

KEI MOUTH HOTEL AND APARTMENTS

RESPONSE TO BASIC ASSESSMENT REPORT



GENERAL COMMENTS

1. IT SHOULD BE BORNE IN MIND THAT THIS DEVELOPMENT PROPOSAL ENVISAGES BUILDING A 5 LEVEL BUILDING INCLUDING A BASEMENT ON, AND INTO, A PRIMARY DUNE ON A NEAR PRISTINE PIECE OF COASTLINE
2. IT SHOULD ALSO BE NOTED THAT THE DEVELOPER WAS ACTIVELY SELLING UNITS IN THIS DEVELOPMENT IN DECEMBER 2007 AND THE GENERAL PUBLIC WERE BEING INFORMED THAT ALL PLANNING AND ENVIRONMENTAL ISSUES HAD BEEN ADDRESSED AND APPROVED, AND CONSTRUCTION WOULD COMMENCE IN APRIL 2008. THERE IS DOCUMENTARY PROOF, HOWEVER, THAT THE DEACT MADE IT CLEAR THAT ENVIRONMENTAL AUTHORISATION WAS REQUIRED PRIOR TO DECEMBER 2007
3. THIS BASIC ASSESSMENT HAS APPARENTLY ONLY BEEN UNDERTAKEN AS A DIRECT RESULT OF PRESSURE FROM CONCERNED HOMEOWNERS IN KEI MOUTH THAT NO DEVELOPMENT SHOULD PROCEED ON THIS SITE WITHOUT PROPER ENVIRONMENTAL ASSESSEMENT AND ENVIRONMENTAL AUTHORISATION. THIS ASSESSMENT DOES NOT CONSTITUTE A PROPER ENVIRONMENTAL ASSESSMENT FOR REASONS OUTLINED BELOW.
4. THE BUILDING DESIGN IN TERMS OF SCALE, HEIGHT, AESTHETICS, LAYOUT AND STYLE IS TOTALLY INAPPROPRIATE TO ITS SITE. AS SUCH IT WILL HAVE A SERIOUSLY NEGATIVE IMPACT ON KEI MOUTH'S MAJOR TOURIST ATTRACTION – ITS EXQUISITE NATURAL ENVIRONMENT AND NEAR PRISTINE COASTLINE
5. SCOPING AND AN EIA IS REQUIRED TO DEAL WITH SOLID WASTE MANAGEMENT.
6. THE BASIC ASSESSMENT REPORT IS FATALLY FLAWED FOR THE FOLLOWING REASONS (all of which are addressed in the POINT BY POINT COMMENTARY)
 - a. There is no evidence of any alternatives having been investigated or assessed. The consideration and assessment of alternatives is a fundamental principle for an environmental assessment. As architects we know that there are definitely alternatives that could be assessed (as outlined in the POINT BY POINT Commentary below), which would have less environmental impact and would still be financially viable.

- b. The drawings are totally inadequate in describing the proposal. The architects impressions are incorrect and misleading. There are no sections or elevations and thus no accurate information relating to heights or how the buildings relate to the ground and the dune. The site plan is substantially incomplete. These are fatal omissions. It is absolutely impossible for the EAP to make a proper assessment without correct information. It is also impossible for the I&AP's to make meaningful comment.
 - c. There is no structural engineering or geotechnical report. This is absolutely essential given the trigger for the assessment and where construction of a basement and a further 4 storeys of building is envisaged on a primary dune.
 - d. The EAP does not have the necessary qualifications or skills to make many of the assessments required (eg. dealing with solid waste originating from construction processes, geotechnical assessment for excavating into a primary dune and building on it, architectural and visual impact) and has not consulted or provided specialist input.
 - e. There is no site plan provided that includes the information required in Section 10.
 - f. Due process has not been followed in advertising the application for consent use and departures in terms of the Land Use Planning Ordinance.
 - g. It appears that the hotel was illegally demolished as it should have been subject to a Basic Assessment in terms of Listing activity No 6 of Government Notice 386 in terms of NEMA. This must be investigated and the environmental concerns of the No-Go alternative assessed in these terms. Was the solid waste deposited in a registered landfill?
 - h. The failure of the EAP to recognize the inadequacies of the assessment raises serious concerns as to the EAP's objectivity and/or competence in dealing with this assessment.
- THE PROPOSAL IS BASICALLY INAPPROPRIATE IN ITS CURRENT FORM FOR REASONS OUTLINED BELOW
 - The scale, style, height, arrangement and positioning of the building is inappropriate and insensitive to its location both in terms of its immediate site and in relation to the context of the town and the coastline and historical approaches to building in this environment. The buildings, if built in this form, will be an eyesore and ruin Kei Mouth's major tourist attraction – its exquisite natural beauty and near pristine coastline, for the sake of personal profit to a few individuals.
 - There are alternative designs that could be explored that will be more environmentally friendly and no less viable eg. changing the profile of the skyline of the building, articulating the huge blank side walls, reducing the height by arranging the building on the site differently etc.
 - The proposed use is inappropriate to its location and will not benefit the general public or the greater community.
 - The only 'positive' is the suggestion of the small number of sustainable employment opportunities (20 jobs) that will be provided. It should be noted that these could be provided by any number of other more appropriate activities and in any number of more appropriate alternative designs.
 - It is an environmental travesty if authorization is given for this application in this form.

POINT BY POINT COMMENTARY

A. SECTION A: APPLICATION FOR EXEMPTION

1. APPLICATION FOR EXEMPTION FROM ASSESSING ALTERNATIVES

- Alternatives have not been adequately considered.
 - It is unsatisfactory to simply state that alternatives were assessed during the planning phase and proved financially unviable without any evidence of these.
 - The suggestion that alternative basement parking layouts were assessed during the planning stages is inadequate. Why was an alternative not assessed which did not require a basement at all?
 - Evidence must be provided of the alternatives activities explored and the detailed financial report 'proving' that these are not financially viable.
 - As architects we know that there are a number of alternatives arrangements that could be assessed for the proposed activity itself, and for the arrangement of the proposed buildings on the site, that would be far more environmentally friendly and no less financially viable.

B. SECTION B: ACTIVITY INFORMATION

1. ACTIVITY DESCRIPTION

- The activity is wholly inaccurately described
 - What is most relevant to this application and an environmental assessment is that the proposal envisages excavating a basement into a primary dune and building a 4 storey building on top of it. This is not stated.
- There are contradictions in the proposed development uses
 - The statement (and the drawings that were being used to sell units) say there will be 12 hotel rooms, whereas the plans show 18 hotel rooms.
- The site is incorrectly described.
 - The 'site' actually comprises four erven.
- The zoning is incorrectly noted.
 - Three erven are zoned Residential V. One erf is zoned Business II.
- The zoning implications are not dealt with adequately.
 - All of the erven require Consent Use for apartments. Given the scale and location of the proposal, the fact that people *are* affected Consent Use would have to be advertised to the public in terms of the Land Use Planning Ordinance Section 15.
 - Departures are required from the zoning scheme in terms of building line setbacks . Again these are subject to advertisement advertised to the public in terms of the Land Use Planning Ordinance Section 15
- Failure to comply with Listed Activity No. 6.
 - In terms of this listing the original hotel should not have been demolished prior to an environmental assessment having been performed! To have done so is an offence. This must be investigated but the Department of Environmental Affairs.
- Further considerations that have not been addressed
 - Given the number of erven comprising the site and the fact that parts of the building were older than 60 years, the site falls under heritage legislation and a

heritage application should have been done, and demolition permit endorsed by SAHRA, prior to the demolition of the hotel. Again this must be investigated.

2. ALTERNATIVES

- Alternatives have NOT been adequately considered or assessed.
 - Eg. There is no evidence of the following possible alternatives having been explored”
 - A proposal for a new proper hotel. It is a known fact that tourism is increasing exponentially especially given the new tarred road. Any argument that a proper hotel is financially unviable is highly questionable. One has only to look at any number of other successful hotels in other coastal towns in this area. The developer in electing to completely demolish the existing hotel and effectively replace it with sectional title apartments is clearly attempting to maximize personal profit and is proposing to do so at expense of the greater community and the environment.
 - A proposal which does not require a basement excavated into a primary dune,
 - A proposal locating more of the buildings on the non-seaward side of the site, thus minimizing the impact on the dune and the skyline from the beach
 - A proposal which investigated keeping the old hotel and upgrading it
 - A smaller development with less building, less parking and less impact on the environment
 - A proposal with more ‘hotel ‘ functions and less apartments which would reduce bulk and employ more people
 - Different architectural handling of the buildings themselves to be more in keeping and sympathetic to the cultural and natural environment
 - Etc.
 - Evidence must be provided of the design alternatives that have been properly explored for the proposed activity along with financial feasibility studies.

3. THERE IS NO ITEM ‘3’ RECORDED IN THE ‘BAR’

4. ACTIVITY POSITION

- Cannot comment as to accuracy

5. PHYSICAL SIZE OF ACTIVITY

- There is no evidence to support these figures
 - Does this include parking, access roads, balconies, terraces etc?
- The size of the ‘site’ indicated (6000sqm) is incorrect –
 - there are four ‘sites’ not ‘one’

6. SITE ACCESS

- The proposed access differs from the existing access

7. WASTE EFFLUENT EMISSION AND NOISE MANAGEMENT

a. Solid waste management

- The EAP is unqualified to comment on the management of solid waste that would result from physical construction of a basement on a complex geotechnical site without specialist engineering input. Scoping is required and a full EIA is required
- Given that at this point there is no certainty as to the amount of solid waste that will be generated during construction or after, whether it can be deposited into a registered landfill, or how this will be managed, the application should be referred to a competent authority to assess whether it should not in fact be changed to an application for scoping and a full EIA.
- The generation of solid waste during construction as a result of excavating into a primary dune is totally inappropriate and a serious environmental concern.
 - Other alternatives must be explored
- There is no evidence of a report having been done that deals with solid waste disposal.
 - This must be provided given the current inability of the municipality to deal with current solid waste
- There is no documentation to support the figures provided for solid waste and it is highly questionable whether these are correct.
 - Engineering calculations must be provided
- Where is the analysis of how the Kei Mouth Solid Waste site will deal with the solid waste generated?
 - Please provide this report
- How and to what extent would the proposed alternative contribute to the taxbase of the Municipality? And how much more so than another alternative?
 - Please provide report
- The specialist for this section, who happens to be the EAP, does not appear to have qualifications in this field
 - Qualifications must be produced or a specialist found with the appropriate qualifications
- Kei Mouth is currently struggling with dealing with solid waste management and not coping.
 - 34 additional apartments will add further stress to the system
- Where was the solid waste from the demolished hotel placed?
 - Was this placed in a registered landfill? This must be investigated.

b. Liquid effluent

- Despite the generally known and experienced problems with water supply in Kei Mouth (and indeed Nationally) no measures have been investigated to optimize water usage or recycling of waste water
 - This must be attended to

c. Emissions to atmosphere

- No comment

d. Generation of noise

- No comment

8. WATER USE

- The description of water supply is inadequate
 - The engineering report refers to the need for on site storage in order to get adequate water pressure. This requires thorough investigation in view of the construction required for this storage in this locale

9. ENERGY EFFICIENCY

- The design measures described to ensure energy efficiency are wholly inadequate
 - Insulating of ceilings of levels other than the top will have little effect on stabilising temperatures. What is required is thermal control on the perimeter envelope of the building. There is no evidence of this having been attended to
 - Why are low energy bulbs and geyser timers not being carried through?
 - The design of the building itself can have a huge impact on energy consumption. There is no evidence of this having been considered.

10. SITE OR ROUTE PLAN

- The site plan Appendix A does not indicate most of the required information in this section. The Basic Assessment report is fatally flawed without this info
 - The site plan must be provided along with ALL required info

11. SITE PHOTOGRAPHS

- The description of the area immediately adjacent to the site itself i.e. the primary dune and its vegetation is inadequately described given the potential impact construction processes could have on this area

12. FACILITY ILLUSTRATION

- The facility illustrations are totally inadequate and the Basic Assessment Report is fatally flawed in this regard eg. There are no elevations or sections of any sort, the 3D images are scaleless and incorrect and there are no engineering dwgs.
 - Given the triggers for the assessment (see Section B1) and the fact that excavation is proposed into a primary dune and construction on it, it is simply not possible to make an assessment without proper scaled drawings that show how the facility will relate to its immediate environment in accurate dimensioned terms. Accurately scaled and dimensioned sections through the site and surroundings in both directions are absolutely essential
 - There are no structural engineering drawings or report, which given the proposed activity and location are absolutely essential for assessment

13. ACTIVITY MOTIVATION

- a. Socio-economic value of the activity
- All of these figures are totally unsubstantiated and questionable

b. Need and desirability of the activity

- It is recognized that sustainable and appropriate development that benefits the municipal fiscus and the greater community of Kei Mouth is a good thing, but it is questionable to what extent this development will do so.
 - This property was purchased some years ago as a functioning hotel, admittedly in need of refurbishment, but functioning nevertheless. The purchaser was aware of this fact and elected to demolish the hotel (illegally), and is now motivating to replace it with something that is not apparently desirable or beneficial to anyone other than the developer.
 - Kei Mouth has need of a proper appropriately designed hotel, with great outdoor spaces. It does not need a 4 storey privatised block of flats with lousy outdoor spaces masquerading as a hotel, dominating the skyline and looming over the beach on a highly environmentally sensitive site
 - The tourist potential of Kei Mouth stated as motivating factor, will in fact be *negatively* affected by this development which would spoil an otherwise near pristine piece of coastline
 - The restaurant referred to in this development will not offer any more than any other restaurant would and is completely overshadowed both literally and figuratively by the flats. A restaurant of this sort, in this location, is not needed or desirable.
 - The motivation that permanent jobs will be created is a weak. It is arguable that a proper hotel or another activity would provide as many if not more sustainable jobs.
 - The argument that a 'Hotel only' would be unviable is unsubstantiated and unbelievable given the growth in tourism and the precedent of other successful hotels in other coastal towns
 - The argument that the old hotel was not well supported/visited by local inhabitants is no argument against a new hotel that could be. There is no guarantee that the proposed activity would be supported either and in fact is unlikely to be supported due the impoverished quality of the spaces and activities envisaged.

14. APPLICABLE LEGISLATION, POLICES AND/OR GUIDELINES

- Land Use Planning Ordinance should be listed
- The Development Facilitation Act should be listed

C. SECTION C: SITE/AREA

1. GRADIENT OF SITE

- The gradient of the dune immediately abutting the site is steeper than indicated

2. LOCATION IN LANDSCAPE

- 'Sea front' should be added to 'Dune'

3. GROUNDWATER, SOIL AND GEOLOGICAL STABILTIY OF SITE

- The description of this is totally inadequate – the site is a primary dune with complex geotechnical conditions! A specialist is most certainly required
 - The EAP does not have the skills or qualifications to comment on this section at all
 - A specialist is definitely required, but has not been consulted

4. GROUND COVER

- The descriptions in this section are incorrect
 - The ground cover should be 'natural veld' with scattered aliens' and 'gardens'. It is not 'bare soil'
 - The site is part of a coastal dune system with significant indigenous vegetation immediately surrounding it including protected Red Milkwood trees. This vegetation is at risk from the activity proposed and is not mentioned.
 - No evidence is provided of whether studies have been done as to whether there are Red Data species or other protected species in the immediate vicinity of the site which could be affected during construction

5. LAND USE CHARACTER OF SURROUNDING AREA

- A Historical building was demolished
 - This should be investigated

6. CULTURAL/HISTORICAL FEATURES

- A historical building was, potentially illegally, demolished
 - This should be investigated

D. SECTION D: PUBLIC PARTICIPATION

- The timeframes will have to be adjusted given the delays in providing all the information required and necessary for informed comment by I&AP's

E. IMPACT ASSESSMENT

1. ISSUES RAISED BY INTERESTED AND AFFECTED PARTIES

- The response to the old hotel heritage status is incorrect
 - The site consists of more than 3 erven and is thus subject to Clause 38C of the National Heritage Resources Act regardless of the status of any buildings on it.
 - SAHJRA should thus have been consulted before the old hotel was demolished on this ground alone.
 - There were sections of the old hotel that were built prior to 1960 that were potentially demolished illegally in terms of clause .
 - The heritage relevance of the older buildings lies in their siting and form. This has not been addressed.

- A heritage impact assessment is required due to issues around the ‘sense of place’ on a heritage site
- The response to dune destabilization is wholly inadequate
 - The response does not deal with the issue of the physical process of constructing a 5 storey building including a basement and footings on a dune. It is this activity which triggers the need for the assessment and yet is not dealt with. The assessment is fatally flawed without this.
 - The EAP does not have the skills or qualifications to deal adequately with is a primary environmental concern. This must be referred to a specialist.
 - The statement that relevant engineering designs will be applied begs the question. *These engineering designed are required at this stage* in order for a proper assessment to be made. The assessment is fatally flawed without them.
 - Scoping and a full EIA are required to deal with this impact adequately
- The response to the Visual Impact and sense of place is fatally flawed. The responses are based on wholly incorrect and inaccurate information
 - The architectural impressions (Appendix C) are totally inaccurate and misleading. There is no information in any of the documentation which provides dimensioned heights for the buildings. It is absolutely impossible to assess the visual impact without these. The assessment is fatally flawed in this regard
 - The only reference to a possible height for the building is the 3.5m floor to floor height mentioned in the engineering report in the context of water pressure. The national building regulations provide that a habitable space requires a minimum of 2.4 m clear head height. Assuming a structural slab and beam depth of 300 mm this provides a floor to floor height of 2.7m. (of note in this regard is that 2.4m is an unpleasant height to use for deep spaces, which these are, and would not be considered for an upmarket development, which this purports to be). Taking the above range of figures into account, along with an allowance for the pitched roof as indicated in the architects impressions, and transposing them onto the palm tree with the 5 metre staff, it is clear that the architects impressions are extremely misleading. Refer to Appendix AA below
 - Pegging the height of the building as being approximately the height of the palm trees is totally unacceptable. One has only to look at the varying heights of the palm trees to note how nonsensical this is. The statement is, in any case, incorrect in relation to *any* of the palm trees
 - The mitigated measure suggested of painting the roof green is frankly ridiculous. The visual impact of the building is the sheer height of the walls and painting the roof will have no affect on these whatsoever.
 - There is no good reason why the building on this site has to be the largest and highest building in the town other than pure profit for the developer and every reason why it should not be environmentally.
 - The EAP is not qualified to comment on visual impact and certainly not with the information provided
- The sense of place issue is not dealt with adequately either
 - No comment has been made on the appropriateness of the architectural language used in terms of its impact on the sense of place. The fact is that it is inappropriate to this context viz:
 - Although in its altered form the old hotel was not a great piece of “architecture”, it had cultural and heritage significance. It was a humble inoffensive, 2 storey building, with pitched roofs typical of early Kei Mouth beach front buildings, it was broken into several smaller pieces so that it was not monolithic, it had a variation of verandahs and terraces, and

from the beaches it “peeped” over the dune-front vegetation in an inviting, not dominating, fashion. These are appropriate responses to building in this location.

- The new development on the other hand is, ‘cabana’-like, ‘boxy’ and dominant. It looks like an infill building from a highly developed Natal coastal town that has been imported to this site. The 4 storey high blank end walls and the repetitive rhythm of apartment division walls make the building look as though it has been designed to fit into a street, rather than blend into a natural dune system. The proposed building will effectively be a large box on the skyline, an eyesore from the town and the beach.
 - A far more appropriate and visually appealing building could be designed for this site, which, at the least, is no more “dominant” in terms of its beachfront impact than the old hotel was. This does not suggest that the building has to replicate the form and height of the old building – there may well be ways of making a higher, bigger building. Providing amenities like shaded outdoor terraces is a sensible way to break down the bulky look of high buildings – as is varying the skyline profile.
 - Alternative designs for the building must be considered.
- The response to the capacity of municipal services is inadequate
 - The suggestion that the development will provide funds to help the acknowledged stressed current infrastructure is illogical and disingenuous - the development itself will be seriously contributing to the stress it will then supposedly alleviate!
 - The assessment cannot be approved on the basis of some ‘hopefully-in-the-future’ services solution. The solution to the services problem has to be firmly established before any environmental authorization can be contemplated. The assessment is fatally flawed in this regard
 - The response to building in an environmentally sensitive area is inadequate
 - For reasons outlined above the response is inadequate. The assessment fails in almost all respects to deal with the implications of constructing a 5 storey building including a basement on a primary dune on an pristine piece of coastline.
 - The EAP is unqualified to comment on how construction could impact on the dune or dune system
 - The statement that the dune is unvegetated is incorrect
 - The response to town planning issues is inadequate
 - The site zoning is incorrect in that there are 4 erven and they do not all have the same zoning
 - Consent use and departures are required. This must be advertised to any possibly affected people in terms of Section 15 of LUPO. This has apparently not been done. Further in terms of Section 9 of ordinance amendment PN 1050 of 5 December 1988 this has to be done at the same time as the advertising of this environmental application. Again this has not been done and the assessment is fatally flawed on this account.
 - The setbacks and building lines apply to each individual erf and yet have apparently been incorrectly applied to the site as though the erven were consolidated.
 - The response to public access is inadequate

- The majority of the proposed activity use is private sectional title apartments. It is this component that bulks up the buildings creating the negative visual and environmental impact. This will also privatise the majority of the seaward side of the site whereas in the case of a hotel only alternative this could be entirely accessible to the public as it was previously. This is unacceptable.
- The quality of the facilities that are provided for the public in spatial terms are impoverished in comparison to those provide for private persons and it is doubtful whether they will be desirable or supported. Viz the spaces are ill proportioned, have a poor relationship between interior and exterior, are too small etc.

2. IMPACTS THAT MAY RESULT FROM THE PLANNING AND DESIGN PHASE

- The assessment contradicts itself by stating there are indigenous trees whereas immediately thereafter stating the dune is subject to wind erosion because it is unvegetated!
 - The fact is that the dune is vegetated and is not subject to wind erosion other than as a direct result of the owners illegal demolition of the old hotel.
- The suggestion that the site may be subject to alien plant invasion, dumping and soil erosion is disingenuous and a direct result of illegal procedures as are the suggested degraded areas
 - The owner elected to demolish the established existing hotel and is responsible for averting these regardless. The proposed activity is no better than any other in obviating this.
 - The owners attempts to stabilize the dune are a necessity not a virtue following the illegal demolition of the old hotel. Given that a Basic Assessment should have been done prior to the demolition of the hotel the failed attempts to stabilize the planting is a serious concern
- Proposed mitigating measures need to be extended
 - eg. to include preservation of exotics of value
 - recording of indigenous trees and vegetation prior to construction
 - etc.

3. IMPACTS THAT MAY RESULT FROM THE CONSTRUCTION PHASE

- The assessment is totally unsatisfactory in terms of engaging with the realities of constructing a basement, footing for a 5 storey building etc on a primary dune.
 - This has not been addressed at all
- Further comments are addressed in other sections above

4. IMPACTS THAT MAY RESULT FROM OPERATIONAL PHASE

- The no-go suggestion that the vacant site could result in informal settlement is ludicrous
 - There is plenty of vacant land elsewhere which would be far less controversially settled
- The suggested negative no-go impacts result from the potentially illegal demolition of the old hotel
 - It is the owners obligation to remedy these and cannot hold the environment and the greater community of Kei Mouth to ransom in this regard.

- The proposed development is certainly not the best or only way of remedying this situation.
- The suggestion that the proposed upmarket development would be more appealing than the old hotel is incorrect
 - The units are not 'upmarket' – they are 'bare minimum' apartments.
 - Given the sheer size of the proposed development (with 4 storey high blank end walls!) it cannot be considered more visually appealing than the old hotel, which was modest in comparison.
 - The parties at the old hotel were actually thoroughly enjoyed by many people and provided one reason for many families to choose to visit Kei Mouth rather than another place. They provided tourism rather than being predominantly a source of noise pollution. What consultation has been done with neighbours who would have been affected in this regard to back up this assertion?
- The stress on municipal services cannot be underestimated
- The parking issue is a major concern and should be properly analysed in a Traffic Impact Assessment
 - The reality is that the requirements in the zoning scheme for parking are completely outdated by the exponential growth in car ownership in recent years. This has to be addressed realistically.

5. IMPACTS THAT MAY RESULT FROM DECOMMISSIONING AND CLOSURE

- No comment

6. PROPOSED MANAGEMENT OF IMPACTS AND MITIGATION

- An EMP must be drawn up and an ECO 'must' not 'should' be appointed for any development on this site. The ECO must be approved by the DEDEA
- The ECO's responsibilities must be clearly defined
- Substantial financial guarantees must be provided to underpin compliance

7. ENVIRONMENTAL IMPACT STATEMENT

The statements made here are, in the main, either incorrect or inadequate viz:

- The base of the dune IS susceptible to wave action
- The dune IS vegetated
- The habitat IS very definitely sensitive as even a cursory inspection reveals and as is recorded in the no-go negative impacts by the environmental consultant himself
- Where are the 'relevant engineering designs referred to? These are required for assessment at this stage, now, without which assessment cannot be made?
- The EAP contradicts himself in saying that "there will not be a negative impact" and in the very next sentence suggesting a mitigating measure. There is in any event insufficient information to assess the visual impact and the suggestion that a mitigating measure is to paint the roof green suggests the EAP is unqualified to comment - refer pictures below
- The zoning is incorrectly described – there are four even

- The EAP omits to record that consent use and departures are required for the proposed use
- The suggestion that a development that would significantly add to municipal service stresses will provide funds to alleviate municipal stresses is illogical
- The suggestion that the construction impacts are negligible is not founded on any proper investigation and cannot be done without a geotechnical survey and structural engineer's input. The EAP is unqualified to comment and requires a specialist's input

8. RECOMMENDATIONS OF PRACTITIONER

- The information is clearly not sufficient to make a decision for the reasons outlined in the sections above and the assessment is accordingly fatally flawed
- The conditions are insufficiently detailed
 - Eg. A compliance audit every 4 months is asking for disaster

APPENDIX AA

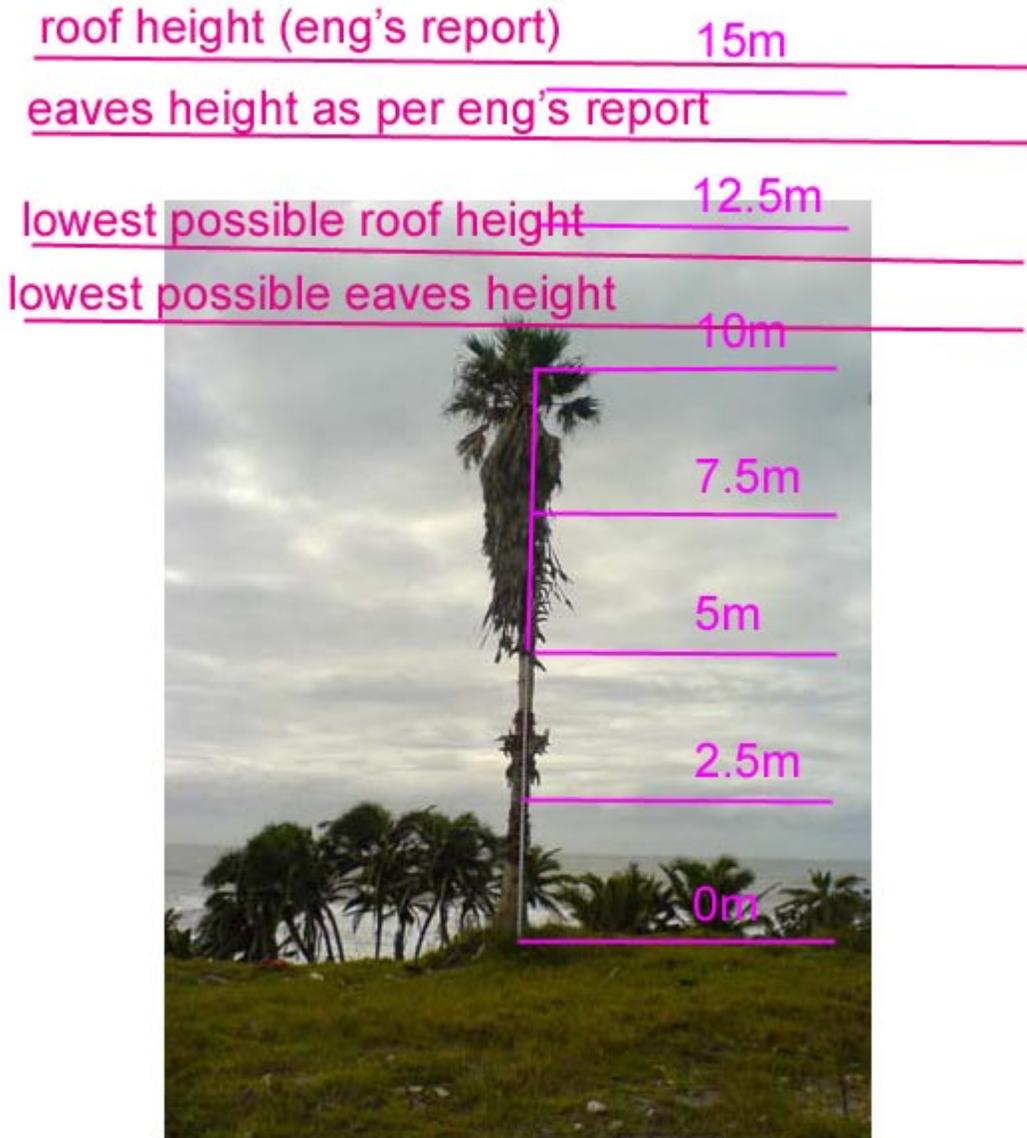




Figure 1 – visual impact from beach



Figure 2 – this is the minimum real impact



Figure 3 – Old hotel



Figure 4 – Misleading Building proposal presented – pink line represents minimum real impact



Figure 5 – View to old hotel

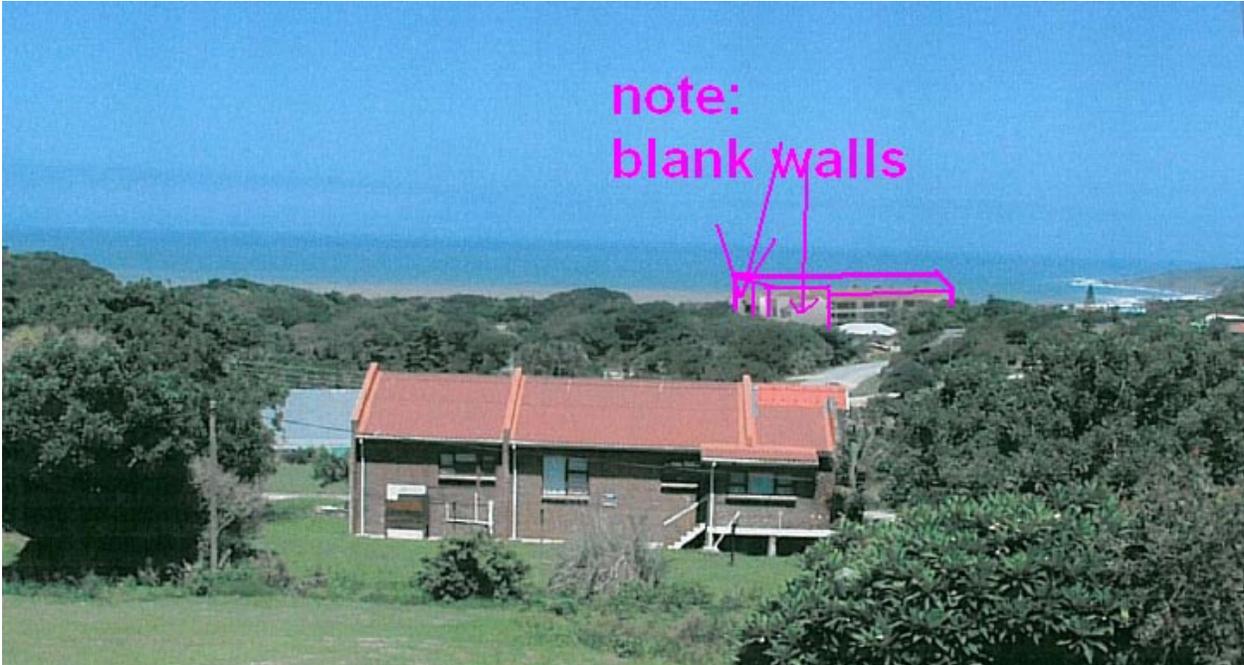


Figure 6 – Misleading Building proposal presented – pink line represents minimum real impact note end walls are blank!



Figure 7 – view to old hotel



Figure 8 Misleading building proposal presented – pink line represents minimum real impact