



# Green Cape Presentation

## 23 July 2014

**Dr Barbara van Geems**

**Land Development Manager**

**Eskom Distribution**

- **Planning – brief overview & help**
- **Land and Rights- Barbara van Geems**
- **Environmental – Justine Wyngaardt**
- **General – Questions ??**

Focus of presentation is built on 2012 presentation

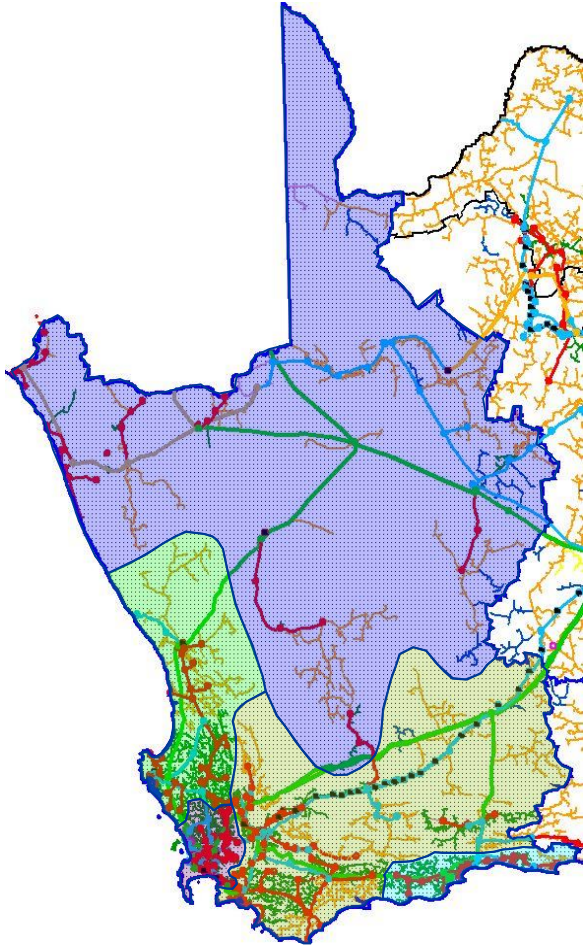
– left out more obvious, highlight concerns / issues / queries

## For Eskom Distribution (Dx) – WC and western side of NC

- Are van Zyl
  - 021 915 2570
  - [vZylAW@eskom.co.za](mailto:vZylAW@eskom.co.za)
- Bradley Box
  - 021 915 2776
  - [BoxB@eskom.co.za](mailto:BoxB@eskom.co.za)
- Eskom Transmission (Tx) – separate unit to Dx
  - Apply separately to them
  - Check with Are or Bradley

## General Land Development no: 021 980 3129

- Barbara van Geems – Land Development
  - 021 980 3242
  - [vgeemsb@eskom.co.za](mailto:vgeemsb@eskom.co.za)
- Justine Wyngaardt - Environmental
  - 021 980 3112
  - [WyngaaJO@eskom.co.za](mailto:WyngaaJO@eskom.co.za)
- Henk Landman – Lands and Rights
  - 021 980 3412
  - [LandmaHJ@eskom.co.za](mailto:LandmaHJ@eskom.co.za)



- Muzafar Ebrahim 021 980 3593
  - [EbrahiM@eskom.co.za](mailto:EbrahiM@eskom.co.za)
  - Oversees group & George, Somerset West, Vryheid areas
- Robin Buske 021 980 3012
  - [BuskeR@eskom.co.za](mailto:BuskeR@eskom.co.za)
  - NC / Upington areas
- Prabha Raghavan 021 980 3954
  - [RaghavP@eskom.co.za](mailto:RaghavP@eskom.co.za)
  - Prieska areas
- Zoe Lincoln 021 980 7541
  - [LincolZ@eskom.co.za](mailto:LincolZ@eskom.co.za)
  - Vredendal area





- Dx - Distribution
  - HV or MV Selfbuild, else Eskom quotes with constraints re deadlines
- **Some issues/advice re Planning**
  - Talk to Planning early, in between and when a preferred bidder
  - Cost estimate letter is not a commitment from Eskom – no of them
    - the grid has only so much capacity and DOE does the awards
  - Plan **in relation to existing infrastructure** in Eskom
  - Planned / future Eskom infrastructure alters – no guarantees re timelines, so don't plan based on future infrastructure

- If aiming to build **on existing Eskom servitude with Eskom line**
  - **Can line be taken out and for what period, what time of year for a rebuild on same footprint – network restrictions**
  - Check servitudes – old lines are not always registered, rights by prescription
  - Recheck this as grid environment changes – other builds, issues
  - Voltage, age of infrastructure, servitude still vacant at time of award?
- If can't take line out or miss Outage Window
  - Need to rebuild alongside - new servitude
    - Need negotiation, options, servitudes registered
    - Min separation between lines
      - 132kV – 21m, 66kV 14m, 11/22kv – 12m



- Constructability / Maintenance Issues
  - If can't take line out or miss Window, constructability issues of building alongside
  - Also if new Line – if constructability issue to build, issue re later maintenance ?
  - Is there existing Fibre / Coms on the line – take into account when rebuilding as Comms need to be maintained

- Grid Connection – things to consider:
  - Voltage, Conductor, carrying capacity of line – now and future – no of cost estimates and can't reserve
  - Communication – fibre optic etc?
    - Not all lines have suitable comms for IPPs
    - Please check this early on with Eskom engineers!!
  - Length from substation and voltage issues
  - Outage issues – windows for outage !!

- **Can't hang IPP owned and Eskom lines on same infrastructure** - issues re outages, live line work, etc
- Eskom underground cable maintenance only in urban areas
- **Can't legally run an IPP cable in Eskom servitude,**
  - IPP if running own cable require cable servitude
  - even if running just inside Eskom servitude – check with Eskom
- Auxillary Power required - temp, permanent ?
  - **separate Eskom application** – apply early
  - 90 days if short span & trsfr, 120 days +, +++ if longer line - issues

- Send us preferred line route and substation as soon as EA approved
- Resend when preferred bidder – “Reserved sticker”
- That is Coordinates of center line of preferred route and sub
- Will enter into Eskom GIS system as possible /proposed
  - Can't keep corridors open if we don't know exactly where they are
- You as IPP are dealing in one area with one or few projects / alternatives
- Eskom is dealing in hundreds of prospective IPPs

# Play Nice – Play Green

- This is Green Energy
- Land to be traversed by powerline ?
  - Owners & attitudes ? Don't leave victims !!! Don't lock down land rights
    - **Especially not to other IPPs – feedback to DOE**
  - Eskom and other IPPs have to traverse – and that may be you in future
  - **First Court Interdict re IPP**
    - **– issue re land owner !!!**



- Justine will cover Environmental
  - She is the expert
  - Get early advice instead of rework



- Servitudes to be registered – lines, substation, part of substation – 2 ways to tackle – for Protection of Electricity Delivery
  1. IPP / Land owner / Eskom - 3 party option - rights registered in Eskom's name at time of registration
    - Eskom only 3<sup>rd</sup> party – not enforce if legal issues
    - Please note – Options to not be altered, check for latest version
      - unless discussed with Eskom – results in delays for IPP
  2. IPP / Land owner agreement & cede rights to Eskom after registration
    - Issue re Consent then required under Act 70 of 70
    - Must have Eskom conditions as per Eskom Option

## Please not Eskom exemptions fall away with SPLUMA

- Date – now in 2<sup>nd</sup> half of 2014 ??

LUPO will cease or has ceased to a greater extent

- replaced by LUPA

SPLUMA / LUPA will require that “LUPO” applications now go to the individual Municipalities and no one is exempt

Note: both now Acts, but not in force yet

- SPLUMA regulations out for comment – due 3 Sept 2014
- Awaiting LUPA regulations

- Eskom registration
  - first in **General terms** if powerline not built yet, and if no Survey General (SG) diagram for line or substation
  - If SG diagram
    - then register in specific terms straight away or define General Terms servitude deed
  - Under HV selfbuild
    - IPP add needs to address all Legal issues
    - Eskom won't intervene/take legalaction or expropriate on behalf of IPP

Things that are frustrating IPPs and Eskom to reach final closure to get operational currently

Please note NO provisional sign from Land Development without:

- Copies of the registered deeds with the deeds no stamped on it
  - Eskom can't accept if not complete, as Eskom is then committed without legal security
  - Don't underestimate time this takes – seeing no of IPPs getting caught in this
- All legal requirements – stat approvals, permits, EA, WULA etc
- As-builts drawings and data

- Checking all legal requirements - listed some -but are not limited to:
  - Landowners' contracts / registration in Deeds Office
  - Environmental Authorisations – DEA
  - DEA&DP (Province)
  - Local and Provincial Authorities
  - SAHRA and any provincial Heritage Authorities such as
  - HWC
  - Telkom, Neotel
  - Roads – national (SANRAL), provincial and local road agencies
  - DWA
  - Transnet
  - Other approvals / permits as may be required by legislation such as water use licences, tree-cutting permits, borrow pits, etc.

Land Development are the gate keepers  
re asbuilt surveyed data

Don't live in a flat earth – both XY and Z

See HV selfbuild policy re Asbuilt guideline

- Asbuilts – Consulting engineer who has authority and ticket signing off that what was planned, was built as such XY and Z
- If IPP / IPP contractors can't sign, so can't Eskom
- Electricity Regulations Act – one of the few Acts where:
  - **Guilty until proven Innocent**



## Preamble

To establish a national regulatory framework for the **electricity supply industry**; to make the National Energy Regulator the custodian and enforcer of the national electricity regulatory framework; **to provide for licences** and registration as the manner in which **generation, transmission, distribution, trading and the import and export of electricity** are regulated; and to provide for matters connected therewith.

26. In any **civil** proceedings **against a licensee** arising out of **damage or injury caused by induction** or electrolysis or in any other manner by means of electricity generated, transmitted or distributed by a licensee, **such damage or injury is deemed to have been caused by the negligence of the licensee, unless there is credible evidence to the contrary.**

- This includes the geographical correctness – line is built in servitude on correct property, coordinates of line, pole positions etc

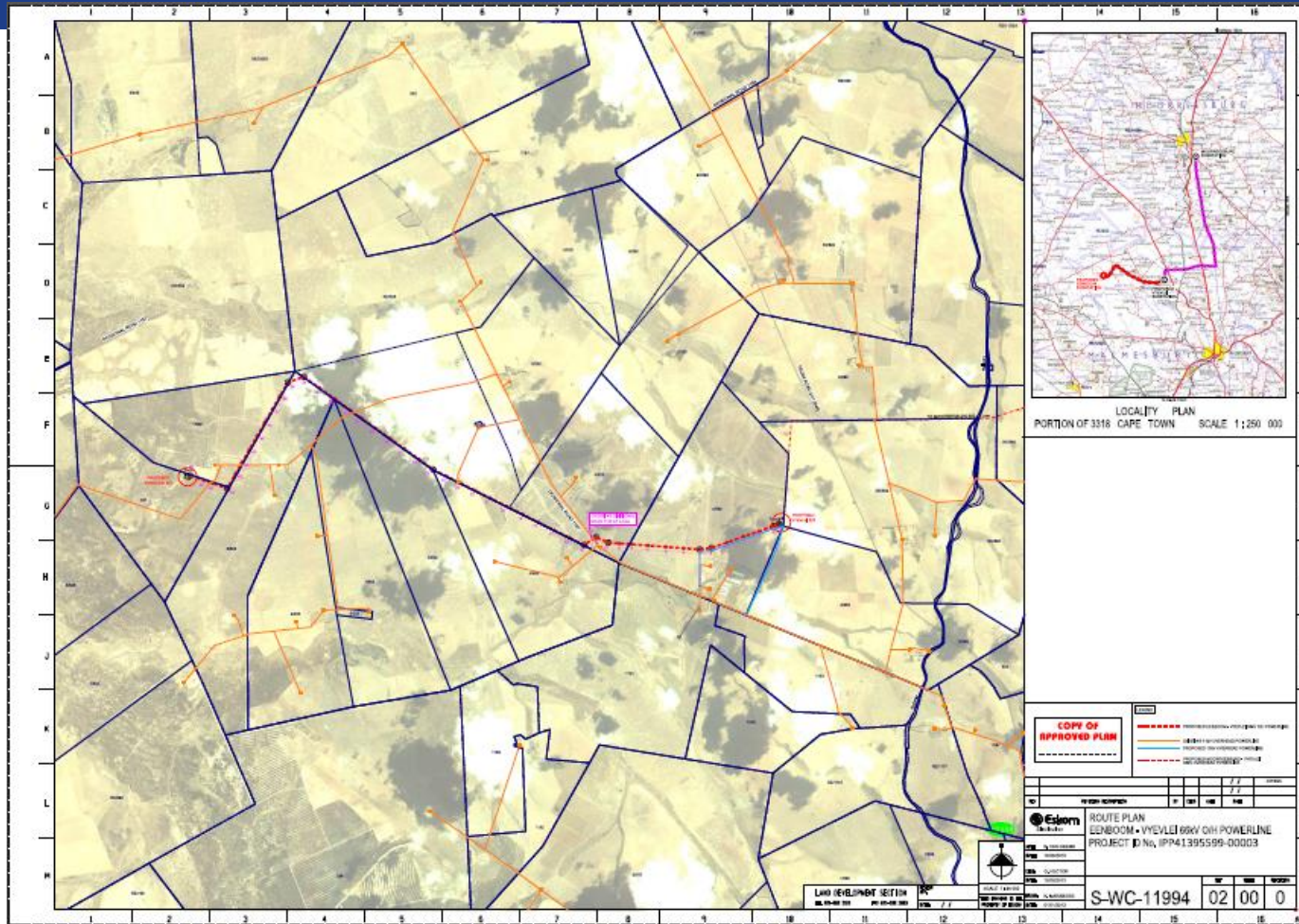
## Example of what can go wrong

- Sub outside cadastral area
- Creates land owner and legal problems



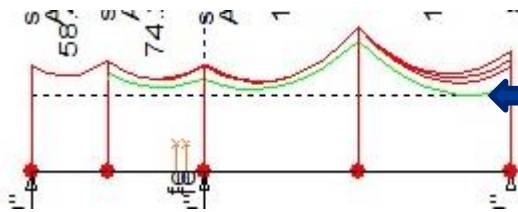
- Are you on the right property / correct side of the boundary ?
- Are you on the boundary – dose your servitude overlap ?
  - i.e. 2 options for same segment of power line
- Are all the properties covered – is one missing ?

# Asbuilt drawings and data - XY



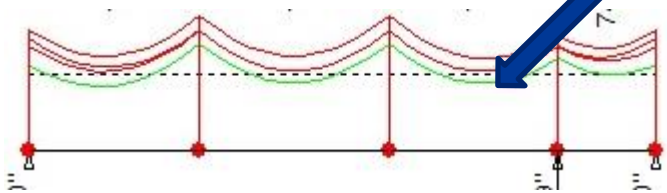
- Are for example all road and rail crossings been accounted for –  
- surveyed with clearancs / stat approvals ?
- River crossings – WULAs in place ?

- Includes clearances to ground of line, clearances to infrastructure – over roads, rail, other powerlines,
- Includes clearances of fibre optic/comms on structure



Fibre Optic – is it clearing or is it not ?

Fibre Optic – not clearing !!!



- **If combine harvester at R x mil plus goes into this and pulls down the line ?**

- **Damage to combine harvester**

- **If someone injured / dies ??**

**Would you sign off if you are NOT sure ?**

- Eskom and ourselves would like to see your project built and you getting sign off
- We understand the time, money and effort that went into it and your risks
- Help us to help you
- Ask early
- Understand we are overloaded – so if it keeps coming in incomplete ..... we have less and less time to help
- To those in the IPP game or those going to bid
  - all the best to Green Energy
  - As they say in Afrikaans - Sterkte