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**Patron: Her Excellency Dame Pearlette Louisy
Governor General of St. Lucia**

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PRESS RELEASE

The Proposed Freedom Bay Development

The Saint Lucia National Trust notes that there has been much public debate over the media regarding the proposed Freedom Bay Development. Criticisms have also been leveled against the Trust about our perceived silence on the matter. However, the Council in its wisdom decided not to make a public statement hastily until a thorough research of the issues surrounding the development was completed. These included *inter alia*, (a) a review and analyses of the various decisions of the World Heritage Committee, the Hyder Report of 2008, and the Environmental Impact Assessment that was completed a few years ago; and (b) discussions with senior Government representatives and the developer.

Based on the research and information collected, on February 15, 2013 a letter stating our concerns was delivered to the Honourable Prime Minister and copied to the Ministers of Physical Development; Sustainable Development; Tourism; and Education, who is the Focal Point for UNESCO in Saint Lucia.

The Freedom Bay development was granted full approval by the Cabinet of Ministers in 2010 following its examination of a miniature model of the development. This approval has since lapsed and the developer is in the process of reapplying for planning approval for the project, which he is currently redefining, and which has received approval-in-principle from the Cabinet of Ministers earlier this year. In granting approval-in-principle Cabinet instructed that the developer submit a full application to the Development Control Authority and that any approved development are to abide by any new conditions [to be] established in the upcoming Limits of Acceptable Change (LAC) Study.

Back in 2003 when Saint Lucia applied to the World Heritage Committee (WHC) to have the Pitons Management Area (PMA) inscribed in the List of World Heritage, a commitment was given as part of the application to undertake a Limits of Acceptable Change Study to define levels of development which may be permitted without compromising the site's Outstanding Universal Value (OUV). Since that time growing concerns over the impact of developments on the site's OUV have prompted the WHC to consider placing the PMA on the List of World Heritage in Danger and further requested that the LAC be completed to provide the framework within which developments and the site's OUV may co-exist.

Instead of undertaking the LAC Study Government commissioned a study entitled **The Pitons Management Area and Soufriere Region Integrated Development Plan**, commonly referred to as the Hyder Report, which was approved by Cabinet and subsequently submitted to the World Heritage Committee at its 32nd Meeting in 2008. The WHC Decision 32COM 7B.40 states, *inter alia*:

The WHC.....

Welcomes the preparation of an integrated development strategy for the property and requests the State Party to take the necessary steps to adopt its recommendations as the foundation of a binding planning framework for the property under the laws of St. Lucia, noting the need for the State Party to reflect further on its recommendations in order to ensure that the anticipated levels of development that might result from this strategy do not prejudice the Outstanding Universal Value of the property;

Further development approvals combined with no action to strengthen the development planning framework prompted the WHC to revisit its earlier decision to place the PMA on the List of World Heritage in Danger, which Government was able to avert on the basis of a commitment to undertake the LAC Study. The WHC accepted this undertaking and its Decision 35COM 7B.35, taken in June 2011 stated, *inter alia*:

The WHC.....

Notes the State Party's progress in enforcing a moratorium on residential and hotel developments within the property;

Welcomes the State Party's intention to undertake a Limits of Acceptable Change study, as well as a review of land use plans and development control guidelines, and reiterates its clear position that development within the property should be strictly circumscribed in order to avoid any deterioration of its Outstanding Universal Value;

Invites the State Party to submit a request for International Assistance to the World Heritage Committee to support the preparation of the Limits of Acceptable Change study;

Following the June meeting of the WHC, Government lifted the moratorium on development approvals, approved five new developments and reinstated the Moratorium. This, and other developments within the PMA prompted the WHC to once again place on its agenda, a recommendation to place the PMA on the List of World Heritage in Danger at its 36th Meeting in St. Petersburg in June 2012. Government responded to this latest threat by making representations to the Committee on steps to be taken to protect the site's OUV. The WHC again accepted Government's commitment and its Decision 36COM 7B.34, stated, *inter alia*:

The WHC.....

Notes with grave concern that additional developments within the property were granted in 2011, despite the as yet incomplete drafting of the Limits of Acceptable Change and of

development regulations and guidelines, which are likely to further degrade the property's Outstanding Universal Value;

Notes that the property's Outstanding Universal Value may have already been compromised by developments within the property;

Requests the State Party, inasmuch as construction may not have commenced, to issue a stop work order and to cancel the five development permits granted in 2011, and to not approve any additional developments until the Limits to Acceptable Change study, along with development regulations and guidelines, are completed and legally integrated into the development review process;

Further requests the State Party to submit to the World Heritage Centre, by 1 February 2013, an updated report on the state of conservation of the property, focusing specifically on progress in halting existing development permits within the property and establishing an effective development control system, for examination by the World Heritage Committee at its 37th session in 2013, **with a view to consider inscribing the property on the List of World Heritage in Danger if the measures requested by the Committee are not implemented.**

These decisions of the WHC point to its growing concerns about threats to the PMA's Outstanding Universal Value and its persistent requests to Government to undertake the LAC Study. Further, the highlighted text in Decision 36COM 7B.34 above is a clear indication that the PMA's status as a World Heritage Site will be compromised if progress with the LAC cannot be reported or if any new development approvals are granted within the PMA.

We have heard a statement by the Ministry of Sustainable Development, Energy, Science and Technology justifying the granting of approval to the project through references to the Hyder Report, and in particular, to its prescription regarding Policy Area 4, which states:

Policy Area 4 should for the greater part, be protected from further development and infrastructure. The only permissible development should be for essential infrastructure, for local residential, community and agricultural needs, for the processing of local agricultural produce and for limited tourism and leisure purposes. Community and local residential developments should be located within or adjacent to existing settlements and maintain the scale and vernacular qualities of traditional settlements. Villa development should be avoided and residential buildings should be limited to a maximum footprint of 1800 sq feet. Tourism and leisure developments should be modest in scale, sustainable and be confined to existing settlements and plantations.

It is clear from this statement that the Freedom Bay development deviates from these guidelines on several counts and references to Policy Area 4 as justification for planning approval is unreasonable.

Of further concern to the Trust are claims by the developer that preliminary civil works over and beyond the approved site exploratory investigations are ongoing and construction is scheduled to commence in June 2013. The implied imminent full approval is extremely troubling given that the

LAC study has not even been commissioned, the development plan and related Environmental Impact Assessment are incomplete and no application has been re-submitted to the Development Control Authority.

In addition to the direct threat to the PMA's Outstanding Universal Value, the possible loss of the site's rich natural, historical and cultural assets is cause for concern. These issues include public access to the beach during the construction and operational stages, loss of habitats, pollution of the near shore habitats and loss of artefacts and other components of our cultural heritage.

Since the Trust is a membership based organization, we have provided our members with relevant documents and a brief on the development so that their advocacy and discussions will be based on facts as well as their convictions on this sensitive matter. Our members will also discuss the matter further at our Quarterly Membership Meeting in March.

The Saint Lucia National Trust is fully aware of the importance of this project to the economic development of the country as a whole, and its potential impact on the economic and social landscape of Soufriere. The Trust is firm in our conviction that development, heritage conservation and the wider public social interests can be accommodated with careful thought and planning in partnership Government, developers and civil society.

THE SLNT CHAMPIONS FAIR HELEN'S PATRIMONY