

Attendance Register: Karpowership Consultation with the DFFE

Date: 24 August 2022
Time: 10h00 – 12h00

Venue: DFFE Offices - 473 Steve Biko Road, Arcadia

| # | Name & Surname | Entity/Company | Email Address | Signature |
|-----|-------------------|-----------------|-----------------------------------|------------------|
| 1. | MISCANT SWANSON | DFFE | Miscantson@dffe.gov.za | Miscantson |
| 2. | THABILE SAJGWSINI | DFFE | Thabile@DFFE.gov.za | Thabile |
| 3. | MUKHAMMAD ESSOP | DFFE | MESSOP@dffe.gov.za | Mussop |
| 4. | CURTIS MEINTJIES | KPS | curtis.meintjies@karpowership.com | Curtis |
| 5. | DAVID MABUNDA | KPS/CONSULT. | mabunda@mweb.co.za | David Mabunda |
| 6. | ADAM GUNN | PRESENT MASTERS | adam.gunn@presentmasters.com | Adam Gunn |
| 7. | Coenrad Agenbach | DFFE | cagenbach@dffe.gov.za | Coenrad Agenbach |
| 8. | DAVID CLARK | KPS | david.clark@karpowership.com | David Clark |
| 9. | SHANICE SINGH | TRIPO4 | Shanice@triplo4.com | Shanice Singh |
| 10. | HANTIE PLOMP | TRIPO4 | hantie@triplo4.com | Hantie Plomp |
| 11. | Mehmet Katme | KPS | mehmet.katme@karpowership.com | Mehmet Katme |

Date: 25 August 2022

DFFE PROJECT REFERENCES

14/12/16/3/3/2/2005

14/12/16/3/3/2/2006

14/12/16/3/3/2/2007

To: Ms. Millicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
By e-mail

Dear Ms. Solomons

COMMENCEMENT OF KARPOWERSHIP EIA PROCESS FOLLOWING MINISTER'S APPEAL DECISIONS

1. Thank you for meeting with Triplo4 and the applicant on 24 August 2022 at the DFFE offices in Arcadia, Tshwane. As discussed, we look forward to working with the DFFE in a positive manner to address the gaps identified in the EIA by the Minister's Appeal Decisions.
2. One of the critical issues discussed at the meeting was when the 106 day period would commence for the completion of the Final Environmental Impact Assessment Report (FEIAR).
3. The Minister's Appeal decision was not specific on this issue but stated that the matter is remitted to the Competent Authority (CA):

"so that the various gaps in information and procedural defects in relation to the PPP that led to the rejection of the EA application may be addressed during the reconsideration and re-adjudication of the EA application provided that the timeframes prescribed by the 2014 EIA Regulations in respect of the EIA process must be adhered to by the appellants and the CA."

4. Following the meeting, we held a brainstorming workshop with the applicant, to determine whether sufficient time is available to the specialists to undertake the specialist studies required to achieve compliance with the Minister's Decisions i.e.: to close the gaps. The most critical study required is the Noise study. As there are no Powerships docked in South Africa that can be studied, we have identified an international noise specialist located in the United Kingdom who will have to conduct a site visit to Powerships that are operational in either Indonesia or Ghana and identical to that which will be utilized in

South Africa. The noise data that will be obtained, needs to then be written up and provided to other specialists so that the polycentric and integrated approach recommended in the Minister's Decisions can be achieved. This will take the specialists a minimum of 4 weeks. Therefore, taking into account the PPP requirements of the EIA, each day is critical for the EIA process.

5. It is our humble request that the 106 day period should commence on approval of the Minutes from the Pre-Application meeting and the approval of the EIA Project Plan with timelines, which we will prepare and submit to you by no later than 09H00 on the 6th September 2022. According to the 2014 EIA Regulations, The FEIAr will then be due on 12th January 2023.
6. We are advised by our legal counsel that our request is supported by the provisions Regulation 23(1) of The 2014 EIA Regulations which states that:

(1) The applicant must within 106 days of the acceptance of the Scoping Report, or where regulation 21(2) applies, within 106 days of the date of receipt of the application by the competent authority, submit to the competent authority

(a) An environmental impact assessment report inclusive of any specialist report and an EMPr, which must have been subjected to a public participation process of at least 30 days

Regulation 21(2) states that:

Subject to Regulation 46 and if the findings of the scoping report is still valid and the environmental context has not changed, the submission of a scoping report as contemplated in sub regulation (1) need not be complied with-

(a) In cases where a scoping report was accepted as part of a previous application for environmental authorization and the application has lapsed or was refused because of insufficient information;

7. This would allow compliance with the 2014 EIA Regulations (and the Minister's Appeal Decisions) and allow the applicant and the specialists a reasonable chance to address the gaps identified in the EIA.
8. We trust you will consider this request favorably and look forward to your response hereto.



Mrs. Hantie Plomp (SACNASP | Reg. EAP (EAPASA))
Managing Director
Triplo4 Sustainable Solutions





forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/3/2/2005; 14/12/16/3/3/2/2006; 14/12/16/3/3/2/2007

Enquiries: Ms Milicent Solomons

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Triplo4 Sustainable Solutions
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ZIMBALI
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PER EMAIL

Dear Mrs Plomp

RE: THE COMMENCEMENT OF KARPOWERSHIP EIA PROCESSES FOLLOWING MINISTER'S APPEAL DECISION FOR THE APPLICATIONS FOR ENVIRONMENTAL AUTHORISATION FOR THE KARPOWERSHIP PROJECTS WITH THE ABOVEMENTIONED REFERENCE NUMBERS

The Department confirms having received your letter dated 25 August 2022 requesting additional time for commencement of the process for the abovementioned projects.

The Department hereby confirms that the due date for the submission of the Environmental Impacts Assessment reports for the abovementioned projects in accordance to Regulation 23(1)(a) of the EIA Regulations, 2014 as amended will be 13 January 2023. Seeing that the abovementioned projects are designated as Strategic Integrated Projects in terms of the Infrastructure Development Act, the Competent Authority will within 57 days of receipt of the reports make a decision on the abovementioned application for Environmental Authorisations.

Yours sincerely

Ms Milicent Solomons
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Date: 29/08/2022.

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|-----|------------------|----------------|---------------------------------------|
| cc: | Mr Mehmet Katmer | Karpowership | Email: Mehmet.katmer@karpowership.com |
| | Mr Adam Gunn | Pinsent Masons | Email: adam.gunn@pinsentmasons.com |



forestry, fisheries & the environment

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Ms. Milicent Solomons
Director: Prioritized Infrastructure Projects

Dear Mrs Solomons

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS FOR THE PERIOD OF 25 APRIL 2022 UNTIL 31 OCTOBER 2022

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 25 April to 31 October 2022 whilst Mr Sabelo Malaza is fulfilling his temporary reassignment function at the Forestry Branch.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms Devnagie Bendeman
Deputy Director-General: RCSM (Regulatory Compliance and
Sector Monitoring)

Date 20 April 2022

ACKNOWLEDGEMENT

I ACCEPT / ~~DO NOT ACCEPT~~
appointment as Acting Chief
Director: Integrated Environmental
Authorizations

Signed:

Date: 20/04/2022.