



On approval of the Rules and regime for the use of lands included in suburban zone of the capital and cities of republican significance

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated December 18, 2003 N 1269.

Unofficial translation

Footnote. Heading as amended by the Decree of the Government of the Republic of Kazakhstan dated 21.05.2020 No. 318.

In accordance with the Land Code of the Republic of Kazakhstan dated June 20, 2003, the Government of the Republic of Kazakhstan decides:

1. To approve the attached Rules and regime for the use of lands included in the suburban zone of the capital and cities of republican significance.

Footnote. Paragraph 1 as amended by the Decree of the Government of the Republic of Kazakhstan dated 21.05.2020 No. 318.

2. This decree comes into force from the date of signing.

*Prime-Minister of the
Republic of Kazakhstan*

Approved
by the decree of the Government
of the Republic of Kazakhstan
dated December 18, 2003 № 1269

Rules and regime for the use of lands included in the suburban zone of the capital and cities of republican significance

Footnote. The Rules as amended by the Decree of the Government of the Republic of Kazakhstan dated 21.05.2020 No. 318.

1. These Rules and the regime for the use of land included in the suburban area of the capital and cities of republican significance (hereinafter referred to as the Rules) are developed in accordance with the Land Code of the Republic of Kazakhstan.

2. The lands of settlements included in the suburban zone of the capital and cities of republican significance are used on the basis of master plans (hereinafter referred to as general plans) of these cities, planning and development projects, land management arrangements of their territories, land zoning schemes and other urban planning documentation, taking into account development of these cities.

3. To determine the compliance with the general plans of the capital and cities of republican significance of previously approved planning and development projects, land management arrangements of their territories, land zoning schemes and other urban planning

documentation (hereinafter referred to as projects) of settlements, the territories of which are included in the suburban zone, the local executive body of the relevant settlement submits them to the akimats of the capital and cities of republican significance for approval.

4. Akimats of the capital and cities of republican significance within three months ensure consideration of projects by the relevant bodies of architecture and urban planning, land relations, environmental protection, sanitary and epidemiological, other services and, based on their conclusions, make decisions on the approval of the submitted projects.

In case of non-compliance with their master plans, the akimats of the capital and cities of republican significance apply for the akimats of the respective regions, the territories of which are included in the suburban zone, to adjust the projects to bring them in line with the master plans.

5. The adjusted projects of settlements of the suburban zone are approved by the relevant local representative bodies in the prescribed manner.

6. Agricultural lands included in the suburban area of the capital and cities of republican significance are used for agricultural purposes in accordance with the established procedure. The withdrawal of lands included in the zone of intensive development of suburban agricultural production for their use for purposes not related to agriculture, as well as the transfer of agricultural land from one type to another, are carried out in exceptional cases by local executive bodies, the territories of which are included in the suburban zone, in the manner determined by the legislation of the Republic of Kazakhstan, in accordance with their competence.

7. Lands of green zones, occupied by forests, forest parks and other green plantings, perform protective and sanitary-hygienic functions and belong to the lands of the forest fund. The lands of green zones are used for cultural, recreational and tourist purposes. On these lands, it is not allowed to erect buildings and structures that are incompatible with the protective, sanitary and hygienic functions of green areas and the purposes of organizing recreation for the population.

8. The lands included in the zone of special urban planning regulation are the reserve territories for the development of the capital and cities of republican significance, the placement and construction of structures necessary for the normal functioning of the engineering and transport infrastructure of these cities.

9. Building in the zone of special urban planning regulation is carried out in accordance with the general plans of settlements located in the specified zone, agreed with the architecture and urban planning authorities of the capital and cities of republican significance.

10. For the most important objects planned for placement in the zone of special urban planning, affecting urban architecture and ecology, for which land plots are provided outside settlements, the executive body of the capital or city of republican significance and the regional executive body, the territory of which is included in the suburban zone, create a special commission for selection of land plots for placement of these objects.

The composition of this commission includes representatives of the akimats of the capital or cities of republican significance and regional executive bodies, the territories of which are included in the suburban zone and the relevant bodies of architecture and urban planning, land relations, agriculture, environmental protection, the state sanitary and epidemiological service and other interested departments.

11. Provision of land plots to individuals and legal entities in the area of special urban planning regulation for ownership or land use, or change of their designated purpose is carried out by local executive bodies within their competence, in accordance with the procedure established by the legislation of the Republic of Kazakhstan.