



DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

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FAX COVER SHEET

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|--------------------|--|------------------|---|
| To: | Jaco Olivier | From: | Caroline Sithi |
| Company: | Cosmopolitan Johannesburg Projects (Pty) Ltd | Section: | EPIA |
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| Tel No. | (011) 541 - 3800 | Tel: | (011) 355 - 1568 |
| Date: | | Pages: | 9 Including this one |
| Re: | GAUT 002/09-10/N0586 APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED MIXED USE AND MIXED INCOME RESIDENTIAL DEVELOPMENT ON PORTIONS 2 AND 21 OF THE FARM NIETGEDACHT 535 JQ TO BE KNOWN AS COSMO CITY EXTENSIONS 20-25 | | |

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|-----|--|-------|-------------------------------------|
| Cc: | GDARD Compliance & Enforcement Branch | Attn: | Environmental Compliance Monitoring |
| | | Tel: | (011) 355 - 1900 |
| | | Fax: | (011) 355 - 1850 |
| | City of Johannesburg Metropolitan Municipality | Attn: | Lebo Molefe |
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| | Golder Associates Africa (Pty) Ltd | Attn: | Gwen Theron |
| | | Tel: | (012) 366 - 0100 |
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DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

Diamond Corner Building, 68 Eloff & Market Street, Johannesburg
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Reference: 002/09-10/N0586
Enquiries: Caroline Sithi
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Cosmopolitan Projects Johannesburg (Pty) Ltd
P.O. Box 754
Auckland Park
2006

Attn: Mr. Jaco Olivier
Tel No: (011) 541 - 3800
Fax No: 086 658 - 8125

PER FACSIMILE/REGISTERED MAIL

Dear Sir,

APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED MIXED USE AND MIXED INCOME RESIDENTIAL DEVELOPMENT ON PORTIONS 2 AND 21 OF THE FARM NIETGEDACHT 535 JQ; TO BE KNOWN AS COSMO CITY EXTENSIONS 20-25

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2006, you are instructed to notify all registered interested and affected parties, in writing and within 10 calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 10 days of the date of this letter, by means of one of the following methods:

By facsimile: (011) 333 - 0620;
By post: P.O. Box 8769, Johannesburg 2000; and
By hand: 16th Floor, Diamond Corner Building, 68 Eloff Street, Johannesburg.

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully

Ms. S.J. Sekgobela
Head: Agriculture and Rural Development
Date: 02/07/2011

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ENVIRONMENTAL AUTHORISATION

Authorisation register number: Gaut 002/09-10/N0586

Holder of authorisation: Cosmopolitan Projects Johannesburg (Pty) Ltd

Location of activities: On Portions 2 and 21 of the Farm Nietgedacht
535 JQ; Cosmo City Extensions 20-25

Department of Agriculture and Rural Development
Environmental Authorisation Ref. No. Gaut 002/09-10/N0586

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2006 the Department hereby authorises Cosmopolitan Projects Johannesburg (Pty) Ltd with the following contact details –

Mr. Jaco Olivier

Cosmopolitan Projects Johannesburg (Pty) Ltd
P.O. Box 754
Auckland Park
2006

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Tel No: (011) 541 - 3800

Fax No: 086 658 - 8125

to undertake the following activities (hereafter referred to as "the activities")

the establishment of mixed land use development and associated infrastructures on Portions 2 and 21 of the Farm Nietgedacht 535 JQ (Lion Park Development – Cosmo City Extensions 20-25) as per listed activities 1(k), 1(n), 4, 15, 18 of the Government Notice R.386 of 2006 and listed activity No. 2 of Government Notice R.387 (Preferred Alternative) which falls under the jurisdiction of the City of Johannesburg Metropolitan Municipality.

The proposed development will be comprised of mixed land use development consisting of Residential 1, 2, and 3 units, business and commercial activities, institutional use as well as private and public open space. The development is to accommodate the following typologies i.e. 180m² stands for partly Semi Detached units, 200m² to 300m² for bonded and Credit-Linked Units and High density units of 120 units per hectare.

The granting of this environmental authorisation is subject to the conditions set out below.

Conditions

Scope of authorisation

- 1.1 Activity 1(m) is excluded from this environmental authorization and no construction of facilities or infrastructure, including associated structures of infrastructure for any purpose in the one in ten year flood line of a river or stream, or within 32 meters from the bank of a river or stream where the flood line is unknown.
- 1.2 Activity 7 is also excluded from this authorisation as it was not adequately assessed on the application.
- 1.3 Authorisation of the activities is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
- 1.4 The holder of the authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 1.5 The activities authorised may only be carried out at the property indicated above.

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- 1.6 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 1.7 These activities must commence within a period of five (5) years from the date of issue. If commencement of any activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activities to be undertaken.
- 1.8 This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.

Appeal of authorisation

- 1.7 The holder of the authorisation must notify every registered interested and affected party, in writing and within ten (10) calendar days, of receiving notice of the Department's decision to authorise the activities.
- 1.8 The notification referred to in 1.7 must:
 - 1.8.1 Specify the date on which the authorisation was issued;
 - 1.8.2 Inform the interested and affected parties of the appeal procedure provided for in Chapter 7 of the regulations; and
 - 1.8.3 Advise the interested and affected parties that a copy of the authorisation and reasons for the decision will be furnished on request.

Management of the activities

- 1.9 A final Environmental Management Plan that takes into consideration the conditions of this environmental authorization must be compiled and forwarded to this Department for approval prior to the commencement of any development activity on site.
- 1.10 The edge of the wetland must be clearly demarcated in the field with pegs or poles that will last for the duration of the construction phase, color-coded as follows:

Guant
Landmeter.

 - RED - Indicating the edge of the wetland (Note: This includes the permanent, seasonal and temporal wetlands, or parts thereof; and no vehicles or building materials are allowed in this zone) [These should be put along the entire length of the property/site.].
 - ORANGE - Indicating the edge of the buffer zone (30m for areas within the urban edge and 50m outside the urban edge).
- 1.11 The wetland and a protective buffer zone; beginning from the outer edge of the wetland temporary zone, must be designated as sensitive in a sensitivity map and must be managed as part of a public/private open space for conservation purposes.
- 1.12 An amended layout plan which takes into account the above sensitivity mapping must be submitted to this Department for approval prior to the commencement of any development activity on site.
- 1.13 Adequate mitigation measures must be put in place in the design and the construction of a
 - * sewer pump station and the sewer line on site in order to prevent contamination of surface and ground water.
- 1.14 Any archeological features exposed during construction must not be disturbed. Work must be stopped immediately and SAHRA or a professional archaeologist must be contacted for recommendations.
- 1.15 A comprehensive Storm Water Management Plan must be submitted to both Johannesburg Roads Agency and the City of Johannesburg Environmental Management Department for approval.
- 1.16 Service infrastructure such as construction of roads, storm water and sewer pipes must be undertaken to the satisfaction of the City of Johannesburg Metropolitan Municipality and Johannesburg Roads Agency (JRA).

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- 1.17 Dust suppression measures must be implemented throughout the construction phase and all internal roads and parking facilities must be kept clean
- 1.18 Oil, fuel and chemicals must be confined in a specific and secured area throughout the construction period to prevent potential spills and leaks.
- 1.19 All equipment including heavy vehicles must be equipped with effective noise dampening devices in order to keep construction noise minimum.
- 1.20 Noise generated from construction activities must not exceed noise level of 85dB as required by the Occupational Health and Safety Standards.
- 1.21 All waste generated on site must be disposed of at a recognised and certified landfill site.
- 1.22 Adequate measures must be implemented regarding the collection, removal and disposal of waste during each stage of the development, from site preparation to final construction and rehabilitation stages.
- 1.23 Sufficient and temporary facilities including ablution facilities must be provided for construction workers operating on site. Such facilities must be maintained and no chemical or waste water must be allowed to contaminate the runoff on site.
- 1.24 The proposed development must not impact on the proposed future roads and their servitudes.
- 1.25 Existing power line and its servitudes must always be maintained.
- 1.26 Any post-development re-vegetation or landscaping must use indigenous species. Plant species locally indigenous to the area are preferred.

Commissioning of the activity

- 1.27 A fourteen (14) days written notice must be given to the Department that the activities will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activities will commence.

Monitoring, Recording and reporting to the Department

- 1.28 An independent suitably qualified individual registered in accordance with the Natural Scientific Professions Act (No. 27 of 2003) must act as the environmental control officer.
- 1.29 The development's Environmental Control Officer (ECO) must undertake site inspections at least once a week.
- 1.30 Monitoring reports compiled by an independent suitably qualified individual registered in accordance with the Natural Scientific Profession Act (No. 27 of 2003) in the fields of Botanical / Ecological / Zoological Science must be submitted to the Department for the duration of the construction and rehabilitation phase on a monthly basis.

General

- 1.31 During construction phase, a copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work on site.
- 1.32 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 1.33 The holder of the authorisation must notify the Department, in writing and within seventy two (72) hours if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.

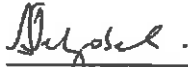
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- 1.34 Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.

Date of environmental authorisation: 02/06/2011



Ms. S.J. Sekgobela

Head: Agriculture and Rural Development

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Annexure 1: Reasons for Decision

1. Background

The applicant, Cosmopolitan Projects Johannesburg (Pty) Ltd applied for authorisation to undertake the following activities –

the establishment of mixed land use development and associated infrastructures on Portions 2 and 21 of the Farm Nietgedacht 535 JQ (Lion Park Development - Cosmo City Extensions 20-25) as per listed activities 1(k), 1(m), 1(n), 4, 7, 15, 18 of the Government Notice R.386 of 2006 and listed activity No. 2 of Government Notice R.387 (Preferred Alternative) which falls under the jurisdiction of the City of Johannesburg Metropolitan Municipality.

The proposed development will be comprised of mixed land use development consisting of Residential 1, 2, and 3 units, business and commercial activities, institutional use as well as private and public open space. The development is to accommodate the following typologies i.e. 180m² stands for partly Semi Detached units, 200m² to 300m² for bonded and Credit-Linked units and High density units of 120 units per hectare.

The applicant appointed Golder Africa Associates (Pty) Ltd to undertake an Environmental Impact Assessment Process.

2. Information considered in making the decision

In reaching its decision, the Department took, inter alia, the following into consideration -

- a) The information contained in the application form for authorisation and a final Environmental Impact Assessment Report received on 17 January 2011; and
- b) Relevant information contained in the Departmental information base including the Geographical Information System specifically the C-Plan Version 2;
- c) The objectives and requirements of relevant legislation, policies and guidelines, including:
 - The principles contained in Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and
- d) Comments from COJMM dated 14 March 2011.
- e) The findings of the site visit conducted by Obed Ndhlovu, an official of this Department on 10 February 2011.

3. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) Wetlands and the riparian zones;
- b) Loss of sensitive vegetation on site; and
- c) Availability of bulk services for the proposed development.

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4. Findings

After consideration of the information and factors listed above, the Department made the following findings-

- a) Layout plan to be amended to accommodate sensitive areas on site.
- b) Bulk services will be provided for by the City of Johannesburg Metropolitan Municipality.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National

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Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. Authorisation for this application is accordingly granted.

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Received by Basam: 04/03/2011
 And to Caroline o.

BASAM



AGRICULTURE AND RURAL DEVELOPMENT

Directorate of Nature Conservation

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 Enquiries: L S Nevhutalu

Tel (011) 355-1689 Fax (011) 355-1000
Steven.Nevhutalu@gauteng.gov.za

Office memorandum

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|------------------|--|---|
| To | Siyabonga Buthelezi Eleanor C McGregor Austin Dlamini EIA Admin | <i>[Handwritten signatures and dates]</i> 28/02/2011 01/03/11 01/03/11 |
| From | EIA Unit | |
| Date | 24 February 2011 | |
| Subject | EIA: proposed development on portion 2 and 21 Nietgedacht 535 JQ | |
| Reference | Gaut 002/09-10/N0586 | |

The EIA: proposed development on portion 2 and 21 Nietgedacht 535 JQ by Golder Associates has been reviewed and herewith comments.

Development layout does not adequately take the biodiversity sensitivities of the site into account; and it is, therefore, not supported.

However, proposed development could be compatible with the biodiversity sensitivities of the site if development layout is amended to avoid all sensitive areas as indicated by a sensitivity map (Fig 9: *Derived floristic, fauna and total ecological sensitivity results for the study area on page 36 of the Specialist report: Vegetation and Red Data Habitat Assessment-'Lionpark' Proposed Development on a Portion Of The Original Farm Nietgedacht 535-JQ, Gauteng Province By W.H. de Frey July 2005*)

Amended layout plan and sensitivity map must be submitted to Technological Services for review.

Yours Sincerely
 EIA Unit
 Nature Conservation