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General Introduction

These instruments provide both a regulatory framework and a lever to guide the spatial development of cities and the countryside. Their role goes beyond simple land management or construction; they are involved in defining a comprehensive vision of territorial development, integrating economic, social, and environmental dimensions. Thus, development plans and schemes not only address immediate needs in terms of housing, infrastructure, and urban services, but also prepare territories for future challenges related to climate change, the scarcity of natural resources, and demographic pressure.

The use of these tools is more justified in a context where Algeria is experiencing rapid, often disorderly, urbanization, accompanied by a strong social demand for housing and public facilities. Public policies must therefore be based on precise diagnoses, prospective studies and consultation mechanisms involving local stakeholders; local authorities, citizens, and professionals in the sector in order to ensure coherent and participatory planning.

Furthermore, the integration of new technologies, particularly geographic information systems (GIS) and remote sensing tools such as Google Earth Engine, now offers unprecedented opportunities to improve data accuracy, monitor spatial changes in real time, and anticipate the impacts of development decisions. These technological tools strengthen the ability of urban communities to produce objective, transparent, and up-to-date analyses, necessary for informed decision-making.

However, despite a rich legal arsenal and clearly defined ambitions at the national level through strategic documents such as the National Spatial Planning Scheme (SNAT), the effective implementation of urban planning instruments still faces significant obstacles: administrative rigidity, institutional fragmentation, lack of coordination between the different planning levels, and weak local ownership of development projects. It is therefore essential to rethink their application, to revalue the technical capacities of local actors, and to encourage an integrated and dynamic approach to urban planning.

Thus, the effectiveness of planning tools does not only lie in their legal existence, but above all in their capacity to be adapted to local specificities, to integrate changing socio-economic realities and to adjust to the growing demands of sustainability and urban resilience.

Chapter I: Problems of the Algerian city

Introduction

Since the first decades following independence, Algeria has been undergoing a phase of profound urban transformation, marked by rapid population growth and uncontrolled spatial expansion. This dynamic has intensified as a result of multiple socio-economic, political, and historical factors, notably inherited from inadequate territorial planning and centralized land management. The result is disorderly urbanization, often synonymous with a degradation of the living environment, accumulated pressure on existing infrastructure, and deficits in essential urban services.

Faced with this situation, land use planning instruments are proving insufficiently adapted to meet the contemporary requirements of sustainable and structured urban development. Master plans, often designed according to rigid and centralized logic, struggle to integrate local realities and anticipate rapid changes in the urban fabric. As a result, Algerian cities are facing major challenges: uncontrolled urban sprawl, informal housing, insufficient public facilities, mobility problems, and environmental degradation (Denieuil 2008) .

Thus, the problem of the Algerian city is not limited only to a problem of management of built space, but reflects a broader crisis linked to urban governance, the absence of forward-looking vision and planning disconnected from the real needs of citizens (Benoumeldjadj Maya 2022) . Understanding this complex reality constitutes an essential step in rethinking development strategies and promoting a more resilient, inclusive and sustainable city.

I. The Algerian City and its problems

Algeria has experienced rapid and sprawling urbanization, marked by disorganized expansion that has led to alarming urban problems. This growth has resulted in anarchic urbanization, precarious housing, endless construction sites, cities saturated with waste, dormitory towns, and dysfunctional urban mobility.

These challenges include a congested road network, an explosion in the car fleet, unsanitary conditions, incivility, and growing insecurity. These manifestations reveal a

degraded living environment, marked by urban violence, an identity crisis, and a proliferation of disorganized construction.

Urban planning instruments, often obsolete and rigid, lack foresight, while public facilities are insufficient and mobility and transport problems persist (Najet 2008) .

“ *Our cities are permanent construction sites* ”¹

I.1. Urban planning

It is a discipline and a professional field covering the study of urban phenomena, urbanization action and the coherent and rational organization of the built environment (Merlin 2018) (Onokerhoraye 1975) .

The urban architect's mission is to organize and design urban and rural spaces to create a functional, pleasant, and sustainable living environment. They anticipate the needs of populations and propose solutions for socioeconomically efficient and environmentally friendly urban development.

To this end, it participates in the development of urban planning documents, plans the necessary facilities (public spaces, green spaces, water networks, electricity, gas, etc.) and ensures the quality and consistency of developments. Its objective is to improve the living environment while meeting the challenges of socioeconomic development.

This mission is based on a good command of the tools, procedures and laws in force in terms of planning and urban development, in order to guarantee viable and harmonious projects.

I.2. Urban policies / socio-economic policies

The history of urban policies in Algeria is closely linked to the evolution of socio-economic policies, marked by successive phases influenced by the post- independence context, centralized planning, liberal reforms, and contemporary land-use planning challenges.

¹S/E Cherrad Professor at the University of Constantine <http://www.elwatan.com/actualite/en-finir-avec-les-villes-bidon>.

These policies have gradually been structured around legal, strategic, and operational principles aimed at meeting the accumulated needs for housing, infrastructure, and economic development.

I.2.1. First phase - 1962-1970

In 1962, just after independence, Algeria was a country ruined by war with many emergencies in terms of (health, education, employment, reconstruction, etc.) (Guignard 2020) .

The law of December 31, 1962, maintained in force the laws inherited from the French colonial administration, provided that they did not conflict with national sovereignty. However, this renewal of a legal framework of a liberal nature, within a post-independence state advocating a socialist model based on the collectivization of the means of production, generated profound inconsistencies in the field of urban planning.

Thus, urban planning, implemented mainly through Urban Master Plans (PDU), is limited to a simple spatial location of sectoral facilities and economic programs defined by national or regional development plans. These documents were used in particular to guide investments in disaster-stricken and deprived wilayas, as well as in areas benefiting from special plans or local programs. However, these tools remained disconnected from the socio-economic reality of the country, lacking a global and sustainable vision to effectively structure urban and rural space.

A high concentration of infrastructure on the coastline creates a divide between the coastline and the true interior, between Algerian cities and the countryside (Robert 1993) . From the first years following independence, in 1962–1963, a massive migratory phenomenon occurred: around 400,000 detainees or internees, as well as 300,000 refugees, mainly from the borders with Tunisia and Morocco, converging towards urban centers as part of a significant rural exodus.

This movement can be explained by the impossibility for these populations to return to their villages, often destroyed during the war or abandoned for several decades, as were their agricultural lands.

This context leads to rapid and disorderly urbanization, exacerbated by the lack of large-scale strategic planning instruments at both the national and regional levels capable of sustainably structuring territorial development. The absence of effective master plans has resulted in the reinforcement of an inherited colonial model, marked by a profound spatial imbalance between the coastal North and the inland South.

Thus, public land-use policies were developed under pressure of urgency, without a forward-looking vision or overall territorial coherence. Urban planning schemes and management tools were designed without taking into account local specificities, which contributed to accentuating geographical disparities and reproducing a centralized logic around large coastal cities.

This situation has generated an excessive polarization of resources and investments on the coast, to the detriment of inland regions. As a result, the countryside remains marginalized, while cities, overwhelmed by the influx of population, were not equipped to accommodate this growth in an orderly manner, which has led to anarchic urbanization, informal development and a progressive saturation of urban capacities. (Bekkouche 2012) .

No new urban planning plan covering the entire territory, unsuitable and outdated legal texts.

No skills training to manage the space as a whole, perpetuation of an exclusively quantitative approach to try to satisfy demand, this has generated very significant urban demographic growth, precipitate urbanization with uncontrolled urban sprawl devaluation of housing, proliferation of shanty towns, informality, heritage degradation (Bekkouche 1999) .

This illustrative diagram shows how the colonial legacy, legislative continuity, the absence of strategic planning and waves of migration have led to disorderly urbanization marked by

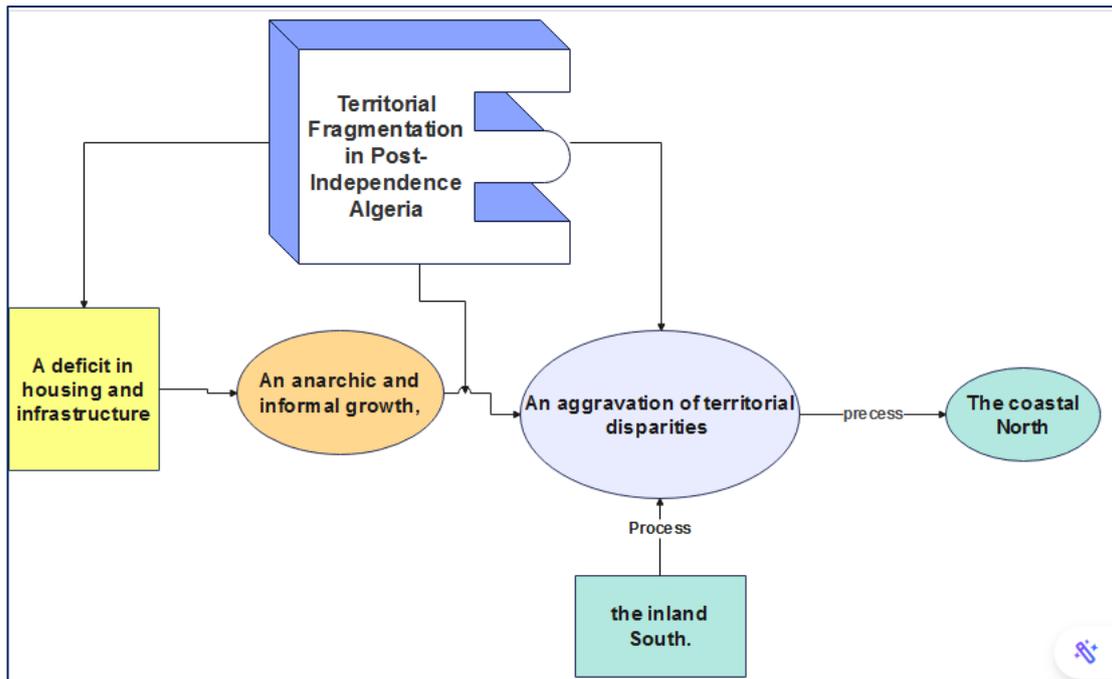


Figure 1. Territorial fragmentation

✚ The Reorganization of the Municipal Territory of 1963²

A year after independence in 1962, the Algerian territory underwent a major administrative reorganization, particularly at the municipal level. This reform took place in a context marked by major challenges:

- The reconstruction of an independent state,
- The management of an administrative vacuum deeply rooted in the colonial legacy,
- Adapting to a new demographic and political reality.

² By Decree No. 63-189 of 16.05.1963 and Ordinances No. 63-421 of 28 October 1963 and No. 63-466 of 2 December 1963, relating to the territorial reorganization of municipalities

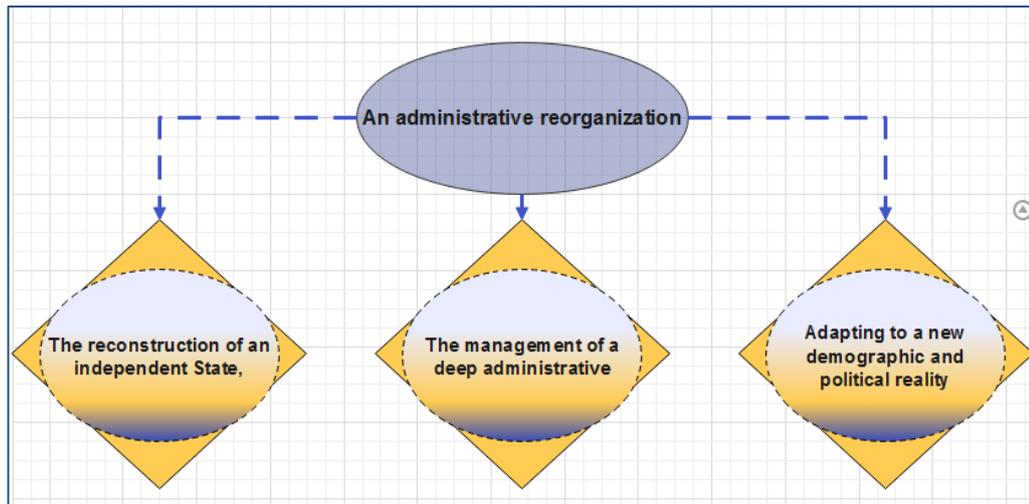


Figure 2. Administrative reorganization

One of the main measures taken was the reduction in the number of communes, which fell from 1,577 to 676, a decrease of more than half. This change aimed to streamline territorial management and overcome the management difficulties caused by the excessive fragmentation of the communal fabric inherited from the colonial period. Indeed, this highly fragmented structure, inherited from the French administration, no longer met the needs of a sovereign state in the midst of institutional construction.

This decision followed the massive departure of Europeans, an event that left many key administrative positions vacant, further exacerbating disengagement and disorder on the ground. The concentration of the European population in certain urban areas, combined with their sudden absence, has led to a crisis of local governance, particularly in rural and peri-urban regions.

However, while the number of communes was revised downwards, that of the Wilayas (departments) and Dairas (districts) remained unchanged, with 15 wilayas and 91 dairas, in accordance with the centralised logic adopted by the first post-independence authorities. This administrative stabilisation at the intermediate level made it possible to maintain a certain continuity in territorial management while facilitating a refocusing of power.

The municipal reorganization of 1963 was therefore an essential step in the construction of a new territorial framework aligned with the political, economic, and social objectives of the young Algerian state. It made it possible to:

- Simplify administrative management in the face of a glaring lack of trained personnel,
- Strengthen state control over a largely disorganized territory,
- Respond to the urgency of establishing functional and legitimate institutions.

However, this approach came at the expense of local diversity and administrative proximity, thus foreshadowing certain territorial tensions that would persist in the following decades.

I.2.2 Second phase - 1970-1989

Successive four-year plans have partially reduced the housing crisis, but without implementing effective urban planning. The quantitative and qualitative objectives of the construction programs have not been achieved, and the crisis persists. The problems encountered since independence, such as technical deficiencies, the lack of human and material resources, as well as budgetary fluctuations linked to the decline in hydrocarbon revenues in 1986, have not been resolved and have become structural (Lalonde 2010) .

The implementation of Urban Master Plans (PDU) is largely theoretical, because in the face of the urgency of urban development, the second plan is based on the creation of 275 New Urban Housing Zones (ZHUN) ³spread across the entire territory. These zones were adopted as a priority instrument to structure urban planning and respond to the growing demographic pressure in cities. (Kerdoud 2017) .

³New urban housing area

The Restructuring of the Territorial Organization of the Wilayas in 1974⁴

Eleven years after the consolidation of municipalities in 1963, the new territorial division of 1974 emphasized the geographical cohesion of the new wilayas. This reform aimed to redefine the administrative contours of the country to better meet the imperatives of balanced development and regional planning.

Among the main objectives of this division:

- Strengthening internal economic coherence within the wilayas, in order to promote harmonious and integrated development.
- Ensure a fairer distribution of development opportunities between the different regions of the country, particularly between the coastal North and the interior areas.
- Restructure urban organization by encouraging the emergence and development of small and medium-sized towns, with the aim of reducing the demographic and economic pressure exerted by large coastal cities (such as Algiers, Oran or Annaba).
- The redefinition of urban links dominated until now by a South-North logic, inherited from the colonial period, in favor of a more functional and balanced territorial network.
- Encouraging the settlement of populations inland, in order to limit excessive dependence on the coast and promote more inclusive territorial development.

⁴Order 74-69 of July 2, 1974 relating to the overhaul of the territorial organization of the wilayas.

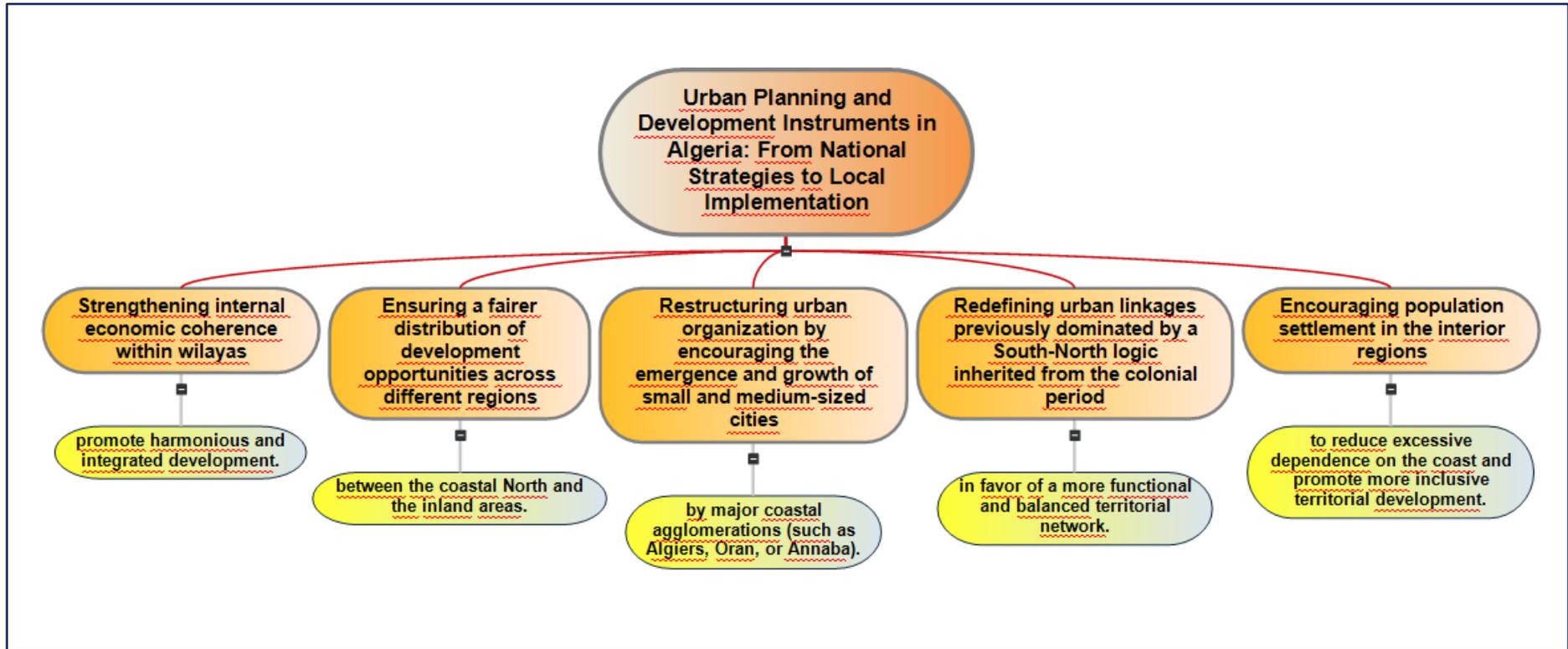


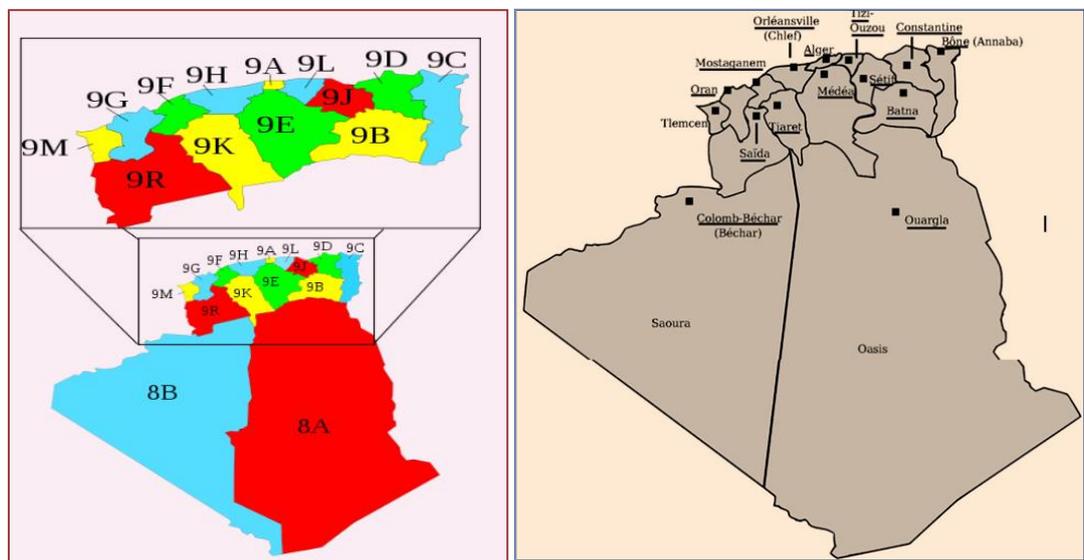
Figure 3. Urban planning and development instrument

This process is part of an approach of administrative and spatial decentralization, making it possible not only to bring decision-making structures closer to local realities, but also to strengthen territorial governance in rural and semi-rural areas that have long been marginalized.

This reform is marked by:

- An increase in the number of municipalities, which went from 676 to 703 municipalities in 1974, then to 704 in 1977.
- A significant increase in the number of wilayas, from 15 to 31, which allowed for better consideration of regional specificities in national planning.

Thus, this phase of territorial reorganization of 1974 represents an important turning point in the administrative history of our post-independence country. (Kerdoud 2017) . It marks an explicit desire to break with the colonial legacy and lay the foundations for territorial planning better adapted to the socio-economic needs of the country while attempting to rebalance the geographical dynamics inherited from the past.



**Figure 4. Map of the administrative division from 1957 to 1974 and the departments
(By order of Google Maps)**

Source: the archives of the Wilaya of Constantine.

The Territorial Reorganization of 1984

This administrative reform reflects a political desire to bring governance structures closer to local realities, while responding to the urgent need for territorial development. By increasing the number of wilayas, the state hopes to better align public policies with regional specificities, facilitate spatial planning, and improve access to public services in previously marginalized areas.

The creation of new wilayas also made it possible to ensure better management of demographic flows and greater efficiency in regional planning.

The significant increase in the number of municipalities, from 676 to 1541 between 1963 and 1984, reflects an increased recognition of territorial diversity and an effort at administrative decentralization. This redrawing of boundaries is part of a context of the rise of local authorities and a growing demand for proximity in the management of municipal affairs. Local authorities are thus required to play a more active role in urban planning, the implementation of basic social facilities (education, health, infrastructure), as well as in the coordination of economic development actions (Layeb 1999) .

However, this multiplication of administrative units is not without its challenges. The strengthening of the territorial structure has led to a more complex institutional system, sometimes to the detriment of the expected efficiency. Some new wilayas have lacked the technical and financial capacity to fully assume their new responsibilities, which has led to a disparity in their level of development. Furthermore, the emergence of a large number of small municipalities has raised questions about their ability to mobilize the resources necessary to meet the growing needs of the population (Bakour and Baouni 2015) .

The territorial reorganization of 1984 thus marked a turning point in the management of Algeria's national territory. It constituted an important step towards better consideration of the country's geographical diversity and an attempt to correct the imbalances inherited from several decades of excessive centralization.

However, it also raised questions about the feasibility of effective local management without sufficient support in terms of training, financing, and effective skills transfer.

Thus, while the 1984 reform allowed for a certain redistribution of administrative maps, it did not fundamentally resolve the structural problems linked to urban planning and territorial governance. It nevertheless remains an essential milestone in the history of regional planning in Algeria, paving the way for other subsequent reforms aimed at modernizing planning tools and promoting more balanced development between the different regions of the country (Mussard 2015) .

I.2.3 Third phase – 1990-2000

The 1990s were marked by a series of efforts to reflect on regional planning and the management of large urban areas. However, these initiatives were largely theoretical, with no effective translation on the ground. On the contrary, in a context characterized by a succession of political, economic, and security crises, accompanied by increasing state disengagement, the urban planning and housing sector experienced largely anarchic development.

Despite the adoption of a new Constitution and the gradual establishment of a legislative and regulatory framework for land use planning, the reforms undertaken have not always produced the expected results. Although a series of legal texts have been adopted with the aim of modernizing practices and moving the country toward a more liberal model, their effective implementation has been hampered by structural and organizational obstacles. These limitations are reflected in weak local ownership, a lack of coordination between the different planning levels, as well as a deficit of technical and human resources, which has limited their influence on urban and territorial governance.

From the beginning of the 1990s, an important legal turning point was exploited with the reaffirmation of the principle of private property through the Land Orientation Law (LOF) of 1990. In December of the same year, Law No. 90-29 relating to planning and urban development replaced the old Urban Master Plans (PDU) with the Master Plans for Development and Urban Planning (PDAU), thus marking a conceptual and methodological change in the approach to Algerian urban planning.

Furthermore, the municipal and wilaya codes, promulgated in April 1990, precisely define the roles of the two local authorities, the municipality and the wilaya. According to these provisions, the municipality is given the main prerogatives in terms of land use planning, infrastructure and urban facilities (articles 90 to 96), reinforcing its central role in local spatial management. This refocusing of responsibilities at the municipal level is part of a logic of decentralization and local democracy, but it is often hampered by a lack of technical and financial capacity at the level of the APC (Communal People's Assemblies). (Mussard 2015) .

In addition, law 90-29 article 15 encourages the participation of "local user associations, chambers of commerce and agriculture and professional organizations" in the development of PDAU and POS, as permitted in its article 74. The municipality is also the framework for the expression of local democracy (Mussard 2015) .

I.2.4 Fourth phase -2000-2013

With an improved financial situation, driven by the rise in oil revenues during this period, Algeria experienced a notable evolution in its land use and urban planning policy. This decade was marked by the emergence of a new strategic approach, focused on the implementation of major structuring projects and massive investments in urban and transport infrastructure, aimed at improving the quality of life of citizens, structuring the national space, and meeting growing housing needs.

Public authorities have implemented a set of ambitious initiatives, including

1. Public housing programs :

- Social housing
- LSP Housing (Privileged Social Housing)
- LPA housing (subsidized public housing)

The LSP was introduced with the objective of providing affordable housing to low-income and low-income households in high-demand urban areas, while attempting to structure urban space and limit informal urban sprawl.

2. Transport infrastructure

Significant investments in projects such as the Algiers metro, the construction of the major axis running from the East to the West of the country, cable cars and the tramway, the development of urban transport systems such as the Algiers metro, tramways in several major cities, and cable cars to open up certain areas.

Cross-sectional and longitudinal road projects to connect regions.

These projects aimed not only to improve mobility, but also to structure urban space and strengthen interurban connections.

3. New towns

New town projects have been created to:

- Relieve congestion in overexploited coastal areas.
- Encourage demographic decentralization towards the High Plateaux and the South.
- Provide better planned urban environments with amenities and services.

We can cite; Sidi Abdallah, Bouinan, Boughezoul and Hassi Messaoud and Ali Mendjeli.

4. Regularization of illegal and unfinished constructions

Measures to regularize unfinished or non-compliant constructions, which represented nearly 2.3 million housing units in 2008. Law No. 08-15, which became Law 22/24 (Explanation of the compliance law during the session), aims to put an end to this urban planning disorder by imposing strict rules and sanctions for non-compliance with deadlines and urban planning standards.

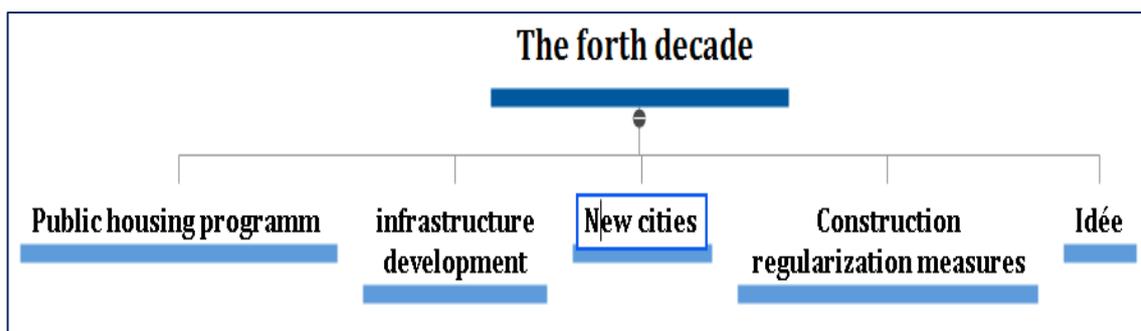


Figure 5. The fourth decade 2000-2013

Conclusion

Table 1. Description of the axes

Tasks	Description
Sustainability of resources	Environmental protection, fight against soil degradation and natural risks.
Territorial rebalancing	Reducing the gaps between the coast and the interior, strengthening the High Plateaux and the South.
Attractiveness and competitiveness of territories	Promotion of investment, modernization of infrastructure, support for economic development.
Social and territorial equity	Reduction of inequalities and living conditions in rural and neglected areas.

Chapter II: the legal framework

Introduction

In Algeria, the development and use of urban and rural land are part of a structured legal framework aimed at ensuring rational and sustainable land planning. This framework is based on a set of laws, general principles, and regulatory instruments that encompass land access conditions, construction methods, and strategic guidelines for spatial development.

Urban planning law in Algeria is governed mainly by Law No. 90-29 of 1 December 1990, supplemented by implementing texts and subsequent reforms, including Law No. 06-06 of 20 February 2006 (urban orientation law) and Law No. 08-15 of 20 July 2008 (regularization of constructions). These legal provisions govern planning instruments such as the PDAU (Plan Directeur d'Aménagement et d'Urbanisme), the POS (Plan d'Occupation des Terres) and the PATW (Plan d'Aménagement Territorial de Wilaya).

II. The framework of urban planning law

In Algeria, the use and management of urbanizable land, the formation and transformation of the built environment are carried out within the framework of a set of legal principles, regulatory instruments and institutions responsible for their implementation.

This legal framework constitutes an essential foundation for ensuring coherent and sustainable territorial planning, while meeting the growing socio-economic needs linked to rapid urbanization (Hadeff 2017) .

The Algerian urban planning and development system is based on a hierarchy of planning documents, integrating both national strategic guidelines and local operational tools.

These instruments make it possible to establish land use rules, delimit constructible or protected areas, and supervise development projects at several scales: national, regional, wilaya and municipal (Nedjai 2013) .

Among these founding principles, we find in particular:

The principle of sustainable development:

Which requires balanced management of natural resources and consideration of environmental dimensions in all development actions.

The principle of consultation :

Ensure the involvement of local stakeholders (communities, citizens, professional organizations) in the development of urban planning documents.

The principle of territorial continuity:

aimed at linking local policies to national guidelines to avoid spatial and sectoral inconsistencies.

The principle of transparency and publicity:

According to which planning decisions must be accessible to all citizens concerned.

The principle of hierarchization of standards

Stipulating that local urban planning documents (PDAU, POS) must comply with higher guidelines (SNAT, SEPT, PATW).

These principles apply to all stages of the urban and rural planning process, from design to operational implementation. They thus ensure the legal legitimacy of urban planning tools and contribute to their effectiveness on the ground.

Based on these foundations, the Algerian state has gradually structured a regulatory framework that meets the imperatives of territorial development while integrating contemporary socio-economic and environmental realities.

However, their effective implementation is sometimes, hampered by administrative and technical obstacles, or a lack of awareness among local stakeholders.

II.1 Planning and urban development instruments (IAU)

These are the legal, and technical tools that create, modify, or limit building rights, while imposing easements intended to ensure controlled and sustainable urban development. These instruments govern land use and supervise development operations at different territorial scales. (Yamani and Trache 2020) .

Their role is fundamental in spatial planning, as they enable the translation of national and local strategic orientations into concrete provisions applicable on the ground (Yamani and Trache 2020) .

They are divided according to the scale of intervention:

- At the urban scale: master plans and general urban plans.
- At the urban sector level: local and specific regulations.
- On the ground scale: subdivision operations and specific developments.

II.2 Of a set of land

To create and transform the built environment: subdivisions, ZET development plans and operations on the existing urban fabric.

Development instruments at the scale of a whole area of land constitute a particular category of Planning and Urban Development Instruments (IAU). They intervene in the operational phase of urban planning and allow the concrete implementation of the orientations defined at the higher level (PDAU, POS, PATW). These tools apply to projects for the creation or transformation of built space, whether in virgin areas or interventions in existing urban fabrics (Gherzouli 2022) .

They mainly include:

The subdivision:

Which consists of dividing a plot of land into several building plots according to precise rules.

The development plan for the Tourist Equipment Zone (ZET :

Intended to spatially organize tourist facilities.

Development operations on existing urban fabric:

Aiming to renovate, restructure or densify old or degraded neighborhoods.

These interventions are governed by specific legal texts and must guarantee compatibility with higher urban planning documents, in particular the PDAU and the POS.

A-Definition of subdivision:

Subdivision is a land and technical operation which consists of subdividing a plot of land into several building lots, generally to establish housing, economic activities or public infrastructures. It can be carried out as part of a new residential project or to respond to a spontaneous demand from the private or individual sector (Lakhdar Hamina and Abbas 2015) .

B-Features:

- Defined by Law No. 90-29 of December 1, 1990 and its implementing texts.
- Must respect the land use easements established by the POS.
- Obligation to create road networks (VRD) before granting building permits.
- Subject to a subdivision permit, instructed by the municipal authority (President of the APC) or wilaya depending on the scale of the project.

II.3 Implementing measures

Which aims to inform, facilitate and monitor compliance with town planning regulations, as well as to partially finance the development and equipment necessary for the development of the territory.

These measures include the implementation of communication and educational tools for citizens and professionals to enable them to better understand the regulations in force. They also include technical and administrative support for development projects, with a view to ensuring efficiency and legal compliance.

Furthermore, monitoring actions are essential to ensure uniform and rigorous application of legal and regulatory provisions. They can take the form of inspections, documentary or on-site verifications, and sanctions in the event of a breach.

III. Instruments for planning and sustainable development

A strengthened legal framework for planning and sustainable development
A veritable legal arsenal has gradually been put in place to provide Algeria with a coherent and operational strategic framework for regional planning and sustainable development. Among the major texts is Law No. 01-20 of December 12, 2001, which sets out the broad guidelines for regional planning with a view to long-term sustainability and spatial balance. This law aims to guarantee harmonious and balanced development throughout the national territory.

The effective implementation of this policy required the adoption of several complementary laws, including:

Law No. 03-10 of July 19, 2003, relating to environmental protection, aimed at integrating ecological principles into development projects.

Law No. 06-06 of February 20, 2006, on urban orientation, which constitutes an essential lever for modernizing urban planning instruments and promoting urban planning more adapted to contemporary realities.

These legislative provisions reflect an accumulated desire to structure the national space according to principles of sustainability, territorial justice and concerted governance, while aligning Algerian practices with international standards in terms of urban development and environmental protection.

These founding texts mark a significant shift in the overall approach to urban planning, the environment, and urban planning in Algeria. Indeed, the 2001 law lays the foundations for rational land management, incorporating the principles of territorial solidarity, social cohesion, and the preservation of natural resources. In particular, it establishes land use plans at various levels—national, regional, and local—as strategic planning tools.

Law No. 03-10 of July 19, 2003 strengthens this framework by placing environmental protection at the heart of public policies. It establishes mechanisms for environmental

assessment of projects and plans, and encourages an integrated approach aimed at reconciling economic development and ecosystem preservation.

As for Law No. 06-06 of February 20, 2006, it constitutes a key milestone in urban reform. It sets guidelines for controlled urbanization, with an emphasis on the quality of construction and urban space, and promises a more inclusive city, meeting growing needs in housing, public facilities, and mobility.

Thus, these laws form a coherent and complementary whole, making it possible to respond to contemporary challenges such as uncontrolled urban expansion, environmental degradation and unequal access to basic urban services.

They constitute the foundations of a modern legal framework, oriented towards sustainable, balanced and inclusive territorial development.

In 2001, the promulgation of Law No. 01-20 of 12/12/2001 relating to the planning and sustainable development of the territory, redefined the orientations and instruments of territorial planning, as follows:

The SNAT

National land use plan

The master plan for land protection and the fight against desertification,

The SDDs

Master plans for major infrastructure and collective services of national interest.

The coastal development master plan;

The SRATs

Regional land use planning schemes (SEPT) (second chapter)

The SDAAM

Metropolitan area development plans which replace wilaya land use plans.

III.1 The SNAT

(Law No. 10-02 corresponding to June 29, 2010 approving the National Territorial Development Plan.)

The National Territorial Development Plan (SNAT) defines the vision, strategy and action programs envisaged by the Algerian government to address territorial challenges up to 2030. The SNAT defines four guidelines which are broken down into 20 territorial action programs specifying the interventions to be undertaken by the State, in collaboration with its partners, in particular the program regions, the wilayas and the local authorities. : Law - 20 A7.

“I built the frame of reference for public action ”;A8

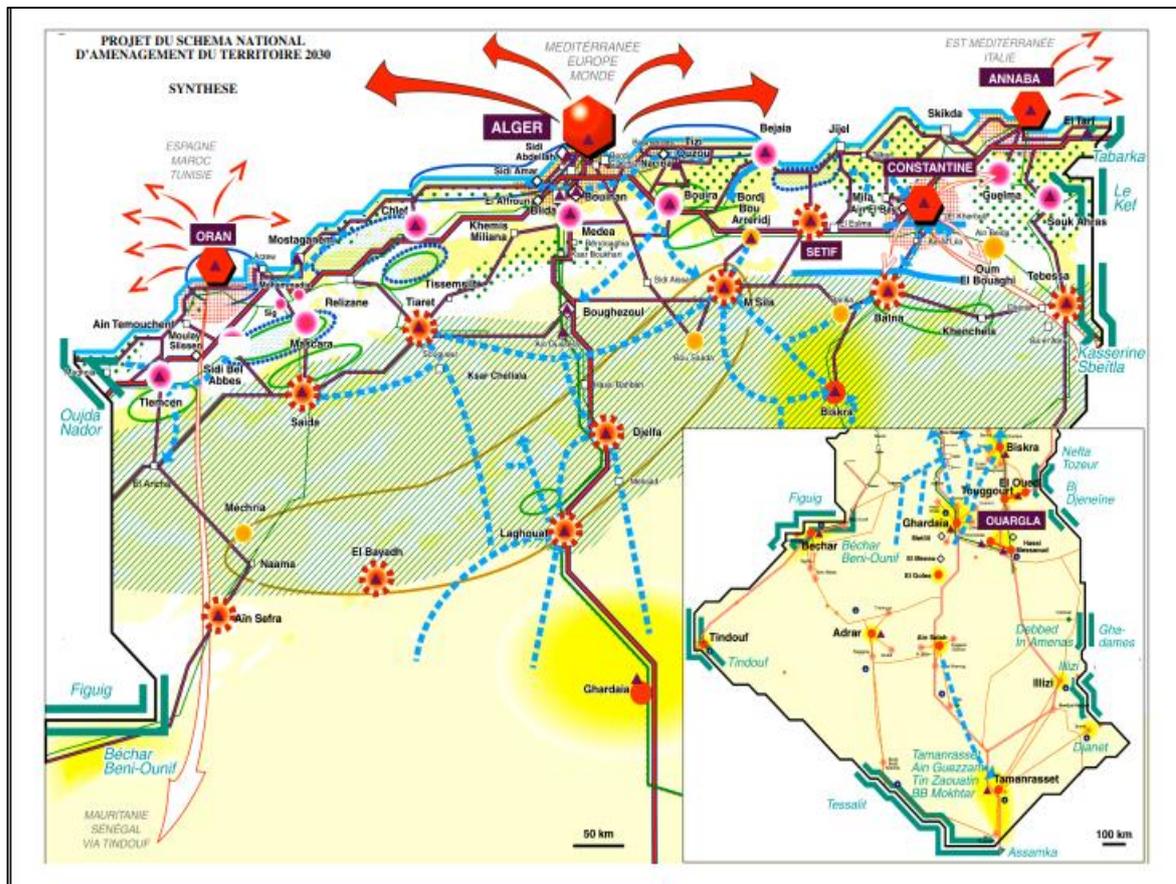


Figure 6. Proposal for a national development plan

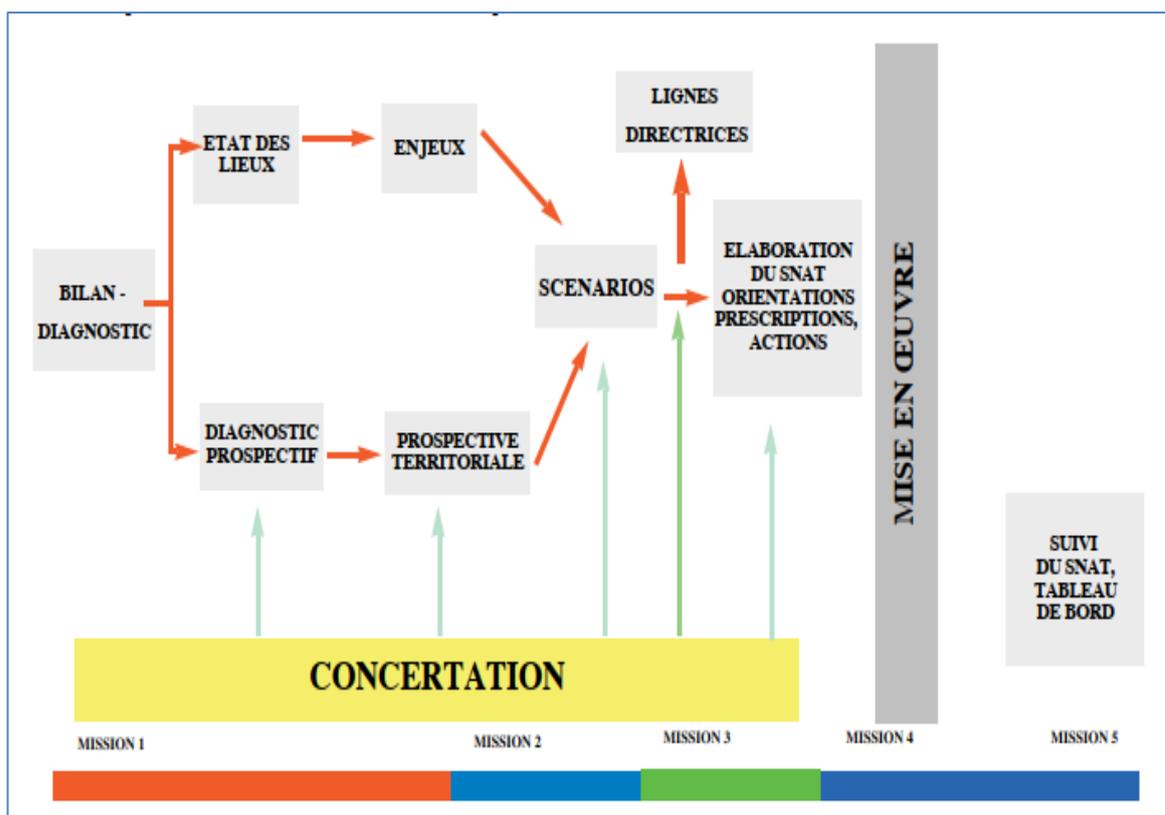


Figure 7. SNAT diagram

This outline the following orientation guidelines include:

- **Sustainability of resources** :

Resource sustainability is a central issue in the pursuit of balanced and responsible development. It aims to preserve the planet's natural resources while meeting current needs without harming those of future generations.

To achieve this, several actions (05) can be undertaken:

- a) **Promoting the circular economy**

It's about reducing waste and recovering materials by extending product lifecycles. This involves recycling, reuse, repair, and designing more durable goods, thereby limiting the extraction of new resources.

b) Rational management of natural resources

Moderate and optimized use of water, energy, and raw materials is essential. Incentive public policies and regulatory tools can ensure controlled consumption that respects the natural environment's capacity.

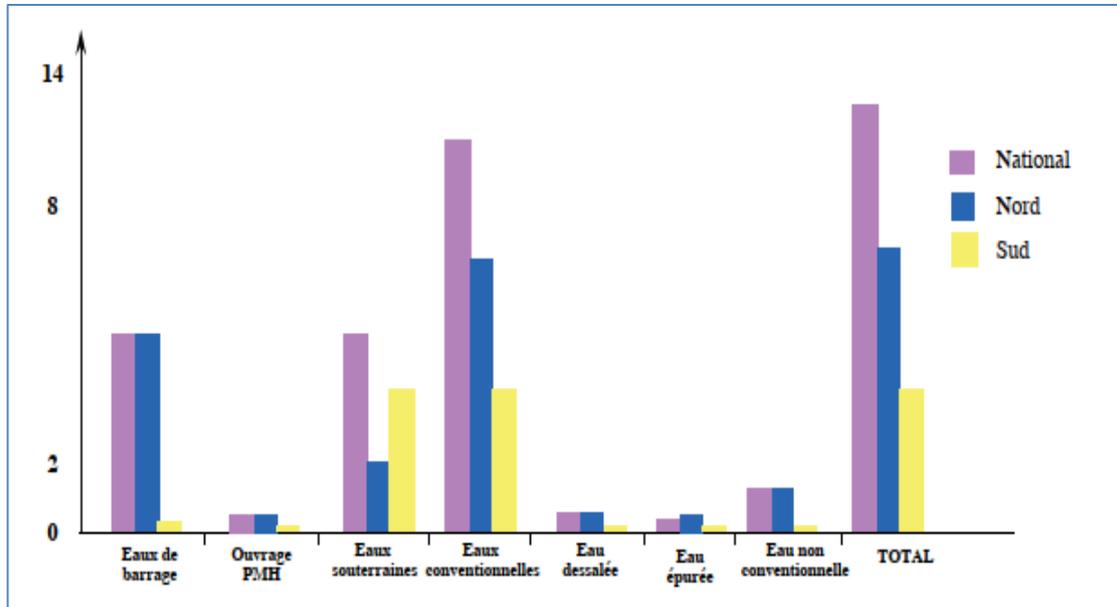


Figure 8. Water resources in the future

c) The adoption of sustainable agricultural practices

Agricultural methods must protect biodiversity, preserve soil quality, and limit the use of chemicals. Agroecology⁵ and organic farming represent concrete solutions to strengthen food security without impoverishing ecosystems (Ruggeri and Christensen 2025).

d) Encouraging energy efficiency

Reducing energy consumption in buildings, transport and industry not only saves money, but also reduces pressure on fossil fuels. The use of efficient equipment and innovative technologies plays a key role here (Kocira and Staniak 2025).

e) The development of renewable energies

⁵An integrated approach to agricultural production that aims to apply ecological principles to the management of agricultural systems. It seeks to reconcile agricultural productivity, environmental sustainability, and social justice. Agroecology also encompasses a holistic view of the food system, from production to consumption, including processing and distribution.

Investing in clean energy such as wind, solar, hydropower or biomass helps reduce dependence on non-renewable energy sources and mitigate the effects of climate change.

By combining these five actions, it is possible to build a model of society that is more restrained in its use of resources, fairer in their distribution and more resilient in the face of contemporary environmental challenges.

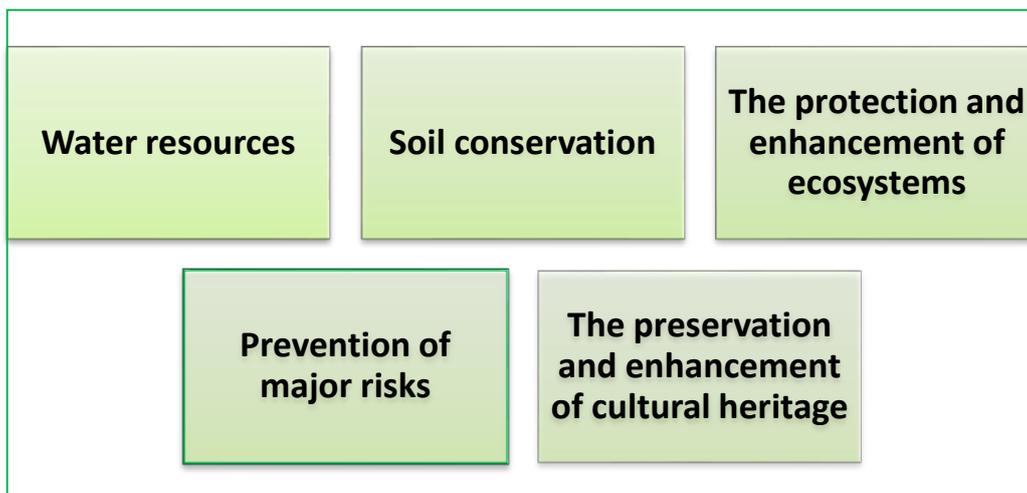


Figure 9. Sustainability actions

Source: Law No. 10-02 corresponding to June 29, 2010

- **Rebalancing the territory :**

Faced with persistent imbalances between dynamic urban areas and often marginalized peripheral or rural territories, it is essential to implement proactive policies aimed at reducing gaps in development, access to public services and economic opportunities.

Five key actions to promote a fair and sustainable territorial rebalancing:

- a) Strengthening transport and communications infrastructure**

Regional planning requires equitable access to road, rail, digital, and energy networks. Investments in public transport and internet connectivity connect isolated areas to economic centers and facilitate access to education, healthcare, and the job market.

b) Encourage local economic development

The aim is to support small and medium-sized enterprises (SMEs), sustainable agriculture, and the social and solidarity economy in disadvantaged regions. Tax incentives, government aid, and technical support can stimulate local entrepreneurship and create local jobs.

c) Improving access to local public services

A true territorial rebalancing involves guaranteeing all citizens equal access to essential services: health, education, justice, culture, and administration. This requires a decentralized public service adapted to the specific needs of each territory.

d) Promoting affordable housing and urban renewal

In some areas, rural exodus and population concentration in large cities are creating an imbalance. A housing development policy that encourages the renovation of old buildings and the construction of affordable housing helps revitalize town centers and limit uncontrolled peri-urbanization.

e) Involving local stakeholders in territorial planning

The participation of citizens, local elected officials, and local organizations in the development of territorial projects ensures that public policies respond to the realities on the ground. This strengthens the sense of belonging and promotes the social acceptability of transformations.

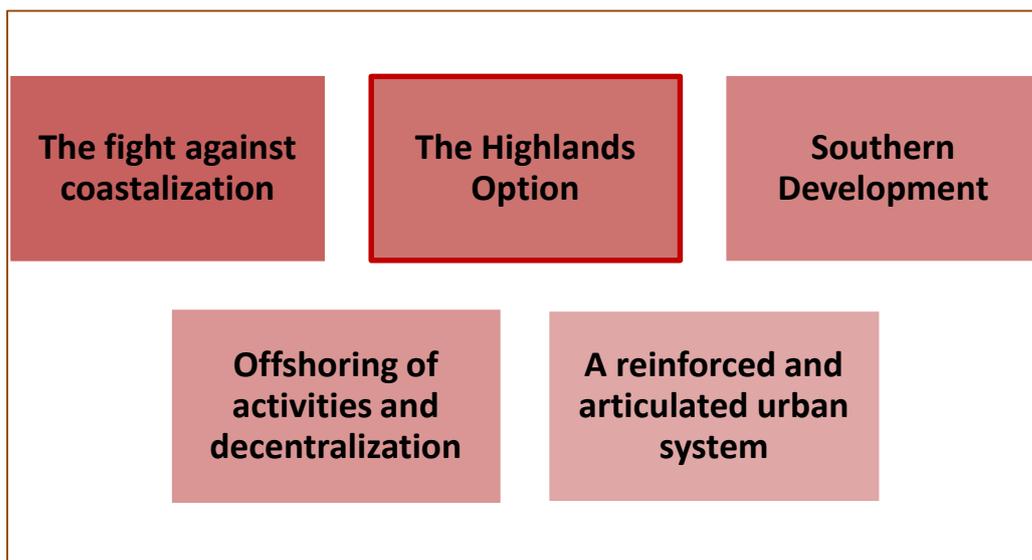


Figure 10. The actions of rebalancing

- **The attractiveness and competitiveness of territories**

In a context of increasing globalization and growing competition between regions, the attractiveness and competitiveness of territories have become major issues for their sustainable development.

These two closely linked notions determine a territory's ability to retain or attract businesses, investments, residents and talent.

The attractiveness of a territory is based on a set of factors that make a place attractive to current and potential residents, as well as to economic actors. It is based in particular on the quality of life (environment, security, public services), the cultural and sporting offer, the richness of the social fabric, the beauty of the natural or urban setting, as well as the availability of varied and accessible housing (Gubareva, Dzyubab, and Hazievic 2025) .

Competitiveness, on the other hand, refers to the territory's ability to create an environment favorable to economic activities. It depends on the performance of its infrastructure (transport, digital, energy), the availability of a qualified workforce, access to financing and innovation, as well as the simplification of administrative procedures for businesses. (Gerasimovski 2025) .

In order to progress in strengthening, several levers can be activated:

- ❖ Investing in modern and sustainable infrastructure: roads, rail networks, high-speed digital connectivity, etc., are essential to guarantee the mobility of people and goods as well as the economic integration of the territory.
- ❖ Developing a suitable educational and professional offer: training young people and adults for the jobs of the future helps ensure a good match between available skills and the needs of the local and regional market.
- ❖ Encouraging innovation and ecological transition: promoting eco-activities, clean industries and green technologies helps to position a territory as an attractive and innovative hub (Macêdo, Soares, and Solla 2025) .

- ❖ Highlighting local heritage and specificities: cultural, gastronomic, historical or natural assets can play a central role in the differentiation and image of a territory.

Thus, attractiveness and competitiveness cannot be improvised:

They are built through a strategic vision,

Coordination between local actors

A concerted implementation of ambitious public policies.

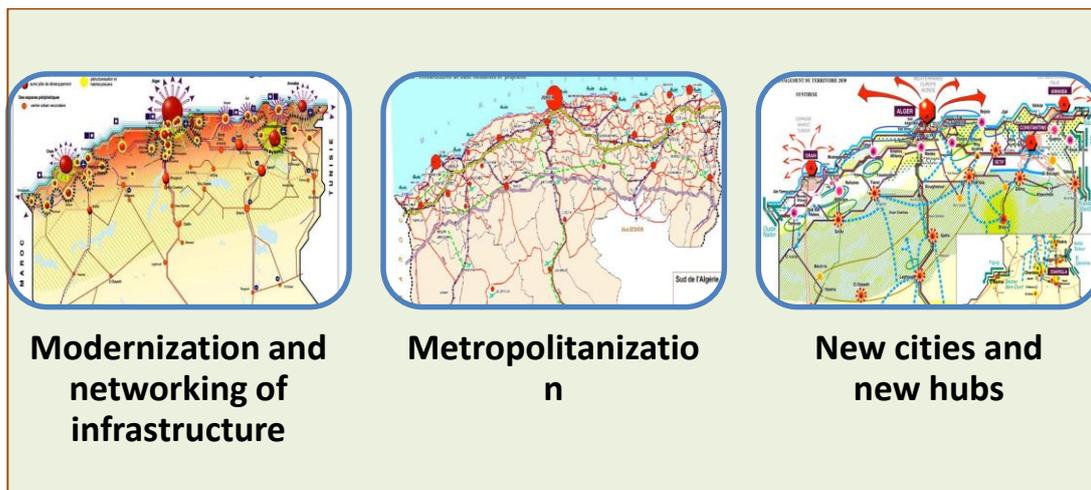


Figure 11. competitiveness in the SNAT

- **Social and territorial equity**

It constitutes a fundamental pillar of the National Plan for Territorial Planning and Development (SNAT). It aims to ensure a fair distribution of wealth, public services and development opportunities throughout the territory, in order to reduce inequalities between different regions and social categories.

In this context, the SNAT seeks to correct the imbalances inherited from an excessive concentration of resources, investments and economic activities in coastal areas and large urban centers.

This dynamic often leads to the marginalization of inland and rural regions, which face challenges in accessing essential services, mobility, employment, and land use planning.

To address this, the SNAT encourages a more equitable redistribution of material, financial, and human resources, particularly targeting areas that are lagging behind in development. It thus promises an integrated approach to planning, combining infrastructure investment, support for the local economic fabric, and access to local public services.



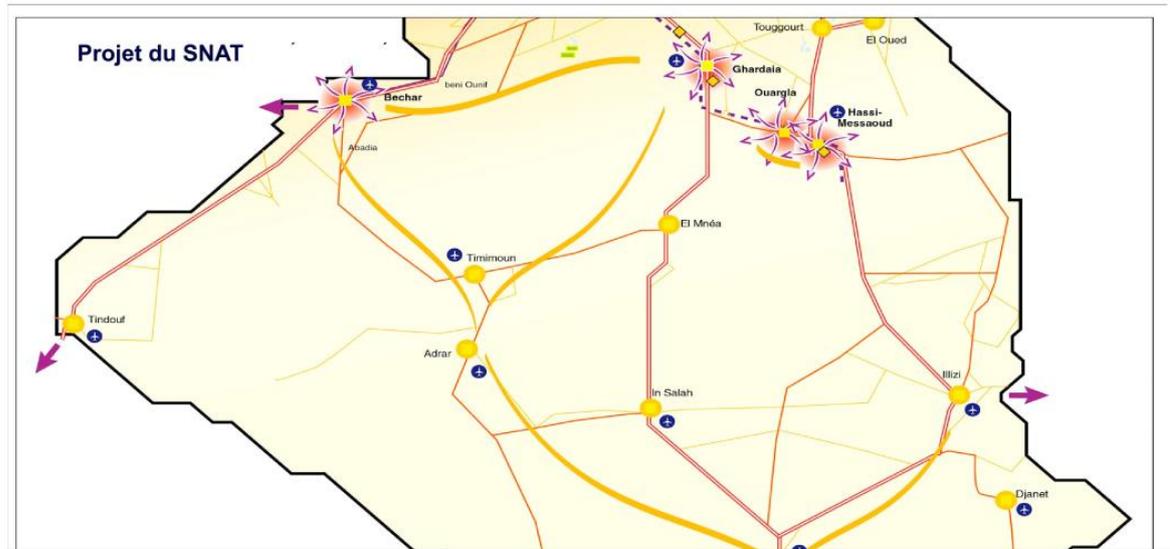


Figure 12. SNAT Project (Official Journal)

By promoting more harmonious development of the territory, social and territorial equity contributes not only to strengthening national cohesion, but also to building an inclusive and sustainable growth model, where every citizen, regardless of their place of residence, can benefit from the same chances and opportunities.

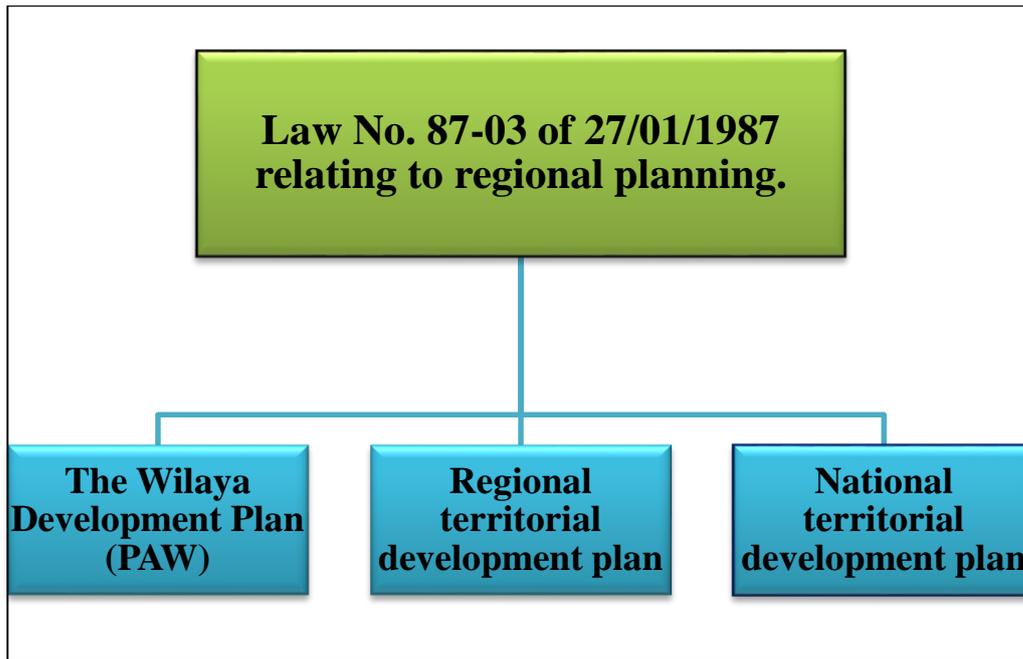


Figure 13. S NAT ,SRAT and PAW

PAW: Wilaya Development Plans (Replaced by PATW ⁶in 2012)

The new municipal code established by Law No. 90-08 of 07/04/1990 relating to the municipality in its Article No. 90, requires municipalities to equip themselves with all the planned urban planning instruments. These new instruments were established the same year, by Law No. 90/29 of 01/12/1990 relating to planning and urban development and then defined by implementing texts.

⁶Territorial development plan for the wilaya

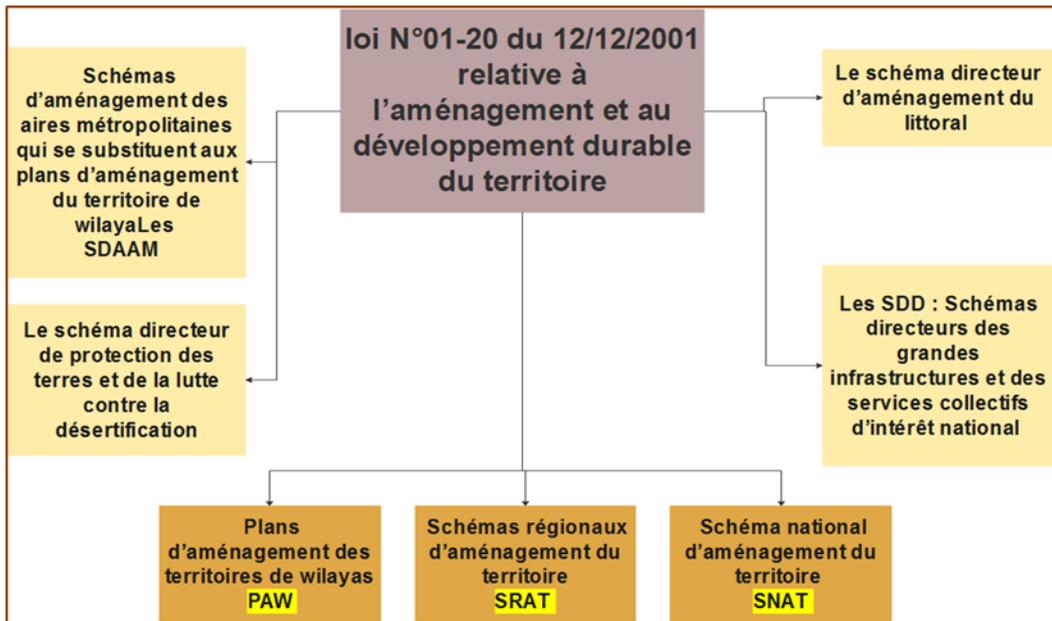


Figure 14. The development diagrams

Source law No. 01-20 of 12/12/2001



A vast and ambitious program of investments in economic and infrastructure modernization is largely underway and is reflected in the nineteen (19) sectoral Master Plans which work together to integrate the national economy into free trade areas, generate new wealth, create employment opportunities, and increase the financial resources allocated to programs to catch up on the social and territorial deficits highlighted by the SNAT.

The SNAT gives rise to planning documents, which guide the sectoral action of the ministries; master plans for major infrastructures, collective services of national interest such as:

The road and motorway master plan

The railway master plan

The water master plan

The airport master plan

The port master plan, tourist development master plan

The master plan for goods and services and major cultural facilities

The master plan for archaeological and historical zones, etc.

The master plans for the development of large cities including;

The development plans for territorial programming areas. (SEPT ex SRAT)

Master plans for the development of large cities. (SDAAM)

City policy. (SCU-CSU-SIG)

The coastal development master plan (SDAL) ...etc.

Other schemes have not been cited in this chapter.

The architecture of the SNAT

Composed of 17 thematic reports, the SNAT document itself (key questions and territorial prescriptions) and a graphic document at several scales, the SNAT is structured around:

- 20 Territorial Action Programs (PAT)
- 19 Sector Master Plans
- 09 Regional Land Use Plans (SRAT)
- 04 Metropolitan Area Development Master Plans (SDAAM)
- 48 Wilaya Development Plans (PAW)

Table 2. The role of instruments

Instrument	Role
PDAU	Master Plan for Development and Urban Planning: guiding urban development at the municipal or inter-municipal level.
POS	Land Use Plan: precisely define the construction rules within a given perimeter.
PATW	Wilaya Territorial Development Plan: replaced the PAW in 2012, with implementation of national guidelines at the local level.
SDAAM	Master Plan for the Development of Metropolitan Areas: designed for large metropolises (Algiers, Oran, Constantine, Annaba).
PCD	Municipal Development Plan: strategic document drawn up by the APC to program local facilities and services.

Chapter III: The SEVEN, SDAAM, PATW

Introduction

This chapter focuses on the suite of planning and urban development instruments, initiated in the previous chapter. It aims to deepen the analysis of the operational tools used in urban planning, with particular emphasis on the documents that govern development at the municipal and sectoral level.

After presenting the general principles governing urban planning in Algeria as well as the national and regional strategic plans (SNAT, SEPT, PATW), this chapter continues the analysis with a detailed study of local urban planning instruments, such as the Land Use Plan (POS), the PPSMVSS, as well as the subdivision and intervention plans on the existing urban fabric.

In this section, special attention will be paid to the POS (Land Use Plan), which constitutes one of the fundamental pillars of municipal urban planning. A concrete example of a POS, such as that of the new town of Ali Mendjeli, will be analyzed to illustrate its structure, components and practical application in the current Algerian context.

This analysis will provide a better understanding of how these instruments govern urban space, exclude building rights, organize public facilities, and contribute to local governance of territories.

III.1 The SEPTS (EX SRAT)

The territorial programming space diagram is broken down and guides for its space, the main orientations of the SNAT which concern:

The revitalization of the regional economy, by supporting economic projects that generate industrialization, activity and employment.

“ Specify, in accordance with the national land use plan, the guidelines and requirements specific to each program region ”A7.

Actions appropriate for ecologically or economically fragile areas.

The assets, main vocations and specific vulnerabilities of the space considered.

Urban organization prescriptions.

Programming the construction of major infrastructure and collective services of national interest.

Actions for urban operations such as: the preservation and enhancement of tangible and intangible heritage.

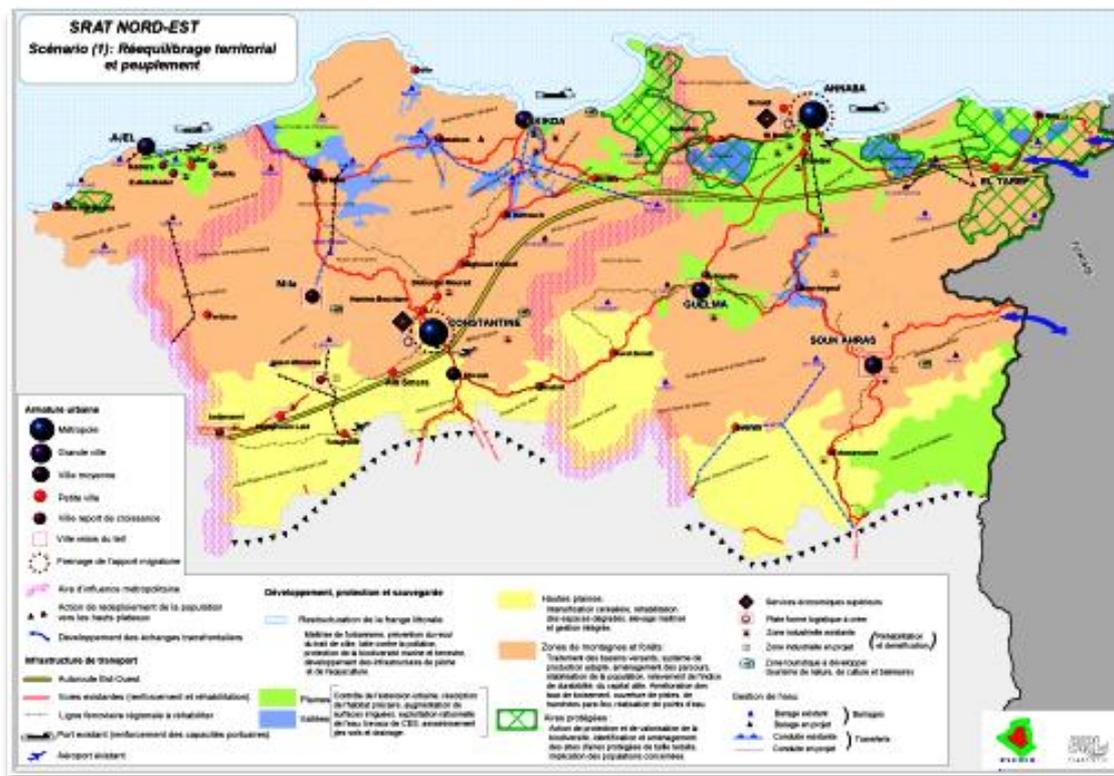


Figure 15. Example of a SEPT scenario

The aim of these plans is to plan and coordinate public territorial development actions at the regional level, ensuring the coherent implementation of national priorities. Thus, they guide:

- ❖ **Boosting the regional economy** by supporting economic projects that promote industrialization, job-generating activities, and innovation. The focus is on creating an ecosystem that is favorable to businesses, particularly small and medium-sized enterprises, as well as on promoting local economic sectors.
- ❖ Adapting to territorial specificities, taking into account the strengths, main vocations, and vulnerabilities specific to each regional area. This approach allows

for the design of better-calibrated public policies, integrating geographical constraints, cultural particularities, and specific social needs.

- ❖ Supporting ecologically or economically fragile areas, by providing targeted actions aimed at strengthening their resilience, improving their economic attractiveness and promoting sustainable development that respects the environment.
- ❖ Urban organization and land use planning, through requirements relating to the management of urbanization, controlled densification, the fight against urban sprawl and coordination between housing, mobility and public services.
- ❖ The planning of major infrastructure projects and collective services of national interest, such as transport networks, energy systems, digital infrastructure, and healthcare. These structuring facilities are essential for connecting regions and ensuring equal access to basic services.
- ❖ The preservation and enhancement of heritage, both tangible and intangible, within the framework of urban or rural projects. This involves protecting historical, architectural, and landscape heritage, while promoting its cultural and touristic development.

The SEPTS play a central role in the articulation between national strategic orientations and local realities, by providing a prospective and operational framework for balanced, inclusive and sustainable territorial development.

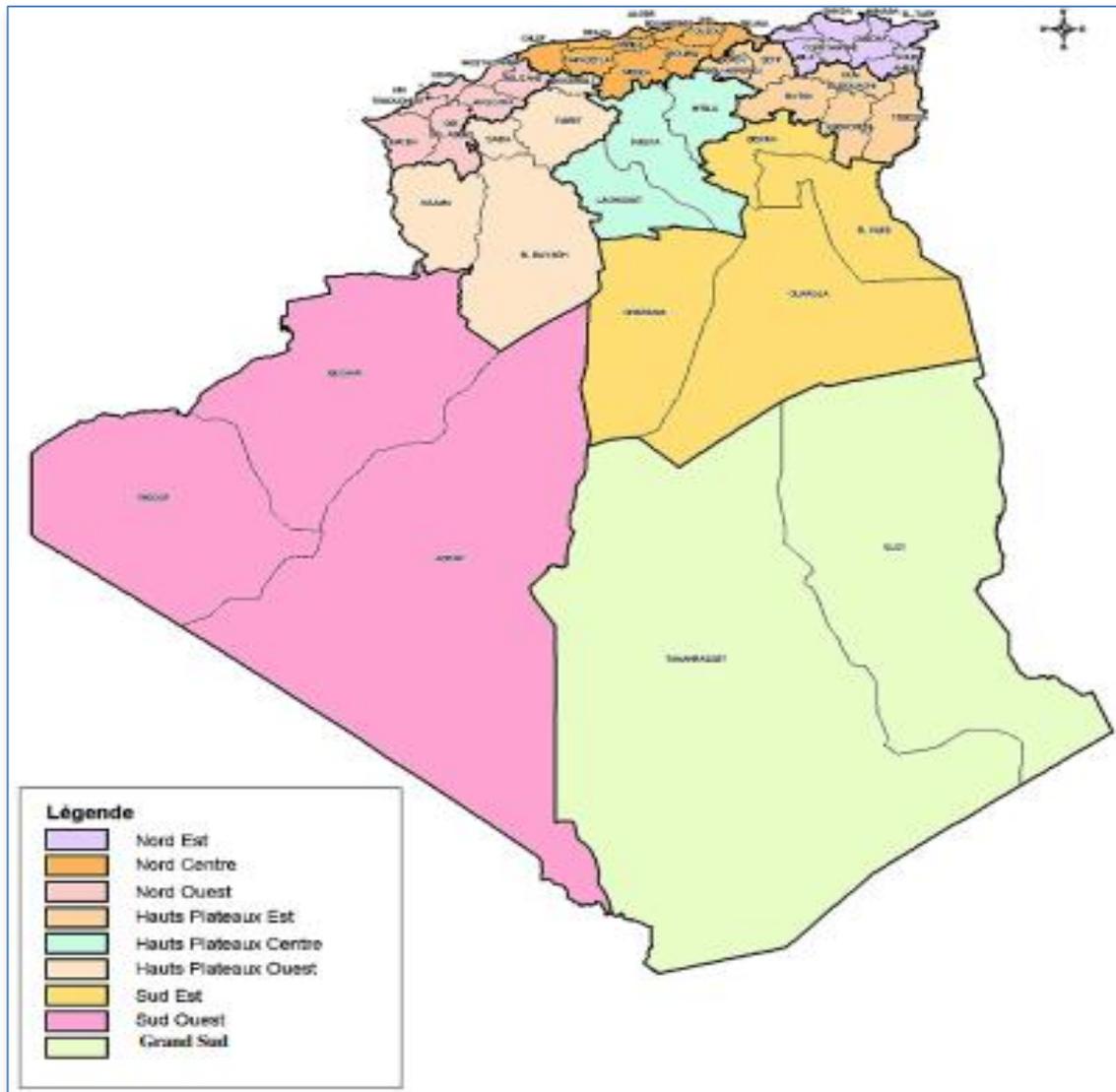


Figure . 16territorial programming area (Official Journal)

III.2 The SDAAM:

Following the strategic studies carried out within the framework of the National Territorial Planning and Development Plan (SNADT) as well as those of the Territorial Programming Space Plans (SEPT), formerly SRAT, a new generation of planning instruments was put in place: the Metropolitan Area Planning Master Plans (SDAAM).

These plans constitute an essential operational tool for implementing national guidelines at the level of major urban areas. They provide a framework for in-depth study

allowing the design of an integrated territorial policy, adapted to the functional specificities of metropolises and their structuring role in national development.

They mainly concern the four major Algerian cities identified as metropolises with a national vocation in the SNADT: Algiers, Oran, Constantine and Annaba, in accordance with the provisions of law n° 12-07 of 21 Safar 1433 corresponding to January 24, 2012, relating to territorial organization.

The metropolitan area director aims to coherently plan the development and spatial organization of metropolises, taking into account the space they polarize, particularly through their major public facilities, their employment areas, and their service networks. It covers the entire metropolitan area of influence, which often extends beyond traditional administrative boundaries.

It determines:

- ❖ General land use guidelines, defining areas to be urbanized, preserved or converted, with a view to controlling urban sprawl and balanced densification.
- ❖ The location of major transport infrastructure and key facilities, such as rail networks, strategic road axes, multimodal hubs, and major hospitals, universities, and cultural institutions. These facilities play a central role in territorial integration and improving accessibility.
- ❖ The programming of urban extensions, with the definition of sectors intended to accommodate new residential districts, economic activity zones (industrial, commercial, tourist), as well as sites suitable for the creation of new agglomerations or innovative eco-districts.
- ❖ Guidelines relating to the protection of natural, tangible and intangible heritage, aimed at preserving ecologically sensitive areas, remarkable landscapes, historic sites and symbolic elements of local cultural heritage.

However, the SDAAM integrate objectives of sustainable development, climate resilience and adaptation to major risks, particularly in areas exposed to flooding, landslides or rising sea levels.

These plans serve as a mandatory reference for the development of local urban planning documents, sectoral projects and public investment programs. They also facilitate coordination between different levels of governance (national, regional, local) and ensure consultation with socio-economic stakeholders and civil society.

The SDAAM represent a powerful lever for guiding the transformation of large metropolitan areas towards a more sustainable, inclusive and resilient urban model, capable of responding to demographic, environmental and socio-economic challenges.

The city, a major element in the planning and development of the national territory

In Algeria, the population explosion and rural exodus accelerated sharply from the 1980s. Today, more than two-thirds of the population live in urban areas.

Territorial dynamics are now centered around cities, which are the nerve centers of territorial organization. Indeed, cities offer services, facilities, and economic opportunities, while relying on their surrounding areas to meet their resource and development needs.

Between rural and urban areas, a close and complementary relationship is essential: the symbiosis between these two spaces is essential to ensure balanced and sustainable development.

The national territory can only be effectively developed by fully exploiting the network of cities, which constitutes the structural framework of the country. The proper functioning of this urban system is therefore a fundamental imperative for any territorial development project.

This need is universal: in every country around the world, optimizing the urban system is at the heart of land-use planning policies. However, it is particularly important in

Algeria, where cities play a central role in wealth distribution, population mobility, and territorial balance.

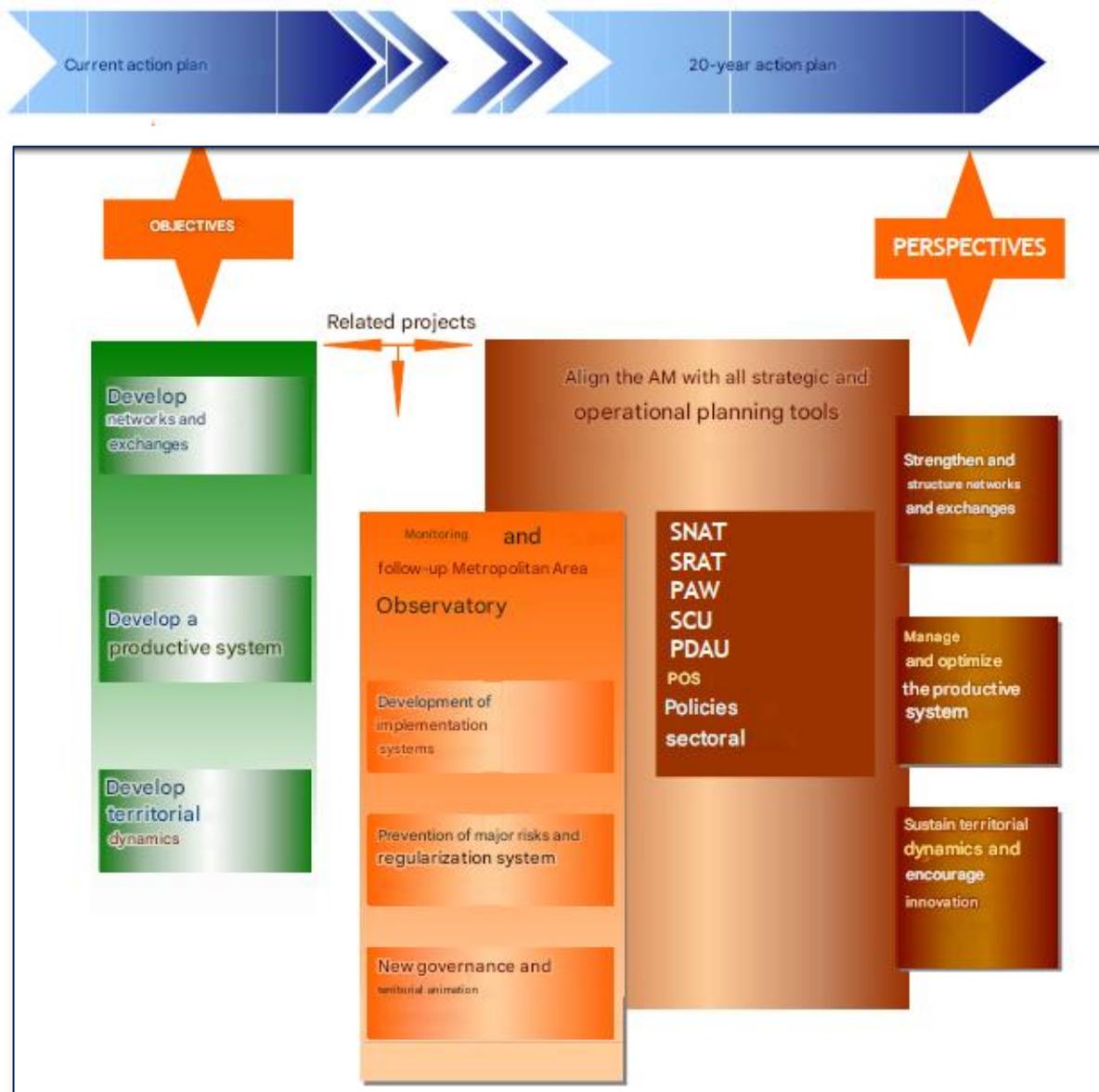


Figure 17. SDAAM Constantin (BET_URBACO)



Figure 18. Constantin SDAAM (Urbaco)

III. 3 The PATW

Created by Law 20, the Wilaya Territorial Development Plan is an instrument of orientation, strategic planning and implementation of national policy at the level of each Wilaya According to the orientations and principles established by the SNAT and the SEPT

A plan initiated by the Wali, in consultation with the economic and social agents of the Wilaya, the APC and the APW, as well as representatives of professional and user associations.

“Specify and promote, in accordance with the regional land use plan for the territory concerned, the specific requirements for each wilaya territory, in particular in terms of:

-organization of public services;

-inter-municipal development areas;

-environment;

-hierarchy and thresholds relating to the urban framework »A7

III.3.1 The role of the PATW

Here is an enriched and structured version of your text concerning the Territorial Development and Planning Plan (PAWT). I have added elements to strengthen coherence, clarify objectives, and emphasize the strategic importance of this document in territorial planning:

The PAWT plays a central role in planning and managing territorial development at the wilaya level. It is a tool for strategically reconciling urban growth, preserving ecological balances, and meeting the socio-economic needs of populations.

I assure you:

- ❖ A rational and harmonious organization of the entire wilaya territory, aiming to define a coherent global vision of past, current and projected actions. This approach is part of an urban project logic, integrating spatial, economic, social and environmental dimensions in a sustainable perspective.

- ❖ The active involvement of the local authority and all local stakeholders in a forward-looking reflection on the future of the territory. By mobilizing local skills—elected officials, administrative services, professionals, and citizens—the PAWT encourages participatory and shared governance, serving inclusive local development adapted to the realities on the ground.

- ❖ The adoption of a forward-looking and concerted approach in developing the plan, making it possible to identify several possible scenarios for the future of the territory. Through this participatory method, the aim is to reach a consensus around the most relevant scenario, capable of meeting the aspirations of residents while taking into account physical, economic, and institutional constraints.

Once approved, the PAWT becomes a mandatory framework document for all local public policies. It guides strategic decisions regarding development, investment, and sectoral programming.

In particular, it allows for the definition of the terms of reference for the development of Master Plans for Development and Urban Planning (PDAU) at the level of each municipality in the wilaya. Thus, these operational documents are part of a coherent and coordinated logic, guaranteeing complementarity between the wilaya and municipal levels.

Therefore, the PAWT positions itself as an essential lever for effective territorial planning, integrating national priorities, local specificities and the requirements of sustainable development.

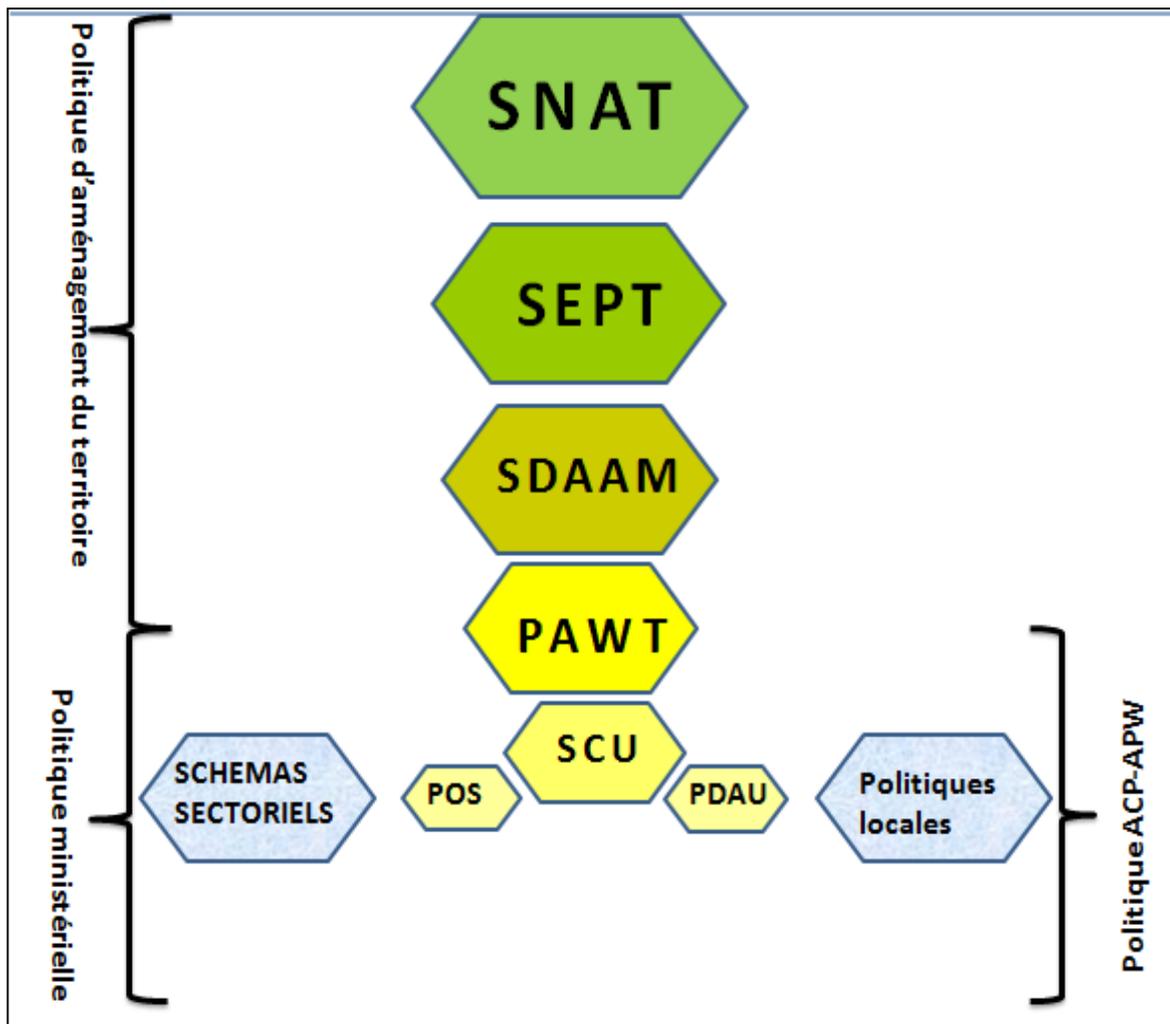


Figure 19. The PAWT in the regional planning system (Author)

III.3.2 An example on the PAWT of Constantine

First phase

This document (Volume 1) constitutes a preliminary and descriptive analysis of the territory within the framework of the PAWT Constantine. Its objective is to draw up an inventory of the territorial situation through several dimensions: physical, natural, demographic, socio-economic, environmental and sectoral, in order to establish a strategic vision for the urban and rural development of the wilaya until 2030, it includes:

I. General context

The wilaya of Constantine is marked by:

- An ancient and rich history linked to the Rock of Constantine.
- High population density and rapid urban growth.
- A complex urban fabric with a mix of old fabric and anarchic modern extensions.

II. Physical and natural data

Geology and soil resources

- The subsoil of the wilaya is composed of limestone, sandstone and Triassic formations.
- Soils are often susceptible to erosion, particularly in clay or limestone areas.
- Notable presence of porous and karstic water tables (e.g. Hamma Bouziane, Ain Smara).

Water resources

- The wilaya has some groundwater resources, but faces problems of overexploitation and pollution.
- Insufficient management of industrial and urban discharges, affecting the quality of surface and groundwater.

III. Climate and evapotranspiration

- Semi-arid Mediterranean climate.
- High potential evapotranspiration, which increases pressure on water resources.

IV. Demographic dynamics

- In 2011, the population exceeded 927,000 inhabitants, with an average annual growth rate of 1.6%.
- Young structure: more than 34% of the population is under 15 years old.
- High urban concentration: more than 95% of the population lives in urban areas, with a very high agglomeration rate in the main town.
- Internal migratory pressure towards large urban centers such as Constantine, El Khroub, Ibn Ziad, etc.

V. Socio-economic situation

Employment and unemployment

- The working population represents 36.28% of the total population.
- The unemployment rate stands at 11.8%, with particular emphasis placed on vocational training and employment support schemes (ANSEJ, ANGEM, CNAC).
- Employer sectors: services, construction, mechanical and food industries.

Accommodation

- Significant housing deficit: more than 18,000 units missing according to 2011 data.
- Several public housing formulas are applied (LSL, LSP, LPA).
- Need to renovate old neighborhoods and control urban sprawl.

VI. Environment and major risks

Pollution and waste management

- Accumulation of special industrial waste (cyanides, used oils, etc.), poorly controlled.
- Presence of numerous illegal dumps, threatening the water table.
- Sanitation connection rate: 87.3%, but persistent gaps in certain areas.

Natural risks

- Areas vulnerable to landslides (particularly in the heights of Constantine).
- Moderate to low seismic risk, but requiring vigilance in public and private buildings.

VII. Spatial distribution of the population

- More than 76% of the population lives in the municipal capitals.
- Secondary towns account for around 19% of the population.
- The sparse area represents only 4.5%, which reflects a strong trend towards urbanization.

VIII. Urban development and planning

- The city of Constantine is saturated and its site full, which requires a structured extension towards the outskirts (Zouaghi, Ali Mendjeli).
- Major projects underway:

- Modernization of the city center (Bardo project).
- Creation of specialized metropolitan centers (technological, biotechnological, logistics, tourism, etc.).
- Establishment of a multimodal transport network (tram, new bus station, bimodal station, etc.).

IX. Youth and sport

- Young majority population, but insufficient sports facilities.
- Urgent need for new infrastructure to meet demand and combat juvenile delinquency.

X. Health sector

- Constantine plays a regional role in specialized care.
- Insufficient sanitary facilities in peripheral areas.

XI. Strategic axes of the PAW

The development plan is structured around four main directions:

- Towards a sustainable territory: protection of natural resources, fight against pollution.
- Territorial rebalancing: control of urban sprawl, strengthening of secondary centers.
- Attractiveness and competitiveness of territories: economic development, promotion of investments, job creation.
- Territorial equity: reduction of social and spatial inequalities and living conditions.

Conclusions and perspectives

- ✚ The wilaya of Constantine is experiencing uncontrolled urban growth, increasing pressure on existing infrastructure.
- ✚ Structuring projects are underway to modernize urban space and promote integrated development.
- ✚ The PAW aims to guide local public policies in line with national guidelines (SNAT), in particular through better local governance, participatory planning and the integration of modern technologies (GIS, remote sensing, etc.).

Second phase:

This phase is a continuation of the territorial analysis initiated in the first part. It focuses more on the aspects of mobility, road safety, rural transport, ICT, trade, crafts, mining, cultural, sports and health infrastructure, as well as on environmental and tourism issues related to the territorial development of the wilaya of Constantine.

I. Road network and mobility

- The road network is mainly radial, centered on the city of Constantine.
- The problems of congestion, road safety and pollution are significant.
- Accident hotspots have been identified across the municipal area.
- University transport is provided by around 370 buses, but suffers from a lack of organization and efficient management.

II. Transport and urban mobility

- The development of soft transport systems (cycle paths, pedestrian travel) is still non-existent, despite the benefits achieved.
- The implementation of these alternative modes is recommended to improve the quality of life and reduce the environmental impact of car traffic.

III. Posts and Telecommunications

- The sector has experienced a global boom thanks to the evolution of the urban framework.
- Expanded coverage through mobile and internet technologies now facilitates access to digital services.
- However, some rural areas remain poorly served, which accentuates the digital divide.

IV. Industrial and craft sector

- Several craft zones exist across the municipalities, with a notable concentration in the main towns.
- The wilaya has an old industrial fabric, essentially based on mechanical and agri-food industries.
- Numerous limestone quarries constitute an important resource for the construction sector.

V. Cultural infrastructure

- Constantine has a rich historical and architectural heritage: ancient monuments, archaeological sites, mosques, etc.
- Some sites such as Tiddis, the old town of Constantine, the mausoleum of Massinissa, and the Rhumel gorges require urgent protection and tourist development.

VI. Sport and youth

- Critical need for sports infrastructure:
- Current projects: local swimming pools, sports complexes, specialist rooms.
- The young population is in the majority, which requires an adequate response in terms of equipment to prevent delinquency and promote social integration.

VII. Sanitation and public health

- Constantine plays an important regional role in terms of specialized care.
- Several polyclinics, health centers, medical-social structures and specialized units are present.
- However, peripheral areas lack suitable equipment, especially in terms of prevention and psychological monitoring.

VIII. Environment and natural risks

- The wilaya is facing environmental challenges:
- Industrial and domestic pollution.
- Illegal dumping threatens groundwater.
- Pressure on water resources due to high evapotranspiration and overexploitation of groundwater.
- Major risks identified:
- Landslides.
- Water pollution.
- Moderate seismic risks.

IX. Tourism and attractiveness

- Significant tourist potential:
- Natural sites: Rhumel gorges, Djebel Hadj Baba forest massif, Chettaba forest, TIDDIS site.
- Cultural and historical heritage: tombs, historic palaces, Roman remains, museums.
- Current tourism projects:

- Amusement park in Ali Mendjeli.
- Development of a diversified hotel offering.
- Studies in progress for the preservation and enhancement of the old fabric.

X. Sector data and statistics

- The condition of the road network and its level of saturation.
- The results of ongoing projects in the areas of housing, health, sport, education and tourism.
- The distribution of craft and industrial zones by municipality.
- The characteristics of quarries and mining operations (limestone, marble, etc.).

XI. Strategic issues and perspectives

- Retaining the rural population through agricultural policies and local investments.
- Strengthen the economic attractiveness of the wilaya by modernizing the ZI (Industrial Zones), the creation of technological and biotechnological centers.
- Implement an integrated tourism strategy promoting historical heritage and natural assets.
- Modernize communications and sanitation networks to support urban growth.
- Promote soft and sustainable transport, including cycle paths and pedestrian walkways.

Conclusion

The wilaya of Constantine boasts significant natural, economic, and cultural resources, but faces development challenges related to rapid urbanization, insufficient planning, and limited local governance. The PAWT aims to address these challenges through a structured and participatory approach, integrating national guidelines while taking into account local specificities.

Chapter IV: Planning and Urban Development Instrument –PDAU-

Introduction

Due to the addition of laws, the same instrument can be referred to in different categories. This is the case of the PDAU; according to Law 90-29 A2: instrument of spatial planning and urban management, according to A16 of the same law, and instrument of spatial and urban planning Law 06-06 A19.

IV. Planning and urban development instruments

Legal category of instruments enforceable against third parties, created by law 90-29. They:

Create and modify building rights

Imposing urban planning standards on construction and development

Recall the easements set by other regulations, so that their reading is sufficient to fully inform the public: executive decree 91-177 A17c and executive decree 91-178d.

These instruments are applicable at several territorial scales.

Law 90-29, which prescribes that projects of national interest are subject to the PDAU and the POS, an instrument of spatial planning and urban management, which by dividing its territory (municipality or group of municipalities) into sectors:

Urbanized, to be urbanized, future urbanization and non-urbanizable, it determines:

- ✓ The general destination of the soils.
- ✓ Urban expansion;
- ✓ The location of services and activities;
- ✓ The nature and location of major equipment and infrastructure;
- ✓ Intervention areas on existing urban fabrics
- ✓ Areas to be protected (historic site, forest, agricultural land, coastline, etc.)

It defines the key guidelines for the development of the municipal territory, based on existing development plans and planning schemes. It also defines the terms of reference for the Land Use Plan (POS), which are embodied in regulations, graphic reference documents and a guidance report.

General provisions : relate to PDAU and POS

Instruments at the urban scale : the PDAU

Instruments at the urban sector level : POS, PPSMVSS, PPMVSA

Field-scale instruments : operational instruments.

IV.1 At the scale of the agglomeration

IV.1.1 The PDAUs

A. The composition and content of the PDAU

The master plan for development and urban planning is translated into a regulation accompanied by graphic reference documents and an orientation report. It consists of:

A.1 A guidance report

Who presents

- ✓ analysis of the existing situation (demographic, socio-economic and cultural developments)
- ✓ the development part proposed in the orientation plans

A.2 A regulation

Who sets the rules applicable to each zone:

- ✓ the dominant land use
- ✓ easements to be maintained, modified or created
- ✓ the areas of intervention of PLVs
- ✓ the location and nature of infrastructure, services and activities...
- ✓ the protection perimeters of the zones
- ✓ areas exposed to natural risks and seismic zones
- ✓ major risks.

A.3 Graphic documents

Including in particular

- ✓ An inventory plan (current building and VRD)
- ✓ A development plan delimiting:
 - Urbanized, urbanizable and to be urbanized and non-urbanizable sectors

- The coastline, agricultural land...
- The scope of intervention of PLVs
- ✓ A plan of easements to maintain, modify or create.
- ✓ The equipment plan
- ✓ A plan delimiting areas exposed to natural or technological risks.

B. The development of the PDAU (law 90-29 article 19)

Each municipality must be covered by a PDAU; its preparation must contain:

- ✓ The PDAU prescription containing guidelines
- ✓ Notification of the prescription
- ✓ The order delimiting the perimeter of the PDAU
- ✓ The deliberations.

C. Adoption and approval of the PDAU

- ✓ Notification of the adopted PDAU
- ✓ Public inquiry and publication of the decree
- ✓ Formulation of observations and closure of the investigation
- ✓ Transmission of the PDAU to the wali

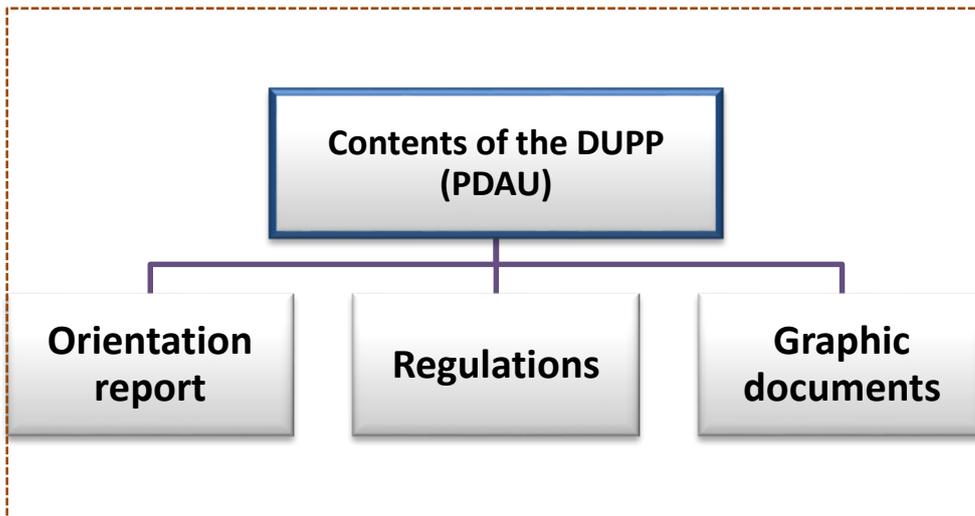


Figure.20 DUPP organizational chart

Chapter V: POS, PPSMVSS...

Introduction

The Land Use Plan (POS) is an essential regulatory tool for urban planning in Algeria. It constitutes an operational document that defines, for a municipality or part of it, the precise rules of land use and construction methods.

Approved by the President of the People's Municipal Assembly (APC), the POS is part of the framework set by higher strategic documents such as the PDAU (Plan Directeur d'Aménagement et d'Urbanisme) and the PATW (Plan d'Aménagement Territorial de Wilaya) as indicated in the previous chapters. It makes it possible to concretize national and local orientations in terms of urban development, while respecting the spatial and social specificities of the municipal territory.

The POS determines in particular:

- ✚ Land uses (building zones, agricultural zones, protected areas, etc.),
- ✚ Building rights (heights, density, COS, CES),
- ✚ The location of public infrastructure and facilities,
- ✚ The easements to be respected (environmental protection, technical constraints, ...etc.),
- ✚ Areas exposed to natural or technological risks.

It is accompanied by graphic documents (topographic plans, risk maps, inventory plan) and regulatory texts, which makes it an essential tool for the daily management of urban space.

V. The POS land use plan

The Land Use Plan (POS) is an essential regulatory tool for urban and municipal management. It precisely defines land use rights and construction regulations, in accordance with the guidelines of the PDAU. It includes:

- ✚ Urban form, the organization of construction and land use rights.
- ✚ The minimum quantity and construction authorized in m² of floor space or in m³ of built volume, the different types of maximum construction.
- ✚ The rules for the external aspects of buildings.
- ✚ The limits of public space, green spaces, locations of public works,

- ✚ Easements and characteristics of routes and roads.
- ✚ Specifies the streets, districts, monuments and sites to be protected, renovated and restored.
- ✚ Locate agricultural land to be preserved and protected.

Each municipality is covered by a POS under the responsibility of the president of the APC A31.

A. POS Approval

The POS is approved by decree of the president of the APC

B. POS Contents

B1.1:

- ✓ The presentation note in which the compatibility of the provisions of the POS with those of the PDAU is justified, as well as the program chosen for the municipality.
- ✓ The part of the regulation establishing the nature and purpose of the constructions
- ✓ The COS : land use coefficient is the ratio between the net floor area of the building and the land area.
- ✓ The CES: ground business coefficient is the ratio between the built-up area of the construction and the surface area of the land.

The regulation specifies

- ✓ Access and routes and services by networks
- ✓ Land characteristics
- ✓ Location of buildings in relation to roads and dividing lines
- ✓ Location of buildings in relation to others on the same property
- ✓ Height of buildings
- ✓ External appearance
- ✓ Parking
- ✓ Open spaces and plantations.

B1.2 Graphic documents:

- ✓ A situation plan scale 1/2000 or 1/5000

- ✓ A topographical plan at a scale of 1/500 or 1/1000
- ✓ A map at a scale of 1/500 or 1/1000 demarcating the areas exposed to natural and technological risks accompanied by technical and related reports
- ✓ A plan of the current state of affairs at a scale of 1/500 or 1/1000 highlighting the current built environment as well as the VRD.
- ✓ A general development plan at a scale of 1/500 or 1/1000
- ✓ An urban composition plan at a scale of 1/500 or 1/1000 containing the elements of the regulation with an axonometry illustrating the desired urban and architectural forms.

The POS, in its development, directly, of the rules and documents of urban planning of national or regional scope (SNAT and SEPT) and of the provisions of the PDAU which define the urbanization sectors, the general rules of land use, the easements and the identical limits of the different POS.

The POS is a legal document with regulatory force, it is binding on everyone from the moment of its publication and creates rights but also obligations for each person.

V.1 Regulatory and Legislative References

The provisions of the regulation govern this study referring to the provisions of the following official texts:

1. Orders

- ✓ Ordinance No. 66-62 of March 26, 1966 relating to historic zones and sites and subsequent texts.
- ✓ Order No. 66-154 of June 8, 1966 establishing the Code of Civil Procedure
- ✓ Order No. 67-281 of December 20, 1967 relating to excavations and the protection of historical and natural sites and monuments.
- ✓ Ordinance No. 75-58 of September 26, 1975, relating to the Civil Code, amended and supplemented by Law No. 07-05 of May 13, 2007.

- ✓ Order No. 75-74 of November 12, 1975 establishing the general land register and instituting the land register.
- ✓ Ordinance No. 75-79 of December 15, 1975 relating to burials.
- ✓ Order No. 76-04 of February 20, 1976 relating to the rules applicable to safety against the risks of fire and panic and to the creation of commissions and civil protection and the texts adopted for its application.
- ✓ Order No. 76-29 of March 26, 1976 relating to the acquisition and management of the railway domain.

1. Laws

- ✓ Law No. 83/03 of February 5, 1983 relating to environmental protection.
- ✓ Law No. 83/18 of 13 August 1983 on agricultural land accession and environmental protection.
- ✓ Law No. 84/12 of June 23, 1984 on the general forest regime.
- ✓ Law No. 84/02 of September 8, 1984 on the definition, composition and training of the military domain.
- ✓ Law No. 86-14 of August 19, 1986 relating to the activities of protection, exploration, exploitation and transport by pipeline of hydrocarbons.
- ✓ Law No. 87/03 of 27 January 1987 relating to regional planning.
- ✓ Law No. 88-17 of March 10, 1988 on the orientation and organization of land transport.
- ✓ Law No. 88-02 of January 12, 1988 relating to planning.
- ✓ Law No. 10-11 of June 22, 2011 relating to the municipality
- ✓ Law No. 07-12 of February 21, 2012 relating to the wilaya
- ✓ Law No. 90-09 of April 7, 1990 relating to the wilaya. Completed.
- ✓ Law No. 90-25 of November 18, 1990, on land orientation.
- ✓ Law No. 90-29 of December 1, 1990, relating to planning and urban development, amended and supplemented by Law No. 04-05 of August 14, 2014
- ✓ Law No. 90-30 of December 1, 1990, relating to land law.
- ✓ Law No. 91-11 of April 27, 1991, establishing the rules relating to expropriation for reasons of public utility (POS Ali Mendjeli SUD).

- ✓ Law No. 98/04 of June 15, 1998 relating to the protection of cultural heritage.
- ✓ Law No. 01/13 of July 7, 2001 relating to the orientation of land transport.
- ✓ Law No. 04-05 of August 14, 2004 amending and supplementing Law No. 90-29 of December 1 , 1990 relating to planning and urban development.
- ✓ Law No. 01/20 of December 12, 2001 relating to regional planning and sustainable development.
- ✓ Law No. 02/08 of May 8, 2002 relating to the conditions for the creation of new towns and their development.
- ✓ Law No. 03/01 of February 17, 2003 relating to the sustainable development of tourism.
- ✓ Law No. 03/03 of February 17, 2003 relating to tourist expansion zones.
- ✓ Law No. 03/10 of July 19, 2003 relating to the protection of the environment within the framework of sustainable development.
- ✓ Law No. 04/20 of December 25, 2004 relating to the prevention of major risks and disaster management within the framework of sustainable development.
- ✓ Law No. 05/12 of August 4, 2005 relating to water.
- ✓ Law No. 06/06 of February 20, 2006, relating to the city's orientation law.
- ✓ Law No. 07/06 of April 13, 2007 relating to the management, prevention and development of green spaces.
- ✓ Law No. 08-09 of February 25, 2008 relating to the Code of Civil and Administrative Procedure.

2. Decrees

- ✓ Executive Decree No. 76-34 of February 20, 1976 relating to dangerous companies
- ✓ Executive Decree No. 76-36 of February 20, 1976 promotes protection against dangers and panic
- ✓ Executive Decree No. 76-37 of February 20, 1976 relating to fire protection in buildings
- ✓ Decree No. 84-105 of May 12, 1984 establishing a protection perimeter for installations and infrastructures

- ✓ Decree No. 84-385 of December 22, 1984 establishing the measures intended to protect installations, works and resources
- ✓ Decree No. 84-386 of December 22, 1984 establishing the national commission for the classification of sensitive points and setting out its missions
- ✓ Decree No. 86-01 of January 7, 1986 determining the composition and classification of roads and various networks and the terms of their management
- ✓ Executive decrees
- ✓ Executive Decree No. 87-91 of April 21, 1987 relating to the study of the impact of regional planning.
- ✓ Executive Decree No. 90-78 of February 27, 1990 relating to environmental impact studies
- ✓ Executive Decree No. 91-175 of May 28, 1991 relating to general planning rules.
- ✓ Executive Decree No. 91-176 of May 28, 1991 relating to the procedures for instructions and issuing of the town planning certificate for the permit of subdivision, of the subdivision certificate, of the building permit, of the certificate of conformity and of the demolition permit, modified and supplemented by executive decree n°05-316 of September 10, 2005.
- ✓ Executive Decree No. 91-177 of May 28, 1991 establishing the procedures for developing and approving the master plan for development and urban planning as well as the content of the documents and related documents, amended and supplemented by Executive Decree No. 05-317 of September 10, 2005
- ✓ Executive Decree No. 91-178 of May 28, 1991 establishing the procedures for developing and approving the land use plan as well as the content of the documents and related documents, amended and supplemented by Executive Decree No. 05-318 of September 10, 2005.
- ✓ Executive Decree No. 91-454 of November 23, 1991 determining the conditions for the management of public private properties;
- ✓ Executive Decree No. 06-198 of May 31, 2006 defining the regulations applicable to establishments classified for environmental protection.
- ✓ Executive Decree No. 12-166 of 05/04/2012 supplementing Executive Decree 91-178
- ✓ Executive Decree No. 12-148 of 03/28/2012 supplementing Executive Decree 91-177.

3. Arrested

- ✓ Order of 15 January 1986 setting the limits of the protection perimeter around relevant installations and infrastructures in the chemical and petrochemical sector, located outside industrial zones
- ✓ Order of 15 January 1986 setting the limits of the protection perimeter around relevant installations and infrastructures in the electricity sector located outside industrial zones
- ✓ Order of 15 January 1986 setting the limits of the protection perimeter around relevant installations and infrastructures in the hydrocarbon sector.
- ✓ Interministerial decree of November 5, 2007 setting out the methods for calculating the amount of remuneration for project management relating to protected real estate cultural property
- ✓ Interministerial decree of January 15, 2008 establishing the list of study and service contracts exempt from the constitution of the performance bond.

V.2. Study of a POS in progress

The URBA.CO design office in Constantine was commissioned by the Directorate of Urban Planning, Architecture and Construction of the wilaya of Constantine to develop the layout of the southern extension zone of the new city which was cleared as part of the revision of the Constantine grouping over an area of 287 ha.

This extension zone will be the management tool which will make it possible to translate the objectives of the public authorities into a given territory, and to organize the immediate future of the New Town Ali Mendjeli.

This study area consists of two POS:

- POS 13 on an area of 200 hectares.
- POS 14 on an area of 140 hectares.

The study of each “POS13; POS14; South extension of the new town” is structured around three successive and complementary phases.

1- Reminder of the main guidelines of the Master Plan relating to the study area

- The main guidelines of the Master Plan for Urban Development and Planning (PDAU) applicable to the area studied are recalled in this phase. These guidelines constitute the strategic framework of reference for urban development and guide extension projects in line with the general objectives of sustainable territorial development, rational land management and spatial structuring.

- Analysis of the natural and urban components of the site

An in-depth analysis of the physical and urban elements was carried out in order to draw up a precise diagnosis of the site. This study covers:

- The geotechnical characteristics of the soil,

Examination of slopes and gradients, influencing planning and construction choices,

Inventory of existing equipment (public buildings, social networks),

Assessment of the condition of infrastructure (roads, water networks, electricity, etc.),

Identification of environmental and topographical constraints.

This analysis aims to better understand the potential of the land as well as the constraints that could affect the planned development.

The objective is to choose, during the next phase, the most appropriate variant, based on its technical feasibility, its socio-spatial impact and its compliance with the strategic orientations defined at the municipal and wilaya level.

1- Phase I

- Almost total saturation of building space, which makes any urban expansion difficult without restructuring.
- Lack of essential facilities (green spaces, playgrounds), which are essential for balanced and sustainable urbanization.
- Advanced deterioration of the road network, especially in tertiary and residential areas.
- Degraded and undeveloped support spaces, affecting the quality of life of residents.
- Existing layout method:
- Lack of coherence between theoretical projects and their translation on the ground.
- Presence of rigid constructions, dominated by the intensive use of concrete, without landscape integration.

2- Phase II

This phase consists of:

- Detail the chosen development variant, precisely defining the spatial location of the different components of the project:
- The habitat areas,
- Public and social facilities,
- Various networks (roads, water, electricity, sanitation),
- Existing or to be created easements,
- Areas to be preserved (natural, agricultural, or cultural areas).
- Identify and delimit homogeneous areas in the territory studied, defined according to the main possible land uses.

The urban planning regulations, integrated into this phase, define for each zone:

- The nature of the occupations and authorized uses (residential, commercial, industrial, mixed, etc.),
- The conditions of land use, in particular the construction methods, the authorized densities, the maximum heights, and the relationships with the immediate environment,
- The maximum possibilities of land occupation and use, expressed in terms of constructible area, land use coefficient (COS), land use coefficient (CES), and other essential regulatory parameters.

This phase therefore allows us to move from the conceptual scale to an operational spatial organization, while guaranteeing a coherent and transparent application of the strategic orientations of the PDAU.

3- Phase III

This phase focuses on the technical and detailed definition of essential infrastructures, including:

The road network, including roads, sidewalks, cycle paths, and pedestrian areas.

- Drinking water supply, with the design of main and secondary pipelines, pumping stations and reservoirs.
- Wastewater and rainwater treatment, including the development of collectors, treatment plants and discharge structures.

It constitutes a crucial step in the development process, thus ensuring the technical and financial feasibility of infrastructure projects. The studies carried out during this phase serve as the basis for the technical implementation documents, necessary for launching calls for tenders and starting field work.

Objectives of the proposed development project:

The project aims to address the identified challenges by proposing a new approach to urban planning, focused on:

1. A rational and balanced use of available urbanizable space, in order to meet the growing needs for housing and infrastructure.
2. The creation of a modern, secure, comfortable and attractive urban space, adapted to the specificities of the site while anticipating future needs.
3. The integration of plant biodiversity into urban planning, to soften the built environment and mitigate the effects of the local climate.
4. The fight against the impermeability of the urban fabric, in particular through the creation of green spaces and recreational areas.
5. Improving urban aesthetics by introducing soft elements (vegetation) to counter the traction of concrete.

The project focuses on the establishment of an innovative urban hub, capable of:

- To welcome the population in better conditions.
- To offer a more harmonious and ecological living environment.
- To promote the attractiveness of the site through planning integrating environmental, social and economic aspects.

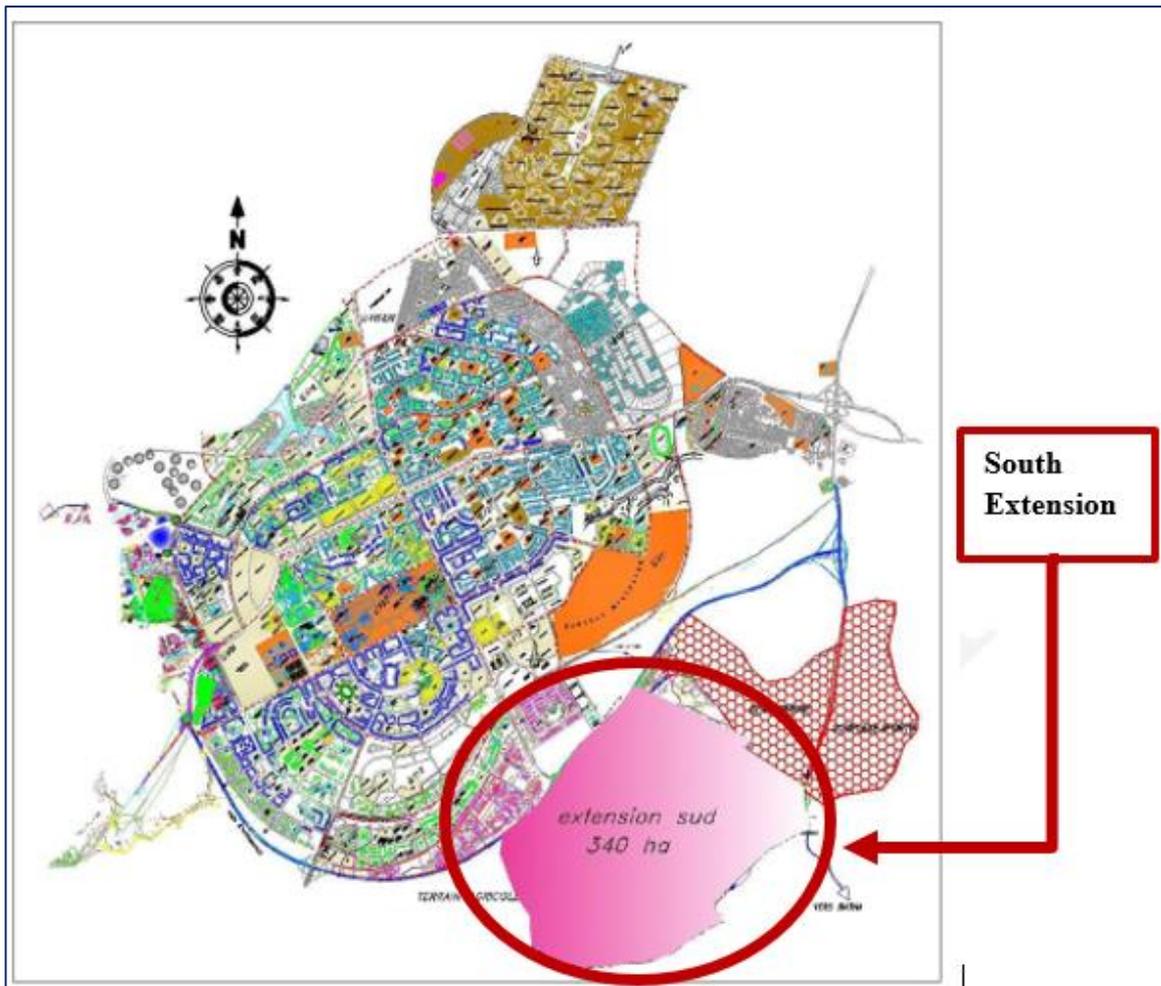


Figure 22. Ali Mendjeli extension – South

The figure illustrates the map of POS 13 of the new town.

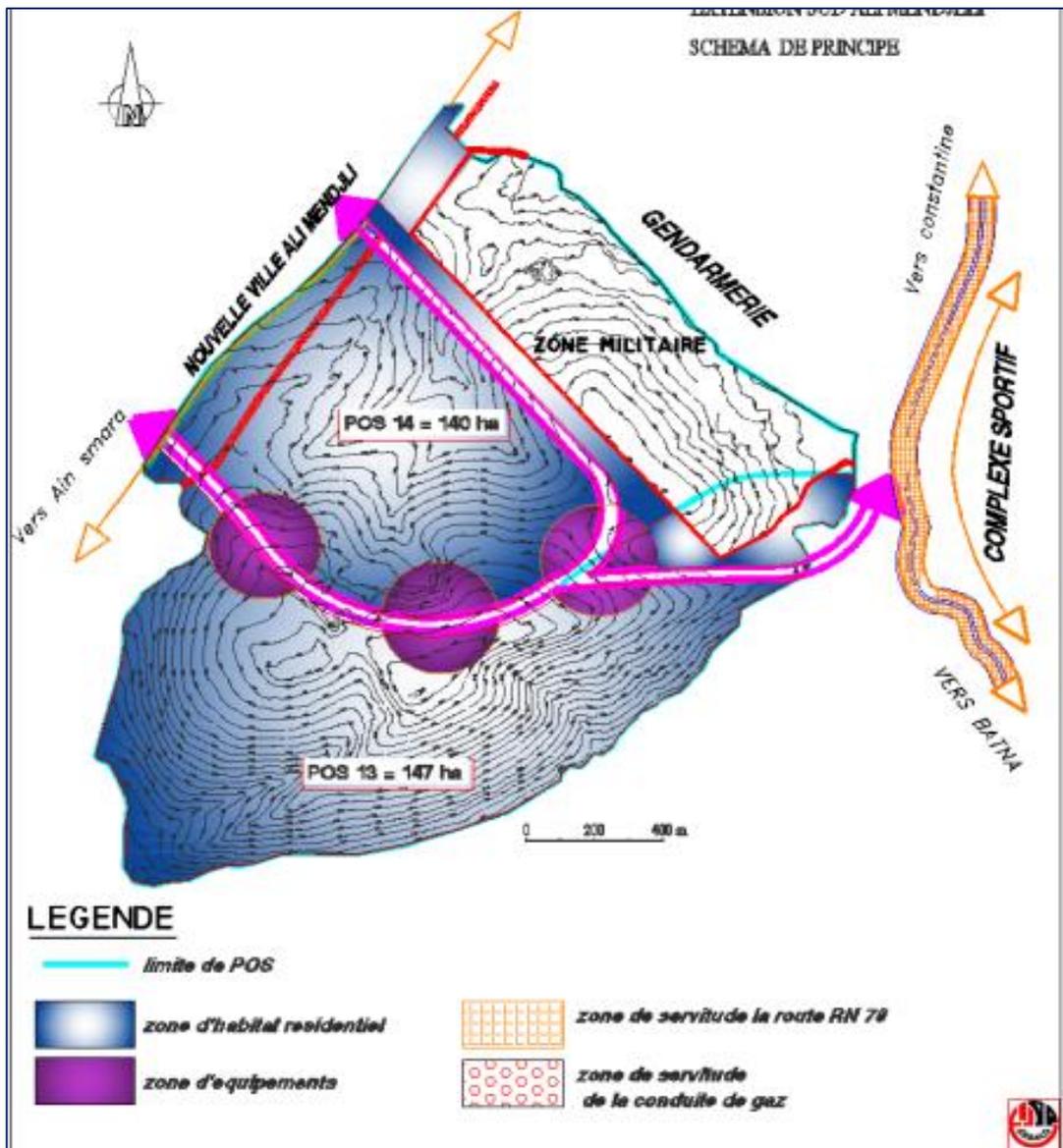


Figure 23. Diagram of Land Use Plan No. 13 (POS) (Urbaco, 2022)

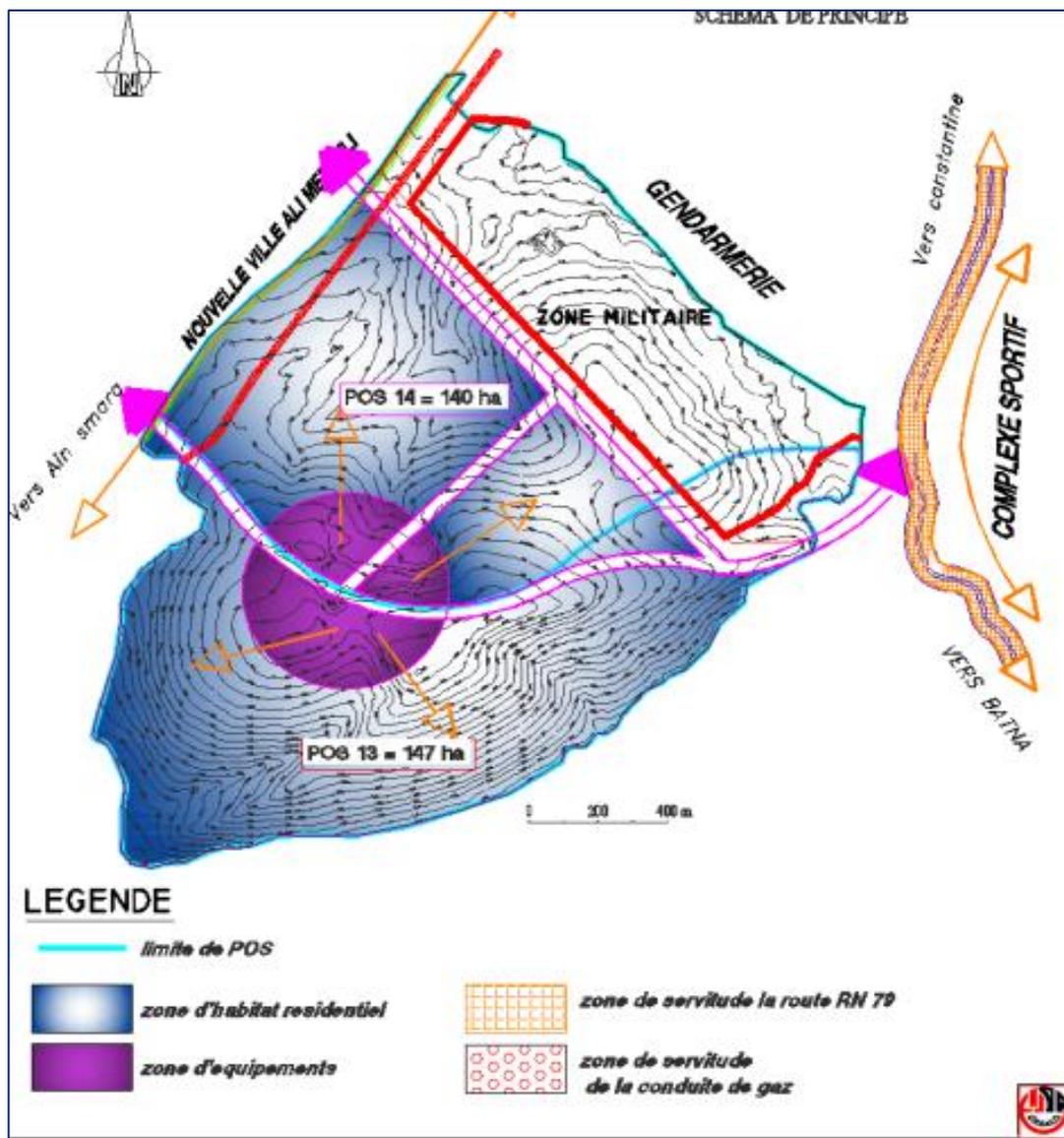


Figure 24. Diagram of Land Use Plan No. 14 (POS) (Urbaco, 2022)

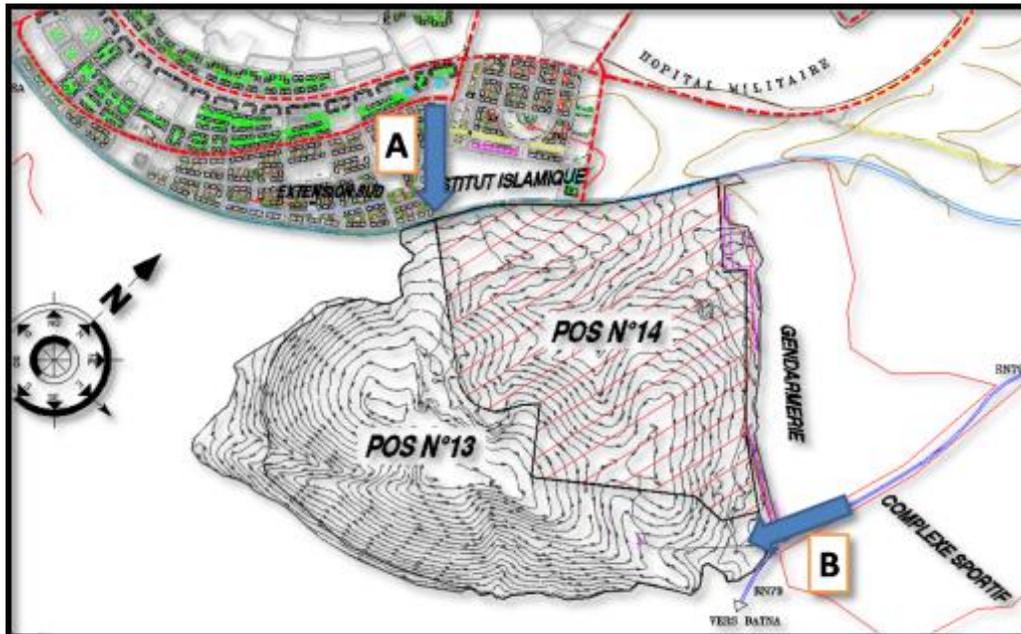


Figure 25. Schematic diagram of POS No. 14 and 14 (Urbaco, 2022)

V.3 . PPSMVSS

In compliance with the provisions of the PDAU, the permanent plan for the safeguarding and development of protected areas serves as a POS, establishing, for urban or rural real estate complexes located in protected areas.

The general rules and land use easements which must include an indication of buildings which must not be demolished or modified or whose demolition or modification will be imposed. It also establishes the architectural conditions according to which the conservation of buildings and the urban setting is ensured.

The PPSMVSS contains:

- ✓ The presentation report
- ✓ The regulation
- ✓ The annexes

Other plans include:

The general development plan for the cultural park

The PPMVSA the plan for the protection and development of archaeological sites

The subdivision

The tourist development plan

The intervention plan for existing urban fabrics... etc.

The restoration of built heritage and historic sites is an essential lever for preserving cultural identity, promoting the past and placing cities in a dynamic of sustainable development.

The restoration operations of companies in recent years have aimed not only to save threatened buildings, but also to rehabilitate old urban spaces, revive collective memory and integrate heritage into local development and tourism strategies.

These actions are part of master plans such as the PDAU, the PATW, and the PPSMVSS, which reflect the guidelines for rational and respectful management of the old urban fabric.

A brief overview was produced based on the PPSMVSS of Constantine produced by the Jennie Kribeche research office, on the articles published in the international charter for the conservation and restoration of monuments and sites.

The Athens Charter played a pioneering role in defining international principles for the conservation and restoration of historic monuments. It inspired a global movement involving organizations such as ICOMOS and UNESCO, notably with the creation of the International Centre for Conservation of Cultural Heritage.

However, in the face of changing heritage issues and increased sensitivity to questions of cultural context and authenticity, it has become necessary to revisit these principles to adapt them to more complex situations.

It is in this context that the 2nd International Congress of Architects and Technicians of Historic Monuments, meeting in Venice from 25 to 31 May 1964, adopted a new founding document: The Venice Charter, aimed at strengthening and broadening the bases for the conservation of the world's architectural heritage. approved the following text:

Article 1.

" The concept of a historic monument includes an isolated architectural creation as well as an urban or rural site that bears witness to a particular civilization, a significant development, or a historical event. It extends not only to great creations but also to modest works that have acquired cultural significance over time ."

Article 2.

" The conservation and restoration of monuments constitutes a discipline which calls upon all the sciences and all the techniques which can contribute to the study and safeguarding of monumental heritage ."

Article 3.

"The conservation and restoration of monuments aims to safeguard both the work of art and the witness of history ."

Conservation

Article 4.

" The conservation of monuments first requires their ongoing maintenance ."

Article 5.

" The conservation of monuments is always favored by assigning them to a function useful to society; such an assignment is therefore desirable but it cannot alter the order or decoration of the buildings. It is within these limits that the developments required by the evolution of uses and customs must be designed and authorized ."

Article 7.

" The monument is inseparable from the history to which it bears witness and from the environment in which it is located. Consequently, the relocation of all or part of a monument can only be tolerated when the preservation of the monument requires it or when reasons of great national or international interest justify it ."

Article 8.

“ Elements of sculpture, painting or decoration which are an integral part of the monument may only be separated from it when this measure is the only one likely to ensure their conservation .”

Restoration

Article 9.

" Restoration is an operation that must retain an exceptional character. Its purpose is to preserve and reveal the aesthetic and historical values of the monument and is based on respect for the ancient substance and authentic documents. It stops where the hypothesis begins, in terms of conjectural reconstructions, any additional work recognized as essential for aesthetic or technical reasons relating to the architectural composition and will bear the mark of our time. Restoration will always be preceded and accompanied by an archaeological and historical study of the monument ."

Article 10.

" When traditional techniques prove inadequate, the consolidation of a monument can be ensured by using all modern conservation and construction techniques whose effectiveness has been demonstrated by scientific data and guaranteed by experience ."

Article 11.

" The valid contributions of all periods to the construction of a monument must be respected, the unity of style not being one but to be achieved during a restoration. When a building has several superimposed states, the excavation of an underlying state is justified only exceptionally and on condition that the elements removed are of little interest, that the composition uncovered constitutes a testimony of high historical, archaeological or aesthetic value, and that its state of conservation is deemed sufficient. The judgment on the value of the elements in question and the decision on the eliminations to be made cannot depend solely on the author of the project ."

Article 12.

" The elements intended to replace the missing parts must integrate harmoniously into the whole, while being distinguished from the original parts, so that the restoration does not falsify the artistic and historical document ."

Article 13.

" Additions can only be tolerated if they respect all the interesting parts of the building, its traditional setting, the balance of its composition and its relationship with the surrounding environment ."

Monumental Sites

Article 14.

" Monumental sites must be given special care in order to safeguard their integrity and ensure their sanitation, development and enhancement. The conservation and restoration work carried out there must be inspired by the principles set out in the preceding articles ."

Excavations

Article 15.

" Excavation work must be carried out in accordance with scientific standards and the "Recommendation Defining International Principles to Be Applied to Archaeological Excavations"

Documentation and publication

Article 16.

" Conservation, restoration and excavation work will always be accompanied by the creation of precise documentation in the form of analytical and critical reports illustrated with drawings and photographs. All phases of the clearing, consolidation, recomposition and integration work, as well as the technical and formal elements identified during the work, will be recorded. This documentation will be deposited in the archives of a public body and made available to researchers; its publication is recommended ."

Adopted by UNESCO in 1956.

Chapter VI: Implementing measures

VI. Town planning acts

These are orders that regulate construction and development. They are provided for by Law 90-29 and by Decree 15-19. No construction can take place without prior planning permission, and subsequent checks are planned.

The law on planning and urban development in Algeria has defined six main urban planning acts, divided into two categories.

VI.1 Permits

Three permits authorize the development of urbanizable land, construction and demolition work.

V.1.1 Types of permits

Three permits are required: the subdivision permit, the building permit and the demolition permit.

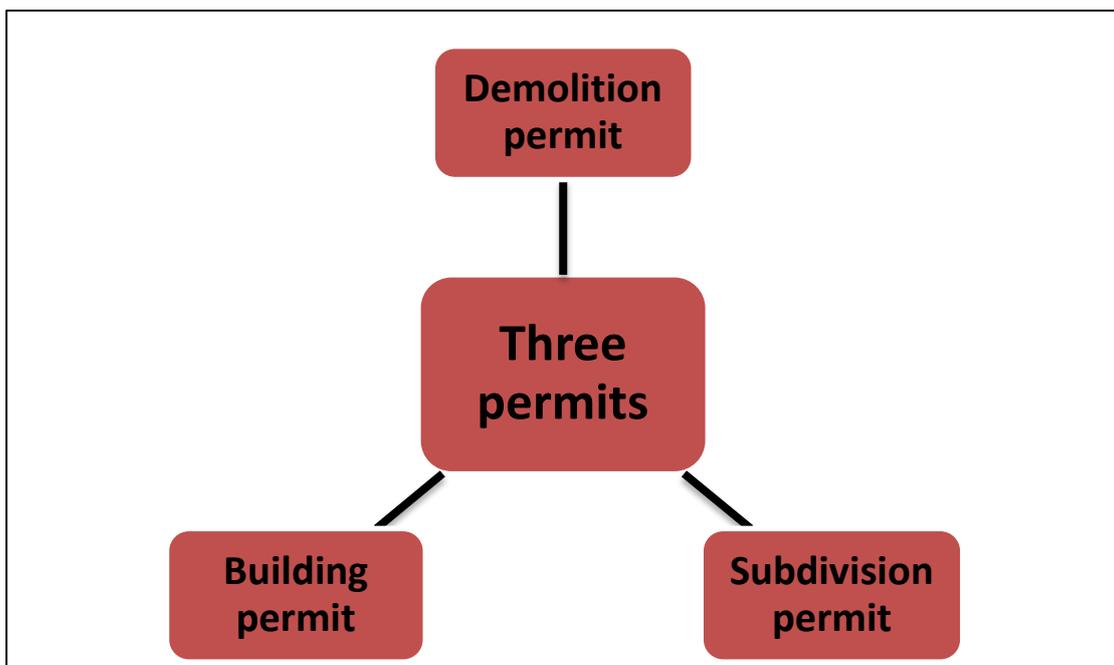


Figure 26. Type of permit

V.1.1.1 Subdivision permit

This is an authorization required for any operation involving division into two or more land properties with a view to the installation of a building.

A. The contents of the file:

- ✓ A copy of the title deed
- ✓ Plans drawn up and signed by the architect or an approved engineering firm; location plan, topography, land plot, road network plan, drinking water supply, sanitation, electricity, gas and the, site plan, and specifications.

B. Issuance procedure

The application is sent in five copies to the P/ACP, and is processed by the urban planning and construction departments. The response is notified within four months.

The decision may include a favorable opinion, a rejection, favorable with condition or a stay of proceedings.

The stay of proceedings allows the administration to postpone its decision for a period of one year when the project is located in an area which is the subject of an ongoing study for the development of a maximum planning and urban development tool.

The subdivision permit is issued in the form of an order from the P/ACP, the wali or the minister. It will be published in the land registry at the applicant's expense within one month of its notification.

C. Validity period

The order is valid for three years and expires if the renovation work is not undertaken during the period of validity.

V.1.1.2 The building permit:

This is the act by which the public authority (ACP, wilaya or ministry) authorizes the construction of one or more new buildings or the modification, of one or more existing buildings.

" any new construction or construction transformation whose work involves changing: footprint, size, facade, vocation or destination, supporting structure, and collective networks crossing the property, is subject to the possession of a building permit, in accordance with the provisions of articles 49, 52 and 55 of Law 90-29 ... revised, and in compliance with the article of this decree " (decree 15-19 A41).

A. The file to provide

- ✓ A copy of the deed or certificate of possession
- ✓ Graphic file: location plan, mass, civil engineering study, CES study⁷

The application is sent in five copies to the P/ACP. The response is notified to the interested party within the time limits and includes (same as the subdivision permit).

B. Validity period

Valid for a period set by the architect depending on the importance and situation of the project.

C. Jurisdiction of issue

Minister of Urban Planning

Wali

P/APC

For on-site display, a sign must contain the permit references and the nature of the construction.

V.1.1.3 The demolition permit:

This is the act issued by the public authority to authorize the total or partial demolition of an existing building.

⁷CES all secondary trades

A. File to provide:

- ✓ A copy of the deed or certificate of possession or administrative act
- ✓ Location map
- ✓ Ground plan (1/500)

The file must be submitted to the ACP level

B. For the duration

The permit is void if:

- ✓ Demolition did not take place after five years
- ✓ Work is suspended for three consecutive years
- ✓ Is cancelled by court decision.

Three certificates providing information on land use rights and compliance of the work.

VI. 2 Planning and urban development certificates

V.2.1 Certificate types

Three certificates which provide information on land use rights and the conformity of the works

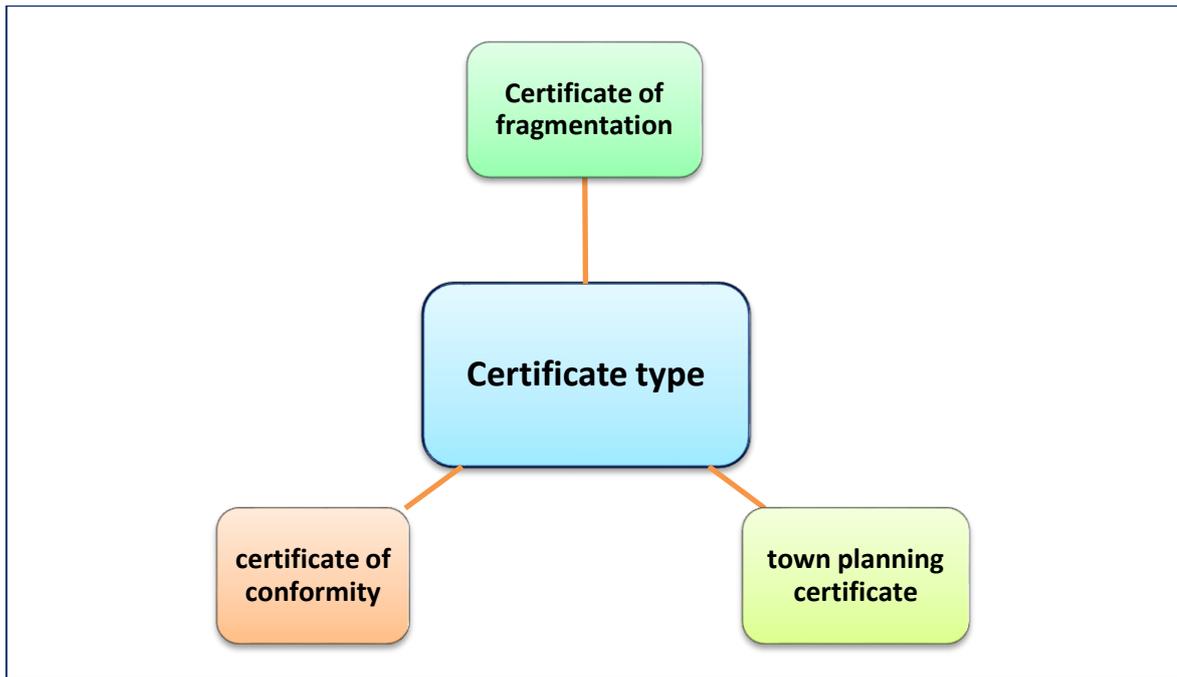


Figure 27. Certificate of type conformity

V I.2.1.1 the town planning certificate

Formality prior to the act of construction, which provides information on land use and building rights, as well as easements affecting the land and other specific technical requirements.

A. Validation period:

The validity of the town planning certificate is one year (01 year).

V.2.1.2 The subdivision certificate:

It is an act which indicates the conditions for the possibility of dividing a built land property into two or more lots.

B. File to provide:

- Property deed
- Location map

- Sustainability networks
- Proposal for the subdivision of the land
- Destination of the lots

The file must be submitted to the ACP level

C. Validity periods:

The validity is one year from the date of notification.

Formality prior to the building act, which provides information on land use and building rights as well as easements affecting the land and other technical requirements.

V.2.1.3 The certificate of conformity

Document issued after completion of the work, which confirms its compliance with the building permit and town planning regulations.

It is worth authorization to occupy the premises or to receive the public.

It is required to justify the existence of the built movable property during a sale or purchase transaction before a notary.

The certificate can be issued according to the tranches completed, partial certificate or by tranche.

The PCD (Communal Development Plan) can be included in this course.

The PCDs

The Municipal Development Plan (PCD) is a strategic planning tool that defines development priorities and actions at the municipal level. It aims to improve citizens' living conditions by planning public facilities, infrastructure, and service projects, while taking into account local needs and available resources. The PCD is part of a participatory and forward-looking approach to ensure balanced and sustainable municipal development for a period of one year.

The actions of the PCD

- Drinking water supply (AEP) and sanitation, Paths and tracks
- Education, health and hygiene training, Youth, sport, culture and leisure.

- Municipal buildings and administrative offices, and urban planning and the environment
- Local markets, post office and telephone, treatment rooms.

How to organize an approach to PCDs?

First, at the end of the year, the APC established its PCD program after consulting the sectors for the development of technical sheets, at the Daira technical committee with the consultation and participation of the technical members of this committee.

The reform or cancellation of the PCD program is carried out, then the DPSB registered these Communal Plans according to financial availability, the head of Daira is directly responsible for ensuring the implementation of this program until closure.

In practice, it is common to find that the municipal plan is subject to hierarchical control instead of supervisory control.

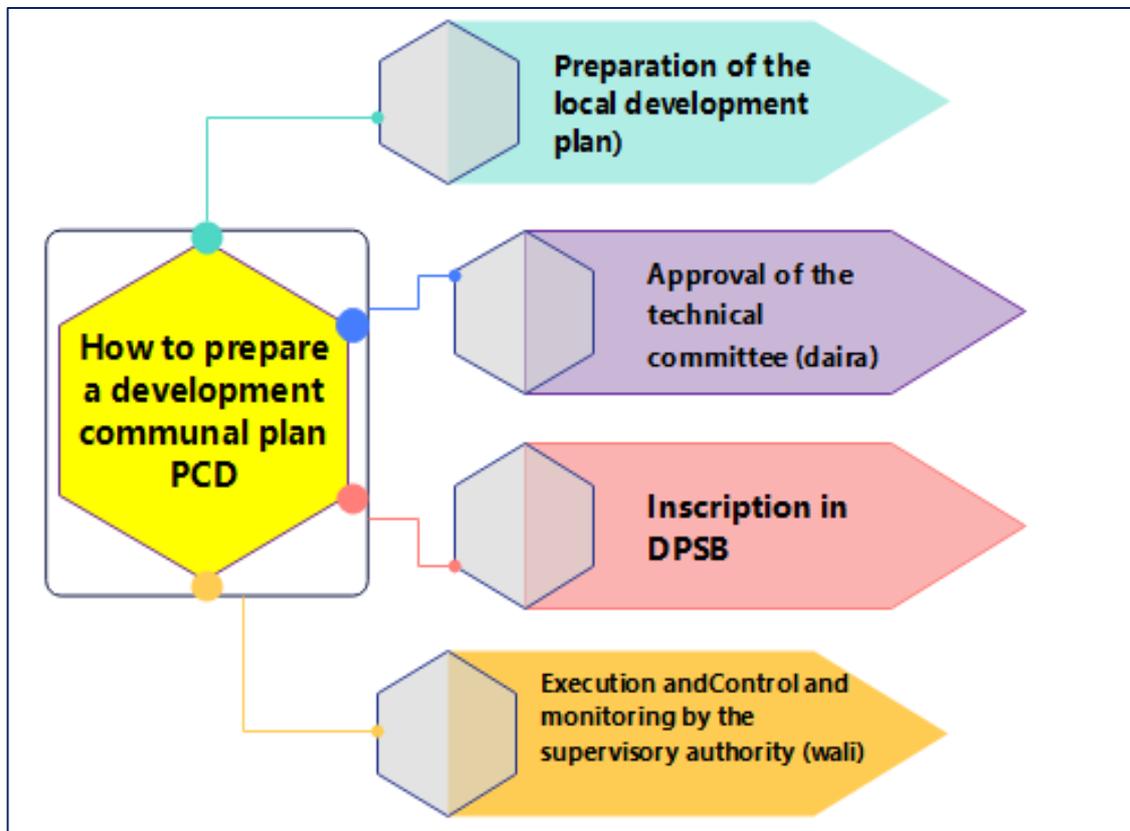


Figure 28. The PCD return process (Author)

VII. Contextual and legal definitions

The definitions presented here comply with the national regulations in force, as set out in the legal provisions published in the Official Journal of the Democratic and Popular Republic of Algeria.

They were extracted from the thematic collection of the first edition of urban planning laws and regulations, which constitute an essential reference for all stakeholders involved in urban planning and development.

This collection brings together the main legal texts governing urban planning instruments, from their conceptual framework to their operational implementation, and serves as a basis for the coherent interpretation of urban planning tools in Algeria.

Layout :

“ any operation to create and/or upgrade utility networks including the treatment of exterior common areas ” Law 11-04 A2

Urban planning acts

“Prior authorizations for development, construction and possibly demolition.

Construction site sign

throughout the duration of the work a rectangular sign with dimensions greater than 80cm indicating the permit references (according to A29 & 60).

Achievements:

“ Completion of construction:” the complete construction of the framework of the facades, the utilities and the related developments ” Law 08-15.A2⁸

⁸A = Article

Stay of proceedings

“ Provisional decision which is made during the period of the examination of an application for a building permit or development permit and which postpones the final decision by a maximum of one year ” Decree 15-19 .A18 and 53

Approval

Decision of the competent authority in the form of an order to give regulatory force to a planning and urban development instrument previously adopted and possibly amended to take into account the conclusions of the public inquiry (according to law 90-29).

Decentralization: whereby sectoral missions and responsibilities are entrusted at the local level to State representatives.

Public spaces

“ places, streets, squares accessible to vehicles where public facilities, services and craft activities as well as commerce are distributed ” Decree 14-27

Compliance

“ administrative act by which any completed or uncompleted construction is regularized with regard to the legislation and regulations relating to land use and town planning rules ” Law 08-15.A2

Listed monument

Listed on the inventory for protective measures

To third parties

Quality of a regulation or standard that must be respected by all natural and legal persons whether or not they are signed or approved.

Built-up area: *“the built-up area plus the access road and external outbuilding areas ”* Law 08-15.A2

Viabilities

“ Roads and pedestrian routes and their dependencies, drinking water supply networks and the fire network, sanitation pipes, electricity, gas and telecommunications pipes and installations which serve buildings ” Law 08-15.A2.

Subdivision

“Operation of division of two or more lots of one or more landed properties, regardless of their location” Law 90-29. A57

Sector

“Continuous fraction of the municipal territory for which the general land uses and urbanization deadlines set in the case of the first three categories of defined sectors [...] known as urbanization sectors” A19.

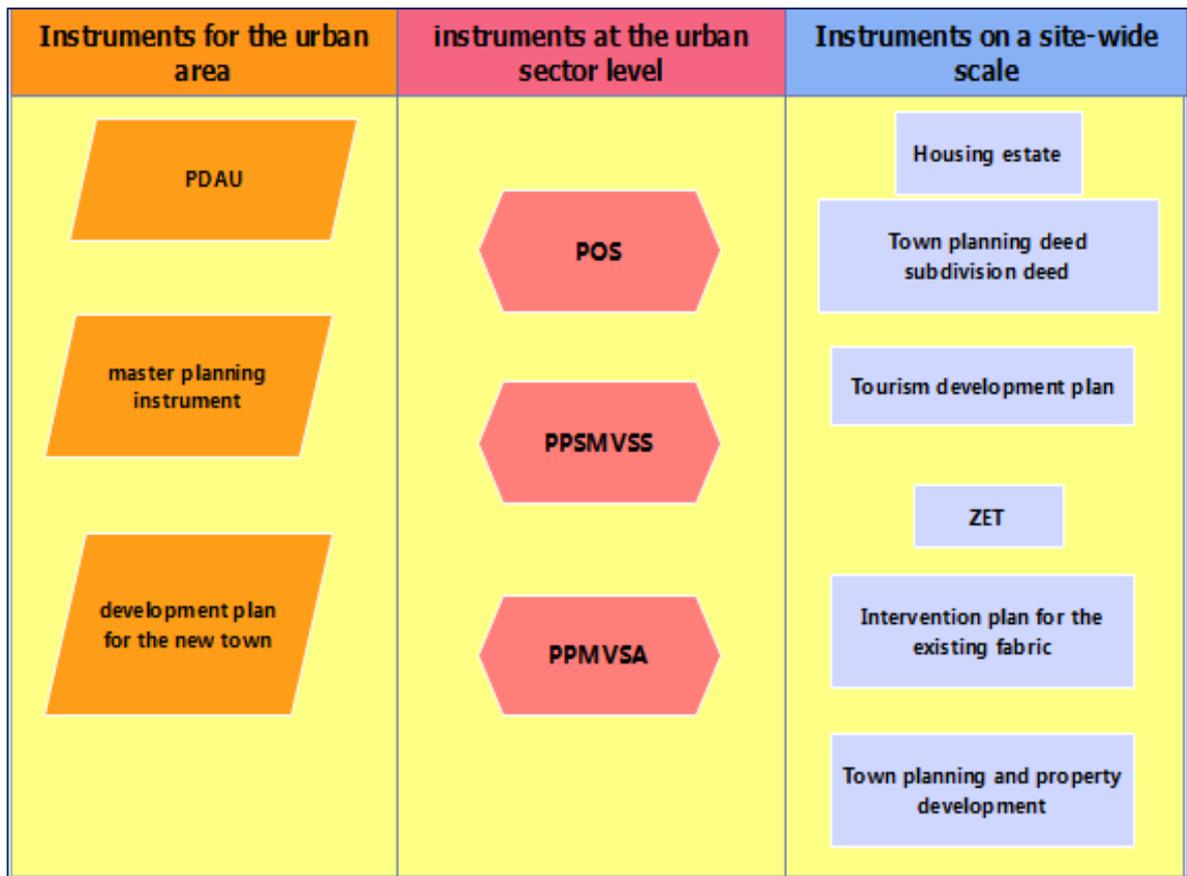


Figure 29. Planning instruments by category

General conclusion

This course provides an overview of the legal, regulatory, and operational instruments governing urban planning and development in Algeria. It presents the various stages of urban and territorial planning, from the definition of strategic orientations to their local implementation, including the development of technical documents and the necessary administrative acts.

The legal framework for land use planning is mainly defined by Law No. 90-29 of 1 December 1990, which replaced the former Urban Master Plans (PDU) with the Urban Development and Planning Master Plans (PDAU), while strengthening the role of municipalities in the management of urban space via the Municipal Code (Law No. 90-08/1990).

The legislative text also encourages citizen participation in planning processes, particularly through the involvement of local associations, professional chambers and social organizations.

The development instruments are available on several scales:

At the national level: the National Territorial Development Plan (SNAT), adopted by Law No. 10-02 of June 29, 2010, sets out the broad guidelines for sustainable development by 2030. It is structured around four major axes: the sustainability of resources, territorial rebalancing, the attractiveness and competitiveness of territories, and social and territorial equity.

At the regional level: the Territorial Programming Space Plans (SEPT), heirs of the SRATs, make it possible to translate these major orientations according to the geographical, economic and social specificities of each region.

At the wilaya level: the Wilaya Territorial Development Plan (PATW), implemented in 2012, constitutes a central strategic document for the application of policies defined at the national and regional level.

At the municipal level: the PDAU and the POS play a key role in regulating land use, the allocation of building zones, the location of public facilities, the protection of natural or historic spaces, as well as the definition of applicable easements.

All of these tools are based on a series of legislative and regulatory texts including ordinances, laws, decrees and orders, such as Law No. 08-15 of July 20, 2008, relating to the conformity of constructions, or Law No. 06-06 of February 20, 2006, relating to urban orientation.

The development process follows a progressive logic:

In this context, the Communal Development Plan (PCD) serves as a strategic instrument for planning local actions in the areas of social facilities, access to roads, sanitation, health, education, sports and culture. This plan is developed under the initiative of the Communal People's Assembly (APC), then validated by the technical committee of the daïra before its implementation.

The wilaya of Constantine is a good example of this approach, with a development project included in the framework of the PATW and PDAU. The planning phases made it possible to identify the territory's potential, physical and socio-economic constraints, and to propose structural developments, including:

Finally, urban planning in Algeria is not limited to regulatory and technical aspects. It also incorporates important social and environmental dimensions, such as soil preservation, pollution control, safeguarding cultural heritage, enhancing ecosystems, and preventing major risks.

These approaches aim to ensure sustainable and resilient urban development, gradually integrating modern technologies such as Geographic Information Systems (GIS) and remote sensing tools (Google Earth Engine).

Thus, this course aims to familiarize students with the fundamentals of urban planning in Algeria, with an emphasis on essential documents, urban planning acts, master plans and local and national governance mechanisms.

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