, ieave November 2020



AREA MAKITI	PROJECT NUI	MBER MHK482845189
FEEDER Kiepusol Oaklay.	ITEM OF	
SUPPLY TO CITY of Moonbela.		
ESKOM REPRESENTATIVE Mandlaw	Petros TEL	(012) 484 5278
*DISTRIBUTION/*T RANSMISSION	FAX	086 718 4648.

WAYLEAVE CONTRACT POWERLINE AND/OR CABLE AND ASSOCIATED INFRASTRUCTURE

1.

1

G	ENERAL	-
1	lden	tification of parties:
	111	Contractor means any entity appointed as an independent contractor to execute works on the Property in the exercise of the Rights
	112	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
	113	Lessee means the holder of a lease registered against the title deed of the Property and is
	114	Owner means Company / close corporation / trust / partnership / natural person / Government department / tribal authority of Tev & median, & herein represented by Success 85362082 who through signature here below, warrants his or her authority to sign on behalf of the Owner
	115	Property means THE RED PLOGE 293 ky.

116	Usufructuary means, a company / close corporation / trust / partnership / natural person / Government department / tribal authority of, herein represented by
	, who through signature here below, warrants
	his or her authority to sign on behalf of the Usufructary
117	Servitude holder means the holder of a servitude [insert servitude deed number and diagram number if diagram available] registered against the property held by [insert the
	name and identification number], a company / close corporation / trust / partnership / natural person / Government department / tribal authority of [insert the address]
	herein represented by [insert the name], who
	through signature here below, warrants his or her authority to sign on behalf of the servitude holder

2. THE RIGHTS

- 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 A-B-C-D-E on the attached sketch plan, comprising an area _____ 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, Usufructuary and/or Servitude holder agrees to the granting of the Rights by signing below, and also to adhering to the Obligations under 3.2 to 3.5, by signing below
- 2.3 The Rights, specifically, include the rights to
 - 2 3 1 convey electricity and telecommunication across the Property,
 - 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,

November 2020 Wayleave



AREA MAKITI	T NUMBER MHK482845189		
FEEDER Kiepisel Oaklay.	ITEM OF		
SUPPLY TO CIAN OF Mombela.			
ESKOM REPRESENTATIVE Manollaw	Perros	TEL (012) 484 5278	
*DISTRIBUTION/*TRANSMISSION.		FAX 086 718 4648.	

WAYLEAVE CONTRACT POWERLINE AND/OR CABLE AND ASSOCIATED INFRASTRUCTURE

1. GENERAL

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11	Identification	of	parties:
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lden	tification of parties:				
111	Contractor means any entity appointed as an independent contractor to execute works on the Property in the exercise of the Rights				
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113	Lessee means the holder of a lease registered against the title deed of the Property and is				
114	Owner means company / close corporation / trust / partnership / natural person / Government department / tribal authority of Try mega, herein represented by successful 362082, who through signature here below, warrants his or her authority to sign on behalf of the Owner				
115	Property means THE RED RIDGE 293 ky.				

Wayleave November 2020

116	Usufructuary means
117	Servitude holder means the holder of a servitude [insert servitude deed number and diagram number if diagram available] registered against the property held by [insert the name and identification number], a company / close corporation / trust / partnership / natural person / Government department / tribal authority of [insert the address] ,
	herein represented by [insert the name], who through signature here below, warrants his or her authority to sign on behalf of the servitude holder

2. THE RIGHTS

- To the extent necessary to give effect hereto, the Owner's spouse, Lessee, Usufructuary and/or Servitude holder agrees to the granting of the Rights by signing below, and also to adhering to the Obligations under 3 2 to 3 5, 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,

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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
- 2 3 9 At Eskom's election, have this wayleave registered as a servitude against the title deed of the Property
- 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
- 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
- 27 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.
 - 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
 - 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, or anyone with rights on the property, 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 _____ 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.
 - 3.3 The Owner, or anyone with rights on the property, 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, or anyone with rights on the property, 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.

Signed at SandForD on	15/02/2022
The Owner	* KGADING
Witnesses:	KGARUDI TRIBAL AUTHORITY PO. BOY 1952 HAZYMEN 1956
1	1.5 FEB 2022
2	MPUMALANGA

Signed at	on	
Spouse of the Owner if married	 in community of property	
Witnesses		
1		
2		
Signed at	on	
The Usufructary	MANAGER PARAMETER AND PROPERTY.	
Witnesses		
1		
2		
Signed at	on	
The League		
The Lessee		
Witnesses		
1		

11.5.

Wayleave

November 2020

Signed at	on		
The Servitude Holder			
Witnesses			
1		_	
2			
2	******		
Signed at	on		
	011		······································
Eskom Holdings SOC Limited			
Witnesses			
1			
		_	

2 _____

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Annex B - Distribution Environmental Screening Document (DESD)

Reticulation Powerlines and Ancillary Services

Ratified and accepted by **Environmental Practitioner Environmental Specialist** Head of Engineering Survey (one signature please) KGARUDI TRIBAL AUTHORITY Accepted by Land Owner/s/Users PO. BOX I have seen the completed document and accept the HAZYVIEW MOCIANO recommendations made Assessor/sSignature: Form completed by N.S. Mosa Signature: in consultation with: CAPACITY (e.g. land owner, specialist): ...

Instructions

- 1. Fill the report in as neatly and completely as possible.
- 2. Where the question / statement is not applicable mark N/A.
- 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 B (continued)

1 Project description

Project name/Survey Request Project number M#k 482 845 /87 File number Rural scheme/ Feeder Supply from KOA 65
(scheme name, pole numbers for tee-off)
Supply to
(Farm name, etc.)
2 Properties traversed
Farm name THE RED RIDGE 293 KY.
Registration number and Division Sub-division
Compilation number Line length (m)
Farm name
Registration number and Division
Compilation number Line length/Site area (m²)
3 Brief description of the surrounding area
Resodential area.
presidential succe
Could the proposed project have an impact on or be constrained by any of the following environmental aspects?
Encircle the appropriate aspect, giving a description of the present state as well as an indication of the possible negative impact. Note that mitigating measures for these impacts are to be included in the Environmental Management Programme.

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4 Phys	sical er	vironi	nent					
4.1 Wat	ter: s	reams	rivers	dams	wetlands	springs	floodplains	OTHER
Present	condition):						
Potentia	l impact	(e.g. thre	eat of poll	ution):				
4.2 Soi	l:	sand	dy	ro	ocky	claye	ey	OTHER
	condition				Impa hills valley		dongas	OTHER
Comme	nts/mitiga	ating me	asures:	ž.				
							•••••	
					.,			

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5 Natural en	vironment				1
5.1 Flora:	indigenous	protecte	ed exoti	c OTH	IER N/A
51					
Brief description			e, etc., mention tre		
	(e.g. permit appl	ications			
5.2 Fauna:	mamm		birds	OTHER	NA
Brief description	and conservation	n status:			
The second secon			nts, eagles, vulture	s, etc., mention n	nigratory paths)
) () () () () () () () () () (
Potential impact	(e.g. threat of ele	ectrocution, collis	sion, etc)	•••••	
***************************************				•••••	
Comments/mitig	esting				magguras
					measures
***************************************				*******	
6 Social env	ironment		••••••		
o occiai ciiv	Tomicit				
6.1 Restricted areas:	nature/game reserves	hiking trails	tourism routes	parks	recreational areas
Residential- areas	green belts	sacred/holy grounds	OTHER		
Brief description	It is	resode	ufial a	rea	

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		Annex B (continued)			
6.2 Visual aesthetic		hidden		partially	
Brief description	Ft can	be easo	y Scen	prom the	_
Potential impact	Jo impa	et			
6.3 Natural heritage	e: cultural significance	archaeological objects	monuments	palaeontological objects	
	graves	meteorites	ruins	OTHER	
Resource Act, No 25 the SAHRA. If line of Potential impact	of 1999 be identified access road lend access road acc	ed, the requirements gth exceeds 300m The CO-Ors	s of Act 25 of 199 SAHRA shall be Llove be Knafor s	ined in the National Herita 19 shall be followed by notifyite notified. Found flue	ing
7 Economic env	vironment				
7.1 Land use:	crops game farming	orchards forestry areas	grazing mining	crop spraying OTHER	
Brief description					

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Potential impa	act					
7.1.1 Commo	ercial:	factories		shops	OTHER	NA
Potential impa	act					
7.1.2 Infrast	ructure:		railways sewage	communication		air fields
Brief descript	ion:Th	e 15	an ex	shing po	westine	
Potential imp	act	0 inj	Pacf			
Comments/n	nitigating	measures:				

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Annex B

(continued)

What impact will this project have on elements 4 to 7?

Physical

No impact (0)

Medium impact (2)

High impact (4)

2. Natural

No impact (0)

Medium impact (2)

High impact (4)

3. Social

No impact (0)

Medium impact (2)

High impact (4)

Overall impact:

This section addresses the overall environmental impact of the project. The impacts as assessed in the above three spheres (physical, natural and social) need to be considered to determine the overall impact

No impact 2

Medium impact

High impact

If the overall impact is between 2 and 4, contact the Environmental Management Officer or the Environmental Senior Superintendent.

Alternatives

Have alternative routes been discussed with the relevant land owner/s or users?

Yes No

Detailed study

Is an environmental assessment required in terms of Regulation R543?

Yes

No _____

Should a permit application be made to DWA?

Yes

No

V

Should the SAHRA be notified?

Yes

No

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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 veld.
- 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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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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2 Spec	cial co	nditions											
(Specific protected		identified etc.).	during	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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Aesthetics	- screen with natural of planted vegetation restoration.
, 10011101100	- 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.
Tromago roccaroco	- 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.
	1 0 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
Tourism and recreation resources	
rounsm 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	 minimise use of slopes adjacent to streams during soils
erosion from the right-of way.	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	- use and maintenance of appropriate stream crossing
streams/others surface waters.	device.
Ponding or channelization of surface	- timing activities to stable ground conditions.
waters due to rutting.	- use of gravel roads.
Contamination of surface or ground	
	- spill control material and procedures readily available.
waters through spills or leaks of toxic	- site selection where possible.
substances.	
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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- spill control material and procedures made readily available.
- restoration methods investigated.
- environmental mapping to identify sensitive areas.
 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.
- construction timing to minimise soil disturbance.
- restoration of soils to a stable condition.
- minimise erosion from the right-of-way by
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.
 avoid filling small wetlands servings as staging
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.
clearances to preserve existing vegetation. use of native species for erosion control.
clearances to preserve existing vegetation.
clearances to preserve existing vegetation. use of native species for erosion control.

