



**Cape Eaprac**

**Attention:** E. Kruger

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**COMMENTS ON THE PRE-APPLICATION DRAFT BASIC ASSESSMENT REPORT (BAR) FOR PROPOSED DWARSWEGSTRAND HOLIDAY RESORT ON ERF 720, MOSSIRON ROAD, DWARSWEG STRAND, MOSSEL 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 licence. 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: Remnants of coastal forest patches consisting of indigenous trees such as Candlewood as well as protected Milkwood and Cheesewood trees occur on the northern part of the property- invasive alien species such as *Acacia cyclops* (Rooikrantz) are also evident- the northern part of property also consists of more disturbed patched areas consisting mostly of grasses; the northern part has a more flatter terrain; the southern portion of property consists of Milkwood forest with large Milkwood trees and will be conserved, remain undeveloped and indicated as no-go areas; the southern portion of property has a very steep south-facing drop towards valley; a 10m buffer will be left between the northern area and the no-go southern area; the property has very sandy soils
- 4 "The proposed development includes the following (Figure 9): Eight (8) x Duette holiday units (13.53m x 5.9m = 79.82m<sup>2</sup>, plus stoep of 9m x 2m = 18m<sup>2</sup>), thus 98.82m<sup>2</sup> per unit = 790.56m<sup>2</sup>; combined; single storey, maximum roof height 5.3m; • Ten (10) x Two-bedroom holiday units (7.5m x 6.9m = 51.75m<sup>2</sup>, plus stoep of 4.35 x 2.5 = 10.87m<sup>2</sup>), thus 62.62m<sup>2</sup> per unit = 626.2m<sup>2</sup> combined; single storey, maximum roof height 4.1m; Conference room with lapa building and ablution facilities with maximum roof height of 5.85m (+/- 20m x 20m = 400m<sup>2</sup>); Pool; Entrance gate and gatehouse (entrance from H.C. Botha Street); Waste enclosure and shelter; Holding/Conservancy tank; Internal roads (3.2m – 5.2m wide over approximately 212m) with parking areas will be constructed with eco-blocks and topsoil (approximately 1 422m<sup>2</sup>). This will allow grass to grow and be in line with the low impact concept; Paved walkway in H.C. Botha Street Road Reserve (1.5m wide and approximately 152m long); Fence (1.8m high ClearVu) along existing tarred road boundaries (Morrison Road and H.C.Botha Street) over a distance of approximately 570m (to be rehabilitated once installed); No fencing along the southern boundary of proposed development footprint that opens to the remaining private open space areas."



- 5 Forestry conclude/ request the following:
  - a. Forestry's previous comments for the land-use application were taken into consideration in this report- where the remnants of coastal forest patches consisting of indigenous trees such as Candlewood as well as protected Milkwood and Cheesewood trees occurring within the northern part of the property were GPS'd and incorporated within the proposed development design as no-go areas
  - b. Forestry supports that the southern 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
  - 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