



## 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-0034-2025-26

**RE: COMMENT ON PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT (BAR) FOR A PORTION OF ERF 1180, KEURBOOMSTRAND**

**DATE: 10 December 2025**

Eco Route  
Attention: Ms. Samantha Teeluchdari  
Email: samantha@ecoroute.co.za  
Cell/ Tel: -

**Dear Sir/ Madam**

I refer to your e-mail notification of 17 November 2025 with documents.

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 pre-application Draft BAR. Site inspection still to be conducted.

**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.

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.



**Batho pele** - putting people first

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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.

**DFFE studied the supporting documents for the above-mentioned pre-application Draft BAR and the following points related to Forestry's mandate i.e. the implementation of the NFA are applicable**

6. According to the information provided: "According to the report: The proposal is to develop 2x group dwelling units on the eastern portion (referred to as "Erf 1180") of Erf 1236. Approximately 2000m<sup>2</sup> of the 5 000m<sup>2</sup> subject site is earmarked for development. The property remains vacant and untransformed. The preferred development proposal entails the construction of two (2) double-storey residential units with double garage and a shared swimming pool."

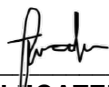
Forestry has the following comments:

- 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 request the following:
  1. That a site inspection be conducted together with Consultant in order to determine whether Forestry's mandate is affected or not
  2. 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.
- 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-0034-2025-26. 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**

