



BACKGROUND INFORMATION DOCUMENT (BID)

APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION

PINNACLE POINT BEACH & GOLF CLUB ESTATE, MOSSEL BAY

March 2021

Introduction

Cape Environmental Assessment Practitioners (Cape EAPrac) has been appointed as the independent Environmental Assessment Practitioner (EAP) to facilitate the legally required Environmental Amendment Application Process in terms of the **National Environmental Management Act** (NEMA, Act No 107 of 1998 as amended) and the 2014 Environmental Impact Assessment (EIA) Regulations, for the proposed development of boutique hotel within the existing Pinnacle Point Beach & Golf Club Estate (hereafter referred to as 'Pinnacle Point').

The development is approved for an 18-hole golf course with ancillary facilities, 500 residential erven, 300 hotel rooms with conference, sport, health, leisure and entertainment facilities, resort/operational facilities, open space and conservation areas including the associated infrastructure.

Background information

Pinnacle Point Resort Beach & Golf Club Estate was authorised for development by the Department of Environmental Affairs & Development Planning (DEA&DP) in 2003 (EG12/2/1-74-Erf 2001 & Erf 3438 Pinnacle Point Golf Estate (38859)". The decision, referred to as a 'Record of Decision' (ROD) at the time, approved a specific basket of rights, according to a site development plan (Plan No. 213501 by Planning Partners, dated 18 August 2003). Amongst

others, the ROD authorised 500 single residential erven as 'Single Residential' properties.

The majority of these erven, as well as other components of the development, have been developed. As such, the **environmental rights** (as per the ROD) are **entrenched**.

The authorised 300 room hotel, situated on the northern part of the Pinnacle Point Estate complex was ultimately developed, as serviced / self-catering units¹ (sectional title scheme i.e. 'The Villas'). It was not developed with a typical reception/amenities.

In addition to the operational differences between 'The Villas' and a typical 'hotel', the location of 'The Villas' is considered far from the Club House/Restaurant/Spa and golf course, which constitutes the core tourism component of Pinnacle Point. Most notably, visiting golfers expresses a need to be closer to the club house and golf course when they visit. This has prompted the possibility of developing a small scale 'boutique hotel' close to the Club House.

Location & Site Context

Erven **19324-19326** (hereafter referred to as 'the site') are part of the approved 500 erven. These erven are situated close to the existing Club

¹ 1, 2 or 3-bedroom units, as well as 4-bedroom luxury penthouse units with daily cleaning and provision of linen, towels, etc.

House, next to the 18-hole golf course, with a number or other erven in the same vicinity.

Description	Area (m ²)	Title Deed Number	Owner
Erf 19324, Mossel Bay	911m ²	T71424/2016	The Trustees for the time-being of The Dumakanda Residence Trust
Erf 19325, Mossel Bay	896m ²	T52363/2015	The Trustees for the time-being of The Dumakanda Residence Trust
Erf 19326, Mossel Bay	851m ²	T65030/2016	The Trustees for the time-being of The Dumakanda Residence Trust
TOTAL	2658m²		

Please refer to Figure 1 for location of these three (3) erven.



Figure 1: Location of erven **19324-19326** in proximity to the Club House and golf course.

The area surrounding the site to the south and east is mainly zoned as “Open Space Zone II” (Private Open Space/nature area and golf course) and “Single Residential Zone 1” (other similar erven). The Pinnacle Point Golf Course and St. Blaize Hiking

Trail are present on the Remainder of Erf 15391. Single residential dwelling units are developed on Erven 19319, 19322 and 19323. A new dwelling is currently being constructed on Erf 19316.

Erf 19762 is situated approximately 100m to the east of the site and is zoned as “Business Zone I” where the Pinnacle Point Golf Clubhouse, Pro-shop and Spa are developed.

The “Project Description” document that formed part of the original Environmental Impact Report² that informed the 2003 ROD, stipulates that a 300-room hotel complex was envisaged and it was stated that

- the hotel rooms can be developed “in one or more establishments”; and
- it was also stated that “one of the establishments (hotels) could be associated with the golf clubhouse, or the erven at Pinnacle Point”.

It is the intention of Dumakanda Residence Trust to rezone these three (3) erven to General Residential Zone V, in order to develop a +/-31 room boutique hotel, with basement level parking.

Dumakanda Residence Trust (as the owner of the three erven) will apply, on behalf of the Holder of the EA (the Homeowners Association), to amend the Environmental Authorisation (previously referred to as a ROD).

Proposal

The proposed boutique hotel comprises of a two-storey building (including a basement).

The proposal is for a Boutique Hotel with +/-31 bedrooms/suites, a restaurant/dining facility of 245,6 m² and a conference area with a maximum of 70 seats.

The restaurant and conference facilities is related and ancillary to the Boutique Hotel and will not function independently from the facility.

The building will have a maximum height of 10.5m (compared to an 8.5m maximum height under Single Residential) and 2m building lines will be provided on all side boundaries and the street boundary.

² Environmental Impact Report, 15 August 2003, Appendix C2

A total of 27 parking bays is provided for in the design, of which 23 bays will be provided in the basement of the building (296,2m²).

Planning Context

The existing zoning (“Single Residential”) and environmental authorisation allows the development of one (1) dwelling house on each erf and therefore three (3) dwelling houses can be developed. A maximum coverage of 40% applies to each of these erven. This entails that 1063,2m² (60%) of ‘the site’ must be kept “undisturbed” into the current primary rights.



Figure 2: Primary rights for each of the three erven indicating 40% coverage (Source: Perception Planning, 2021).

The proposal is to rezone the three single residential erven to General Residential Zone V, with a coverage of 60% (excluding paved areas, parking areas, landscaping etc). Compared to the coverage of single residential use (40%), with 60% disturbance area, the footprint of the hotel building (coverage) increases by an estimated 517,4m² with at least at 70% disturbance area.

The Pinnacle Point Homeowners Association was satisfied with the proposal and approved the proposal at their 2018 Annual General Meeting.



Figure 3: Increased coverage (60%) of the proposed boutique hotel (Source: Perception Planning 2021).

Environmental Context

The basic environmental considerations associated with the site include the following:

- The site is excluded from designated “Critical Bio-diversity Areas (“CBA”).
- 15% of the site (all three erven inclusive) are indicated as “ESA” (ecological support area).
- Erf 19326 and a very small portion of the northern part of Erf 19325 are indicated as Canca Limestone Fynbos (ecological status is least threatened).
- The largest parts of Erven 19325 and 19324 are indicated as Western Cape Milkwood Forest with an endangered ecological status.
 - The latter vegetation type contains Milkwood/Cheesewood trees that are protected species in terms of the National Forestry Law.

Heritage Context

On 12 August 2019 Heritage Western Cape submitted preliminary comments on the Planning Application requesting a full Heritage Impact

Assessment (HIA) with visual input on landscape character, be undertaken to inform their decision.

The site falls outside the Gazetted Provincial Heritage Site (indicated in red), but within the buffer area of the PHS.



Figure 4: The site is situated outside of the gazetted Provincial Heritage Site along the coastline of Pinnacle Point.

The impact on landscape character and the PHS, as well as buffer area, is deemed to be within acceptable limits, considering the location (outside of the PHS), as well as the surrounding land use (partially developed urban cluster).



Figure 5: Bulk coverage indicated visually for single residential development (Source: Perception Planning 2021).



Figure 6: Bulk coverage indicated visually for boutique hotel (Source: Perception Planning 2021).

Refer to the draft Heritage Impact Assessment (HIA) that is available for review and comment alongside this document at www.cape-eaprac.co.za for more details on the heritage process that is being undertaken in parallel to the environmental investigation.

What is the purpose of this document?

The main purpose of this **Background Information Document (BID)** is to:

- Provide potential “Interested and Affected Parties” (I&APs) and Stakeholders with preliminary information regarding the proposed development and Amendment application process;
- Explain the way forward for the environmental and heritage process;
- Provide information on the mechanism for I&APs to receive information and to provide input into the process.

Amendment of Environmental Authorisation:

In light of the fact that Pinnacle Point is an (environmentally) approved development with a ROD that is entrenched, which allows for resort land use (hotel), vegetation disturbance (change in land use) and services (roads, parking, services), the change of omitting three (3) single residential erven and replacing such with a boutique hotel can be accommodated by means of an Amendment application process.

The 2014 EIA Regulations (as amended), stipulates when a Part 1 Amendment (for non-substantial changes) and a Part 2 Amendment (for substantial changes) must be followed.

Changing the land use from single residential to general residential, constitutes a **Part 2 Amendment application process**.

The above process must be informed by stakeholder engagement and where necessary, specialist input.

This BID forms part of the pre-application consultation with members of the public, key stakeholders and authorities, to inform the Part 2 Amendment application process.

Stakeholder Engagement

This BID forms part of the pre-application public participation process (PPP) allowing stakeholders to register as 'Interested & Affected Parties (I&APs)' and consider / comment on the proposal at an early stage to better inform the proposal (and formal application).

Going forward, registered I&APs will be provided an opportunity to review & comment on the Part 2 Impact Report, when it becomes available.

Input/comments received during process will be considered and responded to in the final reports, to be submitted to the competent authority for review and decision-making.

The following steps, amongst others, will be undertaken as part of the formal BAR Process:

- Identifying potential Interested and Affected Parties ("I&AP's");
- Placement of **Site Notices** at the site calling for Registration of I&APs (12 March 2021);
- Advertising the process in the local newspaper (*Mossel Bay Advertiser*) (12 March 2021);
- Issue written notifications to the HOA, key stakeholders and relevant Authorities informing of the process and their right to participate (12 March 2021);
- Open and maintain a **Registered Stakeholder database**;
- Undertaking of specialist impact assessments and project team reports where relevant;
- Compilation and public availability of the **Part 2 Impact Report** in draft format (30-day commenting period);
- **Submit** the final reports to DEA&DP for **decision-making** (authorisation with conditions, or refusal);
- Notification of registered I&APs and Stakeholders of **Environmental Decision**, and details of appeal process / period.

Issues & Concerns

The following preliminary issues and concerns were raised by the project team for the proposed site, as

well as in consultation with the project team, key authorities and/or specialists:

- Loss of habitat / vegetation by the increase in footprint;
- Land use suitability / Need & Desirability;
- Visual aspects related to the impact on landscape character associated with heritage/archaeology characteristics of the area.

Any additional issues or concerns that may be raised during the course of stakeholder engagement, will be considered and recorded as part of the application to allow the decision-making authorities the opportunity to make an informed decision.

Alternatives

In terms of the NEMA legislation, alternatives must be considered during an environmental assessment. These may be site, activity, or technological alternatives.

The Status Quo Alternative (3x single residential properties) must be considered as the baseline against which the impacts of any other Alternatives are measured.

Any other reasonable and/or feasible alternatives identified during the course of this environmental process will be considered and measured against development proposals for the site and the no-go alternative.

I&APs are requested to provide details of any reasonable and/or feasible alternatives that they may be aware of to ensure that such alternatives can be considered prior to submission of the formal Application to the competent authority.

Why and how should you get involved?

- Names and full contact details of any stakeholder must be submitted to *Cape EAPrac*, in writing, to be captured on the project **Stakeholder Register**.
- I&APs must declare their interest in the process;
- I&APs must confirm what their preferred form of communication, as well as any specific needs or restrictions for future correspondence that may or may not be related to, not limited to, COVID protocols, access to information, ability to read/write or receive/respond to documentation.

All written comments provided will be recorded. According to the Guidelines on Public Participation, only those parties that submit their full contact details for registration purposes &/or who submit comment, will be registered. Documentation containing incomplete, or no contact details, may not be considered.

In the event that you (or any other party you may be aware of) have an **interest** in the environmental process, or feel that you **may be affected** by the proposed development, you are invited to **register** as an I&AP for the environmental process. I&APs are requested to submit their full contact details, in writing, to *Cape EAPrac* at the address provided at the end of this document.

Why and how should you get involved?

In order to register for the Part 2 Amendment application process, either submit your registration notice or preliminary comments to the contact details provided in this BID. All preliminary submissions must be received within the stipulated 30-day period extending from **15 March 2021 – 19 April 2021**.

NOTE that this is the first step in a series of steps in the environmental process. Further opportunities will be available for comment and more details about the proposal, as well as specialist and technical studies, will be circulated as it becomes available during the process. Preliminary inputs at this early stage helps to identify issues and concerns that may require attention and we invite all stakeholders to please participate in the process.

However, it must be noted that this opportunity to give preliminary inputs, will be recorded as part of the ongoing consultation and stakeholder engagement. We therefore urge all concerned parties to please make use of the opportunity to comment and participate during the early stages of this application to avoid unnecessary complications/challenges at a later stage during the process.

**TO REGISTER AS AN I&AP, PLEASE
SEND YOUR REGISTRATION REQUEST,
NAME & FULL CONTACT DETAILS or
ANY PRELIMINARY COMMENTS TO
below address, by no later than 19 April
2021**

Cape-EAPrac

ATT: Ms Louise-Mari van Zyl

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