


ANNEXURE D1 – AUTHORITY COMMENTS

BACKGROUND

Below are authority comments on the project. Figure 1 is the correct acceptance letter from Department of Mineral Resources –Mpumalanga Region (DMR-MR). The letter was issued to Sunshine Mineral Reserves (Pty) Ltd (hereafter referred to as Sunshine) on the 16th October 2018. The letter is in respect to rectification of properties that Sunshine applied for. Figure 2 is a letter from DMR-MR with initial initial Acceptance Letter of the project. Figure 3 is the authority Review Comment on the BAR and EMPr submitted by Sunshine to DMR-MR in 2016 and Figure 4 is a letter from Mpumalanga Tourism and Parks submitted to DMR and NGT Holdings (Pty) Ltd (hereafter referred to as NGT) in respect to authority Notification on the state of the project and the address of the authority Review Comment in terms of the BAR and EMPr which has been redone by NGT. The initial BAR and EMPr was submitted by a different Environmental Assessment Practitioner (EAP) in 2016.

DMR 11



Department of Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X7279, Witbank, 1035. Tel: 013 653 0500, Fax 086 605 6894
Saveways Crescent Centre, First Floor, Mandela Drive, Witbank, 1035
Directorate: Mineral Regulation: Mpumalanga Region
Sub directorate: Mineral Laws File Ref: MP 30/5/1/14169 PR

Registered Mail

The Directors
Sunshine Mineral Reserves (Pty) Limited
P O Box 784393
SANDTON
2146


Fax No : 086 613 8700

Gentlemen / Ladies

ERRATUM : ACCEPTANCE OF AN APPLICATION FOR PROSPECTING RIGHT IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) (HEREIN AFTER REFERRED TO AS THE ACT).

This letter serve to effect the corrections on the properties which were erroneously excluded in the acceptance letter dated 16 March 2016 therefore properties accepted reads as follows: the Remaining Extent of the farm Three Sisters 254 JU, the Remaining Extent , Portions 2 and 3 of the farm Bien Venue 255 JU, (excluding Gold Ore), the Remaining Extent of the farm Three Sisters 262 JU and the farm Three Sisters 256 JU, (excluding Gold Ore and Silver Ore), Magisterial District of Barberton and the due dates on the acceptance letter dated 16 March 2016 remains valid.


Yours faithfully



**REGIONAL MANAGER:
MPUMALANGA REGION**
Date: 16/10/2018

Figure 1- Correspondence from DMR in regarding corrections made on properties

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 **mineral resources**
Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA
Private Bag X7279, Witbank, 1036, Tel: 013 653 0600, Fax 013 690 3288
Savennys Centre, Mandela Drive, First Floor, Witbank, 1035
From: Directorate: Mineral Regulation: Mpumalanga Region
Enquiries: Ms Lerato Mariri **Ref:** MP 30/5/1/1/2/14169PR
Subdirector: Mineral Laws

Registered Mail

The Directors
Sunshine Mineral Reserves (Pty) Ltd
P O Box 784393
Sandton
2146

FAX NO: 086 613 8700

Dear Sir/Madam

APPLICATION FOR A PROSPECTING RIGHT IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002): THE REMAINING EXTENT OF THE FARM THREE SISTERS 254 JU, THE REMAINING EXTENT AND PORTION 3 OF THE FARM BIEN VENUE 255 JU (EXCLUDING GOLD ORE), THE REMAINING EXTENT OF THE FARM THREE SISTERS 262 JU AND THE FARM THREE SISTERS 256 JU (EXCLUDING GOLD ORE AND SILVER ORE) SITUATED IN THE MAGISTERIAL DISTRICT OF BARBERTON.

1. In view of the above please be informed that your abovementioned application for the prospecting of **Diamond, Gold Ore, Iron Ore and Silver Ore** has been accepted in terms of Section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002).
2. Please be informed that **Gold Ore and Silver Ore** have been excluded on **remaining extent and portion 3** of the farm **Bien Venue 255 JU** and the farm **Three Sisters 256 JU** for reason that another party holds a prospecting right as contemplated in section 16 (2) (b) of the Act.

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3. Please take notice that in terms of section 16(4) of the Act as amended by section 12(d)(a) and 12(d)(b) of the Amendment Act, you are required to:

3.1 to consult in the prescribed manner with the landowner, lawful occupier and any interested and affected party including **Tegeta Exploration & Resources (Pty)Ltd, Isibaya Mining Resources (Pty)Ltd, Batho-Batho Mining (Pty)Ltd and Cathula Mining with intention of concluding a co-operative agreement which agreement will determine the success or failure of your application and the Land Restitution Commission and submit the result of such consultation on or before** the 04 MAY 2016

4. You are in terms of section 17(1) of the Act as amended by section 13(c) of the Amendment Act required to give effect to the objects referred to in section 2(d) of the Act **to ensure that you are BBBEE compliant.** Therefore please submit on or before 04 MAY 2016 to this office for the attention of the writer hereon any documentation proving such including but not limited to:-

- 4.1 Certified copies of share certificates and share holders register
- 4.2 Certified copies of Shareholders agreements
- 4.3 Certified copies articles and memorandum of association of the company
- 4.4 Trust deed documents and letters of authority for any trust holding shares
- 4.5 Details relating to funding (all relevant agreements)
- 4.6 Any other information that may be necessary to explain and serve as evidence that the applicant meets the appropriate HDSA ownership and/or compliance requirements of the

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aforesaid Act and Mining Charter; thereby including women and communities in your structure.

5. Please submit **within 14 days** from date of this letter for the attention of **Mr Siyabonga Panduva 3 copies of a complete prospecting work programme prepared in terms of regulation 7 of the Mineral and Petroleum Resources Development Act, 2002 (Act no 28 of 2002): Mineral and Petroleum Development Regulation.**

6. Please take note that failure to adhere to the timeframe stipulated above and to submit any documentation required in terms of this notice will result into non-compliance with the provision of the Act and the Amendment Act and will result in your application being processed refusal.

Yours faithfully



REGIONAL MANAGER
MPUMALANGA REGION
DATE:.....16/03/2016

Figure 2- Letter from DMR in regarding the application for prospecting rights



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X7279, Emalahleni, 1035, Tel: 013 653 0500, Fax: 013 656 1474
1st Saveways Crescent Centre, Mandela Drive, Emalahleni, 1035

Enquiries: Mr M.C Montsha: Email: Matome.Montsha@dmr.gov.za
Ref no: (MP) 30/5/1/1/3/2/1/ (14169) EM

Sub-directorate: Mine Environmental Management: Mpumalanga Region

REGISTERED MAIL

The Directors
Sunshine Mineral Reserves (Pty) Ltd
P.O. Box 784393
SANDTON
2146

Attention: Mr Charles Morries Watts

Fax: 086 613 8700

COMMENTS IN RESPECT OF THE BASIC ASSESSMENT REPORT (BAR) LODGED IN TERMS OF REGULATION 19 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 IN RESPECT OF PROSPECTING ACTIVITIES TO BE CONDUCTED ON THE REMAINING EXTENT OF THE FARM THREE SISTERS 254 JU, THE REMAINING EXTENT AND PORTION 3 OF THE FARM BIEN VENUE 255 JU, THE REMAINING EXTENT OF THE FARM THREE SISTERS 262 JU AND THE FARM THREE SISTERS 256 JU, SITUATED IN THE MAGISTERIAL DISTRICT OF BARBERTON IN MPUMALANGA REGION.

The above mentioned application bears reference;

Your Basic Assessment Report dated 04th July 2016 submitted in respect of the above- mentioned application cannot be considered compliant in its current form in that:-

- a) The BAR is not aligned with the application for environmental authorisation; furthermore the application form for environmental authorisation reflects the 2010 listed activities instead of the 2014 EIA regulations.
- b) The information contained in the BAR indicates that an objection was received regarding portion 2 of the Three Sisters 256 JU, as such you are directed to address/ resolve the objection in your revised BAR.
- c) The BAR does not contain the results of the public participation undertaken with all the stakeholders (i.e. state departments & local municipality, identified

interested and affected parties), including inputs as well as a summary of the issues raised by interested and affected parties and an indication of the manner in which the issues were incorporated.

- d) The financial provision provide in the BAR is not calculated in accordance with the department's approved guidelines.
- e) The BAR does not provide an environmental awareness plan describing the manner in which the applicant intends to inform his or her employees of any environmental risks which may result from their work and how risks must be dealt with in order to avoid pollution or the degradation of the environment.

In view of the foregoing, you are herewith requested to address the above and submit two copies of the BAR ^{2nd} July 2018.

Should you require any further clarity regarding the above, do not hesitate to contact the above-mentioned person at the contact details provided.

Yours Faithfully



REGIONAL MANAGER
MPUMALANGA REGION
DATE: 27/06/2018

Figure 3- Letter from DMR in regarding comments made on the initial BAR submitted by Sunshine Mineral Reserves

 <p>Ref: LUA IAP Unit: LUA ISS Enquire: F.N.Krige E-mail: frans@mpa.co.za Tel/Fax: 013-2540279</p> <p>Mr. M.C.Montsha Mine Environmental Management Private Bag X7279 EMALAHLENI 1035</p> <p>Fax: 013 690 3288 Email: malomontsha@dnr.gov.za CC: Nkosimathl@h-dingq6.co.za</p> <p>Dear Mr. Montsha</p> <p>HEREWITH MTPA'S REQUEST TO BE REGISTERED AS AN IAP FOR THE FOLLOWING PROSPECTING PROPOSAL: MP 30/6/1/10/2/1(14188) EM. RECEIVED AFTER 9 DECEMBER 2018. THE FOLLOWING NOTIFICATION,</p> <p>NOTIFICATION OF AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND A PROSPECTING RIGHT FOR THE PROPOSED PROSPECTING ACTIVITIES TO BE CONDUCTED ON THE REMAINING EXTENT OF THE FARM THREE SISTERS 254 JU, THE REMAINING EXTENT AND PORTION 3 OF THE FARM BIEN VENUE 255 JU, THE REMAINING EXTENT OF THE FARM THREE SISTERS 262 JU AND THE FARM THREE SISTERS 256 JU SITUATED IN IN LOUWS CREEK, WITHIN THE MAGISTERIAL DISTRICT OF BABERTON, MPUMALANGA, MPUMALANGA PROVINCE</p> <p>NGT Holdings (Pty) Ltd (NGT) has been appointed by Sunshine Reserve (Pty) Ltd to assist in preparing and submitting a Basic Assessment Report (BAR), Environmental Management Programme (EMPR) and to undertake a Public Participation Process (PPP) in support of an application for a Prospecting Right and Environmental Authorisation. You have been identified as a potential Interested and Affected Party (I&AP). The Prospecting Right and Environmental Authorisation application will be -----</p> <p>HAS BEEN RECEIVED ONLY ON THE 12TH OF DECEMBER 2018.</p> <p>Please ensure that the MTPA receives a Hardcopy of the BAR as well as the EMPR before the 20th of December and allow us a month to provide our comments.</p> <p>Send the Hardcopy for registration to:</p>	<p>For attention: Komilla Narasoo Mpumalanga Tourism and Parks Agency Block G, Room 25 N4 Halls Gateway Mala fin Nelspruit 1200</p> <p>Your cooperation will be highly valued.</p> <p>Kind Regards</p>  <p>MR. F.N.KRIGE LUA SCIENTIST DATE: 13/12/2018</p>  <p>Private Bag X11328 Nelspruit, 1200, N4 National Road, N4's Gateway, Akiba Tel: +27 (0) 739 5300/01 Fax: +27 (0) 733 2928 www.ngt.co.za</p>
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Figure 4 - Letter from Mpumalanga Tourism and Parks (Mr FN Krige)