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BACKGROUND INFORMATION DOCUMENT (BID) **APPLICATION FOR ENVIRONMENTAL AUTHORISATION**

'MOSSEL BAY RETIREMENT & FRAIL CARE FACILITY'

Erven 13104-13106, 13109 & 13110 & Portion A of Erf 13100 (Mossel Bay, Western Cape)

15 June 2017

Introduction

Cape Environmental Assessment Practitioners (Cape EAPrac) has been appointed as the independent Environmental Assessment Practitioner (EAP) to facilitate the legally required Environmental Application Process in terms of the **National Environmental Management Act** (NEMA, Act No 107 of 1998 as amended) & the 2014 Environmental Impact Assessment (EIA) Regulations, for the proposed **'Mossel Bay Retirement & Frail Care Facility'** on behalf of the Applicant, **Satinsky 169 (Pty) Ltd**.

The competent authority in this case is the Western Cape Department of Environmental Affairs & Development Planning (DEA&DP): George office.

This Environmental Impact Assessment (EIA) Application takes cognisance of the following legislation:

- National Environmental Management Act (NEMA) & the 2014 NEMA EIA Regulations (as amended);
- Western Cape Land Use Planning Act;
- Spatial Planning and Land Use Management Act;
- Section 38 of the National Heritage Resources Act (NHRA)(Act No.25 of 1999); and
- The National Forest Act (NFA, Act 84 of 1998).

Project Proposal (preferred alternative)

The development of the **Mossel Bay Retirement & Frail Care Facility** is proposed on Portion A of Erf 13100 (Municipal open space land-swap), as well as Erven 13104-13106, 13109 & 13110 Mossel Bay. This Facility is to consist of the following:

- 54 Units within three 3-storey building blocks (basement, Ground Floor & First Floor - restricted to 10m in height above natural ground level);
- Communal recreation/admin. facilities: Gym, Lounge and Administration Buildings;
- 68 off-street parking bays;
- Vehicular internal road network (unbuilt loop of Malva Lane & Deale Street to be closed);
- Access & egress to and from Alhof Drive (along northern property boundary);
- Associated internal service infrastructure to be connected to existing municipal service network.



The appointed project team include: **Marike Vreken Urban & Environmental Planners** who are responsible for the necessary planning application process. **Konka Studio Architects** are responsible for the design of the proposed facility. **Simon Todd** will undertake an Ecological Impact Assessment; while **Perception Planning** is to facilitate the integrated Heritage study. Access to the facility will be off Alhof Drive will be informed by recommendations made by the appointed Traffic Engineer: **SMEC South Africa**. Structural, Electrical & Civil Engineers will be appointed to attend to the technical services (water, sewerage, electricity, stormwater & waste management).

Location & Site Context

See Location / SDP Plans attached.

Erven 13104-13106, 13109 & 13110 Mossel Bay, are located on a north-facing slope, close to the Marsh Street & Louis Fourie Road intersection and Mossel Bay CBD. Alhof Drive aligns along the northern site boundary, while the Tarka neighbourhood is located to the west, and Erf 13100 forms a ridgeline of Public Open Space above (south) the site and to the west. The Bayview Life Private Hospital is located directly to the south beyond the strip of open space, with the

De Nova neighbourhood further to the west and south of this hospital. The VIDAMED Day Hospital is located to the north-east, with the Bayview Shopping Centre located to the south-east, beyond Alhof Drive.

The Applicant has entered into a “land-swap / exchange” agreement with the Mossel Bay Municipality in order to ‘relocate’ a portion (Portion A of 13100) of the public open space between the hospital and the abovementioned erven *in lieu* of Erven 13101-13103, 13107 & 13108, 13111-13113 (owned by Applicant), in order to create a ‘buffer’ area of public open space between the Tarka community and the proposed development.

Planning Context

Background: Mossel Bay erven 13101–13114 are owned by Satinsky 169 (Pty) Ltd. In Nov.2008 an application for rezoning to “general residential” was lodged for the purposes of a licensed hotel on these private properties. Taking into consideration the comments and objections received during this previous process, the developers have decided to propose an alternative development concept, a ‘retirement and specialist caring facility’.

Erven 13104-13106, 13109 & 13110 are currently zoned ‘**Single Residential**’, with Portion A of 13100 currently zoned as ‘**Public Open Space**’. A planning application will be submitted to the Mossel Bay Municipality by Marike Vreken Planning in parallel to the environmental process, in order for development to be considered in terms of the property’s land use rights. In terms of the Mossel Bay By-law on Municipal Land Use Planning (P.N.288/2015, 21 Aug. 2015) the following is applicable to the Planning Application:

- The closure of a portion of Mossel Bay Erf 13100 (6834m²) in terms of Section 15(2)(n) of the above;
- The subdivision of Mossel Bay Erf 13100 into two portions (Portion A = 6834m² and Remainder) in terms of Section 15(2)(d) of the above;
- The closure of a portion of Malva Lane and Deale Street in terms of Section 15(2)(n) of the above;
- The subdivision of a portion of Malva Lane and Deale Street into two portions (Portion A = 652m² and Remainder) in terms of Section 15(2)(d) of the above;
- The rezoning of Portion A of Erf 13100; Portion of the closed street; Erven 13104 – 13106; Erf 13109 & Erf 13110 to “General Residential” zone to allow a retirement and caring facility in terms of Section 15(2)(a) of the above;
- The consolidation of Portion A of Erf 13100, the closed portion of Malva Lane and Deale Street and Erven 13104-13106; Erf 13109 & 13110, to create a new property of 9338m² in terms of Section 15(2)(e) of the above;
- A consent use to allow an “Institution” on the “General Residential” zoned property in terms of Section 15(2)(o) of the above, to allow for the envisaged retirement & medical assisted living / caring facility.

The alienation of a portion of municipal land (6834m² in extent) in terms of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003). Although the Mossel Bay Municipality has provided in-principle approval for the land-swap/exchange, formal Council approval is still required.

The proposed high density and institutional land use is considered compatible with the existing character of the

area (and within walking distance from both commercial and community facilities).

The building lines of the combined property, as well as the height restriction of 10m above natural ground level, will be respected by the proposed SDP. Mossel Bay Zoning Scheme Regulations (1984) prescriptions for parking will also be met.

Environmental Context

The southern portion of the combined property, characterised by a **rocky outcrop / ridge and steep slopes**, has been avoided by the proposed Site Development Plan (SDP) as ‘undevelopable’. This will form an area of Private Open Space within the combined property.

The proposed Mossel Bay Retirement & Frail Care Facility site does not fall within any Critical Biodiversity or Ecological Support Areas. However, it does fall within an area mapped as ‘Other Natural Areas’, associated with the ridgeline of open space.

The broad vegetation type mapped for the area is **North Langeberg Sandstone Fynbos**, which has an ecological status of ‘**Least Threatened**’. This site has been partially transformed by the invasion of alien plant species, as well as infill of construction material and on-going dumping activities. However, **intact Milkwood trees and Fynbos-Thicket elements** remain, particularly on the steep rocky outcrop area above the proposed development site.

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 information regarding the proposed development; and
- Explain the way forward for the environmental process.

Basic Assessment (BA) Environmental process

The proposed development triggers the following listed activities in terms of the National Environmental Management Act (NEMA, Act No.107 of 1998 as amended) and 2014 NEMA Regulations (as amended):

- Listing Notice 3 (GN No. R.985): 12: The clearance of an area of 300m² or more of indigenous vegetation... (a) in the Western Cape, (iv) on land... **zoned open space**, conservation or had an equivalent zoning
- Listing Notice 3 (GN No. R.985): 15: The transformation of land bigger than 1000m² in size, to residential, retail, commercial, industrial or institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 2 August 2010: (c) in the Western Cape: (ii) Inside Urban Areas: (cc) **Sensitive areas** as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.

The procedures of a **Basic Assessment (BA) Environmental Application Process**, as per the

2014 EIA Regulations (as amended), will be undertaken to seek Environmental Authorisation for the abovementioned activities.

Stakeholder Engagement

A pre-application public participation process (PPP) will be followed allowing neighbouring property owners and key stakeholders the opportunity to register as 'Interested & Affected Parties (I&APs)' and consider / comment on the proposal.

Going forward, registered I&APs will be provided an opportunity to review & comment on the Basic Assessment Report (BAR) and Environmental Management Programme (EMPr) when they become available. Input/comments received during process will be considered and responded to in the final report, to be submitted to the competent authority for review and decision-making.

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

- Identifying potential Interested and Affected Parties ("I&AP's");
- **Advertising** a 'Call for Registration of Interested & Affected Parties (I&APs)' in a local newspaper (*Mossel Bay Advertiser*) with a registration period of 30-days, extending from 16 June to 18 July 2017;
- Placement of **Site Notices** at the site calling for Registration of I&APs;
- Make available the **Background Information Document (BID)** for distribution to potential I&APs and neighbouring land owners, briefly explaining the process and project (**this document**);
- Open and maintain a **Registered Stakeholder database**;
- Undertaking of specialist impact assessments and project team reports (if necessary);
- Compilation and public availability of the **Basic Assessment Report (BAR)** and **Environmental Management Programme (EMPr)**;
- **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 issues and concerns were raised during the previous planning application for the proposed site, as well as in consultation with the project team, key authorities and/or specialists:

- **Heritage context** (Tarka Heritage Precinct) & potential impact on '**sense-of-place**';
- The **architectural style** must compliment / be consistent with the existing context (medical facilities, Tarka & De Nova neighbourhoods);
- **Visual issues**: obstruction of views from Bay View Private Hospital and De Nova neighbourhood;
- Continued ecological integrity / protection of rocky outcrop and area of **Public Open Space / ridgeline**;
- Confirmation that **bulk services** can accommodate the proposed development;

- **Need & Desirability** of another retirement & frail care facility in Mossel Bay;
- Potential **disturbance / removal of Milkwood trees** on site.

Alternatives

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

The No-Go Alternative (no activities undertaken) must be considered as a 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 previous development proposals for the site and the no-go alternative.

Stakeholders 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 DEA&DP.

Why and how should you get involved?

Names and details of members of the public who respond to the legal advert &/ notices (calling for Interested & Affected Parties (I&APs) to register) will be captured on the project **Stakeholder Register**. All written comments provided will also 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, within the 30-day registration period, extending from 16 June to 18 July 2016. 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.

TO REGISTER AS AN I&AP, PLEASE SEND YOUR REGISTRATION REQUEST, NAME & FULL CONTACT DETAILS, AND ANY PRELIMINARY COMMENTS TO:
Cape-EAPrac

ATT: Mrs Siân Holder
PO Box 2070 George 6530
Telephone: 044 874 0365 Fax: 044 874 0432
E-mail: sian@cape-eaprac.co.za



VIDAMED
Day Hospital

Tarka
Community

Remainder of
Erf 13100

Portion A
of Erf 13100

De Nova
Community

Bayview Private
Hospital

Bayview Shopping
Centre

Da Gama Street

Morija Street

NOTES

1. Sizes and dimensions are approximate and subject to final survey
2. For erf data see General Plan No 408/1997
3. The figure CDEFGWTUV represents Ptn A of Erf 13100 Mossel Bay measuring 6 834m².
4. The figure ABUTSHJKNM represents a Portion of Deale and Malva Streets to be closed measuring 652m².
5. Portion of closed street; Ptn A of Erf 13100; Erf 13104 - 13106; Erf 13109 & 13110 to be consolidated to form a new property measuring 9 338m²

INSERT NO TO SCALE



SCALE 1:2000



PLAN 4
SUBDIVISION PLAN

MOSSEL BAY ERVEN
13100; 13104 - 13106;
13109 & 13110

APPROVED IN TERMS OF SECTION 26 OF
ORDINANCE 15 OF 1985

MUNICIPAL MANAGER

DATE:

DRAWN:	JMS	CHECKED:	MJV
PLAN NO:	PI 129/2018		
PLAN DATE:	10 MARCH 2018		
STORED:			

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ENVIRONMENTAL AUTHORISATION – BASIC ASSESSMENT PROCESS

'Mossel Bay Retirement & Frail Care Facility'

Alhof Drive, Mossel Bay, Western Cape

REGISTRATION / INITIAL COMMENT SHEET on BID

Should you have any preliminary comments and would like to be registered as an Interested and Affected Party ("I&AP"), please complete this form and return it to *Cape EAPrac* at P.O. Box 2070, George, 6530. Tel: 044 874 0365, Fax: 044 874 0432, Email: sian@cape-eaprac.co.za. Registration may also be done online at www.cape-eaprac.co.za on the active project page.

TITLE & NAME	
REPRESENTING	
POSTAL ADDRESS	
TEL NO.	
FAX NO.	
CELL NO.	
E-MAIL	

NOTE: Submission of incomplete contact details may result in a person/entity not being registered. Please ensure that you complete the above table in full.

COMMENTS (please feel free to submit more pages)

1. List any **key issues or concerns** relating to the proposed development / amendment process.

2. Describe your **reason/motivation** for participating in this environmental process (disclose any interest) **NOTE** **ito the 2014 Environmental Regulations (as amended) it is compulsory for I&APs to state their interest in a project/process, thus not providing reasons, may result in a person/entity not being registered.**

3. List any potential (reasonable and/or feasible) **alternatives** for the activity and **state why** you are recommending the alternative(s):

4. List **Interested & Affected Parties** (I&APs) or Stakeholders that you feel should be registered (provide their **full contact details** (name, telephone, fax, email and postal details) and who they represent in order that we may contact them):
