

**DEPARTMENT OF TOWN & COUNTRY PLANNING**

**Name of approval**

Give the official name of approval used with investors

Development and Building Consent

**Purpose of approval**

Provide a description of what the authorisation provides to investors

**Municipal Councils**

Municipal Councils have the responsibility of ensuring that buildings under their jurisdiction comply with building standards and acceptable levels of workmanship in the quality of construction. They receive and process all applications for building, including extensions, demolitions and remodeling, to ensure that the building proposals conform to the town planning scheme and building and health regulations. This function includes inspection of the building during the construction process.

**Rural local authorities**

All areas outside the jurisdiction of proclaimed cities, towns and Fijian villages come under the jurisdiction of rural local authorities, which are also public health authorities under the Public Health Act. The rural local authority's primary responsibility is public health control, building construction and other matters governed by the Public Health Act. Many of them have considerable peri-urban housing development power but they have no powers to charge rates even though they are the planning authority for their relevant areas under the Act. The Central Board of Health, constituted by the Minister for Health, maintains overall coordination of the activities of the rural local authorities.

**Department of Town and Country Planning (DTCP)**

The DTCP, which comes under the Ministry of Local Government, & Urban Development, is accountable for the planning of municipal land use and development. The DTCP promotes the development of land resources through appropriate planning standards and continued revision of planning legislation. It assists city and town councils in preparing, revising and implementing their town planning schemes to ensure the proper use and development of urban areas.

**Name of agency issuing the approval**

Give official title of the body with the authority to grant the approval to investors

Local Authorities

Approval must be sought from the relevant local authority for any development (which includes a building). Local Authorities are defined in the Act as:

**Contact information for the agency**

Provide the title of the person that is the first contact for the approval, and their contact information: street address, mailing address, telephone fax numbers, and e-mail/website address. If the authority has several different locations, contacts should be identified for each location.

**Process that must be followed to obtain the approval**

Provide a brief description of the basic steps the investor must follow in order to obtain the approval. This should include identification of other agencies that the responsible authority must consult within processing the application.

**Note:** Written guidelines and an application form should be provided as separate documents.

- a) Town or city councils constituted under the provisions of the Local Government Act (“Municipal Councils”)
- b) In respect of land outside town boundaries, the local authority of a rural sanitary district

If area is not within an approved Town Planning Scheme it comes under the jurisdiction of the Director of Town and Country Planning together with the Rural Local Authority.

All municipal councils, rural local authorities and the DTCP.

Department of Town & Country Planning  
4 Gladstone Road  
Box 2350, Government Buildings, Suva  
Telephone: (679) 3305336  
Fax: (679) 3304840

**Within approved town planning scheme**

1. All municipal councils except Nasinu and part of Nausori Town i.e. extension area from Wainibuku to Sasawira have approved town-planning schemes. Three application forms must be provided to the relevant Local Authority and must be accompanied by a plan sufficient to identify the land on which the development will take place and other information, plans such as site and drainage plans, floor plans, elevations, sections and structural drawings to describe the development which is the subject of the application.
2. If the development proposed is:
  - a) Not a permitted use and the council is recommending for its approval
  - b) Is conditionally permissible  
Under the Municipal Council’s approved town-planning scheme or
  - c) Requires relaxation from the town – planning General Provisions  
It is submitted to the DTCP for decision.

**Outside approval town planning schemes**

3. Three copies of the application form are lodged with the Local Authority together with three copies each of the site and drainage plan, floor plans, section plans, detailed structural drawings). The application is lodged at the counter. Documents required include:
  - a) Development application Forms (enclosed)
  - b) Land details including
    - i. Legal status (lease details, title of land, ownership)

<ul style="list-style-type: none"> <li>ii. Locality of the proposed project (A map or plan of the project site)</li> <li>c) Project development plans/background information including site analysis (zone areas), infrastructure (existing and the proposed ones) [this is not mandatory but advisable for better appraisal of the project]</li> <li>d) On major developments, the DTCP will require an outline or concept plan. The DTCP recommends that applicants submit an advance copy of the Application to DTCP for its review whilst awaiting formal submission from the local authority.</li> <li>e) Fees.</li> </ul> <p>4. The DTCP will contact stakeholders for specific technical advice where necessary e.g. Airports Fiji Limited or Civil Aviation Authority of the Fiji Islands for proposals sited near the airports, depending on the nature of the proposed project. Verification is warranted for proposals in leasehold land e.g. from the Department of Lands and the Native Land Trust Board.</p> <p>5. The DTCP will deliberate with a decision forwarded to the Local Authority.</p> <p><b><u>If an application is refused</u></b></p> <p>The applicant has no right of appeal against decisions in approved town planning schemes but areas outside of this. i.e. rural town planning area and islands. The appeal is made to the Minister of Local Government, Housing, Squatter Settlement and Environment. The Minister may seek the comments of the DTCP before deciding on the appeal.</p> <p>The applicant/developer may request a reconsideration of their application through the Local Authority who will forward to DTCP for consideration and decision. Reconsideration requests will not reach the Minister.</p>	<p><b>Councils with approved town-planning scheme</b></p> <ol style="list-style-type: none"> <li>1. Those councils with approved planning schemes (that is all except Nasinu) receive and process all applications for building, including extensions, demolitions and remodeling, to ensure that the building proposals conform to their town planning scheme and building and health regulations. This function includes inspection of the building during the construction process to ensure compliance with the building standards and to acceptable levels of workmanship in the quality of construction.</li> <li>2. A Building Permit will be issued after obtaining clearance from the Town or City Planner, Engineering Section and the Health Department. The building needs</li> </ol>
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**How decisions are made**

Briefly explain (a) who has the power to grant the approval, and (b) what criteria are used to approve or reject an application. If there is a lot of information used in the decision-making process it can be included in a separate document.

to be completed within the prescribed time.

3. In cases requiring relaxation from the approved town planning scheme is required, or where the Local Authority requires further advice, the Local Authority will also refer the application to the DTCP.

Outside approved planning scheme - Rural Local Authority/DTCP

1. The Rural Local Authority considers the Application Form with the required documents such as the building and site plans. The Rural Local Authority must forward its recommendation to the DTCP for its decision.
2. At the Rural Local Authority, an officer enters details of the application in the register and checks to see if all requirements are included in the application including information relating to the land such as:
  - a) In the case of Native Land – if there is a consent letter from the Native Land Trust Board
  - b) In the case of Crown/State Land – if there is a consent letter from the Department of Lands (DOL)
  - c) In the case of freehold land – a copy of the title to property
  - d) In case of Housing Authority (HA) land – if there is a consent letter from HA.

Sometimes the Rural Local Authority contacts these Departments for clarification in relation to land issues.

3. The officer then prepares final comments based on the site inspection and assessment (e.g. site is flooding area, cemetery, etc. – comments on the quality of the site). Types of comments are:
  - Site and plans acceptable
  - Plans require changes
  - Site not suitable (may recommend alternative site e.g. higher ground)
  - Infrastructure is required such as water supply, access roads, electricity, sewerage, etc.

The officer may also provide comments based on their public health function such as method of waste management.

4. The final authority is the DTCP, which reviews plans in accordance with the Town Planning General Provisions. The DTCP will generally consent to the application if plans are consistent with the General Provisions. Otherwise, the DTCP will consent to the application and attach conditions, decline or defer the application.

5. The Local Authority does not approve or issue the building permit until the DTCP provides its consent first. Any consent may be for a limited period and can be subject to such conditions or restrictions as to use or otherwise as the Director or the Rural Local Authority thinks fit.
6. For major projects, the DTCP may inform the applicant of the need for an Environmental Impact Assessment Study and refer the applicant to the Department of Environment.

**Processing time of the Approval**

Identify how long in days or weeks it takes from the point of submission of an application by the investor until a decision is made. This should be the average processing time. The authority should avoid stating a processing time they know cannot currently be met.

The process may take between 3 to 9 months, depending on the complexity of the application and the resources of the local authority. Generally they will be quicker in the larger centers (Suva and Lautoka) where there are dedicated resources for this purpose. Processing will also be deferred if the site upon which the proposed development shall sit is yet to be surveyed.

If an application has to be forwarded to the DTCP, then depending on the extent of the project site, it may take a further 6 weeks to 3 months for the process to be followed.

**Cost of the approval**

Identify the official cost(s) the investor is required to pay the agency in order to obtain the approval.

Lautoka and Suva City Councils set their own fees for applications. As for applications to or referred by the councils to the DTCP, the relevant fees are set out below and are paid at the relevant local authority or municipal council. All fees are VAT inclusive.

Note that additional costs would be incurred in engaging the services of an engineer or architect to prepare the relevant plans.

**Examination of Building Plans**

1. The following fees are payable on lodgment of a building plan for the examination of the building plan:
  - a) Value not exceeding \$50,000.....22.00
  - b) Exceeding \$50,000 but not exceeding \$100,000.....76.00
  - c) Exceeding \$100,000 but not exceeding \$200,000.....113.00
  - d) Exceeding \$200,000 but not exceeding \$300,000.....151.00
  - e) Exceeding \$300,000 but not exceeding \$400,000.....189.00
  - f) Exceeding \$400,000 but not exceeding \$500,000.....227.00
  - g) Exceeding \$500,000 but not exceeding \$600,000.....265.00
  - h) Exceeding \$600,000 but not exceeding \$700,000.....302.00
  - i) Exceeding \$700,000 but not exceeding \$800,000.....340.00

- j) Exceeding \$800,000 but not exceeding \$900,000.....378.00
- k) Exceeding \$900,000 but not exceeding \$1,000,000.....416.00
- l) Exceeding \$1,000,000 but not exceeding \$5,000,000.....542.00
- m) Exceeding \$5,000,000 but not exceeding \$10,000,000.....2,000.00
- n) Values exceeding \$10,000,000.....4,000.00

**Outline Application**

2. The following fees are payable on lodgment of an outline building plan for the examination of the building plan:

- a) Value not exceeding \$50,000.....11.00
- b) Exceeding \$50,000 but not exceeding \$100,000.....38.00
- c) Exceeding \$100,000 but not exceeding \$200,000.....57.00
- d) Exceeding \$200,000 but not exceeding \$300,000.....76.00
- e) Exceeding \$300,000 but not exceeding \$400,000.....95.00
- f) Exceeding \$400,000 but not exceeding \$500,000.....113.00
- g) Exceeding \$500,000 but not exceeding \$600,000.....132.00
- h) Exceeding \$600,000 but not exceeding \$700,000.....151.00
- i) Exceeding \$700,000 but not exceeding \$800,000.....170.00
- j) Exceeding \$800,000 but not exceeding \$900,000.....189.00
- k) Exceeding \$900,000 but not exceeding \$1,000,000.....208.00
- l) Exceeding \$1,000,000 but not exceeding \$5,000,000.....271.00
- m) Exceeding \$5,000,000 but not exceeding \$10,000,000.....1,000.00
- n) Values exceeding \$10,000,000.....2,000.00

**Renewal of Building Applications**

An application to extend the validity of building application \$15.00 consent.

**Conditional development**

A fee of \$76.00 per application is payable for any application considered a “conditional development” under Town Planning Act General Provisions (1999) or other approved Town Planning Scheme General Provisions in respect of a city or town.

