

# Neptune Pembroke 400kV Transmission Line

## Non-Technical Summary of the Resettlement Action Plan

*Final*

Compiled by Mbofho Consulting &  
Project Managers



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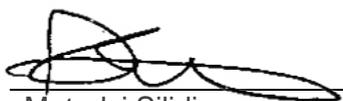
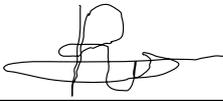
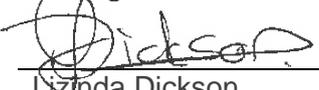


### Resettlement (World Bank)

The involuntary taking of land resulting in relocation or loss of shelter, loss of assets or access to assets, or loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

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## Document Approval

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## **1 Introduction**

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Eskom has experienced increased demand on their electrical supply in the Eastern Cape Province. Eskom needs to improve the reliability and capacity of its transmission network in this region. Therefore, Eskom considered a possible distribution and transmission options. The Pembroke and Neptune Main Transmission System (MTS) currently supplies East London and Eskom has decided to upgrade the system. Eskom Transmission has divided the Transmission line into two phases. Phase 1 entails the development of a 400kV Transmission Line between Neptune (in East London) and the Pembroke substation (near King Williams Town). Phase 1 of the Transmission Line is approximately 40.5km in length and passes through several local rural and traditional settlements. Phase 2 entails the development of a 400kV Transmission Line connecting with Phase 1, extending the line to Poseidon substation (near Cookhouse). This Resettlement Action Plan focusses on Phase 1.

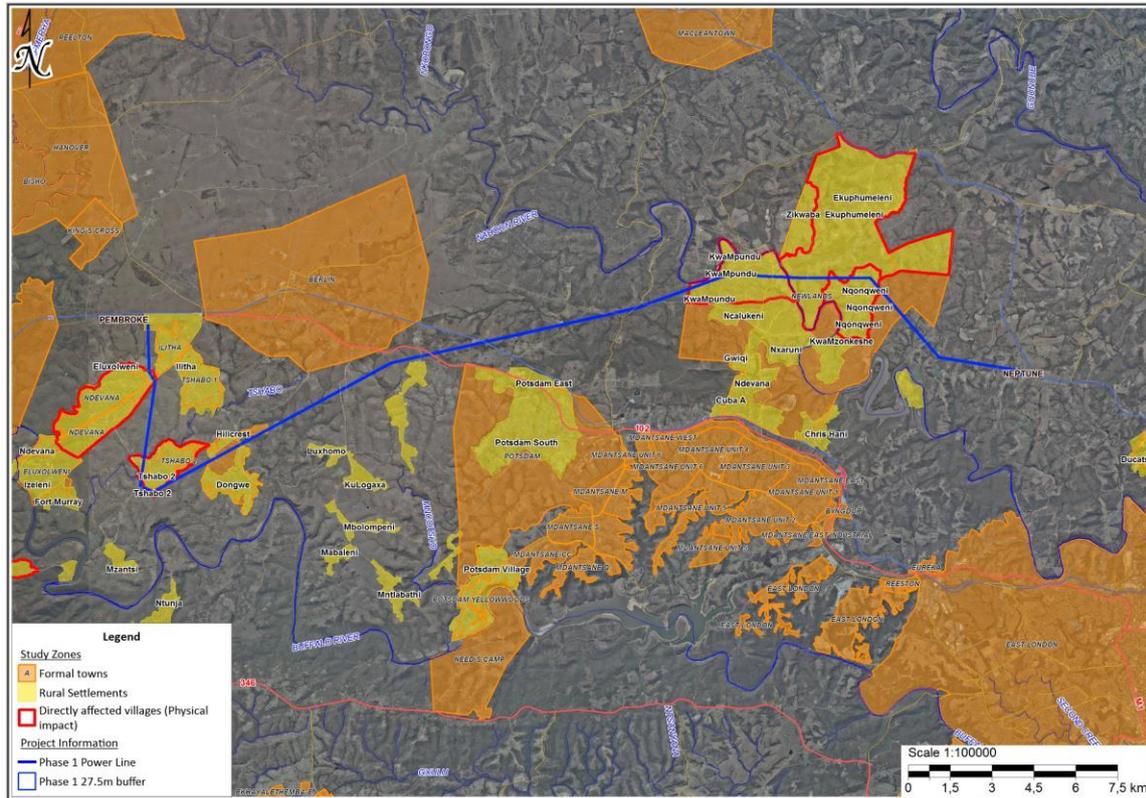
Phase 1 of the project is located between East London and Ndevana, approximately 41km in length. Institutionally it is situated in the Buffalo City Metropolitan Municipality (BCMM), within ward 26, 40, 45 and 50. The figure below indicates formal and informal settlements as well as those villages directly affected by the Transmission Line. Apart from the Pembroke tie-in, and the section close to East London, most of the Trans-mission line passes through the land in the jurisdiction of Traditional Authorities, specifically the amaNdlambe Traditional Authority.

During the Operational Phase farming activities, such as the grazing of animals and the cultivation of crops may continue within the servitude. Building structures or engaging in any activity interfering with the operation of the transmission line within the servitude area is prohibited by legislation. Landowners must keep the servitude clear of any vegetation that may interfere with the line. They must also provide access to the transmission lines so that Eskom may undertake maintenance and repair work when necessary.

The overall aim of this preliminary resettlement action plan (RAP) is:

- To avoid or minimise resettlement where feasible
- To ensure Project Affected Households (PAH) are placed in a similar or better position
- To ensure PAHs are consulted
- To develop a Resettlement Action Plan
- To support PAHs during resettlement to restore their livelihoods to pre-resettlement levels
- To conduct a continuous risk assessment, mitigation and change management programme on the resettlement process to address impacts not anticipated.
- To align the resettlement action plan with the Local Municipality's Integrated Development Planning for the affected area

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**Figure 1: Phase 1 (Neptune to Pembroke) Locality**

## 2 Impact Assessment

The Social and Resettlement Specialist (SRS) utilised the following methods for data collection:

- Review of Socio-economic and Planning Documents and Data
- Review of the Public Participation Process followed during the Environmental Impact Assessment
- Referencing other Specialist Studies
- Conducting field research and interviews including a social baseline and asset inventory survey
- Interviews with Traditional Authorities and Local Government representatives
- Site Visits and Observation

A total of 123 stands were visited in Kwampundu, Ekuphumeleni, Nqonqweni, Nkandla and Tshabo 2.

The following will be impacted to some degree by the project:

**Table 1: Impact Table**

Impact	Impact Quantification
<b>Impact on Households and Population</b>	123 households affected with a population of 407 people (average household size of 4)
<b>Impact on Vulnerable Groups</b>	There are 87 households classified as vulnerable. These are either woman-headed, elderly-headed or extremely poor households or a combination. There are no child-headed, disabled or terminally ill per-sons within the affected

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Impact	Impact Quantification
	households
<b>Loss of Residential and Productive Land</b>	17.37 ha residential land belonging to 123 households 0.66 ha vegetable gardens belonging to 23 households
<b>Loss of livelihoods</b>	0.66 ha of vegetable gardens producing subsistence products or to generate an income 2 businesses activities will be temporarily affected
<b>Loss of Residential Structures, Assets and Yard items</b>	236 residential structures with a total size of 5,243.53m <sup>2</sup> 29 cattle kraals (total perimeter of 1012.2m <sup>2</sup> ) 23 chicken coops of 177.57m <sup>2</sup> 8 goat pens of 81.07m <sup>2</sup> 23 pigsties of 163.074m <sup>2</sup> 5 fruit trees 15 shade trees 3,896.11m fencing with 20 motor gates
<b>Loss of Cultural Property and Resources</b>	9 graves affected 1 non-permanent initiation site Kraal structures also used as meeting places
<b>Other impacts</b>	Disruption of livelihoods Access to Natural Resources
<b>Access to services and social facilities</b>	Services and Social facilities are not directly affected. If households opt to resettle within their existing settlements as recommended, there should be no impact on their access to services and social facilities.

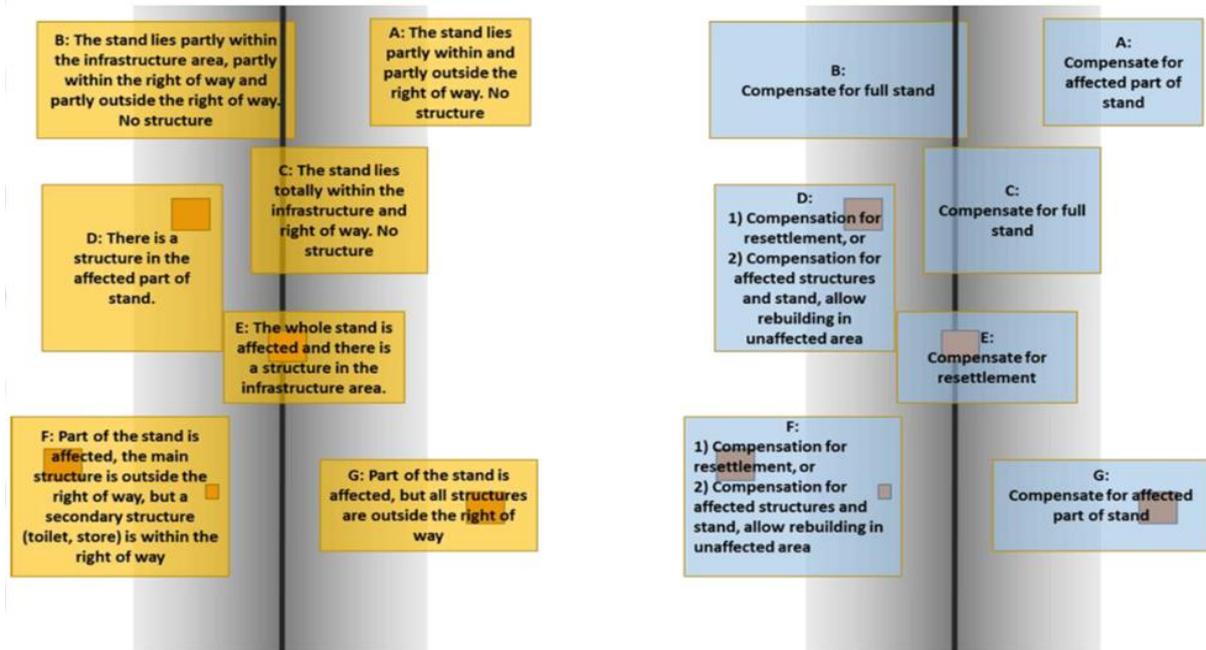
### 3 Resettlement Measures & Procedures

#### 3.1 Project Affected Households

There are different types of Project Affected Households:

- A - The stand lies partly within and partly outside the right of way with no structure. Eskom to compensate for the affected stand.
- B - The stand lies partly within the infrastructure area, partly within the right of way and partly outside the right of way with no structure. Eskom to compensate for the full stand.
- C - The stand lies totally within the infrastructure and right of way with no structure. Eskom to compensate for the full stand.
- D - There is a primary structure in the affected part of the stand. The PAHs has a choice to agree to compensation for the full stand or just for the affected structures and stand.
- E - The whole stand is affected, and there is a structure in the infrastructure area. Eskom to compensate for resettlement.
- F - There is a small structure in the affected part of the stand. The PAHs has a choice to agree to compensation for the full stand or just for the affected structures and stand.
- G - Part of the stand is affected, but all structures are outside the right of way. Eskom to just compensate for the affected structures and stand.
- H – Household ownership is untraced. Eskom must hold compensation until the party is traced.
- I – The assets are held in a deceased estate. Eskom must keep compensation until the estate is finalised or if all the beneficiaries of the estate agree, Eskom must compensate according to the beneficiary agreement
- J – The affected assets are in dispute. Eskom must hold compensation until the matter is resolved.

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### 3.2 Vulnerable Groups

Vulnerable groups defined for this project include:

- Indigent people/households;
- Women headed households;
- Head of households that are elderly
- There are no disabled or child-headed households among the PAHs, and therefore these two categories are not included above.

The project will support vulnerable people with the implementation of the following strategies:

- Identification of the vulnerable groups during the planning phase;
- Providing additional consultation during the disclosure of the RAP and negotiations, ensuring they know and understand the steps of the resettlement and can anticipate any obstacles faced by them;
- Providing additional support and assistance during the Resettlement Implementation;
- Building capacity to assist in access services, grants, and support organisations; and
- Providing additional compensation to enable the vulnerable group to a) hire extra help with the resettlement process (supervision, household construction, demolishing) and, b) cover expenses (look after the family, transport costs, any other unforeseen costs).

There are 87 vulnerable groups identified, with some vulnerabilities existing in the same household.

### 3.3 Further Development (Influx)

Currently, there is no moratorium for no development within the Eskom servitude. Therefore, people may develop their assets and structures within the yard further, and Traditional Authorities may allocate new erven within the servitude area.

Eskom will engage with Traditional Authorities and Local Government for the following:

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- Eskom and the Traditional Authorities to agree and sign a memorandum that will prohibit the allocation of erven within the servitude area by Traditional Authorities.
- Eskom should manage and patrol the servitude.
- Eskom should fix notice boards along the Transmission line servitude (at villages) indicating that it is a servitude.
- The servitude area must be marked with a visible post every 100m on either side of the servitude.

### 3.4 Cut-Off Dates

Cut-off date 1: No new stands being allocated within the servitude after agreement with Traditional Authorities and Local Government.

Cut-off date 2: No additional assets within identified affected stands after notification is given to the Project Affected Households.

Any claim for compensation after this date will be considered bearing in the following in mind:

- Demarcation or establishment date in relation to cut-off dates;
- Legal rights or authority to demarcate a stand or build on the property;
- Overlapping claims with another Project Affected Person; and
- Origin of the household

## 4 Entitlement Framework

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**Table 2: Entitlement Framework**

Type of loss	Entitlement
Loss of residential land	Compensation for the replacement of the residential stand at a host area with similar or better tenure security
Loss of vegetable garden at full or partial	Compensate for the cost of the reestablishment of vegetable garden at the host area at compensation rates
Loss of perimeter fencing of 1.2m high regard-less of material it's built with	Compensate for the replacement cost of a 1.2, welded mesh fence with a steel dropper every meter of the fence and 6 anchor poles (4 corners and gate opening)
Loss of perimeter fencing of 1.5 – 1.8m high regardless of the material it's built with	Compensate for the replacement cost of a 1.8, welded mesh fence with a steel dropper every meter of the fence and 6 anchor poles (4 corners and gate opening)
Loss of standard motor gate	Compensate for the replacement cost of a standard motor gate at the compensation rate
Loss of special motor gate	Compensate for the replacement cost of a special motor gate at the compensation rate
Loss of standard pedestrian gate	Compensate for the replacement cost of a standard pedestrian gate at the compensation rate
Loss of corner poles only	Compensate for the replacement cost of the corner poles at the compensation rate
Full loss of residential structure	Compensate for the replacement cost to construct a similar structure in size of the same material at a chosen
Partial loss of residential structure	Compensate the replacement cost to construct a similar structure in size of the same material at a chosen host
Loss of structures smaller than	Compensate the replacement cost to construct a minimum

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<b>Type of loss</b>	<b>Entitlement</b>
40m <sup>2</sup> regardless of the material it's built with	sized structure of 40m <sup>2</sup> built from conventional materials at the compensation rate
Loss of structures of disabled persons smaller than 40m <sup>2</sup> regardless of the material it's built with	Compensate the replacement cost to construct a minimum sized structure for disabled persons of 45m <sup>2</sup> built from conventional materials at the compensation rate
Loss of structures larger than 40m <sup>2</sup> built of brick	Compensate the replacement cost to construct a similar-sized structure built from similar materials at the compensation rate
Loss of structures larger than 40m <sup>2</sup> built of mud or corrugated iron	Compensate the replacement cost to construct a similar-sized structure built from similar materials at the compensation rate
Loss of internal finishes such as plaster/paint,	Compensate for the internal finishes with increased compensation per m <sup>2</sup>
Loss of unfinished structures, stoep or patio regardless of its size or material	Compensate the replacement cost for the unfinished structures at the compensation rate
Loss of constructed foundations	Compensate the replacement cost for the foundations at the compensation rate
Loss of toilet regardless of the material it's built with	Compensate the replacement cost to construct a minimum sized toilet of 2x2m built from conventional materials at the compensation rate
Loss of animal shed, i.e. pigsty, chicken coop, goat pen regardless of the material it's built with	Compensate the replacement cost to construct an animal shed of similar size built from conventional materials at the compensation rate
Loss of traditionally constructed cattle, horse or donkey kraal	Compensate the replacement cost to construct a kraal of similar size built from conventional materials at the compensation rate
Loss of fruit or wild fruit trees	Compensation for the loss of fruit trees, replacing 2 trees for every 1 lost at the compensation rate
Loss of shade trees	Compensation for the loss of shade trees, replacing 2 trees for every 1 lost at the compensation rate
Loss of drilled boreholes regardless of whether it is equipped	Compensation for the loss of borehole and compensation to move and reinstall the pump if any at the compensation rate
Loss of access to water supply	Compensation for the loss of access to water supply in the interim until the water system can be extended by the municipality by compensating for the supplying of a rainwater harvest system at the compensation rate
Loss of access to water supply	Collaborating and provision of financial support for the extension of the existing water supply systems in the host areas
Loss of water tank system	Compensation for the loss of a water tank by compensating for the supplying of a rainwater harvest system at
Loss of electrical or pre-paid electrical connection	Eskom distribution must reconnect and install pre-paid meters at no charge.
Loss of income due to disruption of business	Compensation for the loss of income for 3 months at the compensation rate
The requirement for the exhumation of a grave	Appointment of a service provider by Eskom for the exhumation and reinternment of the grave, with the provision of a standard tombstone if no tombstone existed, alternatively removing the headstone and reinstalling

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Type of loss	Entitlement
Exhumation of the grave ritual and ceremony	Compensation for the payment of costs required for the Rituals and Ceremonies for funerals/grave exhumation
Resettlement Assistance to vulnerable groups	Compensation for additional assistance required by vulnerable groups
Resettlement Assistance for Site Preparation and Demolishing of existing structures	Compensation for payment of site preparation and hiring assistance for demolishing the existing structure and transport salvageable items to the new house
Resettlement Assistance for Physical Relocation	Compensation for payment of a moving truck to transport moveable assets, purchase boxes and other moving requirements
Resettlement Assistance to meet incidental	Eskom will pay 10% of the total compensation package as a Solatium for the inconvenience caused and any intangible damages.
Resettlement Support for Livelihood Restoration	Eskom will compensate the PAHs to support any impact of livelihoods based on the South African Statistics minimum income per capita to survive for an average household size of 4 for a 12-month period.

## **5 Controlled Monetary Compensation**

Eskom prefers to pay monetary compensation to Project Affected Households for the following reasons:

- Allows Project Affected Households to determine the design, size and material of their replacement housing without being limited to standard designs offered by architects
- Encourages psychological ownership of the housing, resettlement host site and replacement of assets, as these were freely chosen by the Project Affected Household without feeling any pressure to make decisions limited to the options provided in a RAP

### **5.1 Monetary Compensation of Assets where Resettlement is planned**

Eskom will release the monetary compensation in stages, with a substantial amount upfront including the replacement residential land, full replacement cost of assets, resettlement assistance to vulnerable groups and the resettlement allowance or solatium. The balance of the monetary compensation will be paid when the PAH has to vacate the land and relocate to the new structure, which will include demolishing allowance, physical relocation allowance and livelihood restoration allowance.

The payment stages will be as follows:

- At the agreement of the monetary compensation, selection of a host site and appointment of a builder, the release of 60% of the total compensation package
- At the completion of the house the final 40% of the total compensation package
- Final payment will include the Isazimzi (cultural ceremony), payable when resettlement to the resettlement house is complete, and the old house have been demolished and the site cleaned

## **5.2 Monetary Compensation of Assets where Alternative Housing is available**

In cases where households do not permanently reside in the structure affected by the project, Eskom will allow for an option of outright monetary compensation dependent on PAHs meeting certain conditions. These are:

- In cases of alternative housing on Traditional, State or communal land:
  - Proof of alternative housing is provided and confirmed by Eskom through interviews with neighbours and community leaders;
  - Written confirmation from Traditional Authority is provided; and
  - The affected household signs an affidavit to that effect
- In cases of alternative housing on municipal township land:
  - Proof of ownership of alternative housing in the form of a title deed is provided; and
  - Eskom receives written confirmation.
  - Eskom will not accept any rental agreements; alternative housing must be owned.

In this instance, Eskom will also pay monetary compensation in a controlled manner with the reaching of certain milestones:

- At the agreement of the monetary compensation and proof provided for the alternative housing (as set out above), the release of 60% of the total compensation package
- At the evacuation of house, demolishing of structures and resettlement in the alternative house the final 40% of the total compensation package
- Final payment will include the Isazimzi (cultural ceremony), payable once resettlement is complete, and the old house have been demolished and the site cleaned

### ***5.2.1 Adequate Compensation Packages***

Eskom has endeavoured to ensure that compensation packages are not underestimated by doing the following:

- Determining and recording a detailed list of tangible and intangible assets
- Calculation of compensation rates based on a combination of (refer to Chapter 9 for a detailed description of calculations):
  - Research conducted to determine Replacement Value through statistics on building costs, obtaining quotes and considering the independent Valuation done;
  - Utilising Eskom and South African Government standards on housing as a minimum replacement;
  - Providing an additional allowance for any unforeseen costs by adding a Solatium to the compensation package
  - Providing for a contingency in the Resettlement Cost Estimate to address any unforeseen circumstances

### ***5.2.2 Non-Monetary support and assistance***

Eskom will ensure that non-monetary support and assistance is provided to PAHs by appointing a Social and Resettlement Specialist (SRS). The SRS will be responsible for:

- Overseeing negotiations and agreements ensuring proper procedures is followed;
- capacity building of household on monetary compensation, the risk and financial management required;
- selecting and securing an alternative stand;
- appointment of a reputable builder, and agreement with the builder on prices;
- monitoring builder progress, assisting with any dispute between household and builder;

- assistance with the arrangements to pack-up belongings, transport and demolishing;
- facilitate the release of funding without delay at reaching the various milestones;
- overall monitoring of the process;
- conducting formal periodical monitoring by an independent external monitor; and
- the completion of a final evaluation of the resettlement.

## **6 Resettlement Host Site Options**

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The current tenure held by households in the KwaMpundu, Ekuphumeleni, Nqonqweni and Tshabo 2 settlements are state land under the jurisdiction of a Traditional Authority. These Traditional Authorities allocate stands to households.

Eskom's approach to replacement residential land is to minimise any impact on livelihoods, family and social networks, and therefore PAHs will be encouraged to resettle within their existing settlements, thereby they are able to access the same arable land, grazing land, community services and facilities. In consultation with the Traditional Authority (amaNdlambe) and the Municipality (BCMM), there are a number of host site options available within the same or in close proximity to their existing settlements.

Resettlement to host sites within existing villages will ensure that households have access to the same level of services for water, electricity as well as community, health and education facilities.

## **7 Negotiation and Agreement Procedures**

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Eskom will negotiate with affected households in the spirit of finding amicable solutions with full respect of all the parties concerned. The following must guide negotiations:

- **Procedure** - Eskom must thoroughly explain resettlement procedures for negotiation, implementation and raising grievances to affected households. All households will be provided with the necessary contact details to obtain information or lodge grievances;
- **Full Disclosure** - Eskom will disclose a non-Technical Summary detailing the negotiation procedures, implications and provisions of the displacement to the affected people;
- **Willingness** – All parties will enter into the agreements willingly without any force from anyone and if no agreement is made further deliberations should be made;
- **Consideration of options period** - Adequate time shall be given to the affected communities to discuss the matter amongst themselves with their traditional leaders, and they should be allowed reasonable time without causing unwarranted delays in project implementation;
- **Recording for negotiations** - All negotiations and discussions will be filed and kept confidential and will only be open to Eskom, the specific PAHs and appointed monitoring teams.
- **Court of Law** - The court of law will be the last resort for all parties as the spirit will be to reach some kind of consensus among parties. The parties will first enter mediation before they approach a court of law.

The parties will follow the process below:

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**Figure 2: Negotiation Process**

The agreement entered into between Eskom, and the affected household must contain at least the following:

- Power of Attorney granting one person in the family the authority to sign documents on behalf of the whole family
- Entitlement offer
- Provision for grievance procedure, including mediation and arbitration
- Provision for monitoring
- Explanation of Free, Prior and Informed Consent

Eskom must provide and deliver a copy of the signed agreement to the household once all parties have signed.

Eskom will effect change management procedures in the following circumstances:

- New Project Affected Households are identified
- Additional assets are identified during the negotiation
- Management of households initially identified but no longer affected due to design changes

Project Affected Households will be provided feedback on the outcome of the Change Procedure.

## 8 Implementation Procedures

Implementation will be following the 4 phases indicated in the diagram below:

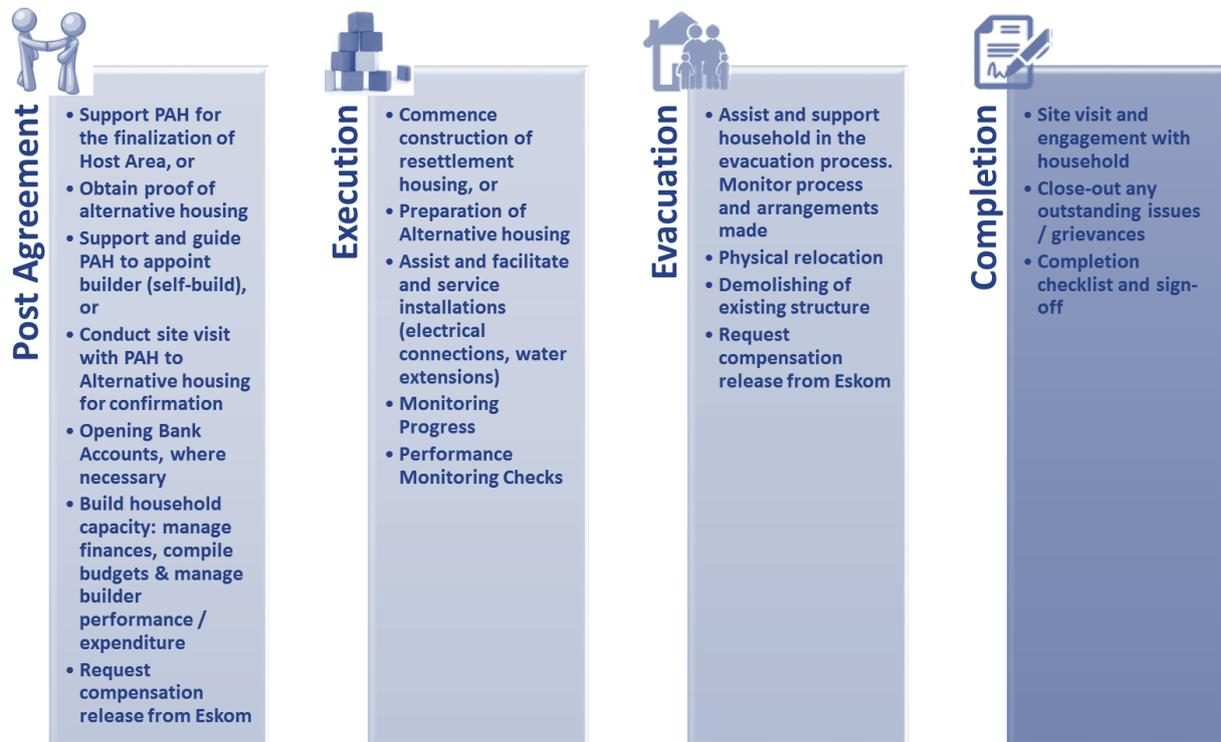


Figure 3: Resettlement Implementation Procedures

## 9 Restoration of Livelihood Activities

The purpose of the income restoration and livelihood development program is to assist those PAHs and those Vulnerable PAHs, to restore their livelihood and income at pre-project levels and enable them to improve their livelihoods to better levels than before the project. Eskom has tried to avoid/minimise the displacement of people by exploring alternative project designs. The final determined displacement is unavoidable. Eskom, therefore, intends to execute this resettlement as an initiative that will provide displaced persons with opportunities to participate in the planning and implementation of their resettlement activities as well as to restore and improve their livelihoods.

The Neptune-Pembroke Resettlement does not foresee a severe impact on livelihoods, as the significant impact is residential structures and not economic ventures, land or livelihood sustaining activities. There will, however, be a temporary disruption to their livelihoods during the implementation of the resettlement process.

Eskom will implement the following livelihood programmes:

- Transitional Support
- Minimum income Support
- Workshops and guidance

## **10 Stakeholder Engagement**

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### **10.1 RAP Disclosure**

A summary of the Resettlement Action Plan will be made available, and meetings held with:

- Department of Rural Development
- Local Government and Traditional Authorities
- Project Affected Households

### **10.2 Establishment of Resettlement Engagement Structure**

A Resettlement Engagement Structure will be established at the onset of the Resettlement Implementation Process. The Resettlement Coordinating Committee will meet every second month to receive an update of the progress with the resettlement programme and to address any issues or challenges that are difficult to solve. The Resettlement Coordinating Committee will consist of not more than 18 members as listed below. It will be active until the last PAH has resettled. The structure will at least contain the following parties:

- One (1) representative from the appointed SRS
- One (1) representative from the Department of Rural Development and Land Reform
- Two (2) representative from affected Traditional Authority (amaNdlambe Traditional Authority)
- One (1) representatives from each of the Municipal Wards
- Two (2) representatives from each of the affected communities (5 communities; 10 members)

### **10.3 Conduct in the field**

Employees, service providers and contractors must know how to present themselves and the work they do in the community to maintain positive relationships and avoid adverse impacts on communities and the environment. All staff that engage stakeholders must undergo a stakeholder awareness induction. The following must be observed:

- Behave transparently, honestly, professionally, respectfully and responsibly.
- Discrimination of any kind will not be tolerated.
- All questions from the communities (outside of direct interactions with community members) must be recorded and where necessary reported on to your supervisor
- Recognise and respect Traditional Authority structures and representatives, Local Ward Councillors and Committees and government officials, as well as other leaders within the local communities
- Cultural customs have to be observed, where appropriate.
- In case of damages to the property of local communities caused (or alleged to have been caused) by construction activities, it must be reported and a record of these damages must be kept.

## **11 Grievances Procedures**

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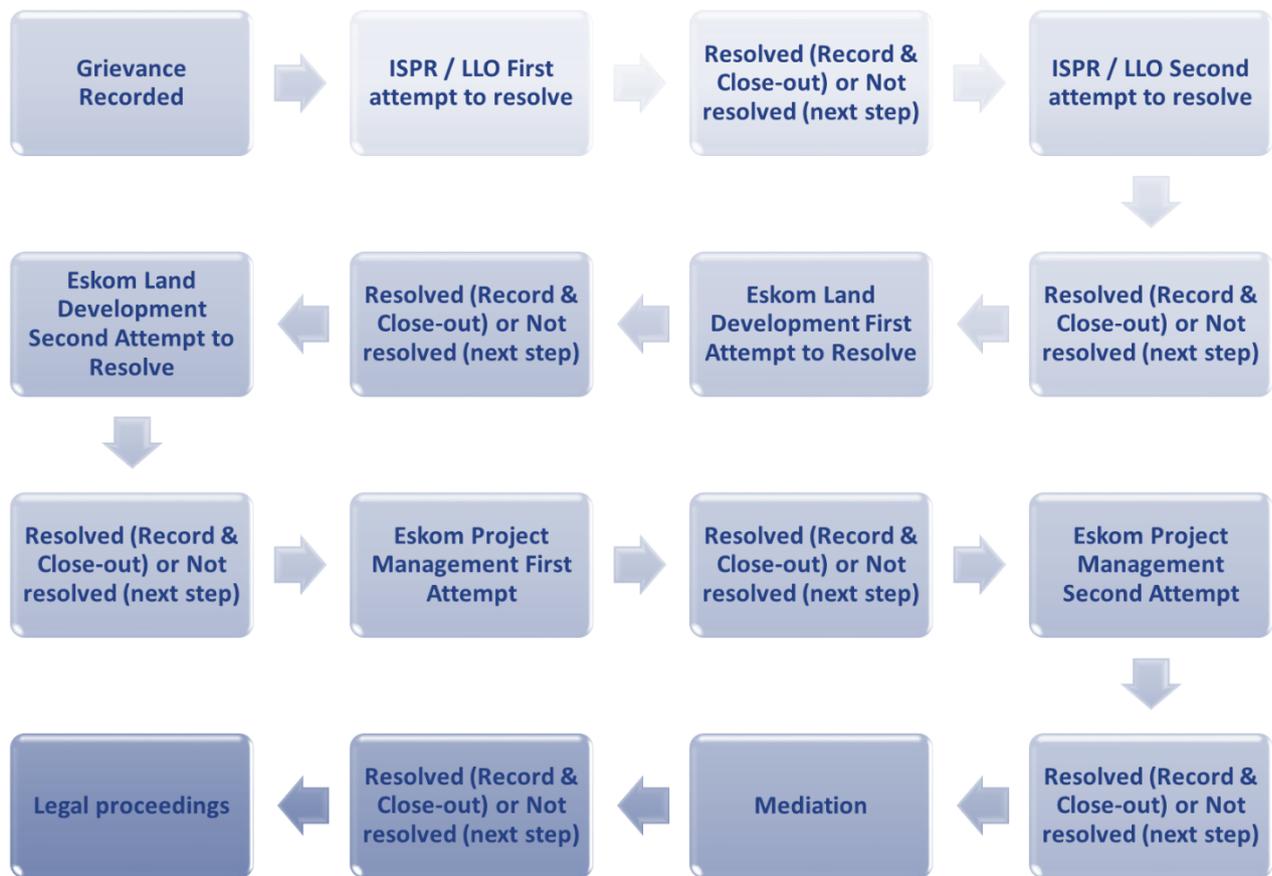
The objectives of the grievance procedure are:

- To provide the PAHs with an accessible and prompt mechanism through which to lodge a complaint and resolve any dispute that may arise in connection with the project;
- To facilitate appropriate and mutually acceptable corrective actions, and to address complaints efficiently;
- To ensure that complainants are satisfied with the outcomes of any corrective actions undertaken by Eskom; and
- To avoid/minimise the need to resort to judicial proceedings.

The grievance mechanisms process is as follows:

- Step 1
  - A Grievance will be lodged with the SRS or the LLO who will attempt to resolve the grievance.
  - If the grievance is resolved, it is recorded, and no further action is required
  - If the grievance is not resolved, and the SRS / LLO determines it is possible to resolve it, the second loop of engagements to resolve is held
  - If not resolved the Grievance moves on to the next step
- Step 2
  - The grievance is raised with Eskom Land Development who will attempt to resolve the grievance.
  - If the grievance is resolved, it is recorded, and no further action is required
  - If the grievance is not resolved, and Eskom Land Development determines it is possible to resolve it, the second loop of engagements to resolve is held
  - If not resolved the Grievance moves on to the next step
- Step 3
  - The grievance is raised with the Eskom Programme Management who will attempt to resolve the grievance.
  - If the grievance is resolved, it is recorded, and no further action is required
  - If the grievance is not resolved, and the Eskom Programme Management determines it is possible to resolve it, the second loop of engagements to resolve is held
  - If not resolved the Grievance moves on to the next step
- Step 4
  - If a solution is still not found before any legal action is pursued, there should be mediation to resolve the grievance.
  - Parties must agree to the mediator
  - Project to cover the costs of the mediation process

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**Figure 4: Grievance Procedure**

## 12 Institutional and Organisational Responsibilities

### 12.1 Eskom Project Management

Eskom Programme Management and Execution (Power Delivery Projects) will have the following role related to the resettlement process:

- Ensure resettlement cost and funding approval
- Respond to escalated grievances
- Review summary Grievance report and timeframe of addressing/resolving issues
- Review high-level Performance and Impact Monitoring overview
- Timeline impact on overall project execution

### 12.2 Eskom Land Development

Eskom Land Development will have the following role related to the resettlement process:

- Overall responsibility for planning and implementing all activities under the RAP: It will guide, supervise and report on progress and will handle resettlement issues requiring actions and coordination at various levels. Eskom will appoint the necessary service providers and employees to assist and support them in the implementation of the RAP.
- Negotiation and Agreement Process
- Monitor and supervise the implementation of resettlement

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- Where PAHs had access to water supply and electricity, Eskom in collaboration with the municipality will be responsible for ensuring restoration of access to the same level of these services.
- Overall Resettlement Progress
- Arrange and instruct the Compensation release to PAHs
- Overall Resettlement Cost Control
- Respond and report on the High-level Grievance report and timeframe of addressing/resolving issues
- Respond and report on the High-level Performance and Impact Monitoring overview

### **12.3 Social and Resettlement Specialist (SRS)**

The Appointed SRS will be responsible for the following

- Compilation of the Entitlement Packages
- Establishing the Resettlement Files
- Planning and coordination of field implementation
- Coordination of compensation release and reporting
- Information exchange and liaison
- Site inspections and progress review
- Resettlement assistance & support
- Progress of resettlement per affected household
- Day-to-day monitoring
- Arrange for independent external monitoring and evaluation
- Attempting to resolve Grievances and keeping the Grievance Logbook up to date during resettlement, and providing reports on Grievances to Eskom Land Development
- In response to Grievances and Monitoring outcomes request approval from Eskom to amend the response

### **12.4 External Organisational Units, Roles and Responsibilities**

- Department of Rural Development is responsible for
  - Manage state land under the jurisdiction of Traditional Authorities
  - Protect occupants with informal land rights
  - Monitor resettlement programmes in rural areas
  - Oversee land allocation in Traditional Authority areas
- Department of Local Government is responsible for:
  - Ensure municipalities implement proper land use management in municipal areas
  - Provide democratic and accountable government to the local communities
  - Promote sustainable service delivery with adequate funding
  - Promote economic and social development
  - Promote safe and healthy environments and
  - Encourage the involvement of communities and community-based organisation in local government affairs.
- Department of Human Settlement is responsible for:
  - Provide a housing development plan and budget for the Province
  - Provide outcomes-based monitoring and evaluation of integrated plans
  - Facilitate and coordinate the eradication of informal settlements in the Province
  - Facilitate and promote the integration of communities utilising social and rental housing;
  - Provide planning, project management, technical and quality assurance expertise to sustainable human settlement projects
  - Acquire land and facilitate the issuing of title deeds to promote homeownership

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- Buffalo City Metropolitan Municipality is responsible for
  - Basic service delivery and infrastructure development including water supply, sanitation, waste management, refuse removal, roads, housing, stormwater, land use planning and electricity supply
  - Local Economic Development
  - Good Governance and Public Participation
- Ward Councillors are responsible for
  - Representatives of the people
  - Understanding the needs and the views of the community
  - Facilitators of community/constituency input
  - The communication link between council and community
  - Ratify key decisions of the council
  - Monitor the performance of the municipality
- Traditional Authority (Council and Headman) are responsible for:
  - Their typical responsibilities in terms of the Traditional Leadership and Governance Framework Act (Act 41 of 2009). The role relevant to the resettlement is provided below:
  - Administering the affairs of the traditional community in accordance with customs and tradition;
  - Supporting municipalities in the identification of community needs;
  - Recommending, after consultation with the relevant local and provincial houses of traditional leaders, appropriate interventions to government that will contribute to development and service delivery within the area of jurisdiction of the traditional council;
  - Participating in development programmes of municipalities and the provincial and national spheres of government;
  - Promoting the ideals of co-operative governance, integrated development planning, sustainable development and service delivery;
  - Promoting indigenous knowledge systems for sustainable development and disaster management;
  - Alerting any relevant municipality to any hazard or calamity that threatens the area of jurisdiction of the traditional council in question, or the well-being of people living in such area of jurisdiction, and
  - Sharing information and cooperating with other traditional councils
- Project Affected Households: Project Affected Households will also have some roles and responsibilities that are relevant to resettlement:
  - Raise concerns, issues and grievances with the SRS / LLO and suggest solutions
  - Participate in meetings, workshops and other engagement sessions
  - Consult with complete family before making decisions, obtain a Power of Attorney to sign documents, and take time to think through the decision and consider all consequences and risk
  - Asking for advice, translation, external assistance from the SRS / LLO where required
  - Keeping secure and managing the PAHs compensation funds to resettle successfully
  - Allow access for site visits and cooperate with monitoring and evaluation interviews

## **13 Monitoring, Evaluation, And Reporting**

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Eskom, through their appointed SRS, will undertake to monitor and report on the effectiveness of RAP implementation, including:

- The physical progress of resettlement and rehabilitation activities
- The disbursement of compensation

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- The effectiveness of public consultation and participation activities
- The effectiveness of livelihood restoration among affected households

**Table 3: Proposed RAP Monitoring Plan**

Component Activity	Type of information/ Data collected	Source of Information/ Data Collection Methods	Responsibility for Data Collection, Analysis and Reporting	Frequency/ Audience of Reporting
Performance Monitoring	Measurement of input indicators against proposed timetable and budget	Monthly or quarterly narrative status and financial reports	Eskom Land Development / SRS/LLO	Semi-annual/ annual as required by sponsor management and lenders
Impact Monitoring	Tracking effectiveness of inputs against baseline indicators  Assessment of PAP satisfaction with inputs	Quarterly or semi-annual quantitative and qualitative surveys  Regular public meetings and other consultation with people affected by the project; review of grievance mechanism outputs	Project resettlement unit or contracted external monitoring agency	Annual or more frequently as required by sponsor management and lenders
Completion Audit	Measurement of output indicators such as productivity gains, livelihood restoration, and development impact against the baseline	External assessment/ sign off report based on performance and impact monitoring reports, independent surveys and consultation with affected persons	Contracted external auditing and evaluation agency	On completion of RAP timetable as agreed between sponsor and lender

## 14 Resettlement Costs

Several RAP international good practice principles are being applied below, such as the following:

- Eskom will offer compensation to physically displaced persons, for the loss of assets (including structures, yard items, services, natural resources, and fencing) at **full Replacement Cost** (which is defined as the full cost for replacement of assets without subtracting depreciation due to age and quality of the structures);
- Eskom will provide resettlement assistance necessary to help them improve their standards of living or livelihoods; and
- No property/stand shall be acquired/disturbed by the project before the resettlement, evacuation and demolishing has been completed on that property.

The methodology that was used to evaluate the loss due to displacement has been guided by the following:

- World Bank Standards
- Reviewing the completed Valuation Report;
- Reviewing the Eskom Practice note for land and rights;
- Researching prices of materials and building cost in the Eastern Cape and where possible obtaining price lists and quotes from suppliers;
- Reviewing Statistics South Africa's cost for construction per Province; and
- Where possible obtaining quotes from potential suppliers

## **15 Anticipated Resettlement Programme**

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It is anticipated that the Resettlement Programme will be implemented over 12 - 18 months:

- Planning, Preparation & Stakeholder Engagement: 2 - 4 months
- Negotiation: 3 months
- Implementation: 9 - 12 months
- Monitoring: Continuous
- Further Stakeholder Engagement: Continuous
- Completion: 1 month

## **16 Social and Resettlement Specialist Contact Details**

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