



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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DFFE Reference: 14/12/16/3/2/105

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Dear Ms Müller

REQUEST FOR ADDITIONAL INFORMATION: APPLICATION IN TERMS OF SECTIONS 24G OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (107 OF 1998 AS AMENDED): FOR THE UNLAWFUL COMMENCEMENT OF ACTIVITIES REQUIRING AN ENVIRONMENTAL AUTHORISATION FOR THE INSTALLATION OF BULK FUEL STORAGE AT TELKOM PARK, 61 OAK AVENUE, HIGHVELD, CENTURION, CITY OF TSHWANE MUNICIPALITY, GAUTENG PROVINCE

The application form for unlawful commencement of activities requiring environmental authorisation (EA) in terms of Section 24G of the National Environmental Management Act (NEMA as amended) read with section 24(2)(a) and 24F 1(a) of the NEMA and draft S24G report received by this Department on 01 October 2024, the comments issued by this Department on 06 November 2024 and the draft S24G report received on 22 September 2025 refer.

Listed activities in terms of ECA

Schedule 1 (c)

The Construction or Upgrading of:

c. Transportation routes and structures, and manufacturing, storage, handling, or processing facilities for any substance which is considered as dangerous or hazardous and is controlled by national legislation.

In order for this Department to make an informed decision regarding the above application, you are required in terms of section 24G (1) of NEMA, as amended, to submit the following additional information and the final S24G Report to the Department:



Batho pele- putting people first

The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

A. Additional information containing the following:

- In our comments letter dated 06 November 2024, you were advised to provide a summary of the findings and recommendations of any specialist report or report on a specialised process considering the receiving environment prior commencement of the illegal activity.
- Noting that there was no screening tool conducted, it remains unclear as to what was used to define the sensitivity of the current environment in relation to the historical environment during the time of the illegal development. This information must be clear in the final S24G Report.
- The report must give a detailed analysis of the state of the environment when the tanks were installed in 1999 and 2004 versus the current state post tank installation. This information must quantify the cumulative impacts of the illegally commenced development.
- A detailed description of the scope of the development, including the extent thereof, must be indicated on a map and according to scale.
- The recommendations on page 11 of the Ground Water Monitoring Report dated December 2024, states that *"ideally sampling should be carried out much earlier in the year and typically during the wetter parts of the year in June to August to enable sampling and adequate water in the monitoring wells."* The results for 2025 sampling during the relevant season must be included in the final S24G Report.
- It has been noted on page 2 of 14 of the Baseline Report that *"the area is classed as a dolomite area which means all underground piping systems to be sleeved. None of the underground piping adheres to the prescribed dolomite management requirement as agreed with the local authority."* Considering that the existing infrastructure will be removed once the new infrastructure is in operation, please provide details on how the impacts i.e., geohydrology impacts will be management to prevent continuous contamination of the geology and hydrology of the area.
- The diesel tank placement layout is noted; however, you are required to include a layout map overlain with sensitivity/ies that shows the site and each illegal activity and transgression point.

B. An Environmental Management Programme

- The EMPr submitted makes reference to the proposed tanks. You are reminded that the information regarding the planned tank will be addressed in a separate application. It is also noted on page 2 of 14 of the Baseline Report that *"the system has reached it's end of its mean expected life and reliability will become more onerous to maintain and ensure reliability"*, hence the illegal commenced tanks will need to be decommissioned, however, that information is not clear in the report. As such the EMPr to be submitted must detail the following:
 - the person who prepared the environmental management programme.
 - the expertise of the person who prepared the environmental management programme.
 - information on any proposed management or mitigation measures that will be taken to address the environmental impacts that have been identified, including environmental impacts or objectives in respect of—
 - ✓ planning and design.
 - ✓ pre-construction and construction activities.
 - ✓ operation or undertaking of the activity.
 - ✓ rehabilitation of the environment; and
 - ✓ closure.
 - an identification of the persons who will be responsible for the implementation of the mitigation measures as above.
 - a detailed description of the aspects of the activity that are covered by the draft environmental management programme.

- proposed mechanisms for monitoring compliance with and performance assessment against the environmental management programme and reporting thereon.
- as far as is reasonably practicable, measures to rehabilitate the environment affected by the undertaking of any listed activity or specified activity to its natural or predetermined state or to a land use which conforms to the generally accepted principle of sustainable development, including, where appropriate, concurrent, or progressive rehabilitation measures.
- a description of the manner in which it intends to—
 - ✓ modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation.
 - ✓ remedy the cause of pollution or degradation and migration of pollutants.
 - ✓ comply with any prescribed environmental management, standards, or practices.
- time periods within which the measures contemplated in the environmental management programme must be implemented.
- the process for managing any environmental damage, pollution, pumping and treatment of extraneous water or ecological degradation as a result of undertaking a listed activity.
- an environmental awareness plan describing the manner in which—
 - ✓ the applicant intends to inform his or her employees of any environmental risk which may result from their work; and
 - ✓ risks must be dealt with to avoid pollution or the degradation of the environment.
- closure plans, including closure objectives.

C. Public Participation:

- The Public Participation Report submitted is noted. However, you are required to note that the additional information referred to in A. and B. above, is considered as significantly new information that was not contained in the reports consulted on during the initial public participation process. As such, the revised draft S24G report must be subject to another public participation process of at least 30 days.
- Please ensure that all issues raised and comments received during the circulation of the revised draft S24G report from registered Interested and Affected Parties (I&APs) and organs of state (including this Department's Air Quality and Biodiversity Sections, City of Tshwane Municipality, SAHRA), as listed in your I&APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the revised final S24G report.
- Proof of correspondence with the various stakeholders must be included in the revised final S24G report. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&APs' comments.
- Minutes and attendance registers (where applicable) of any physical/virtual meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the revised final S24G report.
- The EAP must ensure that the comments of interested and affected parties are recorded in reports and that such written comment, including records of meetings, are attached to the report referred to above.

Lastly, a motivation of why your application in terms of Section 24G of the National Environmental Management Amendment Act should be considered favourably, with specific reference to the site's environmental sensitivity, environmental management plans, proposed mitigation measures, off-set considerations and time frames associated with rehabilitation and mitigation.

The information requested above must be contained in an **individual report**. Please ensure that the report is complete and reflects the correct DFFE reference number: **14/12/16/3/2/105**

You will accordingly be informed of the amount of the fine once the above requested requirements and information have been complied with and submitted to this Department. Please note that all information required above, including proof of public participation and copies of objections/comments, must reach this Department **within four months** of signature of this letter. Should the Department not receive this information within the four-months period or at least receive a request for an extension of time within the four-months period, your section 24G file will be closed and there will be no further opportunity to rectify this unlawful activity.

Please note that activities which result in detrimental impacts to the environment are considered in a serious light by the Department and accordingly applicants must understand that lodging an application for rectification does not necessarily imply that the activity will be authorised. In terms of the NEMA, as amended, the Minister may either conditionally authorise the activity or issue a directive for the activity to cease and for the environment to be rehabilitated.

The information requested above must be submitted via the EIA Applications system.

Please note that the Department is more than willing to provide guidance in relation to this process. Please do not hesitate to call the official mentioned for enquiries should you have any questions in relation to the content of this letter.

Yours faithfully



Dr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Letter signed by: Ms Olivia Letlalo

Designation: Deputy Director: Prioritised Infrastructure Projects

Date: 20/10/2025

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