

**Palaeontological Impact Assessment for the proposed
Midlands Mall Phase 4 construction,
Pietermaritzburg, KwaZulu Natal Province**

Desktop Study (Phase 1)

For

JLB Consulting

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Expertise of Specialist

The Palaeontologist Consultant: Prof Marion Bamford
Qualifications: PhD (Wits Univ, 1990); FRSSAf, ASSAf
Experience: 31 years research; 3years PIA studies

Declaration of Independence

This report has been compiled by Professor Marion Bamford, of the University of the Witwatersrand, sub-contracted by JLB Consulting, Durban, South Africa. The views expressed in this report are entirely those of the author and no other interest was displayed during the decision-making process for the project.

Specialist: Prof Marion Bamford

Signature: 

Executive Summary

A palaeontological Impact Assessment was requested for the proposed construction of Phase 4 of the Midlands Mall, Pietermaritzburg. To comply with the South African Heritage Resources Agency (SAHRA) in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA), a desktop Palaeontological Impact Assessment (PIA) was completed for the proposed development.

The proposed site lies entirely on the shales of the deep to shallow marine Pietermaritzburg Formation (Ecca Group, Karoo Supergroup). There are rare occurrences of fragmentary plant fossils in borehole cores, and trace fossils of invertebrates, such as *Skolithos* in the palaeo-coastal settings. The site lies on soils with dense vegetation. No fossils will be preserved in the soils but there is a very small chance that trace fossils occur in the rocks below and might be disturbed by the excavations for foundations. Therefore, a Fossil Chance Find Protocol should be added to the EMPr. Based on this information, it is recommended that no palaeontological site visit is required unless the responsible person finds fossils once the excavations have commenced.

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1. Background

A proposal has been put forward to commence construction of Phase 4 of the Midlands Mall complex. The site is between Woodlands and Chasedene and adjacent to an existing section of the Midlands Mall, northern Pietermaritzburg, KwaZulu Natal.

A Palaeontological Impact Assessment was requested for the Midlands Mall Phase 4 project. To comply with the South African Heritage Resources Agency (SAHRA) in terms of Section 38(8) of the National Heritage Resources Act, 1999 (Act No. 25 of 1999) (NHRA), a desktop Palaeontological Impact Assessment (PIA) was completed for the proposed development and is presented here.

Table 1: Specialist report requirements in terms of Appendix 6 of the EIA Regulations (amended 2017)

	A specialist report prepared in terms of the Environmental Impact Regulations of 2017 must contain:	Relevant section in report
ai	Details of the specialist who prepared the report	Appendix B
a ii	The expertise of that person to compile a specialist report including a curriculum vitae	Appendix B
b	A declaration that the person is independent in a form as may be specified by the competent authority	Page 1
c	An indication of the scope of, and the purpose for which, the report was prepared	Section 1
ci	An indication of the quality and age of the base data used for the specialist report: SAHRIS palaeosensitivity map accessed – date of this report	Yes
cii	A description of existing impacts on the site, cumulative impacts of the proposed development and levels of acceptable change	Section 5
d	The date and season of the site investigation and the relevance of the season to the outcome of the assessment	N/A
e	A description of the methodology adopted in preparing the report or carrying out the specialised process	Section 2
f	The specific identified sensitivity of the site related to the activity and its associated structures and infrastructure	Section 4
g	An identification of any areas to be avoided, including buffers	N/A
h	A map superimposing the activity including the associated structures and infrastructure on the environmental sensitivities of the site including areas to be avoided, including buffers;	N/A
i	A description of any assumptions made and any uncertainties or gaps in knowledge;	Section 5
j	A description of the findings and potential implications of such findings on the impact of the proposed activity, including identified alternatives, on the environment	Section 4
k	Any mitigation measures for inclusion in the EMPr	Appendix A
l	Any conditions for inclusion in the environmental authorisation	N/A

m	Any monitoring requirements for inclusion in the EMP or environmental authorisation	Appendix A
ni	A reasoned opinion as to whether the proposed activity or portions thereof should be authorised	N/A
nii	If the opinion is that the proposed activity or portions thereof should be authorised, any avoidance, management and mitigation measures that should be included in the EMP, and where applicable, the closure plan	N/A
o	A description of any consultation process that was undertaken during the course of carrying out the study	N/A
p	A summary and copies if any comments that were received during any consultation process	N/A
q	Any other information requested by the competent authority.	N/A



Figure 1: Google Earth map of the proposed development of Midlands Mall, Phase 4, Pietermaritzburg, with the section shown by the green outline. Map supplied by Jean Beater.

2. Methods and Terms of Reference

The Terms of Reference (ToR) for this study were to undertake a PIA and provide feasible management measures to comply with the requirements of SAHRA.

The methods employed to address the ToR included:

1. Consultation of geological maps, literature, palaeontological databases, published and unpublished records to determine the likelihood of fossils occurring in the affected areas. Sources included records housed at the Evolutionary Studies Institute at the University of the Witwatersrand and SAHRA databases;

2. Where necessary, site visits by a qualified palaeontologist to locate any fossils and assess their importance (*not applicable to this assessment*);
3. Where appropriate, collection of unique or rare fossils with the necessary permits for storage and curation at an appropriate facility (*not applicable to this assessment*); and
4. Determination of fossils' representivity or scientific importance to decide if the fossils can be destroyed or a representative sample collected (*not applicable to this assessment*).

3. Geology and Palaeontology

i. Project location and geological context

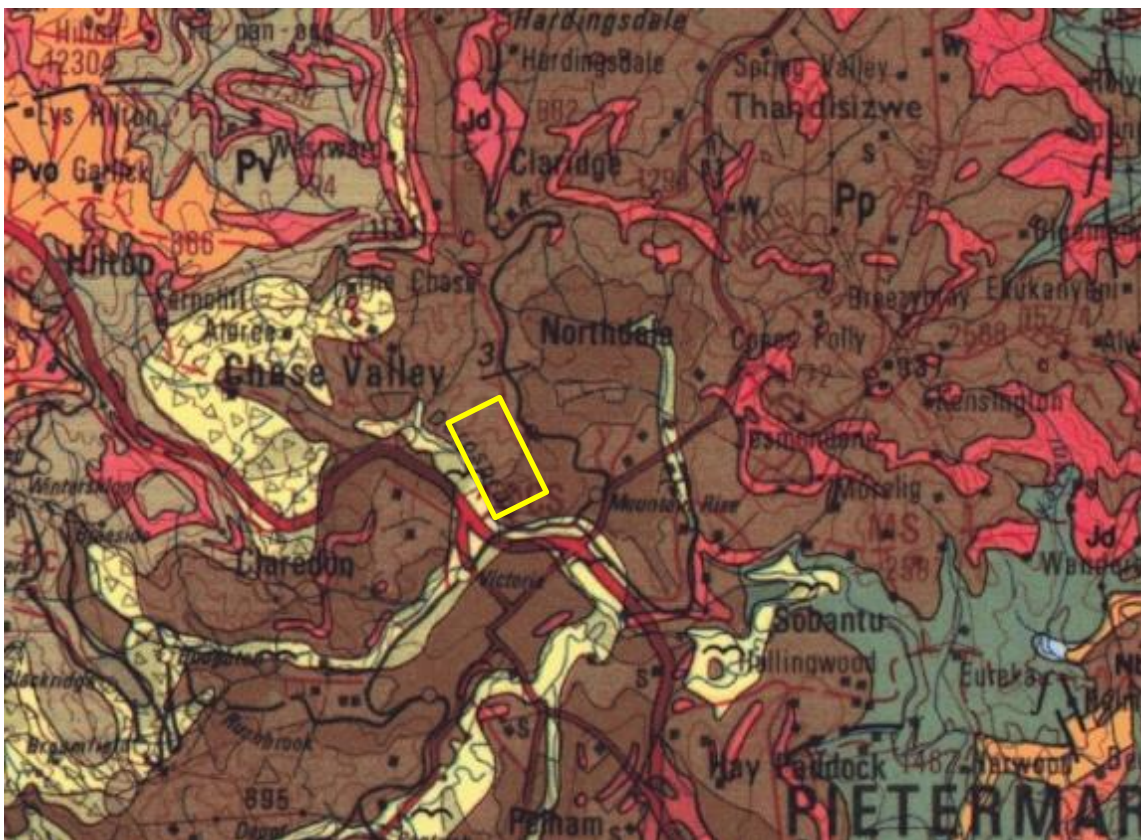


Figure 2: Geological map of the area around and to the north of Pietermaritzburg. The location of the proposed project is indicated within the yellow rectangle. Abbreviations of the rock types are explained in Table 2. Map enlarged from the Geological Survey 1: 250 000 map 2930 Durban.

Table 2: Explanation of symbols for the geological map and approximate ages (Eriksson et al., 2006. Johnson et al., 2006; McCarthy et al., 2006; Robb et al., 2006; van der Westhuizen et al., 2006). SG = Supergroup; Fm = Formation; Ma = million years; grey shading = formations impacted by the project.

Symbol	Group/Formation	Lithology	Approximate Age
Q	Quaternary	Alluvium, sand, calcrete	Neogene, ca 25 Ma to present
Jd	Jurassic dykes	Dolerite dykes, intrusive	Jurassic, approx. 180 Ma
Pvo	Volksrust Fm, Ecca Group, Karoo SG.	Shales, sandstones	Late Permian, Upper Ecca
Pv	Vryheid Fm, Ecca Group, Karoo SG.	Shales, sandstone, coal	Early Permian, Middle Ecca
Pp	Pietermaritzburg Fm, Ecca Group, Karoo SG.	Dark silty mudrock, shales, sandy lenses	Early Permian, Lower Ecca, ca 290Ma.
C-Pd	Dwyka Group, Karoo SG	Tillites, diamictites, mudstones, shales	Late Carboniferous to Early Permian

The town of Pietermaritzburg lies in the eastern part of the Main Karoo Basin and has the lower formations of the Karoo Supergroup exposed, namely the basal Dwyka Group, two formations in the Ecca Group (the Pietermaritzburg Formation and the Volksrust Formation). Intruding through these basin sediments are the dolerite dykes of the Jurassic. The latter intruded the Karoo sediments when the Drakensberg Basalts erupted, covering the Karoo rocks and preserving them.

The project site lies entirely on the dark blue-grey shales and mudstones of the Pietermaritzburg Formation (Figure 2). There is a small exposure of Quaternary sands adjacent to the stream but no development will be permitted along the stream for ecological reasons.

The Pietermaritzburg Formation was deposited as a major post-glacial transgression as the Karoo sag-basin filled with meltwaters from the receding glaciers and ice sheets. The overlying Vryheid Formation is not exposed in this area but the subsequent formation, the Volksrust Formation, is exposed to the northwest of the site.

ii. Palaeontological context

The palaeontological sensitivity of the area under consideration is presented in Figure 3. The site for development is in the shallow to deeper water Pietermaritzburg Formation. Fossils recorded from this formation are traces of bioturbation in the muds from invertebrate burrows, but also microbioturbation, making any structures very poorly preserved. Rare plant fragments have been mentioned in some texts (Bordy et al., 2017) but not identified. Their data is based on borehole material, not surface collections.

The Jurassic dolerite does not preserve fossils because it is an intrusive volcanic rock. The very young Quaternary sands along the stream are also very unlikely to preserve fossils as they have been moved by the river floods and fossils would have been destroyed, if present in the first place.



Figure 3: SAHRIS palaeosensitivity map for the site for the proposed Midlands Mall Phase 4 construction shown within the yellow rectangle. Background colours indicate the following degrees of sensitivity: red = very highly sensitive; orange/yellow = high; green = moderate; blue = low; grey = insignificant/zero.

From the SAHRIS map above the area is indicated as moderately sensitive (green) so a desktop assessment is required, and is reported here. Both the Dwyka Group and Pietermaritzburg Formation are considered to be moderately sensitive, but from the geological map in Figure 2, the site is not on Dwyka rocks.

4. Impact assessment

An assessment of the potential impacts to possible palaeontological resources considers the criteria encapsulated in Table 3:

TABLE 3A: CRITERIA FOR ASSESSING IMPACTS

PART A: DEFINITION AND CRITERIA		
Criteria for ranking of the SEVERITY/NATURE of environmental impacts	H	Substantial deterioration (death, illness or injury). Recommended level will often be violated. Vigorous community action.
	M	Moderate/ measurable deterioration (discomfort). Recommended level will occasionally be violated. Widespread complaints.
	L	Minor deterioration (nuisance or minor deterioration). Change not measurable/ will remain in the current range. Recommended level will never be violated. Sporadic complaints.
	L+	Minor improvement. Change not measurable/ will remain in the current range. Recommended level will never be violated. Sporadic complaints.
	M+	Moderate improvement. Will be within or better than the recommended level. No observed reaction.

	H+	Substantial improvement. Will be within or better than the recommended level. Favourable publicity.
Criteria for ranking the DURATION of impacts	L	Quickly reversible. Less than the project life. Short term
	M	Reversible over time. Life of the project. Medium term
	H	Permanent. Beyond closure. Long term.
Criteria for ranking the SPATIAL SCALE of impacts	L	Localised - Within the site boundary.
	M	Fairly widespread – Beyond the site boundary. Local
	H	Widespread – Far beyond site boundary. Regional/ national
PROBABILITY (of exposure to impacts)	H	Definite/ Continuous
	M	Possible/ frequent
	L	Unlikely/ seldom

TABLE 3B: IMPACT ASSESSMENT

PART B: ASSESSMENT		
SEVERITY/NATURE	H	-
	M	-
	L	Old lacustrine or marine sediments do not preserve plant fossils; some trace fossils might be present in the mudstones but the area is heavily vegetated so soils are present. It is very unlikely that fossils occur on the site. The impact would be very unlikely.
	L+	-
	M+	-
	H+	-
	DURATION	L
M		-
H		Where manifest, the impact will be permanent.
SPATIAL SCALE	L	Since only the possible fossils within the area would be invertebrate trace fossils from the Pietermaritzburg Fm, the spatial scale will be localised within the site boundary.
	M	-
	H	-
PROBABILITY	H	-
	M	-
	L	It is extremely unlikely that any fossils would be found in the shales and mudstones of the Pietermaritzburg Fm. Nonetheless, a Fossil Chance Find protocol should be added to the eventual EMP.

Based on the nature of the project, surface activities may impact upon the fossil heritage if preserved in the development footprint. The geological structures suggest that the rocks are not of the correct environmental setting to contain fossils, except for some invertebrate trace fossils. Furthermore, the rocks are covered with soils and modern vegetation that would not preserve fossils. Since there is an extremely small chance that trace fossils from the Pietermaritzburg Formation may be disturbed when excavations into the underlying rocks commence, a Fossil Chance Find Protocol has been added to this report. Taking account of the defined criteria, the potential impact to fossil heritage resources is extremely low.

5. Assumptions and uncertainties

Based on the geology of the area and the palaeontological record as we know it, it can be assumed that the formation and layout of the dolerites, tillites, sandstones, shales and sands are typical for the country and do not contain fossil plant, insect, invertebrate and vertebrate material. The Pietermaritzburg shales might contain trace fossils as they have been recorded from other areas, but have not been reported from this area.

6. Recommendation

Based on experience and the lack of any previously recorded fossils from the area, it is extremely unlikely that any fossils would be preserved in the Pietermaritzburg Formation shales. There is a very small chance that trace fossils may occur below the modern soils so a Fossil Chance Find Protocol should be added to the EMPr: if fossils are found once excavations for pipes, foundations, access roads, etc., have commenced then they should be rescued and a palaeontologist called to assess and collect a representative sample.

7. References

Anderson, J.M., Anderson, H.M., 1985. Palaeoflora of Southern Africa: Prodrum of South African megaflores, Devonian to Lower Cretaceous. A.A. Balkema, Rotterdam. 423 pp.

Bordy, E.M., Spelman, S., Cole, D.I., Mthembo, P., 2007. Lithostratigraphy of the Pietermaritzburg Formation (Ecca Group, Karoo Supergroup), South Africa. *South African Journal of Geology* 120, 293-302.

Johnson, M.R., van Vuuren, C.J., Visser, J.N.J., Cole, D.I., Wickens, H.deV., Christie, A.D.M., Roberts, D.L., Brandl, G., 2006. Sedimentary rocks of the Karoo Supergroup. In: Johnson, M.R., Anhaeusser, C.R. and Thomas, R.J., (Eds). *The Geology of South Africa*. Geological Society of South Africa, Johannesburg / Council for Geoscience, Pretoria. Pp 461 – 499.

Plumstead, E.P., 1969. Three thousand million years of plant life in Africa. *Geological Society of southern Africa, Annexure to Volume LXXII*. 72pp + 25 plates.

8. Chance Find Protocol

Monitoring Programme for Palaeontology – to commence once the excavations begin.

1. The following procedure is only required if fossils are seen on the surface and when excavations commence.
2. When excavations begin the rocks and must be given a cursory inspection by the environmental officer or designated person. Any fossiliferous material (trace fossils, plants, insects, bone, coal) should be put aside in a suitably protected place. This way the project activities will not be interrupted.
3. Photographs of similar trace fossils must be provided to the developer to assist in recognizing the fossils in the shales and mudstones (for example see Figure 4). This information will be built into the EMPr's training and awareness plan and procedures.
4. Photographs of the putative fossils can be sent to the palaeontologist for a preliminary assessment.
5. If there is any possible fossil material found by the developer/environmental officer/project manager then the qualified palaeontologist sub-contracted for this project, should visit the site to inspect the selected material and check the dumps where feasible.
6. Fossil plants or vertebrates that are considered to be of good quality or scientific interest by the palaeontologist must be removed, catalogued and housed in a suitable institution where they can be made available for further study. Before the fossils are removed from the site a SAHRA permit must be obtained. Annual reports must be submitted to SAHRA as required by the relevant permits.
7. If no good fossil material is recovered then no site inspections by the palaeontologist will be necessary. A final report by the palaeontologist must be sent to SAHRA once the project has been completed and only if there are fossils.
8. If no fossils are found and the excavations have finished then no further monitoring is required.

Appendix A – Examples of trace fossils



Figure 4: the ubiquitous trace fossil *Skolithos*, vertical burrows that were made by annelid worms. (Photo from Moody, R., 1994, Practical Guide to Fossils. Hamlyn, London).

Appendix B – Details of specialist

Curriculum vitae (short) - Marion Bamford PhD January 2020

i) Personal details

Surname : **Bamford**
First names : **Marion Kathleen**
Present employment : Professor; Director of the Evolutionary Studies Institute.
Member Management Committee of the NRF/DST Centre of Excellence Palaeosciences, University of the Witwatersrand, Johannesburg, South Africa-
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ii) Academic qualifications

Tertiary Education: All at the University of the Witwatersrand:

1980-1982: BSc, majors in Botany and Microbiology. Graduated April 1983.

1983: BSc Honours, Botany and Palaeobotany. Graduated April 1984.

1984-1986: MSc in Palaeobotany. Graduated with Distinction, November 1986.

1986-1989: PhD in Palaeobotany. Graduated in June 1990.

iii) Professional qualifications

Wood Anatomy Training (overseas as nothing was available in South Africa):

1994 - Service d'Anatomie des Bois, Musée Royal de l'Afrique Centrale, Tervuren, Belgium, by Roger Dechamps

1997 - Université Pierre et Marie Curie, Paris, France, by Dr Jean-Claude Koeniguer

1997 - Université Claude Bernard, Lyon, France by Prof Georges Barale, Dr Jean-Pierre Gros, and Dr Marc Philippe

iv) Membership of professional bodies/associations

Palaeontological Society of Southern Africa

Royal Society of Southern Africa - Fellow: 2006 onwards

Academy of Sciences of South Africa - Member: Oct 2014 onwards

International Association of Wood Anatomists - First enrolled: January 1991

International Organization of Palaeobotany – 1993+

Botanical Society of South Africa

South African Committee on Stratigraphy – Biostratigraphy - 1997 - 2016

SASQUA (South African Society for Quaternary Research) – 1997+

PAGES - 2008 –onwards: South African representative

ROCEEH / WAVE – 2008+

INQUA – PALCOMM – 2011+onwards

vii) Supervision of Higher Degrees

All at Wits University

Degree	Graduated/completed	Current
Honours	7	0
Masters	10	4
PhD	12	5
Postdoctoral fellows	10	3

viii) Undergraduate teaching

Geology II – Palaeobotany GEOL2008 – average 65 students per year

Biology III – Palaeobotany APES3029 – average 25 students per year

Honours – Evolution of Terrestrial Ecosystems; African Plio-Pleistocene Palaeoecology;

Micropalaeontology – average 2-8 students per year.

ix) Editing and reviewing

Editor: *Palaeontologia africana*: 2003 to 2013; 2014 – Assistant editor

Guest Editor: *Quaternary International*: 2005 volume

Member of Board of Review: *Review of Palaeobotany and Palynology*: 2010 –

Cretaceous Research: 2014 –

Journal of African Earth Sciences: 2020 -

Review of manuscripts for ISI-listed journals: 25 local and international journals

x) Palaeontological Impact Assessments

Selected – list not complete:

- Thukela Biosphere Conservancy 1996; 2002 for DWAF
- Vioolsdrift 2007 for Xibula Exploration
- Rietfontein 2009 for Zitholele Consulting
- Bloeddrift-Baken 2010 for TransHex
- New Kleinfontein Gold Mine 2012 for Prime Resources (Pty) Ltd.
- Thabazimbi Iron Cave 2012 for Professional Grave Solutions (Pty) Ltd
- Delmas 2013 for Jones and Wagener
- Klipfontein 2013 for Jones and Wagener
- Platinum mine 2013 for Lonmin
- Syferfontein 2014 for Digby Wells
- Canyon Springs 2014 for Prime Resources
- Kimberley Eskom 2014 for Landscape Dynamics
- Yzermyne 2014 for Digby Wells
- Matimba 2015 for Royal HaskoningDV
- Commissiekraal 2015 for SLR
- Harmony PV 2015 for Savannah Environmental
- Glencore-Tweefontein 2015 for Digby Wells
- Umkomazi 2015 for JLB Consulting
- Ixia coal 2016 for Digby Wells
- Lambda Eskom for Digby Wells

- Alexander Scoping for SLR
- Perseus-Kronos-Aries Eskom 2016 for NGT
- Mala Mala 2017 for Henwood
- Modimolle 2017 for Green Vision
- Klipoortjie and Finaalspan 2017 for Delta BEC
- Ledjadja borrow pits 2018 for Digby Wells
- Lungile poultry farm 2018 for CTS
- Olienhout Dam 2018 for JP Celliers
- Isondlo and Kwasobabili 2018 for GCS
- Kanakies Gypsum 2018 for Cabanga
- Nababeep Copper mine 2018
- Glencore-Mbali pipeline 2018 for Digby Wells
- Remhoogte PR 2019 for A&HAS
- Bospoort Agriculture 2019 for Kudzala
- Overlooked Quarry 2019 for Cabanga
- Richards Bay Powerline 2019 for NGT
- Eilandia dam 2019 for ACO
- Eastlands Residential 2019 for HCAC
- Fairview MR 2019 for Cabanga
- Graspan project 2019 for HCAC
- Lieliefontein N&D 2019 for Enviropro

xi) Research Output

Publications by M K Bamford up to December 2019 peer-reviewed journals or scholarly books: over 140 articles published; 5 submitted/in press; 8 book chapters.

Scopus h-index = 27; Google scholar h-index = 32; i10-index = 80

Conferences: numerous presentations at local and international conferences.

xii) NRF Rating

NRF Rating: B-2 (2016-2020)

NRF Rating: B-3 (2010-2015)

NRF Rating: B-3 (2005-2009)

NRF Rating: C-2 (1999-2004)