



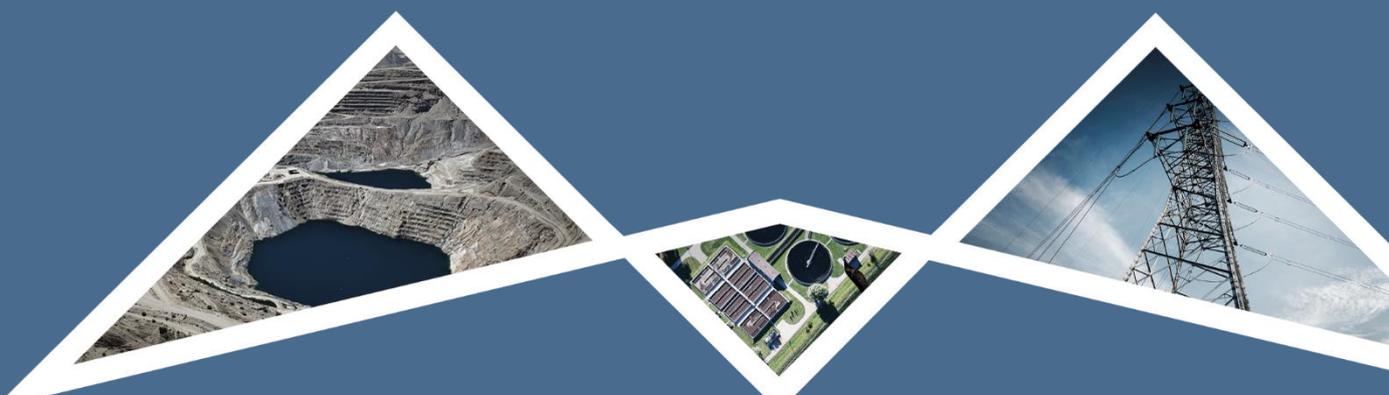
ENVIRONMENTAL
IMPACT
MANAGEMENT
SERVICES

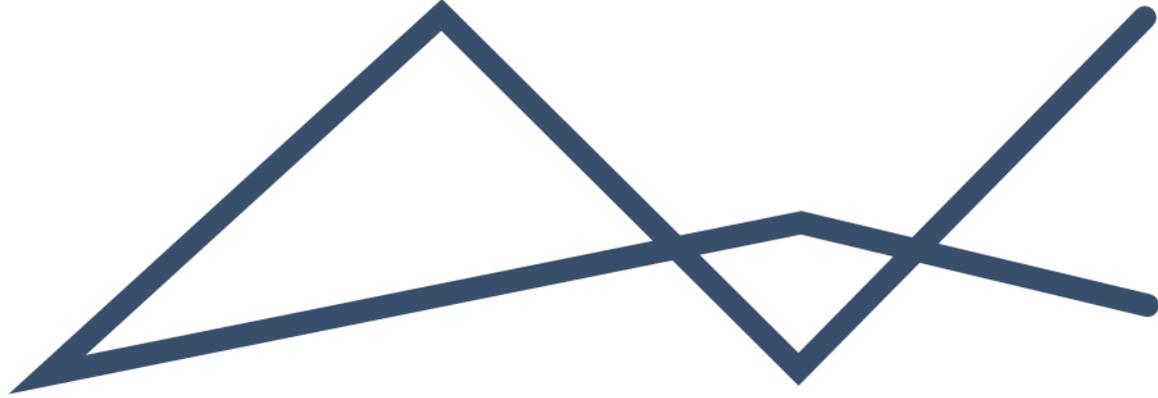
T 011 789 7170 E info@eims.co.za W www.eims.co.za

PUBLIC PARTICIPATION REPORT

NTCSA DELPHI 400/132KV SUBSTATION EXPANSION, NEAR KOMANI
IN THE ENOCH MGIJIMA LOCAL MUNICIPALITY, EASTERN CAPE

BASIC ASSESSMENT REPORT





DOCUMENT DETAILS

EIMS REFERENCE: 1627

DOCUMENT TITLE: NTCSA Delphi 400/132kV Substation Expansion, near Komani in the Enoch Mgijima Local Municipality, Eastern Cape – Public Participation Report

DOCUMENT CONTROL

	NAME	SIGNATURE	DATE
COMPILED:	Alexander Msipa		2024/07/15
CHECKED:	Qaphela Magaqa		2024/07/15
AUTHORIZED:	Liam Whitlow		2024/07/15

REVISION AND AMENDMENTS

REVISION DATE:	REV #	DESCRIPTION
2024/07/15	ORIGINAL DOCUMENT	Public Participation Report for Basic Assessment Report - Public Review



Table of Contents

1	Introduction	1
2	Objectives of the Public Participation	1
3	Legal compliance.....	2
4	Identification Of Interested And Affected Parties (I&APs).....	3
4.1	List of Organs Of State Identified And Notified	3
4.2	List of Other Key I&APs Identified and Notified	4
5	Notification of Interested and Affected Parties	4
5.1	Initial Notification of Key I&APs	4
5.1.1	Newspaper advertisements	4
5.1.2	Initial Notification Faxes and Emails	4
5.1.3	Site Notice Placement.....	5
5.2	Notification Of Basic Assessment Report For Public Review	5
6	Summary of Public Participation Opportunities	5
7	Record of Issues Raised.....	6
8	Conclusion and Recommendations.....	6
9	Appendices.....	7

List of Tables

Table 1: Opportunities Provided for Public Participation	5
----------------------------------------------------------------	---

Appendices

Appendix E1: IAP Database

Appendix E2: Newspaper Advertisements

Appendix E3: Initial Notification

Appendix E4: Site Notice Placement Proof

Appendix E5: Table of Correspondence

Appendix E6: Correspondence Document



1 INTRODUCTION

National Transmission Company of South Africa SOC (Ltd) (NTCSA) (hereafter referred to as the Applicant) has appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the Environmental Assessment Practitioner (EAP) to assist with undertaking the required authorisation processes (including the statutory public participation), and to compile and submit the required documentation in support of application for:

- Environmental Authorisation (EA) in accordance with the NEMA- Listed activities:
 - Listing Notice 1 (GNR 983): Activities: 12, 14, 19, 27, 47, and 48
 - Listing Notice 3 (GNR 985): Activities 12, 14 and 23
- Water Use Licence (WUL) in accordance with the National Water Act – NWA (Act 36 of 1998) - Listed activity/ies:
 - Section 21 (c) and (i);
 - Section 21 (g)

Additional listed activities and/or water uses may be identified during the process.

The Applicant wishes to expand the existing NTCSA Delphi Substation to make provision to connect an additional 300 MW to the 100 MW which has already been approved up to bid Window 5 (BW5). As such, an expansion of the 400kV and 132kV bays are required. The project will involve the extension of the existing 400 kV yard by one bay, installation of a 400/132 kV 500 MVA transformer, extension of 132kV yard by seven bays, equipment of one 132kV transformer bay, relocation of the existing oil dam, and access road extension. This project forms part of an initiative to unlock grid capacity by connecting renewable energy generation by year 2027. The Eskom 2022 Transmission Development Plan (TDP) generation assumptions forecasts that 31 095 MW of PV and wind generation will be required nationally by 2030 of which 16 604 MW will be required as early as 2027. Currently there is limited or no capacity available in many of the Transmission supply areas.

The proposed project is located on Portion 3 of the farm Carthcarts Gift 311, within the Enoch Mngijima Local Municipality, Eastern Cape Province. The site is approximately 14km southwest of Komani along the R67. The centre point of the site is 32° 0'41.18"S and 26°48'30.22"E.

2 OBJECTIVES OF THE PUBLIC PARTICIPATION

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides: "*The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement*". This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as..."*a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently*"¹. From this definition, it can be seen that the input of the public is regarded as very important indeed.

The Public Participation Process (PPP) is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

¹ Greyling, T. (1999) Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa



During the Environmental Authorisation:

- Verify that their issues have been recorded;
- Comment on the findings of the environmental assessments; and
- Provide relevant local information and knowledge to the environmental assessment.

The PPP is a requirement of several pieces of South African Legislation and aims to ensure that all relevant I&APs are consulted, involved and their opinions are taken into account and a record included in the reports submitted to Authorities. The process ensures that all stakeholders are provided this opportunity as part of a transparent process which allows for a robust and comprehensive environmental study. The PPP for the necessary authorisation required for the project needs to be managed sensitively and according to best practises in order to ensure and promote:

- Compliance with international best practice options;
- Compliance with national legislation;
- Establishment and management of relationships with key stakeholder groups; and
- Encouragement of involvement and participation in the environmental study and authorisation/approval process.

As such, the purpose of the PPP and stakeholder engagement process is to:

- Introduce the proposed project and process for the authorisation project;
- Explain the environmental authorisation;
- Determine and record issues, concerns, suggestions, and objections to the project;
- Provide opportunity for input and gathering of local knowledge;
- Establish and formalise lines of communication between the I&APs and the project team;
- Identify all significant issues for the project; and
- Identify possible mitigation measures or environmental management plans to minimise and/or prevent negative environmental impacts and maximise and/or promote positive environmental impacts associated with the project.

This Public Participation Report (PPR) lists all verbal and written issues raised by I&APs during the call to register period from the 24th of May 2024 to date. A breakdown of the PPP is given within the remaining sections of this PPR.

3 LEGAL COMPLIANCE

The PPP must comply with all environmental legislation that requires public participation as part of an application for authorisation or approval; namely, the National Environmental Management Act (NEMA, Act No. 107 of 1998).

Adherence to the requirements of the above-mentioned Act will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirements for public participation referenced in the Act. The details of the Integrated PPP are provided below.



4 IDENTIFICATION OF INTERESTED AND AFFECTED PARTIES (I&APS)

An initial I&AP database has been compiled from historic projects in the area and Windeed searches to obtain the contact details of the surrounding landowners. The I&APs referred to in the PPR include:

- Pre-identified and registered landowners and surrounding landowners;
- Pre-identified and registered key stakeholders;
- Regulatory authorities;
- Specialist interest groups; and
- All I&APs who responded to the initial notifications and requested to be registered.

Efforts to pre-identify key I&APs involved various avenues such as consultation with the proponent and known landowners within the study area, review of related previously conducted studies, and identification of key interest groups and authorities within the vicinity of the study area and municipality. Refer to Appendix E1 for the Key Stakeholder/I&AP Database.

4.1 LIST OF ORGANS OF STATE IDENTIFIED AND NOTIFIED

The following key I&APs, but not limited to, were notified of the proposed project and invited to participate in the public participation process:

- Chris Hani District Municipality.
- Department of Mineral Resources
- Eastern Cape Parks and Tourism Agency (ECPTA).
- Enoch Mgijima Local Municipality
- Eastern Cape Department of Economic Development, Environmental Affairs and Tourism.
- Eastern Cape Department of Roads and Public Works.
- Eastern Cape Department of Public Works and Infrastructure.
- Eastern Cape Department of Rural Development and Agrarian Reform.
- Eastern Cape Department of Social Development.
- Eastern Cape Department of Transport and Community Safety and Liaison.
- Eastern Cape Department of Health
- Eastern Cape Department of Human Settlements.
- Eastern Cape Rural Development Agency (ECRDA)
- National Department Of Forestry, Fisheries and Environment.
- National Department of Water and Sanitation
- National Energy Regulator of South Africa
- National Transmission Company of South Africa SOC (Ltd)
- South African Civil Aviation Authority
- South African Heritage Resources Agency (SAHRA)
- South African National Parks
- South African National Roads Agency Limited
- Transnet SOC Limited
- Ward Councillors



4.2 LIST OF OTHER KEY I&APS IDENTIFIED AND NOTIFIED

- Pre-identified and registered landowners and surrounding landowners
- African Conservation Trust
- Agri SA
- Centre for Environmental Rights
- Conservation South Africa (CSA)
- Council of Geoscience
- Wildlife and Environment Society of South Africa (WESSA)
- World Wildlife Fund

5 NOTIFICATION OF INTERESTED AND AFFECTED PARTIES

This section provides details on the notifications that were distributed as part of the consultation process to date.

5.1 INITIAL NOTIFICATION OF KEY I&APS

The PPP commenced on the 24th of May 2024 with an initial call to register notification. Notification during this initial consultation was given in the manner described below.

5.1.1 NEWSPAPER ADVERTISEMENTS

Advertisements (in English, and isiXhosa) describing the proposed project and EIA process were placed in the Daily Dispatch Newspaper with circulation in the vicinity of the study area on the 27th of May 2024. The newspaper adverts included the following information:

- Project name;
- Applicant name;
- Project location;
- Nature of the activity;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix E2 for proof of adverts and notices placed.

5.1.2 INITIAL NOTIFICATION FAXES AND EMAILS

Notification letters (in English, and isiXhosa) were distributed to pre-identified I&APS through either faxes, and/or emails.

The notification documents included the following information:

- List of anticipated activities to be authorised;
- Sufficient detail of the proposed development to enable I&APS to assess/surmise what impact the development will have on them or the use of their land;
- The purpose of the proposed project;
- Details of the application processes associated with proposed activities;
- Details of the affected properties;
- Details of the South African environmental legislation that must be adhered to;



- Contact details of the EAP.

Please refer to Appendix E3 for initial notification and proofs.

5.1.3 SITE NOTICE PLACEMENT

Four (4) A1 Correx site notices and One (1) poster (in English, and isiXhosa) were placed at 2 locations along the proposed project study area on the 23rd and 24th of May 2024. The on-site notices included the following information:

- Project name;
- Applicant name;
- Project location;
- Map of proposed project area;
- Project description;
- Legislative requirements; and
- Relevant EIMS contact person for the project.

Please refer to Appendix E4 for proof of site notice and site notice distribution.

5.2 NOTIFICATION OF BASIC ASSESSMENT REPORT FOR PUBLIC REVIEW

Notification (in English, and isiXhosa) regarding the availability of the Basic Assessment Report for public review and comment will be provided to pre-identified and registered I&APs. The notifications will be distributed through either email, registered mail, fax, and/or SMS, where contact details are available.

Contact details will be provided to I&APs should they require assistance accessing the information or require copies of the reports.

Hard copies of the Basic Assessment Report will be made available for public review and comment for a period of 30 days at the Komani Library.

6 SUMMARY OF PUBLIC PARTICIPATION OPPORTUNITIES

The table below provides a summary of the opportunities provided to I&APs for participation in the public participation process to date.

Table 1: Opportunities Provided for Public Participation

ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
NTCSA Delphi Substation Basic Assessment Report for Public Review and Comment	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, and key I&APs were notified via either fax, and/or email, where contact details are available.	24 May 2024
	Site Notice Placement	Four (4) Site Notices and one (1) poster were placed along the study area.	23 – 24 May 2024



	Newspaper Advert	Daily Dispatch Newspaper	27 May 2024
--	------------------	--------------------------	-------------

7 RECORD OF ISSUES RAISED

Comments on the proposed project were solicited from pre-identified and registered I&APs and key stakeholders. To date, the following comments have been received:

- DFFE Directorate: Biodiversity Conservation allocation of Case Officers, requests for shapefiles to be sent to the allocated Case Officers;
- Request from the South African Civil Aviation Authority for a formal obstacle assessment and to create an application.
- Request for the Notice of Intent to Develop from the Eastern Cape Provincial Heritage Authority (ECPHRA)
- The Eastern Cape Heritage Provincial Heritage Resources Authority (ECPHRA) requested that a Notice of Intent to Develop be submitted through the SAHRA platform and that they be notified once the submission is made. The NID form was filled and submitted on the SAHRA platform, EIMS informed the ECPHRA of the submission made and the SAHRIS case number. Furthermore, EIMS informed the ECPHRA that the relevant HIA and PIA will be placed on the SAHRIS platform when the BAR is placed for public review and they will be informed of the availability of the reports.

All comments and/or queries received to date are included in this report and presented in Appendix 5. Please refer to Appendix 6 for proof of correspondence.

8 CONCLUSION AND RECOMMENDATIONS

This report will be updated for submission to the competent authority, following the 30-day public review period of the Draft Basic Assessment Report and associated appendices.



9 APPENDICES

Appendix E1: IAP Database

Please note that in an effort to protect the personal information of the Registered I&AP's the contact information of the I&APs will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za



Appendix E2: Newspaper Advertisements



Appendix E3: Initial Notification

Please note that in an effort to protect the personal information of the Registered I&AP's the contact information of the I&APs will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za



Appendix E4: Site Notice Placement Proof



Appendix E5: Table of Correspondence



Appendix E6: Correspondence Document

Please note that in an effort to protect the personal information of the Registered I&AP's the contact information of the I&APs will not be made publicly available. Should you require access to this document for the purposes of fulfilling your obligations under the NEMA EIA Regulations or other lawful right, please feel free to contact the EIMS Information officer at 011 789 7170 or popia@eims.co.za
