



forestry, fisheries & the environment

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

Demar Centre, Main Road, Knysna, WC, Contact Number: 066 374 7795
Enquiries: TF Gwala, E-mail: TGwala@dfpe.gov.za

EIA-WC-GR-0007-2025-26

RE: COMMENT ON REVISED BASIC ASSESSMENT REPORT FOR PORTION 91 OF FARM MATJES FONTEIN 304, KEURBOOMSTRAND, PLETTENBERG BAY

DATE: 28 July 2025

ECO Route
Attention: J. Marshall
Email: joclyn@ecoroute.co.za
Cell/ Tel: 0721266393

Dear Sir/ Madam

I refer to your e-mail notification of 24 July 2025.

Please receive comments from the Branch: Forestry Management, Directorate: Forest Resource Protection in the Department of Forestry, Fisheries and the Environment (DFPE) on the above-mentioned proposed dwelling application as well as access road. Site inspection was conducted 24 July 2025.

The mandate of the Forestry Branch in the Department of Forestry, Fisheries and the Environment (DFPE), as a commenting authority, is to ensure control over developments that affect State forests, natural forests, forest nature reserves and protected trees.

1. The applicant must assess and quantify the anticipated impacts on the indigenous forests. The National Forests Act of 1998 (as amended) provides the strongest and most comprehensive legislation and mandate for the protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that "...natural forests may not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits".

2. Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license. Under section 62 (1) of the NFA any person who contravenes the prohibition of certain acts in relation to trees in natural forests referred to in Section 7 (1) is guilty of a second category offence. A person who is guilty of a second category offence may be sentenced on a first conviction for that offence to a fine or imprisonment for a period of up to two years, or to both a fine and such imprisonment. Section 15 of the NFA, prohibits the destruction of protected trees without a license- "No person may cut, damage, destroy or remove any protected tree; or collect, remove, transport, export, purchase, sell donate or in any other manner acquire or dispose of any protected tree....." Anyone contravening this prohibition, is guilty of a first category offence, and can be sentenced to up to 3 years imprisonment, or a fine, or both.



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.

3. Section 7 of the Act prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act, some of which are also forest species.

4. Cutting or disturbing an indigenous tree in a natural forest without a valid Forest Act Licence is a criminal offence and a transgression of the National Forests Act, 1998 (Act No. 84 of 1998) and carries a fine or imprisonment or both.

5. Indigenous trees with active bird nests or other significant biodiversity features may not be destroyed without a valid Fauna Permit from the provincial conservation authority, the Western Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform ("DAERL"), if these would be affected.

DDFE studied the supporting documents for the above-mentioned Revised Basic Assessment Report and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable

6. According to the information provided the property: "the property was used as a horse-riding centre in the past, and is directly opposite the Milkwood Glen Residential Complex along Keurboomstrand Road MR395; the site access will be off Keurboomstrand Road MR395; this development aims to create affordable and sustainable housing product specifically targeting the middle-income group; the proposed development includes 60 single residential house stands with average erf sizes of $\pm 500\text{m}^2$; the 60 residential erven are approximately $29\,471\text{m}^2$ in total, with the internal road network of approximately $12\,013\text{m}^2$ making a total permanent disturbance footprint of $41\,484\text{m}^2$. The communal open space II area within the development will be approximately $9\,642\text{m}^2$ of landscaped gardens and stormwater infiltration ponds systems; The property is 14.7ha in total size; proposed main road reserves are 12m wide- and all proposed secondary Streets measure 10m in width; the proposed open space system is made up of $9\,642\text{m}^2$ within the development footprint and $83\,512\text{m}^2$ of the remaining area- the open space areas within the development will be zoned as Open Space II and correspond to the position of indigenous vegetation, forest, and milkwood trees- the remaining undeveloped $83\,512\text{m}^2$ (indigenous forest area) will be zoned as Open Space III and will be managed as a conservation area in accordance with a Conservation Management Plan- the conservation area also incorporates an ecological corridor for wildlife movement and the historical fountain- the ecological corridor will run between the west and east boundary of the property along the foot of the slope and creates a buffer zone of 20 meters between the development and the forest area"; the back (north) of the property consists of pristine indigenous forest which has a very steep south facing slope, this area is a no-go area and will not be developed; the 20m forest ecotone (corridor) at the foot of the slope will be restored as such, where alien clearing will be conducted- and the area will be rehabilitated with endemic indigenous species; the proposed development will only be focused within the grass area towards the south of the property- only one protected Milkwood tree (situated more towards south-western quadrant) will fall within the footprint of the proposed services- but will be transplanted



Forestry has the following comments:

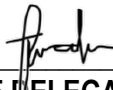
- i. Forestry has a co-operative governance relationship with various Authorities as well as stakeholders, and thus will take their concerns into consideration if such should arise

- ii. Forestry has no objection to above development proposal, provided that:
 - 1. The development footprint remains within the grass area
 - 2. The indigenous forest area at the back of the property to remain intact (as reported) and should be indicated as a no-go area- and greenbelt
 - 3. The 20m buffer zone at the foot of the slope be restored and rehabilitated into a forest ecotone area
- iii. Kindly note that this letter is not a NFA licence
- iv. Section 15 of the National Forest Act (NFA) (Act No. 84 of 1998) as amended prohibits the cutting, disturbing, damaging or destroying of protected tree species without a licence. Section 7 of the National Forest Act (NFA), act no 84 of 1998 as amended provides for the prohibition of the destruction of indigenous trees in any natural forest without a license.

Note: The Department reserves the right to revise the initial comment based on any additional information that may be received

Should you wish to correspond further on this matter, quote Reference EIA-WC-GR-0007-2025-26. Enquiries may be directed to Ms. TF Gwala at TGwala@dffe.gov.za, Cell 066 374 7795.

Yours Faithfully,



SIGNATURE OF DELEGATED AUTHORITY
Department of Forestry, Fisheries and the Environment
Letter signed by: Ms. TF Gwala
Designation: Deputy Director Forest Resource Protection
Branch: Forestry Management

