



CONSULTATION ON THE DRAFT DEVELOPMENT AND PLANNING (GENERAL DEVELOPMENT) ORDER 2026

Presented by:

The Hon. Diallo Rabain, JP, MP

Ministry of Education

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Mr Speaker,

I rise today to advise Honourable Members of the Government's ongoing review of Bermuda's Development and Planning (General Development) Order, commonly referred to as the GDO, and to outline the broader policy direction that will inform the public consultation which Government will shortly launch.

Mr Speaker,

Before outlining that direction, I want to acknowledge the considerable work the Department of Planning has already undertaken on the new GDO, which has already produced a draft document for consideration.

This work began well before my tenure as the Minister responsible for Planning. Officers have devoted considerable professional time and expertise to examining the existing framework, identifying areas for modernisation, and developing the current draft Order.

That work has produced a number of meaningful proposed reforms, including changes relating to additions and alterations, accessory buildings, renewable energy, changes of use, public infrastructure, and other forms of minor development.

I want to thank the Department for that work and acknowledge the strong foundation it has provided for the next stage of this review.

Mr Speaker,

Since taking responsibility for Planning and having had the opportunity to consider the draft alongside emerging evidence on housing, land use, and the experience of those who interact with the planning system, I came to the view that we should build on **that work and ask whether we can responsibly go further.**

That is not a criticism of the work undertaken to date.

Rather, it reflects the importance of ensuring that reform of this nature responds to the circumstances Bermuda faces today and the challenges we know lie ahead.

The proposed 2026 Order represents a significant wholesale replacement of Bermuda's GDO. We should therefore make full use of the opportunity before us.

For me, the central policy question is:

What forms of appropriate small-scale development that currently require individual planning consideration could instead be permitted through clear rules and appropriate safeguards?

Mr Speaker,

My objective is for the new GDO to make a meaningful and measurable difference for the people who use the planning system.

It should make:

- Appropriate small-scale development easier and faster,
- Reduce unnecessary cost and administrative burden,
- Make better use of existing buildings and developed land and,
- Importantly, identify opportunities to support the creation of additional housing.

At the same time, we must retain appropriate protections for neighbours, road safety, heritage, conservation, drainage, public health and building safety. These objectives are reflected in the Ministerial Policy Direction I have issued for this review.

This is not a choice between facilitating development and maintaining proper planning safeguards.

It is about ensuring that the level of planning control is proportionate to the development being proposed.

Mr Speaker,

The need to identify every reasonable opportunity to support additional housing is one of the reasons I believe we should take this broader approach.

The Department of Planning's own 2025 Housing Land Audit records that conversions increased between 2024 and 2025. It identifies **290 uninhabitable residential units across 218 addresses** and **1,023 vacant lots with residential development potential**.

The same Audit reports that housing completions have averaged approximately 79 new dwelling units per year over the past decade and concludes that this level of output appears to fall short of demand, particularly in relation to low-cost housing.

The Department's own analysis therefore provides important evidence about both the challenge and the opportunities before us.

Mr Speaker,

This picture is reinforced by the Government's recently released Bermuda Affordable Housing Strategy 2025-2035.

The Affordable Housing Strategy calls for expanding and diversifying housing supply, rehabilitating existing housing stock, activating vacant and underutilised properties, and modernising the legal and regulatory framework.

The Strategy also calls for reviewing planning and development approval processes to identify opportunities to remove barriers to affordable housing investment and delivery. Importantly, it identifies the potential for planning policies that could facilitate accessory dwelling units to be explored.

These reports make clear that addressing Bermuda's housing challenge will require us to use **all the appropriate tools available to us**.

The GDO is one of those tools.

Mr Speaker,

I want to be clear that the GDO alone will not resolve Bermuda's housing challenges, nor is it intended to. Increasing housing supply requires coordinated action across housing policy, planning, finance, construction, rehabilitation and the activation of existing housing stock. However, where the planning framework can remove an unnecessary barrier to the appropriate creation of additional homes, I believe we have a responsibility to examine that opportunity.

Mr Speaker,

Against this background, I have directed that the revised GDO **provide a permitted development route for creating one additional residential unit within an existing lawful residential building through internal conversion**, subject to appropriate safeguards.

Internal conversion is already contributing to Bermuda's housing supply, and the Department's 2025 Audit records an increase in conversions between 2024 and 2025.

The work before us is therefore to determine the appropriate conditions and safeguards under which that permitted development right should operate.

These considerations include building and fire safety, public health, water and sewage capacity, minimum residential standards, access and parking where relevant, heritage and conservation considerations, and circumstances in which the permitted right should not apply.

Mr Speaker,

But I do not believe we should stop there.

Government will shortly launch a public survey which will seek views not only on the proposals already developed by the Department, but also on areas where the permitted development framework could appropriately go further.

This will include consideration of opportunities to make better use of existing buildings and developed land, including the potential conversion of garages and accessory buildings for residential purposes, small detached auxiliary residential units in appropriate circumstances, and the residential conversion of suitable vacant or underused commercial and upper-floor space.

We also intend to seek views on other areas of everyday development, including accessory building sizes and uses, fences and boundary walls, substantially like-for-like reconstruction following hurricane, fire or other serious damage, appropriate changes of use, minor development within our municipalities, and whether documentation requirements for genuinely minor development can be made more proportionate.

Mr Speaker,

Let me emphasise that consulting on these matters does not mean that Government has decided that every proposal should ultimately become permitted development. Nor does seeking to go further mean disregarding our planners' professional expertise.

Quite the opposite.

The Department's professional advice will be essential in identifying where safeguards are required, where legitimate planning considerations remain, and where individual planning assessment remains necessary.

But public consultation also has an important role.

The current draft GDO is therefore the starting point for this next stage of the review, not a predetermined final outcome.

Where the consultation identifies an appetite for going further, those views will be considered alongside professional planning, legal, environmental, heritage, safety and other technical advice before the final content of the Order is determined.

Mr Speaker,

This exercise is also not about removing necessary protections.

Bermuda's environmental, geographical and built heritage circumstances require careful consideration.

Any expansion of permitted development must therefore retain safeguards appropriate to the development concerned. These may include controls dealing with size and height, setbacks, road sightlines, drainage, sewage capacity, parking and access, neighbouring amenity, listed buildings, historic areas, conservation land, public health, fire safety and building safety.

The objective is to determine where individual planning judgement remains genuinely necessary and where clear, objective and measurable requirements can safely provide an alternative.

Mr Speaker,

When the survey is launched, I also want the public to help us identify opportunities that Government and the Department may not already have considered.

We want to know what home improvements or small property projects people believe should be easier to undertake.

We want to know whether some small-scale developments currently require a full planning application but could instead be governed by clear permitted development rules.

We want to understand whether there are planning requirements that people believe create significant cost or delay without providing a proportionate planning benefit.

And importantly, we want to hear from people who may have delayed, reduced or abandoned a project because of planning requirements, cost or processing time.

A project which never proceeds may never appear in normal planning application data. That is why the Ministerial Policy Direction requires the consultation to seek this information directly.

Mr Speaker,

I want this review to recognise both **how far we have already come and the opportunity we now have to go further.**

The Department's work to date has given us a strong platform. The housing evidence now before us gives us good reason to test what more may responsibly be achieved.

Bermuda needs additional housing opportunities. We need to make better use of buildings and developed land already available to us. We should support appropriate investment by residents, homeowners and businesses. And we should ensure that regulatory requirements remain proportionate to the development being undertaken.

At the same time, we must continue to protect Bermuda's environment, heritage, communities and public safety.

Those objectives are not mutually exclusive.

A modern GDO should allow straightforward development to proceed under straightforward rules while ensuring that development requiring genuine individual planning judgement continues to receive that scrutiny.

Mr Speaker,

The public consultation which Government will shortly launch will therefore be a genuine opportunity to help shape the final policy.

- We will begin with the substantial work that has already been undertaken.
- We will test the Department's existing proposals.

- We will ask where Bermuda can responsibly go further.
- And we will consider the responses alongside the professional and technical advice necessary to ensure that any changes are workable and appropriately safeguarded.

I encourage residents, homeowners, businesses, professionals and other interested members of our community to participate when the consultation opens.

- Tell us what should remain protected.
- Tell us what could reasonably become easier.
- Tell us where you believe we can responsibly go further.
- And tell us what opportunities we may have missed.

Mr Speaker,

After more than two decades since the last wholesale replacement of the General Development Order, our objective should not simply be to produce a new Order.

We will build upon the considerable work already undertaken and ensure that the opportunity before us produces a better, more responsive planning system that makes a practical difference to the people of Bermuda.

Thank you, **Mr Speaker.**