



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: GAUT 002/17-18/E2040
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Steyn City Properties (Pty) Ltd
PO Box 1623
Honeydew
2040

GDARD
Office of the HOD

04 JAN 2021 000012

Email: christo@steyncity.co.za

Telephone Number: 011 476 6148

Dear Christo de Wet,

ENVIRONMENTAL AUTHORISATION GRANTED: FOR THE PROPOSED MIXED DEVELOPMENT ON PORTIONS 124 AND 185 OF THE FARM DIEPSLOOT 388-JR TO BE KNOWN AS RIVERSIDE VIEW EXTENSION 84, CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

With reference to the above application, please be advised that the Department has decided to grant environmental authorisation. An Environmental Authorisation (EA) and reasons for the decisions are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended, you must notify all registered interested and affected parties, in writing, within 14 days of the date of this EA, of the Department's decision in respect of your application as well as the provisions that are contained on the Appeal Regulations regarding the submission of appeals. A copy of this EA must also be appended to the letter of notification to the interested and affected parties.

Your attention is drawn to Chapter 2 of the National Appeals Regulations, 2014, which prescribes the appeal procedure to be followed. Should any person wish to lodge an appeal against this decision or any aspect of this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest on the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever, is applicable. The appeal(s) must be submitted in writing by any of the following means:

Postal Address:

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

Physical Address

The Appeals Administrator
Department of Agriculture and Rural Development
56 Eloff Street, Umnotho House, 23rd Floor
Johannesburg
2000

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04 JAN 2021

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Fax No: 011 240 3158/2700

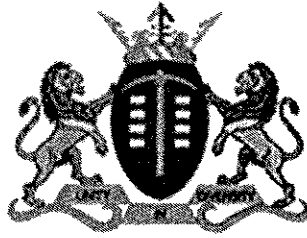
Email Address: appeals@gauteng.gov.za

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 any queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Kindly take note that in terms of Section 43(7) of the National Environmental Management Act, 1998 (NEMA), as amended, the lodging of appeal suspends environmental authorisation as well as its associated Environmental Management Programme. This means that the activity authorised by this EA must not commence until such time that the appeal is finalised.

Kind regards,

P.P. 
MS-MATILDA GASELA
HEAD OF DEPARTMENT: AGRICULTURE AND RURAL DEVELOPMENT
DATE: 04/01/21



GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

ENVIRONMENTAL AUTHORISATION

Reference Number:	GAUT 002/17-18/E2040
Holder of Authorisation:	Steyn City Properties (Pty) Ltd
Location of Activity / Activities:	Portions 124 and 185 of the Farm Diepsloot 388-JR

Coordinates:	Latitude (S)	Longitude (E)
	25° 58' 0.6500"	28° 0' 55.4900"

21 Digit SG Number	T0JR00000000038800124
21 Digit SG Number	T0JR00000000038800185

1. Decision

The Department is satisfied, on the basis of the 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.

2. Activities Authorised

Under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2014, the Department hereby authorises-

Steyn City Properties (Pty) (Ltd)

with the following contact details-

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Tel No.: 011 476 6148

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04 JAN 2021

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to undertake the activities (hereafter referred to as "activity") listed in the table below:

Activity number and description	Proposed activity/development description
GN R. 983: Listing Notice 1 Activity 19 The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;	The activity 19 of listing notice 1 was applied to cater for the bridge to access Erf 2. The material required collectively for infilling exceed 10m ³ of material into and out of the watercourse
GN R. 984 Listing Notice 2 Activity 15 Clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for— (i) the undertaking of a linear activity; or maintenance purposes undertaken in accordance with a maintenance management plan.	The proposed site measures 29.30 hectares in extent and the whole site will be cleared for the development.
GN R.985: Listing Notice 3 Activity 4 The development of road wider than 4 metres with a reserve less than 13,5 metres.	The road is wider than 4 metres
GN R. 985: Listing Notice 3 Activity 12(c)(i)(ii) The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes	The clearance of vegetation of 300 square meters will occur within an area designated by the Department's Geographic Information System as a Control Biodiversity Area (CBA),

<p>undertaken in accordance with a maintenance plan.</p> <p>C Gauteng</p> <p>i. within any critical endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004,</p> <p>ii. within Critical Biodiversity Area identified in accordance with a maintenance management plan)</p>	<p style="text-align: center;">GDARD Office of the HOD</p> <p>04 JAN 2021 0.0 0 0 1 2</p>
<p>GN R. 985: Listing Notice 3 Activity 14 (ii) (c) (c) (iv)</p> <p>The development of-</p> <p>(i) (ii) . infrastructure, or structure with physical footprint of 10 square metres or more; where such development occurs-</p> <p>(a) within a watercourse</p> <p>Gauteng</p> <p>(c) Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority.</p>	<p>The combined footprint of structures is approximately ±10 square metres within a watercourse an area identified as a sensitive area and an Ecological Support Area by the Gauteng Conservation Area</p> <p>The development will occur within a river which is regarded as a watercourse and a sensitive area protected by the national Water Act.</p>

-the proposal entails establishment of a mixed use township on Portions 124 and 185 of the farm Diepsloot 388-JR to be known as Riverside Extension 84, which falls within the jurisdiction of City of Johannesburg Metropolitan Municipality

Scope of Environmental Authorisation.

3. Specific Conditions

- 3.1 The Environmental Authorisation is granted for the proposed mixed used development on Portions 124 and 185 of the Farm Diepsloot 388-JR to be known as Riverside Extension 84. The proposed property is approximately 29,30 hectares in extent with the development footprint measuring 24,10 hectares in extent.
- 3.2 The construction area must clearly be demarcated before any construction activity takes place and signage must be displayed during the construction phase to inform the public about potentially dangerous conditions on the site.
- 3.3 The construction camp-site and sanitary facilities as well as storage area for construction material and machinery must be placed away from the watercourse and its 32 meters' buffer measured from the edge of the watercourse. Additionally, these must be placed on areas of the site that have already been transformed.
- 3.4 No development other than the authorised bridge crossing to access Erf 2 will be allowed within the watercourse or 32 meters buffer of the watercourse, measured from the edge of a watercourse.
- 3.5 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, colour-coded as follows:

- **Red** – indicating the edge of the wetland, or parts thereof; and no vehicles or building materials are allowed in the zone.
 - **Orange** – indicating the edge of the buffer zone.
- 3.6 Due to the probability of occurrence of Grass Owl (*Tyto capensis*) which forage within the proposed development area, the development must be undertaken in phases to allow the species to access the undisturbed area.
 - 3.7 The initial geotechnical investigation has revealed that parts of the proposed development site might possibly be collapsible due to discovery of ground water, whereas the second investigation was undertaken to establish recommended foundation. In view of this, both Geotechnical Investigations must be forwarded to the Council for Geoscience for recommendations, and the recommendations or approval must be send to this Department before commencement of the activities.
 - 3.8 The preparation of building material (e.g. mixing of cement, concrete, sand etc.) must be done on a concrete impermeable surface to avoid seepage into the soil and eroding into the watercourse.
 - 3.9 During the rehabilitation of affected areas, the wetland and its buffer must be rehabilitated in such a way that the wetland will gain its ecological function and it must be conducted by a wetland specialist.
 - 3.10 A detailed storm water management plan must be designed for approval by the City of Johannesburg Metropolitan Municipality (COJMM), Johannesburg Roads Agency (JRA) and coupled to this, Sustainable Urban Drainage Systems (SUDS) requirements must be incorporated into the design of the development. Stormwater attenuation must be outside 32 meters buffer from the edge of water course.
 - 3.11 Rainwater harvesting measures such as installation of water storage tanks must be included as far as possible in the building designs. This condition is in line with water conservation plan as the country falls within a water scare region.
 - 3.12 Green buildings techniques must be applied to the construction process to make use of natural light and heat and thus reduce energy use and emission to the atmosphere so that impacts of climate change can be mitigated.
 - 3.13 Every custodian of the servitudes located on the proposed site must be consulted regarding possibility of being affected by the proposed development.

4. Commencement and completion of the activity/activities

- 4.1 The development of the authorised activities, including post development/construction rehabilitation must be concluded within a period of 10 years from the date of signature of this environmental authorisation. If the authorised activities has not been concluded within that period, the authorisation lapses.
- 4.2 Continuation of the authorised activities after the lapsing period of this EA and where such continuation will meet the threshold of any listed activity or activities, will constitute on offense.
- 4.3 Commencement with one listed activity authorised in terms of this environmental authorisation constitutes commencement with all other authorised activities.

5. Management of the activity or activities

The Environmental Management Programme (“EMPr”) submitted as part of the application for environmental authorisation is also authorised in terms of this EA and must be implemented. In addition, the following is considered part of the subject EMPr:

- 5.1 All waste streams to be generated during construction and operational phase must be managed in accordance with the hierarchy of waste management principles and disposal at an authorised landfill or waste disposal site must be the last option. Proof of disposal of waste must be kept on site and made available to the Department upon request.
- 5.2 Should any heritage resources of any nature be uncovered during the construction, all activities must stop immediately and SAHRA and/ or professional Heritage Specialist be contacted immediately for investigations and remedial measures.

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04 JAN 2021

000012

- 5.3 Post development rehabilitation must be undertaken using local indigenous species
- 5.4 The Applicant must submit recommendations to amend the EMPr where the findings of the environmental audit reports indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or the EMPr and where applicable, the closure plan.
- 5.5 The request to amend the EMPr must contain recommendations or mitigation to rectify the shortcomings identified in the environmental audit report.
- 5.6 The recommendation to amend the EMPr must be submitted to the Department for approval together with the environmental audit report in accordance with the regulations. Such updated EMPr must have been subjected to public participation process, which has been agreed to by the competent authority prior submission.
- 5.7 In assessing whether to grant approval of an amended EMPr because of an audit report, the competent authority may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr or closure plan sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.

6. Monitoring and Reporting

- 6.1 An independent Environmental Control Officer (ECO) must be appointed to oversee the development activities and guide compliance with the conditions of environmental authorisation and EMPr. An ECO must submit compliance report at least once during preparation and construction phase of the development and one post development rehabilitation phase to mark completion of construction development.
- 6.2 An ECO must be appointed prior to any commencement of the authorised activity or activities.
- 6.3 Once appointed, the name and contact details of the ECO must be submitted to the Department's Compliance Monitoring Section in the Department; documentation such as audit/monitoring/compliance reports and notifications, required to be submitted, must be submitted thereto.
- 6.4 The ECO must keep record of all activities on the site, problems identified, transgressions identified / noted, and a task schedule of the functions undertaken by the ECO.
- 6.5 The environmental audit report must be compiled in accordance with appendix 7 of the EIA Regulations, 2014 and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the EMPr.
- 6.6 Records relating to monitoring and auditing must be kept on the site and made available to any authorised person(s) acting on behalf of the relevant competent authority in respect of the development.

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7. Notification of commencement of activity

04 JAN 2021

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- 7.1 A written notification of commencement of the activity, including site preparation, must be given to the Department 14 days prior to commencement of the activity on the site. The notice must include the date on which it is anticipated that the activity will commence as well as the EA reference number and be submitted to Director: Compliance Monitoring Ms Sasa Sekhotha, the official of the Department at the email address: Sasa.Sekhotha@gauteng.gov.za.

8. General Conditions

- 8.1 The conditions of this EA are binding on the applicant ("Holder of EA"), including 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 applicant.
- 8.2 The activities authorised may only be carried out at the property or site indicated in this EA.
- 8.3 Any changes to, or deviation from, the activity or activities' description set out in this EA must follow the appropriate amendment process described in the Environmental Impact Assessment Regulations, and be approved, in writing, by the Department before such changes or deviation are effected. In assessing whether to approve such changes, 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 applicant to apply for further authorisation in terms of the Regulations.

- 8.4 Where any of the applicant's contact details changes, including the name of the applicant, the physical or postal address and/or telephonic details, the applicant must follow the relevant amendment process as prescribed in the Environmental Impact Assessment Regulations, by submitting an amendment application to the Department for consideration and decision making as soon as the new details become known to the applicant.
- 8.5 This EA does not negate the holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 8.6 This EA and EMPr must be kept at the property or site where the activity or activities will be undertaken. The documents must be produced to any authorised official of the Department who requests to inspect them and must also be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property.
- 8.7 Non-compliance with a condition of this EA may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations.
- 8.8 If the Department has reason to believe that the EA was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the Department may, in writing, suspend or partially suspend, with immediate effect, the EA and direct the holder of such EA forthwith, to cease any activities that have been commenced with or to refrain from commencing any activity, pending a decision to withdraw the EA.

Date of the Environmental Authorisation: 01/01/21

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ANNEXURE 1: REASON FOR DECISION

04 JAN 2021

000012

1. Information considered in making the decision

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

- 1.1 The information contained in the Environmental Impact Assessment Report received by the Department on 13 November 2020.
- 1.2 The relevant information contained in the Departmental information base including the Geographical Information System (GIS), Gauteng Conservation Plan Version 3.3, the Gauteng Pollution Buffer Zone Guidelines, 2017 and the Gauteng Provincial Environmental Management Framework (GPEMF), 2015.
- 1.3 The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).
- 1.4 The finding of the site inspection undertaken by the official of the Department on 15 September 2020.

2. 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.

- 2.1 The environmental attributes exhibited by the proposed site for development.
- 2.2 The Gauteng Provincial Environmental Management Framework (GPEMF), 2015.
- 2.3 Public participation process complies with the requirements of the EIA Regulations, 2014.

3. Findings

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

- 3.1 Notwithstanding that the Departmental C-Plan Version 3.3 depicts the site as within an Ecological Support Area (ESA) having a watercourse, sufficient mitigation measures have been provided to ensure that impacts on the watercourse are minimal. Additional mitigations will be received from the Department of Water and Sanitation (Water Use License) for those activities that will take place within the watercourse.
- 3.2 According to Gauteng Provincial Environmental Management Framework, 2015, the site is within environmental zone 1 and 2 as the site is transverse by a watercourse. The site was previously transformed by a demolished school and old buildings but the foundation is still remain within the proposed site.
- 3.3 The public participation process complied with the requirements of the EIA Regulations, 2014. The Interested and Affected parties' (I&AP) consultation process included the placing of an advertisement in the newspaper and the placing of site notices. The public participation process was thus adequately conducted.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in this EA, the activities will not conflict with the general objectives of integrated environmental management laid down in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.