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Strategic Environmental Evaluation & Development • Strategic Environmental Evaluation & Development • Strategic Environmental Evaluation & Development • Strategic Environmental Evaluation & Development

**ATTENTION: Jenna Lavin**

South African Heritage Resources Agency

P.O Box 4637

Cape Town

8000

24 October 2013

Dear Madam;

**R.E.: OVERLOOKED COLLIERY ON THE FARM HALFGEWONNEN 190 IS PORTIONS RE, 5 & 17, BETHAL, MPUMALANGA**

**CASE ID: 2863**

We refer to your interim comments dated July 15, 2013. Please see below in response to your comments:

- *An assessment of the impact of the proposed development on palaeontological resources is required.*

A desktop palaeontological study has been undertaken by Dr Barry Millsted. Please see attached a copy of the report for your perusal (**Annexure I**).

- *Details on the scope of the proposed development, the layout and the required infrastructure are required in addition to information regarding the extent of the proposed development.*

The following description has been extracted from the Scoping Report. The full Scoping Report has been uploaded onto the SAHRA website for your perusal and comment.

The proposed mining right area covers an extent of 165.3545 Ha, extending over the full extent of the Portion 0 (Remaining Extent), Portion 5 and Portion 17 of the farm Halfgewonnen 190 IS and a portion of the farm Forzando 592 IS.

Prospecting results have indicated that opencast mining is viable in the northern extent of the Colliery and underground mining for the central and southern extent of the property.

It is estimated that 6.504 million tonnes of coal will be mined by opencast and 0.957 million tonnes of coal will be mined by underground mining over a period of 6 years in total (excluding construction and decommissioning time).

Opencast mining will be conducted through roll-over mining with successive cuts opened as old mined cuts are rehabilitated. Access to open pits will be via a low wall ramp. These access ramps will progress with the roll-over mining.

Where the coal seams are too deep for opencast mining, these will be mined through underground bord-and-pillar methods. Underground mine reserves will be accessed from the opencast highwall, drilling through to the southern underground reserve.

Target production rate at steady state is estimated at around 1.15 million tonnes per annum. The overall planned LoM is approximately 8 years (1 year construction, 6 years mining, and 1 year decommissioning), with an additional 3-5 years post-closure monitoring.

Product will be trucked to the on-site crushing and screening plant; no processing will occur on site.

The crushing and screening plant will initially be located on the far western extent of the mine area and will then be re-located into the pit area created for underground access of coal seams in the central area of the property to allow for mining of the Opencast B area. If the road diversion is successful, Block B will be mined continuously from the opencast workings. If not, then Block B will be mined as a separate opencast.

An additional 15 ha will be disturbed by various associated infrastructure.

Existing access roads will be utilised and haul roads will be created within opencast pit areas. These will be over disturbed areas and will move as opencast strip mining progresses.

Topsoil and subsoil will be stockpiled separately and utilised to construct berms between the operations and the Olifants River; as well as stockpiled at the interface between opencast mining and underground mining, ensuring that the initially stripped soils are placed near to the final void for use in rehabilitation of the final void. Remaining soils stripped through roll-over opencast mining will be replaced on previously mined cuts to rehabilitate these areas.

Overburden will be stockpiled separately at the interface between opencast mining and underground mining, ensuring that the overburden is placed near to the final void for use in in-filling of the final void. Remaining overburden removed through roll-over opencast mining will be replaced in previously mined cuts to fill these cuts in preparation for rehabilitation.

Temporary stockpiles will be created within the opencast pits and move as roll-over mining progresses. The coal will then be trucked to the crushing and screening plant where ROM feed stockpiles will also be created.

The crushing and screening plant will be constructed initially in the position as indicated by mine infrastructure in the below plan. However, the crusher and screening plant will be relocated to within the final void of the main opencast block. This will enable the mining of the western reserves (Block B).

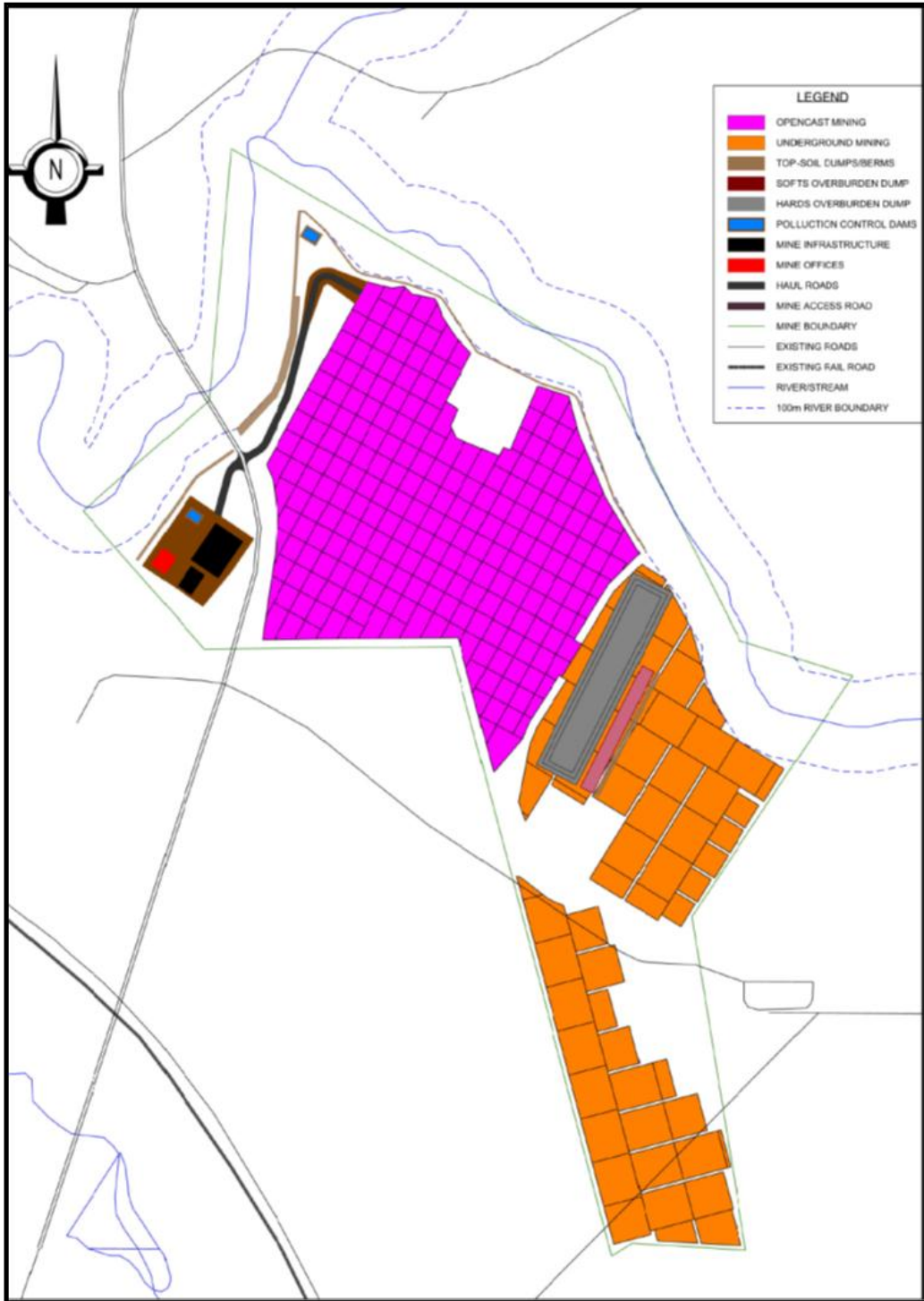
PCDs will be constructed at the lowest natural point of each activity area but well outside rivers and their 1:100 year flood lines or 100m horizontal distance (whichever is greatest). A PCD is envisaged around opencast block and the crushing and screening plant and the mine infrastructure area.

A change house will be established on site. Toilets with septic tanks will be established on site that will be maintained by reputable external contractors. Offices will be in the form of prefabricated structures and limited for administrative functions.

A weighbridge will be installed at site along the exit route to weigh product coal leaving the site.

A full workshop area will be constructed at the wash plant area. The workshop will constitute a concrete floor with appropriate drainage and / or bunding to direct all water runoff from the workshop area to an oil trap. A full wash bay will also be constructed near the workshop. The wash bay will also have concrete flooring with appropriate bunding/drainage to direct water runoff through an oil trap to the dirty water channel and PCD.

A small fenced off area adjacent to the workshop will be allocated as a salvage area for temporary storage of recyclable waste further described below under waste handling.



**Plan 1: Proposed infrastructure plan (RSV Enco, 2013)**

- *Please note that the heritage resources identified in the above report must not be disturbed by the proposed development and must remain in situ. As such the proposed mine layout must take these identified resource into consideration.*

The HIA states that these buildings (Site 2 – historical farm yard) are of medium cultural significance and can be mitigated. This site falls within the proposed opencast area, and would therefore need to be demolished.

Should these buildings remain on site, these would sterilise a total of 295,000 tons of coal *in situ* (the equivalent of R112 million).

It is thus proposed by the applicant these buildings be properly documented, and the necessary application made to SAHRA for the demolition thereof (with the exception of the old post house).

The buildings will remain on site, and utilised as offices until such time that the necessary license are authorised by the SAHRA for the demolition thereof. The applicant commits to leaving the old post house *in situ* and will undertake to conserve the structure during the life of mine.

- *A Conservation Management Plan is required for the identified graves and structures in order to ensure their conservation into the future. This CMP must be included in the EMP.*

A suitably qualified specialist has been contracted to document the relevant buildings and to compile a CMP for the conservation of these sites until such time that the necessary license are issued.

We trust that you find the above in order and look forward to hearing from you.

Regards,

Ian Troskie

**ANNEXURE I:**

**DESKTOP PALAEOLOGICAL IMPACT ASSESSMENT:**



**DESKTOP PALAEOLOGICAL  
HERITAGE IMPACT ASSESSEMENT  
REPORT ON THE SITE OF THE  
PROPOSED OVERLOOKED COAL MINE  
TO BE LOCATED ON PORTIONS 0, 5,  
AND 17 OF THE FARM  
HALFGEWONNEN 190 IS PORTION 0  
OF THE FARM FORZANDO 592 IS,  
MPUMALANGA PROVINCE**

8 October 2013

Prepared for:  
Cabanga Concepts CC

On behalf of:  
Overlooked Colliery (Pty) Ltd

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**DESKTOP PALAEOLOGICAL HERITAGE IMPACT ASSESSEMENT REPORT ON  
THE SITE OF THE PROPOSED OVERLOOKED COAL MINE TO BE LOCATED ON  
PORTIONS 0, 5, AND 17 OF THE FARM HALFGEWONNEN 190 IS PORTION 0 OF  
THE FARM FORZANDO 592 IS, MPUMALANGA PROVINCE**

Prepared for:

Cabanga Concepts CC

On Behalf of:

Overlooked Colliery (Pty) Ltd

Prepared By:

Dr B.D. Millstead



Palaeontological Impact Assessment Report – Proposed Overlooked Colliery (Pty) Ltd'S Overlooked coal mine within Portions 0, 5, and 17 of the farm Halfgewonnen 190 IS and Portion 0 of the farm Forzando 592, Mpumalanga Province.

## **EXECUTIVE SUMMARY**

Overlooked Colliery (Pty) Ltd wishes to be granted a Mining Right in respect of coal. The site of the proposed mine lies is between the towns of Bethel and Hendrina, 23 km south-west and 21 km north-east respectively, within the province of Mpumalanga. The application area lies wholly within Portions 0, 5, and 17 of the farm Halfgewonnen 190 IS in the Gert Sibande District Municipality and Portion 0 of the farm Forzando 592 IS in the Govan Mbeki Municipality, both in the Bethal Magisterial District, Mpumalanga Province. The application area occupies an aerial extent of approximately 165 ha.

Cabanga Concepts CC has been appointed to compile an Environmental Impact Assessment report and an Environmental Management Program Report to support an application for a Mining Right for coal on behalf of Overlooked Colliery (Pty) Ltd. SAHRA has indicated that a desktop Palaeontological Impact Assessment report must be undertaken over the project area and a report submitted. Cabanga Concepts CC has appointed BM Geological Services to provide that desktop Palaeontological Heritage Impact Assessment Report in respect of the proposed project.

The project area is completely underlain by sediments of the Vryheid Formation, but it appears that there may also be a ubiquitous cover of regolith. The mining operations will be confined to Vryheid Formation, but there will be disruption to the regolith cover in the open cast mining area and in the areas of construction of the infrastructure elements. The mining operations will consist of both underground and open cast mining areas. Infrastructure elements planned for the site consist of:

- Water management berms and trenches and PCDs;
- Existing access roads will be utilised and haul roads will be created with opencast pit areas;
- Soil stockpiles;
- Overburden stockpiles;
- ROM stockpiles;
- Crushing and screening plant and conveyors;
- Product stockpiles;
- Pollution Control Dams;
- Ablution facilities and change house;
- Administration block;
- Workshops;
- Diesel storage areas;
- Weighbridge;
- Potable water supply tank; and
- Ventilation shafts and fans.

Palaeontological Impact Assessment Report – Proposed Overlooked Colliery (Pty) Ltd'S Overlooked coal mine within Portions 0, 5, and 17 of the farm Halfgewonnen 190 IS and Portion 0 of the farm Forzando 592, Mpumalanga Province.

The Vryheid Formation is fossiliferous elsewhere in the Karoo Basin, but the fossil potential of any possible regolith cover is uncertain. The potential for a negative impact on the fossil heritage of the area can be quantified in the following manner. The probability of a negative impact on the palaeontological heritage of the Vryheid Formation is moderate in the area to be open cast mined and low elsewhere within the project area. The possibility of a negative impact on the palaeontological heritage within the regolith is also considered as low, regardless of any fossil content, due to the extensive ploughing of the land surface. However, the plant macrofossils and trace fossil assemblages known to occur within the Vryheid Formation are potentially scientifically significant. Thus, the probability of any significant negative impact upon the fossil assemblages contained within these geological units is restricted to the area of the open cast mining as well as the regolith beneath the planned infrastructure elements.

The project has been assessed as being socially beneficial, herein, as it would provide employment opportunities and either materials for the production of electricity or the provision of export income for the country. The possibility of any negative impact on the palaeontological heritage of the project area could be minimised by the conduct of a thorough site investigation by a palaeontologist (as part of a Full Palaeontological Heritage Impact Assessment study) prior to commencement of the project. This site investigation would make it possible that scientifically and/or culturally significant fossils may be discovered that would be otherwise damaged, destroyed or inadvertently moved. Similarly, a thorough examination should be made of all excavations as they are being performed. Should any fossil materials be identified during the construction phase, the excavations should be halted and SAHRA informed of the discovery. A potential positive outcome of these mitigation protocols could be that fossil materials become available for scientific study that would otherwise have been hidden within or beneath the regolith. Should such new palaeontological material be located as a result of this site investigation this could prove to have a positive effect on the understanding of the fossil record of South Africa and positively affect the palaeontological heritage of the country.

It is also recommended that as the probability of a negative impact on the fossil heritage of the area is high in the open cast mine (and low elsewhere) it is also suggested that regular inspections be made of the open pit exposures by a palaeontologist during the life of those mining operations. Should any fossil materials be identified by the palaeontologist, the significance of the fossil materials should be evaluated and appropriate damage mitigation processes put into place.

**In summary, this desktop study has not identified any palaeontological reason to prejudice the progression of this project, subject to adequate mitigation programs being put in place.**

Palaeontological Impact Assessment Report – Proposed Overlooked Colliery (Pty) Ltd’S Overlooked coal mine within Portions 0, 5, and 17 of the farm Halfgewonnen 190 IS and Portion 0 of the farm Forzando 592, Mpumalanga Province.

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## **1 INTRODUCTION**

Overlooked Colliery (Pty) Ltd wishes to be granted a Mining Right in respect of coal. The site of the proposed mine lies between the towns of Bethel and Hendrina 23 km south-west and 21 km north-east respectively. The application area lies wholly within Portions 0, 5, and 17 of the farm Halfgewonnen 190 IS and Portion 0 of the farm Forzando 592 IS in the Gert Sibande Magisterial District, Mpumalanga Province. The application area occupies an aerial extent of approximately 165 ha.

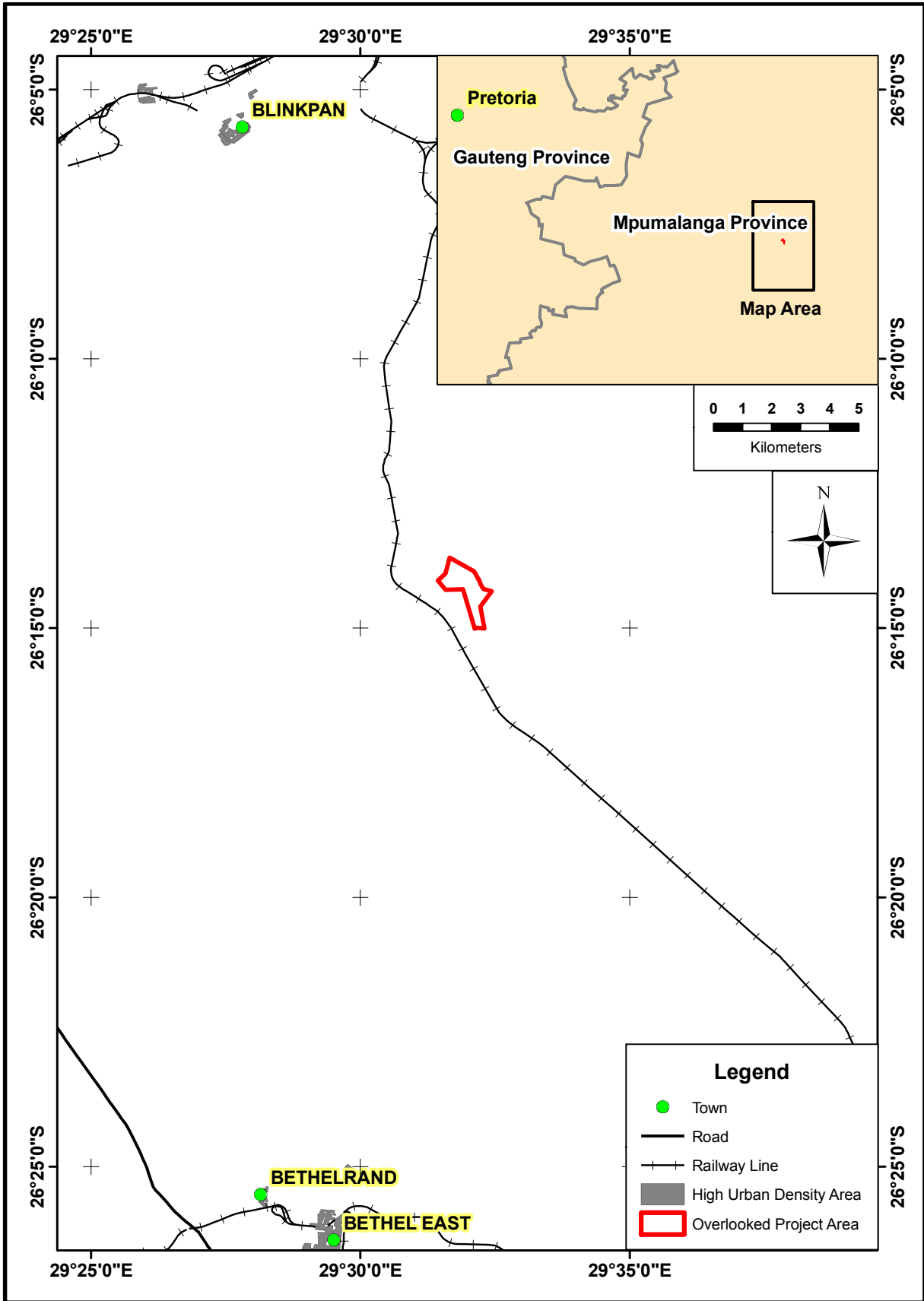
Cabanga Concepts CC has been appointed to undertake the Mining Right application and associated environmental authorisations necessary for the Mining Right application. Cabanga Concepts CC had previously compiled a Phase 1 Heritage Impact Assessment Report as part of this process and had submitted the document to the South African Heritage Resources Agency (SAHRA). SAHRA has indicated that a desktop Palaeontological Impact Assessment report must be undertaken over the project area and a report submitted. Cabanga Concepts CC has appointed BM Geological Services to provide a desktop Palaeontological Heritage Impact Assessment Report in respect of the proposed project that will form part of the final Heritage Impact assessment Report.

## **2 TERMS OF REFERENCE AND SCOPE OF THE STUDY**

The terms of reference for this study were as follows:-

- Conduct a desktop assessment of the potential impact of the proposed project on the palaeontological heritage of the project area.
- Describe the possible impact of the proposed development on the palaeontological heritage of the site, according to a standard set of conventions.
- Quantify the possible impact of the proposed development on the palaeontological heritage of the site, according to a standard set of conventions.
- Provide an overview of the applicable legislative framework.
- Make recommendations concerning future work programs as, and if, necessary.

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**Figure 1:** Location map showing the position of the proposed coal mine.

Palaeontological Impact Assessment Report – Proposed Overlooked Colliery (Pty) Ltd'S Overlooked coal mine within Portions 0, 5, and 17 of the farm Halfgewonnen 190 IS and Portion 0 of the farm Forzando 592, Mpumalanga Province.

### **3 LEGISLATIVE REQUIREMENTS**

South Africa's cultural resources are primarily dealt with in two Acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998).

#### **3.1 The National Heritage Resources Act**

The following are protected as cultural heritage resources by the National Heritage Resources Act:

- Archaeological artefacts, structures and sites older than 100 years,
- Ethnographic art objects (e.g. prehistoric rock art) and ethnography,
- Objects of decorative and visual arts,
- Military objects, structures and sites older than 75 years,
- Historical objects, structures and sites older than 60 years,
- Proclaimed heritage sites,
- Grave yards and graves older than 60 years,
- Meteorites and fossils,
- Objects, structures and sites of scientific or technological value.

The Act also states that those heritage resources of South Africa which are of cultural significance or other special value for the present community and for future generations must be considered part of the national estate and fall within the sphere of operations of heritage resources authorities. The national estate includes the following:

- Places, buildings, structures and equipment of cultural significance,
- Places to which oral traditions are attached or which are associated with living heritage,
- Historical settlements and townscapes,
- Landscapes and features of cultural significance,
- Geological sites of scientific or cultural importance,
- Sites of Archaeological and palaeontological importance,
- Graves and burial grounds,
- Sites of significance relating to the history of slavery,
- Movable objects (e.g. archaeological, palaeontological, meteorites, geological specimens, military, ethnographic, books etc.).

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### **3.2 Need for Impact Assessment Reports**

Section 38 of the Act stipulates that any person who intends to undertake an activity that falls within the following:

- The construction of a linear development (road, wall, power line, canal etc.) exceeding 300m in length,
- The construction of a bridge or similar structure exceeding 50 m in length,
- Any development or other activity that will change the character of a site and exceed 5 000 m<sup>2</sup> or involve three or more existing erven or subdivisions thereof,
- Re-zoning of a site exceeding 10 000 m<sup>2</sup>,
- Any other category provided for in the regulations of SAHRA or a provincial heritage authority.

must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development. If there is reason to believe that heritage resources will be affected by such development, the developer may be notified to submit an impact assessment report. A Palaeontological Impact Assessment (PIA) only looks at the potential impact of the development on palaeontological resources of the proposed area to be affected.

### **3.3 Legislation Specifically Pertinent to Palaeontology\***

\*Note: Section 2 of the Act defines "palaeontological" material as "any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains".

Section 35(4) of this Act specifically deals with archaeology, palaeontology and meteorites. The Act states that no person may, without a permit issued by the responsible heritage resources authority (national or provincial):

- Destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite,
- Destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite,
- Trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or



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- Bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment that assists in the detection or recovery of metals or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites,
- Alter or demolish any structure or part of a structure which is older than 60 years as protected.

The above mentioned palaeontological objects may only be disturbed or moved by a palaeontologist, after receiving a permit from the South African Heritage Resources Agency (SAHRA). In order to demolish such a site or structure, a destruction permit from SAHRA will also be needed.

Further to the above point, Section 35(3) of this Act indicates that “any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.”. Thus, regardless of the granting of any official clearance to proceed with any development based on an earlier assessment of its impact on the Palaeontological Heritage of an area, the development should be halted and the relevant authorities informed should fossil objects be uncovered during the progress of the development.

### **3.4 The National Environmental Management Act**

This Act does not provide the detailed protections and administrative procedures for the protection and management of the nation’s Palaeontological Heritage as are detailed in the National Heritage Resources Act, but is more general in its application. In particular Section 2(2) of the Act states that environmental management must place people and their needs at the forefront of its concerns and, amongst other issues, serve their cultural interests equitably. Further to this point section 2(4)(a)(iii) states that disturbances of sites that constitute the nation’s cultural heritage should be avoided, and where it cannot be avoided should be minimised and remedied.

Section 23(1) indicates that a general objective of integrated environmental management is to identify, predict and evaluate the actual and potential impact of activities upon the cultural heritage. This section also highlights the need to identify options for mitigating negative effects of activities with a view to minimising negative impacts.

In order to give effect to the general objectives of integrated environmental management outlined in the Act the potential impact on cultural heritage of activities that require authorisation or permission by law must be investigated and assessed prior to their implementation and reported to the relevant organ of state. Thus, a survey and

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evaluation of cultural resources must be done in areas where development projects that will potentially negatively affect the cultural heritage will be performed. During this process the impact on the cultural heritage will be determined and proposals for the mitigation of the negative effects made.

#### **4 RELEVANT EXPERIENCE**

Dr Millstead holds a PhD in palaeontology and has previously been employed as a professional palaeontologist with the Council for Geoscience in South Africa. He is currently the principle of BM Geological Services and has sufficient knowledge of palaeontology and the relevant legislation required to produce this Palaeontological Impact Assessment Report. Dr Millstead is registered with the South African Council for Natural Scientific Professions (SACNASP), and is a member of the Palaeontological Society of South African and the Geological Society of South Africa.

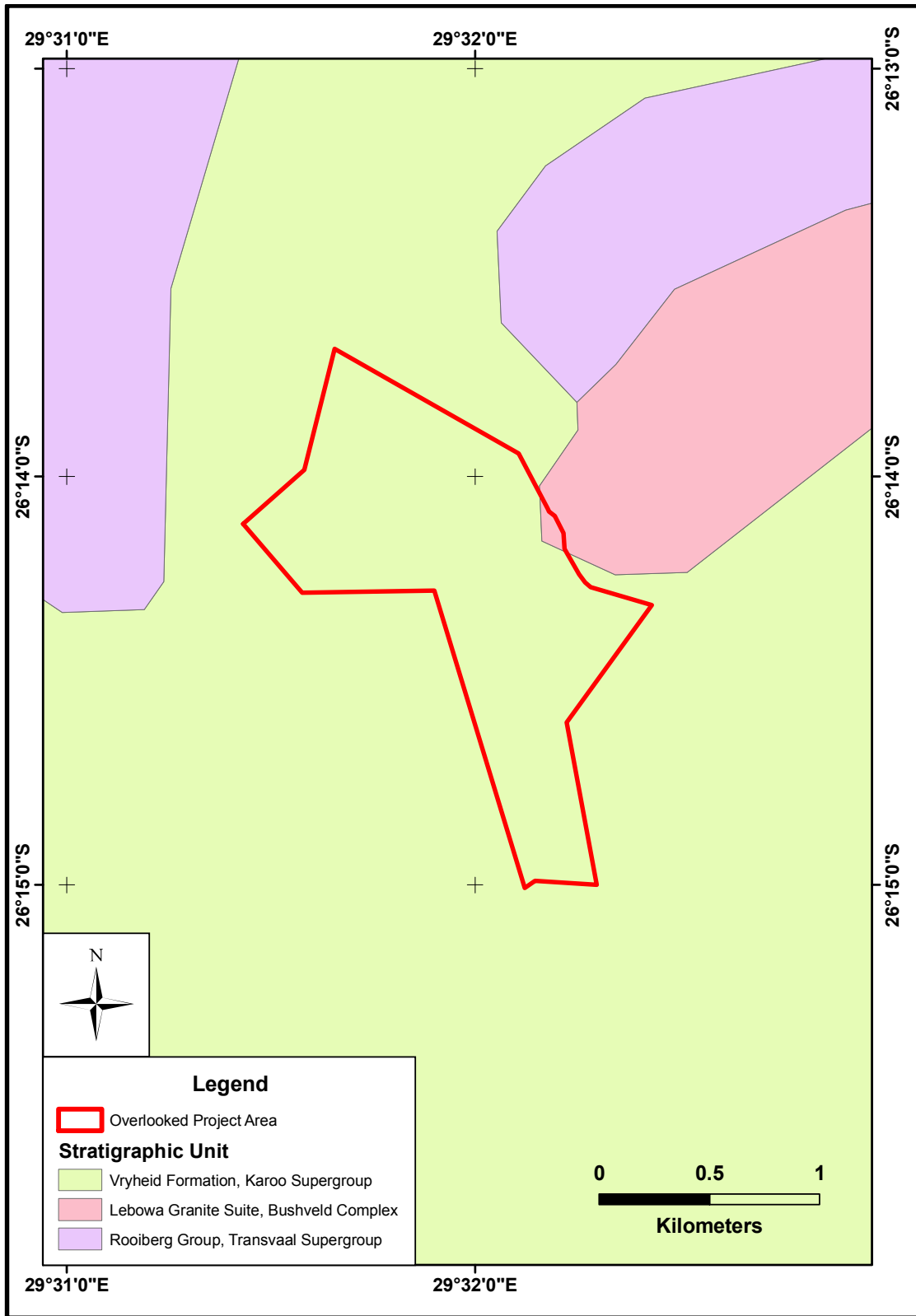
#### **5 INDEPENDENCE**

Dr Millstead was contracted as an independent consultant to conduct this Palaeontological Heritage Impact assessment study and shall receive remuneration for these professional services. Neither Dr Millstead nor BM Geological Services has any financial interest in Overlooked Colliery (Pty) Ltd, Cabanga Concepts CC or the proposed mining operations.

#### **6 GEOLOGY AND FOSSIL POTENTIAL**

Figure 2 shows that the project area is predominantly underlain by Early Permian strata of the Vryheid Formation. The north-eastern corner of the project area is underlain by Vaalian (2,500 to 2050 Ma) rocks of the Lebowa Granite Suite. A summary of the characteristics of the Vryheid Formation and Lebowa granite Suite and their fossiliferous potentials follows.

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**Figure 2:** Map of the geology underlying the project area.

Palaeontological Impact Assessment Report – Proposed Overlooked Colliery (Pty) Ltd'S Overlooked coal mine within Portions 0, 5, and 17 of the farm Halfgewonnen 190 IS and Portion 0 of the farm Forzando 592, Mpumalanga Province.

## **6.1 Lebowa Granite Suite**

### 6.1.1 Geology

The Lebowa Granite Suite is part of the more extensive Bushveld Igneous Complex. The stratigraphic unit is composed of the Makhutso, Nebo and Steelpoortpark Granites that are collectively up to 9 km thick. These granites represent a series of sheeted intrusions that were emplaced between 2057 and 2053 Ma. Compositionally, the granites of the Lebowa Granite Suite are predominantly alkali feldspar granites with iron-rich ferromagnesian minerals and silica contents that generally fall in the range 71-77% SiO<sub>2</sub>.

### 6.1.2 Paleontological Potential

The rocks of the Lebowa Granite Suite are wholly composed of coarse grained igneous intrusive rocks that were emplaced as magma and crystallised at great depth below the Earth's surface. Accordingly, the granites of this lithological unit have nil palaeontological potential.

## **6.2 Vryheid Formation**

### 6.2.1 Geology

The entire extent of the project area is underlain by Early Permian strata of the Vryheid Formation, Ecca Group, Karoo Supergroup (Figure 2). The Vryheid Formation is composed of an interbedded series of interbedded fluvio-lacustrine sandstones, carbonaceous mudstones and coal seams. The sequence was deposited within a deltaic depositional environment along the north-eastern margin of the Main Karoo Basin. The major coal seams occurring within this local region have been named (from oldest to youngest as the N<sup>o</sup>. 1-5 seams) and collectively their aerial extents constitute the Witbank Coalfield.

### 6.2.2 Palaeontological potential

The rocks of the Vryheid Formation are well known for the wealth of plant macrofossils of the *Glossopteris* flora that they contain. Although the coal seams contained within the formation are predominantly composed of organic matter of plant origin most of the plant material has been rendered unidentifiable at a taxonomic level via the coalification process. Plant macrofossils are, accordingly, primarily located within the mudstones and sandstones lying between, and as lithic partings within, the coal seams.

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The presence of various trace fossil taxa is known within the Vryheid Formation [e.g., Mason *et al.*, (1983)]. Mason *et al.*, (1983) report the presence of examples of trace fossil assemblages assigned to the ichnospecies *Spirodesmos archimedeus*, representing the spiral trail or burrow of a deposit-feeding organism. These *Spirodesmos* traces were formed in a shallow-water environment as established on both sedimentary and ichnofacies evidence. Associated trace fossils include *Skolithos*, *Corophioides* and *Siphonichnus*, all of which are members of the *Skolithos* ichnofacies of Scilacher. The occurrence of *Spirodesmos* in this ichnofacies suggests that these strata were deposited in a marine basin.

Vertebrate fossils are unknown from the Vryheid Formation. Fossils of fish and the aquatic reptile *Mesosaurus* are known from age equivalent stratigraphic units elsewhere within the basin. It may be expected that aquatic vertebrate taxa may have been present within the waterways of the delta that deposited the Vryheid. It has been previously hypothesised that the absence of vertebrate fossil taxa within the Vryheid Formation may be due to an abundance of organic acids released from the coals and carbonaceous mudstones during the diagenetic process.

Terrestrial vertebrate faunas of the Karoo Basin are world renowned. However, fossils of this type are unknown in the Vryheid Formation and only appear in the stratigraphic record of southern Africa within the stratigraphically younger Beaufort Group.

## **7 ENVIRONMENT OF THE PROPOSED PROJECT SITE**

The area subject to this report is approximately 165 ha in extent. Examination of Google Earth imagery of the wider reporting area (Figure 3) suggests that the land surface of the project area is predominantly utilised for agriculture and appears to be extensively ploughed. The north-eastern margin of the area (underlain by rocks of the Lebowa granite Suite) appears to be vegetated with unploughed grassveld. This narrow strip of bushveld is probably utilised for grazing.

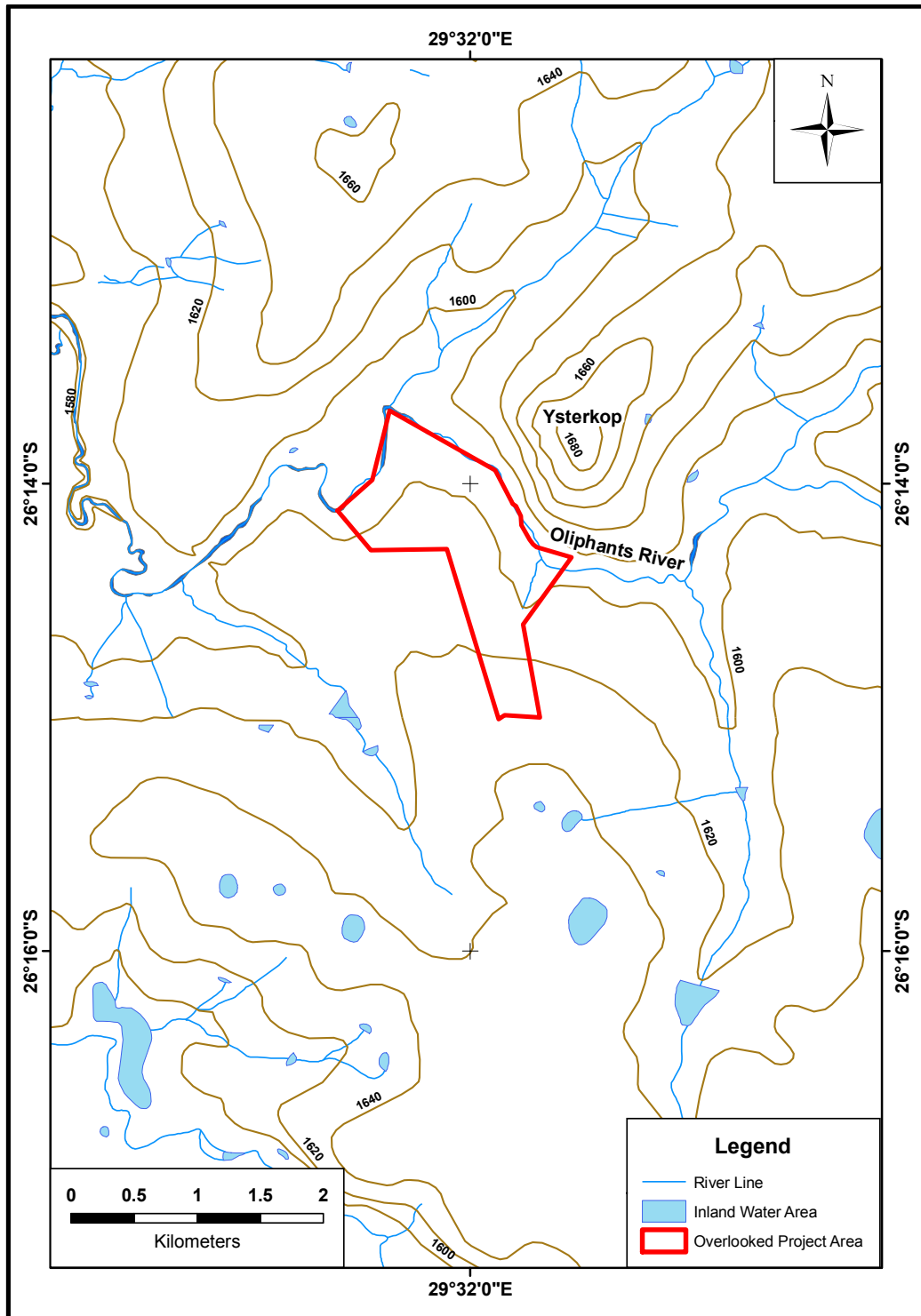
There is a highly disturbed area occurring outside, but proximal to, the south-eastern corner of the application area. This disturbed area is interpreted, herein, as a pre-existing open cast mine. Examination of the spacing between topographic contour intervals (Figure 4) indicates that the majority of the project area consists of featureless landscape that slopes gently towards the south-west from the foot of Ysterkop. The Oliphants River runs along much of the northern border of the application area (Figure 4). A small tributary of the Oliphants River flows across the south-eastern corner of the area. Mucina and Rutherford (2006) indicate that the vegetation cover of the project area consists of Eastern Highveld Grassland (Figure 5) and that the conservation status of this vegetation unit is classified as endangered.

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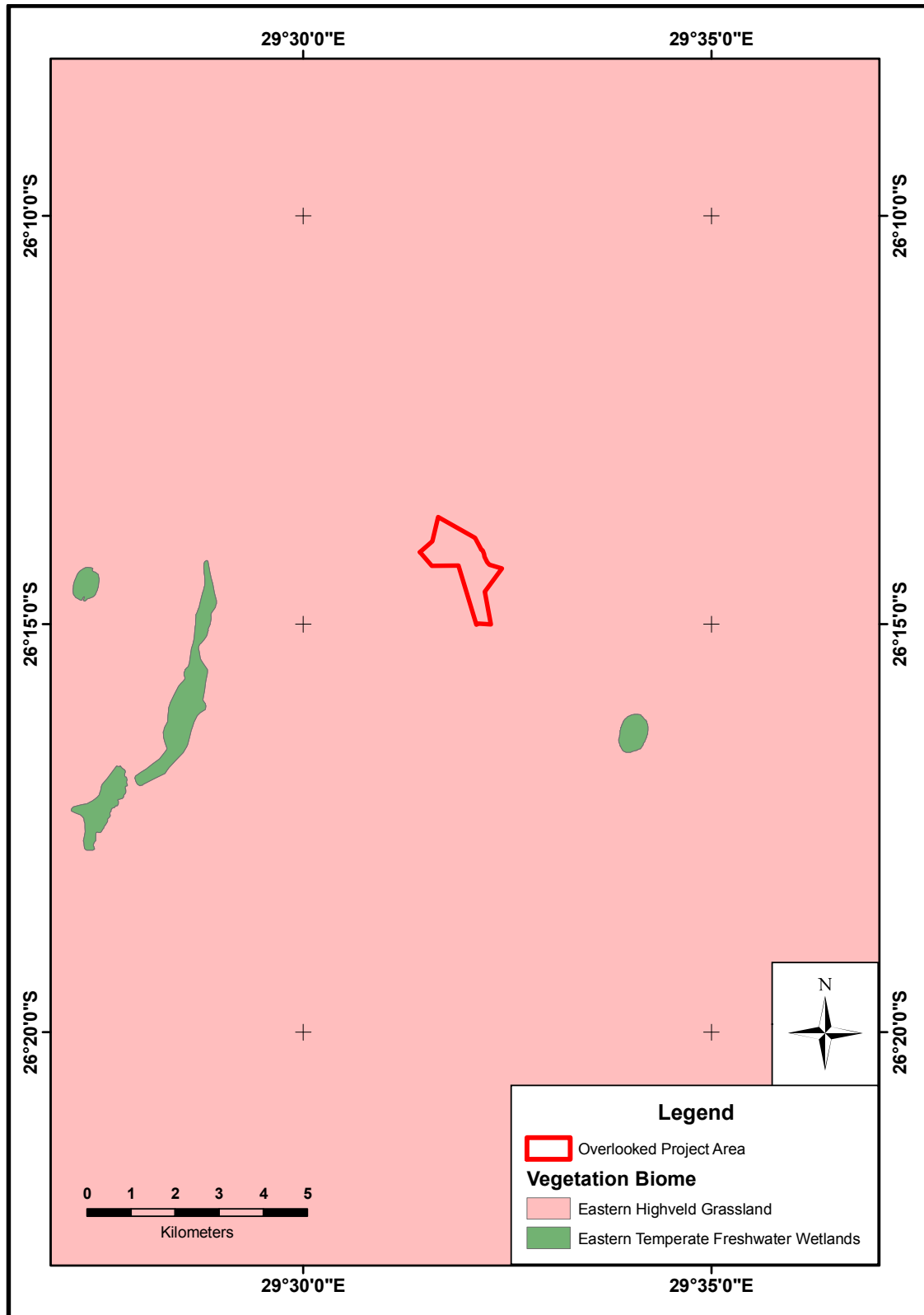
**Figure 3:** Google Earth image of the project area (the red polygon). It is evident from the image that the area has been extensively utilised for agricultural cultivation (ploughed). An extensively disturbed area is evident outside of the project area, but adjacent to the south-eastern corner of the area, it is assumed, herein, that this feature is an existing mine.

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**Figure 4:** Map of the project area and its immediate environs. The topographic contour interval is 20 m and, as such, it is clear that the region is generally flat, but slopes gently to the south-west away from the foot of Ysterkop. The Oliphants River is coincident with much of the northern boundary of the project area. A small tributary of the Oliphants River drains easterly across the central portion of the area.

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**Figure 5:** Map of the distribution of the vegetation veld types located within the project area and its immediate environs (after Mucina and Rutherford, 2006).



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## **8 OVERVIEW OF SCOPE OF THE PROJECT**

### **8.1 Mine Infrastructure**

Overlooked Colliery intends to apply for a road diversion for the provincial dirt road that runs between Portion 17 and the Remainder Portion of Halfgewonnen 190 IS. If the road diversion is approved, the road area will be mined. If the application is not approved, then the coal in Portion 17 will be mined as a separate pit. A list of the infrastructure required to operate the mine infrastructure includes:

- Water management including primary water management and secondary water management through berms and trenches and PCDs as needed to separate clean and dirty water and contain dirty water on site;
- Existing access roads will be utilised and haul roads will be created with opencast pit areas. These will be over disturbed areas and will move as opencast strip mining progresses;
- Soil stockpiles;
- Overburden stockpiles;
- ROM stockpiles;
- Crushing and screening plant and conveyors;
- Product stockpiles;
- Pollution Control Dams;
- Ablution facilities and change house. Toilets with septic tanks will be established on site that will be maintained by reputable external contractors. Contractors will come to site as needed to remove sewage from the septic tanks for the full 6 year duration of the project;
- Administration block;
- Workshops;
- Diesel storage areas;
- Weighbridge;
- Potable water supply tank; and
- Ventilation shafts and fans.

### **8.2 Mine Operations**

The proposed project will consists of a mixture of areas to be mined using both open cut and underground mining techniques. Almost the entire northern portion of the project area is planned to be mined via open cast methods (as two separate pits if the road diversion discussed above is approved). It is planned that the central and southern portions of the application area will be mined using underground board and pillar methods; the N<sup>o</sup>. 2 seam being mined in the centre of the area and the N<sup>o</sup>. 4 seam being

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mined in the south. Much of the remaining area will be subject to the construction of plant, offices and top soil and spoils piles.

### **8.3 Effects of the mining and infrastructure development**

In the areas to be mined using open cast techniques it will be expected that all strata from the surface to the base of the deepest coal seam to be exploited will be completely and permanently disrupted. In the areas mined using underground board and pillar mining the surface geology will not initially be disturbed by the mining process, but there is a risk of mining induced subsidence and disruption of surface strata at a later juncture. Areas exploited by underground mining will have the majority of disruption to the geology confined to the targeted removal of the target coal seams with minimal removal or disruption of the overlying and intervening clastic sediments. Both the open cast and underground mining affects will be limited to the Vryheid Formation, with no disruption of any underlying stratigraphic units expected.

In the areas not directly affected by the mining process it is planned that there will be a number of infrastructural elements constructed (see section 8.1 above). The impacts of these buildings and soil/rock piles should be restricted to the land surface and shallow subsurface.

## **9 IMPACT ASSESSMENT**

The potential impact of the proposed mining area is categorised below according to the following criteria:-

### **9.1 Nature of Impact**

The potential negative impacts of the proposed project on the palaeontological heritage of the area are:

- Damage or destruction of fossil materials during the construction of project infrastructural elements to a maximum depth of those excavations. Many fossil taxa (particularly vertebrate taxa) are known from only a single fossil and, thus, any fossil material is potentially highly significant. Accordingly, the loss or damage to any single fossil can be potentially significant to the understanding of the fossil heritage of South Africa and to the understanding of the evolution of life on Earth in general. Where fossil material is present and will be directly affected by the building or construction of the projects infrastructural elements the result will potentially be the irreversible damage or destruction of the fossil(s).

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- Movement of fossil materials during the construction phase, such that they are no longer *in situ* when discovered. The fact that the fossils are not *in situ* would either significantly reduce or completely destroy their scientific significance.
- The loss of access for scientific study to any fossil materials present beneath infrastructural elements for the life span of the existence of those constructions and facilities.

## 9.2 Extent of impact

The possible extent of the permanent impact of the proposed project on the palaeontological heritage of South Africa is restricted to the damage, destruction or accidental relocation of fossil material caused by the excavations and construction of the necessary infrastructure elements forming part of the project. The possible source of a less permanent negative impact on the palaeontological heritage is the loss of access for scientific research to any fossil materials that become covered by the various infrastructural elements that comprise the project. The **extent of the area of potential impact is, accordingly, categorised as local** (i.e., restricted to the project site).

## 9.3 Duration of impact

The anticipated duration of the identified impact is assessed as potentially **permanent to long term**. This assessment is based on the fact that, in the absence of mitigation procedures (should fossil material be present within the area to be affected) the damage or destruction of any palaeontological materials will be permanent. Similarly, any fossil materials that exist below the planned built structures and infrastructural elements that will constitute the mine will be unavailable for scientific study for the life of the existence of those features.

## 9.4 Probability of impact

The Vryheid Formation strata are fossiliferous (and occasionally is richly so) elsewhere within the Karoo Basin and the project is aerially extensive (approximately 509 ha); as such there is a reasonable chance of fossil materials occurring within the project area. The probability of any development affecting a fossil within the Vryheid Formation is generally **moderate**, due to the widespread, but sporadic, occurrence of fossil deposits within the strata elsewhere in the region.

To be properly assessed the risk profile of any negative impact on the palaeontological heritage of the project area needs to be characterised according to the style of mining activity to be undertaken. In the open cast mining areas all rock strata will be disrupted

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from the surface down to the base of lowest coal seam being exploited. Accordingly, all fossils contained within the mined area will be affected. In the areas to be exploited using underground board and pillar methods the majority of the geological materials disrupted will be the coal seams and their contained lithic partings due to the more selective nature of the mining technique. The coal is predominantly unfossiliferous, despite being composed of plant matter, due to the destruction of plant morphological features during the coalification process. Thus, it is only within any lithic partings that fossils will be encountered and have any probability of being impacted. Lithic partings are not dominant components of coal seams generally. Accordingly, the probability of any negative impact on the palaeontological heritage of the Vryheid Formation will be **moderate** for the open cast mined areas and **low** for the area mined by underground mining.

The fact that the entire extent of the project area appears to be utilised for agricultural cultivation (i.e., ploughing) suggests the presence of an aerially extensive regolith cover. The depth of the regolith is not determined, herein, but its presence suggests that the built structures and infrastructure features (such as spoils piles) that do not require deep disturbance of the land surface will have a low probability of impacting on the palaeontological heritage contained within the underlying Vryheid Formation. There is no data available pertaining to the nature of the regolith cover (i.e., whether it is composed of soils or is fluvial in origin) and, thus, its fossiliferous potential cannot be ascertained. However, it is evident in Figure 3 that the area has been extensively ploughed. It must follow that should any fossil materials have been originally present within the regolith and near surface would have been destroyed, damaged or moved during the ploughing. The probability of any negative impact to the palaeontological heritage of the area contained within the regolith cover posed by the development is characterised as **low**. There is no evidence of any potentially fossiliferous fluvial terraces being present within the area.

## 9.5 Significance of the impact

The Vryheid Formation is renowned for the presence of plant macrofossils of the *Glossopteris* Flora. The *Glossopteris* Flora is an extremely scientifically significant fossil plant assemblage that documents the dominant flora of Gondwana during the Permian Period. There is a significant possibility of new and scientifically significant fossils being contained within any fossil accumulation and the negative impact resulting from the destruction, damage or loss of provenance by accidental movement would be of **high** significance. The trace fossil assemblages observable within the formation are not taxonomically diverse, but they are scientifically important for unravelling the depositional history of the formation and, as such, they are also of **high** scientific significance. When the significance of the fossils are taken in conjuncture with the

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probability of fossils being impacted and the direct impacts the mining is expected to have on the formation the significance of any negative impact on the palaeontological heritage of this formation is assessed as **high** within the areas to be open cast mined and **low** within the remainder of the project area.

The scientific and cultural significance of fossil materials is underscored by the fact that many fossil taxa are known from only a single fossil and, thus, any fossil material is potentially highly significant. Accordingly, the loss or damage to any single fossil can be potentially significant to the understanding of the fossil heritage of South Africa and to the understanding of the evolution of life on Earth in general. Where fossil material is present and will be directly affected by the building or construction of project infrastructural elements the result will potentially be the irreversible damage or destruction of the fossil(s).

The certainty of the exact *in situ* location of fossils and their precise location within the stratigraphic sequence is essential to the scientific value of fossils. The movement of any fossil material during the construction of the facility that results in the exact original location of the fossil becoming unknown will either greatly diminish or destroy the scientific value of the fossil.

**When the significance of the fossils are taken in conjuncture with the probability of fossils being impacted and the direct impacts the mining is expected to have on the formation, the significance of any negative impact on the palaeontological heritage of this formation is assessed as high within the areas to be open cast mined and low within the remainder of the project area.**

## **9.6 Severity / Benefit scale**

The proposed project is categorised, herein, as being potentially **beneficial**. This classification is based on the intention that the project will provide a benefit to the community either in terms of the provision of employment opportunities as well as either materials for provision of electricity to the stressed South African power grid or by generation of export income for the country.

Many fossil taxa are known from only a single fossil and, thus, any fossil material is potentially highly significant. The Vryheid Formation does contain scientifically important and unique fossils; it is, therefore, possible that there are fossils of the highest scientific and cultural significance present within the sediments underlying the project area. The loss or damage to any single fossil or fossil locality can be potentially significant to the understanding of the fossil heritage of South. Thus, **although the likelihood of any disturbance of palaeontological materials is low to moderate, the severity of**

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**any impact is potentially high. The possibility of any negative impact on the palaeontological heritage of the area can, however, be minimised by the implementation of adequate damage mitigation procedures.** If appropriate damage mitigation is properly undertaken the benefit/severity scale for the project will lie within the beneficial category.

A potential secondary benefit of the project would be that the excavations resulting from the progress of the project may uncover fossils materials that were hidden beneath the surface exposures and, as such, would have remained unknown to science. If the planned excavations are inspected, while they are occurring, with a view to identifying any possible palaeontological materials present the possibility would be generated of being able to study and excavate fossil materials that would otherwise be hidden to scientific study.

## **9.7 Status**

Given the combination of factors discussed above, it is anticipated that as long as adequate mitigation processes are emplaced prior to commencement of the construction phase little to no negative effect on the palaeontological heritage of the area is anticipated. The proposed project would either supply raw materials for power generation and employment opportunities or provide valuable export income for the country; the project is determined as having a **positive status** herein.

## **10 DAMAGE MITIGATION, REVERSAL AND POTENTIAL IRREVERSABLE LOSS**

The degree to which the possible negative effects of the proposed project can be mitigated, reversed or will result in irreversible loss of the palaeontological heritage can be determined as discussed below.

### **10.1 Mitigation**

A thorough field investigation by a palaeontologist as part of a Full Palaeontological Heritage Impact Assessment of the site prior to the commencement of construction and mining would allow a meaningful evaluation of the presence of potentially fossil-bearing strata within the project area. A report should be compiled and submitted to SAHRA for consideration. If fossil materials prove to be present the process would allow the determination of the significance of any such fossils. Should scientifically or culturally significant fossil material exist within the project area any negative impact upon the palaeontological heritage of the area could be mitigated by the excavation of the fossils (under permit from SAHRA) by a palaeontologist. The resultant fossils should then be lodged with an appropriately permitted institution. In the event that an excavation is

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impossible or inappropriate the fossil or fossil locality could be protected and the site of any planned construction moved to an alternative location.

It is also recommended that a close examination of all excavations be made during the construction and open cast mining phases while they are occurring. Should any fossil materials be identified, the excavations should be halted and SAHRA informed of the discovery. A significant potential benefit of the examination of the excavations associated with the construction of the project is that currently unobservable fossils may be uncovered. As long as the construction process is closely monitored it is possible that potentially significant fossil material may be discovered and be available for scientific study.

As the probability of a negative impact on the fossil heritage of the area is high in the open cast mine (and low elsewhere) it is also suggested that regular inspections be made of the open pit exposures be made by a palaeontologist during the life of those mining operations. Should any fossil materials be identified by the palaeontologist, the significance of the fossil materials should be evaluated and appropriate damage mitigation processes put into place.

## **10.2 Reversal of damage**

Any damage to, or the destruction of, palaeontological materials or reduction of scientific value due to a loss of the original location is **irreversible**.

## **10.3 Degree of irreversible loss**

Once a fossil is damaged, destroyed or moved from its original position without its geographical position and stratigraphic location being recorded the **damage is irreversible**.

Fossils are usually scarce and sporadic in their occurrence and the chances of negatively impacting on a fossil in any particular area have been assessed herein as **low in general, but moderate within the area to be open cut mined**. However, any fossil material that may be contained within the strata underlying the project area is potentially of the **high scientific and cultural importance**. Thus, the potential always exists during construction and excavation within potentially fossiliferous rocks for the permanent and irreversible loss of extremely significant or irreplaceable fossil material. This said, many fossils are incomplete in their state of preservation or are examples of relatively common taxa. As such, just because a fossil is present it is not necessarily of great scientific value. Accordingly, not all fossils are necessarily culturally or scientifically significant and the potential degree of irreversible loss will vary from case to

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case. The judgement on the significance of the fossil must be made by an experienced palaeontologist.

## **11 ASSUMPTIONS, UNCERTAINTIES AND GAPS IN KNOWLEDGE**

The information provided within this report was derived from a desktop study of available maps and scientific literature; no direct observation was made of the area as result of a site visit.

## **12 ENVIRONMENTAL IMPACT STATEMENT**

A Phase 1 Heritage Impact Assessment Report study has previously been conducted on the site of this application for a Mining Right in respect of coal and the report submitted to SAHRA by Cabanga Resources CC. This desktop study is in fulfilment of a request by SAHRA for a desktop palaeontological assessment report to be prepared and submitted to them.

The site that forms the basis of this report is large (approximately 509 ha) in size. It is probable that a large proportion of the areal extent that will be affected by the proposed project will be directly affected by the mining activities as well as the infrastructural elements (e.g., offices, a processing plant and both top soil and rock spoils piles). However, as the potential heritage impacts are wholly restricted to the reporting area the extent of any impact is characterised as local.

The effects of the mining operation's disruption to geological strata will be predominantly restricted to the Vryheid Formation, with only minor superficial disruption of the possible regolith cover expected. The effects of the proposed mining on the palaeontological heritage of the area are different depending on the mining technique being utilised. The underground mining process is focused on the extraction of the coal seams with minimal disruption of the clastic sediments over and underlying each coal seam. The coal will be expected to be unfossiliferous, but any clastic, sedimentary partings contained within the coals may be richly fossiliferous. In the areas to be mined via open cast methods the entire rock sequence will be disrupted and removed from the surface to the base of the deepest coal seam to be utilised. Thus, in the open pit areas all fossil materials contained within the affected rocks will be potentially negatively impacted upon.

Any fossil materials that remain undiscovered beneath infrastructure elements after the construction of the project will only be negatively affected in so far as they will be unavailable for scientific study for the life expectancy of the infrastructural elements that comprise the project.



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This study has identified that the Vryheid Formation is fossiliferous elsewhere in the Main Karoo Basin and, as such, fossils are potentially present and may be negatively impacted. There is a potential for negative impact on the palaeontological heritage of the project area throughout the majority of its extent, but the potential risk is categorised as moderate within the open cast mining area and low in all other areas of the proposed project.

The fossils that may be anticipated to be present within the Vryheid Formation within the project area are potentially highly significant to the cultural and scientific heritage of South Africa. As such, the risk of a negative impact is low to moderate, but the significance of any negative impact on the fossil assemblages could potentially be high in the open cast mining area and low in all other areas. Any damage that occurs to such fossil material during the excavation and construction phase of the project would be permanent and irreversible.

The potential negative impact to the palaeontological heritage of the area can be minimised by the implementation of appropriate mitigation processes. A thorough site investigation of the outcrops of the area prior to commencement of the project by a palaeontologist (as part of a Full Palaeontological Heritage Impact Assessment study) would make it possible that scientifically and/or culturally significant fossils, present within the area may be discovered that would be otherwise damaged, destroyed or inadvertently moved. A secondary advantage of such an investigation would be that any fossil materials located could prove to have a positive effect on the understanding of the fossil record of South Africa and positively affect the palaeontological heritage of the country. As the probability of a negative impact on the fossil heritage of the area is high in the open cast mine (and low elsewhere) it is also suggested that regular inspections of the open pit exposures be made by a palaeontologist during the life of those mining operations. Should any fossil materials be identified by the palaeontologist, the significance of the fossil materials should be evaluated and appropriate damage mitigation processes put into place.

The social benefits of the project have been classified as beneficial, herein, as the project aims to provide, in addition to employment opportunities, either the raw materials for power generation or the generation of export income for the country. As such **this desktop study has not identified any palaeontological reason to prejudice the progression of this project, subject to adequate mitigation programs being put in place.**

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