

# Memorandum

To	<b>Department of Environmental Affairs, Forestry and Fisheries: Integrated Environmental Authorisations</b>	From	<b>Franci Gresse, Aurecon</b>
Copy	<b>Belinda Mills and Ben Brimble of Windlab Developments South Africa (Pty) Ltd; Franci Gresse, Aurecon</b>	Reference	<b>509161</b>
Date	<b>2020-07-20</b>	Pages (including this page)	<b>3</b>
Subject	<b>Umsinde Emoyeni WEF: Phase 1 and Phase 2 Amendment Applications: Public Participation Plan</b>		

## 1 Context

The Department of Environment, Forestry and Fisheries (“DEFF”) published a Direction in terms of the Disaster Management Act (57 of 2002) under GN R439 on 31 March 2020 in respect of the undertaking and administration of Environmental Impact Assessment (EIA) and related processes during the COVID-19 Lockdown (“EIA Directions”). The purpose of these directions was to curtail the threat posed by the COVID-19 pandemic and to alleviate, contain and minimise the effects of the national state of disaster, and to ensure fair processes, especially relating to licensing processes, public participation processes, appeals processes, reporting requirements and the provision of waste management services during the lockdown period, which are not possible due to the restrictions placed on the movement of people.

Following the publication of new Regulations in respect of Level 4 of the Lockdown, DEFF has replaced these with ‘Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19 Relating to National Environmental Management Permits and Licences’ published in GN 650 of 5 June 2020. To ensure that reasonable notice is given to potential and registered interested and affected parties (“I&APs”), the competent authority should be approached with a proposed Public Participation Plan setting out all the public participation steps. This should be approved by the competent authority prior to commencement of any Public Participation Process (PPP).

## 2 Umsinde Emoyeni wind farms

This document serves as a Public Participation Plan for the Part 2 Amendment processes for the two phases of the Umsinde Emoyeni Wind Energy Facility (WEF) that will be undertaken simultaneously. The project information for the two applications is shown in Table 1 below.

**Table 1: Application details**

Title	Proponent	DEFF Ref for EA
Umsinde Emoyeni WEF: Phase 1 <i>(now referred to as Umsinde Emoyeni WEF)</i>	Emoyeni Wind Farm Project (Pty) Ltd	14/12/16/3/3/2/686
Umsinde Emoyeni WEF: Phase 2 <i>(now referred to as Khangela Emoyeni WEF)</i>	Emoyeni Wind Farm Project (Pty) Ltd	14/12/16/3/3/2/687

Table 2 below sets out the proposed Public Participation Plan and is based on previous methods used during the original Scoping and EIA processes, where not prohibited or constrained by the current Lockdown restrictions and included additional measures such as a one-page pamphlet summary document to ensure anyone without internet access was not compromised.

**Table 2: Proposed Public Participation for the Phase 1 and 2 Umsinde Emoyeni Wind Energy Facilities Environmental Authorisation Amendment Process**

<b>Task</b>	<b>Description</b>
I&AP identification	As this is an amendment report relating to a previous authorisation, the existing and extensive I&AP database for the project will be used. Key authorities on this database are in the process of being confirmed ahead of the PPP commencing.
Placement of site notices	In line with Regulation 42(2)(a), A3 site notices will be put up to inform the general public of the proposed amendment process and the public participation process. Being a rural area, these will be placed along the road corridor that passes near the site boundary. Public notices will be placed in nearby towns (Murraysburg and Richmond) in areas frequented by communities that are not closed due to COVID-19 (e.g. police stations).  The site notices will also include locations where hard copies can be viewed, as well as where one-page pamphlets regarding the amendment reports (in both English and Afrikaans languages) can be obtained if the I&APs are unable to access the electronic copies.
Written notification	In accordance with Regulation 42(2)(b), all registered I&APs as listed above will be emailed the notification letter. The I&APs without email addresses will be sent a letter via registered mail. There are also some land occupiers that only have cell phone number contact details and they will be notified by sms. The communications will include details of the process, availability of the electronic and hard copies of the documentation for comment, as well as timeframes for comment.  Emails and letters will also include a one-page pamphlet that summarises the Amendment Report process and findings.  I&APs can contact the project team (contact details made available) if they have any issues with accessing the electronic documentation and the project team will assist in providing access to the documents.
Newspaper advertisement	In compliance with Regulation 42 (2)(c) and (2)(d), newspaper adverts will be placed in a regional newspaper, <i>Die Burger</i> (in Afrikaans), and the local newspapers the <i>Courier</i> and the <i>Graaff-Reinet Advertiser</i> , prior to commencement of the PPP. This was the same approach used for the ESIA.  The newspaper adverts will include locations where hard copies can be viewed, as well as where hard copies of a one page pamphlet (in both languages) can be obtained if the I&APs are unable to access the electronic copies.
Access to reports	The documentation will be made available in electronic format on Dropbox. ( <i>Note the Aurecon website is in the process of migrating to another server and we want to avoid any risks of issues with this website</i> ).  To provide for I&APs that may not have access to the internet, hard copies of the Amendment Reports will be made available in Murraysburg and Richmond at publicly accessible locations that are not closed due to COVID-19 (with a bottle of hand sanitizer).  In addition, copies of a one-page pamphlet that summarises the Amendment Report process and findings in English and Afrikaans, will be available at these locations for collection by I&APs.

Additional requirement from DEFF provided on 21 July 2020:

- *Please ensure that when your site notices and adverts go out, they clearly indicate exactly which locations the hard copy files with the sanitizers are going to be placed. Please ensure that these are safe and accessible locations.*

### 3 Schedule

Figure 1 sets out the proposed schedule for public participation as well as the legislated steps that follow for an Amendment process.

Tasks	Time period (statutory in green)	2020										2021		
		May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.			
<i>Projects: Umsinde Emoyeni and Khangela Emoyeni WEFs</i>														
Prepare Amendment Application Form and associated motivation	14 days													
Pre-application meeting and approval of public participation plan	30 days													
Prepare Amendment Report including specialist studies	Dependant on project													
Lodge Amendment Application and Draft Amendment Report with DEFF	2 days													
<b>DEFF acknowledge receipt of Amendment Application and Amendment Report</b>	10 days													
Amendment Report subject to a 30 day public comment period	30 days													
Finalise the Amendment Report	14 days													
Submit Amendment Report to DEFF for decision-making	N/A													
DEFF decision-making period	107 days													
<b>DEFF approve amendment application OR refuse amendment application</b>	N/A													
DEFF provide Applicant with decision and reasons for decision	5 days													
Notify I&APs of decision	14 days													

Figure 1: Proposed schedule (2020 – 2021)

Legend:

Aurecon
Statutory timeframes

**From:** [Muhammad Essop](#)  
**To:** [Franci Gresse](#); [Mmamohale Kabasa](#)  
**Subject:** RE: 509161 Umsinde Emoyeni WEF: Phase 1 and Phase 2 Amendment Applications - Public Participation Plan  
**Date:** Tuesday, July 21, 2020 12:01:24 PM  
**Attachments:** [image001.png](#)

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Dear Franci.

Your PP Plan is hereby approved with an amendment.

Please ensure that when your site notices and adverts go out, they clearly indicate exactly which locations the hard copy files with the sanitizers are going to be placed. Please ensure that these are safe and accessible locations.

Regards

*Muhammad Essop*

**Assistant Director – Priority Infrastructure Projects**

Integrated Environmental Authorisations

Department of Environment, Forestry and Fisheries

Private Bag X447

Pretoria

0001

**(012) 399 9406**

**[MEssop@environment.gov.za](mailto:MEssop@environment.gov.za)**

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**From:** Franci Gresse <[Franci.Gresse@arecongroup.com](mailto:Franci.Gresse@arecongroup.com)>  
**Sent:** Monday, July 20, 2020 17:51  
**To:** Mmamohale Kabasa <[MKabasa@environment.gov.za](mailto:MKabasa@environment.gov.za)>  
**Cc:** Muhammad Essop <[MEssop@environment.gov.za](mailto:MEssop@environment.gov.za)>  
**Subject:** 509161 Umsinde Emoyeni WEF: Phase 1 and Phase 2 Amendment Applications - Public Participation Plan

Dear Mmamohale

Our communication of 6 July 2020 regarding the proposed amendment of the Umsinde and Khangela wind farms refer.

Please find attached the Public Participation Plan that is proposed for the two wind farm amendment applications for your consideration.

Please do not hesitate to contact us should you have any questions.

Kind regards  
Franci  
(082 891 2384)

**Franci Gresse**

SENIOR CONSULTANT, ENVIRONMENT AND PLANNING | ZUTARI

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**From:** Mmamohale Kabasa [<mailto:MKabasa@environment.gov.za>]  
**Sent:** Monday, July 6, 2020 3:47 PM  
**To:** Franci Gresse <[Franci.Gresse@arecongroup.com](mailto:Franci.Gresse@arecongroup.com)>  
**Cc:** Ephron Maradwa <[EMaradwa@environment.gov.za](mailto:EMaradwa@environment.gov.za)>; Muhammad Essop <[MEssop@environment.gov.za](mailto:MEssop@environment.gov.za)>  
**Subject:** Pre-Application meeting 020-06-0020

Dear Franci,

The pre-application meeting request as submitted refers.

The issues to be discussed as per the attached agenda do not warrant a pre-application meeting. [The request for a pre-application meeting is not approved.](#)

Kindly submit Public participation plans for the proposed amendment for consideration. The PPP must clearly recommend reasonable measures to be followed to identify potential I&APs and register I&APs for the purposes of conducting public participation for the proposed amendment application.

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**From:** EIA Applications  
**Sent:** 29 June 2020 06:34 PM  
**To:** Mmamohale Kabasa <[MKabasa@environment.gov.za](mailto:MKabasa@environment.gov.za)>

Cc: Muhammad Essop <[MEssop@environment.gov.za](mailto:MEssop@environment.gov.za)>; Coenrad Agenbach <[Cagenbach@environment.gov.za](mailto:Cagenbach@environment.gov.za)>  
Subject: 2020-06-0020

Dear Mmamohale.

Please note that you have been allocated an application:

**Type of Application:** Pre-Application Meeting Request, it is one meeting for two interrelated projects;

**Reference Number:** 2020-06-0020;

**Date Received:** 29/06/2020;

**Action Required:** Decide on meeting request.

Kindly let Ephron know which date the meeting is to be held, if it will be set.

Regards

#### EIA Applications

Integrated Environmental Authorisations

Department of Environment, Forestry and Fisheries

**Please note that this email is for the receipt and processing of online applications only, and is not monitored for responses. All queries must be directed to [EIAAdmin@environment.gov.za](mailto:EIAAdmin@environment.gov.za).**

*Please note that this mailbox has a 5mb mail limit.*

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**From:** Franci Gresse <[Franci.Gresse@aurecongroup.com](mailto:Franci.Gresse@aurecongroup.com)>

**Sent:** Monday, June 29, 2020 12:58

**To:** EIA Applications <[EIAApplications@environment.gov.za](mailto:EIAApplications@environment.gov.za)>

**Cc:** Belinda Mills <[belinda.mills@windlab.com](mailto:belinda.mills@windlab.com)>

**Subject:** 509161 Umsinde WEF Amendments: Request for Pre-application meeting to amendment Environmental Authorizations

Dear Sir/Madam

Please find attached a request for a pre-application meeting with the Department.

Kind regards

Franci

#### Franci Gresse

Senior Consultant, Environment and Planning, Aurecon / Zutari

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