



SAPVIA- Environmental WG Meeting

Date: 31 March 2025

Time: 12:00-13:30

Chairperson: Andrea Siebritz

Declaration of Interest and Prevention of Anti-Competitive Behaviour

Participants of all SAPVIA meetings agree not to engage in or discuss the following topics:

- **Price-Fixing** - current or future prices, pricing strategies, or price changes.
- **Market Division** - allocation of customers, suppliers, territories, or market shares. dividing markets by geographic areas or product lines.
- **Collusive Tendering** - bid-rigging, including agreements on who will submit bids or the terms of bids, information about tender processes or strategies.
- **Production and Supply Control** - agreements to limit or control production, supply, or distribution of products or services, capacity, production quotas, or inventory levels.
- **Boycotts**- agreements to boycott or refuse to deal with specific customers, suppliers, or competitors, collective actions against any market participant.
- **Information Sharing** - competitively sensitive information, including sales volumes, market shares, costs, marketing strategies, future business plans, research and development projects, or investment strategies.
- **Exclusionary Practices** - strategies to exclude competitors from the market or to create barriers to entry, exclusive dealing, tying arrangements, or predatory pricing.
- **Anti-Competitive Agreements**- discussions that could lead to anti-competitive agreements, whether formal or informal, conversations that could be interpreted as attempts to coordinate competitive behaviour.

<p>Facilitator Andrea Siebritz (AS)</p> <p>Note taker Thabang Molai (TM)</p>	<p>Attendees:</p> <p>Elana Mostert (EM)</p> <p>Kakale Munamati (KM)</p> <p>Espee Hattingh (EP)</p> <p>Fakazile Thusi (FT)</p> <p>Janine Brasington (JB)</p> <p>Serina Pillay (SP)</p> <p>Erin Matroos (EM)</p> <p>Dr Rethabile Melamu (RM)</p> <p>Zimkita Bilibana (ZB)</p> <p>Pamela Gama (PG)</p> <p>Sinethemba Mnguni (SM)</p>
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Agenda

1.	Opening	Chairperson
	<p>Welcome and Introduction The chairperson welcomed everyone to the working group meeting and acknowledged attendees for making time to attend.</p> <p>Apologies No apologies noted.</p> <p>Minutes The minutes of the previous meeting were accepted as a true reflection of the meeting proceedings.</p> <p>Agenda The agenda was amended to include: WULA Applications Mining Permits</p>	
2.	<p>Election of Deputy Chairperson</p> <ul style="list-style-type: none"> • The floor was opened for nominations. • No voluntary nominations were received during the allocated time. • ZB nominated Kakale Munamati (KM) as Deputy Chair. • KM accepted the nomination. • The nomination was supported unanimously by members through raised-hand votes. • Congratulations were extended, and ZB committed to setting up a brief onboarding session with the two chairs to align on responsibilities and expected involvement. 	Zimkita B
3.	Focus Areas	
	<p>3.1 Permitting</p> <p>3.1.1 Environmental permitting and licenses</p> <ul style="list-style-type: none"> • AS: • The Permitting Subgroup met in February to discuss key issues related to permitting processes. 	<p>Andrea S- Lead Elana M Pamela G Joanne D Ndileka M Zimbini N</p>

	<ul style="list-style-type: none"> • The main topic of concern is the current permitting norms, which now extend beyond solar PV and battery storage to include substations and overhead lines. It was noted that overhead lines require further consideration. • An email was sent approximately two weeks ago requesting members to submit questions regarding the norms registration process to be raised with the department. • Once all questions are received, they will be summarised, and a meeting date with the department will be confirmed. • Members are encouraged to contribute questions to ensure all concerns are addressed. • Members who have successfully completed the registration process are invited to share tips and experiences. • A request will also be made to the department to highlight any common mistakes observed during the registration process. <p>3.1.2 South African Defence Force Permits</p> <ul style="list-style-type: none"> • AS: • Concerns were raised about delays in acquiring SANDF permits, which are affecting some projects—some of which have been pending for up to two years. • Proposed that SAPVIA initiate engagement with the SANDF to understand their timelines and work toward establishing an acceptable processing period. • A letter will be drafted to formally request a meeting with the SANDF. 	<p>Stephan J Kakale M Monique D</p>
	<p>3.2 Extended Producer Responsibility (EPR) Regulations</p> <ul style="list-style-type: none"> • ZB: • Last year, a call for updates was sent out, requesting members to submit information directly to DFFE. • PS and her team attended a meeting at DFFE offices to discuss amendments to the EPR regulations. • Some amendments were accepted, while others were contested. • A follow-up meeting was planned before the end of March to finalize amendments before publication. • DFFE has identified non-compliant companies and is drafting prosecution letters for criminal action. 	<p>Patricia S- Lead Espee H Erin M</p>

	<ul style="list-style-type: none"> • Customs now requires a DFFE registration number for companies to release their goods, ensuring compliance. • A request was made for a list of non-compliant companies, but this information is confidential. • Members are advised to raise awareness to ensure compliance with EPR regulations. 	
4.	<p>Any Other Matters</p> <p>4.1 Compliance Department (Discussions on the experiences with Compliance Department for projects in construction or development phases).</p> <ul style="list-style-type: none"> • AS asked EM for an update or proposed next steps regarding a previously raised item around sharing compliance experiences. • EM clarified that this was initially only suggested and not yet acted upon. The idea is to determine if there's interest in sharing experiences with the compliance process, particularly during construction, development, and operational phases of projects. • KM expressed interest, suggesting a "lessons learned" register could be valuable for the industry. Also asked whether the goal is to keep these lessons internal to the industry or to share them with the department. • AS noted that the intended outcome would need to be defined, but emphasized that if relevant issues arise, they should not be kept internal. • There is openness to raising valid concerns or patterns with the department, especially if they relate to systemic issues or unclear guidance. • The group will further assess interest and, if supported, explore mechanisms for gathering and potentially sharing this input. <p>4.2 WULA Applications</p> <ul style="list-style-type: none"> • KM inquired whether discussions could be expanded beyond DFFE to include the Department of Water and Sanitation (DWS), especially considering challenges with WULAs. • AS confirmed, there is scope to expand and advised that relevant topics can be raised under Agenda Item 4. If sufficient interest exists, a separate focus group could be formed to engage with DWS. 	

	<ul style="list-style-type: none"> • KM highlighted issues with threshold ambiguities for requiring WULAs, especially with conservancy tanks and borderline water use cases that still require full applications. • Suggested the possibility of advocating for concessions or streamlined processes in such cases. • EM expressed interest in the topic, noting it presents an opportunity for industry-wide learning and coordinated engagement with DWS to address systemic issues. • AS proposed forming a dedicated focus area to address WULA challenges. • An email will be circulated to invite other interested members to join the group. • KM volunteered to lead the WULA/DWS focus area discussions, with support from SAPVIA. • FT expressed interest in participating in this focus area. • AS confirmed she will be involved in the process to support continuity and coordination. <p>4.3 Mining Permits</p> <ul style="list-style-type: none"> • AS highlighted relating to Section 53 consents from DMRE, which now often reference production or exploration gas rights held by third parties. • Developers are required to consult with or secure a coexistence agreement from these rights holders. However, many rights holders are unresponsive or unwilling to engage, creating multi-year delays in project progress. • No clear guidance from DMRE or PASA on what constitutes adequate “engagement” or “coexistence” and what to do when a rights holder refuses to participate. • Engagement with PASA is currently unproductive, they refer back to DMRE, creating a loop without accountability. • The issue has already been raised with EOSS, who have shown interest in facilitating a joint meeting. • EM confirmed similar experiences and emphasized the need for clarity on expectations from DMRE. • Noted that PASA-issued gas rights are sometimes missed in initial DMRE applications, further complicating matters. • AS noted that even when gas rights are known and PASA is contacted, they provide no clear mechanism for engagement or resolution. 	
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	<ul style="list-style-type: none"> AS invited to volunteer for participation in this sub-working group to support engagement and provide feedback at the next meeting. EM and FT expressed interest in attending the meetings. 	
5.	Closure With a vote of thanks, the chairperson formally closed the meeting. <p style="text-align: right;"><i>Next meeting: 24 June 2025</i></p>	

Action Items:

NO:	ACTION	BY WHOM
1.	Draft a letter to request a meeting with the SANDF.	ZB
2.	Submit questions on norms and standards registration process. Summarize questions and confirm the meeting date with the department. (DFFE)	All Members
3.	Follow-up with EOSS to initiate planning for a joint meeting involving DMRE and PASA.	AS/ZB
4.	Schedule an onboarding session with Kakale Munamati and the two chairs to discuss responsibilities and expected involvement.	ZB