

29 March 2022

Mr P Venn  
Emoyeni Wind Farm Project (Pty) Ltd  
Postnet Suite, Private Bag X26  
Cape Town  
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Per email: [james.mallett@windlab.com](mailto:james.mallett@windlab.com)

Dear Mr Venn

**LAND USE PLANNING ACT: CONSTRUCTION OF UMSINDE EMOYENI WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR MURRAYSBURG WITHIN THE WESTERN CAPE PROVINCE (DEA Ref No.: 14/12/16/3/3/2/686; 14/12/16/3/3/2/686AM1 and 14/12/16/3/3/2/684)**

This letter serves to provide information on the relevance of the Land Use Planning Act, 2014 (Act 3 of 2014) to the above-mentioned project.

Special Energy Projects (Pty) Ltd is proposing to build the 147 MW UMSINDE Emoyeni Wind Energy Facility (WEF) located north-west of the town of Murraysburg in the Beaufort West Local Municipality in the Western Cape. The site is located within the Renewable Energy Development Zone (REDZ) (REDZ 11 – Beaufort West). The project was originally authorised on 6 September 2018, via a Scoping and Environmental Impact Assessment (EIA) process undertaken by Arcus Renewable Energy Consulting Ltd (DEA Ref No.: 14/12/16/3/3/2/686) and was subsequently amended by Zutari (Pty) Ltd (DEA Ref No.: 14/12/16/3/3/2/686/AM1). The proposed project includes Eskom Grid Connection Infrastructure as authorised under DFFE Ref No. 14/12/16/3/3/2/684.

The project's Final Environmental Impact Assessment Report (EIAR) (Arcus, 2018. Revised Final Environmental Impact Assessment Report for the Proposed Umsinde Emoyeni Wind Energy Facility Phase One), undertaken in terms of the National Environmental Management Act (Act 107 of 1998, as amended) (NEMA) and the 2010 NEMA Environmental Impact Assessment (EIA) Regulations (GN R543) provides a project description in Chapter 7 and describes the baseline environment in Chapter 8.

The Geology, Soils and Agriculture study (Chapter 9.1 of the EIAR) did not identify any approvals required in terms of the Land Use Planning Act, 2014 (Act 3 of 2014). The study provided the following conclusion:

*"It is concluded that the proposed development of a wind energy facility on the site will have a small impact on agricultural activities as the soils are of very low potential and only suited to extensive grazing. The turbine footprints are limited to rocky and shallow soil areas with very limited grazing potential."*

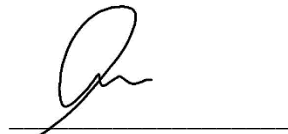


*Regarding the construction of turbines and associated infrastructure the following recommendations are made:*

- 1. Limit physical impacts to as small a footprint as possible;*
- 2. Site management has to be implemented with the appointment of a suitable environmental control officer (ECO) to oversee the process, address problems and recommend and implement corrective measures;*
- 3. Implement site specific erosion and water control measures to prevent excessive surface runoff from the site (turbines and roads);*
- 4. Plan the road and site layout in such a way as to make maximal use of existing roads and fence/border areas to minimise impacts and to keep grazing and natural units as intact as possible; and*
- 5. Prevent dust generation and vehicle associated pollution and spillages."*

Based on the above information it can be confirmed that the UMSINDE WEF will not utilize an area of 5 ha or more of agricultural land that has been cultivated or irrigated during the 10 years period immediately preceding the proposed development and therefor does not trigger a Provincial Development Application in terms of Sec 53(1) of the Land Use Planning Act, 2014 (Act 3 of 2014).

Yours faithfully



Charles Norman

Manager: Environment and Planning