

**COMMONWEALTH OF THE BAHAMAS
IN THE SUPREME COURT
Public Law Division**

2005/PUB/Jrv/EP/15

IN THE MATTER of an application for judicial review

BETWEEN:

THE QUEEN

and

WENDELL MAJOR

As Secretary to the National Economic Council

First Respondent

THE MINISTER RESPONSIBLE FOR CROWN LANDS

In the person of the Honorable Mr. Perry Gladstone Christie,
Prime Minister of the Commonwealth of The Bahamas

Second Respondent

THE TREASURER OF THE BAHAMAS

Third Respondent

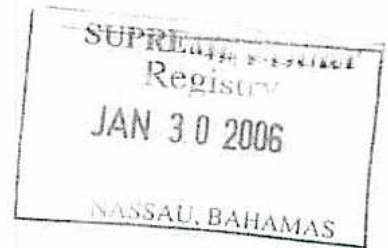
Ex parte

SAVE GUANA CAY REEF ASSOCIATION LIMITED

The Applicant

AFFIDAVIT OF RUTH FLOWERS

I, **RUTH FLOWERS**, of the City of Marsh Harbour in the Island of Abaco, one of the Islands of the Commonwealth of The Bahamas, Secretary, make oath and say as follows:



1. I am presently employed at the office of the Family Island Administrator for the local government district of Central Abaco and I am duly authorised to make this affidavit.
2. In February of 2004 I was employed as the secretary to Mr. Alexander Williams, who was then the Family Island Administrator for the said local government district.
3. On 19th February 2004 I, along with the said Mr. Williams, attended a meeting at Guana Cay All Age School at Great Guana Cay in the said Island of Abaco.
4. I was asked by the said Mr. Williams to take minutes of the proceedings at this meeting, which I did.
5. There is now produced and shown to me exhibited hereto marked "R.F.1" a true copy of the minutes that I took of the said meeting.
6. The contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Sworn to at Marsh Harbour,)
Abaco this 30th day of January)
A.D. 2006)



RUTH FLOWERS

COMMONWEALTH OF THE BAHAMAS

2005/PUB/jrv/FP/#5

IN THE SUPREME COURT

Public Law Division

IN THE MATTER of an application for judicial review

BETWEEN:

THE QUEEN

and

WENDELL MAJOR

As Secretary to the National Economic Council

First Respondent

THE MINISTER RESPONSIBLE FOR CROWN LANDS

In the person of the Honorable Mr. Perry Gladstone Christie,
Prime Minister of the Commonwealth of The Bahamas

Second Respondent

THE TREASURER OF THE BAHAMAS

Third Respondent

Ex parte

SAVE GUANA CAY REEF ASSOCIATION LIMITED

The Applicant

CERTIFICATE

This is the exhibit marked as "R.F.1" mentioned and referred to in the affidavit of Ruth Flowers sworn before me this 30th day of January, 2006.



MINUTES OF MEETING
Town Meeting
At 6:00 p.m.
Thursday, February 19, 2004
At Guana Cay All Age School, Great Guana Cay, Abaco

Present:
Mr. Walter Sweeting, Chief Councillor (Hope Town District Council)
Mr. Glen Lasing, Councillor (Hope Town District Council)
Mr. Ross Thompson, Councillor (Hope Town District Council)
Mr. Roy Russell, Councillor (Hope Town District Council)
Mr. Hazel McDonald, Councillor (Hope Town District Council)
Mr. Jeff Kay, Councillor (Hope Town District Council)
Mrs. Dian Bethel, Councillor (Hope Town Council)

Also in Attendance:

Mr. Alexander E. Williams, Administrator (Central Abaco)
Mr. Samuel Miller, Administrator (Central Abaco)
Mr. Robert Sweeting, Member of Parliament (South Abaco)
Ms. Ruth N. Flowers, Recording Secretary (Administrator's Office)
Mrs. Gibson Raitama, Secretary (Hope Town Council)

The meeting was called to order by Mr. Walter Sweeting, Chief Councillor, Hope Town District Council at 6:00 p.m. and Mr. Roy Russell delivered a short prayer for unity and guidance. After the introduction of officers, Mr. Sweeting gave a brief summary for the purpose of the meeting and then turned the proceedings over to Mr. Williams, Administrator for Central Abaco District.

Mr. Alexander Williams, Administrator greeted the waiting audience of about 60-70 people, and informed them of the reason for the meeting. He told them that a Mammoth Project is proposed for the Northern End of Great Guana Cay as was already described by the Chief Councillor and reiterated that it includes 350 Bahamian Style Homes, 100 Member Golf Club, 11 ft. Deep Marina, 200 plus slips, additional Dry Boat Storage, Spa, 18 Hole Golf Course and 75 Villa Hotel. This project he said if approved, will naturally change the island, and the way things are done forever on the island.

The project he said will impact the wet lands, the marine environment, but the project will also provide tremendous amount of income and jobs for many Bahamians. The project he said, is estimated to take up to 6 years and will employ constantly some 300 plus persons and the market value of the entire project is air marked at some 5 Hundred Million Dollars.

The Administrator explained that he was asked by the Ministry of Financial Services and Investment to obtain the views and concerns of the people. Having already presented the proposal to the Hope Town Council to obtain their views, the proposal is now being presented to you the people of Great Guana Cay for your views and input to be submitted to the Bahamas Government.

172

PEOPLE'S CONCERNS

1. Has the project been approved already?
2. Would the island be able to handle the amount of people coming in to work?
3. Would the residents be able to use the beach?
4. What area will be used for the garbage site?
5. What will happen to the beaches?
6. Would there be any business concessions for the Bahamians?
7. Would any Bahamian Company be hired to do construction?
8. Has any study been done by the BEST Commission?
9. Do the people of Guana Cay have any say in the decision making?
10. Where would our children and grand children live if the remaining Crown Land is taken away?
11. Have any Geological studies been done?
12. How would the grass for the Golf Course be irrigated?
13. What would the Island look like with another 350 homes?
14. Would the project have it's own Sewerage Waste Management, Sewerage Treatment Plant and Sewerage Solid Waste or will the waste be barged to the main land?
15. Is the Government offering Duty Free Concessions?
16. Are they going to hire Bahamians or Haitians workers?
17. Is the project been advertised?
18. Would the company provide their own Ferry Service?
19. Would the residents have access to the now 1/4 of a mile dirt road after the project is completed?

THE MEMBER OF PARLIAMENT - MR. ROBERT SWEETING

Personally feels that the Island does not need any more homes, but if there is going to be more employment the island needs development, but believes that the Island will develop. He is very concerned about the environmental damage it can have especially in Joe's Creek, and promised to take the views of the people to Parliament and the relevant authorities.

PROPOSAL - BY JOHNNY ROBERTS/RESIDENT

Proposal presented to the people by Johnny Roberts to make application to the Government to purchase the remaining 105 acres of Crown Land as Co-ops. A group of Bahamian Investors will then developed the land and then sell it back to the people of Guana Cay.



FOR GOVERNMENT'S CONSIDERATION

THE RESIDENTS WOULD LIKE: -

1. One hundred and twelve (112) feet of beach space and adequate access.
2. Joe's Creek as part of their heritage if dredged the Resident's will loose their heritage.
3. Proper Garbage Collection/ Disposal Facilities.
4. The retention of Crown Land.
5. Full Bahamian participation in the construction of this project.

ADMINISTRATOR'S CONCLUSION OF THE RESIDENTS MAIN CONCERNS

1. The issue of the Government divestment of the remaining Crown Land and Government Land
2. The issue of the environmental impact the construction will have as a result of the marina construction.
3. The issue of the Geological impact on the small piece of land
4. The impact it will have because of fertilization for the use of the Golf Course
3. The social and moral impact as it relates to the infrastructure to accommodate persons coming to live and to work and all the other contingencies.

RESIDENTS CONCLUSION

The general consensus was that of opposition to the project.
 Some were in favour of a scale down version eliminating the marina.

There being no further business the meeting was adjourned at 7:15 p.m. with prayer by Mr. Roy Russell, Councillor for the Hope Town District Council.