



## AMENITY

Sheet

IS 10—008

Date

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## REPORTING AN AMENITY ISSUE

### What is Amenity?

Amenity is the pleasant, comfortable and normal convenient values of an area or place that must be protected and safeguarded from negative impacts of a nuisance.

Pursuant to section 63(i) of the Planning and Urban Management Act 2004 (“the Act”), the amenity of an area or place must not be compromised by:

- 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.

### Reporting an amenity issue

An amenity issue can be reported directly to the Planning and Urban Management Agency (“the Agency”) or as a public complaint. A public complaint is a statement or report informing a nuisance impacting on the amenity of an area or place, submitted to the Agency by the person or persons affected, or by the person or persons who observed the amenity issue. A public complaint must be the true account of the incident that occurred or is occurring and that it is compromising the amenity of an area or place.

### Lodging a complaint

You can file a complaint or report an amenity issue to the Agency in writing, via telephone, e-mail or a visit in person. The Agency will register your complaint for processing.

### Information required when lodging a complaint

The Agency must receive complete and relevant information pertaining to an amenity issue including:

- Full name of complainant
- Amenity issue and impacts of amenity issue on area or place
- Location of amenity issue
- Full name of occupier or owner of property (“offender”) in which the amenity issue is emanating from
- Contact details

### What happens after a complaint is lodged?

The Agency will register and consider complaints lodged. A site investigation to confirm the amenity issue will be conducted. The result of investigation will provide the Agency evidence to support the complaint issue. The Agency will conduct its compliance monitoring visits and if non-compliance is observed, the offender will be instructed by way of Order under section 80 of the

Act to remove or minimize the nuisance impacting on the amenity of an area or place. The Agency may precede legal action to resolve the issue.

### **Duration process of a complaint**

It takes 1 day, 1 week or more to resolve a case depending on the activity, scale or significance of the issue.

### **What is the role of the Agency?**

The Agency has a statutory role under Section 63 of the Act to "*....remove or minimize the impacts affecting the amenity of area or place....*"

## **CONTACT DETAILS**

If you have any questions please contact us:

**POST** Private Bag, MWTI PUMA, Apia, Samoa **IN**  
**PERSON** Level 4 TATTE Building Sogi  
**PHONE** (685) 21611

**Important note:** This information sheet does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this information sheet.

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