

**DRAFT SOUTHLANDS RESORT DEVELOPMENT (WARWICK  
PARISH) SPECIAL DEVELOPMENT ORDER 2007**

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**BR 14 / 2007**

**MINISTRY OF THE ENVIRONMENT, TELECOMMUNICATIONS  
AND E-COMMERCE**

**DEVELOPMENT AND PLANNING ACT 1974  
SECTION 15**

**NOTICE BY THE MINISTER OF THE ENVIRONMENT,  
TELECOMMUNICATIONS AND E-COMMERCE**

**DRAFT SOUTHLANDS RESORT DEVELOPMENT (WARWICK  
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WHEREAS the Minister of the Environment, Telecommunications and E-Commerce has caused a draft special development order entitled "The Southlands Resort Development (Warwick Parish) Special Development Order 2007" to be prepared;

AND WHEREAS the Minister has deemed it expedient to exercise in relation to the aforesaid to invite objections or representations to the draft Southlands Resort Development (Warwick Parish) Special Development Order 2007;

NOW, THEREFORE, the Minister gives notice as follows:-

**Short title**

1 This Notice may be cited as the Draft Southlands Resort Development (Warwick Parish) Special Development Order Notice 2007.

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**Inspection of Design Statement**

2 The Minister gives notice that a copy of the Design Statement and associated drawings of the Development may be inspected free of charge by all persons interested, at the offices of the Director of Planning, Government Administration Building, Parliament Street Hamilton during office hours.

**Objections and Representations**

3 Any objection or representation with reference to the draft Southlands Resort Development (Warwick Parish) Special Development Order 2007 may be sent in writing to the Permanent Secretary, Ministry of Environment, Telecommunications and E-Commerce, 3<sup>rd</sup> Floor, Government Administration Building, 30 Parliament Street, Hamilton, HM12, or by email to [psimmons@gov.bm](mailto:psimmons@gov.bm), stating the grounds on which such objection or representation is made, and which should reach the Ministry on or before Friday, March 23<sup>rd</sup>, 2007.

Made this 8<sup>th</sup> day of March, 2007

Minister of the Environment, Telecommunications and  
E-Commerce

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**THE SOUTHLANDS RESORT DEVELOPMENT (WARWICK  
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**GENERAL NOTE**

The draft Southlands Resort Development (Warwick Parish) Special Development Order, which is made under section 15(2)(a) of the Development and Planning Act 1974, if finalized, would grant planning permission, subject to conditions, for the carrying out of the development of a resort and residential complex comprising of 269 guest suites and 42 residential units. The development includes a main resort comprising of 202 suites and an additional resort complex comprising of 67 suites, which both have adequate parking, restaurants, bars and a spa.

The site is an area of 36.87 acres situated on South Shore Road in Warwick.

This Order would grant planning permission for such development, subject to the conditions identified in the draft special development order.

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**DEVELOPMENT AND PLANNING ACT 1974**

**1974 : 51**

**THE SOUTHLANDS RESORT DEVELOPMENT (WARWICK  
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In exercise of the powers conferred upon the Minister of the Environment, Telecommunications and E-Commerce by section 15(2)(a) of the Development and Planning Act 1974, the following Order is hereby made:

**Citation**

1 This Order may be cited as the Southlands Resort Development (Warwick Parish) Special Development Order 2007.

**Interpretation**

2 (1) In this Order —

"Act" means the Development and Planning Act 1974;

"applicant" means Southlands Limited, a company registered under the Companies Act 1981 on 12 August 2006;

"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;

"planning application" means the application for planning permission for the Development made by the applicant numbered P1029/06 and dated 28th November 2006, and the accompanying Design Statement prepared by Bothelho Wood Architects dated 5 October 2006 as revised by letter dated 11 December 2006;

"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.

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**Planning permission**

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

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

- (a) 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;
- (b) 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;
- (c) prior to the approval of a building permit the applicant shall obtain planning permission for staff housing;
- (d) the design and construction for the diversion of South Road shall be carried out to the satisfaction of the Minister of Works and Engineering;
- (e) the points of access from the site to South Road shall be designed and bellmouthed to the satisfaction of the Minister of Works and Engineering in accordance with the standards specified in paragraph 8.7(1) of the Bermuda Plan 1992 Planning Statement;
- (f) all hard-surfaced roadways and the junctions of the access roads with South Road shall be designed and graded to drain, retain and dispose of all stormwater run-off within the curtilage of the site, and to avoid any stormwater run-off onto South Road, and any neighbouring property;
- (g) 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;
- (h) applications for any proposed wells or drainage systems shall be submitted to and approved by the Environmental Authority prior to the commencement of construction;

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- (i) prior to the approval of the application for a building permit the proposals for the collection, treatment and disposals 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;
- (j) 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;
- (k) all utility cables shall be placed underground within the curtilage of the site;
- (l) prior to commencement of construction of the development, a full Environmental Impact Assessment shall be carried out by the applicant to the satisfaction of the Minister of the Environment, Telecommunications and E-Commerce to determine the impact of the Development on the natural environment, and to ensure that sufficient and appropriate mitigation measures are designed and implemented to protect the coastal zone and inland environments;
- (m) a detailed landscape and woodland management plan and schedule shall be discussed with, agreed by and carried out to the satisfaction of the Minister of the Environment, Telecommunications and E-Commerce;
- (n) prior to commencement of construction of the development, the existing section 34 agreement that covers part of the site shall be rescinded and the Minister of the Environment, Telecommunications and E-Commerce shall enter into a new section 34 agreement with Southlands Limited in order to redefine the areas that shall have protective zoning within the site;
- (o) all agricultural land within the site shall continue to be zoned as agricultural land;
- (p) prior to the commencement of construction, a detailed coastal erosion protection plan shall be submitted to the Minister of the Environment, Telecommunications and E-Commerce for approval, and coastal protection works

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shall be the minimum required to address erosion prone areas and shall be designed to appear as natural as possible to blend in with the natural coastline; and

- (q) as part of the foreshore protection scheme, the Terrestrial Conservation Officer of the Department of Conservation Services shall be consulted to determine the number and location of artificial longtail nests that shall be installed along the cliff line.

**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 has been granted by paragraph 3(1).

**FIRST SCHEDULE** (paragraph 2(1))

The Development

1. The development of a comprehensive resort and residential complex at the Southlands property in Warwick with 269 guest suites (371 bedrooms), 42 residential units (126 bedrooms) and related facilities and amenities.
2. The construction of a main resort complex located north of South Road and comprising of 202 suites (259 bedrooms), parking for 135 cars and 100 motorbikes, restaurants, bars, spa, indoor public spaces and ancillary buildings for a total of approximately 430,000 square feet of floor area on 9 levels.
3. The construction of 42 residential units north of South Road and comprising a total of 120,000 square feet of floor area.
4. The construction of an additional resort complex located south of South Road and comprising 67 suites (112 bedrooms), parking for 100 cars and 150 motorbikes, restaurants, indoor public spaces and ancillary buildings for a total of approximately 350,000 square feet of floor area on 8 levels.
5. The diversion of South Road together with new traffic lanes, sidewalks, overhead canopies, new bus stops and relocated underground services.
6. The development of an internal system of roadways, footpaths and terraces on landscaped grounds.

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**SECOND SCHEDULE** (paragraph 2(1))

The Site

ALL THAT LAND in the Parish of Warwick having an area of 36.87 acres (14.92 hectares) as described in Appendix A-2 of the Design Statement prepared by Bothelho Wood Architects dated 5 October 2006, and as outlined in red on location plan drawing number A1-1 by Bothelho Wood Architects.

Made this 7<sup>th</sup> day of March, 2007

Minister of the Environment,  
Telecommunications and E-Commerce