

APPENDICES

Appendix I
Written Response by Ba Town
Council



Ba Town Council's Response to the Standing Committee on Social Affairs:

Clarification on Issues in Relation to the Ba Town Council 2019 Annual Report

1. Page 14 Annual Report (Market Revenue);
 - a) Clarification is sought on the market stall fees amounting to \$347,633.82. Provide a breakdown of this.

Breakdown of revenue for different types of stalls in the market	VEP	VAT	VIP
Vegetables	\$ 178,699.54	\$ 16,082.96	\$ 194,782.26
Grog	\$ 74,300.89	\$ 6,687.21	\$ 80,988.10
Poultry	\$ 2,450.28	\$ 220.52	\$ 2,670.80
Goat	\$ 1,119.17	\$ 100.73	\$ 1,219.90
Kai	\$ 1,422.94	\$ 128.06	\$ 1,550.60
Crabs	\$ 1,249.36	\$ 112.44	\$ 1,361.80
Sweet Cart	\$ 3,392.20	\$ 305.30	\$ 3,697.50
Lock up stalls	\$ 9,214.77	\$ 829.33	\$ 10,044.10
Lock up Canteen	\$ 12,879.45	\$ 1,159.15	\$ 14,038.60
Groceries	\$ 61,572.11	\$ 5,541.49	\$ 67,114.10
Handicraft	\$ 1,333.12	\$ 119.98	\$ 1,453.10
Total	\$ 347,633.82	\$ 31,287.18	\$ 378,921.00

- b) Which particular market produce draws in more revenue compared to others?
Vegetable stalls generate more revenue compared to the other stalls.

2. The Ministry of Local government had provided a grant of \$660,550 for the construction of Govind Park. Provide an update on the status of the works undertaken and if this project has been completed.

Construction of Govind Park Pavilion A has been completed, however there were defects noted after construction. As of today the defect works has been rectified and the final certificate obtained for the completion works.

3. How has the Ba Town Council, through the Ministry of the Local Government, adopted a holistic and multi- agency approach with relevant agencies like the Ministry of Waterways, Fiji Roads Authority, Ministry of Environment and Ministry of Health among others, to resolve the issue of poor drainage and frequent flooding?

Ba Town Council has started this approach in 2021 when there was a meeting called with Minister of Local Government, Minister of Waterways and Ba Chamber of Commerce on 6th March 2021 to discuss the issues faced by Ba Town after the two major flooding in the first three months of the year 2021. Hon. Minister for Local Government and Hon. Minister for Waterways were present in this meeting whereby the discussions were held to put up alleviation plans for Ba Town.

Ministry of waterways had announced for dredging of the Ba River and the process of tender started after the meeting. The dredging of Ba River started in January 2022.

During the opening of the Ba Open Market in January 2022, Hon. AG had announced that the Government has planned to divert the Elevuka Creek which is the main cause of flooding in Ba Town.

Council has been clearing the drains in towns prior and after the flooding to ensure there is no blockage. Council has also carried out the assessment of the drains and the culverts used in order to improve drainage in the towns and wards. There had been continuous discussions with FRA on the improvements to be brought about in town and wards in terms of drainage.

Council had also met with Hon. Viam Pillay to seek assistance for the drainage works in the agricultural land near Ba River as the drains are heavily silted.

Ba Town Council has started works on the flood mitigation plan for 2022 in the month of April 2022. The drainage and desilting works in Central and Varadoli wards has been completed and it continues in Yalalevu and Namosau wards. Yalalevu ward is most affected as it is in the low lying area and gets flooded easily hence a lot of time is taken to clear off the drains.

4. How is the Council vigorously pursuing the collection of all outstanding rates and rental arrears as per its recovery plan? Provide a list of absentee Land lords (if any) who are defaulting on rate payments. How is the Council working with the Ministry of Local to address to issue?

The following options were given to the ratepayers for the ease of clearing their rates:

- Ba Town Council has offered 7% discount on current rates cleared in the months of August 2022 and September 2022;
- Ratepayers have been given options to make arrangement to pay their rates in installments on a weekly, fortnightly and monthly basis;
- We have liaised with ratepayers and their employers to have direct deduction at source with Employers and with employee permission;
- Online banking platform made available for the ratepayers and the bank details are included in the invoices;
- M-Paisa account with Vodafone for Ba Town Council has been made available for ease of payment.
- The rates officer visits the ratepayers to make arrangements for them to clear their rates.
- Matters are being referred to small claims tribunal for those who have not paid their arrears and are not coming forth to make arrangements despite numerous calls.
- Those ratepayers who have over \$10k outstanding as rates have been referred to legal.

The Council has managed to collect 55% of its current rates as at 30th September 2022 and has collected 0.03% of the arrears. We are now visiting the ratepayers in each wards to explain the importance of clearing their rates and the plans of Council. Those who are unable to clear off their full dues are also been given a payment plan so rates collection can be maximized.

Ratepayers profiling has been done and this has helped the Council a lot in terms of identifying the ratepayers and contacting those who are in overseas and those who are defaulting on rates.

5. How is the Council, in consultation with the Ministry of Local Government, MCTTT, Ministry of Lands, Itb and other stakeholders streamlined the process of obtaining approval for rezoning and subdivision of Lands?

- The Council recognizes that delays in development approval process can impact economic development in the community by slowing the pace of new constructions and businesses. Council has shortened the development application review timelines and has increased coordination between municipal and other approval granting authorities. Council is also tackling the variables of delays in the process of obtaining development approvals by arriving at approval decisions/recommendations within timelines and having clarity on standards and requirements during the approval process for developers.
- MCTTT/DTCP is the approving authority for all the rezoning and subdivision applications and they have smoothed the process of obtaining approvals. All the straight forward subdivision applications are directly lodged to DTCP and they are directly approving the subdivisions schemes without requesting comments from Councils and other authorities. The Council only issues the compliance certificates of the approved subdivisions when requirements are complied. Therefore, the approval process moves quickly to save time.
- A number of workshops and consultation process has been carried out by Town & Country Planning and Local Government to find ways to improve the process.

Audited Financial Statements of the Council for the Year Ended 31 December 2019

6. Basis for the Disclaimer of Opinion – We note that the auditor issued a disclaimer of opinion on the 2019 accounts of The Council due to the 11 issues provided.

- Explain whether these issues have been resolved.
- What Internal Controls have been implemented to prevent the recurrence of such issues?

Council has managed to solve 50% of the issues and we are working on the other issues to collate documents as some issues are being carried forward from 10-15years. 2020 and 2021 Financials will be submitted to office of the Auditor General before 31st October 2022 as per the planning meeting with Office of the Auditor General's Office.

In order to prevent the recurrence of the issues noted by the audit, Council has started doing monthly accounts and general ledger reconciliations. SA Board reviews and monitor each expenses to ensure proper monitoring is in place. Financials reporting to the board is done in a more detailed format now which shows actuals vs budget for each month and how we are tracking for the year-to-date with actual vs budget and is reviewed by the board.

Council is now strictly following the Finance and HR Policy in place to have proper monitoring and management. Rotation and segregation of duties are done to avoid errors in finance. Projects monitoring has been strengthened to avoid any delays and discrepancies which may arise.

7. Provide an update on whether the two issues highlighted under " Other Matters" were resolved and the measures of such issues?

Ba Town Council has been able to solve 50% of the issues. The issues were for the prior year where the former Accountant got sick without handing over the proper back up and other records Now the accounts are prepared on monthly basis and errors are rectified then and there.

Ministry of Local Government have also finalized the Municipal Council the Human Resource Policy and Finance Policy and has been adopted by Council.

Asset Capitalization Policy , Risk Management Policy and Business Plan has now been done by Council

8. Explain reasons for the huge increase in "General fund" income from \$1,940,117.00 in 2018 to \$3,074,072.00 in 2019.

There was an increase in the total revenue in 2019 mainly due to the following reasons:

- Government Grant Received for construction of Govind Park & Drainage works;
- UN Women grant was received for upgrading works in the public
- Increase in the building fees as there were new developments such as the Ba Aspen Hospital;
- Gain on Disposal of Fixed Assets was recorded in 2019;

- Market Revenue recorded was lower in 2018 as there was a waiver by Ministry of Local Government for 2 months due to flooding.
- Breakdown of the total revenue is as below:

Revenue	2019	2018
Building Fees	\$ 31,446.00	\$ 8,859.00
Bus Station Fees	\$ 30,210.00	\$ 29,810.00
Business Licence	\$ 167,116.00	\$ 158,630.00
Garbage Dump Fees	\$ 16,249.00	\$ 13,496.00
Government Grant	\$ 1,121,018.00	\$ 60,958.00
UN Women Grant	-	\$ 30,679.00
Hire Auditorium	\$ 19,114.00	\$ 14,768.00
Market Fees	\$ 350,080.00	\$ 269,858.00
Rent from Council Properties	\$ 661,003.00	\$ 657,850.00
Gain on disposal of Fixed Assets	\$ 17,541.00	-
General Rate	\$ 331,018.00	\$ 331,432.00
Interest Overdue Rates	\$ 72,745.00	\$ 87,073.00
LICI Comission	\$ 683.00	\$ 559.00
Municipal Car Park	\$ 182,863.00	\$ 182,594.00
Sports Ground	\$ 280.00	\$ 3,211.00
Insurance Recovery	-	\$ 11,988.00
Sundries	\$ 55,882.00	\$ 61,504.00
Extra Bin	\$ 16,824.00	\$ 16,848.00
Total	\$ 3,074,072.00	\$ 1,940,117.00

9. Confirm whether Phase 1 of the Govind Park Project has been completed and provide a breakdown of how the funds received from the Ministry of Local Government amounting to \$4,468,928.00 was utilized.

Provide details of the defects that Contractors had to rectify subsequent to 31/12/20.

Provide the name of the Contractor who has been engaged for this project.

Phase 1 of Govind Park Project which was to design and built Pavilion A has been completed.

Date	Grant Details	Amount Received
22/07/2016	1st Grant Received	\$ 1,148,928.00
15/03/2018	2nd Grant Received	\$ 1,600,000.00
27/09/2018	3rd Grant Received	\$ 1,000,000.00
18/01/2019	4th Grant Received	\$ 720,000.00
Total Grant Received		\$ 4,468,928.00

Breakdown of Funds Utilized As At 31/12/2019	Amount Used
Demolition of old structure done by Ba Town Council	\$ 167,716.31
Contractor Four R Electrical & General Contractors	\$ 3,863,387.50
Consultancy HLK Jacob	\$ 57,988.00
Quantity Surveyor Quantech Pacific	\$ 38,150.00
Project Manager NRW Macallan	\$ 108,000.00
Total Funds Utilized	\$ 4,235,241.81

Balance Remaining with Council As At 31/12/2019 which was subsequently paid to Project Manager, Quantity Surveyor and Contractor.	\$ 233,686.19
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Please refer attached the defects list that the Contractors had to rectify subsequent to 31/12/2020.

The contractor for Design & Built of Pavilion A was Four R Electrical & General Contractors.

10. Inform us the outcomes of 10 Legal Claims in which the Council was involved as at 31 December 2019

No.	Legal Claims	Outcome
1	Chandresh Arun Prasad	Judgement to pay the full amount but the Ratepayer refused to pay and will Appeal
2	Chandresh Arun Prasad	Rates paid till 2019
3	Fiji football Association	Case Resolved by the Council with the Special Administrator and representative from FFA, agreed to pay the lease rental effective from 2017 till 2021 amounting to \$46,000.00
4	Seaview Investment	Council have Judgement for the Liquated amount and the judgement is registered on the Title at the Register Title Office.
5	Downtown Fastfood - Prabha Mistry	Judgement obtain to pay the full amount of \$16,100 with the cost fees of \$500.00, default judgement has been entered whether the defendant have any properties.
6	Diana Taucake	Ratepayer cannot be located as it was advertised in the News Paper to appear in the Court
7	Luisa Nakai Mata	Judgement to pay rates, default in payments
8	Semesa Nairoqo	Judgement to pay rates, default in payments

9	Josefa Tupou	Judgement Entered to pay the full amount but the Ratepayer cannot be located
10	Vijay and Ajay Kumar	Land Dispute between two brothers and the matter was called in the Court and the Council was involved, no proper subdivision was done

Appendix II

Verbatim Report

[VERBATIM REPORT]

STANDING COMMITTEE ON **SOCIAL AFFAIRS**

ANNUAL REPORT

- 1. Ba Town Council (Annual Report for Year 2019)**

SUBMISSION: (1) Ba Town Council

VENUE: Small Committee Room, Parliament

DATE: Thursday, 11th October, 2022

VERBATIM REPORT OF THE MEETING OF THE STANDING COMMITTEE ON SOCIAL AFFAIRS HELD IN THE SMALL COMMITTEE ROOM (WEST WING), PARLIAMENT PRECINCTS, GOVERNMENT BUILDINGS ON TUESDAY, 11TH OCTOBER, 2022 AT 2.00 P.M.

Interviewee/Submittee : Ba Town Council

In Attendance

- | | |
|---------------------|--|
| 1. Mr. Anil Amin | Special Administrator for Ba, Tavua and Lautoka Councils |
| 2. Ms. Priya Singh | Chief Executive Officer |
| 3. Ms. Manjula Devi | Accountant |
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MR. CHAIRMAN.- Today we have with us the team from Ba Town Council, welcome team. We have an hour with you.

(Introduction of Committee Members)

MR. CHAIRMAN.- So, the normal procedure is that we invite witnesses to make an opening statement and introduced themselves. After this we will hear your response to the Committee's queries which were sent earlier that is after your presentation and then you can make yourself available for questions from the Committee.

For the benefit of the viewers, please read the questions which were sent to you followed by the Town Council's response.

(Introduction of representatives from Ba Town Council)

MS. P. SINGH.- Mr. Chairman, I shall start now.

Question 1 refers to Page 14, Annual Report for 2019 related to market revenue. Clarification is sought on the market stall fees amounting to

MR. CHAIRMAN.- CEO, if you can go through the powerpoint presentation first then later come to this response.

MS. P. SINGH.- Sorry about that. We will start off with compliance. Our annual reports has been submitted till 2019 which is what we are discussing today as well, and financial year 2020 (January to July) financials will be submitted before 31st October and the same goes for 2020 – 2021 financials. This has been discussed with the Office of the Auditor-General during the planning so we have been given time to make the submission before 31st October.

Audit issues, 50 percent of the prior years' audit issues has been resolved in the two years financials that we are going to submit to the auditor's office. The remaining issues, we are aiming to clear off the 2021 – 2022 reports that we will be submitting by early next year.

Rates collection for the current financial year which is 2022 – 2023, we are sitting at 55 percent as of 30th September, 2022 and arrears we have collected 0.03 percent. The total rates outstanding as at 30th September, 2022 is \$1.362 million and the breakdown of the ratepayers is given. Residential is 79 percent and commercial is 21 percent. We have also given the breakdown of the current rates whereby 55 percent rates have been collected and 45 percent is pending. The total number of ratepayers is 1,666 and out of that, 760 has paid and 906 ratepayers are yet to pay their current rates.

Moving to the major challenges that Ba Town Council faces. We are all aware that Ba Town goes through numerous floodings during the past two years and this has actually affected a lot of developments as well. One of the major ones where we had been affected with is the access road to the dump site which we have to continuously repair and it takes a lot of time as well. Similarly goes for the infrastructure such as car park and other premises of the Council. We have seen that market car parks and central car parks have damaged tarseals which needs to be repaired as well. This is not the only challenge but there are others as well such as the by-laws that we need to update. Once our by-laws are updated then we are in a position to enforce the rules that are to be applied to the public and related to market and other premises as well.

Moving to the beautification site, our town gardens have now been uniformed and tree planting is done by the Council. We are keeping in mind that we only plant those trees in the areas which are not damaged by the flooding and similarly for the other gardens as well. We have a uniformed garden now in the town and the Council is working on a new welcome structure in collaboration with the business houses just to align what our town actually is looking forward to. We have been washing the town, painting the kerbs in line with the Fiji Day celebration and also with the Constitution Day preparedness as well. The upgrading of all the parks in the town is in progress at the moment by the Council.

There are a number of celebrations and community engagements that we have been doing with everyone in town where we have major celebrations. In the past, we had done Fiji's 50th Independence Anniversary, the Girit celebration that we held in a grand way where the other Councils were able to join in as well. These were some of the national events that we marked and further on the 143rd Girit celebration that was held at the Ba Multi-Purpose *Bure* where the honourable Parveen Bala was the chief guest. As I mentioned, the Tavua, Lautoka, Nadi Councils and Districts also joined Ba for the celebrations.

The Council also involved the stakeholders for tree planting as part of the week long preparedness for Constitution Day. Similarly we also organised another tree planting with the Council, Sri Sathya Sai International Organisations, Soroptimist International Ba for the Fiji Day celebrations (we can see the pictures there). We had quite a number of people attending the event as well.

Just to mark that event we also decorated the town for the Fiji Day celebrations with flags and we also held the Flea Market at our Ba Market arcade. As part of the training and workshops, we have been organising workshops with FICAC on Anti-Bribery for staff, management and the workers. Most of the staff, workers and management have attended the workshop. Our HR and HODs have also attended the Disciplinary Investigations Workshop that was organised by the Lautoka City Council. We did this in conjunction with them and this was conducted by USP.

The Health and Enforcement Team also attended the Disaster Preparedness Training. That is also very important when we say that we had to take part in all these trainings whereby our people are actually prepared when it comes to natural disasters and preparedness towards it.

The Fiji Commerce and Employers Federation also conducted business continuity planning workshops for the market vendors which was very helpful. We can understand that the vendors also look forward to this kind of trainings that are being organised by the other organisers.

Natural Disaster Risk Management, the dredging of Ba River which was started by the Ministry of Waterways and was under the Public-Private Partnership (PPP) and also the Vutuni Creek that was to be dredged to safeguard people who are living in the Namosau Ward. These two were the projects of the Ministry of Waterways in PPP. However, the Council has also been clearing the drains and culverts that are in and outside of the town as well. We had been in continuous discussions with the FRA team to bring about the improvements of the drainage and the culverts that are placed in towns in terms of the drainage works.

We have also met with the Ministry of Waterways to seek assistance for the drainage works that relate to the agricultural lands near the Ba River which are actually heavily silted so we have sought assistance. The Council has started working on the Flood Mitigation Plan for 2022, we have started early this year so that we are not lagging behind and the drainage and desilting works in all the wards starting from Central to Varadoli then working towards Namosau and Yalalevu. Yalalevu is the most affected area since it is a low lying area and gets heavily flooded, a number of times we have to keep cleaning the drains in order to be up to par.

Moving forward, these are some of the projects that we have completed from 2020. One of the major ones is the Ba Town Council website which was completed and launched in September 2021, very much needed by the ratepayers, residents and the general public to be informed about what the Council is doing; to visit their website and be able to see how rates are calculated; when is the garbage collection; what is the Council doing and what are the activities that has been planned by the Council. All these are updated on our website and is easily available to the general public.

The e-hub and café, this project was completed and launched on 22nd December, 2021. This is a very unique project which was an initiative by honourable Minister Premila Kumar. She actually saw this as a need for the town, whereby there is a coffee shop and an internet café within it. It is used by business houses, students or whoever wants to use that, they are able to grab a cup of coffee, have a meeting and at the same time are able to use the Wi-Fi and the internet, the computers are available there as well. So it actually has livened up the lives of the people in Ba and this is situated at a very convenient place as well.

The new Open Market was officially opened by the honourable Attorney-General on 23rd January, 2022. This Open Market caters for 100 vendors in Ba and it has eliminated the issues of vendors sitting and selling in the hot sun. They used to sell on the footpaths and some of them even used to sit on the chamber grids. They used to be affected by rain and sun and their produce used to get wilted and was heavily affected. By having this Open Market they are able to sell their produce in a much better way so it has actually solved a major problem.

The UN Women has been very supportive to the Council as well and in line with that, they have actually funded two of our major projects – one is the Farmer’s Market and the other is the Women’s Accommodation Centre. The Women’s Accommodation Centre currently caters for more than 40 women and these women come from far interiors, they are not able to go home on the same day, they used to stay beside their produce and sleep on the corridors; not a very proper and healthy environment for them. Just to ensure that we have proper accommodation for them so that they are able to sell their produce, on the next day with a fresh mind, they are able to have their bath and sleep properly. These ladies do not have to travel back and forth on a daily basis as well. Mostly these are occupied from Wednesday onwards.

The next one is the Farmer’s Market whereby it was just an open area as well. Farmers used to come and sit on the floor and sell their produce, and during heavy rains they were also affected. So the UN Women saw the need and after a few discussions, we were able to get the funding and this construction was completed. Some of the repairs and maintenance that are in progress is the public convenience. A number of issues that everyone is aware of and has come up lately, we need to continuously upgrade our public convenience as this is not only used by people of Ba, but everyone who travels through the town. There was a much need and now we have actually done the repairs and replaced the toilet seats, hand basin, taps and painting of the building as well.

Major project update, Govind Park is the major project that is currently in progress. Govind Park (Phase One) has completed and that was the design and build of Pavilion A by the contractor 4R Electrical and General Contractors. For Phase Two, the advertisement has gone out for the lead consultant and the closing date is 26th October, 2022. Mr. Chairman, \$2.8 million has been allocated by the Fijian Government to complete the remaining works except for the floodlights. So that will be covered in Phase Two of the Govind Park Project.

I will let our Chairman speak after this, he has been actually very much involved in this project. We are anticipating to complete this at least by April next year.

The new projects that has been planned for financial year 2023, I have not actually got a picture, right in front of the bus stand there is an area which needs to be cemented. It will provide a better place for sitting for the public where they can sit and relax, wait for their families, pick up or even waiting for their buses, in other words just to partake and enjoy the town beauty. There will be more trees planted there as well to provide shade and seats will be made available. To be safe from flooding, we have made it concrete. The idea to have concrete is just because it will be easier to clean up after flooding.

And then we have the Ba Market Main EFL Switchboard and market office to be relocated to an upper level. Most of us are aware that the Ba Market is the very first place that gets flooded and due to this, our switchboard gets damaged after every flooding and it has become a costly affair for Council in terms of repairs and maintenance. To avoid that, we will be relocating it to an upper level to save this year-by-year cost that we are incurring in repairs and maintenance.

We will be seeing the new satellite markets in Varadroli and Namosau Wards coming up and these markets will actually ease the traffic in the town and give more options to our vendors to sell their produce and the public to do their shopping as well. There will be taxi and carrier bases created at the satellite markets too which will be convenient for the public and the vendors.

MR. CHAIRMAN.- CEO, you can go through the response you have sent to us in regards to the questions which were sent. If you have covered some of the points then you can be brief on that.

MS. P. SINGH. –

Question 1(a): This is relating to market revenue. Clarification was sought on the market stall fees amounting to \$347,633, a breakdown has been provided to the Committee.

(b) Which particular market produce draws more revenue compared to others?

Vegetable stalls are generating more revenue compared to the other stalls.

Question 2 - The grant that was provided by the Ministry of Local Government of \$660,000 for the construction of Govind Park has it been completed?

The defects and all the works that were mentioned there has been completed as of today and the final certificate obtained for the completion of works.

Question 3 - How has Ba Town Council through the Ministry of Local Government adopted a holistic and multi-agency approach with relevant agencies like the Ministry of Waterways, Fiji Roads Authority, Ministry of Environment and Ministry of Health among others to resolve the issues of poor drainage and frequent flooding?

I think I had mentioned this already in my slides on how we had approached FRA and Ministry of Waterways on the continuous drainage flood mitigation plan as well.

Question 4 - How is the Council vigorously pursuing the collection of all outstanding rates and rental arrears as per its recovery plan? Provide a list of absentee landlords (if any) who are defaulting on rate payments. How is the Council working with the Ministry of Local Government to address the issue?

I had discussed this in my slide that Ba Town Council has actually offered 7 percent discount on the current rates in the months of August and September 2022. We have given options to the ratepayers to make arrangement to pay their rates in installments on a weekly, fortnightly

and monthly basis. We have also liaised with ratepayers and their employers to have direct deduction at source with employee's permission, of course.

Online banking platform has been made available for the ratepayers and the bank details are included in the invoices to make it easier for them to see the details. M-PAiSA account with Vodafone for Ba Town Council has been made available for the ease of payment. However, we are trying to resolve these issues at the Council level. The ratepayers are able to make arrangements to clear their rates and we do not have to take them to the Small Claims Tribunal or refer them to legal. So, as much as we are able to collect there and then, we are trying to do our best. If and only we fail to do so, then we are taking them further to the Small Claims Tribunal or to court. We have discussed the collection of the rates and the ratepayers profiling as well.

Question 5 - How is the Council, in consultation with the Ministry of Local Government, Ministry of Commerce, Trade, Tourism and Transport (MCTTT), Ministry of Lands, iTaukei Lands Trust Board (iTLTB) and other stakeholders streamlined the process of obtaining approval for rezoning and subdivision of lands?

The Council recognizes that delays in development approval process can impact economic development in the community by slowing the pace of new constructions and businesses. The Council has shortened the development application review timelines and has increased the co-ordination between the Council and other approving granting authorities. The Council is also tackling the variables of delays in the process of obtaining development approvals by arriving at approval decisions/recommendations within timelines and having clarity on standards and requirements during the approval process for developers.

The MCTTT/Director of Town and Country Planning (DTCP) is the approving authority for all the rezoning and subdivision applications and they have smoothed the process of obtaining approvals. All the straight forward subdivision applications are directly lodged to DTCP and they are directly approving the subdivision schemes without requesting comments from the Council and other authorities. However, the Council only issues the compliance certificates of approved subdivisions when requirements are complied. Therefore, the approval process moves quickly to save time. A number of workshops and consultation processes have been carried out by Town & Country Planning and Local Government to find ways to improve the process as well.

Audited Financial Statements of the Council for the Year Ended 31st December, 2019

Question 6 - Basis for the Disclaimer of Opinion – We note that the auditor issued a disclaimer of opinion on the 2019 accounts of the Council due to the 11 issues provided. Explain whether these issues have been resolved. What Internal Controls have been implemented to prevent the recurrence of such issues?

The Council has managed to resolve 50 percent of the issues and we are working on the other issues to collate documents as we relate some from prior years as well. The 2020 and 2021 financials are to be submitted by 31st October, 2022 as per the planning meeting. Therefore the financials for the next financial year, we are aiming to resolve the other 50 percent of the issues from the 11 issues that has been provided.

In order to prevent the recurrence of the issues noted by the audit, the Council has started doing monthly accounts and general ledger reconciliations. The Special Administrator reviews and monitors each expenses to ensure proper monitoring is in place. Financials reporting to the board is done in a more detailed format now which shows the actuals versus budget for each month and how we are tracking for the year to-date with the actual versus budget and is reviewed by the board as well.

The Council is now strictly following the Finance and Human Resources Policy that is in place to have proper monitoring and management. Rotation and segregation of duties are done to avoid errors in finance. Project monitoring has been strengthened to avoid any delays and discrepancies which may arise.

Question 7 - Provide an update on whether the two issues highlighted under Other Matters were resolved and the measures of such issues?

This also relates to Question 6 where the Council has been able to solve 50 percent of the issues. These issues were for the prior years. In 2015 when our former Accountant actually got sick, there was no proper handover so a bit of documents were here and there. So, we are trying to retrieve all those and now the accounts are prepared on a monthly basis.

We have noted that we are able to rectify any errors there and then which does not carried forward and we are able to solve it there.

The Ministry of Local Government has also finalized the Municipal Council's Human Resource Policy and Finance Policy which has been adopted by the Council and it is a guiding document for us.

Asset Capitalization Policy, Risk Management Policy and Business Plan has been done by the Council which also solves a lot of issues.

Question 8 - Explain the reasons for the huge increase in General Fund from \$1.9 million in 2018 to \$3 million in 2019?

There was an increase in total revenue in 2019 mainly due to the following reasons:

- Government grant received for the construction of Govind Park and drainage works;
- UN Women grant was received for upgrading works in the public convenience;
- Increase in building fees as there were new developments such as the Ba Aspen Hospital;
- Gain on disposal of fixed assets recorded in 2019;
- Market revenue recorded was lower in 2018 as there was a waiver by Ministry of Local Government for the two months due to the flooding in Ba Town; and
- Breakdown of the revenues has been provided for 2019 and 2018 for comparison.

Question 9 - Confirm whether Phase 1 of the Govind Park Project has been completed and provide the breakdown of how funds received from the Ministry of Local Government

amounting to \$4.468 million was utilized. Provide details of defects that contractors had to rectify subsequent to 31st December, 2020. Provide the name of the contractor who has been engaged for this project.

Phase 1 of the Govind Park Project which was to design and build of Pavilion A has been completed. The amount received, the breakdown has been given for the \$4.4 million and the breakdown further stating how the funds had been utilised as at 31st December, 2019.

The balance of funds remaining with the Council as at 31st December, 2019 was subsequently paid to the Project Manager, Quantity Surveyor and the Contractor in 2020 and 2021.

Defects list was attached to the listing that has been provided. We can say now that it has been completed. The contractor for design and build of Pavilion A was Four R Electrical & General Contractors.

Question 10 - Inform us the outcomes of 10 legal claims which the Council was involved as at 31st December, 2019.

Listed are the 10 cases and the ratepayers' names against the outcomes.

MR. CHAIRMAN.- Thank you CEO for the presentation and also to the response provided to the questions which were sent by the Committee. It was well presented. Honourable Members, time for questions.

HON. G. VEGNATHAN.- Thank you Mr. Chairman and thank you CEO and the team for being here this afternoon. My question is on the grant now provided for Govind Park. I think it does not cover the drainage work, the risk of flooding will be there. Do you have any plans to see how you are going to do that?

MR. A. AMIN.- I will briefly answer that question. Govind Park had been an issue for a while and I think after a lapse of three and half and after our appointment, I managed to discuss and as advised by my CEO, we managed to talk to the contractor to finish off all the work. Ultimately discussions were taking place and it was a bit difficult to get the contractor understand what the scenario was. I think the terminologies used was "defects" and "deterioration". Those were two things that were supposed to be cleared and I am glad that I was able to resolve it by the word "deterioration". More of it was not "defects", it was "deterioration", but for the defects portion yes, the contractor came on board and he agreed and was very happy that there was someone that was ready to dialogue with him. After that, of course the processes went through. Ultimately, he has finished off the first phase of Govind Park as advised by our CEO. Now we are embarking to do the second phase, so first phase is done and we have paid out.

The second phase is, the major portion would be the flood lights where there are no grants as yet. As you had picked up, the drainage, the other aspects of the second phase is all written there. We have seen what we want to do, we are mindful about the works that are pending and at the same time as stated, we are also hopeful that by mid next year, we can have this Govind Park up and going because this is one of the biggest downfalls for Ba at this point in time because of

revenue. Ba is known as a soccer crazy town and I think we have not been having soccer played there for the last seven years. This will generate more revenue for Ba.

Of course, this year time around, it is not only concentrating on soccer, we are also in discussions with other sports like rugby and to some extent we will probably be talking to Drua as well to bring some games, if not all, this will boost the economy in Ba.

For drainage yes, we have seen the whole area which is known as Govind Park is a big area. As everyone knows, we have sub-leased some portions to Fiji Football Association. Of course, the Govind Park was also leased out to Fiji Football Association, but after the drastic 2016 *TC Winston* damage, Fiji Football Association did not wish to continue. That is where the lapse of things were, so what we are thinking of and doing things in a proper manner is to, I am of the view as the Chairman is, what we do now has to go long, long years ahead unless there is any other disaster. We need to foresee that what we want to do today is beneficial to all sports.

As I said, it is not only this area of Govind Park, we have got other areas. We are now focusing on how we can improve the whole area that belongs to the Council and put a vision to that, that it becomes a sporting area for the whole district. We have got the race course there where the horse racings are being done, it is coming up. We have got a good response from this and these areas are all within that vicinity.

We will clear up the drainage. We are trying to also do a few things. It is unfortunate that time has passed on and we all understand the cost of materials have gone up. The figures that we will probably be anticipating may not be sufficient. So something that I have come up with, is to also talk to our business partners in Ba. I am trying to talk to a few big business houses, people have always said “Ba has been the capital hub of this country”. We are just trying to find out if some businesses can come on board and we break away certain, certain work which is not part of the scope and then get them to sponsor are few things for us and drainage would be an important area.

For drainage, we have got Xavier College which has got a creek in there. I have been told to divert that creek which is not possible at this point in time. What we are thinking is, we will close off the entry portion of Xavier College towards the ground so that it becomes only a Xavier College entry. I have seen over past years because we have lived in Ba, when sports happen if tournaments starts on a Wednesday then the students gets affected. So what we will do is we will use the Town Council’s feeder road that we have; it is the Council’s road, is it not? We will upgrade this road to put it as a one way. So people can come in from that end, one way they go in, put the main gates on the other side so it does not disturb the students this end and it does not disturb the school’s operation. We will do everything within our own area that side and upgrade things that side and drainage and everything will be catered for. We will close off this end so if there is water coming into the park, which has been there once, this will close up because we will have a concrete fencing of at least 2 feet high.

These are the things that can help us for Govind Park. We will probably be able to do what has been said but obviously the flood lights that we are looking at which is a 1,500 lax light. Having discussions about overseas games coming in, we have got to be mindful of FIFA and Oceania

games coming in, in terms of football (soccer) and of course, we had word with the management of the *Drua* Team as well. They said yes, Govind Park is something that they can also use. So they have said about the live screening, we are now putting an additional scope into Govind Park. There was no Pavilion B, it was all embankment.

So what we have thought, let us do a Pavilion B and for that I am writing to the business houses. What we will do is, probably, construct a Pavilion B and have the corporate boxes within that. It is revenue in time to come and then we will put in a manner whereby all the live screening needs to be done from that end. They cannot do it from the West. That is something that we are trying to incorporate it within the scope. With a vision we have, I think come time, obviously finance is something that we all are worried about, but we have that positive power within us and the eagerness to do that and hoping that not only Ba business but any business in Fiji that wishes to come and assist. All those who have seen Govind Park, the structure that has been done at Pavilion A especially the dressing room and all other aspects of it, it is all up to standard for international aspects which is something very positive for us.

I must thank, at this point in time the contractor that was given the first phase. He has put in a lot of his own time and own financials to bring that to standard. Today we will enjoy or in years to come we will enjoy that. We will need to finish it off for other things that was not part of that, electrical is something that will come up, ground is something that will come up, we have got to put a special turf on that. Having said that, I think next year, hoping that we will have Govind Park up and going. Hoping that everything falls in place, we do not have control about the nature so we hope we can fight through that. That is the real update of Govind Park.

MR. CHAIRMAN.- Thank you, Mr. Amin for all those information provided in regards to Govind Park. Honourable Members, are there any other questions?

HON. A.T. NAGATA.- Mr. Chairman, on Page 10 of the Annual Report, the Council had recruited two Litter Officers to be involved in anti-litter works. Are these two officers also part of any Anti-Litter Awareness team? How has the recruitment of the two Anti-Litter Officers improved the litter issues in Ba Town?

MS. P. SINGH.- Sir, the two Litter Officers have been trained and they have been taking part in Litter Awareness Trainings. Currently, we are also engaging other officers, we want to have more officers trained for litter trainings. We have seen a reduction, however, there is a need for more awareness that we want to create in Ba Town. We want to ensure that the Town is clean and litter free and in order to have that, we need more officers to be trained. So our enforcement officers who are actually working in other areas, such as traffic or other booking areas, we are also putting them in these trainings so they can also do the litter bookings.

HON. RATU T.N. NAVURELEVU.- Mr. Chairman, can you enlighten the Committee with the Government plan of diverting the Elevuka Creek, which is assumed to be causing the flood in the Ba Town?

MS. P. SINGH.- Mr. Chairman, the announcement has been done by the Government, so there are plans and the Ministry of Waterways is working on that. We should be able to hear the full plan in the coming months.

MR. CHAIRMAN.- Also for the information of honourable Members, a lot of work has been done as far as the drainage is concerned by the Ministry of Waterways around the agriculture land area. I have also witnessed the work the Council is doing as far as Yalalevu and Namosau Wards are concerned in regards to drainage work. Mr. Amin, would you like to add some more information?

MR. A. AMIN.- Coming in as Chairman with Special Administrators, it is not only Ba, I have got some work for Lautoka that I also have to attend to. But, talking about Ba, as mentioned by my CEO, certain projects had been highlighted. Every project, it always seems that there is a financial constraint for us, but it does not mean that we sit back and say there is no finance, we need to work out a plan. I am very glad to say that we are embarking to get things done and we know what the method of going forward is. It is the stakeholders that we really want to tap on and we are tapping on for the pride of Ba and the people of Ba. We want to change the outset of Ba which has been there for too long, we want to be modernised.

We have a few projects that we wish to embark on and as we are all aware, Ba is a flood prone area, especially in the CBD area. With everything that has been spoken about, the diversion of Elevuka Creek as the CEO has said, yes, obviously it is a big project. As I say every time, Rome was not built overnight, so these dredging processes that are going to come in, will come in, but there is a process that is coming in, so we will have to just be content. What we are trying to do is, rather than just worry about diverting the whole river, we are working on desilting things. We are talking to one licenced company in Ba, they had this Ba River dredging, they had awarded it to a Chinese gentleman and that was suspended for some reason. I have spoken to the Chairman of the company and I said, “Why should we wait? We can hire local people, local contractors, you take out gravel from there (because he has got the licence) and that still works for us.” These are the things we will do.

We cannot stop flood but we can reduce the water level. Unfortunately, Ba has always been struck by floods and disasters. The flood has always pushed the town back, but we have ensured that every time a disaster happens in Ba, it bounces back, and that is exactly what has been done and it has been happening. We have got projects that we want to now, because we have seen a number of floods, we want to do certain projects outside flood areas – the Council has areas where we can build on. This is something we will probably do, we are talking to some other business houses. There is no cinema in Ba. We are asking them to build a cinema and we are in discussions with them. Where the market area is, we have an arcade which was burnt unfortunately. We decided not to really put a business ground floor because it is an area where flood is at its peak when it floods. So what we are planning to do, building on piles. I am trying to talk to big business teams like Tappoos or Prouds or whoever big is, and we can have a big complex there on piles. So this is something that will generate revenue for Ba and as stated by our CEO, we want to do a project near the bus stand.

This just popped up because we saw that there were so many business houses there, especially for staff and others when they had to go for lunch, they were sitting under trees without a proper area. We thought, let us cement that, put up good benches like concrete benches so when it floods, we can clear that up and it creates an atmosphere because all the buses go through that area, so it creates an image for Ba.

We can all try, we will do our best to create and I think one question about rates that was asked and I said this is very important is, the solution is not taking people to court because then it is dragging. What we need to do is, we need to make our ratepayers understand, which we are doing so. We have done a few consultations within our wards as well. I think that worked out well for us. People have their own ideas. People have their own thinking power but we are making them understand.

One important aspect for us is the bylaws. It has been quite old now and I think when you talk about litter and other things, if we strengthen these bylaws then the implementation is easier. I think we are seriously looking into updating a few things in the bylaws, so that as I said, we want to also ensure the main town area is a drinking free area, parks, et cetera, so everything to implement is also dependent on the bylaws that we use because litter officers have to be mindful of what they are doing. So these are the things that we will be looking into and hoping that in time to come we can show the changes that can be there for Ba.

MR. CHAIRMAN.- Thank you, Mr. Amin. Honourable Members, that concludes our examination of officials from Ba Town Council as witnesses. On behalf of the Standing Committee on Social Affairs, I would like to thank the team for their appearance and appreciate the support provided to the Committee in its scrutiny process. Should we have any further queries, Madam, then definitely our secretariat team will be in touch. Any final comments to make>

MS. P. SINGH.- Thank you, honourable Members. Should there be any questions, of course, it can be directed to me and I will be able to provide the answers in writing as well. Thank you for the discussions this afternoon, it was very fruitful. If there are any further comments, you can also put that in writing to us. We will be taking these up to the board as well.

MR. CHAIRMAN.- Thank you, honourable Members. We will now suspend proceedings and reconvene tomorrow at 9 a.m. Thank you.

The Committee adjourned at 3.59 p.m.

Appendix III
Supplementary Response by Ba
Town Council

RE: Supplementary questions Ba Town Council 2019 Annual Report

Priya Singh <priyas@batowncouncil.com.fj>

Mon 4/24/2023 5:15 PM

To:tevita.tuivanuavou@parliament.gov.fj <tevita.tuivanuavou@parliament.gov.fj>

Cc:alitiabcbainivalu@gmail.com <alitiabcbainivalu@gmail.com>;Tevita Tuivanuavou

<tevita.tuivanuavou@legislature.gov.fj>;silivario.harry@govnet.gov.fj

<silivario.harry@govnet.gov.fj>;Silivario Harry

<silivario.harry@legislature.gov.fj>;sachair@batowncouncil.com.fj

<sachair@batowncouncil.com.fj>;'Manjula' <manjud@batowncouncil.com.fj>;'Roma'

<romap@batowncouncil.com.fj>

Dear Sir,

Please refer below to the response for the supplementary questions:

1. The committee would like to clarify on the market stall fees amounting to \$347,633.82. Is this revenue collected for the year 2019 or accumulative revenue?
 - The market stall fees amounting to \$347,633.82 is the revenue for the financial year 2019.
2. The \$2.8 million allocated by government for the completion of Govind Park, Can Ba Town Council provide clarification on the scope of work carried out, the current status of the project and the timeline of the construction phase?
 - The council was allocated \$2.8million in the last budget but no work could progress as CIU was handling the process for Project Manager. This was constantly pushed by the council so that works could start, but there had been no success at our end.
 - With the allocated funds, the councils scope would be the following.
 1. Preparation of ground
 2. EFL upgrade only
 3. Embankment Preparation
 - We anticipate that due to the inflation our submissions sent before will not justify full project completion this \$2.8 million and the Council is agreeing to put in additional money to complete the boundary and perimeter fence.
 - The only scope left apart from all works would be the flood lights which be considered in the next budget. Meanwhile we wish to start the first few works immediately if the funds are released and monitoring can be done jointly.
3. The Recycling and Waste Management System in Ba?
 - Ba Town Council is promoting 3R Waste Management
 - Currently separate bins are allocated in the market for solid waste and green waste collection. Green Waste is being used to create compost manure which is being sold for \$3/kg. Council continuously creates awareness to the Vendors regarding green and other waste separation.
 - The home compost bins are available for sale to the ratepayers and public to encourage them to turn their vegetable waste from kitchen to manure for their gardens.
 - Council has put up plans to have separate bins for bottles, cans and plastics for the next financial year budget to promote recycling and reduce waste reaching the dumpsite.

Kind Regards,

PRIYA SINGH

CHIEF EXECUTIVE OFFICER

BA TOWN COUNCIL | CIVIC CENTRE | TABUA PLACE | P. O. BOX 184 | BA | FIJI

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FB: www.facebook.com/batowncouncilfj/

From: Tevita W. Tuivanuavou [mailto:tevita.tuivanuavou@parliament.gov.fj]
Sent: Monday, 24 April 2023 12:17 PM
To: priyas@batowncouncil.com.fj
Cc: alitiabcbainivalu@gmail.com; tevita.tuivanuavou@legislature.gov.fj; Silivario Harry <silivario.harry@govnet.gov.fj>; silivario.harry@legislature.gov.fj; sachair@batowncouncil.com.fj
Subject: Supplementary questions Ba Town Council 2019 Annual Report

Good Morning Mam,

In addition to the question sent on Thursday 20 April 2023, please find further clarification from the Standing Committee on Social Affairs;

1. The \$2.8 million allocated by government for the completion of Govind Park, Can Ba Town Council provide clarification on the scope of work carried out, the current status of the project and the timeline of the construction phase?
2. The Recycling and Waste Management System in Ba?

Mam, requesting for the responses be sent by Tuesday 25 April 2023 at 12 midday.

Respectfully submitted for your kind perusal and action.

Tevita

From: Tevita Tuivanuavou <tevita.tuivanuavou@legislature.gov.fj>
Sent: 20 April 2023 16:50:11
To: Tevita W. Tuivanuavou; priyas@batowncouncil.com.fj
Cc: sachair@batowncouncil.com.fj; alitiabcbainivalu@gmail.com; Silivario Harry; Silivario Harry
Subject: Re: Clarification of Issues Ba Town Council 2019 Annual Report

Apologies Mam,

Please disregard previous email, Please honour this email and question shown below;

The committee would like to clarify on the market stall fees amounting to \$347,633.82. Is this revenue collected for the year 2019 or accumulative revenue?

Respectfully submitted.

Tevita

From: Tevita W. Tuivanuavou <tevita.tuivanuavou@parliament.gov.fj>
Sent: Thursday, April 20, 2023 3:24 PM
To: priyas@batowncouncil.com.fj <priyas@batowncouncil.com.fj>
Cc: sachair@batowncouncil.com.fj <sachair@batowncouncil.com.fj>; alitiabcbainivalu@gmail.com <alitiabcbainivalu@gmail.com>; silivario.harry@govnet.gov.fj <silivario.harry@govnet.gov.fj>; Silivario Harry <silivario.harry@legislature.gov.fj>; Tevita Tuivanuavou <tevita.tuivanuavou@legislature.gov.fj>
Subject: Clarification of Issues Ba Town Council 2019 Annual Report

Good Afternoon Mam,

Please find the question below from the Standing Committee on Social Affairs, seeking clarification on one of the responses that was provided on 11 October 2022.

The committee would like to clarify on the market stall fees amounting to \$347,633.82. Is this revenue for collected in the 2019 or accumulative revenue?

Kindly requesting that a response on the above question could be provided by Monday 24 April 2023 at 9.00 am.

Respectfully submitted.

Tevita
(8018895)

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