



EIA REFERENCE: 16/3/3/1/A8/74/3028/24
NEAS REFERENCE: WCP/EIA/0001465/2024
DATE OF ISSUE: 13 December 2024

The Municipal Manager
City of Cape Town
12th Floor
Tower Block
Cape Town Civic Centre
12 Hertzog Boulevard
CAPE TOWN
8001

For Attention: Mr. Siraaj Slamang

Tel: (021) 400 1602

Email: siraaj.slamang@capetown.gov.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE EXISTING KUILS RIVER CEMETERY AND ASSOCIATED INFRASTRUCTURE ON ERVEN 1338, 1368 AND 6282, KUILS RIVER

1. With reference to the above application, the Directorate hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the EIA Regulations, 2014 (as amended), you are instructed to ensure, within 14 days of the date of the decision on the application, that all registered Interested and Affected Parties ("I&APs") are provided with access to the decision and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarised in the Environmental Authorisation below.

Your interest in the future of the environment is greatly appreciated.

Yours faithfully

Zaahir Toefy
Digitally signed by Zaahir Toefy
Date: 2024.12.13 10:01:15 +02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Copied to:

- (1) Mr. Jeremy Rose (Infinity Environmental Pty (Ltd))
- (2) Ms. Rachel Schnackenberg (City of Cape Town)
- (3) Ms. Maurietta Sewart (City of Cape Town – Tygerberg District)

Email: Jeremy@infinityenv.co.za

Email: Rachel.Schnackenberg@capetown.gov.za

Email: Maurietta.Stewart@capetown.gov.za



EIA REFERENCE: 16/3/3/1/A8/74/3028/24

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ENVIRONMENTAL AUTHORISATION

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS, 2014 (AS AMENDED): THE PROPOSED EXPANSION OF THE EXISTING KUILS RIVER CEMETERY AND ASSOCIATED INFRASTRUCTURE ON ERVEN 1338, 1368 AND 6282, KUILS RIVER

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 NEMA and the EIA Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the Listed Activity specified in section B below with respect to the Preferred Activity Alternative, described in the final Basic Assessment Report ("BAR").

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

A. DETAILS OF THE HOLDER FOR THIS ENVIRONMENTAL AUTHORISATION

City of Cape Town Municipality
C/O: Mr. Siraaj Slamang
12 Floor, Tower Block
Cape Town Civic Centre
CAPE TOWN
8001

Tel.: (021) 400 1602

E-mail: siraaj.slamang@capetown.gov.za

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

B. LISTED ACTIVITY AUTHORISED

Listed Activity	Activity/Project Description
Listing Notice 1 of the EIA Regulations, 2014 (as amended) Activity Number: 44 Activity Description: <i>"The expansion of cemeteries by 2 500 square metres or more."</i>	The proposal is for the expansion of the Kuils River Cemetery onto adjacent Erven 1338, 1368 and 6282, Kuils River by an approximately 2.5 hectare.

The abovementioned list is hereinafter referred to as **"the Listed Activity"**.

The holder is herein authorised to undertake the following alternative that includes the Listed Activity relating to the proposed expansion of the existing Kuils River Cemetery on Erven 1338, 1368 and 6282 in Kuils River, Cape Town by an approximately 2.5 hectares, which will comprise of the following:

- A total of eight (8) burial blocks on an extent area measuring approximately 19 141m²;
- New toilet facilities on the north-western corner of the site, measuring approximately 257.60m² in extent;
- A new parking area on the north-western corner of the site accommodating approximately ten (10) parking bays;
- A new guard house with controlled security access measuring approximately 10.24m² in extent;
- An internal road network within roads of approximately 6.4m in width, which will accommodate roadside parking;
- Approximately 3 hearse roads of 3.2m in width; and
- Two (2) new footpaths of 2.5m in width within the expansion footprint, providing pedestrian access to grave sites.

The expanded Kuils River Cemetery can be access via two existing roads, i.e., the cemetery can be accessed along the southern boundary from the existing parking off Van Riebeeck Road and the cemetery can be accessed along the northern boundary from the new parking area off Fabriek Street.

C. SITE DESCRIPTION AND LOCATION

The Listed Activity will be undertaken on Erf Erven 1338, 1368 and 6282, Kuils River, Cape Town. The Even are located adjacent to the existing Kuils River Cemetery.

The SG 21-digit codes, are given below:

Erf 1338 in Kuils River, Cape Town	C06700130000133800000
Erf 1368 in Kuils River, Cape Town	C06700130000136800000
Erf 6282 in Kuils River, Cape Town	C06700130000628200000

The co-ordinates for the expansion site, are given below:

Erven 1338, 1368 and 6282 in Kuils River, Cape Town	Latitude (S)	Longitude (E)
	33° 56' 15.27" South	18° 41' 07.09" East

Refer to **Annexure 1: Locality Map** and **Annexure 2: Site Plan**.

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

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

Infinity Environmental (Pty) Ltd.
C/O Mr. Jeremy Rose
Suite 17
Private Bag x11
MOWBRAY
8001

Tel.: (012) 834 1602
Cell: 084 055 5678
E-mail: jeremy@infinityenv.co.za

E. CONDITIONS OF AUTHORISATION

Scope of Authorisation

1. The holder is authorised to undertake the Listed Activity specified in Section B above in accordance with and restricted to the Preferred Activity Alternative described in Section B above.
2. Authorisation of the Listed Activity is subject to compliance with the conditions set out in this Environmental Authorisation. The holder must ensure 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.
3. The holder must commence with, and conclude, the Listed Activity within the stipulated validity period, which this Environmental Authorisation is granted for, or this Environmental Authorisation shall lapse and a new application for Environmental Authorisation must be submitted to the Competent Authority.

This Environmental Authorisation is granted for –

- (a) A period of ten (**10**) years, from the date of issue, during which period the holder must commence with the authorised Listed Activity.
 - (b) A period of ten (**10**) years, from the date the holder commenced with the authorised Listed Activity, during which period the authorised Listed Activity must be concluded.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his behalf, including an implementing agent, sub-contractor, employee or any person rendering a service to the holder.
 5. Any changes to, or deviations from the scope of the alternative described in section B above must be approved in writing by the Competent Authority before such changes or deviations may be implemented. In assessing whether or not to grant such approval, 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.

Written Notice to the Competent Authority

6. A written notice of seven (7) calendar days must be given to the Competent Authority before the expansion work can be commenced with.
 - 6.1. The notice must make clear reference to the site details and EIA Reference number given above.

- 6.2. The notice must include proof of compliance with the following conditions described herein:

Conditions: 7, 8 and 13

Notification of Environmental Authorisation and Administration of Appeal

7. The holder must in writing, within fourteen (14) 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; and
 - 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 National Appeals Regulations, 2014 (as amended).

Commencement

8. The Listed Activity, including site preparation, must not be commenced within twenty (20) calendar days from the date the applicant notifies the registered I&APs of this decision.
9. 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.

Management of Activity

10. The Environmental Management Programme ("EMPr") (dated August 2024), is hereby approved and must be implemented.
11. An application for amendment to the EMPr must be submitted to the competent authority in terms of Chapter 5 of the EIA Regulations, 2014 (as amended) if any amendments are to be made to the outcomes of the EMPr, and these may only be implemented once the amended EMPr has been authorised by the competent authority.
12. The Environmental Authorisation and EMPr must be included in all contract documentation for all phases of implementation.

Monitoring

13. The holder must appoint a suitably experienced Environmental Control Officer ("ECO") before the Listed Activity can be commenced with, to ensure compliance with the EMPr and the conditions contained herein. The ECO must submit ECO reports on a quarterly

basis for the duration of the construction phase for the expansion activities being undertaken.

The ECO must–

- 13.1. be appointed prior to commencement of any construction activities commencing;
 - 13.2. ensure compliance with the EMPr and the conditions contained herein;
 - 13.3. keep record of all activities on site; problems identified; transgressions noted, and a task schedule of tasks undertaken by the ECO;
 - 13.4. remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed;
 - 13.5. provide the competent authority with copies of the ECO reports within thirty (30) days of the project being finalised; and
 - 13.6. conduct monthly site inspections during the construction phase.
14. A copy of the Environmental Authorisation, EMPr, ECO reports, audit reports and compliance monitoring reports must be kept at the contractor's site office during the construction phase for the expansion activities being undertaken and thereafter the said documents must be kept at the office of the holder and must be made available to any authorised official of the Competent Authority on request.
 15. 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 the reports for the purposes of assessing and/or auditing compliance with the conditions contained herein.

Auditing

16. In terms of Regulation 34 of the EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation and the EMPr. Environmental audit reports must be compiled and be submitted to the Competent Authority. Environmental audit reports must be prepared by an independent person with expertise and must contain all the information required in Appendix 7 of the EIA Regulations, 2014 (as amended).
17. The audit reports must be compiled and subsequently submitted to the Competent Authority in the following manner:
 - 17.1. An audit report must be submitted to the Competent Authority within **six (6) months** of the commencement of the construction work associated with the expansion; and
 - 17.2. A final audit report must be submitted within **three (3) months** of the construction work associated with the expansion being completed.
 - 17.3. The holder must submit an environmental audit report **every five (5) years** while the Environmental Authorisation remains valid.
18. The audit report must indicate compliance status with the conditions of this Environmental Authorisation, and the EMPr and make recommendations for improved environmental management.
19. The holder must, within **seven (7) calendar days** of the submission of the audit report to the Competent Authority, notify all registered I&APs of the submission and make the audit report available to any registered I&AP on request and, where the holder has such a facility, place on a publicly accessible website.

Specific Conditions

20. Surface or groundwater must not be polluted due to any actions on the site. The applicable requirements with respect to the relevant legislation pertaining to water must be met.
21. Should any heritage remains be exposed during excavations or any other actions on the site, this 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 disturbed further until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include, *inter alia*, 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 artifacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

22. A qualified archaeologist and/or paleontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
23. An integrated waste management approach must be used that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste that cannot be recycled, re-use shall be disposed of at a licensed waste disposal facility.
24. Appropriate design measures and leak detection and containment measures must be in place during construction and operational phases to mitigate the risk of contaminating the aquifer.
25. The following measures adapted from the final BAR (dated August 2024 and compiled by Mr. Jeremy Rose of Infinity Environmental (Pty) Ltd.), must be implemented:
 - 25.1. The surface and subsoil drainage must be designed to maintain groundwater levels below 2m depth;
 - 25.2. A 15m buffer around the wetland on the existing Kuils River cemetery must be implemented during construction and operational phase. No burials are permitted within the delineated wetland area;
 - 25.3. No construction activities should occur within 50m of the depression wetland on the existing cemetery (as a precautionary measure);
 - 25.4. All major construction earthworks within 50m of the attenuation pond should be conducted in summer to ensure stabilization of the hydrological functionality of the pond; and
 - 25.5. A new stormwater attenuation fourth pond should be installed in the northwestern corner of the site and be aligned with the City of Cape Town's Water Sensitive Urban Design (WSUDS) criteria, to effectively protect downstream ecosystems.
26. The following mitigation measures recommended in the Groundwater Impact Assessment Report (dated 12 April 2024 and compiled by Hardy Luttig of GEOSS South Africa (Pty) Ltd), must be implemented:
 - 26.1. Monitoring of at least three groundwater sites at the cemetery during the operational phase;

- 26.2. Installation of the early-warning wells into the primary aquifers to screen for potential contamination;
 - 26.3. Installation of the deeper boreholes into the fractured aquifer where there is contamination of the shallow groundwater;
 - 26.4. One monitoring site must be located upgradient of the site to monitor background water quality and two boreholes should be located downgradient to identify any potential impact on downgradient users;
 - 26.5. Small-scale drilling must be undertaken, including three monitoring wells on site and should be supervised by a hydrogeologist. Drill samples should be collected at every 1 metre and logged;
 - 26.6. Drilling of the boreholes using rotary drilling to a maximum depth of 10m, installing a gravel pack with an annulus of approximately 12mm, and developed with compressed air for at least two hours upon completion along with an airlift test to estimate the yield of the borehole;
 - 26.7. The driller must be supervised at all times to ensure that site requirements are met.
 - 26.8. Each borehole must be protected with a concrete block or a protected manhole if there is traffic in the area and also a permanent plate glued to the lid containing the details pertaining to the borehole;
 - 26.9. Installation of approximately 500mm of bentonite plugs at the top of the hole to prevent ingress of surface water; and
 - 26.10. Use of a dip meter to measure the water level below the top of the borehole collar/ casing height ("mbch").
27. The holder of the Environmental Authorisation must, at all times, ensure that the activities comply with the Noise Regulations in terms of the relevant legislation.

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 Activity.
2. Non-compliance with any Condition of this Environmental Authorisation or EMPr may render the holder liable for criminal prosecution.
3. If the holder does not commence with the Listed Activity within the period referred to in Condition 3, this Environmental Authorisation shall lapse. If the holder wishes to extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be lodged with the Competent Authority.
4. An application for amendment of the Environmental Authorisation must be submitted to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.
5. Please note that an amendment of the Environmental Authorisation is not required for a change in the contact details of the holder. In such a case, the Competent Authority must only be notified of such changes.

6. The manner and frequency for updating the EMPr via an amendment process must be made in accordance with Regulations 35 to 37 of GN No. R.982 (as amended) or any relevant legislation that may be applicable at the time.

G. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (as amended).

1. An appellant (if the holder of the decision) must, within twenty (20) 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 twenty (20) 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 twenty (20) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to 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: Attention: Mr Marius Venter (Tel.: 021 483 2659)
Room 809
8th 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 at the address listed above and/or via e-mail to DEADP.Appeals@westerncape.gov.za.

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from the Appeal Authority at: Tel.: (021) 483 3721, E-mail: 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 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 greatly appreciated.

Yours faithfully

Zaahir Toefy

Digitally signed by Zaahir
Toefy
Date: 2024.12.13 10:01:43
+02'00'

MR. ZAAHIR TOEFY

DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)

WESTERN CAPE GOVERNMENT: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE OF DECISION: 13 December 2024

Copied to:

- (1) Mr. Jeremy Rose (Infinity Environmental Pty (Ltd))
- (2) Ms. Rachel Schnackenberg (City of Cape Town)
- (3) Ms. Maurietta Sewart (City of Cape Town – Tygerberg District)

Email: Jeremy@infinityenv.co.za

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FOR OFFICIAL USE ONLY:

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ANNEXURE 1: LOCALITY MAP



LEGEND

- ACCESS ROAD
- FOOTPATH @ 200mm
- HEARSE ROAD @ 200mm
- NEW CEMETERY BLOCK
- VERGE
- NEW STRUCTURE
- EX CEMETERIES
- EX WETLAND

AREA SCHEDULE

ITEM	DESCRIPTION	AREA (m²)	PROPOSED AREA (m²)	EXISTING AREA (m²)
1	Proposed Site	10000	10000	10000
2	Proposed Road Network	1000	1000	1000
3	Proposed Site Development	1000	1000	1000
4	Proposed Road Network	1000	1000	1000
5	Proposed Site Development	1000	1000	1000
6	Proposed Road Network	1000	1000	1000
7	Proposed Site Development	1000	1000	1000
8	Proposed Road Network	1000	1000	1000
9	Proposed Site Development	1000	1000	1000
10	Proposed Road Network	1000	1000	1000
11	Proposed Site Development	1000	1000	1000
12	Proposed Road Network	1000	1000	1000
13	Proposed Site Development	1000	1000	1000
14	Proposed Road Network	1000	1000	1000
15	Proposed Site Development	1000	1000	1000
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61	Proposed Site Development	1000	1000	1000
62	Proposed Road Network	1000	1000	1000
63	Proposed Site Development	1000	1000	1000
64	Proposed Road Network	1000	1000	1000
65	Proposed Site Development	1000	1000	1000
66	Proposed Road Network	1000	1000	1000
67	Proposed Site Development	1000	1000	1000
6				



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, the final BAR (dated August 2024), and the EMPr (dated August 2024);
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation, Need and Desirability and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA;
- d) The comments received from I&APs and the responses thereto, included in the final BAR; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

No site visit was 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 ("PPP") included:

- Identification of and engagement with I&APs;
- Giving written notice to I&APs, owners and occupiers of land adjacent to the site, and relevant stakeholders having jurisdiction in respect of any aspect of the development proposal on 30 May 2024;
- Notices were placed on site on 30 May 2024;
- An advert was placed in the "Tygerberg" Newspaper on 29 May March 2024; and
- Copies of the BAR and accompanying information were made available to I&APs for a minimum commenting period of thirty (30) days from 30 May 2024 to 1 July 2024.

The Competent Authority is satisfied that the PPP that was followed met the minimum legal requirements. All the comments raised, and responses thereto were included in the Comments and Responses Report.

Specific management and mitigation measures have been considered in this Environmental Authorisation and in the EMPr to adequately address any significant concerns raised.

2. Alternatives

Considering that cemeteries form an essential part of a community's tradition and culture, it is vital that appropriate burial spaces are provided within an acceptable distance to a particular community. Furthermore, services requirements, social and community needs, as well as the provision of services to the surrounding properties were considered and accommodated. The option of expanding the existing cemetery sites in the town, was not possible due to insufficient space. As such, the proposed site for the new cemetery fulfils these requirements. No environmental constraints were identified on the site and the layout of the cemetery makes optimal use of the site, as per the Cemetery Guidelines. Therefore, only the Preferred Site Alternative and "No-Go" Alternative were assessed.

Preferred Activity Alternative (Herewith Authorised)

The Preferred Activity Alternative entails the proposed expansion of the existing Kuils River Cemetery on Erven 1338, 1368 and 6282 in Kuils River, Cape Town by an approximately 2.5 hectares, which will comprise of the following:

- A total of eight (8) burial blocks on an extent area measuring approximately 19 141m²;

- New toilet facilities on the north-western corner of the site, measuring approximately 257.60m² in extent;
- A new parking area on the north-western corner of the site accommodating approximately ten (10) parking bays;
- A new guard house with controlled security access measuring approximately 10.24m² in extent;
- An internal road network within roads of approximately 6.4m in width, which will accommodate roadside parking;
- Approximately 3 hearse roads of 3.2m in width; and
- Two (2) new footpaths of 2.5m in width within the expansion footprint, providing pedestrian access to grave sites.

The expanded Kuils River Cemetery can be access via two existing roads, i.e., the cemetery can be accessed along the southern boundary from the existing parking off Van Riebeeck Road and the cemetery can be accessed along the northern boundary from the new parking area off Fabriek Street.

This Alternative is deemed to be the Preferred Alternative since the proposed development addresses the need for burial spaces within the City of Cape Town, but particularly for the communities of Kuils River and surrounds.

Site Alternative (Herewith Authorised with the Preferred Activity Alternative)

The Preferred Site Alternative entails the proposed expansion activities to be undertaken on Erven 1338, 1368 and 6282, Kuils River, Cape Town. This is the Site Alternative considered, since the proposed expansion activities are required to take place adjacent to the existing Kuils River Cemetery on Erf 1339, Kuils River. The site is vacant and dominated by grass, with no presence of the ecological sensitive or cultural-historical elements.

Design/Layout Alternative Option 1 (Herewith Authorised with the Preferred Site Alternative)

The Preferred Design/Layout Alternative entails the development of access to the northern boundary of the proposed expansion of the Kuils River Cemetery, comprising of access via Fabriek street and parking area on the north-western corner of the site.

Design/Layout Alternative - Option 2

The proposed development site will be access off Silveroaks Avenue. However, it may be disrupted once the realigned class 2 road is constructed. This option is deemed not feasible for the proposed development.

'No-go' Alternative

The 'No-Go' Alternative entails maintaining the *status quo* and as such, the proposed cemetery will not be expanded. This alternative was not deemed as preferred, since there is a critical shortage of burial space within the current cemetery footprint, which is nearing its capacity and new burial space is urgently required. The "no-go" alternative is therefore rejected, as it is not the best practicable environmental alternative.

3. Impact Assessment and Mitigation Measures

3.1 Need and Desirability

The proposed expansion of the existing Kuils River Cemetery will address the issue of limited appropriate land available for cemeteries. The proposed expansion of Kuils River cemetery aligns with the Spatial Strategy 4 of the City of Cape Town's Municipal Spatial Development Framework.

The site is vacant and can be used to benefit the community by meeting a critical need. Erven 1338 and 6282, Kuils River are zoned Utility. However, Erf 1368, Kuils River is zoned Transport 2 and will need to be rezoned from Transport 2 to Open Space Zoning ("OS3") To accommodate the development proposal. There is currently a critical shortage of

burial space within the existing Kuils River Cemetery to service Kuils River and the surrounding community. The expansion will provide a limited number of employment opportunities, contributing positively to the socio-economic status of the area.

3.2 Freshwater Impacts

The site is located within the Kuils River catchment, with remnants of wetland habitat remaining in close proximity to the site. There is a permanently saturated, seasonally inundated depression wetland of approximately 0.5 hectares located within the existing Kuils River Cemetery, adjacent to the proposed development site. Therefore, minimum 15m wetland buffer must be kept, to protect the water quality of the wetland. The generation of wastewater and solid water during construction before the development of the stormwater attenuation pond, as well as the increased catchment hardening and stormwater runoff, may result to loss of the ecological integrity in downstream aquatic systems and groundwater resources, connecting to the onsite depression wetland. A fourth piezometer must be installed down of the site to continuously monitor the groundwater levels and quality. Additionally, the construction activities such as vegetation clearance, earthworks and storing of topsoil may lead to invasion of the on-site depression wetland. Tree planting and landscaping should be included in the site design to enhance the amenity and create a 'Sense of Place' for the cemetery.

The Geotechnical Investigation Report (dated March 2024 and compiled by Kobus Roux of PeraGage Specialist Consultants), indicated that the site is underlain by aeolian sands underlain by more ideal residual granite. There are shallow groundwater conditions with seepage at 1.7m and poor surface drainage. There is a risk of contaminating groundwater used for drinking or similar purposes. Therefore, the surface and subsoil drainage must be designed to maintain groundwater levels below 2m mbgl; and the shoring of grave excavations must be implemented during the cemetery operations.

According to the Hydrogeological Assessment Report (12 April 2024 and compiled by of GEOSS South Arica (Pty) Ltd), the site is underlain by quaternary aged light grey to pale red sandy soil. The primary aquifer underlying the site is regarded as highly susceptible intergranular aquifer, below, which lies a secondary fractured aquifer. The site has a shallow water table (1-2.4 mbgl – 2.84 mbgl), falling within the standard depth used for graves (1.8m). The water levels on the site are shallow and has a high risk of contaminating the aquifer. The proposed development site is considered moderate-high risk to groundwater resources. The main mitigation measures to mitigate groundwater impacts includes:

- Prioritising burials in areas where the water table is greater than 4 mbgl;
- Installing a screened layer where required, to prevent leachate contact with groundwater;
- Appropriate lining the burial excavations with a clay-rich layer to reduce interaction of burial material with groundwater;
- Installation of a fourth piezometer downstream of the site for continuous monitoring of groundwater levels and qualities;
- Monitoring of upgradient and downgradient prior to commencement of any development activities on site;
- Bi-annual monitoring of groundwater quality to ensure that the water quality remains unimpacted and continuous monitoring of downgradient of the site; and
- Installation of an appropriate stormwater attenuation pond in the northwest corner of the site, aligning with the City of Cape Town's Water Sensitive Urban Design ("WSUDS") criteria to channel surface water run-off and reduce the infiltration of surface water and leachate into the underlying aquifer.

A Water Use License will be required for the proposed development and has been applied for to the relevant authority.

All relevant measures to mitigate groundwater impacts, including the need for groundwater management and monitoring requirements form part of the approved EMPr.

3.3 Traffic Impacts

A Traffic Impact Statement (dated 12 April 2024 and compiled by Innovative Transport Solutions), assesses the potential traffic impacts associated with the proposed expansion.

The Traffic Impact Statement indicates that the Van Riebeeck Road Class 2 Major Arteries is planned to be realigned through Erf 1338, Kuils River. The Saxdowns Road Class 3 Minor Arterial, south of the proposed expansion site, is planned to be extended.

The number of trips on the surrounding road network that will be generated by the proposed cemetery expansion will be low during AM, Midday and PM peak hours and will have an insignificant traffic impact on the surrounding road network. No road upgrades are therefore required. Access to the site will be via Fabriek street. The existing parking area with 90 parking bays, 10 additional parking bays and the on-street parking along Van Riebeeck Road will provide sufficient parking for the proposed expansion of the existing Kuils River Cemetery.

Therefore, traffic impacts are deemed to be acceptable.

3.4 Dust Impacts

Potential dust impacts are anticipated during the construction phase. However, no significant dust impacts are anticipated other than those associated with the preparation of the individual grave plots, as and when a burial takes place.

Potential dust impacts will be mitigated with the implementation of the mitigation measures included in the approved EMPr.

3.5 Heritage Impacts

The correspondence from Heritage Western Cape (dated 3 April 2024), confirmed that no further action under Section 38 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) is required.

Additionally, the applicant will comply with Conditions 21 and 22 of this Environmental Authorisation. This will help to ensure the protection of any heritage resources that may be encountered on the site.

3.6 Socio-economic Impacts

The expansion of the existing Kuils River Cemetery is required to meet a critical need for burial spaces within the Kuils River area and surrounds. This expansion will provide limited employment opportunities for the maintenance and upkeep of the cemetery as well as for the preparation of the grave plots.

The development proposal will result in both negative and positive impacts.

Negative Impact include:

- Potential groundwater and stormwater impacts; and
- Potential traffic impacts.

Positive Impacts include:

- Optimal use of Municipal owned land for the development of a new cemetery;
- Provision of additional burial services in the local area; and

- Some employment opportunities.

4. National Environmental Management Act, 1998 (Act No. 107 of 1998) 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 activity (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.

5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr, the Competent Authority is satisfied that the authorised Listed Activity will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the undertaking of the Listed Activity can be mitigated to acceptable levels.

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