# PALAEONTOLOGICAL FIELD ASSESSMENT FOR THE PROPOSED NEW LIFESTYLE CENTRE ON ERF 1C, POSTMASBURG, NORTHER CAPE PROVINCE

Compiled for:

**KUMBA IRON ORE** 

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Prepared by
Banzai Environmental
18 May 2020

#### **Declaration of Independence**

I, Elize Butler, declare that -

#### General declaration:

- I act as the independent palaeontological specialist in this application
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favorable to the applicant
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting palaeontological impact assessments, including knowledge of the Act, Regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, Regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in section 38 of the NHRA when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing any decision to be taken with respect to the application by the competent authority; and the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favorable to the applicant or not
- All the particulars furnished by me in this form are true and correct;
- I will perform all other obligations as expected a palaeontological specialist in terms
  of the Act and the constitutions of my affiliated professional bodies; and
- I realize that a false declaration is an offense in terms of regulation 71 of the Regulations and is punishable in terms of section 24F of the NEMA.

## **Disclosure of Vested Interest**

I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Regulations.

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**SIGNATURE:** 

This Palaeontological Impact Assessment report has been compiled considering the National Environmental Management Act 1998 (NEMA) and Environmental Impact Regulations 2014 as amended, requirements for specialist reports, Appendix 6, as indicated in the table below.

Table 1 - NEMA Table

		Comment
Requirements of Appendix 6 – GN R326 EIA	Relevant section in	where not
Regulations of 7 April 2017	report	applicable.
	Page ii and Section 2	-
	of Report - Contact	
	details and company	
1.(1) (a) (i) Details of the specialist who prepared the report	and Appendix A	
(ii) The expertise of that person to compile a specialist	Section 2 - refer to	-
report including a curriculum vita	Appendix A	
(b) A declaration that the person is independent in a form	Page ii of the report	-
as may be specified by the competent authority	r age if of the report	
(c) An indication of the scope of, and the purpose for	Section 4 – Objective	-
which, the report was prepared	Section 4 – Objective	
	Section 5 -	-
	Geological and	
(cA) An indication of the quality and age of base data	Palaeontological	
used for the specialist report	history	
(cB) a description of existing impacts on the site,		-
cumulative impacts of the proposed development	Section 10	
and levels of acceptable change;		
(d) The duration, date and season of the site		
investigation and the relevance of the season to the	Section 11	
outcome of the assessment		
(e) a description of the methodology adopted in		-
preparing the report or carrying out the specialised	Section 7 Approach	
process inclusive of equipment and modelling used	and Methodology	
(f) details of an assessment of the specific identified		
sensitivity of the site related to the proposed activity		
or activities and its associated structures and		
infrastructure, inclusive of a site plan identifying site		
alternatives;	Section 1 and 10	
		No buffers or
		areas of
(g) An identification of any areas to be avoided, including		sensitivity
buffers	Section 5	identified
(h) A map superimposing the activity including the	Section 5 -	
associated structures and infrastructure on the	Geological and	

		Comment
Requirements of Appendix 6 – GN R326 EIA	Relevant section in	where not
Regulations of 7 April 2017	report	applicable.
environmental sensitivities of the site including areas	Palaeontological	
to be avoided, including buffers;	history	
	Section 7.1 -	-
(i) A description of any assumptions made and any	Assumptions and	
uncertainties or gaps in knowledge;	Limitation	
(j) A description of the findings and potential implications		
of such findings on the impact of the proposed		
activity, including identified alternatives, on the	Section 1 and 11	
environment		
(k) Any mitigation measures for inclusion in the EMPr	Section 12	
(I) Any conditions for inclusion in the environmental		None
authorisation	N/A	required
(m) Any monitoring requirements for inclusion in the		-
EMPr or environmental authorisation	Section 12	
(n)(i) A reasoned opinion as to whether the proposed	Section 1 and 11	
activity, activities or portions thereof should be		
authorised and		
(n)(iA) A reasoned opinion regarding the acceptability		
of the proposed activity or activities; and		
(n)(ii) If the opinion is that the proposed activity,		-
activities or portions thereof should be authorised,		
any avoidance, management and mitigation	Section 1 and 11	
measures that should be included in the EMPr,		
and where applicable, the closure plan		
		Not
		applicable. A
		public
		consultation
		process will
		be conducted
(o) A description of any consultation process that was		as part of the
undertaken during the course of carrying out the		EIA and EMPr
study	N/A	process.
(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		Not
authority.	N/A	applicable.
	ı	ı

		Comment
Requirements of Appendix 6 – GN R326 EIA	Relevant section in	where not
Regulations of 7 April 2017	report	applicable.
(2) Where a government notice by the Minister provides for any protocol or minimum information requirement to be applied to a specialist report, the requirements as indicated in such notice will apply.	Section 3 compliance with SAHRA guidelines	

#### **EXECUTIVE SUMMARY**

Banzai Environmental was appointed by Kumba Iron Ore to conduct the Palaeontological Field Assessment (PIA) to assess the proposed Multi-Purpose Lifestyle Complex (MPLC) Development in Postmasburg, Z F Mgcawu District, Northern Cape. The National Heritage Resources Act (No 25 of 1999, section 38) (NHRA), states that a Palaeontological Impact Assessment (PIA) is necessary to determine if fossil heritage is present in the planned development. This PIA is thus necessary to evaluate the effect of the construction on the palaeontological resources.

The development footprint is in the Transvaal Basin and is completely underlain by the Campbell Rand Subgroup, Ghaap Group, Transvaal Supergroup. The Campbell Rand Subgroup comprise of shallow marine and lacustrine stromatolites, coccoid and filamentous organic walled microfossils in siliciclastics or carbonates, oolites, pisolites in carbonates and cherts of banded iron formations. Formations with carbonate rocks are paleontologically sensitive.

A site-specific field survey of the development footprint was conducted on foot and by motor vehicle on 14 March 2020. No visible evidence of fossiliferous outcrops was found. However, these readily weathered bedrocks are poorly exposed in the flat-lying study area. The scarcity of fossil heritage at the proposed development footprint indicates that the impact of the Multi-Purpose Lifestyle Complex Development in Postmasburg will be of a low significance in palaeontological terms. It is therefore considered that the proposed development is deemed appropriate and feasible and will not lead to detrimental impacts on the palaeontological reserves of the area. Thus, the construction of the development may be authorised in its whole extent, as the development footprint is not considered sensitive in terms of palaeontological resources.

If fossil remains or trace fossils are discovered during any phase of construction, either on the surface or exposed by excavations the **Chance Find Protocol** must be implemented by the Environmental Control Officer (ECO) in charge of these developments. These discoveries ought to be protected and the ECO must report to SAHRA (Contact details: SAHRA, 111 Harrington Street, Cape Town. PO Box 4637, Cape Town 8000, South Africa. Tel: 021 462 4502. Fax: +27 (0)21 462 4509. Web: <a href="www.sahra.org.za">www.sahra.org.za</a>) so that mitigation can be carry out by a paleontologist.

It is consequently recommended that no further palaeontological heritage studies, ground truthing and/or specialist mitigation are required pending the discovery of newly discovered fossils.

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# 1 INTRODUCTION

Kumba Iron Ore (Pty) Ltd plans to Develop the Multi-Purpose Lifestyle Complex on Erf 1 (part c) in Postmasburg. The proposed development will be approximately 2.80 ha in extent (Figure 1-3).

The development will comprise of the following infrastructure:

- Restaurant;
- After-school facility;
- Arts & Culture Gallery;
- Boma;
- Meeting Rooms;
- Multi-Purpose Hall;
- and Offices.

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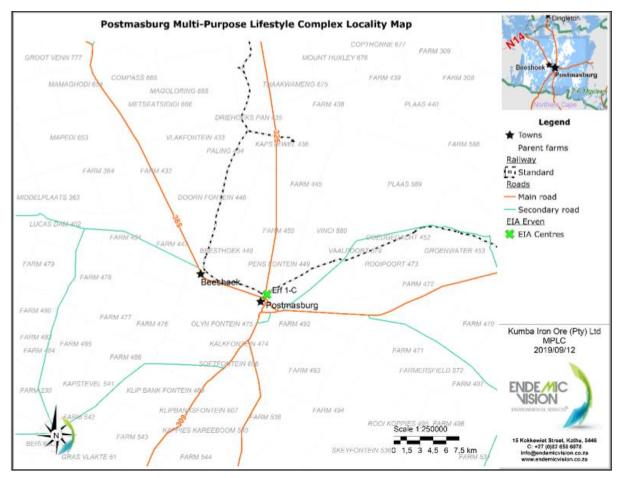


Figure 1: Locality of the Multi-Purpose Lifestyle Complex in Postmasburg, Northern Cape.

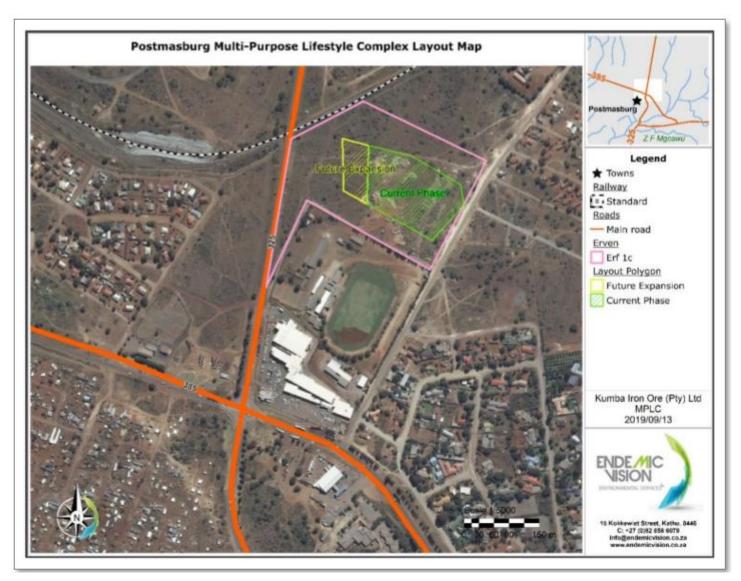


Figure 2: Google Earth Image (2020) indicating the locality of the Multi-Purpose Lifestyle Complex in Postmasburg, Northern Cape.

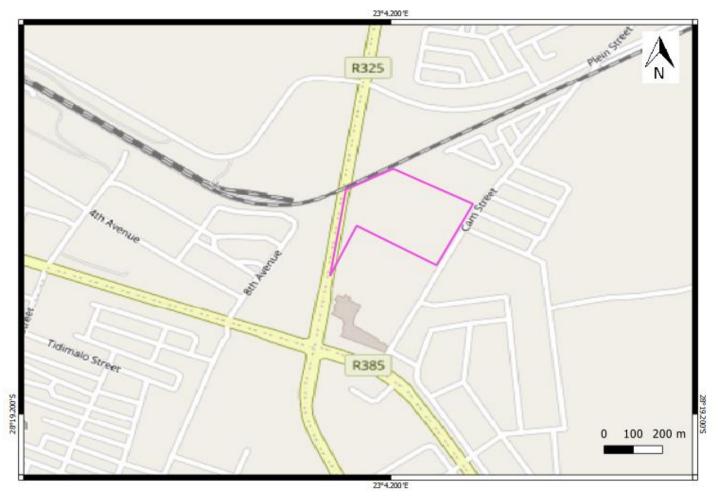


Figure 3: Close-up locality of the Multi-Purpose Lifestyle Complex in Postmasburg, Northern Cape.

#### 2 QUALIFICATIONS AND EXPERIENCE OF THE AUTHOR

The author (Elize Butler) has an MSc in Palaeontology from the University of the Free State, Bloemfontein, South Africa. She has been working in Palaeontology for more than twenty-six years. She has experience in locating, collecting, and curating fossils, including exploration field trips in search of new localities in the Karoo Basin. She has been a member of the Palaeontological Society of South Africa for 14 years. She has been conducting PIAs since 2014.

#### 3 LEGISLATION

## 3.1 National Heritage Resources Act (25 of 1999)

Cultural Heritage in South Africa, includes all heritage resources, is protected by the National Heritage Resources Act (Act 25 of 1999) (NHRA). Heritage resources as defined in Section 3 of the Act include "all objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens".

Palaeontological heritage is unique and non-renewable and is protected by the NHRA. Palaeontological resources may not be unearthed, broken moved, or destroyed by any development without prior assessment and without a permit from the relevant heritage resources authority as per section 35 of the NHRA.

This Palaeontological Impact Assessment forms part of the Heritage Impact Assessment (HIA) and adhere to the conditions of the Act. According to **Section 38 (1)**, a HIA is required to assess any potential impacts to palaeontological heritage within the development footprint where:

- the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- the construction of a bridge or similar structure exceeding 50m in length;
- any development or other activity which will change the character of a site
  - a. (exceeding 5 000 m<sup>2</sup> in extent; or
  - b. involving three or more existing erven or subdivisions thereof; or
  - c. involving three or more erven or divisions thereof which have been consolidated within the past five years; or
  - d. the costs of which will exceed a sum set in terms of regulations by SAHRA or a provincial heritage resources authority
  - e. the re-zoning of a site exceeding 10 000m<sup>2</sup> in extent;
- or any other category of development provided for in regulations by SAHRA or a Provincial heritage resources authority.

#### 4 OBJECTIVE

The objective of a Palaeontological Impact Assessment (PIA) is to determine the impact of the development on potential palaeontological material at the site.

According to the "SAHRA APM Guidelines: Minimum Standards for the Archaeological and Palaeontological Components of Impact Assessment Reports" the aims of the PIA are: 1) to **identify** the palaeontological status of the exposed as well as rock formations just below the surface in the development footprint 2) to estimate the **palaeontological importance** of the formations 3) to determine the **impact** on fossil heritage; and 4) to recommend how the developer ought to protect or mitigate damage to fossil heritage.

The terms of reference of a PIA are as follows:

#### **General Requirements:**

- Adherence to the content requirements for specialist reports in accordance with Appendix
   6 of the EIA Regulations 2014, as amended;
- Adherence to all applicable best practice recommendations, appropriate legislation and authority requirements;
- Submit a comprehensive overview of all appropriate legislation, guidelines;
- Description of the proposed project and provide information regarding the developer and consultant who commissioned the study;
- Description and location of the proposed development and provide geological and topographical maps;
- Provide Palaeontological and geological history of the affected area;
- Identification sensitive areas to be avoided (providing shapefiles/kmls) in the proposed development;
- Evaluation of the significance of the planned development during the Pre-construction,
   Construction, Operation, Decommissioning Phases and Cumulative impacts. Potential impacts should be rated in terms of the direct, indirect and cumulative:
  - a. **Direct impacts** are impacts that are caused directly by the activity and generally occur at the same time and at the place of the activity.
  - b. **Indirect impacts** of an activity are indirect or induced changes that may occur as a result of the activity.
  - c. Cumulative impacts are impacts that result from the incremental impact of the proposed activity on a common resource when added to the impacts of other past, present or reasonably foreseeable future activities.
- Fair assessment of alternatives (infrastructure alternatives have been provided);
- Recommend mitigation measures to minimise the impact of the proposed development;
   and

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Implications of specialist findings for the proposed development (such as permits, licenses etc).

#### **GEOLOGICAL AND PALAEONTOLOGICAL HISTORY** 5

The proposed Multi-Purpose Lifestyle Complex Development in Postmasburg, Z F Mgcawu District, Northern Cape is indicated on the 1:250 000 2822 Postmasburg Geological map (Council of Geoscience). The development footprint is in the Transvaal Basin and is completely underlain by the Precambrian carbonate rocks of the Campbell Rand Subgroup, Ghaap Group, Transvaal Supergroup (Figure 4-5).

In Griqualand West, the Ghaap Group can be divided into the Schmidsfrift, Campbell Rand, Asbestos Hills and Koegas Subgroups (Beukes, 1983) (Figure 5). The Campbell Rand Subgroup consist of several sedimentary facies in the Ghaap Plateau and Prieska sub-basins while the Schmidsdrift Subgroup is similar over the whole Griqualand West Basin. The Ghaap Plato spans approximately 200 million years and is about 2432 million years old (Eriksson, 2006). The Campbell Rand Subgroup comprise of dolomite and limestone and overlies the Schmidtsdrif Subgroup conformably. The latter comprise of siliciclastic and carbonate rocks and in turn is overlain by the Asbes Hills Subgroup of the Ghaap Group.

The Ghaap Plateau facies is divided in the following formations:

- the Reivilo Formation (manganiferous dolomite consisting of giant domes and columnar stromatolites, which is capped by a banded ferruginous chert);
- the Fairfield Formation (dolomite with columns and giant domes, light grey coarse-grained dolomite and fenestrated dolomite);
- the Klipfonteinheuwel Formation (light grey, coarse-grained, cherty dolomite);
- the Papkuil Formation (dark grey, algal laminated dolomite); and
- the Kogelbeen Formation (algal laminated dolomite capped by Lime Acres limestone).

The Prieska facies contains the Nauga Formation which consist of limestone with shale, clasticalgal laminated carbonaceous dolomite; banded ferruginous chert and basic tuffs) while the Naute Shale consists of carbonaceous shale and chert). The Gamohaan and Monteville Formations represent two divisions of the Prieska facies which occur respectively at the top and base of the Ghaap Plateau facies.

11 June 2020 Page 6 The Campbell Rand Subgroup comprise of shallow marine and lacustrine stromatolites, coccoid and filamentous organic walled microfossils in siliciclastics or carbonates, oolites, pisolites in carbonates and cherts of banded iron formations. The assortment of stromatolites (microbial laminates), range from supratidal mats to intertidal columns and large subtidal domes (Eriksson *et al.* 2006). Stromatolites are layered mounds, columns and sheet-like sedimentary rocks (Figure 6). These structures were originally formed by the growth of layer upon layer of cyanobacteria, a single-celled photosynthesizing microbe. Cyanobacteria are prokaryotic cells (simplest form of modern carbon-based life). Stromatolites are first found in Precambrian rocks and are known as the earliest known fossils. The oxygen atmosphere that we depend on today was generated by numerous cyanobacteria photosynthesizing during the Archaean and Proterozoic Era. Stromatolites and oolites from the Transvaal Supergroup have been described by various authors (Eriksson and Altermann, 1998). Detailed descriptions of South African Archaean stromatolites are available in the literature (Altermann, 2001; Buick, 2001; and Schopf, 2006.

The stromatolites of the Campbell Rand Subgroup are significant indicators of palaeoenvironments (MacRae, 1999; McCarthy and Rubidge, 2005; Johnson et al 2006).

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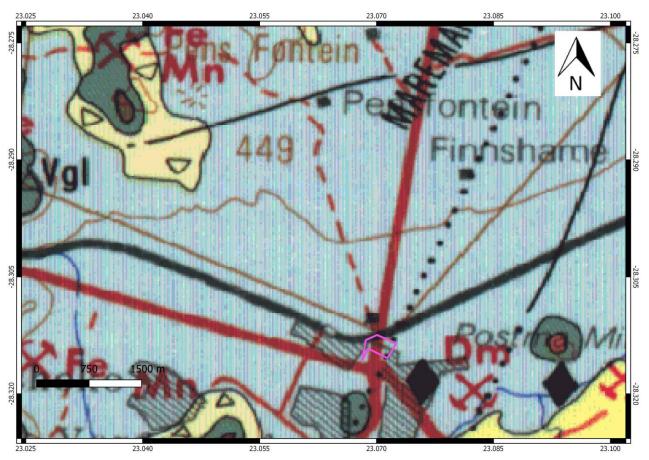


Figure 4: Extract of the 1:250 000 2822 Postmasburg Geological map (Council of Geoscience) of the proposed Multi-Purpose Lifestyle Complex Development in Postmasburg, Z F Mgcawu District, Northern Cape (development footprint indicated in pink). Map drawn by QGIS 2.18.28.

# Legend to Map and short explanation

Vgl- Campbell Rand Subgroup, Ghaap Group, Transvaal Supergroup

# Mining

Dm-diamonds

Fe-iron

Mn - Magnesium

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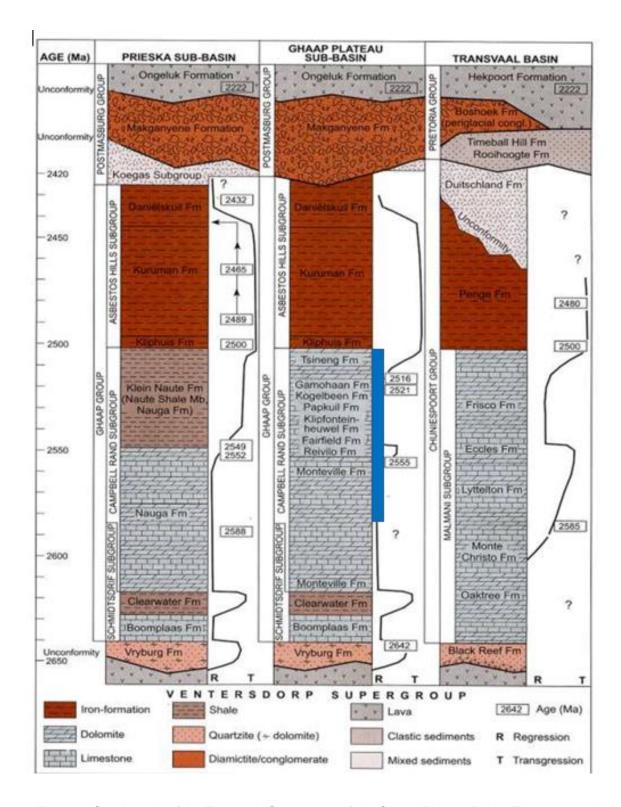


Figure 5: Stratigraphy of the Transvaal Supergroup of the Ghaap Plateau Basin. The proposed development is indicated in blue (Eriksson, et al. 2006).

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Figure 6: Example of a well-preserved stromatolite from the Archaean Era.

#### 6 GEOGRAPHICAL LOCATION OF THE SITE

The proposed development is situated alongside the R325 as you enter Postmasburg. It is about 250 m North of the Sibilo Shopping Centre and South of the Railway line in Postmasburg, Tsantsabane Local Municipality, Northern Cape Province. The development is 8.15 ha in extent (Figure 1-3).

#### 7 METHODS

The aim of a Palaeontological Impact Assessment is to evaluate the risk to palaeontological heritage in the proposed development. This include all trace fossils and fossils. All available information is consulted to compile a PIA and includes: Palaeontological impact assessment reports in the same area; aerial photos and Google Earth images, topographical as well as geological maps.

# 7.1 Assumptions and Limitations

The focal point of geological maps is the geology of the area and the sheet explanations were not meant to focus on palaeontological heritage. Many inaccessible regions of South Africa have never

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been reviewed by palaeontologists and data is generally based on aerial photographs alone. Locality and geological information of museums and universities databases have not been kept up to date or data collected in the past have not always been accurately documented.

Comparable Assemblage Zones in other areas is sourced to provide information on the existence of fossils in an area which was not documented in the past. When using similar Assemblage Zones and geological formations for Desktop studies it is generally **assumed** that exposed fossil heritage is present within the footprint. **A field-assessment will thus improve the accuracy of the desktop assessment.** 

#### 8 ADDITIONAL INFORMATION CONSULTED

In compiling this report the following sources were consulted:

- Geological map 1:100 000, Geology of the Republic of South Africa (Visser 1984);
- 1: 250 000 2822 Postmasburg Geological map (Council of Geoscience);
- A Google Earth map with polygons of the proposed development was obtained from EndemicVision Environmental Services (Pty) Ltd.

#### 9 SITE VISIT

As part of the PIA, a field-survey of the development footprint was conducted on 14 March 2020, to assess the potential risk to palaeontological material (fossil and trace fossils) in the proposed footprint of the development. The results of the field-survey, the author's experience, aerial photos (using Google Earth, 2018), topographical and geological maps and other reports from the same area were used to assess the proposed development footprint. The Precambrian Campbell Rand Subgroup that underlie the study area may contain well-preserved stromatolites. But, these readily weathered bedrocks are poorly exposed in the flat-lying study area. No public consultations were undertaken for this Impact Assessment as it will be undertaken as part of the EIA process.



Figure 7: Low vegetation with a few trees in the development area.



Figure 8: Low vegetation with small trees and shrubs and evidence of human activities in the development area.



Figure 9: Building rubble in the centre of the proposed development footprint.

# 10 IMPACT ASSESSMENT METHODOLOGY

Aspect	Description	Weight	Significance Rating	Weight	Score Color
Duration	Short term	1	(Duration, Scale, Morobability	/lagnitude) x	
	Medium term	3			
	Long term	4			
	<b>Permanent</b>	4 <mark>5</mark> 1 2	Negligible	<20	X
Scale/Extent	<mark>Site</mark>	<mark>1</mark>			
	Local	2			
	Regional	3	Low	<40	
Magnitude/Severity	Low	2			
	<b>Medium</b>	<mark>6</mark>			
	High	8	Moderate	<60	
Probability	I <mark>mprobable</mark>	1			
	Probable	2			
	Highly	4	High	>60	
	Probable	5	_		
	Definite				

#### **EVALUATION OF CUMULATIVE IMPACTS**

Cumulative effects are a result of effects that act together (including those from concurrent or planned future third party activities) to affect the same resources and/or receptors as the project under consideration (eg the combined effect of other similar projects in the general area). An effect to a resource in itself may not be considered significant but may become significant when added to the existing and potential effects eventuating from similar or diverse developments in the area.

Cumulative effects have been defined as "changes to the environment that are caused by an action in combination with other past, present and future human actions" (Hegmann et al 1999).

RESIDUAL IMPACT EVALUATION	Residual impacts are defined as those impacts that remain following the implementation of mitigation
Negligible	Residual impact does not affect structure, function or processes
Low	Residual impact affect some structure, but system is still functional
Moderate	Residual impact affect structure and function by less than 50% of original quality
High	Residual impact affect structure and function by more than 50% of original quality

Probability: This describes the likelihood of the impact actually occurring.

**Improbable:** The possibility of the impact occurring is very low, due to the circumstances, design or experience.

**Probable:** There is a probability that the impact will occur to the extent that provision must be made therefore.

Highly Probable: It is most likely that the impact will occur at some stage of the development

**Definite:** The impact will take place regardless of any prevention plans, and there can only be relied on mediatory actions or contingency plans to contain the effect.

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# **Duration: The lifetime of the impact.**

Short term: The impact will either disappear with mitigation or will be mitigated through natural processes in a time span shorter than any of the phases.

Medium term: The impact will last up to the end of the phases, where after it will be negated. Long term: The impact will last for the entire operational phase of the project but will be mitigated by direct human action or by natural processes thereafter.

**Permanent:** Impact that will be non-transitory. Mitigation either by man or natural processes will not occur in such a way or in such a time span that the impact can be considered transient.

## Scale: The physical and spatial size of the impact

Site: The impacted area extends only as far as the activity, e.g. footprint

Local: The impact could affect the whole, or a measurable portion of the above mentioned properties and adjacent properties.

Regional: The impact could affect the area including the neighbouring residential areas.

#### Magnitude/ Severity: Does the impact destroy the environment, or alter its function.

Low: The impact alters the affected environment in such a way that natural processes are not affected.

Medium: The affected environment is altered, but functions and processes continue in a modified way.

High: Function or process of the affected environment is disturbed to the extent where it temporarily or permanently ceases.

Significance: This is an indication of the importance of the impact in terms of both physical extent and time scale, and therefore indicates the level of mitigation required.

Negligible: The impact is non-existent or unsubstantial and is of no or little importance to any stakeholder and can be ignored.

Low: The impact is limited in extent, has low to medium intensity; whatever its probability of occurrence is, the impact will not have a material effect on the decision and is likely to require management intervention with increased costs.

Moderate: The impact is of importance to one or more stakeholders, and its intensity will be medium or high; therefore, the impact may materially affect the decision, and management intervention will be required.

High: The impact could render development options controversial or the project unacceptable if it cannot be reduced to acceptable levels; and/or the cost of management intervention will be a significant factor in mitigation.

(Duration, Scale, Magnitude) x probability = (5x1x6)

## 10.1 Summary of Impact Tables

The development footprint is in the Transvaal Basin and is completely underlain by the Campbell Rand Subgroup, Ghaap Group, Transvaal Supergroup.

Loss of fossil heritage will be a negative impact. Only the site will be affected by the proposed development. The expected duration of the impact is assessed as potentially permanent. In the absence of mitigation procedures, the damage or destruction of any palaeontological materials will be permanent. Impacts on palaeontological heritage during the construction phase could potentially occur but are regarded as having a low probability. The significance of the impact occurring will be low.

#### 11 FINDINGS AND RECOMMENDATIONS

The development footprint is in the Transvaal Basin and is completely underlain by the Campbell Rand Subgroup, Ghaap Group, Transvaal Supergroup. The Campbell Rand Subgroup comprise of shallow marine and lacustrine stromatolites, coccoid and filamentous organic walled microfossils in siliciclastics or carbonates, oolites, pisolites in carbonates and cherts of banded iron formations. Formations with carbonate rocks are most paleontologically sensitive.

A site-specific field survey of the development footprint was conducted on foot and by motor vehicle on 14 March 2020. No visible evidence of fossiliferous outcrops was found. However, these readily weathered bedrocks are poorly exposed in the flat-lying study area. The scarcity of fossil heritage at the proposed development footprint indicates that the impact of the Multi-Purpose Lifestyle Complex Development in Postmasburg will be of a low significance in palaeontological terms. It is therefore considered that the proposed development is deemed appropriate and feasible and will not lead to detrimental impacts on the palaeontological reserves of the area. Thus, the construction of the development may be authorised in its whole extent, as the development footprint is not considered sensitive in terms of palaeontological resources.

If fossil remains or trace fossils are discovered during any phase of construction, either on the surface or exposed by excavations the **Chance Find Protocol** must be implemented by the Environmental Control Officer (ECO) in charge of these developments. These discoveries ought to be protected and the ECO must report to SAHRA (Contact details: SAHRA, 111 Harrington Street, Cape Town. PO Box 4637, Cape Town 8000, South Africa. Tel: 021 462 4502. Fax: +27 (0)21 462 4509. Web: <a href="www.sahra.org.za">www.sahra.org.za</a>) so that mitigation can be carry out by a paleontologist.

It is consequently recommended that no further palaeontological heritage studies, ground truthing and/or specialist mitigation are required pending the discovery of newly discovered fossils.

#### 12 CHANCE FINDS PROTOCOL

A following procedure will only be followed if fossils are uncovered during excavation.

# 12.1 Legislation

Cultural Heritage in South Africa (includes all heritage resources) is protected by the **National Heritage Resources Act (Act 25 of 1999) (NHRA).** According to Section 3 of the Act, all Heritage resources include "all objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens".

Palaeontological heritage is unique and non-renewable and is protected by the NHRA and are the property of the State. It is thus the responsibility of the State to manage and conserve fossils on behalf of the citizens of South Africa. Palaeontological resources may not be excavated, broken, moved, or destroyed by any development without prior assessment and without a permit from the relevant heritage resources authority as per section 35 of the NHRA.

#### 12.2 Background

A fossil is the naturally preserved remains (or traces) of plants or animals embedded in rock. These plants and animals lived in the geologic past millions of years ago. Fossils are extremely rare and irreplaceable. By studying fossils, it is possible to determine the environmental conditions that existed in a specific geographical area millions of years ago.

#### 12.3 Introduction

This informational document is intended for workmen and foremen on construction sites. It describes the actions to be taken when mining or construction activities accidentally uncovers fossil material.

It is the responsibility of the Environmental Site Officer (ESO) or site manager of the project to train the workmen and foremen in the procedure to follow when a fossil is accidentally uncovered. In the absence of the ESO, a member of the staff must be appointed to be responsible for the proper implementation of the chance find protocol as not to compromise the conservation of fossil material.

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#### 12.4 Chance Find Procedure

- If a chance find is made the person responsible for the find must immediately stop working and all work that could impact that finding must cease in the immediate vicinity of the find.
- The person who made the find must immediately report the find to his/her direct supervisor which in turn must report the find to his/her manager and the ESO or site manager. The ESO or site manager must report the find to the relevant Heritage Agency (South African Heritage Research Agency, SAHRA). (Contact details: SAHRA, 111 Harrington Street, Cape Town. PO Box 4637, Cape Town 8000, South Africa. Tel: 021 462 4502. Fax: +27 (0)21 462 4509. Web: www.sahra.org.za). The information to the Heritage Agency must include photographs of the find, from various angles, as well as the GPS co-ordinates.
- A preliminary report must be submitted to the Heritage Agency within 24 hours of the find and must include the following: 1) date of the find; 2) a description of the discovery and a 3) description of the fossil and its context (depth and position of the fossil), GPS coordinates.
- Photographs (the more the better) of the discovery must be of high quality, in focus, accompanied by a scale. It is also important to have photographs of the vertical section (side) where the fossil was found.

Upon receipt of the preliminary report, the Heritage Agency will inform the ESO (or site manager) whether a rescue excavation or rescue collection by a palaeontologist is necessary.

- The site must be secured to protect it from any further damage. No attempt should be made to remove material from their environment. The exposed finds must be stabilized and covered by a plastic sheet or sand bags. The Heritage agency will also be able to advise on the most suitable method of protection of the find.
- In the event that the fossil cannot be stabilized the fossil may be collected with extreme care by the ESO (site manager). Fossils finds must be stored in tissue paper and in an appropriate box while due care must be taken to remove all fossil material from the rescue site.
- Once Heritage Agency has issued the written authorization, the developer may continue with the development on the affected area.

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## Appendix A - Elize Butler CV

**CURRICULUM VITAE** 

**ELIZE BUTLER** 

PROFESSION: Palaeontologist

YEARS' EXPERIENCE: 26 years in Palaeontology

**EDUCATION:** B.Sc Botany and Zoology, 1988

University of the Orange Free State

B.Sc (Hons) Zoology, 1991

University of the Orange Free State

Management Course, 1991

University of the Orange Free State

M. Sc. Cum laude (Zoology), 2009

University of the Free State

**Dissertation title:** The postcranial skeleton of the Early Triassic non-mammalian Cynodont *Galesaurus planiceps*: implications for biology and lifestyle

#### **MEMBERSHIP**

Palaeontological Society of South Africa (PSSA) 2006-currently

**EMPLOYMENT HISTORY** 

Part-time Laboratory assistant Department of Zoology & Entomology

University of the Free State Zoology

1989-1992

Part-time laboratory assistant Department of Virology

University of the Free State Zoology

1992

Research Assistant National Museum, Bloemfontein 1993 –

1997

Principal Research Assistant National Museum, Bloemfontein

and Collection Manager 1998–currently

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Palaeontological field Assessment for the Proposed New Lifestyle Centre, Postmasburg, NC Province

11 June 2020 Page 30 **Butler, E. 2017.** Palaeontological Impact Assessment of the proposed upgrade of the Sandriver Canal and Klippan Pump station in Welkom, Free State Province. Bloemfontein.

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#### **INTERNATIONAL**

Attended the Society of Vertebrate Palaeontology 73<sup>th</sup> Conference in Los Angeles, America.

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#### **NATIONAL**

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#### **INTERNATIONAL VISITS**

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Paleontological Institute, Russian Academy of Science, Moscow

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