



**EIA REFERENCE NUMBER:** 16/3/3/1/D5/11/0006/20  
**NEAS REFERENCE:** WCP/EIA/0000774/2020  
**ENQUIRIES:** Mr Steve Kleinhans  
**DATE OF ISSUE:** 2021/03/26

## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED EXPANSION OF THE EXISTING GOUE AKKER CEMETERY ON THE REMAINDER OF FARM NO. 185, BEAUFORT WEST

With reference to your application for the abovementioned, find below the outcome with respect to this application.

#### DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014, the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in section B below with respect to **Layout Alternative 1** and **Design/Technology Alternative 1**, described in the Final Basic Assessment Report ("FBAR"), submitted to the Competent Authority on 4 February, as prepared and submitted by *Sharples Environmental Services cc*, the appointed environmental assessment practitioner ("EAP").

The applicant for this Environmental Authorisation is required to comply with the conditions set out in Section E below.

#### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Municipal Manager  
BEAUFORT WEST MUNICIPALITY  
% Mr. C.B. Wright  
Private Bag X582  
**BEAUFORT WEST**  
6970

Tel: (023) 414 8102  
E-mail: manager.techservice@beaufortwestmun.co.za

The abovementioned applicant is the holder of this Environmental Authorisation (hereinafter referred to as "**the Holder**").

**B. LIST OF ACTIVITY/IES AUTHORISED**

Listed Activities	Activity/Project Description
<b>Environmental Impact Assessment Regulations Listing Notice 1 of 2014, Government Notice No. 983 of 4 December 2014 (as amended)</b>	
<p><b>Activity Number: 27</b> Activity Description:</p> <p>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <ul style="list-style-type: none"> <li>(i) the undertaking of a linear activity; or</li> <li>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</li> </ul>	<p>The proposed expansion will entail the clearance of approximately 8.3 hectares of indigenous vegetation within the perimeter of the area identified for the burial of human remains / expansion of the cemetery and approximately 0.35 hectares for the development of a stormwater detention pond.</p>
<p><b>Activity Number: 44</b> Activity Description:</p> <p>The expansion of cemeteries by 2 500 square metres or more.</p>	<p>The proposed expansion of the Goue Akker cemetery in Beaufort West will cover an area of approximately 8.3 hectares (83 000 square metres) in extent within the perimeter of the area identified for the burial of human remains / expansion of the cemetery. A storm water detention pond situated to the south-east of burial area will cover approximately 3500 square metres.</p>
<b>Environmental Impact Assessment Regulations Listing Notice 3 of 2014, Government Notice No. 985 of 4 December 2014 (as amended)</b>	
<p><b>Activity Number: 4</b> Activity Description:</p> <p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p><b>i. Western Cape</b></p> <ul style="list-style-type: none"> <li>i. Areas zoned for use as public open space or equivalent zoning;</li> <li>ii. Areas outside urban areas; <ul style="list-style-type: none"> <li>(aa) Areas containing indigenous vegetation;</li> <li>(bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</li> </ul> </li> <li>iii. Inside urban areas: <ul style="list-style-type: none"> <li>(aa) Areas zoned for conservation use; or</li> <li>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</li> </ul> </li> </ul>	<p>The proposed expansion of the Goue Akker cemetery includes the development of an internal road network, where the roads are wider than four metres and will require the clearance of indigenous vegetation.</p>

The abovementioned list is hereinafter referred to as “**the listed activities**”.

The Holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposal entails the expansion of the existing Goue Akker cemetery on the Remainder of Farm No. 185 in Beaufort West. The proposed expansion will cover an area of approximately 8.3 hectares and will enable the Beaufort West Municipality to provide approximately 10 454 additional burial spaces for the horizontal burial of human remains and is estimated to service the community for the next 10 years.

The proposed expansion entails the following:

- the provision of approximately 10 545 additional burial spaces separated into 26 blocks which range between ±99 and ±450 burial spaces;
- the development of an internal road network which will separate the 26 blocks. The proposed internal roads are 4.5 metres wide;
- the reworking of the existing access road, as well as *in situ* stormwater management;
- the development of an outer *in situ* stormwater berm and stormwater detention pond;
- a caretaker and ablution facility for use as equipment storage and ablutions for visitors to the cemetery; and
- a palisade fence.

The proposed expansion will be implemented approximate to the Layout Plan (Drawing No: 505510 GE 201 (Rev D), dated 24 April 2020) drafted by *Zutari Engineering Consultants*. The layout plan has been attached as Annexure 2 of the environmental authorisation.

### C. SITE DESCRIPTION AND LOCATION

The proposed expansion is proposed on the Remainder of Farm No. 185, approximately 3.2km south of the Beaufort West town centre, and directly south of the existing Goue Akker cemetery.

Access to the site can be obtained by driving south along Bird Street from the town centre into Blyth Street. From the intersection of Blyth and Jooste Streets, the gravel road (DR2307) is followed (south) for approximately 900m where the proposed expansion site is situated on the eastern site of the road, opposite of the Beaufort West Wastewater Treatment Works.

Co-ordinates of the area within which the activity is proposed which is located on a portion of Remainder of Farm No. 185, Beaufort West:

Point	Latitude (South)	Longitude (East)
General coordinates of the site	32° 22' 48.0600"	22° 35' 23.75"
1. North-eastern corner	32° 22' 42.4528"	22° 35' 29.3283"
2. South-eastern corner (top)	32° 22' 54.2912"	22° 35' 26.3863"
3. South-eastern corner (bottom)	32° 22' 57.1304"	22° 35' 20.5039"
4. South-western corner	32° 22' 56.7596"	22° 35' 18.4321"
5. North-western corner	32° 22' 41.0973"	22° 35' 21.7536"
6. Stormwater detention pond	32° 22' 56.8879"	22° 35' 24.8242"

SG digit code: C0090000000018500000

Refer to Annexure 1: Locality Plan and Annexure 2: Site Development Plans of this Environmental Authorisation.

The above is hereinafter referred to as "**the site**".

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)

SHARPLES ENVIRONMENTAL SERVICES CC

% Ms. Ameesha Sanker

PO Box 443

Milnerton

7446

Tel: (021) 554 5195

Fax: (086) 575 2869

E-mail: info@sescs.net | ameesha@sescs.net

URL: <https://sescs.net>

## E. CONDITIONS OF AUTHORISATION

### **Scope and Validity Period of authorisation**

1. This Environmental Authorisation is granted for the period from date of issue until **31 March 2026**, the date on which all the listed activities, including post construction rehabilitation and monitoring requirements, will be deemed to be concluded at the site.
2. The holder is authorised to undertake the listed activity specified in Section B above in accordance with *the Alternative 1* described in the BAR, submitted to the Department on 4 February 2021, on the site as described in Section C above.

Further to the above, the Environmental Authorisation is subject to the following:

- 2.1. The Holder must start with the physical implementation of the authorised listed activities on the site by no later than 15 May 2025.
- 2.2. The post construction rehabilitation and monitoring requirements must be finalised at the site within a period of 3-months from the date the development activities (construction phase) are concluded; but by no later than 15 August 2025.

**Note:** Failure to complete the post construction rehabilitation and monitoring requirements at least six-months prior to expiry of the validity period of an environmental authorisation may result in the Holder not being able to comply with the environmental auditing requirements in time.

Failing which, this Environmental Authorisation shall lapse, unless the environmental authorisation is amended in accordance with the relevant process contemplated in the Environmental Impact Assessment Regulations promulgated under the National Environmental Management Act, 1998 (Act No. 107 of 1998).

3. The Holder is authorised to undertake the listed activities specified in Section B above in accordance with Alternative 1 described in the FBAR, submitted to the Department on 4 February 2021, on the site as described in Section C above.

This Environmental Authorisation is only for the implementation of the *Alternative 1* which entails:

The expansion of the existing Goue Akker cemetery on the Remainder of Farm No. 185 in Beaufort West. The proposed expansion will cover an area of approximately 8.3 hectares and will enable the Beaufort West Municipality to provide approximately 10 454 additional burial spaces and estimated to service the community for the next 10 years.

The proposed expansion entails the following development activities:

- the clearance of vegetation for the provision of approximately 10 545 additional burial spaces separated into 26 blocks which range between ±99 and ±450 burial spaces;
- the development of an internal road network which will separate the 26 blocks. The proposed internal roads are 4.5 metres wide;
- the reworking of the existing access road, as well as *in situ* stormwater management;
- the development of an outer *in situ* stormwater berm and stormwater detention pond;
- the construction of a caretaker and ablution facility for use as equipment storage and ablutions for visitors to the cemetery; and
- the construction of a cavcon palisade fence.

The proposed expansion will be implemented approximate to the Layout Plan [Drawing No: 505510 GE 201 (Rev D), dated 24 April 2020] drafted by Zutari Engineering Consultants.

4. This Environmental Authorisation may only be implemented in accordance with an approved Environmental Management Programme ("EMPr").
5. The Holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the Holder.
6. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

#### **Notification and administration of appeal**

7. The Holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 7.1. notify all registered Interested and Affected Parties ("I&APs") of –
    - 7.1.1. the decision reached on the application;
    - 7.1.2. the reasons for the decision as included in Annexure 3;
    - 7.1.3. the date of the decision; and
    - 7.1.4. the date when the decision was issued.
  - 7.2. draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014 (as amended) detailed in Section G below;
  - 7.3. draw the attention of all registered I&APs to the manner in which they may access the decision;
  - 7.4. provide the registered I&APs with the:
    - 7.4.1. name of the Holder (entity) of this Environmental Authorisation,
    - 7.4.2. name of the responsible person for this Environmental Authorisation,
    - 7.4.3. postal address of the Holder,
    - 7.4.4. telephonic and fax details of the Holder,
    - 7.4.5. e-mail address, if any, of the Holder,
    - 7.4.6. contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).

- 7.5. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the holder notifies the registered I&APs of this decision.
- 7.6. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activities, including site preparation, must not commence until the appeal is decided.

#### **Written notice to the Competent Authority**

8. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of any activities on site.
- 8.1. The notice must make clear reference to the site details and EIA Reference number given above.
- 8.2. The notice must also include proof of compliance with the following conditions described herein:  
**Condition no.: 7, 10 and 11**
9. Seven calendar days' notice, in writing, must be given to the Competent Authority on completion of the construction activities.

**Note:** The construction activities are regarded to include *inter alia*:

- the provision of approximately 10 545 additional burial spaces separated into 26 blocks;
- the development of an internal road network which will separate the 26 blocks. The proposed internal roads are 4.5 metres wide;
- the reworking of the existing access road, as well as *in situ* stormwater management;
- the development of an outer *in situ* stormwater berm and stormwater detention pond;
- a caretaker and ablution facility for use as equipment storage and ablutions for visitors to the cemetery; and
- construction of a palisade fence.

#### **Management of activity/activities**

10. The Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is herewith **approved**, subject to the following amendments:
- 10.1. The amended EMPr must —
- 10.1.1. meet the requirements outlined in Section 24N (2) and (3) of the NEMA (as amended) and Appendix 4 of EIA Regulations, 2014 (GN No. R. 982 of 4 December 2014, as amended);
  - 10.1.2. incorporate all the conditions given in this environmental authorisation;
  - 10.1.3. incorporate the Site Development Plans for the proposed cemetery as authorised in this environmental authorisation;
  - 10.1.4. be submitted to the Competent Authority prior to the commencement of the development activities (construction phase), including site preparation commencing.

**Note:** The EMPr must be included in all contract documentation for all phases of implementation.

#### **Monitoring**

11. The Holder must appoint a suitably experienced environmental control officer ("ECO"), for the duration of the construction and rehabilitation phases of implementation contained herein.
12. The ECO must—

- 12.1. be appointed prior to commencement of any works (i.e. removal and movement of soil and / or rubble or construction activities commencing);
  - 12.2. ensure compliance with the EMPr and the conditions contained herein;
  - 12.3. keep record of all activities on the site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
  - 12.4. remain employed until all development activities are concluded, and the post construction rehabilitation and monitoring requirements are finalised.
13. A copy of the Environmental Authorisation, EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, audit reports and compliance monitoring reports must be kept at the site of the authorised activities and be made available to anyone on request, and where the Holder has website, such documents must be made available on such publicly accessible website.
14. Access to the site (referred to in Section C) must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Environmental Auditing**

15. The Holder must, for the period during which the environmental authorisation and EMPr remain valid, ensure—
- 15.1. the compliance with the conditions of the environmental authorisation and the EMPr, is audited; and
  - 15.2. that an Environmental Audit Report is submitted to the Competent Authority within six (6) months of completion of the development activities (construction phase), during which period the post construction rehabilitation and monitoring requirements must be concluded too, but by no later than 15 November 2025.

**Note:** Failure to complete the auditing requirements at least three months prior to expiry of the validity period of the environmental authorisation may result in the Holder not being able to comply with all the environmental auditing and reporting requirements.

16. The Environmental Audit Report, must –
- 16.1. be prepared and submitted to the Competent Authority, by an independent person with the relevant environmental auditing expertise. Such person may not be the ECO or EAP who conducted the EIA process;
  - 16.2. provide verifiable findings, in a structured and systematic manner, on–
    - 16.2.1. the level of compliance with the conditions of the environmental authorisation and the EMPr and whether this is sufficient or not; and
    - 16.2.2. the ability of the measures contained in the EMPr to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
  - 16.3. identify and assess any new impacts and risks as a result of undertaking the activity;
  - 16.4. evaluate the effectiveness of the EMPr;
  - 16.5. identify shortcomings in the EMPr;

- 16.6. identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr;
  - 16.7. indicate the date on which the construction work was commenced with and completed or in the case where the development is incomplete, the progress of the development and rehabilitation;
  - 16.8. indicate the date on which the operational phase was commenced with and the progress of the rehabilitation;
  - 16.9. include a photographic record of the site applicable to the audit; and
  - 16.10. be informed by the ECO reports.
17. The Holder must, within 7 calendar days of the submission of the audit report to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

### **Specific Conditions**

18. The development footprint (construction activities) must be restricted to the area depicted on the site development plan in Annexure 2 of this Environmental Authorisation to the east of the stormwater berm's outer edge; within the edge of the stormwater detention pond and the in-situ stormwater outlet structure and to the east of the DR2307 road reserve (existing fence line). All areas outside this area must be treated as a "no-go" area and no construction activities (including disturbance of vegetation) associated with the expansion activities of the cemetery may take outside the defined development footprint.
19. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape. Heritage remains may only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant Heritage Resources Authority.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; shipwrecks; and/or graves or unmarked human burials including grave goods and/or associated burial material.

### **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the Holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.

### **Amendment of Environmental Authorisation and EMPr**

2. If the Holder does not start with all listed activities and exceed the threshold of each listed activity within the period referred to in Section G, this Environmental Authorisation shall lapse for that activity, and a new application for Environmental Authorisation must be submitted to the relevant Competent Authority.



If the Holder wishes to extend a validity period specified in the Environmental Authorisation, an application for amendment in this regard must be made to the relevant Competent Authority prior to the expiry date of such a period.

Note:

- (a) Failure to lodge an application for amendment prior to the expiry of the validity period of the Environmental Authorisation will result in the lapsing of the Environmental Authorisation.
- (b) It is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity if the competent authority has not granted an Environmental Authorisation for the undertaking of the activity.

3. The Holder is required to notify the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated.

In assessing whether to amend or correct the EA, the Competent Authority may request information to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the Holder to apply for further authorisation in terms of the applicable legislation.

The onus is on the Holder to verify whether such changes to the environmental authorisation must be approved in writing by the relevant competent authority prior to the implementation thereof.

Note: An environmental authorisation may be amended or replaced without following a procedural requirement contained in the Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially

4. The manner and frequency for updating the EMPr is as follows:
- (a) Any further amendments to the EMPr, other than those mentioned above, must be approved in writing by the relevant competent authority.
  - (b) An application for amendment to the EMPr must be submitted to the Competent Authority if any amendments are to be made to the impact management outcomes of the EMPr. Such amendment(s) may only be implemented once the amended EMPr has been approved by the competent authority.

The onus is however on the Holder to confirm the legislative process requirements for the above scenarios at that time.

5. Where an amendment to the impact management outcomes of an EMPr is required before an environmental audit is required in terms of the environmental authorisation, an EMPr may be amended on application by the Holder of the environmental authorisation.

### **Compliance with Environmental Authorisation and EMPr**

6. Non-compliance with a condition of this environmental authorisation or EMPr is an offence in terms of Section 49A(1)(c) of the National Environmental Management Act, 1998 (Act no. 107 of 1998, as amended).
7. This Environmental Authorisation is subject to compliance with all the peremptory conditions (i.e. 7, 10 and 12). Failure to comply with all the peremptory conditions prior to the physical implementation of the activities (including site preparation) will render the entire EA null and void. Such physical activities shall be regarded to fall outside the scope of the Environmental Authorisation and shall be viewed as an offence in terms of Section 49A(1)(a) of NEMA.

8. In the event that the Environmental Authorisation should lapse, it is an offence in terms of Section 49A(1)(a) of NEMA for a person to commence with a listed activity, unless the competent authority has granted an Environmental Authorisation for the undertaking of the activity.
9. Offences in terms of the NEMA and the Environmental Impact Assessment Regulations, 2014, will render the offender liable for criminal prosecution.

## G. APPEALS

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date the notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. Submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1. Submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2. Submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the Appeal Administrator at the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and Development Planning  
Private Bag X9186  
CAPE TOWN  
8000

By facsimile: (021) 483 4174; or

By hand: Appeal Administrator  
Attention: Mr Marius Venter (Tel: 021 483 3721)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za).

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Administrator at: Tel. (021) 483 3721, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the Holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

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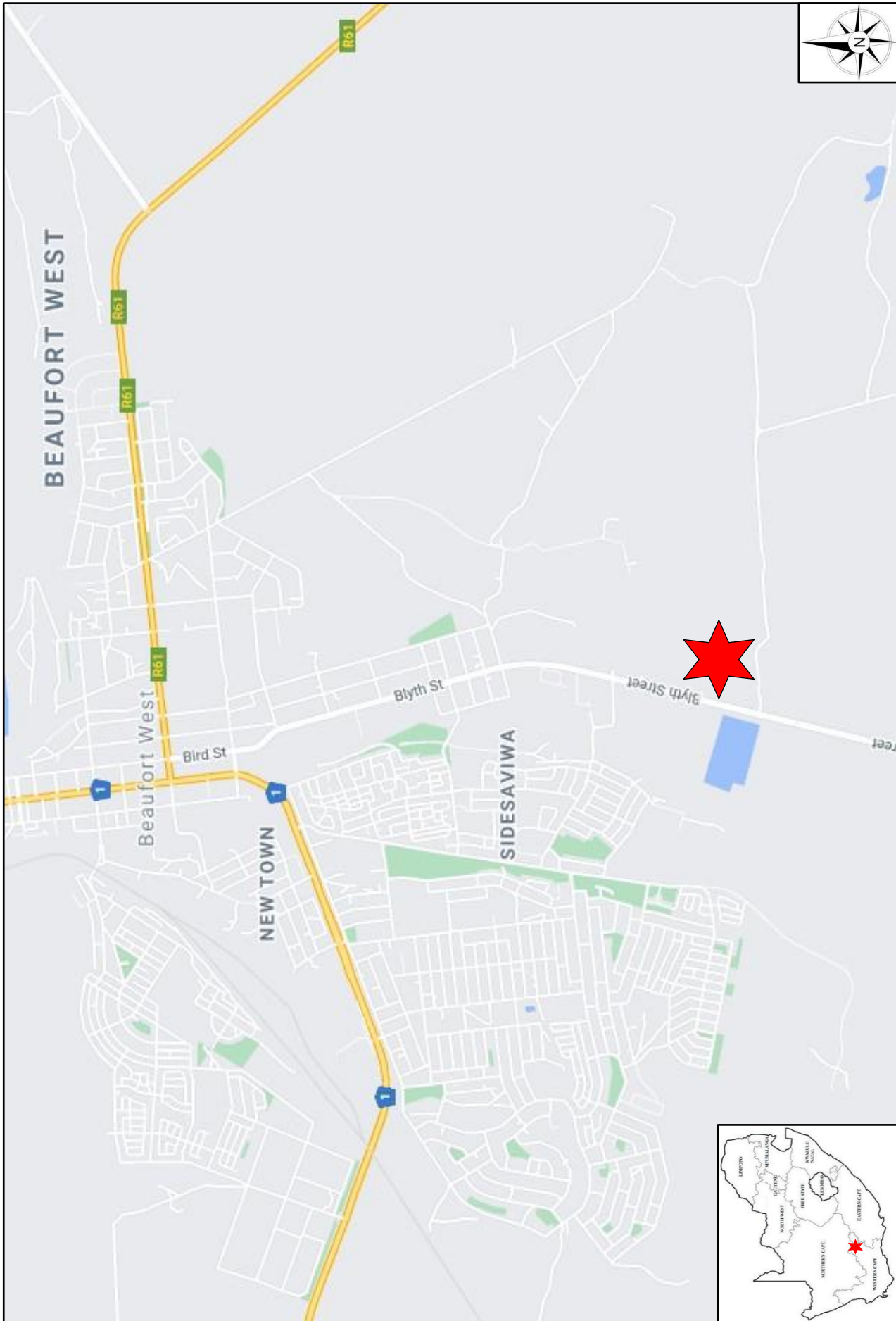
**MR. GAVIN BENJAMIN**  
**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 3)**

DATE OF DECISION: **26 MARCH 2021**

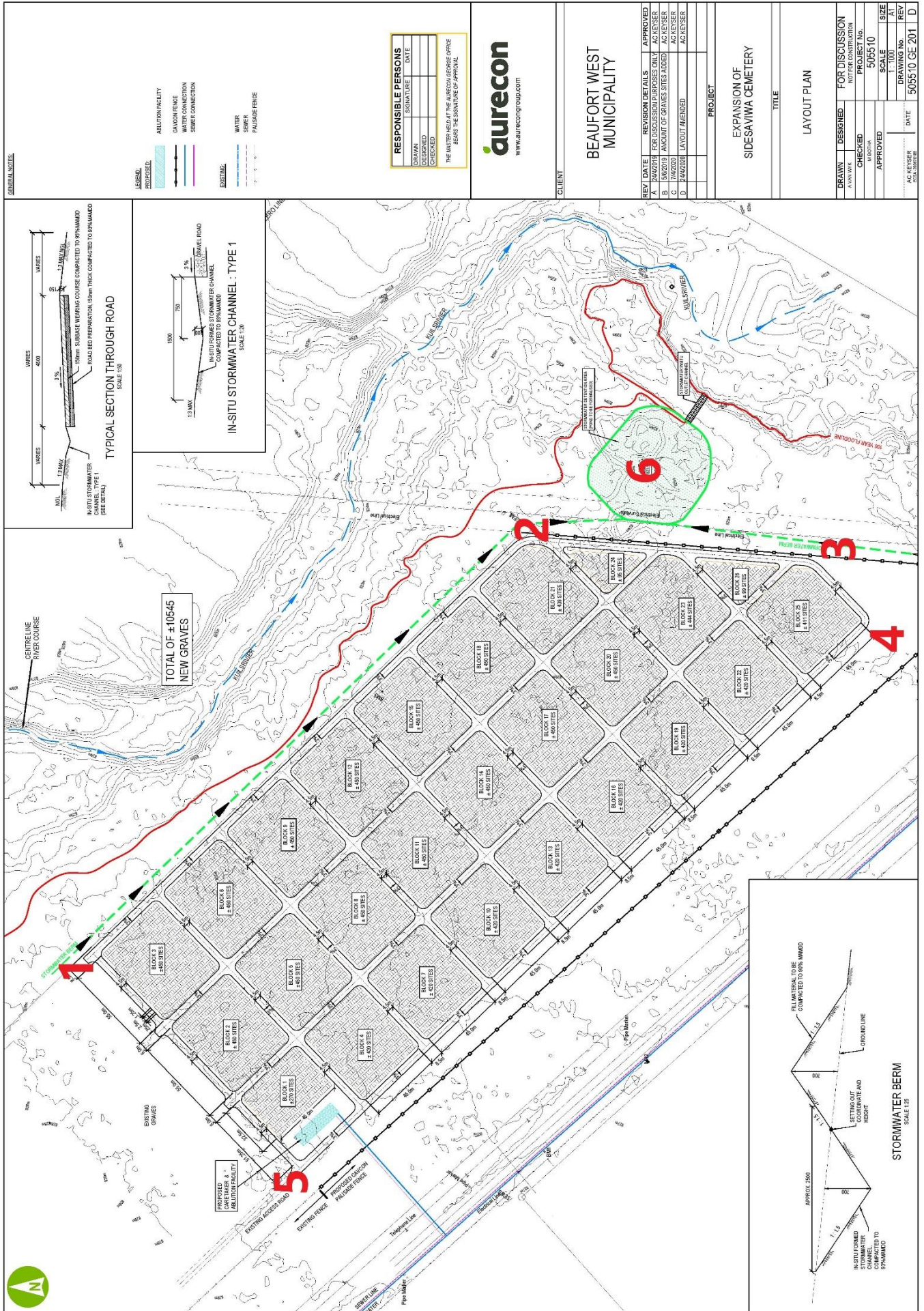
**FOR OFFICIAL USE ONLY:**

**EIA REFERENCE NUMBER:** 16/3/3/1/D1/13/0007/20  
**NEAS REFERENCE:** WCP/EIA/0000778/2020

ANNEXURE 1: LOCALITY MAP



# ANNEXURE 2: SITE DEVELOPMENT PLAN(S)



## ANNEXURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, inter alia, the following:

- a) The information contained in the Application Form received on 30 July 2020, the Basic Assessment Report (FBAR) and EMPr submitted together with the FBAR on 4 February 2021;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Alternatives (dated March 2013);
- c) 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);
- d) The comments received from I&APs and responses to these, included in the FBAR submitted on 4 February 2021;
- e) The balancing of negative and positive impacts and proposed mitigation measures; and
- f) Appropriate information was made available in the report to understand the environmental and spatial context.

No site visits were conducted. The Competent Authority had sufficient information before it to make an informed decision without conducting a site visit.

All information presented to the Competent Authority was taken into account in the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

### 1. Public Participation

The public participation process included:

- identification of and engagement with interested and affected parties (I&APs) including organs of state which have jurisdiction in respect of the activity to which the application relates;
- fixing notice boards at various locations on 19 August 2020;
- giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities are to be undertaken, the municipality and ward councillor, and the various organs of state having jurisdiction in respect of any aspect of the listed activities on 20 August, 21 August and 5 October 2020;
- the placing of a newspaper advertisement in the 'Die Courier' on 21 August 2020; and
- making the Draft Basic Assessment Report available to I&APs for public review from 27 August to 26 October 2020; and the Revised Draft Basic Assessment Report from 20 November 2021 to 11 January 2021.

The following State Departments / Organs of State provided comment on the proposal:

- ❖ *Heritage Western Cape;*
- ❖ *Breede-Gouritz Catchment Management Agency;*
- ❖ *CapeNature;*
- ❖ *Western Cape Government: Department of Agriculture;*
- ❖ *Western Cape Government: Department of Health;*
- ❖ *South African Civil Aviation Authority;*
- ❖ *Central Karoo District Municipality; and*
- ❖ *Beaufort West Municipality;*

All the comments and issues raised by the respective *Organs of State and Interested and Affected Parties (I&APs)* that were captured in the Basic Assessment Report were responded to by the EAP. The Competent Authority is satisfied with the responses provided by the EAP to these other organs of state and I&APs.

## 2. Alternatives

Layout Alternative 1: The expansion of the Goue Akker cemetery by approximately 8.3 hectares ("Herewith Approved"):

The expansion of the existing Goue Akker cemetery on the Remainder of Farm No. 185 in Beaufort West. The proposed expansion will cover an area of approximately 8.3 hectares and will enable the Beaufort West Municipality to provide approximately 10 454 additional burial spaces and estimated to service the community for the next 10 years. This is the applicant's preferred alternative.

The proposed expansion entails the following:

- the provision of approximately 10 545 additional burial spaces separated into 26 blocks which range between  $\pm 99$  and  $\pm 450$  burial spaces;
- the development of an internal road network which will separate the 26 blocks. The proposed internal roads are 4.5 metres wide;
- the reworking of the existing access road, as well as in situ stormwater management;
- the development of an outer in situ stormwater berm and stormwater detention pond;
- a caretaker and ablution facility for use as equipment storage and ablutions for visitors to the cemetery; and
- a cavcon palisade fence

The proposed expansion will be implemented approximate to the Layout Plan (Drawing No: 505510 GE 201 (Rev D), dated 24 April 2020) drafted by Zutari Engineering Consultants.

### **Other alternatives considered:**

Layout Alternative 2: Expansion of the Goue Akker cemetery by approximately 6.1 hectares:

The expansion of the existing Goue Akker cemetery on the Remainder of Farm No. 185 in Beaufort West. The proposed expansion will cover an area of approximately 6.1 hectares and will enable the Beaufort West Municipality to provide approximately 7 410 additional burial spaces. The alternative entails:

- the provision of approximately 7 410 additional burial spaces separated into 18 blocks which range between  $\pm 270$  and  $\pm 420$  burial spaces;
- the development of an internal road network which will separate the 18 blocks. The proposed internal roads are 4.5 metres wide;
- development of in situ stormwater channels;
- a caretaker and ablution facility for use as equipment storage and ablutions for visitors to the cemetery; and
- a cavcon palisade fence

This alternative is depicted in Layout Plan (Drawing No: 505510 GE 201 (Rev B), dated 5 June 2019) drafted by Zutari Engineering Consultants.

This alternative will result in less clearance than Alternative 1 but will also have an estimated 3 044 less burial spaces. Therefore, this alternative will reach capacity sooner than Alternative 1.

### **Alternatives pertaining to the management of human remains:**

Four alternatives were considered and described regarding the management of human remains. Although these were described as "Operational Alternatives", these are considered to be design and/or technology alternatives, namely:

#### Alternative 1: Horizontal burial ("Herewith Approved")

This alternative refers to the method of burial where the coffin is laid in a lengthwise position parallel with the bottom of the rectangular excavated burial space. This is the most common and widely recognised as the acceptable method of burial.

#### Alternative 2: Vertical burial

In order to reduce the space taken up by burial sites, an alternative was investigated which entail vertical / upright burial. The investigation concluded that while this method is practised in more development countries, this is not yet the case for less development countries as the technology (e.g. auger drills and specialised pulley systems) for this purpose are not readily available. Moreover, communities in less development countries prefer the traditional method (horizontal burial) and lack the facts of this method of burial.

Furthermore, the Geotechnical and Geohydrological study assessed the feasibility of vertical burial. According to the information the depths required for the burial space will be difficult to achieve due to the presence of boulders and calcretes.

#### Alternative 3: Combination of Horizontal and Vertical burials

This alternative entails a combination of horizontal and vertical burial as detailed above.

#### Alternative 4: Cremation

Cremation is the disposal of the human body by means of fire in a specialised facility. Currently the nearest facility is located in George which is approximately 230km away.

The assessment determined that the design Alternative 1 is the preferred alternative. While design Alternative 3 could be considered for future developments, if:

- The Beaufort West Municipality By-Law on the burial of human remains accommodates vertical burial, in terms of specifications etc.
- The required technology and information are adopted by the local funeral services.
- The information becomes readily available in the community, and they are comfortable with this form of burial.
- The soil and underground conditions permit vertical burial as well.

#### "No-Go" Alternative

This alternative entails that the existing Goue Akker cemetery will not be expanded. As such the Beaufort West Municipality will not be able to accommodate future burials when the cemetery reaches full capacity. According to estimates the cemetery will reach capacity in due course and urgently requires additional burial space. This is therefore not the applicant's preferred alternative.

### **3. Impact Assessment and Mitigation Measures**

#### **3.1 Activity need and desirability**

According to the applicant there are currently five existing cemeteries, namely the Beaufort West Eastern cemetery, Beaufort West Central cemetery, Botha Street cemetery, Goue Akker North cemetery and the Goue Akker cemetery. The applicant has identified the need to expand the existing Goue Akker cemetery due to an imminent shortage of burial space in the existing cemeteries.

An investigation by the applicant concluded that at the time of the investigation (October 2019), the existing Goue Akker cemetery had approximately 691 burial spaces left and with a monthly average of 41 funerals (pre COVID-19), only had about 16 months remaining before reaching capacity.

The proposed expansion of the existing Goue Akker cemetery entails the provision of an additional 10 454 (approx.) which addresses the current need and is estimated to service the community of Beaufort West for the next decade.



In light of the above this Department is satisfied that the applicant has provided an acceptable motivation for the need and desirability of the proposed development and the information received has sufficiently demonstrated the need and desirability of the activities in the preferred location.

### 3.2 Biophysical Impacts

#### ❖ Geohydrological and geotechnical

The applicant commissioned a geohydrological and geotechnical assessment to inform the application. Adequate information and motivation have been provided in the assessment in order for this Department to formulate an informed opinion in respect of the geohydrological and geotechnical aspects of the proposed expansion site. In support of the above, the following has been considered relevant:

- Ten trial pits were excavated up to depths of 3.85 metres within the study site and no groundwater was intersected in any of the trial pits. The groundwater levels in the vicinity of the site are between 14 and 46 metres below ground level;
- The nearest borehole used for groundwater is located more than 350 metres away;
- The underlying aquifer's vulnerability to contamination is low to medium, due to the confined nature of the fractured aquifer.
- The site is underlain by mudstone that weathers to clay which according to the information forms an impermeable layer that likely provide protection against contamination; and
- The required depths of burial spaces can be achieved but excavation rates may slow due to the presence of calcretes and boulders in some areas.

With due consideration of the above, this Department is satisfied that the proposed expansion of the Goue Akker cemetery will not result in a significant impact on groundwater resources. Furthermore, it is not expected that the substrate will inhibit the excavation of graves, although some sites will be more laborious to excavate. Furthermore, the operation of the proposed facility and geohydrological aspects will be governed by the relevant authority responsible for water affairs.

#### ❖ Freshwater impacts

A description of the freshwater issues and risks that were identified during the environmental impact assessment process, as well as an assessment of the significance of each issue and risk, cumulative impacts of the proposed development and levels of acceptable change have been considered. With due consideration of the above it is concluded that the proposed expansion of the existing Goue Akker cemetery to provide an additional 10 454 burial spaces (approx.) will not result in significant impacts on the freshwater resources in the surrounding area. Furthermore, the recommendations and mitigation measures provided in the freshwater habitat assessment, compiled by Sharples Environmental Services cc must be implemented and adhered to, in order to achieve the desired outcome. In support of the above, the following has been considered relevant:

- The Kuils River is a non-perennial river;
- The proposed burial sites will be located above the 1:100-year flood line determination;
- The impacts associated with disturbance to riparian vegetation, flow modification and erosion and sedimentation can be reduced to a low significance if the recommendations and mitigation measures of the freshwater habitat assessment are implemented;
- Adequate stormwater management measures in the form of a detention / attenuation pond will be implemented;
- A 28-metre buffer area will be established between the proposed expansion and the Kuils River; and
- The information was submitted to the Breede-Gouritz Catchment Management Agency which concurred with the specialist's findings and subsequently confirmed the General

Authorisation in terms of Sections 21 (c) & (i) of the National Water Act, Act No. 36 of 1998. The confirmation was issued by the Department of Water and Sanitation on 25 August 2021.

In light of the above, it is the Department's considered view that the proposed expansion of the Goue Akker cemetery will not result in detrimental impacts on the freshwater resources in the surrounding environment. Furthermore, the operation of the proposed facility and freshwater aspects will be governed by the relevant authority responsible for water affairs.

### 3.3 Biodiversity

A description of the biodiversity issues and risks that were identified during the environmental impact assessment process, as well as an assessment of the significance of each issue and risk, cumulative impacts of the proposed development and levels of acceptable change have been considered. The applicant commissioned a Biodiversity Survey in order to inform the application for environmental authorisation. In consideration of the above the Department is satisfied that the sufficient information has been provided to make an informed decision in respect of the biodiversity aspects of the proposed expansion. In support of the above, the following has been considered relevant:

- The vegetation present on the site is fair to good quality Southern Karoo Riviere, which is well represented in the surrounding area with a conservation status of Least Threatened;
- The site is not considered to form part of a Critical Biodiversity Area, although a small portion of the site (north-eastern corner) has been mapped as Ecological Support Area which play an important role in the functioning of CBA's.
- No known Species of Conservation Concern, regional endemics or protected species will be affected;
- Part of the proposed site was previously disturbed (agricultural activities), albeit more than 10 years ago;

In considering the above, the view is held that the proposed expansion of the Goue Akker cemetery will not result in significant negative impact on the terrestrial biodiversity. Furthermore, the Department is of the considered view that the current need and desirability of the proposed expansion outweigh the impact on the terrestrial biodiversity.

### 3.4 Heritage / Archaeological Aspects

A description of the heritage related issues and risks that were identified during the environmental impact assessment process, as well as an assessment of the significance of each issue and risk, cumulative impacts of the proposed development and levels of acceptable change have been considered. An Integrated Heritage Impact Assessment was commissioned to inform the proposed expansion of the Goue Akker cemetery. The study concludes that the sensitivity in respect of palaeontological aspects and archaeological aspects are of low significance. In support of the above, the following has been considered relevant:

- The proposed site is mantled by unconsolidated, fine grained alluvial deposits which are generally of low palaeontological sensitivity;
- No fossils were recorded in good exposures along the Kuils River as well as the proposed expansion site;
- The land was previously disturbed as a result of agricultural activities; and
- No evidence of built structures within the proposed expansion site were observed

The IHIA was submitted to Heritage Western Cape, which approved the report and endorsed the recommendations provided in the report. The comment (HWC Case No: 20072207SB0724E) in this regard was issued on 28 January 2021.

In considering the above, the view is held that the applicant has adequately considered the heritage and archaeological aspects and that the proposed expansion of the Goue Akker cemetery will not result in significant negative impact on the on these.

The competent authority is satisfied that the evaluation fulfils the requirements of the relevant heritage resources authority in terms of the National Heritage Resources Act, 1999 and the comments and recommendations of the relevant heritage resources authority with regard to the proposed development have been taken into account.

### 3.5 Other Impacts

No other significant traffic, noise and visual impacts have been identified.

## 4. Scope and Validity of the Environmental Authorisation

This environmental authorisation does not define specific operational aspects. The environmental authorisation's validity period has been granted for a period five (5) years, during which period the construction activities must commence and be concluded, including the post-construction rehabilitation and monitoring, and submission of the final environmental audit.

Important milestones and dates:

- ❖ 15 May 2025, the last date by which the non-operational aspects (construction phase) of the environmental authorisation must be concluded by. The construction phase may be concluded at a sooner date, depending on the execution of the implementation plan.
- ❖ A period of 3-months is specified for the final monitoring and post-construction rehabilitation to be completed after the construction phase is finalised, but by no later than 15 August 2025.
- ❖ The final environmental audit must be submitted to the Competent Authority within three (3) months of completion of the post construction rehabilitation and monitoring requirements being completed, but by no later than 15 November 2025.
- ❖ Where the development activities (construction phase) and post construction rehabilitation and monitoring requirements are only concluded in November 2025, a minimum period of three (3) months is set aside for the Competent Authority to administrate the final audit report. The period of 15 December to 5 January must be excluded in the reckoning of this period.
- ❖ 31 March 2026, the end date of the Environmental Authorisation's validity period and the date by which all construction rehabilitation and monitoring requirements, will be deemed to be concluded at the site

## 5. National Environmental Management Act Principles

The National Environmental Management Principles (set out in section 2 of the NEMA, which apply to the actions of all organs of state, serve as guidelines by reference to which any organ of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 6. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with an approved EMPr, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

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