



**SINT EUSTATIUS
CARIBISCH NEDERLAND
Island Council's Proposal**

Island Council meeting: September 21st 2023
Date proposal Exco: 27 June 2023

Nr. 2023 / 12
Portfolio Holder: Commissioner Mrs. A.
Spanner- Schmidt
Author: Maldwyn Timber, Director Economy,
Nature & infrastructure

Subject: Adoption of the draft St. Eustatius Spatial Development Plan 2023.

Proposal:

1. To adopt the draft St. Eustatius 2023 Spatial Development Plan.

Introduction:

In 2011, the Island Council of St. Eustatius adopted the St. Eustatius Spatial Development Plan (hereinafter referred to as ROP 2011). The policy basis for the ROP 2011 is laid down in the Strategic Development Plan (StrDP). Since its adoption, the ROP 2011 has been the basis for the spatial policy on the island and the granting of building permits.

The legal basis for an ROP lies in the BES Spatial Development Planning Principles Act. Article 7 of this law prescribes that the Island Council establishes one or more development plans, in which the development to be pursued in the longer term is indicated.

Legal framework & policy framework

- Ordinance Spatial Development Planning Public Entity of St. Eustatius 2020, Section 5.
- BES Spatial Development Planning Principles Act, Section 7

Motivation incl. eventual alternatives

- Article 8 of the BES Ruimtelijke Ontwikkelingsplanning (Spatial Development Planning Act) says that whenever circumstances require, but at least once every 5 years, the development plan must be reviewed.
- The few changes/developments that took place between 2011 and 2016 were captured through the so-called stamp plans.
- Now they are included in the revision of this plan which is scheduled to take place at least once every 10 years.
- Due to the fact that the Establishments and Activities Decree BES is not there yet, it was decided to include in the rules distances of businesses from homes. Therefore, pending the entry into force of the BES Activities and Establishments Decree, we will fall back on the List of Establishments and Businesses of the ROP - 2011.



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- After entry into force of the BES Activities and Establishments Decree, the ROP2023 can be adapted to this decree. This can be done based on an amendment authority of the Executive Council.

Participation/ communication

For the purpose of good spatial planning, a draft St. Eustatius 2023 Spatial Development Plan was prepared. This draft was submitted for public inspection and made available electronically in accordance with article 4 of the Regulation Spatial Development Planning Public Entity Sint Eustatius 2020. During the period of Feb. 15 to March 29, 2023 (6 weeks) people had the opportunity to submit objections to the draft. No objections to the draft have been submitted.

Plan Process

Visit 1 (December 2021)

- 1st orientation: discussions with policy officials and stakeholders and feedback BC
- Basis for (draft) revision StrDP

Visit 2 (March 2022)

- Participation: revision StrDP discussed with policy officials and stakeholders, and with island council. Via radio the population informed. Feedback given to BC.
- Basis for draft ROP.

Visit 3 (September 2022)

- Participation preliminary draft ROP
 - 3 walk-in meetings in library
 - Discussion with some stakeholders
 - Discussion with council members present

- Information to population via radio. Views could be submitted on the preliminary draft. These would be dealt with / answered. Where necessary, the ROP was adjusted. This led to a draft ROP. The draft ROP was made available for inspection for 6 weeks in February 2023. During this period anyone could submit objections to the draft. A hearing on this was to take place. However, no objections to the draft were submitted.

Subsequently the ROP would be presented to the Island Council for adoption.

Financial

In a direct sense, the adoption of the Spatial Development Plan has no financial implications.



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Executive planning

- After approval by the Executive Council, this ROP will be taken to the next Island Council meeting for adoption.
- After adoption, the St. Eustatius 2023 Spatial Development Plan, replaces the current St. Eustatius Spatial Development Plan;

Appendix

1. Draft revision Strategic Development Plan (Str.DP).
2. Draft St. Eustatius Spatial Development Plan 2023.
3. Plan maps (digital)
4. Article 5 of the St. Eustatius Public Entity Spatial Development Planning Ordinance 2020.
5. Article 7 of the BES Spatial Development Planning Principles Act.

The Government Commissioner

The Island Secretary

Ms. M.A.U Francis

Ms. M. Dijkshoorn- Lopes



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Island Council's decision

Nr: 2023/12

Date Island Council meeting: September 21st 2023

Subject: Adopting St. Eustatius Spatial Development Plan 2023

The Island Council of the Public Entity of St. Eustatius,

Reading the proposal of the Executive Council d.d June 27th 2023

(on amended adoption, add "having heard the deliberations;")

Considering:

- Section 7 of the BES Spatial Development Planning Principles Act and
- Section 5 of the Public Entity of St. Eustatius Spatial Development Planning Ordinance 2020.

Decision:

1. To withdraw the St. Eustatius 2011 Spatial Development Plan,
2. To adopt the St. Eustatius 2023 Spatial Development Plan.

Thus decided in the public meeting of the Island Council dated September 21st , 2023

The Island Council,

The Chairlady of the Island Council

The 2nd Deputy Registrar

Ms. M.A.U. Francis

Ms. M. Robins-Spanner