



Cape Eaprac

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COMMENTS ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT (BAR) FOR PROPOSED PLETT LAGOON ESTATE ON REMAINDER OF ERF 6503, PLETTENBERG BAY:

- 1 Forestry is responsible for the implementation and the enforcement of the National Forest Act (NFA), Act 84 of 1998 as amended and the National Veld and Forest Fire Act, Act 101 of 1998 as amended (NVFFA).
- 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. Under Section 7 of the NFA the whole forest ecosystem is protected and not just the indigenous/ protected trees within the forest. "Forest" is defined in the NFA to include i.a. "a natural forest... and the ecosystems which it makes up", thereby including all components of the forest, not only the trees." 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.
- 3 According to the report: the whole development is proposed on the western portion of the property on historically disturbed grasslands that was used for grazing; the eastern portion along the Keurbooms Estuary consisting of Coastal Forest will remain undisturbed/ intact and should be indicated as a no-go area
- 4 According to the report: "The proposed development entails the following: Five (5) x General residential erven (Residential Zone II), consisting of thirty-eight (38) apartments in total. (General apartments and retirement units); Twenty-eight (28) x Group housing erven (Residential Zone II); Nine (9) x Single residential erven (Residential Zone I); Sixteen (16) x Garage units in the north-western corner of the single residential portion; Clubhouse to cater for the needs of the residents; Entrance gate/road access with security and fencing. Access will be approximately 18m wide (four lanes to allow for visitors and residents at point of entry); Internal access roads between plots and apartments (Transport Zone III; up to 5.5m wide brick paved roads); Fourteen (14) x Open Space Zone II erven (~0.6985ha); One (1) x Open Space Zone III erf (~10.5784ha) making up the bulk of the untransformed,



- 5 Forestry conclude/ request the following:
 - a. Forestry request that should protected Milkwood and Cheesewood trees occur within the western part of the property it should be GPS'd and incorporated within the proposed development design as no-go areas
 - b. Forestry supports that the eastern portion of the property be conserved (remain undisturbed) and request that this portion be indicated as a green belt and a no-go area for all future development proposals
 - c. Forestry request that individual units be forwarded to the Department for further comment in order to ensure the protection of protected trees as well as indigenous forest- should Forestry's mandate under the NFA be affected
 - d. Kindly note that this letter is not a NFA licence. Continuing above activity without a valid NFA licence is illegal and a criminal offence under the NFA.
- 6 Forestry reserves the right to revise initial comment based on any additional information that may be received.

Yours Faithfully

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