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'Steel Wall of Secrecy' Undermines
Bahamas Resort Projects

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The "steel wall of secrecy" that successive governments have erected around many Family Island investment projects has "pitted - community against developer" and undermined the pace of economic growth in these locations, a leading attorney has told Tribune Business.

Fred Smith, a partner with Callender's & Co, who is the attorney for the group opposing the Baker's Bay Golf & Ocean Club, said there were many parallels between the Guana Cay project and the Bimini Bay Resort, especially when it came to government transparency on both projects.

Mr Smith told Tribune Business that the Government was effectively 'shooting itself in the foot' when it failed to include local Family Island communities in the consultative and planning process for major resort projects that would directly impact them, because the resulting information vacuum "creates unnecessary friction" between developer and locals.

The end-result was that a major investment project suffered from local ill-will that was frequently the product of a lack of government transparency. Mr Smith indicated that if the former PLP administration had involved his client, the Save

Guana Cay Reef Association, in the consultation process on Baker's Bay before it was approved, the lengthy Judicial Review proceedings that are still before the courts may never have arisen because "the antagonism" would not have been there."



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And he also urged the Government to pass an Environmental Protection Act, setting out how the whole Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) process worked for both developers and all interested parties.

"The continuing heavy, secretive, arbitrary hand of central government on Family Island development bodes ill for the growth of Family communities,"

Mr Smith told Tribune Business. "It creates a steel wall of secrecy between developers and the local community. It should be the opposite.

"It pits communities against developers, and creates unnecessary friction through lack of participation and transparency. That is everything that the Save Guana Cay Reef Association has been complaining about. It is so important to begin the process in a community-friendly way, so that there can be a union between the locals and the developers."

Mr Smith added that local communities and their members, such as the Association, were not objecting to development per se", and only wanted an opportunity to participate and make their views known. They chiefly wanted to know

how major resort projects would impact their communities, environment and way of life.

The report on the Bimini Bay Resort by the Bahamas Environment, Science and Technology (BEST) Commission's consultants, Black & Veatch, found there was "universal agreement" that a lack of transparency from government had hindered understanding of the project.

It reported that in its interviews with the island administrator, developer RA V Bahamas, non-governmental organisations and Bimini residents, there was "universal agreement" that the lack of transparency and communication from the Government had "hindered any informed awareness or real understanding of the extent of the land granted to RA V Bahamas for development of the Bimini Bay Project".

Mr Smith argued that a similar lack of transparency was prevalent in how the Government handled the Baker's

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Bay project. He pointed to the Association's legal filings in the case, which drew on alleged documents stating that the developers, Discovery Land Company,

had been told not to consult with the local community on their plans until the project was approved by then-Prime Minister Perry Christie's office.

Describing this as "ass backwards" and "putting the cart before the horse", Mr Smith said: "We don't need a Freedom of Information Act for this [investments approval] process. We just need the process to work properly."

If all parties involved were "more deliberate, took a step backwards and did not rush" the process, ensuring all relevant stakeholders were consulted and had an opportunity to make their views known, "we would not have court cases, because the opportunity for Judicial Review may not arise. The antagonism may not arise".

Mr Smith also urged the Government to pass an Environmental Protection Act "that spells out the process" developers had to follow in obtaining all environmental-related permits, and with respect to EIAs and EMPs. This, the attorney added, would provide certainty and enable "people to know where they stand", ensuring the process was "transparent and democratic, not arbitrary, secretive or imposed".

Source: The Tribune

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