



Ministerial Statement
Sen. the Hon. Michael M. Fahy, JP

Revised Procedures for File Review - the Department of Planning

Wednesday March 21st 2014

Madam President, I'm pleased today to provide the Senate with a report on new procedures established for the review of Department of Planning files. The mission of the Department of Planning is to responsibly serve the people of Bermuda to ensure the sustainable management of the natural and built environment. This means balancing development needs with conservation as well as having in place building codes and an inspections process that secures the safety and welfare of the public.

Madam President, part of the process of balancing development and conservation involves having application files available to the public so that interested parties can comment on applications for planning permission and building permit approval. Indeed, the majority of information on Planning's files is open for public review.

Recently, however, it has become necessary to put in place set procedures for the public's access to files. This is due to information forming part of the official record being removed from the file and, although rare, the Department has experienced the actual theft of an entire file.

Madam President, as a result of the actions of a few, everyone who wants to examine a Department of Planning file shall now abide by the following procedures:

1. Request the Planning, Subdivision or Building file from Front Desk staff.

2. Sign the File Register, providing the following information:
 - the file number,
 - your name,
 - photo identification,
 - the time the file is received by you, and,
 - the time the file is returned by you to the Front Desk

3. The Front Desk Staff **shall retain** the photo identification presented and will return it when the file is returned. In addition to these new procedures, the interview rooms available to the public for file review are being fitted with cameras.

Madam President, some may say the steps being taken are drastic. However, we would ask everyone to remember that the documentation provided during the course of an application being processed is important, and it must remain part of the official record.

The decisions made by the Development Applications Board can be subject to appeal to the Minister, or, on a point of law, to the Supreme Court. Also, the decisions of the Building Official can, on matters related to the issuance of a

building permit, be appealed to the Buildings Appeal Tribunal. *These are not trivial concerns!*

Madam President, the Government fully appreciates that public access to the official record of a file is important and the new procedures do not diminish this access. The new file review procedures are fair and equal for all members of the public.

Thank you, **Madam President**.