



23 October 2020

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Attention: Patrick.ODriscoll@karpowership.com

Dear Sir.

RE: PORT OF RICHARDS BAY: LANDOWNER CONSENT FOR PROPOSED INDEPENDENT POWER PRODUCER'S (IPP) GAS TO POWER PROJECT

We refer to your request for the TNPA'S Port of Richards Bay to grant its consent for Karpowership SA (Pty) Ltd to undertake Environmental Impact Scoping and or Assessment studies at the Port of Richards Bay in order for such to respond to a Request For Proposal issued by the Department of Minerals & Energy's, Independent Power Producer's programme in respect of Gas to Power projects.

The TNPA's Port of Richards Bay hereby consents to the undertaking of the studies as aforesaid and will grant Karpowership SA (Pty) Ltd. access to the port to undertake these studies subject to the Company's acceptance of the following conditions:

1. The studies are done at the sole risk of Karpowership SA (Pty) Ltd, 2019/537869/07.
2. Karpowership SA (Pty) Ltd, 2019/537869/07 will be responsible for all costs associated with studies and shall have no claims against the TNPA for any refunds in respect of such costs incurred.
3. Karpowership SA (Pty) Ltd, 2019/537869/07 shall fully and effectively indemnify and hold TNPA harmless in respect of any direct or indirect losses, damages, liabilities, claims, proceedings, demands, costs, charges or expenses of any nature suffered or incurred by Karpowership SA (Pty) Ltd, 2019/537869/07 or any third party which may

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stem from this access or from the RFP published by DMRE related to emergency power procurement.

4. The TNPA's consent must not be construed as awarding any cargo landing/shipping rights, Terminal Operator rights or rights to any portion of land within port limits or as confirmation that any particular site within the port is suitable for the intended purpose, nor the creation of any reasonable expectations or otherwise relating thereto.
5. If the assessments is linked to an existing Terminal Operator, Karpowership SA (Pty) Ltd, 2019/537869/07 will need consent in writing from the Terminal Operator which needs to be presented to TNPA before any assessments will be allowed.

6. Should Karpowership SA (Pty) Ltd, 2019/537869/07 be selected as a preferred bidder through the IPP's RFP process, the consent granted in terms hereof shall not be construed or constitute the granting of any landing and shipping rights or any Terminal Operator rights at the Port of Richards Bay (nor the creation of any reasonable expectations or otherwise relating thereto), which rights may only be expressly granted in accordance with the provisions of Section 56 of the National Ports Act 12 of 2005.

7. TNPA will not grant permission for any geotechnical drilling/sampling at any site within port limits, unless such a site is already under licence in accordance with the provisions of the National Ports Act No 12 of 2005."

Kind regards



Thami Sithole
Port Manager

I the undersigned Mehmet Katne, in my capacity as the duly authorized representative of Karpowership SA (Pty) Ltd, 2019/537869/07, being duly authorised thereto hereby accept the conditions listed above.

