



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@dff.e.gov.za

EIA-WC-GR-0032-2025-26

RE: COMMENT ON DRAFT BASIC ASSESSMENT REPORT (BAR) FOR DIVISION ROAD (DR) 1791 KM 1.59, STOFPAD ROAD, CROSSING FARM 501 AND FARM 306 ON PORTION 22 WITTEDRIFT, BITOU LOCAL MUNICIPALITY, GARDEN ROUTE DISTRICT

DATE: 1 December 2025

Sharples Environmental
Attention: Mrs. Gossman
Email: jessica@sescc.net
Cell/ Tel: 021-554 5195

Dear Sir/ Madam

I refer to your e-mail notification of 18 November 2025 with outstanding documents.

Please receive comments from the Branch: Forestry Management, Directorate: Forest Resource Protection in the Department of Forestry, Fisheries and the Environment (DFFE) on the above-mentioned proposed Draft BAR. Site inspection was conducted 21 November 2025.

The mandate of the Forestry Branch in the Department of Forestry, Fisheries and the Environment (DFFE), 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.



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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.

DFFE studied the supporting documents for the above-mentioned 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: The Western Cape Government undertook a flood damage repair programme, of which this project forms part of. The severe flood event in November 2021, caused widespread damage to road and drainage infrastructure in the Garden Route region. The existing causeway, approximately 20 m long \times 6.1 m wide- is permanently submerged and has suffered significant damage to its unreinforced concrete deck slab. "It is proposed to demolish the existing structure and construct a new in situ reinforced concrete causeway with three cells measuring approximately 4 m wide \times 1.5 m high, providing a 4 m road width between guide blocks. The road approaches on both sides will be raised by approximately 1.4 m over lengths of \pm 100 m to tie into the new causeway deck height. Associated works will include new inlet and outlet structures with wing walls, an apron slab, and erosion protection as required. In order to maintain traffic flow during construction, a temporary deviation road will be installed on the downstream or upstream side of the existing road, depending on the conditions at the time of construction. This temporary deviation road will be approximately 4m wide, with a working area of approx. 3 meters between the permanent structure and the temporary deviation road. The temporary deviation road alignment will require clearance of indigenous vegetation and work within the watercourse, with the total working area outside of the road reserve downstream being approximately 561.71 m², and the total construction area upstream approximately 514.5 m² outside of the road reserve." The area is disturbed consisting mainly of invasive species such as Black Wattle, Bugweed, Lantana with single standing pioneer Indigenous species such as Taaibos, Bos Taaibos, Sage, Bietou and Cross-Berry scattered inbetween- a single standing Milkwood tree falls within the north-western quadrant of the proposed construction area.



Forestry has the following comments:

- 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
- Forestry has no objection to above development proposal, provided that:
 - The Protected Milkwood tree falling outside the footprint construction area to be GPS'd indicated as no-go areas in proposed development
 - Due to the sensitivity of the site, Forestry recommends that a qualified, knowledgeable and experienced Environmental Consultant be appointed as ECO for full duration of above project
 - Forestry request seedling rescuing of protected/ indigenous woody tree species be conducted prior to any construction activities (but a NFA licence should be obtained prior to this activity). Forestry request that rescued

indigenous/ protected seedlings be planted on above property for rehabilitation purposes.

4. Forestry request that a rehabilitation plan be drawn up by a qualified, knowledgeable and experienced professional
5. Forestry request that a professional, qualified and knowledgeable Horticulturist be appointed for the above. But a NFA licence should be obtained prior to this activity.
6. 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-0032-2025-26. Enquiries may be directed to Ms. TF Gwala at TGwala@dfpe.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

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