



REFERENCE: 16/3/3/6/1/B4/45/1606/24
DATE: 4 December 2024

The Trustees
Studgate 11 Trust T/A Cavalli (Pty) Ltd
PO Box 102
SOMERSET WEST
7129

Attention: Ms. Lauren Coetzee

Cell: 083 628 2761
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Dear Madam

APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED) TO THE PROPOSED CONSTRUCTION OF A WINERY AND ASSOCIATED INFRASTRUCTURE ON PORTION 6 OF FARM DIE FONTEINE NO. 550, STELLENBOSCH.

1. The electronic copy of the abovementioned documents, as received by the Directorate: Development Management (Region 1) ("this Directorate") on 11 November 2024, refer.
2. This letter serves as an acknowledgement of receipt of the correspondence by this Directorate.
3. According to the information contained in the correspondence, this Directorate notes the proposal entails the following:
 - 3.1 The construction of a winery and associated infrastructure on Portion 6 of Farm Die Fonteine No. 550, Stellenbosch comprising a wine cellar, a water purification plant, and paved roads and walkways.
 - 3.2 A section of an existing vineyard will be used to place the proposed winery. The winery and associated infrastructure will have a development footprint of approximately 1967m².
 - 3.3 The proposed development is not located within 32m of a watercourse.
 - 3.4 According to available mapping resources, the site is mapped to contain Swartland Granite Renosterveld vegetation, which is classified as an endangered vegetation type. The development footprint is cultivated with no indigenous vegetation remaining.
 - 3.5 The site is zoned Agriculture and Rural Zone, and the site is located outside the urban area of Stellenbosch.
4. Your attention is drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) as defined in Listing Notices ("LN") 1, 2 & 3 of 7 April 2017. Be advised that the proposed development as described above will not trigger any listed activity(ies) as defined in terms of the EIA Regulations, 2014 (as amended). Environmental Authorisation is therefore not required prior to the construction of a winery and associated infrastructure on Portion 6 of Farm Die Fonteine No. 550, Stellenbosch.

5. The above is based on the following:
- 5.1 The proposed development will not be located within 32m of a watercourse and will not result in the clearance of 300m² or more of indigenous vegetation.
 - 5.2 The proposed winery development footprint is less than 2000m² and the applicable thresholds for the treatment of wastewater will not be exceeded.
6. You are however cautioned that the proposed development footprint is not significantly less than the 2000m² threshold. Therefore, should any revision of the proposed development on the said site triggers any listed activity(ies) as defined terms of Listing Notice 1, 2 & 3, an application must be submitted, and environmental authorisation obtained before such activity(ies) may commence.
7. The applicant is reminded of his/her general duty of care and the remediation of environmental damage, Section 28(1) of NEMA specifically states that – “Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”
8. Please note that the applicant must comply with any other statutory requirements that may be applicable to the undertaking of the activity.
9. This Directorate reserves the right to revise its comments and request further information from you based on any new or revised information received.

Yours faithfully

PP HEAD OF COMPONENT

DIRECTORATE: DEVELOPMENT MANAGEMENT (REGION 1)

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

CC: (1) Mr. Johan Neethling (Johan Neethling Environmental Services cc)
(2) Mr. Schalk vd Merwe (Stellenbosch Local Municipality)

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