



agriculture, rural development,  
land & environmental affairs  
**MPUMALANGA PROVINCE**  
REPUBLIC OF SOUTH AFRICA

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Departement van Landbou,  
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GrondenOngewing Sake

umNyangoweZelimo  
UkuThuthukiswakweeNdawozemaKhaya,  
iNarhaneeNdabazeBhoduluko

**Enquiries** : Okwethu-kuhle Fakude  
**Telephone** : (017) 811 4830  
**Reference** : 1/3/1/16/1G-265  
**NEAS No.** : MPP/EIA/0001099/2022

**Mukondeleli Wind Energy Facility (RF) (Pty) Ltd**  
Suite 104, 1<sup>st</sup> Floor, Albion Springs  
183 Main Road, Rondebosch  
**Cape Town**  
**7708**

Attention: Mercia Grimbeek  
Email: Mercia.Grimbeek@enertrag.com

Dear Madam,

**ENVIRONMENTAL AUTHORISATION FOR ACTIVITIES LISTED IN GOVERNMENT NOTICES R983, R984 AND R985 (AS AMENDED) ASSOCIATED WITH THE DEVELOPMENT OF THE MUKONDELELI WIND ENERGY FACILITY ON PORTIONS 2, 6, 8, 9, 10, 11, 12, 13 AND 14 OF THE FARM BOSJESSPRUIT 291 IS, PORTIONS 2, 3, 4, 5 AND 13 OF THE FARM BRANDWACHT 316 IS, PORTION 0 OF THE FARM KNOPPIES 314 IS, PORTION 9 OF THE FARM KNOPPIESFONTEIN 313 IS, PORTION 5 OF THE FARM TWEEFONTEIN 321 IS AND PORTIONS 1, 2, 7, 8, 11 & 12 OF THE FARM VAN TONDERSHOEK 317 IS, SECUNDA, GOVAN MBEKI LOCAL MUNICIPALITY**

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (as amended), you are instructed to notify all registered interested and affected parties in writing, and within 14 (fourteen) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulation 4(2) and 4(3) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, 2014.

Your attention is drawn to the National Appeal Regulations, 2014, which regulate appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge your appeal with the MEC, within 20 days of the date of receipt of this letter, by means of one of the following methods:



**By facsimile:** (013) 766 8295

**By post:** Private Bag x 11219  
Nelspruit  
1200

**By hand:** Samora Machel Building, No. 7 Government Boulevard  
Riverside Park Extension 2  
Nelspruit  
1200

Should you decide to appeal, you must also serve a copy of your appeal on all registered interested and affected parties and any organ of state with interest in the matter.

Yours faithfully,



**MR. C.M. CHUNDA**  
**HEAD: AGRICULTURE, RURAL DEVELOPMENT,**  
**LAND AND ENVIRONMENTAL AFFAIRS**

**DATE:** 05/02/23

cc: Ashlea Strong  
WSP Group Africa (Pty) Ltd  
Email: [Ashlea.strong@wsp.com](mailto:Ashlea.strong@wsp.com)

cc: Mr M Essop  
DFFE  
Email: [messop@dffe.gov.za](mailto:messop@dffe.gov.za)



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umNyangoweZelimo  
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iNarhaneeNdabazeBhoduluko

## Environmental Authorisation

<b>Application number:</b>	1/3/1/16/1G -265
<b>Holder of Authorisation:</b>	Mukondeleli Wind Energy Facility (RF) (Pty) Ltd
<b>NEAS reference number:</b>	MPP/EIA/0001099/2022
<b>Location of activity:</b>	Portions 2, 6, 8, 9, 10, 11, 12, 13 and 14 of the farm Bosjesspruit 291 IS, Portions 2, 3, 4, 5 and 13 of the farm Brandwacht 316 IS, Portion 0 of the farm Knoppies 314 IS, Portion 9 of the farm Knoppiesfontein 313 IS, Portion 5 of the farm Tweefontein 321 IS, and Portions 1, 2, 7, 8, 11 & 12 of the farm Van Tondershoek 317 IS, Secunda, Govan Mbeki Local Municipality, Mpumalanga Province.

## 1. Decision

The Department is satisfied on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activities as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

## 2. Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2014 (as amended), the Department hereby authorises:

Mukondeleli Wind (RF) (Pty) Ltd  
Suite 104, 1<sup>st</sup> Floor, Albion Springs  
183 Main Road, Rondebosch  
Cape Town  
7708

Attention: Mercia Grimbeek  
Cell: 021 207 2181  
Email: [Mercia.Grimbeek@enertrag.com](mailto:Mercia.Grimbeek@enertrag.com)

To undertake the following activities listed in Government Notices R983, R984 and R985 of 4 December 2014 (as amended) associated with the development of Mukondeleli Wind Energy Facility (WEF) on Portions 2, 6, 8, 9, 10, 11, 12, 13 and 14 of the farm Bosjesspruit 291 IS, Portions 2, 3, 4, 5 and 13 of the farm Brandwacht 316 IS; Portion 0 of the farm Knoppies 314 IS, Portion 9 of the farm Knoppiesfontein 313 IS, Portion 5 of the farm Tweefontein 321 IS, and Portions 1, 2, 7, 8, 11 & 12 of the farm Van Tondershoek 317 IS, Secunda, Govan Mbeki Local Municipality (hereafter referred to as "the activity"):

Activity number	Activity Description	Extent to which activity is authorized Where activities are authorised in accordance with the amended preliminary Mukondeleli WEF layout map (Figure 10.23 of Chapter 10 of the revised final EIAR dated May 2023), which is subject to final approval.
GNR 983 Activity 11(i)	The development of facilities or infrastructure for the transmission and distribution of electricity outside urban areas or industrial complexes with a capacity of more than 33 but less than 275kV.	The development of a 33/132kV on-site substation to accommodate 1 x 132 kV incoming feeder bay, 1x 132 kV outgoing feeder bay and a motorised isolator with protection and metering.
GNR 984 Activity 1	The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20MW or more.	The development of a Wind Energy Facility with an electrical output of not more than 300MW, comprising not more than 40 turbines, where each turbine hub height is not more than 200m and the rotor diameter does not exceed 200m.

GNR 983 Activity 14	The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80m <sup>3</sup> or more but not exceeding 500m <sup>3</sup> .	<p>The development and related operation of infrastructure for the storage and handling of:</p> <ul style="list-style-type: none"> <li>▪ Concrete Batching: 149 m<sup>3</sup></li> <li>▪ Fuel (Petrol and/or Diesel): 250m<sup>3</sup></li> <li>▪ Paint, grease, transformer oils, construction chemicals, lubricants: 100m<sup>3</sup></li> </ul>
GNR 985 Activity 10(f)(i)(ee)(hh)	The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80m <sup>3</sup> in Mpumalanga, outside urban areas in Critical Biodiversity Areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; Areas within a watercourse or wetland, or within 100m of a watercourse or wetland.	
GNR 983 Activity 28(ii)	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development will occur outside an urban area, where the total land to be developed is bigger than 1ha.	<p>The clearance of not more than 100ha of indigenous vegetation from an assessed project area measuring 4250ha for the purpose of developing the Mukondeleli Wind Energy Facility, inclusive of all project infrastructure, including:</p> <ul style="list-style-type: none"> <li>▪ Turbine hard standings comprising an area of not more than 1500m<sup>2</sup> per turbine, with a maximum of 40 turbines.</li> <li>▪ A combined footprint of not more than 4ha for the on-site substation and the Battery Energy Storage System (BESS).</li> <li>▪ A temporary construction laydown/staging area of not more than 4.5ha, which will also accommodate the operation and maintenance (O&amp;M) buildings, which will be on a combined area of 500m<sup>2</sup>.</li> <li>▪ A construction camp laydown and concrete batching plan not more than 3ha in size, and a temporary laydown area limited to 2ha in size.</li> </ul>
GNR 984 Activity 15	The clearance of an area of 20ha or more of indigenous vegetation.	
GNR 985 Activity 12(f)(ii)	The clearance of an area of 300m <sup>2</sup> or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan in Mpumalanga within critical biodiversity areas identified in bioregional plans.	
GNR 983 Activity 12(ii)(a)(c)	The development of infrastructure or structures with a physical footprint of 100m <sup>2</sup> or more; where such development occurs: within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	



GNR 983 Activity 19	The infilling or depositing of any material of more than 10m <sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m <sup>3</sup> from a watercourse.	The development and expansion of internal access roads, and the development of storm water management infrastructure and electrical cabling within 32m of a watercourse or across a watercourse, where: <ul style="list-style-type: none"> <li>▪ The total footprint of such infrastructure to be located within 32m of the outer edge of delineated watercourses is not more than 55 310m<sup>2</sup></li> <li>▪ the total amount of material to be deposited into or removed from a delineated watercourse will not exceed 110 620m<sup>3</sup>.</li> </ul>
GNR 983 Activity 48 (i)(a)(c)	The expansion of infrastructure or structures where the physical footprint is expanded by 100m <sup>2</sup> or more, where such expansion occurs within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	
GNR 985 Activity 14 (ii)(a)(c) (f)(i)(ff)	The development of infrastructure or structures with a physical footprint of 10m <sup>2</sup> or more; where such development occurs: within a watercourse; if no development setback has been adopted, within 32m of a watercourse, measured from the edge of a watercourse in Mpumalanga, outside urban areas in Critical Biodiversity Areas or Ecosystem Service Areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GNR 985 Activity 23 (ii)(a)(c) (f)(i)(ee)	The expansion of infrastructure or structures where the physical footprint is expanded by 10m <sup>2</sup> or more; where such expansion occurs: within a watercourse; if no development setback has been adopted, within 32m of a watercourse, measured from the edge of a watercourse; in Mpumalanga, Outside urban areas in Critical Biodiversity Areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GNR 983 Activity 24(ii)	The development of a road with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m.	The development of new internal access roads and the widening of existing internal roads, limited to a total combined length of 60km and width of 10m, except at circle/bypass areas where the width of new and widened roads is permitted to be up to a maximum of 20m.
GNR 983 Activity 56(ii)	The widening of a road by more than 6m, or the lengthening of a road by more than 1km - where no reserve exists, where the existing road is wider than 8m.	
GNR 985 Activity 4 (f)(i)(ee)	The development of a road wider than 4m with a reserve less than 13.5m in Mpumalanga, outside urban areas in Critical Biodiversity Areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GNR 985 Activity 18 (f)(i)(ee)	The widening of a road by more than 4m, or the lengthening of a road by more than 1km in Mpumalanga, outside urban areas in Critical Biodiversity Areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	

The granting of this environmental authorisation includes the conditions set out below.

### **3. Conditions of Authorisation**

#### **Scope of authorisation**

- 3.1. Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 3.2. Commencement for the purposes of all conditions of this authorisation means the start of any physical implementation in furtherance of the activity, including site preparation, clearance of vegetation, and any other action on the site.
- 3.3. The holder of the authorisation must ensure compliance with these conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.4. The activity which is authorised may only be carried out at the property indicated above.
- 3.5. Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be affected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 3.6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
- 3.7. If the impacts exceed the significance as predicted in the environmental impact assessment report, the authorisation may be suspended and/or withdrawn after proper procedures have been followed.
- 3.8. In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.9. The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.10. This activity must commence within a period of ten (10) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken, unless the holder of this environmental authorisation has lodged a valid application to amend the validity period of this authorisation before this authorisation lapses, in which case, this authorisation will remain valid. However, the activity, including site preparation, may not commence prior to the amendment application being decided.
- 3.11. The activities with non-operational components must be completed within a period of ten (10) years from the date of commencement of the activities on site.
- 3.12. The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).

- 3.13. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity, including, *inter alia*, the National Forests Act, 1998 (Act 84 of 1998), the National Water Act, 1998 (Act No. 36 of 1998), the National Environmental Management: Waste Act (Act 59 of 2008), the National Forests Act, 1998 (Act 84 of 1998), the Conservation of Agricultural Resources Act, 1983 (act 43 of 1983), as amended, the National Heritage Resources Act, 1999 (Act 25 of 1999), and the provisions of all relevant SABS and SANS standards.

#### **Appeal of authorisation**

- 3.14. The applicant must, in writing, within fourteen days of the date of the decision on the application ensure that-
- a) All registered interested and affected parties are provided with access to the decision and the reasons for such decision.
  - b) The attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations 2014, if such appeal is available in the circumstances of the decision.
  - c) The decision includes the complete environmental authorisation granted or refused.

#### **Commencement of the activity**

- 3.15. The authorised activity must not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No.107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the event that an appeal is lodged, the activity must not commence until such time that the appeal has been finalised.
- 3.16. The draft Environmental Management Programme (EMPr) submitted as part of environmental impact assessment report is not approved. The draft EMPr must be amended to include all provisions of this environmental authorisation and the final layout plan, and must be approved by this Department prior to the commencement of the activity.
- 3.17. The layout plan (Figure 10.23 of Chapter 10 of the revised final EIAR dated May 2023) is not approved. This environmental authorisation is subject to the approval of a final layout plan that must comply with the following provisions:
- 3.17.1. The biodiversity, heritage and avifauna specialists must physically survey the site to finalise the location of all built infrastructure. This process must be undertaken in consultation with the Biodiversity Planning and Land Use Advisory Units in Mpumalanga Tourism and Parks Agency (MTPA). All built infrastructure must be relocated (ie. "microsited") away from sensitive habitats, or eliminated where sensitive habitats cannot be avoided.
  - 3.17.2. Built infrastructure is prohibited from being located within Critical Biodiversity Areas (CBA) Irreplaceable areas (CBA1). As per Figure 10.23 of Chapter 10 of the revised final EIAR dated May 2023, turbines MK28 and MK37 must be removed.
  - 3.17.3. Built infrastructure proposed in Critical Biodiversity Areas (CBA) Optimal areas (CBA2) - i.e. Turbines MK11, MK24, MK26, MK36 and MK39, must be microsited to avoid sensitive plant species or sensitive habitat.



- 3.17.4. Built infrastructure is prohibited from being located within a wetland or within the buffer of a wetland.
- 3.17.5. The turbine blade swept area must not fall within 100m around dams and pans, or within 32m around drainage lines and associated wetlands.
- 3.17.6. Turbine blades must not intrude into high bat sensitivity buffers. Turbine base points must be a minimum of 100m from the high bat sensitivity buffer edge.
- 3.17.7. The likely graveyard alongside proposed turbine location MK-24 must be buffered by a minimum of 50m.
- 3.17.8. The final layout must be informed by a geotechnical site investigation, which must be undertaken to provide detailed geotechnical information for the design of the built infrastructure and roads.
- 3.17.9. The layout map must illustrate the following:
  - a) The position of the wind turbines, and their co-ordinates.
  - b) All associated infrastructure.
  - c) The onsite Substation and the coordinates.
  - d) The BESS and the coordinates.
  - e) Operations and maintenance (O&M) building infrastructure, and coordinates.
  - f) All internal roads.
  - g) All watercourse crossings and their coordinates.
  - h) Construction laydown areas, buildings and their coordinates.
  - i) All sensitive features such as significant nests, graves, CBAs and wetlands.
  - j) All "no-go" and buffer areas.
- 3.17.10. An Environmental Assessment Practitioner must submit the layout plan and Environmental Management Programme (EMPr), which have been subjected to a public participation process of at least 30 days, and the comments received during that process and responses thereto, including comments from MTPA and the South African Heritage Resources Agency (SAHRA) to this Department for consideration and approval.

### **Management and monitoring of the activities**

- 3.18. The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the approved EMPr.
  - 3.18.1. The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.
  - 3.18.2. The ECO must ensure that the EMPr is implemented and strictly enforced during all phases of the project.
  - 3.18.3. The ECO must ensure that contractors are aware of and implement procedures set out in the EMPr, and that the placing of infrastructure adheres to the sensitivity mapping to avoid and reduce impacts on species and habitats of conservation concern.
  - 3.18.4. The ECO must monitor contractors' entry into sensitive habitat.
  - 3.18.5. The ECO must ensure the development footprint of all infrastructure is clearly demarcated.

- 3.18.6. The ECO must oversee the identification of endangered or critically endangered plant species, which must be reported to MTPA and conserved *in situ*.
- 3.18.7. The ECO must, prior to any site clearing activities, oversee the identification and marking of trees that may not be removed, and oversee their protection.
- 3.18.8. The ECO must oversee faunal search and rescue prior to and during site clearing activities.
- 3.18.9. The ECO must supervise vegetation clearing activities.
- 3.18.10. The ECO must maintain the following on site: A site diary; copies of all reports submitted to the Department; and a complaints' register of all environmental complaints regarding the proposed project.
- 3.18.11. During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted, and remedial action implemented. All reports must reflect the Department's reference number of the project on the cover page.
- 3.18.12. The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed, and the site is handed over to the applicant by the contractor for operation.
- 3.19. Prior to commencement, plant species of conservation importance (endemic, protected, Red Data) must be identified and marked, and may not be disturbed, or, where required, the relevant permits for their relocation or removal must be obtained from the relevant authority.
- 3.20. Any plant species categorized as Endangered or Critically Endangered in terms of the Red List of South African Plants must be conserved *in situ*.
- 3.21. Plant species of conservation concern that are identified for relocation must be relocated to areas of similar habitat that will not be transformed, unless otherwise stipulated by the relevant permitting authority. Such species must be monitored and managed until such time that they have, in consultation with the ECO, been determined to be successfully re-established.
- 3.22. The disturbance of nests or breeding activities of birds, reptiles, or any other wildlife, is strictly prohibited.
- 3.23. A final walk down must be conducted by the terrestrial and avifaunal specialists prior to the construction of the turbine hard standings.
- 3.24. Avifaunal monitoring and recording of bird mortalities must be undertaken during the implementation and operational phase for the first two years, and then every five years thereafter. This information must be disclosed to the Mpumalanga Tourism and Parks Agency (MTPA) Scientific Services data base.
- 3.25. In the event that mitigation measures to prevent collisions fails and mortalities of avifauna and bats do occur, the developer must immediately inform MTPA to determine remedial action.
- 3.26. All vertebrates, including slow moving reptiles and smaller mammals, must be allowed to move unharmed, or be assisted and relocated in consultation with the ECO, to the areas of the property that will not be transformed.
- 3.27. All buffer zones referred to herein and in the final approved layout plan must be surveyed in consultation with the Environmental Control Officer (ECO) and relevant specialists and must be clearly demarcated onsite and maintained as ecological

corridors which must be kept intact throughout the life cycle of the project and must be managed in such a way to prevent erosion and alien species invasion, and maintain connectivity to untransformed habitat.

- 3.28. The pushing of spoil material into the surrounding natural environment or into any watercourse or into any of the buffer zones referred to above, is prohibited.
- 3.29. The holder of the authorisation must submit an environmental compliance audit report to the Department within 30 days of completion of the construction phase.
- 3.30. The results of operational audits must be used to determine the need for the improvement of existing, or the installation of additional, mitigation and monitoring measures.
- 3.31. Records of audits, inspections, tests and monitoring must be maintained and kept on site.
- 3.32. The Department retains the right to monitor and/or inspect the proposed project throughout its lifecycle.

### **Commissioning and operation of the activities**

- 3.33. At least fourteen (14) days written notice must be given to the Department that the activity will commence. The notice must include a date on which it is anticipated that the activity will commence and must include the name and contact details of the appointed Environmental Control Officer (ECO).
- 3.34. The demarcation of material lay down areas must precede all activities on site.
- 3.35. An alien plant control program must be implemented at the inception of any site clearing phase.
- 3.36. Construction personnel must be made aware of the sensitivity of the area and their movements must be limited to the construction areas only.
- 3.37. Vegetation clearance must be confined to the footprint of the development site requirements, and unnecessary clearance must be avoided.
- 3.38. The contractor must ensure that all areas susceptible to erosion are protected.
- 3.39. No activity adjacent to watercourses, wetlands, riparian zones, or any of the buffers referred to herein, may impede the free movement of biota by the construction of any barrier that inhibits the continuity of the corridor function.
- 3.40. The removal of indigenous wetland or riparian vegetation is strictly prohibited, unless it is for purposes specifically approved herein, where it may not result in the destabilization of any watercourse.
- 3.41. The development of watercourse crossings may not impede any drainage line or wetland area.
- 3.42. The current flow regime of watercourses may not be altered.
- 3.43. Construction activities may not result in a damning or draining effect on the flow upstream.
- 3.44. Lowering the base level and increasing the gradient in any watercourse is prohibited.
- 3.45. Fencing must not cause erosion and must not impede the flow of any watercourse or natural drainage. Fencing must be monitored throughout the construction and operation phase, and any signs of erosion caused by it must be remedied immediately.
- 3.46. Topsoil may only be stripped in areas that are excavated and must be stockpiled at a pre-designated location for use during rehabilitation.
- 3.24. Topsoil stockpiles must not exceed 1.5 m in height and must be protected by a mulch cover.
- 3.25. Stringent measures must be applied to suppress dust emanating from the construction site.
- 3.26. Storm water management must adhere to the following:

- 3.26.1. All mechanisms for dissipating water energy must be implemented at the inception of the construction phase.
- 3.26.2. No surface storm water generated as a result of the development may be channeled directly into any wetland or watercourse. All surface runoff generated during both construction and operation phases must be managed prior to entering any natural drainage system or wetland so as not to impact on the natural hydrology and morphology of the watercourse.
- 3.26.3. Storm water management must be designed to promote infiltration and slow the release of runoff into wetlands and watercourses.
- 3.26.4. Storm water attenuation and control works must be constructed at the inception of the construction phase and must be operated and maintained in a sustainable manner throughout the project.
- 3.26.5. An efficient storm water drainage system must be installed around all structures and roads to effectively catch and drain surface water.
- 3.26.6. Waste traps must be included at strategic points in the storm water design to trap litter picked up by surface runoff. These traps must be cleaned regularly to ensure their efficient functioning and prevention of downstream pollution.
- 3.26.7. The Substation and Battery Energy Storage System complex must not be located in an area of storm water accumulation.
- 3.26.8. No fuels, oils, or contaminated water may be discharged into the storm water system.
- 3.27. Where ablution facilities for construction personnel are required, dry chemical toilet facilities or e-loos must be provided on site at a ratio of 1:10 for construction staff.
- 3.28. Chemical toilets must be maintained and cleaned regularly, and effluent must be disposed of off-site into an approved municipal sewage system.
- 3.29. The storage and handling of fuel, lubricants and other chemicals must be in especially demarcated impervious and bunded areas.
- 3.30. The mixing of cement, chemicals or other noxious materials must be undertaken in designated areas on, as far as practicable, an impermeable layer.
- 3.31. Construction vehicles and equipment must be checked and maintained regularly to ensure that there is no environmental contamination as a result of oil, fuel or hydraulic fluid leakages.
- 3.32. Pollution due to improper storage of construction materials or any hazardous substances is prohibited.
- 3.33. Surface water rich in sediments and other pollutants must be prevented from entering any watercourse or wetland, and all mechanisms for dissipating water energy must be implemented at the inception of the construction phase.
- 3.34. Damage to adjacent farm infrastructure, stock theft and poaching is prohibited.
- 3.35. No construction material or any other waste material may be dumped into any watercourse or surrounding area.
- 3.36. All general waste generated on the site must be disposed of in a registered landfill site or as directed by any other relevant authority.
- 3.37. All hazardous waste must be disposed of at an official registered site or be removed by registered hazardous waste contractors.
- 3.38. Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately, and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.



- 3.39. Complaints received from the public during the construction and operational phases of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.

**General**

- 3.40. A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.41. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.42. Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 3.43. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

**ENVIRONMENTAL AUTHORISATION APPROVED BY:**



**MR. C.M. CHUNDA**

**HEAD: AGRICULTURE, RURAL DEVELOPMENT,  
LAND AND ENVIRONMENTAL AFFAIRS**

**DATE:** 05/07/23



## Annexure 1: Reasons for the Decision

### 1. Background

- 1.1 The applicant, Mukondeleli Wind Energy Facility (RF) (Pty) Ltd, applied for authorisation to carry out the following activities listed in Government Notices R983, R984 and R985 of 4 December 2014 (as amended) associated infrastructure on Portions 2, 6, 8, 9, 10, 11, 12, 13 and 14 of the farm Bosjesspruit 291 IS, Portions 2, 3, 4, 5 and 13 of the farm Brandwacht 316 IS, Portion 0 of the farm Knoppies 314 IS, Portion 9 of the farm Knoppiesfontein 313 IS, Portion 5 of the farm Tweefontein 321 IS, Portions 1, 2, 7, 8, 11 & 12 of the farm Van Tondershoek 317 IS, Secunda, Govan Mbeki Local Municipality:

Activity number	Activity Description	Extent to which activity is authorized Where activities are authorised in accordance with the amended preliminary Mukondeleli WEF layout map (Figure 10.23 of Chapter 10 of the revised final EIAR dated May 2023), which is subject to final approval.
GNR 983 Activity 11(i)	The development of facilities or infrastructure for the transmission and distribution of electricity outside urban areas or industrial complexes with a capacity of more than 33 but less than 275kV.	The development of a 33/132kV on-site substation to accommodate 1 x 132 kV incoming feeder bay, 1x 132 kV outgoing feeder bay and a motorised isolator with protection and metering.
GNR 984 Activity 1	The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20MW or more.	The development of a Wind Energy Facility with an electrical output of not more than 300MW, comprising not more than 40 turbines, where each turbine hub height is not more than 200m and the rotor diameter does not exceed 200m.
GNR 983 Activity 14	The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80m <sup>3</sup> or more but not exceeding 500m <sup>3</sup> .	The development and related operation of infrastructure for the storage and handling of: <ul style="list-style-type: none"> <li>Concrete Batching: 149 m<sup>3</sup></li> <li>Fuel (Petrol and/or Diesel): 250m<sup>3</sup></li> <li>Paint, grease, transformer oils, construction chemicals, lubricants: 100m<sup>3</sup></li> </ul>
GNR 985 Activity 10(f)(i) (ee)(hh)	The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80m <sup>3</sup> in Mpumalanga, outside urban areas in Critical Biodiversity Areas (CBAs) as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; Areas within a watercourse or wetland, or within 100m of a watercourse or wetland.	

GNR 983 Activity 28(ii)	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development will occur outside an urban area, where the total land to be developed is bigger than 1ha.	<p>The clearance of not more than 100ha of indigenous vegetation from an assessed project area measuring 4250ha for the purpose of developing the Mukondeleli Wind Energy Facility, inclusive of all project infrastructure, including:</p> <ul style="list-style-type: none"> <li>▪ Turbine hard standings comprising an area of not more than 1500m<sup>2</sup> per turbine, with a maximum of 40 turbines.</li> <li>▪ A combined footprint of not more than 4ha for the on-site substation and the Battery Energy Storage System (BESS).</li> <li>▪ A temporary construction laydown/staging area of not more than 4.5ha, which will also accommodate the operation and maintenance (O&amp;M) buildings, which will be on a combined area of 500m<sup>2</sup>.</li> <li>▪ A construction camp laydown and concrete batching plan not more than 3ha in size, and a temporary laydown area limited to 2ha in size.</li> </ul>
GNR 984 Activity 15	The clearance of an area of 20ha or more of indigenous vegetation.	
GNR 985 Activity 12(f)(ii)	The clearance of an area of 300m <sup>2</sup> or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan in Mpumalanga within critical biodiversity areas identified in bioregional plans.	
GNR 983 Activity 12(ii)(a) (c)	The development of infrastructure or structures with a physical footprint of 100m <sup>2</sup> or more; where such development occurs: within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	<p>The development and expansion of internal access roads, and the development of storm water management infrastructure and electrical cabling within 32m of a watercourse or across a watercourse, where:</p> <ul style="list-style-type: none"> <li>▪ The total footprint of such infrastructure to be located within 32m of the outer edge of delineated watercourses is not more than 55 310m<sup>2</sup></li> <li>▪ the total amount of material to be deposited into or removed from a delineated watercourse will not exceed 110 620m<sup>3</sup>.</li> </ul>
GNR 983 Activity 19	The infilling or depositing of any material of more than 10m <sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10m <sup>3</sup> from a watercourse.	
GNR 983 Activity 48 (i)(a)(c)	The expansion of infrastructure or structures where the physical footprint is expanded by 100m <sup>2</sup> or more, where such expansion occurs within a watercourse; if no development setback exists, within 32m of a watercourse, measured from the edge of a watercourse.	
GNR 985 Activity 14 (ii)(a)(c) (f)(i)(ff)	The development of infrastructure or structures with a physical footprint of 10m <sup>2</sup> or more; where such development occurs: within a watercourse; within 32m of a watercourse, measured from the edge of a watercourse in Mpumalanga, outside urban areas in CBAs or ESAs as identified in systematic biodiversity plans adopted by the CA or in bioregional plans.	

GNR 985 Activity 23 (ii)(a)(c) (f)(i)(ee)	The expansion of infrastructure or structures where the physical footprint is expanded by 10m <sup>2</sup> or more; where such expansion occurs: within a watercourse; if no development setback has been adopted, within 32m of a watercourse, measured from the edge of a watercourse; in Mpumalanga, Outside urban areas in CBAs as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GNR 983 Activity 24(ii)	The development of a road with a reserve wider than 13.5m, or where no reserve exists where the road is wider than 8m.	The development of new internal access roads and the widening of existing internal roads, limited to a total combined length of 60km and width of 10m, except at circle/bypass areas where the width of new and widened roads is permitted to be up to a maximum of 20m.
GNR 983 Activity 56(ii)	The widening of a road by more than 6m, or the lengthening of a road by more than 1km - where no reserve exists, where the existing road is wider than 8m.	
GNR 985 Activity 4 (f)(i)(ee)	The development of a road wider than 4m with a reserve less than 13.5m in Mpumalanga, outside urban areas in CBAs as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	
GNR 985 Activity 18 (f)(i)(ee)	The widening of a road by more than 4m, or the lengthening of a road by more than 1km in Mpumalanga, outside urban areas in CBAs as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.	

- 1.2. The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake an environmental impact assessment process:

WSP Group Africa (Pty) Ltd  
WSP House Building C, Knightsbridge  
33 Sloane Street  
Bryanston  
2191

Contact Person: Ms. Ashlea Strong  
Tel: 011 361 1392  
Email: Ashlea.strong@wsp.com

## 2. Information considered in making the decision.

In reaching its decision, the Department took the following into consideration:

- The information contained in the application form received by the Department on 26 August 2022 and acknowledged on 31 August 2022
- The information contained in the scoping report received by the Department on 07 October 2022 and acknowledged and accepted on 14 November 2022.

- c) The information contained in the environmental impact assessment report received by the Department on 17 March 2023 and acknowledged on 24 March 2023, and the information contained in the revised final environmental impact received on 19 June 2023.
- d) The comments received from interested and affected parties as included in the abovementioned reports, including comments received from Mpumalanga Tourism and Parks Agency.
- e) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Mpumalanga Biodiversity Sector Plan.

**3. Key factors considered in making the decision.**

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) Bio-physical impact
- b) Sustainability
- c) Need and desirability.

**4. Findings**

After consideration of the information and factors listed above, the Department made the following findings:

- a) According to the environmental impact assessment report, the development proposal is considered to be environmentally, economically and socially sustainable.
- b) According to the environmental impact assessment report, adequate mitigation measures will be implemented to reduce potential impacts to acceptable levels.
- c) Mitigation measures and recommendations outlined in the environmental impact assessment report and environmental management programme are appropriate and practical for implementation, and it is anticipated that they will reduce the significance of potential impacts.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels. The application is accordingly granted.