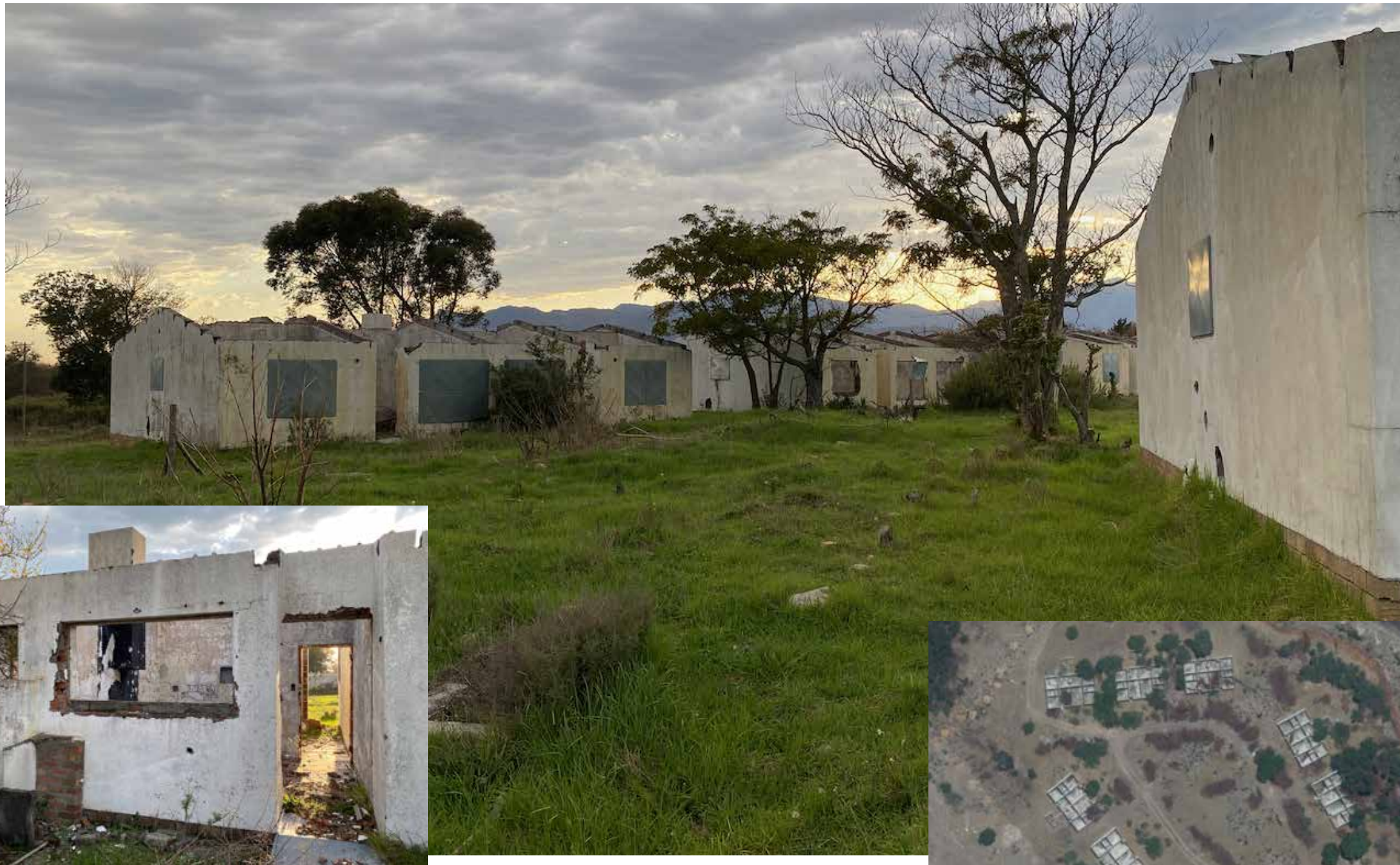


NEW RETREAT: HERITAGE IMPACT ASSESSMENT

HWC REF: 20032005SB0331E

Submitted in terms of Section 38(8) of the NHRA (1999) for
YORK FARM COTTAGES, R310, DWARS RIVER VALLEY, STELLENBOSCH, FARM 11/1674



Final Report

2 February 2022

Prepared by Rennie Scurr Adendorff on behalf of Boschendal (Pty) Ltd
for the Bertha Foundation

EXECUTIVE SUMMARY

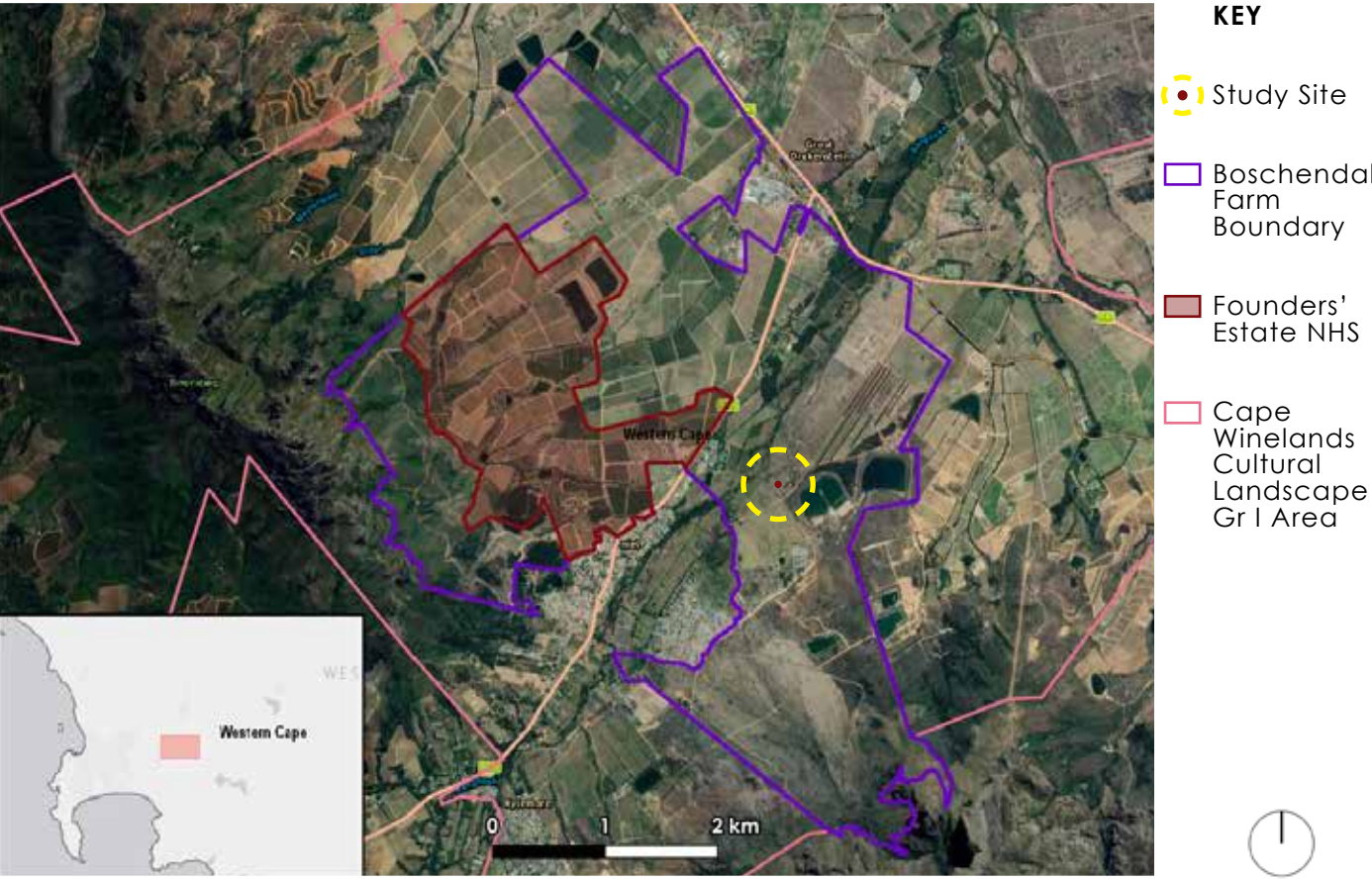
SITE NAME

York Farm Cottages, Boschendal Farm

LOCATION

Portion 11 of Farm 1674, off R310, Dwars River Valley, Groot Drakenstein, Stellenbosch; S 33°53'17.16" E 18°58'30.43" (Centroid)

LOCALITY PLAN



DEVELOPMENT DESCRIPTION

Bertha Foundation currently leases the existing Boschendal Retreat from Boschendal, sharing access to this facility with the farm. To meet their increasing grantee and community needs, Bertha is looking to develop a purpose designed facility on Portion 11 of Farm 1674. The site currently contains derelict farmworkers' cottages that will be re-purposed, and refurbished to house the facility. The extent of retention of existing form and fabric will vary across the site, with each cottage - or cottage cluster - adapted to suit its specific purpose within the site. This variable approach to alterations means that some cottages will remain largely unchanged, while others will be subject to fairly extensive internal and external demolitions and remodelling

HERITAGE RESOURCES IDENTIFIED

The cottages are devoid of architectural or aesthetic significance. Three tangible heritage resources exist within the wider study area. Two of these are sufficiently far from the development site to have little to no bearing on it: the old hostels at Thembaletu, and the new, municipal cemetery at Lanquedoc. The historic village of Lanquedoc itself lies outside of the Boschendal farm boundary, and is not visible from the site. The heritage resource that is a vital component of the site is the ou wapad, an historic route that runs from the R45 in the north to Lanquedoc, Pniël and Kylemore in the south.

The cultural landscape of this area of Boschendal is sufficiently different from the rest of the farm to be of interest as it does not conform to the usual pattern of planted fields, orchards and vineyards, white washed werfs and treed avenues and wind rows. More exposed, less tended, less 'tamed' this landscape is no less an outcome of the interaction of human agency and natural conditions, and remains intrinsically significant as well as a component part of the highly significant Boschendal and Cape Winelands cultural landscape.

No archaeological heritage was identified on site, and little of significance is expected. The history of the site as pasturage, rather than tended, cultivated vineyards and orchards, and its location some distance from the core historic werfs means that there is little historic period archaeological material anticipated. However, these factors do mean that any historic, or pre-Colonial archaeology present could be found in relatively undisturbed contexts. It is further worth noting that the highly significant Solms Delta Later Stone Age site was located in similar proximity to the Dwars River some 2km north of the area.

Intangible heritage is vested in the cottages themselves, as representative of a layer of social history and meaning that was disrupted and truncated by the removal of workers off Boschendal in the early 2000s. The social significance of the farm and the site is high given its long history of use, and the particular sensitivities arising from the unequal and discriminatory labour practices from the time of slavery to the recent past.

ANTICIPATED IMPACTS ON HERITAGE RESOURCES

No impacts are anticipated to the heritage resources of Lanquedoc, its cemetery, or Thembaletu due to the distance of these resources from the development site.

While there can be no impacts to architectural or aesthetic significance, the preferred hybrid design strategy across site allows for the retention of some cottages in largely unchanged form, while other cottages are demolished and rebuilt on the original footprint. Where demolition and rebuilding is necessary to adapt the site to suit the proposed uses, these new structures remain low key insertions in the landscape to ensure the final development is modest in scale and mass. External detailing is key to ensuring that interventions in extant buildings do not either elevate the form and fabric of the structures to significance they do not hold, nor renovate them beyond recognition.

Landscape impacts are mitigated by the location of the development at an area already transformed through the construction of the cottages in the 1980s. Further to this, the location of the site along the wapad alignment lends the development logic, meaning and context in terms of historical settlement, growth and development patterns. As such, this site is optimally suited to redevelopment, particularly where, such an intervention can serve to stitch together a landscape currently fragmented through poorly planned settlements, and generally neglected due to its limited agricultural potential.

Archaeological impacts are not anticipated to be high as little to no archaeology of significance, from either the historic or pre-Colonial period, is anticipated in this area. The possibility does exist, however, that LSA deposits like those uncovered at Solms Delta might occur here as the development area similarly occupies a site along the Dwars River on a rise.

In terms of social impacts, the proposed future use of the site to house the Bertha Foundation Retreat and Lalela children's NGO, offers an opportunity to enact some degree of socially conscientised redress at the site. Proposed expansion of the programs of these two organisations to include local communities, in their operational and programmatic activities, further provides a means for reconnecting former residents and local stakeholders with this site, the buildings and interstitial spaces, and the surrounding resources.

CONCLUSION

The York Farm cottages, by nature both of their location, form and condition, lend themselves well to development. Provided architectural interventions are low key, and detailing is carefully executed, the redevelopment of this site offers an opportunity to activate an otherwise underutilised part of the farm.

At this site, and within this 'East Precinct', this can be achieved without impacting agricultural productivity, significant built heritage or the highly sensitive cultural landscape that is more typical of the western portion of the farm.

Here there is an opportunity to revitalise a site that conforms to historical settlement patterns, by virtue of its location along a transport route between identified nodes, i.e. the R45 and Lanquedoc-Pniël-Kylemore. Furthermore, the lack of intrinsic significance in the built form and fabric offers an opportunity to redevelop the site in line with the client's needs without compromising heritage significance. This significance resides, rather, in memory and sense of place and these intangible forms of meaning can be embedded in a well-planned, carefully executed proposal, and enhanced by the proposed future use of the site to accommodate socially conscious organisations that can contribute to the local communities.

RECOMMENDATIONS

- It is recommended that this HIA be endorsed as fulfilling the terms of Section 38(3) of the National Heritage Resources Act (No. 25 of 1999).
- The strategy of hybrid redevelopment modes across the site should be employed, such that the reception/community centre is retained in largely unaltered form, and simply made fit for purpose. Other cottages can then be freely adapted without sacrificing the integrity and authenticity of the original settlement.
- Detailing should be low key to prevent misrepresentation of the significance of form and fabric.
- HWC should endorse the designs presented in this HIA, namely:
 - SK 100 (24/07/2020)
 - SK 102 (14/08/2020)
 - SK 103 (17/08/2020)
 - SK 104 (17/08/2020)
 - SK 105 (17/08/2020)

- Landscaping should avoid orthogonal layouts and geometric planting patterns, and reflect the untended, less formal character of this part of the farm.
- HWC should endorse the Landscape Concept Plan of August 2020 presented in this HIA (Figure 56), subject to detailed plans being provided for review and endorsement by HWC;
- The development team/site foreman should be advised of the type of archaeological materials that could occur on site;
- An appropriately experienced archaeologist should conduct a site visit, once during and again after any deep excavation activities on site, prior to backfilling or construction, to identify any evidence for *in situ*, subsurface LSA material;
- Should any significant, *in situ* material be encountered on site, work in that area must stop immediately, and HWC should be notified so that they can advise of the appropriate way forward; this may include further inspection and mitigation by an archaeologist;
- Should any human burials, or potential burials be encountered, all work should cease in that area, and HWC should be notified immediately to determine the appropriate course of action.

AUTHORS AND DATE

Katie Smuts: Archaeologist and Heritage Practitioner

Mike Scurr: Architect and Heritage Practitioner

2 February 2022

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1.0 INTRODUCTION

1.1 Purpose of the Report

Bertha Foundation has proposed the redevelopment of a cluster of cottages on York Farm, 11/1674, Boschendal Farm, to house their Retreat facility and to provide space for the Lalela project (see text boxes Page 3). Bertha currently leases the existing Boschendal Retreat from Boschendal, and shares access to this facility with the farm. In order to meet their increasing grantee and community needs, they are looking to develop a purpose designed facility on Portion 11 of Farm 1674 (Figure 1). The site currently contains a cluster of several derelict farmworkers' cottages; these will be re-purposed and refurbished to accommodate the various functions required to accommodate Bertha.

Rennie Scurr Adendorff was appointed to manage the heritage process pertaining to this application, and duly submitted a Notification of Intent to Develop (NID) to Heritage Western Cape (HWC) in March 2020. The HWC RNID (Annexure A) identified that heritage resources might be impacted as a result of this development and requested that a Heritage Impact Assessment (HIA) be undertaken consisting of the following studies:

- Visual;
- Social;
- Archaeological, and
- Landscape.

This HIA serves to fulfil those requirements, and finds that the proposed design and associated landscaping proposal respond to the heritage indicators derived as part the assessment.

1.2 Statutory Context

1.2.1 The National Heritage Resources Act (No. 25 of 1999)

This application is subject to the terms of the National Environmental Management Act (NEMA, No. 107 of 1998), and is therefore submitted in terms of Section 38(8) of the NHRA.

The cottages themselves carry no formal protection as they are not older than 60 years, however the site falls within the recognised Grade I Cape Winelands Cultural Landscape (CWCL). Although this Grade I status has not resulted in proclamation of the area as a National Heritage Site (NHS), it does nonetheless make the South African Heritage Resources Agency (SAHRA) a commenting authority on developments within it.

1.2.2 The Stellenbosch Municipal Heritage Survey

The Stellenbosch Municipal Heritage Survey (Todeschini et al, 2018) has identified the portion of Boschendal on which the York Farm cottages is located as a Grade IIIB landscape unit, based on its ecological, aesthetic and historic significance.

1.3 Study Methodology

Site inspections of the structures, the property and its environs have been conducted, and these, together with research into the history of the site and its significance have contributed to the compilation of design indicators for the proposed development. In accordance with HWC's stipulations, focus has potential visual and social impacts both at a site scale and a landscape scale, as well as possible archaeological impacts in and around the proposed development area.

Report compiled by:

Katie Smuts: Archaeologist and Heritage Practitioner

Mike Scurr: Architect and Heritage Practitioner.

1.4 Limitations

There have been no limitations to this study, despite delays and restrictions initially imposed with regards to site visits during the early stages of Covid-19 lockdown. The heritage consultant has been on board since the initial design phase, and has been involved in all stages of the development since inception.

As such, the heritage consultant has been in a position to develop indicators and guidelines as part of the development process. The consultants have further provided input and recommendations based on the site's heritage status and context, as well as through site visits and consultation with Interested and Affected Parties and Stakeholders.

1.5 Declaration of Independence

Neither Mike Scurr nor Katie Smuts of Rennie Scurr Adendorff Architects has any legal or personal ties to the Bertha Foundation, Boschendal (Pty) Ltd, or any other professionals involved in this proposal. There is no financial gain tied to any positive comment or outcome. Professional fees for the compilation of this HIA are paid by the landowner (Boschendal), but are not linked to any desired outcome.



BERTHA
FOUNDATION

Bertha Foundation and Bertha Retreat (NM&A, 2020: 10-19)

The Bertha Foundation fights for a more just world by supporting activists, storytellers, and lawyers who are working to bring about social and economic justice and human rights for all (Bertha Foundation, 2019). The Bertha Foundation is creating a network of global retreat spaces that facilitate access to spaces for those working to advance social justice for all (ibid.).

The Retreat will accommodate funders, affiliates, grantees and friends of the Bertha Foundation as transient guests whose core focus is to support those who are working to bring about this vision. The Retreat will also accommodate local community groups by facilitating access to programmes funded by the Foundation, such as the Lalela educational arts programme which focuses on children from the local community of Pniël.

The Bertha Foundation Retreat at Boschendal is intended as a transformative space where people can gather, align, and work to embolden the field for social justice (Bertha Foundation, 2019). The Foundation believes that providing sanctuary and space for organizations, movements, and individuals most marginalized within society is a critical intervention in furthering their work towards social justice (ibid.).

The Retreat at Boschendal is intended for use by the following types of organizations, or groups, which may be based within or beyond South Africa (ibid.):

- Bertha Foundation, for events organized in support of its programmatic work and meetings of Bertha Foundation staff. In addition, the Foundation may also use the space for gatherings of funders for the purpose of promoting its approach to grant-making.
- Bertha Foundation Affiliates: Organizations and groups that were initiated by the Bertha Foundation and continue to be supported by the Foundation
- Bertha Foundation Grantees: Organizations and groups who are current recipients of financial support from the Bertha Foundation
- Friends of the Bertha Foundation: Friends of the Foundation who do not currently receive financial support.

LALELA

Lalela (Sitole, 2020)

Lalela provides educational arts for at-risk youth from severely marginalized communities, to spark creative thinking and awaken the entrepreneurial spirit. Through their arts curriculum and critical messaging component, Lalela aims to ignite imagination and teach children how to map and manifest their dreams and goals, launching the possibility of a different future for themselves and their communities. Lalela sees their role in arts education as helping to blaze the trail in whole brain thinking with a proven path to innovation and new job creation. The Lalela programs create permanent change with positive outlooks, community role models and the mindset for learners to design a more certain future for themselves and their communities. Every day after school, in the hours when children are most vulnerable to every kind of abuse, they work to break the barriers of challenge.

While Lalela primarily focus on visual arts, they introduced the Lalela Leadership programme in 2012 and Female Empowerment program in 2015, with their key communities of operation comprising almost 3000 learners per week, from South Africa, Zimbabwe and Uganda.

Ideas, art and music are the signature components of every Lalela curriculum. Lalela aims to engage and empower youth in creative thinking and solutions; and view their arts education methodology not as a handout, but rather a paradigm shift.

2.0 SITE AND CONTEXT

2.1 Site Description

York Farm Cottages comprise eight pairs of semi-detached cottages arranged around three sides of a central open space, west of two large irrigation dams (Figure 2 and Figure 3). All eight cottages are currently vacant, derelict and stripped of their roofs (Figure 4 to Figure 10). Several have, in recent times, and without any heritage oversight been 'dressed up', altered and / or repurposed as part of a film set (Figure 11).

The site is bounded to the north and north east by a seasonal watercourse, and to the east by the old wapad, an alignment of some historic and significance that links the R45 to Lanquedoc (Figure 12 and Figure 13).

2.2 Site Context

York Farm Cottages are located on the eastern bank of the Dwars River, within the north eastern part of Boschendal Farm. The terrain is largely flat, sloping down towards the Dwars River at the west, and up towards the peaks of the Drakenstein Mountains to the east. In stark contrast to the rest of the farm, the surrounding area is predominantly open, uncultivated grazing land, with some limited areas under fruit trees (Figure 14).

Several managers' cottages and associated agricultural infrastructure are located to the north of the York Farm cottages, while further to the north is the disused workers' hostel, Thembaletu.

Rhone homestead lies 500m to the west of the cottages, and is visible from them (Figure 15). Beyond the Rhone werf lies the sprawling expanse of the Rhone winery, a compound of predominantly modern facilities, and the hub of wine production on Boschendal Farm. The Boschendal homestead and werf lies approximately 1.5km to the north west of the cottages. The scenic routes of the R310 and R45 are some 800m and 2.2km away respectively, although the site is not visible from either. Pniël and Lanquedoc lie to the south west of the cottages, flanking the R310, while Kylemore lies beyond those two settlements, south of historic farm, Old Bethlehem.

The cottages are quite exposed to the elements given their location, the flatness of the topography, and the aspect of the site; these elements make for quite starkly contrasted context from similar cottage clusters on the western portions of Boschendal.



Figure 2. Aerial image of the cottages; note dry watercourse to north east (RSA, 2020).



Figure 3. Aerial image of the cottages in their immediate context with Rhone werf and winery to north west, and managers' cottages at north east. (RSA, 2020).



Figure 4. View of York Farm cottages, showing the arrangement of the rows of semi-detached cottages around the central open space (RSA, 2020).



Figure 6. Poor condition of York Farm cottages (RSA, 2020).



Figure 5. View of the outward facing aspects of the cottages (RSA, 2020).



Figure 7. View of context of cottages (RSA, 2020).



Figure 8. Derelict cottages (RSA, 2019).



Figure 10. Derelict cottages (RSA, 2019).



Figure 9. Derelict cottages (RSA, 2019).



Figure 11. Cottage used as part of film set (RSA, 2019).



Figure 12. Gate and fence south of York Farm cottages (RSA, 2019).



Figure 14. Open pasturage in vicinity of York Farm cottages (RSA, 2019).



Figure 13. Wapad, view to north. York Farm cottages visible at left of image (RSA, 2019).



Figure 15. Part of Rhone werf, indicated in red, visible from cottages (RSA, 2019).

3.0 HISTORICAL OVERVIEW AND CONTEXT

3.1 Archaeological Past

Humans have lived in the Dwars River Valley since the Early Stone Age (ESA), with evidence for this occupation and utilisation of the landscape found in handaxes, cleavers and similar definitive ESA tools, predominantly from river terraces, eroded gulleys and other secondary contexts (Van Riet Lowe, 1929, Kaplan 2005a, 2005b). Such tools are fairly ubiquitous in the region, and, on Boschendal, have been found in piles of rocks cleared from cultivated fields, with concentrations near Rhodes Cottage, and on the Dwars River floodplain (Kaplan, 2005a). Further ESA material has been located on the slopes of Hutchinson's Peak, south east of Boschendal (Kaplan 2005b).

Occupation of the area continued through the Middle Stone Age (MSA), although such occurrences are not common (Hart and Webley, 2009a, 2009b). Kaplan (2005a) has recorded some MSA material in the local area, as has Orton (2009b) who records a single diagnostic artefact from his excavations at Solms Delta 2km north of the site.

The Later Stone Age is similarly poorly represented in the Franschoek area, possibly a reflection of the extensive occupation and utilisation of the region in the colonial past that has resulted in material and sites being destroyed and/or reworked. Exceptions to this, noteworthy for their rarity, are the rock art site at Wemmershoek (Manhire and Yates, 1994) and the site identified and excavated at Solms Delta (Orton, 2009b).

The excavations at Delta revealed an occupation site with two broad periods of occupation, as determined by stone tool types, and the presence of pottery in the second occupation (Orton, 2005). The site, occupying a high lying piece of ground overlooking the wide river terrace, was probably chosen for its proximity to the Dwars River, and its views out over the flat, fertile terrace that would have attracted game and, later, provided good grazing. The site, significantly, spans the arrival of ceramic technology at the Cape, the advent of which heralded the replacement of ancient hunter gatherer systems with pastoralism, some time in the past 2000 years.

The presence of these herders in the Dwars River Valley specifically, is attested to in travel accounts and maps of the time. Indeed, European expeditions to barter for cattle with these pastoralists was responsible for much of the early incursion of the settlers into the interior (Malan, 2017).

3.2 Boschendal History

Boschendal was first owned by Jean le Long, who farmed there from 1685, and called the property Bossendaal. The farm was bought from him in 1715 by one of the three original de Villiers brothers, Abraham, who also purchase an adjacent farm granted to Nicolas de Lanoy in 1690. Together with Lekkerwyn and Meerlust, Boschendal contributed to Abraham's success and resultant wealth until his death in 1719. On his death, the farm was transferred to his brother, Jacques who likely both lived and farmed there until his death in 1736. In 1739 the farm was transferred to his youngest son, Jan.

Jan de Villiers built a house at Boschendal, likely completed in 1746, but whether this was a new structure or an extension and improvement to an older, existing house is not known. After his death in 1796, the farm passed on to his youngest son, Paul, who received transfer of the farm in 1807. It is likely that much of the rectangular farm werf was already built at this point (cf. Figure 16).

In late 1839, Paul and his wife Anna moved to Paarl and the farm was transferred to their two sons, Jan Jacobus and Hendrik Francois. In 1843, Hendrik bought his brother out of his half of the farm, which now comprised the original two 60 morgen grants and an additional 80 morgen of quitrent land acquired by Paul in 1810. Jan Jacobus bought the entire farm back in 1860 after Hendrik became too ill to farm. The transfer document at this point provides the modern spelling of the farm. Boschendal remained in the de Villiers family until 1879.



Figure 16. Boschendal werf in the late 1800s (Boschendal Collection, from Titlestad, 2008).

3.3 Rhodes Fruit Farm

The collapse of the wine economy following the outbreak of *phylloxera* proved fertile ground for the establishment and rapid expansion of fruit farming in the Dwars River Valley under Rhodes Fruit Farms (RFF), established by Cecil John Rhodes. The success of this venture saw RFF buy up 26 farms in the region from 1897 onwards, including Rhone and Lanquedoc.

Under Rhodes both the crops farmed and methods of farming changed dramatically (Figure 17). Individual farms under the ownership of families connected by kin networks disappeared almost overnight, replaced with “corporate farming” (Winter and Baumann, 2013: 17), and rationalising production led to massive growth of the industry as well as the workforce.

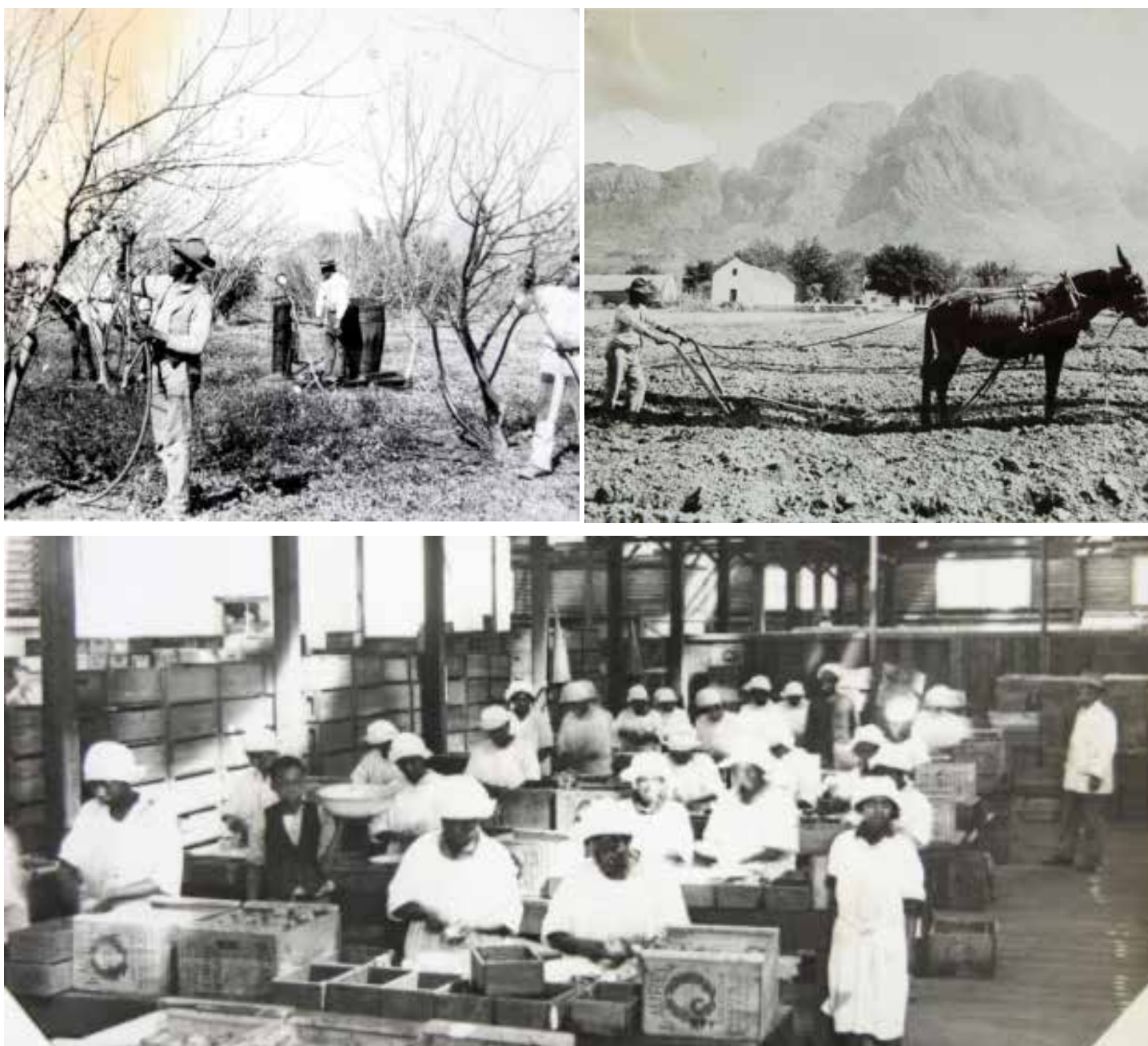


Figure 17. Changing methods of farming on Boschendal in the C20th: labourers spraying fruit trees, top left (AG7529) and tilling soil, top right (AG7507) before the 1930s; women working in the Cannery c.1930, bottom (MSSA BC860) (from Tittlestad, 2008).

The expansion and diversification of fruit farming under new farming methods meant the need for high numbers of labourers and managers, all of whom needed accommodation. Thus, the early years of the C20th saw a proliferation of new structures, both in the form of standalone residences for managers, such as Champagne (1900) and even Rhodes himself (Rhodes Cottage) and planned labourers' villages and accommodation, such as at Lanquedoc in the early 1900s and Thembaletu later in the 1970s/80s. The historic core of Lanquedoc, together with several other structures on the farm, was designed by Herbert Baker and his firm as expressions of Cape Revival architectural style.

RFF was taken over by De Beers in 1925, and then sold on to Abe Bailey. After Bailey's death in 1940, a business syndicate acquired the company and managed it until 1969. De Beers, operating together with Anglo American as Amfarms, bought RFF and ran the company until 2003. At that point, a consortium of investors operating as Boschendal Ltd bought the Boschendal Farm. In 2012 a new consortium of investors bought Boschendal Farm and the group own the property to the current day.

3.4 York Farm History

The proposed development is located on York Farm, portion 11 of Farm 1674, a deduction from the historic Rhone and Lanquedoc grants. Rhone and Lanquedoc were both granted in 1691, although the original owners of the two farms did not live on their holdings. Jean Gardé acquired both properties and merged them, building a structure which survives today, encapsulated in the existing Rhone farm house. The two properties were bought in 1727 by Claudine Lombard, and passed on to her son-in-law, Pieter Joubert in 1752. Joubert began construction of the Rhone homestead, but died before he was able to complete it. Joubert's widow, Magdalena van Hoeting, remarried after his death, and she and her new husband Gerrit Victor completed the Rhone house in 1760, although the gable on the house carries the date of 1795.

No historic buildings of any architectural significance occur on this portion of Boschendal. Historic maps show the land largely uncultivated, while a series of topographic maps starting from 1935 similarly show the area underutilised and undeveloped until recently (Figure 18 to Figure 20).

Workers were forced out of their homes at York Farm in the early/mid-2000s and moved to a new development adjacent to historic Lanquedoc.

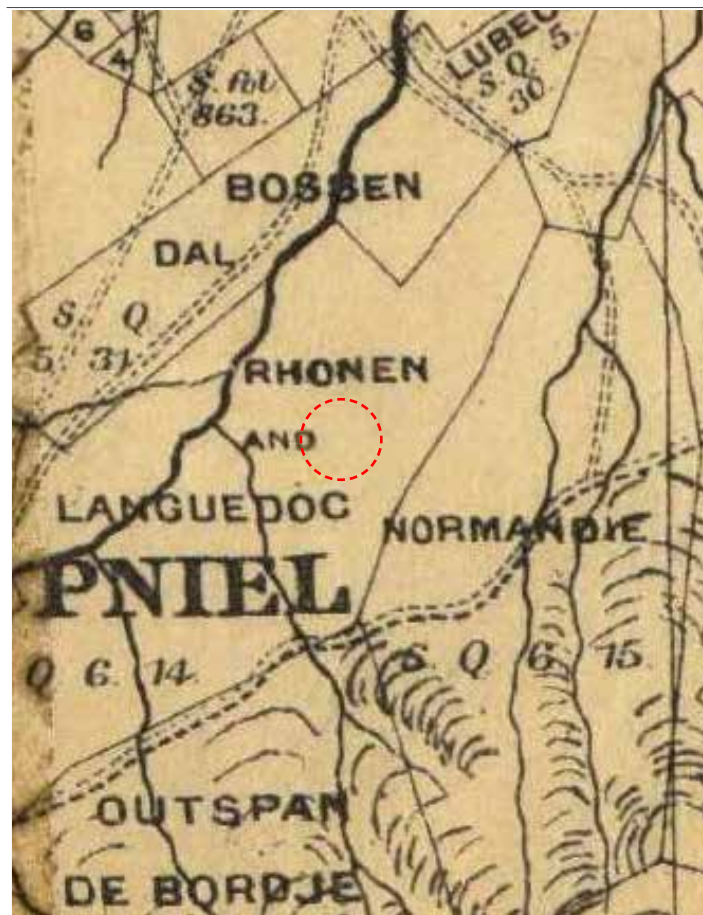


Figure 18. Cape Malmesbury Map, 1890, approximate site location shown in red (RSA, 2020).



Figure 19. Extract from 1901 Inch Series Map showing the York Farm cottages site as undeveloped, and the surrounding land open grazing (KR CPA1901 in Winter and Baumann, 2013: 22).



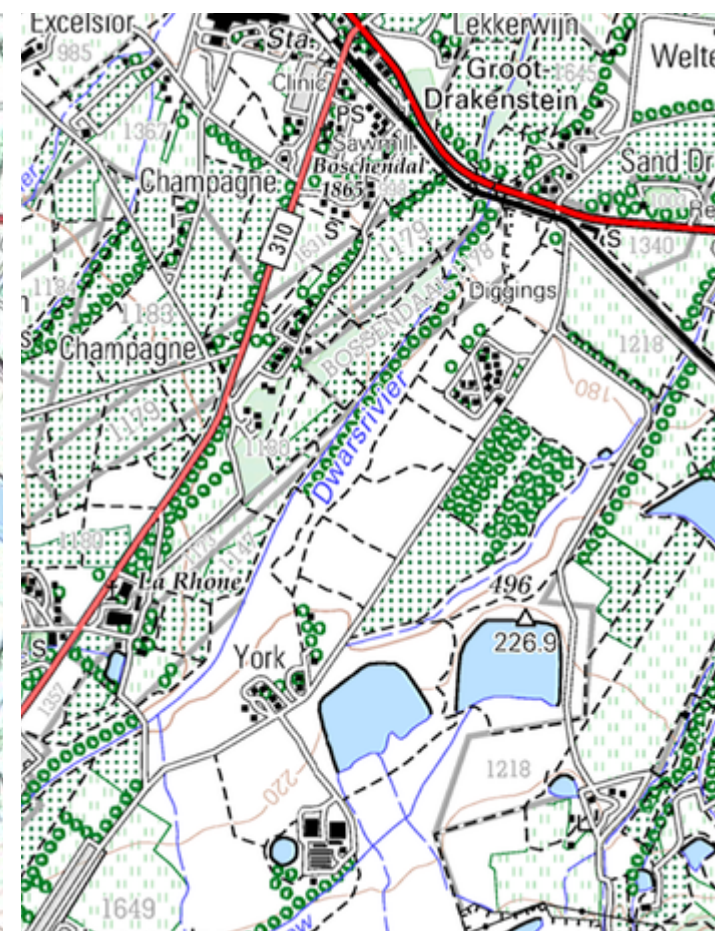
1935



1992



1959



2000



1988



2010

Figure 20. Series of historic topographical maps showing the changing settlement and landuse patterns of the immediate vicinity of York Farm cottages. Note transformation of original quarry, seen in 1935 and 1959 maps, into western of two later dams. Interventions of some nature are visible at the development site from 1959, and recorded as ruins by 2010 (Frith, 2015)

4.0 HERITAGE RESOURCES IDENTIFIED

4.1 Introduction

Heritage resources in this part of Boschendal include possible tangible resources of archaeological and/or architectural significance, as well as the wider cultural landscape, comprised of tangible and intangible elements, and the intangible aspects of the social significance of the site.

4.2 Archaeological Heritage

Early Stone Age tools are ubiquitous in the Dwars River Valley, and are frequently encountered, predominantly in disturbed contexts, during archaeological survey (Kaplan, 2006, 2011; Orton, 2009a; Patrick, 2007). Middle Stone Age, while less common, are also identified in similar condition (Hart and Webley, 2009a, 2009b).

Later Stone Age artefacts are the least well represented, with the exception of the unusual, accidental discovery of an LSA settlement site along the banks of the Dwars River, 2kms north of the site at Solms Delta (Orton, 2009b). This site contained exceptionally dense, in situ LSA material, and was found near a site later chosen for the construction of one of the earliest buildings on what was to become Delta Farm. While this site is unusual, its presence means similar sites might be found in similar conditions elsewhere in the region.

We know from historic records that, at the time that European settlers arrived in the region, extensive Khoekhoen encampments were dotted around the landscape (Malan, 2017). Their presence in the archaeological record in this area, is ephemeral, but might be expected in the form of domesticated animal bones, pottery or stone kraals.

More recent archaeological remains include ruined dwellings, stone built kraals or other features, footings and foundations, as well as the plentiful ceramic, glass and metal sherds frequently encountered.

Given the long history of utilisation of this landscape for farming, pre-Colonial remains are largely disturbed, and or destroyed, particularly, it would appear, the more recent evidence. Most common finds relate to the historic past, although in this area of site, given its distance from the historic homesteads of Boschendal, Rhone and Bethlehem, and its historic use as open, undeveloped grazing land, historic finds are not anticipated.

Surveys have not identified archaeological material - either Stone Age or historic - in this area of Boschendal, either as part of the current application (Smuts, 2020), or previous ones (Hart and Webley, 2009).

4.3 Architectural Heritage

The cottages themselves are less than 60 years old, having been built in the late 1980s for Amfarms. As such, they hold no architectural or aesthetic significance.

4.4 Landscape Heritage

4.4.1 Cultural Landscape

The cultural landscape comprises the scenic backdrop of the mountain-valley setting and the layering of evidence for human inhabitation and interaction with the natural environment through time. These layers consist of the historical farm werfs, cottages and villages, planted fields and field boundaries with windbreaks, agricultural features in the landscape such as dams, reservoirs, packing sheds etc., and paths, roads and tree alignments that follow old routes and create new ones through and across the landscape.

The cultural landscape is of such high significance that it forms part of the Grade I Cape Winelands Cultural Landscape (CWCL), and has been put forward for inscription on the UNESCO Tentative World Heritage Site list.

The significance of the CWCL is described as follows in the grading notice in the Government Gazettes that cover the various portions of land (see Annexure B).

The CWCL is significant because of its idyllic setting, rich history associated with living heritage *and* a distinctive cultural and natural environment *with* unique planned landscapes boasting an architectural and aesthetic form unique to South Africa....Exhibiting magnificent cultural treasures ranging from fine historic monuments, small towns and villages with a rich Cape vernacular architectural tradition, to routes of high scenic value 'dotted' with low hills and valleys...The Cape Winelands has played an important role in the cultural development, economy and evolution of the local community and the nation, and is of local, provincial, national and international significance.

The Founders Estate on the slopes of the Simonsberg, has further been declared a National Heritage Site (see Annexure C), and its significance is described as follows

The Boschendal Founders Estate, Dwarsrivier Valley, Cape Winelands Cultural Landscape is a product of the interaction between the natural landscape of great scenic beauty, the tireless labour of a slave population, biodiversity and human activities and responses over a long period which have created features and settlement patterns that are equally celebrated for their beauty, richness and diversity. The Dwarsrivier Valley, more than any of the other CWCL landscapes is a showcase of the genius [sic] of the slave infused society of the Cape, with the majority of the slave descendants still working the soil. This cultural landscape encompasses a great variety of significant heritage resources, developed out of the interaction between peoples of many cultures with each other and the place.

The Stellenbosch Municipal Heritage Survey has identified the area between the R45 at the north east, Lanquedoc at the south west, the eastern banks of the Dwars River at the west, and the slopes of Hutchinson Peak - for the purposes of this assessment, the eastern boundary of Boschendal in this area - as a discrete Landscape Unit (LU).

This LU is notable for the natural vegetation on the mountain slopes and perennial streams that feed the irrigation dams. While the Survey notes that there are some intrusive sites and neglected natural areas, the area is remarkable for the lack of development and even of vineyards or orchards. The reasons for this are likely twofold, relating both to the relatively poor soils on the slopes and the history of this part of the farm as commonage. The significance of this Landscape Unit can thus be ascribed to ecological, aesthetic and historic reasons. The social significance of the precinct as an area set apart from the historic werfs and the scenic vineyards and orchards and therefore appropriate for the construction of both Thembaletu and the York Farm cottages also contributes to the layers of meaning held by this part of the farm.

4.4.2 The Ou Wapad

A further important element in this landscape is the old wagon route that runs from the gates to the R45 at the north, south past Lanquedoc, across Old Bethlehem and all the way to Kylemore, traversing some 6.5km of private and public land.

The “Ou Wapad” or old wagon road, is said to be a road historically linking the neighbourhoods of Banhoek, Kylemore, Johannesburg, Lanquedoc and Pniël, all the way up the road to Franschoek (Pastor-Makhurane, 2005). The path was a part of a network of roads that were links to places of leisure, ritual and the many landscape features of the valley.

Arising from a network of historic routes across and through the north eastern extent of Boschendal from the earliest times - possibly even following pre-Colonial routes - the wapad seems to have formalised after the establishment of Lanquedoc at the turn of the C20th. The York Farm cottages and Thembaletu were built along the route decades after that, becoming part of the transport network. This is considered to be of significant social value because the various villages were mostly racially homogeneous, enclaved communities. For this reason, it could be said that the route promoted social cohesion.

The path currently serves as a farm road and is used by farm vehicles and leisure cyclists. The privatisation of the farm landscape in recent years has restricted access to the route for its former users.

4.5 Social Heritage

The social significance of the farm and the site is high given its long history of use, and the particular sensitivities arising from the unequal and discriminatory labour practices from the time of slavery to the recent past. The cottages are representative of a layer of social history and meaning that was disrupted and truncated by the removal of workers off Boschendal in the early 2000s.

Several resources have been consulted to inform the social assessment pertinent to this application. These studies comprised the Boschendal Baseline Heritage Report (RSA, 2019) and the interviews (Bertha Foundation, 2020) undertaken with former residents of York Farm cottages (Annexure H), as well as the research undertaken by Pastor-Makhurane (2005) and Damon (2019).

This research has confirmed that most residents had moved to York Farm cottages from the local area, Pniël, Lanquedoc and Kylemore, and lived in the cottages for a single generation, with only one resident indicating they were the second family to occupy a cottage. Most residents worked for Rhodes Food, Amfarms or Boschendal. After being forced to leave the cottages, the families were all moved to the same street in the Lanquedoc extension built in the early 2000s, and most work either on the land, or in the service department of Boschendal.

Both studies reveal the links felt by the York Farm residents, specifically, and Boschendal labourers more widely, to the wider site and the resources and activities it offered.

The river features centrally in residents' conception of the place, as a site of communal activity such as washing (historically), and recreational activity. The dam was also identified as a site where the children played and swam, although this latter activity was not permitted. The natural environment featured strongly in the stories, with residents telling of picking wild flowers on the farm, and kitchen gardens out the back of the cottages, and flower gardens in front.

These recent memories conform to established traditions that linked the workers on Boschendal, and residents in the neighbouring communities with the river, the surrounding mountains and the farmlands themselves. This connection has increasingly been diminished through the increased fragmentation and securing of parcels of land.

The cottages were described as a place of peace, quiet and community, with the central area a communal space enjoyed by adults and children. A sense of ownership linking residents to the cottages and immediate environment.



Figure 21. Images depicting various activities on the estate not related to labour; women engaged in communal clothes washing in the Dwars River (Gribble, General: Boschendal Archive); family picnicking on the Dwars River banks (Alpha Magazine, August 1967); child swimming at Faniedam in the Dwars River (Cyster et al., 2008); local rugby team (below; UCT MSSA BC860, C1, r12).

4.6 Statement of Significance and Potential

4.6.1 Landscape Significance

The significance of the landscape resides in its aesthetic properties and the dramatic backdrop of the Drakenstein Mountains. The cultural landscape is of social, cultural and historic significance that resides in the balance achieved between its wilderness qualities and current and past agricultural activities.

The East Precinct, in which York Farm is located, is qualitatively different from the lands to the west of the Dwars River, having historically been more marginal to the wine and fruit farming activities on site. York Farm and the surrounding landscape shows less intensive utilisation and occupation over Boschendal's long, farmed history. As such, this precinct can be considered to hold less intrinsic significance than the western portions of Boschendal, while still contributing significantly, and incontrovertibly, to the significance of the farm as a whole.

4.6.2 Site Significance

The York Farm cottages hold no architectural or aesthetic significance, except nominally as examples of a category of farm labourers' cottage representative of a period of Boschendal's history. Built in the 1980s under Amfarms, they are not considerably different to other cottage clusters across the farm that date to the same period, such as at Agterdam. While this category of cottage holds meaning as part of the evolution of cottage types on the farm, individual cottages and cottage clusters are not necessarily conservation worthy.

The cottages do, however, hold social significance as representative elements of the history of labour practices on the farm that they represent. The long history of farm labour, originates with slave labour, a system of oppression and exploitation that has, and continues to, receive considerable attention in heritage and social studies. That this system can be understood to culminate, in a sense, with the eviction of the residents from this site as recently as the mid-2000s is less widely acknowledged and, therefore, has not widely been considered as a legitimate contributor to site significance until recently.

4.6.3 Potential

There is substantial development potential in the York Farm site. This arises from a confluence of the interplay between site and landscape significance and site location and position.

The relatively lower significance of the surrounding landscape, (relative to the western extent of Boschendal) combined with the lack of intrinsic significance of the materiality, form and fabric of the cottages makes development of this site and these structures viable.

Further to this, the location of the site along the Ou Wapad, makes it a logical site for development in keeping with organic, historic development patterns and strategies across Boschendal Farm and the Dwars River Valley.

Finally, a degree of synchronicity arises from the proposed use of this site and these buildings to house the Bertha Foundation, an NGO that focuses on achieving social and environmental justice, and human rights for political and climate activists. It has previously been noted that, while not all 1980s Amfarms cottages on Boschendal warrant retention, a sample structure should be retained, largely unaltered, as an example of the type and times that it represents. The New Retreat provides a logical and apposite location to achieve this end, and to tell this story, through the retention of a single cottage that is largely unaltered, but made good and fit for purpose.

5.0 EVALUATION¹

Precinct Level Context

- More exposed part of Boschendal against slopes of the Drakenstein Mountains and Hutchinson's Peak
- Traditionally pasturage
- Historically less intensively used due to poorer soils
- Less obviously transformed through subsequent years of intensive agriculture
- Fewer signs of agricultural activity, i.e. fields and field boundaries, vineyards, orchards, wind breaks
- Fewer signs of associated activity, i.e. structures, stands of mature trees, treed avenues
- Lacks density, diversity and range of heritage resources found to west of Dwars River
- Carries less of the particular sense of place characteristic of Boschendal Farm and the Cape Winelands Cultural Landscape
- Features across the precinct include:
 - Thembaletu, Grade IIIA hostel compound for black labourers built in the 1970s under Amfarms. Architecturally anomalous neo-Georgian structures located around inner courtyard. Symbolic of labour control measures, racialised labour practices and the corporatisation of farming methods - particularly the link between farming and mining labour practices - that began under Rhodes and found new expression under Amfarms
 - York Farm Cottages, Grade IIIC workers' cottage cluster of no architectural merit, but social and associational significance arising from their links to past labour practices on the farm, including the forced evictions of the early 2000s that resulted in their being abandoned
 - The York Farm Piggery, Not Conservation Worthy site that comprises the remnant infrastructure of the small scale piggery that operated there until 2017
 - The Ou Wapad, Grade IIIA route across the Boschendal East Precinct that links the R45 in the north to Lanquedoc and Kylemore in the south. This route comprises an amalgamation of routes traversing this portion of the farm, some of considerable age and long standing, others more recently formalised.
 - The Lanquedoc cemetery south of Lanquedoc, Grade IIIA municipal rural cemetery is fairly recent, still in use, and services the community of Lanquedoc.



Figure 22. Map showing crop coverage, illustrating predominance of planted pasturage within the precinct (RSA, 2020)



Figure 23. Precinct level context (RSA, 2020).

1 Refer to Boschendal East Precinct Study (RSA, 2020): Annexure S



Figure 24. Thembaletu (RSA, 2020)



Figure 26. Piggery (RSA, 2020)



Figure 25. York Farm Cottages (RSA, 2020)

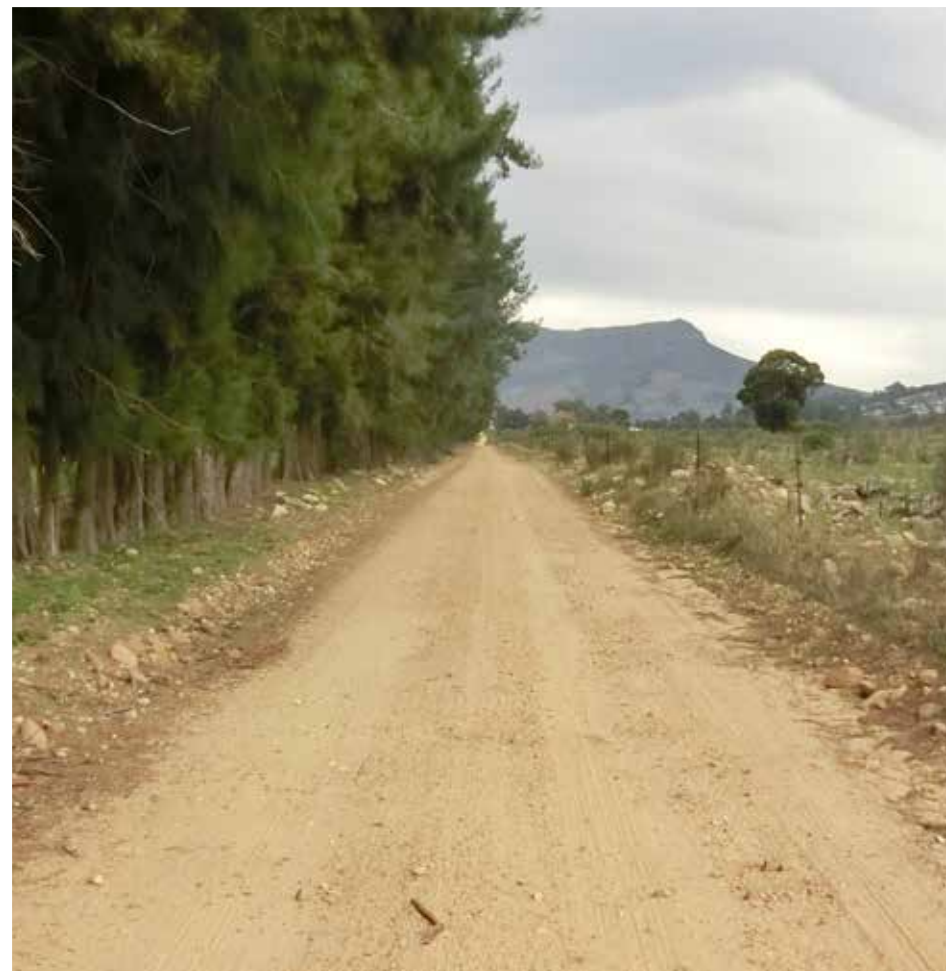


Figure 27. Ou Wapad (RSA, 2020)



Figure 28. Lanquedoc Cemetery(RSA, 2020)

5.1 Site Context

The York Farm Cottages are located on a slight rise on an otherwise generally flat expanse immediately east of the Dwars River. The site is open and exposed, with some mature trees and evidence for old front and rear gardens attached to each cottage. Rhone werf is visible from site.

The site is bounded to the north by a seasonal water course that cuts, deeply in places, a channel into the cobbled substrate. To the west, the site slopes gradually down to the Dwars River, while to the south a fence line delineates the portion boundary.

The prime feature of the site is its proximity and relationship to the Ou Wapad. This historic alignment links this site not only with the R45, but also with the other communities along it, namely Thembaletu, Lanquedoc and Kylemore.



Figure 29. Images of site level context (RSA, 2020).

5.2 Structures

5.2.1 Built Form

The individual structures comprise eight pairs of semi-detached units, each with a living room, two bedrooms, a bathroom and kitchen. The rectangular structures are single skin, brick built and under pitched roofs (these have all been removed).

Each unit had an internal fireplace in the rear room, and an external laundry room with an outside sink and small enclosure to hang washing to the rear of the building; solar heating was retrofitted. Each unit also had a small fenced garden.



Figure 30. Detail of Structures (RSA, 2020).



Figure 31. Front room, view to front (l) and rear (r) of house (RSA, 2020).



Figure 32. Bathroom (l) and second front room (r) (RSA, 2020).



Figure 33. Kitchen (l) and external laundry room (r) (RSA, 2020).

5.2.2 Building Proportions

Each cottage was fitted with two large, square casement windows on the front and rear façades, and a single smaller window in the gable end. Access was through a door between the two front rooms, with a further door between the two back rooms. All doors and window frames have been stripped.

5.2.3 Building Materials and Colour Palettes

The structures are built of plastered brick on brick plinths, and were fitted with 15° pitch IBR roofs; these have all since been stripped.



Figure 34. Built Forms

6.0 VISUAL STUDY

6.1 Introduction

Consideration of the York cottages in the landscape must account for visibility of the site from various important vantage points, and the views from the site as well (Figure 35 to Figure 38).

The extant cottages are simple in design, and modest in scale, massing and extent. These design features are carried forward into the new design. This modest scale of redevelopment, combined with the low key additions and extensions to the existing cottages limits the visual impacts from the various vantage points across Boschendal and the Dwars River Valley at which the location is visible.

The site is optimal for development, not only because there is already infrastructure there, but also because, its location along the alignment of the wapad lends it logic in terms of historic settlement patterns. This 'beads on a string' system of settlement growth embeds the site in a system of linkages that extends from the R45 at the north, to the communities of Lanquedoc, Pniël and Kylemore at the south, and further reflects the alignments of the R310 and Dwars River, both major valley features.

The extent of this visibility is, further, fairly limited. From the north it is obscured from view by trees planted around the York Farm managers' cottages which are located just north of the site (Figure 39). From the south it is visible at the Boschendal property gate (Figure 40), but not further than that as the road curves towards Lanquedoc. As such, the site is not visible for most of the alignment of the wapad (Figure 40 to Figure 43).

The cluster is not visible either from the R310 or the R45, both of which are scenic routes. It is further not visible from Boschendal werf or much visible from any parts of the farm west of the R310 due to the undulating topography across the area, the mature plantings across much of Boschendal and the modest scale of the structures.



Figure 35. **York Farm cottages in landscape context, view towards Boschendal to south west (l) and towards Lanquedoc to south east (r) (RSA, 2020).**



Figure 36. **Landscape context, view to south west (RSA, 2020).**



Figure 38. **Landscape context, view to south east showing water course (RSA, 2020).**



Figure 37. **Landscape context, view to south east from banks of water course (RSA, 2020).**



Figure 39. **Proximity of York Farm manager's houses to cottages, view to east (RSA, 2020).**



Figure 40. York Farm cottages from Boschendal property gate, view to north (RSA, 2020).



Figure 42. York Farm cottages from road east to Piggery, view to west (RSA, 2020).



Figure 41. York Farm cottages from south end of wadi, view to north (RSA, 2020).



Figure 43. York Farm cottages from wadi near Thembaletu, view to south (RSA, 2020).



Figure 44. **View of York Farm cottages from the bridge to Lanquedoc, view to east (RSA, 2020).**

6.2 Rhone View Corridor

The most significant view corridor pertaining to the development is that which links it to Rhone werf. The Rhone homestead is visible from the site, and the site, conversely, is visible from Rhone.

Most views from the werf are occluded by mature trees which encircle the werf, and the orientation of Rhone homestead, firmly trained to the north, makes the views from that werf to York of low significance.

Further to this, the redevelopment of the cottages, in the manner proposed, will not result in any further visual impacts on Rhone than are already effected by the existing settlement. The views of Rhone from York Farm serve to embed the settlement in the Boschendal cultural landscape, and will not be occluded or crowded by any of the proposed development interventions.



Figure 45. **View of Rhone from York Farm cottages, view to west (RSA, 2020).**

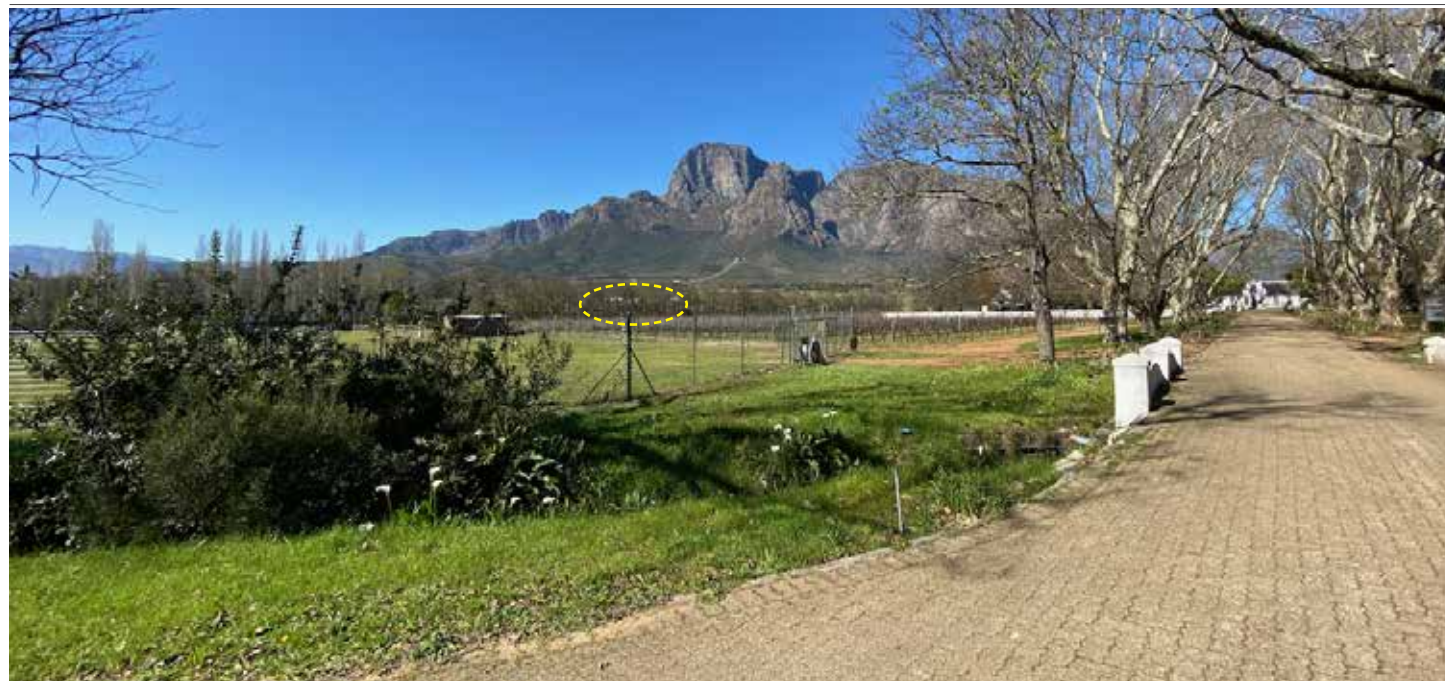


Figure 46. **Views of York Farm cottages from Rhone werf, view to east (RSA, 2020).**

7.0 HERITAGE DESIGN INDICATORS AND GUIDELINES

The Boschendal Baseline Heritage Study (RSA, 2019, Annexure R) grades the various 1970s/80s Amfarm cottages found across Boschendal as Grade III heritage resources. These cottage types are fairly widespread across the farm, including at Agterdam, Orchards, Droëbaan and the existing Boschendal Retreat.

These structures are typical farm workers housing dating to the late 20th century that hold no architectural or aesthetic heritage value, and often possess only an *ad hoc* arrangement and placement in the landscape. Winter (2013: 9) notes that their significance arises from their association “with a social layer that existed prior to the recent resettlement of farm labour at Lanquedoc” , although in most instances, the “[r]emaining settlement has lost its functional use and its associated sense of community that may have existed at the time”.

While options for their reuse are limited, a preliminary design strategy (RSA, 2019; Winter, 2013) can be put forward that should apply to the Amfarm cottages as a category of structures on Boschendal:

- A representative example of farm-workers housing from this recent period should be retained as a “memory” of a past land tenure system farm labour, the rural land reform process and the social-economic impact that resettlement had on its community. The appropriate adaptive reuse of structures should be community based.
- Demolition should be subject to photographic recording and a record of the names and profile of its last occupants.

7.1 York Farm Cottages

When determining indicators for the redevelopment and adaptive reuse of the York Farm cottages, it is important to note that the cottages date from a period in the mid to late C20th when extensive expansion and improvement projects were underway at Boschendal. These programmes entailed massive enlargement of the workforce, and the construction of extensive, on-site accommodation.

As such, the cottages:

- Reflect an attitude to farm workers' accommodation housing during an important period in the history of the wider Dwars River Valley, that is often overlooked as outside of the historical processes that contributed to the cultural landscape and heritage significance of the area.
- They possess distinctive settlement qualities in terms of their grouped arrangement around a central open area. This arrangement encloses the space and defines the role of the settlement as a distinct environment removed in character from the Boschendal primary werf (Winter 2013b).
- Despite their location on a slightly elevated piece of ground, they lack a positive relationship with their landscape setting, bearing no directly observable relationship to the wapaad, the Dwars River, the mountains or contour lines. This is in stark contrast to the historic farmhouses that are so evidently part of their landscapes. This aspect speaks to the othering of the labour force as without similar needs (warmth, winter sun, shelter from wind etc.), or similar capacity for engagement with and enjoyment of their surrounds.
- They are physically and conceptually remote and cut off from the Boschendal werf, although elements of that werf are visible from the site. The degree of reciprocal visibility is slight, and reinforced by the low-key nature of the cluster.

The cottages are currently vacant and in poor condition. Their adaptive reuse for the establishment of a community based endeavour, such as Bertha Foundation, is supported in terms ensuring their long term retention in some form.

Straightforward, unconsidered gentrification, such as that effected at Orchards and Boschendal Retreat, is to be avoided, as is any efforts to embellish or adapt them to an ahistorical aesthetic. Such action would sanitise them and sever the fragile links they retain to social heritage of any authenticity or significance.

Options for reuse of cottages such as these are limited. This is due to various factors, most of which relate to their built form, and include their modest nature, unremarkable architectural and aesthetic qualities, poor construction quality and degraded current condition. Other factors are less tangible, such as their disconnect from their surroundings that leads to their poor positioning and placement in the landscape relative to prevailing topographical and climatic conditions. Still further factors relate to their fairly tenuous, fragile links to their complex socio-historic significance.

This interconnected set of factors means that memorialisation of the built form and fabric of the structures is neither possible, nor appropriate, as the associated significance does not reside in either. Elevating the fabric and form to the status of conservation worthy ruin would misrepresent the meaning imbued in the site and structures.

The significance is, furthermore, not site specific, and York Farm cottages are only one of several such cottage clusters or nodes that all tell of a similar story in terms of Boschendal history and the history of labour practice on the farm. Rather, it is the capacity for these sites and structures to reinsert their former inhabitants - the recently removed farm workers - back into the landscape and narrative of Boschendal.

Nonetheless, total demolition and complete new build would strip the site of its innate connections with its past and also go against the farm wide indicators pertaining to reuse of existing infrastructure.

The heritage significance embodied by these cottages is not the type of significance that can be elevated, or enhanced. The role and responsibility of any development is to the memory and legacy of the people who lived in the cottages.

Responsible, responsive adaptive reuse needs to be informed by the following heritage indicators:

- The subsidiary, modest, domestic scale of the grouping should remain unaltered.
- Physical changes to the cottages should be modest in nature and not overwhelm or obscure their existing character.
- The location, orientation and arrangement of the cottages in the landscape should be retained or reflected in any new builds. This retention and reflection could be variable across site, ranging from the retention of entire structures, partial elements, footprints or envelopes.

- Limited on-site parking can be accommodated and should preferably be located outside of the central area, respecting the visibility of the cottages both from the wapad and the Boschendal werf.
 - New parking should be informal and fragmented to minimise its impact.
 - New patterns of access should not introduce new formal axes.
 - Vehicular traffic should be directed to the periphery of the cottage clusters and away from the open area between them.
- Landscaping interventions should be in keeping with the broader rural character of the site and its open planted pasture setting.
- Telecommunication attachments such as satellite dishes should not be visible from the wapad.

7.1.1 Opportunities:

- Adaptive reuse is appropriate and advisable to conserve historic fabric where necessary
 - Such redevelopment of existing, disused structures allows for the creation of facilities that actively promote the principles of social justice and inclusion. Such initiatives would permit a wider range of functions for spaces that are redeveloped and thereby prevent saturation or sterilisation of the landscape that would rapidly result from developing only single purpose, short stay holiday lets.
- The enhancement of landscape significance can be achieved through the implementation of the principles of Restorative Redevelopment.
- York Farm is located along the alignment of the wapad and, as such, constitutes an appropriate development node. The variety of site types along the wapad alignment provides a framework for varied redevelopment at each site, within the rubric of the "beads on a string" settlement pattern. Mixed use developments that create spaces and facilities of a wide variety of uses and purposes, and serve the broader community, would be an ideal use of existing infrastructure or new developments. Providing a variety of facilities would assist with job creation and in fostering a sense of participation and belonging that cannot be achieved through the development only of more tourist infrastructure.
- Development along the wapad can be beneficial through the reinstatement of historic linkages:
 - At the Valley scale by enhancing the significance of the wapad, a less obvious, but nonetheless extant route through the Valley that holds social and historical significance.
 - At the local scale by providing an opportunity to increase

movement of local residents across and through the landscape and, in this way, foster a greater sense of participation in, and belonging to a landscape from which people have been, variously, removed, excluded and locked out.

A hybrid approach to the site could work well within the confines posed by the nature of the structures and their amorphous significance. This approach might allow for the retention of some built forms in their entirety - consolidated in their current form, though not necessarily their current degraded condition - while at the other end of the scale, allowing for complete demolition and new builds that respect or are informed by the footprints, envelopes or positioning of the buildings they replace.

Such an approach could also serve to integrate the site into its landscape by allowing spatial differentiation across the site to imbue it with connections either to the river and/or to the wāpiti. Such changes could enhance the connectedness of the structures and site to their landscape setting, rendering them more 'of' and 'in' the place than they currently are or originally were intended.

7.1.2 Constraints

- Rural Landscape Form and Coherence:
 - The heritage significance of the landscape has been recognized as Grade III B (Todeschini et al, 2017). The landscape can support only limited interventions without this grading being negatively impacted.
 - For the landscape to retain its rural and wilderness qualities, large areas of undeveloped, uninterrupted farmland need to remain in place.
 - Redevelopment should only be considered for those which lend themselves to reuse by virtue of their position:
 - do they strengthen structuring of the farm and linkages within it?
 - do they fulfil a social function and contribute to redress?
 - do they serve to restitch the farm through ordering or movement systems?
- Sprawl:
 - This will arise from the development of existing infrastructure without due consideration of the location of sites across the landscape, and the cumulative effects of maximising existing

structures through. Sprawl would negatively impact the rural, agricultural sense of place of Boschendal and have serious implications for the ongoing heritage significance of the site.

- In order to avoid sprawl, the location, density and distribution of development across the farm needs careful consideration and limitations need to be imposed. As such, developments that recreate organic, historic settlement patterns, i.e. in clusters around transport nodes and in ribbons along route alignments should be encouraged. Where social and economic circumstances or agendas in the past have led to unfortunate settlement locations or development nodes, these should not be perpetuated and, rather, where the opportunity arises to remedy these developments, this should be undertaken.

7.1.3 Design Principles and Heritage Indicators

Design principles speak to the materiality of structures, landscape features and built forms.

- Form
 - Existing infrastructure could be redeveloped, through creative and sympathetic adaptation;
 - Traditional vernacular forms, allowing for the multiplicity of vernacular forms recognised in terms of the principles of Restorative Redevelopment, should be employed in the redevelopment of existing infrastructure or the construction of new buildings and low-key additions where this is necessary;
 - Modest scale, understated modern structures may be inserted where these do not dominate or detract from the dominant rural character.
- Height
 - Structures should not exceed single story height to ensure that patterns and rhythm of traditional forms are respected. Deviations from this would need to be carefully tested on a case by case basis in order to verify why additional height should be permitted.
- Materials
 - The materiality of existing infrastructure should be respected, and redevelopment of such structures should make use of appropriate materials that reflect the vernacular origin of these structures;

-
- Where replacement of elements, such as asbestos roofing with corrugated iron, will enhance a structure, this should be considered;
 - Modern materials can be considered for use on new structures or additions to existing structures only where these do not detract from the original or become visually dominant.
- Visibility
 - The rural landscape must remain the dominant visual form;
 - Developments should not disrupt or interfere with the existing pattern of land use and settlement
 - No new development should occur in visually prominent locations, including important view cones, slopes and ridges.
- Landscape
 - Any development must consider its rural landscape setting and the impact the development and intervention will have on the rural landscape character;
 - The landscape character must remain predominantly rural;
 - Interventions must respect traditional settlement patterns and hierarchies;
 - Agricultural blocks and superblocks must be retained and enhanced such that development does not fragment and compartmentalise the rural quality of the landscape.
- Access and Parking
 - Access roads should utilise existing farm roads and tracks wherever possible;
 - Parking areas and roads should not be under hard surfaces;
 - Parking areas should be obscured from view as far as possible, and visually fragmented by appropriate landscaping and planting
 - Road edges should not be hard landscaped;
 - Barriers to movement and access, including fencing and security gates, should be limited and removed as far as possible such that the landscape reads as a unified, coherent space.

8.0 DEVELOPMENT PROPOSAL

8.1 Introduction

The proposal has gone through several iterations, with alternative strategies considered and rejected. Initially the strategy proposed had been one of adaptive reuse that intended to retain some of the fabric of the cottages, and build in and around them to achieve the necessary spaces and facilities in a way which highlighted and foregrounded the insertions.

This proposal has since been changed to the current, hybrid design which constitutes a more low key and straightforward renovation and refurbishment of some of the structures, and the demolition and rebuilding of others.

8.2 Consideration of Alternatives

In terms of approaches to the site, two alternatives can be considered. The first is to not develop the site (no-go alternative), while the other comprises development in one of several redevelopment strategies.

- No-Go Alternative

This strategy would see the cottages left in their current state of dereliction, and the continuation and expansion of the agricultural activities currently underway on York Farm; given the poor soils of this area of Boschendal, this would be limited largely to grazing. This alternative would see the ultimate loss of the York Farm cottages through dereliction, continued stripping for materials and the further passage of time.

Positive Outcomes:

This approach holds no positive outcomes in terms of heritage, although it removes the possibility of impacts to subsurface archaeological material that could result from redevelopment of the site.

Negative Outcomes:

The ultimate loss of fabric that would result from this approach would be detrimental to the layered history of the site that is contained and reflected in the wide variety of typologies of structures across the farm. These varied forms of farm building, cottages and other structures embody the history and evolution of the farm through time and are crucial elements of its authenticity and significance.

- Redevelopment Alternative

Three alternative strategies have been considered as possible redevelopment schemes for York Farm cottages. Each has been evaluated in terms of merit, applicability and feasibility in terms of heritage and the client's needs. In each instance, the redevelopment strategy must be accompanied by a successful landscape intervention that integrates the development into its context, and adequately considers the relationship of the site to the wapaad, or it cannot expect to be successful.

Strategy 1: Adaptive Reuse



Strategy 2: Renovate and Refurbish



Strategy 3: Demolish and Rebuild



8.2.1 Strategy 1: Adaptive Reuse/Interpretation

Where adaptive reuse is conventionally employed, the building itself is usually robustly built, and holds intrinsic architectural, aesthetic or historic significance. In these instances, the new intervention should serve to enhance and emphasise the old fabric and form.

The York Farm Cottages are modest buildings of no intrinsic architectural or aesthetic value, thus the more common design elements of adaptive reuse are less appropriate for use at this site. However, this strategy can offer the best means of retaining the sense of place of the site, and the authenticity of the memory it encapsulates. The strategy for a successful intervention in this instance, therefore needs to achieve a delicate balance between rendering the buildings usable, functional and durable enough to be fit for purpose, without overwhelming them with lofty architectural statement pieces or lending their form and fabric more significance than they hold.

In terms of investigating precedent for interventions that might serve the York Farm Cottages appropriately, then, we can look to simple interventions, and small, modest buildings. These include redesign proposals that serve to retain much of the character of the original structures, as well as sensitive, responsive landscaping that reinstates, where appropriate, elements of individual property gardens or landscaping elements that relate to how individual sites were inhabited and experienced in the past.

Positive outcomes:

Interpretive redevelopment through adaptive reuse would be an appropriate strategy to acknowledge the social history that the cottages represent, and to retain and re-frame that memory.

Negative outcomes:

Retaining the form and fabric of these structures, however carefully the new insertions or redevelopments are designed, always carries the concomitant risk of vesting the meaning and significance of the site in the fabric and form of the remnant material. As such, particularly in instances where the original structure is of neither architectural nor material value, interventions can wrongly elevate significance of the structure or form, with misleading outcomes that muddle any intangible or other significance they do hold.

This approach is further not favoured by the client for financial and aesthetic reasons.



Two Pavilions
(Carmody Groarke, 2018)



S(ch)ausstell
(FNP Arkitekten, 2005)

Two Pavilions
(Carmody Groarke, 2018)



Cadiz Cooking School
(Sol89, 2011)



Kiln House
(Sally Draper, 2005)



Fyndraai Restaurant
(Thorold Architects, 2014)



Converted Barn
(Architekturundkunst.ml, 2019)

Dovecote Studio
(HaworthTompkin, 2009)



8.2.2 Strategy 2: Renovate and Refurbish

There is good reason to opt for the second strategy, including savings of time and cost, although the poor construction and condition of the York Farm cottages serve as impediments to both.

This strategy would follow that approach taken at various other locations across Boschendal where various old workers' cottages have been re-purposed as accommodation venues.

Renovation and refurbishment can breathe new life into old structures, and ensure their ongoing maintenance and upkeep, but undertaking renovation work needs to be done in a considered manner to avoid gentrification and sanitising of structures and sites. At Boschendal, and across the Winelands generally, the tendency to 'prettify' and transform sites into generic, idealised cottage types that are unrelated to their age, history or forms, divorces these cottages from their own past, and sanitises the variability and legibility of heritage across the farm.

Such renovation work needs to remain low-key to be meaningful, and should respond to the particular site, structure and precinct in each instance to avoid losing authenticity, meaning and significance. Any attempts to alter extant material to suit a predetermined aesthetic or narrative that is not based on the specific history and location at hand must be avoided.

Positive outcomes:

Renovation is cost effective and a more environmentally friendly option than rebuilding. It ensures the repair and upkeep of extant fabric, and breathes new life and meaning into older forms and sites. If undertaken sympathetically, with low-key interventions, it can be a way of showcasing Boschendal's extensive and varied history of settlement and development.

Negative outcomes:

Gentrification and inappropriate development risk loss of authenticity and meaning, and thereby loss of significance. Imposing aesthetics that are unrelated to individual sites sanitises landscapes, undermining and terminating the processes that generate and sustain cultural landscapes.



Kleinhandjies Creche
(Solms Delta)



São Lorenço do Barrocal
(Eduardo Souto de Moura, 2016)



Just For Two
(Baviaanskloof)

Orchards Cottages
(Boschendal)



MCR2 House
(Pina and Costa, 2019)

8.2.3 Strategy 3: Demolish and Rebuild

Given that the cottages hold no intrinsic significance invested in their built form or fabric, and given that they are poorly constructed, and in poor condition, the possibility of demolition and reconstruction can be considered. Such a proposal would unlock the potential of the site for development that enhances the significance of the precinct and brings value to the occupants and users of the site.

Decisions that would need to be reached would pertain to whether the new build would respect the footprint of the extant structures or be a complete departure that does not reference the existing cottages in any way.

Heritage indicators across the farm have highlighted both the desirability of retaining existing fabric, and reusing existing footprints. Demolition and rebuilding strategies would need to consider both these constraints, and ensure that the redevelopment in this manner is warranted.

In the instance of York Farms, the layout should be retained in a rebuild, as the existing internal courtyard is not only key to the retention of the memory of the site, but contributes to the character and functionality of the site in a way that respects the past but is appropriate to future use and utilisation of the site.

Positive outcomes:

This approach allows for the creation of new buildings that are purpose-built with the client's needs in mind. Here, new builds would provide scope for the creation of new settlement types on Boschendal that could add to the existing range of building types and contribute meaningfully to the continuation of development processes that have shaped the cultural landscape to date.

Where the appropriate design is adopted, particularly in space such as York Farm, where the existing fabric and form does not enhance the significance of the site or structures, new builds can restore or enhance significance.

Negative outcomes:

Demolition and rebuilding carries with it time and cost implications, and is not favoured from a planning or environmental perspective. It further runs the risk of stripping the site of all social significance, meaning or memory. Care would need to be taken in considering the design to ensure that this does not occur.





Oudenbosch Cabin
(Architecture Coop, 2012)



Dullstroom
(w design studio, 2016)



House at Mols Hills
(Lenschow & Pihlmann, 2015)



Hauser and Wirth
(Laplace, 2018)



La Grange Cottage
(Kritzing Architects, 2003)

8.2.4 Landscape Interventions

An essential component of any of the above strategies is landscaping around the redevelopment, regardless of the strategy adopted. Inappropriate landscaping interventions can render even the most sympathetic approach to redeveloping a site inauthentic and unsuccessful.

Here the particular character of the East Precinct broadly, and York Farm cottages specifically, has to be carried through to the landscaping proposal, particularly as it is so radically distinct from the general character of Boschendal west of the Dwars River. The landscape of the East Precinct relates to the history of the site as pasturage, as well as to its relatively slight contribution to the agricultural productivity of the farm more generally. These factors speak directly to its sense of neglect and abandonment, and to the fact that it is devoid of the historic werfs and plantings that comprise the predominant Boschendal character.

Ideally, the landscaping needs to reflect the openness and informality of the landscape, as well as the lack of clear definition between farmland and wilderness. While some planted blocks are present, and some tree lines, these are not the predominant feature as they are to the west.

As such, landscaping around the cottages should be minimal, and unobtrusive, avoiding orthogonal plantings, treed avenues and lawns. Lush, dense stands of indigenous vegetation would be similarly out of place

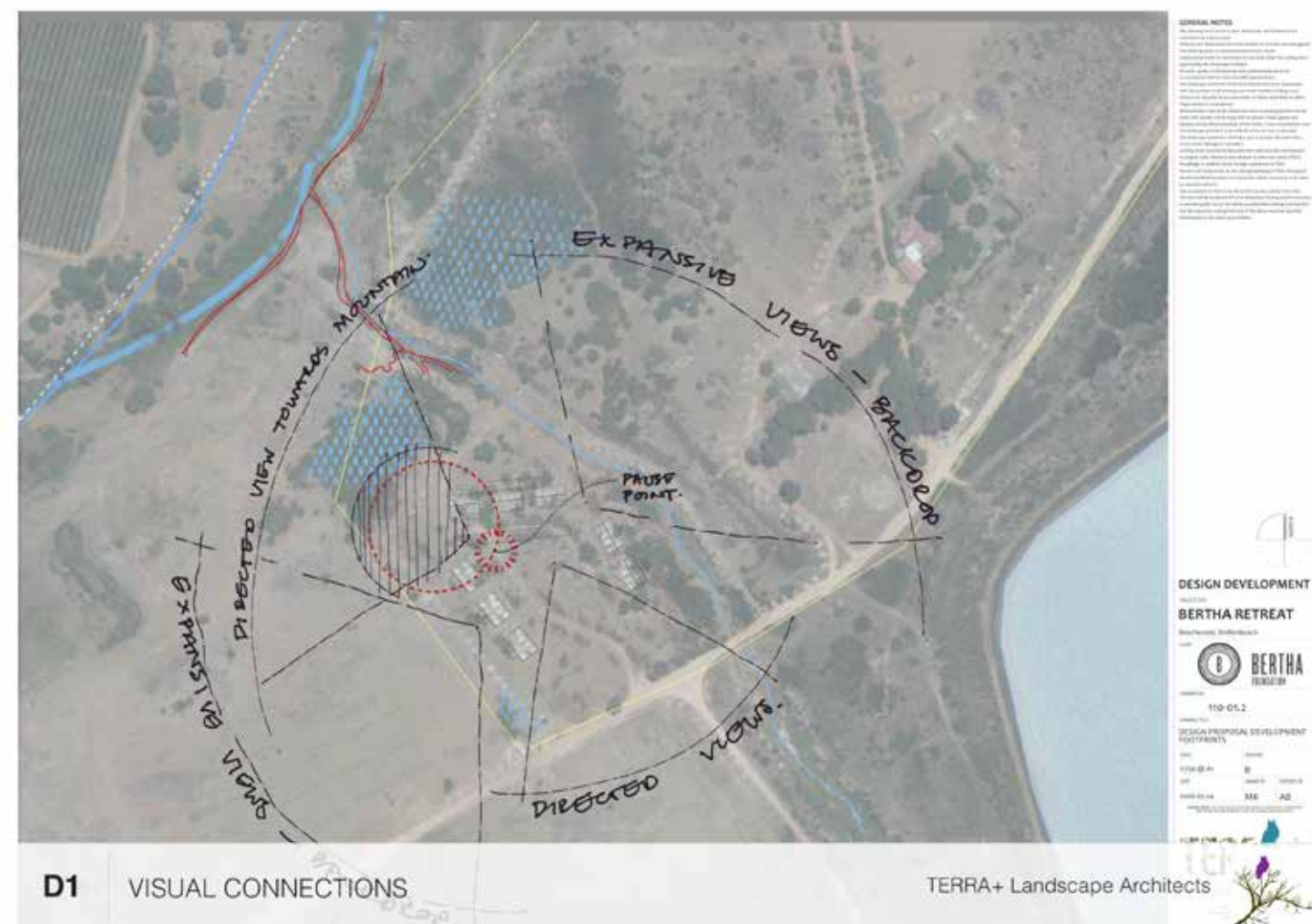


Figure 47. Conceptual Landscape Design Informants (Terra+ Landscape Architects, 2020)



Figure 48. Landscape context (RSA, 2020)

8.3 Development Proposal

The development proposal has been designed with the specific needs of the Bertha Foundation at its grantees in mind. Specific requirements include areas for communal and group activities including performative events and story telling, private areas of refuge and peace, some limited accommodation and catering/dining and conference facilities. In addition, the Bertha Retreat will also incorporate space and facilities for Lalela Project, an NGO focused on improving the lives of at-risk children through educational arts.

The varied purposes for individual cottages and clusters of cottages allows for a hybrid design strategy that varies across the site. At one end of the scale, there will be fairly simple renovation, in the case of the reception and community buildings which will be restored and left largely unchanged. The accommodation block will be repurposed for its new function of guest accommodation, with demolition and rebuilding of discrete units closely following the footprints of the existing structures. The far end of the scale will see the conference facility largely demolished and rebuilt.

The proposal makes use of the internal courtyard space for communal activities, with kitchen gardens and private spaces created in the area outside of the ring of cottages. It is further proposed that part of the internal space be made available for producers and traders from the local communities to showcase and sell their items.

The interiors will be decorated to evoke the colours, textures and materials of the immediate environs of the cottages. The distinct character of the East Precinct, and the study area will be reproduced through earth tones, organic shapes and informal arrangements employed throughout the redeveloped cottages.

The varying purposes intended for each structure or cluster of structures, i.e. reception, Lalela, accommodation, kitchen/dining areas etc., will allow these elements and features to be expressed differently in each instance.

The Landscape Plan keeps formal landscaping to a minimum, and avoids orthogonal or seried planting to evoke the wild, less ordered feel of the East Precinct. Kitchen gardens and individual garden areas for each cottage reintroduces elements remembered in the resident interviews, and visible as remnant traces on the site.

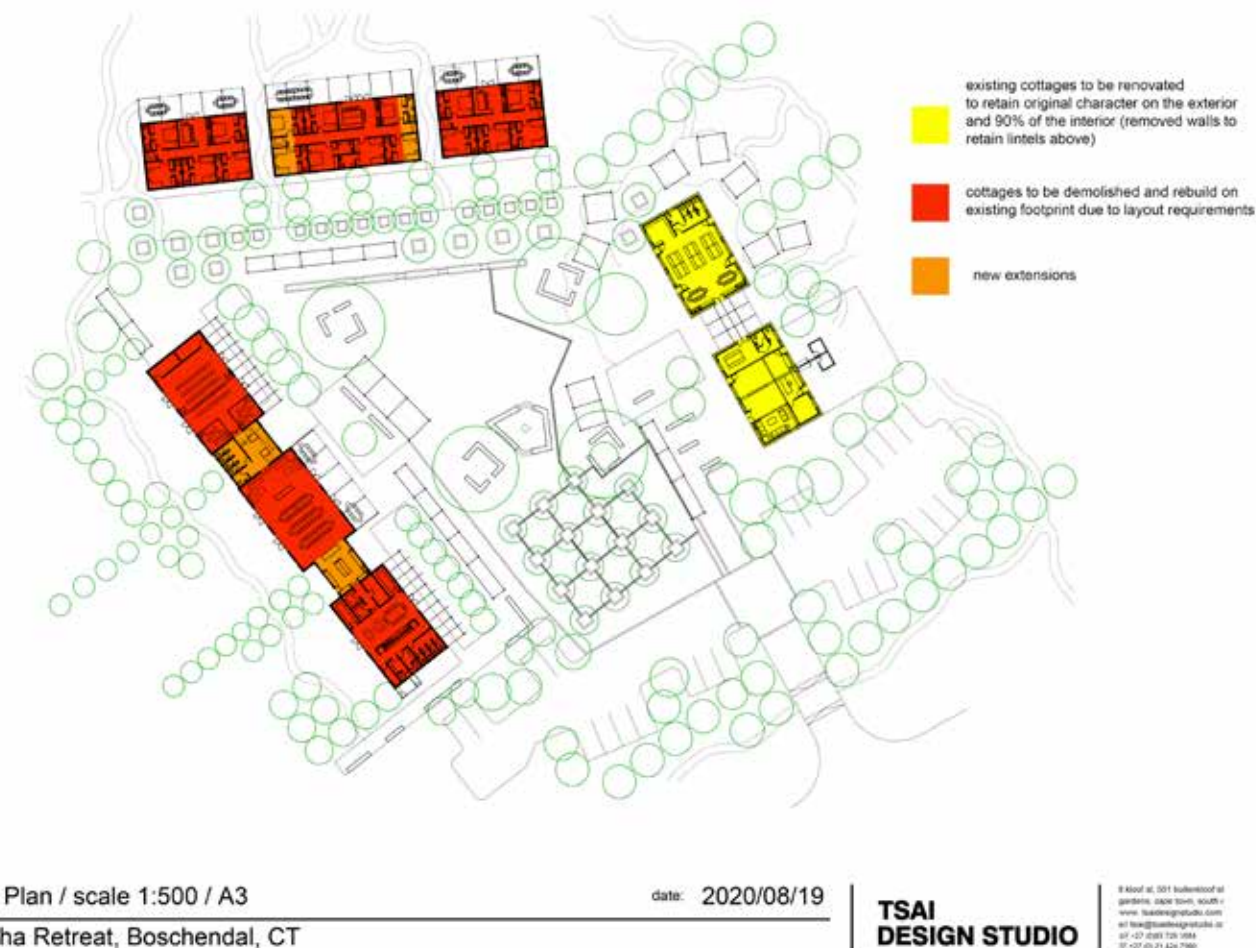


Figure 49. Diagrammatic representation of the hybrid design strategy (Tsai Design Studio, 2020).

8.4 Drawings

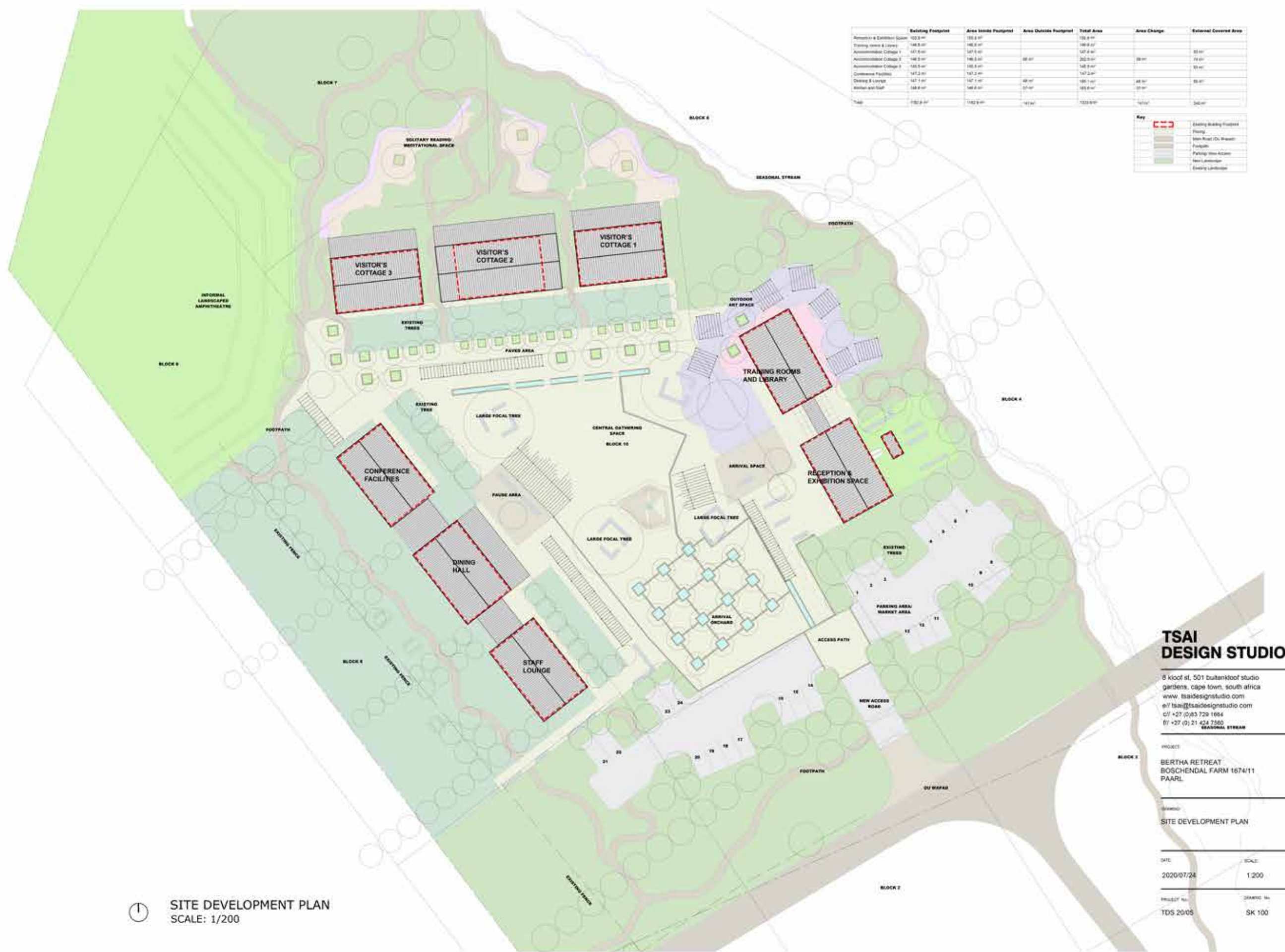


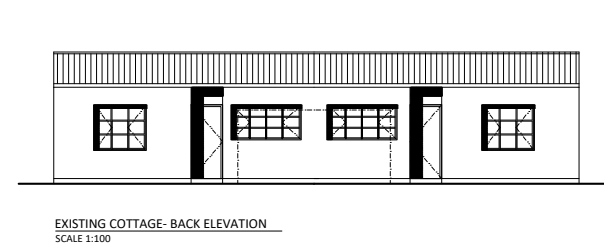
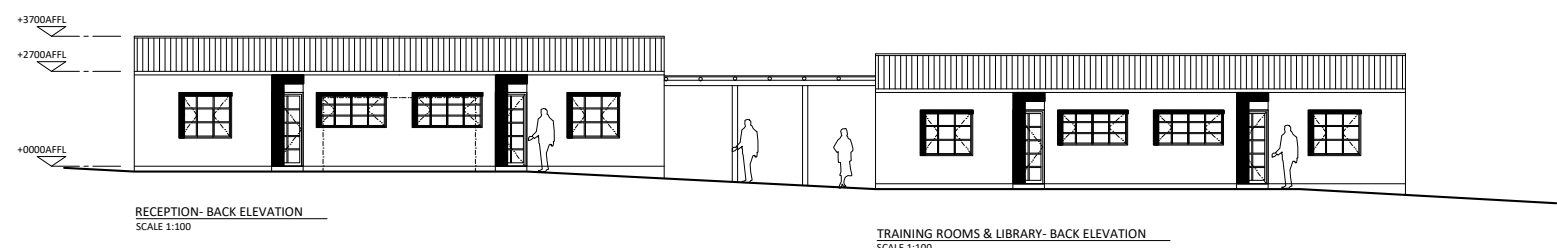
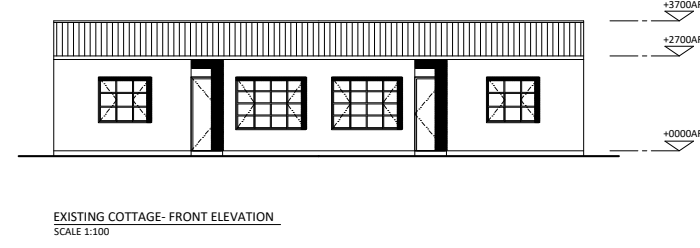
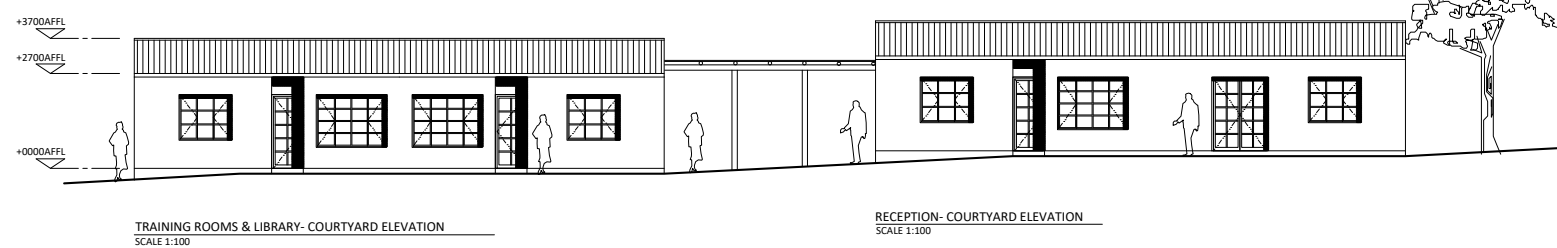
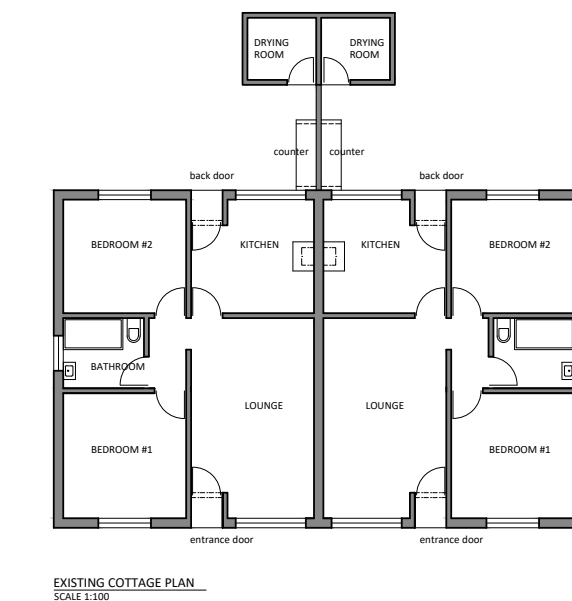
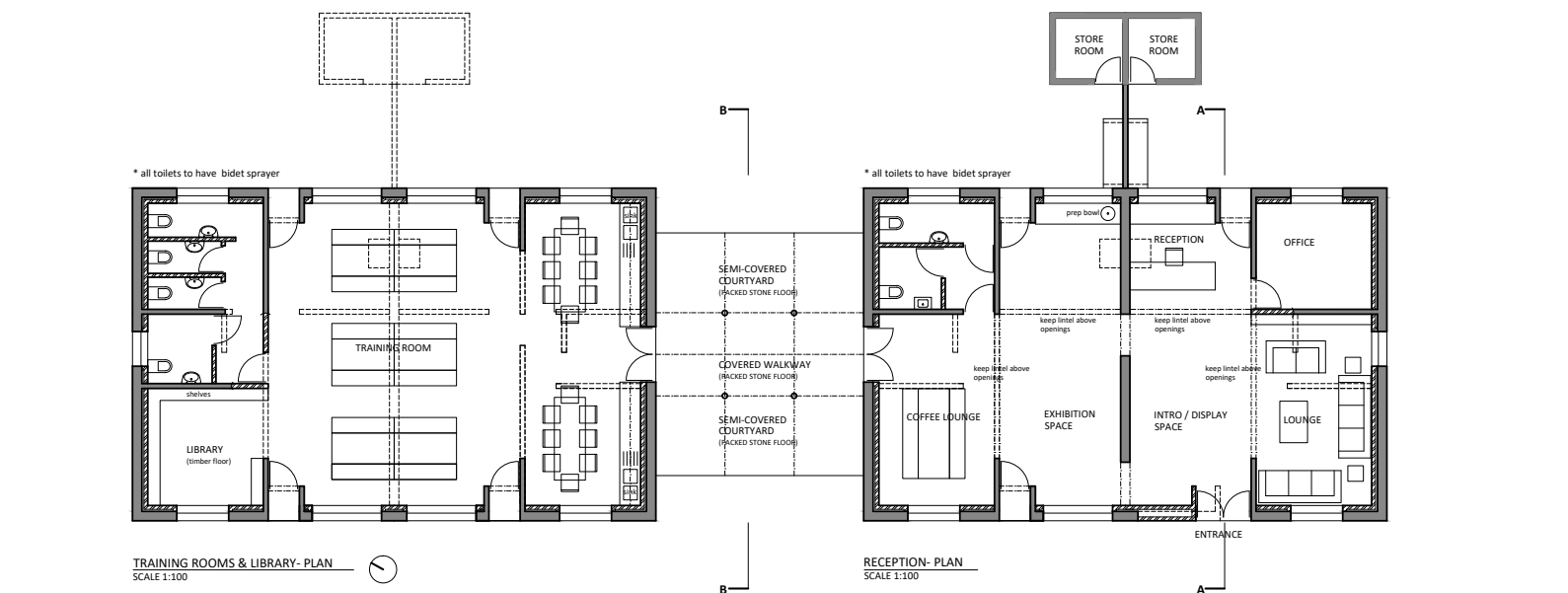
Figure 50. Bertha Retreat Site Development Plan, SK 100 (Tsai Design Studio, 2020)



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REVISIONS

REV.	DATE	DETAILS
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PROJECT:

BERTHA RETREAT
BOSCHENDAL FARM 1674/11
PAARL

DRAWING:

EXISTING COTTAGE SURVEY
RECEPTION & TRAINING ROOM PLANS,
ELEVATIONS AND SECTIONS

DATE:

2020/08/17

SCALE:

1:100

PROJECT No:

TDS 20/05

DRAWING No:

SK 103

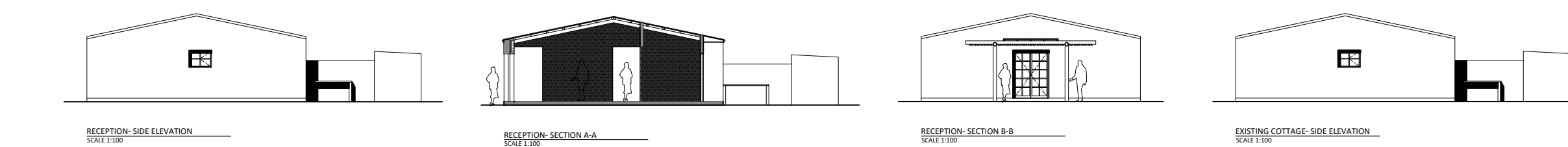
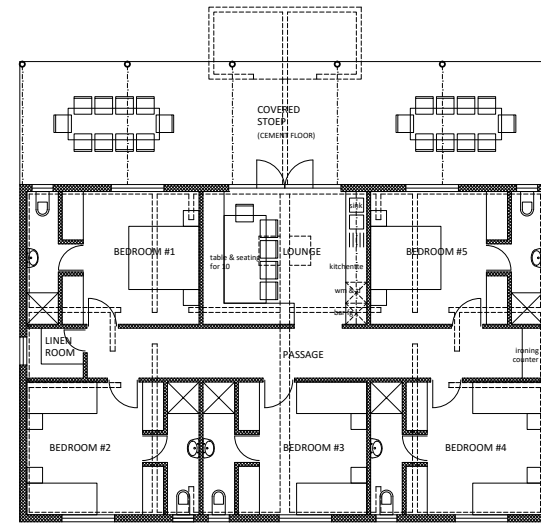
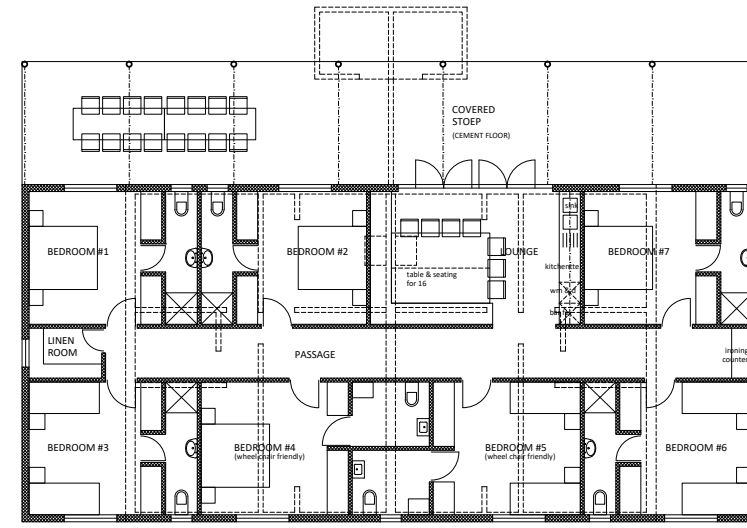
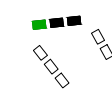


Figure 52. Bertha Retreat Existing Cottage Survey, Reception & Community Space Plans, Elevations and Sections, SK 103 (Tsai Design Studio, 2020)

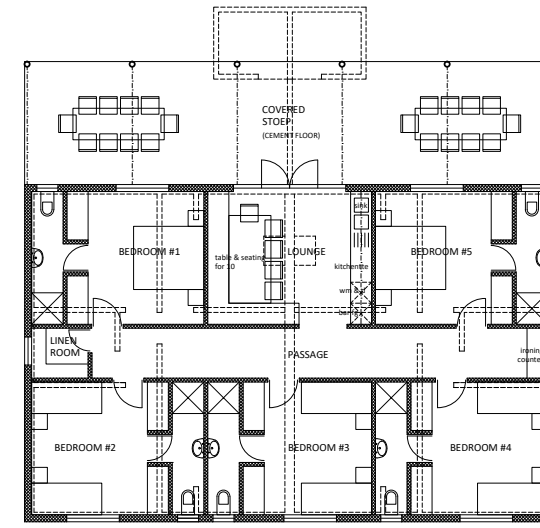
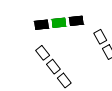
NOTES: Visitor's Cottages to use modular timber construction
 * all toilets to have bidet sprayer
 ** all bedroom to use standard key & lock
 *** all bedroom to have secure safe, a ceiling fan and heating panel



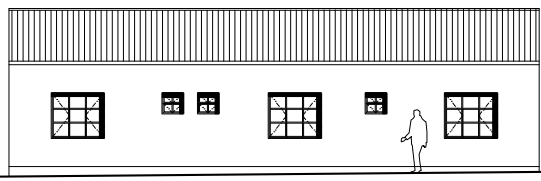
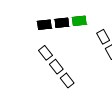
VISITOR'S COTTAGE #3- PLAN
 SCALE 1:100



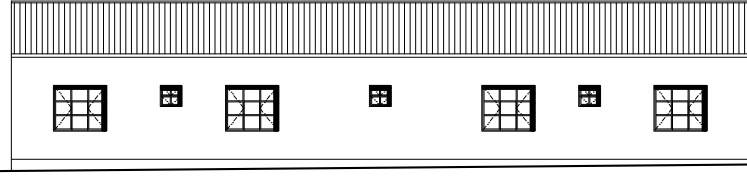
VISITOR'S COTTAGE #2- PLAN
 SCALE 1:100



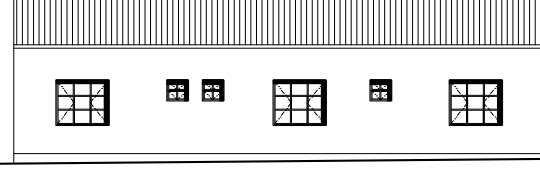
VISITOR'S COTTAGE #1- PLAN
 SCALE 1:100



VISITOR'S COTTAGE 3- COURTYARD ELEVATION
 SCALE 1:100



VISITOR'S COTTAGE 2- COURTYARD ELEVATION
 SCALE 1:100



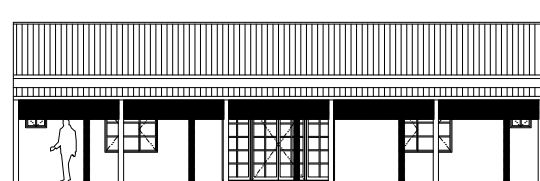
VISITOR'S COTTAGE #1- COURTYARD ELEVATION
 SCALE 1:100



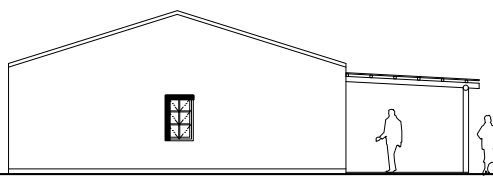
VISITOR'S COTTAGE 1- PATIO ELEVATION
 SCALE 1:100



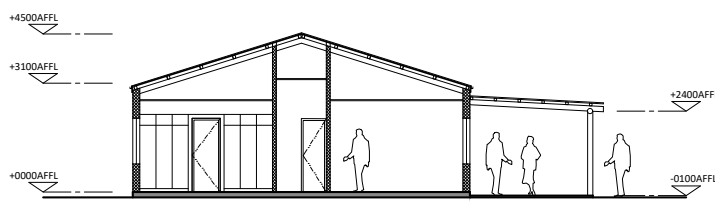
VISITOR'S COTTAGE 2- PATIO ELEVATION
 SCALE 1:100



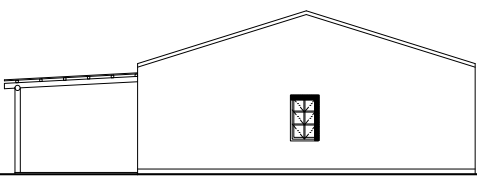
VISITOR'S COTTAGE 3- PATIO ELEVATION
 SCALE 1:100



VISITOR'S COTTAGE- SIDE ELEVATION
 SCALE 1:100



TYPICAL COTTAGE SECTION
 SCALE 1:100



VISITOR'S COTTAGE- SIDE ELEVATION
 SCALE 1:100

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REVISIONS		
REV.	DATE	DETAILS

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PROJECT:
 BERTHA RETREAT
 BOSCHENDAL FARM 1674/11
 PAARL

DRAWING:
 VISITOR'S COTTAGES 1, 2 & 3
 PLANS, ELEVATIONS AND SECTIONS

DATE: 2020/08/17 SCALE: 1:100

PROJECT No: TDS 20/05 DRAWING No: SK 104

Figure 53. Bertha Retreat Visitor's Cottages Plans, Elevations and Sections SK 104 (Tsai Design Studio, 2020)

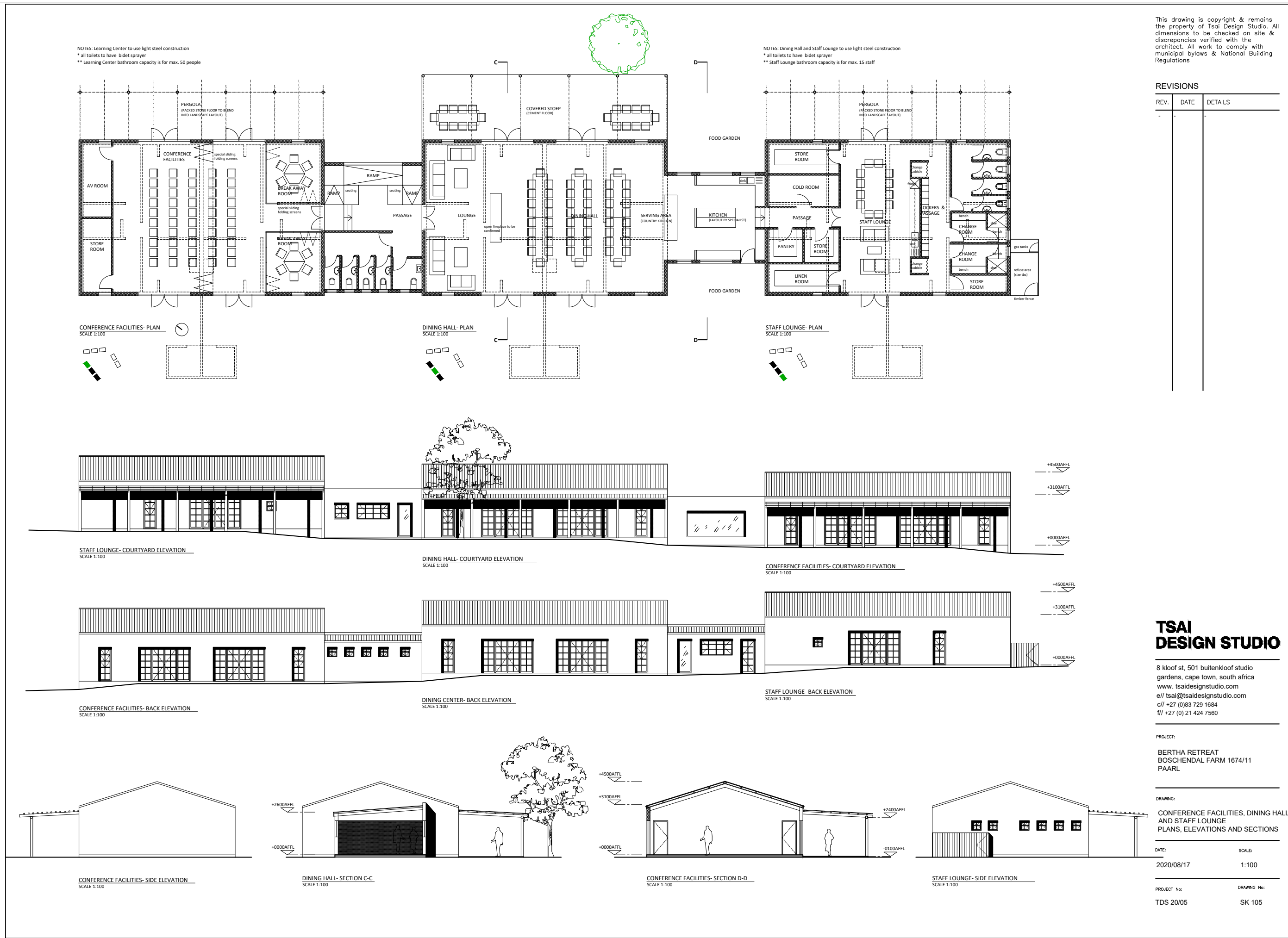
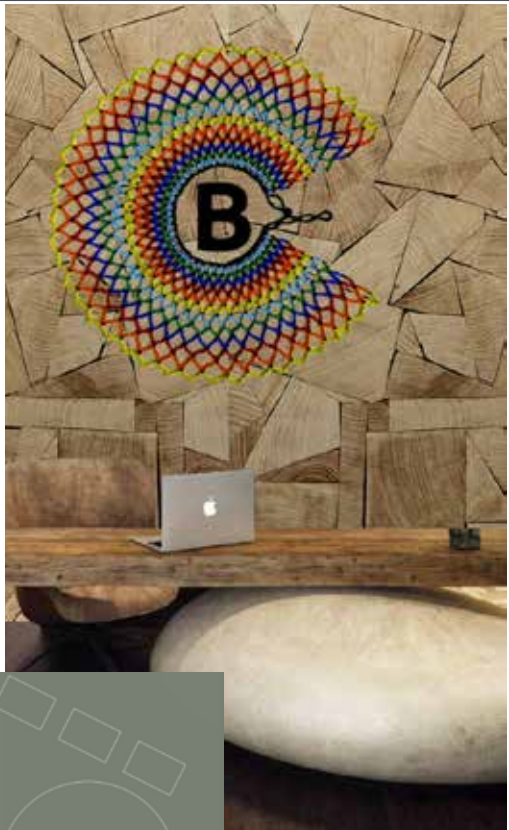


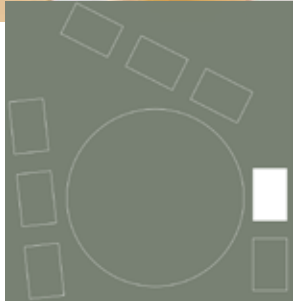
Figure 54. Bertha Retreat Site Conference Facilities Plans, Elevations and Sections, SK 105 (Tsai Design Studio, 2020)



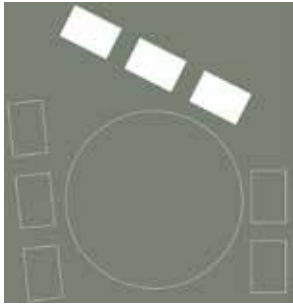
RECEPTION



COMMUNITY SPACE



REST



KITCHEN LOUNGE DINING



8.6 Landscape Plan



Figure 55. Existing trees (Terra+ Landscape Architects, 2020).

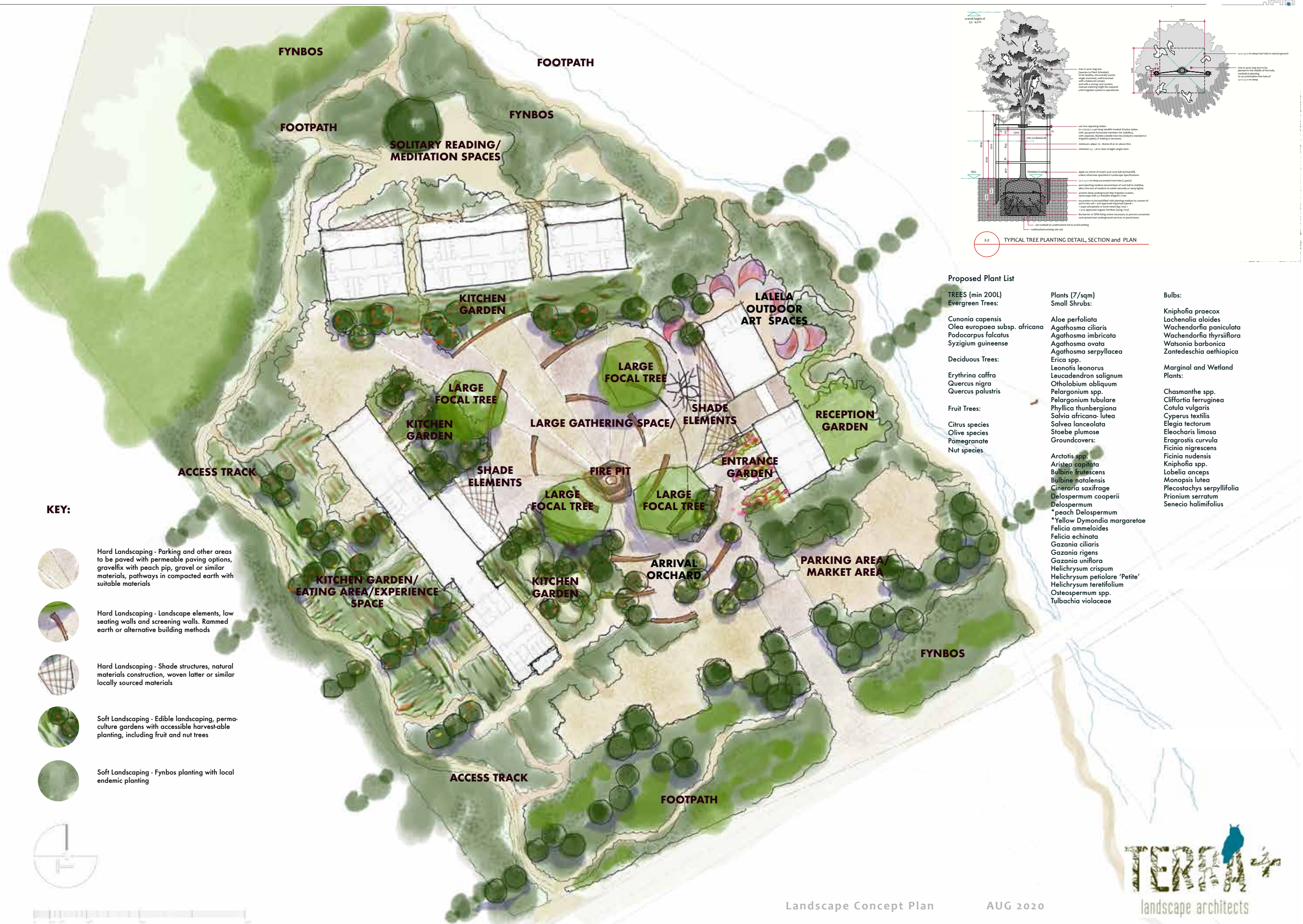


Figure 56. Bertha Retreat Landscape Concept Plan (Terra+ Landscape Architects, 2020)

9.0 HERITAGE IMPACT ASSESSMENT

9.1 Introduction

In order to assess the likely impacts of the proposed development on the heritage resources affected, it is necessary to consider several factors, including the significance, resilience and renewability of the resources present and their context, and evaluate it in terms of the extent, severity and reversibility of negative impacts.

Specifically, these factors need to be assessed in terms of the categories of sensitivity identified, namely archaeological, architectural, landscape and social.

9.2 Archaeological Impacts

No archaeological impacts are anticipated as the archaeological sensitivity of the site and wider area is low.

Historically, the site was little utilised, and remained unimproved, planted pasturage for most of the historic past. While subsurface remnants of such features as kraals, pens, animal traps or similar might be present, no trace of these or any other historic remains or artefacts were identified in the site survey.

In terms of pre-Colonial archaeology, Early and Middle Stone Age material, while abundant, is usually found in secondary contexts, largely as isolated items. It should be noted, however, that, in this location, the very factor that acts against the likelihood of historic period finds being present on site does elevate the potential archaeological sensitivity of the area. The underutilisation of the site could mean that archaeological material remains below ground level in undisturbed contexts, having avoided displacement through the actions of generations of ploughing. Indeed, proximity to the river at this location makes it possible that finds such as the LSA site identified at Solms Delta (Orton, 2009) might be uncovered during earthmoving activities arising from redevelopment or landscaping.

In this regard, such a redevelopment could result in valuable scientific discoveries that would not otherwise come to light. Some archaeological monitoring during construction will be sufficient to identify such a site, and steps can then be enacted to ensure appropriate mitigation of the site, be it through avoiding the area, or excavation and recording.

9.3 Architectural Impacts

As the structures themselves hold no architectural significance, impacts to their fabric and form will not diminish their heritage significance. This redevelopment is an exercise in reinvigorating built form as repository for intangible meaning and significance.

In light of the preferred design strategy of renovation and refurbishment, the authenticity of the built form is retained through low key interventions that ensure the final development is modest in scale and mass. External detailing is key to ensuring that this intervention does not either elevate the form and fabric of the structures to significance they do not hold, nor renovate them beyond recognition.

Acknowledgement of the history imbued in this site is achieved through the retention of one structure in a largely unaltered form. This single building, made good and fit for purpose, allows for the intangible significance of the site to be made visible, and for the untold stories to be woven back into the present and future of the site.

9.4 Landscape Impacts

Landscape impacts can be understood at operating at both the precinct and site scale.

At the precinct scale, the location of the development within the wider landscape needs to be assessed in terms of its appropriateness within the context of historical patterns of settlement, and the balance between wilderness, farmed lands and developed areas.

The location of the site along the wapad, on an historic and logical alignment between settlements and transport routes, conforms to historic development patterns. As such, the redevelopment of this site offers an opportunity to enhance the significance of this open, largely unmodified - though by no means wilderness - landscape through the activation of the site, and its use for socially conscious enterprises and activities.

Within this framework, low key renovations and detailing are, yet again, crucial to ensure the work is appropriate and does not sanitise/prettify the site.

At the site specific scale, landscape impacts will arise from the placement of the development within its immediate surroundings, and the interface between the structures and their context. This interface, while shaped by detailing, is mediated by a landscape plan that needs to be in keeping with the character and unique sense of place of the East Precinct.

To achieve this integration, planting needs to be less formal, less contrived,,less intrusive than could feasibly be possible elsewhere on Boschendal, where more established, historic planting provides a template of orthogonal orchards, vineyards and fields, tree rows, flower beds, mature trees and similar.

9.5 Social Impacts

The social impacts of this development can be assessed in light both of the site history, and the proposed future use of the site.

The site history plays out against the history of labour practices on Boschendal starting with slavery, and terminating - in the case of York Farm cottages - with the expulsion of the residents from Boschendal to be resettled in Lanquedoc extension. As such, the social impacts can be understood to have occurred already and, short of any impractical plans to return families and descendants to their former homes, no development of the site impinges directly on its former residents. It is the responsibility of this development to retain the memory of those lives, those people and the place of York Farm cottages within that trajectory of labour practices, and not erase nor falsify the past through gentrification and inappropriate development.

The proposed future use of the site to house both the Bertha Foundation Retreat, and Lalela, offers an opportunity to enact some degree of socially conscientised redress at the site. By expanding the programs of these two organisations to include local communities both in their operational and programmatic sides further provides a means for reconnecting former residents and local stakeholders with this site, the buildings and interstitial spaces, and the surrounding resources.

The above impacts are tabled for the purposes of compliance with NEMA (No. 107 of 1998) reporting in Annexure G.

10.0 PUBLIC PARTICIPATION PROCESS

10.1 Pre-Application Stage

Public Participation was undertaken as part of the pre-Application Draft Basic Assessment Report, in line with HWC Regulations pertaining to the requirements for PPP as part of the HIA process. The statutory 30 days for comment closed on 10 December 2020. This report was circulated for comment to the relevant I&APs active and registered in the area, and the pre-application Draft BAR, including the HIA were circulated to local communities.

Email notifications were sent out to:

- Drakenstein Heritage Foundation
- Stellenbosch Interest Group
- Stellenbosch Heritage Foundation
- Stellenbosch Municipality
- Pniel Museum
- Pniël Heritage and Cultural Trust

And notices were erected at

- Pniël Congregational Church, Office
- New Apostolic Church Lanquedoc
- Pniel United Cong Church office
- Encounter Ministries
- St John's Anglican Church
- Dwars River Valley Community House
- Pniel Municipal Offices
- Simondium Clinic
- Kylemore public clinic
- Stellenbosch public library
- Pniel library
- Kylemore supermarket

Copies of the reports were made available at the Stellenbosch and Pniel libraries and Pniel Museum, as well as online via the Chand website. Separate executive summaries, in English and Afrikaans, were provided at the libraries and Pniel museum with comment boxes; no public comments were received from these sources.

Stellenbosch Interest Group responded on 10 December, in full support of the recommendations of the HIA (Annexure I).

Further public participation was undertaken in the form of a Focus Group Meeting held on the site on 23 February 2021 that was coordinated and facilitated by the EAP.

This meeting was attended by relevant staff from RSA, Chand and Bertha Foundation, as well as representatives of Pniel Heritage, Pniel Community Development Forum and Dwars River Nature Conservation.

All comments arising from this meeting were points of clarity, rather than objections to, or endorsement of, the proposed development. The minutes of this meeting are appended (Annexure J).

The report was subsequently submitted to Heritage Western Cape for interim comment in terms of Section 38(8) by both the Impact Assessment Committee (IACom) and the Archaeology, Palaeontology and Meteorites Committee (APM). In the interim comment produced on 19 August 2021 (Annexure K), both committees expressed provisional support for the report and its findings, and await submission of the final HIA.

10.2 Final PPP

The Draft BAR was subsequently circulated again for comment between 23 November 2021 and 13 January 2022 as part of the final Public Participation Process in terms of NEMA requirements.

The availability of the HIA as part of the BAR was advertised in the Eikestad News on 25 November 2021, and the Cape Times on 22 November 2021 (Annexure L), and site notices were erected on site and more widely on Boschendal Farm (Annexure M).

In addition to this, the relevant I&APs were again notified by email (Annexure N) and registered mail of the availability of the document.

Drakenstein Heritage Foundation responded on 8 December 2021 with no objections to the proposal for Farm 1674/11 (Annexure O).

A single public comment was posted in the Pniel Library commenting box, and a transcription of this comment as well as the EAP and heritage practitioners' responses are attached (Annexure P).

In terms of heritage issues, the commenter noted the following:

“Die kinders word art? geleer met hulle kultuur daar buite ons is meestal Khoisan mense. Hulle skend ons heritages van voor ouers.”

While not strictly a matter pertaining to the heritage resources of the York Farm cottages proposed for redevelopment, this comment is illustrative of the degree of alienation local people feel from the land and history of Boschendal Farm, and the present day processes of its management and development. It is this imbalance that the process of Restorative Redevelopment seeks to address. As such, while achieving social justice is beyond the bounds of expectation for the New Retreat development in isolation, it can be seen within the framework of Restorative Redevelopment, and the principles of that vision have informed the design process.

11.0 CONCLUSION

The York Farm cottages, by nature both of their location, form and condition, lend themselves well to development. Provided architectural interventions are low key, and detailing is carefully executed, the redevelopment of this site offers an opportunity to activate an otherwise underutilised part of the farm. At this site, and within this Eastern Precinct, this can be achieved without impacting agricultural productivity, significant built heritage or the highly sensitive cultural landscape that is more typical of the western portion of the farm.

Here there is an opportunity to revitalise a site that presents as a viable and appropriate development opportunity. Further, there is an opportunity to reintroduce and reinforce historic routes and movement patterns across the wider site with its historic links to the mountains, Pniël, Kylemore, Lanquedoc and the R45.

The lack of intrinsic significance in the built form and fabric offers an opportunity to redevelop the site in line with the client's needs without compromising heritage significance. This significance resides, rather, in memory and sense of place and these intangible forms of meaning can be embedded in a well-planned, carefully executed proposal, and enhanced by the proposed future use of the site to accommodate socially conscious organisations that can contribute to the local communities.

The intervention can also serve to rebalance the heritage appreciation of the farm overall, rather than focussing on the dominant narrative of the historic core.

12.0 INTEGRATED RECOMMENDATIONS

- It is recommended that this HIA be endorsed as fulfilling the terms of Section 38(3) of the National Heritage Resources Act (No. 25 of 1999).
- The strategy of hybrid redevelopment modes across the site should be employed, such that the reception/community centre is retained in largely unaltered form, and simply made fit for purpose. Other cottages can then be more freely adapted without sacrificing the integrity and authenticity of the original settlement.
- Detailing should be low key to prevent misrepresentation of the significance of form and fabric.
- HWC should endorse the designs presented in this HIA, namely:
 - SK 100 (24/07/2020)
 - SK 102 (14/08/2020)
 - SK 103 (17/08/2020)
 - SK 104 (17/08/2020)
 - SK 105 (17/08/2020)
- Landscaping should avoid orthogonal layouts and geometric planting patterns, and reflect the untended, less formal character of this part of the farm.
- HWC should endorse the Landscape Concept Plan of August 2020 presented in this HIA (Figure 56), subject to detailed plans being provided for review and endorsement by HWC;
- The development team/site foreman should be advised of the type of archaeological materials that could occur on site;
- An appropriately experienced archaeologist should conduct a site visit, once during and again after any deep excavation activities on site, prior to backfilling or construction, to identify any evidence for *in situ*, subsurface LSA material;
- Should any significant, *in situ* material be encountered on site, work in that area must stop immediately, and HWC should be notified so that they can advise of the appropriate way forward; this may include further inspection and mitigation by an archaeologist;
- Should any human burials, or potential burials be encountered, all work should cease in that area, and HWC should be notified immediately to determine the appropriate course of action.

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ANNEXURES

Our Ref: HM/ CAPE WINELANDS/ STELLENBOSCH/ FARM 1674/3
Case No.: 20032005SB0331E
Enquiries: Stephanie Barnardt
E-mail: stephanie.barnardt@westerncape.gov.za
Tel: 021 483 5959
Cell: 076 481 8392 (during national lockdown)
Date: 14 April 2020

Boschendal (Pty) Ltd
Boschendal Farm
Pniel Main Road (R310)
Pniel
7680
stephen@boschendal.co.za , mike@archrsa.com , katie@archrsa.com



RESPONSE TO NOTIFICATION OF INTENT TO DEVELOP: HIA REQUIRED
In terms of Section 38(2) of the National Heritage Resources Act (Act 25 of 1999) and the Western Cape Provincial Gazette 6061, Notice 298 of 2003

NOTIFICATION OF INTENT TO DEVELOP: PROPOSED NEW RETREAT, PORTION 3 OF FARM BOSCHENDAL 1674, SUBMITTED IN TERMS OF SECTION 38(2) OF THE NATIONAL HERITAGE RESOURCES ACT (ACT 25 OF 1999)

CASE NUMBER: 20032005SB0331E

The matter above has reference.

Heritage Western Cape is in receipt of your application for the above matter received on 4 April 2020. This matter was discussed at the Heritage Officers meeting held on 8 April 2020.

You are hereby notified that, since there is reason to believe that the proposed new Retreat, Portion 3 of Farm Boschendal 1674 will impact on heritage resources, HWC requires that a Heritage Impact Assessment (HIA) that satisfies the provisions of section 38(3) of the NHRA be submitted. This HIA must have specific reference to the following:

- Impacts to archaeological heritage resources
- Visual impacts study of the proposed development
- Social study of the proposed development
- Landscape study of the proposed development

The required HIA must have an integrated set of recommendations.

The comments of relevant registered conservation bodies and the relevant Municipality must be requested and included in the HIA where provided. Proof of these requests must be supplied.

HWC reserves the right to request additional information as required.

Applicants are strongly advised to review and adhere to the time limits contained the Standard Operational Procedure (SOP) between DEADP and HWC. The SOP can be found using the following link <http://www.hwc.org.za/node/293>

Should you have any further queries, please contact the official above and quote the case number.

Yours faithfully

.....
Dr. Mxolisi Dlamuka
Chief Executive Officer

www.westerncape.gov.za/cas



Street Address: Protea Assurance Building, Green Market Square, Cape Town, 8000 • **Postal Address:** P.O. Box 1665, Cape Town, 8000
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No. 516

3 June 2005

SOUTH AFRICAN HERITAGE RESOURCES AGENCY

PROVISIONAL PROTECTION OF THE CAPE WINELANDS CULTURAL
LANDSCAPE AS A HERITAGE RESOURCE

By virtue of the powers vested in the South African Heritage Resources Agency in terms of section 29 (1) of the National Heritage Resources Act no 25 of 1999 (the Act), read with section 29 (1) (a) (iii) of the Act , the properties described in the schedule hereunder are hereby provisionally protected for a period of two years .

SCHEDULE

1. Description

A PORTION OF THE CAPE WINELANDS CULTURAL LANDSCAPE, COMPRISING IDAS VALLEY, STELLENBOSCH; THE DWARS RIVER VALLEY, STELLENBOSCH; SIMONSBERG NATURE RESERVE, STELLENBOSCH; AND A PORTION OF GROOT DRAKENSTEIN-SIMONDUM, DRAKENSTEIN VALLEY IN THE BOLAND REGION.

2. The following properties are hereby included in the protected area:

Description of properties + extent of sites

IDAS VALLEY

	FARM/ ERF NO.	FARM NAME	TITLE DEED	EXTENT
1.	50	Klippiers Rivieren	T4554/1967	51.9426H
2.	50/1	Klippiers Rivieren	T4554/1967	51.9426H
3.	53	Rustenburg	T4554/1967	205m71r
4.	55	Rustenburg	T4553/1967	18.2659H
5.	55/4	Rustenburg	T4554/1967	6.2605H
6.	56	Schoongezicht	T4554/1967	216.7362H
7.	56/1	Schoongezicht	T4554/1967	58.2533H
8.	105	Rustenburg	T4554/1967	252.4870H
9.	106	Heather Hill	T4554/1967	34.7620H
10	106/1	Heather Hill	T35962/1998	1.1140H
11	106/2	Heather Hill	T24288/1973	8949sqm
12	107	Consolidated Farm High Rustenburg	T27503/1966	40.8827H
13	107/1	Consolidated Farm High Rustenburg	T26458/1970	1.5243H
14	108	Rustenburg	T4554/1967	2.6933H
15	109	Rustenburg	T4554/1967	6.3769H
16	111	Farm 111	T91909/1999	1.2215H
17	111/1	Farm 111	T42187/2003	5253sqm
18	111/5	Farm 111	T105723/2004	2.5H
19	111/7	Farm 111	T28822/1994	1.6738H
20	111/8	Farm 111	T3205/1965	6998sqm
21	111/9	Farm 111	T80412/1996	1.0802H
22	111/10	Rustenburg Road	T64912/1991	1706.SQM
23	112	Farm 112	T40310/1990	4.9308H

22 No. 27614

GOVERNMENT GAZETTE, 3 JUNE 2005

24	123	Idas Valley & Nazareth	T4554/1967	85m 49241f
25	123/9	Idas Valley & Nazareth	T46964/2004	2613sqm
26	157	Farm 157	T4554/1967	45m253r
27	159/1	Glenelly	T4554/1967	1m 282r30f
28	164/1	Idas Valley Proper	T88170/2000	3.5179H
29	164/2	Idas Valley Proper	T4554/1967	9m254sqrd
30	164/3	Idas Valley Proper	T4554/1967	9m 192sqrd
31	164/4	Idas Valley Proper	T23171/1989	1.2564H
32	164/5	Idas Valley Proper	T34349/1971	1927sqm
33	165/1	Idas Valley Proper	T8261/1950	170.4148m
34	167	Lindani	T8261/1950	16.6696m
35	1067	Farm 1067	T39253/1975	43.1598H
36	1075/3	Undosa	T28886/1975	6.10H
37	1075/6	Ida's Valley	T28890/1975	6.8947H
38	1092	Farm 1092	T28891/1975	14.79H
39	1274	Heather Cottage	T35138/1988	1.3224H
40	1408/1	Rust en Vrede Trust	T77197/2001	
41	1408/9	Kelsey Farm (Pty) Ltd	T65565/2004	17.7857H
42	1408/10	Kelsey Farm (Pty) Ltd	T65566/2004	12.2331H
43	167,4	Lindani	T15756/1968	4,0.001M
44	167,6	Lindani	T8642/1968	3,4217H

DWARS RIVER VALLEY

Including the certain portions (as identified below) of the historical settlements of Pniel, Lanquedoc Johannesburg and Kylemore

1)	FARM ERF NO	FARM NAME	TITLE DEED NO	EXTENT
1	153	Old Bethlehem	T17499/2004	78.2330h
2	153,7	Old Bethlehem	T17499/2004	11.7002h
3	153,1	Old Bethlehem	T17499/2004	13.1701h
4	153,4	Old Bethlehem	T17499/2004	27.6944h
5	153,5	Old Bethlehem	T17499/2004	28.5183h
6	153,6	Old Bethlehem	T17499/2004	91.5997h
7	153,2	Old Bethlehem	T17499/2004	20.2962h
8	153,9	Old Bethlehem	T17499/2004	17.8637H
9	153,10	Old Bethlehem	T17499/2004	21.2846H
10	153,11	Old Bethlehem	T17499/2004	19.1588H
11	153,12	Old Bethlehem	T17499/2004	69.6436H
12	153,13	Old Bethlehem	T17499/2004	29.8347H
13	1674	Boschendal	T17496/2004	2.5903H
14	1173*	Boschendal	T81716/1993	25.6688H
15	1173/6	Rhonen+Lanquedoc	T41201/1989	4640.00sm
16	1171	Farm 1171	T86619/2002	10.2925H
17	1172	Farm 1647	T2464/2002	568.7646
18	1170/7	Normandy	T93366/1995	134.5194ha
19	1170/4	Now erf 9262, Kuilsriver	T2464/2002	568.7646ha
20	1170/8	Normandy	T100180/2000	
21	1170	Normandy	T56463/2004	27.79H
22	1202/1	Farm 1202	T50583/1995	2.89H
23	1219	Kyk in de pot	T3571/1981	9100.sqm
24	1218	Kyk in de pot	T3571/1981	6.6H
25	1218/1	Kyk in de pot	T5540/1998	1429.sqm

26	140	Kylemore	T17238/1962	8.5161H
27	140/2	Kylemore	T67628/2004	2019.sqm
28	151	Kylemore	T56137/1983	1.75H
29	150	France	T67628/2004	9.1286H
30	149	Murray	T67628/2004	3.9291H
31	146/1	Parsley	T19119/1978	1.58.8H
32	147/8	Roode Hek	T12893/1978	3541.sqm
33	147/5	Roode Hek	T78442/1993	7435.sqm
34	1345	Rust en Vrede	T28468/2001	1.3778H
35	124/62	Rust en Vrede	T26531/1974	1.7676H
36	124/37	Rust en Vrede	T6574/1965	3128.sqm
37	124/64	Rust en Vrede	T36469/1979	1.71.92H
38	1206	Farm 1206	T72735/1992	1.73H
39	1206/3	Farm 1206	T15407/2002	2.41H
40	1207/1	Farm 1207	T2237/1998	1.11.35H
41	1207	Farm 1207	T301/1999	R1.99H
42	1208	Farm 1208	T44656/1992	3.27H
43	1209	Johannesdal	T15122/1979	5.74H
44	1209/1	Johannesdal	T30834/1976	1.92H
45	1204	Farm 1204	T12487/1960	5F69sqm
46	1210	Farm 1210	T3808.1996	3.42H
47	1211	Farm 1211	T41518/1975	R1.29H
48	1211/1	Farm 1211	T650/1990	1.54H
49	1331	Zeven Rivieren	T27699/1994	213.15H
50	1202	Farm 1202	T12487/1969	54.83H
51	1173	Boschendal	T17496/2004	2.5H
52	1281/1	Farm 1281	T64312/2004	85.066H
53	1281	Farm 1281	T30826/1998	84.5H
54	1674/1	Boschendal	T17501/2004	200H
55	1201/5	Farm 1201	T26206/2001	5.2H
56	1201/8	Farm 1201	T67304/1995	7.56H
57	1193/4	Boschendal	T17496/2004	2.5H
58	1193/5	Boschendal	T17496/2004	2.5H
59	1194/8	De Goede Hoop	T4964/1895	4262sqm
60	961/1	Farm 961	T80436/1999	2.456H
61	969	Rachelsfontein	T7263/1904	84M
62	966/5	Wolwekloof	T2158/1965	145.8H
63	1647	Boschendal	T17496	2.5903H
64	1647/2	Farm 1647	T17500/2004	69.2H
65	1647/1	Farm 1647	T17499/2004	49.537H
66	1647/3	Farm 1647	T17495/2004	8.7H
67	1674/8	Boschendal	T17501/2004	50.H
68	1674/9	Boschendal	T17501/2004	80.1969H
69	1674/6	Boschendal	T17499/2004	42H
70	974	Farm 974	T61045/1991	9.9234H
71	1674	Boschendal	T17496/2004	2.5H
72	1674/9	Boschendal		80.1969H
73	975	Farm 975	T61045/1991	
74	976	Farm 976	T61045/1991	1.1594h
75	977	Rachelsfontein	T17289/1987	6997.sqm
76	1674/5	Boschendal	T1750/2004	123.2H
77	1674/2	Boschendal	T1750/2004	166.H
78	1674/4	Boschendal	T17499/2004	165.2H
79	1674/7	Boschendal	T17499/2004	106.H

80	1674/10	Boschendal	T17501/2004	106H
81	1674/11	Boschendal	T17499/2004	76.H
82	1674/1	Boschendal	T17501/2004	200.042H
83	1674/6	Boschendal	T17499/2004	42.4H
84	1674/8	Boschendal	T17501/2004	50.2H
85	116/1	Farm 116	T82569/2002	10.9H
86	1674/3	Boschendal	T17499/2004	115.912H
87	1674/12	Boschendal	T17501/2004	188.3H
88	1674/14	Boschendal	T17502/2004	9.9H
89	1674/13	Boschendal		341.94H
90	1173/2	Rhonen & Lanquedoc	T9361/1906	143sqrd
91	1007/2	Weltevreden	T9364/1906	594Sqrd
92	1169	Farm 1169	T21721/1991	79.3368H
93	1165	Farm 1165	T28080/1984	21.58
94	1162/9	Farm 1162	T41009/1987	27H
95	1162/10	Farm 1162	T4315/1988	16.39H
96	1162/8	Farm 1162	T19292/1999	4.3298H
97	116	Farm 116	T74091/2000	35.H
98	1509	Farm 1509	T86155/1993	54.H
99	1510	Farm 1510	T86154/1993	92.42H
100	978/3	Tonis Fontyn	T32944/1991	1.17H
101	978/5	Tonis Fontein	T48094/1994	3.42H
102	982/2	Werda	T89555/1997	4.28H

SIMONSBERG FOREST RESERVE

	FARM/ ERF NO	FARM NAME	TITLE DEED NO	EXTENT
1.	967	Farm 967	T15758/1903	200sqrd
2.	46	Wegda	T55462	106.56H
3.	1201	Boschendal	T17496/2004	2.5903H
4.	1217	Farm 1217	T71275/1997	25H
5.	1217/1	Farm 1217	T22352/1999	17.57H
6.	1217/2	Farm 1217	T77685/1991	3.911H

GROOT DRAKENSTEIN-SIMONDUM

	FARM/ ERF NO	FARM NAME	TITLE DEED NO	EXTENT
1	968	Le Plaisir Merle	T2158/1965/1904	593M
2	1264	Antonfontein	T36385/1988	37.7H
3	1264/1	Antonfontein	T18276/1980	12.1/H
4	945	Farm 945	T8366/1977	5.6272H
5	1477	Farm 1477	T104005/2002	18.9H
6	1221	Watervliet	T96982/1997	41.09H
7	941	Nieuwe Hoop	T29425/2000	21.64H
8	1223	Nieuwe Hoop	T29425/2000	26.207H
9	1223/1	Nieuwe Hoop	T65512/2000	20.414H

GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ARTS AND CULTURE
DEPARTEMENT VAN KUNS EN KULTUUR

No. 120 13 February 2009

SOUTH AFRICAN HERITAGE RESOURCES AGENCY

DRAFT

GOVERNMENT GAZETTE NOTICE FOR THE DECLARATION OF
A PART OF THE CAPE WINELANDS CULTURAL LANDSCAPE,
DWARSRIVIER VALLEY, BOSCHENDAL FOUNDERS ESTATE,
TO BE PUBLISHED IN THE GOVERNMENT GAZETTE AS A
NATIONAL HERITAGE SITE

DECLARATION OF THE BOSCHENDAL FOUNDERS ESTATE a
portion of THE CAPE WINELANDS CULTURAL LANDSCAPE AS A
NATIONAL HERITAGE SITE

By virtue of the powers vested in the South African Heritage Resources Agency in terms of section 27 (5) of the National Heritage Resources Act no 25 of 1999 (the act), SAHRA hereby declares a PORTION OF THE CAPE WINELANDS CULTURAL LANDSCAPE, identified as BOSCHENDAL FOUNDERS ESTATE, DWARSRIVIER VALLEY, STELLENBOSCH IN THE BOLAND REGION, WESTERN CAPE PROVINCE, A NATIONAL HERITAGE SITE.

STATEMENT OF SIGNIFICANCE

The CWCL is significant because of its idyllic setting, rich history associated with living heritage and a distinctive cultural and natural environment with unique planned landscapes boasting an architectural and aesthetic form unique to South Africa. To the naked eye, it appears as an open-air museum. Exhibiting magnificent cultural treasures ranging from fine historic monuments, small towns and villages with a rich Cape vernacular architectural tradition, to routes of high scenic value ‘dotted’ with low hills and valleys. The Boschendal Founders Estate, Dwarsrivier Valley, Cape Winelands Cultural Landscape is a product of the interaction between the natural landscape of great scenic beauty, the tireless labour of a slave population, biodiversity and human activities and responses over a long period which have created features and settlement patterns that are equally celebrated for their beauty, richness and diversity. The Dwarsriver Valley, more than any of the other CWCL landscapes is a showcase of the genius of the slave infused society of the Cape, with the majority of the slave descendents still working the soil. This cultural landscape encompasses a great variety of significant heritage resources, developed out of the interaction between peoples of many cultures with each other and with the place. The Cape Winelands has played an important role in the cultural development, economy and evolution of the local community and the nation, and is of local, provincial, national and international significance. At an international level, the CWCL is a physical manifestation that reflects the achievements of both slaves and their masters.

DESCRIPTION

The following properties are included in the protected area:

	FARM ERF	FARM NAME	OWNER	TITLE DEED	EXTENT
	NO.				
1	1674/2	Boschendal	Boschendal Ltd	T17501/2004	166.4995H
2	1674/5	Boschendal	Boschendal Ltd	T17501/2004	123.2548H
3	1674/8	Boschendal	Boschendal Ltd	T17501/2004	50.2598H
4	1674/9	Boschendal	Boschendal Ltd	T17501/2004	80.1969H

DEPARTMENT OF NATIONAL EDUCATION

No. 2044

5 November 1976

DECLARATION OF A NATIONAL MONUMENT

By virtue of the powers vested in me by section 10 (1) of the National Monuments Act, 1969 (Act 28 of 1969), I, Pieter Gerhardus Jacobus Koornhof, Minister of National Education, hereby declare the historic Boschendal homestead at Groot-Drakenstein, bounded by the ring-wall on the southern, western and northern sides and by the historic water furrow on the eastern side, including the manor-house and ring-wall, as well as all the other outbuildings and structures thereon, to be a national monument.

Description

The historic Boschendal homestead at Groot-Drakenstein, bounded by the ring-wall on the southern, western and northern sides and by the historic water furrow on the eastern side, including the manor-house and ring-wall, as well as all the other outbuildings and structures thereon, situate on a certain piece of freehold land in the Division of Paarl, being the remaining extent of the farm Champagne and measuring as such fifty-five (55) morgen and four hundred and fifty (450) square roods.

Deed of Transfer 2582/1902 (paragraph 38), dated 21.3.1902.

Historical and architectural importance

This farm was originally granted to the Huguenot Jean le Long in 1685. Afterwards the property became the home of Jacques de Villiers and his wife Marguerite Gardiol. Their grandson, Paul, built the historic manor-house in 1812. The farm remained in the possession of the De Villiers family until 1879.

The H-shaped manor-house, together with the outbuildings and ring-wall, form a unique and important Cape Dutch architectural group. (10/2/467.)

P. G. J. KOORNHOF, Minister of National Education.

No. 476

16 March 1979

NATIONAL MONUMENTS ACT (ACT 28 OF 1969)

DECLARATION OF THE RHONE HOMESTEAD AT GROOT DRAKENSTEIN

By virtue of the powers vested in me by section 10 (1) of the National Monuments Act, 1969 (Act 28 of 1969), I, Willem Adriaan Cruywagen, Minister of National Education, hereby declare to be a national monument the dwelling-house known as Rhone and its historic outbuildings, at Groot Drakenstein, together a surrounding area bounded to the south, east and north by its ring-wall, including the ring-wall and the exterior walls of the outbuildings, and bounded to the west by a line stretching from the westernmost extremity of the northern ring-wall to the north-western corner of the Van Rooyen wine cellar, hence along the western wall of this wine cellar to its south western corner and hence to the westernmost extremity of the southern ring-wall.

Description

The dwelling-house known as Rhone and its historic outbuildings, at Groot Drakenstein, together with a surrounding area bounded to the south, east and north by its ring-wall, including the ring-wall and the exterior walls of the outbuildings, and bounded to the west by a line stretching from the westernmost extremity of the northern ring-wall to the north-western corner of the Van Rooyen wine cellar, hence along the western wall of this wine cellar to its south-western corner and hence to the westernmost extremity of the southern ring-wall; situate on the farm known as Rhone in the Division of the Paarl at Groot Drakenstein, being the freehold farm Rhone and measuring as per remaining extent fifty-eight (58) morgen and one hundred and eighty-five (185) square roods.

Deed of Transfer 2582/1902 (paragraph 44), dated 21 March 1902.

Historical and architectural interest

The original grant of this farm, made in 1691, was to a Huguenot, Jean Gardé. From 1702 to 1902, however, the farm saw a succession of different owners; with the result that it has close historical ties with families such as the Malans, Jordaans and Haupts. It is from the Haupt family that Cecil John Rhodes acquired the farm in 1902, since which time it has remained the property of Rhodes Fruit Farms. The extent of Gardé's house is marked today, in a building now used as a tap-room, by windows specially built to the original proportions. The manor-house dates back to the third quarter of the eighteenth century, when the farm belonged to Pieter and Magdalena Joubert, and has been preserved virtually intact, including most of the original interior woodwork. H-shaped and gabled, it overlooks a vast courtyard which is flanked by widely and symmetrically spaced outbuildings, among them a cellar with a gable dated 1837. Together with its outbuildings and its ring-wall, the dwelling-house forms a unique and important Cape-Dutch architectural complex. 10/2/622.

W. A. CRUYWAGEN, Minister of National Education

321
DENEYS REITZ INC
8TH FLOOR, SOUTHERN LIFE BUILDING
RIEBEEK STREET
CAPE TOWN
8001

Prepared by me

CONVEYANCER
JANSE VAN RENSBURG HJ

VERBIND MORTGAGED
VIR FOR R 500 000 000 00
FOR RELEASE
SEE BOND.
B 041177/08
25 JUN 2008
REGISTRAR/REGISTRAR

FEE
R 1000 00

DEED OF TRANSFER
142792/2008
T 042792/08

BE IT HEREBY MADE KNOWN THAT
DIANE FRANCES CANTERBURY
appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said
applicant being duly authorised thereto by a Power of Attorney which said
Power of Attorney was signed at CAPE TOWN on 13 MAY 2008 granted to
him by
PURPLE PLUM PROPERTIES 59 (PROPRIETARY) LIMITED
No. 2002/014687/07

DATA / CAPTURE
08 JUL 2008
WILLIS
DATA / VERIFY
14 JUL 2008
MORRIS

Page 19

B. ENTITLED to the benefit of

(a) A pipeline servitude 3 metres wide over the 7
properties described in Condition A above for the
purpose of conveying irrigation and domestic
water pumped from the dams thereon over such
properties.

(b) A general servitude of right of way 5 metres wide
over the 7 properties described in Condition A
above to provide access thereto for purposes of
maintenance, repair, cleaning and replacement.

SUBJECT to such conditions as will more fully appear from said
Notarial Deed.

3. PORTION 4 OF THE FARM BOSCHENDAL NO. 1674, IN THE
STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL,
WESTERN CAPE PROVINCE

IN EXTENT: 165,2636 (ONE HUNDRED AND SIXTY FIVE
COMMA TWO SIX THREE SIX) HECTARES

FIRST TRANSFERRED by Deed of Transfer No. T 17499/2004 with
Diagram No. 2858/2003 relating thereto and held by Deed of
Transfer No. T69192/2007.

(i) As regards the figure aBCDb on said Diagram
No. 2858/2003:

A. SUBJECT to the conditions as are referred to in the
Deed of Transfer No. 10217/1942.

B. SUBJECT FURTHER to the following condition
contained in the Crown Grant No. 205/1939 reading:-

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"3. Subject to the provisions of the Reserved
Minerals Development Act, 1926, and of the
Precious Stones Act, 1927, all rights to minerals,
mineral products, mineral oils, coal, base and
precious metals or precious stones in or under
the land are reserved to the government" in
respect of which

a Certificate of Rights to Minerals (No. 120/1939) was
issued on 27th October, 1939 as will appear from the
endorsement on the said Crown Grant No. 205/1939.

C. SUBJECT FURTHER to the following condition
contained in the said Deed of Transfer No.
T10217/1942:

"That the Transferors (Divisional Council, Paarl) retain
the right of way over the property hereby transferred in
respect of any road-way which is now or may in future
be necessary to pass over the said land hereby
transferred, and the widths of the said roadways shall
be as follows: - NATIONAL ROAD 150 feet; MAIN
ROAD 100 feet; DIVISIONAL COUNCIL ROAD 60
feet; and PUBLIC ROAD 40 feet; and that all present
roads which may be in existence over the said property
must remain open for the use of the public."

D. BY Notarial Deed No. K 190/2001S ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the
north western boundary whereof is represented by
the line w1x1y1G on Diagram No. 3176/2000
annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitude over
Portion 1 of the Farm No. 1631, Stellenbosch
Municipality, Division of Paarl in extent

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102,4981 Hectares held by Deed of Transfer
No. T 17276/2001.

2. A water pipeline servitude 2,00 metres wide the
western boundary whereof is represented by the
line bodefgh on Diagram No. 3179/2000
annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitude over
Portion 4 of the Farm No. 1631, Stellenbosch
Municipality, Division of Paarl, in extent
30,3951 Hectares held by Deed of Transfer
No. T 17276/2001.

3.1. A pipeline servitude 2 metres wide the north
western boundary whereof is represented by the
line Aa on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001.

3.2. A pipeline servitude 2 metres wide the north
eastern boundary whereof is represented by the
line ab on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001.

3.3. A pipeline servitude 2 metres wide the south
western boundary whereof is represented by the
line AM on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitudes, over
Portion 1 of the Farm No. 1632, Stellenbosch
Municipality, Division of Paarl, in extent 4274
square metres held by Deed of Transfer No.
T 17276/2001

Subject to conditions as will more fully appear
from said Notarial Deed.

(ii) As regards the figure EFG on said Diagram
No. 2858/2003:

A. SUBJECT to the conditions referred to in said Deed of
Transfer No. T 10020/1942.

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B. SUBJECT FURTHER to the following condition
contained in Crown Grant No. 205/1939, issued under
the provisions of the "Cape Outspans Act" (No.
17/1937) on the 17th October, 1939, reading:-

Subject to the provisions of the Reserved Minerals
Development Act 1926, and of the Precious Stones
Act, 1927, all rights to all minerals, mineral products,
mineral oils, coal, base or precious metals or precious
stones in or under the land are reserved to the
Government."

in respect of which a Certificate of Rights to Minerals
(No. 120/1939) was issued on the 27th October, 1939,
as will appear from the endorsement on the said Crown
Grant No. 205/1939.

C. BY Notarial Deed No. K 190/2001S ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the
north western boundary whereof is represented
by the line w1x1y1G on Diagram No. 3176/2000
annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitude over
Portion 1 of the Farm No. 1631, Stellenbosch
Municipality, Division of Paarl in extent
102,4981 Hectares held by Deed of Transfer
No. T 17276/2001.

2. A water pipeline servitude 2,00 metres wide the
western boundary whereof is represented by the
line bodefgh on Diagram No. 3179/2000
annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitude over
Portion 4 of the Farm No. 1631, Stellenbosch
Municipality, Division of Paarl, in extent
30,3951 Hectares held by Deed of Transfer
No. T 17276/2001.

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3.1. A pipeline servitude 2 metres wide the north
western boundary whereof is represented by the
line Aa on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001.

3.2. A pipeline servitude 2 metres wide the north
eastern boundary whereof is represented by the
line ab on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001.

3.3. A pipeline servitude 2 metres wide the south
western boundary whereof is represented by the
line AM on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitudes, over
Portion 1 of the Farm No. 1632, Stellenbosch
Municipality, Division of Paarl, in extent 4274
square metres held by Deed of Transfer No.
T 17276/2001

Subject to conditions as will more fully appear
from said Notarial Deed.

(iii) As regards the figure DWXb on said Diagram
No. 2858/2003:

A. SUBJECT to the conditions referred to in Deed of
Transfer No. T 5834/1917.

B. BY Notarial Deed No. K 190/2001S:

(a) SUBJECT to:

A water pipeline servitude 2,00 metres wide the
north western boundary whereof is represented
by the line AB on Diagram No. 3172/2000
annexed thereto, together with a general right of
way to gain access to the said pipeline
servitude, in favour of Portion 1 of the Farm No.
1631, Stellenbosch Municipality, Division of
Paarl, in extent 102,4981 Hectares and Portion
4 of the Farm No. 1631, Stellenbosch

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Municipality, Division of Paarl, in extent 30,3951
Hectares held under Deed of Transfer
No. T 17276/2001.

(the northern boundary of which water pipeline
servitude is represented by the line 1v1w on
said Diagram No. 2858/2003)

(b) ENTITLED to:

1. a water pipeline servitude 2,00 metres wide, the
north western boundary whereof is represented
by the line w1x1y1G on Diagram No. 3176/2001
annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitude over
Portion 1 of the Farm No. 1631, Stellenbosch
Municipality, Division of Paarl in extent
102,4981 Hectares held by Deed of Transfer
No. T 17276/2001.

2. A water pipeline servitude 2,00 metres wide the
western boundary whereof is represented by the
line bodefgh on Diagram No. 3179/2000
annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain
access to the said pipeline servitude over
Portion 4 of the Farm No. 1631, Stellenbosch
Municipality, Division of Paarl, in extent
30,3951 Hectares held by Deed of Transfer
No. T 17276/2001.

3.1. A pipeline servitude 2 metres wide the north
western boundary whereof is represented by the
line Aa on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001.

3.2. A pipeline servitude 2 metres wide the north
eastern boundary whereof is represented by the
line ab on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001.

3.3. A pipeline servitude 2 metres wide the south
western boundary whereof is represented by the
line AM on Diagram No. 3182/2000 annexed to
Deed of Transfer No. T 17276/2001

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together with a general right of way to gain
access to the said pipeline servitudes, over
Portion 1 of the Farm No. 1632, Stellenbosch
Municipality, Division of Paarl, in extent 4274
square metres held by Deed of Transfer No.
T 17276/2001

Subject to conditions as will more fully appear
from said Notarial Deed.

C. By Deed of Transfer No. T 17276/2001

ENTITLED to an electric power transmission servitude
2,00 metres wide, the centre line whereof is
represented by the line tu on Diagram No. 3179/2000
annexed thereto over Portion 4 of the Farm No. 1631,
Stellenbosch Municipality, Division of Paarl, in extent
30,3951 Hectares thereby transferred.

(iv) As regards the figure bXY1h1g1f1M1N1Phj on said
Diagram No. 2858/2003:

A. SUBJECT to the conditions referred to in Deed of
Transfer No. T 11413/1897.

B. By Notarial Deed No. K 190/2001S:

(a) SUBJECT to a water pipeline servitude 2,00
metres wide the south eastern, north eastern
and north western boundaries whereof are
represented by the lines AB, BC and CD
respectively on Diagram No. 3173/2000
annexed thereto, together with a general right of
way to gain access to the said pipeline
servitude, in favour of Portion 1 of the Farm
No. 1631, Stellenbosch Municipality, Division of
Paarl, in extent 102,4981 Hectares and Portion
4 of the Farm No. 1631, Stellenbosch
Municipality, Division of Paarl, in extent 30,3951
Hectares both held by Deed of Transfer
No. T 17276/2001.

(the south eastern, north eastern and north western boundaries of which water pipeline servitudes are represented by the lines km,mn and n1v on said Diagram No. 2858/2003).

(b) ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001
together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.
2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bodefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001
together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.
- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.
- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.
- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001
together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

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Subject to conditions as will more fully appear from said Notarial Deed.

C. By Deed of Transfer No. T 17276/2001

ENTITLED to an electric power transmission servitude 2,00 metres wide, the centre line whereof is represented by the line tu on Diagram No. 3179/2000 annexed thereto over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 thereby transferred.

(v) As regards the figures l1k1B1u1t1E1s1r and 1f1g1h1j1n1J1K1L on said Diagram No. 2858/2003:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. BY Notarial Deed No. K 190/2001S ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001
together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.
2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bodefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001
together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

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- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.
- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.
- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed.

C. By Deed of Transfer No. T 17276/2001

ENTITLED to an electric power transmission servitude 2,00 metres wide, the centre line whereof is represented by the line tu on Diagram No. 3179/2000 annexed thereto over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 thereby transferred.

(vi) As regards the figures YZ1A1k, 1n1m1p1H, 1m1r1s1F1G1q, 1m1q1p and 1t1u1C1D on said Diagram No. 2858/2003:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.

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B. BY Notarial Deed No. K 190/2001S ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001
together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.
2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bodefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001
together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed.

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(vii) As regards the figure Aabjh on said Diagram No. 2858/2003:

A. SUBJECT to the conditions referred to in Deed of Transfer No. T 11413/1897.

B. By Notarial Deed No. K 190/2001S:

(a) SUBJECT to:-

1. A pipeline servitude 2,00 metres wide the north eastern boundary whereof is represented by the line AB on the south eastern boundary whereof is represented by the lines BC and DE on Diagram No. 3174/2000 annexed thereto.
(the south-eastern boundary of which pipeline servitude is represented by the lines 1x2c and 2bk on said Diagram No. 2858/2003).
2. A waterworks servitude area represented by the figure CFGD on said Diagram No. 3174/2000 including the right to utilise the chlorination plant within such servitude area.
(which servitude area is represented by the figure 1y2a2b2c on said Diagram No. 2858/2003).
3. A general right of abstraction of water from the Rachelsfontein Dam solely for the purposes set out in said Notarial Deed.
4. A general right of way to gain access to the pipeline servitude and water works servitude area referred to in Conditions B1 and B2 above respectively in favour of Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 102,4981 Hectares and Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares both held by Deed of Transfer No. T 17276/2001.

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(b) ENTITLED to:-

1. A water pipeline servitude 2,00 metres wide, the north western boundary whereof is represented by the line w1x1y1G on Diagram No. 3176/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl in extent 102,4981 Hectares held by Deed of Transfer No. T 17276/ 2001.

2. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line bodefgh on Diagram No. 3179/2000 annexed to Deed of Transfer No. T 17276/ 2001

together with a general right of way to gain access to the said pipeline servitude over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares held by Deed of Transfer No. T 17276/ 2001.

- 3.1. A pipeline servitude 2 metres wide the north western boundary whereof is represented by the line Aa on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.2. A pipeline servitude 2 metres wide the north eastern boundary whereof is represented by the line ab on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001.

- 3.3. A pipeline servitude 2 metres wide the south western boundary whereof is represented by the line AM on Diagram No. 3182/2000 annexed to Deed of Transfer No. T 17276/2001

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together with a general right of way to gain access to the said pipeline servitudes, over Portion 1 of the Farm No. 1632, Stellenbosch Municipality, Division of Paarl, in extent 4274 square metres held by Deed of Transfer No. T 17276/ 2001

Subject to conditions as will more fully appear from said Notarial Deed.

C. By Deed of Transfer No. T 17276/2001

ENTITLED to an electric power transmission servitude 2,00 metres wide, the centre line whereof is represented by the line tu on Diagram No. 3179/2000 annexed thereto over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 thereby transferred.

(viii) As regards the figure GHJKLMPQRSTU middle of stream VWD on said Diagram No. 2858/2003:

A. SUBJECT as regards the figure GHJKLMPQRST1bWD on said Diagram No. 2858/2003, to the conditions referred to in Deed of Transfer No. T 11413/1897.

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B. SUBJECT, as regards the figure 1bU middle of stream VW on said Diagram No. 2858/2003 to:

(a) The following conditions contained in Deed of Grant No. T 68/1936:

1. That all roads and thoroughfares being or existing on the said land, described in the plan or diagram of the same, shall remain free and uninterrupted unless the same be closed or altered by competent authority.
2. That if at any time it should appear to the Governor-General upon petition of any adjacent or neighbouring proprietor, that such adjacent or neighbouring proprietor requires a way or road of necessity to or from the land of such adjacent or neighbouring proprietor, the owner of the land hereby granted, upon which such road is required, shall be bound to grant such way or road of necessity and to point out the direction and width thereof: Provided that in case of a dispute or difference regarding such road, or its sufficiency, the direction and width of the road shall be decided upon by the Divisional Council of the Division in which the land is situated: Provided, further, that the said owner shall not be bound to allow such road or thoroughfare across land which shall at the time be in a state of cultivation or improvement, and that compensation shall be paid for by the persons or persons for whose benefit and upon whose application the said road is made according to determination by arbitration.
3. That the Governor-General shall at all times have the right to make roads, railways, dams, aqueducts, drains, and to conduct telegraphs and telephones over the said land for the benefit of the public, and to take materials for these purposes; also to establish convenient outspans for the use of travellers, on payment to the

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proprietor of such sum of money as compensation as may be determined by arbitration. Provided that the arbitrators may set off against the loss or damage caused to the proprietor, the benefit, instant or prospective, which he shall or may derive in consequence of the construction of any of the said works.

4. That the Governor-General shall at all times have the right of resuming the whole or a portion of the said land, if required for public purposes, on payment to the proprietor of such sum of money in compensation as may be mutually agreed upon by the parties concerned, or, failing such agreement, as may be determined by arbitration.

5. That all rights to every mineral of whatever nature and to any oil in or on the land hereby granted are expressly reserved to the Crown, together with the right of access to any mines or works undertaken for mining or prospecting purposes by any person duly authorized in that behalf. The land is subject to such further rights as the public or the Government now may, or may hereafter, have or be entitled to obtain under or by virtue of any law relating to the prospecting, digging, mining or exploitation of any mineral of whatever nature and any oil in or on the land hereby granted, which rights shall not be impaired or in any way affected by the title Deed.

Further, that the right is reserved to the Crown to occupy or to authorize the occupation of so much of the land hereby granted and to use or to authorize the use of so much water on such land as may be required for the prospecting or mining for any mineral or oil, on payment of such sums of money in compensation as may be mutually agreed upon by the parties concerned, or failing such agreement, as may be determined by arbitration.

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- (b) By Expropriation Caveat No. Ex 343/87 a portion of the above property measuring approximately 1433 square metres has been expropriated by the Divisional Council of Paarl in terms of Section 27 of the Roads Ordinance No. 19/1976 Vide Notice of Expropriation No. RMR 7/2/24 DATED 13 April 1987 filed as expropriation Caveat Ex. 343.87. Plans in duplicate filed therewith.

- C. **SUBJECT FURTHER** to the following conditions contained in Certificate of Registered Title No. T 17275/2001 imposed by the Controlling Authority in terms of Section 11(6) of Act No. 21 of 1940 when approving the subdivision of the Farms No. 1631 and 1632, Division of Paarl:

1. the property may not be subdivided without the written approval of the Controlling authority as defined in Act 21/1940;
2. no building and additions thereto apart from those in existence on the property at the date of transfer shall be erected or undertaken without the written approval of the Controlling Authority as defined in terms of Act 21/1940;
3. no store or place of business whatsoever apart from those in existence on the date of transfer may be opened or conducted on the property without the written approval of the Controlling Authority as defined in terms of Act 21/1940;
4. no building or structure whatsoever apart from those in existence on the date of transfer shall be erected within a distance of 95 metres from the centreline of Main Road 172 and 191 without the written approval of the Controlling authority as defined in Act 21/1940.

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- D. **BY** Notarial Deed No. K 190/2001S **SUBJECT** to the following servitudes in favour of Portion 1 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 102,4981 Hectares, and Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares, both held under Deed of Transfer No. T 17276/2000:

1. A water pipeline servitude 2,00 metres wide, the northern boundary whereof is represented by the line abcd on Diagram No. 3178/2000 annexed hereto
(and by the line 1w1zsr on said Diagram No. 2858/2003).
2. A water pump house servitude area represented by the figure efgh on said Diagram No. 3178/2000
(and by the figure tuwx on said Diagram No. 2858/2003).
3. A water pipeline servitude 2,00 metres wide the western boundary whereof is represented by the line jk on said Diagram No. 3178/2002
(and by the line p1c on said Diagram No. 2858/2003).
4. A general right of way to gain access to the water pump house servitude area referred to in Clause 2 above.

SUBJECT to conditions as will more fully appear from said Notarial Deed.

- E. **BY** Deed of Transfer No. T 17276/2001 **ENTITLED** to an electric power transmission servitude 2,00 metres wide, the centre line whereof is represented by the line tu on Diagram No. 3179/2000 annexed thereto over Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares thereby transferred.

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- F. **BY** Deed of Transfer No. T 17276/2001 **SUBJECT** to an electric power transmission servitude 2,00 metres wide the centre line whereof is represented by the line npqs on Diagram No. 3179/2000 annexed thereto in favour of Portion 4 of the Farm No. 1631, Stellenbosch Municipality, Division of Paarl, in extent 30,3951 Hectares thereby transferred

(the centre line of which electric power transmission servitude is represented by the line wyz1a on said Diagram No. 2858/2003)

- (ix) **As regards the whole property:**

BY Notarial Deed No. K210/2004S, dated the 6th February 2004, the within property is

- A. **SUBJECT** to

- (a) A pipeline servitude 3 metres wide for the purpose of conveying irrigation and domestic water pumped from the dams thereon over the within properties
- (b) A general servitude of right of way 5 metres wide to provide access to the within properties for purposes of maintenance, repair, cleaning and replacement

in favour of:

1. **PORTION 1 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

IN EXTENT: 200,0427 (TWO HUNDRED COMMA NOUGHT FOUR TWO SEVEN) HECTARES

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2. **PORTION 2 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

IN EXTENT: 166,4995 (ONE HUNDRED AND SIXTY SIX COMMA FOUR NINE NINE FIVE) HECTARES

3. **PORTION 5 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

IN EXTENT: 123,2548 (ONE HUNDRED AND TWENTY THREE COMMA TWO FIVE FOUR EIGHT) HECTARES

4. **PORTION 8 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

IN EXTENT: 50,2598 (FIFTY COMMA TWO FIVE NINE EIGHT) HECTARES

5. **PORTION 9 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

IN EXTENT: 80,1969 (EIGHTY COMMA ONE NINE SIX NINE) HECTARES

6. **PORTION 10 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH**

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MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE

IN EXTENT: 106,6539 (ONE HUNDRED AND SIX COMMA SIX FIVE THREE NINE) HECTARES

7. **PORTION 12 OF THE FARM BOSCHENDAL NO. 1674, IN THE STELLENBOSCH MUNICIPALITY, DIVISION OF PAARL, WESTERN CAPE PROVINCE**

IN EXTENT: 188,3148 (ONE HUNDRED AND EIGHT EIGHT COMMA THREE ONE FOUR EIGHT) HECTARES

HELD BY Deed of Transfer No. T 17051/2004

- B. **ENTITLED** to the benefit of

- (a) A pipeline servitude 3 metres wide over the 7 properties described in Condition A above for the purpose of conveying irrigation and domestic water pumped from the dams thereon over such properties.
- (b) A general servitude of right of way 5 metres wide over the 7 properties described in Condition A above to provide access thereto for purposes of maintenance, repair, cleaning and replacement.

SUBJECT to such conditions as will more fully appear from said Notarial Deed.

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Annexure G: Impact Assessment Tables in terms of NEMA (No. 107 of 1998)

PLANNING, DESIGN AND DEVELOPMENT PHASE: NO-GO ALTERNATIVE				
Heritage	Archaeology	Architecture	Landscape	Social
Potential impact and risk:	N/A	Medium	Low	Medium
Nature of impact:		Loss of the cottages through either demolition or dereliction would constitute a loss of a layer of the farm's history as expressed in the variety of architectural styles present on the farm.	Loss of built fabric illustrative of different periods of Boschendal history will reduce the heritage significance of the farm as a whole	The loss of these cottages through either demolition or dereliction represents the loss of representative samples of recent labour practices and worker's lives on the farm represents a
Extent and duration of impact:		N/A	N/A	N/A
Consequence of impact or risk:		Loss of layers of history across the farm	Negative impacts will arise to the layered nature of the cultural landscape through loss of categories of built forms, in this case, recent farmer workers' cottages	Severing the landscape from its history of workers and the conditions and fact of their life and labour on the farm not only directly impacts those who occupied the cottages in the past, but permeates all aspects of the farm's viability.
Probability of occurrence:		High	Medium	Medium
Degree to which the impact may cause irreplaceable loss of resources:		Medium	Low	High
Degree to which the impact can be reversed:		Low	High	Low
Indirect impacts:		Indirect impacts can arise to the associated cultural landscape and the authenticity of the farm more broadly	Indirect impacts can arise to the associated cultural landscape and the authenticity of the farm more broadly	Missed opportunities of achieving or implementing social redress have extensive indirect impacts that function at the site, farm and valley scale, and are felt throughout South African society
Cumulative impact prior to mitigation:		Medium	Medium	Very High
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)		Medium	Medium	High
Degree to which the impact can be avoided:		High	High	Medium
Degree to which the impact can be managed:		Medium	High	Medium
Degree to which the impact can be mitigated:		High	High	Medium
Proposed mitigation:		Retain examples of the Amfarm cottage types in largely unaltered form to illustrate and inform about this period of Boschendal's history	Retention of examples of all categories of built form enhance the authenticity of the cultural landscape as a layered expression of the farm's past	This loss cannot be mitigated
Residual impacts:		Low	Low	High
Cumulative impact post mitigation:		Low	Low	Very High
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)		Low	Low	Very High
Note on significance of impact:		From a heritage perspective, impacts are not a reflection of degree of intervention or retention of fabric. As such, the no-go alternative only reflects no development, not partial development and partial retention of fabric and/or form.		

OPERATIONAL PHASE: NO-GO ALTERNATIVE				
Heritage	Archaeology	Architecture	Landscape	Social
Potential impact and risk:	N/A	Medium	Low	Medium
Nature of impact:	Redevelopment within the existing footprints would have no associated archaeological impacts as no surficial archaeological artefacts exist on site.	Loss of the cottages through either demolition or dereliction would constitute a loss of a layer of the farm's history as expressed in the variety of architectural styles present on the farm.	Loss of built fabric illustrative of different periods of Boschendal history will reduce the heritage significance of the farm as a whole	The loss of these cottages through either demolition or dereliction represents the loss of representative samples of recent labour practices and worker's lives on the farm represents a
Extent and duration of impact:		N/A	N/A	N/A
Consequence of impact or risk:		Loss of layers of history across the farm	Negative impacts will arise to the layered nature of the cultural landscape through loss of categories of built forms, in this case, recent farmer workers' cottages	Severing the landscape from its history of workers and the conditions and fact of their life and labour on the farm not only directly impacts those who occupied the cottages in the past, but permeates all aspects of the farm's viability.
Probability of occurrence:		High	Medium	Medium
Degree to which the impact may cause irreplaceable loss of resources:		Medium	Low	High
Degree to which the impact can be reversed:		Low	High	Low
Indirect impacts:		Indirect impacts can arise to the associated cultural landscape and the authenticity of the farm more broadly	Indirect impacts can arise to the associated cultural landscape and the authenticity of the farm more broadly	Missed opportunities of achieving or implementing social redress have extensive indirect impacts that function at the site, farm and valley scale, and are felt throughout South African society
Cumulative impact prior to mitigation:		Medium	Medium	Very High
Significance rating of impact prior to mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)		Medium	Medium	High
Degree to which the impact can be avoided:		High	High	Medium
Degree to which the impact can be managed:		Medium	High	Medium
Degree to which the impact can be mitigated:		High	High	Medium
Proposed mitigation:		Retain examples of the Amfarm cottage types in largely unaltered form to illustrate and inform about this period of Boschendal's history	Retention of examples of all categories of built form enhance the authenticity of the cultural landscape as a layered expression of the farm's past	This loss cannot be mitigated
Residual impacts:		Low	Low	High
Cumulative impact post mitigation:		Low	Low	Very High
Significance rating of impact after mitigation (e.g. Low, Medium, Medium-High, High, or Very-High)		Low	Low	Very High
Note on significance of impact:		From a heritage perspective, the no-go alternative only reflects no development, not partial development and partial retention of fabric.		