

The Mining Permit for the Aggregates for Malherbe Familie Trust

Joe Morolong Local Municipality, DC16 Xhariep District Municipality, Free State Province

Farm: Dundee 416

Fourie, H. Dr

Palaeontological Impact Assessment: Desktop Study

Facilitated by: Nyamoki Consulting (pty) Ltd,

1850 Berg Avenue, Doreg AH,

Akasia, 0182

Tel: 076 327 1827

2023/02/04

Ref: Pending



B. Executive summary

Outline of the development project: Nyamoki Consulting (Pty) Ltd has facilitated the appointment of Dr H. Fourie, a palaeontologist, to undertake a Palaeontological Impact Assessment (PIA), Desktop Study of The Mining Permit of Aggregates for Malherbe Familie Trust in the Joe Morolong Local Municipality, DC16 Xhariep District Municipality, Northern Cape Province on Farm: Dundee 416.

The applicant, Malherbe Familie Trust, proposes to Mining Permit to mine aggregate.

The Project includes one locality Option (see Figure 1):

Option 1 A rectangular area indicated in red with infrastructure with the town of Petrusville south, Orania west, R48 Road west, and Vanderkloof dam south. The approximate size of the site is 5 hectares.

Legal requirements:-

The **National Heritage Resources Act (Act No. 25 of 1999) (NHRA)** requires that all heritage resources, that is, all places or objects of aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance are protected. The Republic of South Africa (RSA) has a remarkably rich fossil record that stretches back in time for some 3.5 billion years and must be protected for its scientific value. Fossil heritage of national and international significance is found within all provinces of the RSA. South Africa's unique and non-renewable palaeontological heritage is protected in terms of the National Heritage Resources Act. According to this act, palaeontological resources may not be excavated, damaged, destroyed or otherwise impacted by any development without prior assessment and without a permit from the relevant heritage resources authority.

The main aim of the assessment process is to document resources in the development area and identify both the negative and positive impacts that the development brings to the receiving environment. The PIA, therefore, identifies palaeontological resources in the area to be developed and makes recommendations for protection or mitigation of these resources.

“palaeontological” means 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 or traces.

For this study, resources such as geological maps, scientific literature, institutional fossil collections, satellite images, aerial maps and topographical maps were used. It provides an assessment of the observed or inferred palaeontological heritage within the study area, with recommendations (if any) for further specialist palaeontological input where this is considered necessary.

A Palaeontological Impact Assessment is generally warranted where rock units of **LOW** to **VERY HIGH** palaeontological sensitivity are concerned, levels of bedrock exposure within the study area are adequate; large scale projects with high potential heritage impact are planned; and where the distribution and nature of fossil remains in the proposed area is unknown. The specialist will inform whether further monitoring and mitigation are necessary.

Types and ranges of heritage resources as outlined in Section 3 of the National Heritage Resources Act (Act No.25 of 1999):

(i) (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens.

This report adheres to the guidelines of Section 38 (1) of the National Heritage Resources Act (Act No. 25 of 1999).

Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300 m in length; (b) the construction of a bridge or similar structure exceeding 50 m in length; (c) any development or other activity which will change the character of a site (see Section 38); (d) the re-zoning of a site exceeding 10 000 m² (1 ha) in extent; (e) or any other category of development provided for in regulations by SAHRA or a PHRA authority.

This report aims (1c) to provide comment and recommendations on the potential impacts that the proposed development could have on the fossil heritage of the area and to state if any mitigation or conservation measures are necessary.

Outline of the geology and the palaeontology:

The geology was obtained from map 1:100 000, Geology of the Republic of South Africa (Visser 1984) and the 1:250 000 geological map of Koffiefontein 2924 (Zawada 1992).

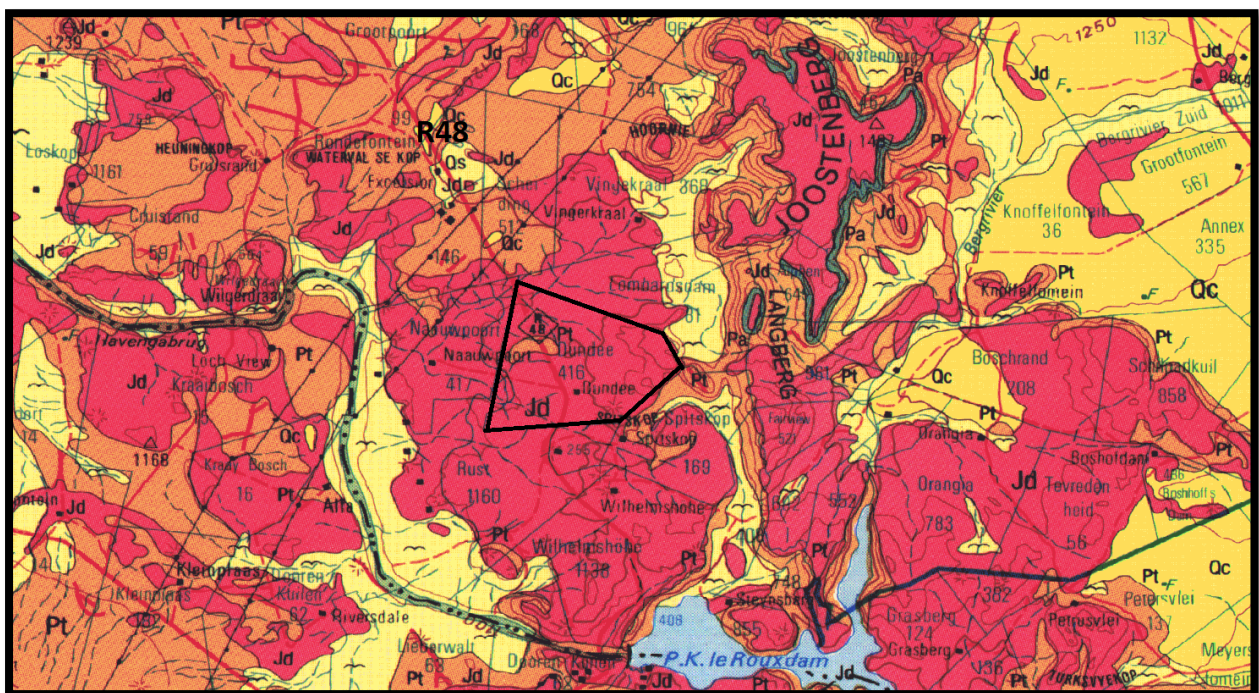


Figure: The geology of the development area.

Legend to Figure and short explanation.

Jd – Dolerite (pink). Karoo Supergroup.

Pt – Shale, siltstone, sandstone (orange). Tierberg Formation, Eccca Group, Karoo Supergroup. Permian.

---f--- – (black) Fault.

..... – Undifferentiated linear structure.

⊥10° - Strike and dip.

□ – Approximate position of farm (in black on figure).

Summary of findings: The Palaeontological Impact Assessment: Desktop Study was undertaken in February 2023 in summer in dry and mild conditions (Appendix 6 of Act, 1(d)), as this is a desktop study, the season has no influence on the outcome. The following is reported:

The development is taking place on the Jurassic dolerite.

Dolerite dykes (Jd) occur throughout the Karoo Supergroup. Structural geological features such as dykes and faults can have a measurable influence on groundwater flow and mass transport. Permian sediments are extensively intruded and thermally metamorphosed (baked) by sub-horizontal sills and steeply inclined dykes of the Karoo Dolerite Suite. These early Jurassic (183 Ma) basic intrusions baked the adjacent mudrocks and sandstones to form splintery hornfels and quartzites respectively. Thermal metamorphism by dolerite intrusions tends to reduce the palaeontological heritage potential of the adjacent sediments.

The Ecca age Tierberg Formation is western or north-western in location. It lies beneath the Waterford and Skoorsteenberg Formations and reaches thicknesses between 350 to 700 m. Calcareous concretions are common.

Palaeontology - Fossils in South Africa mainly occur in rocks of sedimentary nature and not in rocks from igneous or metamorphic nature. Therefore, the palaeontological sensitivity can generally be **LOW** to **VERY HIGH**, and here in the development **HIGH** (SG 2.2 SAHRA APMHOB, 2012) (Groenewald and Groenewald 2014).

The Jurassic dolerite is devoid of fossils.

The Ecca Group may contain fossils of diverse non-marine trace, *Glossopteris* flora, mesosaurid reptiles, palaeoniscid fish, marine invertebrates, insects, and crustaceans (Johnson 2009). *Glossopteris* trees rapidly colonised the large deltas along the northern margin of the Karoo Sea. Dead vegetation accumulated faster than it could decay, and thick accumulations of peat formed, which were ultimately converted to coal. It is only in the northern part of the Karoo Basin that the glossopterids and cordaitales, ferns, clubmosses and horsetails thrived (McCarthy and Rubidge 2005). Sediments of the Group contain significant reserves of coal and the interbedded shale is an important source of clay for brick making (Groenewald and Groenewald 2014).

Disarticulated microvertebrate remains, fish scales, sponge spicules, vascular plants and trace fossils (*Nereites*, *Planolites*) are present in the Tierberg Formation (Groenewald and Groenewald 2014).

Recommendation:

The impact of the development on the fossil heritage is **HIGH** for the Ecca Group and **VERY LOW** for the Dolerite. A Phase 1 Palaeontological Impact Assessment: Phase 1 Field Study is recommended if fossils are found during excavating or clearing (according to SAHRA protocol).

The Project includes one locality Option (see Figure 1):

Option 1 A rectangular area indicated in **red** with infrastructure with the town of Petrusville south, Orania west, R48 Road west, and Vanderkloof dam south. The approximate size of the site is 5 hectares.

Concerns/threats to be added to the EMP_r (**1k,l,m**):

1. The overburden and inter-burden must always be surveyed for fossils. Special care must be taken during the clearing, drilling, digging and excavating of foundations, trenches, channels and footings and removal of overburden if applicable not to intrude fossiliferous layers.
2. Threats are earth moving equipment/machinery (front end loaders, excavators, graders, dozers) during construction, the sealing-in, disturbance, damage or destruction of the fossils by development, vehicle traffic, mining permit, mining, and human disturbance.

The recommendations are (**1g**):

1. Mitigation is always needed if fossils are found, permission needed from SAHRA.

2. No consultation with parties was necessary.
3. The ECO must survey drill cores for fossils after drilling in line with the legally binding Environmental Management Programme (EMPr) this must be updated to include the involvement of a palaeontologist/ archaeozoologist when necessary.
4. The EMPr will cover the conservation of heritage and palaeontological material that may be exposed during mining permit activities. The protocol is to immediately cease all prospecting activities if a fossil is unearthed, construct a 30 m no-go barrier, and contact SAHRA for further investigation.

Stakeholders: Applicant – Malherbe Familie Trust.

Environmental – Nyamoki Consulting (Pty) Ltd. 1850 Berg Avenue, Doreg AH, Akasia, 0182, Tel: 076 327 1827.

Landowner – Not available.

C. Table of Contents

A. Title page	1
B. Executive Summary	2
C. Table of Contents	5
D. Background Information on the project	5
E. Description of the Property or Affected Environment	7
F. Description of the Geological Setting	7
G. Background to Palaeontology of the area	8
H. Description of the Methodology	11
I. Description of significant fossil occurrences	13
J. Recommendation	13
K. Conclusions	14
L. Bibliography	14
Declaration	15
Appendix 1: Table (Appendix 6 of Act)	17
Appendix 2: Management Plan and Protocol for Chance Finds	17
Appendix 3: Impact Statement	19

D. Background information on the project

Report

This report is part of the environmental impact assessment process under the National Environmental Management Act, as amended (Act No. 107 of 1998) (NEMA) and includes Appendix 6 (GN R38282 of 4 December 2014) of the Environmental Impact Assessment Regulations (see Appendix 1). It is also in compliance with SG 2.2 SAHRA APMHOB Guidelines, 2012 Minimum standards for palaeontological components of Heritage Impact Assessment Reports, Pp 1-15 (2).

Outline of development

This report discusses and aims to provide the developer with information regarding the location of palaeontological material that will be impacted by the development. In the pre-construction phase, depending on the presence of fossils, it may be necessary for the developer to apply for the relevant permit from the South African Heritage Resources Agency (SAHRA / PHRA).

The applicant, Malherbe Familie Trust proposes to mine aggregate through mining permit.

Local benefits are to the local communities by alleviating poverty while boosting the Municipality's economic development.

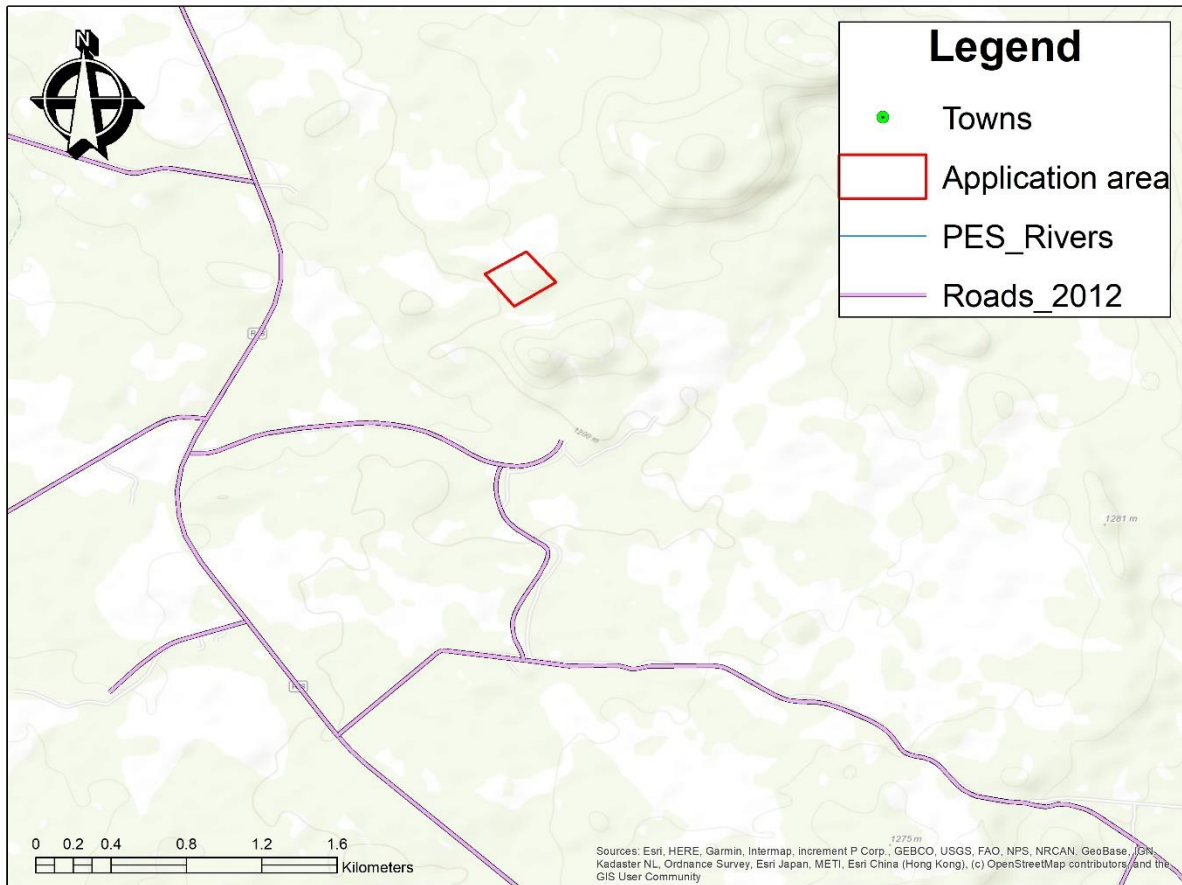


Figure 1: Map showing location (Nyamoki).

The following infrastructure is present:

1. Crushing plant
2. Security fence
3. Ablution facilities, office, security, storage buildings
4. Parking area

The Project includes one locality Option (see Figure 1):

Option 1 A rectangular area indicated in red with infrastructure with the town of Petrusville south, Orania west, R48 Road west, and Vanderkloof dam south. The approximate size of the site is 5 hectares.

Rezoning/ and or subdivision of land: No.

Name of Developer and Consultant: Sunstone Mining (Pty) Ltd. and Nyamoki Consulting (Pty) Ltd.

Terms of reference: Dr H. Fourie is a palaeontologist commissioned to do a palaeontological impact assessment to ascertain if any palaeontological sensitive material is present in the development area. This study will advise on the impact on fossil heritage mitigation or conservation necessary, if any.

Short Curriculum vitae (1ai,ii): Dr Fourie obtained a Ph.D from the Bernard Price Institute for Palaeontological Research (now ESI), University of the Witwatersrand. Her undergraduate degree is in Geology and Zoology. She specialises in vertebrate morphology and function concentrating on the Therapsid Therocephalia. For the past 16 years she carried out field work in the Eastern Cape, Limpopo, Mpumalanga, Gauteng, Free State and Kwazulu

Natal Provinces. Dr Fourie has been employed at the Ditsong: National Museum of Natural History in Pretoria (formerly Transvaal Museum) for 28 years.

Legislative requirements: South African Heritage Resources Agency (SAHRA) for issue of permits if necessary. National Heritage Resources Act (Act No. 25 of 1999). An electronic copy of this report must be supplied to SAHRA.

E. Description of property or affected environment

Location and depth:

The proposed Prospecting of Aggregates for Malherbe Familie Trust will be situated in the Joe Morolong Local Municipality, DC16 Xhariep District Municipality, Free State Province on Farm: Dundee 416.

Depth is determined by the related infrastructure, such as the foundations to be developed and the thickness of the formation. Details of the location and distribution of all significant fossil sites or key fossiliferous rock units are often difficult to determine due to thick topsoil, subsoil, overburden and alluvium. Depth of the overburden may vary a lot. Geological maps do not provide depth or superficial cover, it only provides mappable surface outcrops.



Figure 2: Location map with borehole positions (Nyamoki).

F. Description of the Geological Setting

Description of the rock units:

The Karoo Supergroup is renowned for its fossil wealth (Kent 1980, Visser 1989). Large areas of the southern African continent are covered by the Karoo Supergroup. It covers older geological formations with an almost horizontal blanket. Several basins are present with the main basin in the central part of south Africa and several smaller basins towards Lebombo, Springbok Flats and Soutpansberg. An estimated age is 150 – 180 Ma. and a maximum thickness of 7000 m is reached in the south. Three formations overlie the Beaufort Group, they are the Molteno, Elliot and Clarens Formations. At the top is the Drakensberg Basalt Formation with its pillow lavas, pyroclasts, and basalts (Kent 1980, Snyman 1996). The Beaufort Group is underlain by the Ecca Group which is underlain by the Dwyka Group.

The Ecca age Tierberg Formation is western or north-western in location. It lies beneath the Waterford and Skoorsteenberg Formations and reaches thicknesses between 350 to 700 m. Calcareous concretions are common.

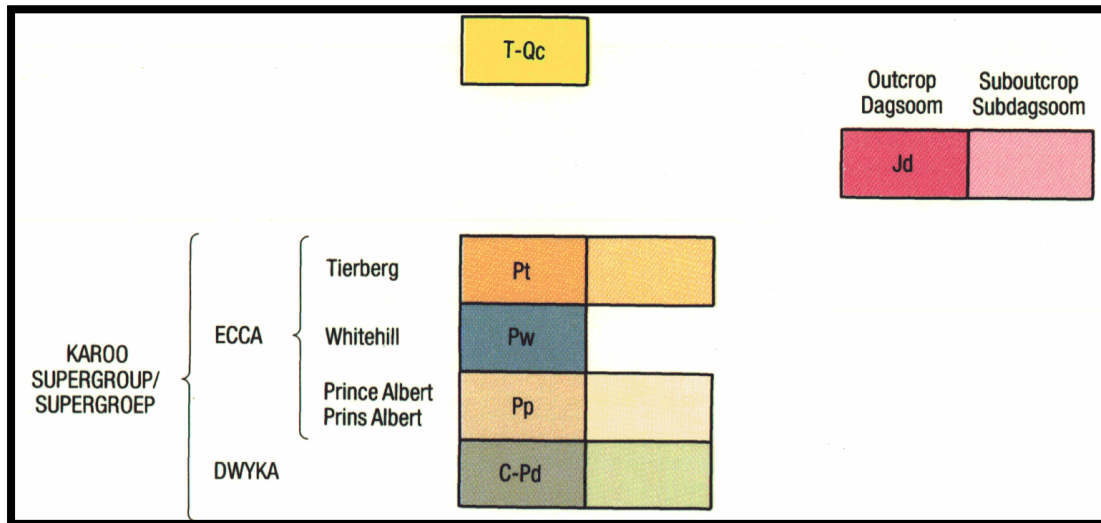


Figure 4: Lithology (2922 Prieska).

G. Background to Palaeontology of the area

Summary: When rock units of moderate to very high palaeontological sensitivity are present within the development footprint, a desktop and or field scoping (survey) study by a professional palaeontologist is usually warranted. The main purpose of a field scoping (survey) study would be to identify any areas within the development footprint where specialist palaeontological mitigation during the construction phase may be required (SG 2.2 SAHRA AMPHOB, 2012).

The Ecca Group may contain fossils of diverse non-marine trace, *Glossopteris* flora, mesosaurid reptiles, palaeoniscid fish, marine invertebrates, insects, and crustaceans (Johnson 2009). *Glossopteris* trees rapidly colonised the large deltas along the northern margin of the Karoo Sea. Dead vegetation accumulated faster than it could decay, and thick accumulations of peat formed, which were ultimately converted to coal. It is only in the northern part of the Karoo Basin that the glossopterids and cordaitales, ferns, clubmosses and horsetails thrived (McCarthy and Rubidge 2005). Sediments of the Group contain significant reserves of coal and the interbedded shale is an important source of clay for brick making (Groenewald and Groenewald 2014).

Disarticulated microvertebrate remains, sponge spicules, vascular plants and trace fossils are present in the Tierberg Formation (Groenewald and Groenewald 2014).

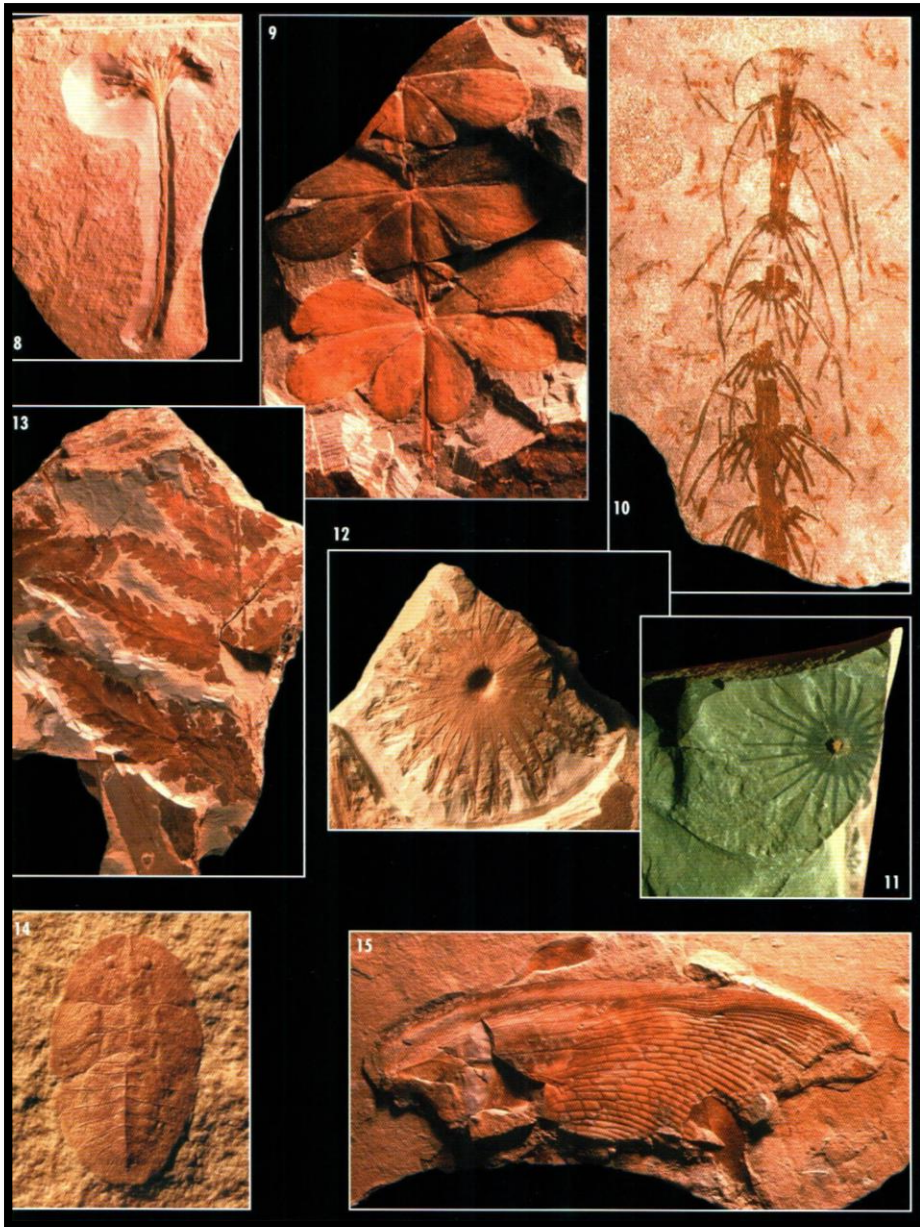


Figure 5: Example of Ecca Group fossils (MacRae 1999).

The more recent Phanerozoic deposits (Cenozoic) are of importance in the study of life during the last 300 million years. Large areas in the western part of the Northern Cape Province are underlain by Cenozoic (Tertiary, Quaternary) deposits of the Kalahari Group.

Table 1: Taken from Palaeotechnical Report (Groenewald and Groenewald 2014) (1cA, 1cB).

ECCA (Pe)		Tierberg (Pt, K2u)	Dark grey shale. Offshore non-marine mudrocks with distal turbidite beds, prodeltaic sediments	Disarticulated microvertebrate remains (e.g. fish teeth, scales), sponge spicules, sparse vascular plants (leaves, petrified wood), moderate diversity trace fossil assemblages (as below plus variety of additional taxa such as large ribbed pellet burrows, arthropod scratch burrows, <i>Siphonichnus</i> etc)	Ecca Sea traces are among most diverse and best preserved non-marine ichnofaunas from Gondwana. Doubtful stromatolites also recorded
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Fossils in South Africa mainly occur in rocks of sedimentary nature and not in rocks from igneous or metamorphic nature. Therefore, if there is the presence of Karoo Supergroup strata the palaeontological sensitivity is generally **LOW** to **VERY HIGH**.

Table 2: Criteria used (Fossil Heritage Layer Browser/SAHRA):

Rock Unit	Significance/vulnerability	Recommended Action
Dolerite	Very Low	No action required
Ecca Group	High	Desktop study is required, field assessment likely

Databases and collections: Ditsong: National Museum of Natural History.

Impact: **HIGH** for the Ecca Group. There may be significant fossil resources that may be impacted by the development and if destroyed are no longer available for scientific research or other public good.

The Project includes one locality Option (Figure 1) (**1f,j**) with the above sensitivities.

Option 1 A rectangular area indicated in **red** with infrastructure with the town of Petrusville south, Orania west, R48 Road west, and Vanderkloof dam south. The approximate size of the site is 5 hectares.

All the land involved in the development was assessed (**ni,nii**) and none of the property is unsuitable for development (see Recommendation B).

H. Description of the Methodology (1e)

The palaeontological impact assessment: desktop study was undertaken in February 2023. A Phase 1: Field Study will entail a walkthrough of the affected portion with photographs (in 20 mega pixels) taken of the site with a digital camera (Canon PowerShot SX620HS). A Global Positioning System (GPS (Garmin eTrex 10) can be used to record the outcrops. A literature survey is included and the study relied on literature, geological maps, Google Maps and Google Earth images.

SAHRA Document 7/6/9/2/1 only requires track records/logs from archaeologists not palaeontologists as palaeontologists concentrate on outcrops which may be recorded on a GPS. Isolated occurrences of rocks usually do not constitute an outcrop. Fossils can occur in dongas, as nodules, in fresh rock exposures, and in riverbeds. Finding fossils require the experience and technical knowledge of the professional palaeontologist, but that does not mean that an amateur can't find fossils. The geology of the region is used to predict what type of fossil and zone will be found in any particular region. An archaeozoologist can be called upon to assess more recent quaternary and tertiary deposits.

Assumptions and Limitations 1(j):-

The accuracy and reliability of the report **may be** limited by the following constraints:

1. Most development areas have never been surveyed by a palaeontologist or geophysicist.
2. Variable accuracy of geological maps and associated information.
3. Poor locality information on sheet explanations for geological maps.
4. Lack of published data.
5. Lack of rocky outcrops.
6. Inaccessibility of site – no site visit done.
7. Insufficient data from developer and exact lay-out plan for all structures - sufficient.

A Phase 1 Palaeontological Impact Assessment: Field Study will include:

1. Recommendations for the future of the site.

2. Background information on the project.
3. Description of the property of affected environment with details of the study area.
4. Description of the geological setting and field observations.
5. Background to palaeontology of the area.
6. Field Rating.
7. Stating of Significance (Heritage Value).

A Phase 2 Palaeontological Impact Assessment: Mitigation will include:

1. Recommendations for the future of the site.
2. Description of work done (including number of people and their responsibilities).
3. A written assessment of the work done, fossils excavated, not removed or collected and observed.
4. Conclusion reached regarding the fossil material.
5. A detailed site plan.
6. Possible declaration as a heritage site or Site Management Plan.

The National Heritage Resources Act No. 25 of 1999 further prescribes:

Act No. 25 of 1999. National Heritage Resources Act, 1999.

National Estate: 3 (2) (f) archaeological and palaeontological sites,

(i)(1) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens,

Heritage assessment criteria and grading: (a) Grade 1: Heritage resources with qualities so exceptional that they are of special national significance;

(b) Grade 11: Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and (c) Grade 111: Other heritage resources worthy of conservation.

SAHRA is responsible for the identification and management of Grade 1 heritage resources.

Provincial Heritage Resources Authority (PHRA) identifies and manages Grade 11 heritage resources.

Local authorities identify and manage Grade 111 heritage resources.

No person may damage, deface, excavate, alter, remove from its original position, subdivide or change the planning status of a provincially protected place or object without a permit issued by a heritage resources authority or local authority responsible for the provincial protection.

Archaeology, palaeontology and meteorites: Section 35.

(2) Subject to the provisions of subsection (8) (a), all archaeological objects, palaeontological material and meteorites are the property of the State.

(3) 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.

Mitigation involves planning the protection of significant fossil sites, rock units or other palaeontological resources and/or excavation, recording and sampling of fossil heritage that might be lost during development, together with pertinent geological data. The mitigation may take place before and / or during the construction phase of development. The specialist will require a Phase 2 mitigation permit from the relevant Heritage Resources Authority before a Phase 2 may be implemented.

The mitigation is done in order to rescue representative fossil material from the study area to allow and record the nature of each locality and establish its age before it is destroyed and to make samples accessible for future research. It also interprets the evidence recovered to allow for education of the public and promotion of palaeontological heritage.

Should further fossil material be discovered during the course of the development (e. g. during bedrock excavations), this must be safeguarded, where feasible *in situ*, and reported to a palaeontologist or to the Heritage Resources authority. In situations where the area is considered palaeontologically sensitive (e. g. Karoo Supergroup Formations, ancient marine deposits in the interior or along the coast) the palaeontologist might need to monitor all newly excavated bedrock. The developer needs to give the palaeontologist sufficient time to assess and document the finds and, if necessary, to rescue a representative sample.

When a Phase 2 palaeontological impact study is recommended, permission for the development to proceed can be given only once the heritage resources authority has received and approved a Phase 2 report and is satisfied that (a) the palaeontological resources under threat have been adequately recorded and sampled, and (b) adequate development on fossil heritage, including, where necessary, *in situ* conservation of heritage of high significance. Careful planning, including early consultation with a palaeontologist and heritage management authorities, can minimise the impact of palaeontological surveys on development projects by selecting options that cause the least amount of inconvenience and delay.

Three types of permits are available; Mitigation, Destruction and Interpretation. The specialist will apply for the permit at the beginning of the process (SAHRA 2012).

I. Description of significant fossil occurrences

Details of the location and distribution of all significant fossil sites or key fossiliferous rock units are often difficult to determine due to thick topsoil, subsoil, overburden and alluvium. Depth of the overburden may vary a lot.

The Ecca Group may contain fossils of diverse non-marine trace, *Glossopteris* flora, mesosaurid reptiles, palaeoniscid fish, marine invertebrates, insects, and crustaceans (Johnson 2009). *Glossopteris* trees rapidly colonised the large deltas along the northern margin of the Karoo Sea. Dead vegetation accumulated faster than it could decay, and thick accumulations of peat formed, which were ultimately converted to coal. It is only in the northern part of the Karoo Basin that the glossopterids and cordaitales, ferns, clubmosses and horsetails thrived (McCarthy and Rubidge 2005). Sediments of the Group contain significant reserves of coal and the interbedded shale is an important source of clay for brick making (Groenewald and Groenewald 2014).

Disarticulated microvertebrate remains, sponge spicules, vascular plants and trace fossils are present in the Tierberg Formation (Groenewald and Groenewald 2014).

The threats are:

- Earth moving equipment/machinery (front end loaders, excavators, graders, dozers) during construction,
- The sealing-in or destruction of fossils by development, vehicle traffic, clearing, permit, mining, and human disturbance. See Description of the Geological Setting (F) above.

J. Recommendation (1o,p,q)

- a. There was no objection (see Recommendation B) to the development, it is only necessary to request a Phase 1: Palaeontological Impact Assessment: Field Study if fossils are found during clearing or drilling. The palaeontological sensitivity is **HIGH**, and fossils may be present.
- b. This project benefits the economy, the growth of the community and social development in general.

- c. Preferred choice: Only one locality Option is presented and possible.
- d. Care was taken during the grading of roads, digging of foundations and removing topsoil, subsoil and overburden (see Executive Summary), prospecting, and mining. The following should be conserved: if any palaeontological material is exposed during digging, excavating, or drilling SAHRA must be notified. All construction activities must be stopped, a 30 m no-go barrier constructed and a palaeontologist should be called in to determine proper mitigation measures.
- e. No consultation with parties was necessary (1o,p,q).
- f. This report must be submitted to SAHRA together with the HIA.

Sampling and collecting:

Wherefore a permit is needed from the South African Heritage Resources Agency (SAHRA / PHRA).

- a. Objections: Cautious. See heritage value and recommendation.
- b. Conditions of development: See Recommendation.
- c. Areas that may need a permit: Yes.
- d. Permits for mitigation: Needed from SAHRA/PHRA if fossils are found.

K. Conclusions

- a. All the land involved in the development was assessed and none of the property is unsuitable for development (see Recommendation B).
- b. All information needed for the Palaeontological Impact Assessment Study was provided by the Consultant. All technical information was provided by Nyamoki Consulting (Pty) Ltd.
- c. Areas that would involve mitigation and may need a permit from the South African Heritage Resources Agency are discussed.
- d. The following should be conserved: if any palaeontological material is exposed during digging, excavating, or drilling, SAHRA must be notified. All development activities must be stopped, a 30 m no-go barrier constructed, and a palaeontologist should be called in to determine proper mitigation measures, for example, shallow caves.
- e. Condition in which development may proceed: It is further suggested that a Section 37(2) agreement of the Occupational, Health and Safety Act 85 of 1993 is signed with the relevant contractors to protect the environment (fossils) and adjacent areas as well as for safety and security reasons.

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Declaration (Disclaimer) (1b)

I, Heidi Fourie, declare that I am an independent consultant and have no business, financial, personal or other interest in the proposed development project for which I was appointed to do a palaeontological assessment. There are no circumstances that compromise the objectivity of me performing such work.

I accept no liability, and the client, by receiving this document, indemnifies me against all actions, claims, demands, losses, liabilities, costs, damages and expenses arising from or in connection with services rendered, directly or indirectly by the use of the information contained in this document.

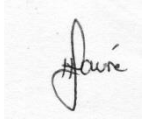
It may be possible that the Desktop Study may have missed palaeontological resources in the project area as the presence of outcrops are not known or visible due to vegetation while others may lie below the overburden of earth and may only be found once development commences.

This report may not be altered in any way and any parts drawn from this report must make reference to this report.

POPI Act 2013 Statement

It provides that everyone has the right to privacy and includes a right to protection against the unlawful collection, retention dissemination and use of personal information contained in this document and pertains to the phone and contact details, signature and contents.

As per the Declaration Section none of the information may be shared without the permission of the author.



Heidi Fourie
2023/02/04

Appendix 1: Table 3: Listing points in Appendix 6 of the Act and position in Report (in bold).

Section in Report	Point in Act	Requirement
B	1(c)	Scope and purpose of report
B	1(d)	Duration, date and season
B	1(g)	Areas to be avoided
D	1(ai)	Specialist who prepared report
D	1(aii)	Expertise of the specialist
F Figure 3	1(h)	Map
F	1(ni)	Authorisation
F	1(nii)	Avoidance, management, mitigation and closure plan
G Table 1	1(cA)	Quality and age of base data
G Table 2	1(cB)	Existing and cumulative impacts
G	1(f)	Details or activities of assessment
G	1(j)	Description of findings
H	1(e)	Description of methodology
H	1(i)	Assumptions
J	1(o)	Consultation
J	1(p)	Copies of comments during consultation
J	1(q)	Information requested by authority
Declaration	1(b)	Independent declaration
Appendix 2	1(k)	Mitigation included in EMPr
Appendix 2	1(l)	Conditions included in EMPr
Appendix 2	1(m)	Monitoring included in EMPr
D	2	Protocol or minimum standard

Appendix 2: Management Plan and Protocol for Chance Finds (1k,l,m).

This section covers the recommended protocol for a Phase 2 Mitigation process as well as for reports where the Palaeontological Sensitivity is **LOW**; this process guides the palaeontologist / palaeobotanist on site and should not be attempted by the layman / developer. As part of the Environmental Authorisation conditions, an Environmental Control Officer (ECO) will be appointed to oversee the construction activities in line with the legally binding Environmental Management Programme (EMPr) so that when a fossil is unearthed they can notify the relevant department and specialist to further investigate. Therefore, the EMPr must be updated to include the involvement of a palaeontologist during the digging and excavation (ground breaking) phase of the development.

The EMPr already covers the conservation of heritage and palaeontological material that may be exposed during construction activities.

- When a fossil is found the area must be fenced-off with a 30 m barrier and the construction workers must be informed that this is a no-go area.
- If fossils have already been found they must be kept in a safe place for further inspection.
- The ECO should familiarise him- or herself with the formations and its fossils. A site visit after blasting, drilling, clearing or excavating is recommended and the keeping of a photographic record when feasible.
- Most museums and universities have good examples of fossils.
- The developer must survey the areas affected by the development and indicate on plan where the construction / development / mining will take place. Trenches have to be dug to ascertain how deep the sediments are above the bedrock (can be a few hundred metres). This will give an indication of the depth of the topsoil, subsoil, and overburden, if need be trenches should be dug deeper to expose the interburden.

Mitigation will involve recording, rescue and judicious sampling of the fossil material present in the layers sandwiched between the geological / coal layers. It must include information on number of taxa, fossil abundance, preservational style, and taphonomy. This can only be done during mining or excavations. In order for this to happen, in case of coal mining operations, the process will have to be closely scrutinised by a professional palaeontologist / palaeobotanist to ensure that only the coal layers are mined and the interlayers (siltstone and mudstone) are surveyed for fossils or representative sampling of fossils are taking place.

The palaeontological impact assessment process presents an opportunity for identification, access and possibly salvage of fossils and add to the few good plant localities. Mitigation can provide valuable onsite research that can benefit both the community and the palaeontological fraternity.

A Phase 2 study is very often the last opportunity we will ever have to record the fossil heritage within the development area. Fossils excavated will be stored at a National Repository.

A Phase 2 Palaeontological Impact Assessment: Mitigation will include (SAHRA) -

1. Recommendations for the future of the site.
2. Description and purpose of work done (including number of people and their responsibilities).
3. A written assessment of the work done, fossils excavated, not removed or collected and observed.
4. Conclusion reached regarding the fossil material.
5. A detailed site plan and map.
6. Possible declaration as a heritage site or Site Management Plan.
7. Stakeholders.
8. Detailed report including the Desktop and Phase 1 study information.
9. Annual interim or progress Phase 2 permit reports as well as the final report.
10. Methodology used.

Three types of permits are available; Mitigation, Destruction and Interpretation. The specialist will apply for the permit at the beginning of the process (SAHRA 2012).

The Palaeontological Society of South Africa (PSSA) does not have guidelines on excavating or collecting, but the following is suggested:

1. The developer needs to clearly stake or peg-out (survey) the areas affected by the mining/ construction/ development operations and dig representative trenches and if possible supply geological borehole data.
2. When clearing topsoil, subsoil or overburden and hard rock (outcrop) is found, the contractor needs to stop all work.
3. A Palaeobotanist / palaeontologist (contact SAHRIS for list) must then inspect the affected areas and trenches for fossiliferous outcrops / layers. The contractor / developer may be asked to move structures, and put the development on hold.
4. If the palaeontologist / palaeobotanist is satisfied that no fossils will be destroyed or have removed the fossils, development and removing of the topsoil can continue.
5. After this process the same palaeontologist / palaeobotanist will have to inspect and offer advice through the Phase 2 Mitigation Process. Bedrock excavations for footings may expose, damage or destroy previously buried fossil material and must be inspected.
6. When permission for the development is granted, the next layer can be removed, if this is part of a fossiliferous layer, then with the removal of each layer of sediment, the palaeontologist / palaeobotanist must do an investigation (a minimum of once a week).

7. At this stage the palaeontologist / palaeobotanist in consultation with the developer / mining company must ensure that a further working protocol and schedule is in place. Onsite training should take place, followed by an annual visit by the palaeontologist / palaeobotanist.

Fossil excavation, if necessary, during Phase 2:

1. Photography of fossil / fossil layer and surrounding strata.
2. Once a fossil has been identified as such, the task of extraction begins.
3. It usually entails the taking of a GPS reading and recording lithostratigraphic, biostratigraphic, date, collector and locality information.
4. Use Paraloid (B-72) as an adhesive and protective glue, parts of the fossil can be kept together (not necessarily applicable to plant fossils).
5. Slowly chipping away of matrix surrounding the fossil using a geological pick, brushes and chisels.
6. Once the full extent of the fossil / fossils is visible, it can be covered with a plaster jacket (not necessarily applicable to plant fossils).
7. Chipping away sides to loosen underside.
8. Splitting of the rock containing palaeobotanical material should reveal any fossils sandwiched between the layers.

SAHRA Documents:

Guidelines to Palaeontological Permitting Policy.

Minimum Standards: Palaeontological Component of Heritage Impact Assessment reports.

Guidelines for Field Reports.

Palaeotechnical Reports for all the Provinces.

Appendix 3: Impact Statement

The development footprint is situated on a geological layer with a **HIGH** palaeontological sensitivity. The nature of the impact is the destruction of Fossil Heritage. Loss of fossil heritage will have a negative impact. The extent of the impact only extends in the region of the development activity footprint and may include transport routes (1). The expected duration of the impact is assessed as potentially permanent (3). The intensity/magnitude of the impact is moderate as it may continue in a modified way (1). The probability of the impact occurring will be high (2).

In the absence of mitigation procedures (should fossil material be present within the affected area) the damage or destruction of any palaeontological materials will be permanent. The loss of resources occurs but natural cultural and social processes continue, albeit in a modified manner. With Mitigation the impact will be low and the cumulative impact is low. Impacts on palaeontological heritage during the construction and preconstruction phase could potentially occur but are regarded as having a moderate possibility. The significance of the impact occurring will be $S = (1+3+1)2$

$S = 10$ Medium (10-18).