

Planning and Urban Management Agency Act

An Overview of the Planning
and Urban Management
Agency's legislation 2004



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01.

What is PUMA?

02.

A look into the LAW

03.

**Key Sections of
the Law**

04.

Summary



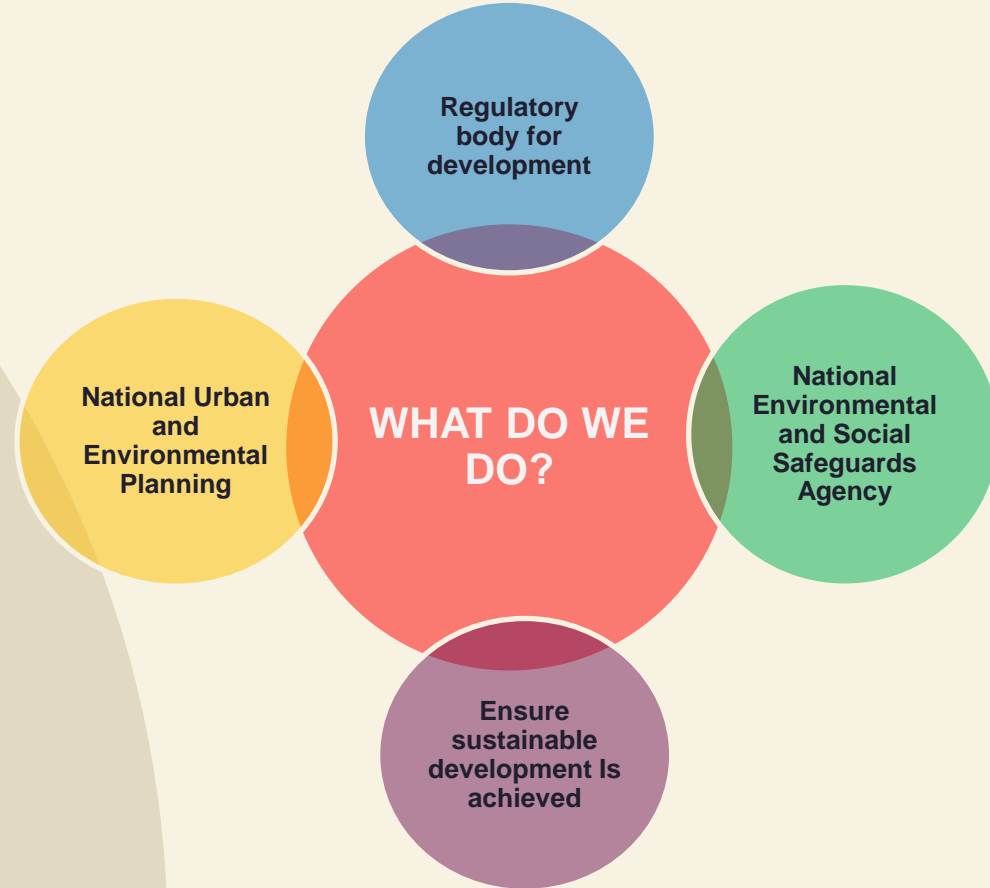
01. WHAT IS PUMA?

Planning and Urban Management Agency

- Government Agency
- Division within Ministry of Works, Transport and Infrastructure.

Key Sections

- Strategic Planning
- Sustainable Development
- Urban Management
- Compliance Monitoring and Enforcement
- Street Addressing Project Management Unit
- Apia Waterfront Project Management Unit





02. **PUMA ACT**

PUMA Framework

PUMA Act 2004



These Documents are the LAW

REGULATIONS

EIA Regulations 2007
Notification Regulations 2014

Used to support the Law by giving specific details on how to achieve the Instructions in the Act and Regulations

Policies

Standards

Plans

Strategies/Guidelines

Statement

“AN ACT to establish a Planning and Urban Management Agency and to implement a **framework for planning the use, development, management and protection of land in Samoa** in the present and long-term **interests of all Samoans** and for related purposes”

PUMA ACT 2004

Key Definitions

“AN ACT to establish a Planning and Urban Management Agency and to implement a framework for planning the **use, development**, management and protection of **land** In Samoa in the present and long-term interests of all Samoans and for related purposes”

LAND

includes –

- (a) Buildings and other structures permanently fixed to land; and
- (b) Land covered with water; and
- (c) Any estate, interest, easement, privilege or right in or over land;

USE

“Use” in relation to land includes use or proposed use for the purpose for which the land has been or is being or may be developed

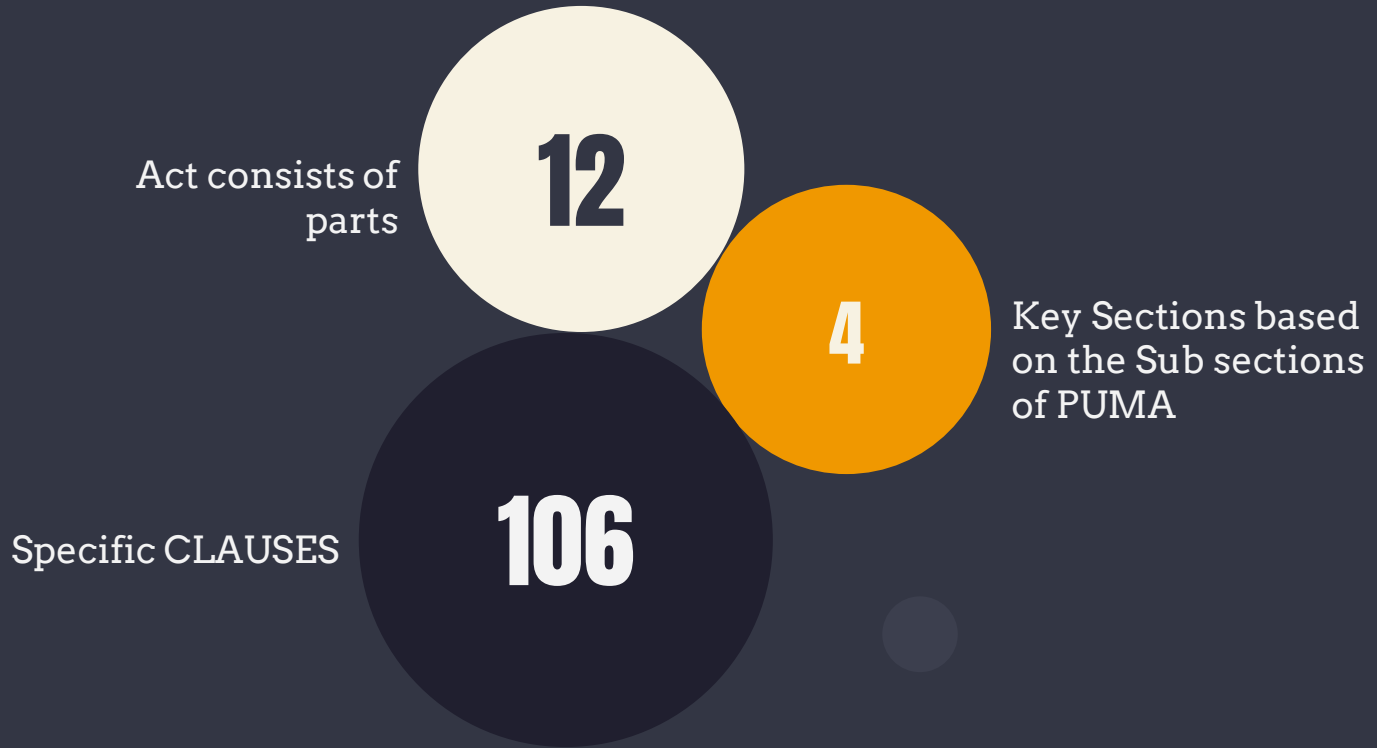
DEVELOPMENT

includes the use of land (whether for a long term or temporary purpose), the erection of a building or other structure, the carrying out of a work, subdivision, and any other activity regulated under this Act

Objectives

- (a) To provide for the fair, orderly, economic and sustainable use, development and management of land including the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- (b) To enable land use and development planning and policy to be integrated with environmental, social, economic, conservation and resource management policies at national, regional, district, village and site-specific levels;
- (c) To create an appropriate urban structure and form for the development of Apia and other centers so as to provide equitable and orderly access to transportation, recreational, employment and other opportunities;
- (d) To secure a pleasant, efficient and safe working, living and recreational environment for all Samoans and visitors to Samoa;
- (e) To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;
- (f) To balance the present and future Interests of all Samoans.

PUMA Act 2004 Composition



PART 5
Planning and
Development
Assessment

34. All development
needs consent
from the Agency,
under this Act

unless a sustainable
management plan or
regulations provide
otherwise.

Key Points



DEVELOPMENT

includes the use of land (whether for a long term or temporary purpose), the erection of a building or other structure, the carrying out of a work, subdivision, and any other activity regulated under this Act

Key Points

PART 5 Planning and Development Assessment

34.(2) Works cannot commence until consent from Agency has been received and is in force.

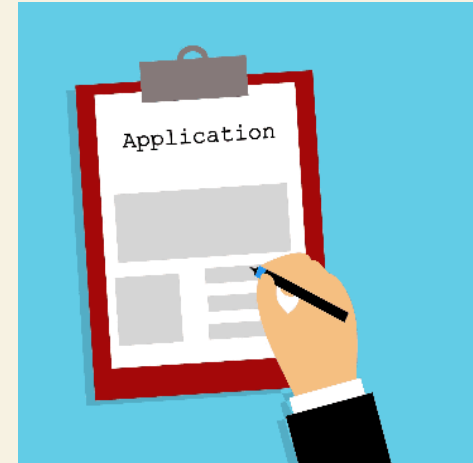


PART 5 Planning and Development Assessment

37. All Developments must apply to PUMA for Consent (Development Consent Application) – DCA process and pay prescribed fee.

This is where the Environmental Impacts Assessment process will come in

Key Points



PART 5 Planning and Development Assessment

63. Protecting amenity of an area or place from

- (a) Excessive noise; or
- (b) Excessive dust; or
- (c) Visually offensive signage, material or structures; or
- (d) Poor airspace, lighting or ventilation; or
- (e) Excessive traffic generation; or
- (f) Smell, fumes, vapours; or
- (g) Waste materials, Including bulk material, used goods and property; or
- (h) Waste water, sewage and drainage; or
- (i) Stray and domestic animals,

Key Points



**PART 8
ENFORCEMENT
AND LEGAL
PROCEEDINGS**

80. Orders by the Agency - Agency Reserves the right to issue stop orders to CEASE activities that are against the objectives of the act. It can be issued to

- (a) The owner of the land;
- (b) The occupier of the land;
- (c) Any other person who has an Interest in the land;
- (d) Any other person by whom or on whose behalf the use or development was, is being, or is to be carried out.

Key Points



**PART 8
ENFORCEMENT
AND LEGAL
PROCEEDINGS**

82. Powers of Entry

Authorized officers of the Agency may enter any land, dwelling, building or premises at any reasonable time to

- carry out and enforce this Act
- the regulations,
 - a sustainable management plan,
 - a condition of development consent,

Key Points



TO ENTER

**PART 8
ENFORCEMENT
AND LEGAL
PROCEEDINGS**

83. Enforcement of Act in Supreme Court - The Agency or any interested person may bring proceedings in the Supreme Court for an order to remedy or restrain a breach of this Act.

Key Points



Other KEY POINTS

PUMA is responsible for formulation of Sustainable Management Plans (I.e Land Use Plans) as well as any other Town Plans

01

02

03

Planning Tribunal – Independent Committee selected by Chief Justice to assess appeals.

PUM Board – Chaired by Minister, Representatives from Communities and Government Agencies

Key Takeaways

- This Act ensures Developments are **considerate** of the surrounding environment and its people.
- **Reduce/mitigate** the **negative impacts** of development on Natural, Social and Economic Environment.
- Promote the **positive impacts** and encourage **sustainable growth**.
- Promote **proper town planning** and design of sustainable urban centers.
- This Act is **not** to **hinder** or **stop** or **discourage development** but **ensures** that **fairness** on all sides

Faafetai!

Questions and Answers

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