



Ministry of the Interior and
Kingdom Relations

CLIMATE
WATER
MANAGEMENT
ECONOMY
SAFETY
SUSTAINABILITY
**SPATIAL
DEVELOPMENT
PROGRAMME FOR
CARIBBEAN
NETHERLANDS**
NATURE AND
ENVIRONMENT
LIVABILITY
CULTURE
ENERGY
FOOD

Ministry of Housing and Spatial Planning



Table of contents

1. Introduction	5
1.1 Purpose of the Spatial Development Programme for Caribbean Netherlands	5
1.2 Process	5
1.3 Structure	6
2. Spatial Development Programme for Caribbean Netherlands	7
2.1 Spatial planning tasks for the islands	7
2.2 Legal context of the Spatial Development Programme for Caribbean Netherlands	9
2.3 National interests with spatial implications for Caribbean Netherlands	11
3. National government spatial policy in Caribbean Netherlands	13
3.1 Efficient and manifold use of space to ensure sustainable development	13
3.2 Future-proof housing construction aligned with the needs of the population in Caribbean Netherlands	14
3.3 Sufficient access to facilities for a healthy living environment	15
3.4 Protecting crucial and sensitive functions from the consequences of climate change	17
3.5 Good water management to curtail floods, drought and erosion	18
3.6 Promoting investments in renewable energy	18
3.7 Protecting nature in Caribbean Netherlands	19
3.8 Guaranteeing external safety and curtailing nuisance from businesses	22
3.9 Protecting cultural heritage and archaeological values	22
3.10 Sustainable economic development	23
3.11 Developing the agrarian sector for food security	24
3.12 Safe operation of airports	24
3.13 Good accessibility of seaports	25
3.14 Integral management of the Exclusive Economic Zone (EEZ)	26
4. Implications of national government policy for Caribbean Netherlands	29
4.1 Bonaire	29
4.2 Sint Eustatius	33
4.3 Saba	35
5. Consultation between the national government and the Public Entities in adopting and revising spatial development plans	37
6. Financial Section	39
Appendix A – Other relevant legislation and policy	40
Appendix B – List of abbreviations and concepts	42



1. Introduction

The Public Entities of Bonaire, Sint Eustatius and Saba face major spatial planning tasks. Population growth, climate change, economic growth and transitions, food security, as well as protecting unique culture and nature, require choices in spatial development. Given the complexity and urgency of the tasks and the corresponding spatial interests, the Minister of Housing and Spatial Planning has opted to pursue her role in spatial development of the three islands more emphatically. This intention also figures in the Caribbean Netherlands Housing and Spatial Planning policy agenda (action line 4: Chart spatial course).¹ The Spatial Development Programme for Caribbean Netherlands (SDPCN) elaborates on this agenda.

1.1 Purpose of the Spatial Development Programme for Caribbean Netherlands

As the name indicates, the SDPCN concerns spatial development of the islands. This means that the programme describes only policy objectives with implications for the physical living environment.

The SDPCN comprises a summary of national government spatial policy for Caribbean Netherlands. The objective of this policy is sustainable and safe spatial structuring of the islands by furthering sustainable economic development, a healthy living environment, good spatial quality and conservation of cultural and natural values. The SDPCN also describes the measures with which the Minister of Housing and Spatial Planning envisages realizing the spatial objectives of the national government. Engaging the Public Entities and national government in structured consultation is paramount here.

By formulating the spatial planning principles included in the programme, the SDPCN is a guide and framework for preparing and offering advice about spatial development plans in Caribbean Netherlands. In doing so, the national government aims to elaborate its role as a partner to the Public Entities and to assume responsibility in bringing about good spatial developments.

Finally, the SDPCN promotes an integral policy structure in Caribbean Netherlands. Aligning government policy with spatial implications in different sectors makes clear in what measure objectives are complementary or lead to spatial choices. This improves policy coordination.

1.2 Process

The SDPCN has been drafted in consultation with the executive councils of the Public Entities and the “physical departments.” The Nature and Environment Policy Plan CN (NMBP), which was completed in 2020, stresses the necessity of drafting the SDPCN. In 2022 the Ministry of Housing and Spatial Planning (VRO) conducted an exploratory study, resulting in a provisional plan that was shared with the departments and the island executives. This design describes the most important challenges to good spatial development on the islands. The ministries were then asked to chart national government policy with spatial implications: the spatial agenda. After discussing the spatial agenda with representatives of the Public Entities and social partners on the islands in February 2023, the preliminary draft SDPCN was composed. This preliminary draft, which describes national government policy and the impact on spatial planning on the islands, was discussed with the executive councils and the official organizations on the three islands in June 2023. In addition, discussions took place with social partners, and public consultation sessions were organized on the three islands to explain and discuss the preliminary draft.

¹ <https://www.rijksoverheid.nl/documenten/rapporten/2023/01/26/beleidsagenda-volkshuisvesting-en-ruimtelijke-ordening-voor-caribisch-nederland>

The draft SDPCN has been composed based on input from these conversations. The draft was made available for inspection by any party for six weeks between January and March 2024. After being available for inspection, some adjustments were made following the opinions submitted, which are described in an opinions report. The draft SDPCN was submitted to the executive councils of Bonaire, Sint Eustatius and Saba for advice in April 2024. Based on the advice, some additional amendments were entered, resulting in this final version of the SDPCN.

1.3 Structure

The SDPCN consists of several sections. Chapter 2 includes a brief description of the spatial planning tasks the islands face and the legal context of the programme.

Chapter 3 describes the highlights of the national government spatial policy for Caribbean Netherlands. The policy has been formulated around several themes. The principles arising from this policy relate to the spatial development plans for the islands.

Chapter 4 addresses the specific features of the different islands and relates national government spatial policy to the individual islands where necessary.

The integral nature of the SDPCN and the many parties involved from the national government and the Public Entities present challenges for careful realization of spatial development plans and spatial policy enforcement. Chapter 5 describes how the governance processes concerned may be structured.

2. Spatial Development Programme for Caribbean Netherlands

2.1 Spatial planning tasks for the islands

The islands are on the verge of several important spatial developments. According to projections by Statistics Netherlands (CBS),² Caribbean Netherlands is expected to have circa 33,100 inhabitants in 2030, an increase of 12.6 percent with respect to 2023. Table 1 depicts the growth for each island.

Table 1 – Projected population growth in Caribbean Netherlands (x 1,000)

	2023	2030	Growth (%)
Bonaire	24.1	27.2	12.9%
Saba	2.0	2.2	10.0%
Sint Eustatius	3.3	3.6	9.1%
Total	29.4	33.1	12.6%

The CBS also estimates that the population in Caribbean Netherlands will age. Whereas in 2022 14 % of the population was 65 or older, this share will rise to 21 % by 2035. Population growth and demographic ageing will increase reliance on public facilities and will continue to impact economic self-sufficiency of the islands.

Population growth will also increase demand for affordable homes on the islands, while on all three islands there is currently already a shortage of suitable and affordable housing. Population growth will also have implications for infrastructure capacity.

Strengthening the socioeconomic position of citizens in Caribbean Netherlands is important. While the SDPCN is not directly conducive to this, it may help bring about the enabling conditions needed. The first CBS study on “overall affluence” reveals that between 20 and 28 % of the population lived below the poverty level in 2020.³ In addition to investing in affordable homes, sustainable economic development

² <https://www.cbs.nl/nl-nl/nieuws/2022/49/prognose-15-,percent-meer-inwoners-caribisch-nederland-in-2030>

³ <https://www.cbs.nl/nl-nl/nieuws/2022/48/eerste-onderzoek-brede-welvaart-caribisch-nederland-toont-wisselend-beeld>



promoting the affluence of the population is crucial to achieve socioeconomic improvement among the citizens. The cultural identity of the islands needs to be safeguarded in conjunction with economic development.

Finally, recent research by the Vrije Universiteit reveals that Caribbean Netherlands is susceptible to climate change.⁴ Devising a thorough strategy for climate adaptation and climate mitigation is therefore crucial to ensure the safety and resilience of the islands. Climate change, combined with local pressure factors, increasingly burdens the unique nature of Caribbean Netherlands.⁵ The islands accommodate many special and threatened animal and plant species protected locally, nationally or internationally. Nature is also one of the most important foundations for the local economy.

Challenges relating to population growth, economic development, nature conservation and climate change impact space on all islands. As a result, dealing carefully and efficiently with the space available keeps becoming more relevant. In addition, conflicting interests sometimes call for difficult decisions, as well as an integral view of spatial development on the islands. This SDPCN details the expected developments to provide insight into these spatial development choices opportunities.

2.2 Legal context of the Spatial Development Programme for Caribbean Netherlands

The following sections provide insight into the Act on Spatial Development Planning Principles BES (Wgro BES) and the existing spatial development plans of Bonaire and Sint Eustatius. This chapter also comprises a list of national government interests with spatial implications.

In addition, different sectoral laws and policy documents are relevant for drafting the SDPCN. These are described in Appendix A.

2.2.1 Act on Spatial Development Planning Principles BES (Wgro BES)

Wgro BES Article 4 stipulates that national government policy for developing the region of the Bonaire, Sint-Eustatius and Saba Public Entities shall be summarized by the minister in a programme, in each case spanning a maximum of 10 years. According to Wgro BES Article 3, national government policy and therefore the programme serve the following general objectives:

- The most favourable balance possible should be preserved between the space available and the development to be promoted there, in part in light of the population growth it will bring about.
- Spatial conditions are to be realized to preserve a healthy living environment, including securing nature and recreation areas in accordance with the future population size, as well as purifying water, soil and air.
- Housing that becomes available and the corresponding social and cultural facilities should wherever possible match population growth and align with execution of the development projects.
- Timely measures need to be taken to adapt the existing built-up hubs to new developments and to improve inadequate residential conditions.

⁴ <https://vu.nl/en/news/2022/climate-change-may-have-major-impact-on-bonaire>

⁵ Staat van Natuur Caribisch Nederland (2017): <https://edepot.wur.nl/426340>

Wgro BES Article 7 stipulates that Public Entities need to consider the SDPCN in drafting their spatial development plans. The Explanatory Memorandum to this law indicates that Public Entities are responsible for drafting and implementing spatial planning policy, but that the minister bears overall responsibility for implementing the Wgro BES properly and correctly, so as to safeguard supralocal interests as well. This is also known as “system responsibility.”

Implementation of the Spatial Development Programme is explicitly intended to arise through consultation with the Public Entities. The topics defined in this SDPCN are an important principle for this consultation. In chapter 5 the structure of this consultation is elaborated.

If the minister believes that a Public Entity is not implementing the SDPCN sufficiently, pursuant to Wgro BES Article 17 the minister may in extreme cases give the Public Entity a reactive instruction, after a spatial development plan has been adopted. The minister may do so, if the national government services involved in ensuring spatial planning have lodged an objection concerning a draft spatial development plan, and this objection has not been or has not been fully adopted.

The minister may, pursuant to Wgro BES Article 17a, issue a proactive instruction, if national government interests so require with a view toward good spatial planning. Prior to such an instruction, the executive council and the island council will be consulted and the House of Representatives notified.

Given the good relations with island councils and the current state of spatial planning policy on the islands, authority to issue a designation order is expected to be used only in exceptional cases.

2.2.2 Spatial development plans

The Public Entities of Bonaire and Sint Eustatius have implemented the Wgro BES by adopting a spatial development plan. Saba has not yet adopted a spatial development plan but has by now launched preparations to this end.

The spatial development plan of Bonaire (ROB) is from 2010.

The spatial development plan of Sint Eustatius (ROE) is from 2011. In 2023 a revision was adopted. At the time the SDPCN was drafted, it had not yet been published and had not yet come into force.

The SDPCN has been aligned as much as possible with the existing spatial development plans of the Public Entities and the revisions thereof. The SDPCN is intended to support the spatial policy of the Public Entities as formulated in the spatial development plans and to supplement them in a few important and current policy themes.

2.3 National interests with spatial implications for Caribbean Netherlands

To ensure that national government policy carries over properly and adequately to spatial development plans of the Public Entities, relevant national interests with corresponding policy frameworks need to be listed. This concerns supralocal interests in the physical living environment, in which the national government envisages playing a role because of relevant legislation or policy objectives. Responsibility for many interests is in fact shared between the national government and the Public Entities.

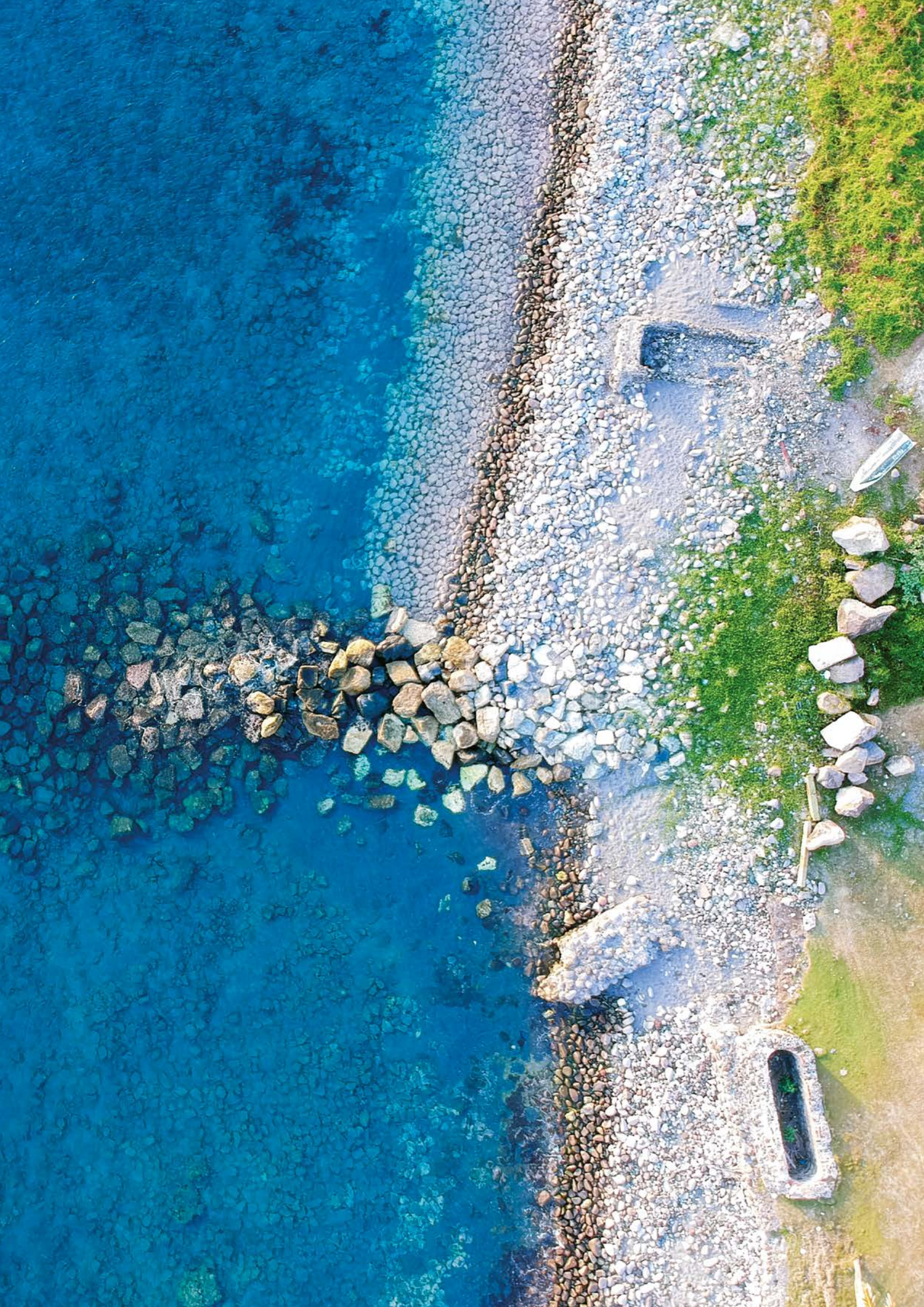
The Wgro BES describes various general objectives for spatial development policy in Caribbean Netherlands (see section 2.2.1). In addition, while preparing this SDPCN, different departments contributed policy objectives that have spatial implications (see Appendix A). Based on this information, the following national interests have been identified for the SDPCN⁶:

1. Efficient and **manifold use of space** to ensure sustainable development
2. Future-proof **housing construction** aligned with the needs of the population in Caribbean Netherlands
3. Sufficient access to **facilities** for a healthy living environment
4. Protecting crucial and sensitive functions from the **consequences of climate change**
5. Good **water management** to curtail floods, drought and erosion
6. Promoting investments in **renewable energy**
7. **Protecting nature** in Caribbean Netherlands
8. Guaranteeing **external safety** and curtailing nuisance from businesses
9. Protecting cultural heritage and archaeological values
10. Sustainable **economic development**
11. Developing the agrarian sector for **food security**
12. Safe operation of **airports**
13. Good accessibility of **seaports**
14. Integral management of the **Exclusive Economic Zone (EEZ)**

The above national interests are elaborated further in chapter 3, which describes for each policy topic how these national interests should be taken into account in spatial development plans. The two categories recognized are:

- 1) **Binding:** In some cases, the national government interests are binding and may not be waived in spatial development plans. Such government interests are usually set forth in policy objectives that have been adopted nationally pursuant to legislation or international conventions.
- 2) **Merits consideration:** Other national interests need to be considered in spatial development plans. This means that these interests may be waived, provided that proper substantiation is available. Such substantiation must be included in the justification of the spatial development plan and in the considerations that underlie a decision to adopt a spatial development plan.

⁶ This list of national government interests is not limitative. Legislative and regulatory amendments and new policy objectives may give rise to new national interests.



3. National government spatial policy in Caribbean Netherlands

This chapter offers an account of national government policy in Caribbean Netherlands with spatial implications. Spatial development plans on the islands need to be drafted, revised and amended according to this policy. Policy objectives are described and principles for consultation about spatial development plans explained for each theme.

3.1 Efficient and manifold use of space to ensure sustainable development

Space is limited on the islands in Caribbean Netherlands. Safeguarding sustainable development therefore requires considering for each spatial development choice whether the space available (both above and below ground level⁷) is being used efficiently and effectively. With new spatial developments, for example, this means, examining opportunities inside existing built-up hubs first, before considering construction outside built-up hubs. In the process, new developments need to be built sustainably to minimize the impact on the living environment. Concentrated development is also important to set up facilities efficiently (see 3.3). Land policy is important for realizing manifold and cost-efficient use of space,⁸ by encouraging efficient and effective allotment and construction. Finally, when developing new areas, efficient and integral area development principles need to be applied.⁹

Significance for spatial development plans: A spatial development plan that provides new urban functions or expands existing urban functions shall substantiate the cost-efficient and manifold use of space principle for those functions. This substantiation reveals that the new urban function meets a need, and that the function may not reasonably be realized within the existing built-up areas. Spatial integration and quality require consideration in this process.

National interest category: merits consideration.

⁷ At present little is known about the use and management of the foundations in Caribbean Netherlands. Good spatial planning requires disclosing use of the foundations.

⁸ On Bonaire the land policy memorandum was adopted on 11 October 2022. It comprises the principles for effective land policy. Issuing leasehold land is discussed here as well.

⁹ In the Housing Deal reached on Bonaire the principles for efficient area development are described.

3.2 Future-proof housing construction aligned with the needs of the population in Caribbean Netherlands

The homes built on the islands in recent years often fail to meet local needs adequately. Many homes realized are not financially affordable for local residents or persons with economic ties to the island. Homes to be completed in the coming years need to meet actual need, based on a study of housing development needs,¹⁰ as well as on housing construction agreements between the national government and the Public Entities. This will lead to appropriate construction of a housing supply, with opportunities for the local population, persons with economic ties to the islands and specific target groups, such as the elderly, singles and young adults. The national government is working with the Public Entities to implement the Housing and Spatial Planning Policy Agenda for Caribbean Netherlands.¹¹ To improve the balance between supply and demand, the national government will contribute financially toward building public-sector rental homes in Caribbean Netherlands, and homes will be renovated on Sint Eustatius. The number of affordable homes to be built for each island will be elaborated in a housing deal (Bonaire) or via “letters of intent” (Saba and Sint Eustatius). Until 2030, the construction objective should in any case comprise a minimum of 66 % public-sector and middle-income rental homes and affordable owner-occupied homes in different types of homes that reflect the needs of the target groups.¹²

Significance for spatial development plans: A spatial development plan may enable construction of new homes, if they are compatible with the housing development agreements reached by the minister. This requires distinguishing between public-sector rental housing, affordable owner-occupied homes, mid-market rental housing, mid-price owner-occupied homes, non-subsidized homes and life-cycle proof homes. Spatial development plans include rules indicating the percentage of the homes to be developed in a specific sector in new housing units to be realized.

National interest category: Binding.

¹⁰ As this SDPCN is being drafted, the CBS is conducting a study to assess housing development needs. This is expected to generate guidelines for the number of homes to be built in different segments, and outcomes of this study are expected to be used in drafting a housing development programme. The housing development study is updated every two years.

¹¹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2023/01/26/aanbiedingsbrief-bij-beleidsagenda-volkshuisvesting-en-ruimtelijke-ordening-caribisch-nederland>

¹² Definitions of public-sector and middle-income rental and affordable owner-occupied homes are detailed in the housing Deals for each island. On Bonaire the Public Entity of Bonaire and the national government signed a Housing Deal in June 2023.

3.3 Sufficient access to facilities for a healthy living environment

A good residential and living environment requires adequate facilities. On the one hand, these concern utilities services, such as water, electricity, discharging and sustainable waste and rain water processing facilities and road infrastructure.¹³ On the other hand, sufficient social, educational, care, wellness and sports facilities are needed. Good mobility is important to ensure access to residential neighbourhoods and facilities. In doing so, road building needs to take into account drainage, subsurface and road function.

Residential neighbourhoods that have accessible facilities and are easy to reach and have many parks ensure quality of life and attractive surroundings, where people of all ages enjoy living. In addition, abundant parks in the built environment ensure resistance to heat, flooding and other effects of climate change. Diverse, accessible, high-quality facilities in a neighbourhood also make for surroundings that offer quality of life for young and old, where inhabitants meet more frequently and exercise more. In consultation with the Public Entities the national government will draft recommendations and/or guidelines for levels of facilities in residential areas. In doing so, the specific characteristics of each island need to be taken into account to devise spatially appropriate and realistic solutions. Grant allocation (toward sports, leisure, social and interactive facilities and childcare sites) also includes considering access to and distribution of facilities over the island.

One aspect of consideration is the distribution of costs for building and managing facilities in new residential areas to be developed. Clear agreements need to be reached between Public Entities, developers and utilities suppliers about installation and distribution of costs.

Significance for spatial development plans: A spatial development plan that provides for construction of new homes includes substantiating availability and accessibility of utilities services and other facilities for a healthy living environment in the immediate surroundings of the new homes to be built. Such substantiation also addresses how building and managing the facilities is funded, and how safe and sustainable accessibility and infrastructure are realized.

National interest category: Utilities are essential for inhabitants of Caribbean Netherlands and have therefore been included as “binding”; the other facilities are qualified as “merit consideration.”

¹³ Achieving sustainable waste processing requires encouraging circular use of raw materials, so that waste flows and corresponding pollution are curtailed. Saba and Sint Eustatius have teamed up to devise a joint solution for waste processing.



3.4 Protecting crucial and sensitive functions from the consequences of climate change

Global climate change has an impact on the islands as well. Lower-lying areas may be flooded in the future due to rising sea levels and heavy rainfall.¹⁴ While these areas are limited on Saba and Sint Eustatius, they are a considerable share of the South of Bonaire. On the other hand, the risks of tropical storms are greater on Saba and Sint Eustatius. This requires climate-proof spatial structures on the islands. Crucial functions, such as facilities for energy and potable water systems, police and fire stations and hospitals, must be able to operate at all times and therefore cannot be built everywhere. Disruption of crucial functions may have serious social consequences. These functions may also be essential for responding adequately to extreme weather conditions and their consequences. In addition to crucial functions, there are sensitive functions,¹⁵ such as homes and schools, for which climate risks need to be taken into account. In the climate plans, agreements shall be reached for each island as to whether new construction is desirable of both crucial and sensitive functions in low-lying areas. This will entail the use of more accurate elevation maps and an update in the near future of a flood risks report from 2016. This update shall list both the KNMI [Translator's note: Royal Netherlands Meteorological Institute] climate risk scenarios from 2023 and new insights in terms of both scenarios and possible consequences.

Not all effects can be averted by building on the right locations. Arranging the area concerned so as to minimize vulnerability to climate impacts is therefore important. Crucial functions require extra attention, as do vulnerable groups of people in society. Shifting climate effects and risks in space and time toward other groups and parties in society is to be averted. Finally, climate-proof construction of buildings and infrastructure is important to curtail damage caused by storms, heat waves and flooding. To this end, a stipulation providing for climate, sustainability and environmental requirements may be included in the BES Construction Decree.

Significance for spatial development plans: A spatial development plan shall include a substantiation as to how the plan takes the consequences of climate changes into account for sensitive functions. Crucial functions shall not be realized in areas identified as high risk in terms of climate change.

National interest category: binding for crucial functions, as these are crucial for society to function; for sensitive functions, “merits consideration” is applicable.

¹⁴ This is apparent from research at the Vrije Universiteit: <https://vu.nl/en/about-vu/research-institutes/institute-for-environmental-studies-ivm/more-about/the-impacts-of-climate-change-on-bonaire-2022-2023-ivm>

¹⁵ For a definition of sensitive functions: <https://www.infomil.nl/onderwerpen/ruimte/omgevingsthema/externe-safety/geoelinge-functies/>

3.5 Good water management to curtail floods, drought and erosion

As a consequence of climate change, the islands may increasingly face periods of drought or excessive rain water. This may cause more flooding and erosion. The islands should be arranged to be robust against water effects.¹⁶ Such a water-robust structure means that in periods of excessive precipitation space is available to buffer and retain water and to control its discharge (not causing pollution, damage in vulnerable areas, marine ecosystems and infrastructure). In cases where the water supply is insufficient, ensuring that priority functions (such as agriculture and nature) can access the supply is necessary. Developing a robust water system based on a water management plan for surface water, rain water and ground water is therefore important. Areas important for water storage and control of drainage and infiltration (such as *saliñas*, gullies and dams) need to be indicated here. Active water management will make the islands more resilient in case of excesses and shortages but will also avert social and economic disruption caused by serious rainfall on the islands.

A spatial development needs to provide for adequate water management: the ability to store and run off water may not be compromised but should preferably improve. At a larger scale, spatial developments should be conducive to a robust water system as well. Moreover, water quality needs to be safeguarded through an effective waste-water management plan. A decentral waste-water purification facility may be used for example, to ensure that central facilities are not overburdened in spatial developments.

Significance for spatial development plans: A spatial development plan includes substantiating how the plan addresses the risk of flooding, water quality and erosion as a consequence of rainfall. Substantiation is based on a water management and a waste-water management plan, to be adopted by the Public Entities. Such substantiation indicates how the various water aspects (capture, infiltration and drainage) are addressed, and which results should ensue.

National interest category: merits consideration.

3.6 Promoting investments in renewable energy

A large share of energy on the islands is generated through fossil fuels. Aside from the pollution and carbon emissions that such generation causes, the energy supply on islands is dependent on fossil fuels on the international market. Investing in renewable energy sources is important to reduce the use of fossil fuels, thereby rendering the energy supply more self-sufficient and sustainable. Grants toward the energy supply are issued only for sustainable initiatives that contribute toward climate mitigation. The objective is for a minimum of 80 % of the energy for Caribbean Netherlands to be generated from renewable sources in 2030.

Significance for spatial development plans: A spatial development plan includes substantiating how the plan allows for generating renewable energy, and how the plan is conducive toward achieving the 80 % objective.

National interest category: merits consideration.

¹⁶ A: Natuur- en Milieubeleidsplan CN 2020-2030, objective 1.1.2 Regenwaterbeheer, Kamerbrief Water en Bodem sturend [112 Rain water management, letter to the House of Representatives on guiding water and soil]: <https://open.overheid.nl/documenten/ronl-c35e65eba0903d738ae26dab222462337bod8de7/pdf>

3.7 Protecting nature in Caribbean Netherlands

3.7.1 Protecting national nature parks and other internationally and locally protected areas

National nature parks are present on all islands, both on land and in the sea, that are included internationally as protected areas according to the SPAW protocol. In addition, water bodies, which may or may not be part of a national park, are protected based on the Ramsar Convention.¹⁷ At the end of 2022 the Netherlands agreed to the objective of restoring 30 % of land and sea by 2030 and protecting them effectively in mutual cohesion pursuant to the Convention on Biological Diversity.¹⁸ Achieving this objective will require designating new protected nature areas. Areas such as the ones mentioned in the following section (3.7.2) are eligible as well. Due to their international importance for biodiversity and as an area where endangered species live, these nature areas require effective protection. In addition, determining effective buffer zones surrounding nature conservation areas has been identified explicitly as a milestone in the Caribbean Netherlands Nature and Environment Policy Plan (NMBP), which entails a supralocal national policy objective. Whether new buffer zones are needed surrounding the areas concerned is to be determined through research. This entails curtailing the consequences of human activities in proximity to sensitive ecosystems, including limiting erosion and the effects of construction projects. Use of buildings (e.g. as tourist accommodation along the coast) has consequences for the environment because of waste, waste water and use of harmful substances.

In addition to the nature areas mentioned above, Bonaire and Sint Eustatius have areas that are protected because of their nature values under the spatial development plans currently in effect. In several of these areas the national government has invested in restoring the ecosystem and in eliminating invasive introduced species pursuant to the NMBP. Spatial developments must not affect all nature areas mentioned above, which are protected internationally, nationally or locally.

Moreover, in this context the Establishments and Activities Decree BES (hereafter: IAB BES) requires an EIA for developments that might entail serious disadvantages for the values of a sensitive area or a buffer zone of a sensitive area, including nature parks and internationally designated areas.¹⁹ During the time ahead, the extent to which additional buffer zones need to be designated as a sensitive area for the protected nature areas will be investigated.²⁰

Significance for spatial development plans: a spatial development plan does not allow any new spatial developments in the nature areas and buffer zones indicated on the maps in Chapter 4 that would have disadvantageous consequences for the essential features or values of those areas or zones or conflict with statutory provisions (as arising from Ramsar or SPAW).

National interest category: binding.

¹⁷ For additional information on the impact of these conventions: <https://wetten.overheid.nl/BWBR0028434/2019-01-01>

¹⁸ This results from the COP15 held in Montreal, also known as the Kunming/Montreal framework: <https://www.cbd.int/article/cop15-final-text-kunming-montreal-gbf-221222>

¹⁹ Environmental Impact Assessment: <https://www.infomil.nl/onderwerpen/integrale/mer/>

²⁰ For additional information about the IAB BES: <https://wetten.overheid.nl/BWBR0049276/2024-04-01>



3.7.2 Protecting habitats and ecological corridors outside nature parks and internationally protected areas

On the islands nature values or other values are also present in areas without a legally protected status or a specific nature function. These areas may offer an important habitat for (internationally) protected species or may be of great value from a landscape perspective or due to the presence of cultural heritage. In some of these areas, efforts are made to control wandering cattle to enhance landscape quality. Additionally, these areas promote climate stability, for example by catching rain water (thereby also reducing the risk of damage from drought). Ensuring appropriate planning protection for these areas is important. Spatial policy is aimed at protecting, maintaining, improving and developing the cohesion and quality of these areas.

The IAB BES makes it possible to designate a spatial development plan in sensitive areas, so that activities in these areas that may have disadvantageous consequences for values present require an EIA. Such a designation should preferably align with the areas as intended in this paragraph. Given the provisions in the IAB BES, buffer zones may be present around the sensitive areas. The extent to which such sensitive areas and buffer zones need to be designated will be examined in the time ahead.

Significance for spatial development plans:

1. Areas with important and potential nature values outside protected nature areas shall be designated in spatial development plans as “sensitive area,” as intended in IAB BES Article 1.1 (“area that by virtue of the Act on Spatial Development Planning Principles BES has been designated as protected area in an applicable development plan”).
2. In these areas a spatial development plan does not allow new spatial developments that that have or could have disadvantageous consequences for the essential features or values of those areas. This may be waived in exceptional cases, subject to the following conditions:
 - a. there is a demonstrable compelling public interest for which no realistic alternatives are present,
 - b. the values, cohesion and quality of these areas may not be disproportionately affected by the development. This should be clear in any case from studies and an integral vision for the entire area
 - c. damage to present or potential values resulting from the spatial development in the studies is curtailed as much as possible by mitigating measures, and nature values are restored wherever possible.

National interest category: binding, because these areas are important for established national government policy objectives.

3.7.3 Nature-inclusive development in built-up areas

Nature is present or may develop in built-up hubs as well. If arranged well, ecological corridors may materialize within these areas, thereby helping reinforce the ecological main structure of the island. This will strengthen the nature values of the entire island and will improve the intrinsic functioning of the nature areas. In addition, developing natural areas or parks in urban zones enhances the quality of the living environment and makes for climate-proof conditions, such as water management and preventing heat stress. The Housing Deals and/or housing construction agreements call for nature-inclusive building.

Significance for spatial development plans: A spatial development plan that provides new functions or expands them within built-up hubs includes substantiating how present and potential nature values are treated.

National interest category: merits consideration.

3.8 Guaranteeing external safety and curtailing nuisance from businesses

Businesses posing a threat to persons outside the industrial site (e.g. through the use of hazardous substances) are required to meet safety standards. In Caribbean Netherlands the Establishments and Activities Decree BES (IAB BES) applies, regulating the external safety of establishments. In the interest of achieving a healthy and safe living environment, safety zoning rules around high-risk properties and establishments need to be included in the spatial development plans. In addition, curtailing the burden of businesses and establishments on other functions (such as residential) is important in the context of good spatial planning, so that sufficient space remains for commercial expansion, without negative effects for the surroundings.

Significance for spatial development plans: A spatial development plan reflects consideration for the consequences of businesses that pose a threat to the safety of persons within their sphere of influence. The explanatory note to the spatial development plan lists the businesses concerned and indicates how the plan takes safety around the businesses into account.

National interest category: binding, because this is essential for a safe and healthy residential and living climate.

3.9 Protecting cultural heritage and archaeological values

3.9.1 Protected urban conservation areas, monuments and cultural landscapes

On the islands there are monuments, properties and protected urban and village conservation areas that should be preserved in the interest of cultural-historical values. Agrarian landscapes may have important cultural-historical value as well, such as, for example, the Kunuku landscape on Bonaire. The Council of Europe convention on monuments (Convention for the Protection of the Architectural Heritage of Europe, the Granada Convention) applies to Caribbean Netherlands as well.²¹ The CN Culture Covenant 2022-2025 guides cooperation between the national government and the Public Entities.²² Support for restoration and for making monuments sustainable is provided via the Nationaal Restauratiefonds or via tax deductions. Options for providing grants toward maintaining government-owned cultural heritage are being explored, for example through region deals, as well as whether the Information and Heritage Inspectorate might play a role in enforcing cultural heritage conservation. Protecting monuments, properties, landscapes and urban and village conservation areas should figure integrally in spatial planning. This will preserve the story of the islands and their own identity for future generations.

Significance for spatial development plans: A spatial development plan includes rules aimed at preserving and restoring urban conservation areas, monuments and culture landscapes. The rules are aimed at averting disfigurement, damage and demolition of cultural heritage, as well as at boosting spatial quality.

National interest category: binding, considering the international importance of protecting monumental values and ratified international convention(s) and the policy objectives of protecting cultural heritage included in the CN Culture Covenant 2022-2025.

²¹ For additional information about the Granada Convention, see: <https://wetten.overheid.nl/BWBV0002624/1994-06-01>

²² <https://zoek.officielebekendmakingen.nl/stcrt-2022-26750.html>

3.9.2 Protecting archaeological values

On the islands various archaeological values are present above ground and below ground level and in marine areas. National government policy is focused on preserving and protecting archaeological values and on compliance with the Valetta Convention and with the UNESCO Convention on the Protection of Underwater Cultural Heritage, still awaiting ratification (UNESCO 2001). The principles of the Valetta Convention apply on the islands as well. These stipulate safeguarding protection of archaeological values and preserving the identity of the islands for future generations. The Monuments Act BES indicates that this may be elaborated in island regulations for monuments. Archaeological value maps have been drafted for Caribbean Netherlands to implement the Valletta Convention. In issuing permits by the water manager RWS [Translator's note: Directorate General for Public Works and Water Management] pursuant to the Maritime Management Act, OCW/RCE [Translator's Note: Education, Culture and Science/Cultural Heritage Agency] is the statutory advisor on dealing with archaeological values under water. This act applies from the coastline.

Significance for spatial development plans: A spatial development plan includes rules aimed at preserving and protecting archaeological values that match the principles and objectives from the Valetta Convention and UNESCO 2001. This means that spatial developments may not affect or may not disproportionately affect archaeological values. The explanatory note to a spatial development plan lists and describes known and demonstrably likely archaeological values. The substantiation describes the archaeological values concerned and indicates how they will be addressed.

National interest category: binding, considering the international importance and (upcoming) ratification of international conventions (Valletta and UNESCO 2001) of protecting archaeological values and the policy objectives of protecting cultural heritage adopted in the CN Culture Covenant 2022-2025.

3.10 Sustainable economic development

The national government and Public Entities aim to achieve sustainable economic development. This means that: 1) the islands and their citizens should benefit from economic growth, in particular to prevent poverty and increase purchasing power; 2) the future is to be envisaged deriving from sustainable income sources and using renewable energy wherever possible. That means diversifying the economy to boost earning capacity and to make economies more resilient. The national government is offering to support each island in drafting and elaborating views toward achieving sustainable economic development.

Significance for spatial development plans: A spatial development plan includes substantiating how the plan takes into account the view of the Public Entities on sustainable economic development and offers latitude in planning to realize this vision.

National interest category: merits consideration.

3.11 Developing the agrarian sector for food security

Food on the islands is expensive, because nearly everything needs to be imported. Moreover, dependence on outside support makes for vulnerability. Producing food independently is conducive to food security, employment and improved food quality and will promote economic growth on the island as well. Agrarian areas may have an important function as buffer zones of nature areas here and may help make the island climate-proof. Sustainable local food production requires setting aside sufficient space and developing the infrastructure needed for irrigation.

Significance for spatial development plans: A spatial development plan includes substantiating how the plan takes into account developments in the agrarian sector and food security and quality. Overall, the plan provides latitude for realizing the agrarian development vision.

National interest category: merits consideration.

3.12 Safe operation of airports

The airports on the islands are important for keeping the islands socially and economically functional. To ensure safe aviation, four spearheads for Caribbean Netherlands have been formulated in the Aviation Memorandum 2020-2050²³:

1. Raising and maintaining safety standards and rules for air traffic, airports and air space that match the safety standard required by the UN aviation organization ICAO and the Chicago Convention.²⁴
2. Setting up and maintaining an adequate airport infrastructure in Caribbean Netherlands and supporting air traffic services over the course of several years, in conjunction with the connections by sea.
3. Furthering (affordable) access to Caribbean Netherlands to promote the local economy and the social outlook.
4. Promoting properly functional authorities for aviation and developing competencies at different levels.

This means that around the airport, safety, excess noise and air quality require attention. Unsafe situations are to be averted both at the airport and outside. Restrictions on construction and use therefore apply around the airport. Accordingly, airports have been included in spatial development plans.²⁵

Significance for spatial development plans: A spatial development plan shall reflect decisions regarding the airport designation and noise ranges. The same holds true for surfaces free of obstacles.

National interest category: binding, as these safety standards have been adopted in international agreements.

²³ [Verantwoord vliegen naar 2050 Luchtvaartnota 2020-2050 | Rapport | Rijksoverheid.nl](https://www.rijksoverheid.nl/onderwerpen/verantwoord-vliegen-naar-2050/luchtvaartnota-2020-2050)

²⁴ <https://wetten.overheid.nl/BWBR0005507/2017-10-23>

²⁵ Airports in Caribbean Netherlands:

- Bonaire: <https://zoek.officielebekendmakingen.nl/stcrt-2022-40-n1.html>
- Sint Eustatius: <https://zoek.officielebekendmakingen.nl/stcrt-2020-37194.html>
- Saba: <https://zoek.officielebekendmakingen.nl/stcrt-2020-37197.html>

3.13 Good accessibility of seaports

Safe and efficient seaports are essential for Caribbean Netherlands. On the one hand, flows of goods proceed largely via the seaports. On the other hand, in the event of calamities, the seaport needs to remain accessible and operational. The ports are also very important for inhabitants and tourists to ensure connectivity within the Caribbean. Smoothly functioning seaports are therefore essential. Seaports need to be easily accessible from land and sea alike. Building a seaport requires complying with various laws and regulations, while distinguishing between legislation concerning the land side (e.g. the Housing, Spatial Planning and Environmental Management (BES Islands) Act) and legislation concerning the sea side (e.g. the Maritime Management (BES Islands) Act). This relates to (maritime) environmental requirements.

Good management of cargo ports and cruise harbours and processing maritime traffic safely are primarily the responsibility of the Public Entities. The minister of Infrastructure and Water Management (I&W) bears systemic responsibility for processing shipping traffic safely and quickly in the BES waters. The Minister of I and I&W manages the territorial sea and the exclusive economic zone and as such is responsible for order, safety and protection of the marine environment of the Caribbean territorial waters. In addition, pursuant to the BES Maritime Management (BES Islands) Act, the Minister of I and W may regulate shipping operations and designate shipping routes. Such authority is not being invoked at this time.

The seaport memorandum formulates the following objectives²⁶:

1. I and I&W shall encourage port authorities in Caribbean Netherlands to be able to ensure quick and safe shipping traffic.
2. Safeguard nautical safety with optimal access and good (seaport) infrastructure.
3. Privatized seaport management in Caribbean Netherlands, spending income from seaport dues and ground fees on building, managing and maintaining infrastructure internal to the seaports (port basins, quay walls, quays, terminals, cranes).

Significance for spatial development plans: A spatial development plan shall not comprise any planning-related obstacles to shipping traffic and safe accessibility of a seaport over water and land.

National interest category:

- Binding, because the national government is responsible for quick and safe shipping traffic and protection of the marine environment in the territorial waters of Caribbean Netherlands.
- Merits consideration, as building a seaport is primarily the responsibility of the Public Entities.

²⁶ Seaport memorandum 2020-2030: 31, 409, TK, 306

3.14 Integral management of the Exclusive Economic Zone (EEZ)

The national government is the competent authority in the Caribbean Exclusive Economic Zone (EEZ) and is therefore responsible for integral policy on and management of such. A large share of the EEZ lies outside the coastal zone and therefore exceeds the scope of spatial development plans of the Public Entities. The Policy strategy for Infrastructure and Spatial Planning (SVIR) describes the importance of integral management of the EEZ. These texts have been included and supplemented in this SDPCN. The Caribbean has immense international economic significance for shipping, fishing, mineral extraction and renewable (wind) energy generation. It is also important for exercises by the armed forces and comprises important natural and landscape values. The objectives of the EEZ are as follows²⁷:

- Preserving and protecting the marine environment (ecosystem) and the section of the Saba Bank located there
- Processing shipping traffic safely and quickly around the islands and in transit to the islands
- Ensuring sufficient opportunities for military exercises
- Providing space for the main network for transport of (hazardous) substances via pipelines
- Providing space for the main network for (sustainable) energy supply and energy transition
- Protecting archaeological values (drowned settlements, shipwrecks and other archaeological values).

International biodiversity agreements about protecting the sea in 2030 stipulate that the Netherlands aims to protect, restore and manage at least 30 % of the entire EEZ and terrestrial areas. This agreement is very important for ecological resilience in the Caribbean. The Bonaire Marine Park and the Saba Bank are defined in the SVIR as national interests; in addition, the Saba Bank is nationally and internationally recognized by the International Maritime Organization (IMO) as a nature park²⁸ Particularly Sensitive Sea Area (PSSA).²⁹ Since 2023 the territorial waters of the BES islands have offered protection for sea mammals and sharks as the Yarari Sanctuary nature park. Efforts are also under way to have the Bonaire Marine Park nominated as a UNESCO World Heritage Site. Ecological cohesion with the rest of the EEZ is important for nature marine parks around Bonaire, Saba and Sint Eustatius. Given the (possible) human activities in the EEZ, including shipping, fishing, tourism/cruise operations, energy industry and the presence of archaeological and cultural values, the integral policy and management is changing. Policy and management plans for the EEZ outside the coastal zone and the area inside there need to be coherent and cohesive.

Significance for spatial development plans: A spatial development plan includes substantiating how the plan considers the interests of the EEZ in Caribbean Netherlands.

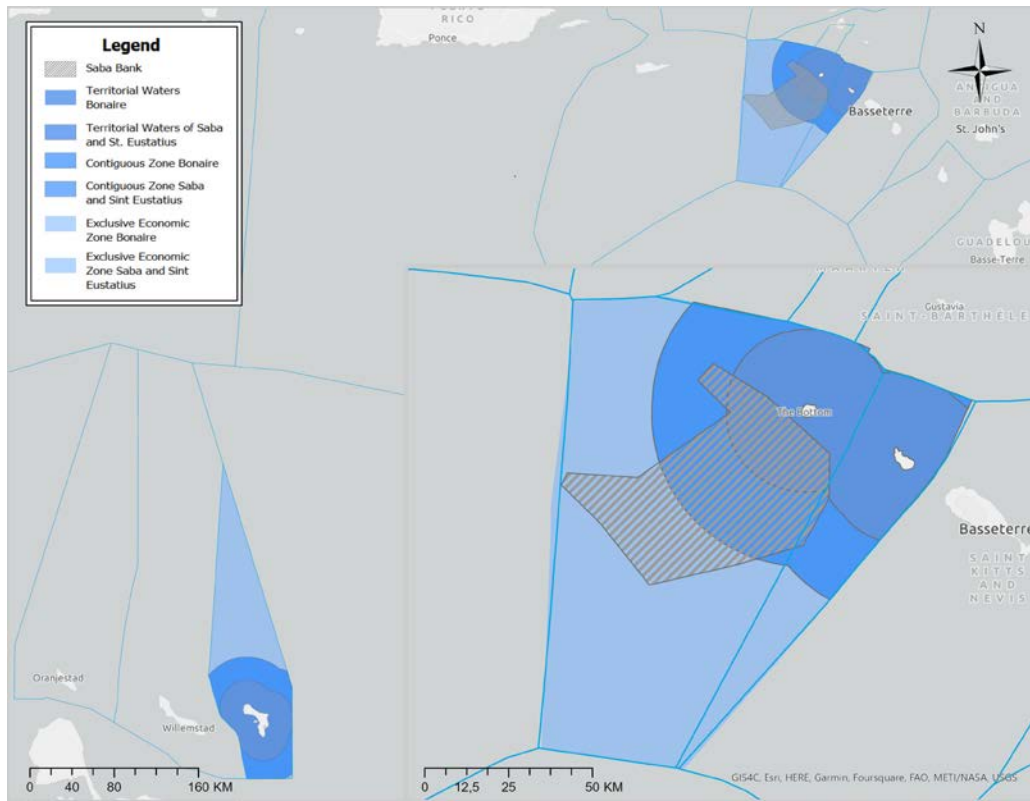
National interest category: binding considering the responsibility of the national government for managing the EEZ.

²⁷ These objectives have been adopted from paragraph 4.9 of the Policy strategy for Infrastructure and Spatial Planning. This paragraph shall cease to apply, when the SDPCN becomes effective. The rest of the SVIR had already ceased to apply, when the NOV1 was adopted.

²⁸ More on the Saba Bank as a nature park: <https://wetten.overheid.nl/BWBR0029161/2013-06-01/#Artike1>

²⁹ More on the Saba Bank as a PSSA: https://puc.overheid.nl/nsi/doc/puc_2582_14/1/

Figure 1 – View of the Caribbean Netherlands Exclusive Economic Zone(s)





4. Implications of national government policy for Caribbean Netherlands

Spatial National interests and the resulting principles for consultation about spatial development plans have been elaborated in overview maps of Bonaire, Saba and Sint Eustatius in this chapter.

4.1 Bonaire

In Figure 2 the national interests, insofar as they concern specific areas, are indicated in an overview map of Bonaire. The areas in the overview map relate to the Bonaire Spatial Development Plan from 2010 (ROB 2010). The Public Entity of Bonaire has indicated that a spatial policy strategy vision is under development. Once it is definitive, the ROB will be revised. The SDPCN is not an impediment here. Revision of the ROB will, however, need to accommodate the principles of the SDPCN. Accordingly, the national government would like to be involved in drafting both policy documents. Upon revising the SDPCN, amendments to be made to the ROB will receive consideration to determine whether the map in this chapter requires adjustment.

Bonaire has one nature park, the Bonaire National Marine Park. Bonaire also has four Ramsar sites: Washington Slagbaai, Little Bonaire, Lac and Pekel Lake. No spatial developments that conflict with the protected status are allowed in these areas. In addition, restrictions apply in the buffer zones of these areas. Given the need to protect marine ecosystems, whether and where expanding the buffer zones along the coast is desirable will be investigated.

Besides the parks listed above, there are areas on Bonaire with important natural and ecological values. They include the Middenterras and Bonaire South (generally south of the Kaya van Eps). Because of the values present, the national government is investing in these areas as an elaboration of the NMBP. On the Middenterras, for example, reforestation projects are in progress, the Fontein area was purchased for nature and culture conservation, and investments in Bonaire South include the Sabal Palm Park. These areas have been designated as “Nature” in the current Bonaire Spatial Development Plan. No spatial developments are allowed inside these areas.

Important nature values may also be present in areas defined in the ROB 2010 as “Open landscape” and “Agrarian – Kunuku.” Spatial developments in these areas are therefore not ordinarily allowed, unless it is demonstrated that they serve a compelling social interest. In addition, thorough research needs to be conducted to identify the effects of any development on nature values, and measures need to be taken to ensure that nature values are safeguarded effectively.

A large part of the southern area of Bonaire is vulnerable to climate change (see Figure 3). This concerns the rising sea level and increased risk of flooding. The policy formulated in 3.2.1 therefore applies to this area.

The longstanding location of the agriculture areas along the east side of Kralendijk. This is the Kunuku region, where traditional agriculture is practised, contributing to the cultural values of the landscape. In addition, there are investments in modern agriculture techniques around the LVV [Translator’s note: agriculture, fishing and livestock breeding] site. Keeping these areas available for agrarian activities and thus for food production on the island is important.

The centre of Kralendijk, Rincon and a few other areas have been designated as urban or village conservation areas or as an area with high archaeological value.

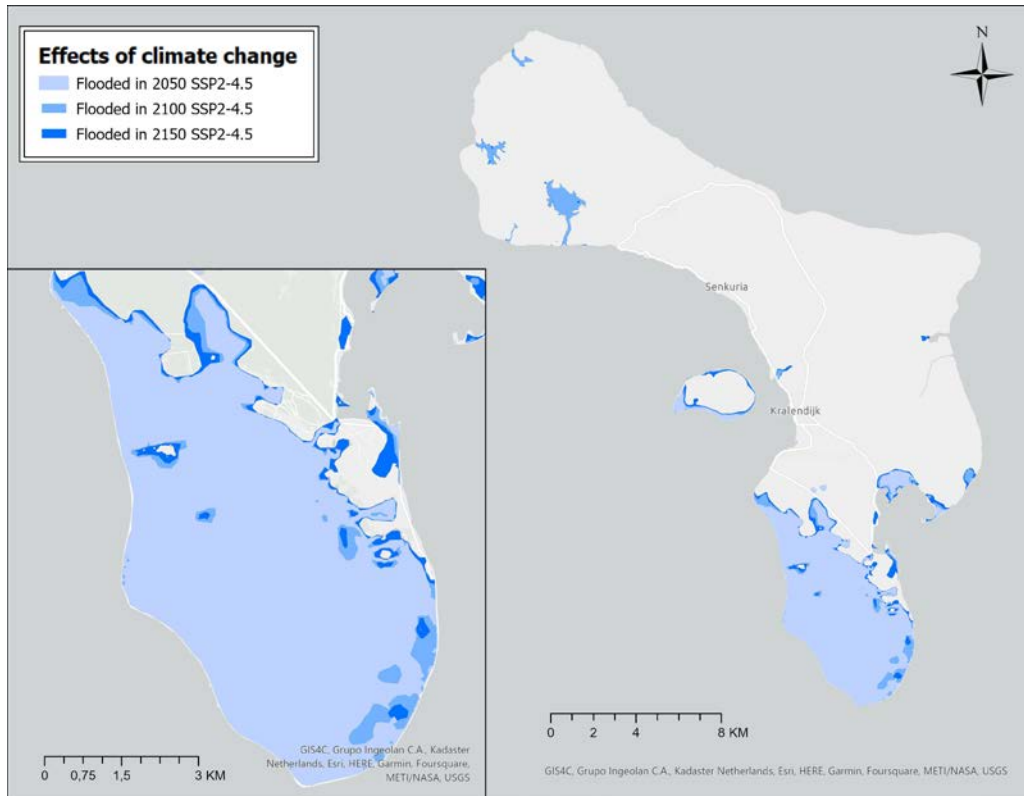
Flamingo Airport (Bonaire International Airport) is the only airport on the island. The airport and the restricted zone are included as such in the ROB 2010. These areas are also listed in this programme as being of national interest. In addition, there are various piers and marinas on Bonaire that are important to access Bonaire via the sea. Three piers are currently in use as cargo ports. And there are also specific facilities for shipping salt and fuel. New locations for the cargo port and for supplying fuel are being examined at this time.

Finally, the Bonaire Public Entity and the national government signed a Housing Deal in June 2023. The Housing Deal establishes *inter alia* that over 2,100 affordable homes will be built by 2030. Significantly, the suitable planning latitude to achieve this is brought about according to the principles of manifold and cost-efficient use of space and integral area development.

Figure 2 – Relevant areas for spatial policy on Bonaire



Figure 3 - Risk of flooding as a consequence of climate change (based on research by the Vrije Universiteit: <https://vu.nl/en/about-vu/research-institutes/institute-for-environmental-studies-ivm/more-about/the-impacts-of-climate-change-on-bonaire-2022-2023-ivm>)





PLAQUE ON THE FLAGPOLE BASE

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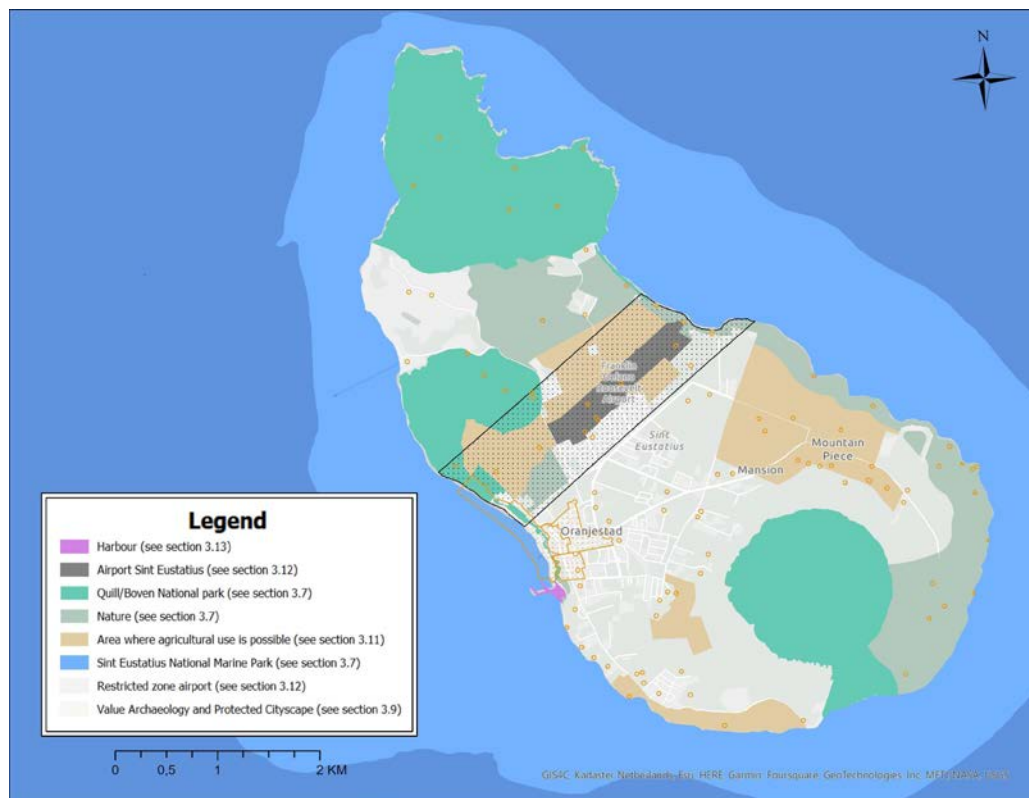
4.2 Sint Eustatius

In figure 4 the national interests, insofar as they concern specific areas, are indicated in an overview map of Sint Eustatius. The areas included relate to the revision of the spatial development plan for Sint Eustatius (ROP), which was adopted in 2023. The national government is devoting special attention to whether spatial developments are future-proof in light of climate mitigation and adaptation targets. On Sint Eustatius, for example, the ROP already provides for generating geothermal energy and placing windmills.

On Sint Eustatius there are two nature conservation parks, the Sint Eustatius National Marine Park and the Quill/Boven National Park. No spatial developments that conflict with the protected status are allowed in these areas, nor are they allowed in buffer zones. Given the objectives of the NMBP, investigation is needed to determine whether forming the buffer zones is desirable. Aside from the nature parks mentioned above, there are areas on Sint Eustatius with important ecological values. These areas are marked on the map as “nature – landscape.” Because of the values present, the national government is investing in these areas as an elaboration of the NMBP. No spatial developments are allowed in these areas. Important nature values may also be present outside these nature conservation areas and should be taken into account in the spatial development plan.

On Sint Eustatius the centre and Oranjestad Bay have been designated as an urban conservation area and an area of archaeological value. In addition, there are archaeological sites all over the island. An archaeological expectations map reflecting the likelihood of archaeological discoveries is also available (not included in the overview map).

Figure 4 – Relevant areas for spatial policy on Sint Eustatius.



Franklin Delano Roosevelt Airport is the only airport on the island. The Oranjestad Bay port area is important for the seaport to operate. The airports (including a restriction zone) and the seaport area are already indicated in the ROP. These areas are also included in this programme.



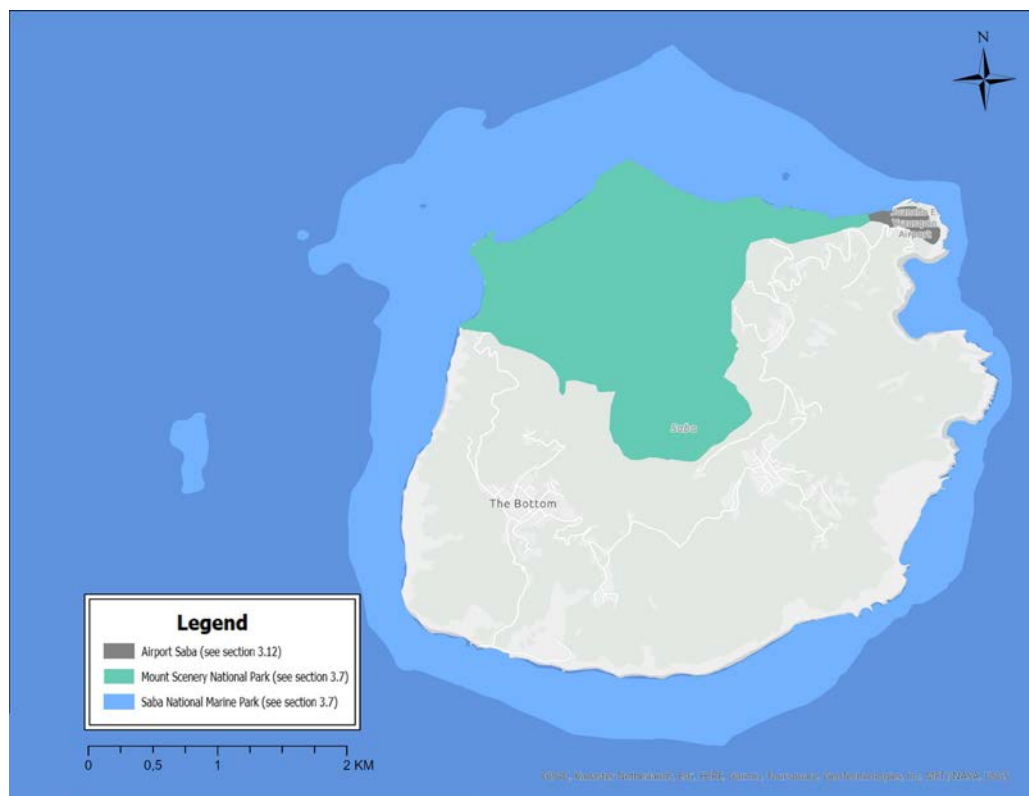
4.3 Saba

In Figure 5 the national government interests, insofar as they concern specific areas, are indicated on an overview map of Saba. Since no spatial development plan for Saba exists yet, most areas have not been defined at this time. Some areas, however, have already been determined nationally: the airport and the nature parks. The national government considers drafting an integral development plan to be urgent, to ensure that spatial developments are future-proof as required, in light of climate mitigation and adaptation targets.

Op Saba three nature parks have been determined by the national government: the Saba National Marine Park, the Mount Scenery National Park and the Saba Bank, part of which is within the territorial waters of Saba. No developments that conflict with the protected status are allowed in these nature areas. Given the objectives of the NMBP, the desirability of expanding the buffer zones will be investigated.

Juancho E. Yrausquin Airport is the only airport on the island. The airport has already been determined. The current and future locations of a seaport area along the south of the island are moreover important for access via the sea.

Figure 5 – Relevant areas for spatial policy on Saba. Because no spatial development plan exists yet, no other areas have been identified to date.





5. Consultation between the national government and the Public Entities in adopting and revising spatial development plans

The minister aims to represent national government interests by setting up structured consultation with the Public Entities about developing and revising spatial development plans and spatial policy to be pursued by a Public Entity. Optionally, the minister may also structure studies substantiating choices in spatial planning, including nature studies. This structure may, for example, relate to the substance and/or scope of the study. This need not relate exclusively to changes in the spatial development plans. Such consultation may also concern spatial developments with potentially major consequences for the physical living environment, figuring in existing spatial development plans. This consultation will address how spatial policy or a spatial development plan as provided in Wgro BES Article 7 reflects the general objectives of this law and this SDPCN. The consultation may be regarded as the measure meant in Wgro BES Article 4 (2), where the minister envisages including the effect of national government interests

To ensure that the consultation yields added value, it should happen as early as possible in the planning process and in any case before the executive council deposits the draft development plan for inspection. For the consultation to proceed as efficiently as possible and to avert the need for the executive councils to approach each department and/or service- separately, the Spatial Policy directorate of the Ministry of Housing and Spatial Planning will serve as the point of contact. Consulting departments directly obviously is and shall remain possible. In addition, planning regular consultations (for example four times a year) with the Public Entities is proposed, at which representatives of the relevant departments are present on behalf of the National Government.



6. Financial Section

The SDPCN does not have its own financing structure. This means that no funds are allocated toward the themes mentioned in the programme other than those made available by the department responsible for the theme concerned.

The NMBP has, however, allocated the Public Entities funds toward recruiting additional staff to adapt the spatial development plans for the islands to meet the SDPCN requirements. The amount granted through the end of 2024 equals € 100,000 for each island. Allocation will proceed via the NMBP steering group formed for each island and comprising representatives of the Public Entities, the ministries of Agriculture, Fisheries, Food Security and Nature, Infrastructure and Water Management, Housing and Spatial Planning and the Interior and Kingdom Relations.

Appendix A – Other relevant legislation and policy

This programme is based on various existing documents. These documents are discussed in this section.

Policy strategy for Infrastructure and Space

The National Strategy on Spatial Planning and the Environment (NOVI) succeeds the Policy strategy for Infrastructure and Spatial Planning (SVIR). Upon the adoption of the NOVI, the SVIR was repealed, except for section 4.9 (Caribbean Netherlands and Caribbean Exclusive Economic Zone). This section lists the following spatial national tasks for the Caribbean Exclusive Economic Zone:

- Preserving and protecting the marine environment (ecosystem) and the section of the Saba Bank located there
- Processing shipping traffic safely and quickly around the islands and in transit to the islands
- Ensuring sufficient opportunities for exercises by the armed forces
- Providing space for the main network for transport of (hazardous) substances via pipelines
- Providing space for the main network for (sustainable) energy supply and energy transition
- Protecting archaeological values (drowned settlements, shipwrecks and other archaeological values).

This (limited) text is presently the most important framework for national spatial policy in Caribbean Netherlands. The SDPCN will replace this section from the SVIR as the prevailing policy framework.

Housing, Spatial Planning and Environmental Management BES Act (Vrom BES Act) and the Nature Management and Protection Principles BES Act (Gnn BES Act)

In addition to the Wgro BES, the Housing, Spatial Planning and Environmental Management BES Act (Vrom BES Act) and the Nature Management and Protection Principles BES Act (Gnn BES Act) provide the framework for spatial planning in Caribbean Netherlands. The Vrom BES Act and the Gnn BES Act have served as the foundation among other things for the Caribbean Netherlands Nature and Environment Policy Plan 2020-2030 (NMBP). The Vrom BES Act has paved the way for the Establishments and Activities Decree BES.

The NMBP has been drafted to retain and protect the unique nature of Caribbean Netherlands and to use it sustainably toward socioeconomic development. The NMBP is the starting point for drafting implementation agendas for each island. Funds have been allocated toward such implementation. Implementation actions comprising a spatial component have been included in this SDPCN wherever possible. This does not mean that the SDPCN will replace the NMBP and the predicate implementation agendas. The SDPCN safeguards spatial frameworks arising from the NMBP.

The establishments and activities decree BES (officially the decree comprising rules relating to establishments and activities, environmental impact assessment and supervision and enforcement quality to protect the physical living environment on Bonaire, Sint Eustatius and Saba; hereafter: IAB BES) is a General Administrative Measure (AMvB) to set rules for business establishments and activities to protect the environment on Bonaire, Sint Eustatius and Saba. On the one hand, the IAB BES regulates reporting or licensing requirements for certain activities, while on the other hand, the decree includes a regulation requiring an Environmental Impact Assessment for certain activities. The IAB BES is separate from the SDPCN.

Sectoral legislation

Spatial policy frameworks may also derive from the following sectoral laws, regulations and decrees (not limitative):

- Monuments Act BES
- Aviation Act BES
- Maritime Management Act BES
- Draft Decree on Establishments and Activities BES (draft)
- Designation regulation airports Bonaire, Sint Eustatius and Saba

Appendix B – List of abbreviations and concepts

Abbreviations

Bevi	External Safety (Establishments) Decree
Bkl	Living Environment Quality Decree
BES	Bonaire, St Eustatius and Saba
CBS	Statistics Netherlands
EEZ	Exclusive Economic Zone
I&W	Infrastructure and Water
Gnn BES Act	Nature Management and Protection Principles BES Act
IAB BES	Establishments and Activities Decree BES
ICAO	International Civil Aviation Organization
MER	Environmental Impact Assessment
NOVI	National Strategy on Spatial Planning and the Environment
N and S	Nature and Nitrogen
OCW/RCE	Education, Culture and Science/Cultural Heritage Agency
ROB	Spatial Development Plan Bonaire
ROP	Spatial Development Plan Sint Eustatius
SDPCN	Spatial Development Programme for Caribbean Netherlands
RWS	Directorate General for Public Works and Water Management]
SVIR	Policy strategy for Infrastructure and Spatial Planning
Wgro BES	Act on spatial development planning principles BES

Concepts

Built-up hub: area featuring a concentration of buildings with an urban function

Sensitive function: function that merits protection for safety reasons. These include in any case housing, hospitals, homes for the elderly, nursing homes, schools and childcare facilities. In the context of a spatial development plan, other functions may be designated as sensitive as well.

Urban function: function ordinarily present in a built-up hub, such as residential, shops, offices, industrial sites and buildings serving a social purpose.

Crucial function: function that may lead to serious social disruption as a result of failure or disturbance, such as government, emergency services, hospitals and reception centres.



Colophon

Photography:

Saba: Kai Wulf, Lincoln Charles and the Saba Tourism Bureau
Sint Eustatius: Jacquil Imagery

Ministry of the Interior and Kingdom Relations

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July 2024