



SAMOA

**PLANNING AND URBAN MANAGEMENT
(NOTIFICATION OF APPLICATION)
REGULATIONS 2017**

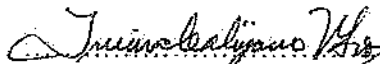
SAMOA

Arrangement of Provisions

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PURSUANT to section 43(1) of the Planning and Urban Management Act 2004 ("the Act"), I, TUIMALEALIIFANO VAALETOA SUALAUVI II, Head of State, acting on the advice of Cabinet, MAKE these Regulations:

DATED this *14th* day of *DECEMBER* 2017.


(Tuimalealiifano Vaaletoa Sualauvi II)
HEAD OF STATE

REGULATIONS

1. **Citation and commencement** – These Regulations may be cited as the Planning and Urban Management (Notification of Application) Regulations 2017, and commence on the date they are signed by the Head of State.

2. **Interpretation** – In these Regulations, unless the context otherwise requires:

“development with significant impact” means:

- (a) any development that may have an impact with a mass influence and as a consequence unreasonably interferes with the peace, privacy, comfort and convenience of any person or community that will be likely affected by the development;
- (b) any development that adversely impacts on views to and from the surrounding land and buildings;
- (c) any development that may cause significant noise, odour and

- (d) vibration emissions to the surrounding land and buildings; any development that has significant environmental, social or economic impacts on the local area; and
- (e) any development that may significantly breach any standard(s) specified in any sustainable management plan, regulation, code, or policy of the Agency.

3. **Application** – For the purpose of section 43(1)(a) of the Act, a notice for an application to be publicly notified shall be in accordance with these regulations.

4. **Notification of development application** – (1) Subject to regulation 5, any notification for a development consent for any development with a capital investment value below \$1,000,000 shall be made by the applicant.

(2) The notification by the applicant must:

- (a) be made to a person who owns or occupies (adjoining land) to which the application relates; and
- (b) be made to a person who owns or occupies land where the enjoyment or use of such land may be adversely affected by the development; and
- (c) any other person the Agency identifies as required to be notified.

(3) The cost of notification is borne by the applicant.

(4) The notification must include:

- (a) the site plan and development plans;
- (b) the development consent application (DCA) reference number;
- (c) the name of the individual or business listed as the applicant;
- (d) a clear and concise description of the proposal
- (e) the location of the proposal
- (f) the time within which a submission, objection or otherwise, can be made;
- (g) adequate details for where submissions may be directed; and
- (h) any other aspect about the development as instructed by the Agency.

5. Notification by the Agency of development with potential significant impact - Any notification for a development with significant impact must be made by the Agency by publishing in a newspaper circulating in Samoa or as prescribed by the Agency.
