### Name of approval
Give the official name of approval used with investors

### Purpose of approval
Provide a description of what the authorisation provides to investors

### Name of agency issuing the approval
Give official title of the body with the authority to grant the approval to investors

### 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.

---

<table>
<thead>
<tr>
<th>Rezoning Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning laws define and restrict how applicants can use and develop their land. Zoning plans set development standards to ensure that land is used appropriately for the common good. The purpose of the rezoning approvals process is to ensure that, while recognition is given to the need for land use to evolve over time, the interests of persons affected by changes in the land use are also taken account of, both directly and indirectly.</td>
</tr>
</tbody>
</table>

| Applications must be made to the relevant council or RLA (rural local authorities). They must have the final approval of the DTCP (Department of Town & Country Planning) |
| All municipal councils, rural local authorities and the DTCP. |
| **Rezoning Process – Areas under an Approved Town Planning Scheme** |
| If a proposed development is not permitted as of right or as a conditional development in a zone, an applicant must apply for rezoning or scheme amendment (for areas within municipal councils). |
| a) Three copies of the Application for Development Permission Form must be completed and lodged with the council for its consideration and recommendation to DTCP. The following must also be attached to the application: |
| i. Three copies of the locality plans |
| ii. Evidence of applicant’s land ownership status (Certificate of Title, State/Crown Lease, Native Lease or cop of the signed sale and purchase agreement for the prospective purchaser) |
| iii. Background information to the proposal |
| iv. Fees |
| The DTCP recommends that for major developments, applicants should deliver an advance copy of the application for rezoning or scheme amendment to DTCP for its review while council is considering the application. |
b) The council will refer the application to the DTCP with its comments and recommendation for DTCP’s provisional approval. If provisional approval is granted by the DTCP:
   i. The council must (at the applicant’s cost) advertise twice calling for objections from the public. The objection period is one month.
   ii. The DTCP may in certain circumstances require the council to seek the comments of the property owners likely to be affected by the proposed rezoning or request the applicant to present submissions on the rezoning proposal affected property owners.

c) Advertisement must be published in:
   i. The Fiji Government Gazette and
   ii. In two issues of a newspaper circulating in the district, at an interval of not less than seven days.

d) The council must notify the DTCP of the outcome of the advertisement, including if any objections are received and its recommended response to the objections(s).

e) If objections are received, the DTCP may:
   - Uphold (in whole/in part) the objections and may require modification of the scheme (i.e. approval subject to conditions) or
   - Give final approval to the rezoning application.

   The DTCP may also require that the council call a public hearing to give objectors the right to be heard.

f) Members of the public and the council can appeal against the DTCP’s decision to the Minister. However aggrieved applicants have no right of appeal but may proceed for reconsideration request to the Director. The request shall constitute a material change to the proposal.

Areas outside an approval town planning scheme
a) This will include applications for developments in an area without an approved scheme. This includes:
   - Towns on a draft scheme (at this stage, only Nasinu and part of Nausori Town)
   - A rural town planning area and
   - A general town planning area (e.g. An island).

b) Three copies of the Application for Development Permission must be lodged with the RLA with the following:
   i. Three copies of the locality plans
   ii. Evidence of land ownership status (Certificate of Title, State/Crown Lease, Native Lease or copy of the signed sale and purchase agreement for the prospective purchaser)
iii. Background information to the proposal

iv. Fees

The RLA will forward the application to the DTCP with its comments and recommendation.

c) The DTCP will assess the application and make a decision based on the information received. Public notification is not a mandatory requirement however the Director may require a public participation exercise (PPE) or survey to gauge opinions of would-be affected parties where necessary.

Areas within an Approved Town Planning Scheme

**COUNCILS**

a) Applications are received by the council

b) Councils with approved town planning schemes will review the application and provide their comments and recommendations.

c) The council will then forward the application to the DTCP with its comments/recommendation for DTCP approval.

**DTCP**

a) The DTCP will then assess the applications and decide whether provisional approval will be granted. Provisional approval is only granted if the Director considers that the proposed development would not conflict with the overall principles of the relevant town planning scheme. The DTCP may also seek the comments of other agencies relevant to the proposal, for instance:

- The Department of Mineral Resources (if there are mining considerations) or
- Department of Environment
- The Ministry of Agriculture & Sugar Industry Tribunal (for confirmation on the status of the sugar cane farm).

b) Provisional approval to the rezoning/amendment application means the relevant land is “suspended” from the relevant town planning scheme. The Minister for Local Government & Urban Development must sign the suspension notice after provisional approval is granted. The provisional approval and suspension notice is then sent to the councils. The subject area is then suspended from the town planning scheme implying that any development proposed on the site shall be subjected to the Director’s consent. The applicant is required to advertise the fact that the subject area may be rezoned.

c) At applicant’s expense, the council will notify the public of the council’s intention to rezone the land by an advertisement published in Fiji Islands Government Gazette and in two issues of a paper circulating in the...
district at an interval of not less than seven days.

d) Every owner or occupier of property within the area covered by a Scheme has the right to object to the proposed amendment, and may give written notice of objection (and the grounds of objection) at any time within the date specified in the public notice (usually one month).

e) Before referring the application to the DTCP for final approval, the council shall take into account any objections submitted to it.

f) The council must then advise the DTCP of the outcome of the advertisement. The DTCP will grant final approval if no objections are received. However, the DTCP may request a public hearing if objections are received and give objectors the right to be heard. It will then consider these objections and make a decision. The DTCP may then impose conditions to address issues of objections raised should the objections be disposed.

g) The DTCP may approve, decline or defer the rezoning application. If the final approval is granted, the council is required to advertise the scheme amendment in the Fiji Government Gazette.

Areas outside an approval town-planning scheme

a) Applications for Development Permission must be lodged with the RLA, which will forward the application to the DTCP with its recommendation.

b) The DTCP will assess the application and may also seek the comments of other agencies relevant to the proposal (for instance the Department of Environment, Mineral Resources or the Sugar Industry Tribunal as above).

c) The DTCP may then make a decision based on the information received.

Within an Approved Town Planning Scheme

The whole process (i.e. from time application is received to final approval and publication) takes between two and a half to three months.

Processing time will be longer if the submission requires further clarification by the council, consultation with other authorities and objections are received or a public hearing is required.

Outside an Approved Town Planning Scheme

The minimum time frame upon receipt of proposal by DTCP is three weeks after having received comments (where sought) from stakeholder agencies. However, this can take longer if the application requires further clarification, consultation with other authorities or subjected to a PPE.

All rezoning and scheme amendment applications are subjected to the Town Planning Act Schedule of Fees Regulation set out below and are paid at the relevant local authority or municipal council. All fees are VAT inclusive.
Tourist Resort development

A fee of $378.00 is payable for the processing of any application seeking rezoning for the purpose of tourist resort development.

Scheme amendment or rezoning application

The following fees are payable for the processing of any rezoning application:

a) From agricultural or rural to residential.....95.00
b) From agricultural or rural to commercial.....189.00
c) From agricultural to rural to industrial.....189.00
d) From residential to commercial............189.00
e) From residential to industrial.............189.00
f) From commercial to residential.............113.00
g) From industrial to residential.............113.00

Renewal of rezoning approvals

The following fees are payable for the processing of any rezoning application:

a) From agricultural or rural to residential.....95.00
b) From agricultural or rural to commercial.....189.00
c) From agricultural to rural to industrial.....189.00
d) From residential to commercial............189.00
e) From residential to industrial.............189.00
f) From commercial to residential.............113.00
g) From industrial to residential.............113.00

Other Applications

For any other applications not included in the categories above, a fee of $75.00 is payable on lodgment of such application.