

BILL NO. 38 OF 2025

A BILL

FOR AN ACT TO AMEND THE TOWN PLANNING ACT 1946

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

- 1.—**(1) This Act may be cited as the Town Planning (Amendment) Act 2025.
(2) This Act comes into force on 12 December 2025.
(3) In this Act, the Town Planning Act 1946 is referred to as the “Principal Act”.

Section 7 amended

- 2.** Section 7 of the Principal Act is amended by—
- (a) deleting the heading and substituting “Restriction on development within town planning areas and other declared areas”;
 - (b) in subsection (1) after “area”; inserting “or any other area declared by the Director”;

(c) after subsection (4), and substituting the following—

“(4) When dealing with an application for permission to develop land under this section, the local authority and the Director must consider the following—

- (a) matters set out in the Schedule;
- (b) provisions proposed to be included in a scheme; and
- (c) any other material consideration.”; and

(d) after subsection (6), inserting the following new subsections—

“(6A) Any proposed application for permission to develop land for a building with a total floor area of 750 square metres and more or 3 storeys and more, requires an outline plan which must be submitted to the Director for a preliminary review and consent before the application for permission to develop land is lodged.

(6B) Notwithstanding subsection (6A), any application for permission to develop land for the purposes of civic and community development must be accompanied by an outline plan.”.

Office of the Attorney-General
Suvavou House
Suva

November 2025

TOWN PLANNING (AMENDMENT) BILL 2025

EXPLANATORY NOTE

(This note is not part of the Bill and is intended only to indicate its general effect)

1.0 BACKGROUND

- 1.1 The Ministry of Local Government, in partnership with the Ministry of Commerce and Business Development, is developing the Building Permit Approval System ('BPAS') as part of project businessNOW FIJI. This project is intended to digitise the building permit process, reduce delays, improve transparency, and significantly enhance service delivery.
- 1.2 To fully realise these benefits, it is critical to modernise the legal framework. A review and realignment of responsibilities is required to support digitalisation, streamline processes, and strengthen Fiji's position as the business and investment hub of the Pacific.

2.0 CLAUSES

- 2.1 Clause 1 of the Town Planning (Amendment) Bill 2025 ('**Bill**') provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on 12 December 2025.
- 2.2 Clause 2 of the Bill amends section 7 of the Town Planning Act 1946 ('**Act**') to allow comments from key agencies when determining a development application.
- 2.3 Clause 2 of the Bill also amends section 7 of the Act by inserting new subsections (6A) and (6B) that requires the Director to review the outline plan for development of a building with a total floor area of 750 square metres and more or 3 storeys and more, and for civic and community developments before the lodgement of a development application.

3.0 MINISTERIAL RESPONSIBILITY

- 3.1 The Act comes under the responsibility of the Minister responsible for town planning.

S. D. TURAGA
Acting Attorney-General