What is the opposition about anyway

An analysis of appeals against renewable energy projects in South Africa

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Policy Power People

What is the opposition about anyway

An analysis of appeals against renewable energy projects in South Africa

As part of a PhD: The Strategic Spatial Planning of Renewable Energy Investments in Pursuit of Multifunctional Landscapes for the Energy Transition in South Africa

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Policy Power People

Positionality





Positionality



Context

- Transitioning to renewable energy sources is critical for advancing the pathway towards net zero emissions.
- Decentralised electricity production requires larger land areas when compared to coal.
- The viability of the energy transition in South Africa depends on several factors, with one of the key considerations being the allocation of land in areas that do not compromise existing land uses
- To support the energy transition and to ensure that renewable energy is deployed in a sustainable manner, it is crucial to proactively identify potential challenges linked to land use changes.

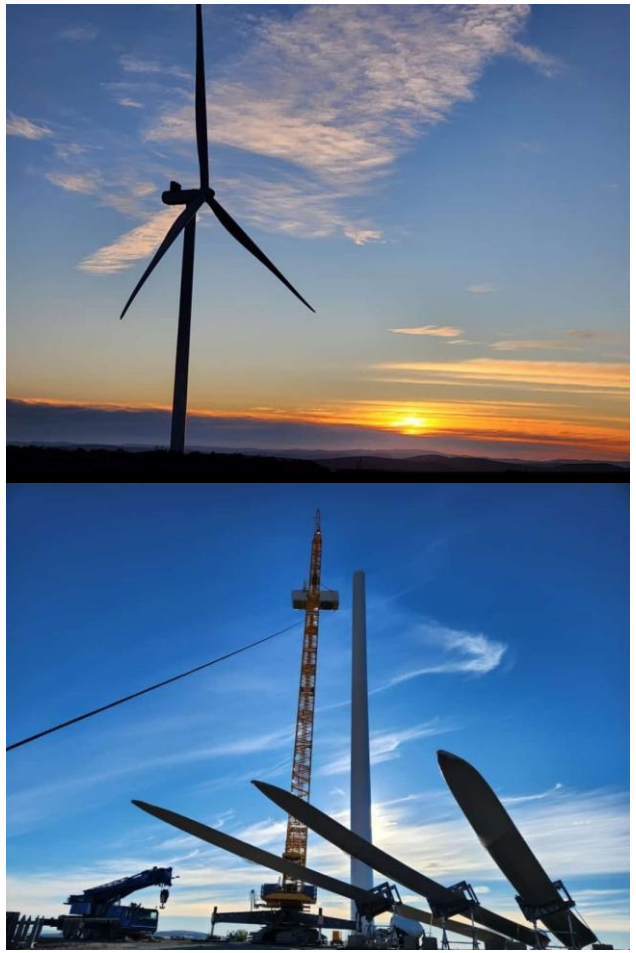


Context

- **34.9 GW** - New wind energy forecasted in next 14 years (IRP 2025)
- **R228.8 bn** - Investment in Renewable Energy (RE) projects through REIPPPP since 2011
- **6 105 MW** - Procured and delivered to the grid since 2011
- Although there is consensus on the need to accelerate the energy transition - RE faces formal opposition
- Wind and solar PV projects face formal contestations on biodiversity, visual impact and sense of place, impacts on property value and other distributional justice grounds.
- Societal support is the non-technical aspect of the energy transition that needs to be considered in the planning for utility scale RE



Context



Industry fights expansion of wind farms in Eastern Cape

Wind Farm Concerned Group and Others v Minister Of Water And Environmental Affairs Of South Africa and Others (2809/2012) [2014] ZAECPEHC 40 (12 June 2014)

Creecy upholds appeal against giant West Coast wind farm

Wake effect impact on a neighbouring wind farm should have been assessed

8 September 2020 | By John Yeld

News | Western Cape

WRSA APPEALS THE EASTERN CAPE WINDFARM ENVIRONMENTAL AUTHORISATION

Published On: 21 July 2022 By Saturn Media Categories: Latest News, Current Affairs

Research aims

- The aim of the study is to support the **strategic planning** for renewable energy projects in support of the energy transition by analysing relevant policy interventions, **reviewing and critically synthesizing opposition** to renewable energy deployment, assessing the **options for multifunctional landscapes** and **identifying funding models** for the **mitigation of impacts** on **biodiversity**, particularly collision prone raptors to guide investment in a manner that social and environmental outcomes are considered in the energy transition in SA.

Objective 1	Objective 2	Objective 3	Objective 4
To investigate the role of of spatially prioritising and coordinating large scale renewable energy developments in South Africa.	To critically review the contestations to renewable energy developments in the South Africa	To map competing land uses in effort to propose a framework for the implementation of multifunctional land uses in South Africa	To collaboratively develop an adaptive management framework to mitigate existing impacts of renewable energy development on birds

Paper 2 - research questions

- Analyse RE EIA appeals to understand the dominant themes for opposition to RE developments in South Africa through a social acceptance and energy justice framework.

Research Question 1:

What are the dominant themes of appeals against renewable energy development in South Africa since 2011?

Research Question 2

What do these patterns of appeals against RE reveal about the justice dynamics of RE developments in South Africa?

Research Question 3

Which stakeholder types and entities are most frequently involved in appeals against RE projects in South Africa?

Theoretical framework: Three waves of social acceptance

Wave 1- normative

Assumption
- Need to examine NIMBY

Enquiry
- Characterising opposers and supporters

Implication
- Overcome opposition to RET

Wave2 - criticism

Assumption
Need to criticise NIMBY and propose alternatives

Enquiry
Examining socio-psychological and community factors affecting opposition, mainly procedural and distributive justice

Implication
Understand opposition and ease the transition to RET

Wave 3 – critical (current)

Assumption
Focus on how power relations shape RET, its deployment and people's responses

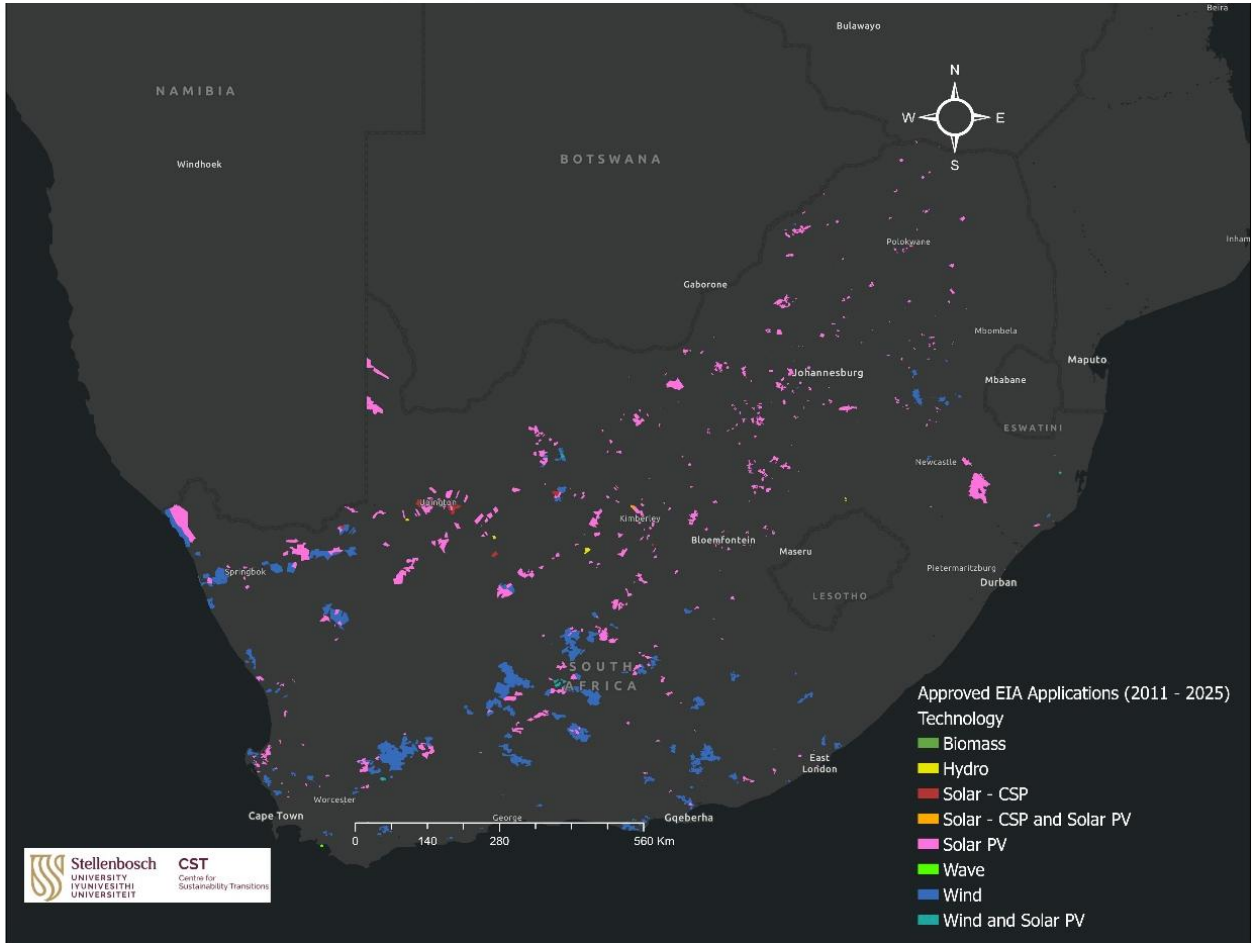
Enquiry
Critical approach at ideological, theoretical and methodological levels

Implication
Question if opposition to RET should be reduced or overcome

Adapted from Batel, 2020

Methods

- Content analysis of DFFE appeal decisions
- 61 DFFE appeal decisions
- Period of analysis – 2011- 2025 (start of REIPP)
- 6 of 9 Provinces have appeals
- 4 technologies were appealed



Methods

ANALYTICAL APPROACH

- **Build appeals database**
  Project location, size (MW), grounds for appeal, entities appealing
- **Conceptual content analysis**
  Frequency of words and themes (Bengtsson, 2016)
- **Deductive coding**
  Researcher experience in RE planning informs themes (Braun & Clarke, 2019)
- **Identify dominant themes**
  Seven themes representing underlying meanings between codes



Results



Seven dominant themes of opposition

Results

- Less than 5% of projects are appealed
- Procedural and environmental concerns dominate appeals
- All appeals had more than one ground of appeal. Opposition is multifaceted (Susskind et al., 2022).

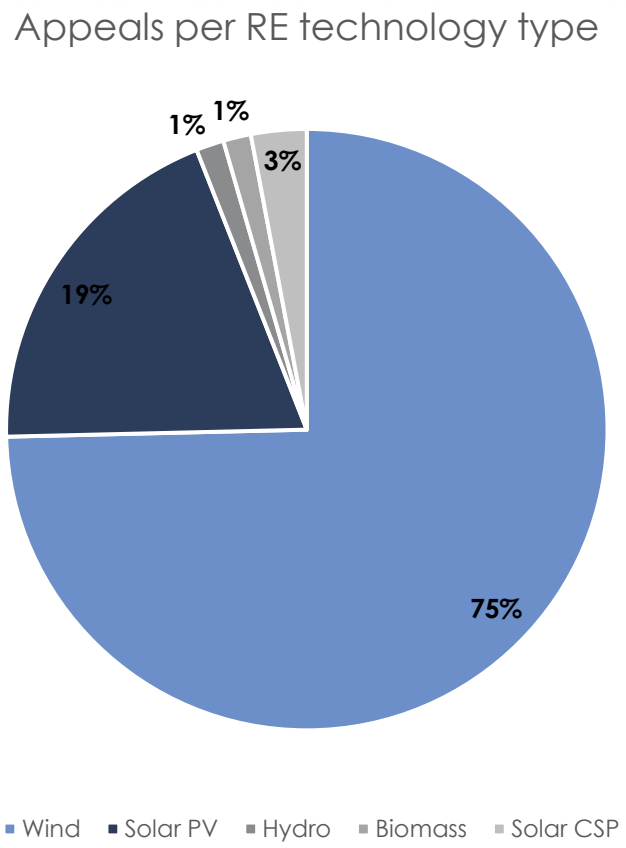
37%

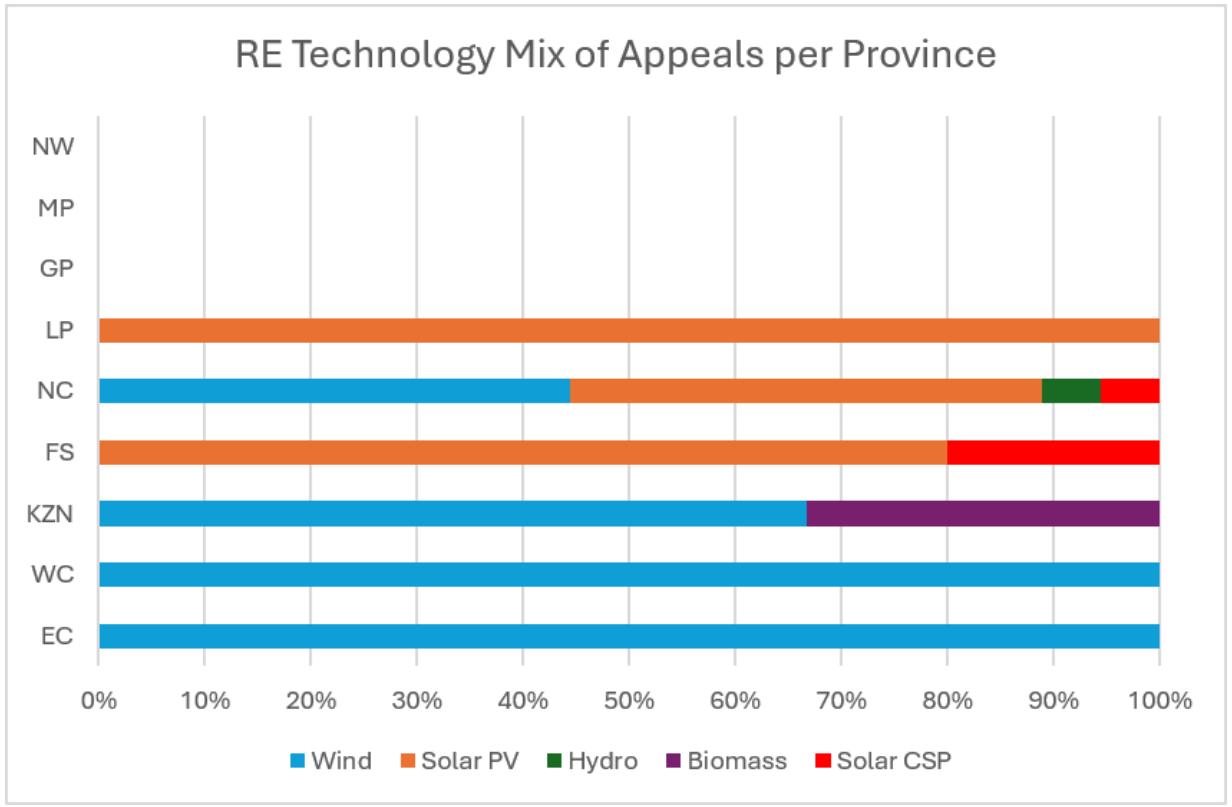
Inconsistencies in the application of EIA

24%

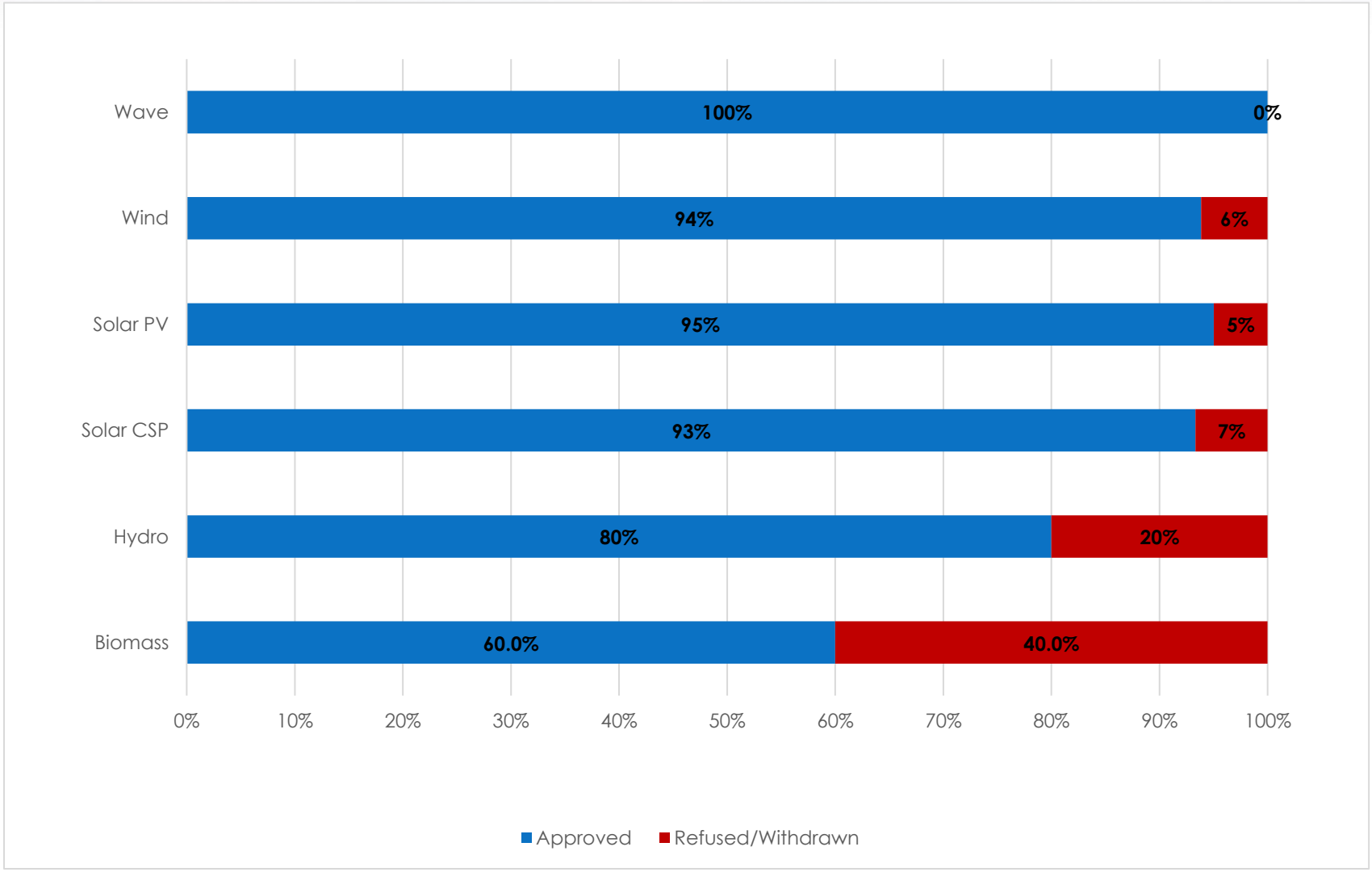
Environmental impacts

Results

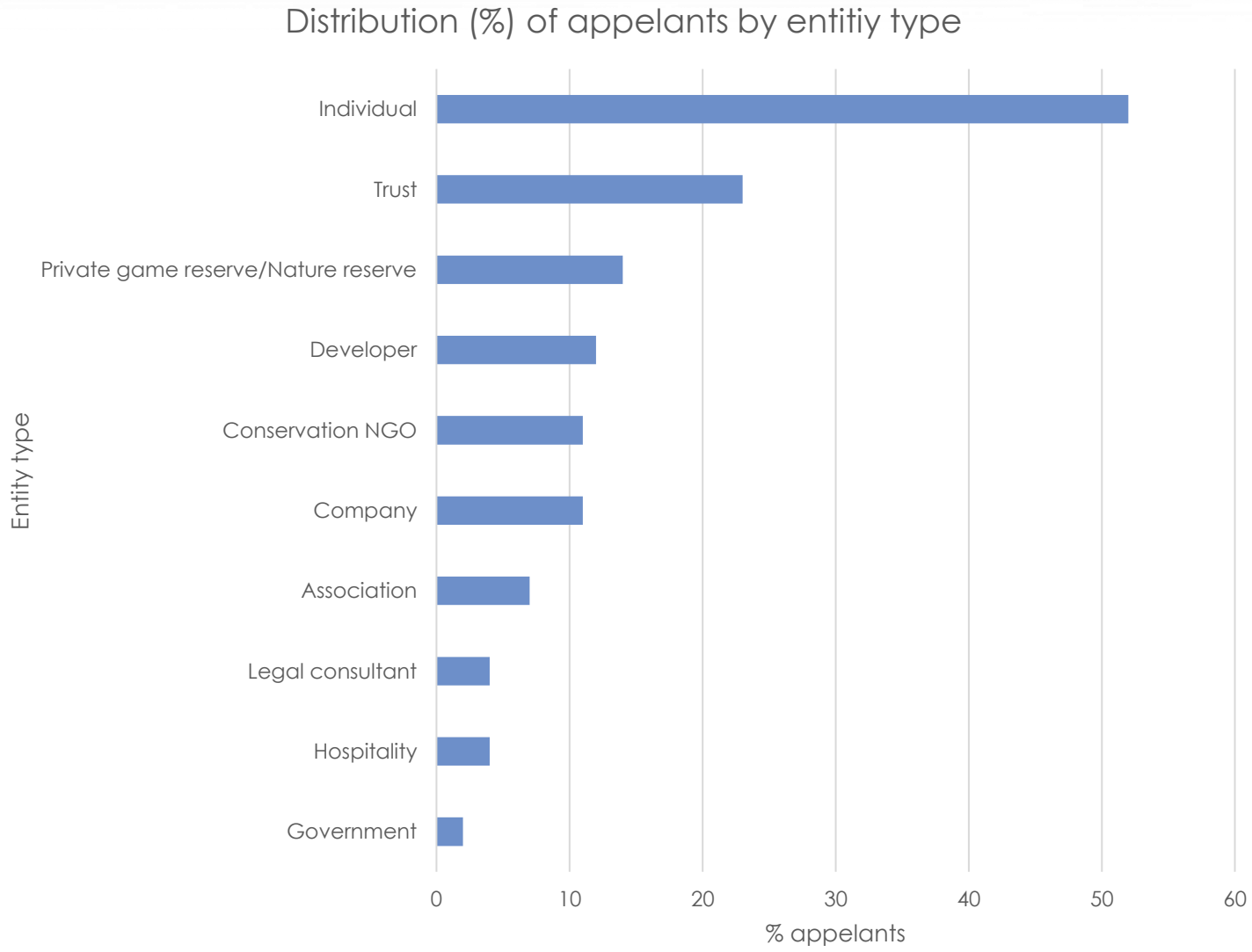

Appeals per RE technology type
1%
1%
3%
19%
75%
Wind
Solar PV
Hydro
Biomass
Solar CSP


RE Technology Mix of Appeals per Province
NW
MP
GP
LP
NC
FS
KZN
WC
EC
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Wind
Solar PV
Hydro
Biomass
Solar CSP

Results

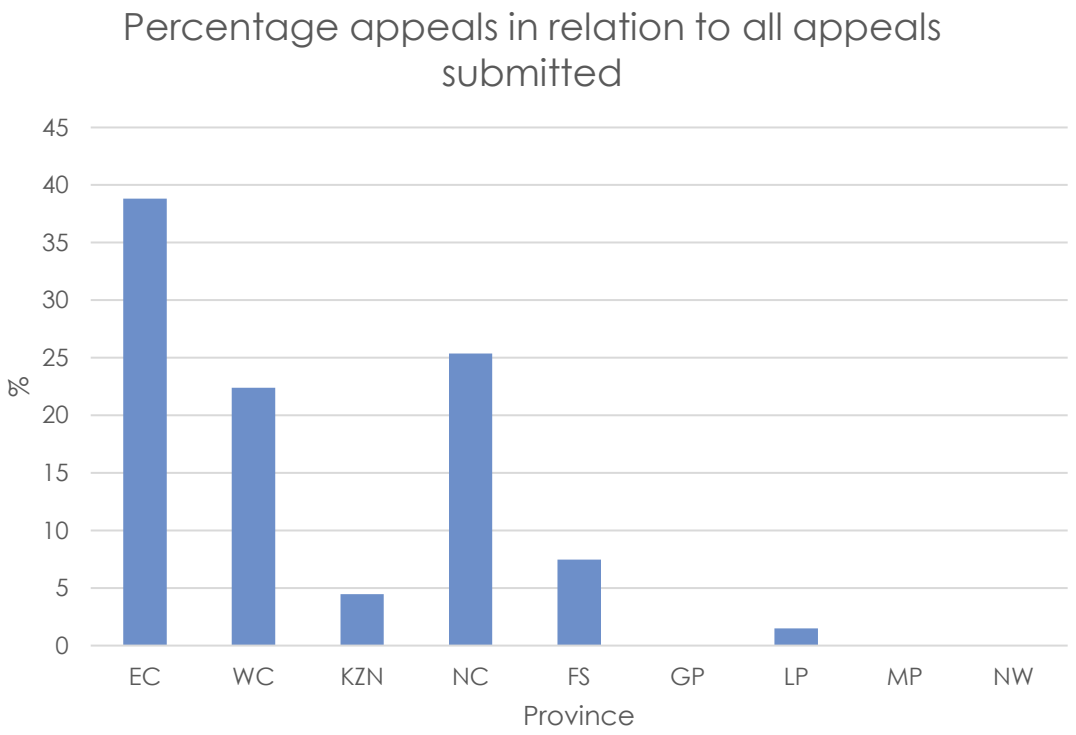

Wave
100%
0%
Wind
94%
6%
Solar PV
95%
5%
Solar CSP
93%
7%
Hydro
80%
20%
Biomass
60.0%
40.0%
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%
Approved
Refused/Withdrawn

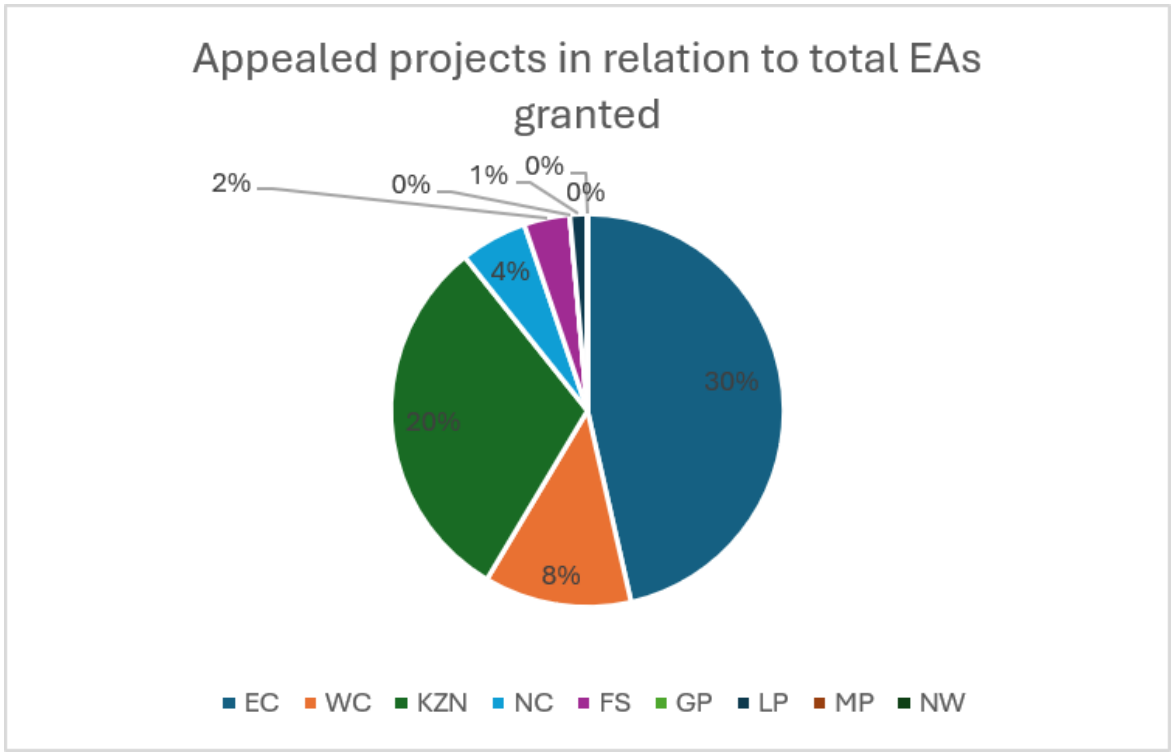
Results


Distribution (%) of appelants by entitiy type
Individual
Trust
Private game reserve/Nature reserve
Developer
Conservation NGO
Company
Association
Legal consultant
Hospitality
Government
Entity type
0
10
20
30
40
50
60
% appelants

Results

- Appeals are geographically concentrated
- Eastern Cape: 6% of approved EIAs, yet 34% of all appealed projects.
- Northern Cape: 36% of approved EIAs, only 3.5% appeal rate.





Discussion

- Wake effect is becoming a wind rights issue
- Wind energy developers appeal projects on a techno-commercial basis: wake from upstream wind farms reduces downstream electricity generation and revenue.
- The only mechanism currently available to address wake effect impacts is the DFFE appeals process.
- Wake effect is not just a territorial problem. It is becoming a regulated resource rights issue
- Wind rights add a third precondition alongside territorial and legal access (Kirkegaard et al., 2022; Wade & Ellis, 2022).

2018

Appeal dismissed

Minister rules wake impacts are not associated with environmental impacts; DFFE has no mandate under NEMA.

2019

Appeal upheld

Minister directs an independent wake assessment and public participation for the newly authorised wind farm.

2025

Policy gap acknowledged

SAWEA calls for clearer permitting requirements, standardised assessment methodologies and a dispute resolution framework.

Discussion

Visual impact and sense of place

- Visual impact relates to emotional and symbolic relations with a place.
- Eastern Cape appellants cite turbine structures disrupting place attachment, which threatens place identity (Devine-Wright, 2009).
- Over 50% of tourism-related appeals are against Eastern Cape projects. The question becomes: who gets to keep their landscape and further commodify it over another?

Energy justice

- Recognition justice for non-humans surfaces strongly in environmental impact appeals.
- There is a sense that developers do not recognise non-human stakeholders such as avifauna, aligning with the Rights of Nature literature.
- Distributional justice does not feature in appeals because the EIA occurs at predevelopment, before construction-phase impacts become visible to communities.



Conclusion

01 **Opposition is place-based**

Less about technology rejection and more about place-based, procedural and ecological concerns that are geographically concentrated and institutionally addressable.

02 **Wind rights need a framework**

Wake effect appeals will rise with IRP targets. Clear permitting, assessment and dispute resolution frameworks are required to manage wind as a regulated flow resource.

03 **Geospatial models are not enough**

Social factors remain limited in RE siting models (Harper et al., 2019). Planning for an accelerated and just transition requires societal dialogue and inclusion of communities.

04 **Disagreement is democracy**

Accepting ongoing disagreements that encourage procedural justice are key to having improved relations between wind farm developers and impacted communities (Mordue et al., 2020). The question is how do we get it to be a discussion between parties and are there some landscapes that are just unsuitable for RE development?

THANK YOU

Let's continue the conversation

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