

Ms Annah Motalane  
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**Date:** 22 July 2016  
**Your ref:** 14/12/16/3/3/2/745  
**Our ref:** ARMSTRONGA/MAT3639

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By e-mail                      Urgent

Dear Annah

**RCL Foods Consumer (Pty) Ltd | Eskom Proposed 765 KVa Powerlines and Isundu Sub-Station.**

In an effort to fully understand the proposed Isundu substation and powerline proposal and to potentially resolve the issues relating to the powerline corridor and proposed Isundu Substation, and in response to the meeting held with the Department of Environmental Affairs on the 13<sup>th</sup> July 2016, RCL makes the following proposals and requires the following information.

1. The most appropriate, cost effective and successful mitigation would be to consider an alternate site for the Substation. RCL may be prepared to sacrifice less sensitive sites in order to accommodate Eskom. RCL has provisionally identified the sites attached on Annexure A for further consideration. Further detail will be forthcoming, and Mr Van Houten can contact Mr Korf Stoltz directly to facilitate site visits. Sites 1 and 2 belong to RCL which RCL could consider selling to Eskom on a willing seller willing buyer basis. There will be timing considerations that will need to be taken into account. The other properties belong to other third parties. Should the substation be developed on any of those properties, they will be more compatible than RCL's current properties adjacent to the proposed substation site that will be affected, and far more cost effective in terms of compensation that may need to be paid for potential loss of income than that of RCL. Mr Stoltz can be contacted on:

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2. The alternative corridors may have to be reconsidered, or an amendment to the approved corridor considered. A consideration of the comparative matrix in the Powerline EIA shows that the western corridor and the central corridor were very similar. The existence of the RCL facilities, even without consultation with RCL, should have made the central corridor the preferred corridor. This needs to be revisited. Input from RCL should result in either the central corridor being preferred or an amendment to the western corridor, taking into account the proposed alternate sites for the substation at annexure A. The substation sites would need to be considered within these alternate alignments.

It is unlikely that the RCL layers and breeders facilities and the Eskom infrastructure can sustainably co-exist, particularly if blasting is to take place. In any event in order to fully understand the impacts of the powerlines and the proposed or alternate substation RCL requires:

3. Confirmation as to whether or not blasting will take place. Is there an alternative to blasting- building platforms up as opposed to blasting flat, or pecking? A blasting schedule, including time frames and number of blasts is required.
4. A sketch of the proposed passage for the 765 Kva lines going across RCL's properties and where it will enter the proposed substation, and where the 400 Kva lines will exit.
5. A construction programme and time lines for the powerlines.
6. A Construction programme detailing the construction activities and the time line of construction activities.
7. A specialist report detailing the vibrations, noise and pressure waves resulting from the blasting is required, as well as a veterinarian's report on the blasting on layers and breeding chickens.
8. What are the vibration levels that will be created by other construction activities such as use of heavy machinery and excavators as well as drilling, and how is this proposed to be mitigated to a best case scenario?
9. A Geotechnical report of the proposed substation. Has any detailed design been done on the costs estimates? What evidence is there to suggest that the same foundation problems as has been identified at the Sigma substation will not be present at the Isundu substation?
10. The detailed design that was done on the Sigma substation or on any substation that Eskom has previously designed or established in order

to provide an indication of what is entailed for the development of the substation.

11. What levels of dust as parts per million are anticipated by the establishment of the powerlines and the substation, and how is this proposed to be mitigated, besides the possible enclosure and ventilation of the houses. Significant amounts of earth removal and movement will be required for the substation from the construction. At the time of the presentation in November 2015, there was still a high degree of uncertainty as to the tolerance of rearers and layers in respect of dust, and the volumes of dust to be generated. Updated dust production reports are required providing this specific detail. Veterinarian reports indicate that dust would create health impacts on the birds. Even if the farms could be enclosed, which RCL had agreed to consider, the level of dust generated needs to be understood as the volumes may not be able to be adequately controlled given that air will be entering the houses through the ventilation systems.
12. Details on lighting during construction and during operations, including how many lights, timing, intensity, height and directionality. A sketch of the lighting is also required.
13. The level of noise that will be generated by the construction of the substation and powerlines, as well as the noise that will be generated by the maintenance thereof (e.g. helicopters- to what degree is the noise of helicopters dissipated by distance?) Details of best case mitigation measures and levels is required.
14. How will the noise from the hum and corona of the powerlines be mitigated?? What are the decibel levels of this corona, and the degree of pressure waves and how are they dissipated by distance?
15. How does Eskom propose to mitigate biosecurity issues by risk of personnel transfer of disease. Does Eskom propose to fence off the RCL property? If personnel are used to maintain the powerlines as opposed to helicopters, how many persons are required and how do Eskom propose to mitigate that risk of biosecurity?
16. What is the proposed access road to the substation, and how many trucks will be using this per day during construction?
17. The EIA documents arising out of the powerline EIA, the Sigma substation and the scoping for the Isundu one state that in the event that impacts cannot be mitigated physically then compensation will be paid. Can Eskom compensate RCL for:
  - a. The approximate R16 million rand to enclose the two affected chicken farms known as L12 and L14;
  - b. The cost/ provision of the increase in power over notified load due to the enclosure and ventilation of houses. The waiver of any penalties due to increase in power over notified load.

- c. The of loss of production that may result in instances due to construction or operational impacts from the powerline or substation as per the schedule attached hereto marked B.
- d. The loss of production in the sum of R28 million per farm in the event of the loss of an entire production cycle
- e. Consequential losses resulting from contractual obligations to, for example KFC, Chicken Licken and Woolworths;
- f. Will Eskom be prepared to provide an undertaking in terms of the above?

RCL will consider the above information and assess it in terms of the *cumulative* impacts the proposal may have on RCL's operations. Much of this will be contingent upon whether or not blasting will take place. However, as stated above the most effective mitigation measure that RCL is more than happy to assist with and to accommodate Eskom, is to move the proposed substation site.

We look forward to receiving the above information.

Yours sincerely



**Aldine Armstrong**  
*Specialist Legal Consultant*  
Eversheds