

SECTION 24G ASSESSMENT (S24G)

Farm BET-EL No. 983, Humansdorp, Kouga Local Municipality

BACKGROUND INFORMATION DOCUMENT, AUGUST 2026



INTRODUCTION AND BACKGROUND

The project applicant, Mile Investments 291 (Pty) Ltd (Referred to as Mile Investments), is voluntarily submitting to a Section 24G Assessment in terms of the National Environmental Management Act (NEMA) (No. 107 of 1998, as amended) and the Section 24G Fine Regulations (2017) for the *ex post facto* approval of activities commenced without receipt of an Environmental Authorisation on Farm BET-EL No. 983 (Referred to as Farm 983), Humansdorp, Kouga Local Municipality.

On the 16 October 2024, 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 Farm 983, which was followed by a Notice of Intention to Issue a Compliance Notice in terms of NEMA (1998, as amended) in respect of activities commenced without receipt of an Environmental Authorisation. Mile Investments ceased activities on Farm 983 and notified DEDEAT's C&E Division of the intention to voluntarily submit to a Section 24G Assessment. This includes regularising activities undertaken by previous landowners.

During December 2021 and August 2023, Portion 2 of Farm No. 874 (~34.92 ha) and Farm Braklaagte No. 976 (~58.78 ha), was transferred in the Deeds Office from the previous landowners namely, Chan Té Mar Trust and Meander Trust, to Mile Investments, respectively. **Subsequently and during August 2023, the two farm portions were consolidated by the project applicant to form Farm BET-EL No. 983, measuring ~93.70 ha in extent and zoned Agriculture.**

Between ~April 2017 to ~May 2023, development activities commenced by the respective landowners, without receipt of an Environmental Authorisation, as follows:

- ~April 2017 to July 2020, ~10.8 ha (Previous Owner of Farm Braklaagte No. 976: **Meander Trust**)
- ~November 2018, ~16 ha (Previous Owner of Portion 2 of Farm No. 874: **Chan Té Mar Trust**)
- ~May 2022 to May 2023, ~9.7 ha (Project Applicant and current owner of Farm 983: **Mile Investments**)

A total of ~36.5 ha in extent has been developed by the respective landowners. 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).

PROJECT LOCALITY

Farm 983 is located ~11.5 km northeast of the town of Humansdorp, as the crow flies. The site can be accessed by travelling in a northerly direction along the R330 from the N2–Humansdorp interchange. The entrance to the site is approximately 10 km (as the crow flies) from the interchange on the western side of the R330. Honeyville Nature Reserve is located ~2.3 km southwest of the site. The locality map at the end of this document provides an overview of the location of the site and activities which form part of the S24G Assessment.

THIS DOCUMENT PROVIDES YOU WITH THE FOLLOWING

- 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).
- 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 two local newspapers and a site notice board 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. To register as an I&AP, complete the registration and comment 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 S24G application. Should you no longer want to receive information on the project, this must be indicated in writing.

OVERVIEW OF THE ACTIVITIES FORMING PART OF THE SECTION 24G

During December 2021 and August 2023, Portion 2 of Farm No. 874 (~34.92 ha) and Farm Braklaagte No. 976 (~58.78 ha), were transferred in the Deeds Office from the previous landowners namely, Chan Té Mar Trust and Meander Trust, to Mile Investments. **Subsequently and during August 2023, the two farm portions were consolidated by the project applicant to form Farm BET-EL No. 983, measuring ~93.70 ha in extent (referred to as Farm 983), which is zoned Agriculture.**

The project applicant is proposing to regularise their own as well as activities undertaken by the previous landowners, Chan Té Mar Trust and Meander Trust, through the S24G process. Based on a historical search of Google Earth®, a preliminary site visit, as well as consultation with the project applicant, the following activities have been identified on the site:

- Meander Trust (~10.8 ha between ~April 2017 to ~July 2020)
- Chan Té Mar Trust (~16 ha during ~November 2018)
- Mile Investments (~9.7 ha between ~May 2022 to ~May 2023)

The activities outlined below are subject to confirmation through detailed specialist assessments.

MEANDER TRUST (~10.8 ha between ~April 2017 to ~July 2020)

Between ~April 2017 to ~July 2020, a total of ~10.8 ha of indigenous vegetation was cleared by Meander Trust on the southern portion of the site as well as two northern portions of Farm 983 (at the time, Farm 976), green in Map 2. According to Historical Google Earth® imagery, the separate portions were cleared of indigenous vegetation as follows:

- **Area 1 – during ~April 2017, ~6.45 ha** of indigenous vegetation was cleared on a southern boundary of the site for game grazing and man-made dam/s were constructed. The level and extent of clearing will be determined through the assessment process.
- **Area 2 and 3 – during ~July 2020, ~4.35 ha** of indigenous vegetation was cleared on a northern boundary of the site. Approximately **1.65 ha (Area 2)** was provided with internal irrigation infrastructure and olive trees planted. This portion of the site is currently being actively farmed. The remaining cleared area of **~2.7 ha (Area 3)** was left to lie fallow by Meander Trust. During ~May 2023, after the purchase of the property, this previously cleared area was provided with irrigation infrastructure and planted with olive trees by Mile Investments and is currently being cultivated.

CHAN TÉ MAR TRUST (~16 ha during ~November 2018)

During ~November 2018, ~16 ha (**Area 4**) of indigenous vegetation was cleared on a western boundary of Farm 983 (at the time, Farm 874), yellow in Map 2. This portion of the site was provided with internal irrigation infrastructure; were planted and cultivated. Water was sourced for irrigation purposes from the existing borehole on the northern boundary of the site. The project applicant has removed the citrus trees and pending the outcome of the S24G proposes to utilise this area for cultivation.

According to a 2009 Orthophoto¹, as well as Historical Imagery in Google Earth® 2011, there is evidence of disturbance South of the vegetation clearing indicated above, however this disturbance appears to be limited to

¹ An orthophoto is a map-quality aerial photograph taken from a drone or plane that has been corrected to remove distortions, so everything appears in its true location and at the correct scale. This makes it possible to view and measure features on the ground accurately.

clearing a path for the wheel of a pivot and no blanket clearing of vegetation is evident. The nature of the disturbance covers ~3.5 ha on a southwestern portion of the site. Due to the time lapse in Google Earth®, there is no evidence of vegetation clearing. The applicability of this activity will be determined through the assessment process.

After the purchase of the property, during ~August 2023, the citrus trees planted by Chan Té Mar Trust were removed by Mile Investments. The area has subsequently been left to lie fallow, with partial vegetation regrowth taking place. The project applicant proposes to use this area for the cultivation of a variety of crops, pending the outcome of the S24G. The planting of this previously cultivated and cleared area is not anticipated to have trigger any listed activities in terms of the NEMA EIA Regulations.

MILE INVESTMENTS (~9.7 ha between ~May 2022 to ~May 2023)

Between ~May 2022 to ~May 2023, a total of ~9.7 ha of indigenous vegetation was cleared on Farm 983 by the current landowner and project applicant, Mile Investments, blue in Map 2. According to Historical Google Earth® imagery, portions of the site were cleared of indigenous vegetation for agricultural as well as agri-industrial activities, as follows:

- **Area 5 – during ~May 2022, ~3.65 ha** of indigenous vegetation was cleared on the northern boundary of the site, irrigation infrastructure was partially installed, shade clothe erected however no crops have been planted and the area is currently lying fallow. Pending the outcome of the S24G, the applicant proposes to install the remainder of the irrigation infrastructure and plant this area with olive or citrus trees.
- **Area 6 – during ~May 2023, ~0.9 ha** of indigenous vegetation was cleared in a central portion of the site for “logistical services”. This is an area commonly used for storage sheds, delivery and collection of products and offices. A shed, offices and a ground mounted 65 kW solar facility has been erected on this portion of the site.
- **Area 7 – during ~May 2023, ~1.2 ha** of indigenous vegetation was cleared on a northeastern portion of the site for a proposed Processing and Packing facility, considered an agri-industrial facility in terms of the NEMA EIA Regulations. The development of the facility is partially complete, with, amongst others, the following facility components installed/constructed: partial foundations for the processing and packing facility, construction laydown area, widening of the site access, internal vehicle tracks, water pipeline and wastewater treatment plant. Pending the outcome of the S24G, the applicant proposes to complete the various components of the Processing and Packing facility.
- **Area 8 – during ~May 2023, ~3.95 ha** of indigenous vegetation was cleared on a southwestern portion of the site. The area was partially serviced with an internal irrigation system and saffron and garlic were planted for cultivation. These crops have subsequently been harvested and the area is lying fallow with partial vegetation regrowth taking place. Pending the outcome of the S24G, the applicant proposes to complete the installation of the irrigation infrastructure to cultivate a variety of vegetables and spices such as saffron and garlic.

OVERVIEW OF LISTED ACTIVITIES TRIGGERED IN TERMS OF THE 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. Project activities undertaken between 2017 and 2023 would have triggered listed activities in terms of GN R327 and 324 of the NEMA EIA Regulations 2014, as amended.

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 *ex post facto* approval in terms of NEMA and the Section 24G Fine Regulations (2017).

Table 1: Listed activities triggered in terms of the EIA Regulations, 2014 (as amended)

NEMA EIA REGULATIONS 2014 (AS AMENDED) — 7 APRIL 2017 TO <u>PRESENT</u>	
Listing Notice 1: GN R327	Responsible Party and Project Activity
<i>8. The development and related operation of hatcheries and agri-industrial complexes outside of industrial complexes where the development footprint covers an area of 2000 square metres or more.</i>	Mile Investments Between May 2022 and May 2023, the construction of a Packing and Processing Facility, considered an agri-industrial facility, with a footprint that covers an area more than 2000 square metres.

9. The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water— (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more;	All Transgressors The length and diameter in meters of irrigation infrastructure installed by the respective landowners who are part of this S24G will be determined through the assessment process.
14. The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.	Mile Investments The required capacity for the storage of dangerous goods will be determined through the assessment process. This would be required for processing in the agri-industrial facility and potentially at the logistical services area, for the variety of fruit, spices and vegetables proposed for cultivation.
19. The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;	Meander Trust During April 2017, ~6.45 ha of indigenous vegetation was cleared on a southern boundary of the site in proximity to a wetland. Man-made dam/s were also constructed. The construction of the man-made dam/s may have required the dredging of more than 10 cubic meters of soil from a wetland. The applicability of this listed activity will be determined through the assessment process.
24. The development of a road— (ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding a road— (c) which is 1 kilometre or shorter.	Mile Investments Internal roads and an access road have been partially constructed for the agri-industrial facility, sections of which are wider than 8 meters. The length and width of internal roads will be determined through the assessment process. The applicability of this listed activity will be determined through the assessment process.
27. The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, ...	Meander Trust Between April 2017 and July 2020, Meander Trust cleared ~10.8 ha of indigenous vegetation.
	Chan Té Mar Trust During November 2018, Chan Té Mar Trust cleared ~16 ha of indigenous vegetation.
	Mile Investments Between May 2022 and May 2023, Mile Investments cleared ~9.7 ha of indigenous vegetation.
28. Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;	Mile Investments The area proposed for the agri-industrial Packing and Processing facility is zoned agriculture, is bigger than 1 hectare and is located outside of an urban area.

Listing Notice 3: GN R324	Responsible Party and Project Activity
2. The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres. a. Eastern Cape ii. Outside urban areas, in: (ff) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;	Mile Investments A water reservoir with a capacity to store in excess of 250 cubic metres was constructed on a central portion of the site. The site is in the Eastern Cape, outside of an urban area and within 2.3 km of the Honeyville Nature Reserve.
4. The development of a road wider than 4 metres with a reserve less than 13,5 metres. a. Eastern Cape i. Outside urban areas: (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas;	Mile Investments Internal roads and an access road have been partially constructed for the agri-industrial facility, sections of which are wider than 4 meters. The length and width of internal roads will be determined through the assessment process. The site is in the Eastern Cape, outside of an urban area and within 2.3 km of the Honeyville Nature Reserve.
10. The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres. a. Eastern Cape i. Outside urban areas: (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;	Mile Investments The required capacity for the storage of dangerous goods will be determined through the assessment process. This would be required for processing in the agri-industrial facility and potentially at the logistical services area, for the variety of fruit, spices and vegetables proposed for cultivation. The site is in the Eastern Cape, outside of an urban area and within 2.3 km of the Honeyville Nature Reserve. The applicability of this listed activity will be determined through the assessment process.
14. The development of— (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; a. Eastern Cape i. Outside urban areas: (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;	Meander Trust During April 2017, ~6.45 ha of indigenous vegetation was cleared on a southern boundary of the site and two man-made dam/s were constructed in proximity to a wetland. The site is in the Eastern Cape, outside of an urban area and within 2.3 km of the Honeyville Nature Reserve. The applicability of this listed activity will be determined through the assessment process.

A cautious approach has been adopted towards the identification of listed activities which would have required Environmental Authorisation and the applicability of the listed activities triggered by the respective landowners will be confirmed through the S24G process.

Stakeholders who have an interest in the impact of the development on heritage resources are hereby 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 2024, DEDEAT's C&E division undertook a site visit to Farm BET-EL No. 983, 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:

- **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
 - Appointment of Specialists and retrospective assessment of impacts
 - Preliminary Advertisement for the S24G, Registration and Comment Period (30-days) **(WE ARE HERE)**
- **Application Form and Draft Section 24G Report Phase**
 - Submission of Section 24G Application Form to DEDEAT's C&E and EQM Divisions
 - Draft S24G Assessment Report Review and Comment Period (30-days)
- **Final Section 24G Report Phase**
 - Submission of Final S24G Assessment Report to DEDEAT's C&E and EQM Divisions including comments from I&APs.
- **Decision Making and Appeal Phase**
 - 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. Amongst others, the report will include a description of project activities undertaken, listed activities triggered by the respective landowners, 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.

The following specialist studies are proposed to form part of the S24G:

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

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

The Notice of intention to issue a Compliance Notice was received from DEDEAT's C&E Division on 24 February 2025. On 13 May 2025 and 21 November 2025, and prior to the commencement of the S24G process Pre-application consultations took place with DEDEAT's EQM Division.

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 two local newspapers and a site notice board will be placed at the entrance to the site under assessment. I&APs are required to register their interest on the project database and submit comments of concern within the 30-day registration and comment period provided, which extends from **13 August 2026 to 11 September 2026**. Comments submitted during this period will be included and responded to in the Draft S24G Report. Specialist studies will commence in parallel with this phase of the assessment process.

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

Submission of Section 24G Application Form

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 I&APs on the Draft Report will be included and responded to in the Final S24G Report for consideration for decision-making by DEDEAT.

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.

PHASE 3: FINAL SECTION 24G REPORT PHASE

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.

PHASE 4: DECISION MAKING AND APPEAL PHASE

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?

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 to the consultant indicated below indicating your interest in the project and / or concern with your contact details (phone and email) or use the comment form attached.
- 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 this assessment process.

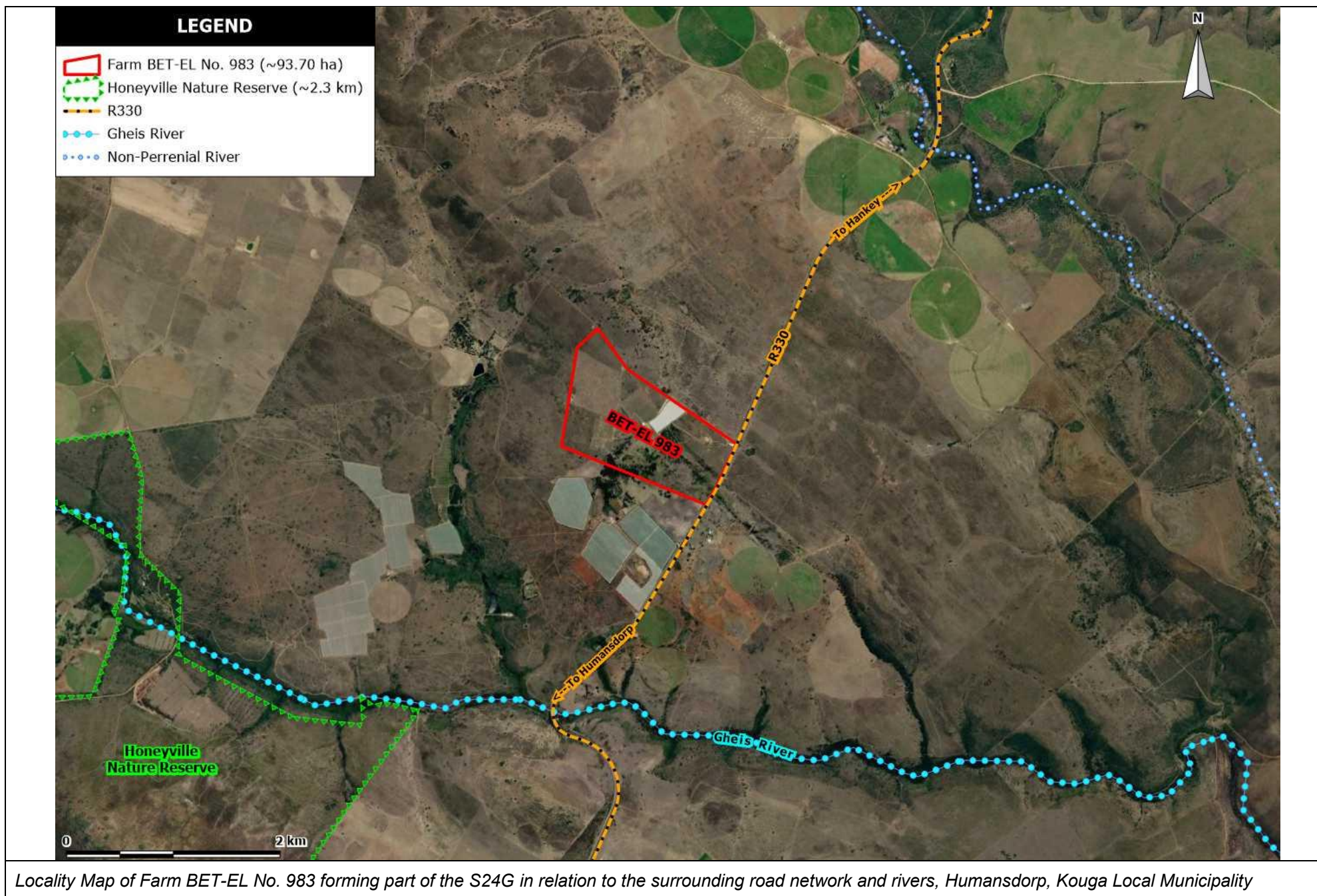
Compliance with the Protection of Personal Information Act 4 of 2013

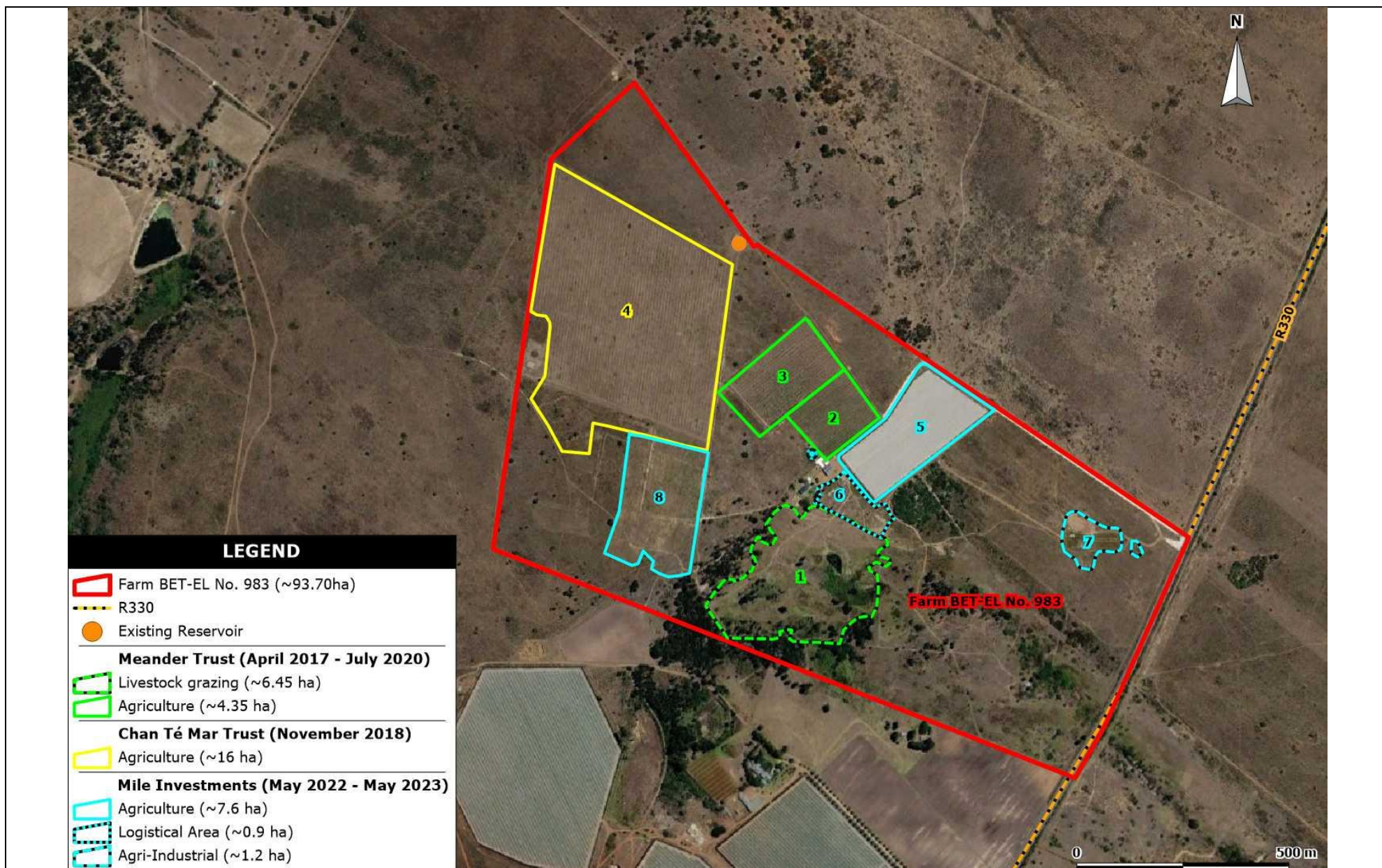
As required by Regulation 42 of the NEMA EIA Regulations, 2014 (as amended), and the National Appeals Regulations, 2025, as a registered I&AP, your contact information (e.g., name, phone number, email and postal address) will be placed on a database for the duration of the S24G process, which must be 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

Information on the project can be accessed from the project website: www.publicprocess.co.za





Locality Map indicating activities undertaken by the respective landowners which are included in the S24G application. Agriculture refers to the clearance of indigenous vegetation for agricultural purposes.