



## 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/E0153  
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BY REGISTERED MAIL

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

Telephone No.: 011 541 3800

Dear Mr. Cleaver

**AMENDMENT APPLICATION GRANTED: APPLICATION FOR AMENDMENT OF ENVIRONMENTAL AUTHORISATION WITH REFERENCE GAUT 002/09-10/N0816 AND A PARTIAL AMENDMENT WITH REFERENCE NUMBER GAUT 006/15-16/E0013 ISSUED FOR THE PROPOSED RESIDENTIAL TOWNSHIP ON PORTIONS 2, 31, 32, 33, 56, 57 AND 58 OF THE FARM RIETSPRUIT 152 IR AND THE REMAINDER OF PORTION 44 OF THE FARM WATERVAL 150 IR - EKURHULENI METROPOLITAN MUNICIPALITY.**

The above-mentioned amended application received by this Department on 15 April 2016 and additional information on 18 April 2016 have reference.

This Department has, in terms of the powers vested in it by Regulation 33 (2) of the Environmental Impact Assessment Regulations, 2014 ("the Regulations"), decided to **amend** the Environmental Authorisation (GAUT 002/09-10/N0816) issued on 12 October 2010 in respect of the above mentioned activity. The Addendum reflecting the amendment and reasons for the decision are attached hereto.

In terms of Regulation 4 (2) of the EIA Regulations, 2014 you are to notify all Registered Interested and Affected Parties, in writing and within **fourteen (14) days** of the date of this letter, of this Department's decision to amend the Environmental Authorisation, the reasons for this Department's decision as well as the provisions regarding the making of an appeal(s) that are provided for 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:

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**Postal Address:**

The Appeals Administrator  
Department of Agriculture and Rural Development  
PO Box 8769  
**JOHANNESBURG**  
2000

**Physical Address:**

The Appeals Administrator  
Department of Agriculture and Rural Development  
11 Diagonal Street  
Diamond Building, 04<sup>th</sup> Floor  
Newtown  
**JOHANNESBURG**  
2000

**Fax No:** 011 240 3158/2700

**Email Address:** [appeals@gauteng.gov.za](mailto: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](mailto:Tsholofelo.mere@gauteng.gov.za). The appeal form is also available from our website: [www.gdard.gpg.gov.za](http://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:** 05/05/16

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**Office of the HOD**  
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**Addendum to Environmental Authorisation**

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<b>Authorisation Register Number:</b>	Gaut 002/09-10/N0816
<b>First Amendment Application Number:</b>	Gaut 006/15-16/E0013
<b>Current Amendment Application:</b>	Gaut 006/15-16/E0153
<b>Holder of Authorisation:</b>	Cosmopolitan Projects Johannesburg (Pty) Ltd

## Decision

This Department has decided to amend the Environmental Authorisation with reference Gaut 002/09-10/N0816 issued to Greenfields Gardens (Pty) Ltd on 12 October 2010 and later amended to reflect the new holder Cosmopolitan Projects Johannesburg (Pty) Ltd on 26 June 2015. The new holder has currently lodged an application for the amendment of the Environmental Authorisation with this Department in terms of Part 2 of the amendment process with the purpose of change of the name of the development, the description of the activity, Layout Plan, size of the development and approval of the Environmental Management Programme.

## Amendment

1. The Residential Township on Portion 2, 31, 32,33,56, 57 and 58 of the Farm Rietspruit 152 IR and the Remainder of Portion 44 of the Farm Waterval 150 IR

Is hereby amended to read:

"Waternspruit Townships on Portion 2, Portions 31, 32, 33, 56, 57 and 58 of the Farm Rietspruit 152 IR and the Remainder of Portion 44 of Waterval 150 IR".

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2. The description of the Activity which read that the Residential township is comprising of 9191 "Residential 1" for bonded housing, 2 high density stands, 1 primary business and community stand, 12 educational stands, 13 local business and community stands, 2 undetermined stands, 2 railway line stands, 2 sports stands and 1125 public open space stands,

Is hereby amended to read:

The Residential township comprising of approximately 16000 "Residential" housing units and Multiple Housing stands with 1 business stand, 16 education stands, 5 undetermined stands, 2 railway stands, 18 social node stands, 2 sport stands, and 57 public open space stands, services and roads,

3. The revised amended layout plan dated April 2016 attached as Annexure 7b need to be amended to exclude the development (Education Primary and Secondary Schools) from 50m buffer zone from the river,
4. The amended Environmental Management Programme (EMPr) compiled by LEAP as part of this amendment is also hereby approved to replace the original EMPr.

## General Conditions

- 1.1 A copy of this Addendum together with a copy of the Initial EA as well as the previous addendum must be kept on site. It must be produced to any authorised official of this Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the Environmental Authorisation ("EA") who works or undertakes work on site. If it is not possible to keep copies on site, it must be kept at the offices of the site manager.
- 1.2 The holder of the EA must notify registered interested and affected parties, in writing and within **fourteen (14) days**, of receiving notice of this Department's decision to amend the initial EA.
- 1.3 The notification referred to above 1.2 must:
  - 1.3.1 Specify the date on which the Addendum was issued, the reasons for decision as well as inform the Registered Interested and Affected Parties of appeal procedure available in the circumstances of the decision;
  - 1.3.2 Advise the Registered Interested and Affected Parties that a copy of the Addendum will be furnished on request.
- 1.4 Non-compliance with a condition of this Addendum may result in criminal prosecution or other actions provided for in the National Environmental Management Act 107 of 1998 ("the NEMA") and the Regulations.



## Reasons for Decision

### 1. Background

This Department issued Environmental Authorisation (EA) with reference Gaut 002/09-10/N0816 on 12 October 2010 to Greenfields Gardens (Pty) Ltd and amended to a new holder, Cosmopolitan Projects Johannesburg (Pty) Ltd, on 26 June 2015 for the proposed residential township on Portions 2, 31, 32, 33, 56, 57 and 58 of the farm Rietspruit 152 IR., and the remainder of Portion 44 of the farm Waterval 150 IR under Ekurhuleni Metropolitan Municipality.

The holder of the EA appointed **LEAP** to apply for the amendment of the EA as well as comply with all requirements of the regulations.

### 2. Information Considered

The Department took, *inter alia*, the following into consideration -

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Department on 15 April 2016

- a) The information contained in the amendment application received by this Department on 15 April 2016;
- b) Additional Information dated 15 April 2016 and received by this Department on 18 April 2016.
- c) The conditions contained in the initial EA issued on 12 October 2010; and
- d) The objectives, principles and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA.

### 3. Key factors considered in making a decision

All information presented to this Department was taken into account in the Department's consideration of the application and the following findings are noted:

- a) The amendment is applied for in terms of Part 2 of the Amendment process and is considered as a change of scope from the original Environmental Authorisation, since it involves the change of the original Layout Plan.
- b) The registered interested and affected parties were required to be consulted of the changes on Layout Plan.
- c) The development (Education Primary and Secondary Schools) in the revised layout plan dated April 2016 attached as Annexure 7b are within 50m buffer zone from the river.
- d) The proposed amendment is compatible with the surrounding land uses as there are already existing development and proposed residential around the site.
- e) The revised layout plan has some

### 4. Findings considered in making a decision

Having considered the information and factors listed above, this Department has found that:

- a) All conditions set on the initial EA dated 12 October 2010 are still applicable and must be implemented, **except** conditions amended in the initial amendment and in this amendment which are addenda to the EA.
- b) The Registered Interested and Affected Parties must be contacted and notified of the current amendment.

In view of the above, the Department is of the opinion that the amendment would not result in a negative environmental impact that would not 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 amendment can be mitigated to acceptable levels. The Environmental Authorisation is **accordingly amended**.