



GOVERNOR IN COUNCIL TOP LINES – THURSDAY 9 DECEMBER 2021

Meeting Summary

Governor in Council met on Thursday, 9 December 2021, to discuss three Development Applications in Open Session:

- ***Proposed development of a Satellite Earth Station Facility at Horse Point Plain, Bottom Woods*** – Deferred to a later meeting for further information to be provided from the applicant with a decision to be made before 31 January 2022
- ***Proposed construction of a Workshop, Office, Carpentry Shop and Storeroom (Retrospective Application)*** – Deferred for further information around Health & Safety to be provided
- ***Proposed installation of a new Scientific Stilling Well at the new Wharf, Ruperts Valley*** – Approved

The public's concerns from a previous meeting where development applications were discussed had been noted. Minister for Environment, Natural Resources & Planning, Christine Scipio, advised that during today's meeting, Ministers' deliberations would be held in open and the public in the gallery would not be asked to leave the room. An informal meeting with Ministers had been held with the Chief Planning Officer (CPO) in advance of the meeting today allowing Ministers to deliberate. This is acceptable as per the Constitution.

All three applications were presented by Minister Christine Scipio with support from the CPO.

Development Application for a proposed development of a Satellite Earth Station Facility at Horse Point Plain, Bottom Woods

Governor in Council was asked to consider and advise whether Full Development Permission should be granted, with Conditions, for the proposed development of a Satellite Earth Station Facility at Horse Point Plain, Bottom Woods as recommended by the Land Development Control Authority (LDCA).

This Development Application was referred to Governor in Council in accordance with Section 23(2)(b)(i) of the Land Planning and Development Control Ordinance 2013, as the grant of development permission must be considered as a departure from the Land Development Control Plan (LDCA) Coastal Zone and Natural Heritage policies.

At the meeting

- A number of consultation meetings and an Environmental Impact Assessment (EIA) had been carried out for this Development Application

- The LDCA had supported the Application and the Chief Environmental Officer had not raised any concerns with the EIA
- When discussing the application Ministers wanted to strike a balance between the environment and the economy, particularly as under the LDCA the reasons for designating certain areas are to protect the environment
- Ministers were of the view that the documentation provided did not address all of the impacts of the area and felt further work needed to be carried out before a decision is made
- Based on representations from stakeholders and the public, Ministers requested the CPO to ask the applicant to provide:
 - Confirmation from Connect Saint Helena Ltd that they will be able to provide the power required by this development since the applicant had made reference to the expected use of the power from the PASH development
 - Another walkover survey of the site to note the presence or otherwise of endemic invertebrate species on the site
 - Further information on why this site was chosen for this development
 - An image to show the visual impact as a result of the proposed fencing
 - Confirmation as to whether there would be any impact to their proposed development from already permitted quarry blasting operations in the area
 - Whether the radio wave frequencies, could have any impact on the wildlife
- In response to the further information sought by Ministers, the CPO advised respectively:
 - Connect Saint Helena Ltd had previously advised that they do not foresee any problems with power supply for this development
 - Three walkover surveys had been carried out in October 2020, January 2021 and in May 2021. The CPO advised that a walkover would be best done at the start of construction but Ministers wanted a further walkover to be carried out in advance to confirm the presence of endemic species to determine if any mitigation could be put in place before construction starts as well as for the applicant to demonstrate the protocols that would be put in place should any additional species be identified. It was noted that during their informal meeting Ministers had only been advised of one walkover
 - The CPO advised that the type of fencing to be used could be stipulated to the applicant
 - The applicant had recognised that there are other users in the vicinity
 - The EIA includes the impact of radio wave frequencies on the Airport and concludes that there will be no impact
- Ministers encouraged the applicant to respond to the enquiries promptly so that the Development Application could be reconsidered before the end of January 2022.

Documentation for this application is available online here:

- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/01-2021-Satellite-Earth-Station-Horse-Point.pdf>

- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/01-2021-Annex-A-Satellite-Earth-Station-Horse-Point.pdf>
- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/01-2021-Annex-Ai-Satellite-Station-Horse-Point.pdf>

Development Application for the proposed construction of a Workshop, Office, Carpentry Shop and Storeroom (Retrospective Application).

Governor in Council was asked to consider and advise whether Full Development Permission should be granted, with Conditions, for the proposed construction of a Workshop, Office, Carpentry Shop and Storeroom in Upper Ruperts Valley as recommended by the LDCA.

The Land Development Control Ordinance 2013 provides for Governor in Council to consider Development Applications retrospectively.

This Development Application was referred to Governor in Council in accordance with Section 23(2)(b)(i) of the Land Planning and Development Control Ordinance 2013, as the grant of development permission must be considered as a departure from the LDCA Coastal Zone policies.

At the meeting

- The proposal is to build an industrial workshop unit for metal fabrication and carpentry workshop, offices and storage. There will also be an element of open storage and car parking
- Ministers recognised that this was an unauthorised development
- Ministers were concerned with Health & Safety aspects as the workshop which is likely to carry out hot works was in proximity of the new Bulk Fuel Installation (BFI). The report accompanying the application did not provide information in respect of any new development at this site beyond 150m of the BFI where the proposed workshop is likely to be located
- Ministers wanted to be confident that works undertaken were being carried out safely so deferred the application to get a better understanding of whether a workshop using highly flammable material just outside the 150m BFI safety zone is acceptable
- Concerns were raised that no information had been provided on the effects of the BFI once it becomes operational
- Ministers wanted to check on Health & Safety literature on the best practice in respect of this application. SHG, as the landowner, offered to undertake this open literature review
- The application was deferred to the next meeting.

Documentation for this application is available online here:

- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/02-2021-Workshop-Office-Carpentry-Shop-Storeroom.pdf>
- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/02-2021-Annex-A-Workshop-Carpentry-Shop-Office-Storeroom.pdf>

- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/02-2021-Annex-Ai-Workshop-Office-Carpentry-Shop-Storeroom.pdf>

Development Application for the proposed installation of a new Scientific Stilling Well at the new Wharf, Ruperts Valley.

Governor in Council was asked to consider and advise whether Full Development Permission should be granted, with Conditions, for the Proposed Installation of a New Scientific Stilling Well at Rupert's Wharf, as recommended by the LDCA.

The Development Application is within close proximity to the sea and in accordance with the existing Governor in Council Directive to the CPO (dated 17 April 2014), this application needs to be referred to the Governor in Council for a decision. The Direction covering this referral is as follows:

- Direction 3: 'The development of any land covered by water or land within 50 meters of land covered by water'.

The location for this proposed development is at the new Wharf in Ruperts. This area is within the Coastal Zone and has no conservation area restrictions.

At the meeting

- The CPO explained that the application is for the proposed installation of a Tide Gauge and GPS station on the new Break Water at Rupert's Wharf to record Sea Level and Land Movement Information, which can be used by scientists to help determine if and how Climate Change is effecting the oceans in the South Atlantic and in particular sea levels. Similar devices are already installed on the water around the Island
- The observation was made that as a gesture of good will any data collected be made available to others on the Island and will be negotiated with the applicant
- The Application was approved subject to the Conditions put forward in the documentation from the CPO.

Documentation for this application is available online here:

- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/03-2021-Installation-New-Scientific-Stilling-Well.pdf>
- <https://www.sainthelena.gov.sh/wp-content/uploads/2021/12/03-2021-Annex-A-New-Scientific-Stilling-Well.pdf>

**Governor in Council
9 December 2021**