



MINISTERIAL STATEMENT

Information and Updates for the Department of Planning

Presented by:

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Ministry of the Cabinet Office

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Mr. Speaker,

I rise today to remind this honourable House of the critical role played by the Department of Planning in supporting the island community from economic, social and environmental perspectives as well as shaping Bermuda's future. The Department is responsible for a wide range of functions, including the review and approval of development applications,

the preparation and implementation of planning policies and the provision of expert planning advice.

Mr. Speaker, an equally important function of the Department is Building Control, which ensures that all building work, new or existing, adheres to stringent life safety standards. This oversight is essential to prevent loss of life and property damage. Building Control extends beyond structures to encompass construction processes and site protection, ensuring compliance with rigorous guidelines in the interests of welfare and the quality of our built environment.

Building Control, in collaboration with the Bermuda Fire and Rescue Service and the Department of Health, reviews and issues over 800 permits and 400 permit revisions per year. Depending on the type and content of the application, each building control review could take between a few days and 10-12 weeks.

Mr. Speaker, the Department of Planning has recently partnered with the GO Programme, a European Union funded initiative, in facilitating a

review of the Building Code with an emphasis being placed on sustainability and energy efficiency. The key areas to be addressed are:

- Structural resilience (i.e., building resilience to extreme weather).
- Energy efficiency (i.e., building energy performance).
- Rainwater capture and storage (i.e., for potable water use) and storm water mitigation strategies (i.e., flooding mitigation on individual land plots).

Mr. Speaker, The primary considerations will be the minimum standards to be incorporated in the newly proposed building code and ensuring that careful trade-offs are made on mandatory minimum standards vs. affordability (i.e. in light of the cost of building measures). The Department, within the past two years has been afforded the authority through legislative amendments, to impose civil penalties on owners, agents, and contractors who violate planning regulations. **Mr. Speaker,** This empowers the Department to require developers to comply with the relevant regulations and deter future infractions whilst generating revenue for Government. This deterrent is critical to protecting Bermuda's environment from damage caused by unlawful development and it is

hoped that such penalties provide comfort to the community that planning regulations are being properly enforced.

Mr. Speaker, During this year, the Department has supported changes to legislation which affects retroactive applications which, together with the introduction of civil penalties, has allowed applications for retroactive planning permission to be processed efficiently whilst ensuring that those who have breached planning control are appropriately penalized.

This calendar year alone, **Mr. Speaker,** the Department has received 408 planning applications. A dedicated team of staff evaluates these applications and submits recommendations to the Development Applications Board or the Director. Decisions are made using a pragmatic approach based on careful consideration of the relevant planning policies, the characteristics of sites and their surroundings and the circumstances of each particular case that includes consideration of feedback from the public and other Government consultees. The Department also offers a pre-consultation service through which advice on development proposals can be obtained free of charge.

Mr. Speaker, The Department is actively engaged in several key initiatives, such as:

- the creation of a new General Development Order, which will expedite the planning process for forms of development which are unlikely to pose adverse impacts, including the introduction of permitted changes of use;
- the replacement of the Advertisements Regulation Act 1911 to allow unauthorized advertisements to be dealt with more effectively and efficiently;
- introducing a Competent Persons Scheme which will allow professionals to self-certify certain forms of development, such as the installation of solar panels, which will significantly improve efficiency in the building permit process;
- the biennial City Health Check assesses vacancy rates in Hamilton and provides valuable insights for future development;
- the identification and promotion of development opportunities for vacant or derelict properties through a dedicated storymap;

- the preparation and publication of an annual housing land audit, providing detailed analysis of the island's housing sector with a view to informing future planning policy;
- preparation of a comprehensive listed building audit to ensure the list is up-to-date and informed by contemporary best practice methodology; and
- exploring the creation of an online database of land available for agricultural purposes to support healthy lifestyles and sustainable food production.

Mr. Speaker, The upcoming City of Hamilton Plan represents a significant milestone in shaping Bermuda's future. Through a collaborative approach, the Department has incorporated meaningful public input, resulting in a plan that fosters mixed-use development, a vibrant city center, and sustainable economic growth. The plan's flexible approach to urban planning and the introduction of placemaking principles have the potential to reinvigorate the city and make efficient use of its resources.

Mr. Speaker, despite these sterling efforts, the Department faces challenges, including significant staffing shortages and a high volume of substandard planning and building permit applications. The submission of deficient applications results in technical officers having to review the same proposal multiple times which, in turn, causes delays in the processing of other applications.

Mr. Speaker, recent global economic events have significantly impacted the property investment market, increasing investor risk aversion and the demand for quicker returns. As a result, there is growing pressure to develop tourism-zoned land for residential use. This trend requires the planning profession to adapt to increasingly complex development proposals, balancing economic viability with long-term land use needs.

To address these challenges, **Mr. Speaker**, the Department has implemented several strategies, including hiring consultants to bolster its capacity and participating in the Government Bursary Award program to support young Bermudian talent. The Department has a strong track record of successfully employing Bermudian professionals through this program, including the current Director and several other staff members.

Additionally, **Mr. Speaker**, the Department is one of the few Government departments to have fully embraced a paperless system, enhancing efficiency and productivity.

Mr. Speaker, the Department of Planning fosters collaboration with the public, industry stakeholders, and other government departments to ensure a sustainable and prosperous future for Bermuda. To this end, the Department regularly engages with organizations such as the Institute of Bermuda Architects, the Professional Engineers Registration Council, and the Chamber of Commerce to stay informed about current trends and concerns. The Department remains accessible to the public through various channels and actively promotes interdepartmental collaboration to drive positive change.

Mr. Speaker, the planning system often involves balancing competing interests, which can lead to stakeholder dissatisfaction. The Department of Planning operates within this complex environment, managing a wide range of challenging functions. Despite these challenges, the Department's dedicated staff strives to make reasonable, balanced, and

informed decisions to improve the efficiency and effectiveness of the planning process.