry under paragraph (a).

(3) Any person aggrieved by a decision of the Board under subsection (6) or (7) may appeal to a Judge in Chambers in accordance with the procedures of section 25 (3) and (4).

8 Offences

(1) Any person who carries on the development of any land which is the subject of an Order under section 6 without having obtained a permit under section 7 or in breach of any condition attached to any such permit shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees.

(2) The court may, on the application of the Board or of the local authority concerned, order the offender to restore things, as far as practicable and within such time as the court may further to the state in which they were before the unlawful development.

(3) The court may further order that, failing compliance by the offender with any order under subsection (2), the Board or the local authority may carry it out at the offender's expense.

9 Power of Board to delegate

The Board may, subject to the Minister's approval, delegate to the committee appointed under section 10 or to any other person all or any of the powers and duties conferred on it by this Act and in so doing may impose upon the committee or other person such conditions, exceptions and qualifications in the exercise of any powers delegated as the Board thinks fit.

10 Appointment of planning committees

(1) (a) Where an Order declaring a planning area has been published under section 6, the President may, on the recommendation of the Board and after consultation with the local authority concerned, appoint a planning committee for that planning area.

(b) The President may, under paragraph (a), appoint the local authority concerned as the committee.

(2) The committee shall furnish the Board with such particulars and information as the Board may require with regard to the present and future planning needs of, and the probable direction and nature of the development of its area.

Amended 48/91

11 Preparation of outline scheme

(1) The Board shall, in respect of any area declared a planning area under section 6, prepare, in consultation with the committee and subject to the Minister's approval, an outline scheme in respect of the area or part of it.

(2) Any scheme prepared under subsection (1) shall make provision for the matters set out in the First Schedule and may make provision for any of the matters set out in the Second Schedule.

(3) Every outline scheme shall specify and define clearly the area to which it relates and shall include a plan in which shall be shown the extent of the scheme and such other matters as can conveniently be included.

12 Deposit of an outline scheme

(1) Where an outline scheme has been prepared, a copy of it shall be deposited in such place as the Board shall decide.

(2) Notice of deposit under subsection (1) shall be published by the Board in the Gazette and in 2 daily newspapers which shall be approved by the President.

(3) Any person may, within 3 months of the date of the notice of the deposit, inspect and make representations to the Board respecting the scheme.

[Amended 48/91]

13 Submission of an outline scheme

(1) As soon as it is convenient after the period referred to in section 12 (3), the Board shall consider any representations made under section 12 (3) and any other matters that may have come to its notice and shall, if it thinks fit, amend the scheme.

(2) The Board, after considering the scheme under subsection (1), shall submit the scheme or where the scheme has been amended, the amended scheme to the President for his approval.

(3) Any submission of a scheme under subsection (2) shall be accompanied by -

(a) a copy of the original scheme, where it has been amended;

(b) copies of any representations made under section 12 (3); and

(c) any comments by the Board or any members of the board in respect of the scheme or any representations made in respect of it.

[Amended 48/91]

14 Approval of an outline scheme

(1) The President may with or without modifications approve any outline scheme submitted to him under section 13 (2).

(2) Where the President approves an outline scheme, the Board shall deposit the scheme with any modification made by the President in such places as it considers desirable and shall by notice in the Gazette declare the scheme to be in force and inform the public where it is available for inspection.

(3) As soon as a notice has been published under subsection (2), the scheme shall have full effect and no authority shall pass or approve any plans for building or development that contravene the scheme.

[Amended 48/91]

15 Execution of outline scheme

(1) Where an outline scheme has been brought into effect, the committee subject to any directions given to it by the Minister on the advice of the Board, shall be the authority responsible for executing and enforcing the scheme

(2) Where the committee is not the local authority, the local authority shall be responsible for passing all building and development plans to the same extent as it was responsible prior to the scheme coming into effect but it shall act in respect of the enforcing of the execution of the scheme in accordance with any direction given to it by the committee.

16 Detailed schemes

(1) (a) As soon as an outline scheme has been brought into effect the committee may prepare in respect of any part of the planning area a detailed scheme or may adopt with or without modification any detailed scheme proposed by the owner of any land within the area.

(b) Any detailed scheme under paragraph (a) may make provision for any of the matters set out in the Second Schedule or, on the directions of the Board, any matter set out in the First Schedule.

(2) Where a detailed scheme has been prepared or adopted under subsection (1), the scheme shall be published, considered, approved and therein dealt with as if it were an outline scheme save that the functions and duties of the Board shall be carried out by the committee and the functions and duties of the President shall be carried out by the Minister on the advice of the Board.

[Amended 48/91]

17 -

18 Grant of compensation

Subject to this Act, any person -

(a) whose property is injuriously affected by the coming into operation of any outline or detailed scheme or by the execution of any work under such a scheme;

(b) who, for the purpose of complying with any provision contained in such scheme or in making a claim under this Act relating to compensation, has incurred expenditure which is rendered abortive by a subsequent revocation outline modification of the scheme; or

(c) whose development permit is cancelled under section 7 (7), shall, where he makes a claim within the time limited for the purpose by this Act, be entitled to recover as compensation from the Board the amount by which his property is decreased in value, or, so far as it was reasonably incurred, the amount of the abortive expenditure, as the case may be.

19 No compensation in certain cases

(1) No compensation shall be payable in respect of the refusal of a local authority to permit the erection of any building or the development of any land under section 7.

(2) No compensation shall be payable in respect of any building the erection of which was begun after the date of the publication of the order declaring a planning area under section 6, unless the erection was begun under and erected in accordance with the permission of the Board or a committee in the exercise of powers delegated to it by the Board or a local authority.

(3) No compensation shall be payable in respect of any condition imposed in respect of permission granted under section 7 (3) to develop land or to construct, demolish, alter, extend, repair or renew buildings.

(4) No compensation shall be payable in respect of any provision in the scheme which -

(a) prescribes the locations of buildings, the extent of the yards, gardens and curtilage of buildings;

(b) imposes any sanitary conditions in connection with buildings;

(c) limits the number of buildings or the number of buildings of a specified class which may be constructed, erected on or made in or under any area;

(d) restricts, within due limits, the erection of buildings along main roads in any area;

1. prohibits or regulates the subdivision of land,

2. regulates or empowers any person to regulate the size, height, spacing, design, colour and materials of buildings;

(g) controls, restricts or prohibits the objects which may be affixed to buildings;

(h) prohibits or restricts building operations permanently on the ground that by reason of the situation or nature of the land the erection of buildings thereon would be likely to involve danger or injury to health or excessive expenditure or public money in the provision of roads, sewers, water supply or other public services;

(i) prohibits, otherwise than by way of prohibition of building operations, the use of land for a purpose likely to involve danger or injury to health, or detriment to the neighbourhood, or restricts, otherwise than by way of restriction of building operations, the use of land so far as may be necessary for preventing such danger, injury or detriment;

(j) restricts the purposes for and the manner in which land or buildings may be used or occupied, or reserves or allocates any particular land or all land in any particular area for buildings of a specified class or classes or to be used for a specified purpose;

(k) in the interests of safety, regulates or empowers any person to regulate the height and position of proposed walls, fences or hedges near the corners or bends of roads;

(l) limits the number or prescribes the sites of new roads entering a road or the site of a proposed road;

(m) fixes in relation to any road or intended road a line beyond which no building in that road or intended road may project unless, within the 2 years immediately preceding the publication of an Order under section 6 declaring the planning area within which the scheme lies, the land was or formed part of the site of a building;

(n) in the case of the erection of any building intended to be used for purposes of business or industry, requires the provisions of accommodation for parking, loading, unloading or fuelling vehicles, with a view to preventing

obstruction of traffic on any road;

(o) prohibits, restricts or controls, either generally or in particular places, the exhibition, whether on the ground, on any building or any temporary erection of all or any particular forms of advertisements or other public notices; or

(p) prevents, remedies or removes injury to amenities arising from the ruinous or neglected condition of any building or by the objectionable or neglected condition of any land attached to a building or abutting on a road or situate in a residential area.

(5)

(a) Where any provision of a scheme is revoked or modified by a later scheme, no compensation shall be payable in respect of any property on the ground that it has been injuriously affected by any provision contained in the later scheme if and in so far as that later provision is the same, or substantially the same, as the revoked or modified provision

(b) Where at the date the revocation or modification of that earlier provision

becomes operative -

(i) there is still outstanding any claim for compensation duly made under it; or

(ii) the time originally limited for making such a claim has not expired, any such outstanding claim and any such claim made within the time so limited shall be entertained and determined, and may be enforced, in the same manner in all respects as if all the provisions of the earlier scheme had continued in operation, unless the claim is in respect of a restriction removed by the later scheme.

(6) Nothing in subsection (4) shall preclude an owner from claiming compensation for loss or injury arising from -

(a) being prevented by the operation of a scheme from maintaining an existing building or from continuing to use any such building for the purpose for which it was used on such date; or

(b) where a permanent building which was in existence at any time within 2 years immediately before the date of the publication of an Order declaring a planning area under section 6 has been demolished or been destroyed by fire or otherwise, being prevented by the operation of a scheme from erecting on the site of the demolished or destroyed building a new building which substantially replaces the demolished or destroyed building or from using the new building for the purpose for which such demolished or destroyed building was last used.

20 Claims for compensation

(1) A claim for compensation shall be made by serving upon the Board a notice in writing stating the grounds of the claim and the amount claimed.

(2) Subject to subsection (3), no claim for compensation shall be entertained unless written notice has been served on the Board -

(a) within 6 months after the date on which the provision giving rise to the claim came into operation or within such longer period as may be specified in the scheme; or

(b) in respect of expenditure rendered abortive by the revocation or modification of a scheme, within 6 months after the date on which the revocation or modification of the scheme became operative.

(3) Where it is alleged that property has been injuriously affected by the execution of any work the period within which a claim in respect of that injury may be made shall be 3 years after completion of the work.

21 Determination of claims

(1) Any dispute arising under this Act as to -

- (a) the right of a claimant to recover compensation; or
 - (b) the amount and manner of payment of any compensation recoverable, shall, upon the application of any party concerned, be heard and determined by the Supreme Court.
- (2) Any dispute referred to the Supreme Court under subsection (1) shall be by way of a suit by or against the Board.
- (3) (a) The procedure governing the lodging and hearing of claim under this section shall be prescribed by rules of court.
- (b) The Supreme Court may make any order as to costs as it thinks fit,

22 Areas not declared planning areas

- (1) Notwithstanding any, other provision of this Act, where in respect of any area, the Board, either proprio motu or on representations made to it by any local authority, think a that its development should be planned but that the area is not suitable for declaration as a planning area under section 6, the Board may recommend to the President that a special committee be appointed for submitting to the Board for its approval a planning scheme in respect of the area.
- (2) The Board may approve, disapprove or vary any scheme submitted to it under subsection (1).
- (3) (a) The Board and the local authority in respect of any scheme approved or varied under subsection (2), shall in the exercise of their powers under any law relating to land, development, building, road construction, public health and like matters give it effect under the law under which they purport to act.
- (b) This Act shall not apply to a scheme under its section,
- (4) The Board, after consultation with the local authority, may modify a planning scheme approved or varied by the Board under subsection (2) and the modified scheme shall be given effect under subsection (3).

[Amended 48/911

23 -

24 Revocation or modification of a scheme

- (1) The Board may apply to the President for the revocation or modification of a scheme which has been approved under section 14,
- (2) A committee may apply to the Board for the revocation or modification of a detailed scheme which has been approved under section 16.
- (3) An outline or detailed scheme may be modified on satisfactory grounds or on account of-
- (a) the amount of the compensation which has been awarded or is likely to be awarded in respect of provisions contained in the scheme;
 - (b) practical difficulties in the execution or enforcement of the scheme;
 - (c) events which have occurred since the making of the scheme; or
 - (d) errors or omissions contained in the scheme.
- (4) Where an application has been made under subsection (1) or(2),the President or the Board, as the case may be, may either revoke or modify the scheme or refuse the application.
- (5)
- (a) Where a scheme is revoked or modified under this section, the Board or the committee shall within one month of the date of the modification or revocation give notice to the owner of any property affected and then any

compensation already awarded under section 21 shall, upon payment by the Board of any costs awarded under the same section to the owner, be discharged.

(b) Discharge under paragraph (a) shall be subject to section 19 (4) but without prejudice to the right of the owner to make a further claim for compensation in respect of a later scheme,

[Amended 48/91]

25 Appeals

(1) Any person aggrieved by a decision of a committee that a building or work contravenes an outline or detailed scheme may, within twenty-one days of receipt of the decision, apply to the Board for the decision of the committee to be set aside modified.

(2) On receipt of an application under subsection (1), the Board, subject to the Minister's approval, may, after hearing a representative of the committee and the person aggrieved, confirm reverse or modify the decision of the committee.

(3) Any person, aggrieved by a decision of the Board made under subsection (2), may within one month of the receipt of the decision appeal to a Judge in Chambers who may confirm, reverse or modify the decisions of the Board.

(4) (a) An appeal under subsection (3) shall be by notice with summons, setting out the grounds of appeal and served on the opposite party or parties.

(b) The costs of the appeal shall be at the discretion of the Judge.

[Amended 29/92]

26 Obligation to give information to Board

(1) The Board or the committee may, for any purpose arising in relation to the making, enforcement or carrying out of a scheme, by notice in writing require the owner of any land or building in the area to which the scheme relates or is intended to relate, to state in writing and deliver or forward by registered post to the Board within 3 months of the date of the notice, particulars of his interest in or right over or in respect of the land or building, and the name and address, and the interest or right (so far as they are known to him) of every person whom to his knowledge has any interest in or right over or in respect of the land or building.

(2) Every person required to make and deliver or forward a statement under this section who wilfully makes and delivers or forwards any false statement, or fails or refuses to make and deliver or forward a statement shall commit an offence and shall on conviction, be liable to a fine not exceeding 1,000 rupees or to imprisonment for a term not exceeding 12 months.

27 Power of entry

(1) Any person authorised in writing by, the Board or a committee may, on production of the written authority, at any reasonable time enter any land for the purpose of examining or surveying it for the purpose of deciding whether or not a scheme either outline or detailed should be made, and for the purpose of investigating whether or not the provisions of any such scheme are being carried out.

(2) Any person who wilfully obstructs or interferes with any person in the exercise by that person of any power vested in him by this section shall commit an offence and shall on conviction, be liable to a fine not exceeding 500 rupees or to imprisonment for a term not exceeding 6 months.

(3) Where any person authorised under subsection (1) causes damage to property in the course of his duties, the Board may appoint a person to value the damage, and compensation shall be payable to the person whose property has been damaged by the Board accordingly.

28 Penalty for contravention

Any person who wilfully contravenes a scheme shall, on conviction, be liable to a fine not exceeding 1,000 rupees or to imprisonment for a term not exceeding 12 months, and in the case of a continuing offence, to a further fine not exceeding 50 rupees for every day during which the offence continues.

29 Service of notices

(1) Any notice, summons, writ or other process required to be served on the Board for the purposes of this Act may be served by sending it by registered post to the President of the Board.

(2) Subject to subsection (1), any document required or authorised to be served under this Act may be served by an usher of a District Court -

(a) by delivering it to the person on whom it is to be served;

(b) by leaving it at the usual or last known place of abode of that person;

(c) in the case of a body corporate, by delivering it to the secretary of the body corporate at its registered or principal office; or

(d) where it is addressed in accordance with subsection (3) to the person on whom it is to be served by the description of "owner" or "lessee" or "occupier" of named premises to which it relates, by delivering it to some person on the premises or, where there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

(3) Any notice required by this Act to be served on the occupier, owner or lessee of any premises may, where it is not practicable after reasonable inquiry to ascertain the name and address of the person on whom it is to be served, be addressed by the description of the "occupier", "owner" or "lessee" of the premises, which shall be named, without further name or description.

30 Protection from personal liability

Nothing done by any officer or employee of the Board or a committee shall, if done bona fide for the purpose of this Act, subject the officer or employee, or any person acting by his directions, personally to any action, liability, claim or demand.

31 Regulations

(1) The minister may, on the advice of the Board make regulations to provide for -

(a) the determination and adjustments of the limits of plots or estates within areas;

(b) the procedure generally in connection with the Board and schemes, and in particular for -

(1) the submission of claims for compensation; and

(2) permission to develop an area and to carry out building operations between the date of the publication of an Order declaring a planning area under section 6 and the coming into operation of the scheme for that area;

(c) the preparation, deposit, publication and submission of schemes ;

(d) the fees to be charged for examination and approval of schemes;

(e) the grant and exercise of all necessary powers in connection with schemes and the preparation of schemes;

(f) the procedure in respect of any appeals to the Board;

(g) the further, better or more convenient carrying out of the provisions and purposes of schemes or of any particular scheme;

(h) the modification and revocation of schemes; and

(1) obtaining without charge information which may be required for the purposes of or in connection with the preparation or making or carrying into effect of schemes by inspection of or obtaining copies from assessment rolls, valuation rolls, rate books and other similar documents.

(2) Regulations made under subsection (1) may provide that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500 rupees or to imprisonment for a term not exceeding one month, and in the case of a continuing offence, to a further penalty not exceeding 10 rupees for each day after written notice of the offence has been served on the offender.

FIRST SCHEDULE

(sections 11 and 16)

OUTLINE SCHEME

PART I - ROADS

1 Providing for the reservation of land for roads, the construction of new roads, improvement of existing roads, establishment of public rights of way.

2 Providing for the dosing or diversion of existing and public and private rights of way and traces.

3 Restricting and controlling the construction of new roads and the alteration of existing roads, whether by the Board or owners.

4 Providing for and generally regulating the construction or execution whether by the Board, or by owners, of works incidental to the making or improvement of any road, including the erection of shelters, provision of seats, planting or protecting of grass, trees and shrubs on or adjoining such road

PART II - BUILDINGS AND OTHER STRUCTURES

1 Regulating and controlling either generally or in particular areas -

(a) the size, height, spacing and building line of buildings;

(b) the objects which may be affixed to buildings;

(c) the location of buildings, the extent of yards, gardens and curtilage of buildings;

(d) the purposes for and the manner in which buildings may be used or occupied including in the case of dwelling houses, the letting of them in separate tenements;

(e) the prohibition of building operations on any land, or regulating such operations.

2 Regulating and controlling or enabling the Board to regulate and control the design, external appearance, and materials of buildings and fences.

3 Reserving or allocating any particular land or all land in any particular area for buildings of a specified class or classes, or prohibiting or restricting either permanently or temporarily, the making of any building or any particular class or classes of buildings on any specified land.

4 Reserving or allocating any particular land or all land in any particular area for the purpose of any industrial or trade purpose or for any specified undertaking.

5 Limiting the number of buildings or the number of buildings of a specified class which may be constructed, erected or made on, in or under any area.

6 Providing for the removal, demolition or alteration of buildings or works which are inconsistent with or obstruct the operation of a scheme.

7 Providing for the reservation of sites for places of religious worship, educational, medical and public buildings and for places required for public services.

8 Providing for the reservation of sites for housing schemes.

9 Providing for slum clearance in specified areas.

PART III-AMENITIES

1 Providing for the reservation of lands as open spaces, whether public or private, and for crematoria and burial grounds.

2 Preventing remedying or removing injury to amenities arising from the ruinous or neglected condition of any building or fence, or by, the objectionable or neglected condition of any land attached to a building or fence or abutting on a road or situate in a residential area.

PART IV- PUBLIC UTILITY SERVICES

Facilitating the construction of works in relation to lighting water supply, sewerage, drainage, sewage disposal and refuse disposal or other public utility services

PART V - TRANSPORT AND COMMUNICATION

1 Facilitating the establishment, extension or improvement of systems of transport whether by land, sea or air.

2 Allocating sites for use in relation to transport and providing for the reservation of land for that purpose.

3 Providing for the establishment, extension and improvement of telegraphic, telephonic or wireless communication, allocating sites for use in relation to such communication and providing for the reservation of land for that purpose.

PARTVI-MISCELLANEOUS

1 Declaring the person by whom and the manner in which the cost of the execution of works (whether of construction, demolition, removal or alteration) in pursuance of the scheme are to be borne in the event of the owner of land within the area of a scheme being unwilling or unable to bear the cost of the execution of such works.

2 Subject to the Act, declaring the notices to be served for the purposes of the scheme by the Board and the person on whom, the manner in which and the times at or within which such notices are to be served.

3 Subject to this Act, declaring the manner in which and the times at or within which notice for the purposes of the scheme may be served on the Board by other persons.

4 Providing for and regulating the making of agreements for the purpose of a scheme by the Board with owners and other persons and by such persons with one another.

5 Dealing with the use or disposal of land acquired under this Act.

6 Prohibiting the subdivision of land until a plan showing the subdivision and proposed access to the land has been approved.

7 Providing for and regulating the construction, alteration, removal and use of railways, pipe lines, telegraph and telephone lines, electric current transmission lines, drainage or irrigation channels, aerial cable ways and their ancillary structures.

8 Preventing the pollution of streams, water courses, rivers, wells, lagoons, lakes and harbours.

9 Works ancillary to or consequent on a scheme.

10 Any other matter, not mentioned down here in this schedule, incidental to a scheme or its administration.

The mention of particular matters in this Schedule shall not prejudice or affect the generality of any other matter.

SECOND SCHEDULE

(sections 11 and 16)

DETAILED SCHEMES

PART I - ROADS

1 Providing for the reservation of land for roads, the construction of new roads, improvement of existing roads, establishment of public rights of way.

2 Providing for the dosing or diversion of existing roads and public and private rights of way and trees.

3 Restricting and controlling the construction of new roads and the alteration of existing roads whether by the Board or owners.

4 Regulating the line, width, level, construction and general dimensions and character of roads whether new or existing.

5 Enabling the Board to require an owner of land as a condition of his developing such land in any manner -

(a) to reserve land for such roads as it thinks necessary;

(b) contribute to the cost of the construction of new roads or the improvement of existing roads by the Board.

6 Providing for and generally regulating the construction or execution whether by the Board

or by owners of work incidental to the making an improvement of any road, including the erection of shelters, provision of seats, planting or protection of glass, trees, and shrubs on or adjoining such road.

PART II - BUILDINGS AND OTHER STRUCTURES

1 Limiting the number of buildings or the number of buildings of specified class which may be constructed, erected or made on, in an under any area

2 Restricting within due limits, the erection of buildings along main roads throughout the area.

3 Providing for the reservation of sites for places of religious worship, educational, medical and public buildings and for places required for public services.

4 Providing for the reservation of sites for housing schemes.

PART III-AMENITIES

1 Providing for the reservation of lands as open spaces, whether public or private, and for cremation and burial grounds.

2 Providing for the preservation of views and prospects and of the amenities of places and features of natural beauty or interest.

3 Providing for the preservation of buildings and objects of artistic, architectural, archaeological or historical interest.

4 Providing for the preservation or protection of soil, forests, woods, trees, shrubs, plants and flowers.

5 Prohibiting restricting or controlling either generally or in particular places, the exhibition, whether on the ground, on any building or any temporary erection of all or any particular forms of advertisement or other public notices.

6 The prohibition, regulation and control of the deposit or disposal of liquids, materials and refuse.

PART IV-MISCELLANEOUS

1 Prohibiting the subdivision of land until a plan showing the subdivision and proposed access to the land has been approved.

2 Making any provision necessary for -

1. adjusting and altering the boundaries and areas of any lands, roads, rights of way or traces;

(b) effecting such exchanges of land or cancellation of existing subdivisions as may be necessary or convenient for the purposes of subparagraph (a).

3 Providing for and regulating the construction, alteration, removal and use of railways, pipe lines, telegraph and telephone lines, electric current transmission lines, drainage, or irrigation channels, aerial cable ways and the ancillary structures.

4 Works ancillary to or consequent on a scheme.

5 Any other matter, not mentioned elsewhere in this schedule, necessary or incidental to a scheme or its administration.

The mention of particular matters in this schedule shall not prejudice or affect the generality of any other matter.