PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT COMMENTS RECEIVED - RUSTENBERG WINES						
Date	Issue	Comment	I&AP	Response	Respondent	
07/2019	General	Having considered the information contained in the Draft Pre-Application BAR, you are hereby advised that only those activities applied for will be considered for authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the EIA process. Omission of any activity may invalidate the application	Saa-rah Adams - Department of Environmental Affairs and Development Planning: Development Management Region 1	Noted	EnviroAfrica	
		The department notes the inclusion of Listed Activity 12 of Listing Notice 3. Based on available mapping information sources, the indigenous vegetation is categorised as Vulnerable in terms of Section 52 of NEMBA and no critical biodiversity areas, or ecosystem service areas or systematic biodiversity plans have been adopted by the competent authority. For these reasons, the aforementioned activities will not be triggered.		Noted. Activity 12 of Listing Notice 3 will be excluded from the NEMA Application Form and the Post-Application Basic Assessment Reports	EnviroAfrica	
		The department notes "water for irrigation will be sourced from existing farm dam and the majority of the main irrigation lines are already developed, with only the sub lines for irrigation needing to be constructed." You are required to amend the site layout map to include the existing and proposed components of the irrigation network.		This is difficult to say for sure as one would need to pay an irrigation expert to make out an irrigation block plan, but without consent to plant there just yet, this would not make financial sense for us to get someone out in case we cannot go ahead with the development of this site. We can only give a suggestion of where the sub-line might be placed. Please see the google KMZ attached.	Rustenberg Wines	
		The department notes that water will be sourced from water sources on the property. You are required to provide this Department confirmation from the DWS or BGCMA with regard to the existing lawful water use rights of the property.		Noted. Comment from DWS and BGCMA was received, please see below. BGCMA is not the commenting authority, and DWS confirmed that no WULA is required.	EnviroAfrica	
		In addition, you are required to, indicate how much of the existing lawful use is being utilised on existing cultivated lands on the property.		We are allocated 200 000m3 per year. We don't have an exact indication of how much is currently used because the majority of the water goes into the dams and from there we irrigate the vineyards. Whatever is not used, we allocate to the pastures. There will however be enough for the new development.	Rustenberg Wines	
		Indicate how much of the existing lawful use will be used for the proposed development of cultivated area.		Approximately 3551.23m3 based on the adjacent block as it is very difficult to say and depends largely on seasonal rains, vine spacing, row spacing, slope, cover crops, cultivar and rootstock, as well as the dripper spacing and delivery (m3 rate per hour).	Rustenberg Wines	
		Note a WULA in terms of the NWA, 1998 may be required should the existing lawful use not be sufficient to establish an additional area of 18ha.		Noted. DWS has confirmed that no WULA is required. See comments below and attached. The proposed additional area is not 18ha, but rather 2.9ha	EnviroAfrica	
		Please ensure that the relevant water management authority provides comment on the proposed development specifically, and not only regarding the status of the property's existing lawful water use.		Noted. DWS was provided with an opportunity to view and comment on the Draft Pre-Application BAR. Their comment is noted below	EnviroAfrica	
		Please ensure the Construction and Operational Management Programme contains more detail with respect to the methods that will be used for implementation, the frequesncy at which it will be implemented and the parties responsible for the required actions. In addition, the expected outcome for the on-going maintenance activities must be quantified.		Noted. This will be addressed in the EMPr	EnviroAfrica	
		The public participation process must comply with the requirements of Regulation 41 of the EIA Regulations 2014, and proof of complaince with all the steps undertaken must be included in the Final BAR.		Noted. The EAP is of the opinion that all necessary steps have been taken. Proof of PPP is included in Appendix F of the BAR.	EnviroAfrica	
		The department notes the specialist input from the freshwater and botanical specialists. Please ensure that the recommendations and mitigation measures pertaining to the assessments are incorporated in the Funal BAR and EMPr.		Noted. The specialist recommendations and mitigation measures have been noted, and they have been included in both the BAR and the EMPr.	EnviroAfrica	

		Comments from, but not limited to, the following relevant authorities must be obtained during the public participation process and included in the BAR submitted for decision-making: - CapeNature: - Heritage Western Cape: - Department of Agriculture: - Department of Water and Sanitation: - Stellenbosch Municipality.		Noted. All of the mentioned authorities have been notified (initial notifications as well as Draft Pre-Application BAR). Only comment from DWS, and CapeNature was received. SAHRA, as the heritage Competent Authority, provided a permit in terms of the Heritage Screener that was submitted to them.	EnviroAfrica
		Omission of any required information in terms of Appendices 1 and 4 of the EIA Regulations 2014, with regards to the final submission of the BAR and EMPr, respectively to the Department, may result in the application for EA being refused		Noted	EnviroAfrica
04/07/2019	Freshwater	This department can confirm that the activity will not require any water use authorisation in terms of the National Water Act, 1998 (Act 36 of 1998)	Bukelwa Mtandana - Department of Water and Sanitation. Western Cape Region	Noted	
31/07/2019		The BGCMA is not the commenting authority within the Stellenbosch area. The DWS comment will therefore be sufficient.	Elkerine Rossouw - Breede-Gouritz Catchement Management Agency		
		A freshwater opinion was undertaken and the findings were that there is no watercourse present in the location where a watercourse has been mapped. There was no channel or wetland or riparian vegetation present. The slope as evident in the photographs and contours does seem to indicate that this may be a conduit for run-off during rainfall events, particularly if the cover of Kikuyu grass were removed. CapeNature does not oppose the findings of the freshwater opinion, however we do request a response to our query and whether any mitigation would be required.	Rhett Smart - CapeNature	The normal contouring and storm water management measures in agricultural developments should more than adequate be able to deal with the runoff that might be generated	Toni Belcher - BlueScience
	Botanical				
24/07/2019		In terms of the sensitivity mapping for the study area, the area of mainly indigenous vegetation is high sensitivity and mainly alien vegetation is medium-high sensitivity. As noted the site is classified as Ecological Support Area 2 with the description of the desired management objective. The vegetation type present is Boland Granite Fynbos listed as Vulnerable. It should be noted that in terms of this definition, cultivation would not be prohibited provided it allows for maintenance of ecological corridors and does not contribute to soil erosion (e.g. steep slopes) or impact on water resources to maintain ecological infrastructure functioning. We therefore wish to query the sensitivity scoring. We further wish to note that the 10 year threshold for reversion to natural vegetation is in terms of national agricultural and environmental legislation, however most vegetation types within the Western Cape do not restore to their full or majority representative community within this time period (although active restoration can assist significantly).	Rhett Smart - CapeNature	CapeNature has questioned the sensitivity scoring since the vegetation is assigned as High sensitivity in the botanical assessment. Debating whether the vegetation is High or Medium sensitivity wouldn't be a helpful exercise. Instead the landscape level processes and the role that the remaining vegetation plays supporting biodiversity and ecological processes within the context of the 2017 WCBSP is more relevant.	Paul Emms
		The recommendation of the botanical assessment is that the cultivation of the area identified as optimal for cultivation in the soil study, which occupies less than half of the total study area, can be considered as acceptable provided that the "remainder of the site" is set aside for conservation in perpetuity. The designation of "the remainder of the site" needs to be defined, as to whether this refers to the study area or a larger area.		The site is indicated in Figure 19 and is shown by the blue outline. The remainder of the site is everything falling outside the proposed footprint indicated by the yellow line in Figure 19. The assumption is made that no other development applications will be applied for outside the study area and the recommendation is the areas falling outside the site will be appropriately managed in terms of invasive alien plants.	Paul Emms

It should be noted that the Rustenberg Wine Estate does occupy a large area with a	Noted	EnviroAfrica/ Paul Emms
significant proportion of natural vegetation which would be considered favourably for		
conservation. The remainder of the study area alone would however only be small in		
extent and not contribute significantly to achieving conservation goals in isolation. It		
should further be noted that Rustenberg Wine Estate is part of the functional and active		
Greater Simonsberg Conservancy and that the natural areas across the full landholdings		
have been presented to the Western Cape Protected Area Expansion and Stewardship		
Review committee with WWF-SA as the lead agent. The recommendation was for an		
agreement with WWF and follow-up review at a later stage. Lastly, the upper slopes of		
the property are declared Mountain Catchment Area in terms of the Mountain		
Catchment Areas Act (Act 63 of 1970), which is a category of protected area which will be		
further defined and refined in legislation currently under review.		
CapeNature is in agreement with the recommendation of the botanical assessment, as	I support CapeNature's recommendation for a stew	ardship agreement and Paul Emms. EnviroAfrica
the loss of the small area of restoring fynbos can be compensated through the	suggest that we engage with them on a way forward	d. They may have an
management and protection of the remaining natural vegetation, including alien clearing.	envisioned plan for the greater area and adjoining p	roperties. This area can
This would not be considered as a biodiversity offset in terms of the relevant national	then be indicated in the report as the recommended	d stewardship site and
policy and provincial guidelines, however this would be an on-site set aside secured	mention made that CapeNature has been consulted	. The proposed
through reactive stewardship and accordingly subject to CapeNature's approach for	stewardship site must be made in consultation with	the landowner and will
reactive stewardship. Therefore, the botanical assessment should clarify the	need to be presented to CapeNature's stewardship	review committee. The
recommendations regarding the area to be secured and we recommend that the	landowner/Applicant is also open to the idea of an	d further discussions
applicant consults with CapeNature regarding taking stewardship forward.	on a stewardship agreement.	