

PUBLIC DOMAIN

Riaan Du Plessis
Zutari
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Cape Town
8000

Date:
12 January 2023

Enquiries:
Ziyanda Mdoda
Tel +27 11 800 3226

Our Reference:
INV 216/2022

Dear Riaan

RE: CITY OF CAPE TOWN: MULDERSVLEI 300ML RESEVOIR AND ASSOCIATED INFRASTRUCTURE (WORKS PROJECT NO BW- WP037): SERVITUDE ENCROACHMENT APPLICATION FOR ACCESS ROAD

Your Ref:

I refer to your application dated 17 October 2022 and wish to confirm that the following Eskom Transmission's overhead power lines will be affected by this application:

- a) Eskom Transmission's (Tx's) Koeberg- Muldersvlei 400 kV overhead power line
- b) Eskom Transmission's (Tx's) Koeberg- Stikland 400 kV overhead power line
- c) Eskom Transmission's (Tx's) Acacia- Muldersvlei 400 kV overhead power line

Eskom Tx will raise no objection to the proposed access road, provided the following terms are adhered to:

- a) Excavation to a depth of 1.5m is allowed 7.4m away from the tower leg. This will allow for suitable backfill and compaction to be done.
- b) New Jersey barriers must be installed on the road reserve 3.15m and 2.3m away from the tower legs. This is to avoid any vehicular impact.
- c) An authorised OHRVS person must be on site to supervise all work in close proximity to the power line.

Further to the above, the following conditions must be adhered to:

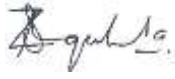
1. Eskom Tx's rights and services must be acknowledged and respected at all times.

2. Eskom Tx must at all times retain unobstructed access to and egress from its servitudes and installations.
3. Eskom Tx's consent does not relieve the applicant from obtaining the necessary statutory, land owner or municipal approvals.
4. The applicant will adhere to all relevant environmental legislation. Any cost incurred by Eskom Tx as a result of non-compliance will be charged to the applicant.
5. No blasting shall be executed within Eskom Tx power line servitude.
6. If Eskom Tx has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the applicant's activities or because of the presence of his equipment, services or installation within the servitude, the applicant shall pay such costs to Eskom Tx on demand. Consideration is given to the fact that you undertook to dig deeper to increase the clearances.
7. **Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom Tx's requirements.**
8. Eskom Tx shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the applicant, his/her agent, contractors, employees, successors in title, and assigns. The applicant indemnifies Eskom Tx against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom Tx's services or apparatus or otherwise. Eskom Tx will not be held responsible for damage to the applicant's equipment.
9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom Tx's apparatus and/or services, without prior written permission having been granted by Eskom Tx. If such permission is granted the applicant must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the Lines and Servitude Manager. **The contact person in this regard is Ms Tiny Jam-jam (Lines and Servitude Manager). She can be contacted at Tel. No+27 21 915 9211/ SalazeT@eskom.co.za.**
10. **No blasting shall commence unless Eskom Tx has received the applicant's written acceptance of the conditions specified in the letter of consent and/or permit.**
11. Eskom Tx's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with. *Note: Where and electrical outage is required, at least fourteen work days are required to arrange it.*
12. Under no circumstances shall rubble, earth or other material be dumped within the servitude area. The applicant shall maintain the area concerned to Eskom Tx's satisfaction. The applicant shall be liable to Eskom Tx for the cost of any remedial action which has to be carried out by Eskom Tx.

13. **The clearances between Eskom Tx's live electrical equipment and the proposed construction work shall be observed as stipulated by the Regulation 19 of *Electrical Machinery Regulations 2011 (with reference to SANS10280-1) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)*.**
14. Equipment shall be regarded electrically live and therefore dangerous at all times.
15. In spite of the restrictions stipulated by Regulation 19 of *Electrical Machinery Regulations 2011 (with reference to SANS10280-1) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)* as additional safety precaution Eskom Tx will not approve the erection of houses and/or structures occupied or frequented by human beings under the power lines or within the tree- and building restriction of the servitude.
16. Eskom Tx may stipulate any additional requirements to illuminate any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom Tx plant.
17. It is required of the applicant to familiarise himself with all safety hazards related to Electrical plant.

For any further information please contact the writer at the above mentioned telephone number.

Regards,

p.p. 

Lungile Motsisi
**MANAGER SERVITUDE AND LAND MANAGEMENT
TRANSMISSION DIVISION**