

## SECTION 24G ASSESSMENT (S24G)

**Residential 2 Erven 4311, 4312, 4314, 4135, 4547, 21 Residential 1 Erven and Public Open Space, Hunters Retreat (suburb of Ben Kamma), Nelson Mandela Bay Municipality**

**BACKGROUND INFORMATION DOCUMENT, APRIL 2026**



### INTRODUCTION AND BACKGROUND

During October 2023, a site inspection was undertaken by the Department of Economic Development, Environmental Affairs and Tourism's (DEDEAT's) Compliance and Enforcement (C&E) division to Erf 4314 Hunters Retreat<sup>1</sup> (suburb of Ben Kamma), Nelson Mandela Bay Municipality (NMBM). Subsequent to the site visit and during October 2023, the project applicant, Bridget Claire CC, ceased all construction activities on Erf 4314 and notified DEDEAT's C&E Division of the intention to voluntarily submit to a Section 24G in terms of the National Environmental Management Act (NEMA) (No. 107 of 1998, as amended) and the Section 24G Fine Regulations (2017) for *ex post facto* approval of activities commenced without receipt of an Environmental Authorisation.

Sandra Wren of Public Process Consultants has been appointed as the registered Environmental Assessment Practitioner (EAP) to manage the S24G process. The decision-making authority for the S24G Application is the Provincial Department of Economic Development, Environmental Affairs and Tourism (DEDEAT).

During **May 2004**, Remainder Erf 435 Hunters Retreat, measuring **~26.66 ha** in extent, was transferred to the project applicant, Bridget Claire CC. The purchase of the property was subject to subdivision of the Original Erf, which was subdivided and zoned by the NMBM on the **29 November 2004**, as follows:

**Table 1: Erf Zoning as of 29 November 2004**

Zoning	Hectares
Residential 1	5.52
Residential 2	11.65
Transportation 1	2.19
Public Open Space	6.83

In line with the zoning of the erven and during ~2004 to ~2023, the following was developed by the project applicant, without receipt of an Environmental Authorisation, and **measures ~12.22 ha in extent**:

- **Special Purposes** - Erf 4248 Hunters Retreat (Cell phone mast and building) – Bridget Claire CC was not the owner or developer at the time of construction but is proposing to regularize this activity through the S24G (Erf size ~923 m<sup>2</sup>/0.09ha)
- **Transportation 1** - Main Internal Municipal Roads and Bulk Services (2.20 ha)
- **Bulk Services Servitudes/Pedestrian Right of Access (3 x 6 m wide)** - (0.20 ha)
- **Residential 2** - Erf 4311 Hunters Retreat (Sandton Manor, 1.92 ha)
- **Residential 2** - Erf 4312 & 4135 Hunters Retreat (St Bridget, 1.86 ha)
- **Residential 2** - Erf 4547 Hunters Retreat (Notting Hill, 2.63 ha)
- **Residential 1** - Erf 4290 – 4304 Hunters Retreat (15 x erven, cleared and serviced, no top structures, 1.28 ha)
- **Residential 1** - Erf 4305 – 4310 Hunters Retreat (6 x erven, serviced with top structures, 0.49 ha)
- **Residential 2** - Erf 4314 Hunters Retreat – **partially developed** - (Saxon Ridge, 1.55 ha)

The scope of the S24G will also consider Erf 4317, measuring **~6.57 ha**, zoned Public Open Space during November 2004, and transferred to the **NMBM** in **March 2022**. This Erf has been and continues to be maintained by the project applicant.

### PROJECT LOCALITY

The erven forming part of the S24G are located in the suburb of Ben Kamma, NMBM, South of King Road and can be accessed by travelling West along Walker Drive and then South onto Sandton Road. The Residential 2 Erven can be located as follows:

<sup>1</sup> The erven forming part of the S24G are located in the suburb of Ben Kamma, NMBM, **however**, in terms of the Deeds Office, the erf numbers are registered as Hunters Retreat e.g. Erf 4314 Hunters Retreat and **not Ben Kamma**.

- Erf 4311 (Sandton Manor) is located southwest of the intersection of Claire Crescent and Sandton Road;
- Erf 4312 and 4135 (St Bridget) are located southeast of the intersection of Sandton and King Road;
- Erf 4547 (Notting Hill) is located southwest of the intersection of King and Sandton Road; and
- Erf 4314 (Saxon Ridge) is located South of King Road.

The 15 x Residential 1 Erven (4290 – 4304), serviced with no top structures are located North, East and West of Sandton Manor, along Claire Crescent. The 6 x Residential 1 Erven (4305 to 4310), serviced with top structures, are located adjacent to the lower southeastern section of Sandton Road. The locality map at the end of this document provides an overview of the location of the erven which form part of the S24G.

#### **THIS DOCUMENT PROVIDES YOU WITH THE FOLOWING**

- Background information on the Scope of the S24G.
- An overview of the S24G Process and Public Participation Process.
- How to register your interest on the database for the S24G and access information on the project website ([www.publicprocess.co.za](http://www.publicprocess.co.za)).
- Where to submit comments of concern to be addressed during the S24G process.

The sharing of information forms an important component of the Public Participation Process and provides you with the opportunity to become actively involved in the S24G process from the outset. Public Participation is an important component of the S24G process and together with retrospective scientific input received through specialist assessments, assists the Competent Authority, the Provincial Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), with their decision-making.

#### **HOW CAN I PARTICIPATE IN THE SECTION 24G PROCESS?**

The Public Participation Process (PPP) is being undertaken in line with the NEMA EIA Regulations 2014 (as amended) and as confirmed by DEDEAT on the 16 January 2026. The process will commence with the placement of a preliminary advertisement in one local newspaper for Interested and Affected Parties (I&APs) to register their interest on the database for this project as well as submit any comments. I&APS **MUST** register their interest on the database for this project to receive further information regarding the assessment process and opportunities to comment.

Information on the project will be made available on the project website [www.publicprocess.co.za](http://www.publicprocess.co.za). To register as an I&AP, complete the comment and registration form included with this correspondence or submit your contact details to the registered EAP indicated at the end of this document, providing your full name, address and contact details (email and contact number). **Should your contact details change at any stage of the assessment process you must notify the EAP, to ensure you continue to receive information on the S24G process.**

I&APs are entitled to comment on all reports and plans submitted as part of the PPP as well as raise any issues which may be of significance to the consideration of the application. I&APs are required to disclose any direct business, financial, personal or other interests which they may have in the approval or refusal of the application. Should you no longer want to receive information on the project, this must be indicated in writing.

#### **OVERVIEW OF ACTIVITIES FORMING PART OF THE SECTION 24G**

During May 2004, Remainder Erf 435 Hunters Retreat was transferred to Bridget Claire CC with approved zonings in place. In line with the rezoning, development was undertaken by the project applicant during **~October 2004 to October 2023** on approximately 12.22 ha, as follows:

- **Erf 4248 (Cell Phone Tower)**  
During **~November 1999**, Erf 4248 (erf size ~923 m<sup>2</sup>/ 0.09ha) was rezoned from Residential 2 to Special Purposes and a cellular phone mast and 25 m<sup>2</sup> building were constructed on the erf. *Bridget Claire CC was not the owner or developer at the time* but is proposing to regularise this activity through the S24G.
- **Transportation 1 and Bulk Services**  
During **~October 2004**, the project applicant commenced with the construction of the main internal municipal roads and bulk services (water, electricity, sewer and stormwater). The area set aside for these project components is 2.20 ha, zoned as Transportation 1. Bulk services were also installed in 3 x 6 meter wide service servitudes, located between Erf 4315 and 4314; Erf 4314 and 4313; as well as 4313 and 4312, measuring 0.20 ha. Bulk services connections were provided to all the Residential 1 and 2 erven.
- **Public Open Space**  
During **~November 2004**, Erf 4317, measuring **~6.57 ha**, was zoned Public Open Space and was transferred to the **NMBM** in **March 2022**. This Erf has been and continues to be maintained by the project applicant.

In addition and during **~November 2004**, Erf 4319 measuring **0.21 ha**, was zoned Public Open Space to be used as a stormwater detention pond and was transferred to the **NMBM** in **March 2022**. This Erf has been and continues to be maintained by the project applicant.

- **Erf 4311 (Sandton Manor)**

During **~November 2004**, construction commenced on Erf 4311 (Residential 2) measuring **1.92 ha** in extent with the clearing of the site for the installation of the internal roads and civil services (water, electricity, sewer and stormwater) including dwelling units.

During **~February 2006**, and prior to the commencement of construction on St Bridget (Erf 4312 and 4135), the NMBM instructed the project applicant to undertake a vegetation analysis of the area proposed for development (Vegetation Analysis and Report, 20 February 2006). The approval of the Site Development Plan (SDP) for St Bridget received on **1 September 2006** included approval by the NMBM's Environmental Services/Environmental Management for the Environmental Management Programme (EMP) for **ALL** the Residential 2 erven. The Vegetation Analysis and Report, undertaken in 2006, confirmed the findings of the Nelson Mandela Metropolitan Open Space System (NM MOSS) which identified *Critically Endangered* Baakens Forest Thicket Mosaic along an un-named tributary of the Baakens River. In line with the recommendations of the report, the Baakens Forest Thicket, within the **~6.57 ha** of Public Open Space, must be and has been excluded from any form of development.

- **Erf 4312 and 4135 (St Bridget)**

During **~August 2006**, construction commenced on Erf 4312 and 4135 (Residential 2), measuring **~1.86 ha** in extent, with the clearing of the site for the installation of internal roads and civil services (water, electricity, sewer and stormwater) including dwelling units.

- **Erf 4547 (Notting Hill)**

During **~September 2015**, construction commenced on Erf 4547 (Residential 2), measuring **~2.63 ha** in extent, with the clearing of the site for the installation of internal roads and civil services (water, electricity, sewer and stormwater) including dwelling units. Development occurred in a phased manner until 2023.

- **Erf 4314 (Saxon Ridge)**

During **~September 2022**, construction commenced on Erf 4314 (Residential 2), measuring **~1.55 ha** in extent, with the partial completion of the internal road, full installation of the civil services (water, electricity, sewer and stormwater), construction of a speculation house, services area and boundary wall with security. After a site visit by DEDEAT's Compliance and Enforcement Division on **4 October 2023**, the project applicant voluntarily ceased construction on **5 October 2023**, pending the decision of the S24G.

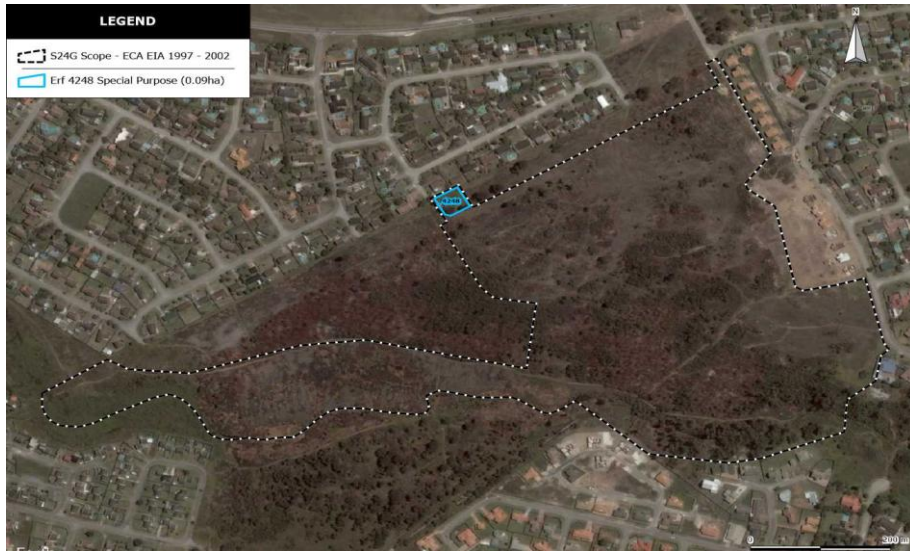
- **21 x Residential 1 erven – Erf 4290 to 4304 (x15) and Erf 4305 to 4310 (x6)**

During **~October 2004**, civil services (water, electricity and sanitation connections) were provided to all the Residential 1 Erven in parallel to the installation of the bulk services and construction of the main internal municipal road. These erven have been regularly maintained by the project applicant, with *inter alia* regular grass cutting, since the installation of services in 2004.

During **~April 2021**, construction commenced with the top structures (house, garage, access) for Erf 4305 to 4310. A **376 m<sup>2</sup> portion of Erf 4305** is classified as a Critical Biodiversity Area (CBA) in terms of the NMBM: Bioregional Plan (NMBM BP), 2014. The biodiversity status of Erf 4305 requires confirmation by the Terrestrial Biodiversity specialist through the S24G process. The total developed area measures **~0.49 ha**.

There are currently no top structures on Erf 4290 to 4304. In terms of the NEMA EIA Regulations 2014 (as amended) these erven are located within an urban edge between Notting Hill and Sandton Manor. In terms of the NMBM BP, 2014, nine (9) of the erven, **Erf 4290 to 4293** and **4300 to 4304**, have been identified as falling within a CBA. The biodiversity status of these erven requires confirmation by the Terrestrial Biodiversity specialist through the S24G process. The total development area measures **~1.28 ha**.

Maps 1 to 4 below provide an overview of development which has taken place on the site, in line with the relevant EIA Regulations applicable at the time of development, and in terms of Google Earth<sup>®</sup> Historical Imagery.



**Map 1:** ECA EIA Regulations 1997, Special Purposes (Erf 4248), cell phone tower and building, Google Earth® Imagery dated January 2004.



**Map 2:** ECA EIA Regulations, 1997 (as amended) to 2006, construction of the main internal municipal roads, installation of bulk services, construction of bulk services servitudes, Residential 1 civil services and construction of 2 x Residential 2 Erven, Erf 4311 Sandton Manor as well as Erf 4312 and 4135 St Bridget, Google Earth® Imagery dated October 2006.



**Map 3:** Development of Erf 4547 (Notting Hill) and associated civil services, Google Earth® Imagery dated November 2015.



**Map 4:** Partial development of Erf 4314 (Saxon Ridge) and construction of top structures on 5 x Residential 1 erven, Erf 4305 to 4310 during ~April 2021, Google Earth® Imagery dated May 2023.

## OVERVIEW OF LISTED ACTIVITIES TRIGGERED IN TERMS OF THE RELEVANT EIA REGULATIONS

In terms of NEMA (No. 107 of 1998, as amended), regulations have been published which list activities requiring an environmental assessment (Scoping and EIA or Basic Assessment) and receipt of a positive Environmental Authorisation prior to the commencement of any activities on the site. Failure to comply with the relevant Sections of NEMA and the EIA regulations is a contravention of these and other regulations. The project activities undertaken between 2004 to 2023 would have triggered listed activities in terms of the EIA Regulations listed below and outlined in the table.

- Listed activities published in GN R1182 on 5 September 1997 in terms of the Environmental Conservation Act, 1989;
- ECA EIA Regulations, 1997 (as amended), 10 May 2002 to 2 July 2006;
- Listed activities in GN R386 of the NEMA EIA Regulations, 2006, 3 July 2006 to 2 August 2010;
- Listed activities in GN R983 and 985 of the NEMA EIA Regulations, 2014; and
- Listed activities in GN R327 and 324 of the NEMA EIA Regulations, 2014 (as amended) on 7 April 2017

The Section 24G process will confirm which activities have commenced on the site to date without receipt of an Environmental Authorisation. The project applicant has *ceased* all activities and is voluntarily submitting to a S24G to apply for *post facto* approval in terms of NEMA and the Section 24G Fine Regulations (2017).

Table 2: Listed activities triggered in terms of the relevant EIA Regulations

<b>ECA EIA REGULATIONS 1997 — 08 SEPTEMBER 1997 to 09 MAY 2002</b>	
<b>Listed Activity/ies</b>	<b>Project Activities</b>
1. <i>The construction or upgrading of: (g) structures associated with communication networks, other than telecommunication lines and cables, as well as access roads leading to these structures;</i>	In ~1999, a cellular phone mast and 25 m <sup>2</sup> building, were constructed on Erf 4248. <u>Bridget Claire CC was not the owner or developer at the time</u> but is proposing to regularise this activity through the S24G.
<b>ECA EIA REGULATIONS 1997 (AS AMENDED) — 10 MAY 2002 TO 2 JULY 2006</b>	
<b>Listed Activity/ies</b>	<b>Project Activities</b>
1. <i>The construction, erection or upgrading of - (d) roads, railways, airfields and associated structures;</i>	In ~October 2004, construction commenced with the installation of the main internal municipal roads and installation of bulk services in the road reserve.
10. <i>The cultivation or any other use of virgin ground.</i>	In ~October 2004, construction commenced with the disturbance to virgin ground for the installation of the main internal municipal roads and installation of bulk services.
	Development activities between October 2004 to November 2005 included the disturbance of virgin ground for the installation of water and sanitation services on all the Residential 1 erven (Erf 4290 to 4304 and 4305 to 4310).
	In ~November 2004, construction commenced with the disturbance to virgin ground for the construction of top structures, internal roads and services on Erf 4311 (Sandton Manor), zoned Residential 2.
<b>NEMA EIA REGULATIONS 2006 — 3 JULY 2006 TO 1 AUGUST 2010</b>	
<b>Listed Activity/ies</b>	<b>Project Activities</b>
<b>GN R386</b>	
1. <i>The construction of facilities or infrastructure, including associated structures or infrastructure, for – (k) the bulk transportation of sewage and water, including storm water, in pipelines with - (i) an internal diameter of 0,36 metres or more; or (ii) a peak throughput of 120 litres per second or more;</i>	In ~August 2006, construction commenced on Erf 4312 and 4135 (St Bridget) which required the installation of stormwater pipes measuring 0.375 m to 0.450 m in diameter.

15. The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.	Portions of the internal road constructed for Erf 4312 and 4135 (St Bridget) are wider than 4 meters.
16. The transformation of undeveloped, vacant or derelict land to – (b) residential, mixed, retail, commercial, industrial or institutional use where such development does not constitute infill and where the total area to be transformed is bigger than 1 hectare.	The construction on Erf 4312 and 4135 (St Bridget), included the transformation of more than 1 ha of undeveloped land to Residential 2 use.
<b>NEMA EIA REGULATIONS 2014 — 8 DECEMBER 2014 TO 6 APRIL 2017</b>	
<b>Listed Activity/ies</b>	<b>Project Activities</b>
<b>Listing Notice 1: GN R983</b>	
27. The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where...	In ~September 2015, construction commenced on Erf 4547 (Notting Hill) with the clearance of more than 1 ha of indigenous vegetation.
<b>Listing Notice 3: GN R985</b>	
4. The development of a road wider than 4 metres with a reserve less than 13,5 metres. <b>(b) In Eastern Cape:</b> ii. Outside urban areas <sup>2</sup> , in: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;	Portions of the internal road on Erf 4547 (Notting Hill) are wider than 4 meters.  The Erf is located in the Eastern Cape, outside of an urban edge. A southwestern portion of Notting Hill, measuring ~7 700 m <sup>2</sup> in extent, falls within a Critical Biodiversity Area (CBA) in terms of the NMBM BP (2014). The entire Erf falls within an Aquatic CBA (ABLMC(2a)) in terms of the ECBCP (2007).
12. The clearance of an area of 300 square metres or more of indigenous vegetation except where ... <b>(a) In Eastern Cape:</b> ii. Within critical biodiversity areas identified in bioregional plans.	The construction on Erf 4547 (Notting Hill) required the clearance of more than 300 m <sup>2</sup> of indigenous vegetation.  The Erf is located in the Eastern Cape. A southwestern portion of Notting Hill, measuring ~7 700 m <sup>2</sup> in extent, falls within a Terrestrial CBA in terms of the NMBM BP (2014).  The applicability of this listed activity will be determined through the S24G process.
<b>NEMA EIA REGULATIONS 2014 (AS AMENDED) — 7 APRIL 2017 TO PRESENT</b>	
<b>Listed Activity/ies</b>	<b>Details</b>
<b>Listing Notice 1: GN R327</b>	
12. The development of — (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs — (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —	In ~September 2022, construction commenced on Erf 4314 (Saxon Ridge) with the boundary wall and installation of stormwater pipes. An un-named tributary of the Baakens River lies to the South of the Erf. The combined development footprint may exceed 100 square meters. This Erf is partially constructed with development ceasing in October 2023.  The applicability of this listed activity will be determined through the S24G process.

<sup>2</sup> "urban areas" means areas situated within the urban edge (as defined or adopted by the competent authority), or in instances where no urban edge or boundary has been defined or adopted, it refers to areas situated within the edge of built-up areas

<p>27. The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation,...</p>	<p>In ~September 2022, construction commenced on Erf 4314 (Saxon Ridge) which required the clearance of more than 1 ha of indigenous vegetation. While development on this Erf has ceased Google Earth® Imagery indicates the entire Erf, ~1.55 ha in extent, was cleared in ~May 2023.</p>
<p><b>Listing Notice 3: GN R324</b></p>	
<p>4. The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p><b>a. Eastern Cape</b></p> <p>i. Outside urban areas: (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>	<p>The clearing for the internal ring road on Erf 4314 (Saxon Ridge), measuring 4.5 meters wide, has been completed. A portion thereof, 50 meters, has been surfaced.</p> <p>This Erf is located in the Eastern Cape, outside of an urban area and in terms of the NMBM BP (2014), the Erf falls within a Terrestrial CBA and an Aquatic Ecosystem Support Area (ESA) in terms of the ECBCP (2019).</p>
<p>12. The clearance of an area of 300 square metres or more of indigenous vegetation except where ...</p> <p><b>a. Eastern Cape</b></p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p>	<p>In ~November 2021, construction on Erf 4305, zoned Residential 1, commenced with an access road, boundary wall and house. This Erf was previously cleared and serviced (water and sanitation) by the project applicant during 2004 – 2005 and was maintained with regular cutting.</p> <p>The construction on Erf 4305 required the clearance of more than 300 m<sup>2</sup> of indigenous vegetation. Erf 4305 is located in the Eastern Cape and in a Terrestrial CBA in terms of the NMBM BP (2014).</p> <p>The applicability of this listed activity will be determined through the S24G process.</p> <p>In ~September 2022, construction commenced on Erf 4314 (Saxon Ridge), with the clearing of the site, measuring ~1.55 ha in extent, and partial construction thereon, that is: boundary wall with security, internal road partially constructed; and speculation house, civil services and access completed.</p> <p>This Erf is located in the Eastern Cape in a Terrestrial CBA in terms of the NMBM BP (2014) and in Algoa Sandstone Fynbos, with a status of <i>Critically Endangered</i>, in terms of the National Spatial Biodiversity Assessment (NSBA) Red List of Ecosystems (2022).</p>
<p>14. The development of — (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p><b>a. Eastern Cape</b></p> <p>i. Outside urban areas: (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>	<p>In ~September 2022, construction commenced on Erf 4314 (Saxon Ridge) with the boundary wall and installation of stormwater pipes. An un-named tributary of the Baakens River lies to the South of the Erf. The combined development footprint may exceed 10 square meters. This Erf is partially constructed with development ceasing in October 2023.</p> <p>This Erf is located in the Eastern Cape, outside of an urban area and has been identified as a Terrestrial CBA in terms of the NMBM BP (2014) and an Aquatic ESA in terms of the ECBCP (2019).</p> <p>The applicability of this listed activity will be determined through the S24G process.</p>

A cautious approach has been adopted towards the identification of listed activities which would have required Environmental Authorisation in terms of the applicable EIA Regulations and will be confirmed through the S24G process.

Communities/Stakeholders who have an interest in the impact of the development on heritage resources are hereby specifically invited to provide comments on the **Heritage Impact Assessment (HIA)** which forms part of this NEMA process.

## OVERVIEW OF THE SECTION 24G PROCESS AND PUBLIC PARTICIPATION

During October 2023, DEDEAT's C&E division undertook a site visit to Erf 4314, after which the project applicant ceased all construction activities onsite and provided DEDEAT's C&E division with notification of the intention to voluntarily submit to a Section 24G process. The following provides a summary of the S24G Process, including Public Participation, forming part of the S24G:

- **Pre-Application Phase (Current Phase)**
  - Notice of intention to issue a Compliance Notice from DEDEAT's C&E division
  - Pre-Application Consultations with DEDEAT's Environmental Quality Management (EQM)
  - Notice to DEDEAT's C&E and EQM Divisions of the intention to submit a Section 24G Application and an outline of the proposed Public Participation Process for confirmation by DEDEAT
  - Specialist studies and retrospective assessment of impacts
  - Preliminary Advertisement for the S24G, Comment and Registration Period (30-days) **(WE ARE HERE)**
- **Application Form and Draft Section 24G Report**
  - Submission of Section 24G Application Form to DEDEAT C&E and EQM Divisions
  - Draft S24G Assessment Report Review and Comment Period (30-days)
- **Final Section 24G Report**
  - Submission of Final S24G Assessment Report to DEDEAT C&E and EQM Divisions
- **Decision Making and Appeal Period**
  - Notice to I&APs of the decision and appeal period

A S24G process requires the retrospective assessment of impacts which will commence during the Pre-Application Phase of the S24G. The following specialist studies are proposed to form part of the S24G:

- Terrestrial Biodiversity Impact Assessment
- Aquatic Biodiversity Impact Assessment
- Archaeological and Cultural Heritage Impact Assessment
- Palaeontological Impact Assessment
- Traffic Impact Assessment
- Civil Services Report
- Socio-Economic Impact Assessment
- Town Planning

### PHASE 1: PRE-APPLICATION PHASE (**CURRENT PHASE**)

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On the 4 October 2024 and 21 November 2025, and prior to the commencement of the S24G process, consultation took place with DEDEAT's EQM Division. Notice of intention to issue a Compliance Notice was received from DEDEAT's C&E Division on the 15 April 2025.

During December 2025, DEDEAT's C&E and EQM Divisions were notified of the intention to submit a Section 24G Application. This included an outline of the Public Participation Process proposed for the application, and confirmation thereof was received from DEDEAT's EQM division on the 16 January 2026.

### Preliminary Advertisement, Comment and Registration Period (30-days) **(WE ARE HERE)**

In line with the confirmation received from DEDEAT, I&APs are provided with a 30-day period within which to register on the database for the project and submit comments of concern. This notification will include a Background Information Document (BID) on the project, a Locality Map and Comment Form. An advertisement will be placed in one local newspaper and site notice boards will be placed at appropriate locations in relation to the erven under assessment. I&APs are required to register their interest on the project database and submit comments of concern within the 30-day comment and registration period provided, which extends from **7 April 2026 to 8 May 2026**. Comments submitted during this period will be included and responded to the Draft S24G Report. Specialist studies will commence in line with this phase of the S24G process.

### PHASE 2: APPLICATION FORM AND DRAFT SECTION 24G REPORT

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During this phase of the S24G process, the S24G Application Form will be compiled and submitted to DEDEAT's C&E and EQM Divisions.

### **Draft Section 24G Report Review (30-days)**

This phase of the process will entail the release of the Draft S24G Report for a 30-day comment and review period. All comments submitted by IA&Ps on the Draft Report will be included and responded to in the Final S24G Report for consideration for decision-making by DEDEAT.

Amongst others, the report will include a description of project activities undertaken, listed activities triggered, a retrospective assessment of impacts and mitigatory measures, need and desirability of the development as well as an overview of the public participation process for the S24G.

All registered I&APs on the project database will be notified via email, or in the manner best indicated for communication, of the opportunity to comment. In order to assist I&APs with their understanding of the project and to facilitate the receipt of comments for inclusion in the Final S24G Assessment Report, I&APs will be provided with an Executive Summary of the Draft S24G Report, as well as a Comment Form. Copies of the report will also be made available on the project website: [www.publicprocess.co.za](http://www.publicprocess.co.za).

### **PHASE 3: FINAL SECTION 24G REPORT**

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The Final S24G Report, including comments received during the Draft S24G Report review period, will be compiled for submission to DEDEAT, for their decision-making. Copies of the report will be made available on the project website: [www.publicprocess.co.za](http://www.publicprocess.co.za).

### **PHASE 4: DECISION MAKING AND APPEAL**

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The application is submitted to the decision-making authority for the determination of a fine. The applicant must, within 14 days of receipt of the determination of the quantum of the fine, provide all registered I&APs with access to the reasons and determination of the fine. After the payment of the fine, the Competent Authority will make a decision on the application. I&APs on the project database will be notified of the outcome of this decision and any appeal period.

### **WHAT IS YOUR ROLE AS AN I&AP?**

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Should you wish to register your interest in the project database or raise issues of concern, you are required to respond to this notification:

- By emailing a comment form to the consultant, indicated below, indicating your interest in the project and/or concern.
- Raise issues of concern for consideration in the assessment process and within the timeframes provided for commenting.
- By registering your interest in the project, you will be kept informed of the process and will be notified of any opportunities to comment.
- By reviewing the project information and submitting any comments/issues within the specified comment period.

***If at any stage your contact details change, it is essential you notify the EAP of such changes to continue receiving information regarding the S24G process.***

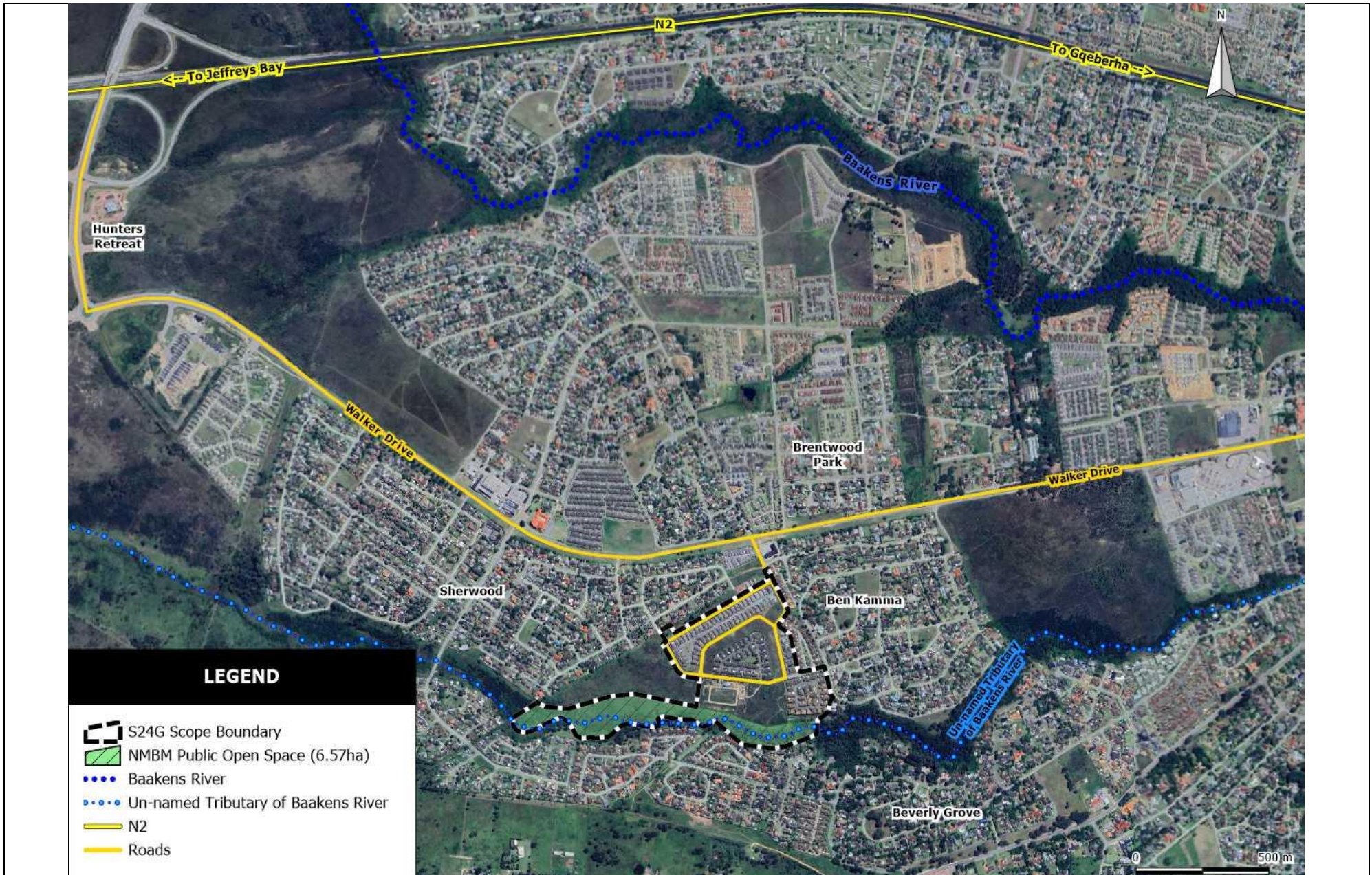
### **Compliance with the Protection of Personal Information Act 4 of 2013**

As required by Regulation 42 of the NEMA EIA Regulations, 2014 (as amended), and the National Appeals Regulations, 2025, as a registered I&AP, your contact information (e.g., name, phone number, email and postal address) will be placed on a database for the duration of the S24G process, which must be submitted to the Competent Authority, DEDEAT. Should you submit a comment during the S24G process, your full name, organisation and comment raised will be included in the reports released into the public domain. If you object to any of your contact information being released into the public domain, **such objection should be highlighted in bold as part of the comment submitted**. Should you not remove your name from the database, this will be viewed as consent to provide your contact information.

### **WHO SHOULD YOU CONTACT TO REGISTER YOUR INTEREST OR SUBMIT A COMMENT?**

Sandra Wren, Public Process Consultants, Phone: 041-374 8426 or Email: [sandy@publicprocess.co.za](mailto:sandy@publicprocess.co.za)

**Information on the project can be accessed from the project website: [www.publicprocess.co.za](http://www.publicprocess.co.za)**



**LEGEND**

-  S24G Scope Boundary
-  NMBM Public Open Space (6.57ha)
-  Baakens River
-  Un-named Tributary of Baakens River
-  N2
-  Roads

Locality Map of the area forming part of the S24G, Ben Kamma, in relation to the surrounding municipal road network, and an un-name tributary of the Baakens River, Nelson Mandela Bay Municipality



Locality Map of erven under assessment forming part of the S24G, Ben Kamma, Nelson Mandela Bay Municipality