



STANDING COMMITTEE ON NATURAL RESOURCES

REPORT ON THE PETITION NOT TO REZONE SHIRLEY PARK



PARLIAMENT OF THE REPUBLIC OF FIJI
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CHAIR'S FOREWORD

I am pleased to present the first report of the Fiji Parliament's Standing Committee on Natural Resources on the Petition Not to Re-zone part of Shirley Park from Civic to Special Use (Tourism) to construct a four star hotel development.

The Committee unanimously agreed on a work plan to conduct interviews and received submissions in Lautoka from these responsible stakeholders:

- Government Ministries and Departments responsible for land rezoning;
- Private Sectors including the Lautoka Chamber of Commerce and the Business Communities in Lautoka.
- Non-Government Organisation based in Lautoka.
- Representatives of the Vanua o Vuda, Vitogo and Namoli.
- Petition Leaders and
- Responsible concerned Individuals.

The Report examines the case as presented by petitioners opposing the rezoning part of Shirley Park from its current land status of Civic to Special Use (Tourism), the legal process and mandate of responsible authorities in approving rezoning from approved Town Scheme Plans.

The Report is divided into three Chapters:

- **Chapter One** covers the role and responsibilities of the Committee and the inquiry process undertaken.
- **Chapter Two** focuses on the Petition, the purpose of the Committee's consultations in Lautoka and the summaries of all oral and written submissions, and
- **Chapter Three** details the Committee's deliberations and analysis of submissions received, followed by Recommendations to Parliament.

The Parliamentary Standing Committee under the 2013 Constitution and Parliament Standing Orders aims at enhancing transparency and accountability by public agencies and officials. The committee examines the process and procedures undertaken by relevant authorities, the Lautoka City Council, P Meghji Ltd and the Director of Town and Country Planning in advancing the application for rezoning and goes some way in addressing transparency and accountability in their processes and procedures.

The Committee held its first ever meeting on Monday 16th February, 2015 and appointed the Hon.CMDR Joeli Cawaki as the Chair of the Committee and the Hon.Ro Kiniviliame Kiliraki as the Deputy Chair of the Committee.

The Committee then held its second meeting on Tuesday 24th February 2015, and decided that it should hold consultation with various stakeholders in Lautoka that commenced on Monday 2nd March, 2015 because Shirley Park is located in Lautoka.

There was unanimous agreement amongst the committee that the petition be resubmitted and referred back to the relevant authority, the Director Town and Country Planning which is mandated under the laws and regulations to process and approve applications for rezoning of land under the existing town scheme. Also the committee agreed unanimously on the need for more transparency in the process to make wider promulgations through announcements, advertisements and notifications of public notices such as rezoning notices, objections periods, public consultations, etc. through all available media outlets, i.e. paper, radio and television.

I would like to express my sincere appreciation and thank all those people and groups who made oral and written submissions to the Committee. I would also like to sincerely thank all members of the Committee for demonstrating professionalism and showing endless commitments during public hearing and report deliberations: Hon. Ro Kiniviliame Kiliraki MP(Deputy Chair), Hon. Alivereti Nabulivou MP, Hon. Jiosefa Dulakiverata MP, and Hon. Samuela Vunivalu MP.

I commend this report to Parliament.

.....
Hon. CMDR Joeli Cawaki MP
Chair.

LIST OF RECOMMENDATIONS

RECOMMENDATION 1: That the Petition not to rezone part of Shirley Park from Civic to Special Use (Tourism) be re-submitted and referred to the appropriate authority, the Director of Town and Country Planning to process the petition through their regulatory systems and procedures since the application and approval of rezoning is entrusted under their legal jurisdictions, as the petition was one of the written objections received by the Director during the approved promulgated objection period.

RECOMMENDATION 2: That the responsible authorities to ensure wider promulgations through announcements, advertisements and notifications of notices such as rezoning notices, objection periods, public consultations, etc., through all available media outlets, i.e., paper, radio and television.

LIST OF ACRONYMS

EIA	Environmental Impact Assessment
DTCP	Director Town and Country Planning
ND	Nadi
EOI	Expression of Interest
TOR	Terms of Reference
CBD	Central Business District
ADTCP	Acting Director Town and Country Planning
UCV	Unimproved Capital Value
PPP	Public Private Partnership
BOOT	Build Own Operate and Transfer
DLMW	Divisional Land Manager Western
MLGHE	Ministry of Local Government, Housing & Environment
EASY	Environment Advocacy and Social Empowerment for Youth
SO	Standing Orders

1.0 INTRODUCTION

1.1 Background

On Thursday 12th February 2015, the honourable Niko Nawaikula presented a Petition to stop attempts to rezone any part of Shirley Park to Parliament for consideration in accordance with Standing Orders 37.

The Petition was referred to the Standing Committee on Natural Resources for it to deliberate on this issue and provide a Report to Parliament.

The purpose of the petition is to stop all attempts to rezone any part of Shirley Park, Lautoka from Civic to Special Use (Tourism).

The Petition is signed by residents and concerned citizens of Lautoka and Nadi. There are approximately 500 signatures in the Petition.

The Committee had its first meeting on Monday, 16th February 2015 and appointed the Hon. Cmdr. Joeli Cawaki as the Chairman of the Committee and the Hon. Ratu Kiniviliame Kiliraki as the Deputy Chairman of the Committee.

At its second meeting on Tuesday, 24th February, 2015, the Committee decided that it should hold consultations with various stakeholders in Lautoka, which is where the Shirley Park is located.

1.2 The Standing Committee on Natural Resources

The Committee is a standing committee of the Fijian Parliament and was established under Section 109 (2) (c) of the Standing Orders (SO) of the Parliament of Fiji. The Committee comprises five Honourable Members, drawn from both the Government and Opposition parties.

The Committee is mandated to examine matters related to the Petition in accordance with Standing Orders 110(d).

The Standing Orders require the Committee to review and report back to the Parliament as soon as it has completed its considerations and deliberations.

The Committee also wrote to government agencies and statutory organisations, seeking submissions and to appear before the Committee at a public hearing. The Committee then met from Monday 1st March to Wednesday 3rd March to hold public hearings and consider submissions received. The Committee then undertook deliberations on 2nd March, 2015 to Thursday 05th March, 2015 and prepared its report with recommendation to the Parliament for the next session on the 18th May, 2015.

1.3 The Committee Members

The Membership of the Committee is as follows:

Hon. CMDR Joeli Cawaki, Assistant Minister for Rural and Maritime Development	-	Chair
Hon. Ro Kiniviliame Kiliraki	-	(Deputy Chair)
Hon. Samuela Vunivalu	-	Member
Hon. Jiosefa Dulakiverata	-	Member
Hon. Alivereti Nabulivou	-	Member

2.0 ORAL AND WRITTEN SUBMISSIONS

The petition is against the proposed rezoning part of Shirley Park from Civic to Special Use (Tourism) to allow for the construction of a four (4) star hotel accommodation and convention centre facilities. The petition is signed by five hundred (500) people most of whom live in the Lautoka municipal area.

The Committee received oral and written submissions in Lautoka from Monday 02nd March to Thursday 05th March, 2015 at the Lautoka City Council Chamber.

The purpose of the Committee was to conduct wider consultations in Lautoka and receiving written submissions to ascertain the positions of the wider Lautoka population who supported the petition and those that supported the rezoning to allow for the construction of the proposed hotel accommodation and convention centre facilities on part of Shirley Park.

The committees' consultation in Lautoka was conducted with the absence of Hon.Samuella Vunivalu who was on official overseas engagement with the Speaker touring the Australian Parliament.

2.1 Summary of all Oral Submissions

The summaries of oral submissions are all recorded below. The Committee received twenty (20) oral submissions which are summarised below.

**2.1.1 Submission One: Office of the Divisional Commissioner Western
Mr. Manasa Tagicakibau, Divisional Commissioner Western
Ms. Ruth Atu, District Officer, Lautoka/Yasawa**

Divisional Commissioner Western – Mr. Manasa Tagicakibau

At the outset, the Office of the Divisional Commissioner Western and District Officer Lautoka/Yasawa has not really been involved in the said processes, but may be consulted at a later stage.

The issue is handled by the Department of Town and Country Planning, Ministry of Local Government through the Lautoka City Council.

The Office of the Commissioner Western was also briefed that the Department of Town and Country Planning is in the process of consultation, consulting all stakeholders including the objection with regards to the intended development for Shirley Park.

Lautoka is the second city in Fiji and since its inception as a city, it has not really grown or developed to what is expected of a city, in terms of infrastructure, economic facilities, or to be investor-friendly.

They are of the view that the Shirley Park should be rezoned and developed as per the development proposals put forward by the Department of Town and Country Planning through the Lautoka City Council.

Lautoka City needs to be lifted to another level in terms of its outlook and the services it should offer. The impact of rezoning will bring about a lot of positive vibes to the city and its people.

Lautoka is termed as a 'ghost city' after 6pm and there is a need to break this negative stigma and developments such as this will move Lautoka forward.

The Commissioner did not touch on the petition or what the objectors may present, instead, he viewed the issue from the Commissioner Western's Office perspective and the bigger picture as stated. Such developments will entice more investors to invest in Lautoka with mega infrastructure in place.

Some of the major international investors have stated that they would like to see infrastructures in place that will enable them to come and invest in Fiji.

In comparison, Labasa town is a lot more active than Lautoka in terms of infrastructure development and economic activity.

Development will benefit the city and its people in terms of employment opportunities and generating more economic activities.

Development in the urban areas will demand nutrition, food, transportation and resources to be able to operate their businesses effectively in the urban areas. The intention is to build a five-star hotel on Shirley Park confirms to what they have just stated that it will require substantive logistic support to be able to sustain the operations of that hotel in terms of catering, manpower and this can be taken from the rural sectors.

While developing the rural sectors, these are the opportunities that will give them a bigger picture of how they can contribute to economic growth in the country and also lifting the standards of their own livelihood in the rural areas.

Other parks are available in Lautoka including the botanical garden and there are other numerous areas which can be developed into parks.

Was also briefed that there are also plans to reclaim the foreshore in front of Shirley Park that will work in line with the dredging of the Lautoka Ports. All these developments will again boost the tourism industry, and all other sectors will also benefit and grow accordingly.

They are looking at a vibrant Lautoka where people will want to come and live and not leave Lautoka. They would like to position Lautoka in a state where people would like

to come and live in Lautoka. Cannot do that with the status quo that Lautoka is in right now.

- 2.1.2 Submission Two:** **Lautoka City Council**
Mr. Jone Nakauvadra, CEO Lautoka City Council
Mr. Koro Dausoko Kama, Director Finance &
Administration
Mr. Shailendra Dass, Director Building Services

BACKGROUND

- Strategic intention

The Lautoka City Council in its quest to increase its economic base and grow its economy by increasing investments and commercial activities intends to make available parts of its land for development for commercial activities. At macro level, the proposal will positively contribute to national economic growth in the tourism sector.

- Lack of Decent Hotel Accommodation

Lautoka City is the administration capital of the Western Division and due to serious shortage of hotel accommodation and convention center facilities, it has not been able to capitalize on opportunities to host conferences and to attract tourists to Lautoka.

To address the problem, the council intends to develop a hotel with convention center facilities and necessary amenities ideally located at Shirley Park along the Marine Drive. This project will complement one of the key roles of municipal council which is to drive and facilitate economic growth within its peripheries.

- Limitations to Growth

The main Lautoka Central Business District (CBD) is encompassed within Vitogo Parade, Namoli Avenue and foreshore. Under current City layout, concentrically expanding its commercial boundaries is limited as it is sandwiched between the sea to the north, Churchill Park and residential areas to the south and heavy industrial area and rubbish dump to the west. For any further expansion, it has to be located at the eastern outskirts (approaching from Natabua) or at the western outskirt (Ba side). Alternatively, the council could utilize portions of its parks, open space or foreshore reclamation to cater for demands for new business within the CBD precinct.

- Optimizing land use

By developing only 4732 square meters, or approximately 20% of the total of Shirley Park area of 23,933 square meters, the council will optimize usage of its open space by

simultaneously availing space for commercial development and an open space for leisure and recreational activities within the same park.

- Impact of the Development

The council has a total of 111 parks and open spaces with a total area of 61.5 hectares out of which 22 hectares fall within the periphery of CBD area including Botanical Garden, Fenner Park, Coronation Park, IYC Park, Churchill Park, Marine Drive and Shirley Park.

- Availability of Leisure and Recreational Areas

The impact of the development will be very insignificant as citizens of Lautoka still have abundance of parks and open space within the CBD and also within their housing subdivisions. Council as part of its civic responsibility will still be able to provide adequate parks and open space for leisure and recreational use as only 2% of its open space within the periphery of the CBD is proposed for this commercial development and on 0.77 % in relative to the council's total park and open space.

- Financial Impact

The rezoning and subleasing of the demise land will have significant impact on the council financial resources as additional revenue will be earned from lease rental, town rates, lease premium, base incentive rental and incremental incentive rental. Additionally, council will enjoy certain privileges on the free usage of facilities within the hotel precinct.

- Socio Economic Impact

The flow-on effects of commercial activities on the demise 4732 square meters of land would be as follows:

- Increase in investment of around \$17 million
- Increase commercial activities in the tourism sector – additional 101 rooms.
- Creation of employment opportunities – 150 during construction phase and 100 during hotel operation.
- Increase in opportunities for suppliers – farmers, fishermen, traders, craftsmen, retailers, etc.
- Overall effect in the reduction of poverty.
- Additional revenue source for the council which will assist in the funding of capital developments.

OTHER COMMENTS

The proposed hotel development is ideally located as it will form a cluster with other existing hotels which correlates with Town Planning outlook.

The development will also bring about a much needed facelift to the city which has been generally known for its sluggish growth.

The development will also complement the proposed foreshore reclamation which will be undertaken by the Council which will have upmarket commercial and tourism development including marina.

Once the foreshore reclamation is completed, Shirley Park will no longer be a prime area. Council has already completed the EIA exercise regarding the foreshore reclamation and is working very closely with stakeholders including *Qoliqoli* owners and Lands Department on the project.

This project has already been approved in principle by Cabinet vide a letter dated 27th August, 2013 subject to the compliance to relevant subdivision and rezoning requirement.

The subject area which is generally known as Shirley Park is actually the balance of foreshore subdivision for commercial and industrial subdivision. The upper portion is for Town Hall development.

DEVELOPER SELECTION PROCESS

- Expression of Interest

Calls for Expressions of Interest from prospective entrepreneurs, individuals and any other parties was via public advertisement published in the *Fiji Sun* on 10th November, 2012 and closed at 4.00 p.m. on Friday, 7th December, 2012.

- Expression of interest received

At close of call for expression of interests, only two (2) submissions were received; one from P. Meghji & Co. Ltd and the other from Challenge Engineering Ltd.

- Short-listing interviews

The two interested developers were called for interview to discuss and clarify details of submissions made whereby both parties were further requested to provide project proposals details by 4.30 p.m., February 13th 2013. In the process, Challenge Engineering Ltd withdrew its expression of interest in the proposed development.

- Application for Approval to Sub - Lease

Approval was granted by the Minister for Local Government, Urban Development, Housing and Environment vide letter dated 10th May, 2013 for the leasing of part of council land for hotel development.

- Application for Rezoning, Subdivision and Subleasing

Application for rezoning, subdivision and subleasing was made to the Ministry of Lands and Mineral Resources on 07 February, 2013 and subsequent approval was obtained vide letter 30 November, 2013.

- Application for Rezoning

Application for rezoning was provisionally approved by the Minister for Local Government, Urban Development, Housing and Environment on 31st July, 2014.

- Objection Period

The objection period was publicly advertised in the Fiji Sun of 4th August, 2014 and 2nd September, 2014 respectively. The same was published in the Government Gazette dated 8th August, 2014 and 15th August, 2014 respectively.

At the end of the objection period, only five written objections were received and have been forwarded to the Director of Town and Country Planning. Subsequently, the Office of the Director of Town and Country Planning has already conducted two sessions of hearing of objections on 2nd February, 2015 and 12th February, 2015 respectively.

- PROPOSAL BY P. MEGHJI LTD

At the meeting of Lautoka City Council Management on February 13th, 2013, P. Meghji Ltd presented its development proposal options under Build Own Operate and Transfer (BOOT) arrangement and under Long-Term Lease arrangement. In the meeting, the Council and P. Meghji mutually agreed that development under long-term lease would be a win-win situation for both parties.

- Proposed Development

Construction of 101 rooms, 4-Star Hotel with conference facility with a sitting capacity of 450. Total project is estimated at \$17,000,000

- Other Business Proposed

If approval is given, P. Meghji Ltd intends to construct a jetty on the foreshore opposite the proposed site which will be the gateway to the Yasawa Islands.

- Children's Park

P. Meghji Ltd has offered to construct on the balance land on the Foreshore lease a Children's Park.

- Proposal Rationale

Tourism is one of the major drivers and also the growth sector of our economy. Lautoka lacks business activities in such industry and by allowing the development, this proposed upmarket hotel accommodation will widen its economic base and supplement services provided by Waterfront and Lautoka Hotel. The proposed hotel development will also induce development of other tourist complimentary business within the Lautoka Municipality hence provide sustainable economic growth, providing more business and employment opportunities.

**2.1.3 Submission Three: Lautoka Chamber of Commerce
Mr. Pyara Singh, President
Mr. Josateki Vuluma, Member
Mr. Salim Mohammed, Secretary**

a) Mr. Pyara Singh

As far as the development of Shirley Park, it is long overdue, it should have been done 30 years ago. Where Shirley Park is, it was all sea before. He has been in business for more than 50 years and no development has taken place.

Lautoka needs five hotels, it has to develop, if not then it will become a township and not a city. Lautoka has all the prospects to develop but at the same time, there must be land available for development. The foreshore in Lautoka is the golden gate to Fiji. The biggest dollar that is coming to Fiji is the tourist dollar.

People on the streets and the Chamber members wholeheartedly supported the development of Shirley Park. Also it has the support of the people of Vitogo and Naviyago Village.

Lautoka needs conference rooms and hotel facilities. It is central to people in Rakiraki, Tavua, Ba and Sigatoka. It should be the hub of the Western side.

The foreshore should be developed like Denarau. The trees at Shirley Park take 10 years to grow, the time is right for them to be chopped.

b) Mr. Josateki Vuluma

The chiefs of Vitogo signed the letter for P. Meghji to develop Shirley Park so that there can be jobs in the Tikina of Vitogo.

c) Mr. Salim Mohammed

The Lautoka Chamber of Commerce's role is to look after the economic development. They are trying to develop Lautoka as a tourism city and plan is on the way to build an eco-tourism in Tavakubu and hence the need for more hotels in Lautoka.

Lautoka is a well-designed city because it has more parks and grounds, total of 60 small and large parks. Taking a portion of Shirley Park is only about 20 per cent, while 80 per cent is left. The foreshore development will also take place.

When the foreshore is developed, people will come because they want to see the sea and enjoy the fresh air. Shirley Park is used by drunkards. Shirley Park is not being used by the public as a park. It is not even safe to walk there at night either.

If this hotel is developed from that proportion, more people will be employed, and if people have more money then there will be night life, if there is no dollar, there will be no night life.

Lautoka is a neglected City, it should not have been like that. The Lautoka Chamber of Commerce and the Lautoka City Council should be blamed for not taking a bold step in developing Lautoka. Once it is developed, there will be better shopping facilities and malls and all. Ba is always flooded, Lautoka is not, it has to move forward, now is the time and Lautoka needs this Committee to bless this project.

The Lautoka Chamber of Commerce is the facilitator for any new business. The entire people in Lautoka will benefit from the development, taxi business, rental cars, etc.

Apart from the Waterfront, there is no competition in Lautoka, if there is another hotel there then there will be competition. If you have a marina here, it will be the gateway to the Yasawas. If the foreshore is developed, then the marina will come and that is important.

Shirley Park is central. Tourists will stay on the main land for a few days and then travel to outer islands, Vanualevu and Taveuni. It is a central area and people can go to town and enjoy the night life as well. The development will be to the benefit of everyone.

2.1.4 Submission Four: Town and Country Planning

Ms. Raijieli Taylor, Actg Director, Town & Country Planning
Mr. Viliame Qaniuci, Actg Senior Town Planner

Town and Country Planning Statutory Legislations

Urban planning is not just concerned with the making of plans but also with the management of development, to ensure that it accords with the objectives of the plan and is developed to the benefit of the general public.

Statutory Planning or otherwise known as town planning, development control or development management refers to this part of the planning process that is concerned with the regulation and management of changes to land use and development.

Usually, a developer is required to lodge a planning application with the local council and submitted to the government body (DTCP) Department of Town and Country and Planning for approval. The application is assessed by the statutory planner to see if it complies with the relevant planning objectives, controls, standards, policies and provisions and decided for approval or rejection.

Rational Behind Statutory Planning

While the statutory planning systems of different countries differ, the motivation behind the use of government intervention in the use and development of land is generally similar. It can be summed up as a mechanism to guide development to occur in a way that is in the interests of the community as a whole. Therefore, development proposals that do not accord with certain planning controls, objectives or design standards can be refused under law.

There are other rationales that may govern the use of statutory planning in many cities, including:

- To ensure fairness in physical development
- To meet the minimum standards of public health
- To ensure the provision of basic infrastructure and amenities
- To control and manage externalities and their impacts
- To provide adequate access to public goods, for instance recreational facilities, schools and libraries.
- To manage the effective functioning of the built environment.
- Protect: resources, diversity and public assets
Conserve: scientific, aesthetic, architectural, cultural or historical buildings or places.
- Facilitate: sustainable use and development
- Balance: present and future interests.

- Town Planning in Fiji

The Minister of Housing, Local Government and Environment (MLGHE) and the Director of Town and Country Planning:

- Laws of Fiji, Town Planning Act, Cap. 139, 1978
 - Laws of Fiji, Subdivision of Land Act, Cap. 140, 1978 Subsidiary legislation
 - Town Planning Act Cap 139 General Provisions (Regulations)
- The Act is divided into six parts:

Part 1 : Preliminaries – contains the definitions and establishes the post of the Director of Town and Country Planning including other duties as the Minister may from time to time direct. Separate sections deal with appeals, constitution of town planning areas, restrictions on the carrying out of development after such areas have been constituted, compensation, revocation, discontinuance orders, and a variety of powers concerning compulsory acquisition, maintenance of waste lands, etc.

Refers to Town Planning Schemes – Part II (sections 16 – 26)

- Approved Town Planning Schemes

Within a declared town planning area (e.g. Lautoka City), a scheme may be made with respect to any land with the object of controlling development and of securing suitable provisions for traffic, transportation, disposition of commercial, residential and industrial areas and similar matters.

By Section 16, every scheme has to consist of a Scheme Plan and contain such provisions as are necessary or expedient for prohibiting or regulating development of land.

Preparation of the Scheme is the responsibility of every local authority with a declared area (Section 17) and the Scheme must be made in respect of every land within the town planning area.

Provisional Approval by the Director is required before a plan is deposited for Public Objection and before granting approval, the Director may alter and modify the Scheme at his/her discretion.

A public hearing may be conducted by the Director into the objections and the local authority has the right to appear.

When an objection is determined by the Director, then the Scheme is finally approved and the local authority notified.

- Legal Documents of an Approved Town Planning Scheme: (Lautoka City)
 - City of Lautoka Town Planning Scheme Map 1978
 - Scheme Statement (states vision, objectives) and major recommendations)
 - Lautoka City Town Planning General Provisions (regulations)
 - Lautoka City Subdivision By-Laws.

Modification or alteration of a Town Planning Scheme

If a scheme is to be modified or altered, or a new scheme substituted, the Minister may notify suspension of the appropriate provisions of the scheme, as per Section 26 of the Act.

This section clearly sets out the processes and procedural requirements which shall apply with every alteration or addition to a scheme and inter-alia with relevant sections of the Act.

Section 19(1): Provisional Approval of Scheme the area covered by a scheme shall have a right to objection of a Scheme, and;

Section 19(2): Provisionally Approved Zones and Rezoning shall be publically notified.

Section 20: Objections of the Scheme “every owner or occupier of land within the area covered by a Scheme shall have a right of objection to the Scheme, and may, by notice in writing addressed to the local authority, give notice of such objections, and of the grounds thereof, at any time within three months after the first public notification of the scheme as required by this section”. Amendment Act No. 8, 1991 – time is within 30 days from date of notification/advertisement for alteration or modification of part of existing Town Planning Scheme.

Section 21: Objections submitted to Council shall be forwarded to the Director.

Section 22: Hearing of Objections; Objections under Section 20 submitted to Council shall be forwarded to the Director who will determine the procedure.

Section 23: Director’s determination of objections; on the determination of any objection under this Act, the Director may uphold the objection in whole or in part, and may require modification of the Scheme accordingly, or may dismiss the objection.

Sections 24 & 25: Final Approval of Scheme by Director and Operation of Scheme: makes it the duty of the relevant local authority to enforce and observe the requirements of any Town Planning Scheme.

Rights of Appeal: Part 1 Section 5 sets out the processes/requirements to appeals and rights of objectors where they are dissatisfied with any proposed determination by the Director.

Overview of the City of Lautoka Planning Scheme and Rezoning Proposal

- Lautoka City Council Rezoning Proposal

- Zoning

Zoning describes the control by authority on the use of land, and of the buildings thereon. Areas of land are divided by appropriate authorities into zones within which various uses are permitted.

In Fiji, the zonings are enacted as per procedural requirements of the Statute Law: Town Planning Act Cap 139.

- Lautoka City Council Application

Proposal: rezoning from Civic (Civic Centre) to Special Use (Tourism)

Note: The Site is not zoned recreation but civic.

Applicant: Lautoka City Council (currently holds the 99 year lease) Crown Lease CL6652.

Area: Four thousand seven hundred and thirty two (4,732) square meters (balance land remaining = six thousand six hundred and seventy seven (6,677) sq. meters).

Total area of Civic (Civic Centre) is also known as Shirley Park is:

Lot 1 ND 5149 = 1.409 ha (subject site) leased area.

Lot 1 DP 1805 = 1.2514 ha.

Total Shirley Park Site 003D 2.3923ha (23,923sq. meters) % development = 20 % (1/5).

Total area remaining should rezoning application be considered = 9.9191 ha.

Note: The two leases are currently zoned Civic (Civic Center) and currently belong to the Lautoka City Council.

Lot 1 ND 5149 was taken on as foreshores lease for a term of 99 years from date of 1981 and Lot 1 DP 1805 was for a Town hall site wef. from 1948. The 1980 Lautoka City Town Planning Scheme has zoned the site for civic (civic center purposes).

For noting: The site is zoned as civic (civic center) on the Lautoka Planning Scheme. This specifically states as interpreted under the Town Planning General

Provisions 8 as “Local Government Development of an administrative or commercial nature. Specifics of development are also outlined as per conditions of lease.

The subject site is known as Shirley Park, however, it is important to note that as per nature of use, the zone specifies the type of development allowed as per General Provision 8 : Interpretation and Provision 9 : Schedule A. In this instance “Recreation is permitted but the primary purpose is for civic center.

The area proposed is currently under the crown lease of which the Director of Lands is the landlord. The lessee being Lautoka City Council intends to survey off a portion and intends to develop it for tourism purposes: Type C within urban centers.

The plan was provisionally approved on 18th June, 2013 and advertised in both the Fiji Republic Gazette and the Fiji Sun on 4th August, 2014.

As per section 20: Objections to the Scheme “every owner” or occupier of land within the area covered shall have a right of objection.

There were six objections received; four from individuals and two through petitions received from:

Maude Elbourne and signatories (500 + signatories – this currently being clarified as some signatories do not meet the requirements as stated under the legislation. Please note that as per requirements, the Directorate had received advise from Nawaikula Esquire that he was going to represent Maude Elbourne and ratepayers. However, please note for the record, that that the meeting, Ms. Elbourne and the Natabua resident representatives stated in the forum that they did not advise Mr.Nawaikula as their legal counsel and would not be representing them. The Natabua residents (also being clarified) are 80 objectors.

Details of the Development Proposal.

Proposal: New Hotel (5 star) and convention center.

Design Intent: proposed concept approached to address the requirement of the development with simple functional spaces that do not overwhelm its entirety.

Facilities to be provided: General Administration, 22 car parking spaces, accommodation to have 81 standard rooms (2 blocks at three levels each), restaurant, bar and pool facilities, internal and outdoor seating mixture. Convention Facilities is to cater for 180 – 200 capacity and building footprint to be accommodated within the rezoned site.

On site: Large state piece of property leased to Council for Town Hall development, covers a Police post, one kiosk and Civic Centre building with car park.

Provisional approval states all the conditions required by the DTCP. It addresses economic, social and environmental factors and the various processes to be undertaken by the applicant.

Challenges and Responses:

The population growth rate of 0.7% from 2001 to 2011 with youth population swelling accompanied by youth unemployment at 31.5 % and spatial divide stemming from unplanned developments.

Structural change of the Lautoka city economy, previously agriculture based economy and now dominated by services industry and manufacturing and port related industries, education (universities etc), while currently sugar contributes 2.5 % to economic activity.

Shift from primary industries to secondary industries has resulted in huge demand for new infrastructure as Lautoka is challenged by ageing and aged infrastructure.

Responses:

- Stitch the city to correct spatial divisions through “Corridors of Freedom”.
- Build a united city.
- Invest in social infrastructure and renew old infrastructure
- Built resilient infrastructure to withstand the effects of climate change.
- Invest in Economic Infrastructure
- Creating employment through PPPs
- Exploring Partnerships
- Promotion and attraction of more tourists (policy direction)
- Provide opportunities for international and national conferences/conventions to be hosted in Lautoka city.
- Creation of employment opportunities
- Boost economic spin off for the local economy
- Generate extra revenue for council as it’s currently difficult to rely on rates alone.

Pre-Conditions for a successful Town Planning Scheme

- Sound legal framework
- Sound public policies

- Ability to manage the partnership/tenure issue: payment of leases and final settlements.
- Good long term strategy and planning e.g. economic development strategy and long term capital development plans.
- Sound and stable leadership & management
- Politicians and officials
- Know your problems, have a plan to deal with them, and how some progress.
- Financial Sustainability.

2.1.5 Submission Five: Mr. Josese Rakuita Deputy Secretary for Local Government

Under the Local Government Act, the Department is to advise the Minister on policy matters regarding municipal councils.

The Ministry received the Lautoka City Council's request for sublease portion of the land on 25th January, 2013. This was after the Council had called for an Expression of Interest (EOI) as per the *Fiji Sun* of 10th November, 2012. This was after the initiation between the Council and the Department or the Ministry into utilizing this portion of the land so that it can ensure economic return for the Council and also for the ratepayers.

As a result of that, two interested parties registered their interests, namely: P. Meghji and Charan Jeath Engineering Limited. The Department of Local Government, in accessing the requests made the recommendations to the Minister for his approval under section 92 of the Local Government Act. Under that section, Sir, the Council may let any land which it may possess with the consent of the Minister for any term.

In assessing the application, the Department took into consideration the benefits to the Council and the ratepayers of Lautoka City. This was approved by the Minister in accordance with the powers vested in him under the Act.

In the same context on that approval, the Department of Town and Country Planning was informed by the Department of Local Government to proceed with matters concerning the land issue. Honorable Members will note that the role of the Department is to ensure that the Minister gives the approval and the other agencies of the Government will now proceed with the matters of concern regarding the vested authority under them.

The issue for the subdividing and rezoning part of Shirley Park was presented in Cabinet. Also attached is the "Approval by Cabinet Decision dated 30th July, 2013". Following Cabinet Decision, the then Acting Minister for Local Government, Housing and Environment informed the Special Administrator, Lautoka City Council of the approval and the conditions are also attached in Annexure 6.

This is very brief, in terms of the role of the Department to ensure that the partnership between Lautoka City Council and the developer is put in place. In terms of the Department

of Local Government to ensure that the Minister gives his approval before the other approving authorities or agency proceed with their Plan of Action to ensure that this approval is put in place.

- Comments by the members of the Committee

a) Hon. J. Cawaki, Chairman Standing Committee on Natural Resources

Under the law these are the relevant authority to deal with this issue. It has been made clear to the Committee on where the approvals or the process before the final endorsement by the Ministry.

The Committee will be doing the same thing that they are doing. The petition is with the relevant authority, that is the Town and Country Planning and it is their process. That will be the basis of the Committee's Report to Parliament since this petition was received by the Ministry of Local Government, and it is also part of the five or six objections that are in process with the Department of Local Government.

He has made some enquiries on the legality of going in to another process but was informed that there are no other avenues in going further with any consultation regarding the petition. The Legal Framework for looking at this petition is in the process of going through the petition process, as one of the five or six objections that has been put through to the Ministry during the objection period.

The legal advice given was to leave the process to the right authority to deal with the process which will be the basis of the report back to Parliament otherwise, the Committee will be creating a precedence that will be very hard or very difficult to make right.

Opinions were sought from the Honorable Kiliraki and Honorable Dulakiverata on the issue. The presentation that has been given by both Directors is that, the due process has been done and the petition has been received in accordance with the objection time and in accordance with the law. The Director is now in the process of going through those petitions, and it leaves no other legal avenues for the Committee to carry on with the consultations. That is his final decision, in accordance with the legal advice and the presentations that were done; however, the floor is open for opinions from Honorable Members of the Committee.

b) Hon. J. Dulakiverata

Tend to differ and would like to view his opinion on the issue. The Committee had been tasked as the Committee for Natural Resources to come and hear the people on this objection. The petition on Shirley Park was presented to Parliament by one of the Members as stipulated in the Standing Order that anyone can move a private Bill or put up a petition in Parliament and the Committee is going through that process. The Committee is to hear the views of the people and write a report on what they say. The process as stipulated by the law is there, which has taken place.

That should not stop the Committee from hearing the rest of the people that it has summoned to come and present.

Transparency and accountability is the order of the day. The Committee needs to be seen to be doing all these things democratically. The decision and the processes had been there, but there are still questions that need to be raised. The people have spoken and the Committee needs to hear them out.

c) Hon. Ratu Kiniviliame Kiliraki

The Honorable Member is in support of what the Honorable Dulakiverata had mentioned.

As far as the Parliamentary Committee is concerned, the Honorable Member quoted Section 27 (5) in regards to the presentation of petition; “the Speaker must refer each petition laid on the table to the Standing Committee under which subject matter of the petition falls and the Committee must investigate each contents and provide a report to Parliament on the petition and the action sought by the petitioners”.

It is only fair to the petitioners that the committee proceeds in spite of the laws being there and the decision by the Town and Country Planning to be made. Under the standing orders, the Committee owes the petitioners as mandated by the Parliament for their part in convening the meeting in Lautoka.

d) Hon. A. Nabulivou

The Honorable Member is in support of the Honorable Kiliraki and the Honorable Dulakiverata. The Committee is to get the views from the public to complete its work and a report to Parliament in the next sitting.

- Comments by Acting Director of Town and Country Planning, Ms. R. Taylor.

Lautoka City Council in their town planning bylaws as well as in the Local Government Act, there is a boundary to where the council actually needs to have jurisdiction over.

She noted that in the work programme of the Committee, they are also bringing in people that are actually outside the town planning scheme and the legislation is very specific in terms of who can object to a planning scheme. In this case, it is people who actually have properties in the council boundaries, as well as people who reside in the Lautoka City planning boundary.

Again in terms of planning, it is actually stated that way due to certain reasons basically it is the Council that looks after these areas, it is the council that is financing places of developments such as civic sites. That is one of the areas that the Town and Country Planning look at when people make submissions on objections.

In terms of the petition, the Department has gone through every person, every signatory on the petition and there is a number of people that do not even reside in Lautoka. The Act says they may use the park but under the Act they do not have a right to object.

Secondly, it is very specific, it tries to ensure the type of development that happens within a town is actually addressed by the relevant authorities. These are the people that actually monitor the works in the area and also the people that actually implement the laws in place. In that aspect when objections are received by the Department of Town and Country Planning, it not only look at everything that is submitted but look at certain areas that are only relevant to the development and the things around it.

As part of objections received, the department is looking at the issues that are raised in the objections. One is the loss of open space, from the planning perspective, it looks at it from both sides the pros and cons of this loss of open space. It also looks at the current use in terms of what is currently being used on the site, as well as what probably could be best in terms of what is currently happening on the site.

When the Department looks at an objection, it actually looks at the total areas with regards to this and it is the community that is living with the development that comes in. The economic, social and the environment factors. In most of the objections it was the loss of open space, the percentage of use and again there was a misconception in terms of the zoning of the site as a recreational park.

There was a misconception there but again there were some very important issues that came up that probably the developer needs to address as well in terms of the development.

If the Committee is going to have this public hearing then it needs to be very specific in terms of what it wants to hear from the public. Again, it states who can make that objection in terms of Lautoka being a legislated area and in terms of the ownership of the land which the lessor is Lautoka City Council and the type of tenancy that it currently holds.

The Director strongly feels that if the Committee really needs to carry on with this public hearing then its terms of reference need to be put in place in terms of what it needs to be doing against the legislation that is in place. It is the statutory law which needs to be recognized by the committee.

In terms of the time frame for the provisional approval, it will depend on the terms of clarification on issues that were raised in the objections, as well as issues made on the time of the hearing. The department usually tries to make the decision within one month of having carried out the objection hearing. At this time, the department is clarifying issues that are submitted in the objections, as well as considering options and other matters with regards to the conditions of rezoning which was done in the provisional approval.

The decision of the director is actually considered after taking into consideration all the issues raised as well as looking into options with regards to the type of developments that is carried out.

The Director looks at both the pros and cons of the development.

**2.1.6 Submission Six : Department of Environment.
Mr. Aminiasi Qareqare, Acting Director Environment
Ms. Kelera Tokalau, Environment Officer, Western Division**

All the developments such as this usually go under a requirement under the Environmental Management Act 2005 where an Environmental Impact Assessment is usually done. That process is usually undertaken when all other due processes are done initially like the town planning process, that is to zone the area and have the scheme approved. On top of that some of the conditions for approval will be the Environmental Impact Assessment (EIA).

The EIA mandated under the Environment Act is such that a baseline study, a consultation with the public and when an EIA report is developed, it will be out for public review. In essence, the department through the EIA process will only come in once the initial stages is addressed through the Town and Country Planning are followed and then the Department of Environment will come in.

Under the Environment Management Act, there are two instances where a project undergoes public consultations. The first one is during the initial development of the EIA Report which will require the developer to hold public meetings at a public place and that is done through the consultant and when the report is ready.

When the EIA Report is ready, there is a mandated 21 day period within the Act for a public review of the EIA document. Anyone can write in with his or her concern which is already mandated in the Act.

At the moment, the application for rezoning and whatever development that is going to happen at Shirley Park is yet to be received at the Department of the Environment but certainly listed under the Schedules under the Environment Management Act, this development will undergo an Environment Impact Assessment study.

There is a cost to development. The Department has approved a lot of similar cases for development and some that have had much bigger environmental foot print like the reclamation of big mangrove areas or the cutting down of natural forests, but in saying that, the important thing is that the due process in terms of how the EIA will be done and what the impacts will be to be verified during the report is important.

But just to compare that to other developments that the Department has approved, there have been bigger and major economical footprints that the department has approved considering the need to go forward like mangroves for reclamation and natural forest de-afforestation.

The EIA goes through a number of processes. There are about seven steps, two of those steps within the EIA process is when the public comes in to have a say and one is it usually develop the EIA report which is called the scoping exercise and the other is when the public comes in to comment on the report which is called the review period. It will be advertised in the papers where the consultants will be having a meeting and also when the report is ready, they will have the chance to look at the report and say their views on the contents of the report and whether it will reflect how the development is going to look. That is how the public are involved with regards to the development.

Most of the developments depend on the comments that come from the Department of Environment. The EIA report is basically divided into three major sections; the physical, which is land, the other is biological which is to do with things that might affect the natural resources and the last is the social aspect of the report which is what concerns ratepayers of Lautoka and other citizens that frequent the areas. The three sections that will be taken into consideration thoroughly prior to any decision being done.

The Committee again sought clarification from the Lautoka City Council to clarify the zoning at Shirley Park from civic to special use, in view of the Council's presentation to the Committee on Monday, 2nd March that the zoning was commercial and industrial.

- CEO, Lautoka City Council, Mr. J. Nakauvadra

The Council was referring to the usage as per the lease but the zoning that was given by the Department of Town and Country Planning it was as per the Lautoka City Scheme Plan which supersedes the usage that was in the lease title.

- Hon. J. Dulakiverata

According to the advertisement, it stated from civic and that is the issue. The lease that was issued and then the town planning scheme comes later and rezone the area that supersedes what is on the lease. There are two different issues and according to the Town and Country Planning this area is not zoned as civic. In the City Council's presentation it is already commercial and that is why the Council is asking for reasoning, application for rezoning subdivision and sub leasing.

The City Council mentioned on Monday that it was already commercial and that is why it applied for rezoning, application for rezoning subdivision and subleasing. It was already commercial and the City Council applied for special use – hotel.

- Mr. K.D. Kama

The City Council's submission was based on the title copies of which have been presented to the Committee on 6652 and the title was commercial and industrial. The Council had made that application but the advertisement that was put out in the paper by the Director of Town and Country Planning based on their scheme, they have corrected the Council by saying that their town scheme takes precedence over the lease.

That will not affect the quantum as it is based on the UCV value of the land. The UCV value that the Council has calculated is based on the proposed zoning to special use. The figure worked out yesterday was based on the new zone – the Special Use.

2.1.7 Submission Seven: Ministry of Lands

**Mr. Ilaitia Navunisaravi, Divisional Land Manager West
(DLMW)**

The consultation is a town planning rezoning process and the Department of Land will just rely on their decision; yes or no.

Their view is that, there will always opposition to such important investment proposal which is why they are there. Hopefully, common sense will prevail and the committee will play an important role for a decision to be made that is good for everybody.

For example, if this is rezoned, rentals will increase and will stimulate economic activity and also support the critical shortage of accommodation that Lautoka city faces at the moment.

Their consent is subject to all the approvals being obtained for this case. If the rezoning process is declined that is the end of it.

The Town and Country Planning are the experts, they are the ones who are making the decisions and comments, and the Lands Department is not the expert here.

The proposed plans are sent to the local rural authority and Town and Country Planning for their approval first before the final survey plan is done. Likewise when the survey plan is approved, the Town and Country Planning also approves that everything is in accordance with the scheme plan that has already been approved.

On land use planning in terms of any hotel sites in Lautoka, the Lands Department rely on Lautoka City Council zoning map, so for any subdivision to be made, it has to be in compliance with the current zoning already in place, the scheme plan.

If that was approved and rezoned, the Lands Department has its own registered valuer as part of its leasing process to assess rentals. If it was rezoned to commercial, the rental will be higher.

2.1.8 Submission Eight : P. Meghji & Company Mr. Romit Meghji, Company Director Mr. Eremasi Matanatabu, Operations Manager

- Mr. E. Matanatabu, Operations Manager

The actual application and the process started in December, 2012, in consultation with the Council. The company signed the Memorandum of Understanding in July, 2013 and then it engaged its engineers HLK Jacob to perform various due-diligences on the

proposed project, and then advertised for some tenders for the design. It is probably not the final design, but pending approval, then the design is finalized for the proposed project.

The company also engaged Jones Lesly for a project valuation that was done and the Director can further elaborate on the valuation and how much it costs to actually carry out this project.

In January, 2014, the company consolidated all these reports and awaits further information from the Council so that it can proceed with the hotel development. So in the timeline, that is probably what it is till to date.

P. Meghji started its operations in Lautoka in its current form some 24 years ago. The primary business is a wholesaler with dried goods and beverages and that majority of its market at that stage was hotels around the country.

Some 10 years ago, the company started to diversify and invested in putting out two of its kind establishments in Lautoka; the Lounge and Bar Restaurant and the Lautoka Spa. This is all in its aim to actually develop Lautoka to become a tourist destination. As part of its future development, it also had its eye in establishing a hotel here in Lautoka. The infrastructure is actually in place that the company has put in to actually support this development. The latest acquisition was the Sheraton Tokoriki which has now been in operation for the last seven months and that is out in Tokoriki Island.

In a nut shell, as a background to this hotel development, it has been in the pipeline in the company's development plans for the last five years and is something that the company always looks forward to.

The proposed development site is some 6,000 square meters. Of the whole of Shirley Park, from the information the company has, it comprise of about 24,000 square meters. The company will be using up to 27 per cent of the Shirley Park establishment. That is the entire area that comprise Shirley Park and that includes the Council building also. The company is only using about 27 per cent because there has been a misconception that the company has actually taken up the whole park.

The Committee was shown the view of the proposed area and they have actually subdivided the lots. The company is taking up lot 1 and part of lot 2.

Because the surrounding area is a park, the company is trying to make the surrounding area as green as possible in terms of its design.

The company is proposing about 100 rooms and the main key issue is the conference facility which the company is planning to seat about 400 people. It is a business hotel because Lautoka does not have a proper State of the Art conference facility.

The finalized design will come after the approval is given to start and then soil tests done to see what kind of structure it can hold on the proposed site development.

Solar energy will be installed to have it like a green-hotel.

It is a two-storey building at the moment but the weight and height of the hotel will actually depend on the soil test that will be conducted on the site once the company is given the go-ahead.

The company is trying to have that green feel build in the hotel; whether it will be some painting or pot plants in the hotel or on the walls of the hotel. The company's designers and architects have looked abroad to see ways it can actually make those happen.

The company will not be doing any changes to the current infrastructure that is in place, so the hotel will just be sitting beside the road.

The advertised lot is 6475 square meters for the combined lots; Lots 1 and 2 which is different from the figure the Lautoka City Council gave which is 4732 square meters.

A lot of people that come from overseas to work in Lautoka stay in Nadi because there is no accommodation available in Lautoka. The Waterfront Hotel is always booked out. All major conferences that are held in the West are either held in Nadi or the Coral Coast because Lautoka does not have a big conference facility.

The company is trying to create a start for Lautoka to also become a tourist destination and there are two high class establishments; the Lounge and the Spa. This is just the continuation of that process of actually putting in a hotel that can become a four-star hotel.

Lautoka has the biggest number spaces in the whole of Fiji. There are 111 open spaces, and based on its population, it has the biggest number. There are options for people and the company will create more options by actually putting up a Children's Park beside the hotel and also facilities like BBQ stands, similar to the concept that Punjas has done to the Children's Park next to the hospital.

If the company is given the opportunity to get signatures also in support of the project, it can easily get 530 signatures. The support for the project is there. Margaret Wise from the *Fiji Times* did a survey and a lot of people support the project in that survey.

- Mr. R. Meghji

The business hotel is a four-star and will have business hotel facilities such as the Conference Centre which is a major part of this hotel. Apart from the Shirley Park, there is no other location suitable for this site. It is the only location that can basically occupy a hundred (100) room hotel with a four hundred (400) seater Conference facility.

The company will lease the land where the City Council will earn almost \$500,000 a year. Basically, if one looks at a 20-year plan, the land will worth \$20 million. The company is not paying upfront and grabs the land from the Lautoka City Council; it will still remain with them.

During the initial EOI that the company expressed during the bidding of the land, the company had stated that it will construct a park for people to utilize in the other half of the land or the remaining area where people could enjoy them. The company will be constructing playing fields for kids, a picnic spot for people to use that will have BBQ stands so that those who go to Shirley Park will still be able to utilize that area.

2.1.9 Submission Nine: Vanua o Vuda

Adi Makelesi Tavaiqia, Chair, Vuda Resource Committee

Mr. Jeremaia Namuaira, Member, Vuda Resource Committee

- **Adi Makelesi Tavaiqia, Chair, Vuda Resource Committee**

The Tui Vuda would like to keep Shirley Park as it is now. It is a good place for the people of Vuda coming to the city of Lautoka to shop, and a place to rest and relax while waiting for Government offices to open or to meet friends or relatives. It is the ideal place; it is near the city and the sea. A lot of people like that atmosphere, just to come and hang around, rather than the one far up close to the hospital it is far from town and far from the sea. Shirley Park has a nice view with the sea breeze.

Sometimes, there are special buses or cars parked at the Marine Drive and people sit down and have lunch, snacks, et cetera, and it is an ideal place.

The Vanua o Vuda would not like to turn it into a commercial place, they would rather keep Shirley Park as it is.

The Vanua o Vuda is against the rezoning of Shirley Park.

The *Vanua o Vuda* would rather have Shirley Park as the ideal location for relaxation for the people of Lautoka and those that are coming into Lautoka.

- **Mr. Jeremaia Namuaira, Member, Vuda Resource Committee**

On behalf of the Tui Vuda and the Vanua o Vuda, they would like to put on record that they do not agree to the proposed development that is proposed for Shirley Park area. The reasons are as follows:

Shirley Park is used as a recreational area for the people when they come to the City. With the long dry spell of weather, there is hardly any room for recreation and rest. If it is going to move to another area, it will be very difficult for the people, especially the elders when they come to do their shopping. The area is easily accessible to government departments.

Shirley Park is used for family gatherings. People buy their food and call families and children to enjoy in this beautiful scenery;

It is a meeting spot for families.

It is within walking distance to government departments and statutory bodies

The Tui Vuda and his people disagree with the development that is proposed at Shirley Park.

**2.1.10 Submission Ten : Mr. Aman Ravindra Singh
(Appearing on behalf of Y.P. Reddy, Charan Jeath Singh
and Maude Elbourne)**

They would like to state clearly that the advice given to the Committee to stop the public consultation was not independent.

They also questioned the cancellation of the public consultation since it was widely publicized and the citizens of Lautoka were looking forward to it, however the doors have been shut on the citizens and why they are being suppressed.

He wished to put on record that the Acting Director has misled the Committee. There was one public consultation on 2nd February and it was opened to the public after a lot of pressure. They did not present because the documents were not made available to them. Under the law, there should be two public consultations.

The law has not been followed and the statement by the Attorney-General that all consultations have taken place is incorrect and misleading.

They will be raising their point once again with the Director for Town and Country Planning and the Attorney-General; however they wish to tell the Committee that they been misled.

The second public consultation did not take place because at that meeting they are on record asking for further information as per Section 25 of the constitution which is the supreme law of the land.

They feel very strongly that no matter what is said about for or against the development of Shirley Park; a decision has been made and is a common knowledge amongst the people.

They are not against the development of Lautoka City but viciously against the development of Shirley Park.

They have been misquoted in the public for many occasions and they hope that this forum puts the record straight.

They questioned how a decision has been made and what processes have been followed, or not followed.

When this project was first proposed, an expression of interest was put in the *Fiji Sun* dated 10th November 2012.

If one has to propose a development to a very important park, firstly one would expect the powers that be to widely publicize the expression of interest. There were only two applications and the documents that have been presented to this committee stated that very clearly.

Praveen Bala also known as Praveen Kumar was instrumental in processing the application from the Lautoka City Council side and the same person currently sits as the Minister for Local Government.

Mr. Bala is on record as being firstly biased against those who have opposed this development. Mr. Bala has been stated publicly giving reasons as to against the development in this city, people do not want anything to be done to this city and other little petty remarks which is unbecoming of a minister.

In a process where government and local authorities are involved, the process must be seen to be squeaky clean. It must be transparent and the public officers must be accountable. The very basics of accountability and transparency have not been met.

The perception of bias in a court of law will be equivalent to bias being present which is not acceptable by public officers.

The processes involved in these are being questioned in totality. Any processes by government or local authority that are not transparent or are not accountable to the people will not give the mere perception of bias, but will be simply call the process of bias. It is commonly held public opinion that the deal has been done.

Rohit Meghji who presented to the Committee on Tuesday publicly stated to one of their members that the deal was done. This Committee in no way has been told that the deal is done.

He referred the Committee to Section 123 of the Constitution on the Public Service Values and Principles of State service includes (f) accountability for administrative conduct. The Lautoka City Council fails to deliver; the Special Administrator has failed to deliver and the Department of Town and Country Planning. It talks about timely accurate disposal of information to the public. People have come to this Council seeking information to the tender process, to the express of interest process and they have been simply given the run around from first floor to bottom floor.

When requests were made for the files to be opened with the Acting Director of Town and Country Planning, they were given the assurance that it would be done within two to three weeks and they are still waiting. Section 25 of the Constitution states access to information. Every person has the right of access to information held by any public officer and yet this has not been followed.

Violation of the Constitution is their concern and that will be the concern of the Standing Committee, with respect to violation of access to public information is their concern and has to be the concern of the people's representative in Parliament.

The process has not been followed and is not clean and clear and transparent and accountable.

There have been procedural irregularities, in dealing with government and local government and when decisions are made by people in charge and accountable to the public they expect the process be to transparent.

Only one portion of the land was advertised which is the portion that has been given the provisional approval. The first advertisement was to do with Lot 1, ND15149 and the second advertisement was to do with DP 1805. That is procedural irregularities at the highest because you cannot advertise one portion of the land and afterwards advertise the second portion of the land and then go back to talk about the first portion of the land. The process has been flawed.

That is the opposition that you have in the form of 500 plus signatures. It is not dealing between two private individuals, this is a public park and it is to do with Lautoka City, the local government and the government of the day.

Parliament is sovereign and independent and it is an independent committee. The Attorney-General is publicly undermining and disrespecting this committee which is a cause for concern. It calls into question the position of the Committee right now and the processes that are continuing in the Town and Country Planning Office. It adds to the public perception of bias and in a court of law a mere perception of bias will be taken as bias.

They will use this forum to state their grievances and also to state their concerns and they hope that members of the press will be able to put out to the public and not to censor it. If a process is riddled with lack of transparency, lack of accountability, perception of bias, then the whole process is called into question.

The process is biased and riddled with bias which lacks transparency and accountability.

The second public consultation was called public but it was shut to the public. On 12th February, they used that forum to air all grievances. They questioned the lack of transparency, accountability, lack of public disclosure of information and the bias in the process.

They stated that under Section 25 of the Constitution where every member of the public has the right to access to public documents and they are still waiting for the public documents. They were disturbed that the Acting Director of Town and Country Planning did not mention that particular information and is misleading by a public officer.

The statement by the Attorney-General appears very clearly that he is being misled by his junior officer in the form of the Acting Director of Town and Country Planning. The issue is very important and sensitive as well. There is lack of transparency and accountability within a government ministry which is charged with this important decision making. He wants the Committee to take on board as to why the Acting Director misled the Committee.

They will raise the issue at the highest level and also to state on records that the Committee was misled.

Their other concern was the provision of the EIA.

The moment the Minister has provisionally approves the rezoning of Shirley Park, an EIA has to be put together because one cannot have an approval by the Minister and have this process which is totally flawed. A decision can only be made if the right documents are in place and that document is missing so they categorically state that the process is flawed.

They respectfully state that the EIA is missing and once again the process is flawed. A very vital part of the information needed to make a decision is not part of the process.

2.1.11 Submission Eleven: Ms. Denise Gibson
Lot 25, Maulvi Taj Mohammed Lane, Tavakubu Stage II,
Kashmir, Lautoka.

She would like to state unequivocally that she is one of the signatories to the five hundred (500) plus petition, however she is not against the development of the hotel but rather the proposed location of it, being Shirley Park.

The Petitioners understand the need for economic growth in the city, the need to create jobs, etc, which will generate from the building of this hotel but all they are asking for is not to build it in the Park.

Is there any other location in the whole to Lautoka to build this hotel? Has there even been a concerted effort to find an alternative location or was Shirley Park, because of its prime location, the only choice from the get go, without consideration for the little people who use the park daily for different purposes?

Shirley Park has always and still does serve a wide cross section of the community. The service ranges from the very young to the elderly and for a broad spectrum of events, such as from religious to educational programs. Pre-school open days; where would be a better place to let loose an army of preschoolers than in good old Shirley.

The Health Awareness programs and activities for example, the Colour Explosion Event, Walk for Wellness, etc, which has now been declared exclusive only to Lautoka by the Organizers. The early morning group Zumba in such a cool and picturesque setting, it set off a feeling of friendship, but most of all, the want to take part in the walk and be healthy.

The Red Cross Open Day is also held here, where they carry out blood drives, etc.

It also provides a venue for Women's groups to carry out and display their art and craft.

It plays host to Arbor Week, where there is a varying display of Fiji's diverse flora.

This year will see a number of Cruise Liners stopping in at Lautoka Port as part of their travel itinerary. At present, these visitors can be seen sitting and enjoying the park, as a brief and welcome interlude from the heat of the city. They are also seen mingling and chatting with locals picnicking in the Park and stall vendors.

Margaret Wise should have done a survey of a wider cross section of the community, if she was to refer to it in her heavily loaded newspaper article.

Even if a portion of the Park is utilized for the proposed construction of a hotel, it would give rise to issues of noise control and restrict the freedom of movement of those who participate in the above events at those specific times and for the general public at other times. Honestly cannot see where they propose to fit everyone in the area that will be left.

In conclusion, she would like to reiterate the value of Shirley Park, not only for sentimental and recreational reasons but also for her essence in her whole entity. She sincerely hopes that good sense will prevail and that they can have both the hotel and Shirley Park, resulting in a happy community.

2.1.12 Submission Twelve: Mrs. Matilda Gibson

**Lot 25, Maulvi Taj Mohammed Lane, Tavakubu Stage II,
Kashmir, Lautoka.**

Most of the points in her submission have been articulated already by her daughter, but just in case the message has not been stated clearly enough, she would like to reiterate some of the points.

The message of their stand on the proposed relocation of Shirley Park does not seem to be getting through. They are not against the proposed hotel development, they understand the economic benefits that will result to both Lautoka and the nation as a whole in terms of increased employment, increased tax revenue, increased foreign exchange earnings, et cetera. They just do not want the hotel in Shirley Park.

Shirley Park must remain as it is in its entirety:

- For its aesthetic beauty;
- For the use and enjoyment of Lautoka citizens, and for local and overseas visitors (tourists) to the City, just as it has been for decades.

Build the hotels somewhere else. Perhaps as suggested in Vuda, which is a beautiful spot, or to one of the other 110 available green sites like the Botanical Gardens.

She noted the statement made by Mr. Meghji that the hotel site would only occupy 27 per cent of the park area is not quite true because part of the park is already occupied by the Council building. The reality is that, about 27 per cent approximately of the undeveloped area is where the proposed hotel site is going to be, and that leaves comparatively little area for the use of Lautoka citizens.

She also noticed during that site visit that three of the largest and most beautiful trees are under threat of being cut down. The impact of global warming is evident everywhere, even in Fiji. Global warming, the rising sea level, several villages in Fiji have been relocated because of rising sea level due to global warming. Any reduction in trees and forests will result in a rise, however minimal in global temperatures.

Reforestation programs is everywhere, and here in Shirley Park, Mr. Meghji is proposing to cut down three of the biggest and most beautiful trees which have taken decades to grow to that size.

She reiterated the point made by Mr. Aman Singh that that EIA should have been done at the very moment the provisional approval was given for the rezoning of Shirley Park because that assessment would definitely have an impact on the decision of whether to rezone the Park or not.

Developments and government policies should not only depend on economic gains. The fundamental rights of the citizens should also be considered and their basic rights and needs of citizens must also be considered. The need of the Lautoka citizens is to retain Shirley Park as it is, in its entirety. As ratepayers, they have that basic right to a say whether to rezone the park or not.

2.1.13 Submission Thirteen: Mr. Jagnath Sami, Ratepayer, Lautoka

He is also a petitioner and he concurred and supported the submissions made by the Ratepayers Association (Mr. Aman Singh and the Gibsons) his sentiments are the same.

He has been a ratepayer of Lautoka since 1994 and has been paying his rates punctually. He has great concerns about town developments and what is happening in the town. He is also a former chairman of the Ratepayers Association at a very critical time when Lautoka city decided to increase the rate by 30 per cent in 2009.

The genesis of the problem is good governance. Fiji has lacked good governance and they had argued this with the Minister in 2009 that increasing 30 per cent rate is not the answer because they are not solving the problem.

The council only needs \$1 million to run the council instead of increasing the rate by 30 per cent and putting that burden on the people who are paying rates. He has been from the words of the Minister who was the special administrator in response to the Shirley Park development that the Council is in arrears of \$5 million

The council wants to get rid of Shirley Park to recover some money. This committee has great powers and great vision to finding solution not only for this city but in all the cities where parks are being given away. The ratepayers of Lautoka have got a lot of faith in this committee and people have got that expectation that the committee will do what is fair and just.

The Lautoka City Council is the custodian of the properties of the ratepayers they do not own it, it is owned by the ratepayers and it is ironical that the city council do not listen to the owners of this property and they have not been consulted properly and procedurally like Mr. Aman Singh had said the lack of accountability, transparency and the rule of law have not been followed.

He also reiterate the fact that have already said about the environmental studies and occupational safety and health reports not only to do with Shirley Park projects but this has to do with all the projects. There is something definitely wrong and the committee can find a solution to that.

His understanding of the town and country planning that when they do subdivision plans, there is a requirement of certain percentage of the land being reserved for parks and gardens. The government of the day cannot allow these things to happen because it has boldly said that they believe in transparency, good governance, accountability and the rule of law.

They want a decision by this committee which is just and fair to the ratepayers of Lautoka.

2.1.14 Submission Fourteen: Mr. Charan Jeath Singh, Ratepayer, Lautoka

Has no objection to any other businessman trying to develop Lautoka provided they develop in a place which is meant to be developed and not to take away the parks and gardens.

He would like to put on record that Mr. Praveen Kumar Bala was an Administrator and a former Mayor of Lautoka and he told Mr. Singh that he has been asked by the Attorney General to put a proposal to government.

From his experience with the Town and Country Planning procedures, it is very clear that all the submissions has to be made to the Town and Country Planning by all the authorities before they even issue a provisional approval. In this case, there has been a horse before the cart whereby the provisional approval has been given and Mr. Meghji is going around in Lautoka and the whole of Fiji saying that he has a park to develop. That is very unfair on the part of the citizens and developers of Lautoka.

In the newspaper of Tuesday 3rd March, it is reported that the Committee is usurping the powers of the Town and Country Planning. He wishes to place on record that the Honorable Attorney General has been usurping the powers of the Director of Town and Country Planning by putting a directive well before the submission started.

As with the other members they expect and have big faith in the Bainimarama government to be transparent, open and put procedures in place so that every other citizen can follow the law but there has been a shortcut.

The development in Lautoka will not stop if Meghji does not get Shirley Park. Their company has plans to put a fifty million dollar (\$50m) one hundred (100) room hotel and that is already

in the pipeline so there is no real shortage. In his conversation with Mr. Y.P. Reddy, they have got almost one hundred (100) rooms and they will have another one hundred (100) rooms and the occupancy percentage will not be more than sixty (60) per cent. The developing one will be trying to kill another development which is already in the pipeline. Lautoka Hotel is a hotel site next to Shirley Park they can develop there, a hotel on a hotel site so that, that hotel and the Waterfront Hotel can give the visitors and of course the citizens of Lautoka a place to go and relax in the open space.

He handed over the proposal of a fifteen or twenty million dollar (\$15m or \$20m) development which is going to come up in 2016 and it is a four (4) or five (5) story hotel with one hundred (100) rooms which will be ready in 2018.

He will present another set of reports by a company that shows that flooding is already eminent in this area and the city council should address this issue now. The problem is already there when there is a heavy downfall and high tide the whole road is filled with flood water. There is a report and it shows that there is a problem in that area and putting in another hotel will increase the problem.

There was no consultation what so ever and everything was done behind closed doors and then when the public found out they were told that there is something happening, but again very limited information was being passed to them.

He has no faith in the Director of Town and Country Planning. He cited an example in Labasa where Jaycees Park was also given for a hotel development and the ratepayers of Labasa went ahead and signed the petitions, saw the Prime Minister and the Attorney General and there was a recommendation by one of the staffs, a high qualified staff that the Jaycees Park should not be touched and should be left for open space. But despite the recommendation within the Ministry, within the Department the Director went ahead and rezoned it. The danger is that the Shirley Park will face the same fate if they are not careful, despite all the objections the Director could do otherwise.

The authority is good but they should listen to the views of the public and then make a decision, not to be biased and predetermined the decisions.

By having a hotel next to Waterfront, there will be no big difference to anyone except just losing a very good parcel of land that the public has. If Mr. Meghji wants to develop, the government should allocate something around that area, it is not too far out.

They do not fear competition because nowadays in business it is all about service if you give good service the customers are going to come.

2.1.15 Submission Fifteen: Mr. Joji Nasaumalumu Satala, Turaganikoro, Namoli Village

As Turaganikoro of Namoli Village, he is also voicing his concern and the concern of the community of Namoli Village, the landowners of Lautoka City. They do not support any development or construction of any kind at Shirley Park. It should be done anywhere else and not Shirley Park.

They grew up there and spent most of their family time to unwind and bring their children and grandchildren to relax and enjoy the sea breeze. Destroying it in the name of development is unwise and foolish. They are concerned at the way things are going at the moment.

Lautoka is a unique and beautiful city separated from the rest of other township because of its botanical garden and scenery surrounding the city and they want to keep it that way for the future of their children and grandchildren.

He humbly requests the relevant Minister to make the right decision for their future generations. The tales and storytelling passed from their forefathers that this land where the heart of the city is located was for recreation only and they want to keep some of it that way. If they plan to destroy their natural habitat, then they are treading on dangerous grounds, as the land in question have ears and eyes to see what their forefathers have fought hard for with sweat, blood and tears.

They want to keep Shirley Park as it is and request the Committee to consider their request.

He wishes to place on record that after retiring from work due to medical reasons, he has been at Shirley Park every morning and afternoon and the fresh air and fresh breeze that he gets, he is able to walk again and a living testimony of the park as well.

2.1.16 Submission Sixteen: Ms. Patricia Frazer (Petitioner), Ratepayer, Lautoka

She also agrees with the previous speakers, especially with regards to the flaws in the process that has gone ahead before this and the reason that she was there since Monday because she wanted to listen to the stakeholders and see what they had to say.

The current trend seems to be to cut down fully grown trees around the parks, to make way for developments in the name of progress. First it was Churchill Park which the previous speakers mentioned, now Shirley Park is in the process and then the Coronation Park is also earmarked for tourism development. These are three of the most beautiful parks in Lautoka and it is central. While it is true that Lautoka needs to grow and attract investments, careful consideration has to be given to the overall long term effects such developments will have on the lives and health of its citizens.

Instead of making the central business district into a concrete jungle the council should seriously look at ways and means of developing some of these open spaces away from the city be innovative and think outside the box encourage eco-tourism and maybe just an example homestay type of accommodation be it in cane farms or villages in the outskirts. These will help stop the urban drift and its associate problems and encourage economic growth in the rural areas or villages as well as offer tourist to the city a different experience.

Shirley Park is very dear to the hearts of the people of Lautoka and for the reasons that the previous speakers had alluded to.

Families come down on weekends to enjoy the scenic view and the fresh air.

Some even hold their children parties there.
Women's clubs come down and sit and do their craft working under the shade in the cool breeze.

School groups, the general public the university students all come down to Shirley Park.

Shirley Park has an area of 5.9 acres the proposed zoning if approved will take up 1.6 acres that leaves only four and a third (4.3) acres for public use in a city of close to over forty five thousand (45,000) and in the process fully grown trees will be sacrificed. Trees which took over thirty (30) years to grow.

Just some information according to Michigan State Forestry Department a fully grown tree generates thirty one thousand and two hundred fifty dollars (\$31,250) worth of oxygen and sixty two thousand dollars (\$62,000) worth of air pollution control and also trees are the lungs of nature. They keep the air clean and this is why it is so important to nurture and care for them not just chop them down because they are old.

It is commendable that the council has a continuous tree replanting programs in place. But this will take twenty (20) to thirty (30) years for the trees to mature to what they have in Shirley Park.

An emailed dated 23rd January 2015 from the Director of Town and Country Planning informed her of the public hearing. It stated that two portions were affected Lot ND5149 and DP 1805. Upon seeking clarification she was informed that both portions were indeed in Shirley Park yet the advertisement in the Fiji Sun only mentioned ND5149 part of Shirley Park.

The second hearing was called at a very short notice in a letter dated 10th February, 2015 was hand delivered to her home at 1.10pm advising that the hearing was going to be held on the 12th which was only two days' notice.

Files were requested to be open for inspection and the Acting Director informed that these documents were available for the public and they could inspect it at the Lautoka City Council.

She went down to the Council a few days later and was told to write in for the information requested. Almost a week before she got the response to go to the council and they showed her the file which contained the information. She was made to run around for something that should have been available there and then.

Another matter that needs to be investigated and clarified is that the proposed hotel would have 90 rooms and at the presentation on Monday by the CEO he said that it would have 101 rooms.

If approval is not required then there is nothing to stop the council from giving away further portions.

Another area of concern is the nature of agreement made between the city council and the developer where the council will enjoy certain privileges on the free usage of hotel facility

within the hotel project and the offer of throwing in a children's park on the foreshore leased by the developer. For transparency's sake, the council should be strictly business minded and not have freebies attached to it because this could be a situation where they may be questioned in future.

It could be a much said day for the citizens of Lautoka if this rezoning is carried out. The council should be reminded of their corporate goal that is documented in their website which says "to protect and encourage wide appreciation of the city's natural environment and to support and promote the city's economy taking into account its social and environmental values".

By all means build new hotels and encourage economic development but just not in Shirley Park. There are other sites that could be used if they look hard enough.

Just to set the record straight, there is the Waterfront, Lautoka Hotel and the Cathay. They do not have 100 per cent occupancy all the time and people are saying that there is shortage of hotels rooms. The thing that is lacking is the attraction for people to come and stay in Lautoka and this is where the council needs to be innovative and think outside the box to look at other ways and means of attracting people to come and stay.

Cathy has thirty eight (38) rooms and its average occupancy is forty (40) to sixty (60) per cent, Waterfront has ninety (90) rooms with eighty (80) per cent occupancy and Lautoka Hotel has forty (40) rooms with about sixty (60) to seventy (70) occupancy but their planned expansion will be close to one hundred (100) rooms. Lautoka could do with a four or five star but just not in Shirley Park.

She humbly request if the Committee could take the proposal back to Parliament, if a law could be passed if it is not existed already that parks be an integrated part of any town or city development plan and that they cannot be rezoned ever, they must remain as parks for the public.

2.1.17 Submission Seventeen: Mr. Mohammed Shameem, Secretary, Lautoka Taxi Association.

From the Taxi Association side that such development in business will bring in business and will take Lautoka forward economically. On the other side, though Lautoka is now growing business with the cruise liners berthing at Lautoka City, the tourists that come do not want to go and sit anywhere else, but with the breeze under the shades at Shirley Park. They are the sentimental touches of the people of Lautoka. The tourists want to use Shirley Park to sit and relax.

If one takes a look around Shirley Park on Sunday, one will find a five year old kid to a eighty (80) year old man sitting under the shades of Shirley Park.

Government is trying to look for more job opportunities to the people of Lautoka, but there are a handful of people who are petitioning and that is very important.

The Government of the day is saying no to it and there must be a reason why they do not want to stop the development. They want the money to come to Lautoka but not at Shirley Park. There should be another place to move the development to. The Council is cutting trees which are not right because climate change is taking place. It is a serious issue. These native trees have been there for over forty (40) years and even mangroves used to be around there but they got rid of it.

He hoped the Committee will take these issues seriously. Shirley Park is also used on Sundays and even in the afternoons and early mornings as a place more of a football ground than Churchill Park. People play under the shades and because of the breeze. Some cannot afford to go to Saweni beach, and people prefer to come to Shirley Park with their families without paying a single cent. There was a purpose why Shirley Park was created, it was given out as a Park, and if this Park is going to be taken out of the people of Lautoka, especially the ratepayers of Lautoka, it is going to be a big blow.

He requested the message be taken to the Honorable Prime Minister, that Shirley Park is a sentimental touch of the people, which is why they have given their time to appear before the Committee. These petitioners are not here to object the Government, not to object this Committee; all they want is that development of this hotel should not be done at Shirley Park, because of its importance and its sentimental value.

If this proposed hotel is going to be built somewhere else, the business is still going to come in. It should be built somewhere else and not at Shirley Park.

2.1.18 Submission Eighteen: Mr. Pravneel Chand, Youth Rep, Creating EASY

He represents a youth group called Creating EASY that is Creating Environment Advocacy and Social Empowerment for Youths here in the Western Division.

Youth is against the development. Their views are based on a number of issues that affect their lives if the development is carried out.

Trees at Shirley Park are over the age of forty (40) years and are actually saving the South Pacific from global warming and the bizarre effects of climate change.

USP and FNU students use Shirley Park for their leisure activities. If Shirley Park was to be developed into a hotel, or the rezoning part, where are these students going to have their lunch? Is the Government of the day and the Lautoka City Council providing an alternative for them?

Furthermore, when students from around the nation come around for field trips, Shirley Park is where they go to have their lunch. If it is rezoned into small portions, how is it going to fit in the citizens of Lautoka that uses Shirley Park?

Families use Shirley Park on Saturdays for their family picnics, there is a market that happens there every Saturday and Church groups go to Shirley Park for study and other purposes. Even

political parties used Shirley Park during the General Elections. It is very central and very essential to the public.

Among other staffs, a lot of youth groups in Lautoka use Shirley Park to carry out their advocacy which is for the good of the people. Zumba is conducted at Shirley Park every week for the people of Lautoka.

If Shirley Park is going to be developed, where are all these activities is going to be held? Is the Lautoka City Council providing us an alternative? Lautoka is blessed with other parks, but none of them have the prime and the central location like Shirley Park.

Think about Canada and the Niagara Falls; what importance does the Niagara Falls has to Canada? Think about the United States and the beauty that the Grand Canyon brings to the people of the United States. Coming back to the Pacific, think about the Great Barrier Reef in Australia? That is what Shirley Park is to Lautoka and the residents of Lautoka.

The Youths begs the Government to reconsider the hotel development at Shirley Park and think about the people of Lautoka. There are other places where this hotel can be built. If one takes a walk around Tukani Street, there are buildings that could be developed into better buildings to improve the infrastructure of the city. The CEO of the Lautoka City Council, Mr. Nakauvadra talked about improving the infrastructure of our city, they should start more from the grassroots levels.

He would also like to state that he is for Denise Gibson and Aman Singh, and they acknowledge them for their presentations.

2.1.19 Submission Nineteen: Mrs. Aliti M. Benion, Natabua Housing Estate

Mrs. Aliti Montu Benion is representing some of the ratepayers of Natabua Housing Estate.

Her fellow colleague, Mark Richmond is unavailable so she is there on his behalf as well.

The National Parks are usually dying a death of a thousand cuts, in the form of logging, concerns, grazing licenses and far most the common ones as hotels and tourism use.

Coastal marine parks in Lautoka are mostly young and small, poorly resources. But they are vital for regulating human activities and making coastal ecosystem resilient to pollution, invasive species, extraction and climate change.

Shirley Park is a very popular and beautiful place where the people of Lautoka, young and old as well as visitors and tourists go for relaxation and to enjoy the fresh air and the beautiful scenic view.

Shirley Park which is designated and purposely authorized for the public to use at any given time or day, usually for Sunday and afternoon picnic spots, meeting locations for university students, youth on daily lunch breaks, family sports day and activities, exercising venues, park

jams event, walk-a-thons, awareness, longing flea markets, campaigns, Arbour Week, school children on excursions and many more.

Over the years, trees and plants have been planted and reforestation has taken place which has helped beautify Shirley Park, the Local Government should focus on protecting the natural landscapes they contain.

They are in danger of regressing to the misguided ideas of building a new hotel. Shirley Park overlooks a marine view whereby if this particular plan of rezoning and building a hotel is continued; it will disturb these marine organisms because there is always a high chance of reclaiming the land.

Trees will be cut, shrubs and bushes will be uprooted, and contributing to the damage of the landscapes, problems of littering will occur, erosion as well as vandalism.

Lautoka has always taken pride in its title as an Eco-friendly city committed to growing and maintaining trees and fauna. In allowing the proposed rezoning to happen, they become hypocrites and join the world at large by saying one thing while doing another. Traffic congestion will surely happen in this area due to the incoming and outgoing of visitors/tourists.

Local goods can become expensive because tourists numbers will increase in the city area when this hotel will be developed therefore shop owners will increase the prices of their goods and services more for tourists to pay more which will affect the local people.

The building of the hotel here in Shirley Park will therefore increase the demand for development of more shops and hotels. Even though, it might ring a job opportunity bell for the local people, but these jobs are mainly seasonal, causing low paid workers with long working hours.

With those points, the Natabua ratepayers strongly oppose the proposed rezoning of the portion of Shirley Park to special use of a construction of a hotel. This should be stopped due to limited recreation and open space that is available at present. It is a beautiful open space, with great scenery and view. It is a beautiful open space with a lovely view at the ocean and the beautiful trees around.

They strongly agree that it should be preserved and maintained as it is without this proposed rezoning.

It should be done somewhere else but not Shirley Park.

2.1.20 Submission Twenty: Mr. Chandra Lock, Ratepayer, Navutu Resident, Lautoka

He came to Lautoka in 1955 and since then he has been in Lautoka all the time. He is seventy (75) years old. The population then was about ten thousand (10,000) roughly. Today, the population is over fifty thousand (50,000) and there is a shortage of parks. There is a need to create more parks, than taking away Shirley Park.

He is totally against any development in Shirley Park and is there for the future generations of Lautoka.

He would like to see Shirley Park planted with more trees and extend the boundary to the foreshore.

2.1.21 Non Appearance of Invitees

The iTaukei Land Trust Board and the Department of Tourism were also invited to give their views, unfortunately they did not attend.

2.2 SUMMARY OF ALL WRITTEN SUBMISSIONS

2.2.1 Submission One: R.T. Rickman, P O Box 3326, Lautoka

Department of Town and Country Planning restricted submissions to ratepayers only.

It should be the function of a well-managed Department of Town and Country Planning to ensure that as a town or city expands, there are more recreational areas, not less. It is essential for the health and wellbeing of future generations that commercial greed and cronyism is not permitted to gobble up what in the eyes of potential property developers is low capital cost land.

In 2010, Decree No. 36 was introduced by the Bainimarama administration that permitted the rezoning of lands, allegedly for the benefit of the people of Fiji. To date, as far as Lautoka is concerned, it has only benefitted individual national entrepreneurs who currently have more wealth than they can spend in two lifetimes.

It is inevitable that towns and cities will grow, but they should grow outwards and upwards, they should expand with adequate recreational areas and satellite shopping and services facilities; not implode absorbing recreational areas that will inevitably lead to increasing crime.

The Government and the Municipalities must be aware that in Lautoka and Suva the entrepreneurs who should know better are nibbling away at recreational land in the same manner rats attack a block of cheese and soon all that will be left is fat rats.

If the Department of Town and Country Planning cannot see or understand this, then it is time the office holders are replaced with people of greater foresight.

The Committee should take a tour around Lautoka and they will see for themselves that it is not necessary to develop recreational lands for commercial purposes.

2.2.2 Submission Two: Mr. Peter Drysdale P O Box 245, Lautoka

His concern is the erosion of green spaces in the city and the apparent abandonment of these principles of the outer edges of city, beyond Natabua and Lovu bridges.

Green Spaces

He had to fight to fend off a ridiculous proposal for a shop complex at Simla Park. He expects that to resurface.

He is concerned that Coronation Park beside the Methodist Church will come under attack.

They lost the sense of space and a public asset at Churchill Park.

Shirley Park could shrink and lose the essential sea-scape that gives that park its appeal. The people will see the back side of a hotel.

He is pleased to hear that the medical training facility will shift from the Botanical Gardens as threatened to a site near Westpac. If this is correct, good.

Regardless of the posturing behind processes – fundamentally he look to the Council to protect these spaces.

Planning and Development

North and South of the city the zoning and planning decisions are illogical. There is a hideous mix of light industrial buildings, bus and truck depots and residences – all hanging off the highway. He calls this the death of subdivisions.

This may not be the concern of the Council yet – but expect huge problems when the city expands its boundaries. The main problem will be in trying to widen the highways and the fact there is no sewerage infrastructure to the North side of the city.

He tried to influence decisions on these matters for decades. He will eventually go away but he promised that the problems will haunt them.

2.2.3 Submission Three: Mr. Lepani Raisowalu Matanitikina Vanua Vitogo

On behalf of the Tui Vitogo and the Vanua of Vitogo, he would like to inform that they fully endorse the hotel development proposed for Shirley Park and on that note; they rally their full support to the same.

Hoping that good sense will prevail from all stakeholders to allow the proposed development to go ahead and benefit the wider section of the Lautoka community in terms of employment and other economic advantages.

2.2.4 Submission Four: Ms. Laisa Balavu Tora Social & Community Consultant Lautoka For: Tora & Veidreyaki Family

This is the concern of her family (Tora) and the Veidreyaki family (her siblings) to confirm their support for the future developments that are to be carried out on the foreshore.

The much-debated one is the construction of P. Meghji 5-star hotel adjacent to Waterfront Hotel at Marine Drive, Lautoka.

Lautoka needs to grow and the reason for their support on this P. Meghji development:

Minimize the unemployment rate and create job opportunities in Lautoka

Business growth in Lautoka city.

The hotel itself will secure a disciplined and civilized urban society of Lautoka and the community as a whole.

Boost the economic wealth of the country.

Most of all, strengthen the many forgotten development of attractive infrastructure in Lautoka city.

They remain firm in their support on developments.

**2.2.5 Submission Five: Ms. Sulita Tuiqali
On Behalf of the Women of Lautoka
(National Council of Women, Catholic Women's League and
Lautoka District Council of Social Services).**

This is the beginning of the end of their beloved Shirley Park. Money talks influence decision making. The grassroots voice cannot be heard but there is a need to stand up for democratic rights because the votes of the grassroots got decision makers into Parliament.

The developers can pay their way into any destination in Fiji or the world to relax. The grassroots people in Lautoka only fold their mats and pay an affordable seventy (70) cents bus fare to Shirley Park, the only safe, clean and healthy picnic environment in and around Lautoka.

Lautoka City declares itself through two brand names – Green City and Sugar City. These brands make Lautoka unique. People should live up to this brand name, they should not be copycats. They should not copy or compete with Nadi and Sigatoka for Tourism Accommodation.

Trees at Shirley Park and not hotel bricks will control climate change which they are currently unable to bear.

The Women of Lautoka strongly disagree with rezoning Shirley Park for hotel development. They plead with the Committee to save Shirley Park for their children and the children yet to be born. People's lives, health and safety must take precedence over Wealth and Greed.

**2.2.6 Submission Six: Mr. Jay Lal
21 Tui Street, Marine Drive, Lautoka**

He is operating his business for the last twenty (20) years from 21 Tui Street, Marine Drive, Lautoka, which is adjacent to Shirley Park.

Over the last few years, he has been raising his concerns with the Lautoka City Council regarding the issue of inundation during heavy rain and high tides. Lautoka City Council had inspected the place but no action has been taken. Flooding has negative impact on their business and their tenancies, so they strongly opposed any development in Shirley Park.

Drainage and inundation problems should be first resolved before any development is considered.

**2.2.7 Submission Seven: Mr. Tukai Lagonilakeba
 Namaka, Nadi**

Shirley Park is ideally and centrally located to accommodate and boost the sugar city fathers dream to take it to a level competitive and attractive in terms of delivering services to locals and overseas travelers' expectations alike.

Adjacent to the park is a service station, LCC building, Waterfront Hotel, Police Post with a public convenience, restaurant and a car park but never heard of anyone objecting to its constructions then but where was this group then or is it a political ploy by some of those losing candidates from the last General Elections in 2014.

With development and progress, something will have to give way for as long as it complies with all government regulatory authorities, this is not the last for Lautoka, there is also the foreshore development immediately in front of Shirley Park with a Master Plan already in place.

Mr. Lagonilakeba wholeheartedly support all those Fijians that will benefit from the P. Meghji group of companies unwavering confidence to invest more in their hometown Lautoka in the interest of the nation at large.

Shirley Park can be relocated next to the Coronation Church where one will find a hundred (100) year old Vaivai trees just a few minute walk.

There is nothing absolutely wrong with the proposed million dollar investment as it will create an opportunity for another two hundred (200) new jobs and also capture the much needed extra tourist dollars from those Cruise Liners that visit the city.

This is a sign and trust of this great family oriented business confidence in the economy and the ever popular Bainimarama led people's government.

He commends and fully supports this great investment initiative by the P. Meghji family group of companies. National Interest First. Lautoka has everything to lose if they decide to invest in another town or city; this is about being competitive as a tourist destination which is the bigger picture.

The Lautoka City Council and P. Meghji must be responsible for the uprooting of all those plants and trees from Shirley Park to the Coronation Park if approval is granted as part of the relocation plan to replant and furthermore, the EIA must be strictly complied with by the developer.

**2.2.8 Submission Eight: Viliame Finau & Tomi Waqa Finau
66 R.S. Reddy Road, Kashmir, Lautoka**

They just wish to register their objections to the proposed development to Shirley Park in Lautoka foreshore recreation area. They object to the removal of the trees and lawn areas which provides areas for picnic and lounging in the lawn.

They note with disgust the building works at Churchill Park, which has taken away, part of, a central public recreation area from the citizen of Lautoka.

Now, Shirley Park area is being rezoned for commercial building expansion, selfishly, catering only for commercial developments.

Due considerations to the needs of the citizen of Lautoka should also be taken into account on any development of Shirley park.

Any commercial development to Shirley Park, like the Commercial Building at Churchill Park will stand as a monument to selfishness and corruption.

2.2.9 Site Visit

The Committee also undertook site visit of Shirley Park on Tuesday, 3rd March.

2.3 Committee Analysis of all Submissions

The committee in its analysis of the submissions received, both written and oral confirmed that all are supporting the development in Lautoka. As for the development of Shirley Park, it should be noted that majority of submissions are not in favour of rezoning of the proposed development.

The results are as follows:

	For Development	Against Development	For the Development of Shirley Park	Against Development of Shirley Park	No Comments
Written Submissions	8	Nil	3	5	Nil
Oral Submissions	20	Nil	5	12	3
Total	28	0	8	17	3

3.0 CHAPTER 3: COMMITTEE'S DELIBERATIONS ON THE PETITION NOT TO REZONE SHIRLEY PARK

3.1 Project Specifications

The proposed project is a four-star hundred (100) room hotel with a four hundred (400) seater Conference facility.

The proposed development is over four thousand seven hundred and thirty two (4,732) square meters being part of ND 5149 and also identified as being Lot 1 in the proposed scheme plan of Lot 1 ND 5149 and DP 1905 (refer to appendix 3B). This is the subject of the proposed zoning application submitted to the Director of Town and Country Planning by the Lautoka City Council.

The Committee was informed by the developer, P. Meghji & Company that the proposed area is six thousand four hundred and seventy five (6,475) square meters of land which also comprised DP 1805(part of) also known as Lot 2 in the proposed scheme plan of Lot 1 ND 5149 and DP 1905 with an area of one thousand seven hundred and forty three (1,743) square meters. This portion was not part of the rezoning application submitted to the Director of Town and Country Planning (refer to appendix 3A).There is no evidence as to how the developer had included this portion of land into its proposed development.

This contradiction of area was also highlighted by one of the submittees, Ms. Patricia Frazer.

3.2 Legality of the Rezoning of Shirley Park

Under the Local Government Act, the department is to advise the Minister on policy matters regarding Municipal Councils.

The Ministry of Local Government, Environment and Town & Country Planning received the Lautoka City Council's request to sub- lease portion of the land on 25th January, 2013. This was after the Council had called for expression of interest (EOI) as per the Fiji Sun on 10th November, 2012.This was after the initiation between the Council and the Department into the utilization of this portion of land so that it can ensure economic return to the Council for the benefit of the rate payers.

3.3 Process and Procedures of Re-zoning – Environment Impact Assessment (EIA)

Screening is the decision as to whether or not to perform the EIA. The approving Authorities responsible for receiving applications for the approval of any development activity must undertake screening to determine whether an EIA is required for the development .(refer to Part 4 (27) (1)-(4) Environment Management Act (2005).

The process of Re- Zoning is as follows:

- Step 1 - Proposed Development
- 2- Screening (EIA required or not)
- 3- Scoping
- 4- Final TOR
- 5- EIA Study
- 6-EIA Report Review
- 7-Decision on EIA

3.4 Public awareness and Public consultations

Within a declared town planning area (e.g. Lautoka City), a scheme may be made with respect to any land with the object of controlling development and of securing suitable provisions for traffic, transportation, disposition of commercial, residential and industrial areas and similar matters.

By Section 16, every scheme has to consist of a Scheme Plan and contain such provisions as are necessary or expedient for prohibiting or regulating development of land.

Preparation of the Scheme is the responsibility of every local authority with a declared area (Section 17) and the Scheme must be made in respect of every land within the town planning area.

Provisional Approval by the Director is required before a plan is deposited for Public Objection and before granting approval, the Director may alter and modify the Scheme at his/her discretion.

A public hearing may be conducted by the Director into the objections and the local authority has the right to appear.

When an objection is determined by the Director, then the Scheme is finally approved and the local authority notified.

3.5 Economic vs Social Benefits

It is obvious from the public submissions that all the citizens are for developments but not to the detriment of social considerations.

Economic Benefits

- Increase employment in construction phase and after operations begins.
- Increase in economic activity – boost tax and vat collections and money spent in Lautoka.
- Improved competition with existing hotel premises.
- Boost to tourist activity in Lautoka.

Public and Community Benefits

- Only very limited prime real estate of this type in Lautoka, must be used wisely to maximize public and community benefits as opposed to the major benefit going to wealthy businessman. Lautoka could do with another quality hotel.
- Care should be taken that additional infrastructure cost is not left with public authorities.
- Care should be taken to ensure that the new structure enhances the appearance of the precincts.
- Care should be taken to ensure footpaths are constructed to enable public access to the foreshore.

3.6 Gender Issues

Under SO 110 (2), where a committee conducts an activity listed in clause (1), the committee ensures full consideration will be given to the principle of gender equality so as to ensure matters are considered with regard to the impact and benefit on both men and women equally. The Committee considered range of issues including whether the rezoning of the part of Shirley Park would have equal benefits for women and men and whether they had the same opportunities to provide comments during consultation process. In particular the Committee made a point of ensuring that women's groups were invited to give evidence to the Committee in order for the Committee to fully appreciate the impact of the matter under consideration on both men and women. In this regard we would like to thank the National Council of Women, Catholic Women's League and Lautoka District Council of Social Services for their insightful views.

3.7 Summary of Oral and Written submissions for and against

During the Committee's public consultations, twenty (20) and eight (8) oral and written submissions respectively were received. Analysis indicated that all the twenty eight (28) submissions were for development in Lautoka City. Out of this

total, seventeen (17) were against the development, eight (8) were in favour and three (3) did not comment.

3.8 Committee Analysis of Oral and Written Submissions

The committee in its analysis of all the oral and written submissions agreed to the following:

- That there are people in Lautoka who oppose the rezoning part of Shirley Park.
- That there are people in Lautoka who support the rezoning part of Shirley Park.
- That the legal process for calling written objections from the Lautoka population was advertised with approved period of objections.
- That the petition was one of the six written objections received by the office of the Director Town and Country Planning.
- That the Director Country and Town Planning is in the process of assessing the six objections.
- That the committee will not duplicate the process.

3.9 Conclusion

- In consideration of the above deliberations and analysis, the Committee concludes that the majority of the public that participated in this consultation were not in favour of the development of part of Shirley Park for a four (4) star hotel. It is also noted that all the submissions were in favour of developments generally in Lautoka City but not in Shirley Park.
- It was also evident that the consultation process by the Department of Town and Country Planning was not widely promulgated through announcements, advertisements and notifications in all media outlets.
- The Committee was also informed by the developer, P. Meghji & Company that the proposed area is six thousand four hundred and seventy five (6,475) square meters of land which also comprised DP 1805(part of) also known as Lot 2 in the proposed scheme plan of Lot 1 ND 5149 and DP 1905 with an area of one thousand seven hundred and forty three (1,743) square meters.
- This portion was not part of the rezoning application submitted to the Director of Town and Country Planning (refer to appendix 3A). There is no evidence as to how the developer had included this portion of land into its proposed development.

Therefore, the Committee is of the view that it seems that the due process was not transparent and there are gaps and inconsistencies that need verification and it is hoped that the Director of Town and Country Planning takes this into account in future .

**SIGNATURES OF MEMBERS OF THE
STANDING COMMITTEE ON NATURAL RESOURCES**

.....
Hon. Cmdr. Joeli Cawaki
(Chairperson)

.....
Ratu Kiniviliame Kiliraki
(Deputy Chairperson)

.....
Hon. Alivereti Nabulivou

.....
Hon. Samuela Vunivalu

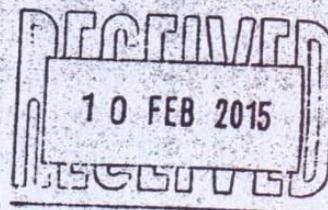
.....
Hon. Jiosefa Dulakiverata

(Date)

APPENDIX 1 - PETITIONS

Petition on Shirley Park

Presented By:
Hon. Niko Nawaikula





OFFICE OF THE LEADER OF OPPOSITION
Parliament House
SUVA

The Secretary General
Parliament of Fiji
Government Buildings
Suva

Dear Madam,

**Petition to stop Attempts to rezone any Part of Shirley Park
Lautoka**

In accordance with Standing Order 37 of the Parliament of Fiji, find attached herewith a petition to Parliament for consideration.

The purpose of this petition is to stop all attempts to rezone any part of Shirley Park, Lautoka from Civic to Special Use (Tourism).

The petition has been signed by residents and concerned citizens of Lautoka and those residing in Nadi. There are approximately 500 signatures.

This petition is submitted for your further necessary action in accordance with Section 37 of the Standing Order of Parliament

Sincerely,

Honorable Niko Nawaikula
Member of Parliament



Petition



OFFICE OF THE LEADER OF OPPOSITION
Parliament House
SUVA

The Speaker
Parliament of Fiji
Government Buildings
Suva

PETITION

To stop Attempts to rezone any Part of Shirley Park, Lautoka

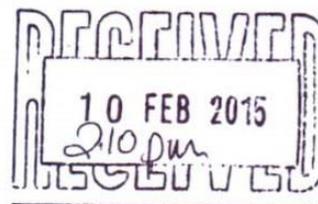
In accordance with Standing Order 37 of the Parliament of Fiji, find attached herewith a petition to Parliament for consideration.

The purpose of this petition is to stop all attempts to rezone any part of Shirley Park, Lautoka from Civic to Special Use (Tourism).

This petition is calling for bi-partisan support from all Members of Parliament of Fiji for a stop to any rezoning of Shirley Park, Lautoka and in accordance with Standing Order 37(5) the petitioners request the Speaker to refer the petition to the relevant Standing Committee for due consideration and subsequent recommendation to the House.

Submitted By:

Honorable Niko Nawaikula
Member of Parliament



17th August 2014

- ✓ .The Town Clerk/CEO
Lautoka City Council

- ✓ .Director of Town and Country Planning,
Fiji Football Association Building
4 Gladstone Rd
Suva

- x .The Attorney General & Acting Minister for Local Government
Urban Development, Housing and Environment
Government Buildings
Suva

Re: Notice with Respect to the Approved City of Lautoka Town

Town Planning Scheme

Objections to the Ammendment of the City of Lautoka Town Planning Scheme altering the zoning of ND 5149 (PT OF) Shirley Park, Lautoka from Civic to Special Use (Tourism)

Dear Sir,

Yes to Development in Lautoka City

Yes to employment opportunities

BUT NOT AT ANY COST

Lautoka City Council Preserve and manage all our remaining green park areas in Lautoka city centre for all to use and access, not limit our open spaces to commercialisation at any cost.

Build and rezone elsewhere in Lautoka City not in our green park areas

NO TO REZONING ANY PART OF SHIRLEY PARK

We want Lautoka City Council and our Urban Planners to intergrate and maintain our remaining greenpark areas and recognise the importance of the biodiversity that Shirley Park's central location adds to the city landscape and it's value to an ever increasing urban population

We want Shirley Park intotal, as it stands now to remain civic, for continued free access to the public, for leisure and recreation, a place of recess for our city workers. To remain for family picnics and informal gathering of friends and the community, for weekend walks and relaxation.

We want all of Shirley Park as it stands now, for it's panoramic views of the sea, cool ocean air. It's historical and sentimental value to many of this city, it's ecological contribution to clean air, the shade of it's trees, open spaces and a place of calm and beauty which contributes toward the good health of the citizens of Lautoka.

A large area of Churchill Park has already been allocated to Tappoo and construction already in progress, this further limiting our green environment and park areas in Lautoka City.

The Lautoka Botanical Gardens is as valued a greenpark area but is no comparison to Shirley Park if that becomes a comparative argument for rezoning the latter. The Botanical Gardens do not draw the same number of people because of it's location away from the city centre. It does not have any scenic or panoramic views as does Shirley Park, nor does it have immediate access, (being gated) and does not have proximity to the café's, shops and workplaces that contributes to the city's economy.

For the Lautoka City Council and the Director of of Town and Country Planning to continue to allow for recent expansion, and building in our parks and green areas without looking at other potential locations is cause to worry. When will it stop?

We the undersigned signatories strongly object to the amendment of the City of Lautoka Town Planning Scheme, altering the zoning of ND 5149 (Pt of) Shirley Park, Lautoka from Civic to Special Use (Tourism). We object to the alteration of any part thereof.


Rosalind Maude Eiberson
14 Mt. T. KHAN Rd
Ph. 666 3715

NAME

ADDRESS

SIGNATURE

Amitesh Raj
Sauri Tansa
F. Koroisi

Lomaloma Cottage
LTKA Hosp

ANANATIE ANANULAM

MFTKORUA
MARIANI
LTKA HOSP.

Wamkiti Segokla
Gene Anafava
Asinak. Buobuo

LTKA Hosp
LTKA Hosp
LTKA Hosp

Nasimeli N
Rayani Dai
Laisenia Jimini

LTKA Hosp
LTKA Hosp
LTKA Hosp.

Ilikema malo
mere. T

Thantoka Hosp
LTKA HEALTH/C

Ledua Kaverata

Lautoka H/C

Luisa. Vukamasau
Saramisa Wapuvatu

Lautoka Hosp
Lautoka Hosp.

Rarigele Kelekale
MIRIAMA A. S.
SERAI TABUA

Lautoka
LANTOKA HOSP.

Maurelu Dimitri

LANTOKA HOSP.
LANTOKA HOSP.

Margaret Jane Rounds

Lautoka Simla

Anaresa N. Asidi

Kuata^{Str} Simla LTKA

Mikaete Seniwaitui

Kuata 87 Simla

Aitea Vono

Lautoka

Ioane Demese

Simla Lautoka

Paulini V. Asuli

Simla Lautoka

Tosane Tomu

12 Malomala St Lautoka
14 Malomala St. Suva

NAME	ADDRESS	Signature
J.S. PIRIE	14 RAGG ST, SIMILA, LTKA	<i>[Signature]</i>
Barbara Pirie	14 Ragg St, Lautoka	<i>[Signature]</i>
Fiona Millar	15 Tokoriki Pt Lautoka	<i>[Signature]</i>
FARIDA SAHU	16 Dagg St ✓	<i>[Signature]</i>
CHRIS ROXBURGH	23 RAGG ST SIMILA LTK	<i>[Signature]</i>
DAVID PIRIE	6 KAVA PLACE LAUTOKA	<i>[Signature]</i>
KIM MILLAR	34 THOMSON CROSS SIMILA LTKA	<i>[Signature]</i>
Nilash Naidu	84# Adyodiyu Prasad Rd, Barbados, UKA	<i>[Signature]</i>
PETER SWEET	1 CAKAU ST, LTK	<i>[Signature]</i>
LANCE MILLAR	34 THOMSON CROSS LTKA	<i>[Signature]</i>
Premila Devi	LOVY, Lautoka	<i>[Signature]</i>
Vijay Babu	Balawa, Lautoka	<i>[Signature]</i>
VILVI SARANAN	F140 LTKA	<i>[Signature]</i>
SIMONE M	NAPAYWA LTKA	<i>[Signature]</i>
ASANEL P	WAIYAVI LTKA	<i>[Signature]</i>
Michelle Kato	WAIYAVI LAUTOKA	<i>[Signature]</i>
Vijay Kumar	Thomson, BA	<i>[Signature]</i>
Patrick Leo Goh	36 DRAYUNI ST WAIYAVI LAUTOKA	<i>[Signature]</i>
AKAOL NABAY	BANDICA CRASN LAUTOKA	<i>[Signature]</i>
MOHD ANEEZ	1 WHARF RD LAUTOKA	<i>[Signature]</i>
Lea Temo	36 Drayuni St Waiyavi, LTKA	<i>[Signature]</i>
BORUWA	1515 Sawsoni	<i>[Signature]</i>
SEMI RADRAMU	LOT 23 BANAGAS LTKA	<i>[Signature]</i>
URAI ROKO	KAYU SPA WAIYAVI	<i>[Signature]</i>
SAMISONI N	UWIRABETIA LTK	<i>[Signature]</i>
TIMOCI WARA	LAUNAKI SETT	<i>[Signature]</i>
ANU PATUL	F A TANOA PLACE	<i>[Signature]</i>
NARESH	RETIPLS CHANGE LTK	<i>[Signature]</i>
Rajmz	Sula Lautoka	<i>[Signature]</i>

SIGNATURE

SAVE SHIRLEY PARK, LAUTOKA

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Matilda Gibson	25 Kuata St, Simla	Matilda Gibson
Ana. Natiko	12 Malamala St, Simla	Apt.
Lucia Vakaram	12 Malamala Str. Simla	Lucia Vakaram
Inces Williams	25 Kuata St. Simla	Inces Williams
Prof. Rohit Chand	Karavi, Bai	Prof. Rohit Chand
Anala Drauna	Uotvalevu, Nadi	Anala Drauna
Samantha Yee Joy	Vuda, Saweni	Samantha Yee Joy
Grace Firiaei	22 Calcutta St, Wainavi	Grace Firiaei
Asate Rane Li	Kemode Rd, Lautoka	Asate Rane Li
Rohit. Rohinesh Kumar	Naeoni, Nadi	Rohit. Rohinesh Kumar
Zainab Vinitudraige	Field 40, Lautoka.	Zainab Vinitudraige
Manu. Manu DAWA.	Sawenu	Manu. DAWA.
Liana Drova	Saweni	Liana Drova
Tagkauniro Aisea	University of Fiji, Saweni	Tagkauniro Aisea
Shireen Nisha	UniFiji, Saweni	Shireen Nisha
Bali	Uni Fiji Saweni	Bali
Alodhana	Uni Fiji saweni	Alodhana
Angaleen	Benara	Angaleen
Amela	Kashani	Amela
MA MATANIA	25 KUATA ST, SIMLA	MA MATANIA
Matias Gibson	25 Kuata St.	Matias Gibson
McLaughlin	Box 6428, Lautoka.	McLaughlin
SAUKAN	Box 7203, Lauvici	Alice McLaughlin
TIKOSUVA.	Kuata Street	TIKOSUVA.
	KUATA STREET	

We, the undersigned object to the print
utilisation of Shirley Park, Lautoka, for the
proposed construction of a hotel.

NAME	ADDRESS
KALI SILAITOGA	17 KM. JAMES RD. LTKA
ILAITIA CAUCAU	LOT 4 BRYAN RD, FANTASY E
EMMANUEL KONROTE	LOT 29, NAMUKA PARK, NADI
JOSIA CAVALAN	13 NADA CIRCULE NADI.
RONALD GOUNDER	SM KOYA RD Lautoka
DAN GOUNDER	54 SM KOYA RD LTKA
FRANCE NAUSU	66 ASAT Lane, Natakawaga
CHRISTINA ZONG	ZANDOR RD, MARTINTAR, NADI.
KEVONIeli ATANA	
ITAUNA NADURUTTU	17 JIMM RD, WAIYAWI, LAUTOKA
HAR TONG LEE	38 RAZAK ROAD, LAUTOKA
LILIA WILLIAMS	91 Natabua ITAWING, LTKA.
LOLE JACKSON	65 Bulwike Str, Waiyawi, LTKA.
NORRY BEDDOES CORNISH	19 Eddne Wong Road,
M CORNISH.	Lautoka
M WILIAMS	Box 1381 LTKA.

SAVE SHIRLEY PARK

We, the undersigned object to the part utilisation of Shirley Park, Lautoka, for the ^{proposed} construction of a hotel.

NAME:

ADDRESS

Denise Gibbs
M. Gibson

Kashmir, Lautoka

JOEY N.O. RAUAREVA
Joeysone

Razak Rono

LORRAINE GARDINER
Lorraine Gardiner
WILLIAM GARDINER
William

BALAWA
BALAWA

Lusiana Bale
Lusiana

NAMAKA, NADI

IMTIAZ MOHAMMED
Imtiaz

Lovu, LTKA

NABISAD BIBI
Nabisad

Lovu, LTKA

ESTHER QUITO
Esther

MOUNTAIN VIEW

Alana Philoza

Aileen	15 Tucani St, Lautoka	6660993	Yvon
Vivisila V Eva	16, Riley Place Veano St	6660943	Watao
Aileen	Natabua / Saru	6660923	Epulasi
Lola	Lot 1, Kama St, Simla	7073302	Jane
RANISHA	BRASH LAUTOKA	7071081	Yhanza
Christal	Wamumu 3'	-	Christal
Nifin Kumar	Topline	8514895	Christal
Sandrit. Kumar	Naikabula	7398686	Christal
Zoe Macdonald.	Nadi	8067539	Christal
Kavalaini Uluikoro	Johnson Road/Prasa	9484686	Christal
		8370166	Christal

Name

Address/or Ph Number

~~SINCE FORMER TO THE POINT N.~~

NAIR. MARLENE 9 SULLIVAN STREET LTKA

RATAPAKAU. JASON 10 MTKHAN, WAHAWA ST (5), LTK
TOGA JESHA KENNEDY RD. LTKA

ALLEN LOCKINGTON 4 KAVA PLACE LTKA - 67453444
6669734

Jah - Felicia Ah Ben.

KISHORE MADYAN - SARAWA - Ben

SAYAS LEHAS P/40 LTK

RUI RANADI KASHMIR

Ben
Ben

SADHU LOYU LTKA

Ben

FRANK CHAN LTK

FRANK FRANK LTKA

Ben

SUNIL

HUSSAIN

IMYAL KHAN

BYRON ESTHER DA S JONGE

WILLIAM ZHAKU

MIAL COHA

TOLAMI

Ben
Ben
Ben
Ben
Ben

Name

Address/or Ph Number

SIMON ELBOURNE 14 H-T. KHAN RD. Elbourne

Onisi Rayyha visitor to city (WAS) Jeff

ASENACH POWEL 129 APOKA PASAP RD BANIBLAS, LTKA [Signature]

Joko Karawa Koroi Lot 19, Ulukaroro In Kashmir [Signature]

WATSALE TOKALIMA Lot 32 KASHMIR, LAUTOKA [Signature]

MOSESE VATULOKA Lot 19 KASHMIR, LAUTOKA [Signature]

Matilda Kaitlyn Vakarau Lot 32 Kashmir, Lautoka. [Signature]

KIMBERLY SEVUDREDRE LOT 32 KASHMIR, LAUTOKA [Signature]

Moses Basisei Saryu Delegate Rd, LTKA [Signature]

LSIKELI BASISEI SARYU DELEGATE [Signature]

MAFI BASISEI LOT 32 KASHMIR, LAUTOKA [Signature]

JOPE VAKARAU Lot 32, Kashmir, Lautoka [Signature]

Lorraine Vakarau Kashmir, Lautoka [Signature]

Faisha Jan KASHMIR, LAUTOKA [Signature]

JOE. VOSALEVU 07 John Sagaitu St Kashmir, Lautoka [Signature]

Anisi Dawnivalu 12 John Sagaitu St Kashmir, Lautoka [Signature]

Surenbra Lal Kashmir, Lautoka [Signature]

Letila Kotoilakeba S. M. Koya Road, Kashmir, Lautoka [Signature]

Bola Viliame Bola S. M. Koya Road, Kashmir, LTKA [Signature]

Ilisapeu Bola Kashmir, S.M Koya Road [Signature]

Sulita Kina Kashmir, S.M Koya road [Signature]

Onisimo Rokotuinasaun Kashmir, S.M Koya road [Signature]

Tiketama Rokotuinasaun Kashmir, S.M Koya road [Signature]

Name

Address/or Ph Number

Jerry Smith.

1 YAKA PLACE 9284869

Robert Vivand

BANARAS
22 CANNEY ST 99279588
Batawaj

Anand Sani

LOVU 9444255

SANSHY SINGH

KEPMODE ROAD 8436245

NICKLASH CHAND

KASHMIR 9288356

TERESA ALI

NATALING 9966285

MANI

UNAJAN 7264885

FRANCIS JOHNSON

9703 TIC 99500

SIDE LOU

5010 BOND 9961203

MAHEND NAR

LOVU, LITKA 9976570

JOHN ALEXANDER

281/10 JAWA RD. 9996353

RAJESH ROSHAN

LOVU 9975041 BASHAR

FINNESI ADILAGI

WAIJAVI 8775569 IDILAGI

JOYCE ROUNDS

24 KUALAIST SIMBA 8336007

VIKA TAGIVUNI

DRASA VITOGO 9324849 TAGIVUNI

Name

Address/or Ph Number

Sanjay - Ram Sami Kashmir LTK

PONIRRE QIO VISETSEI
IMICE: RAICABA VEISEI VADA LTK. 9584454

JOCelyn LUCILLE RIFLE RANGE LTK 9534896

KATA SAVERIO LINK ROAD WTK 9909813

Lavenia Dakuitoga Link Road LTK 8732728

Wesit Daveta Link Road LTK

husei Veri Sukanayulu LTK

Tedubala Finau Kashmir

Tovana Mali Kashmir

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[Faint handwritten notes]

[Faint handwritten notes]

Peter Eadie Wang 8026049

ESAVA SERINATU R/RANGE, LTK. 9472184

TAEMA SERINATU R/RANGE, LTK. 91454733

BIMELI RAEVUEVU R/RANGE, LTKA. 9656846

SEVATI RAEVUEVU R/RANGE, LTKA.

ELERA VADEI SM KOYA 9294766

SEKOVE VADEI SM KOYA. 92 11

KASHMIR

KASHMIR 789 5483

hes Tekiau.

SAVE SHIRLEY PARK, LAUTOKA

NAME	ADDRESS	SIGNATURE
(1) Jacinta N	Evan St, Ltka	Jacinta
(2) Shalini K.	KERMODE LTK	Shalini
(3) NIKIWOE-N	KARA PUNJA Rd.	Nikiwoe
(4) Manika-B	Banaras, Ltka	Manika
(5) Daniel G	Nacula St, "	Daniel
(6) Annika K.	Hollander Road	Annika
(7) Chrystal K	Waimua Street.	Chrystal
(8) Sahail Palub	Waiyavi : Lautoka	Sahail
(9) Diksh-K Krishna	m-n- Waiye rd	Diksh
(10) Kavita Singh	Cobett st	Kavita
(11) Nikita Lal	Waiyavi, Lautoka	Nikita
(12) Raunec f Amol	Vitogo Lautoka	Raunec
(13) Jeseeni Lalabala	Cant. Namaka	Jeseeni
(14) Vince Rokemaru	Waiyavi, Ltka	Vince
(15) Siteri Navonu	Namaka	Siteri
(16) Kamhieli Manulevu	Nadi	Kamhieli
(17) Liviari .T	FSC.	Liviari
(18) Tulia Verebasaga	Banaras, Lautoka	Tulia
(19) Mikayla Chambers	Kermode Rd, Ltka	Mikayla
(20) Serema K	5 Kara Punja Rd, Ltka	Serema
(21) KATH VUA	F.S.C. Camp, Ltka	KATH
(22) POLIVE MERCE	W.M. LTK	Polive
(23) Samisoni . O	Golf Link Crescent, Lautoka	Samisoni
(24) Lepani N.	12 CARKU STREET, WAIYAVI	Lepani
(25) JONE RAVU	LAUTOKA	Jone
(26) Nipn K.	NATABUA STG 2, LOT 120.	Nipn
(27) Sivasir Niko Xooelutu	Top Line	Sivasir
(28) Mesake . Toji	Rifle Range	Mesake
(29) Teviji Leugoo	Field 45	Teviji
(30) Hedy C.	F.S.C Namaka	Hedy
(31) EMUMI HANAKA	Shake Park	Emumi
(32) TEVITA PEGOSARI	FIELD 40, LAMMAS.	Tevita
(33) JENNY TUBOYAN	12, CARKU STREET.	Jenny
(34)		
(35)		

Name

Address/or Ph Number

Nigra Fu

Lot 2, Tuuu, Ltka

Laryssa Fin

Lot 2 Tuuu, Ltka

Timoci Neville

Field 40, Ltka

Aminas Vakalale

Waiyavi stage II, Ltka

Kabon Bulca

1 Waiyavi St. II
KERATO DE RD

BEN NIHIPY

Atli Seini D.

Sugar Avenue, Simla

Jimikii Wame

Kennedy Avenue, Nadi

Savenaca Rakko

Kennedy Avenue, Nadi

PITA Tom

VUNATO LAUTOKA

APONAIASA TUI

NAVYAGO

FILIPPE - M

TOMUKA LTKA

Meredon B

Simla

Asinate B

Topline
Waiyavi st 5

Liku M

Topline

Alena R.

Simla

Kinisimere W.

Simla

Areez Khan

Waiyavi

Bruee Vasikali

Rahool Ravneel

Louu

Jashneel Lal

PRASHAANT KUMAR

Louu
WAIYAVI

PRINESH NAIDU

Sawni

Divesh

Rifle Range

Bala

~~Waiyavi~~



Denialagi
Waiyavi

~~Bun~~
~~Bun~~
~~Al Camp~~
~~Kupungam~~

~~A. K. M.~~

~~W. Vasikali~~

~~Bun~~

~~J. Lal~~
~~Prashant~~

~~Prin~~

~~Shetty~~

~~Nagado~~

MICHAEL

Litia Hughes

NAME

P.O B

Flug

ADD

Charlotte Johns

Boy

Alameta Naghi

Arts

Milly McGeon

Vu

Joanna Ah Tiek

Adas

Adi Silvia Qoro

Na

Katrina Williams

Ol

~~Josef S. Tulus~~

Josefa S. Tulus

Ol

Josef Yuwai

Vu

BEN

R

PEBELI

R

Elena Tony

Na

Lenani Williams

La

Barreta

Holla

Charles Williams

Old

Jane Tangtay

Rift

hee Ricci

muoi Ranadi

Sandi

...

Levu

MICHAEL
Lidia Hughes

NAME

P.O Box 46
Fugas, Somba

ADDRESS

OW...
Hughes

SIGNATURE

Charlotte Johns

B.Oy 7191. UHC9

~~Signature~~ 92078

Alameta Naghi

Avros 466 Drammi 87

Alameta 92400

Milly McEwen

vunato 9474350

McEwen

Joanna Ah Tiek

Hanus Av 9242938

Joanna

Adi Siria Qoro

Natokawaga
8889085

Adi

Katrina Williams

Old Hospital

Williams

~~Josef S. Tabusa~~

~~Rd~~

JOSEFA S. TABUSA

Old Hospital Rd

Josefo Vuwai

VUDA

BEN
PEBELI

Rifle Range

Rifle range

Natokawaga

Lautoka

Hollander Street UHC

Old Hospital Rd

Rifle Range

Landi Street, Lautoka
Loru Hart

Elenaa Tangi

Menan Williams

Anareta

Charles Williams

James Tangi

Lace Ricci

James Ramadi

John Ramadi

~~Signature~~

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Welig

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Ramadi

Name:

Aggie Williams

Jenny

1

Address:

Lautoka Hosp.

Signature:

Williams

Soni Milla	Dasa Vitogo	LTK	Sh
Senimuli Muli	Drasa/Vitogo	LTK	Smeli
Tasweek Ali	Misson Place	LTKA	Sh
Shalini Ram	"	"	Sh
Priya Danish	"	"	Sh
Vivienne Qionilase	Tavakubu Road		Qionilase
Kalesi	"	"	Qionilase
Maria Vuleica	Drasa-Vitogo	Lautoka	Sh
Bridget Iyobace	12 Marav place	Lautoka	Sh

Name

Address/or Ph Number

Ram Prasad

9978711

Ram Prasad

DAN

DAN

Abdul

9034283

Imtiaz

9597570

E. VUKIVUKU

6664925

Imtiaz
E. VUKIVUKU

Isaac Rouns

9910431

Isaac Rouns

GEORGE FRASER

6663261

GEORGE FRASER

Sopha Nandu

8329777

Muspi Nandu

Sopha Nandu
Muspi Nandu

R. Rao &

ZANZEBU

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ZANZEBU

MILVANA Aiyer

RUSIATE DEITA

NAMITARO TIKORO 8025921

KICHI SNO

VITOGO VILLAGE 7659489

FRANK FRIE

9690565

Kinda Nandu

LTK

P.O. BOX 5200

FRANK FRIE
LTK
P.O. BOX 5200

MICHAEL JAMES

PRISHNA J

97490303

FIELD 40

PRISHNA J

HAID S NASIR

40 VIO RD

9344603

HAID S NASIR

FRANCIS MONDAY

916 117

FRANCIS MONDAY

PETITION

NAME	ADDRESS	CONTACT	STATION
LEMEKI NACOLAHVALU	KASHMIR - LTKA		
VINAL LAW	WAMANI STAGE II LAUTOKA	9430346	
VACOLE	ROYAL KAHU RD NAWUTU	8352074	
SILWIONE		664093	
Joni Savini	Lot 9, 33 Siata Street, Waiyoni St 5, LTKA	8616849	
ASENACA D	LOT 40		
RIANATI S.	FIELD 40 ROAD, LAUTOKA	8715816	
Maryana Atahifi	VIO ROAD, LAUTOKA	9353107	
KISHAN GOUNDAR	MUSUNIWA STREET, LAUTOKA	666409	
VINEESH DAYAL	# 35 YACANDI ST. LAUTOKA	9962343	
Kaunon Kumar	Lot 1 Kan Janis Rd		
Kafaleki	19 Lin On Place Banaras	9429654	
V Lee	HS#2 HECTOR EYRE ST NAWUTU	6645587	
Samuel Sme	Karami, Lautoka	8775130	
Wineen Tina	Natobua, Lautoka	9907434	
Daniel Kumar	Paddana, Lautoka	9067946	
Shushil Pasquel	Vitaga, Pampai, Lautoka	9463812	
Romana Andrews	7 Raii Aiolo, NAWUTU, LTKA	Andrews - 9907007	
Iivema meli	Deketi Feeder Road, Sauceni	Meli - 9304233	
LOUISA SEMESI	BULLIKAVORO LAKE, KASHMIR - LTKA	9341321	
LEONIE LILO	12 MALAMARA ST, SIMLA	9907337	
NASEED AHMAD	21 SANDALWOOD ST, LAUTOKA	9997784	
Michelle Khaw	30 Kemal Lane, LTKA	9907207	
Jerry Saugaga	Lot 24, Jimulu Rd	7550986	
VICTOR BOB	SAUCENI LAUTOKA	8385230	
Helena Gibbons	Vatani Rd. Stage 5. Lovu	9954814	
Elizabeth Smith	Hse. No. 15 Shiu Raj Street Banaras, LTKA	9743197	
Alvintha Anse	Hse # 14 Musuniwa St Rifle Range	9974092	
Gray Mausio	11 Musuniwa St. LTKA	9289375	
Patricia Ho	Balanae Rd. LTKA		
Adumere	Navutu, Lt	8139239	
THOMAS GIBBONS	NAMAKA PARK NADI	9331680	
Mareta Randolph	Nawaka Park, Nadi	4210721	
Roshika Prasad	Vigesei, LAUTOKA	Prasad	
Raveen Naicker	Vigesei, LAUTOKA	Naicker	
OLIVA-USA	NAVUTU LAUTOKA	9373678	
LUKE TILO	BANARAS LAUTOKA	7806409	
TUI MICHAEL KING	43 MUSUNIWA ST, RIFLE RANGE LTKA	8705199	
JATI MIAHO	KANARAS RD	9904864	
Esela Nibega	Lovu	9907868	
Patveera Singh	Navutu	8245836	
Ramneesh Chandra	Navutu	9243744	

Name

Address/or Ph Number

Edward Underwood
 Anna Underwood
 SERA LEWANNYA
 JOSEPH Pto
 Emily Di.
 Lautora
 ma Buresova
 Imaini Venerakawalu
 Wive Qio
 Ira Buresova
 Katu Eroni Buresova.
 Mercani Buresova.
 Vilive Jacob Buresova
 Kelesi Venerakawalu
 Salarieta Venerakawalu
 Venerakawalu
 nu Venerakawalu.
 Abigail Catherine too
 na Sale
 MADE GIBSON
 IRENE GIBSON
 MICHAEL TAMATI
 Lita Yabela
 A-MOPORU
 Gustaf Jay
 JOE JOE
 [Signature]

P.O Box 125
 9285569
 —
 921 2652
 9049439
 Karapunga Rd
 Palas Vunato -hautoka.
 Kashmir hautoka.
 lot 41 Vunato sub-division
 Palas Vunato hautoka
 Palas Palas Vunato hautoka
 Palas Vunato hautoka
 Pto Palas Vunato hautoka
 Kashmir hautoka
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 Kashmir hautoka.
 Kashmir hautoka
 Tavakubu hautoka
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 4 MARANI PLACE
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 4 MARANI PLACE
 NAVUTU
 Natokowaga
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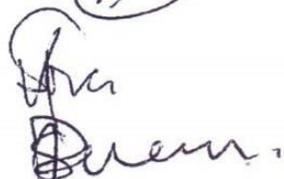
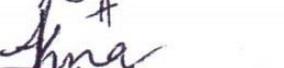
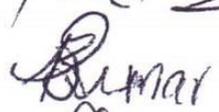
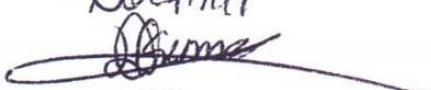
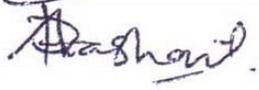
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 Venerakawalu.

[Signature]
 W. W. W.
 [Signature]

Name
 Vokeli
 Louise
 Vanclini
 Kavi

Address/Ph #
 Kaitia St, Simla / 9910431
 24 GIBSON PLACE, NATABUA HOUSING / 8626506
 Hollander Street / 944 5023
 Tavarua, Ba.

Signature
 [Signature]
 [Signature]
 [Signature]
 Kavi

NAME	ADDRESS	SIGNATURE
Tui Kabac	FANUPPY, NAEN	
S. Faizal Kogi	Narulu vab	
Radha Krishnan	LAKA LOVU	
Epi Ligaki	Nadi	
Adriel Lal Solomoni	Valima Hill	
Alifereti	Valima Hill	
Kiso	Valima Hill	
Rajm Waman	Lautoka Lautoka	
Krishneel ALVEEN KUMAR	Lautoka LAUTOKA	
ASHNIL KUMAR	LAUTOKA	
NELSON BEGIAN	LAUTOKA	
Ravneet Kumar	Lautoka	
Divesh Kumar	Lautoka	
MOUNESH	LAUTOKA	
Avinash	Lautoka	
		

NAME	ADDRESS	SIGNATURE
NORMAN ST. JOHN	Simla Housing	
SULIANO NABAWA	SIMLA HOUSING	
Sarafine Taburno	Simla Hov	
Male Rahn	Simla ✓	
LILLY	Simla	
Ateca	Simla ✓	
ONDORITA KAVA	SIMLA	
MARINA	MAOLO STREET	
Wileon	Simla	
Akata	Simla	
Mariana Kean	Simla	
Skemi Kean	Simla	
Luisa Rauto	Simla	
GABRIELI LUTUA	Simla	
Dona Lukumar	simla	
Jack Lee	Simla	
Lisa Kawan	Natubus	
Mina	REAR RD	
Swastika Devi	Nurses Quarters Lantoran	
reani Neoba	Tavakubu, Ltka	
Filiti Semvau	Lovu, Ltka	
UNAI KOCITAMANA	FIELD 40, LUTUA	
Patricia Sangaga	S.M Koya	
isavei dewatu	Nurses Quarters	
Tana Nai Kagi	honolomo Village	
Shalvin	Wife Kagi	
Nala Vijenti	Banaras, Ltka	

SAVE SHIRLEY PARK, LAUTOKA

NAME	ADDRESS	SIGNATURE
MICKAEL	P.O Box 40	Mickael
Lilia Hughes	Flugas, Simla	Lilia Hughes
Charlotte Johns	B.Ox 7191. LHC9	Charlotte Johns 9207891
Alameta Naghi	Ahrs 466 Drammif	Alameta Naghi 9240451
Milly McGowan	vunato 9474350	Milly McGowan
Joanna Ah Tuka	Hanus Av 92125138	Joanna Ah Tuka
Adi Sina Qoro	Natekawaga 8389085	Adi Sina Qoro
Katrina Williams	Old Hospital	Katrina Williams
Josef S. T...	Rd	Josef S. T...
Josefa S. T...	Old Hospital Rd.	Josefa S. T...
Josef Yuwai	VUDA	Josef Yuwai
BEN	Rifle Range	BEN
PEZELI	Rifle range	PEZELI
Elerca Tangi	Natekawaga	Elerca Tangi
Vemani Williams	Lautoka	Vemani Williams
Anareta	Hollander street LHC	Anareta
Charles Williams	Old Hospital Rd.	Charles Williams
Franc Tangi	Rifle Range	Franc Tangi
Grace Ricci	Sauli Rd, Lautoka	Grace Ricci
Lumei Romadi	Lumei Romadi	Lumei Romadi
Neli P...	Neli P...	Neli P...

PETITION COMMENTARY

FW: Developments in Lautoka

2 messages

Mere Thompson <thirteen@slingshot.co.nz>

Thu, Aug 28, 2014 at 3:32 PM

From: Mere Thompson [mailto:
Sent: Thursday, 28 August 2014 3:06 p.m.
To: '
Subject: Developments in Lautoka**TO WHOM IT MAY CONCERN**

During my recent visit to Lautoka from May 27th to July 9th, I heard that Tappoo had begun construction in the Churchill Park grounds.

Two days ago I read online that in Shirley Park a hotel is to be built there.

How much consideration was given to the population for their outdoor activities? The tropical climate enables everyone to enjoy the outdoor life which is fresh and healthy. Pushing people out of these open spaces cannot be termed as being considerate to their needs. This is pure greed by the few. How best do we want to be remembered by the future generation? Certainly not the sight of buildings in the wrong areas of Lautoka to inconvenience the majority.

I [with my husband] own a property in Simla and I visit Lautoka annually. At this rate these developments in Lautoka must be a concern. Why not keep Lautoka beautiful and spare the open spaces for the enjoyment of all its citizens? Will Lautoka sink in the ocean without these developments? Is Lautoka short of location suitable for them? Some kind thoughts for the people and their needs would go a long way. They are the people that

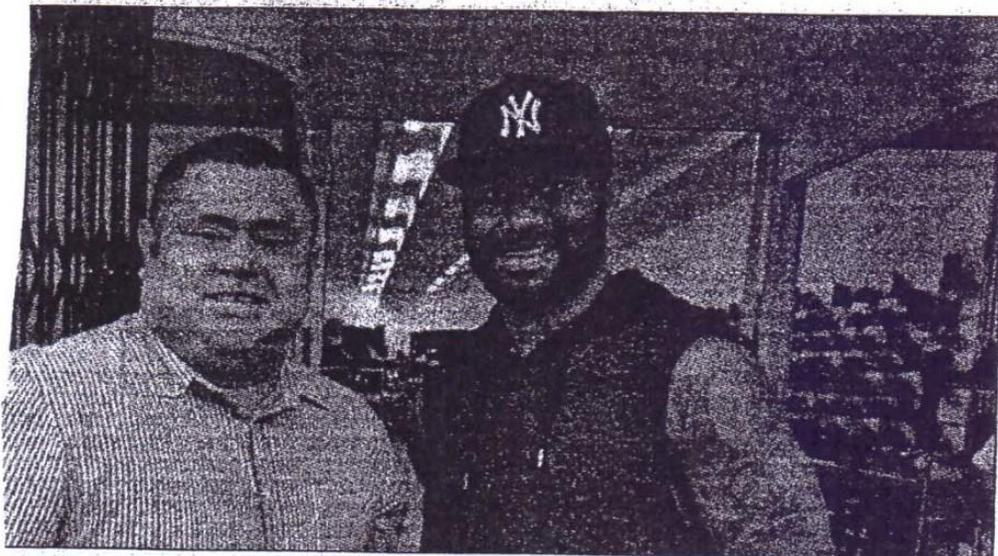
matter most and should come first.

Yours faithfully

Mere Thompson [Mrs]

Holder of Fiji Passport # 9 5 8 9 3 8

*Letter from
Mrs Thompson
Sent to
The LTKA
City Council*



binson with Semi Radradra.

Picture: SUPPLIED

ation and discipline

t a raw and rugby player th the Parra- a friendship

hs, I watched es and excel e field; even abilitation. thing would ig and play- y. I advised r talent had ng to alco- blems. But

inded me of He was like ould break

abstaining

from alcohol was his other great quality which every upcoming young player back home needs to be educated about and learn to master if the NRL is their field of dreams.

Today he is the million dollar man, the flying Fijian taunted as the Semi Trailer who has lifted Paramatta Eels fans back from the dead along with other fellow Fijian Jarryd the Hayne plane.

Last Friday when Manly Sea Eagles dominated the Eels and had them booked for an early mad Monday break up session, a 52nd minute bomb on the 6th tackle was defused by the Semi Trailer and a 95-metre try followed while brushing off defenders along the way to the score line.

Shouts and cries could be heard in

every pub in western Sydney from Blacktown to Granville, Paramatta Stadium included.

It turned the game and given the Eels a fighting chance of making the top 8 and finals bound.

Two days later yesterday I bumped into him in town and he still was the quiet and shy boy whom I met in 2012.

Yes, Semi Radradra is a cult figure in Parramatta and deserves every accolade coming his way.

It is a true story of what determination and discipline will lead to if you put your mind to it. Let his story be the *Bible* for all our NRL hopefuls and their field of dreams.

HENRY ROBINSON
Australia

Shirley Park

SHIRLEY Park is Lautoka's heritage and has to be kept first and foremost for the citizens of Lautoka.

Why can't the CEO/town clerk and our urban planners go back to the basics of what good town and city planning is about?

It should also incorporate areas of green environment into the city architecture for all the many reasons of biodiversity and to enhance and make the city a liveable and attractive area.

How many of Lautoka's

population know about the rezoning intentions of the city council?

How many have to buy a loaf of bread over the cost of a newspaper to know what is happening in their city to be able to protest the plan.

Surely those who oversee this decision will make the right decision and build the hotel and its facilities in another area of the city.

The benefits will still be there twofold because you will have your hotel and also preserve an area of recreation and relaxation for the people of Lautoka while attracting employment and business.

On my recent visit back home to Lautoka earlier this month, I was extremely saddened to see the number of beautiful old trees that had been cut down in Lautoka both in Churchill Park and elsewhere.

The result being that Churchill Park is virtually barren with no shade, a huge ugly billboard now stands at one end where flowering trees once stood and down the far end in the park area, cranes and bulldozers were pulling up more of the park for construction.

Couldn't this construction also have been done elsewhere in the city and

not in park land area.
DAWN ENDTER
Germany

Uncomfortable buses

MANY suburban buses take standing passengers, sometimes lots of them.

Many of these buses don't have any rail below the roof, or something else for the standing passengers to hold on to, apart from the backs of the seats.

The other day I saw a packed bus with passengers swaying backwards and forwards at the mercy of the irregular acceleration of the bus, and I felt really sorry for them.

Why don't the owners of these buses take pity on standing passengers and install hand holds such as rails?

Many buses overseas actually have hanging handles for standing passengers to hold.

JOELI TAWAKE
Lami

E-ticketing issue

I **TOPPED** up my bus e-ticket the other day and again was impressed by the involved process (yes, some of the buses I use do have and use e-ticketing machines).

Hand over the e-ticket and money.

Produce ID.

Lots of details are then written down in a ledger. Sign the ledger and a copy to the receipt.

In libraries in Australia there are small machines for topping up one's photocopy card.

Similar machines are probably in use in many other places too, for topping up similar smart cards.

You stick your card in, feed in cash and press a button to show that you are finished, and out pops the topped-up card and a receipt.

That is so much simpler and faster!

Or is this labour-intensive system intentional, to fight unemployment?

PETER RODDA
Lami

**TOWN PLANNING ACT
CHAPTER 139**

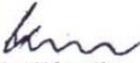
**NOTICE WITH RESPECT TO THE APPROVED CITY OF
LAUTOKA TOWN PLANNING SCHEME**

Public Notice is hereby given that an amendment to the City of Lautoka Town Planning Scheme altering the zoning of ND 5149 [pt of] Shirley Park, LAUTOKA from Civic to Special Use [Tourism] has been prepared in terms of the Town Planning Act and has been Provisionally Approved by the Director of Town & Country Planning.

Particulars of the altered scheme are deposited in the office of the Town Clerk/CEO, Lautoka City Council and the Director of Town & Country Planning, Fiji Football Association Building, 4 Gladstone Road, Suva and are available for inspection by the public on weekdays between the hours of 9.00am to 3.30pm.

Written objections to the alterations or any part thereof may be made by written notice addressed to the Town Clerk/CEO, Lautoka City Council at any time no later than the 2nd day of September 2014.

Dated at Suva this 1st day of August, 2014.


Jone Nakavadra
Town Clerk/CEO

**TOWN PLANNING ACT
CHAPTER 139**

**NOTICE OF SUSPENSION OF PART OF THE APPROVED CITY OF
LAUTOKA TOWN PLANNING SCHEME**

I, the Acting Minister of Local Government, Urban Development, Housing and Environment being satisfied that the Lautoka City Council proposes to rezone the land being specified in the schedule from Civic to Special Use [Tourism] hereby suspend the City of Lautoka Town Planning Scheme in so far as it relates to the land so specified.

SCHEDULE

ND 5149 [pt of] Shirley Park, LAUTOKA

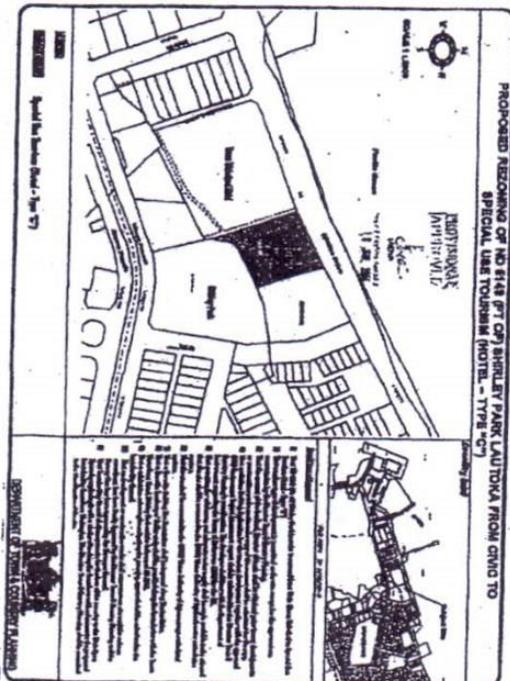
Dated at Suva this 31st day of July, 2014.



Alyaz Sayed-Khalyum
Attorney General & Acting Minister for Local Government, Urban Development, Housing & Environment

Note not forming Part of this Notice

A copy of the plan to which this notice refers may be inspected at the office of the Town Clerk/CEO Lautoka City Council and the Director of Town & Country Planning, Fiji Football Association Building, 4 Gladstone Road, Suva on weekdays between 9.00am and 3.30pm.



**TOWN PLANNING ACT
CHAPTER 139**

**NOTICE WITH RESPECT TO THE APPROVED CITY OF
LAUTOKA TOWN PLANNING SCHEME**

Public Notice is hereby given that an amendment to the City of Lautoka Town Planning Scheme altering the zoning of (Pt of) Bal. Lot 3 DP 5247 Lautoka from Residential 'A' to Special use [Hotel] has been prepared in terms of the Town Planning Act and has been Provisionally Approved by the Director of Town & Country Planning.

Particulars of the altered scheme are deposited in the office of the Town Clerk/CEO, Lautoka City Council and the Director of Town & Country Planning, Fiji Football Association Building, 4 Gladstone Road, Suva and are available for inspection by the public on weekdays between the hours of 9.00am to 3.30pm.

Written objections to the alterations or any part thereof may be made by written notice addressed to the Town Clerk/CEO, Lautoka City Council at any time no later than the 2nd day of September 2014.

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Jone Nakavadra
Town Clerk/CEO

**TOWN PLANNING ACT
CHAPTER 139**

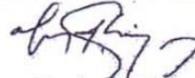
**NOTICE OF SUSPENSION OF PART OF THE APPROVED CITY OF
LAUTOKA TOWN PLANNING SCHEME**

I, the Acting Minister of Local Government, Urban Development, Housing and Environment being satisfied that the Lautoka City Council proposes to rezone the land being specified in the schedule from Residential 'A' to Special Use [Hotel] hereby suspend the City of Lautoka Town Planning Scheme in so far as it relates to the land so specified.

SCHEDULE

(Pt of) Bal. Lot 3 DP 5247, LAUTOKA

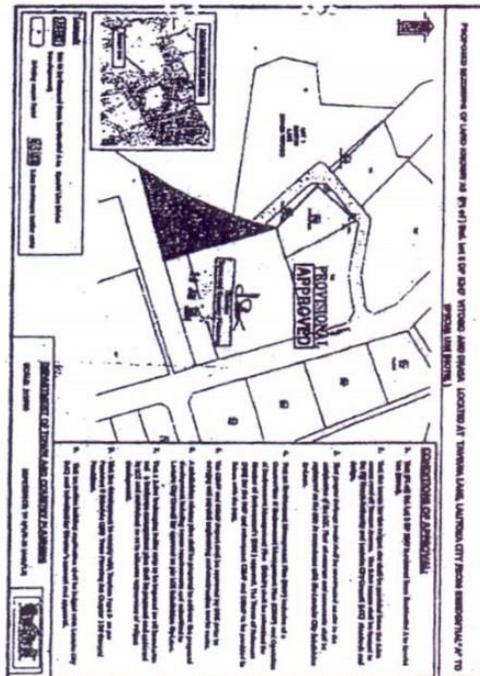
Dated at Suva this 31st day of July, 2014.



Alyaz Sayed-Khalyum
Attorney General & Acting Minister for Local Government, Urban Development, Housing & Environment

Note not forming Part of this Notice

A copy of the plan to which this notice refers may be inspected at the office of the Town Clerk/CEO Lautoka City Council and the Director of Town & Country Planning, Fiji Football Association Building, 4 Gladstone Road, Suva on weekdays between 9.00am and 3.30pm.



Paid Advertisements/Public Notices in the Fiji Times and Sun to keep the intentions to rezone the park alive and out there for the 500 plus and for those who hold that the Shirley Park should remain the peoples for all the reasons in our petition.

Signing a petition

WHEN 520 people sign a petition protesting the rezoning of Shirley Park in Lautoka, does it mean only few people.

The reporting by Repeka Nasiko in FT 3/9, that the Lautoka City Council CEO has confirmed receiving a few objections does not

match with 520 protesters. 520 is a lot of people protesting.

Get it right mate.

K.CHANDRA
Lautoka

my first visit to Lautoka, Shirley Park was not as big as it is now but it was still a place where families would spend a well earned time to relax.

And every time I travel between Suva and Lautoka on the Queens Rd and on the Lomaloma stretch I always admire and wonder as to what it would look like if those black rocks on the Sabeto range were covered in trees.

Passing there now it is very noticeable that trees are covering the bald rocks.

So let us in one voice save Shirley Park. To pass Shirley Park on any given

day one sees folks enjoying themselves in the cool of the day.

And especially on a Saturday morning and to see folks setting up their shelter and selling at the Flea Market, it is a beautiful colourful sight for sore eyes.

So please let us keep Lautoka green and not a concrete jungle and to those of you out there who burn the hills please think of generations to come.

ALAN SIMPSON
Kashmir, Lautoka

Public Notices

YES TO SHIRLEY

Park concern

By FELIX CHAUDHARY

A CONCERNED citizen believes Lautoka could lose valuable open spaces and parks to development if the proposed hotel project at Shirley Park is allowed to go through.

Maude Elbourne began a campaign to save Shirley Park by speaking to ratepayers, students and even writing to the Lautoka City Council.

When she received a lukewarm response from the powers that be, she decided on an innovative approach by placing daily "Save Shirley Park" adverts in this newspaper.

"I feel very strongly about the issue because Lautoka is renowned for its trees and open spaces and the fact that some of these areas are going to be lost forever to development is quite worrying," she said.

Her campaign to get the attention of the Lautoka City Council resulted in the collection of about 500 signatures in protest against the planned hotel development at the park.

In an earlier interview, Lautoka City Council CEO Jone Nakauvadra confirmed receiving a number of complaints.

However, he said the issue was now in the hands of the Ministry for Local Government.

Shirley Park

I WISH to thank Helena Gibbons and also Sandhaya Maharaj of Sydney, Australia, for their support to leave the park alone.

Way back in 1951 and on

29/1/14

Paid Advertisements/Public Notices in the Fiji Times and Sun to keep the intentions to rezone the park alive and out there for the 500 plus and for those who hold that the Shirley Park should remain the people's park for all the reasons in our petition.

Fiji Times 29th/10/2014

Public Notices

DEAR P MEGHJI

YOU TOO CAN SAY YES TO SAVING SHIRLEY PARK

Say yes, to preserving this special green-space in Lautoka, an important part of the city's natural heritage and history.

A popular place of leisure, recreation, and gathering for families, friends and visitors.

A peaceful place by the water, a small park by the sea.

For the trees and through flow of cool air into the park and the city.

Say yes to preserving this valuable civic resource and to that which benefits environmental and community health in our city

For decades the people's park.

Building in the park will reduce the size of an already small park and it will forever change the park's identity, its character and charm and all that makes Shirley Park the special place it is

500+ citizens ratepayers and visitors

signed

" NO TO REZONING SHIRLEY PARK"

No To Rezoning Shirley Park

Shirley Park

IT was really shocking to read in today's (03/09/14) The Fiji Times that regardless of the ratepayers' concerns, the Lautoka City Council will still go ahead with the hotel development at Shirley Park.

Since my childhood days, this has been an icon of the Sugar City and a place for

families to relax and enjoy the cool breeze and the view of the foreshore.

There are more ratepayers who are against the development than the five hundred signatories of the petition which was handed over to the council.

I call on the Local Government Minister to look into this matter and for the citizens of Lautoka to protest against the development.
EDWARD KUMAR
Lautoka

Shirley Park

I FIND the decision taken by the officials to rezone the Shirley Park an absurd one as the park holds great significance to the people from all works of life.

Shirley Park has always been a place where people escape from the hustle and bustle of Lautoka City and to rezone it would be grossly unjust to the people.

I'm sure there are other parks and places which the Lautoka City Council can rezone to increase the area's momentum.

Places such as the bus stand and market needs a major transformation in a bid to cater for more people.

AVITESH KUMAR
Ba

* changed citizens to Residents in SUN/NOTICE 31/10/14

a few clippings from the many letters to the editor in this

included a few of several paid P/Notices

10/11

Hundreds sign petition opposing park development

Sept 3 2014

By REPEKA NASIKO

ABOUT 520 people have signed a petition protesting the rezoning of Shirley Park in Lautoka.

The rezoning was first proposed by the Lautoka City Council to allow for the construction of a hotel in the park.

However, a group of ratepayers and members of the community are against the proposal citing the park as an important area of Lautoka City.

After handing in the petition to the council office on Monday, spokeswoman Mauds Elbourne said while they agreed with development for Lautoka City and the employment it would generate, there should be no commercialisation of the park at any cost, especially when there were other areas in the city that could be developed.

She said there was a recent trend to build inside the green park areas of Lautoka citing the ongoing development at both ends of Churchill Park.

"The council, our urban planners and the acting

Minister for Local Government should recognise the importance of the bio-diversity and ecological contributions that the park's central location added to the city landscape," she said.

"The community valued its panoramic views of the waterfront and free flow of fresh air into the park and city.

"I hope good city planning sense and decisions prevail here and that all the stakeholders will be able to find another place for the hotel."

Ms Elbourne said there was concern by many residents that the development in Shirley Park would go ahead anyway.

Meanwhile, Lautoka City Council CMO Jone Nakayadra confirmed the council had received a number of objections. "We have received a few objections and that is something that we are assessing right now," Mr Nakayadra said.

■ City residents have signed a petition against a proposal to rezone the park.

Picture: BALJEET SINGH



Hundreds sign petition opposing park development

Sept 5 2014

By REPEKA NASIKO

ABOUT 530 people have signed a petition protesting the reopening of Shirley Park in Lantoka.

The rezoning was first proposed by the Lantoka City Council to allow for the construction of a hotel in the park.

However a group of rate-payers and members of the community are against the proposal citing the park as an important area of Lantoka City.

After handing in the petition to the council office on Monday, spokeswoman Meara Elbourne said while they agreed with development for Lantoka City and the employment it would generate, there should be no commercialisation of the park as they were of great value to the city that could be developed.

She said there was a recent trend to build inside the green park areas of Lantoka during the ongoing development of both ends of Churchill Park.

"The council and urban planners and the zoning

Minister for Local Government should recognise the importance of this

biodiversity and ecological contributions that the park's central location added to the city landscape," she said.

"The community valued the panoramic views of the waterfront and free flow of fresh air into the park and city."

"I hope good city planning sense and decisions prevail here and that all the stakeholders will be able to find another place for the hotel."

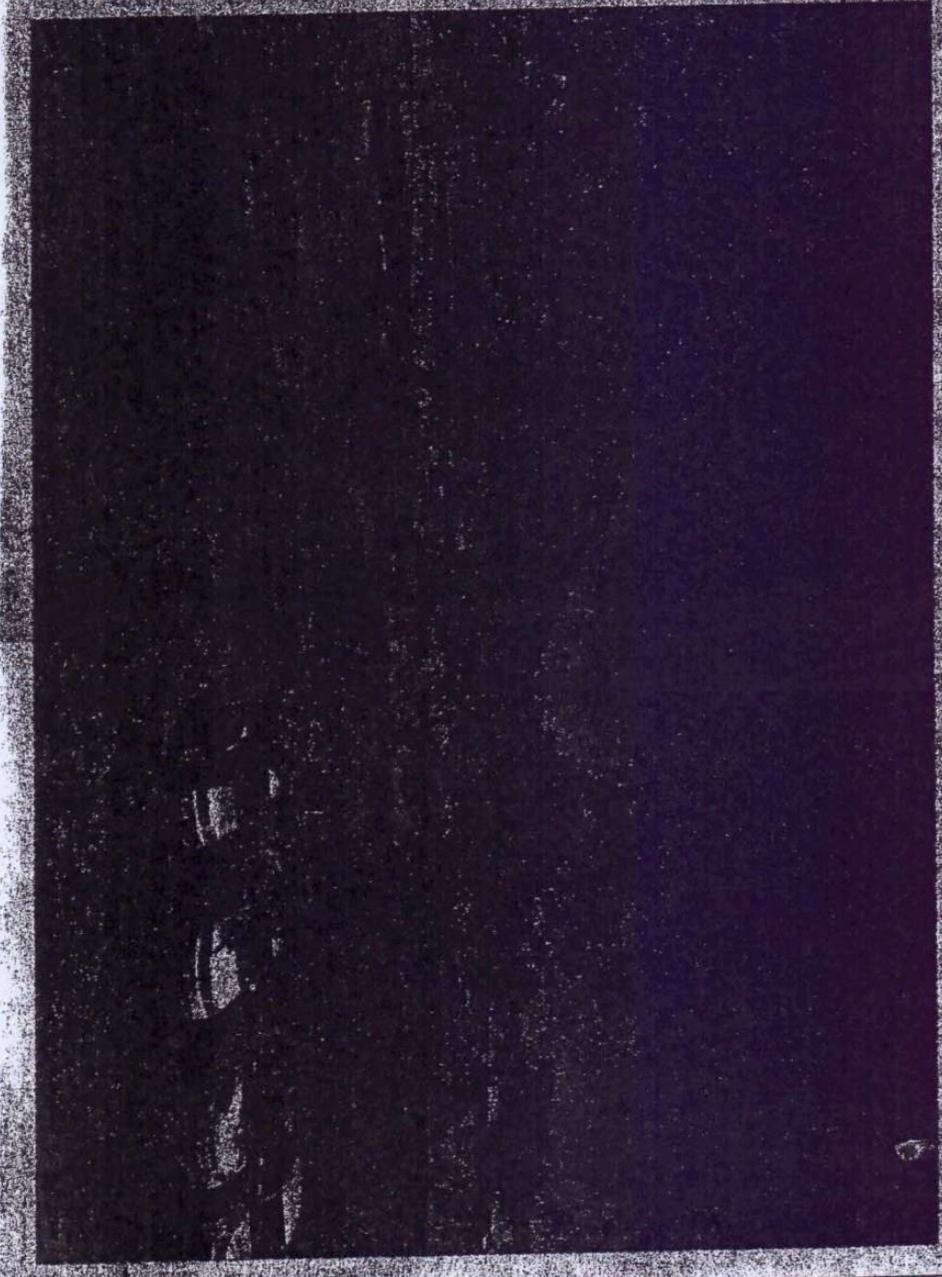
Ms Elbourne said there was concern by many residents that the development in Shirley Park would go ahead anyway.

Meara Elbourne, Lantoka City Council CEO, Jean Mackinnon, confirmed a number of objections the council had received.

"We have received a few objections and that is something that we are addressing right now," Ms Elbourne said.

City residents have signed a petition against a proposal to rezone the park.

Picture: SAHEB SINGH



Paid Advertisements/Public Notices in the Fiji Times and Sun to keep the intentions to rezone the park alive and out there for the 500 plus and for those who hold that the Shirley Park should remain the people's park for all the reasons in our petition.

Fiji Times 20th/10/2014

Public Notices

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"NO TO REZONING SHIRLEY PARK"

05/20 2014
No To Rezoning Shirley Park

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families to relax and enjoy the cool breeze and the view of the foreshore.

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EDWARD KUMAR
Lautoka

6/Sept
Shirley Park

I FIND the decision taken by the officials to rezone the Shirley Park an absurd one as the park holds great significance to the people from all walks of life.

Shirley Park has always been a place where people escape from the hustle and bustle of Lautoka City and to rezone it would be greatly unjust to the people.

The same thing are other parks and places which the Lautoka City Council can rezone to increase the area's momentum.

Places such as the bus stand and market needs a major transformation in a bid to cater for more people.

AVITESH KUMAR
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** changed citizens to residents in SUN/NOTICE 31/10/14*

a few clippings from the many letters to the editor in this included a few of several paid P/notices

Ad.

APPENDIX 2 – SUMMARY OF VERBATIM

**VERBATIM REPORT OF THE MEETING OF THE STANDING COMMITTEE ON
NATURAL RESOURCES HELD AT THE LAUTOKA CITY COUNCIL
CHAMBERS ON MONDAY, 2ND MARCH, 2015 AT 9.30A.M.**

PRESENT:

Hon. J. Cawaki	-	Assistant Minister for Rural and Maritime Development (Chairman)
Hon. Ratu K. Kiliraki	-	Deputy Chairman
Hon. A. Nabulivou	-	Member
Hon. J. Dulakiverata	-	Member

APOLOGIES: - **Hon. S. Vunivalu (Member)**

Submittee 1: Office of the Commissioner Western
Commissioner Western - **Mr. Manasa Tagicakibau**
District Officer, Lautoka/Yasawa - **Ms. Ruth Atu**

(Words of Welcome by Mr. Chairman)

COMMISSIONER WESTERN.- Mr. Chairman and honourable Assistant Minister, honourable Members of Parliament and Members of the Standing Committee on Natural Resources, a very good morning to you.

I also extend my greetings to all the participants that are here this morning, ladies and gentlemen.

Sir, before I delve into the petition itself, I would like to, at the very least, make a general statement in relation to the Summon paper that was sent to the office four days ago. We do appear before you to present our views on the issue at hand, which is on the submission of a petition to stop the rezoning of Shirley Park. To further the statement, I will also go and touch on the first question that was posed this morning. In your letter of summon, we were asked to give our views on:

- Whether Shirley Park should be rezoned or not;
- The impact of rezoning; and
- Any other views specific to the above issue.

At the outset Sir, the Office of Commissioner Western Division and District Officer Lautoka/Yasawa have not really been involved in the said processes, but may be consulted at a later stage. Also, confirming to what was earlier stated this morning,

First and foremost, let me specify that this issue is being handled by the Department of Town and Country Planning, Ministry of Local Government through the Lautoka City Council. The Office of the Commissioner Western was also briefed that the Department of Town and Country Planning is in the process of consultation, consulting all stakeholders including the objection with regards to the intended development for Shirley Park.

Sir, moving on to the first question, as stated that Lautoka being the administrative capital in the West, as we are all aware is the second only city in Fiji. I wish to state that since its inception as a city, Lautoka has not really grown or developed to what is expected of a city, in terms of infrastructure, economic facilities, or to be investor-friendly, to name a few. Therefore, we are of the view that the Shirley Park should be rezoned and developed as per the development proposals put forward by the Department of Town and Country Planning through the Lautoka City Council. Lautoka City needs to be lifted to another level in terms of its outlook and the services it should offer. The impact of rezoning will bring about a lot of positive vibes to the city and her people.

Again, Sir, to confirm your earlier statement, Lautoka is termed as a 'ghost city' after 6pm and we need to break this negative stigma and developments such as this will move Lautoka forward. I will not touch on the petition or what the objectors may present, I will just look at Lautoka from the view of the Commissioner Western's Office, and the bigger picture as stated. Such developments will entice more investors to invest in Lautoka with mega infrastructure in place.

Sir, I was talking to some of the major international investors and they stated during the conversations, dialogues that they would like to see infrastructures in place that will enable them to come and invest in Fiji. I was talking to one of the multi-millionaire investor from Korea in one of my trips to South Korea, he stated that even Suva City is too small for them to invest in Fiji. It is sad to note, Sir, that in comparison, Labasa town is a lot more active than Lautoka now in terms of infrastructure development and economic activity. We see Labasa Town building up more hotels to capture the influx of businesses, investors, meetings that are now being held in Labasa Town.

Development will benefit the City and her people in terms of employment opportunities and generating more economic activities. How do we link this to the rural sector of which my office looks after. We are trying to develop the rural areas. We are trying to make or transform the rural poor into rural millionaires. We are trying to transform lives of the rural people, likewise our maritime islands. We can only do this, Sir, if we have the infrastructure in place in the urban area to receive and also support development in the rural areas. Our focus in the rural area is to bring our rural dwellers from the current status that they are in to a level whereby they can sustain their livelihoods in all sectors, and again further empower them to become economic partners, contributing to the economy in Fiji.

The development in the urban areas, Sir, I apologise, if I am taking too long on this....

MR. CHAIRMAN.- Take all the time you want, Mr. Commissioner.

MR. M. TAGICAKIBAU.- Thank you, Sir. The development in the urban areas will demand nutrition, food, transportation and resources to be able to operate their businesses effectively in the urban areas. As we have heard this morning that the intention is to build a five-star hotel on Shirley Park. That, in itself, confirms to what we have just stated that, that will require substantive logistic support to be able to sustain the operations of that hotel in terms of catering, manpower and this can be taken from the rural sectors. So, while developing the rural sectors, these are the opportunities that we will give them, at least to give them a bigger picture of how they can contribute to economic growth in the country and also lifting the standards of their own livelihood in the rural areas.

Sir, we have other parks available in Lautoka including the Botanical Garden and there are other numerous areas which can be developed into Parks.

I was also briefed that there are also plans to reclaim the foreshore, in front of Shirley Park that will work in line with the dredging of the Lautoka Ports. All these developments will again boost the tourism industry, and all other sectors will also benefit and grow accordingly. So, we are looking at a vibrant Lautoka where people will want to come and live and not leave Lautoka. We would like to position Lautoka in a state where people would like to come and live in Lautoka. We cannot do that with the status quo that Lautoka is in right now.

Honourable Assistant Minister, Chairman, and honourable Members of Parliament, those are the views from the Commissioner Western's Office in relation to the rezoning of Shirley Park and probably the first question you had raised this morning, Sir.

MR. CHAIRMAN.- Thank you, Mr. Commissioner Western. I understand that those comments also include comments by the District Officer?

MR. M. TAGICAKIBAU.- Yes, Sir. We had discussed this prior to leaving office this morning.

MR. CHAIRMAN.- Thank you. I will now give the time to the honourable Members of the Committee to pose questions.

HON. J. DULAKIVERATA.- Thank you, Mr. Chairman. Thank you, Mr. Commissioner for your deliberations this morning. I understand your role. Development is indeed required in the Western Division to boost the living standards of people and also the country as a whole. But, I would like to just draw your attention to what is before us. We are here today to hear about the petition by the people of Lautoka, for the proposed hotel development to be carried out in Shirley Park. The question that has been posed to all of us is whether this is a good initiative to rezone in this area and develop the hotel on this site or to leave it as is for the enjoyment of the people of Lautoka?

As Commissioner Western, I understand that you have just been here for only a short while, and you would appreciate the availability of Shirley Park to all the residents of Lautoka. I was here during my young days as a Civil Servant, I spent 10 long years here and Shirley Park had always been here. You know the weather in Lautoka is always very hot and Lautoka needs more for people to sit around and enjoy. The point that you raised that this is considered a ghost town, I think every town has its own character. Lautoka may be, because the commercial area is away from the residential area and that makes it very unique. Also, may be the people of Lautoka are very religious, they do not go out at night like the people of Suva which is alive. There is no day and night in Suva. The nightclubs open up to the early hours of the morning. You do not know who is going to church and who is returning from the nightclubs. This is the thing that is unique about Lautoka, the character of the place. I appreciate all the points that you have raised, but what is important for us to know is whether the decision to rezone part of Shirley Park to develop this five-star hotel is better for the citizens of Lautoka or Fiji as a whole? And, if Fiji is not good to the people that actually live in Lautoka, I think you had made your point that from a broader perspective that development will bring in a lot of economic activity. I thank you for your comment and I see where you are coming from.

MR. CHAIRMAN.- I believe, honourable Dulakiverata that was a general comment and not a question. Any other questions, comments or issues you would like to raise with the Divisional Commissioner, honourable Members?

HON. J. DULAKIVERATA.- Mr. Chairman, just to add on to that, I will be very specific when technical people come in on specific issues, but that is my comment.

MR. CHAIRMAN.- *Vinaka vakalevu.*

HON. RATU K. KILIRAKI.- Mr. Chairman, I thank the Commissioner and the DO for the sterling work that they have been doing, the responsibility of looking after the Western Division. I would like to commend them for the work that they have been tasked to do, especially what they have done so far in the West.

I understand also from your comments that you do not have direct influence or decision making in the rezoning of Shirley Park as your role of Divisional Commissioner. Whilst you have made your general comments outside your portfolio as Commissioner, in regards to the pros and cons of having the five-star hotel in Lautoka, whether to see the narratives to the rural people unless you are mandated to in your role as Commissioner, whether that will be able to benefit them in accessing their produce as farmers is yet to be seen. But I think the western side is full of five-star hotels and it is best that there should be an assessment or analysis of the benefits to the rural people or those from the provinces and the villages under your responsibility, whether these kinds of developments really uplift their economic empowerment in villages, and their way of life, how they are able to benefit financially.

Those are the questions that I would like to point out in response to all your comments. My question is, whether your role as Commissioner and District Officer would be able to entice these developments to rural areas, where there is more coming out of these economic, urban areas like Lautoka and whether it is more beneficial to shift this investment focus out of urban areas into rural areas? You know that the Western side from Rakiraki to Wainibuka has been declared Tax Free Zone, whether that is in your vision or in your telescope of development in the western side, rather than coming through the petitions because Shirley Park has a history and it benefits the people that walk on the street, they like Shirley Park because it cannot be replaced by economic gains. Have you been able to entice this to be more beneficial to the poor or struggling people in the rural areas?

MR. M. TAGICAKIBAU.- Thank you, Sir, for the question posed. Mr. Chairman, in terms of enticing investors to invest in the rural areas, that is one of the main work programmes that we have in our portfolio. When investors come in through Investors Fiji, we propose to them on that issue. In terms of the direct benefits to rural dwellers through economic projects such as this, we are also working on programmes to lift rural farmers from the subsistence level to commercial level, to provide that quality of the produce given the consistency of that supply. This is some of the programmes that we are into.

As rightfully stated by honourable Dulakiverata, it has only just been the first few months of my stint here in Lautoka and with due respect to the residents of Lautoka and the emotional attachments to some of the historical sites as stated, like Shirley Park and the benefits and the values that is provided to the residents, I do agree with all those comments. But then as earlier stated in my general statement, do we wish to remain that way or how do you want to see

Lautoka in the next 20-30 years, those are just some of the responses in short to the questions posed this morning, Sir.

MR. CHAIRMAN.- Any more question, honourable Members?

HON. A. NABULIVOU.- Mr. Chairman, I would like to thank the Commissioner Western for the work done in the Western Division. On behalf of the Committee, I am very happy to hear of all that you have mentioned, since you are the Head of all Government Departments here in the West. I know that the Commissioner is on the positive side, and now with the development to go ahead in Shirley Park, Lautoka has still not developed.

I used to serve here in Lautoka with the Military from 1987, and today I still have not seen any changes in the city. To what I know, Lautoka should be lifted to another level just like a city. When one travels the world to cities like California in the United States, Melbourne in Australia, and in the South Pacific, Fiji is number one. I would like to raise Lautoka to another level.

I thank you Commissioner for your submission today. Thank you very much.

MR. CHAIRMAN.- Honourable Members of the Committee, any last comments?

(Vote of Thanks by Chairman)

Submittee 2 – Lautoka City Council
Mr Jone Nakauvadra – CEO Lautoka
Mr. Koro Dausoko Kama – Director Finance and Administration
Mr. Shailendra Dass – Acting Director Bulding Services.

MR. CHAIRMAN.- Vinaka CEO and the Lautoka City Council team. We welcome you this morning to this consultation and with the Parliamentary Select Committee on Natural Resources in which Parliament has directed the Committee to look at the petition that was raised in Parliament by the honourable Nawaikula.

The petition that was signed by the people of Lautoka, to stop the rezoning of Shirley Park and it was referred to the Standing Committee on Natural Resources in which Parliament has directed that the Standing Committee looks at the petition and that is why we are here in Lautoka for you to brief us on the process.

The process from the development and since you are the guardian of Lautoka City and this development is within the Lautoka City boundary, you can brief us on the process and the legality of the process and as custodians of the municipal boundaries of Lautoka your decision or your part in rezoning. We understand the process is ongoing and we have seen in the plan that there was a provisional approval given to your office and lastly, if you can explain to the Committee the bigger picture of why this development in Lautoka.

MR J. NAKAUVADRA.- On behalf of the Lautoka City Council, I would like to take this opportunity to thank the Committee on Natural Resources for giving us the opportunity to come and present our case this morning and we are so thankful for this opportunity.

In front of you is our submission that we will be presenting this morning and we will go through the submission which contains everything, the background and the process that we have undertaken.

(The submission by the Lautoka City Council was circulated to members of the Committee)

MR. CHAIRMAN.- *Vinaka*, CEO, thank you for your comprehensive submission to the committee this morning. I understand from your submission that due diligence has been done. As of today the objection period, there were five objections received.

MR. J. NAKAUVADRA.- Yes.

MR. CHAIRMAN.- There was five written objections received?

MR. J. NAKAUVADRA.- Yes.

MR. CHAIRMAN.- The Director of Town and Country Planning is now in the process of looking at those objections.

MR. J. NAKAUVADRA.- Yes, Sir, she is already looking at that and they have already had two sessions with the objectors. They were invited to come and discuss with her their concerns.

MR. CHAIRMAN.- I open the floor for questions and comments from members of the Committee.

HON. RATU K. KILIRAKI.- Mr. Chairman, I thank the CEO for his detailed presentation this morning which is very much informative on the historical background as well as the proposal and the projections for the income generation for the city.

You have also mentioned that you have given the objection in the paper and the purpose of this Committee is to address the petition from over 500 civilians that have been using Shirley Park to their benefit and also they have petitioned not to rezone Shirley Park. We have a copy available to you in regards to this petition.

After your presentation this morning, you have gone to the deep process that is available especially in getting objections from the public. What is your stand as in regards to this petition at hand here that is being signed by so many people; whether this will have an impact on the decision or the momentum of your progress in the decision being made by the city council on the decision on the rezoning of Shirley Park?

MR. J. NAKAUVADRA.- Thank you for that question. The petition was received within the stipulated timeline and it was part of the five objections that was received by the council and it was dully forwarded to the Office of the Director of Town and Country Planning.

From the Council's side, we would like to urge the team in front of us to seriously consider the importance of this development. Any development for that matter will come at a cost. We know that they are basically worried about the Park and their families have been

enjoying the scene and view, and of course the trees and the natural surroundings that we have here. But in the bigger picture, the creation of employment and the generation of economic growth of the town and the people here is equally important. If not more important because we are talking about five or more *vaivai* trees here. If you go outside now, you will not see family's but lovers enjoying themselves. The place is not a place for families but for breaking up families. Of course we see family's coming now and then for the purpose of relaxation. We have a lot of parks in Lautoka, we are upgrading our Botanical Garden and I would like to urge this Committee to come and have a look at our Botanical Garden, it is different altogether. We have waterfalls and so on for the people of Lautoka, so they have got nothing to lose because we have trees all over Lautoka. We are planting 1,000 trees every year and we are still having this Harbour week celebration in Lautoka because we know the importance of trees. If we lose 10 trees, here we are planting another 1,000 all over Lautoka.

MR. CHAIRMAN.- CEO, one point of clarification. Was the petition part of the objection that is now with the Director of Town and Country Planning?

MR. J. NAKAUVADRA.- Yes, Sir, that was part of the objection that was submitted to the Office of the Director of Town and Country Planning.

MR. CHAIRMAN.- I just want to clarify this, so the Director of Town and Country Planning is going through this petition?

MR. J. NAKAUVADRA.- Yes.

HON. RATU K. KILIRAKI.- Just for clarification on 2.3, you have stated on the growth of Lautoka as if there is no other avenue of expanding Lautoka, whether you can expand inwards towards the hills or you have stated that you are going to reclaim outwards to sea. In that paragraph, you have stated that you cannot have investments because of the rubbish dump in those areas. In Suva the rubbish dump has been relocated and they have developed that area for economic gain. Whether you have considered that option using those areas for economic gain, areas like the mangroves which is probably to the same purpose has creating hotels and also for using the foreshore has the value effect in the hotel industry?

MR. J. NAKAUVADRA.- Thank you for the question. If we extend towards Natabua, we have the sewerage station in Natabua and we all understand if the sewerage is there, the tourists will not come and spend two minutes in a hotel because of the smell and the discharge from the sewerage station. Of course, on the Vunato site, we have the rubbish dump and we cannot have a hotel next to the rubbish dump and relocation of the rubbish dump is something that we have considered but it will take time.

HON. RATU K. KILIRAKI.- Have you ever considered Shirley Park as an asset for Lautoka rather than a liability just sitting there? As an asset, it might not have any economic gain but indirectly benefit the people of Lautoka, especially those who have petitioned and also on health related issues that are more expensive now to the budget of the country. Will they consider analyzing the indirect impact of the stress and health of the people being denied a park like Shirley Park? One of the main reasons of the petition is to preserve Shirley Park for all the advantages and as an asset for the city itself. We tend to look at assets in the economic term rather than seeing Shirley Park as it is there,

MR. J. NAKAUVADRA.- Thank you for the question. As I have stated earlier Shirley Park is not a park, it is not registered as a park. It is part of the reclamation of the industrial foreshore reclamation. It is not a park let us get that straight; it is for commercial and industrial subdivision. But the council is doing its best to upgrade other facilities.

We will be spending a quarter of a million dollar this year to upgrade the marine drive. We are planting trees and putting in benches for the people of Lautoka, for families to come and enjoy themselves. We are complementing this by upgrading other neighboring facilities that we have. So, in essence they do not have anything to lose, the citizens of Lautoka because if they talk about sea view that place is closer to the sea it has got fresh breeze that they can breath and we are even building sheds for them to sit down as a family. Even the walkways and exercise equipment's are there. In here, they will just sit down and *talanoa* but down there, they have everything, the exercise equipment's, sheds and walkways for the family to enjoy. We are going to be constructing toilets and BBQ places for the family at the Marine Drive and we will be spending a quarter million dollars there this year.

MR. CHAIRMAN.- CEO, just a point of clarification. Shirley Park is actually the balance of the commercial and foreshore subdivision?

MR. J. NAKAUVADRA.- Yes, that is right.

MR. CHAIRMAN.- And the other portion is put down for development

MR J. NAKAUVADRA.- Yes, that is correct, Mr. Chairman.

MR. J. DULAKIVERATA.- Thank you CEO for your elaborate report that you had submitted to the Committee this morning. I just have a few questions to ask, if you are to rate your priorities, how do you rate your ratepayers?

MR. J. NAKAUVADRA.- The council is here to serve all the stakeholders of Lautoka. They are very important to us, their wellbeing, their safety, we are here to serve them.

HON. J. DULAKIVERATA.- How do you rate them on a scale of 1 – 5 and 5 being the highest?

MR. J. NAKAUVADRA.- The council is here because of the ratepayers, if the ratepayers are not here then...

HON. J. DULAKIVERATA.- Thank you.

HON. A. NABULIVOU.- CEO, we are here this morning to elaborate on this petition which the ratepayers have signed. I have seen that you have gone through the process of putting aside part of Shirley Park for development. Correct me if I am wrong, but in 5.6 Application for Rezoning, you had a number of times mentioned that this is not a park it is a commercial industrial subdivision. Why did you then apply for a rezoning?

MR. J. NAKAVADRA.- We applied for rezoning for a hotel development, to be rezoned from commercial to special use.

HON. J. DILAKIVERATA.- You know that in Fiji, not everybody reads the paper and the gazette. I know that is part of the process and I see here that the proposed development was advertised in the paper and only two people were interested. Did you know they would think that because of the importance of the decision they are going to change to subdivide part of this park? Did you think of other ways to hear the people out rather than just advertising it in the paper, a sort of public hearing or something like that? Because I see that only two people responded to the advertisement and only 500 people here petitioned for the rezoning. I thought that the message did not go out to all the people?

MR. J. NAKAUVADRA.- Thank you, honourable Dulakiverata. All the advertisements and tender carried out by the council went out through the *Fiji Sun* and we were getting good responses from the public.

HON. J. DULAKIVERATA.- On 6.2 you said the total cost of the project is \$17 million. How much is the Council's benefit from this development?

MR. J. NAKAUVADRA.- It is not really a benefit, it is something the ratepayers give to the council as part of their obligation to the Council.

HON. J. DULAKIVERATA.- So the land is given free to P. Meghi?

MR. J. NAKAUVADRA.- No, no, the normal lease rental and city rate.

HON. J. DULAKIVERATA.- So that is what he gets when he gets the lease, but how much do you get?

MR. J. NAKAUVADRA.- Currently we do not get anything from that. It is just sitting idle and we are not getting anything from it but once we do the development, we might get something from it.

HON. J. DULAKIVERATA.- How then CEO on the rates that you are going to derive from just one lease, one property. How is that going to impact the total revenue for the Lautoka City Council in the long run? Just the rate from one lease, one property, how is that going to impact the whole thing because that is the only benefit that is going to come to the Council and you are giving your land virtually free?

MR. K.D. KAMA.- Mr. Chairman, may I respond to the honourable member. As you have said the land in question has a commercial development lease, which is vacant at the moment and we are not earning any rental on that property. For the Council to give that away and reserve that as Special Use, we will have to do that and the city rates and will be on UCV value. Although it may not set things but it will replace 10 per cent of our total value but it will supplement whatever revenue that comes in. It will be earning money on the lease given and also that will be passed down to the ratepayers for future development and future operational projects that are funded by the ratepayers. At least, that portion that we are earning through land lease and city rates will supplement what the council would have in its coffers and will not have to demand more from the ratepayers in terms of its daily operations.

HON. J. DULAKIVERATA.- Just another question Chair, this has already been posed by the honourable Member. Can this project be located in another location other than Shirley Park or any other alternative site?

MR. K.D.KAMA.- Thank you Mr. Chairman, in our submission it shows that it forms a cluster of hotels given that Waterfront is already on the side and we have got Lautoka Hotel on the upper side and we have got South Seas Hotel on the foreshore. Alongside that we have got Sea Breeze so the Council proposed the foreshore development to be taken on the waterfront site where the council intend to build a half mark mix development hotel and residential and we find that this will be an ideal spot for this development as it already forms a cluster of hotel so that the whole hotel development is in the same spot in Lautoka.

HON. J. DULAKIVERATA.- Just another question. This proposed development will have a 101 rooms and the benefits that you will get from here during construction period you will have 150 workers and after that you will have 100 workers. So you will have to tell me that the management of this hotel will have one hotel worker for every room?

MR. J. NAKAUVADRA.- That is according to submissions and the discussion with the hotel management yesterday.

HON. RATU K. KILIRAKI.- Thank you, Chair. I have two questions that I need to raise just for clarity. The first one as you have mentioned in your presentation that this particular land is commercial – the Shirley Park. I will refer to your advertisement in the *Fiji Sun* dated Saturday, 9th August, 2014 where it says “ Proposed the rezoning of NB 5149 (part of Shirley Park, Lautoka) from Civic to Special use to Tourism (hotel type C). So there is a contradiction in your submission today in regards to the advertisement of 9th August 9, 2014.

So, according to this advertisement it is already Civic and you are proposing to rezone it to Special Use.

MR. J. NAKAUVADRA.- Shirley Park has two lots, the upper part is civic that is for the hotel development and the other part is for commercial and industrial subdivision.

HON. RATU K. KILIRAKI.- So, this subject of discussion that Shirley Park is civic, the proposed rezone site?

MR. CHAIRMAN.- Members of the Committee and CEO, just to fast track the point of clarification and the meeting, maybe I will ask the CEO and the team to later on clarify the points that have been raised by the honourable Ratu Kiliraki, whether it is civic or commercial and the rezoning to special use for tourism.

MR. J. NAKAUVADRA.- Thank you, Sir.

HON. RATU K. KILIRAKI.- Chair, my second question is, you have been talking about the economic gain that will be derived to justify your proposal to convert Shirley Park.

You have mentioned Meghji for rental just for the purpose of substantiating your claim that you will get economic gains to the city council. How much rental you levy Meghji and for how long a period?

MR. K.D. KAMA.- The proposed land rental for Shirley Park development based on a 1.2 million UCV at 6 per cent UCV at \$2,000 per annum and the annual city rate calculated at 1.5 cents per dollar we have approximately \$18,312 per annum and together with a lease premium of \$180,000 and as I have said that we can subsidise the rates that we have at the moment.

MR. CHAIRMAN.- Let me clarify something \$2,000 per annum on lease rental and \$18,312 for city rates.

MR. K.D. KAMA.- Yes, lease premium of \$180,000 upfront.

MR. CHAIRMAN.- So if you are not going to go ahead with this development you will not get this money?

MR K.D. KAMA.- Yes, Sir that is correct.

HON. J. DULAKIVERATA.- Did you ever consider developing the land yourself rather than leasing it out?

MR. J. NAKAUVADRA.- We do not have the capital to carry outside development.

MR. CHAIRMAN.- So, for clarification CEO, you are looking at partnership with the private sector?

MR. K.D. KAMA.- Yes, that is correct,

HON. RATU K. KILIRAKI.- This is for the civic people, what benefits or what have you proposed to address their needs about Shirley park. Whether you are going to accommodate them within the development of Shirley Park.

MR J. NAKAUVADRA.- As I have mentioned earlier we are developing the Marine Drive which is a stone's throw away from Shirley Park and the balance of Shirley Park will be developed by the developer for a children's park.

MR CHAIRMAN.- CEO, in the course of the consultation with your team, correct me if I am wrong, I feel that this development is part of the bigger plan of reclamation and the tourism development on the other side of Shirley Park?

MR. K.D. KAMA.-That is correct, Mr. Chairman.

MR, CHAIRMAN.- So, there will be more developments after this Shirley Park hotel development?

MR. J.D.KAMA.- Mr. Chairman we have already started working on the development of the reclamation around 17 acres of land around the foreshore. We have already carried out the EIA and we are working with the Lands Departments and the *iqoliqoli* owners regarding that and it will be an upmarket development for Lautoka.

MR. CHAIRMAN.- So how far in the process have you gone in those developments because this will link up to those reclamation development and the upmarket residential and tourism into those areas. How far have you gone in those processes?

MR J.D. KAMA.- We have already carried out the EIA exercise on that and we are working with the Lands Department and the *iqoliqoli* owners, the *Vanua* of Vitogo and also the AMEX company. We are working with them regarding the material that they will use on the excavation on the wharf.

HON A. NABULIVOU.- Mr. Chairman, I would like to ask the CEO to confirm the objection period; is it from 9th August, 2014 to 15th August, 2015. The date of the objection period is at 5.6.

MR. CHAIRMAN.- On 5.6 from 9th August, 2014 to 15 August, 2015.

HON. A. NABULIVOU.- Is it the same year or is it August this year?

MR.J.D. KAMA.- Sorry, 2014.

HON. A. NABULIVOU.- Right, 2014 the same month in the same year. That is an error there.

MR. CHAIRMAN.- These are the dates when the objection starts to the end? Because it says here was publically advertised in the *Fiji Sun* or the dates when the objection period starts to the end. Because it says here it was publically advertised in the *Fiji Sun* for August 2014. So the point of clarification from the Committee is when was the objection period?

MR J. NAKAUVADRA.- August, 4th to 2nd September.

(Vote of thanks – Mr. Chairman)

Submittee No. 3 - Lautoka Chamber of Commerce
Mr. Pyara Singh
Mr. Josateki Vuluma
Mr. Salim Mohammed

MR. P. SINGH.- First of all, on behalf of the Lautoka Chamber of Commerce, I wish to thank the Committee for taking your time out to visit Lautoka and see what development Lautoka needs and the timing and all. The grassroots that move the country forward. All the development, not only in Lautoka but in Fiji, it is moved by the grassroots people.

Mr. Chairman, Lautoka is one of the best designed city not only in Fiji but in the South Pacific. Lautoka has been neglected for long. Lautoka is the sugar city and also the tourist city. It is only 15 miles from the Nadi International Airport. It is much easier for people to come to Lautoka than Denarau or Nadi Town. Also when you are driving, it is straight and no bends. The tourists that shared with me they said why Lautoka was not developed as a tourist city. As you have mentioned, Lautoka is the capital of the western division and we have strong neighbours; Nadi and Ba, which is a greatest advantage for Lautoka.

As far as the development of Shirley Park, it is long overdue, it should have been done 30 years ago. Shirley Park was not there, it was all sea before. I am born and bred in Lautoka. I have been in business for more than 50 years now and I have seen no development taking place. Where the Shirley Park is standing now, it used to be the sea. First of all, our youths that are coming out of the University, where they are going to work?. Lautoka not only needs one hotel, it needs five hotels. Lautoka has to develop, if not then it will become a township and not a city. People are going out from Labasa looking for a better place, prospects for the children to be employed. Government is doing its best to get people back to Labasa. It is the same in Lautoka, it has all the prospects to develop but at the same time, there must be land available for

development. Denarau is manmade. The foreshore in Lautoka is the golden gate to Fiji. But the only thing is when the time the development was supposed to take place, no one cared about that. The biggest dollar that is coming to Fiji is the tourist dollar. I have talked to people on the street, the Chamber members and all, they wholeheartedly supported it. If Meghji cannot develop it, they should give it to someone else to develop it. We need conference rooms and hotel facilities in Lautoka.

All the conference that we are having in Lautoka, it will be more central to people in Rakiraki, Tavua, Ba and Sigatoka. We should be the hub of the Western side. Just because the hotels are not here, people go to Nadi.

The Lautoka Chamber of Commerce wholeheartedly supported the Shirley Park to be developed. Also the foreshore should be developed like Denarau. We have the support of the people of Vitogo and Naviyago Village. They also want development. We have a lot of space. Once the foreshore is developed, we can have more Shirley Park. It takes 10 years for all these trees to grow, the time is right for them to be chopped. That is all, Mr. Chairman.

MR. CHAIRMAN.- Thank you, Mr. Singh for your comments. Any other member of your team that would like to comment?

MR. P. SINGH.- I have, Joe Vuluma here.

My name is Josateki Vuluma. When P. Meghji wanted to develop Shirley Park, he came around to Vitogo and said that he wanted to develop Shirley Park so that there can be jobs in the *tikina*. All the Chiefs agreed to sign that letter so that the area can be developed. That is all.

MR. S. MOHAMMED.- Lautoka Chamber of Commerce has a role. It looks after the economic development. In that, we are trying to develop as the resident has said. We are trying to develop it as a tourism city. So plan is on the way to build an eco-tourism in Tavakubu. This has been designed in a very international standard of eco-tourism. We will invite all the tourists to Lautoka, so in that we need hotels, not only one but three or four hotels. Thank you.

MR. CHAIRMAN.- Members of the Committee, do you have any questions?

HON. J. DULAKIVERATA.- Mr. Singh, we are here this morning to hear the public comments on the petition that had been presented to Parliament on the rezoning of part of Shirley Park to build another hotel. We thank you for your comment on the need to develop another hotel. You said that the Lautoka Chamber of Commerce would like to see more hotels and on the same breadth, you said that it will bring tourists to Lautoka. On that, I would say that the tourists come here to enjoy the place, they do not want to come from a jungle country to another jungle country. They want more open spaces. Now that you are supporting the building of the hotel here, which will take away part of the park that is being enjoyed by the residents of Lautoka, what plans are there for you as Chamber of Commerce to address this issue? While the development is good, it should not be at the cost of others. We have to have a balanced development to be enjoyed by the people. Development is for the people. The only question I ask you is, if you are going to take away part of Shirley Park, what are you going to provide to replace that? We cannot replace Shirley Park in another location because Shirley Park is Shirley Park. It is here in the city and it is central to everyone that comes to the city. That is my only question. While we agree that development is important, but it should not be at the cost of the

people. The suggestion by your member that we develop eco-tourism in Tavakubu, this is what we want, a mixture of development to cater for the general public. While big hotels will only be for different class of tourism, eco-tourism will be good for ordinary people like you and me, people that travel between towns and cities and backbenchers maybe from the tourist sector. That is my only question. Thank you.

MR. P. SINGH.- Mr. Chairman, as I have said earlier, Lautoka is a well designed city because it has more parks and grounds, a total of 60 small and large parks. Taking a portion of Shirley Park, it is only about 20 per cent taken, while 80 per cent is left. The foreshore development will also take place. What I have said earlier, and I am still saying, when that foreshore is developed, people come to Shirley Park because it is close to the city. People want to view the sea and also having fresh air and all those things. When that is developed, I think our Marine Drive will move inwards and people who walk will have more fresh air. Today, Lautoka is not 20 years back, at low tide, there is no water. It is better for the people when you sit there and enjoy the fresh air. When the foreshore development is taking place, we make more parks there.

I am also disappointed that sometimes, Shirley Parks is used by drunkards. When the Minister of Transport and Local Government were here, people said that people come there, they sit and drink. Shirley Park is not being used by the public as a park, it is not even safe to work there at night either. I hope that answers your question.

HON. RATU K. KILIRAKI.- Thank you for the role that the Chamber of Commerce is doing in Lautoka City, it is a well planned city and all its provisions, we thank you for that. One reason for development in Lautoka that has been highlighted here is the low activity in Lautoka, especially after work in the evening. It is the assumption that after building the hotel, it will automatically boost the economy in what areas, what market are you targeting to benefit the *kai* Lautoka, the rural areas that in a sense you are responsible of in generating the economy. Whilst we appreciate the tourist dollar, at the same time, there is a lot of potential in the local economy. People from Rakiraki, as you mentioned, Ba treats Lautoka as their central place of doing business. We welcome the development of eco-tourism as already mentioned, why there is lack of activity, whether there is lack of development or whether there is lack of foresight for the Chamber of Commerce or the City Council to address this. Shirley Park is well known for Lautoka and whether you have other avenues to explore to generate the income in Lautoka, to change the night life - what is your responsibility as the Chamber of Commerce?

MR. P. SINGH.- Thank you, if this hotel is developed from that proportion, more people will be employed and if people have more money then there will be night life, if there is no dollar, there will be no night life. As I said earlier, Lautoka is a neglected city, it should not have been like that. I blame the Chamber of Commerce and the Lautoka City Council for not taking a bold step in that. Everything is money. Now you are here and see the development, it will add value to other business as well. There will be better shopping facilities and malls and all. Ba is always flooded, Lautoka is not, we have to move forward, now is the time and we need this Committee to bless this project.

MR. CHAIRMAN.- *Vinaka*. Any other comments?

HON. RATU K. KILIRAKI.- Mr. Chairman, we now hear why Lautoka stands out, Ba is always flooded, do you consider that Lautoka is different because of Shirley Par? Do you consider that?

MR. P. SINGH.- Mr. Chairman, once the flood comes, the entire business is set back. Air Pacific has charter flights to get the people out. The roads and hotels are closed, even the road from Denarau to Nadi Airport. They want to have an alternate road by boat to Nadi Airport so that the tourist can fly out. When the tourists come to Lautoka, they want to stay because there is no flood. There is Almighty God, Lautoka is a blessed city.

HON. A. NABULIVOU.- I just want to thank the Chamber of Commerce for their positive thought about Shirley Park. With the Lautoka Chamber of Commerce, what benefit Shirley Park is going to bring to the Lautoka Chamber of Commerce?

MR.P. SINGH.- Mr. Chairman, the Lautoka Chamber of Commerce is the facilitator for any new business. The entire people in Lautoka will benefit from it. People who will stay in the hotel will hire taxis, rental cars, etc. If you build the hotel in another area, it will take 10 years, but to build it at Shirley Park, that can be done in six months. The benefit will be all to the citizens of Lautoka.

HON. RATU K. KILIRAKI.- When you say that it will benefit the people of Lautoka but 500 people are signing the petition, how do you account for that?

MR. P. SINGH.- Mr. Chairman, anything you do, there will be pros and cons but looking at the picture, the people who petitioned, that is a negative attitude but the people will benefit.

HON. J. DULAKI.- You mentioned the foreshore development that will have other parks. What is the projected time of this development?

MR. P. SINGH.- It will be developed, it is in the pipeline, on the exact date, the Lautoka City Council will be in a better position to say that.

HON. RATU K. KILIRAKI.- I raise this question with the city council on the availability of land. The perception is that, Shirley Park is the only place. It is a life savior of Lautoka in terms of economic development. I told them, what about the west of Lautoka, you have the rubbish dump there which can be removed. It has the same environment here, beautiful view and why the Shirley Park, as if there is no other land in Lautoka except Shirley Park.

MR. P. SINGH.- One of the reason is, it will be next to an existing hotel and that will benefit the tourists. Now, we have only one place which is the Waterfront, there is no competition here. If you put another hotel here, it will be a great competition. Why I am saying Shirley Park is that, people who come, they will want to be near the ocean. Having another hotel at Shirley Park will add value to outer islands hotels. Like in Denarau, if you have another hotel here, there will be a marina and tourists can go to the islands. Denarau is far, if you have a marina here, it will be a gateway to the Yasawas. If you develop the foreshore, then the marina will come and that is important.

HON. RATU K. KILIRAKI.- If you reclaim the foreshore, Shirley Park will be affected so that argument does not stay. I am just trying to broaden your view, where you argued that Shirley Park is the only place in Lautoka or there is another better place to accommodate what the tourist wants, the foreshore, the beautiful ocean, the accessibility, eco-tourism, whatever the tourist comes for. What can you say on that, Mr. Singh?

MR. P. SINGH.- Mr. Chairman, eco-tourism will take a little bit longer because we have to do the roads. If we are going to have the Minister for Transport here, we will ask him to put better roads. It may take a few years to come. Why I am saying Shirley Park because it is central. Tourists stay on the main land for a few days and then travel to outer islands; Vanualevu and Taveuni. It is a central area and people can go to town and enjoy the night life as well. The development will be to the benefit of everyone.

MR. CHAIRMAN.- Any other point?

HON. J. DULAKIVERATA.- The other point that I would like to make is that, Shirley Park has been given out as peanut. We just heard from the city council, how much they are giving it to Meghji, it is very cheap for a commercial property in the middle of the city. You are talking about developing the land and building a hotel but you are just evading costs.

MR. P. SINGH.- This is a very straight forward question. I think he is in the Lands Department for a very long time, he will be in a better position to know that.

(Vote of thanks by the Chairman)

MR. CHAIRMAN.- Honourable Members, this is an appropriate time to adjourn for lunch. We will now adjourn and resume at 2 o'clock.

The Committee adjourned at 1.00 p.m.

The Committee resumed at 2.30 p.m.

Submittee 4: Town and Country Planning

Ms. Raijieli Taylor - Actg Director

Mr. Viliame Qaniuci - Actg Senior Town Planner, Lautoka

MS. R. TAYOR.- The honourable Asssistant Minister and Chairman, and honourable Members of the Committee, as well as those present here this morning. Thank you very much for the invitation to come and present before you on the Town and Country Planning requirements as well as the application at hand with regards to the rezoning of Shirley Park as they have said.

Before we start, Sir, I had prepared a short presentation with regards to the Town Planning processes and the applications as well, Sir, so I hope you will not mind that I will be presenting.

MR. CHAIRMAN.- Yes, go ahead.

MS. R. TAYLOR.- I also have hard copies, just for your information which you can refer to as well.

(Submission by Ms. R. Taylor was distributed to Members of the Committee)

Basically, this is our presentation from the Department of Town and Country Planning. I would like to focus this presentation on Urban Planning and the Town Planning Framework with regards to the Department of Town and Country Planning and its legislations.

The area that I would like to focus on, Sir, and I hope it is very necessary is first of all on urban planning because I think this is an area which is new, but I think an area that I think a lot of people do not have information on. So, I would like to spend a little bit of time to explain what Urban Planning is about, its context and also on the statutory legislations in Fiji at this time.

The second point on the Agenda is on Challenges and Responses. This would basically focus on the application at hand, and the processes within the Department of Town and Country Planning as well as the Lautoka City Council which also comes under the processes that are currently addressed at the Lautoka City Council is also part of the whole town planning process in terms of rezoning. And then just a bit on the financing which is also a key area where we look into when we are actually dealing with applications. On the last two, the key considerations in which the Department has taken into consideration in terms of making assessments on applications, not only in terms of Lautoka City, but on the regional context as well.

I think we need to ensure that whatever we put in place, whether it is for the public good or whether it is for the good of the nation, we need to ensure that we follow the legislation, we follow the rules, but we also need to be transparent in terms of trying to address every sector of the Community, and hopefully, we see it from the Town and Country Planning perspective that the legislation has that and we are trying to address it as we go along.

Finally, Sir, just for confirmation, the rezoning is currently at provincial approval stage. The Director has not approved it, and the other processes need to be followed to ensure that the legislations and their rules of law stands. Thank you.

MR. CHAIRMAN.- Thank you, Acting Director. Thank you for your presentation. For me as Chairman, it was more of clarification on the stance of the Committee. May be, we will go through the Deputy Secretary's presentation, and then we will go for discussion.

**Submittee No. 5 : Department Local Government
Mr. Josese Rakuita, Director, Local Government**

MR. J. RAKUITA.- Thank you, Mr. Chairman and honorable Members, the Secretariat, ladies and gentlemen. I have a short presentation. I know that we have gone through the Lautoka City Council and also the Town and Country Planning. Mine is brief in terms of our role as the Department of Local Government.

In brief, Sir, the Local Government Act, we are to advice the Minister on policy matters regarding municipal councils under the Local Government Act.

The Ministry received the Lautoka City Council's request for sublease portion of the land on 25th January, 2013. This was after the Council had called for an Expression of Interest (EOI) as per the *Fiji Sun* of 10th November, 2012. This was after the initiation between the Council and the Department or the Ministry into utilizing this portion of land so that it can ensure economic return for the Council and also for the ratepayers. As a result of that, two interested parties registered their interests, namely: P. Meghji and Charan Jeeth Engineering Limited. The Department of Local Government, in accessing the requests made the recommendations to the

Minister for his approval under Section 92 of the Local Government Act. Under that section, Sir, the Council may let any land which it may possess with the consent of the Minister for any term.

In assessing the application, the Department took into consideration the benefits to the Council and the ratepayers of Lautoka City. This was approved by the Minister in accordance with the powers vested in him under the Act. I have alluded to the Committee the Annexure that we can refer to as per the approval obtained from the respective authority.

In the same context on that approval, the Department of Town and Country Planning was informed by the Department of Local Government to proceed with matters concerning the land issue. So, you will note, honourable Members that our role is to ensure that the Minister gives the approval and the other agencies of the Government will now proceed with the matters of concern regarding the vested authority under them.

The issue for the subdividing and rezoning part of Shirley Park was presented in Cabinet. I have also attached there "Approval by Cabinet Decision dated 30th July, 2013". Following Cabinet Decision, the then Acting Minister for Local Government, Housing and Environment informed the Special Administrator, Lautoka City Council of the approval, and the conditions are also attached in Annexure 6.

Sir, this is very brief, in terms of our role to ensure that the partnership between Lautoka City Council and the developer is put in place. I think that is all our role we have to play, Sir, in terms of the Department of Local Government to ensure that the Minister gives his approval before the other approving authorities or agency proceed with their Plan of Action to ensure that this approval is put in place. *Vinaka*, Sir.

MR. CHAIRMAN.- Thank you, Deputy Secretary for your presentation. Honourable Members of the Committee, it appears to me under the law that these are the relevant authority to deal with this issue. And, while listening to the Acting Director's presentation, they have the authority under the law. The Deputy Secretary has also made it clear to the Committee this afternoon on where the approvals or the process before the final endorsement by the Ministry.

With that, I believe this Committee will be doing the same thing as they are doing, and we have found out today that, that is in the process. The petition is with the relevant authority, that is the Town and Country Planning and it is their process. That will be the basis of our Report to Parliament since this petition was received by the Ministry of Local Government, and it is also part of the five or six objections that are in the process with the Department of Local Government.

Honourable Members of the Committee, during lunch hour today, I made some enquiries on the legality of going in to another process, and I was told that there are no other avenues in going further with any consultation, that is to do with the petition. As we have rightly heard today from the Authority that has the mandate, the legal Act and the Legal Framework for looking at this petition are in the process of going through the petition, as one of the five or six objections that has been put through to the Ministry during the objection period.

The legal advice given to me was, to leave the process to the right Authority to deal with the process. That will be the base of our report back to Parliament otherwise, we will be creating a precedence that will be very hard or very difficult to make right. I think at this stage, I will

request the opinion of honourable Kiliraki and honourable Dulakiverata on this. The presentation that have been given by the Director and the Deputy Secretary points to that, the due process has been done and the petition has been received in accordance with the objection time and in accordance with the law. The Director is now in the process of going through those petitions, and it leaves no other legal avenues for this Committee to carry on with the consultations. As Chairman, that is my final decision, in accordance with the legal advice and the presentations that were done today. However, I open the floor for opinions from the honourable Members of the Committee.

HON. J. DULAKIVERATA.- Thank you, Mr. Chairman. I tend to differ, and I would like to view my opinion on the issue. We had been tasked as the Committee for Natural Resources to come and hear out the people on this objection. The petition on Shirley Park was presented to Parliament by one of the Members as stipulated in our Standing Order. Anyone can move a private Bill or put up a petition in Parliament, so we are just going through the motion of the process. We can say a lot of things by what appeared in today's newspaper, preempting the decision of this Committee. I think this Committee is basically here to hear the views of the people and write a report on what they say. I think the process as stipulated by the law is there, which has taken place. I was going to raise a few questions with the Director of Town and Country Planning. I think that should not stop us from hearing the rest of the people that we have summoned to come and present before us. This is one of the first petitions that we have received as a Committee, and this is the first year of Parliament and all of us are in our first year as Parliamentarians. It is a good learning experience; there is nothing wrong with doing all that we have gone out to do. For us, it is all a learning curve, and it is good for us, good for development, good for everyone and good for the country. I think transparency and accountability is the order of the day. Now that we have come into full democracy, we need to be seen to be doing all these things democratically. The decision and the processes had been there, but there are still questions we need to raise, we need to ask and we want the authorities to answer those questions. The people have spoken here, and we need to hear them out. It is about time that we listen to the nation, the people and I think that is the way to go. Thank you, Mr. Chairman.

MR. CHAIRMAN.- *Vinaka*. That is noted. Any other comments, honourable Members?

HON. RATU K. KILIRAKI.-Mr. Chairman, I would like to contribute also supporting what honourable Dulakiverata has enlightened us with. The law is the law and according to the law the decision is made already but for the purpose of the petition.

MR. CHAIRMAN.- I would like to correct that the decision will be made by the Director. The petition is with the director in accordance with the provisions of the Act.

HON. RATU K. KILIRAKI.- In accordance with the law yes, as far as the Parliamentary Committee is concerned if I could just read Section 27 (5) in regards to the presentation of petition; "the Speaker must refer each petition laid on the table to the Standing Committee under which subject matter of the petition falls and the Committee must investigate each contents and provide a report to Parliament on the petition and the action sought by the petitioners". So I think it is only fair to the petitioners that we proceed in spite of the laws being there and the decision by the Town and Country Planning to be made. I think according to the Standing Orders, we owe to the petitioners as mandated by the Parliament for our part in convening this meeting here in Lautoka.

HON A. NABULIVOU.- Honourable Chair, Director Town and Country Planning we thank you so much for your contribution today, but I agree with what all the members here have said, the honourable Kiliraki and the Chair. What they think is to get all the views from the public, just to complete our job here and to deliver a report to Parliament in the next sitting. To be fair to everybody because they are watching us and they are looking at us and I think it will be okay for us to just complete all those things.

MR. CHAIRMAN.- Thank you, I am listening very well to the comments. But we are now going into the legal areas. Director, does your Act provide for another body to do consultations? Because this is your turf you are mandated with this.

MRS. R. TAILOR.- Yes, Sir, we are actually talking about the consultations process here. Public consultations for any development in this case we are looking at the development within the town planning scheme which is Lautoka City Council. As I mentioned earlier, Lautoka City Council in their town planning bylaws as well as in the Local Government Act, there is a boundary to where the council actually needs to have jurisdiction over. I note in your Work Programme for this week, you are also bringing in people that are actually outside the town planning scheme. On people living out of this particular area, the legislation is very specific here in terms of who can object to a planning scheme. In this case, it is people who actually have properties in the council boundaries as well as people who reside in the Lautoka City town planning boundary. Again in terms of planning, it is actually stated that way due to certain reasons basically it is the Council that looks after these areas, it is the council that is financing places of developments such as civic sites. That is one of the areas that we need to look at, it is one of the areas that we actually look at when people make submissions on objections.

In terms of the petition, we have gone through every person, every signatory on that petition and there is a number of people that do not even reside in Lautoka. As the Act says, they may use the park but under the Act, they do not have a right to object. Again, it comes back to Lautoka City Council as the people who look after this boundary. The second point is that, I think it is very specific, it tries to ensure the type of development that happens within a town is actually addressed by the relevant authorities. These are the people that actually monitor the work in the area and also the people that actually implement the laws in place. So again in that aspect, when objections are received by the Department of Town and Country Planning, we not only look at everything that is submitted but we look at certain areas that are only relevant to the development and the things around it. Take for example, you are the landowner here, you have a lot in Lautoka and you want to develop it, someone from Suva says no, you cannot because of this. How would you feel as a landowner in that case? Again from the Town and Country Planning perspective and the council, someone will say, okay you can build this but someone is objecting from Suva what is he to the land here in Lautoka? So we are looking at that aspect. Again, as part of objections received, we are looking at the issues that are raised in the objections. One is the loss of open space, from the planning perspective, we look at it from both sides the pros and cons of this loss of open space. We look at the current use in terms of what is currently being used on the site as well as what probably could be best in terms of what is currently happening on the site.

As I mentioned in my report, when we actually look at an objection, we actually look at the total areas with regards to this and we state it, it is the community that will be living with the development that comes in. So from the planning perspective, we also take that into consideration. The economic, the social and the environment factors. In most of the objections

that was the loss of open space, the percentage of use and again there was a misconception in terms of the zoning of the site as a recreational park. I think there was a misconception there but again, there were some very important issues that came up that probably the developer needs to address as well in terms of the development coming up. Again, I am saying if you are going to have this public hearing again then I think you need to be very specific in terms of what you want to hear from the public. And again, it states who can make that objection in terms of Lautoka being a legislated area and in terms of the ownership of the land which the lessor is Lautoka City Council and the type of tenancy that Lautoka City Council is currently holding.

As well as in terms of not only the council policy but looking at it from the national level perspective in terms of policy, strategies and also in terms of what the government of the day is trying to address.

So, Sir, in that aspect again, I would strongly state here if you really need to carry on with this public hearing then I think your terms of reference need to be put in place in terms of what you need to be doing against the legislation that is in place. Then again it is the statutory law which is again needs to be recognized by you as a committee.

MR. CHAIRMAN.- Thank you Acting Director for your clarification. Maybe, we will adjourn the meeting my concern here is the law and the practice we are doing. If we can agree on a common ground.

(The meeting adjourned for the Committee and the Director Town and Country to agree on certain issues)

HON. J. DULAKIVERATA.- I must thank the Director of Town and Country Planning and her team and Deputy Secretary for their very informative presentation. Just a question, for any development what percentage of the land do you allocate for reserve?

MRS R. TAILOR.- That will depend on the type of development. If they are looking at subdivision that is about 10 lots then we require five per cent of the spaces for active recreation areas. This is basically a requirement under the subdivision of Land Act, Cap 114.

HON. J. DULAKIVERATA.- Thank you, so in that case if Shirley Park is there as a reserve for civic because of the development of Lautoka City, would that have been five per cent of the social development?

MRS R. TAILOR.- Not specifically, because when you are looking at Lautoka City, it is actually made up of areas that are already subdivided, areas that are still to be subdivided, areas that are currently under agriculture as well. I am taking it from the time the Town and Country Planning Scheme was put into place. Again, in terms of Shirley Park, it was not a recreation space, it was a civic site so in terms of recreational of open spaces you will be looking at the 61.9 hectares that is available all throughout the Lautoka City Town planning area. Within the civic areas, it is 22 hectares, those central business district areas.

HON. RATU K. KILIRAKI.- Just a clarification, Acting Director you mentioned that the provisional approval is subject to planning objectives. When should the final approval be in place and the time frame in regards to the provisional approval?

MRS. R.TAILOR-Thank you Sir, in terms of the time frame it will be dependent on the terms of clarification on issues that were raised in the objections as well as issues made on the time of the hearing. As an example, we usually try to make the decision within one month of having carried out the objection hearing. So the objection hearing was carried out last month and we are giving ourselves a one month time period for a decision to be made. At this time, we are clarifying issues that are submitted in the objections as well as considering options and other matters with regards to the conditions of rezoning which was done in the provisional approval.

HON. A. NABULIVOU.- Just for clarification with regards to the petitioners. On that decision concerning the approval, whether this petition will have that impact on that final decision after having heard all the objections?

MRS. R. TAILOR.- Yes, Sir, as I have already mentioned under the various sections, the decision of the director is actually considered after taking into consideration all the issues raised as well as looking into options with regards to the type of developments that is carried out. So, in terms of that, the petitions will be based on the issues that are raised, whether it is complementary to the development itself or whether there are other things that needs to be taken into consideration on the issues that are raised by the objections. Again, the Director looks at it on both the pros and cons of the development.

HON. J. DULAKIVERATA.- From what you have just mentioned, it would be proper for tomorrow's sitting that all the presenters will have to get their residential addresses and where they work so that we will know who qualifies and who is not.

MRS. R. TAILOR.- Yes, like in my presentation, I have specifically stated who can object to the development. That should basically, be the guidelines.

HON. RATU K. KILIRAKI.- Acting Director, those signatories, it is important that they are ratepayers so that they show their support to the objections. Like what you are saying, there are people from Nadi, Ba and Suva but the legal things is, it should be the people of Lautoka?

MRS. R. TAILOR.- Yes, but what I think is that, in your terms of reference and your timeline too in terms of what was stated in the objections also should be an area of concern.

MR. CHAIRMAN.- *Vinaka.* Madam Director and Vili, on behalf of the Committee, I thank you again for the clarification that has been given to us in terms of the petition and the process and as we all agree, we will continue with this but without jeopardizing your process. But what we will do now is to provide feedback from the people and we will present our report to Parliament as required under the Standing Orders of Parliament but in no way, we will cross with your line. Also the legality issue and the Committee agrees in that regard.

(Vote of Thanks – Mr. Chairman)

The Committee adjourned at 3.30 p.m.;

The Committee resumed at 4.05 p.m.

Submittee No. 6 : Department of Environment

**Mr. Aminiasi Qareqare – Actg Director
Ms Kelera Tokalau – Environment Officer, Western
Division**

(Introduction by the Chairman)

MR. CHAIRMAN.- Maybe, Acting Director, to start off with, you can brief the Committee on the environmental process regarding the rezoning and development of Shirley Park.

MR. A. QAREQARE.- Thank you very much for your words of welcome. Maybe, to start off with, all the developments such as this usually go under a requirement under the Environmental Management Act 2005, where an Environmental Impact Assessment is usually done. That process is usually undertaken when all other due processes are done initially like the town planning process that is to zone the area and have the scheme approved. On top of that, some of the conditions for approval will be the Environmental Impact Assessment (EIA). The EIA mandated under the Environment Act is such that a baseline study, a consultation with the public and when an EIA report is developed, it will be out for public review. So in essence, the department through the EIA process will only come in once the initial stages is addressed through the Town and Country Planning are followed and then we will come in. I think, that is basically, Mr. Chairman, how we will approach the development.

MR. CHAIRMAN.- *Vinaka*, Members of the Committee I will now open the floor for questions.

HON. J. DULAKIVERATA.- Mr. Chairman, through you, I just want to ask the Acting Director, we just had a session with the Director of Town and Country Planning and the issue of objection to any development. In the city, only the people who have properties and reside within the city boundary are allowed to give objections. In the cases of EIA, do you receive objections from anyone or any concerned citizens or is it the same with the provisions with the Local Government Act?

MR. A. QAREQARE, under the Environment Management Act, there are two instances where projects undergoes public consultations, one is during the initial development of the EIA Report which will require the developer to hold public meetings at a public place and that is done through the consultant and as well as when the report is ready. When the EIA Report is ready, there is a mandated 21 day period within the Act for a public review of the EIA document.

To answer your concern, anyone can write in with his or her concern which is already mandated in the Act.

MR. CHAIRMAN.- A point of clarification, Director, that can be anyone, any member of the public, irrespective of where he or she resides?

MR. A. QAREQARE.- Yes.

HON. RATU K. KILIRAKI.- Thank you, Director, after the due processes within the Town and Country Planning then you do your EIA. In the case of Shirley Park, it has reached a

stage of being given provisional approval pending objections. In terms of the EIA provision, have you done any EIA for Shirley Park which is the subject matter at this moment?

MR. A. QAREQARE.- At the moment, the application for rezoning and whatever development that is going to happen at Shirley Park is yet to be received at the Department of the Environment Office but certainly, listed under the Schedules under the Environment Management Act, this development will undergo an Environment Impact Assessment study. We have yet to do one at the moment.

HON. J. DULAKIVERATA.- Through you, Mr. Chairman, during lunch hour today, we had a brief walk through the park and I was really concerned by the comments by the City Council this morning regarding the use of the park. For a brief one hour lunch that we had today, the park was actually full from the people of all walks of life and we had the opportunity to talk to them. Today, being a Monday and the number of people that used the park, it is amazing. People from the rural areas came down here and I saw the proposed site and big trees which could be more than 40 years old there. With this development, it is most likely that all these trees will be cut down. From the environment point of view, how do you see this?

MR. A. QAREQARE.- Thank you, honourable Member, my response to that, there is a cost to development. We have approvals for a lot of similar cases for development and some that have had much bigger environmental foot print like the reclamation of big mangrove areas or the cutting down of natural forests, but in saying that, we want to say yes and I think the important thing is that, the due process in terms of how the EIA will be done and what the impacts will be to be verified during the report is important. But just to compare that to other developments that we have approved, there have been bigger and major economical footprints that the department has approved considering the need to go forward like mangroves as I have said for reclamation and natural forest de-afforestation.

HON. J. DULAKIVERATA.- Just a concern. Maybe, we have not reached that stage yet, when I was working in Australia and New Zealand, development is dictated by the public. It is not the Environmental Act, it is not the Town Planning Act, it is the public that determines whether a development should go or not. They send petition, knocking down of old buildings, cutting down of trees in the middle of Sydney. It is very hard because of public objections. What we are saying here is that, for a price of development, we have to forego all these issues. The environment is one of the most important thing that we should consider now. Given the climate change that we are going through and all these other issues, it is an important issue. It takes a tree to grow 40 to 50 years and to cut it down in one day and allow a development to go through, these are the type of things we should balance as we go along. Being a developing country, we should not compromise our environment for development. It is just a comment.

HON. A. NABULIVOU.- Mr. Chairman, I just want to comment on the petition. The Department of Town and Country Planning and the Environment have the legal rights to decide about the petition. The honourable Dulakiverata mentioned about the legal status of the petition, does the Department do that too – to petition any development for public interest, especially in this city?

MR. A. QAREQARE.- As I briefly explained in my introductory statement, the EIA is the processes. It goes through a number of processes. There are about seven steps, two of those steps within the EIA process is when the public comes in to have a say and one is when we usually develop the EIA report which is called the scoping exercise and the other is when the

public comes in to comment on the report which is called the review period so those are the stages. It will be out in the papers where the consultants will be having a meeting and also when the report is ready, they will have the chance to look at the report and say your views on the contents of the report and whether it will reflect how the development is going to look. That is how the public are involved with regards to the development.

HON. A. NABULIVOU.- I just want to go back to the petition. You are saying that everyone is allowed to petition the Shirley Park, for example the EIA Report for Namosi Joint Venture, but for this area, the Town and Country Planning mentioned that only the people who resides in Lautoka have the power to object on that development. What about the Department of Environment?

MR. A. QAREQARE.- I am sorry that I misunderstood you. The Environment Management Act provision is different from the Town Planning provision and the Environment Act, anyone can have a say when the report is out for public review.

HON. RATU K. KILIRAKI.- Just a clarification, in regards to your process of putting the EIA. In the whole process, in regards to Shirley Park, where does it stand in regards to this petition, your authority or the power of your EIA to influence the decision on the development of Shirley Park, whether it has any power to influence the decision to go ahead or otherwise from your EIA report in regards to Shirley Park. Can that influence the decision?

MR. A. QAREQARE. – I have worked in the Department for a number of years now, I can confidently say that yes, most of the developments depend on the comments that come from the Department of Environment but I am not here to say, we are for or against, it will be how the public views it. The EIA report is basically divided into three major sections; the physical, which is land, the other is biological which is to do with things that might affect the natural resources and the last one is the social aspect of the report which is what concerns ratepayers of Lautoka and other citizens that frequent the areas. The three sections that will be taken into consideration thoroughly prior to any decision being done.

MR. CHAIRMAN.- Thank you, Director. We understand that once the rezoning is done then your department will come in.

(Vote of thanks by the Chairman)

Members of the Committee that brings us to the end of our consultation for today. We will adjourn to 9am on Tuesday, 3rd March.

The Committee adjourned at 4.15 p.m.

**VERBATIM REPORT OF THE MEETING OF THE STANDING COMMITTEE ON
NATURAL RESOURCES HELD AT THE LAUTOKA CITY COUNCIL CHAMBERS
ON TUESDAY, 3RD MARCH, 2015 AT 9 A.M.**

PRESENT:

Hon. J. Cawaki	-	Assistant Minister for Rural and Maritime Development (Chairman)
Hon. Ratu K. Kiliraki	-	Deputy Chairman
Hon. A. Nabulivou	-	Member
Hon. J. Dulakiverata	-	Member

APOLOGIES:	-	Hon. S. Vunivalu (Member)
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(The Committee sought further clarifications from the Lautoka City Council on Tuesday, 3rd March, 2015)

MR. CHAIRMAN.- CEO, we called you this morning to come and clarify some issues in regards to your presentation yesterday. The honourable Ratu Kini Kiliraki had mentioned that according to the advertisement, the zoning is from civic to special use, however, you mentioned that the zoning is commercial and industrial. We just want to clarify on that.

MR. J. NAKAUVADRA.- Thank you Mr. Chairman, in fact we were referring to the usage as per the lease in front of us but the zoning that was given by the Department of Town and Country Planning, it was as per the Lautoka City Scheme Plan which supersedes the usage that was in the lease title.

MR. CHAIRMAN.- Members of the Committee, that is the clarification from the Lautoka City Council and I also understand, yesterday the Director Town and Country Planning confirmed to the Committee that the town scheme supersedes all other zoning inside the city. Any questions to CEO for his clarification?.

HON. J. DULAKIVERATA.- Yes, Chair, what we need to clarify today is what transpired yesterday, according to the advertisement, the notice says the zoning from civic to special use. In the lease that was issued, the Town Planning Scheme comes later and rezone the area. That supersedes what is on the lease. Here, we have two differing issues, according to the town planning, this area is not zoned as civic. According to you in your presentation, it is already commercial, that is why you asked for reasoning, application for rezoning subdivision and sub leasing.

Yesterday, I posed a question why apply for rezoning when it was already commercial. Your answer was that, it was already commercial and that is why you applied for rezoning, application for rezoning subdivision and subleasing. It was already commercial, you applied for special use – hotel.

MR. CHAIRMAN.- CEO and the team can you clarify that.

MR. K. D. KAMA.- Thank you Mr. Chairman, as we have presented yesterday our submission was based on the title which I have presented a copy to you on 6652 and the title was commercial and industrial. We had made that application but the advertisement that was put out in the paper was put out by the Director of Town and Country Planning based on their scheme which they have corrected us that their town scheme take precedence over the lease. So in fact that advertisement was put out by Director Town and Country Planning according to the zoning that they have from civic but we had made that application on the lease that we have but they said that their zoning takes precedence over our land as per in our lease.

MR. CHAIRMAN.- CEO thank you for your clarification on the issue that was raised yesterday that was not clear to the members of the Committee but now you have clarified the issue of rezoning from commercial, special use.

HON RATU K. KILIRAKI.- Chair, just one question. On your decision to lease out this land, will this change from commercial or does Town and Country Planning supersedes the lease that you have. Does that affect the value of your business transaction or quantum of leasing, does that affect the value of your business transaction of leasing out to P. Meghji?.

MR. K.D. KAMA.- Thank you Mr. Chairman, that will not affect the quantum as it is based on the UCV value of the land as the UCV value is still the same.

HON. J. DULAKIVERATA.- Chair, you are changing the zoning which is of a higher value the Civic Zone or Special Use (Tourism)?

MR. K.D. KAMA.- Mr. Chairman, the UCV value that we have calculated is based on the proposed zoning to special use.

HON. J. DULAKIVERATA.- You cannot say that the residential is the same as industrial, you are changing the zoning, the value should change.

MR. K.D, KAMA.- Mr. Chairman, the figures worked out yesterday was based on the new zone – the Special Use.

Submittee No. 1 : Ministry of lands

Mr. Ilaitia Navunisaravi

- Divisional Land Manager (West)

MR. CHAIRMAN.- The Divisional Land Manager, Mr. Navunisaravi and although it is within the municipal boundary, the land is a lease by the Town council to the Lands department.

Mr. Navunisaravi, we welcome you this morning to this consultation and a Petition was sent to Parliament on the rezoning of the land for this hotel development. That is why the committee is here in the west to gather the views and comments of relevant stakeholders. I understand your office is part of this consultation and rezoning, if you can just brief the Committee on that.

MR. I. NAVUNISARAVI.- Thank you, Chairman and the Committee, Thank you most sincerely for inviting us to be part of this consultation process this morning. I wish to clarify that from our point of view, this consultation is a town planning rezoning process. From us, we will just rely on their decision, yes or no.

Further to that, our view is that, there is always opposition to such important investment proposal which is why we are here today. But we hope that common sense will prevail and this critical Committee will play an important role for a decision to be made that is good for everybody. For example, if this is rezoned, rentals will increase and will stimulate economic activity and also support the critical shortage of accommodation that Lautoka City faces at the moment, as we still rely on Nadi. Thank you for inviting us, that is our comment from the Ministry of Lands.

HON. J. DULAKIVERATA.- Thank you, very much. Just to make a point clear, we are here as a Parliamentary Standing Committee and we are mandated by Parliament to carry out this public consultation and the concerns of the citizens of Lautoka. That is why we are here and the Town and Country Planning process are ongoing and they have also been mandated by the Local Government Act to pursue the process and get public representation. We understand that this land is state land and leased to the council. It is all well underway and we understand that all the due process have been undertaken for subleasing to P. Meghji.

MR. I. NAVUNISARAVI.- Thank you, just to clarify to all who are here, our consent is subject to all the approvals being obtained for this case.

HON. J. DULAKIVERATA.- My question is, now that all this consent have been obtained today we have been shown the plans by the developer . Lands department have given the consent, consent to sublease, consent to transfer, consent to use.

MR. I. NAVUNISARAVI.- Mr. Chairman, Sir, it is subject to the rezoning. If the rezoning process is declined, that is the end of it.

HON. RATU K. KILIRAKI.- Mr. Chairman, the topic to address is Shirley Park and comparatively to the area in Lautoka, it is a small area and you have commented on the economic potential to the city to develop Shirley Park. The concerns of the public have been highlighted, not in economic terms, but its value to the people and they have petitioned not to rezone Shirley Park. I wonder whether you can take into consideration the Petition and the concerns of the people in regards to Shirley Park, the purpose that it has been petitioned for, even though it has been subleased to Lautoka City Council, whether you can take that on board? We know that it is still in the process, otherwise if the process is approved, but that is my view, we must have an avenue for the people that are so concerned which we cannot weigh in monetary terms.

MR. I. NAVUNISARAVI.- Mr. Chairman, as I have already mentioned earlier, the Town and Country Planning are the experts, we the Lands Department are not the experts here, they are the ones who are making the decisions and comments.

HON. J. DULAKIVERATA.- Chair, just another question to our guest this morning. From your experience, when you carry out a development, what percentage of that development should be allocated an open space?

MR. I. NAVUNISARAVI.- Mr. Chairman, to me that is a Town Planning condition also. All the proposals go to the Town Planning and they make the final decision on that.

MR. CHAIRMAN.- It is not a land issue?

MR. I. NAVUNISARAVI.- No, Mr. Chairman.

HON. J. DULAKIVERATA.- I thought you people check the plans to ensure that they comply with all the requirements.

MR. I. NAVUNISARAVI.- Mr. Chairman, to clarify that proposal, plans are sent to the local rural authority and Town and Country Planning for their approval first before the final survey plan is done. Likewise, also when the survey plan is approved, the Town and Country Planning also approves that everything is in accordance with the scheme plan that has already been approved.

MR. J. DULAKIVERATA.- Just another question, Chair, the Lands Department is the second biggest landlord in Fiji. In your land use planning do you have any hotel sites in Lautoka?

MR. I. NAVUNISARAVI.- To answer that question, we rely on Lautoka City Council zoning map, so for any subdivision to be made, it has to be in compliance with the current zoning already in place, the scheme plan.

HON. A. NABULVOU.- Just a clarification on rezoning, you said that it was declined?

MR. I. NAVUNISARAVI.- Yes.

HON. A. NABULVOU.- My second question is rental; do you inform the Town and Country Planning or the City Council about that?

MR. I. NAVUNISARAVI.- Mr. Chairman, to answer that question, I am just raising my personal opinion in that, if that was approved and rezoned, we have our own registered valuer as part of our leasing process to assess rentals. If it was rezoned to commercial the rental will go higher.

MR. CHAIRMAN.- There will be another valuation done?

MR. I. NAVUNISARAVI.- Yes, there will be another valuation done which is part of our responsibility under the Act in which honourable Josefa Dulakiverata is aware of.

(Vote of thanks – Mr. Chairman)

SUBMITTEE 2: P. MEDHJI & COMPANY

Mr. Romit Medhji	-	Director
Mr. Eremasi Matanatabu	-	Operations Manager

(Welcome by Mr. Chairman)

MR. E. MATANATABU.- Thank you, Mr. Chairman and honourable Members of the Committee. The actual application and the process started back in December, 2012, in consultation with the Council. We signed the Memorandum of Understanding in July, 2013. We then engaged our engineers HLK Jacob to perform various due-diligences on our proposed project, and then advertised for some tenders for the design which we would like to present to you today on the

proposed design that we have so far selected. It is probably not the final design, but pending approval, we will then finalise our design for the proposed project.

We also engaged Jones Lesly for a project valuation that was done, and I think our Director can further elaborate on the valuation and how much it costs to actually carry out this project.

In January 2014, we consolidated all these reports and we were awaiting further information from the Council for us to proceed with the hotel development. So in the timeline, that is probably what it is till to date.

MR. CHAIRMAN.- Honourable Members of the Committee, with us is the representative from the P. Meghji Company. Any questions or comments to the presenter, or do you want us to proceed further?

Mr. Matanatabu, the Committee agrees for you to proceed with your presentation.

MR. E. MATANATABU.- Thank you, Mr. Chairman. Before I start with the presentation, maybe, I would like to give the Committee a brief background of P. Meghji Trading Limited.

P. Meghji started its operations here in Lautoka in its current form some 24 years ago. The primary business is a wholesaler with dried goods and beverages and that the majority of our markets at that state were hotels around the country. Some 10 years ago, the Company started to diversify and invested in putting out I think two of its kind establishments in Lautoka; the Lounge and Bar Restaurant and the Lautoka Spa. This is all in its aim to actually develop Lautoka to become a tourist destination. As part of its future development, it also had its eye in establishing a hotel here in Lautoka. So, we can see that the infrastructure is actually in place that we have put in to actually support this development. I think you will know that the latest acquisition was the Sheraton Tokoriki which has now been in operation for the last seven months, and that is out in Tokoriki Island.

In a nut shell, as a background to this hotel development, it has been in our pipeline in our development plans, say for the last five years, and it is something that we have always looked forward to.

If I can just proceed with the actual presentation:

(Proposed Architectural Plan showed to Members of the Committee)

This is basically just the Site Plan of the proposed development. This area (*pic 1*) is the proposed site. It is some 6,000 square metres. Of the whole of Shirley Park, from the information we have, it comprises of about 24,000 square metres. If we do a basic division, the total square metres and what we are proposing, we will be using up to 27 per cent of the Shirley Park establishment.

MR. CHAIRMAN.- Total of 27 per cent?

MR. E. MATANATABU.- Yes, 27 per cent of the acres, that is the entire area that comprises Shirley Park and that includes the Council building also. So, we are only using about

27 per cent. I think that is important because there has been a misconception that we are actually taking up the whole Park.

This is just a view of the proposed area, and I think they have actually subdivided the lots. We are taking up Lot 1 and part of lot 2, and these are just some of the views of the area, looking out from the view of the proposed hotel site.

Pic 3, again this just shows some of the natural conditions that actually occur, so we are looking at the sunrise and sunset location, and also how the wind direction coming in to the hotel property. So, here we are looking at the back of the property and the road up in the front.

Pic 4, this just shows us sort of a footprint of the actual building that we are proposing, and just the traffic flow coming in and out of our route. So, the car park will be at the back, which is the back part facing the Council car park. Traffic will flow in through here, and also at the back here we will have our central facilities for the proposed hotel.

What we are trying to do, because the surrounding area is a park, we are trying to make the surrounding area as green as possible in terms of its design, so I will show you that in some of the concepts that we have in the front. So, we are trying to make the park look and feel within the hotel premises right from the start.

At the moment, we are proposing about 100 rooms, with the main key issue there is the conference facility which we are planning to seat about 400 people. It is a business hotel because one thing we are lacking in Lautoka, is having proper State of the Art conference facility. We do not have that sitting capacity here in Lautoka.

This is just a similar snapshot – this is the second floor of that concept. There is only one level, and this is the two-level part of the actual proposed hotel. This is the roof level, so that is the third level.

As I mentioned earlier, this is what we are proposing at the moment, it is not the finalized design. The finalized design will come after we have been given the approval to start, and then we will have soil tests done to see what kind of structure we can hold on the proposed site development.

Again, just an example, we will be putting up solar energy to have it like a green-hotel, so we will be putting up solar panels.

This is just looking at the elevations, sort of to show you how high the hotel will be, and we have some people in there to show you some sort of elevation on height. It is a two-storey building at the moment, and that is the proposed one. But then again, the weight and height of the hotel will actually depend on the soil test that we will conduct on the site once we are given the go-ahead.

This is just looking at some of the hazards and some of the idea that is going to be behind how we are going to make the hotel as green as possible. What we are trying to do is, so all the concept we build into the hotel will have that green feel with it, whether it will be some painting or whether there will be pot plants in the hotel or on the walls of the hotel. Some of our designers and architects have looked abroad and seen ways we can actually make those happen.

These are some of the office spaces. Again, some of the proposed designs of what we are proposing to do.

We will not be doing any changes to the current infrastructure that is in place, so the hotel will just be sitting beside the road.

HON. J. DULAKIVERATA.- That main road there, which one is that?

MR. E. MATANATABU.- That is the one running on the seafront.

MR. CHAIRMAN.- Marine Drive.

MR. E. MATANATABU.- Yes, Marine Drive. Next, that is the night view of the front of the hotel.

MR. CHAIRMAN.- That means you have rooms and a big conference centre?

MR. E. MATANATABU.- Correct, Sir.

MR. CHAIRMAN.- Do you have nightclubs?

MR. E. MATANATABU.- No.

HON. J. DULAKIVERATA.- So, Lautoka will still remain a ghost town.

MR. CHAIRMAN.- Any other comments, honourable Members?

HON. J. DULAKIVERATA.- Mr. Chairman, yesterday's presentation by the Lautoka City Council, which is the head lessee of this property advised this Committee that the area that will be leased to you is 4732 square metres, but now you are telling us that you have been leased 6000 square metres.

MR. E. MATANATABU.-Yes, there are two lots; Lot 1 and part of Lot 2.

HON. J. DULAKIVERATA.- Regardless of the number of lots, what area has been given to you?

MR. R. MEGHJI.- The advertised lot is 6475 square metres.

HON. J. DULAKIVERATA.- How come the Lautoka City Council told us it is 4732 square metres?

MR. R. MEGHJI.- Mr. Chairman, the advertised lot is 6475 square metres.

HON. J. DULAKIVERATA.- Mr. Chairman, the Lautoka City Council should clarify this to us.

MR. CHAIRMAN.- What is the area metre?

MR. R. MEGHJI.- It is 6475 square metres for the combined lots; Lots 1 and 2.

MR. CHAIRMAN.- We will need to clarify with Lautoka City Council on that. So, with that combined lot, you are only taking about 27 per cent of Shirley Park?

MR. R. MEGHJI.- Yes.

MR. CHAIRMAN.- Honourable Committee members, any other questions to P. Meghji?

HON. J. DULAKIVERATA.- What made you believe that by building one hotel will make Lautoka a tourist destination?

MR. E. MATANATABU.- I think Lautoka has to start somewhere. At the moment, if you come around Lautoka at about 6pm to 7pm at night, there is no one walking around. A lot of our guests that come from overseas to work on a lot of our projects all stay in Nadi for accommodation because there is no accommodation available here in Lautoka. There is the Waterfront Hotel, but in most cases, that is always booked out. All major conferences that are held in the West are either held in Nadi or the Coral Coast because Lautoka just does not have the facility. I mean, I think we are trying to create a start for Lautoka to also become a tourist destination, and we have shown this by actually putting in two high class establishments; the Lounge and the Spa, and this is just the continuation of that process of actually putting in a hotel that can become a four-star hotel. This is what we are proposing. So, I think this is a start of something that can happen in Lautoka, which has never happened over the years.

HON. RATU K. KILIRAKI.- Just out of curiosity, Mr. Chairman, is there any other available place in Lautoka, rather than Shirley Park?

MR. R. MEGHJI.- The business hotel is a four-star, which will have business hotel facilities such as the Conference Centre which is a major part of this hotel. If you go anywhere in a city, (and we have two cities here in Fiji, Lautoka and Suva) the hotels are basically based in the City area. Apart from the Shirley Park, I do not see any other location that is suitable for this site.

I believe there is a foreshore reclamation happening in Lautoka, but that basically before you start any construction; it is usually about 10 years' time before you can even start. So, that means we are 10 years behind.

HON. J. DULAKIVERATA.- Through you, Mr. Chairman, you are telling us that there is no other location apart from Shirley Park?

MR. R. MEGHJI.- Yes.

HON. J. DULAKIVERATA.- So, that is the prime area?

MR. R. MEGHJI.- I am not saying that that is a prime area, it is the only location that can basically occupy a 100-room hotel with a 400-seater Conference.

HON. J. DULAKIVERATA.- So, how do you find the price you pay? Good?

MR. R. MEGHJI.- It is based on the normal TLTB agreement type of leasing that we have basically structured with the Lautoka City Council.

HON. J. DULAKIVERATA.- This is State land.

MR. R. MEGHJI.- I know that but, what we are saying here is that, we do not own the land, we are leasing the land where the City Council earns almost \$500,000 a year. So, basically if you look at a 20-year plan, the land is basically worth \$20 million. We are not paying upfront and grabbing the land out of the Lautoka City Council, it still remains with them.

HON. J. DULAKIVERATA.- I know. What would you have paid if you were given this land?

MR. R. MEGHJI.- If I were to buy it?

HON. J. DULAKIVERATA.- Yes.

MR. R. MEGHJI.- It will depend on the market value; may be \$1 million, \$2 million or \$3 million. Who knows!

HON. J. DULAKIVERATA.-The market value as the lease on land?

MR. R. MEGHJI.- Yes. That is what it would be.

HON. J. DULAKIVERATA.- How much?

MR. R. MEGHJI.- All depends on the valuation. I am sure it will be very less than the percentage on turnover.

MR. CHAIRMAN.- Yes, honourable Kiliraki?

HON. RATU K. KILIRAKI.-Through you, Mr. Chairman, you are aware of the concerns of the civic population, and one is the petition here that is the reason this Committee is here that came through the Parliament process. How can you complement or at least address or put confidence in the public regarding their concerns for Shirley Park, especially as their historical value. As you can see yesterday, there were a lot of people sitting in the Park that came from all walks of life, from villages, et cetera.

MR. R. MEGHJI.- Mr. Chairman, during the initial EOI that we expressed during the bidding of the land, we had stated that we will construct a park for people to utilize in the other half of the land or the remaining area where people could enjoy themselves. It is not that we are going to leave the Park empty. We will be constructing playing fields for kids to play, a picnic spot for people to use that will have BBQ Stands. We are doing all that. We are not saying that we are just going to take this land away and leave the remaining portion as it is. So, people who come to Shirley Park will still be able to utilize that area.

MR. E. MATANATABU.- If I may just add to that, some of the numbers that have been given to us, I think Lautoka has the biggest number of open spaces in the whole of Fiji. We have 111 open spaces, and based on our population, I think we have the biggest number. We are not taking away the entire part. Part of the Park will still be there, and can still be used. We have options for people, and we will create more options by actually putting up a Children's Park beside the hotel and also facilities like BBQ Stands, et cetera, similar to the concept that Punjas have done to the Children's Park next to the hospital, a similar concept in town.

HON. J. DULAKIVERATA.- Mr. Chairman, I saw your proposal that you want to put another children's park, and yesterday I did walk up that road to the hospital and just across the road from there, there is a big children's park already there. So, listening to your comments, you are trying to substantiate your taking part of Shirley Park for the hotel. We are here because of the concerned citizens of this City that put a petition because it is going to take away their enjoyment of the Park.

You cannot say that you have 101 open spaces in Lautoka. If one comes to the City and this park is occupied, you will tell them to go to Tavakubu to enjoy them. This place is so unique because when people come to town, they use the Park, and the main point of objection is, by taking away part of the Park is going to take away the enjoyment the people have.

From listening to you, you are trying to substantiate that you should be given this place rather than having any concern for the citizens that use this Park. Thank you.

MR. CHAIRMAN.- *Vinaka!*

MR. E. MATANATABU.- Mr. Chairman, as I mentioned earlier, we are not taking away the entire Park, so the Park is still available for people to use. It is a portion of the Park that we will be facilitating something good for Lautoka City. We do take your concern.

If I may also just add, given the opportunity for us to get signatures also in support of this Project, I can easily get 530 signatures. So support for the Project is there. I think, if you had seen an article in the *Fiji Times*, it was actually written by Margaret Wise who did a survey with two of her people and three photographers and a lot of people support it. So, it is only as if people do not support the Project, there is people that support the Project.

MR. R. MEGHJI.- Mr. Chairman, I would like to comment on one thing. We had this approval last year before the General Elections. What would have happened if we had started the Project, like what Tappoos did at Churchill Park? Would we be sitting here today and discussing this? I do not think so. We would have been half way.

HON. J. DULAKIVERATA.- Mr. Chairman, if you had been given the approval last year, why did you not start?

MR. R. MEGHJI.- The reason we did not start, we were doing Sheraton Tokoriki. It is a \$50 million Project we did there, and we had started that. So, initially one cannot run two projects at the same time. We finished in July, and then we were supposed to start this.

(Vote of Thanks by Mr. Chairman)

SUBMITTEE 3: VANUA O VUDA & VUDA RESOURCE COMMITTEE
Adi Makelesi Tavaiqia
Mr. Jerry Namuaira

(Welcome by Mr. Chairman)

ADI M. TAVAIQIA.- *Vinaka*, Mr.Chairman. Good afternoon, ladies and gentlemen. First of all, I would like to apologise to the Committee that Mr. Jerry Namuaira was tasked to represent the *Vanua* of Vuda this morning. I do not know what has happened. But I would like to say that after the *Roko* approached us yesterday morning, I went up and saw the *Turaga Na Tui Vuda*, and this is his views:

“You, the Vuda Resource Committee go and make the presentation on behalf of the *Vanua o Vuda* that we would like to keep Shirley Park as it is now. It is a good place for us coming to the City of Lautoka to shop, and a place to rest and relax while waiting for Government offices to open, friends or relatives. It is the ideal place; it is near the town and near the sea. A lot of people like that atmosphere, just to come and hang around, rather than the one far up close to the hospital it is far from town, and far from the sea, it has a nice view with the sea breeze. Not only for us, from the *Vanua o Vuda* or the Vuda community coming to town, but also we see that people from outside Lautoka, when they stop in Lautoka, we normally see special buses or cars parked at the Marine Drive and people sit down and have lunch, snacks, et cetera, and it is the ideal place. We would not like to turn it into a commercial place. We would rather keep Shirley Park as it is.

That was the *Turaga na Tui Vuda's* view and as I said, I had asked Jerry to write up something and come and present before this Committee, but hopefully, he will come before 12.30pm because that was the time given to us. *Vinaka!*

MR. CHAIRMAN.- *Vinaka!* Your point has been noted. We will now open the floor for the Members of the Committee.

HON. A. NABULIVOU.- Thank you, MR. Chairman. I think the *Vanua o Vuda* is against the rezoning of Shirley Park, am I right?

ADI M. TAVAIQIA.- Yes, we are against it.

HON. A. NABULIVOU.- I appreciate what the *Vanua o Vuda* has presented today, but as we have already heard views from Town and Country Planning, Lautoka City Council, et cetera, we would like to get all the information from all the negatives and positives to take back to Parliament for our report.

What can be done to my understanding is that, everything has been approved, and the process is going on. But, we will take into consideration what the *Vanua o Vuda* has submitted today.

Mr. Chairman, I would like to thank the representative from the *Vanua o Vuda*, in favour of the *Tui Vuda*.

MR. CHAIRMAN.- Honourable Kiliraki?

HON. RATU K. KILIRAKI. – Mr. Chairman, I join my colleague in thanking Adi Tavaiqia for availing herself on behalf of the *Vanua o Vuda*, the *Turaga na Tui Vuda*, the Resource Owners Committee being given the task to voice their stand in regards to the rezoning of Shirley Park.

Earlier presentations have mentioned that the development of Shirley Park is for economic gain, and that has superseded all other benefits in terms of those who patronize Lautoka out of the City area. What contribution does the *Vanua o Vuda* and its people to the City of Lautoka, traditionally as well as your coming out to Lautoka for Government services?

ADI M. TAVAIQIA.- *Vinaka*, Mr. Chairman. As already mentioned by you, Sir, Lautoka is like our city. We, the people of Vuda, very much identify ourselves with Lautoka. You know, when one goes overseas and is asked, “Where are you from?” we would not say Viseisei or Vuda, we say Lautoka, especially to non-Fijians. Lautoka is like our identity, we feel a lot of affinity for Lautoka apart from being the town or the City. This is Ba, the land, and we have very strong affinity with all the towns within the Ba Province, but for Vuda, Lautoka is our town, and adding on to the economic contribution we bring to Lautoka.

I do not know whether I have answered your question, Sir.

MR. CHAIRMAN.- Any other comments?

HON. J. DULAKIVERATA.- Mr. Chairman, I apologise that I did not hear the submission from the lady. My question is, I know that you do not live here, you live in Viseisei but as a regular traveller to Lautoka, what are your views or sentiments about this place, Shirley Park?

ADI M. TAVAIQIA.- As I had mentioned, it is a good place to rest and hang around, for us not living in town. It is a nice place to rest, it is close to the sea and shopping area.

Apart from Shirley Park, does the Lautoka City Council have another place in mind to have this kind of activity or the purpose that we have Shirley Park for? Does the City Council have another place or option?

HON. A. NABULIVOU.- Development in Lautoka is about lifting Lautoka to another level. As I said yesterday, in 1987 I was in the Waiyavi Camp, but from that time till now no progress. Would you like a mark area, like a four-star hotel to be built in Shirley Park? Do you agree or not?

ADI M. TAVAIQIA.- The *Vanua o Vuda* would rather have Shirley Park as the ideal location for relaxation for the people of Lautoka and us coming into Lautoka.

HON. A. NABULIVOU.- That means you want Lautoka to be as it is?

ADI M. TAVAIQIA.- Well, there are other places that you can take that hotel to.

HON. A. NABULIVOU.- From previous submissions, they said that the best location is Shirley Park. About 27 per cent of Shirley Park will be for that hotel development, and the other 73 per cent can be used for the people of Lautoka, and Vuda.

ADI M. TAVAIQIA.- I guess it will be up to the authorities to decide, for the lives of the people, economics and their social activities, you have to weigh and reach and balance.

MR. CHAIRMAN.- We welcome Mr. Namuaira, the Committee Representative from the *Vanua o Vuda*. The presenter that came in first made the comment that you are going to submit the views of the *Vanua o Vuda* or the views of the *Turaga na Tui Vuda* to the Committee. I now welcome you, and the Committee awaits the views of the *Vanua o Vuda*.

MR. J. NAMUAIRA.- Thank you, Mr. Chairman and honourable Members of the Committee, we the Vuda Resource Committee have been mandated by the *Vanua o Vuda* to look after our resources and the interests of our people. On behalf of the *Tui Vuda* and the *Vanua o Vuda*, we would like to put on record that we do not agree to the proposed development that is proposed for Shirley Park. There are few reasons, which are as follows:

- Shirley Park is used as a recreational area for the people when they come to the City. We have just experienced the long dry spell of weather and when we come into the City, we hardly find any room for recreation and rest. If we are going to move to other areas outside Shirley Park, it will not only be very difficult for the people, especially the elders as well who come and enjoy the City life when they come to do their shopping. They would like to have this area because they could be easily accessible to government departments;
- We use Shirley Park as our family gathering area. We buy our food, we call our families and children and enjoy the beautiful scenery;
- It is a meeting spot for our families. When we come to government departments or statutory bodies, what we do is we converge under these trees at Shirley Park to prepare ourselves, this is the only area we use to await further services;
- It is a walking distance to government departments and statutory bodies, and that is why we want to maintain the area.

If there is any development to be carried out, if you could change some of the things that are already in place, but provide more recreational facilities for the people to use. But to put bigger developments into the place, we do not see that as a good investment in the future for us.

Also, the environment provides healthy incentives to the people. I know you will agree with us on this matter because you have been here for quite some time, that this is the only place we enjoy using when we come to the City. When the weather gets hot, Lautoka City is the hottest and if there is any development, we agree that you build other recreational activities and venues like the Sukuna Park in Suva.

With those words, Mr. Chairman, the *Tui Vuda* and his people disagree with the development that is proposed at Shirley Park.

MR. CHAIRMAN.- Thank you for the comments from the *Tui Vuda* and the *Vanua o Vuda*. Honourable Members of the Committee, are there any comments? May be I will pose a comment to the resource owners.

Have you seen the World Bank Report for Poverty last year? It is with the Bureau of Statistics. The Report says that about 30,000 people in Vuda are considered poor. Even in the whole Ra Province it is about 17,000. Government is doing development to eliminate poverty in

our society, and Government can do development alone, that is why this Project is in partnership between the City Council and private Company. So, I am hearing the statement from Vuda. But we need to create a lot of investment opportunities in the *Vanua o Vuda*, and also the *Vanua o Vitogo*. This private company has come forward and partnered with the City Council in building a four-star hotel that will create employment opportunities, like we heard yesterday, the spin off to people that supply the food, the transportation like in Denarau. That will definitely change the poverty level on this side of the island, but I will just put it as a statement to you, but we the Committee has received your statement today in terms of the stance of the *Vanua o Vuda*, but I would suggest that any such decisions, just look at a bigger picture in terms of taking poverty out of our society.

My Ministry, the Ministry of Rural and Maritime Development had a session last week with the Bureau of Statistics, and that is where we are going to target the rural areas in terms of development. There are criteria's of development:

First, is the main priority of the Ministry of Rural and Maritime Development,, which is to take poverty out of our people, and decentralize services in terms of education, health and other services.

However, your statement today is being received by the Committee. Any other comments, honourable Members of the Committee?

HON. A. NABULIVOU.- Mr. Chairman, I would like to add on to thatm, that 27 per cent of Shirley Park is the place for the proposed hotel and 73 per cent will be left there for recreational. That is just for your information.

ADI M. TAVAIQIA.- Thank you.

MR. CHAIRMAN.- Any further comment, honourable Members?

MR. J. NAMURA.- Mr. Chairman, previously we used to have the park just beside Churchill Park ground as one of the other alternative, but right now we were surprised that Tappoos is building there.

For Shirley Park, we are not sure how the other developments are going to take, probably they will take the other two grounds as well, and because of that we will have limited spaces for recreation as I have mentioned earlier. If we are going to do this, of course, 23 per cent if you look at the area and knowing the development that these hoteliers are doing, even this Shirley Park is not enough. If we have to put a four-star hotel, we envisage this area will take up more than the 23 per cent mentioned because a project of four-star hotel could take up more than 70 per cent of the area. Shirley Park is also not enough because parking spaces for customers will have to be constructed and provided for by the hotel. We do not expect those customers to use other parking spaces in town. That is our concern that we still want to put forward.

MR. CHAIRMAN.- *Vinaka!* Your comment is noted by the Committee. Any other comments, honourable Members of the Committee?

HON. J. DULAKIVERATA.- Just a point of observation on the point raised by the Vuda Resource Committee. It becomes very clear that we have started on a new trend, the utilisation

of open spaces for commercial development which I think if it continues, it will really affect the citizens of the City of Lautoka. As you said the new development of Tappoos beside Churchill Park is going on, and now this one. Which one is next? So, if this trend continues in the name of development without considering the plights of the small, local people, the people that do not have a voice, I see it as a very dangerous trend.

MR. CHAIRMAN.- *Vinaka!*

(Vote of Thanks by the Chairman)

**VERBATIM REPORT OF THE MEETING OF THE NATURAL SERVICES
COMMITTEE HELD AT THE LAUTOKA CITY COUNCIL CHAMBERS ON
WEDNESDAY, 4th MARCH, 2015 AT 9 A.M.**

Members Present:

Hon. Cmdr. Joeli Cawaki, Assistant Minister for Rural and Maritime Development	-	Chairman
Hon. Alivereti Nabulivou	-	Member
Hon. Ratu Kiniviliame Kiliraki	-	Member
Hon. Jiosefa Dulakiverata	-	Member

Apologies:

Hon. Samuela Vunivalu	-	Member
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Welcome:

The Chairman welcomed all Members to the meeting.

Prayer:

The honourable Alivereti Nabulivou said the Prayer.

(Introduction by the Chairman)

HON. J. DULAKIVERATA.- Mr. Chairman, I wish to clarify a point. We had cancelled today's public consultation, which was widely publicised and which a lot of people were looking forward to attend. Now that we had change our stance,....

MR. CHAIRMAN.- Our stance was to hear the petition. The clarification sought was that the objections were receive by the Director Town and Country Planning. The process was that, they advertised and there was an objection period. During the objection period, the Petition was presented to them objecting the rezoning. The rezoning was part of Shirley Park from civil to special use (tourism). While going through the week in our consultations and interviews of people that were summoned to the Committee, the Committee was clarified on the process. While receiving the submission in Suva, the Speaker gave this Committee to look at the Petition and the clarification we received this week from the relevant authority, especially the Director Town and Country Planning that the Petition was one of the papers, the objection paper that has

been received by the Director. The process is that, they advertise and there was an objection period, and during that objection period the Petition was presented to them as one of the objection to the rezoning.

According to the Act and the powers vested in the Director, Town and Country Planning, that has been taken on board. This Committee is to look at how far the facts of the case on the Petition that was presented to Parliament and we are going through the facts of the case, the Petition was one of the objection paper that has been received by the Director.

The process is that, they advertised and there was an objection period. During that objection period, the Petition was presented to them as one of the objection to the rezoning and according to the Town and Country Act and the powers vested in the Director, that has been taken on board. The Committee has been tasked to look after the facts of the case that the Petition was presented to Parliament and we are going through the facts of the case that the Petition was one of the five that is now in the process with the Town and Country Planning.

We had planned for a public hearing for today but the legal advice that I received from the SG's Office, the public hearing is the prerogative of the relevant authority which is the Town and Country Planning in accordance with the Act and their mandate but the Committee has decided today that we call in the Petitioners, those that signed this Petition so that we can hear them, their comments today and also for us to hear them out on the Petition that has been presented to Parliament.

Now that we have consulted with the relevant government and government agencies, and other stakeholders that have come forward but today, we will hear the Petitioners. Mostly, their rational in opposing the rezoning.

Submittee No. 1 Mr. Aman Ravindra Singh (appearing on behalf of Y.P. Reddy, Charan Jeeth Singh and Maude Elbourne

HON. J. DULAKIVERATA.- Now that we had cancelled yesterday's meeting, which was widely publicised which a lot of people were looking forward to attend now that we had changed our stance...

MR. CHAIRMAN.- Our stance was to hear the petitioners.

HON. J. DULAKIVERATA.- we made so that the people are aware that they have to come. Not the general public, it is only the people here.

SECRETARY.- It is advertised in the *Fiji Sun* that the public hearing has been cancelled.

MR. CHAIRMAN.- Can we start with you, Ms. Elbourne.

MS. M. ELBOURNE.- I have my legal representative here, I would like him to start because my references go along with what he has to say and they are quite critical as to what I have to present here.

Mr. Aman Singh is my legal representative. I would like him to speak on the constitutional issue and other relevant matters to how things have eventuated to this point on the dealings with Shirley Park and unless he actually speaks, we will not be able to get a real and fair presentation of what we should be doing here. You have heard the other people that are for the

Park and for building in the Park and I think, it is only fair that you hear us in full with regard to our presentation.

MR. CHAIRMAN.- That is the reason for today. The signatures and the writing here does not say much but now that you and your legal advisers are here, you can now present to the Committee.

MR. A. SINGH.- Ms. Elbourne has clearly stated that I represent her. My name is Aman Ravindra Singh, I am the legal representative for Ms. Elbourne, Mr. Charan Jeeth Singh and Mr. Y.P. Reddy. I will commence my presentation with a few questions to the Chair.

Chair, with respect, I refer to the statement by the honourable Attorney-General dated 1st March,

MR. CHAIRMAN.- May I make it clear, this is the Committee.

MR. A. SINGH.- I am clear on that, Chair. I am referring to the statement by the Attorney-General which questioned this Committee.

MR. CHAIRMAN.- This Committee is appointed by Parliament.

MR. A. SINGH.- My question is, his statement undermines the Committee and do we have the guarantee from this Committee that you are independent or you are listening to the Attorney-General?

MR. CHAIRMAN.- We are independent but we listened to the SG's Office for advice.

MR. A. SINGH.- We respect that the Solicitor-General is under the Attorney-General.

MR. CHAIRMAN.- I have a copy of advice from the SG's Office because we are going into some of the legal matters.

MR. A. SINGH.- I understand that, Chair, the Attorney-General is the immediate superior of the Solicitor-General.

MR. CHAIRMAN.- His immediate superior, that is beyond comprehension, I get my advice from the SG's office.

MR. A. SINGH.- I would like to state clearly that, that advice is not independent because the Attorney-General is the immediate superior of the Solicitor-General.

MR. CHAIRMAN.- Well, I am getting my advice from the SG's Office, for me that is independent.

MR. A. SINGH.- We would like to state clearly also that the advice is biased and not independent. Secondly, there was a public consultation which was meant for today, however there was no public announcement that his forum was cancelled. As we heard this morning, it has been advertised in the *Fiji Sun* that it has been cancelled.

MR. CHAIRMAN.- We made that decision yesterday, the advice that I have, the Director Town and Country Planning is also doing its own public hearing. It is a mockery of the law but what we have been given is, this Petition and we will hear from the people that signed this Petition.

MR. A. SINGH.- The Attorney-General is saying one thing, the Standing Committee is saying that it is independent and yet you are listening to the advice of the Solicitor-General.

MR. CHAIRMAN.- We are listening to the advice of the Solicitor-General.

MR. A. SINGH.- Who is directed by the Attorney-General....

MR. CHAIRMAN.- Whether he is listening to the Attorney-General that is beyond my comprehension.

MR. A. SINGH.- Common sense. In the supreme law of the land the Constitution, the Attorney-General is the immediate boss, he is the superior of the Solicitor-General.

MR. CHAIRMAN.- He is the immediate boss but my advice comes from the SG's Office.

MR. A. SINGH.- Secondly, we questioned the cancellation of the public consultation. It was widely publicised, the citizens of Lautoka were looking forward to this and yet once again the doors have been shut on the citizens. The next question is, why are we being suppressed? Why the public are not given the opportunity?

MR. CHAIRMAN.,- The community is not suppressed but we are only calling in people that have signed this petition.

MR. A. SINGH.- My understanding is, as the Parliamentary Standing Committee, you are independent. You can do and when you please with the public.

MR. CHAIRMAN.- We have changed because of the presentation by the Director Town and Country Planning – they are going to do a public hearing.

MR. A. SINGH.- If I could assist the Chair and the Committee with regards to the Acting Director of Town and Country Planning, Ms. Reijeli Taylor. I understand that Ms Taylor has presented before this Committee, am I correct?

MR. CHAIRMAN.- Yes.

MR. A. SINGH.- Thank you. I understand that Ms. Taylor has informed this Committee that there has been two public consultations.

MR. CHAIRMAN.- Yes.

MR. A. SINGH.- I wish to put on record that she has misled this committee. There was one public consultation which was on 2nd February, it was not opened to the public. In fact it was opened to the public after a lot of pressure by the presenter but the second....

MR. CHAIRMAN.- Whether it is two or one but we have been told that they have done it.

MR. A. SINGH.- I am correcting what has been said. The second public consultation was not opened to the public and we did not present because we asked that the documents be made available to us so we did not take that opportunity

MR. CHAIRMAN.- May be that question should be posed to the Director.

MR. A. SINGH.- No, Sir, I am posing it to you since you are the chair of this committee and it is important if you could please follow what I am saying. Now the statement says that a decision will be made by the Acting Director of Town and Country Planning in two weeks. Now if that is the case as per the law as stated by the Attorney-General as you gentlemen are all aware, the law provides the two public consultations be allowed.

With respect, Sir, the second public consultation did not take place. At that meeting, we refuse to submit and we ask that the documents be provided and we are still waiting for those documents.

MR. CHAIRMAN.- May be, that is something we will need to raise with the Director Town and Country Planning. But the advice we are receiving, public hearing in accordance with the mandate of the Director Town and Country Planning, they are the people that can do but for us we have to hear the petitioners that signed this petition, their comments, their rationale and to form a report to Parliament.

MR. A. SINGH.- I just provide the committee with information that the law has not been followed that the Attorney-General stated that all consultations have taken place is incorrect and misleading. Who has misled the Attorney-General is a question for you to find out but the second public consultation has not taken place.

MR. CHAIRMAN.- The Committee is here to hear the petitioners.

MR. A. SINGH.- Yes, the law must be followed also. We are respectfully informing the Committee that the law has not been followed and you could raise awareness.....

MR. CHAIRMAN.- In that regard, you have to refer that to the Director Town and Country Planning because they are the ones that will do that.

MR. A. SINGH.- We are also using this forum because you are the representatives in Parliament. We respectfully ask that this be put in your report. We will be raising our point once again with the Director and the Attorney-General with respect, however we are stating to this committee that you have been misled.

The second public consultation did not take place because at that meeting, we are on record for asking further information as per section 25 of the constitution which is the supreme law of the land. Members of the public have asked...

MR. CHAIRMAN.- Members of the public have asked to have a second consultation?

MR. A. SINGH.- Yes.

MR. CHAIRMAN.- That can be put on record.

MR. A. SINGH.- Now that the matter has been addressed, we feel very strongly that no matter what is said about for or against the development of Shirley Park, a decision has been made that is a common knowledge amongst the people. We are not here to talk about why the development has not taken place. For me and the people I represent, we are not against the development of this beautiful city, we are not we want development in this city, however we are viciously against the development of Shirley Park.

We have been misquoted in the public for many occasions and we hope that this forum puts the record straight.

MR. CHAIRMAN.- So that is why the petition. The petition is opposing the rezoning from civic to special use (tourism).

MR. A. SINGH.- Yes.

It is not that we do not want development. We have said that over and over again and it is widely known in the public circle. We are here this morning to question how a decision has been made and what processes have been followed, or not followed. If the AG can give a big statement for everyone to follow the law, with respect, we expect everyone to follow the law. And not a few to follow the law and the rest to follow their own law.

I will begin into how this project came into being.

MR. CHAIRMAN.- May I make a clarification. This Committee has not made a decision.

MR. A. SINGH.- We understand, we are talking about the committee that has the power, the Town and Country Planning.

MR. CHAIRMAN.- The Committee will report to Parliament and this committee does not have any mandate to make decision.

MR. A. SINGH.- Yes, Sir, I am clear with that too. With regards to how this project came into being there are a few questions that need to be asked. Firstly, when this project was first proposed, an expression of interest was put in the paper of 2012, November 10th. That was the *Fiji Sun*. It is commonly known that the *Fiji Sun* does not have a wide circulation in this country. If you were to propose a development to a very important park, firstly you would expect the powers that be to widely publicise this expression of interest. Not in just the Saturday's paper but in a small paper with very little circulation. So if the citizens are not aware of this expression of interest, they will still all be hardly any applications. Due to that particular reasons, there were only two applications which is reported. The documents that have been presented to this committee stated that very clearly so I need not waste this committee's time to take you back to this document but this document clearly states that once the two documents were received, it was processed by the City Council. It is all common knowledge now and once that all being done the acting Minister in charge will give provisional approval. Then it was taken to the Director Town and Country Planning or the acting Director.

The questions are these. The very person who was in charge of Lautoka City Council Praveen Bala also known as Praveen Kumar was instrumental in processing the application from the Lautoka City Council side. The same person currently sits as the Minister for Local Government.

MR. CHAIRMAN.- That was in 2012 when he was the Special Administrator.

MR. A. SINGH.- Yes. The question is quite simple. Mr. Bala is on record as being firstly biased against those of us who have opposed this development. Mr. Bala has been stated publicly giving reasons as to against the development in this city, people do not want anything to be done to this city and other little petty remarks which is unbecoming of a Minister. Now in a process where government and local authorities are involved, the process must be seen to be squeaky clean. It must be transparent. The public officers must be accountable and the very basics of accountability and transparency have not been met. In a public situation where transparency is not seen to be done, accountability is not given by the public officers,...

MR. CHAIRMAN.- I think you are going to assume what Bala is ...

MR. A. SINGH.- I am not assuming, I am getting to my point. The perception of bias in a court of law will be equivalent to bias being present. That is not acceptable by public officers.

MR. CHAIRMAN.- In that case, this committee will not comment on those perception.

MR. A. SINGH.- I am not asking you, Sir, to comment, I am simply putting forward our presentation which you will take in the form of your report. Thank you, Sir. I do not think this committee wants to get any further controversy after the statement by the AG and the advice by the SG. So we are not asking you to make any comments with regards to anything that we are saying which may conflict or in opposition.

The processes involved in these are being questioned in totality. Any processes by government or local authority that are not transparent or are not accountable to the people will not give the mere perception of bias, but will be simply call the process of bias. It is commonly held public opinion that the deal has been done. And Rohit Meghji who presented here yesterday publicly stated to one of our members that the deal was done. For this person to very boldly say that the deal has been done and is part of the process then where does that leave us? Where does that leave this committee; where does that leave the citizens who are trying to consult with the Director of Town and Country Planning? This Committee in no way has been told that the deal is done. We are asked by Parliament to look at the petition, get the facts about the petition and then we will report to Parliament on the facts about the petition. When you say that the deal has been done, that is beyond this committee.

MR. A. SINGH.- I will state section 123 of the Constitution. Public Service Values and Principles of State service includes (f) accountability for administrative conduct, Lautoka City Council fails to deliver, which the special administrator has failed to deliver, which the Town and Country Planning has failed to deliver. Further, it talks about timely accurate disposal of information to the public. People have come to this Council seeking information to the tender process to the express of interest process and our people have been simply given the run around from first floor to bottom floor. So that is the failure on the part of Lautoka City Council. When we asked that the files be opened with the acting Director of Town and Country Planning, we

were given the assurance that it would be done within two to three weeks, we are still waiting. Section 25 of the Constitution access to information. Every person has the right of access to information held by any public officer and yet this has not been followed.

MR. CHAIRMAN.- I think that is beyond the mandate of this committee. The Committee was asked to look at the petition.

MR. A. SINGH.- What is your mandate, Sir.

MR. CHAIRMAN.- The committee was asked to look at the petition and today, we want to hear from the petitioners why they opposed the rezoning.

MR. A. SINGH.- It means exactly that. Maybe, if we could have the terms of reference, we may know exactly what the position is, Sir.

MR. CHAIRMAN.- Why you opposed the rezoning that will form the basis of our....

The conduct of individuals and the city council and the other stakeholders, that is beyond the committee's mandate.

MR.A. SINGH.- Sir, do you have a terms of reference which we could cite?

MR. CHAIRMAN.- We were given to look at the petition.

MR. A. SINGH.- Sir, I understand but do you have a terms of reference?

MR. CHAIRMAN.- Looking at the individual conduct and the stakeholders, that too is not why we are here.

MR. A. SINGH.- Do you have a terms of reference which we could cite?

MR. CHAIRMAN.- The terms of reference was what the Speaker has given us.

MR. A. SINGH.- Yes, Sir, I am asking if it is possible to cite the terms of reference therefore we could stick in line with what is in the terms of reference.

MR. CHAIRMAN.- At the moment, we do not have one.

MR. A. SINGH.- Then I will continue, Sir.

MR. CHAIRMAN.- But to go and look at the laxity of why these stakeholders are not doing their job that is another issue that we will need to, it is not for this committee to address but this committee is here because of the petition. These are the people that have signed to oppose the rezoning.

MR. A. SINGH.- I note with concern, Mr. Chairman, that our presentation clearly stating that procedures are not being followed, there is bias present that you remain with regards to what is being opposed in that document that you have.

MR. CHAIRMAN.- This is the only document that was given to us by Parliament.

MR. A. SINGH.- Sir, your role encompass the concerns of the citizens of Lautoka.

MR. CHAIRMAN.- Anything beyond this document will be....

MR. A. SINGH.- Violation of the Constitution is our concern and that will be the concern of the Standing Committee, with respect violation of access to public information is our concern and has to be the concern of the people's representative in parliament and those are you.

MR. CHAIRMAN.- What we would like to hear from the petitioners today is the rationale in signing and also the rationale in opposing.

MR. A. SINGH.- The rationale in signing is simple. It is because the process has not been followed. That is why we opposed firstly and foremost, this proposal to develop.

MR. CHAIRMAN.- That can be noted.

MR. A. SINGH.- Secondly, the reasons why we oppose and is widely known but we are here questioning the process. Because if the process is not clean and clear and transparent, and accountable...

MR. CHAIRMAN.- Maybe that can be noted.

MR. A. SINGH.- I am sure it has been recorded.

MR. CHAIRMAN.- So that we can take to Parliament that the petitioners are petitioning about the process. As you said, it is not clear.

MR. A. SINGH.- Apart from not being clear, the process has not been followed. There have been procedural irregularities, in dealing with government and local government and when decisions are made by people in charge and accountable to the public we expect that the process be transparent which it has not been that the process be accountable....

MR. CHAIRMAN.- That is something new to us this morning.

MR. A. SINGH.- We expect it to be new, Sir, because everyone has spoken in the terms of developed and not to develop.

MR. CHAIRMAN.- The Director Town and Country Planning did clarify to us the process. In your presentation this morning, you are saying that the process has not been followed. That will be part of our report.

MR. A. SINGH.- I am glad that the Committee also understand our position that you very clearly saying and we are indebted to this committee. We shall continue on the same tune and that is to further question the process.

MR. CHAIRMAN.- This committee is not here to look at the process. It is here because a petition has been raised.

MR. A. SINGH.- Yes, Sir, and we will take the opportunity to present to this committee.

MR. CHAIRMAN.- As you present, the process has not been followed so that will be part of our ...

MR. A. SINGH.- We will continue and we will take this opportunity to present which we are doing and we are thankful for that.

Another part which needs to be very clearly understood is initially, one portion was advertised. Only one portion of the land.

MR. CHAIRMAN.- And that is the portion that has been given the provisional approval.

MR. A. SINGH.- The second advertisement regarding a different portion altogether.

MR. CHAIRMAN.- There was a second.

MR. A. SINGH.- yes. So once again we question the process. The first advertisement was to do with Lot 1, ND15149. The second advertisement has to do with DP 1805.

MR. CHAIRMAN.- Lot 3.

MR. A. SINGH.- Very clearly Sir, that is one huge portion which is the first and there is a second which is the second one.

Very clearly, it shows that the process was not being followed. How could the very people who were in charge of processing the application advertise one portion of the land and on the second occasion advertised the second portion of the land. That is procedural irregularities at the highest. As that happened, the process itself collapses. Because you cannot advertise one portion of the land and afterwards advertise the second portion of the land and then go back to talk about the first portion of the land. It is common sense, we do not need any legal expertise or advice, it is common sense. If you are talking about apples, you cannot talk about oranges. So we again state categorically that the process has been flawed. That is also part of our position, Sir.

MR. A. SINGH.- That is the rationale behind the petition. We are not here to discuss why or why not, this committee is well aware. We are here talking about the process. That is the opposition that you have before you, Sir in the form of 500 plus signatures. That is a very important point that we make. This is not a dealing between two private individuals, this is a public park and it is to do with Lautoka City, the local government and the government of the day.

The second part which we continue to state is that, we understand that Parliament is sovereign and independent and that you gentlemen that are here today are representative of the people. You are an independent committee why is the AG publicly undermining, disrespecting this committee. That is a cause for concern. If this person is able to do that once again it calls into question your position right now but the processes that are continuing in the town and country planning office, once again it adds to the public perception of bias. In a court of law a mere perception of bias will be taken as bias.

MR. CHAIRMAN.- I think we will reserve the SG's comments but the committee is here to find the facts.

MR. A. SINGH.- We use this forum to state our grievances and also to state our concerns which we hope that members of the press will be able to put out to the public and not to censor it. That is why we also take this opportunity to voice our concerns to the independent committee of parliament. So, if a process is riddled with lack of transparency, lack of accountability, perception of bias, then the whole process is called into question.

MR. CHAIRMAN.- I think there is no bias in this committee.

MR. A. SINGH.- I am not questioning this committee, I am talking about the process which is now taking place in the Director of Town and Country Planning office, the process that began in this very building where the application was made. I will reiterate, just to take out any confusion, if a process is riddled with questions, if it lacks transparency, lacks of accountability and if it riddles with bias by members of the public then the whole question is...

MR. CHAIRMAN.- That is why the public...

MR. A. SINGH.- That is why you have the opposition in front of you.

That is why we are here today to make known our grievances and our concerns. At the end of the day, we are not wishing to be the very people that we do not want development in Lautoka, we are talking about a process which is biased and riddled with bias which lacks transparency and lacks accountability.

MR. CHAIRMAN.- May be that is an issue for another committee.

MR. A. SINGH.- No, Sir, we believe this committee can put all this in you report.

MR. CHAIRMAN.- As noted, the rationale is the process.

MR. A. SINGH.- And the reason behind, why.

MR. CHAIRMAN.- But the conduct of stakeholders and individuals that is beyond this committee. We will report to Parliament that in accordance with what we have gathered it has been raised that the process is not...

MR. A. SINGH.- At this juncture, Chair, I will stop temporarily to ask members of the committee if there is any question before we can continue.

HON. RATU K. KILIRAKI.- I just want to raise a question of what has been said, there is a lot of questions raised that we have to digest in regards to the petitioners. My question is, why leave it so late for this committee to address all your concerns in regarding the processes that have gone through. Having presented that the process was well back in 2012 and for this concern to come to this committee, was there any avenue you could have pursued rather than leaving it to this committee to address your concern?

MR. A. SINGH.- With regards to your question, why so late and once again it is very clear and straight forward it is due to the lack of publicity within the public sphere. That is the

reason and if you advertise in a very minority circulated newspaper, the Fiji Sun if you do not use other medians like the other newspapers, TV, websites or radio, to advertise and publicise something that is so significant and important to this city than it is very difficult. But the moment our citizens got hold of what was going on that is the moment that the citizens organise, mobilise and voice their concerns as best as they could. If the citizens were aware of what is going on in late 2012 or 2013 then there would have been a very strong critical voice present then. It goes back to the point I made earlier with regards to this matter when it was conducted right from the start.

MR. CHAIRMAN.- Was your concerns raised in the public consultation done by the town and country planning?

As you said, there was only one.

MR. A. SINGH.- We used the second public consultation it is called public but it was shut to the public. On 12th February, we use that forum to air all grievances that we are talking about right now. We question the lack of transparency, accountability, lack of public disclosure of information and the process and the bias in the process. We have questioned that on the 12th of February at the second public consultation which we have stated very clearly this was not the second public consultation this was us the citizens of Lautoka wanting documents to be made available.

We stated that under section 25 of the constitution where every member of the public has the right to access to public documents and we are still waiting for the public documents. Three weeks later encountering. We find it disturbing that the acting director of TCP did not mention it. That particular information is misleading by a public officer. The statement by the AG appears very clearly that he is being misled by his junior officer in the form of the acting director of TCP. This is a very important and sensitive issue. That there is lack of transparency and accountability within a government ministry which is charged with this important decision making. The question again I ask, which you do not have the answer and you may wish to take on board is why the acting director misled this committee?

MR. CHAIRMAN.- That is not for the committee but we are noting your concern about the process.

MR. A. SINGH.- I ask the question again, which you do not have the answer to which you may wish to pursue why did the acting director mislead the standing committee of Parliament?

MR. CHAIRMAN.- That is not for the committee to answer but it has noted that. As you presented that the process was not followed, that will be part of our report.

MR. A. SINGH.- Acting Director TCP mislead this body when the second public consultation was not a public consultation we have members present here today who can openly state under oath that it was not a public consultation.

MR. CHAIRMAN.- Did the acting director come down for the second consultation?

MR. A. SINGH.- Yes and we said to her that we are not taking this as a second public consultation unless you give us your documents.

MR. CHAIRMAN.- We will report on the process.

MR. A. SINGH.- Yes, that is our concern. We will definitely raise this at the highest level but we are using this committee to ask this question because we are also on record and we have asked the question and also state on records that this committee was misled.

MR. CHAIRMAN.- This committee was on a fact finding mission. For the last three days, we have learnt a lot, even today we are listening to you there is a lot coming out through the process we thought the process has been exhausted but now you have stated that the process is flawed - that will be part of our report.

Another concern for the citizen is simply where is the EIA? For the last two days, you spent listening to the government body involved, did any one produce an EIA?

MR. CHAIRMAN.- According to the Director Environment, the EIA will be conducted after rezoning.

If the rezoning is approved, it will give the green light for other stakeholders to come. In that is, Lautoka has a town scheme in that town scheme Shirley Park is civic for any development, they will need to change that civic into tourism. If that is not done status quo will remain. That is what the committee has been clarified on.

MR. A. SINGH.- The moment the Minister has provisionally approves the rezoning of Shirley Park, an EIA has to be put together because you cannot have an approval by the Minister and have this process which is totally flawed and then reach at the end and say where is the EIA.

MR. CHAIRMAN.- According to the brief that we received, the provisional is not an approval. The actual approval when the director process the application. It will be the loss for the developer if I do the EIA now and it's not approved.

MR. A. SINGH.- A decision can only be made if the right documents are in place and that document is missing. Once again we categorically state that the process is flawed.

MR. CHAIRMAN.- I disagree with you on that.

MR. A. SINGH.- You are independent, you will disagree with me on that.

MR. CHAIRMAN.- That is the brief we were given this week.

MR. A. SINGH.- Because this committee does not have the authority on procedures and processes, you cannot agree or disagree with me. We respectfully state that the EIA is missing, EIA statement is missing and once again the process is flawed. A very vital part of the information needed to make a decision is not part of the process.

**Submittee No. 2 : MS. DENISE GIBSON
LOT 25, MAULVI TAJ MOHAMMED LANE
TAVAKUBU STAGE 11, KASHMIR,
LAUTOKA**

(She has a written submission which she read to the Committee)

Mr. Chairman and Honourable Minister, first of all, I would like to state unequivocally that I, as one of the signatories to the petition of 500 plus, am not against the development of this hotel but rather, the proposed location of it, being Shirley Park.

The Lands Manager Western, in his presentation yesterday, mentioned there is always opposition to these important investments – wrong... I do not know how many times I am going to say this, and in what language, but as I mentioned earlier, we, the petitioners, understand the need for economic growth in this city, the need to create jobs etc. that will be generated from the building of this hotel, we want all of that...just not in the Park!! As asked of the developer, P. Meghji, during their presentation yesterday (3/3/2015) and I ask again, is there no other location in the whole of Lautoka for this hotel? Has there even been a concerted effort to find an alternative location, or, was Shirley Park, because of its prime location, the only choice from the get go, without consideration for the “little” people who use the park daily for different purposes.

Mr. Chairman, you mentioned in your address to representatives of the Vanua o Vuda, during their presentation yesterday, figures quoted from the Bureau of Statistics, “30,000 people in Vuda are living in poverty”. Would it therefore be logical to suggest this Hotel be built in Vuda? It is by the sea, as seems to be one of the requirements now prelude to building a hotel. It would help ease poverty in the area by way of providing jobs, etc. I really cannot see how building a hotel in Shirley Park would help alleviate poverty in Vuda – the relevance is lost on me.

Mr. Nakauvadra, in his presentation, and in his capacity as CEO of LCC, made some very disturbing remarks as to the use of the park. For lovers, breaking up families – for real? Has he ever stepped outside of his air conditioned Council office at lunch hour and see who actually uses the park or are his observations been made only “after dark”? Regardless, it is a park and sometimes it may be used for dubious purposes – that is why there is a police post there – to curb any unwanted activities in the park. Sukuna Park, if my memory serves me correctly, also had its fair share of problems, however, that has all been sorted out, and I believe there are plans underway to upgrade it – not shrink it. Why can’t this be done for Shirley Park?

Also highlighted by the Standing Committee yesterday, the growing trend of using our green parks for development. I totally agree with this statement. Not only in Lautoka, look at the Jaycees Park in Labasa, that too I believe is currently under dispute. I am from Labasa, so I can relate to what is happening here, having used that park for weekend outings with my siblings. So when is it going to stop? When all our parks are no more, or are reduced to just bits of grass with barbeque plates thrown in for good measure by a developer?

The people responsible for planning this city did a very good job of it. They were very forward looking in the sense of the way they have planned the city area, the roads, etc. and provided for both urban and economic growth and in doing so, kept as many green places as possible for the growing population. City dwellers abroad fight tooth and nail for their green

places. I wonder what New Yorkers would say if some developer decided to plonk a hotel in the middle of Central Park.... World war 3, I dare say.

Shirley Park has always and, still does, serve a wide cross section of the Community. Ranging from the very young to the elderly, and, for a broad spectrum of events, from religious to educational, for example, for pre-school open days. Where would be a better place to let loose an army of pre-schoolers than in good old Shirley!!

Health Awareness programs and activities for example, the Colour Explosion Event – Walk for Wellness, which has now been declared exclusive to Lautoka by the organisers. Over 750 people took part in the last walk, I being one of them. I cannot describe the feeling of togetherness and bonding I had with people I did not even know. They came from as far as Suva to take part in this walk. When we all did the early morning group Zumba in such a cool and picturesque setting, it set off a feeling of friendship, but most of all, the want to take part in the walk and BE HEALTHY!!

The Red Cross Open Day is also held here, where they carry out blood drives, etc. It also provides a venue for Women's groups to carryout and display their art and craft. Someone will be speaking about that later on.

It plays host to Arbour Week, where there is a varying display of Fiji's diverse flora. The public are able to move freely among the booths enjoying the cool sea breeze. This event used to be held in the area which is now seeing the Tappoo's development.

This year, will see a number of Cruise Liners stopping in at Port Lautoka as part of their travel itinerary. At present, these visitors can be seen sitting and enjoying the park, as a brief and welcome interlude, from the heat of the city. They are also seen mingling and chatting with the locals picnicking in the park, and with stall vendors. Several have also been approached on their views on the proposed construction and have all expressed their dismay at the thought of this Park being lost to commercialism. Margaret Wise should have done a survey of a wider cross section of the community, if she was to refer to it in her heavily loaded newspaper article (P. Meghji referred to this article in their presentation), albeit limiting her so called "poll" to a few market vendors.

Even if a portion of the Park is utilised for the proposed construction of a Hotel, it would give rise to issues of noise control and restrict the freedom of movement of those who participate in the above events at those specific times and of the public in general at other times. I honestly cannot see where they propose to fit everyone in the area that will be left.

In conclusion, I would like to therefore, reiterate the value of our Shirley Park, not only for sentimental and recreational reasons, but also for her essence in her whole entity. I sincerely hope good sense will prevail here and we can have both, the hotel and Shirley Park, resulting in a happy community.

Vinaka vakalevu and thank you for your time.

MR. CHAIRMAN.- Honourable Members, any questions? It is a straight forward presentation.

(Vote of Thanks by Mr. Chairman)

**Submittee No. 3 : MRS. MATILDA GIBSON
LOT 25, MAULVI TAJ MOHAMMED LANE
TAVAKUBU STAGE 11, KASHMIR,
LAUTOKA**

(Welcome by Mr. Chairman)

Thank you, Mr. Chairman and honourable Members of the Committee of Natural Resources, thank you for this opportunity that you have given me to present my submission here this morning.

Most of the points in my submission have been articulated already by my daughter, but just in case the message has not been stated clearly enough, I would like to reiterate some of the points.

First, and I am doing this because the message of our stand on the proposed relocation of Shirley Park does not seem to be getting through. So, hopefully if I use plain, simple English it will, so read my lips, please.

MR. CHAIRMAN.- We are listening!

MRS. M. GIBSON.- Thank you.

1. We are not against the proposed hotel development;
2. We understand the economic benefits that will result to both Lautoka and the nation as a whole in terms of increased employment, increased tax revenue, increased foreign exchange earnings, et cetera. We just do not want the hotel in Shirley Park.
3. Shirley Park must remain as it is in its entirety:
 - (a) For its aesthetic beauty;
 - (b) For the use and enjoyment of Lautoka citizens, and for local and overseas visitors (tourists) to the City, just as it has been for decades.
4. Build the hotels somewhere else. Perhaps a suggested in Vuda, it is a beautiful spot, or to one of the other 110 available green sites. One that springs to mind is just up the road, the Botanical Gardens. That is a lovely spot, but of course, Mr. Meghji would not want to expose to his four-star tourists to a view just across the road of the hotel and the mortuary. That is why he wants Shirley Park so they can look out across the scenic beauty of the sea there and the island in the background, and so forth.

Yesterday, we made a visit to the site location, and I noted that the statement made by Mr. Meghji that the hotel site would only occupy 27 per cent of the park area is not quite true because part of the park is already occupied by the Council building. The reality is that, about 27 per cent approximately, give or take, of the undeveloped area is where the proposed hotel site is going to be, and that leaves comparatively little area for the use of Lautoka citizens.

I also noticed during that site visit that three of the largest and most beautiful trees are under threat of being cut down. The impact of global warming is evident everywhere,

even in our own country now. Global warming, the rising sea level, we have several villages in Fiji being relocated because of rising sea level, again due to global warming. Any reduction in trees and forests will result in a rise, however minimal in global temperatures. One might think that two or three trees in Shirley Park will not contribute significantly to global warming, but today even a 0.05 per cent degree increase in global warming is significant. We simply cannot afford to cut down our trees. We simply cannot afford to cut down one, two or three. Throughout the world today, we see reforestation programmes everywhere, and here in Shirley Park, Mr. Meghji is proposing to cut down three of the biggest and most beautiful trees which have taken decades to grow to that size.

Is that going to be a popular decision? I do not think so. But of course, for Mr. Meghji it is not about popularity, is it? It is about making money. That is another reason why I believe Shirley Park should be left as it is.

Another reason, the Environmental Impact Assessment (EIA) has not been done, and I am told that it will be considered after the rezoning. What if that EIA is detrimental to the development? Will rezoning go back to civic? I reiterate the point made by Mr. Aman Singh that that EIA should have been made at the very moment the provisional approval was given for the rezoning of Shirley Park because that assessment would definitely have impacted on the decision of whether to rezone the Park or not.

My last point, Mr. Chairman, developments and government policies should not only depend on economic gains. The fundamental rights of the citizens should also be considered. And their basic rights and needs of citizens must also be considered. And the need here for the Lautoka citizens is to retain Shirley Park as it is, in its entirety. That is our need, and as ratepayers we have that basic right to a say in whether it is rezoned or not.

I am looking at a wider perspective now. In the world today, Governments have fallen because of abuse of human rights. Now, here one might think, this is a little thing, but one drop of water, one grain of sand can make a mighty ocean a pleasant land. May be, this is just the beginning when the needs of the grassroots citizens is ignored; it could be the beginning of something bigger. With each little incident of exploitation or neglect of human rights builds resentment and that resentment could grow and grow, and could very well impact the next polls in the General Election.

I leave that thought with you. I know I am looking beyond that vision now, wider perspective. So, let us just think about the global impact of cutting down trees. Minimal though it might be with only three trees, we cannot afford it.

Also, the little exploitations, abuse, neglect of the common persons rights and needs in the economic development of a country could well lead to something our policy makers would not like. So, I rest my case here, I ask you, please, and I thank you once again for allowing me to make this submission. *Vinaka vakalevu!*

MR. CHAIRMAN.- *Vinaka* Mrs. Gibson! Any comments from the Committee?

One question, Mrs. Gibson. Were you part of the consultation that was conducted by the Town and Country Planning?

MRS. GIBSON.- I was not, but I was one of the signatories of the petition not to rezone Shirley Park.

MR. CHAIRMAN.- *Vinaka vakalevu!*

(Vote of Thanks by Mr. Chairman)

**Submittee No. 4 : MR. JAGNNATH SAMI
RATEPAYER
LAUTOKA**

MR. CHAIRMAN. - Mr. Sami, the committee is here today to hear your comments on that petition that was given to Parliament opposing the rezoning of Shirley Park from Civic to Commercial.

MR. J. SAMI. - Thank you, I would like to acknowledge the government's decision to appoint this Committee to come to Lautoka to listen to the ratepayers. I am also a petitioner and I concur and support the submissions made by the ratepayers association Mr. Aman Singh and the Gibson's, my sentiments are the same however, I honestly believe and I have attended so many committees that have come to listen to the people and in this particular case, the ratepayers. I think their mandate is much wider than what the Chair has said. I think this is an opportunity for the honourable members here to listen to the people maybe, some of it maybe outside but some latitude should be given so that we are able to not only look at trying to address the problem that is facing us right now about whether Shirley Park should be utilized as a hotel or not. But we should also look at the source of the problem and I think that is what this committee and government should address.

I am a ratepayer of Lautoka since 1994 and have been paying my rates punctually and I am also a ratepayer of Labasa, a ratepayer of Levuka as well. So I have got great concerns about town developments and what is happening in the town because we make significant contributions. I have also been a former chairman of the Ratepayers Association at a very critical time when this city decided to increase the rate by 30 per cent and that was in 2009.

I ask the same question again. I think the genesis of the problem why cities have started giving away parks for short term economic return is because we are not addressing the problem. The genesis of the problem is good governance. We have lacked good governance and let me give supporting evidence to this and we had argued this with the Minister in 2009 that increasing 30 per cent rate is not the answer because you are not solving the problem.

In 1998, this city had a credit balance of \$1 million and in 2009 this city had a debit balance of \$4 million, they were in arrears of \$4 million. We argued that increasing 30 per cent rate and it is after disposing a lot of properties of the city and this Committee has the right to ask the city council to produce all the city property that had been disposed of prior to Churchill Park. Disposing of properties or your assets is not solving the problem and this city had some of the most lucrative, most attractive properties which were earning great revenues. I give you an example which is the Lautoka Sports and Social Club complex next to Churchill Park and in a devious way, it was disposed of. That property was seized by the city council because they were not able to pay the rate. And if investigation is done, you will find that but we have called for an investigation but it was not done.

But the point I am trying to make is simply that what we have not done is collecting rates. There has been political grandstanding, we do not want to collect rates, we need only \$1 million collection to run the Council instead of increasing the rate by 30 per cent and putting that burden on the people who are paying rates. Today, I am told and this is from the words of the Minister who was the special administrator, in response to the Shirley Park development he said that we are in arrears of \$5 million. Now you are in arrears of \$5 million today and you want to get rid of Shirley Park, the ratepayer's park to recover some money. Now why can't you go and collect that \$5 million and you will solve your problem? This is what we are not addressing and I think getting rid of the parks, whether it is Churchill Park, Shirley Park is going now the next will be the Botanical Garden if the rates will keep on going up from \$5 to \$5 million next year. Which more Park will we get rid of? We are not solving the problem and I think this committee has great powers and great vision to finding solution not only for this city but in all the cities where parks are being given away. It will become a solution for all the cities whose parks are given away and Chair, I personally believe the ratepayers of Lautoka have got a lot of faith in this committee. They have got a lot of expectations in this committee and I believe the fact that you are honourable Members and people have got that expectation that you will do what is fair and just. Because I believe the Lautoka City Council is the custodian of the properties of the ratepayers, they do not own it, it is owned by the ratepayers and it is ironical that the city council do not listen to the owners of this property and they have not been consulted properly and procedurally like Mr. Aman Singh had said and we have lacked accountability, transparency and our rule of law have not been followed and we are saying this is it, no more parks and gardens should be given away.

Mr. Chairman, I also want to reiterate the fact that have already said about the environmental studies and occupational safety and health reports this not only has to do with Shirley Park projects, this has to do with all the projects. I think this committee should just walk and see the entrance of Churchill Park. I mean I have been a sportsman all my life and you honourable Member, as Commissioner your heart should bleed to see the frontage of Churchill Park. Where is the study of occupational health and safety, where is the environmental study now, would they reverse it? I have been hearing that the environmental report will be done later. Now what will happen if the report is not good; will you ask Tappoos to dismantle all the work that has been done, no. So there is something definitely wrong and I think that this committee can salvage and this committee can find a solution to that.

My core argument is that, what this committee should seriously look at is good governance of the towns and cities and we should also be looking at long term plans. I have my concerns about the town and country planning as well and in my closing, I want to say this that my understanding of town and country planning when they do subdivision plans there is a requirement of certain percentage of the land being reserved for parks and gardens. Now if this city's plan was done and parks and gardens were identified and allocations made, how come the rules are changing? How come we are giving away all these? If you want to make a subdivision now privately for any subdivision, he is strictly told that you must have this percentage of land reserved for parks or gardens before you can have your residential subdivisions. Now why should it be different for the cities? And these are the rules set by the town and country planning and they are the ones flunking it. Now the government of the day cannot allow these things to happen because this government has boldly said, we believe in transparency, good governance, accountability, we believe in the rule of law. At least, we want to see that in this committee we want to see a decision which is just and fair to the ratepayers of Lautoka.

HON. J. DULAKIVERATA.- Thank you Chair, I just want to commend you for your presentation it gives a different perspective of the whole scenario of the issue at hand and it gives more information to the process.

(Vote of thanks – Mr. Chairman)

**Submittee No 5 : MR. CHARAN JEATH SINGH
LAUTOKA**

MR. C.J. SINGH. - Sir, from the outset, I am the owner of Lautoka Hotel and we are investing in Lautoka. I have no objections whatsoever about any other businessman trying to develop here provided they develop in a place which is meant to be developed and not to take away the parks and gardens.

Honourable Members, you must have travelled overseas a lot and it is obvious that any municipality you reside in, if you want to chop a tree or if you want to take a park away, there will be a huge outcry and globally, every municipality have been trying to preserve parks and gardens. Fiji should be no different, in fact we in the South Pacific, need more parks and gardens because of the developments going on that will affect us.

Now, when I heard about this development and I like to put on record that Mr. Praveen Kumar Bala was an Administrator and I was a former Mayor of Labasa. I called and said, "Praveen why are you trying to destroy the parks and gardens?" and he clearly told me, "Charan it is not my doing, I have been asked by the Attorney General to put a proposal to government". So, we can see that somebody has asked him to do that. I have experienced with the Town and Country Planning procedures, it is very clear that all the submissions have to be made to the Town and Country Planning by all the authorities before they even issue a provisional approval. So, here there has been a horse before the cart whereby the provisional approval has been given and Mr. Meghji is going around Lautoka and the whole of Fiji saying I have got a park for development. Now that is very unfair on the part of the citizens and developers of Lautoka.

Here, we are saying and also in yesterday's paper, they say that this committee is usurping the powers of Town and Country Planning. I am putting on record that the honourable Attorney General has been usurping the powers of the Director of Town and Country Planning by putting a directive well before the submission started. As with the other members, we expect and have big faith in the Bainimarama government to be transparent, open and put procedures in place so that every other citizens can follow the law. But here, we have seen shortcuts, anyways, I will not dwell on that, Mr. Speaker.

MR. CHAIRMAN. - Thank you Mr. Singh, for noting that this Committee was under the direction of the Speaker.

MR. C.J. SINGH. - Of course, well I thought I was in Parliament too, Sir. I was supposed to be there but for some reason, I pulled out.

Anyway Mr. Chairman, as I said the development in Lautoka will not stop if Meghji does not get Shirley Park. Our company has plans to put a \$50 million 100 room hotel and that is already in the pipeline, so there is no real shortage. Yesterday, I was speaking to Mr. Y.P. Reddy, they have got almost 100 rooms, we will have another 100 rooms and the occupancy percentage here, you will be surprised to see it will not be more than 60 per cent. So even over stretching with

more hotels here, it will be too hard to kill another hotel. The developing one will be trying to kill another development which is already in the pipeline. Lautoka Hotel is a hotel site next to Shirley Park, they can develop it there, a hotel on a hotel site so that, that hotel and the Waterfront Hotel can give the visitors and of course, the citizens of Lautoka a place to go and relax in the open space.

I would like to at this juncture, hand over the proposal that we have been looking at here in Lautoka and it is a \$15 or \$20 million development which is going to come up in 2016 and it is a four or five story hotel with 100 rooms which will be ready in two years, 2018.

Mr. Chairman, as you said the Environmental Study will done after the provisional is done or whatever but I am going to present another set of reports by a company that shows that flooding is already eminent in this area and if the city council cannot address this issue now. The problem is already there when there is a heavy downfall and high tide the whole road is filled with flood water. So what I am saying is there is a report here and it shows that there is a problem in that area and in putting in another hotel you are trying to increase the problem.

(Report presented to the Committee)

Sir, as the other speakers have said, there should have been a whole lot of publicity about the intention of this Council of converting or giving part of Shirley Park or Churchill Park away. We, as ratepayers, have been paying rates to the Council. The Council is the custodian of all our properties. I know that as an administrator, but they have no power, Sir, to give away the properties that is owned by the ratepayers. So, this is the punch line they can have consultations and if by majority the public says yes, this park has no use then fine, but here, there was no consultation what so ever and everything was done behind closed doors and then when the public found out they were told yes, there is something happening, but again very limited information was being passed to us.

I actually said that I do not have any faith in the Director of Town and Country Planning as well. I will give you an example, in Labasa we had a similar case whereby Jaycees Park was also given for a hotel development and the ratepayers of Labasa went ahead and signed petitions, saw the Prime Minister, saw the Attorney General and there was a recommendation by one of the staffs, a high qualified staff, I will give you his name he also recommended that the Jaycees Park should not be touched, it should be left for open space. But despite the recommendation within the Ministry, within the Department, the Director went ahead and rezoned it. So the danger here is, that will be the same fate here, if we are not careful, despite all the objections the Director could do otherwise.

In this submission, I also would like to give a copy of this report that was given, just to give you an example of what really happened down the line by the Director. Despite their own staff giving advice not to touch parks, that still goes ahead.

MR. CHAIRMAN. - You know in such cases, the Director has the authority.

MR. C.J. SINGH. - The authority is good, Sir, but they should listen to the views of the public and then make a decision. Not to be biased and predetermine the decisions.

Sir, I have highlighted that in the report as well, if you have time see the Jaycees Park too and see the problem there as well, in Labasa.

HON. RATU K. KILIRAKI. - Mr. Singh, as you have mentioned, you owned Lautoka Hotel, just adjacent to Shirley Park?

MR. C.J. SINGH. - Yes, that is correct, Sir.

HON. RATU K. KILIRAKI. - And one of the reasons given by the developers is that, putting another hotel there, you will create a cluster of hotels to develop Lautoka in the tourism industry. What is your view having your hotel there and this hotel here just adjacent to yours, and putting another one just close by?

MR. C.J. SINGH. – Well, Sir, I am not saying that there should not be any development, but if you see the space of Lautoka, if you move around from here to FSC, there are huge parcels of idle land and they have nice views of the sea. That could possibly be the government’s long term plan to give that out, open it up for economic development. But for the clusters, let us not compare that to Denarau. Denarau has another type of environment where you can have a lot of hotel side by side here. But by having a hotel next to Waterfront and a hotel here, there will be no big difference to anyone, except just losing a very good parcel of land that the public has. So I am saying that if Mr. Meghji wants to develop, the government should allocate something around that area, it is not too far out. Opposite Westpac is a good space.

MR. CHAIRMAN. – *Vinaka*, Mr. Singh, we have heard what you have presented today and the comparison with Labasa.

MR. C.J. SINGH. - I just want to hand over the objection that I have given to the Director for your reference as well.

HON. J. DULAKIVERATA. - Mr. Singh, I hope that your clarification is not biased because you have your property here and in your submission today, you can state that it has nothing to do with the competition that will be coming from Mr. Meghji and his hotel. Does that have any impact on your presentation today?

MR. C.J. SINGH. - Well, Sir, as I have said earlier, I have no problems and qualms about development. The government has ample land around other areas of Lautoka, opposite Westpac and if Meghji is so keen to develop, give them that place and it is in the industrial area anyway, so development is not a problem, we do not fear competition because nowadays in business, it is all about service, if you give good service, the customers are going to come.

(Vote of thanks – Mr. Chairman)

Submittee No. 6. : MR. JOJI NASAUMALUMU SATALA
Turaga ni Koro, Namoli Village

(Welcome by Mr. Chairman)

(He read his written submission to the Committee)

MR. J.N. SATALA.- Mr. Chairman and honourable Members of the Committee, stakeholders of Lautoka who are here this morning, I am here to present my views as leader of the

community of Namoli in regards to the impasse that we are going through as community members, and ratepayers of Lautoka City.

As *Turaga ni Koro* of Namoli Village, I stand before you to voice my concern and the concern of the community of Namoli Village, the landowners of Lautoka City. We as landowners do not support any development or construction of any kind at our beloved Shirley Park. We do support any development, but it should be done anywhere else and not Shirley Park. We grew up here and spending most of our family time to unwind and bring our children and grandchildren to relax and enjoy the sea breeze. Destroying it in the name of development is unwise and foolish. I may ask for your forgiveness if I may be using some appropriate language, but we are concerned at the way things are going at the moment.

Lautoka is a unique and beautiful city separated from the rest of other township because of its botanical garden and scenery surrounding our city, and we want to keep it that way for the future of our children and grandchildren.

I humbly ask the honourable Minister concerned to make the right decision for our future generations. I can also recall the tales and storytelling passed from our forefathers that this land where the heart of the City is located, was for recreation only and we want to keep some of it that way. If you plan to destroy our natural habitat, then I believe we are treading on dangerous grounds, as the land in question have ears and eyes to see what our forefathers have fought hard for with sweat, blood and tears. I cannot recall anything like this to be anywhere with the people concerned the community of Namoli, who have asked me to appear before you, and ask you to let Shirley Park be where it is now.

Sir, we want to keep Shirley Park as it is, and we want to ask the Chairman and honourable Members of the Committee that you consider this request of ours.

I was given a short notice last night to get some signatures, and as I speak at this moment, this has been going around the village and also after our committee meeting which will be held next week, I will be voicing the same concern about the Shirley Park issue, and I think that the people will support Namoli on this, to keep Shirley Park as is.

Just before I take my seat, Sir, I want to place on record, as you can see, I have been retired from work due to medical reasons. I could not walk or even lift my legs. Every day, after I left work, I have been at Shirley Park walking every morning and afternoon around the park with the sea breeze. I come and sit there and relax, and the fresh air and fresh breeze that I get everything from Shirley Park. I am walking, and I am the living testimony of that, Sir.

Thank you, Sir.

(Vote of Thanks by Mr. Chairman)

**Submittee No. 7 : MS PATRICIA FRAZER (PETITIONER)
RATEPAYER
LAUTOKA**

MR. CHAIRMAN. - Ms. Frazer, thank you very much for meeting with the committee today. I understand that you have been in the room from Monday. This committee is very much

committed to looking at the petition that was submitted to Parliament and we are here to listen to your comments and I now give you the floor.

MS. P. FRAZER. - *Vinaka*, first of all I would just like to mention that I also agree with the previous speakers, especially with regards to the flaws in the process that has gone ahead before this. The reason that I was here since Monday is, because I wanted to listen to the stakeholders and see what they had to say.

Honourable Chairman and honourable members of the Parliamentary Standing Committee, my name is Patricia Frazer and I moved to Lautoka from Ba in the early 70's just before Lautoka was declared a city on the 25th of February, 1977. I am not a very good speaker so I will read most of my presentation.

I have watched this city grow and become a beautiful place to live in and bring up children. Those responsible in the early days did a great job and we are now enjoying the fruits of their foresight in planting the many trees and designing the layout for parks and open spaces for the people to enjoy. Fast forward to 2012 – 2015, what do we see? The current trend seems to be to cut down fully grown trees around our parks, to make way for developments in the name of progress. First, it was Churchill Park which the previous speakers mentioned, now Shirley Park is in the process and eventually, I heard that Coronation Park is also earmarked for tourism development. These are three of our most beautiful Parks in Lautoka and it is central. While it is true that Lautoka needs to grow and attract investments, careful consideration has to be given to the overall long term effects such developments will have on the lives and health of its citizens.

We do not want Lautoka to become a concrete jungle like what Honiara seems to have become as what was reported in the news not too long ago. Honiara has become very congested in their central business district with very little open space for the citizens. According to the Lautoka City Council's 2013 website which I happen to come across by chance Lautoka has a population of over 52,000 and it is growing I believe, at the rate of 0.7 per cent which was mentioned during Monday or Tuesday's submission, I forget who said that. Over 43 per cent live in the city area which is about 3,970 acres. Lautoka has 472 acres of open space as well, 494 acres of Civic Special Use land. Instead of making the central business district into a concrete jungle, the council should seriously look at ways and means of developing some of these open spaces away from the city. You have to be innovative and think outside the box, encourage eco-tourism and maybe just an example, homestay type of accommodation be it in cane farms or villages in the outskirts. These will help stop the urban drift and its associate problems and encourage economic growth in the rural areas or villages as well as offer tourists to our city a different experience. I think one of the speakers had talked about people in the rural areas and poverty so this is something that could help alleviate poverty in that area.

Shirley Park is very dear to the hearts of the people of Lautoka and for the reasons that the previous speakers had alluded to and I just go through quickly;

- Families come down on weekends to enjoy the scenic view and the fresh air.
- Some even hold their children parties there.
- Women's club of which I am one of the members, we come down and sit and do our craft working under the shade in the cool breeze.
- School groups, the general public the university students all come down there.

Shirley Park has an area of 5.9 acres. The proposed zoning if approved, will take up 1.6 acres and leaves only 4.3 acres for public use in a city of close to over 45,000 and in the process, fully grown trees will be sacrificed. Trees which took over 30 years to grow.

Just some information, according to Michigan State Forestry Department, a fully grown tree generates 31,250 worth of oxygen and 62,000 worth of air pollution control and also trees are the lungs of nature. They keep the air clean for us and this is why it is so important to nurture and care for them, not just chop them down because they are old like I think the Chamber of Commerce, a gentleman mentioned, they have reached their age, chop them down. I think he mentioned that.

It is commendable that the council has a continuous tree replanting program in place. But this will take 20 to 30 years for the trees to mature to what we have in Shirley Park.

Honourable Members, I wish to bring to your attention the discrepancies with regard to the actual portion of Shirley Park. I know that Mr. Aman covered it in detail and I would just like to add what I personally experienced because I am one of the objectors.

When I was informed there was a public hearing via an emailed on the 23rd January, 2015 from the Director of Country Planning, it stated that two portions were affected Lot ND5149 part of it and DP 1805 part of it as well. Upon clarification, I was informed that both portions were indeed in Shirley Park, yet the advertisement in the *Fiji Sun* only mentioned ND5149 part of Shirley Park. That is the advertisement that called for objections to the rezoning and on this ground, the objectors which were the previous speakers called for a fresh hearing because due process was not followed. They misled us and for the second hearing which was called at a very short notice, a letter dated 6th of February, 2015 was hand delivered to my home at 1.10pm on the afternoon of 10th February, advising that the hearing was going to be held on the 12th, it was only a two days' notice. It was just fortunate that I was available to come. I think one of the other objectors was not in the country at that time.

We again chose not to present our submission but we asked for the files to be opened for our inspection. Rajjeli, the Acting Director informed us that these documents were available for the public and we could inspect it at the Lautoka City Council. I went down to the Council a few days later, I just wanted to ask them for the actual dimension of the affected parts because when you say something acres or hectares or whatever measurements, it is hard to visualize. I would like to have it in meters so that I can visualize the actual sides. I came down and saw the acting CEO and asked him can I have a look at the actual dimensions and he said I do not have the papers here but to go upstairs so I went upstairs and asked them can I have the dimensions? Just the size of the affected portion and he was a bit hesitant and he said I just check with the CEO and I said he just sent me up to see you to get the information. So I said, alright you call him I have just come from there he called and they had a chat and he said, I am sorry I cannot give it to you, you will have to write in for the information. I was rather surprised, but anyway I said alright I went home and emailed. It was almost a week before I got a response I got a phone call to come down to the council so they can discuss my email with me. I said all I wanted was the dimension, can't you just give it to me over the phone. And he said no, we need to discuss it with you. I came down and they showed me the file in the office and I said this is what I wanted so I was able to get the information. But I was made to run around for something that should have been available straight up.

Another matter that needs to be investigated and clarified is that, initially when I spoke to them at the office, they told me that the proposed hotel would have 90 rooms and at the presentation

on Monday by the CEO, he said that it would have 101 rooms. Now this seems to indicate that both the portions would be utilized are the ones that have not been provisionally approved and yet even the Acting Director Town and Country Planning refer to one portion in her presentation as well. ND5149 so does this mean that the second portion of DP1805 which is the one closer to the council chambers, if this is going to be included, does it not need to go through the same process for approval for rezoning?

My concern is, if this is the case that approval is not required then what is to stop the council in giving away further portions? Even the developer decided to give away further portions, if the developer decided on a future date okay, I want to put a bigger swimming pool or I want to include a tennis court, it will encroach into the rest of Shirley Park because I feel if you give them an inch, they will take a mile as the saying says.

Another area of concern which was something I picked up while I was here in the previous two days, the CEO of Lautoka City Council gave us a brief of how the situation came about and the agreement that was made with the developer. So the area of concern I wish to raise is the nature of agreement made between the city council and the developer, where the council will enjoy certain privileges on the free usage of hotel facility within the hotel project. My question is, does this apply to all the council staff or just the executives? And the offer of throwing in a children's park on the foreshore lease by the developer. To me, it raises some concern for transparency's sake, I believe all dealings by the council should be strictly business like and not have freebies attached to it because this could be a situation where special maybe called upon in future. I think the same thing from hearsay happen to Churchill Park where the offer of upgrading the tracks in Churchill Park was the payoff for the site that was given. I could be wrong.

It could be a very said day for the citizens of Lautoka, if this rezoning was carried out. What legacy are we leaving for the future generation to enjoy? I am not sure if the City Council has a representative here, but I just want to remind them of their corporate goals that was documented in their website and I quote, "to protect and encourage wide appreciation of the city's natural environment and to support and promote the city's economy, taking into account its social and environmental values".

By all means, build new hotels and encourage economic development but just not in Shirley Park, I repeat just not in Shirley Park. There are other sites that could be used if they look hard enough.

Just to set the record straight, listening to the presenters earlier on in the week, they made it sound as if Lautoka has no other hotels. That is why it is so important to build this particular one. We have Waterfront, we have Lautoka Hotel and we have Cathay. But all those hotels do not have 100 per cent occupancy all the time and people are saying that we just so short of hotel rooms. I think, Mr. Singh quoted an average of about 60 per cent occupancy, so we still have room to get people in. The thing we lack is attraction for people to come and stay in Lautoka and this is where the council needs to be innovative and think outside the box and look at other ways and means of attracting people to come and stay.

A quick survey of the different hotels and their occupancy and number of rooms. Cathy has 38 rooms and their average occupancy is 40 to 60 per cent, Waterfront I believe has 90 rooms with 80 per cent occupancy and Lautoka Hotel has 40 rooms with about 60 to 70 occupancy but their planned expansion I think, that will be close to 100 rooms. So we do have hotels and we could do with a four or five star but just not in Shirley Park.

Honourable Member, I would like to humbly request if you could take this proposal back with you to Parliament, it may not be in your Standing Order, if a law could be passed if it does not already exist that parks be an integrated part of any town or city development plan and that they cannot be rezoned ever, they must remain as parks for the public.

Can I just get back to the portions, there was some confusion about it being civic, park and special use. The two portions I believe, the reclaimed ones towards the waterfront was actually industrial and commercial.

MR. CHAIRMAN.- A point of clarification, after the reclamation that area was industrial and commercial when town and county zoning came in their town scheme, the scheme take precedence over all the other zoning. So it is now civic.

MS. P. FRASER. - So it is now civic, all of Shirley Park is now civic.

MR. CHAIRMAN. - All of Shirley is civic. The petition that was given to us here is the people are petitioning about the change of zone from civic to special use – tourism.

(Vote of thanks by Mr. Chairman)

**Submittee No. 8 : TAXI ASSOCIATION
MR. MOHAMMED SHAMEEM**

(Introduction and welcome by Mr. Chairman)

MR. M. SHAMEEM.- Thank you, Mr. Chairman, and honourable Members of the Committee. I would like to give my views on the issue before us. I do not have anything in writing, but I have everything in my mind to express my view on the rezoning of Shirley Park, a very famous centre of Lautoka City. Sir, I will speak on my behalf, and on behalf of the Taxi Association.

First, I would like to mention from the Taxi Association side that such development in business will bring in business and will take Lautoka forward economically. On the other side, though Lautoka is now a growing business with the cruise liners berthing at Lautoka City, the tourists that come do not want to go and sit anywhere else, but with the breeze under the shades at Shirley Park. They are the sentimental touches of the people of Lautoka. The tourists want to use Shirley Park to sit and relax. Mr. Chairman, you have been in Lautoka for a while and you have observed its importance. If one takes a look around Shirley Park on Sunday, one will find a five year old kid to a 80 year old man sitting under the shades of Shirley Park. As earlier presenters had mentioned, people come there and enjoy their lunch. Some young married couples can be seen there mingling and enjoying the shades.

Mr. Chairman, I know that Government is trying to look for more job opportunities to the people of Lautoka, but there must be a handful of people who are petitioning, and that is very important. One of the speakers who have just spoken represents Namoli Village, who has given out the land, said that they do not want any development in Lautoka, and there must be a genuine reason why they do not want development in Shirley Park, Lautoka.

Mr. Chairman, the Government of the day, the Prime Minister and the honourable members of this Committee understand why they are saying no to it. There must be a reason why they do

not want to stop the development. We want the money to come to Lautoka but not at Shirley Park. There should be another place, they should move the hotel to another place. We actually need the breeze that is coming in to Lautoka City to keep the pollution away. A lady who gave her submission mentioned that so many trees have been removed. It is understood that the Council and the local people around are cutting trees anyhow and anywhere and that is not right because climate change is taking place. It is a serious issue. These native trees have been here for over 40 years, and even mangroves used to be around here, but we got rid of them.

Mr. Chairman and honourable Members of the Committee, I hope the Committee will take these issues seriously. Shirley Park is also used on Sundays and even in the afternoons and early mornings as a place more of a football ground than Churchill Park. People play under the shades because of the breeze. Some of them cannot afford to go to Saweni beach, and people prefer to come to Shirley Park with their families without paying a single cent. There was a purpose why Shirley Park was created, it was given out as a Park, and if this Park is going to be taken out of the people of Lautoka, especially the ratepayers of Lautoka, I think it is going to be a big blow.

I request that this message be taken to the honourable Prime Minister, that Shirley Park is a sentimental touch of the people, which is why we have given our time to appear before the Committee. These petitioners are not here to object the Government, not to object this Committee; all we want is that development of this hotel should not be done at Shirley Park, because of its importance, of sentimental value. Thank you, Sir.

MR. CHAIRMAN.- Thank you, Mr. Shameem. Any question, honourable Members?

HON. RATU K. KILIRAKI.- Mr. Shameem, you presented your submission orally, representing two views; from the Taxi Association as well as your own personal views. You mentioned about taxi operators who will benefit from the business side, if the hotel plan is approved. Are you referring to that hotel being built in Shirley Park or any other place in Lautoka?

MR. M. SHAMEEM.- Sir, that is a bit of a technical question you are asking me, but right now Tanoa Waterfront Hotel and Lautoka Hotel are giving business into Lautoka. If this proposed hotel is going to be built somewhere else, the business is still going to come in. I still believe, it should be built somewhere else and not at Shirley Park. From my experience, most of the tourists we pick from the cruise liners, they do not want to visit any other place but request to go to a place where they can relax and that is Shirley Park, and have a visit at the Botanical garden. So, I think these two things should remain. Even when Lautoka has this Harbour Day, we have it at Shirley Park. We have so many things set up at Shirley Park, such as the Trade Centre, they sell their staffs at Shirley Park, so the Park is vitally used.

(Vote of Thanks by Mr. Chairman).

**Submittee No. 9 : MR. PRAVNEEL CHAND
YOUTH REP, CREATING EASY**

He is representing a youth group called Creating Easy, that is Creating Environment Advocacy and Social Empowerment for Youths here in the Western Division.

Youth is against the development. Their views are based on a number of issues that affect their lives if the development is carried out.

Trees at Shirley Park are over the age of 40 years and are actually saving the South Pacific from global warming and the bizarre effects of climate change.

USP and FNU students use Shirley Park for their leisure activities. If Shirley Park was to be developed into a hotel or the rezoning part, where are these students going to have their lunch? Is the Government of the day and the Lautoka City Council providing an alternative for them?

Furthermore, when students from around the nation come around for field trips, Shirley Park is where they go to have their lunch. If it is rezoned into small portions, how is it going to fit in the citizens of Lautoka that use Shirley Park?

Families use Shirley Park on Saturdays for their family picnics, there is a market that happens here every Saturday and thanks to the City Council for that matter. Church groups come to Shirley Park for study and other purposes. Apologies, most of what I may have said, may have been said by Denise Gibson earlier, but to highlight on those facts. Even the political parties, they used Shirley Park very much during the General Elections. It is very central, it is very essential to the public.

Among other staffs, a lot of youth groups in Lautoka use Shirley Park, to carry out their advocacy which is for the good of the people. If you happen to stay here till late, zumba session will be conducted at Shirley Park today at 5.30 pm for the good of the people of Lautoka.

MR. CHAIRMAN.- Are you also inviting the Committee?

MR. P. CHAND.-Yes, I am inviting everyone. It is \$2 entry fee and we have our zumba instructor here with us.

So, this is what all happens at Shirley Park and it is all for the good of the citizens and public. Now, if you were to develop Shirley Park, where are all these activities going to happen? Is the Lautoka City Council providing us an alternative? Lautoka is blessed with other parks, but none of them have the prime and the central location that Shirley Park has.

Furthermore, when the development does take place, you have your boundaries, the rezoning, the 30 per cent that you have. Development will probably take two years if you are keeping the construction of Churchill Park in mind. When these do happen, obviously they will need place for them to put their building equipment, as well as the timber, et cetera. That is going to take up more critical space in Shirley Park and the public will be affected.

I would just like to add one more thing. Think about Canada and think about Niagara Falls – what importance does Niagara Falls have to Canada? Think about the United States and what beauty the Grand Canyon brings to the people of the United States? Coming back to the Pacific, think about the Great Barrier Reef in Australia. That is what Shirley Park is, to Lautoka and the residents of Lautoka. That is what the citizens of Lautoka would feel like.

So, just a cry from the youths, please we beg the Government to reconsider this and just to think about the people of Lautoka. There are other places where this hotel could be built. If one takes a walk around Tukani Street, there are buildings that could be developed into better buildings to improve the infrastructure of the City. The CEO of the Lautoka City Council, Mr. Nakauvadra talked about improving the infrastructure of our city. I think you should start more from the grassroots level. I mean, there are just two sets of traffic lights that are working in Lautoka.

With that, I would like to end my oral submission and I would also like to state that I am for Denise Gibson and Aman Singh, and we acknowledge them for their presentations. Thank you.

MR. CHAIRMAN.- *Vinaka!* Any comments or questions from the Committee?

HON. RATU K. KILIRAKI.- Can you just tell us who are the members of your group?

MR. P. CHAND.- Thank you, Sir. The Youth Group consists of about 20 members and about other affiliated members come from other youth groups in Lautoka such as Youth Champs on Mental Health and the Pacific Green Advocacy Network. I may be speaking on behalf of Creating Easy but I am also speaking on behalf of other representatives that are sitting right behind me.

If the Committee wants further proof of how important Shirley Park is to us, I have over 50 signatures which I just collected yesterday at Shirley Park.

MR. CHAIRMAN.- I have 500 petitions here with me.

MR. P. CHAND.- That is just to add on to that.

MR. CHAIRMAN.- I saw you in Shirley Park yesterday.

MR. P. CHAND.- I believe you did.

MR. CHAIRMAN.- When you started with your presentation, you said about the 40 mature trees. How many mature trees in Shirley Park?

MR. P. CHAND.- There is about 10 trees, Sir.

MR. CHAIRMAN.- That would be of an average of how many people per tree?

MR. P. CHAND.- In simple mathematics, it would be 20 people. More mature than a young tree would do, it would just cover for half a person's oxygen rate.

MR. CHAIRMAN.- That is 20 people in Lautoka.

MR. P. CHAND.- That is just an honest fact that I tried to share, Mr. Chairman.

MR. CHAIRMAN.- *Vinaka vakalevu!*

(Vote of Thanks by Mr. Chairman)

**Submittee No.10 : MRS ALITI M. BENION
NATABUA HOUSING ESTATE**

MR. CHAIRMAN.- Mrs. Benion, I understand you have been in the room from Monday and I now give you the opportunity to raise your concerns to the Committee.

MS. A. M. BENION.- Thank you Chair, I came in the eleventh hour and I know that I missed Mr. Singh's and my lady friends comments but I feel, they would have the same sentiments that I have about Shirley Park.

Honourable Chair, Parliament Standing Committee and stakeholders, Ladies and Gentlemen, I am Aliti Montu Benion and I am representing some of the ratepayers of Natabua Housing Estate.

My fellow colleague, Mark Richmond is unavailable to be here, to make this submission and I am here on his behalf. Just to note what some of the ratepayers of Natabua Housing area has to say.

The National Parks on land are usually dying a death of a thousand cuts, in the form of logging, concerns, grazing licenses and far most the common ones, as hotels and tourism use to name a few.

Coastal Marine Parks in Lautoka are mostly young and small, poorly resources. But they are vital for regulating human activities and making coastal ecosystem resilient to pollution, invasive species, extraction and climate change.

After listening to presentations from various authorities in the past two days, we are sure now Shirley Park is a civic area.

To begin with, Shirley Park is a very popular and beautiful place, where the people of Lautoka, young and old as well as visitors and tourists, go for relaxation and basically to enjoy the fresh air and the beautiful scenic view.

Shirley Park which is designated and purposely authorized for the public to use at any given time or day, usually for Sunday and afternoon picnic spots, meeting locations for university students, youth on daily lunch breaks, family sports day and activities, exercising venues, park jams event, walkathons, awareness, longing flea markets, campaigns, Harbour Week, school children on excursions and many more.

Over the years, trees and plants have been planted and reforestation has taken place which has helped beautify Shirley Park, the Local Government should focus on protecting the natural landscapes they contain.

Mr. Chairman, just yesterday, I met a lady friend from Natalau village in Sabeto and I asked her, "what are you doing here and she said she came in to pay her collections with microfinance. And I say why can't the office facilitate you and your lady friends and she said, it is too small. We normally come and sit around the trees here, enjoy the breeze, regroup, do our collections and then we walk into the office. The office is too small, I said how long have you been doing this and she said this is the second year. Not only the Natalau group but many groups and centres come here to pay their collections to the microfinance office. Not only that Chair, Royalty has graced our land, Princess Anne planted a tree here in 1980.

MR.CHAIRMAN.- Is the tree still there?

MS A.M. BENION.- The tree is still there, it gives shade to so many people and like yesterday we noted a family, a child lying on his dad's back and one of our youth took a photo and that is a scenic view itself. Not only that, as we walked down furthermore, we saw a two weeks old baby and Mr. Chand took a snap of that with her mother and a few lady friends enjoying the view and the breeze the park offers.

However, we are in danger of regressing to the misguided ideas of building a new hotel. Shirley Park overlooks a marine view whereby if this particular plan of rezoning and building a hotel is continued, it will thereby disturb these marine organisms because there is always a high chance of reclaiming the land. When this is done, the problem of poor drainage tends to occur and not only will the Park suffer but the nearby Waterfront Hotel and also the industrial area in the zone or neighbourhood.

Trees will be cut, shrubs and bushes will be uprooted, contributing to the damage of the landscapes, problems of littering will occur, erosion will occur, foremost will be frequent as well as vandalism.

Lautoka has always taken pride in its title as an Eco-friendly city committed to growing and maintaining trees and fauna. In allowing the proposed rezoning to happen, we become hypocrites and join the world at large by saying one thing while doing another. Traffic congestion will surely happen in this area due to the incoming and outgoing of visitors/tourists.

Local goods can become expensive because tourist numbers will increase in the city area when this hotel will be developed, therefore shop owners will increase the prices of their goods and services more for tourists to pay more which will affect the local people.

The building of the hotel here in Shirley Park will therefore, increase the demand for development of more shops and hotels. Even though, it might ring a job opportunity bell for the local people, but these jobs are mainly seasonal, causing low paid workers with long working hours. Basically, keeping our local people under paid and in the low income bracket.

Furthermore, with those given and mentioned points above, I and those I represent (Natabua ratepayers) strongly oppose and believe that this proposed rezoning of the portion of Shirley Park to special use of a construction of a hotel should be stopped due to limited recreation and open space that is available at present. It is a beautiful open space, with great scenery and view as most of my lady friends here and those who have given their submissions have voiced it. It is a beautiful open space and a love view out to the ocean and the beautiful trees around. I strongly agree that it should be preserved and maintained as it is without this proposed rezoning.

Honourable Chair, can you kindly do it somewhere else or some other place please, but not Shirley Park.

Before I leave my seat, I appreciate and applaud the submission given by my beautiful lady ladies and Mr. Aman Singh, Mr. Samu, Mr. Charan Jeeth Singh and those who have spoken. I applaud the submissions they have given and I thank you again, honourable chair and the committee for hearing our voice a mere ratepayer's voice and for the people of Natabua Housing Estate.

(Vote of thanks by Mr. Chairman)

Submittee No. 11 : MR. CHANDRA LOCK
(75 years old, Ratepayer, Navutu Resident)

(Introduction and welcome by Mr. Chairman)

MR. C. LOCK.- Thank you, Sir. Mr. Chairman, honourable Members of the Committee, ladies and gentlemen, I came to Lautoka in 1955 and since then I have been in Lautoka. I know Lautoka than most of the people sitting here. When I talk about 1955, the population then was about 10,000 roughly. Today, we are over 50,000 and we run short of parks. We need to create more parks, than taking away Shirley Park. I am totally against any development in Shirley Park, and I am here for the future generations of Lautoka, who have not even been born yet. When we die, we must leave something for our future generations.

Mr. Chairman, these trees make me feel cold, and that is a good sign. I used to cut down trees before when I used to do a contract with Lautoka City Council, but when I realized about the global warming and the increasing temperature, I put all my tools down that I am not going to do this anymore. I am planting in my yard in Navutu and I have a lot of trees, such as coconuts and many other trees. I would like to see Shirley Park planted with more trees, and increase the size of Shirley Park to the foreshore.

Mr. Chairman, no development should take place in Shirley Park. I am totally against any development in Shirley Park.

Lautoka City Council is not an elected Council. We are the ratepayers, and I do not know how the decision has been made. The ratepayer's representatives should be sitting at this table to make decisions for selling any piece of land in the Lautoka City area, including the Chiefs of Namoli village who owned the land. The landowners and the ratepayers of Lautoka were never consulted, but this dealing has been done. This is very bad and we are all upset.

For the hotels in Lautoka, we have four hotels, different types and rates and class. They are never full, I do not think so. Even the Lautoka City Council probably never got a record of how much occupancy in these hotels. So, I think it is not full at any time. We probably do not need any other hotels, especially in the Park.

Churchill Park, I was there on the day when they cut the nice big mahogany tree down. I felt very bad and the Park has been put up like a concrete jungle now. I was a councillor then and someone put up a proposal to have a factory next to the Waterfront Hotel. I rejected and we refused to allow such factory in this area. This is a beautiful Park and one should see that there are a lot of people, children and families there that use the Park. We need to increase more parks. This is my humble request to the Committee, to please tell all honourable Parliamentarians, not to allow the building of the hotel at Shirley Park.

The Lautoka City Council are not even in the position to maintain sewer lines, over flooding, etc. The Council should concentrate more on that than allowing this kind of project. One project is already here, the building is sinking in town and the Lautoka City Council is going to pay a huge damage for that, by making that mistake.

Mr. Chairman, the EIA has not been done. It is very funny to me that the EIA Report has not been done, and so far, a lot of work has been done, a lot of money has been put, a lot of effort,

what if the EIA is rejected? It is like constructing a building, then later when one checks, and notices that the owner is too fat, he will not be able to enter the House, so you will have to demolish the building. That is what will happen if EIA is not done first. The EIA should be done first, soil testing, et cetera, before approval is given to any kind of development.

Sir, the decision makers should have consulted the ratepayers of Lautoka first and the general public by putting up advertisements in all newspapers and radio stations. I never read the *Fiji Times* nor the *Fiji Sun*, I only listen to the radio programmes. A lot of people are uneducated, and do not buy daily newspapers. Also, when one puts a small advertisement in the newspaper, and you want to get through with this kind of project that is not right for the public. Everyone needs to know what is happening in Lautoka. We, the ratepayers are entitled to know what is happening in our City. We have our rights, and this has not been respected. I only came to know on the last day of it being advertised, and then I put my written complaint. So, I suggest the Shirley Park should be left as is, as a Park for the general public to use, and not to build anything in this Park. If the Government or the Town and Country Planning think it fit to put up another hotel and occupancy is not going to be full, what will happen to the other hotels? The workers will be losing their jobs and the hotel owners will have no choice but to lose them due to less or no hotel occupancy. There will be not enough tourists, the hotels will be losing their businesses and the workers will be losing their jobs.

Mr. Chairman, this is not a good time to have another hotel because we already have four good hotels and parks in Lautoka. We need more parks and not concrete buildings or jungles.

Sir, the heat in Lautoka is very hot. I have lived here for over 50 years, and I have not felt the heat like what I feel now. Old people can die in this heat. So, we request, do not build the hotel in Shirley Park; plant more trees, not concrete jungle. We have a lot of other places to build the hotel in, and I can tell you one of them. It is Navutu, where a saw mill used to be. It is a good place to build the hotel and is very close to the Lautoka Wharf. That land is idle now. That sawmill is idle. The developer can just move there and build. Why the Park?

Mr. Chairman, I am totally against any development at Shirley Park. One good suggestion I can give for this Park, this was my dream, that Shirley Park to be decorated. The Council can put up a big pole there, with a nice big flag (our new flag will come in October), so no one else can build any building there. I can donate a post that can last 500 years. I have that material, and our children, scouts and military personnel, you, Sir, are also a military man, can all go and salute that flag. I have seen that in Australia and Canada, large big flags. I would like to see that kind of thing happen there. Once that flag post and flag is up there, that will put a stop to any construction of any building there. I will donate that big post, and I guarantee that, that post will last for 500 years, it will only need painting. This is my dream, and I would like to see that happens.

Mr. Chairman, I have donated to the Lautoka City more than anyone in Lautoka, without gaining any name. My anchor is in the roundabout in Molases Road, and I never received any appreciation letter from the Lautoka City Council until today. I love my City, I am a ratepayer, I have done my part and that is why I am here.

I leave this with you, Mr. Chairman and honourable Members of the Committee. That is my submission, Sir. Thank you.

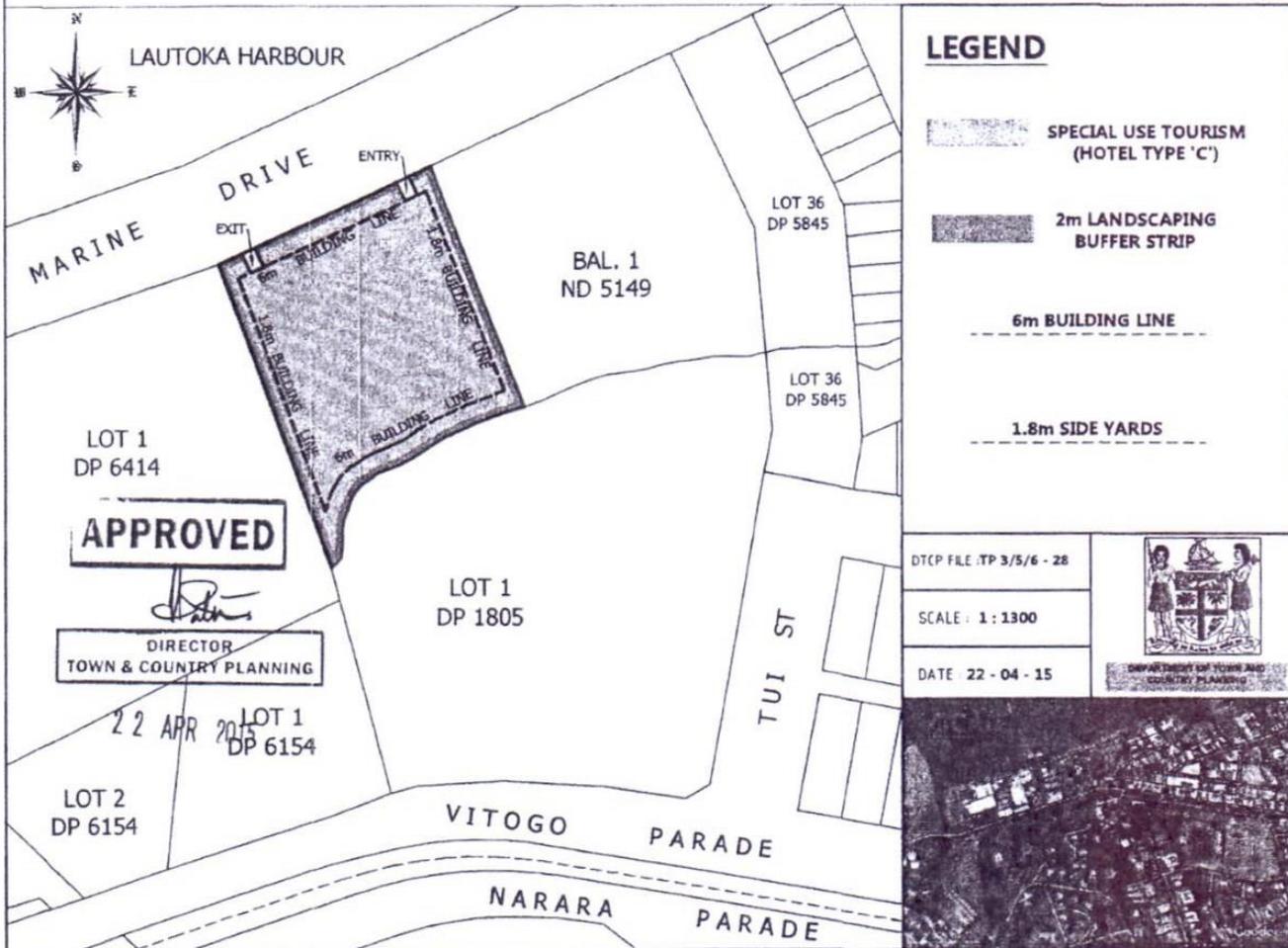
(Vote of Thanks by Mr. Chairman)

The meeting concluded at 4.30 p.m.

APPENDIX 3A – PROPOSE SCHEME LOT OF ND1549 AND DP 1805

**APPENDIX 3B – REZONING PLAN OF LOT 1 ND5149
(PART OF) AND DP1805**

**REZONING OF (PART OF) LOT 1 ND 5149 , LAUTOKA,
FROM CIVIC (CIVIC CENTER) TO SPECIAL USE TOURISM (HOTEL TYPE 'C')**



CONDITIONS OF APPROVAL

1. THAT LOT 1 ND 5149 [PART OF] LAUTOKA CITY IS REZONED FROM CIVIC [CIVIC CENTRE] ZONE TO SPECIAL USE [TOURISM - HOTEL TYPE 'C'].
2. THAT THE CONSENT OF THE LANDLORD, THE DIRECTOR OF LANDS SHALL BE OBTAINED PRIOR TO ANY DEVELOPMENTS OR CONSTRUCTION WORKS ON SITE AND A COPY OF THE CONSENT SHALL BE SUBMITTED TO THE DIRECTORATE OF TOWN AND COUNTRY PLANNING [DTCP] FOR REFERENCE AND FILE COPY.
3. THAT A SUBDIVISION SCHEME PLAN AND ALL OTHER NECESSARY REQUIREMENTS SHALL BE SUBMITTED TO THE LAUTOKA CITY COUNCIL FOR APPROVAL A COPY OF THE APPROVED SUBDIVISION PLANS SHALL BE SUBMITTED TO THE DIRECTORATE FOR RECORDS.
4. THAT A 2.0 METER LANDSCAPE BUFFER STRIP SHALL BE PROVIDED ALONG THE BOUNDARIES OF THE SITE, AND SURVEYED OFF AS A SEPARATE LOT. THE BUFFER STRIP SHALL BE LANDSCAPED OF A STANDARD ACCEPTABLE TO DTCP AND IS TO BE PROVIDED AND MAINTAINED TO ENHANCE THE APPEARANCE OF THE SUBJECT DEVELOPMENT.
5. THAT A LANDSCAPE MANAGEMENT PLAN SHALL BE PROVIDED TO THE SATISFACTION OF THE DIRECTORATE OF TOWN AND COUNTRY PLANNING. THE PLAN MUST ENSURE THAT THE EXISTING LARGE TREES ARE MAINTAINED AND INTEGRATED INTO THE OVERALL DESIGN AND AESTHETIC OF THE TOURISM DEVELOPMENT.
6. THAT AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REPORT IS TO BE PREPARED IN CONSULTATION WITH THE DIRECTOR OF ENVIRONMENT. THE TERMS OF REFERENCE (TOR) TO BE PREPARED IN LIAISON WITH THE DIRECTOR OF ENVIRONMENT. THE EIA REPORT TO BE LODGED WITH THE OUTLINE BUILDING APPLICATION. APPROVED COPIES OF THE RESPECTIVE CONSTRUCTION AND OPERATIONAL MANAGEMENT REPORTS (CEMP AND OEMP) SHALL BE SUBMITTED TO DTCP FOR RECORDS AND REFERENCE.
7. THAT ADEQUATE CAR PARKING AND LOADING AND UNLOADING BAYS SHALL BE PROVIDED ON SITE IN ACCORDANCE WITH PROVISION 9 SCHEDULE F: 30 OF THE TOWN PLANNING GENERAL PROVISIONS.
8. THAT A 6.0METER BUILDING LINE RESTRICTION (BLR) SHALL BE PROVIDED FROM MARINE DRIVE, 6.0 METERS FROM THE REAR BOUNDARY AND 1.8M FROM THE SIDE YARDS (EXCLUSIVE OF THE 2.0M BUFFER STRIP).
9. THAT THE BALANCE AREA OF LOT 1 ND5149 AND PART OF DP1805 SHALL BE MAINTAINED SPECIFICALLY FOR PASSIVE RECREATION FOR THE USE OF THE PUBLIC. THE LAUTOKA CITY COUNCIL AND ANY THIRD PARTY SHALL BE INCLUSIVE IN ITS DESIGN OF THE PROPOSED PASSIVE AND ACTIVE RECREATIONAL AREA AND MUST WORK IN COLLABORATION WITH RESIDENTS AND RATEPAYERS OF LAUTOKA CITY SO AS TO MAXIMISE THE FUNCTIONAL AREA OF THE COMMUNAL OPEN SPACE.
10. THAT NO CONSTRUCTION OR DEVELOPMENT WORKS SHALL BE CARRIED OUT ON SITE WITHOUT PRIOR CONSENT OF THE DIRECTOR OF TOWN & COUNTRY PLANNING.

APPENDIX 3C – LETTER OF REZONING



Ministry of Local Government, Housing and Environment

Department of Town & Country Planning
4 Gladstone Road
Box 2350, Government Buildings, Suva, Fiji

Telephone: (679) 3305-336
Facsimile : (679) 3304-840

Our Ref: TP3/5/6-28

Your Ref: SD 8/7/238

21st April, 2015

The Chief Executive Officer,
Lautoka City Council,
P.O.Box 124,
Lautoka.

Dear Sir,

Re: **PROPOSED REZONING OF LOT 1 ND5149 [pt. of.] Lautoka City for Lautoka City Council from Civic [Civic Centre] to Special Use [Tourism – Hotel Type 'C']**

Reference is made to the above application by Lautoka City Council [LCC].

The rezoning proposal has been carefully and thoroughly considered, and much deliberation given on the objections received through letters, signed petitions and the two objection hearings carried out. The merits and disadvantages of the proposal were necessary prior to a determination, which included the following:

- a. The procedural requirements and existing legislations with regards to zoning in Lautoka city :

Zoning is the control by authority on the use of land and the buildings there on and a tool of urban land use planning to regulate the use, form, design and compatibility of development. In Fiji, the zonings are enacted as per procedural requirements of the statute law; Town Planning Act Cap 139.

The Lautoka City Council Town Planning Scheme (zoning map) is a legislated document wherein procedural requirements are carried out as per the Town Planning Act Cap 130, and whereby the subject site is zoned as Civic [Civic Centre].

Section (8) of the TP Act General Provisions specifically describes the zone as "Local Government Development of an administrative or commercial nature" whilst Section (9) permits the site to be used for recreation with the primary activity as Civic Centre.

In view of the above, the Lautoka Council, being the rightful lessee has the right to use the subject site for any such development as stated under Sections 8 and 9 of the Town Planning Act, which also includes the right to

construct buildings on the land for the purpose of civic centre and related civic uses.

Given the need to use the land for Tourism purposes, the Council has applied for rezoning to enable the site to be used specifically for that purpose and ensuring best and highest practices in terms of land capabilities. This will also require the subdivision process to be undertaken and the preparation of a new lease.

b. Loss of recreation space:

Lautoka City has designated existing Open Space area of 61.5 ha of which 22 ha fall within the Central Business Area [Botanical Garden, Fenner Park, Coronation Park, IYC Park, Churchill Park and Marine Drive. These are classified as passive and active areas. The subject site although being used as passive recreation area, is not classed as recreation given the current zone being specifically for Civic [Civic centre].

As a process of planning and planning principles, the Directorate also considered the importance of having open spaces within urban centres and retaining good quality parks and green spaces, including the contribution they make to improving people's lives.

The Directorate therefore, sees this proposal as an opportunity to allow the demarcation of area within the Civic zone to be set aside specifically for recreational purposes and an enabling process for the balance area to be established for Open Space recreational purposes. This is included as a condition of approval.

c. Percentage of area for development:

LCC has a 99 year lease over the Crown land Lot 1 ND 5149. The total Civic centre area comprises of two leases [Lot 1 DP 1805 and Lot 1 ND5149] having a total land area of 2.3923 hectares (23,923 sq. m).

The existing built up area includes the LCC administration office, carpark and small eatery. This utilises approximately 7 % (1,600 sq. m) of the whole area leaving a balance land area of 2.23 ha available for future development. In terms of the rezoning application, the proposed development area will utilise approximately 20% (4,449.68 sq. m) of the remaining area.

When the built up [current and proposed development areas] are taken into consideration, the balance land area is 1.78 ha (17,798.72 sq. m) comprising of approximately 70% of land available for future development or use for recreation purposes.

In considering the above, the Directorate concludes that the area proposed for the rezoning will have very minimum impact on the use of the area for recreation. It is also economically viable to have the subject site rezoned to from Civic [civic centre] to Special Use [Tourism] to enable the council to

attract economic activity and allow the LCC be directly involved in the investment agreement and business ownership of such facilities as per leasing agreements.

d. Benefits to the ratepayers and community of Lautoka:

The project is in line with the Government's Strategic development plans and the Council's vision as per the Town Planning Scheme Statement and objectives in terms of attracting economic activity and investment opportunities to the area. The development has a multiplier effect in terms of addressing employment opportunities, small business enterprises which are related to tourism growth and the opportunities for council to enter into business related ventures with the management company once the development is in operation.

The fiscal advantages to council in regards to income base as per the land use controls and the increase of land value on change to Tourism zone will also see an increase in land and town rates. This in turn will provide an income base for council in its local government expenditures and ensuring better services to the community and rate payers.

e. Councils capitalising on properties.

The Directorate considers the proposal as a **Planning gain** for the Lautoka City Council. This refers primarily to the increase in the value of land which results from a planning permission being granted for the subject property. This increase in land value mainly accrues to the owner of the land, but a levy or tax may be applied to divert some of the planning gain to the public sector. Such arrangements are currently negotiated between the developer and the council, and take place under the terms of Schedule Provisions 8 and 9 (Ss18) of the Town and Country Planning Act 1978.

Respectively, in such exercises the costs and benefits achieved from altering permissible land uses which are internalised in property values and the process of regulation may be used by interest groups to redistribute income or achieve windfall gains.

f. Enhancing vibrancy of the site as opposed to current passive recreation practices.

As alluded in Point (b) above, the Directorate recognises the importance of urban green spaces and its contribution to urban health, well-being and cultural integration and local economies.

The development is seen to promote cohesive and vibrant places that will set aspirations on the Lautoka Foreshore areas by potential investors considering what is already successful about them and how it could be improved. These may include movement networks, mixed uses and tenures, quality and position of open spaces and existing and proposed building materials and styles.

The development will provide opportunities for the developer through the Council enter into corporate social obligations and agreements which will see the tourism developer engaging in financing projects such as the design concept of the recreational area. This will allow for the imaginative use of green open spaces that is of high quality, secure and safe but most of all provide an excellent social return on investment whilst increasing community engagement.

The addition of another hotel with its various services and commercial activities within the locality will increase the tourism and commercial sector of Lautoka City and bring about a positive sustainable economic environment that provides a vibrant and stimulating urban centre.

In respect of the above conclusions, please be advised that the Director of Town & Country Planning has considered the rezoning proposal and has decided to **approve** the application subject to the following conditions:

CONDITIONS OF APPROVAL

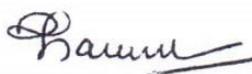
1. That Lot 1 ND 5149 [part of] Lautoka City is rezoned from Civic [Civic Centre] zone to Special Use [Tourism – Hotel type 'C'].
2. That the consent of the landlord, the Director of Lands shall be obtained prior to any developments or construction works on site and a copy of the consent shall be submitted to the Directorate of Town and Country Planning [DTCP] for reference and file copy.
3. That a subdivision scheme plan and all other necessary requirements shall be submitted to the Lautoka City Council for approval. A copy of the approved subdivision plans shall be submitted to the Directorate for records.
4. That a 2.0 meter landscape buffer strip shall be provided along the boundaries of the site, and surveyed off as a separate lot. The buffer strip shall be landscaped of a standard acceptable to DTCP and is to be provided and maintained to enhance the appearance of the subject development.
5. That a Landscape Management Plan shall be provided to the satisfaction of the Directorate of Town and Country Planning. The Plan must ensure that the existing large trees are maintained and integrated into the overall design and aesthetic of the Tourism development.
6. That an Environmental Impact Assessment (EIA) Report is to be prepared in consultation with the Director of Environment. The Terms of Reference (TOR) to be prepared in liaison with the Director of Environment. The EIA Report to be lodged with the Outline Building application. Approved copies of the

respective Construction and Operational Management reports (CEMP and OEMP) shall be submitted to DTCP for records and reference.

7. That adequate car parking and loading and unloading bays shall be provided on site in accordance with Provision 9 Schedule F: 30 of the Town Planning General provisions.
8. That a 6.0meter building line restriction (BLR) shall be provided from Marine drive, 6.0 meters from the rear boundary and 1.8m from the side yards (exclusive of the 2.0m buffer strip).
9. That the balance area of Lot 1 ND5149 and part of DP1805 shall be maintained specifically for passive recreation for the use of the public. The Lautoka City Council and any third party shall be inclusive in its design of the proposed passive and active recreational area and must work in collaboration with residents and ratepayers of Lautoka City so as to maximise the functional area of the communal open space.
10. That no construction or development works shall be carried out on site without prior consent of the Director of Town & Country Planning.

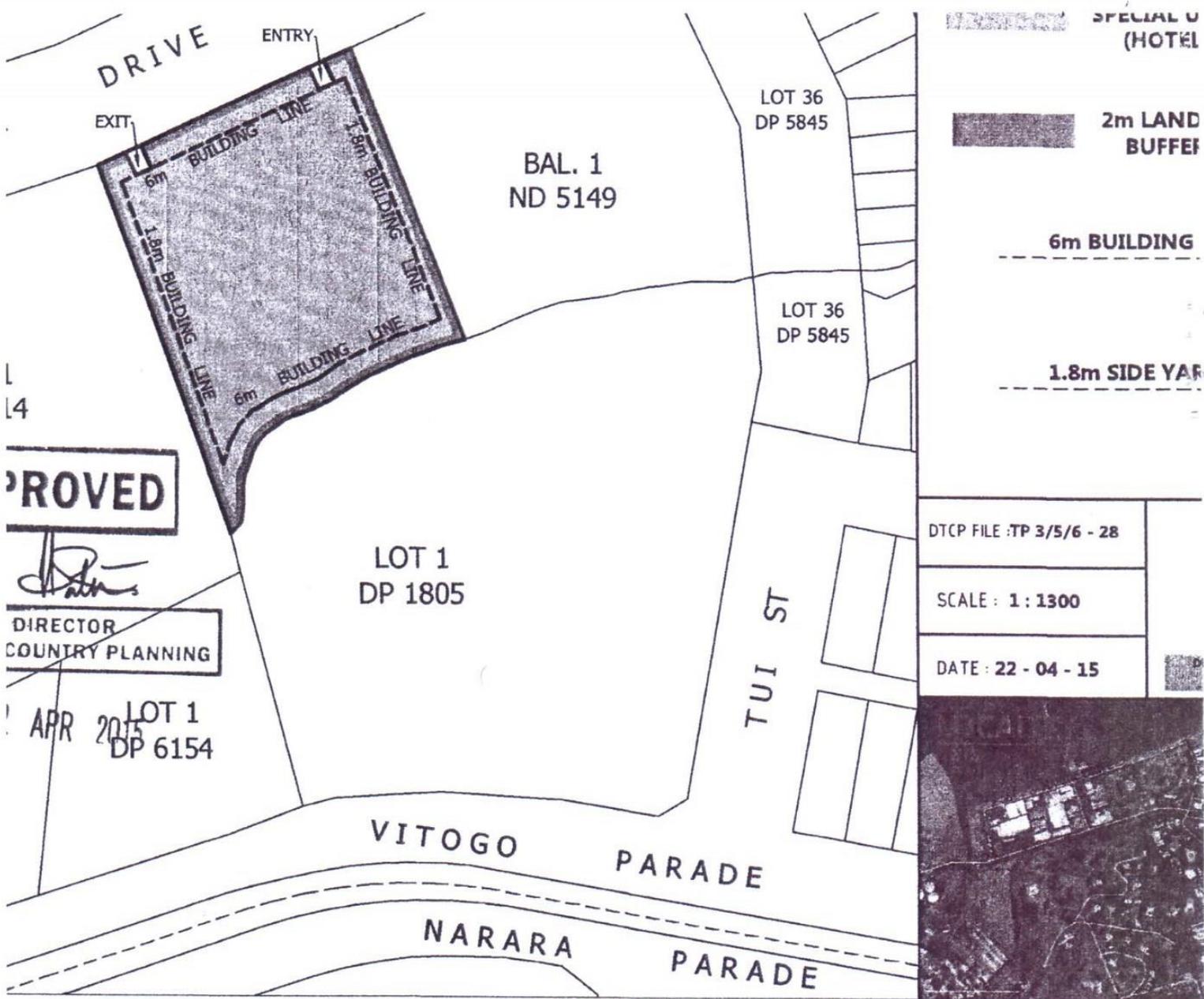
Please find attached two (2) copies of endorsed plans stamped **APPROVED** and the public notice for your further actions. The documents are to be advertised on two consecutive Fridays in the Fiji Sun and Fiji Republic Gazette accordingly.

Yours Sincerely,



Reijeli Cokanasiga – Taylor [Ms]
Principle Town Planner
For Director Town & Country Planning

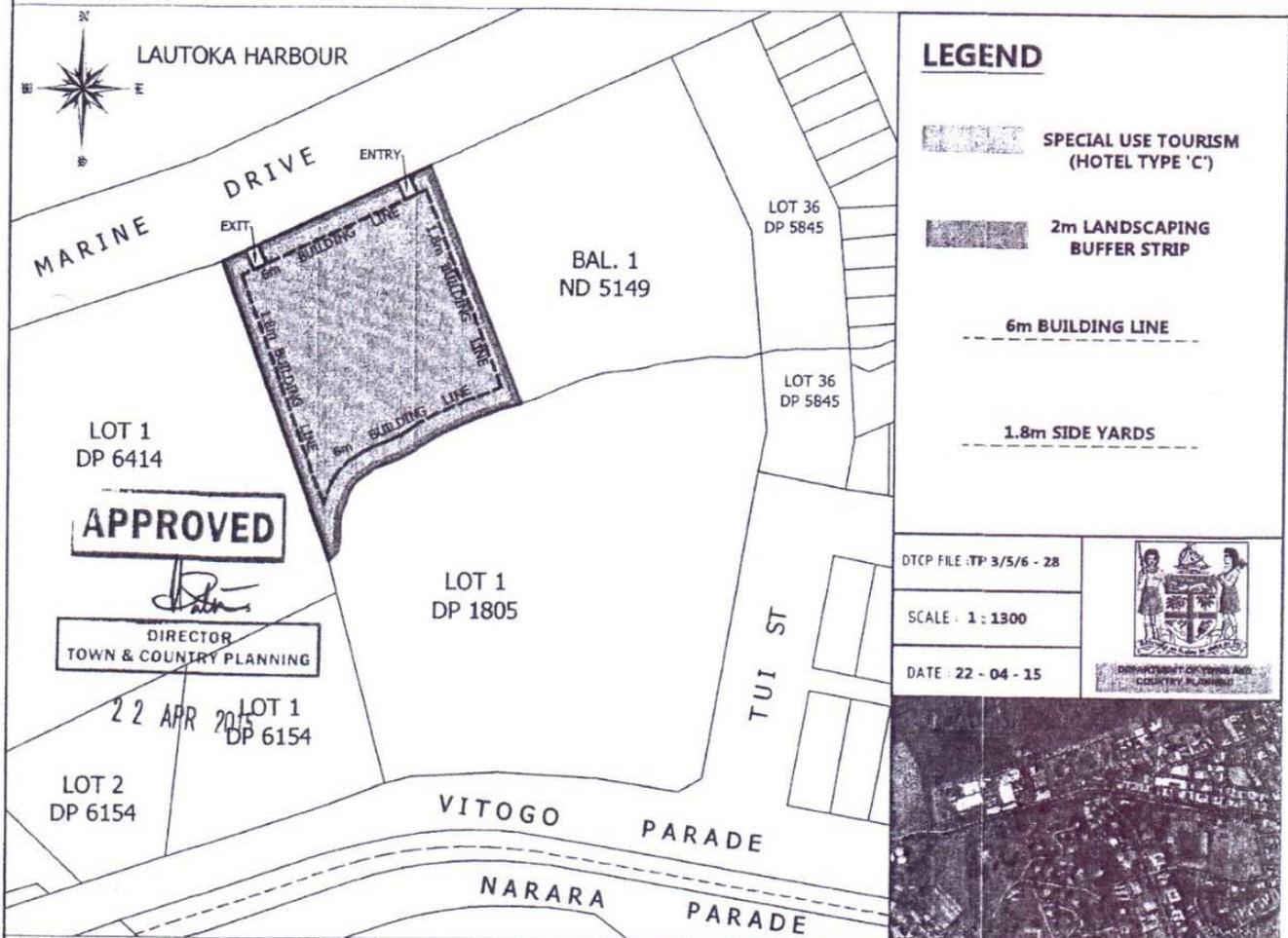
- cc: Director of Lands, Ministry of Lands & Surveys, Nasese, SUVA.
The Acting Director of Environment, MLGHE, SUVA
The Chairman, Parliamentary Standing Committee for Natural Resources,
Government Buildings, SUVA.
The Acting STP, DTCP Lautoka Office, LAUTOKA.



CONDITIONS OF APPROVAL

- 1. BAL. 1 ND 5149 [PART OF] LAUTOKA CITY IS REZONED FROM CIVIC [CIVIC CENTRE] ZONE TO SPECIAL USE [TOURISM - HOTEL TYPE 'C'].
- 2. IN THE ABSENCE OF THE LANDLORD, THE DIRECTOR OF LANDS SHALL BE OBTAINED PRIOR TO ANY DEVELOPMENTS OR CONSTRUCTION WORKS ON THE SITE. ALL APPLICATIONS SHALL BE SUBMITTED TO THE DIRECTORATE OF TOWN AND COUNTRY PLANNING [DTCP] FOR REFERENCE AND FILE COPY.
- 3. A LANDSCAPE SCHEME PLAN AND ALL OTHER NECESSARY REQUIREMENTS SHALL BE SUBMITTED TO THE LAUTOKA CITY COUNCIL FOR APPROVAL. ALL SUBDIVISION PLANS SHALL BE SUBMITTED TO THE DIRECTORATE FOR RECORDS.
- 4. A LANDSCAPE BUFFER STRIP SHALL BE PROVIDED ALONG THE BOUNDARIES OF THE SITE, AND SURVEYED OFF AS A SEPARATE LOT. THE WIDTH OF A STANDARD ACCEPTABLE TO DTCP AND IS TO BE PROVIDED AND MAINTAINED TO ENHANCE THE APPEARANCE OF THE SUBJECT SITE.
- 5. A LANDSCAPE MANAGEMENT PLAN SHALL BE PROVIDED TO THE SATISFACTION OF THE DIRECTORATE OF TOWN AND COUNTRY PLANNING. THE PLAN SHALL PROVIDE FOR THE PROTECTING LARGE TREES ARE MAINTAINED AND INTEGRATED INTO THE OVERALL DESIGN AND AESTHETIC OF THE TOURISM DEVELOPMENT.
- 6. AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REPORT IS TO BE PREPARED IN CONSULTATION WITH THE DIRECTOR OF ENVIRONMENT. THE REPORT IS TO BE PREPARED IN LIAISON WITH THE DIRECTOR OF ENVIRONMENT. THE EIA REPORT IS TO BE LODGED WITH THE OUTLINE BUILDING APPLICATION. ENVIRONMENTAL MONITORING AND OPERATIONAL MANAGEMENT REPORTS (CEMP AND OEMP) SHALL BE SUBMITTED TO DTCP FOR RECORDS AND APPROVAL.
- 7. SUFFICIENT CAR PARKING AND LOADING AND UNLOADING BAYS SHALL BE PROVIDED ON SITE IN ACCORDANCE WITH PROVISION 9 SCHEDULE 1 OF THE LAUTOKA CITY DEVELOPMENT PLAN.

**REZONING OF (PART OF) LOT 1 ND 5149 , LAUTOKA,
FROM CIVIC (CIVIC CENTER) TO SPECIAL USE TOURISM (HOTEL TYPE 'C')**



LEGEND

-  SPECIAL USE TOURISM (HOTEL TYPE 'C')
-  2m LANDSCAPING BUFFER STRIP
-  6m BUILDING LINE
-  1.8m SIDE YARDS

DTCP FILE : TP 3/5/6 - 28

SCALE : 1 : 1300

DATE : 22 - 04 - 15



DIRECTORATE OF TOWN AND COUNTRY PLANNING



CONDITIONS OF APPROVAL

1. THAT LOT 1 ND 5149 [PART OF] LAUTOKA CITY IS REZONED FROM CIVIC [CIVIC CENTRE] ZONE TO SPECIAL USE [TOURISM - HOTEL TYPE 'C'].
2. THAT THE CONSENT OF THE LANDLORD, THE DIRECTOR OF LANDS SHALL BE OBTAINED PRIOR TO ANY DEVELOPMENTS OR CONSTRUCTION WORKS ON SITE AND A COPY OF THE CONSENT SHALL BE SUBMITTED TO THE DIRECTORATE OF TOWN AND COUNTRY PLANNING [DTCP] FOR REFERENCE AND FILE COPY.
3. THAT A SUBDIVISION SCHEME PLAN AND ALL OTHER NECESSARY REQUIREMENTS SHALL BE SUBMITTED TO THE LAUTOKA CITY COUNCIL FOR APPROVAL A COPY OF THE APPROVED SUBDIVISION PLANS SHALL BE SUBMITTED TO THE DIRECTORATE FOR RECORDS.
4. THAT A 2.0 METER LANDSCAPE BUFFER STRIP SHALL BE PROVIDED ALONG THE BOUNDARIES OF THE SITE, AND SURVEYED OFF AS A SEPARATE LOT. THE BUFFER STRIP SHALL BE LANDSCAPED OF A STANDARD ACCEPTABLE TO DTCP AND IS TO BE PROVIDED AND MAINTAINED TO ENHANCE THE APPEARANCE OF THE SUBJECT DEVELOPMENT.
5. THAT A LANDSCAPE MANAGEMENT PLAN SHALL BE PROVIDED TO THE SATISFACTION OF THE DIRECTORATE OF TOWN AND COUNTRY PLANNING. THE PLAN MUST ENSURE THAT THE EXISTING LARGE TREES ARE MAINTAINED AND INTEGRATED INTO THE OVERALL DESIGN AND AESTHETIC OF THE TOURISM DEVELOPMENT.
6. THAT AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REPORT IS TO BE PREPARED IN CONSULTATION WITH THE DIRECTOR OF ENVIRONMENT. THE TERMS OF REFERENCE (TOR) TO BE PREPARED IN LIAISON WITH THE DIRECTOR OF ENVIRONMENT. THE EIA REPORT TO BE LODGED WITH THE OUTLINE BUILDING APPLICATION. APPROVED COPIES OF THE RESPECTIVE CONSTRUCTION AND OPERATIONAL MANAGEMENT REPORTS (CEMP AND OEMP) SHALL BE SUBMITTED TO DTCP FOR RECORDS AND REFERENCE.
7. THAT ADEQUATE CAR PARKING AND LOADING AND UNLOADING BAYS SHALL BE PROVIDED ON SITE IN ACCORDANCE WITH PROVISION 9 SCHEDULE F: 30 OF THE TOWN PLANNING GENERAL PROVISIONS.
8. THAT A 6.0 METER BUILDING LINE RESTRICTION (BLR) SHALL BE PROVIDED FROM MARINE DRIVE, 6.0 METERS FROM THE REAR BOUNDARY AND 1.8M FROM THE SIDE YARDS (EXCLUSIVE OF THE 2.0M BUFFER STRIP).
9. THAT THE BALANCE AREA OF LOT 1 ND5149 AND PART OF DP1805 SHALL BE MAINTAINED SPECIFICALLY FOR PASSIVE RECREATION FOR THE USE OF THE PUBLIC. THE LAUTOKA CITY COUNCIL AND ANY THIRD PARTY SHALL BE INCLUSIVE IN ITS DESIGN OF THE PROPOSED PASSIVE AND ACTIVE RECREATIONAL AREA AND MUST WORK IN COLLABORATION WITH RESIDENTS AND RATEPAYERS OF LAUTOKA CITY SO AS TO MAXIMISE THE FUNCTIONAL AREA OF THE COMMUNAL OPEN SPACE.
10. THAT NO CONSTRUCTION OR DEVELOPMENT WORKS SHALL BE CARRIED OUT ON SITE WITHOUT PRIOR CONSENT OF THE DIRECTOR OF TOWN & COUNTRY PLANNING.

APPENDIX 3D – APPROVAL FROM DTCP

Appendix 4

Copy of Expression of Interest Advertisement

LAUTOKA CITY COUNCIL



**EXPRESSION OF INTEREST
TO BUILD NEW HOTEL AND CONVENTION CENTRE
AT SHIRLEY PARK, MARINE DRIVE, LAUTOKA**

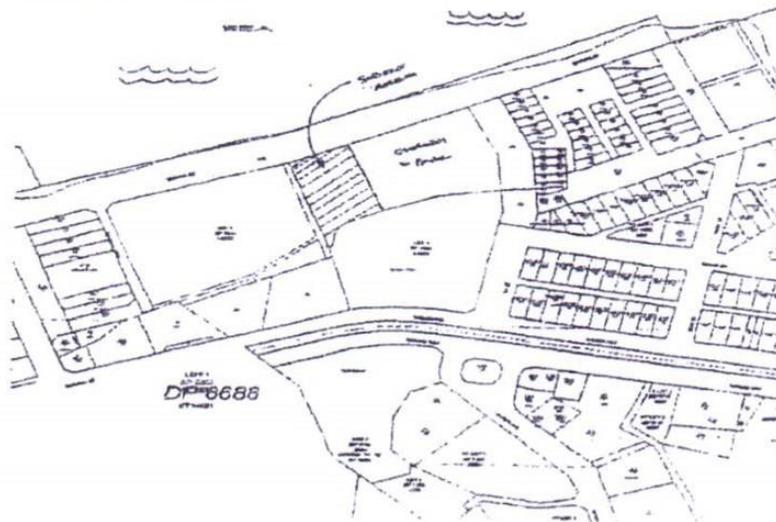
Lautoka is the second most important city in Fiji and is also blessed with the beautiful waterfront.

Lautoka City Council intends to enter into a 'Build, Operate and Transfer (B.O.T)' arrangement or any other arrangement to build new 'Hotel' and 'Convention Centre' on part of Shirley Park along Marine Drive within the Central Business District (C.B.D) area which has land area of approximately 7,440m².

The council is inviting 'Expression of Interest' from prospective entrepreneurs/individuals or any other parties to submit a 'Concept Designs' with proposal for development, delivered to the Council tender box no later than 4.00pm, on Friday, 7th December, 2012.

For any further clarifications and site visits, please contact the Director Engineering Services, Saylesh Prasad on 9908552


JONE Q. NAKALAVADRA
CHIEF EXECUTIVE OFFICER



TOWN PLANNING ACT
CHAPTER 139

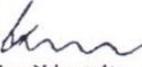
NOTICE WITH RESPECT TO THE APPROVED CITY OF
LAUTOKA TOWN PLANNING SCHEME

Public Notice is hereby given that an amendment to the City of Lautoka Town Planning Scheme altering the zoning of ND 5149 [pt of] Shirley Park, LAUTOKA from Civic to Special Use [Tourism] has been prepared in terms of the Town Planning Act and has been Provisionally Approved by the Director of Town & Country Planning.

Particulars of the altered scheme are deposited in the office of the Town Clerk/CEO, Lautoka City Council and the Director of Town & Country Planning, Fiji Football Association Building, 4 Gladstone Road, Suva and are available for inspection by the public on weekdays between the hours of 9.00am to 3.30pm.

Written objections to the alterations or any part thereof may be made by written notice addressed to the Town Clerk/CEO, Lautoka City Council at any time no later than the 2nd day of September 2014.

Dated at Suva this 1st day of August, 2014.


Jone Nakarvadra
Town Clerk/CEO

TOWN PLANNING ACT
CHAPTER 139

NOTICE OF SUSPENSION OF PART OF THE APPROVED CITY OF
LAUTOKA TOWN PLANNING SCHEME

I, the Acting Minister of Local Government, Urban Development, Housing and Environment being satisfied that the Lautoka City Council proposes to rezone the land being specified in the schedule from Civic to Special Use [Tourism] hereby suspend the City of Lautoka Town Planning Scheme in so far as it relates to the land so specified.

SCHEDULE

ND 5149 [pt of] Shirley Park, LAUTOKA

Dated at Suva this 31st day of July, 2014.



Alyaz Sayed-Khalym
Attorney General & Acting Minister for Local Government, Urban Development, Housing & Environment

Note not forming Part of this Notice

A copy of the plan to which this notice refers may be inspected at the office of the Town Clerk/CEO Lautoka City Council and the Director of Town & Country Planning, Fiji Football Association Building, 4 Gladstone Road, Suva on weekdays between 9.00am and 3.30pm.

