



GOVERNMENT OF BERMUDA
Ministry of the Environment and Sports

Department of Planning

Guide to the Tribunal to the Draft Bermuda Plan 2008

This guidance note provides information and direction on the Tribunal process and how to get prepared for your Tribunal inquiry.

What is the Tribunal? The Tribunal is a group of three people appointed by the Minister of the Environment and Sports to hear objections and make recommendations on the Draft Bermuda Plan 2008.

Who are the members? The Minister of the Environment and Sports appointed the Tribunal on May 15, 2009. Bruce Perinchief, Janet Bradshaw and Cheryl Wade have been appointed as members of the Tribunal that will hold inquiries into the objections and representations to the Draft Bermuda Plan 2008. Henry Ming and Germano Bothello are appointed as alternate members.

Can I resolve my objection without going to the Tribunal? All objections to the Draft Bermuda Plan 2008 must be presented to the Tribunal. If your objection has been resolved with the Department of Planning the Director of Planning may present your objection to the Tribunal and recommend that the Tribunal accept the resolved objection. Where no resolution has been reached between the objector and the Department of Planning the Tribunal will make a recommendation after considering the grounds presented at the inquiry by all parties (you and/or your agent, the Department of Planning, third parties).

When are the inquiries? The Tribunal inquiries will commence on Friday August 28, 2009. All Tribunal inquiries will be advertised in the Official Gazette (Bermuda Sun) and will be available at the Department of Planning and on the [website](#) seven (7) days in advance.

Government Administration Building, 30 Parliament Street, Hamilton HM 12, Bermuda

Phone: (441) 295-5151 Fax: (441) 295-4100

General Enquiries: (441) 297-7756 Development Control: (441) 297-7810 Building Control: (441) 297-7755

Forward Planning: (441) 297-7778 Building Inspection Requests 24-Hr. Line (441) 297-7828

Website: www.planning.gov.bm

Guide to the Tribunal to the Draft Bermuda Plan 2008

How long will the Tribunal process last?

The length of the Tribunal process will depend on the number of objections received, the nature of the objections, the number of objections resolved and the amount of public interest in particular objections. We expect that the process will be lengthy but the Tribunal members and Department of Planning will be working together with objectors and third party interests to make the process as efficient as possible.

How can I prepare for my Tribunal inquiry?

Understanding your property is one of the best ways to prepare for your inquiry. It is essential that you are able to provide the Tribunal members with a clear understanding of your property, any significant natural features, topography, access, adjacent land uses. You must be able to clearly identify the reasons for your objection, what you would like to see changed and the grounds or basis for the proposed change. Photographs and the location plan can help explain your position.

What resources are available to help me prepare for my Tribunal inquiry?

Maps of the subject lands and surrounding areas may be obtained from the Department of Planning and the website www.planning.gov.bm. Previous development plans for Bermuda may assist you by identifying the changes in land uses over the years. The Bermuda Plan 1992 is available from the Department of Planning and the website www.planning.gov.bm. Previous development plans are available in the Government Archives in the basement of the Government Administration Building. Depending on the nature of your objection, you may wish to hire experts in the field of planning, architecture or the environment. These professionals may be able to submit evidence to the Tribunal respecting the appropriateness of your proposed amendment to the Draft Bermuda Plan 2008.

Government Administration Building, 30 Parliament Street, Hamilton HM 12, Bermuda

Phone: (441) 295-5151 Fax: (441) 295-4100

General Enquiries: (441) 297-7756 Development Control: (441) 297-7810 Building Control: (441) 297-7755

Forward Planning: (441) 297-7778 Building Inspection Requests 24-Hr. Line (441) 297-7828

Website: www.planning.gov.bm

Guide to the Tribunal to the Draft Bermuda Plan 2008

Where can I find the agendas for the Tribunal inquiries?	All agendas will be published in the Official Gazette (Bermuda Sun) at least seven days in advance of the inquiry date, at the Department of Planning and will be on the website www.planning.gov.bm .
Can I review the objection files?	Yes. You may come to the Department of Planning and ask to review the file of any objection.
Can I attend any public inquiry?	Yes. All public inquiries are open to the public.
Can I speak at any public inquiry?	With the exception of the Department of Planning, the objector and third party objectors, if any, you can only speak at a Tribunal inquiry if you are invited to do so by the Chair of the Tribunal.
What happens at the Tribunal inquiry?	The Tribunal members will review the agenda and advise of any last minute changes. They will begin hearing one objection at a time. The objector will present to the Tribunal. The Department of Planning will present to the Tribunal. Any third party objector will present to the Tribunal. The Tribunal will ask any questions they may have or request clarification. The Tribunal will thank the participants for their input and will move on to the next item on the agenda.
How do I address the Tribunal members?	The Chair can be addressed as Mr. or Madame Chair and by using the Member's title and surname for the other members.
Can I reschedule my Tribunal date?	Please contact the Technical Officer for the Tribunal at 297-7587 or the Planner on your file as soon as you discover a conflict. If possible your date change request will be accommodated.
What does the Tribunal consider when making their recommendations?	The Tribunal will consider the overall goals and objectives of the Draft Bermuda Plan 2008 as well as the goals and objectives for each development base zone, conservation base zone, conservation area and protection area. The Tribunal will consider the proposed amendment in terms of the appropriateness of the application and the ability to contribute to the goals and objectives of the Draft Bermuda Plan 2008.

Government Administration Building, 30 Parliament Street, Hamilton HM 12, Bermuda

Phone: (441) 295-5151 Fax: (441) 295-4100

General Enquiries: (441) 297-7756 Development Control: (441) 297-7810 Building Control: (441) 297-7755

Forward Planning: (441) 297-7778 Building Inspection Requests 24-Hr. Line (441) 297-7828

Website: www.planning.gov.bm

Guide to the Tribunal to the Draft Bermuda Plan 2008

When will the results of the Tribunal be known?

The Tribunal's final report will be presented to the Minister and ultimately approved by the Legislature. Copies of the Tribunal's report will be available at the Department of Planning and on the website once it has been published. The Tribunal's recommendation will also be provided to you in writing.

Can you appeal the Tribunal's recommendation?

No. The Tribunal makes a recommendation to the Minister of the Environment and Sports. As the Tribunal only submits a recommendation there is nothing to appeal.

Will there be changes to the Draft Bermuda Plan 2008 based on the Tribunal process?

It is likely that some of the recommendations presented to the Minister by the Tribunal will involve changes to the Draft Bermuda Plan 2008. It is also likely that some of those recommendations will be accepted by the Minister. Therefore, yes, it is likely changes will occur based on the Tribunal process.

When will I know when the final plan has been approved?

Notification of the approval of the final Bermuda Plan 2008 will be placed in the Official Gazette (Bermuda Sun) at the Department of Planning and will be on the website www.planning.gov.bm.

How can I contact the Department of Planning?

You can reach the Department of Planning
In person or by mail at:

Department of Planning
Government Administration Building
3rd Floor
30 Parliament Street
Hamilton, Bermuda HM 12
by phone at: 297-7778
by email at: planning2@gov.bm
on the web at: www.planning.gov.bm

Government Administration Building, 30 Parliament Street, Hamilton HM 12, Bermuda

Phone: (441) 295-5151 Fax: (441) 295-4100

General Enquiries: (441) 297-7756 Development Control: (441) 297-7810 Building Control: (441) 297-7755

Forward Planning: (441) 297-7778 Building Inspection Requests 24-Hr. Line (441) 297-7828

Website: www.planning.gov.bm