



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE HEAD OF DEPARTMENT (HOD)
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Reference: Gaut 006/15-16/E0172
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BY FACSIMILE: 086 685 8125
BY REGISTERED MAIL

Cosmopolitan Projects Johannesburg (Pty) Ltd
P. O. Box 754
AUCKLAND PARK
2006

Telephone No.: 011 541 3800

Dear Mr Norman Robert Cleaver

AMENDMENT GRANTED: 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, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

The above matter and more specifically your application for an amendment received on 22 February 2016 have reference

Please be advised that the Department has, under the powers vested in it as prescribed in Chapter 5, Regulation 29, Part 1 of the Environmental Impact Assessment Regulations, 2014, ("the Regulations") decided to amend the Environmental Authorisation GAUT 002/09-10/N0586 issued on 02 June 2011 in respect of the above-mentioned activity.

In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you must notify all registered interested and affected parties in writing and within **fourteen (14) days** of the date of the Department's decision to amend the Environmental Authorisation (EA) as well as the provisions regarding the making of appeals that are provided in the Regulations.

Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014, which regulates the appeal process. Should you wish to appeal any aspect of the decision, you must within **twenty (20) days** of the date of notification of the decision submit your appeal including supporting documents to the appeal administrator by any of the following means:

Postal Address:

The Appeals Administrator
Department of Agriculture and Rural Development
P.O. Box 8769
JOHANNESBURG
2000

GDARD
Office of the HOD
24 MAY 2016 000039

Physical Address:

The Appeals Administrator
Department of Agriculture and Rural Development
11 Diagonal Street
Diamond Building, 4th Floor
Newtown
JOHANNESBURG
2000

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Office of the HOD


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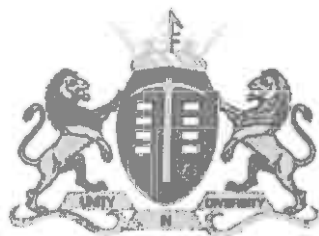
Fax No: 011 240 3158/2700

Email Address: appeals@gauteng.gov.za

Your appeal must be submitted in the prescribed appeal form obtainable from the appeal administrator, Ms. Tsholofelo Mere at telephone number 011 240 3204 or email address Tsholofelo.Mere@gauteng.gov.za. The appeal form is also available from our website: www.gdard.gpg.gov.za. Should you have queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Yours faithfully


MS THANDEKA MBASSA
HEAD OF DEPARTMENT
DATE: 25/05/16



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Addendum to Environmental Authorisation

Authorisation Register Number:	GAUT 002/09-10/N0586
Last Amended:	N/A
Amendment Application Number:	GAUT 006/15-16/E0172
Holder of Authorisation:	Cosmopolitan Projects Johannesburg (Pty) Ltd

Decision

The Department has decided to amend the Environmental Authorisation GAUT 002/09-10/N0586 issued to Cosmopolitan Projects Johannesburg (Pty) Ltd on 02 June 2011.

Amendment

The initial Environmental Authorisation is hereby amended as follows:

1. Cosmopolitan Projects Johannesburg (Pty) Ltd would like to change the name of the responsible person from:

Mr Jaco Olivier

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To:

Mr Norman Robert Cleaver

2. Extension of validity of the Environmental Authorisation (EA) as per condition 1.7 which reads:

*"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."*

is hereby amended as follows:

*"If the activities authorised by the EA dated 02 June 2011 does not commence within a period of **five (5) years** from the date of this Addendum, the authorisation will lapse. No further extensions will be granted should this extension period lapse, a new application for Environmental Authorisation must be made in order for the activities to be undertaken"*

General condition

- 1.1 All conditions stipulated in the Environmental Authorisation dated 02 June 2011 must be strictly adhered to.
- 1.2 A copy of this Addendum together with a copy of the initial Environmental Authorisation must be kept at the property where the activities will be undertaken. The authorisations must be produced to any authorised official of the Department who requests to see them and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property. If it is not possible to keep a copy of this authorisation on site, then it must be kept at the offices of the site manager.
- 1.3 Where any of the applicant's contact details change, including the name of the responsible holder of the Environmental Authorisation, the physical or postal address and/ or telephonic details, the applicant must follow an amendment process as prescribed in Chapter 5 of the NEMA Environmental Impact Assessment Regulations, 2014, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 1.4 The holder of the Environmental Authorisation must notify the Department, in writing **within 7 (seven) days** if a condition of this Addendum is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 1.5 Non-compliance with a condition of this Addendum may result in criminal prosecution or other actions provided for in NEMA and the Regulations.

Annexure 1

Reasons for Decision

1. Background

The Department issued an Environmental Authorisation GAUT 002/09-10/N0586 on 02 June 2011 to Cosmopolitan Projects Johannesburg (Pty) Ltd for the establishment of mixed land use development and associated infrastructures, listed as activities 1(k), 1(n), 4, 15, 18 of Government Notice R. 386 of 2006 and listed activity No.2 of Government Notice R387 (Preferred Alternative) which falls within the jurisdiction of the City of Johannesburg Metropolitan Municipality

The applicant, Cosmopolitan Projects Johannesburg (Pty) Ltd, represented by LEAP (Landscape Architect Environmental Planner) undertook the amendment application 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 amendment application form received by the Department on 22 February 2016.
- b. The Initial Environmental Authorisation issued on 02 June 2011.
- 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) (as amended).

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 most significance is set out below:

- a. Changing the name of the responsible person at the company.
- b. The amendment does not deviate substantially from the initial EA
- c. Rights of Interested and Affected Parties; and
- d. The validity period of the initial EA.

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4. Findings

Having considered the information and factors listed above, the Department made the following findings:

- a. Change of the responsible person in the company will not increase the nature of the impact, of which impact was initially assessed and considered when the application was made for the environmental authorisation.
- b. All other conditions set in the EA dated 02 June 2011 still stand and are to be adhered to.
- c. The environment as well as the rights of Interested and Affected Parties (I&APs) will not be affected by this amendment;
- d. The extension of validity period of the original EA will make provision for the applicant to resolve their bulk infrastructure funding issue with the relevant authority and commence with the proposed development.

In view of the above, the Department is of the opinion that the amendment would not result in a negative environmental impact that would conflict with the general objectives and principles of integrated environmental management laid down in Chapter 5 of the NEMA and that the detrimental environmental impacts resulting from the proposed amendments can be mitigated to acceptable levels. The Environmental Authorisation is accordingly amended.