



WHEN PROJECTS COLLIDE

When one hand doesn't know what the other is doing, the consequences can be disastrous

BY MUZI SHANGE

As right of way professionals, most of us consider ourselves to be effective communicators, especially in our role as negotiators and project managers. The success of most projects depends on our effectiveness in using crucial communication skills and techniques.

At times we forget that communication must also extend beyond our own specific project. In addition to applying specific behavior and communication techniques with our own project stakeholders, what about those working on unrelated projects in the same area being impacted? Are we communicating widely enough to ensure that there is synergy with other nearby proposed projects?

Approving Conflicting Projects

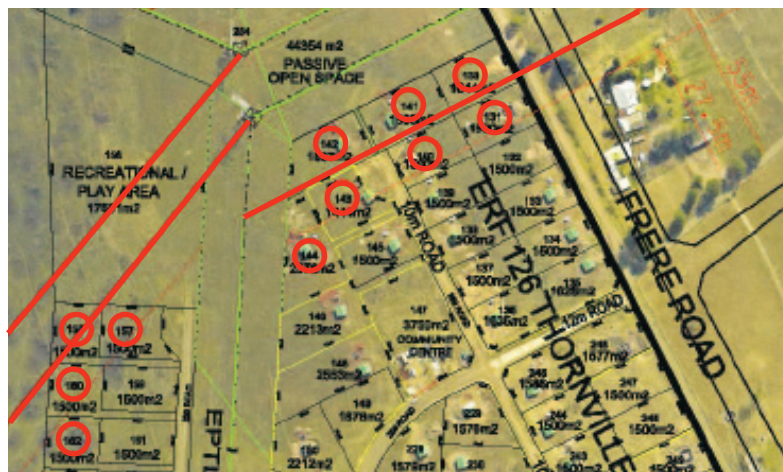
What happens when two projects are occurring simultaneously, managed by different stakeholders, and both are completely unaware of the other's project?

In 2009, Eskom, the primary electricity provider in South Africa, conducted an Environmental Impact Assessment (EIA) study on a new transmission line route. The line was deemed critical for KwaZulu-Natal Province, and its generation source would come from the inland region of Mpumalanga Province. The coastal region of KwaZulu-Natal had recorded high demand for energy, and as result, Eskom sought to increase the supply and meet the energy demands. The total length of the proposed 400kV transmission line was 217 miles, and it was designed to traverse across three substations.

However, unbeknownst to Eskom, just a half mile outside one of the substations, the Zwelethu Housing Development had been planned and 250 houses were under construction by Richmond Local Municipality and the Department of Human Settlement. Unfortunately, because Eskom was totally unaware of the housing development project, its proposed line traversed directly through it.

Now, both the Zwelethu Housing Development Project and Eskom's 400kV transmission line are partially funded by the government. The projects affect the same community and are within

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Even though one municipality approved both projects, a lack of communications ultimately required the relocation and demolition of 11 newly built homes.

the same municipal government authority. Both projects are listed activities in terms of the National Environmental Management Act 107 of 1998 (NEMA). This means that full EIAs were required for both projects and that both were granted approval by the Minister of Environmental Affairs.

The Richmond Local Municipality was an interested and affected party in both studies. During the public notification and participation process, as required by NEMA, the reports and related documents could be viewed at the municipality offices. So in essence, the municipality was fully involved and aware of both project. However, the two separate project stakeholders—Eskom and the Department of Human Settlement—were both unaware of the other’s project. As a result, the transmission line traverses over eleven newly built government-funded houses. How did this happen? Why was this overlap not properly communicated at the early stages of both projects?

Undoing the Infrastructure Development

With effective communication, this conflicting route could have been avoided. But because the EIA corridor had already been approved and the Environmental Authorization issued, there was little that Eskom could do to avoid the newly constructed development. The argument by the Department of Human Settlement (DHS) was that the Eskom project was undoing their social infrastructure development efforts, even though they acknowledged the importance of energy infrastructure and the recent challenges associated with balancing a limited power supply with an increased level of demand.

When Eskom sought to relocate the residents of the housing development, DHS contended that direct compensation to beneficiaries was

inappropriate, and that compensation should be paid directly to DHS, as they incurred the costs of constructing the houses. However, Eskom believed that direct compensation to the beneficiaries was the only appropriate option, as this would allow them to find alternative land and build new homes.

Eskom argued that, since DHS had allocated beneficiaries to each house, it was only fair that payment be made to each of those beneficiaries. It was determined that DHS had no legal basis to deny any beneficiary access to their allocated house or site. Eventually, DHS accepted the decision, making it possible for each of the beneficiaries to receive compensation and relocate. Eskom has since paid acceptable compensation to all the affected beneficiaries, and the 11 houses were demolished. This is especially unfortunate given that some of the beneficiaries had been waiting on government-funded houses since 1994 when South Africa became a democratic country.

In this case, all legislated processes were followed for both projects, and both projects were accepted by the local government and funded by the national government. It is unfortunate that the only issue was a failure by the implementing organizations and municipality to communicate effectively about their project plans, selected routes and specifications for township layouts. As a result, an enormous amount of time and money was wasted.

The lesson learned from this project is that, with a proper and well-coordinated communications plan and strategy on right of way projects, one can easily avoid these expensive and unnecessary relocations and the inconvenience associated with them. ☼



Muzi is a Land Surveyor and a Chief Business Analyst for Land and Properties with Eskom Holding. He is a past President of IRWA Chapter 83 in South Africa, and holds a Masters Degree in Environment and Development, specializing in Land Information Management.