



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-0023-2026-27

RE: COMMENT ON ENVIRONMENTAL IMPACT REPORT (EIR) FOR AMENDMENT OF A PORTION OF THE APPROVED PIPELINE ROUTE BETWEEN SONSKYNVALLEI AND BRANDWACHT (PASS WITHIN THE ROAD RESERVE OF DR 1582, THROUGH AN AGRICULTURAL FIELD TO JOIN THE PIPELINE IN THE R328), MOSSEL BAY

DATE: 6 July 2026

Hilland
Attention: Mr. S. Delport
Email: environmental@hilland.co.za
Cell/ Tel: -

Dear Sir/ Madam

I refer to your e-mail notification of 30 June 2026 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 Draft EIR.

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.



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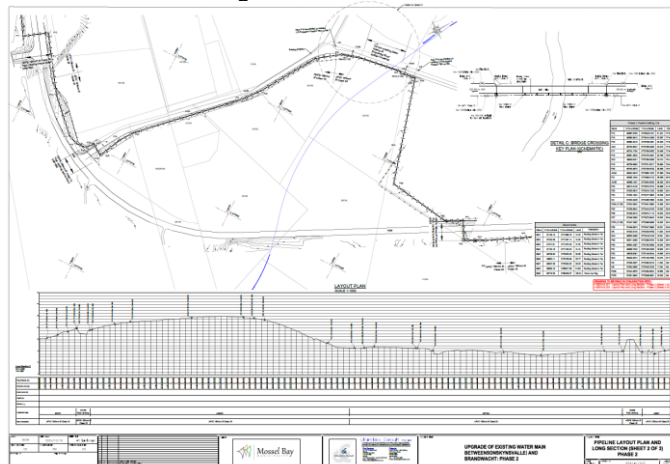
3. Section 7 of the Act prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act, some of which are also forest species.

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.

DDFE studied the supporting documents for the above-mentioned Draft EIR 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: "An Environmental Authorisation (EA)-16/3/3/1/D6/29/0002/23 - issued 16 August 2023 is in place for upgrading and construction of the pipeline between Hartenbos Kop Reservoir to Brandwacht Reservoir. A section of the pipeline has already been installed and during the construction phase the Mossel Bay Municipality decided to change a portion of the pipeline route due to a disagreement with one landowner (unrelated to the pipeline). The change in route requires an amendment to the environmental approval. Due to this the Phase 2 Section of the pipeline will require the registration of a new servitude that will lead adjacent to the R328, pass within the road reserve of DR 1582, through an agricultural field to join the pipeline in the R328 road servitude up to the Valley View Reservoir. The total extent of the Phase 1 upgrade is approximately 7.3km and the phase 2 new pipeline is approximately 2,15km. The total extent of the proposed pipeline upgrade is approximately 9.45km. The proposed site is located to the north-west of Hartenbos within the Mossel Bay Municipal Area. The pipeline runs adjacent to the R328, pass within the road reserve of DR 1582, through an agricultural field to join the pipeline in the R328 road to Brandwacht, crossing under the road a number of times. The largest river in the area is the Brandwag Rivier that flows adjacent to the R328 and then crosses underneath the road. The pipeline traverses numerous properties of cultivated lands adjacent to the fence which borders the road reserve. Some small areas contain indigenous vegetation, with the largest area being located at the reservoir at Brandwacht. The report also indicate that the previous said area- is mapped as supporting Critically Endangered Garden Route Granite Fynbos – there is no fynbos along the proposed amendment route – the area is transformed road reserve, lawn and grazing pasture through Brandwacht." Protected trees/ coastal forest might occur on this route.



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. Forestry requests that protected trees be rescued and transplanted (where possible) and an offset should be looked into.

2. Forestry should be contacted timeously to apply for a Section 7/ Section 15 licence under the NFA should removal be required. Forestry may only issue such a licence with conditions under the NFA for the pruning of protected/ indigenous trees overhanging/ falling within the footprint of the proposed development, once layout is approved, EA is approved as well as all Municipal prescriptions are met. Applicant to comply with all Environmental Laws as well as Municipal prescriptions
- 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-0023-2026-27. 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

