

**SUBSIDIARY LEGISLATION**

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**THE TOWN AND COUNTRY PLANNING ORDINANCE**

(CAP. 378)

**ORDER**

*Made under section 13*

THE TOWN AND COUNTRY PLANNING (PUBLIC BEACHES PLANNING AREA) ORDER,  
1992.

1. This Order may be cited as the Town and Country Planning (Public Beaches Planning Area) Order, 1991.

2. This Order shall be deemed to have come into operation on the 24th day of November, 1989, in this order referred to as "the effective date".

3. For the purposes of this Order, the expression "water-related, human activities" includes Tourism, aquarecreation, Luxury Beach Hotels, fishing, boat and ship building, harbours, mining, defence and security, structures of supreme national importance.

4. The area of land described in the schedule to this Order are hereby declared to be planning areas for the purposes of the Town and Country Planning Ordinance.

5. Subject to the provision of paragraphs 6 and 7 no development other than conservation and that consisting of water-related human activities shall be carried out within any area under this order without a planning consent or contrary to a planning Scheme prepared by the Minister.

6. Where the planning scheme is prepared for a planning area which fronts the ocean, a strip of land of a width of not less than 60 metres from the high-water mark shall be reserved exclusively for conservation and for strictly water-related human activities.

7. Where the planning scheme is prepared for a planning area which fronts a lake, a strip of land of a width of not less than 30 metres from the high-water mark shall be reserved exclusively for conservation and for strictly water-related human activities.

*Statutory Functions of the Minister of State (Presidents Office—Civil Service)*

*G.N. No. 76 (contd.)*

8. All development existing in the planning area on or immediately before the effective date shall not be subject to the provisions of this order.

GN. 1989  
No. 375

9. The Town and Country Planning (Public Beaches Planning Area) Order, 1989, is hereby revoked.

SCHEDULE

All that land lying within two hundred and fifty metres, and forming the shores and beaches of the Indian Ocean.  
Lake Nyasa, Lake Tanganyika, Lake Victoria, Lake Rukwa, Lake Manyara, Lake Eyasi or any other lake.

Dar es Salaam,  
24th April, 1992

MARCEL B. KOMANYA,  
*Minister for Lands, Housing and  
Urban Development*

EXPLANATORY NOTE:

This note is not part of the Order but is intended to explain the purpose and objectives of the Order. The objectives of the Order are:

- (a) to reserve a strip of land fronting the Indian Ocean and the lakes so that the land can be developed and used for water-related human activities.
- (b) to protect marine and coastal environments against pollution and degradation and
- (c) to avoid the privatisation of the beaches and to allow for access and enjoyment of the beaches by the general public as their common heritage.