

## EXECUTIVE COUNCIL TOP LINES – TUESDAY 25 AUGUST 2020

### Development Application: Proposed Container Handling Facilities Incorporating Office Buildings, Warehousing, Secure Compounds and Car Parking, Lower Rupert's Valley

#### **Background:**

During the last meeting of ExCo on 11 August 2020, Council agreed that while there is a desire to complete the development of lower Rupert's as per the development application, this needed to be done as appropriately as possible.

Following much discussion and noting the sensitivity of the application, ExCo agreed to defer the item to this week's ExCo meeting (25 August 2020) in order for additional information to be prepared and shared as follows:

- A statement or letter from the Economic Development Investment Programme (EDIP) Chartered Engineer confirming the work undertaken to remove the source of the recent fuel leak in Rupert's, identified soil contamination and checks in the surrounding area
- A note to explain the arrangements for community access to key locations in the lower valley, in particular the beach and Building Number 01, as well as clearer details on the new footpath to be laid out along the side of the port area
- A visual survey as a new baseline point of reference of the three historic structures within the boundaries of the proposed development: Rupert's Lines wall; the Garden Wall; and Building Number 01

These three documents were supplied to the Land Development Control Authority within the last two weeks. The LDCA responded via a letter to the Clerk of Councils on 19 August 2020. All documents are available on the Executive Council page of the SHG website.

#### **At the meeting:**

- **Executive Council approved and granted Full Development Permission with Conditions for Proposed Container Handling Facilities Incorporating Office Buildings, Warehousing, Secure Compounds and Car Parking in Lower Rupert's Valley**
- There was again a fairly large crowd in the gallery for this item which has garnered quite some interest in the public domain
- It was recognised that the three reports requested at the 11 August meeting have been supplied. Staff from the Programme Management Unit gave the following overview of each of these reports:
  - Remediation Measures on Rupert's Fuel Leak  
The firm conclusion was made that there is no present or future risks to health and safety from fuel contaminated soil. The EDIP Chartered Engineer recognised that further investigations into fuel contaminated

soil will be made by the St Helena Fire & Rescue Service (SHF&RS) later this year when more trial pits will be dug as part of the required foundation works of the proposed Rupert's development, but it is predicted that this will again result in zero hazardous readings

- Concerns were raised on the result of the decommissioned pipelines collapsing in future. The Chartered Engineer explained that while this is a possibility due to erosion and other factors, the impact of the pipelines collapsing would be very small and would most likely go unnoticed and be insignificant. He also stated that parts of the pipeline might be removed during future excavation works. He also advised of plans to place markers along the old pipeline so that everyone is aware of where they lay.

- Current-State Assessment of Historic Structures

A current-state assessment was made of the three historic structures within the boundaries of the proposed development: Rupert's Lines wall; Garden Wall; and Building Number 01

Garden Wall: There are some sections of the wall that has crumbled. As part of the Proposed Rupert's Development Project, SHG would ensure that the walls are repaired using sympathetic construction materials and techniques to reinstate appropriately

Number 1 Building: Proposed Rupert's Development does not intend to touch the building. External build appears to be in good condition, however there are large amounts of overgrown vegetation surrounding the building. SHG, through the proposed Rupert's Development Project, will cut back any excess vegetation to make the building visible.

Rupert's Lines: Current Public Toilet facilities are already attached to the wall, as well as the BBQ shelters on the beach side. The wall itself is in reasonable condition but has fallen down in some areas. As part of the project BBQ shelters will be separated from the wall. The fallen down areas will also be repaired using sympathetic construction materials and techniques to reinstate within the project boundary and budgetary constraints. There are no plans to connect any of the proposed fencing to the wall. No aspect of the project is anticipated to physically touch the wall.

- Members expressed support that the importance of the historical structures be recognised and was pleased to hear that works will be done as part of the Proposed Development to fix some of the issues of the current state of these structures
- It was queried whether a method statement would need to be compiled for any works relating to the historical structures. It was advised that the correct process would be followed if and when these works take place
- Map with Visual Presentation of Community Access to Key Locations  
While any ship is in port at Rupert's, there will be no public access to the beach. During port operations, there will be restricted access

whereby the main port gate will be monitored and controlled but a footpath to access the west of Rupert's beach will be available at all times. Outside of working hours, including weekends, subject to a ship not being in harbour, the main gate will be open and the road can be used to access the beach. At times when the port is not in operation, the beach will be open to the public. Wheelchair access to Rupert's beach will be ensured, ideally via the footpaths which is always accessible, but if not then via the main gate with approval from port security. One issue with the footpath is the narrow space near the fisheries building which will be looked at. Access to the Number 1 Building will be maintained at all times.

- The EDIP Chartered Engineer advised that the preferred solution for the security fencing is to abut, but not touch, Rupert's Lines in two places. In order to successfully discharge the planning conditions in relation to security fencing, a trial fence will be set up to gauge public reaction.
  - Members were pleased that the planned security fence would not make any contact with the wall, recognising its historical importance.
- Members reiterated the importance, historically and culturally, of maintaining public access to Rupert's Beach and said that they hoped that the port authorities would not be overzealous with restrictions to the beach during operations as they see this as a low-risk cargo area. It was asked whether a written plan could be shared by port authorities as to how access will be controlled.
- The importance of recognising, alongside the physical historical features of Rupert's, the sentimental side of history in terms of African heritage and the Liberated African remains was noted. It was suggested that an archaeological specialist be present during development works and interpretation signs be included to recognise sites of historical importance.
- It was recognised that any environmental and social risks associated with the proposed development, once works begin, would be factored into the Programme Management Risk Assessment process which would be ongoing throughout the project. This would begin with a Baseline Assessment. This continuous monitoring was recognised as a stronger approach in dealing with environmental and social risks and issues rather than the one Environmental Impact Assessment and Social Impact Assessment prior to the commencement of works.
- The Governor thanked the LDCA for their swift reviewing and response to the additional information
- In summary:
  - The Environmental Opinion has been supplemented by three additional reports
  - A condition would be added to the application for the ongoing review and agreement to minimise disruption of public access to the satisfaction of the Chief Planning Officer, who would consult the LDCA if not content

- Advice from the Chartered Engineer and SHF&RS is that there is no risk of health and safety in terms of fuel contaminated soil in Rupert's, with further works envisioned to back this conclusion
- Assurance that historical structures will be maintained and looked after during project works, with issues currently identified being rectified as far as possible as part of the development works
- Referring back to the previous ExCo meeting the following other issues would be included as Conditions:
  - The temporary stevedore hut will be moved away from the Rupert's Lines wall
  - There will be no contact between the fencing and Rupert's Lines walls
  - The culvert under the wall will be covered with a security grill
  - Open valve pits from old fuel lines will be covered
  - The canopies of the BBQ shelters will be removed from the wall and made free standing and improved where possible
  - Ensure that at least pedestrian access to the No 1 building is possible at all times
- A number of routine planning conditions included in the 5 August 2020 letter proposed by the Chief Planning Officer would remain. These include relevant topics such as controls on roofing colour, design of external lights, undertaking of archaeological assessments, water management practices, etc.
- Members expressed concern with the communications between the Planning Team and the LDCA, mentioning that documents requested by the LDCA should be provided. It was noted that a better working relationship between the Planning Team and the LDCA may have resulted in less delays with the planning process and approval of this development. Members asked that the Planning Process Document of 2017 be looked at and updated and if the process could be made more efficient and smoother in future.
- Thanks were extended to everyone who provided input into the planning of such a major project for the Island. Members now look forward to the commencement of the project and the social, physical and economic benefits it will bring.

**ExCo**  
**25 August 2020**