

**COCO REEF RESORT (PAGET PARISH) SPECIAL
DEVELOPMENT ORDER 2008**

GN 78 / 2008

DEVELOPMENT AND PLANNING ACT 1974

1974 : 51

**COCO REEF RESORT (PAGET PARISH) SPECIAL
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In exercise of the powers conferred upon the Minister of the Environment and Sports by section 15 of the Development and Planning Act 1974, the following order is hereby made:

Citation

1 This Order may be cited as the Coco Reef Resort (Paget Parish) Special Development Order 2008.

Interpretation

2 (1) In this Order, unless the context otherwise requires—

"Act" means the Development and Planning Act 1974;

"applicant" means Coco Reef Resort Ltd., registration number 33404 under the Companies Act 1981 and registered on 28 February 2003;

"Building Official" has the meaning given in the Building Act 1988;

"Development" means the Development referred to in the planning application and more particularly described in the First Schedule;

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"planning application" means the application for planning permission for the Development made by the applicant, numbered P0878/06 and dated 18 October 2006, and the accompanying drawings numbered A1, A2 and A3, prepared by Agassi Design Group and submitted on behalf of the applicant;

"site" means the land described in the Second Schedule.

(2) Subject to subparagraph (1), any expression used in this Order that is also used in the Act has the meaning assigned to it in the Act.

Planning permission in principle

3 (1) Subject to the conditions specified in subparagraph (2), planning permission in principle, is granted by this Order for the development of the site.

(2) The conditions referred to in subparagraph (1) are that —

- (a) design, external appearance and landscaping are reserved matters to be determined at the Final Approval stage and shall be to the satisfaction of the Development Applications Board. The application for final planning permission shall be made to the Department of Planning and shall be accompanied by comprehensive details on design, external appearance and landscaping;
- (b) an application for a building permit shall be submitted to, and shall be approved by, the Building Official prior to the commencement of any construction work;
- (c) the application for a building permit shall comply with the requirements of the Building Act 1988 and the Bermuda Building Code 1998 and with any directions given by the Chief Fire Officer in respect of fire protection and the Chief Environmental Health Officer in respect of public health;
- (d) the points of access from the site to College Road and Stonington Circle shall be designed and bell-mouthed to the satisfaction of the Ministry of Works and Engineering in accordance with the standards specified in paragraph 8.7(1) of the Bermuda Plan 1992 Planning Statement;
- (e) all hard-surfaced roadways and the junctions of the access roads with College Road and Stonington Circle shall be designed and graded to drain, retain and dispose of all storm-water run-off within the curtilage of

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the site, and to avoid any storm-water run-off onto College Road and Stonington Circle, and any neighbouring property;

- (f) the application for a building permit shall include full design details of the internal road system and all matters relating to road drainage, gradients, road markings and shall be to the satisfaction of the Principal Highways Engineer in accordance with the relevant provisions of section 8 of the Bermuda Plan 1992 Planning Statement;
- (g) applications for any proposed wells or drainage systems shall be submitted to and approved by the Environmental Authority prior to the commencement of construction;
- (h) prior to the approval of the application for a building permit, the proposals for the collection, treatment and disposal of sewage, and the collection of rainwater and the distribution of potable water, shall be approved by the Government Hydrogeologist and the Chief Environmental Health Officer and, if necessary, an application for a construction permit for the proposed plant for the collection, treatment and disposal of sewage shall be approved by the Environmental Authority in accordance with the relevant provisions of the Clean Air Act 1991;
- (i) any plant to be installed for the emergency generation of electricity shall be approved by the Environmental Authority in accordance with the relevant provisions of the Clean Air Act 1991;
- (j) all utility cables shall be placed underground within the curtilage of the site;

Saving

4 For the avoidance of doubt, it is hereby declared that nothing in this Order grants planning permission for any matters of development for which planning permission is required, apart from any matter for which planning permission in principle has been granted by paragraph 3.

FIRST SCHEDULE (paragraph 2(1))

The Development

1. The demolition of all existing buildings and associated infrastructure.

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2. The construction of 66 new mixed-use units to be sold on a leasehold basis, but to be available for lease-back to the Coco Reef Hotel. The units will be developed in two buildings. The gross floor area for construction will be approximately 148,650 square feet. The buildings will range in height from two to nine storeys.

3. The development will include related facilities and amenities including a spa, two swimming pools, restaurant and bars.

4. The development will provide parking for 60 bikes.

SECOND SCHEDULE (paragraph 2(1))

The Site

ALL THAT LAND in Paget Parish, having an area of approximately 9.8 acres, shown outlined in red on drawing number A1 submitted to the Department of Planning on 18 October 2006 by Grassi Design Group.

Made this 23rd day of January, 2008

Minister of the Environment and Sports