

National Conservation Council

General Meeting

(GAB 2024, 27 June 2018, 1pm)

MINUTES

1. Call to Order
 - a. A quorum being present (see appendixes) the meeting came to order at 1:13pm. Wallace Platts was selected as chairman.
 - b. No interests were declared.
2. The minutes of the general meeting of 14 March 2018 were reviewed and confirmed.
 - a. Confirmation moved by Patricia Bradley, seconded by McFarlane Conolly, and approved unanimously.
3. Matters Arising from the Minutes
 - a. Council noted that the Annual Report was sent to the Ministry on 17 April 2018 for the Minister's onward transmittal to Cabinet.
4. Committees
 - a. DoE presented the Licencing & Consultations Reports for the first quarter, 2018.
 - i. Council noted the plant studies in particular.
 - ii. DoA & DoE are working towards future approved/banned species import lists.
 - b. DoE Public Education & Outreach – Nothing Significant to Report
 - c. DoE Invasive Species – Nothing Significant to Report
 - d. DoE Protected Areas – Nothing Significant to Report
 - e. Climate Change Committee – Nothing Significant to Report
5. Matters Arising at this Meeting
 - a. Confirmation of Decisions
 - i. DoE presented the Motion to Confirm the Maurice Bloom Bodden Town Quarry Decision taken via Correspondence.
 1. Department of Planning informed the Council that the application had been adjourned due to objections from the public. Particularly the need for aggregate demand & supply information for the CPA to base decisions on.
 2. It was noted that without a Development Plan there was no way to gauge demand. That the lack of excavation reports to Planning from existing quarries makes gauging current use, and possible remaining supply, difficult. That any new aggregate study to assess supply & demand and source options would need to include all 3 Cayman Islands.

3. Approval of the motion was moved by McFarlane Conolly and seconded by Patricia Bradley. It was approved with 5 votes in favour, no objections and 2 abstentions.
- ii. DoE presented the Motion to Confirm the 2018 Protected Areas Nominations Public Consultation.
 1. Public response has been slow so far but more advertising will be forthcoming.
 2. Approval of the motion was moved by Patricia Bradley and seconded by McFarlane Conolly. It was approved unanimously. (7 votes in favour, no objections, no abstentions.)
- iii. DoE presented the Motion to Confirm the Crymble Events Site Decision taken via Correspondence.
 1. After discussion the motion to approve was moved by McFarlane Conolly and seconded by Patricia Bradley. It was approved with 5 votes in favour, no objections and 2 abstentions.
 2. Discussion
 - a. The need for greater clarity on when opinions will no longer be received by the CPA and sustained effort by the DoE and Council to meet these deadlines was recognised.
 - b. There was concern that legally the CPA must take Council advice into account and that late submission may not be a suitable defence if the CPA were challenged. Though recognising that decisions cannot be unduly delayed. It may be that Council will have to formally notify Planning when additional time is needed to produce and consider full screening opinions rather than using informal communications and best efforts to meet timelines designed for less impactful applications.
 - c. Clarification is needed on whether land clearing is a part of or separate from other applications/permissions.
 - d. Council decided that, going forwards, decisions by correspondence should be treated as 'negative resolutions' whereby lack of response by the close of the decision period would imply agreement with the proposal. With the decision period set to allow time for DoE to respond to Planning on the Council's behalf, within the requisite timelines. Alternately Planning would be informed in a timely manner if additional consultation time were required, for example when additional information is sought, or meetings with the proponent occur – as occurred with the Crymble proposal – in order to provide informed advice to the CPA.
 - e. Council noted that it was disappointed in the CPA decision not to consider its advice even though received several days before the CPA meeting and requested Planning provide notification in the future if input is not received in time.
 - f. Council was concerned that their conditions were not taken up and the lack of clarity regarding permission for previous clearing and filling of the site. Council requested the Department of Environment to work towards resolution of these issues in this case, if possible.
- b. DoE presented the Motion to Publish the Mangrove Conservation Plan for Public Consultation

- i. It was noted that the 28 day public consultation period is a minimum time after public advertisement of the Plan.
 - ii. Council requested that the consultation be supported by public education and outreach as there was information in the proposed plan it would be valuable for the public to know.
 - iii. Approval of the Motion was moved by Patricia Bradley and seconded by Adrian Estwick. It was approved with 6 votes in favour, none against, and 1 abstention.
6. Next Meeting
 - a. It was noted that the next General Meeting is scheduled for 19 September 2018, at 1pm in GAB 2024 (in Grand Cayman).
7. Any Other Business
 - a. DoE proposed a Protected Area Nomination in the Central Mangrove Wetland.
 - i. Two Central Mangrove Wetland parcels are newly available for protection. One parcel was previously nominated and has now come in to 9/10th Crown ownership. The second parcel is under sale agreement for development as a quarry but the seller and developer are now interested in changing that to a sale for conservation.
 - ii. DoE proposed that Council consider these nominations, pending confirmation that they meet the screening criteria for land for acquisition. (The Central Mangrove Wetland has previously been assessed by the Council as land that is suitable for conservation and of high rank among areas previously considered for acquisition as Protected Areas.)
 - iii. Council noted that the second site is in an area which the Aggregate Advisory Committee has historically not recommended quarries be approved for logistical, geologic and conservation reasons. Therefore it is possible that the proposed use of the land would not be approved. While this makes subsequent residential development approval the most likely eventual use of this land even that approval is not guaranteed, nor is the logistical, geologic and financial suitability of the land for residential development clear. This makes acquisition for conservation purposes possibly the highest public value use of this land.
 - iv. It was agreed that considering the nominations separate from the standard nomination periods was only a change in the Council's internal systems and would still meet the legal requirements set out in the National Conservation Law.
 - v. Council agreed in principle to consider these two nominations. DoE would conduct the assessments and prepare the formal nominations for Council consideration.
 - b. Council noted that the 2018 Protected Area Nominations Period is now open (15 June to 15 September) and will be advertised during the nomination period.
8. Adjournment
 - a. There being no other business the meeting adjourned at 2:25pm.

9. Attendance Appendix

Council Member	27 June 2018	Representation
-	-	Bodden Town
-	-	West Bay
Lisa Hurlston-McKenzie	Apologies	George Town and Sustainable Development & Climate Change
McFarlane Conolly	Present	East End and Sustainable Development
-	-	North Side
Wallace Platts	Present	Sister Islands and Terrestrial Biodiversity
Nadia Hardie	Apologies	National Trust for the Cayman Islands
Patricia Bradley	Present	Avifauna & Biodiversity
Fred Burton	Present	Terrestrial Biodiversity
Adrian Estwick	Present	Director of Agriculture
Haroon Pandohie	-	Director of Planning
Colleen Stoetzel	Present	Planning Officer, representing the Director of Planning
Gina Ebanks-Petrie	Present	Director of Environment
Timothy Austin	Apologies	DoE Deputy, Research
John Bothwell	Present	Secretary