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
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
These Documents are the LAW

PUMA Act 2004

REGULATIONS
EIA Regulations 2007
Notification Regulations 2014

Policies
Standards
Plans
Strategies/Guidelines

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

- Act consists of parts: 12
- Key Sections based on the Sub sections of PUMA: 4
- Specific CLAUSES: 106
34. **All development** needs consent from the Agency, under this Act, unless a sustainable management plan or regulations provide otherwise.
34.(2) Works cannot commence until consent from Agency has been received and is in force.
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
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,
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.
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,
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.
Other KEY POINTS

01

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

02

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

03

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

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