

AREA: BELLEUUE	PROJECT NUMBER: Mnm275306283			
FEEDER: PELLOUE ITEM OF: OF 5				
SUPPLY TO: טאטאר אינאנאט				
ESKOM REPRESENTATIVE: S O SONO	CELL: +27 76 976 4583			
*DISTRIBUTION/*TRANSMISSION	EMAIL: SonoSO@eskom.co.za			

WAYLEAVE CONTRACT POWERLINE AND/OR CABLE AND ASSOCIATED INFRASTRUCTURE

1. GENERAL

1.1

	-
lden	tification of parties:
1.1.1	Contractor means any entity appointed as an independent contractor to execute works on the Property in the exercise of the Rights.
1.1.2	Eskom means Eskom Holdings SOC Ltd, a public company with registration number 2002/015527/30 with its head office at Megawatt Park, 2 Maxwell Drive, Sunninghill, Sandton.
1.1.3	Lessee means the holder of a lease registered against the title deed of the Property and is, a company / close corporation / trust / partnership / natural person / Government department / tribal authority of
1.1.4	, herein represented by who through signature here below, warrants his or her authority to sign on behalf of the Lessee. Owner means
1.1.5	Property means: BELLEUUE 104-29 JU

held by virtue of Title Deed/s number/s.....extentextent

REGOT-

1.1.6	a company / c Government	eanslose corporation department	/ trust /	partnership tribal	/ natural p authority	person of
	, herein represe	ented by gnature here below ufructary.				

2. THE RIGHTS

721 A 22 The Owner grants, generally, an irrevocable right (herein the "Rights"), in perpetuity and free of charge, to Eskom and over the Property, for the distribution and transmission of electricity and related purposes, substantially along the route indicated by letters ABC, P.F.F... on the attached sketch plan, comprising an area 9 meters on either side of the centre line of the Goods, once they are built (the "Wayleave Area"), and the Rights include those set out in paragraph 2 hereof.

- To the extent necessary to give effect hereto, the Owner's spouse, Lessee and/or Usufructuary agrees to the granting of the Rights by signing below.
- 2.3 The Rights, specifically, include the rights to:
 - 2.3.1 convey electricity and telecommunication across the Property;
 - 2.3.2 erect structures, conductors, cables, appliances and, without limitation, everything else as may be necessary or convenient in exercising the Rights (herein referred to as the "Goods") and the Owner agrees that structure-supporting mechanisms may reasonably extend beyond the Wayleave Area where it is necessary to safely secure the Goods;
 - 2.3.3 enter and be upon the Property at any time in order to construct, erect, operate, use, maintain, repair, re-erect, alter or inspect the Goods or in order to gain access to any adjacent property in the exercise of rights similar to the Rights;
 - 2.3.4 have these Goods remain on the Property for so long as either Eskom or the Owner requires them to;
 - 2.3.5 extend the Goods to other customers, suppliers or contracting parties of Eskom, over the Property;
 - 2.3.6 use existing roads and gates giving access to and running across the Property and to erect in any fence such gates as may be necessary or convenient to gain access to or exit from the Property and the Goods or in order to gain access to any adjacent property in the exercise of rights similar to the Rights;
 - 2.3.7 remove any material or structures, and cut or trim any tree, bush or grass within the Wayleave Area or to the extent necessary where the Goods extends beyond the Wayleave Area, in order to comply with the restrictions referred to in paragraph 3.2 hereof;
 - 2.3.8 every ancillary right necessary or convenient for the proper exercise of the Rights granted to Eskom; and

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- 2.3.9 At Eskom's election, have this wayleave registered as a servitude against the title deed of the Property.
- 2.4 The Rights will apply to all electricity infrastructure on the Property and the area which such infrastructure covers will be deemed to be included in the Wayleave Area and/or Restricted Area. It is agreed that the Owner herewith grants permission for all electricity infrastructure on the Property to remain on the Property.
- 2.5 Any expenses to be incurred, which are necessitated by a change to or removal of the Goods in the Wayleave Area required by the Owner, are for the Owner's account and must be paid for by the Owner in advance. Eskom will effect such changes or removals after receipt of such payment, if such changes or removal are technically possible.
- 2.6 The Contractor may exercise any of the Rights.
- 2.7 Eskom may:
 - 2.7.1 let any portion of the Goods to any third party on such conditions as Eskom may deem fit;
 - 2.7.2 cede all or any of the Rights granted in terms of this Wayleave to any third party.

3. THE OBLIGATIONS

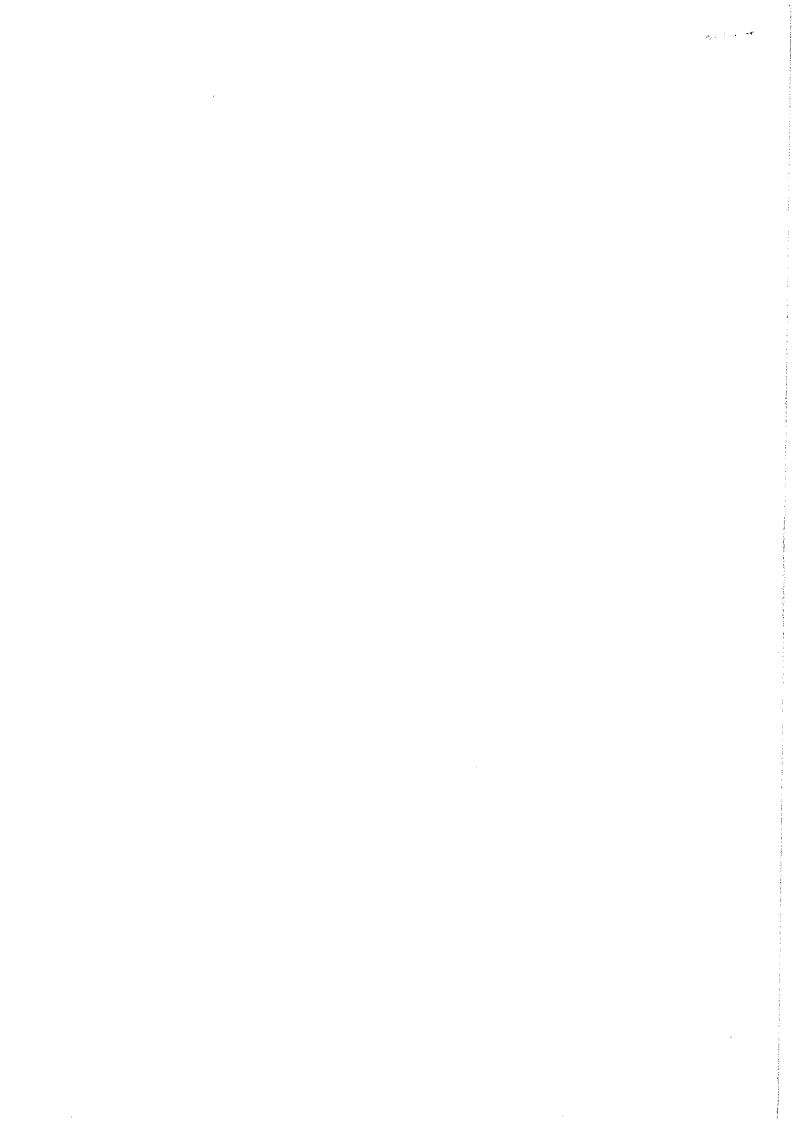
- 3.1 Eskom must:
 - 3.1.1 ensure that any of Eskom's gates that it had used is closed after use;
 - 3.1.2 pay reasonable compensation for intentional damage or damage caused through a negligent act or omission, caused by Eskom, its employees or agents in pursuit of the Rights, save where Eskom is acting in accordance with sub-clause 2.3.7 of this document; and
 - 3.1.3 where a Contractor exercises the Rights, ensure that the Contractor complies with the obligations contained in this sub-clause 3.1.1.
- 3.2 The Owner must ensure that no:
 - 3.2.1 building or structure is erected or installed above or below the surface of the ground within the Wayleave Area and no tree or bush is planted within the Wayleave Area or within <u>9</u> metres from any structure-supporting mechanism (the "Restricted Area");
 - 3.2.2 tree, which could grow to a height in excess of the horizontal distance of that tree from the nearest conductor of any power line is planted or allowed to continue growing, regardless if it is outside of the Wayleave or Restricted Area;
 - 3.2.3 material which may in the opinion of Eskom endanger any electricity infrastructure is placed within the Wayleave or Restricted Area.

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- 3.3 The Owner must bring the existence of this wayleave contract to the attention of any purchaser or other transferee of the Property (or of any portion of the Property) before the Property (or any portion thereof) is sold and/or transferred to such purchaser or transferee, or if the Owner grants any further rights in or to the Property to any other third party, to such third Party.
- 3.4 The Owner must inform Eskom in writing if it is going to sell the Property.
- 3.5 The Owner's attention is drawn to the provisions of section 10.17.1 of the regulations promulgated in terms of the Explosives Act 26 of 1956, which prescribes that when blasting is to be done within 500 (five hundred) metres of any electricity infrastructure, written confirmation must first be obtained from Eskom concerning the protection of electricity infrastructure.

	any el Eskom	ectricity concern	ing the p	rotection	ritten cor 1 of electr	icity infra	structure	
Signed at ₋	T	-6	10/1	on_	2.	4.	19	7
The Owner	R	F	10H	_				
Witnesses:	:							
1					_			
2					_			
Signed at _			111111111111111111111111111111111111111	on			•	
			·					
Spouse of	the Owr	ier if mar	ried in c	ommunit	y or prope	erty		
Witnesses:								
1			.,		_			
2								

Signed at	on
The Usufructary	
·	
Witnesses:	
1.	
2	
Signed at	on
The Lessee	<u> </u>
Witnesses:	
1.	-
2.	COLUMN CO
Signed at	on
Eskom Holdings SOC Limited	
Witnesses:	
1	
2.	



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Annex B - Distribution Environmental Screening Document (DESD) (Informative)

Reticulation Powerlines and Ancillary Services

Ratified and accepted by	
Environmental Specialist (Analys) 10/07/19	
Head of Engineering Survey	
(one signature please) $\mathcal{D} = I_{\mathcal{O}} \mathcal{U}$	
Accepted by Land Owner/s/Users	Initials & Surname
I have seen the completed document and accept the	
recommendations made	Signature
Assessor/s\	
Form completed by S.O.Sono Signature:	
in consultation with: NUKU Signature:	Signature
Digitalion with the state of th	Signature Fill in
CAPACITY (e.g. land owner, specialist):	
DATE COMPLETED: .22 March 2019	
The second man cannot continue to the second	

Instructions

- 1. Fill the report in as neatly and completely as possible.
- 2. Where the question / statement is not applicable mark N/A.
- 3. Indicate sensitive areas on a map and/or spanning plans.
- 4. When in doubt, consult the Environmental Practitioner in your region.

The purpose of this DESD is to:

- Determine whether or not the project should be subject to R543-7, published in terms of the National Environmental management Act 107 of 1998.
- Identify and mitigate the negative impact of Eskom's activities to a minimum in line with both Legislation and Eskom's Environmental Policies.
- This report is a guide to Route Selection, Construction and Field Services.

NOTE Complete the report before the survey!!!

This is not an office exercise.

Extra sheets of paper may be added and referenced if insufficient space has been provided.

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Annex	В
(continue	d)

1 Project de	scription	
Project name/Su Request Project number Rural scheme/ Feeder Supply from (scheme name, p Supply to (Farm name, etc.)	MPHO NUKU MNM275306283 BELLEVUE EXTRA POLE NEAR POLE NUM pole numbers for tee-off) BELLEVUE 104-53.JU	Area BELLEVUE File number Voltage11.kV
2 Properties	traversed	
Compilation num Farm name Registration num	ber and DivisionLine le	
·	iption of the surrounding are	ngth/Site area (m²)
Could the propos aspects?	sed project have an impact on or be	e constrained by any of the following environmental
possible negative	opriate aspect, giving a description impact. Note that mitigating meastanagement Programme.	of the present state as well as an indication of the sures for these impacts are to be included in the

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	Annex B (continued)							
4 Physical	l environi	ment						
4.1 Water:	streams	rivers	dams	wetlands	springs	floodplains	OTHER	N/A
Present condi	tion: .LANI	COVER	RED WITI	H.VEGETA]		GRASS		,
Potential impa	ect (e.g. thre	eat of pollu	ution): より	OW.(POLLU	TION)			*******
••••••								
4.2 Soil:	sand	ly)	roo	cky	clayey	,	OTHER	
Present condit	ion: SOIL.	JS SAND	Y.AND.N	IIGHT HAVI	BIG ROC	KS UNDER	NEATH	
Potential impa 4.3 Topograp			\ .	hills valleys				
Present condit								
Potential impa	ct (e.g. of e	rosion)!	LOW (P.C)LLUTION).	•••••	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•••••	•••••
Comments/mit	igating mea	sures:						.,,

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			Annex B (continued)			
5 Natural er	vironment					
5.1 Flora:	indigenous	prote	cted	exotic	OT	HER
Brief description	and conservation	on status (e.g. r	are, etc., mei	ntion trees/bi	ush/grass)	•••••
Potential impact	(e.g. permit app	licationsT.R.E.l	E.P.ERMIT.M	NGHT BE R	EQUIRED.	
5.2 Fauna:	mamn	nals	birds	***************************************	OTHER	••••••
Brief description (e.g. rare, protection .BIRDS.MIGHT		n giraffe, eleph				· · · · · · · · · · · · · · · · · · ·
Potential impact	(e.g. threat of el	-	lision, etc).M	•	,	
•••••••••••••••••••••••••••••••••••••••	••••••		••••••			
Comments/mitig	ating					measures
Tree Dern Should to Construction Notation 6 Social envi	equirons	required fed tree clearing rentall	- he 1	ohced	dur	(C)
6.1 Restricted areas:	nature/game reserves	hiking trails	tourism r	outes	parks	recreational areas
Residential- areas	green belts	sacred/holy grounds	OTHER .			
Brief description	RESIDENTIAL	. PLOTS AND	A GEUST H	OUSE		

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Annex B (continued) Potential impact e.g. threat of encroachment, etc. NONE							
6.2 Visual aesthet		hidden		partiallyHJDDEN			
Brief description		ENI.ROAD					
Potential impact							
6.3 Natural heritaç	ge: cultural significance	archaeological objects	monuments	palaeontological objects			
	graves	meteorites	ruins	OTHERN/A			
Resource Act, No 2 the SAHRA. If line	5 of 1999 be identific or access road len	ed, the requirements gth exceeds 300m S	of Act 25 of 199 AHRA shall be	ned in the National Heritage 9 shall be followed by notifying notified.			
Comments/mitigatin							
7 Economic en	vironment						
7.1 Land use:	crops game farming	orchards forestry areas	grazing mining	crop spraying OTHER .N/A			
Brief descriptionN	IO ACTIVITY ON L	AND					

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Annex B (continued)

Potential impactNC	NE				
7.1.1 Commercial:	factories		shops	OTHER !	I/A
	JE				
7.1.2 Infrastructure:	roads) pipelines	railways sewage	communications	power lines	air fields
Brief description: .PRC	OPOSED ROL	JTE RUNS AL	ONG THE FARM A	CCESS ROAD	
Potential impactNON		••••••		***************************************	
Comments/mitigating					

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Annex C - Environmental Management Plan

(Normative)

1 General conditions

- 1.1 The Eskom project manager or co-ordinator shall be responsible for ensuring that the land owners have been informed before any work is carried out on site. Contractors shall find out if the landowners have been informed before moving onto site.
- 1.2 No fences, gates or locks shall be damaged to obtain access onto a line route. Arrangements shall be made in advance to obtain permission for access.
- 1.3 Use of private roads shall be arranged in advance. Any damage to private roads shall be repaired at the contractor's expense and to the satisfaction of the landowner. This shall be the responsibility of the project manager or co-ordinator.
- 1.4 Gates shall be left as they are found, i.e. closed gates shall be kept closed and open gates shall be left open. Gates to adjacent properties or onto public roads shall be closed at all times. Any Eskom gates installed on the line route shall be kept closed and locked except while stringing is taking place. Open gates shall be guarded to prevent animals straying and unauthorised persons and vehicles entering into adjacent camps or properties.
- 1.5 Permission shall be obtained from landowners before any water is used.
- No fires shall be lit on private property. If fires are lit on Eskom's property or in the construction camp, provision shall be made that no accidental fires are started. No firewood shall be collected in the yeld.
- 1.7 If activities that can cause a fire are carried out, fire extinguishers shall be available on site and in the construction camp.
- 1.8 No property may be accessed after normal working hours except with the permission of the landowner. Privacy shall be respected at all times.
- 1.9 Eskom, Eskom's contractors and their employees shall at all times be courteous towards landowners, tenants and the local community.
- 1.10 Eskom, Eskom's contractors and their employees shall not cause damage to property, crops or animals. Activities that may cause conflict with landowners, tenants, the local work force or the local community shall be avoided. Should conflict arise it shall be immediately reported to the Eskom project manager or co-ordiator.
- 1.11 Vehicles shall be driven at a moderate speed on private roads and stay within the statutory speed limit on public roads.
- 1.12 All movement of vehicles shall take place on the established Eskom servitude road or on private roads as agreed in advance. Keep to existing tracks. No movement shall take place through the veld. Special care shall be taken to prevent excess damage during wet weather.

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		(con	tinued)	
	oact will this pr Physical	roject have on elements 4 to 7	?	
No impac	ot (0)	Medium impact (2)	High impact (4)	
2. N	iatural			
No impac	et (0)	Medium impact (2)	High impact (4)	
3. S	Social			
No impac	t (0)	Medium impact (2)	High impact (4)	
above thr — If the ov	No impact	the overall environmental imply in the social, natural and social) new 2 Medium impact is between 2 and 4, contruperintendent.	ed to be considered to dete 4 High impact	ermine the overall impact
Alternativ	ves			
Have alte	rnative routes	been discussed with the relev	ant land owner/s or users?	•
Yes _ No _	<u>√</u>			
Detailed s	study			
ls an <i>envi</i> i	ronmental ass	essment required in terms of	Regulation R543?	
Yes _ No _	<u> </u>		,	
Should a p	permit applicat	ion be made to DWA?		
Yes _ No _				
Should the Yes No	SAHRA be n	otified? 5AHRA ShiDu lo Kength of the 11	1 be notified the 321m	

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Annex C

(continued)

- 1.13 If any vehicle should get stuck, the damage shall be repaired immediately so that no deep ruts remain.
- 1.14 Any damage to private property shall immediately be reported to Eskom and the owner. The damage shall be rectified immediately if possible and/or appropriate compensation shall be paid to the owner at the discretion of the project manager/co-ordinator in consultation with the property owner. A record of damages and rectifying action shall be kept. The landowner's satisfaction with the outcome of rectifying action shall be obtained in writing.
- 1.15 A proper system of waste management shall be instituted in the construction camp. This entails that sufficient waste bins are available on site and in the construction camp. The waste shall be dumped at an approved waste disposal site. No containers, scrap metal, conductor etc. shall be left on site.
 - All scrap shall be removed and taken to an appropriate disposal site. No oil, diesel or other chemicals shall be spilled or discarded anywhere. If an accidental spill occurs, it shall be reported immediately and cleaned to the satisfaction of Eskom and the landowner. No waste shall be left in the veld or on the line route.
- 1.16 Washing and toilet facilities shall be provided on site and in the construction camp. The facilities shall comply with Eskom standards and shall have the approval of the landowner.
- 1.17 No human excrement shall be left in the veld. If no toilet facilities are available such waste shall be buried *immediately*.
- **1.18** Herbicides shall only be applied with Eskom's permission and in accordance with the Eskom Policy on Herbicides ESKPBAAD4.
- 1.19 Camp and office sites shall be dismantled and removed after completion of the construction phase of the project. The site shall be rehabilitated to as close as possible to its original condition to the satisfaction of the landowner, which shall be in writing.
- 1.20 All excavations shall be enclosed to prevent animals or people from accidentally falling into excavations.
- 1.21 No trees shall be cut or removed without prior permission from the landowner. Permits shall be obtained for the cutting and removal protected trees (protected trees shall be dealt with in 2, Special conditions).
- 1.22 Should any natural heritage object be found, or exposed during excavations, all work shall be terminated immediately and the finding reported to the Project Manager who shall inform the Eskom Environmental Practitioner and the SAHRA.

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Annex C (continued)

2 Special conditions					
(Specific issues identified duri protected trees, etc.).	ng the scoping	as needing	attention i.e.	erosion berms	, bird flappers,
		•			**********

			•••••		

TYPICAL MITIGATION MEASURES

ENVIRONMENTAL CONCERNS	MITIGATION MEASURES
AGRICULTURE	
Loss of standing crop due to access road and tower work site.	 limit width of access and size of tower site. avoidance of crop areas. monetary compensation for crop loss. time construction to avoid growing season.
Soil Compaction	 scheduling activities to times of the year when soils are least susceptible to compaction. stop activities when ground conditions are poor. use of equipment with low bearing capacity. chisel ploughing.
Construction of new lines	- locate access roads along existing traffic routs.
Topsoil – subsoil mixing/soil rutting	 scheduling activities. stop activity when ground conditions are poor. use of equipment with low bearing capacity. use of gravel roads. addition of manures to offset fertility loss. compensation for reduced soil pEAuctivity. removal of spoil and/or bentonite from foundation operations. Segregation of topsoil and subsoil.
Disturbance to farm operations	- maintain contact with landowner/tenant regarding preferences.
Loss of livestock	 employ noise control measures near sensitive livestock. Construction of farm gates. Securing farm gates. Clean-up construction materials which could be ingested. Compensation for lost, injured livestock.
SOCIAL IMPACTS	
Mud and Dust	 wetting down dry soils. chemical control of dust. cleaning roads to remove mud. temporary planting of grasses.

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	(continued)
Aesthetics	screen with natural of planted vegetation restoration. avoid linear access down the right-of-way. addition of topsoil to gravel access roads. hoarding construction sites. installation of landscaping in advance of site completion.
Inconvenience	select route and method of installation to suit landowners' conditions. select timing of activity.
Heritage resources	 avoidance/isolation. design measures to make facility less obtrusive. screening. alternate methods of equipment. protection by use of enclosures, barrier fencing, covering. salvage in conjunction with SAHRA. relocation in conjunction with SAHRA.
Tourism and recreation resources	 design measures to make facility less obtrusive of disruptive. screening and restoration. minimise noise and dust. safety precautions to protect the public. scheduling to avoid peak use periods.
WATER QUALITY	
Sedimentation of streams due to erosion from the right-of way.	 minimise use of slopes adjacent to streams during soils testing, construction and maintenance. maintain a cover crop. retain buffers.
Stream bank erosion.	 mechanical erosion control. retain shrubby stream bank vegetation and selectively cut or prune trees during line clearing/maintenance. selective spraying of herbicides. Mechanical erosion control.
Impedance of natural flow streams/others surface waters.	 use and maintenance of appropriate stream crossing device.
Ponding or channelization of surface waters due to rutting.	timing activities to stable ground conditions.use of gravel roads.
Contamination of surface or ground waters through spills or leaks of toxic substances.	 spill control material and procedures readily available. site selection where possible.
Soil compaction/topsoil-subsoil mixing.	 avoidance of rutting by vehicles where possible. construction timing. use of gravel roads. use of vehicles with low bearing pressures. stop activities when ground conditions are poor.
Wind/water erosion.	 avoidance of areas with high erosion potential. timing activities to the most stable ground conditions. slope stabilisation. mechanical erosion control. vegetation erosion control. recompaction of trenches. avoid trenching parallel to the fall of a slope.

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Contamination by petrochemicals.	anilt control motorial and propadures made readily.
Contamination by petrochemicals.	- spill control material and procedures made readily available.
	- restoration methods investigated.
FAUNA & FLORA	
Loss of habitat, breeding and/or food source	- environmental mapping to identify sensitive areas.
for terrestrial wildlife.	- avoidance of areas containing rare/endangered
	species.
	- construction and maintenance activities to be
	timed where possible to avoid peak breeding
	periods.
	- the creation of "edge" (may be considered a
	positive impact.)
	promotion of wildlife habitat through vegetation
	control.
	- avoid the filling of small wetlands.
	- use design with low risk to wildlife electrocution or
	collision
	- fit bird flight divertors to powerlines in bird
	migration areas.
Changes in composition of vegetation as a	- construction timing to minimise soil disturbance.
result of disturbance.	 restoration of soils to a stable condition.
Removal or burial of stream bottom habitat	- minimise erosion from the right-of-way by
and increased turbidity due to sedimentation.	maintaining a cover crop.
	- mechanical erosion control.
	- minimise stream bank erosion by retaining shrubby
	bank vegetation and selective cutting, pruning of
	trees near watercourses.
	 installation of sediment traps when necessary.
Possible loss of wildlife/fish migration/travel	avoid filling small wetlands servings as staging
routes.	areas for waterfowl migration.
	- Installation and maintenance of a proper stream
	crossing device.
	 time construction activities to avoid disturbance to
	migrating fish and wildlife or during breeding.
	- Follow Eskom standards for the application of
	herbicides near watercourses.
	- Preserve and/or augment existing natural corridor
	crossings; investigate tower placement to optimise
	clearances to preserve existing vegetation.
IntEAuction of exotic plant species resulting	- use of native species for erosion control.
from vegetative erosion control.	
Vegetation stress due to nutrient loss as a	- erosion control measures.
result of soil deterioration.	
Changes in vegetation due to soil	time construction/clearing to take advantage of
disturbance (topsoil-subsoil mixing).	stable soil conditions.

