



Town & Regional Planners,  
Environmental &  
Development Consultants

Makecha Development Associates trading as MDA | CC 1995/030752/23

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9 Barnes Street | Westdene  
BLOEMFONTEIN

Proj. Ref: 40813  
Contact Person: Hanlie Stander  
Date: 3 February 2023

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**ATTENTION: REGISTERED INTERESTED AND / OR AFFECTED PARTIES**

**Diesel depot on Portion 1 of Plot 42, Estoire, Bloemfontein (24G/51/67/4/21/09)**

Notice is hereby given that DESTEA issued an Environmental Authorisation for the above-mentioned project on the 30<sup>th</sup> of January 2023.

Please see a copy thereof attached hereto.

**Reason for Decision as well as the finding by DESTEA:**

- The need for the development has been identified.
- All information presented to DESTEA was taken into consideration.
- Recommendations made by the EAP in the EMPr as well as the Section 24G Report is sufficient.
- Findings of the site visit by DESTEA was also considered.
- Stormwater management measures as well as the access road was also taken into consideration.

**Appeal Process:**

A person affected by the decision who wishes to appeal against the decision must lodge an appeal with the MEC of DESTEA within 20 calendar days after being notified of the decision, according to the appeal procedure provided for in the National Appeal Regulations published in Government Gazette No. 38559 of 12 March 2015. The appeal must be directed to:

**Attention: Mr. T. Molotsi**

MEC (DESTEA)  
Private Bag X20801  
Bloemfontein  
9300  
[molotsit@destea.gov.za](mailto:molotsit@destea.gov.za)

Note that an appeal not submitted to the above-mentioned address will not be regarded as valid.

Mr Molotsi can be contacted at the following number: 051 400 4714.

**Commencement of Construction Activities:**

Also note that the Environmental Authorisation Holder hereby notifies your office that the construction activities will commence on the 24<sup>th</sup> of February 2023, should no appeal be submitted to DESTEA.

Kind regards,

**MDA**

**NEIL DEVENISH Pr. Pln A/1133/1999**

Manager: Town Planning/Environmental.

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**Managing Member:**

**N. Devenish**, Pr. Pln (A/1133/1999), B.A., M.TR.P. (UFS)

**Assisted by:**

**A.C. Rohrbeck**, Pr. Pln (A/153/2009), B.Soc.Sc., M.TR.P (UFS)  
**H. Stander**, B.Sc. Zoology, B.Sc. Hons. Zoology, M.Sc. Zoology (UFS)  
**L. Dreyer**, Pr. Pln (A/3245/2022), B.Sc. TR.P (NWU), M.EM (UFS)



**destea**

department of  
economic, small business development,  
tourism and environmental affairs  
FREE STATE PROVINCE

## Environmental Authorisation

<b>Authorisation register number:</b>	24G/51,67,4/21/09
<b>Holder of Authorisation:</b>	Mack's Petroleum (PTY) Ltd
<b>Property description:</b>	Portion 1 of plot 42 Estoire, Bloemfontein
<b>Listed activity description:</b>	Activity 51, 67 of Listing Notice 1 and Activity 4 of listing 2
<b>Project description:</b>	Proposed expansion of a Diesel Depot

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Bloemfontein  
9300

**Environmental Quality & Protection**  
Tel +27 (0)51 400 4917  
e-mail: [nkoen@destea.gov.za](mailto:nkoen@destea.gov.za)

**HEAD OF DEPARTMENT**  
Department of Economic,  
Small Business Development,  
Tourism and Environmental Affairs

30 JAN 2023

Private Bag X20801  
Bloemfontein, 9300

[www.destea.gov.za](http://www.destea.gov.za)

## Decision

The Department of Economic, Small Business Development, Tourism and Environmental Affairs (DESTEA- 'the Department') is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation (EA), that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## Activity authorised

By virtue of the powers conferred on it by the National Environmental Management Act ('NEMA'), 1998 (Act No. 107 of 1998) and GNR 982 of 8 December 2014 Environmental Impact Assessment Regulations as amended, the Department hereby authorise –

Mack's Petroleum (PTY) Ltd with the following contact details-

**P. O. Box 338**

**Vryburg**

**8600**

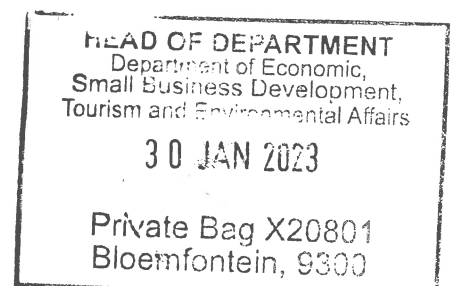
**Contact person:** Mr George Meyers

**Tel:** 053 927 2215

**Cell:** 082 881 1310

**E-mail:** airport@mweb.co.za

To undertake the following listed activities (hereafter referred to as "the activity") indicated in Listing Notice 1 (GNR 983) – activity 51,67 Listing Notice 2 –activity 4 as prescribed in the Section 24G Report.



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Site co-ordinates are as follows on the preferred alternative:

Description	Latitude (S):	Longitude (E):
Coordinate	26°06'41.42"	26°16'12.50"

## Project description

The expansion of the Diesel Depot is located on portion 1 of Plot 42 ,Estoire Bloemfontein.

The following facilities are already provided:

- 79 000 l Diesel storage tank
- Entrance and access road
- Offices and parking bay
- Ablution facilities
- French drain system
- Water supply
- Electricity supply
- 80 000l Additional diesel tank not operational

The granting of this EA is subject to the conditions set out below.

## Conditions

### Scope of Authorisation

- 1.1 Authorisation of the activity is subject to the conditions contained in this document. These conditions forms part of the EA and are binding on the holder of the Authorisation.
- 1.2 The holder of the Authorisation shall be responsible for ensuring compliance with the conditions by 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 holder of the Authorisation.

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- 1.3 The authorised activity may only be carried out on portion 1 of plot 42 Estoire, Bloemfontein on the exact site co-ordinates as stipulated in the Section 24G Report.
- 1.4 Any changes to, or deviations from, the project description set out in this Authorisation must be approved, in writing, by the Department before such changes or deviations commence.
- 1.5 In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations which may result in the holder of the Authorisation to apply for further Authorisation in terms of NEMA.
- 1.6 This Authorisation does not negate the holder of the Authorisation, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of this particular activity.

## Appeal of Authorisation

- 1.7 The holder of the Authorisation must notify the registered interested and affected parties, of the decision by the Department in writing and within 14 (fourteen) calendar days of the date of this EA,
- 1.8 The notification referred must –
  - 1.8.1 specify the date on which the Authorisation was issued;
  - 1.8.2 Inform the registered interested and affected party of the appeal procedure provided for in National Appeal Regulations published in Government Gazette No. 38559 of 12 March 2015.
  - 1.8.3 advise the registered interested and affected parties that a copy of the Authorisation will be furnished on request; and
  - 1.8.4 provide the reasons for the decision.
- 1.9 A person affected by the decision who wishes to appeal against the decision must lodge an appeal with the MEC of the Department of Economic, Small Business Development, Tourism and Environmental Affairs. An appeal should be directed to

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Bloemfontein e-mail: [nkoen@destea.gov.za](mailto:nkoen@destea.gov.za)  
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**MEC (DESTEA)**

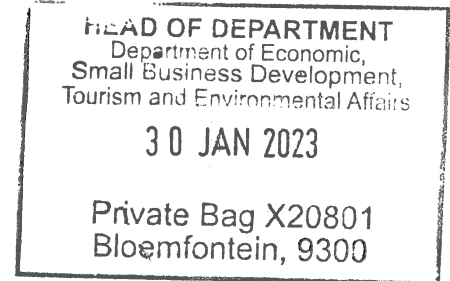
**Private Bag X20801**

**Bloemfontein**

**9300**

**Tel: (051) 400 4714**

**E-mail: molotsit@destea.gov.za**



**An appeal not submitted to the MEC (DESTEA) will not be regarded as valid.**

- 1.10 The applicant shall not commence with the proposed activity once an appeal has been lodged with the office of the MEC.

## **Management of the activity**

- 1.11 The Environmental Management Programme (EMPr) submitted as part of application for an EA is hereby approved.
- 1.12 The provisions of the EMPr included in the Section 24G Report are an extension to the conditions of Authorisation, and non-compliance with the conditions of the EMPr would accordingly constitute non-compliance with the conditions of this Authorisation.
- 1.13 Should there be a change of ownership and/or project developer, the Department must be notified within 30 (thirty) days prior to the change itself. Conditions imposed in this EA must be made known to the new owner and/or developer and are binding on the new owner and/or developer.
- 1.14 The recommendations and mitigation measures recorded in the Section 24G Report must be adhered to and incorporated as part of the EMPr where applicable.
- 1.15 The holder of the EA must invite comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the Competent

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Authority, by using any of the methods provided for in the Act for a period of at least 30 days.

- 1.16 The invitation to comment must include an indication that any comments to the proposed amendments must be submitted to the holder of the EA within 30 days of such invitation

## **Monitoring**

- 1.17 The applicant must appoint an independent Environmental Control Officer (ECO) for the operational phase of the development that will have the responsibility to ensure that the mitigation / rehabilitation measures and recommendations referred to in this Authorisation are implemented and to ensure compliance with the provisions of the EMPr.
- 1.18 The independent ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 1.19 Records relating to monitoring must be kept on site and made available for inspection to any relevant and competent authority in respect of this activity.
- 1.20 Operation of the activity may be temporarily or permanently stopped for reasons of non-compliance with the conditions of this particular EA as set out in this document or any other subsequent document emanating from the conditions of this EA.

## **Recording and reporting to the Department**

- 1.21 The applicant must appoint an independent auditor to conduct an environmental audit to ensure that the conditions, mitigation measures and recommendations stipulated in this EA are complied with. The environmental audit report must –
- 1.21.1 indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the EA conditions as well as the corrective action plan and implementation programme.
- 1.21.2 be kept on site and be made available for inspection by any relevant and competent authority in respect of this activity.

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## Decommissioning

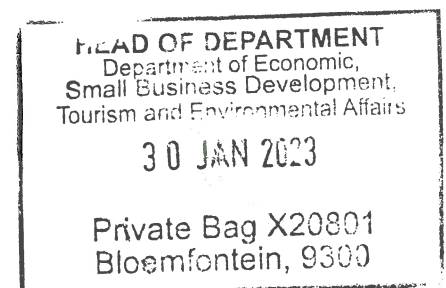
1.23 Management and mitigation measures for the decommissioning of the site must be compiled at such time as the application for environmental authorisation for decommissioning is submitted, allowing such planning at a future time, closer to the closer event, will ensure that the prevailing legislation at that time can be applied to the decommissioning of the facility.

## Specific conditions

- 1.24 An integrated waste management approach that is based on waste minimisation must be implemented and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008) as amended.
- 1.25 Waste generated during operations must be stored temporarily on site in waste skips and collected removed and disposed of by a contracted service provider to the nearest registered waste disposal site.
- 1.26 Hazardous waste must be collected and disposed of by a registered service provider as needed.
- 1.27 This oil/grease must be separated from the clean stormwater via a separator.
- 1.28 Measures as part of a developed stormwater management plan must be taken to ensure that no sediment leaves the site.
- 1.29 During operation, the proposed stormwater drainage system for the facility must be designed for the convenience and safety of facility users and to protect the infrastructure and buildings from floods and also to enhance groundwater infiltration.

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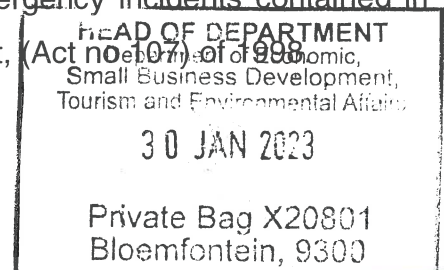


## General

- 1.30 A copy of this particular EA must be kept at the property where the activity will be undertaken. The Authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the Authorisation who works or undertakes work at the property.
- 1.31 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 1.32 The holder of the Authorisation must notify the Department, in writing within 48 (forty eight) hours, if any condition of this Authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 1.33 Non-compliance with a condition of this Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 1.34 National government, provincial government, local authorities or committees appointed in terms of the conditions of this Authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where operation be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of Authorisation as set out in this document or any other subsequent document emanating from these conditions of the Authorisation.
- 1.35 The applicant is responsible for compliance with the provisions for Duty-of-Care and remediation of damage contained in Section 28 and emergency incidents contained in Section 30 of the National Environmental Management Act, (Act no. 107) of 1998.

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- 1.36 Emergency and reporting of incidents as stipulated in Section 30 of NEMA (Act 107 of 1998) must be followed accordingly.
- 1.37 Firefighting equipment must be kept on site at all times during the operational phase of the development

Approved:

  
.....  
Dr. M. Nokwequ  
(HOD: DESTEA)

  
.....  
Date:

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## Annexure 1: Reasons for Decision

### 1. Background

The applicant, Mack's Petroleum (PTY) Ltd, applied for an Environmental Authorisation to commence with the activity under Listing Notice 1 and 2 (GNR 983) of the 2014 EIA Regulations as amended and also as prescribed in the Section 24G Report for the proposed expansion of a Diesel Depot on portion 1 of Plot 42 Estoire, Bloemfontein. The applicant appointed MDA Town & Regional Planners, Environmental & Development Consultants to undertake Environmental Impact Assessment process.

### 2. Information considered in making the decision

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

- a) The information contained in the Section 24G Report completed by MDA Town & Regional Planners, Environmental & Development Consultants and the accompanying EMPr.
- b) Mitigation measures as proposed in the Section 24G Report and the EMPr.
- c) The objectives and requirements of relevant legislation, policies and guidelines and Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).
- d) The findings of the site visit were undertaken by Mr. S. Seekoei from the Department of Economic, Small Business Development, Tourism and Environment Affairs.

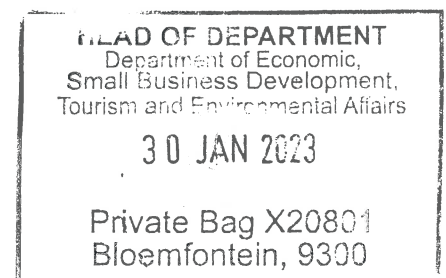
### 3. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. Factors considered in making the decision are the following:

- a) Stormwater management
- b) Access road

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## 4. Findings

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

- The need for the development has been identified.
- All legal and procedural requirements have been met.
- The disturbance of the natural soil structure will be prevented and excavations planned carefully. The moving of heavy machinery into areas unnecessarily will be avoided.
- All hazardous substances and stocks such as diesel, oils and detergents must be stored per requirements of the NEM: Waste Act and the National Water Act.
- According to the independent EAP, the information contained in the Section 24 Report is deemed accurate and reliable.
- The principles of NEMA can largely be upheld.
- Adequate process in line with law and legislation for public participation process was undertaken and the EAP has met the minimum requirements as prescribed in the EIA regulations, 2014.
- No significant environmental degradation will result directly from the activities applied for and authorised activities in this EA if the Environmental Management Programme (EMPr) and proposed mitigation measures in the Section 24 Report which form part of this EA are implemented and monitored accordingly.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potential detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels, therefore the application is accordingly granted.

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