

**DEA&DP REFERENCE:** 16/3/3/6/7/1/C1/6/0206/22  
**DATE OF ISSUE:** 03 NOVEMBER 2022

THE CHIEF DIRECTOR  
INTEGRATED ENVIRONMENTAL AUTHORISATIONS  
DEPARTMENT OF FISHERIES, FORESTRY AND THE ENVIRONMENT  
Private Bag X447  
**PRETORIA**  
0001

Attention: Ms. M. Solomons

E-mail: msolomons@dffe.gov.za  
Tel: 012 399 9382

Dear Madam,

**AGREEMENT IN TERMS OF SECTION 24C(3) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) TO CONSIDER AN APPLICATION FOR THE PROPOSED DEVELOPMENT OF AN ACCESS ROAD AND INFRASTRUCTURE ASSOCIATED WITH THE APPROVED WITBERG WIND FARM, NEAR MATJIESFONTEIN WITHIN THE LAINGSBURG LOCAL MUNICIPALITY AND THE CENTRAL KAROO DISTRICT MUNICIPALITY, WESTERN CAPE PROVINCE**

1. The abovementioned request submitted to the Department Forestry, Fisheries and the Environment ("DFFE") on 5 October 2022 and subsequent response received by this Department on 26 October 2022, refers.
2. This Directorate herewith acknowledges receipt of the aforementioned correspondence.
3. This Directorate wishes to thank the DFFE for agreeing to accept the competency to process the application for environmental authorisation.
4. The Environmental Assessment Practitioner(EAP) will be notified of this agreement.
5. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours faithfully

---

**MR GAVIN BENJAMIN**  
**DIRECTOR DEVELOPMENT MANAGEMENT (REGION 3)**  
**WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**



**DEA&DP REFERENCE:** 16/3/3/6/7/1/C1/6/0206/22  
**DATE OF ISSUE:** 03 NOVEMBER 2022

THE DIRECTOR  
SAVANNAH ENVIRONMENTAL (PTY) LTD.  
P.O. Box 148  
**SUNNINGHILL**  
2157

Attention: Ms. Jo-Anne Thomas

E-mail: [joanne@savannahsa.com](mailto:joanne@savannahsa.com)  
Tel: 082 775 5628

Dear Madam

**THE PROPOSED DEVELOPMENT OF AN ACCESS ROAD AND INFRASTRUCTURE ASSOCIATED WITH THE APPROVED WITBERG WIND FARM, NEAR MATJIESFONTEIN WITHIN THE LAINGSBURG LOCAL MUNICIPALITY AND THE CENTRAL KAROO DISTRICT MUNICIPALITY, WESTERN CAPE PROVINCE**

1. The Notice of Intent ("NOI") submitted to this Directorate on 20 September 2022, refers.
2. This Department has requested the Department of Forestry, Fisheries and the Environment ("DFFE") in terms of Section 24C of NEMA to take up the position of the Competent Authority for this proposed development considering the history that this development has with DFFE.
3. As such, the DFFE has agreed to consider this application. Therefore, an application for environmental authorisation must be submitted to the DFFE for processing.
4. This Directorate will resume the role of the commenting authority for the Basic Assessment Process.
5. Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours faithfully

---

**MR GAVIN BENJAMIN**  
**DIRECTOR DEVELOPMENT MANAGEMENT (REGION 3)**  
**WCG: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**



# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia, PRETORIA

**DFFE Reference:** 14/12/16/3/1/1/175

**Enquiries:** Thabile Sangweni

**Telephone:** (012) 399 9409 **E-mail:** TSangweni@environment.gov.za

Mr Gavin Benjamin  
Director: Development Management (Region 3)  
Western Cape Department of Environmental Affairs and Development Planning  
Private Bag X6509,  
**GEORGE**  
6530

**Telephone Number:** (044) 814 2006  
**Email Address:** DEADPEIAAdmin.George@westerncape.gov.za

## PER MAIL / E-MAIL

Dear Mr Benjamin

**REQUEST FOR AN AGREEMENT IN TERMS OF SECTION 24C(3)(B) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, (ACT NO. 107 OF 1998), AS AMENDED RECEIVED FROM THE WESTERN CAPE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING REQUESTING THE MINISTER TO BE THE COMPETENT AUTHORITY TO PROCESS AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION OF THE PROPOSED DEVELOPMENT OF AN ACCESS ROAD AND INFRASTRUCTURE ASSOCIATED WITH THE APPROVED WITBERG WIND FARM, NEAR MATJIESFONTEIN WITHIN THE LAINGSBURG LOCAL MUNICIPALITY AND THE CENTRAL KAROO DISTRICT MUNICIPALITY, WESTERN CAPE**

Please note that this letter replaces the letter dated 26 October 2022.

Your request for an agreement in terms of Section 24C(3)(b) of the National Environmental Management Act, (Act No. 107 of 1998), as amended as stated above and received by this Department on 05 October 2022, refers.

In your letter of request for an agreement in terms of Section 24C(3)(b) of the National Environmental Management Act, (Act No. 107 of 1998), as amended, you propose that the Minister: Department of Forestry, Fisheries and the Environment be the Competent Authority to process an application for environmental authorisation for the development of the proposed alternative access road and associated infrastructure, including the upgrade of a district road and the widening and upgrade of a farm road, to gain access to the Witberg Wind Energy Facility within the Laingsburg Municipal area, Western Cape Province.

You indicated that while it is understood that the competent authority in respect of the proposed application is the competent authority in the province in which the activity is to be undertaken and the MEC must be responsible for the processing of the application as it relates to a Private PPA, this Department considered the original application for the development of the wind energy facility and issued an Environmental Authorisation, as well as the subsequent appeal decisions and various amendments to the Environmental Authorisation.

This Department acknowledges that given the history that this Department has with his application, having considered the original application for the development of the wind energy facility and issued an Environmental Authorisation as well as the subsequent appeal decisions and various amendments to the Environmental Authorisation, it is best that this Department processes the application for environmental authorisation of this project.

The Department of Forestry, Fisheries and the Environment therefore grants the agreement in terms of Section 24C(3)(b) of the National Environmental Management Act, (NEMA) 1998. As such, this Department will be the Competent Authority to process the above-mentioned application.

Yours sincerely



**Ms Milicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
Date: 27/10/2022.



**forestry, fisheries  
& the environment**

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X447 PRETORIA 0001 Environment House · 473 Steve Biko Road, Arcadia· PRETORIA  
Tel(+ 27 12 ) 399 8000

Enquiries: Devnagie Bendeman Telephone: 012 399 9337 E-mail: [vbendeman@dffe.gov.za](mailto:vbendeman@dffe.gov.za)

Ms. Milicent Solomons  
Director, Prioritized Infrastructure Projects

Dear Mrs Solomons

**APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS  
FOR THE PERIOD OF 25 APRIL 2022 UNTIL 31 OCTOBER 2022**

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 25 April to 31 October 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms Devnagie Bendeman  
Deputy Director-General: RCSM (Regulatory Compliance and  
Sector Monitoring)

Date 20 April 2022

**ACKNOWLEDGEMENT**

I ACCEPT / ~~DO NOT ACCEPT~~  
appointment as Acting Chief  
Director: Integrated Environmental  
Authorizations

Signed:

Date: 20/04/2022