

## Govender, Megan

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**From:** Mahlatse Shubane <MSHUBANE@dffe.gov.za>  
**Sent:** Thursday, 21 April 2022 08:19  
**To:** Strong, Ashlea  
**Cc:** Maanda Maseli; Werner Engelbrecht; Kewana, Lukanyo; Olivia Letlalo; Thando Boo; Makhosi Yeni; Danie Brummer; Mohamed Ibrahim; Tseliso Mahao; Thembisile Hlatshwayo  
**Subject:** 2022-03-0020 - Esizayo WEF Expansion - Pre-Application Meeting Minutes and PP Plan for Approval  
**Attachments:** 41103063\_20220414\_Esizayo WEF Expansion\_Public Participation Plan\_Final for Approval.pdf  
**Importance:** High

Dear Ashley,

The amended Public Participation (PP) Plan received by this Department on 14 April 2022, refers.

Based on the information provided this Department decided to approve the PP Plan for the proposed project. You may proceed with the PP process in accordance with tasks contemplated in the PP plan. Should you wish to deviate from the submitted PP Plan, the amended PP Plan must be submitted to the Department for approval prior commencement.

A copy of the PP Plan and this approval must be submitted as part of the application form when the application is lodged.

Also note that submission of a PP Plan and approval thereof do not negate your responsibility to comply with the requirements for public participation in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.

Best regards,



## MEETING NOTES

<b>JOB TITLE</b>	BioTherm_Esizayo WEF Expansion_Pre-App Meeting
<b>PROJECT NUMBER</b>	41103063
<b>DATE</b>	01 April 2022
<b>TIME</b>	10h00
<b>VENUE</b>	Online (MS Teams)
<b>SUBJECT</b>	Pre-Application Meeting with DFFE
<b>CLIENT</b>	BioTherm Energy (Pty) Ltd (trading as BTE Renewables)
<b>PRESENT</b>	Maanda Maseli (BTE) – MM Werner Engelbrecht (BTE) –WE Danie Brummer (BTE) – DB Tseliso Mahao (BTE) –TM Mohamed Ibrahim (BTE) – MI Mahlatse Shubane (DFFE) –MS Thando Booï (DFFE) – TB Makhosi Yeni (DFFE) –MY Portia Makitla (DFFE - Biodiversity) – PM MMatlala Rabothata (DFFE - Biodiversity) – MR Seoka Lekota (DFFE - Biodiversity) – SL Thembisile Hlatshway (DFFE) – TH Ashlea Strong (WSP) – AS Lukanyo Kewana (WSP) – LK
<b>APOLOGIES</b>	None
<b>DISTRIBUTION</b>	As above See <b>Appendix A</b>

### MATTERS ARISING

### ACTION

MATTERS ARISING	ACTION
<b>1.0 INTRODUCTIONS AND WELCOME</b>	
<ul style="list-style-type: none"><li>— AS welcomed everyone followed by a round of introductions and an overview of the meeting agenda.</li><li>— A PowerPoint presentation was presented to all attendees to provide information and mapping.</li></ul> <p><i>* AS received consent from all parties present to record the meeting.</i></p> <p><i>** A copy of the PowerPoint presentation has been attached hereto for reference (<b>Appendix B</b>).</i></p>	-
<b>2.0 PROJECT BACKGROUND</b>	

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Cnr Portswood and Beach Road, Waterfront  
Cape Town, 8001  
South Africa

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**MATTERS ARISING**

**ACTION**

<p><b>2.1 Project Background and Description</b></p> <ul style="list-style-type: none"> <li>– AS provided a brief overview of the Project including the location as well as the technical descriptions and noted that the Client (BTE) proposes to include the Esizayo WEF Expansion as part of their submissions for the Round 6 REIPPPP Bidding Window.</li> <li>– AS noted that the BTE received an environmental authorisation (EA) for the Esizayo WEF in 2017 and now proposes to add three new land parcels to the previously authorised Esizayo WEF. At this stage, this is considered as a separate project, and a separate EA for these three land parcels will be applied for as the land parcels exceed 20 hectares</li> <li>– Even though there is an existing EA, the expansion project triggers listing activities in its own right and therefore a Part 2 Amendment cannot be considered. Therefore an EIA Process must be followed (either Basic Assessment (BA) or full S&amp;EIA must be followed based on the applicable listed activities). The project would typically required a Full S&amp;EIA process, however, due to the fact that the site is located within the Komsberg REDZ, a BA process can be followed.</li> <li>– The location of this project is in the Western Cape within the Laingsburg Local Municipalities</li> <li>– The expansion area traverses 3 neighbouring farm portions</li> <li>– The project will utilize a lot of the infrastructure that has already been authorized for the Esizayo WEF, such as the O&amp;M buildings, laydown areas and the substation and the power lines for the exporting of electricity to the national grid.</li> <li>– Key considerations noted include the expansion project traverses CBAs, ESAs, NPAES, and is located in the Komsberg Renewable Energy Development Zone (REDZ).</li> </ul> <p><b>2.2 Assessment Process and Competent Authority</b></p> <ul style="list-style-type: none"> <li>– AS ran through the applicable Listed Activities of the EIA Regulations (2014, as amended), noting that a BA process is required for the application for EA for the Esizayo WEF Expansion.</li> <li>– AS indicated that DFFE had been identified as the Competent Authority (CA).</li> </ul> <p><b>2.3 Specialist Assessments</b></p> <ul style="list-style-type: none"> <li>– AS ran through the identified sensitivities identified as per the DEA Online Screening Tool report, and specialist assessments noted therein.</li> <li>– AS identified the specialist assessments that are to be undertaken as part of the BA process, as well as the studies that are not being undertaken as part of the assessment and supporting reasons for their exclusion.</li> </ul> <p><b>2.4 Public Participation Process</b></p> <ul style="list-style-type: none"> <li>– AS provided an overview of the proposed public participation process in accordance with the EIA Regulations (2014, as amended).</li> <li>– AS noted that a draft Public Participation Plan (PPP) will be issued to DFFE along with the meeting minutes for consideration and approval.</li> </ul> <p><b>2.5 Timeframes</b></p> <ul style="list-style-type: none"> <li>– AS noted the application process will follow the legislated BA process; however, as the expansion project is located within the Komsberg REDZ it would benefit from the shortened decision-making timeframes i.e. 57 days instead of 107 days as outlined in GN 114.</li> <li>– The authority’s decision-making timeframe will be 57 days for the Basic Assessment Process.</li> </ul>	
<p><b>3.0 QUESTIONS AND COMMENTS</b></p>	
<p>AS opened the floor for any comments or questions. The following items were raised and discussed.</p> <p><b>3.1 Listed Activities</b></p> <ul style="list-style-type: none"> <li>– TB queried what the project components will be for the proposed project except for the turbines?</li> <li>– AS confirmed that the project components will be the turbines and their hard standings, the internal 33 kV powerlines that are required to get the power from the turbines to the substation as well as the access roads.</li> <li>– AS also noted that the substation is not included as it forms part of a separate EA.</li> <li>– TB noted that since the triggered activities have not been totally confirmed to date, when the application is being made, terminology like “may” should be avoided in the motivation as this tell the reviewer of the application that there is some level of uncertainty.</li> <li>– TB also noted that if Listing Notice 3: Activity 12 will be applied for, which has a sub-activity that speaks the clearance of 300 square meters or more of indigenous vegetation within any critically endangered ecosystem, then the name of the critically endangered ecosystem must be included in the application, and if you say that the activity is triggered because of an identified bioregional</li> </ul>	

## MATTERS ARISING

## ACTION

- plan, name the bioregional plan that has been identified and confirm that the plan is in fact adopted.
- TB also noted that for Listing Notice 3 Activities for instance Activity 23 Sub activity (f) which speaks to critical biodiversity areas or ecosystem areas as identified in systematic biodiversity plans adopted by the competent authority or in the bioregional plans, for such activities you are required to provide the name of the plan that is adopted and confirm that the plan is in fact adopted.
  - AS confirmed that the that the majority of these activities are the same activities that were approved on the currently authorised Esizayo WEF.
  - MS queried how many megawatts will be generated from the Esizayo WEF Expansion project?
  - WE confirmed that 140 MW will be generated.
  - MS queried why the geotechnical study will not be commissioned now but only during the designing phase? MS noted that the objectives of a geotechnical study need to be taken into consideration, a geotechnical study looks at whether the soil would be able to hold the turbines or not, what happens if the geotechnical study does not support the development and BTE already has an EA? Can I suggest that this study is commissioned now with all the other specialist studies?
  - AS noted that this will be considered. AS also noted that she will have a discussion with the client., and that she believes that they may already be some geotechnical information available. If there is, this will be used.
  - AS also noted that the client has already confirmed that the neighbouring farms are suitable.
  - WE added that BTE usually undertakes geotechnical studies after the EIA phase, however, it is also a cost consideration, he mentioned that he will have the discussion internally and see what can be considered.
  - PM noted that looking at the very high sensitivity ratings from the DEA screening tool, seen for the following themes (Avifauna, Terrestrial, and Bats), she foresees that DFFE will not support the project unless the specialist will be able to prove to the department that the impacts can move from a very high rating to a medium or even a low rating, with mitigation.
  - PM noted it will depend on what species trigger a CBA and ESA and the design of the layout plan. PM suggested that BTE needs to be very careful when deciding on the layout plan. Try to move away from features that trigger the very high sensitivities. Again, I am aware that this proposed development is situated in the red zone but still considering that this is an expansion of the already authorized facility another issue will be the cumulative impacts. If we can try to work around the layout plan to move out of the red flag areas, which is the very high and high sensitivity areas, then that way we'll be safe.
  - PM noted that in terms of their plans, you please don't forget to use the Birdlife renewable energy guidelines.
  - AS confirmed that these guidelines are in fact being used together with the relevant protocols.
  - PM further queried that in terms of the birds on site, there's another Verroux Eagle and wind farm guideline that you can also use from bed life which is very helpful when it comes to adequate mitigation measures which could help lowering the very high sensitivity rating.
  - AS noted that the specialist are using all the relevant guidelines and protocols that they need to look at. We have already commenced with the one-year bird monitoring or rather the pre-construction bird monitoring has also been done. There was also an additional six months' worth of bat monitoring that was done. There has been additional monitoring being ongoing for the last year to six months depending on the aspect, so we are well aware of those guidelines and protocols and they are being used.
  - TB queried if the preliminary layout was available at this stage?
  - AS replied that the preliminary layout is what was presented earlier on the presentation. The specialists are still busy, so we can't overlay it on a sensitivity map at this stage. It was noted a layout plan will be overlain onto the sensitivities etc in the BA report.
  - TB requested clarity regarding the map presented slide 7 of the PowerPoint presentation, does this map include the actual sensitivities?
  - AS replied that this was just a high level map showing some sensitivities such as watercourses. It was one of the original maps that was compiled where sensitivities around watercourses were taken in account to try and make sure that the turbines were outside of these sensitive areas.
  - AS confirmed that she does not have more information for TB at this stage, and that, this information will be in the BA report but this is what they have tried to do to initially, to at least take the water courses into account as these are key sensitive areas for birds as well as bats as well as the aquatic environment.

## MEETING NOTES

### MATTERS ARISING

### ACTION

- TB noted that he was thinking about what PM said earlier on with regards to shifting certain things around depending on the sensitivity farms and that can maybe result in a reduced sensitivity rating.
- AS confirmed that they are still developing that knowledge at this point, the specialists are still busy compiling their reports .
- AS again noted that the client would like to include the Esizayo WEF Expansion project as part of their submissions for the Round 6 REIPPPP Bidding Window.
- WE added that the submission dates have not been released as yet, however, they believe it's imminent and that apparently the IPP office is fighting for the Eskom GCC document which has been promised to be published this week and then the RFP will be issued, so if it gets issued next week, they expect a bid submission timeline of a four months which will take us to the end of July.
- MS noted that with regards to the REDZ, there is a requirement from the department that a clear demonstration of where the proposed development is situated in relation to the REDZ.
- AS confirmed that there will be a very clear map showing that the proposed development is within the REDZ.
- MR advised that when submitting the reports electronically, the biodiversity conservation directory must be included.
- AS confirmed that this would be included.
- AS queried whether the department is happy to receive a one drive link for downloading of documentation instead of a WeTransfer link which is valid on for 7 days and after that the link expires?
- MR confirmed that, that should not be a problem, and should it happen that the department experiences any problem, they will just let AS know to send an alternative way to access their report.

#### 3.2 Minutes and PPP

- AS queried, that with the withdrawal of the COVID-19 regulations etc that happened a couple of weeks ago, do we still need to submit a PP plan for approval because seemingly, regulation wise, we don't need to, but I wanted to get confirmation?
- MS noted that as far as he knows, the department has not yet ruled this out and the PP Plan is still a requirement. The Department is planning to do away with PP Plan from the 1st of May 2022
- AS replied that this has been noted. The query was raised because last week EAPs received a notification that all the COVID-19 regulations, including that the one including the one that includes the requirement for the PP Plan, have been repealed.
- MY added that it will be best to do it because it has happened before that the requirement was removed and then later is changed again. So, to be safe. just do it so that we don't have to delay your project for minor things.
- AS confirmed that she was very happy with that approach.
- AS noted that the PP Plan and pre-application meeting minutes will be sent together for approval

#### 3.3 Summary of Decisions:

- The reports will be sent through a one-drive link to all the commenting authorities.
- The draft report, BA application and the final report will be submitted via the DFFE's online portal

#### 4.0 WAY FORWARD

- WSP to formalise meeting minutes and distribute, along with PPP, for approval.

AS closed the meeting at 10h50

### NEXT MEETING

No additional meetings have been scheduled.

Signed



DFFE



Digitally signed by Strong, Ashlea  
(ZAAS02685)  
DN: cn=Strong, Ashlea  
(ZAAS02685), ou=Active,  
email=Ashlea.Strong@wsp.com  
Date: 2022.04.14 14:47:48 +0200

WSP


## MEETING NOTES

### APPENDIX A: ATTENDANCE REGISTER

Meeting Summary				
Total Number of Participants	13			
Meeting Title	2022-03-0020 - Esizayo WEF Expansion Project			
Meeting Start Time	4/1/2022, 9:56:03 AM			
Meeting End Time	4/1/2022, 10:49:27 AM			
Meeting Id	89c61591-cc0a-4fc2-b660-ed669d9765b			
Full Name	Join Time	Leave Time	Duration	Email
Strong, Ashlea	4/1/2022,	4/1/2022,	53m 20s	Ashlea.Strong@wsp.com
Thembisile Hlatshwayo	4/1/2022,	4/1/2022,	52m 31s	THLATSHWAYO@dffe.gov.za
Danie Brummer	4/1/2022,	4/1/2022,	51m 4s	dbrummer@bterenewables.com
Thando Boo	4/1/2022,	4/1/2022,	50m 30s	TBooi@dffe.gov.za
Makhosi Yeni	4/1/2022,	4/1/2022,	49m 57s	MYeni@dffe.gov.za
Mahlatse Shubane	4/1/2022,	4/1/2022,	49m 43s	MSHUBANE@dffe.gov.za
Werner Engelbrecht	4/1/2022,	4/1/2022,	49m 20s	wengelbrecht@bterenewables.com
Kewana, Lukanyo	4/1/2022,	4/1/2022,	49m 55s	Lukanyo.Kewana@wsp.com
Maanda Maseli	4/1/2022,	4/1/2022,	47m 53s	MMaseli@bterenewables.com
Tseliso Mahao	4/1/2022,	4/1/2022,	47m 34s	tmahao@bterenewables.com
MMatlala Rabothata	4/1/2022,	4/1/2022,	43m 20s	MRABOTHATA@dffe.gov.za
Mohamed Ibrahim	4/1/2022,	4/1/2022,	40m 36s	MIbrahim@bterenewables.com
Portia Makitla	4/1/2022,	4/1/2022,	32m 47s	PMakitla_environment.gov.za#EXT#@PiousandLloydEngineering.onmicrosoft.com

## MEETING NOTES

### APPENDIX B: PRESENTATION



## DFFE Pre-Application Meeting


*Esizayo WEF Expansion, Western Cape*

1 April 2022

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## Agenda

1. Introductions
2. Overview of the Project
  - Background
  - Location
  - Technical Description
3. Overview and Confirmation of Permitting Process
  - Basic Assessment
    - Listed Activities
    - Specialist Assessments as identified by DEA Screening Tool
    - Specialist Studies commissioned
  - Competent Authority
4. Public Participation Process
5. Timeframes
6. Questions and Discussions
7. Way Forward



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## 1. Introductions



- BioTherm Energy (Pty) Ltd (Trading as BTE Renewables):
  - Maanda Maseli
  - Werner Engelbrecht
  - Danie Brummer
  - Tseliso Mahao
  - Mohamed Ibrahim
- WSP Group Africa (Pty) Ltd:
  - Lukanyo Kewana (Environmental Consultant)
  - Ashlea Strong (Project Manager)
- Department of Forestry, Fisheries and Environment (DFFE):
  - Mahlatse Shubane
  - Olivia Letlalo
  - Thando Booie
  - Makhosi Yeni
  - Portia Makitla
  - MMatlala Rabothata
  - Seoka Lekota
  - Thembisile Hlatshwayo

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## 2. Overview of the Project



### Background

- On 14 July 2017, BioTherm Energies (Pty) Ltd (BioTherm) received EA (DFFE Ref: 14/12/16/3/3/2/967) for the Esizayo WEF proposed to be constructed on Portion 1 of Aanstoot Farm No 72, Annex Joseph's Kraal Farm No 84 and Aurora Farm No 285.
- BioTherm now proposes to add three new land parcels to the previously authorised Esizayo WEF.
- This will constitute the undertaking a new Basic Assessment Process for the Esizayo WEF Expansion as well as the compilation of a new EMPr.

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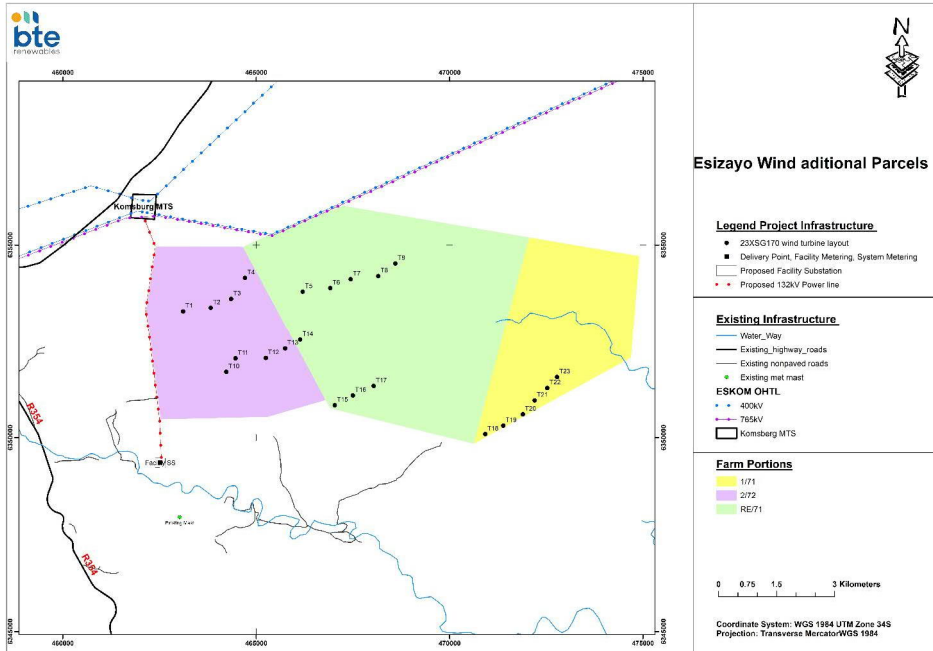
## 2. Overview of the Project

### Location

Esizayo WEF Expansion	
Province:	Western Cape
Local Municipality:	Laingsburg
Farms:	<ul style="list-style-type: none"> <li>• Portion 1 of Farm Leeuwenfontein, 71</li> <li>• Remainder of the Farm Leeuwenfontein, 71</li> <li>• Portion 2 of Farm Aanstoot, 72</li> </ul>



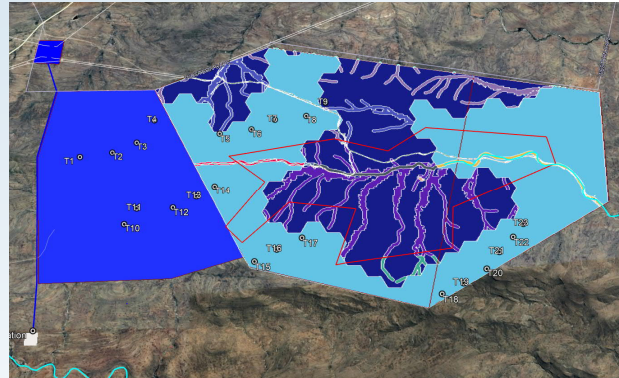
## 2. Overview of the Project



## 2. Overview of the Project

### Key Considerations

- The WEF falls within Critical Biodiversity Areas (CBA) and Ecological Support Areas (ESA) in the Western Cape Province
- Falls within the Central Strategic Transmission Corridor
- Falls within the Komsberg Renewable Energy Development Zone



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## 3. Permitting Processes

### Basic Assessment Process

- The Basic Assessment Process (BA) process will be undertaken in terms of the National Environmental Management Act (107 of 1998) (NEMA)
- The project triggers activities in Listing Notice 1 (GNR 983), 2 (GNR 984) and 3 (GNR 985), as amended.
- A BA process and reduced authority review timeframes are anticipated as the project falls within the Komsberg REDZ

wsp

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### 3. Permitting Processes



#### Listed Activities

- Listing Notice 1 - GNR 983, as amended

LISTED ACTIVITY	DESCRIPTION OF PROJECT ACTIVITY
<b>Activity 12 (i), (a) and (c):</b> The development of— (i) infrastructure or structures with a physical footprint of 100 square metres or more, where such development occurs— (a) within a watercourse; or (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse	The construction of Esizayo WEF Expansion Project may result in construction activities occurring within 32 metres of a watercourse. Internal access roads and powerlines may need to traverse watercourses.
<b>Activity 19</b> The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse	The construction of Esizayo WEF Expansion may result in construction occurring within 32 metres of a watercourse. Internal access roads and powerlines may need to traverse watercourses.
<b>Activity 24 :</b> The development of- (i) a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;	Internal access roads will be required for access to Esizayo WEF Expansion. These roads may be wider than 8m.
<b>Activity 28 (ii):</b> Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;	Esizayo WEF Expansion is proposed to be developed outside an urban area with a development footprint of more than 1 ha
<b>Activity 30:</b> Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).	Esizayo WEF Expansion is located within a Critical Biodiversity Area and National Protected Area Expansion Strategy Focus Area.

### 3. Permitting Processes




#### Listed Activities

- Listing Notice 2 - GNR 984, as amended

LISTED ACTIVITY	DESCRIPTION OF PROJECT ACTIVITY
<b>Activity 1:</b> The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs within an urban area.	The Esizayo WEF Expansion Project will generate electricity from a renewable resource with an electricity output of more than 20MW.
<b>Activity 15</b> The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for- (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.	The Esizayo WEF Expansion Project is proposed to be developed outside an urban area and the proposed development footprint will be greater than 20ha.

### 3. Permitting Processes

A Basic Assessment Process is therefore proposed for the Project



### Listed Activities (Cont.)


- Listing Notice 3 - GNR 985, as amended

LISTED ACTIVITY	DESCRIPTION OF PROJECT ACTIVITY
<b>Activity 4:</b> The development of a road wider than 4 metres with a reserve less than 13,5 metres. (i) Western Cape: (ii) areas outside urban areas (aa) containing indigenous vegetation	Internal access roads will be required for access to Esizayo WEF Expansion. These roads may be wider than 8m.  Esizayo WEF Expansion is located within a Critical Biodiversity Area and National Protected Area Expansion Strategy Focus Area.
<b>Activity 10:</b> The development of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres — (g) in Western Cape: i. Areas outside urban areas	Esizayo WEF Expansion Project may require the storage of more than 30m <sup>3</sup> of dangerous goods on site which will be located outside an urban area. The dangerous goods referred to above will include cement and diesel that will be required on site in quantities of more than 30m <sup>3</sup>
<b>Activity 12:</b> The clearance of 300 square meters or more of indigenous vegetation except where such clearances of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. (i) Western Cape - (i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.  Within critical biodiversity areas identified in bioregional plans.	The Esizayo WEF Expansion Project is proposed to be developed outside an urban area and the proposed development footprint will be greater than 20ha.  Esizayo WEF Expansion is located within a Critical Biodiversity Area and National Protected Area Expansion Strategy Focus Area.

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### 3. Permitting Processes

A Basic Assessment Process is therefore proposed for the Project



### Listed Activities (Cont.)

- Listing Notice 3 - GNR 985, as amended

LISTED ACTIVITY	DESCRIPTION OF PROJECT ACTIVITY
<b>Activity 14:</b> The development of— (i) infrastructure or structures with a physical footprint of 10 square metres or more: where such development occurs— (a) within a watercourse; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;  Western Cape i. Outside urban areas: (bb) National Protected Area Expansion Strategy Focus areas; (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	The construction of Esizayo WEF Expansion may result in construction occurring within 32 metres of a watercourse. Internal access roads and powerlines may need to traverse watercourses.  Esizayo WEF Expansion is located within a Critical Biodiversity Area and National Protected Area Expansion Strategy Focus Area.
<b>Activity 18:</b> The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 km. (i) In Western Cape: i. All areas outside urban areas: (ea) Areas containing indigenous vegetation	Esizayo WEF Expansion Project may require the widening of existing internal access roads by more than 4m.  The project area is located outside an urban area containing indigenous vegetation.
<b>Activity 23:</b> The expansion of: (iii) Bridges where the bridge is expanded by 10 square metres or more in size — (g) in Western Cape: i. Outside an urban area (f) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	Esizayo WEF Expansion Project is located within a Critical Biodiversity Area and National Protected Area Expansion Strategy Focus Area, and the upgrading of existing access roads located over watercourses may be required for access.

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### 3. Permitting Processes



## DEA Screening Tool Identified Sensitivities

	Very High Sensitivity	High Sensitivity	Medium Sensitivity	Low Sensitivity
Agriculture Theme			X	
Animal Species Theme		X		
Aquatic Biodiversity Theme	X			
Archaeological and Cultural Heritage Theme		X		
Avian Theme	X			
Bats Theme		X		
Civil Aviation Theme				X
Defence Theme				X
Flicker Theme	X			
Landscape Theme	X			
Palaeontology Theme	X			
Noise Theme	X			
Plant Species Theme			X	
RFI Theme		X		
Terrestrial Biodiversity Theme	X			

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### 3. Permitting Processes



## DEA Screening Tool Specialist Assessments

- Agricultural
- Landscape/Visual
- Archaeological & Cultural Heritage
- Palaeontology
- Terrestrial Biodiversity
- Aquatic Biodiversity
- Avian
- Civil Aviation
- Defence
- Radio Frequency Interference (RFI)
- Noise
- Flicker
- Traffic

No	Specialist assess	Assessment Protocol
1	Agricultural Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_WindAndSolar_Agriculture_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_WindAndSolar_Agriculture_Assessment_Protocols.pdf</a>
2	Landscape/Visual Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>
3	Archaeological and Cultural Heritage Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>
4	Palaeontology Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>
5	Terrestrial Biodiversity Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Terrestrial_Biodiversity_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Terrestrial_Biodiversity_Assessment_Protocols.pdf</a>
6	Aquatic Biodiversity Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Aquatic_Biodiversity_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Aquatic_Biodiversity_Assessment_Protocols.pdf</a>
7	Avian Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Avifauna_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Avifauna_Assessment_Protocols.pdf</a>
8	Civil Aviation Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Civil_Aviation_Installations_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Civil_Aviation_Installations_Assessment_Protocols.pdf</a>
9	Defence Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Defence_Installations_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Defence_Installations_Assessment_Protocols.pdf</a>
10	RFI Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>
11	Noise Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Noise_Impacts_Assessment_Protocol.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Noise_Impacts_Assessment_Protocol.pdf</a>
12	Flicker Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>
13	Traffic Impact Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>

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### 3. Permitting Processes

## DEA Screening Tool Specialist Assessments

- Geotechnical
- Socio-Economic
- Plant Species
- Animal Species

1.4	Geotechnical Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>
1.5	Socio-Economic Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_General_Requirement_Assessment_Protocols.pdf</a>
1.6	Plant Species Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Plant_Species_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Plant_Species_Assessment_Protocols.pdf</a>
1.7	Animal Species Assessment	<a href="https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Animal_Species_Assessment_Protocols.pdf">https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Animal_Species_Assessment_Protocols.pdf</a>



### 3. Permitting Processes

## Specialist Studies Commissioned

SPECIALIST ASSESSMENT	COMMENT
Soils and Agricultural Potential Assessment	A soils and agricultural survey will be undertaken.
Archaeological and Cultural heritage Desktop Assessment	The WEF could potentially negatively impact on heritage and archaeological resources. An Archaeological and Heritage Impact Assessment will be undertaken.
Palaeontology	The WEF could potentially negatively impact on Palaeontological resources. A Palaeontological Impact Assessment will be undertaken.
Visual Impact Assessment	The WEF could potentially negatively impact sensitive visual receptors. A Visual Impact Assessment will therefore be undertaken.
Terrestrial Biodiversity Impact Assessment	A large portion of the route falls within a CBA and NPAES focus areas. A Terrestrial Biodiversity Assessment has therefore been included in the BA process.
Freshwater Impact Assessment	The proposed route falls within an FEPA and a wetland occurs within the Project area. A Freshwater Impact Assessment will therefore be undertaken.
Avifauna Impact Assessment	Due to the potential impacts on birds as a result of the Overhead Powerline, an Avifauna Assessment will be undertaken as part of the BA Process.
Social Impact Assessment	A detailed social assessment will be prepared. The social statement will be based on a desktop review and telephonic interviews with key stakeholders.
Traffic Statement	The transport of large components to the WEF expansion area could negatively affect road users. A traffic statement will be compiled
Noise	The WEF could potentially have a negative impact with regards to noise. A noise impact Assessment will be undertaken



### 3. Permitting Processes

## Specialist Studies NOT Commissioned

SPECIALIST ASSESSMENT	COMMENT
Geotechnical	A Geotechnical Assessment will not be undertaken as part of the BA Process as this will be undertaken during the design phase, once preferred bidder status is obtained.
RFI	A Radio Frequency Interference (RFI) Study will not be undertaken. During the previous EIA and BA processes the SKA-SA confirmed that Esizayo WEF Expansion area is located within the Western Cape, and will have no impact on the SKA.
Civil Aviation	The Civil Aviation Authority will be included on the project stakeholder database. They will be informed of the proposed Project, and comment will be sought. An Application for the Approval of Obstacles will also be submitted to SACAA once preferred bidder status is obtained.



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### 3. Permitting Processes

## Competent Authority

- Section 24C(2)(a) of NEMA
  - The Minister must be identified as the CA if the activity has implications for international environmental commitments or relations
- GN 779 of 01 July 2016
  - Identifies the Minister as the CA for the consideration and processing of environmental authorisations and amendments thereto for activities related the Integrated Resource Plan (IRP) 2010 – 2030
- DFFE is therefore deemed to be the Competent Authority



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## 4. Public Participation Process



### Public Participation Plan

- Site notices:
  - English and Afrikaans
- Compilation and management of I&AP Database
- Written notification:
  - Owners and occupiers on or adjacent to the proposed project site
  - Municipality Ward Councillor
  - District Municipality
  - Relevant State Departments
- Advertisement (One English and one Afrikaans in local newspaper)
- Draft Report Review for 30 days
  - WSP on request
  - Online on the WSP website
  - WSP will confirm with local Public Libraries as to whether they are open and able to accept documents for public review
- No provision has been made for public or focus group meetings

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## 5. Timeframes




- Basic Assessment
  - Falls within the Komsberg REDZ (GN 114) therefore the authority decision making timeframe is anticipated to be 57 days

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**6. Questions and Discussion**



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**7. Way forward**



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# PUBLIC PARTICIPATION PLAN FOR THE BIOTHERM ESIZAYO WIND ENERGY FACILITY EXPANSION PROJECT

**DFFE REF NUMBER: 2022-03-0020**

As of the 04 April 2022, the restrictions enforced in terms of Government Gazette 43096 which placed the country in a national state of disaster limiting the movement of people to curb the spread of the COVID-19 Virus and placed some limitations on the commencement and continuation of the public consultation as part of an EIA process have been lifted.

The Public Participation Plan (PPP) requirements as per the General Provisions of Annexure 2 of the Regulations issued in terms of Section 27(2) of the Disaster Management Act, 2002 (Act No.57 of 2002) and published on 05 June 2020 in Government Notice No R560 of Government Gazette No 43412 have been repealed as of the 22<sup>nd</sup> of March 2022, however, the Department of Forestry, Fisheries and the Environment (DFFE) has requested that a PPP be complied and submitted for approval.

This plan has been developed for the new Basic Assessment Application required for Esizayo WEF Expansion Project.

The following consultation process has been designed and will be implemented, on approval by the Department of Forestry, Fisheries and the Environment (DFFE), to cater for the facilitation of the public participation process (PPP). The PPP includes Interested and Affected Parties (I&APs), the competent authority, directly impacted landowners/occupiers, adjacent landowners/occupiers, relevant Organs of State departments, Municipalities, ward councillors and other key stakeholders and all other parties that may have interest on this project.

According to Section (2)(4)(f) of the National Environmental Management Act (NEMA), the participation of all Interested and Affected parties (I&APs) must be promoted and all potential I&APs must be informed early and in an informative and proactive way regarding applications that may affect their lives or livelihood in order to give effect to the above sections, and that it is essential to ensure that there is adequate and appropriate opportunity for public participation in decisions that may affect the environment.

The existing Esizayo WEF Project interested and affected party (I&AP) database will also be utilised for this amendment processes. I&APs will be provided with opportunity to review and make comments on the amendment application.

**Table 1** below, provides the competent authority with the detailed process of the public participation process that will be undertaken by the project.

*Table 1: Proposed Public Participation Plan*

## SUMMARY OF PPP REQUIREMENT (GNR 326 OF EIA REGULATIONS)

## PROPOSED PLAN/ACTIVITIES

<p>41(2) The person conducting a PPP must give notice to all potential I&amp;APs by-</p> <p>(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of—</p> <p>(i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and</p> <p>(ii) any alternative site;</p>	<ul style="list-style-type: none"> <li>— Placement of site notices (in English and Afrikaans) at appropriate locations on site and in the surrounding area.</li> <li>— This will include the boundary to the site as well as additional public places in the closest towns within the project area, such as grocery stores, municipality, and/or local public library.</li> </ul>
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**SUMMARY OF PPP REQUIREMENT  
(GNR 326 OF EIA REGULATIONS)**

**PROPOSED PLAN/ACTIVITIES**

<p>(b) giving written notice, in any of the manners provided for in section 47D of the Act, to—</p> <p>(i) the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken and to any alternative site where the activity is to be undertaken;</p> <p>(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken and to any alternative site where the activity is to be undertaken;</p> <p>(iii) the municipal councillor of the ward in which the site and alternative site is situated and any organisation of ratepayers that represent the community in the area;</p> <p>(iv) the municipality which has jurisdiction in the area;</p> <p>(v) any organ of state having jurisdiction in respect of any aspect of the activity; and</p> <p>(vi) any other party as required by the competent authority;</p>	<ul style="list-style-type: none"> <li>— Written notification (in English and Afrikaans) will be sent to owners and occupiers on or adjacent to the proposed project site, municipality ward councillor, local and district municipality, and relevant state departments.</li> <li>— General communication (written notification) with stakeholders (public and government departments/authorities) throughout the Basic Assessment (BA) process</li> <li>— Stakeholders will be added to the database on request as the project progresses.</li> </ul>
<p>(c) placing an advertisement in—</p> <p>(i) one local newspaper; or</p> <p>(ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;</p>	<p>An advert will be published in one local newspaper (Die Courier - in Afrikaans), formally announcing the commencement of the Environmental Authorisation (EA) application process, requesting stakeholders to register their interest in the project, and informing them of the release of the Draft BAR and EMPr for public review and comment.</p>
<p>(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken</p>	<p>One advert will be placed in a regional newspaper (Cape Times - in English).</p>
<p>(e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to—</p> <p>(i) illiteracy;</p> <p>(ii) disability; or</p> <p>(iii) any other disadvantage.</p>	<ul style="list-style-type: none"> <li>— The existing database for the Esizayo WEF project will be verified and updated for the purposes of the BA process. As part of the verification process, existing I&amp;APs will be contacted telephonically and asked to confirm their preferred method of communication. The POPI act will also be put into consideration to confirm all the relevant POPI requirements for the database.</li> <li>— The relevant ward councillors will be contacted to ensure that community-based organisations are aware of the Project and can assist in distributing and communicating relevant Project information to community members.</li> <li>— No public meetings or focus group discussions have been provided for. Meetings will be held should there be a request from Registered I&amp;APs.</li> </ul>
<p>(42) A proponent or applicant must ensure the opening and maintenance of a register of interested and affected parties and submit such a register to the competent authority,</p>	<ul style="list-style-type: none"> <li>— Stakeholders with a potential interest in the Project will be identified at the outset of the Project. As noted above, the existing database for the Esizayo WEF project will be verified and updated for the purposes of the BA process. The database will also be updated to include landowners and other stakeholders relevant to the Projects.</li> <li>— All stakeholders identified will be registered on the project stakeholder database, and the database will be maintained throughout the BA process.</li> </ul>



**SUMMARY OF PPP REQUIREMENT  
(GNR 326 OF EIA REGULATIONS)**

**PROPOSED PLAN/ACTIVITIES**

<p>(43) &amp; (44) Registered Interested and affected parties (I&amp;APs) must be given 30 days to comment on the draft Report</p>	<p>The Draft BAR and EMPr will be made available to all stakeholders for a 30-day comment period. The Draft BAR and EMPr will be made available to stakeholders as follows:</p> <ul style="list-style-type: none"> <li>— From WSP on request</li> <li>— Online on the WSP website</li> <li>— Public Libraries in Matjiesfontein and Laingsburg</li> </ul> <p>A Comment and Response Report (CRR) will be generated for inclusion in Final BAR and EMPr for consideration by the competent authority (DFFE).</p>
<p>Regulation 44 (2) The applicant must, in writing, within 14 days of the date of the decision on the application ensure that—</p> <p>(a) all registered interested and affected parties are provided with access to the decision and the reasons for such decision; and</p> <p>(b) the attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, if such appeal is available in the circumstances of the decision.</p>	<p>Written notification of the decision on the EA will be sent to all registered I&amp;APs (via sms and email). Registered I&amp;APs will be provided with the EA decision and will be informed of the appeal procedure.</p>

*Table 2: Meetings*

**PROJECT MEETINGS**

<p>Pre-Application Meeting</p>	<p>A pre-application consultation with DFFE was held on 01 April 2022 to discuss the proposed projects, proposed approach, and confirm the process.</p>
<p>Public and/or Focus Group Meetings</p>	<p>No provision has been made for public or focus group meetings. Should significant interest be obtained in this project, a public meeting will be included as part of the PPP..</p>