



26 October 2019

3rd Fl. Protea Assurance Building
Green Market Square,
Cape Town
8000

ATTENTION: Ms. Waseefa Dhansay

RE: Bertha New Retreat, Pipeline: Erf 1, Lanquedoc, 11/1674 and 1730
Boschendal, Ref 21032905

Dear Ms Dhansay,

The Bertha Retreat development on 11/1674 Boschendal is the subject of an HIA that has been seen at IACom and APM for interim comment, but has not yet been submitted for final comment.

Subsequent to the compilation of the HIA, permission was granted by Stellenbosch Municipality to connect the proposed new development to the existing water supply at Lanquedoc. This connection is to be via a new pipeline laid within the road reserves of the farm road (Old Wapad) on 11/1674 and 1730 Boschendal, and of Lanquedoc Main Road across Erf 1.

For the purposes of the NEMA process, the application is being bundled with the development, but it was determined that this could be handled as a separate NID application in terms of the relevant heritage processes. A NID and accompanying report were duly compiled in terms of Section 38(8) of the NHRA. The submission of the NID has, however, been delayed due to difficulties initially with identifying, and then with obtaining signatures from the landowners of Erf 1. Despite the relevant development area falling within the road reserve, the land is in the ownership of the Dwars River Valley Community Development Trust (DRVCDT), and efforts since August 2021 have failed to secure signature, although this is understood to arise from

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Co. Reg. No. CC CK 1990/006711/23

Mike Scurr | Director M Phil (CBE) (UCT) BArch (UCT) BAS (UCT) Pr.Arch MIArch CIA
Shaun Adendorff | Director PhD IndPsych (UWC) MBA (UKZN) PgDipBusMgt (UND) BArch (UCT) BAS (UCT) MIArch CIA
John Rennie | Consultant BArch (UCT) Dip Conservation Studies (York) Pr.Arch MIArch CIA

administrative difficulties within the Trust, rather than opposition to the proposed pipeline.

As heritage input is a necessary component of the NEMA process, the failure to procure landowner permission to submit the NID is currently jeopardizing the environmental process not only of the pipeline but of the wider New Retreat development.

Given the NID recommends that no further heritage studies are required in terms of the pipeline development, we are of the opinion that the signature of the owner is not necessary in so far as the proposed development does not trigger the need for a HIA and HWC is a commenting authority in this process. Should the HWC Response to the NID differ from our submission, and find that heritage studies are required, landowner permission would be sought prior to the submission of any HIA.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Mike Scurr', with a stylized flourish at the end.

Mike Scurr

Rennie Scurr Adendorff Architects CC.

APPLICATION FORM NOTIFICATION OF INTENT TO DEVELOP (NID) SECTION 38 (1) AND SECTION 38 (8)

Heritage Western Cape Reference No:

To be completed by the applicant

21032905

Completion of this form is required by Heritage Western Cape for the initiation of all impact assessment processes under Section 38 (1) & (8) of the National Heritage Resources Act (NHRA)

As per Section 38 (1) (e) of the NHRA, submission of the NID must be initiated at the earliest stage of development. Should the development trigger any other legislation, practitioners may submit the NID without formal submission to other statutory bodies in order to comply with the NHRA.

This form is to be read in conjunction with the HWC Notification of Intent to Develop, Heritage Impact Assessment, (Pre-Application) Basic Assessment Reports, Scoping Reports and Environmental Impact Assessments, Guidelines for Submission to HWC

Whilst it is not a requirement, it may expedite processes and in particular avoid calls for additional information if certain of the information required in this form is provided by a heritage specialist/s with the necessary qualifications, skills and experience. All sections of the form must be completed in order to deem the application to be complete.

Making an incorrect statement or providing incorrect information may result in all or part of the application having to be reconsidered by HWC in the future, or submission of a new application.

The following information is to be included upon submission to HWC:

1. Proof of payment with correct reference number
2. Completed and signed application form – the application form must be completed in full in order to be considered
3. Power of Attorney
4. Locality Map
5. Images of the site and its context
6. Additional information pertaining to the heritage of the site

Application and associated documentation to be emailed to ceoheritage@westerncape.gov.za

A. APPLICABILITY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

Department of Environmental Affairs Development Planning (Western Cape); Department of Mineral Resources (National); Department of Environmental Affairs (National);
Reference Number (if applicable):

Please tick the applicable section:



This application is made in terms of Section 38(8) of the NHRA and an application under NEMA has been made to the following authority: DEAD&P



This development will not require a NEMA application.

B. BASIC DETAILS**PROPERTY DETAILS:**

Name of property: Boschendal Farm	
Street address or location (eg: off R44): Off R310, Boschendal	
Erf or farm number/s: 11/1674; 1730	Coordinates: S 33°53'31.50" E 18°58'09.50" (A logical centre point. Format based on WGS84.)
Town or District: Groot Drakenstein	Municipality: Stellenbosch
Extent of property: 273.18 Ha	Current use: Agriculture
Predominant land use/s of surrounding properties: Residential, agriculture, tourism	

REGISTERED OWNER OF PROPERTY:

Name and Surname: Boschendal (Pty) Ltd		
Address Boschendal Farm, Pniel Main Road (R310), Pniel, 7680		
Telephone c/o 021 4230328	Cell c/o 072 7967754	E-mail c/o katie@archrsa.com
APPLICANT/ AUTHORISED AGENT:		
Name and Surname: Boschendal (Pty) Ltd		
Address: Boschendal Farm, Pniel Main Road (R310), Pniel, 7680		
Telephone c/o 021 4230328	Cell c/o 072 7967754	E-mail c/o katie@archrsa.com

By the submission of this form and all material submitted in support of this notification (ie: 'the material'), all applicant parties acknowledge that they are aware that the material and/or parts thereof will be put to the following uses and consent to such use being made: filing as a public record; presentations to committees, etc; inclusion in databases; inclusion on and downloading from websites; distribution to committee members and other stakeholders and any other use required in terms of powers, functions, duties and responsibilities allocated to Heritage Western Cape under the terms of the National Heritage Resources Act. Should restrictions on such use apply or if it is not possible to copy or lift information from any part of the digital version of the material, the material will be returned unprocessed. All sections of the form have been completed.

Signature of Owner:

Date: 27 August 2021

Should the owner not be able to sign, the applicants/ agents must attach copy of power of attorney to this form.

Signature of Applicant/ Authorised Agent:

Date: 27 August 2021

Applicants/ agents must attach copy of power of attorney to this form.

C. DEVELOPMENT DETAILS:

Please indicate below which of the following Sections of the National Heritage Resources Act, or other legislation has triggered the need for notification of intent to develop.

<input type="checkbox"/>	S38(1)(a) Construction of a road, wall, powerline, pipeline, canal or other similar form of linear development or barrier over 300m in length.	S38(1)(c) Any development or activity that will change the character of a site - <input type="checkbox"/> (i) exceeding 5 000m ² in extent; <input type="checkbox"/> (ii) involving three or more existing erven or subdivisions thereof; <input type="checkbox"/> (iii) involving three or more erven or divisions thereof which have been consolidated within the past five years.
<input type="checkbox"/>	S38(1)(b) Construction of a bridge or similar structure exceeding 50m in length.	
<input type="checkbox"/>	S38(1)(d) Rezoning of a site exceeding 10 000m ² in extent.	
<input checked="" type="checkbox"/>	Other triggers, eg: in terms of other legislation, (ie: National Environment Management Act, etc.) Please set out details:	If you have checked any of the three boxes above, describe how the proposed development will change the character of the site:

If an impact assessment process has also been / will be initiated in terms of other legislation please provide the following information:

Authority / government department (ie: consenting authority) to which information has been /will be submitted for final decision: DEAD&P

Present phase at which the process with that authority stands: This application is being incorporated into the BAR for the New Retreat development, and is currently at pre-PPP phase.

Provide a full description of the nature and extent of the proposed development or activity including its potential impacts:

The Stellenbosch Municipality has granted permission for the proposed New Retreat development on Portion 11 of Farm 1674, Boschendal, to connect to the municipal water supply via the existing Lanquedoc water main.

This connection requires 317m of pipeline aligned within the road reserve of the existing Lanquedoc Main Road, and a further 522m of pipeline to be laid within centre of the oncoming lane of the Boschendal Farm Road, Ou Wapad. The pipeline will be 160mm uPVC pipe, and the alignment will bridge over an existing culvert along the Lanquedoc alignment, and fix to the bridge over a watercourse before entering Boschendal.

Estimated value cost of the project in South African Rands: R _____

D. ANTICIPATED IMPACTS ON HERITAGE RESOURCES

Section 3 of the National Heritage Resources Act sets out the following categories of heritage resource as forming part of the national estate. Please indicate the known presence of any of these by checking the box alongside and then providing a description of each occurrence, including nature, location, size, type

Failure to provide sufficient detail or to anticipate the likely presence of heritage resources on the site may lead to a request for more detailed specialist information.

Provide a short history of the site and its environs (Include sources where available):

Boschendal Farm was granted in 1688, and has been farmed together with the adjacent farm, Rhodes for over 350 years. The two farms comprise several highly significant farm werfs and associated buildings that include illustrate the change and development of the farms through that time. Portion 11 of 1674 is largely devoid of intrinsically significant structures, but contains elements that illustrate labour practices in the C20th, including Thembaletu hostel and 1980s labourers' cottages.

Lanquedoc is a settlement commissioned by Rhodes, and designed by Sir Herbert Baker following the collapse of the wine industry at the end of the C19th. It was intended to attract and keep workers in the area who were now needed to farm Rhodes' fruit farms on a large scale. Modern Lanquedoc comprises the historic workers' cottages as well as new lowcost and RDP houses that have been built to accommodate workers who were moved off Boschendal in the early 2000s.

Please indicate which heritage resources exist on the site and in its environs, describe them and indicate the nature of any impact upon them:

<input checked="" type="checkbox"/>	<p>Places, buildings, structures and equipment of cultural significance</p> <p>Description of resource: The pipeline will be laid in the road reserve of the Lanquedoc Main Road, and will pass through the graded landscape of Boschendal. The Stellenbosch Municipal Heritage Inventory has graded the Boschendal landscape in this area as a Grade IIIB landscape, while the landscape surrounding Lanquedoc carries a IIIA grading.</p> <p>Description of impact on heritage resource: No impacts will occur to places of cultural significance as the pipeline will be below ground</p>
<input checked="" type="checkbox"/>	<p>Places to which oral traditions are attached or which are associated with living heritage</p> <p>Description of resource: The Ou Wapad holds intangible significance as a traditional, historic route through the landscape, connecting the disparate settlements of Thembaletu, Lanquedoc, Pniel and</p>

	<p>Kylemore</p> <p>Description of impact on heritage resource: No impacts will occur to the intangible significance of the wapad as its location and alignment remains unchanged.</p>
<input checked="" type="checkbox"/>	<p>Historical settlements and townscapes</p> <p>Description of resource: The pipeline will be laid in the road reserve of the main road leading to the historic settlement of Lanquedoc.</p> <p>Description of impact on heritage resource: No impacts will occur to places of cultural significance as the pipeline will be below ground</p>
<input checked="" type="checkbox"/>	<p>Landscapes and natural features of cultural significance</p> <p>Description of resource: This portion of Boschendal carries a IIIB grading, while the landscape surrounding Lanquedoc carries a IIIA grading.</p> <p>Description of impact on heritage resource: No impacts will occur to places of cultural significance as the pipeline will be below ground</p>
<input type="checkbox"/>	<p>Geological resources of scientific or cultural importance</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input checked="" type="checkbox"/>	<p>Archaeological resources (Including archaeological sites and material, rock art, battlefields & wrecks):</p> <p>Description of resource: Stone artefacts are fairly commonly found in the area, predominantly in the form of ex situ Early Stone Age tools. Excavations at Solms Delta farm to the north of Boschendal yielded a highly significant Later Stone Age open site on the banks of the Dwars River.</p> <p>Description of impact on heritage resource: It is possible that sites similar to that identified at Delta may occur elsewhere in the Dwars River Valley. The excavation of the trench to lay the pipe could encounter similar material during the course of excavation.</p>
<input type="checkbox"/>	<p>Palaeontological resources (ie: fossils):</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<input type="checkbox"/>	<p>Graves and burial grounds (eg: ancestral graves, graves of victims of conflict, historical graves & cemeteries):</p> <p>Description of Resource:</p> <p>Description of Impact on Heritage Resource:</p>
<input type="checkbox"/>	<p>Other human remains:</p> <p>Description of resource:</p>

	Description of impact on heritage resource:
<input checked="" type="checkbox"/>	<p>Sites of significance relating to the history of slavery in South Africa:</p> <p>Description of resource: Slave history is an inescapable component of Boschendal history, and with slave labour having been used on the farm for more than a century, any development on the land should be cognisant of this past. Portion 11 of 1674 is unlikely to hold much significant evidence for past slave activities as the area was always marginal to Boschendal's farming activities, having been used for pasture until fairly recently; as such no slave dwellings or similar structures are located there, and any cultural material would be ephemeral at best.</p> <p>Description of impact on heritage resource: No impacts are anticipated due to the marginal, under utilised nature of this portion of Boschendal, and the limited disturbance likely to arise from the proposed activities.</p>
<input type="checkbox"/>	<p>Other heritage resources:</p> <p>Description of resource:</p> <p>Description of impact on heritage resource:</p>
<p>Describe elements in the environs of the site that could be deemed to be heritage resources: The cultural landscape is of high significance, although less so in this portion of Boschendal than others. The area does fall within the Grade I Cape Winelands Cultural Landscape which has been put forward for inclusion on the UNESCO list of World Heritage Sites</p> <p>Description of impacts on heritage resources in the environs of the site: No impacts are anticipated to the CWCL Grade I landscape.</p>	

Summary of anticipated impacts on heritage resources:

The proposed development will entail the excavation of a trench in the Lancquedoc Main Road road reserve, and within the alignment of the Boschendal Farm Road, Ou Wapad. Once the pipe is laid, these excavations will be closed up again and made good.

As such, with the exception of possible, accidental uncovering of in situ archaeological material during pipeline excavation, no impacts are anticipated to heritage resources.

The excavations will occur within disturbed contexts, i.e. road alignments, and any significant material is expected to be below ground, if present at all. For these reasons, prior archaeological survey is not likely to yield any results. Periodic monitoring of the excavation should be undertaken to inspect for any in situ archaeological material, however.

E. ILLUSTRATIVE MATERIAL:

Attach to this form a minimum A4 sized locality plan showing the boundaries of the area affected by the proposed development, its environs, property boundaries and a scale. The plan must be of a scale and size that is appropriate to creating a clear understanding of the development.

Attach also other relevant graphic material such as maps, site plans, satellite photographs and photographs of the site and the heritage resources on it and in its environs. These are essential to the processing of this notification.

Please provide all graphic material on paper of appropriate size and on CD/ USB in JPEG format. It is essential that graphic material be annotated via titles on the photographs, map names and numbers, names of files and/or provision of a numbered list describing what is visible in each image.

F. RECOMMENDATION

In your opinion do you believe that a heritage impact assessment is required? ☐ Yes ☒ No

Monitoring by an archaeologist should be conducted during trenching for the pipeline

Recommendation made by:

Name Katie Smuts

Capacity Archaeologist and Heritage Practitioner

PLEASE NOTE: No Heritage Impact Assessment should be submitted with this form or conducted until Heritage Western Cape has expressed its opinion on the need for such and the nature thereof.

G. INFORMATION TO BE PROVIDED AND STUDIES TO BE CONDUCTED AS PART OF THE HERITAGE IMPACT ASSESSMENT (HIA)

If it is recommended that an HIA is required, please complete this section of the form.

DETAILS OF STUDIES TO BE CONDUCTED IN THE INTENDED HIA

In addition to the requirements set out in Section 38(3) of the NHRA, indicate envisaged studies:

<input type="checkbox"/>	Heritage resource-related guidelines and policies.
<input type="checkbox"/>	Local authority planning and other laws and policies.
<input type="checkbox"/>	Details of parties, communities, etc. to be consulted.
<input type="checkbox"/>	Specialist studies, eg: archaeology, palaeontology, architecture, townscape, visual impact, etc. Provide details:
<input type="checkbox"/>	Other. Provide details:

PLEASE NOTE: Any further studies which Heritage Western Cape requires should be submitted must be in the form of a single, consolidated report with a single set of recommendations. Specialist studies must be incorporated in full, either as chapters of the report, or as annexures thereto.
Please refer to the *Guidelines for Heritage Impact Assessments required in terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999)*

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Please tick the applicable section:

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☐ This development will not require a NEMA application.

B. BASIC DETAILS**PROPERTY DETAILS:**

Name of property: Rhonen and Lanquedoc, and Langedok	
Street address or location (eg: off R44): Languedoc Main Road, Languedoc	
Erf or farm number/s: Erf 1 Lanquedoc, consolidation of 2/1176 (Rhonen and Lanquedoc) and 8/1173 (Langedok)	Coordinates: S 33°53'20.47" E 18°58'22.92" (A logical centre point. Format based on WGS84.)
Town or District: Groot Drakenstein	Municipality: Stellenbosch
Extent of property: 42.48 Ha	Current use: Transport
Predominant land use/s of surrounding properties: Residential, agriculture, tourism	

REGISTERED OWNER OF PROPERTY:

Name and Surname: Dwars River Valley Community Development Trust		
Address De Borden Lands, Lanquedoc, Western Cape, 7681		
Telephone c/o 021 4230328	Cell c/o 072 7967754	E-mail c/o katie@archrsa.com
APPLICANT/ AUTHORISED AGENT:		
Name and Surname: Dwars River Valley Community Trust		
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<input type="checkbox"/>	<p>Graves and burial grounds (eg: ancestral graves, graves of victims of conflict, historical graves & cemeteries):</p> <p>Description of Resource:</p> <p>Description of Impact on Heritage Resource:</p>
<input type="checkbox"/>	<p>Other human remains:</p> <p>Description of resource:</p>

	Description of impact on heritage resource:
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The excavations will occur within disturbed contexts, i.e. road alignments, and any significant material is expected to be below ground, if present at all. For these reasons, prior archaeological survey is not likely to yield any results. Periodic monitoring of the excavation should be undertaken to inspect for any in situ archaeological material, however.

E. ILLUSTRATIVE MATERIAL:

Attach to this form a minimum A4 sized locality plan showing the boundaries of the area affected by the proposed development, its environs, property boundaries and a scale. The plan must be of a scale and size that is appropriate to creating a clear understanding of the development.

Attach also other relevant graphic material such as maps, site plans, satellite photographs and photographs of the site and the heritage resources on it and in its environs. These are essential to the processing of this notification.

Please provide all graphic material on paper of appropriate size and on CD/ USB in JPEG format. It is essential that graphic material be annotated via titles on the photographs, map names and numbers, names of files and/or provision of a numbered list describing what is visible in each image.

F. RECOMMENDATION

In your opinion do you believe that a heritage impact assessment is required? ☐ Yes ☒ No

Monitoring by an archaeologist should be conducted during trenching for the pipeline

Recommendation made by:

Name Katie Smuts

Capacity Archaeologist and Heritage Practitioner

PLEASE NOTE: No Heritage Impact Assessment should be submitted with this form or conducted until Heritage Western Cape has expressed its opinion on the need for such and the nature thereof.

G. INFORMATION TO BE PROVIDED AND STUDIES TO BE CONDUCTED AS PART OF THE HERITAGE IMPACT ASSESSMENT (HIA)

If it is recommended that an HIA is required, please complete this section of the form.

DETAILS OF STUDIES TO BE CONDUCTED IN THE INTENDED HIA

In addition to the requirements set out in Section 38(3) of the NHRA, indicate envisaged studies:

<input type="checkbox"/>	Heritage resource-related guidelines and policies.
<input type="checkbox"/>	Local authority planning and other laws and policies.
<input type="checkbox"/>	Details of parties, communities, etc. to be consulted.
<input type="checkbox"/>	Specialist studies, eg: archaeology, palaeontology, architecture, townscape, visual impact, etc. Provide details:
<input type="checkbox"/>	Other. Provide details:

PLEASE NOTE: Any further studies which Heritage Western Cape requires should be submitted must be in the form of a single, consolidated report with a single set of recommendations. Specialist studies must be incorporated in full, either as chapters of the report, or as annexures thereto. Please refer to the *Guidelines for Heritage Impact Assessments required in terms of Section 38 of the National Heritage Resources Act (Act 25 of 1999)*



BOSCHENDAL: WATER PIPELINE

HWC REF: 21032905

NID submitted in terms of Section 38(8) of the NHRA (1999)
SUPPLEMENTARY NID INFORMATION REPORT
LANQUEDOC MAIN ROAD, ERF 1 LANQUEDOC,
AND OU WAPAD, BOSCHENDAL 11/1674 AND 1730
DWARS RIVER VALLEY, STELLENBOSCH



26 October 2021

Prepared by Rennie Scurr Adendorff Architects and Sarah Winter for
Boschendal (Pty) Ltd

SARAH WINTER
HERITAGE CONSULTANT


RENNIE|SCURR|ADENDORFF
ARCHITECTURE . INTERIOR DESIGN . HERITAGE . ARCHAEOLOGY

CONTENTS

1.0.	BACKGROUND	2
1.1.	Conceptual Framework	
1.2.	Restorative Redevelopment	
2.0.	SITE DESCRIPTION	5
3.0.	OVERVIEW OF PROPOSED DEVELOPMENT	8
4.0.	SHORT HISTORY OF THE SITE.....	10
4.1.	York Farm History	
4.2.	Boschendal History	
4.3.	Rhodes Fruit Farm	
4.4.	Lanquedoc	
5.0.	HERITAGE SIGNIFICANCE	13
5.1.	Heritage Resources Identified	
5.2.	Significance and Restorative Redevelopment	
5.3.	Grading	
6.0.	CONCLUSION AND RECOMMENDATIONS	19
REFERENCES.....		20
LIST OF FIGURES.....		21

ANNEXURES

Annexure A:	Engineers Drawing of Pipeline Alignment (MH&A, 2021) ..	23
Annexure B:	Extract from Boschendal Farm Title Deed T42792/2008	24
Annexure C:	SG Diagram 7539/2007, Farm 1730.....	27
Annexure D:	SG Diagram 2865/2003, Farm 11/1674.....	28
Annexure E:	Erf 1 Lanquedoc Title Deed	28
Annexure F:	SG Diagram 3212/2005 Erf 1 Lanquedoc	29
Annexure G:	SG Diagram 3631/2001, Farm 2/1176	30
Annexure H:	SG Diagram 3271/2001, Farm 8/1173	30
Annexure I:	Grading Sheets for local heritage Resources	31

1.0. BACKGROUND

This application pertains to the construction of a water pipeline connecting the proposed Bertha Foundation New Retreat development on Boschendal Farm to the mains water supply at Lanquedoc.

The Bertha New Retreat is proposed for development on Portion 11 of Farm 1674 (Figure 1 and Figure 2). The site currently contains several derelict farmworkers' cottages, and these will be variously renovated, rebuilt and replaced to accommodate the facility. That application is subject to a separate Section 38(8) submission that has been prepared by Rennie Scurr Adendorff.

The proposed pipeline is 839m long in total, and consists of 160mm uPVC pipe. The pipeline will be laid within the alignment of the Ou Wapad farm road across Boschendal land (Portion 11 of Farm 1674, and Farm 1730) for some 522m, and within the Lanquedoc Main Road road reserve across Erf 1, a consolidation of 2/1176 and 8/1173, for the 317m from the Boschendal farm gate to the mains connection.

1.1. Conceptual Framework

A farm-wide Conceptual Framework (CF) document has been compiled as part of preceding development applications (NM&A, 2019). This document was drafted at the request of the Stellenbosch Municipality to provide information outside of the formal Municipal Zoning Scheme process, while that was still being formulated. The CF was to act as a planning tool providing a high-level spatial development framework laying out the proposals and vision for the greater site in terms of the concept of Restorative Redevelopment.

The CF, with its various specialist reports including heritage inputs compiled by Rennie Scurr Adendorff, frames future developments as an opportunity to promote inclusivity, social justice and spatial redress, while ensuring financial viability of the farm as a business through the model of restorative redevelopment. The development of this document also, significantly, provides the context within which to view and review the cumulative impacts of individual proposals and assists with guiding heritage processes at the site level and broader landscape level.

1.2. Restorative Redevelopment

Restorative Redevelopment was adopted by the team from Wolff Architects (2018a and 2018b) to frame the redevelopment of the Agterdam cottages.

Restorative Redevelopment views each redevelopment proposal as an opportunity to restore spatial justice and historical emotional claims to the land, farm-wide. While this approach cannot be applied uniformly to every potential redevelopment site, in each instance, the aim is to identify the significant measures of spatial justice and calibrate these at the farm-wide level, to create a satisfactory balance of restorative justice within the broader redevelopment framework.

This approach aims to find a way for Boschendal to restore a humane connection to the rest of the inhabitants of the Dwars River Valley, through facilitating, and encouraging access to economic, educational, infrastructure, natural, cultural and heritage resources. This might be achieved through meaningful acknowledgement and commemoration of the past and facilitating new collective practices through the use and redevelopment of space.

The Bertha Foundation's New Retreat falls within this rubric through the redevelopment of derelict cottages and neglected spaces for the purposes of socially conscious endeavours.

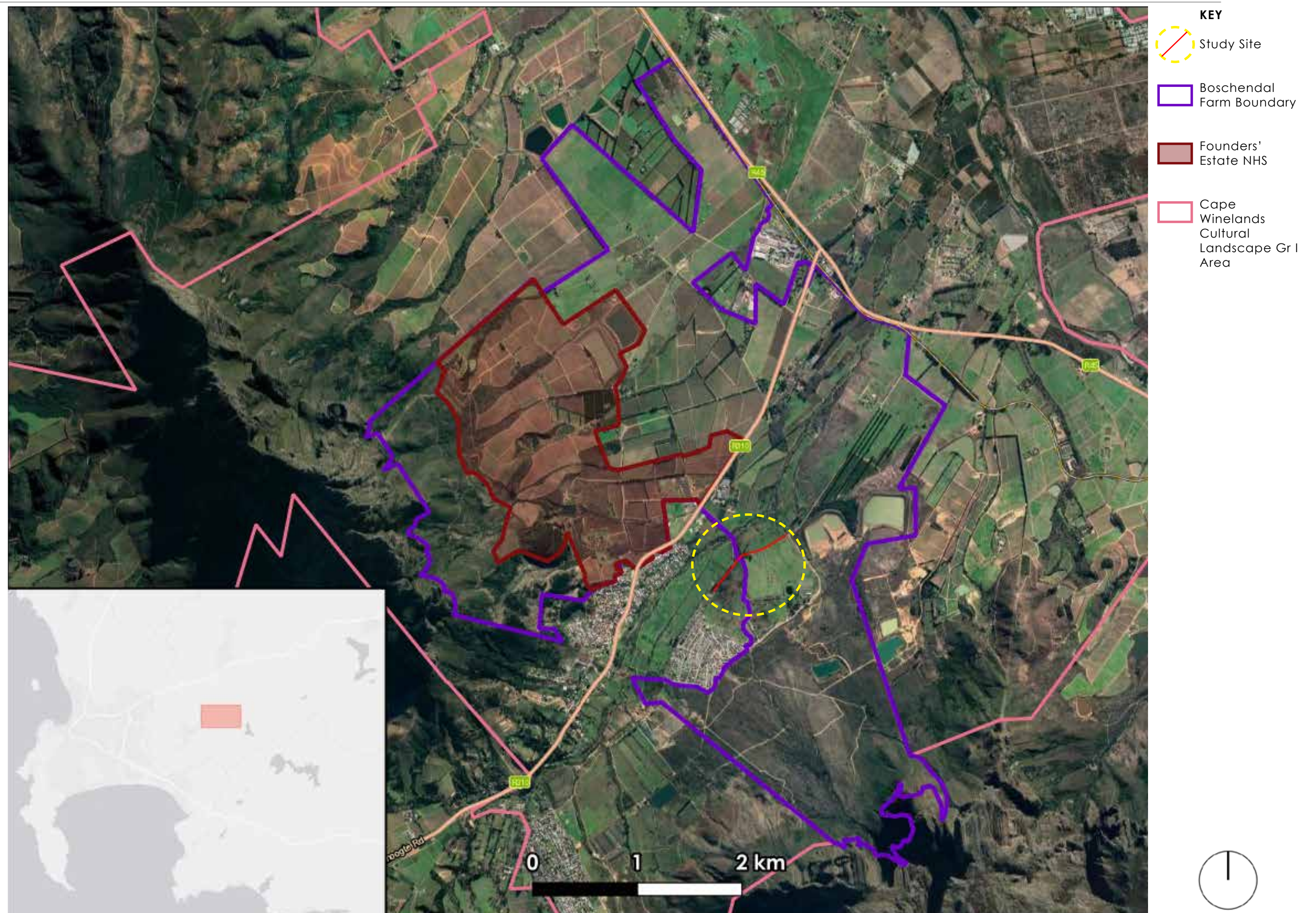




Figure 2. Aerial image of the alignment of the pipeline (RSA, 2020).

2.0. SITE DESCRIPTION

The alignment of the pipeline follows the tarred road that links the village of Lanquedoc to the R310, and continues along the gravel farm road across Boschendal lands locally known as the Ou Wapad (see Figure 5).

The section of road on Boschendal cuts through two land parcels: Farm 1730, which is Rhone, and Portion 11 of Farm 1674, locally known as York Farm Cottages. The proposed development that the pipeline will serve is located on this portion of land and comprises eight pairs of semi-detached cottages arranged around three sides of a central open space, west of two large irrigation dams (Figure 3). The surrounding land to the east is largely open grazing land with some isolated orchards, while to the west is the Dwars River and the vineyards, werf and winery of Rhone beyond that. The Boschendal land is gated at the south west where the Ou Wapad meets the tarred road that runs west to Lanquedoc and north over the Dwars River to the R310

The Ou Wapad is an alignment of some historic and significance that links the R45 to Lanquedoc, Pniël and Kylemore. The Boschendal homestead and werf lies approximately 1.5km to the north of the northern end of the proposed pipeline, while Rhone werf lies some 500m to the north west of the alignment, across the Dwars River. The scenic routes of the R310 and R45 some 800m and 2.2km away respectively.

The portion of the road that runs from the Boschendal gate to Lanquedoc lies within Portion 2/1176 and 8/1173, now consolidated as Erf 1 Lanquedoc (Figure 4). Lanquedoc consists of its historic core of cottages designed by Sir Herbert Baker for Rhodes' workers at the turn of the C20th, and more recent RDP and low cost workers' accommodation. The narrow road and lined with an avenue of blue gums on the western side (see Figure 6). Open veld, comprising wetlands and a large proportion of indigenous vegetation, lies to the east of the road, beyond a grove of trees and shrubs, while to the west are fields of flowers and vegetables that are grown on an open expanse of ground between the road and the river.

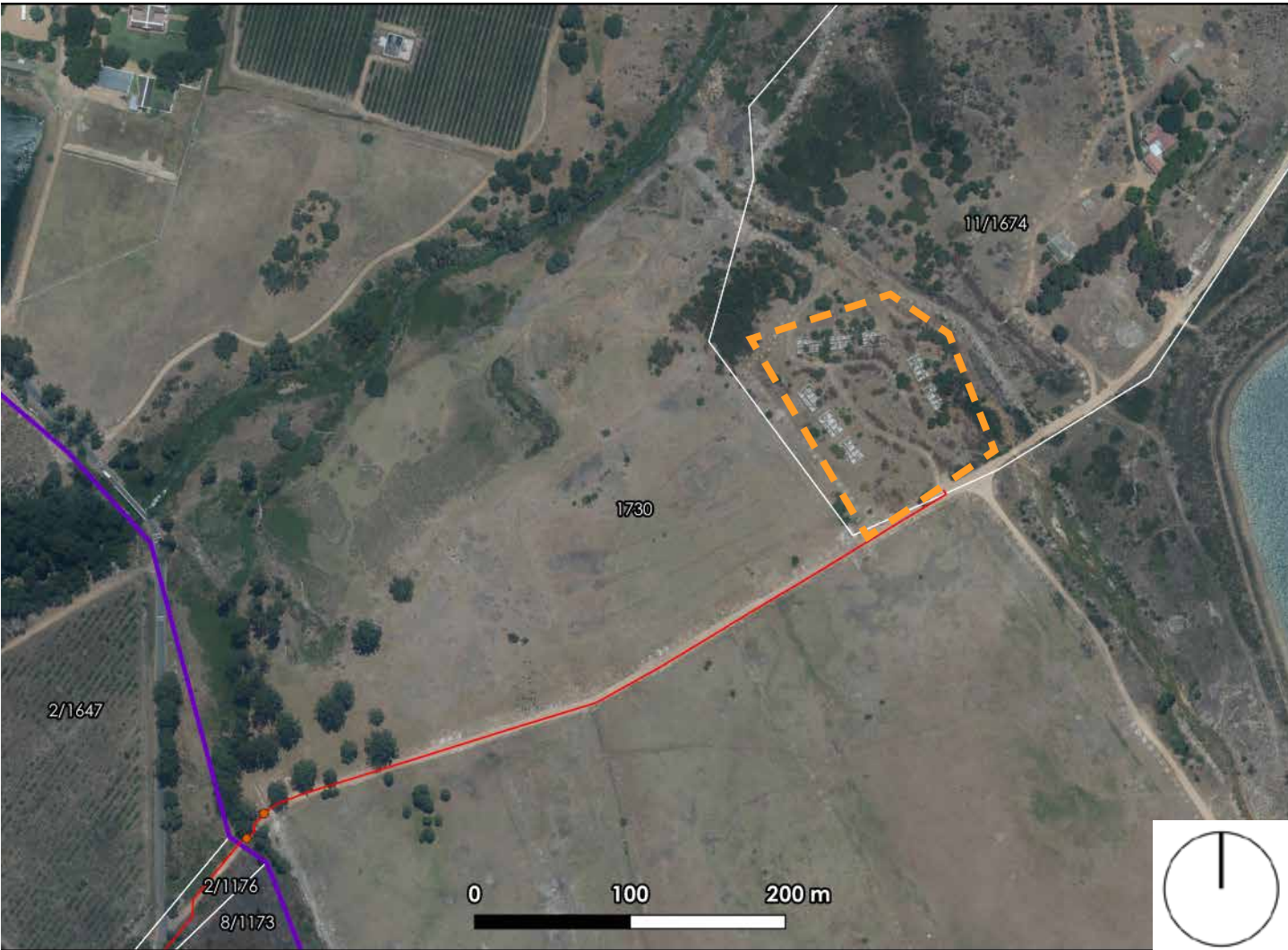


Figure 3. Aerial image of the pipeline alignment across Boschendal land; the proposed New Retreat development site is indicated in orange, and the vineyards of Rhone werf are visible at top left of image (RSA, 2021).

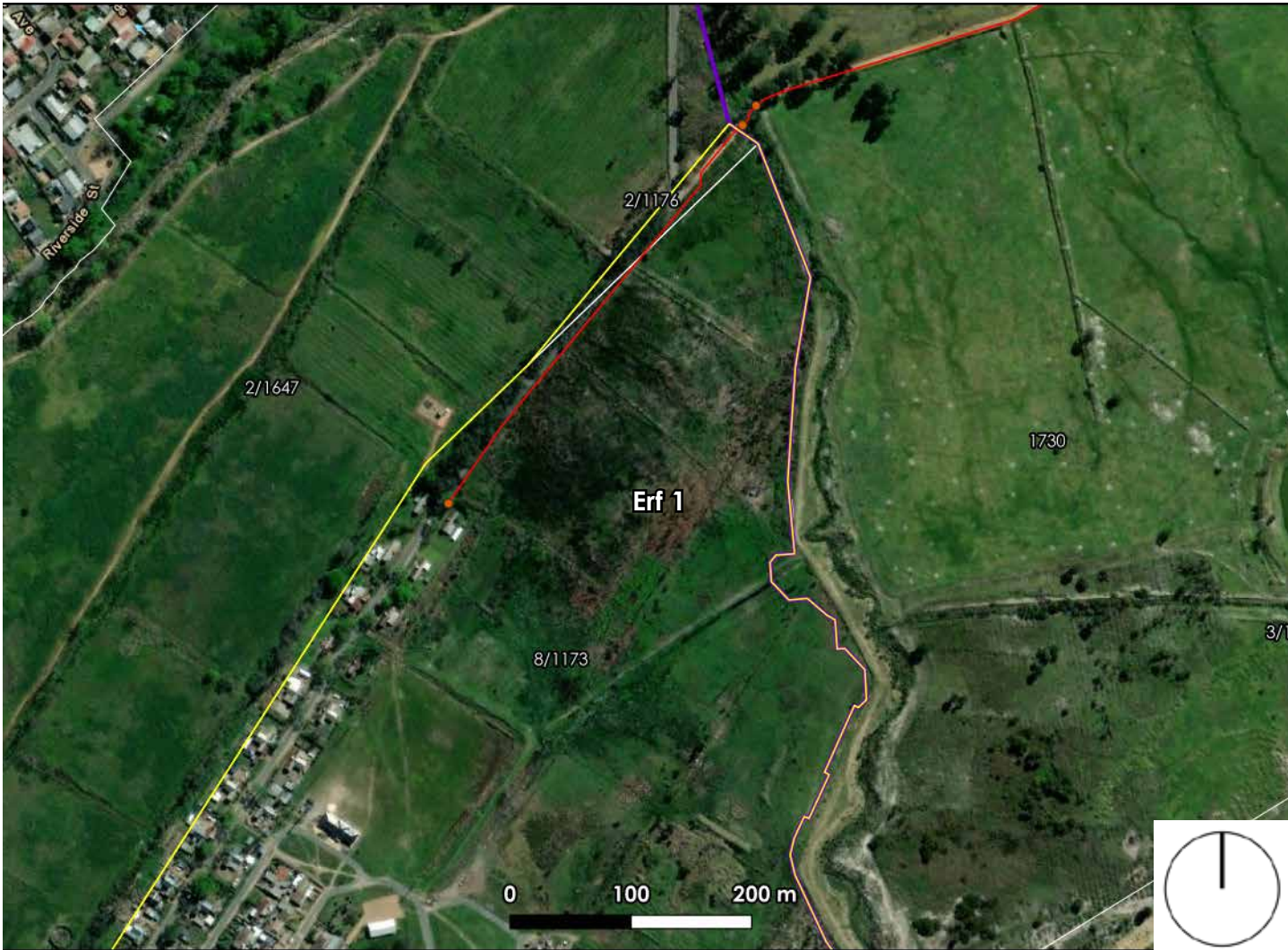


Figure 4. Aerial image of the pipeline alignment through parcels 2/1176 and 8/1173, now consolidated as Erf 1 (indicated in yellow); the village of Lanquedoc is visible at bottom of image (RSA, 2021).



Figure 5. Ou Wapad alignment across Boschendal lands (Chand, 2021; RSA, 2020)



Figure 6. Lanquedoc Main Road from outside Boschendal gates (Chand, 2021; RSA, 2020)

3.0. OVERVIEW OF PROPOSED DEVELOPMENT

The pipeline will link the proposed New Retreat development for the Bertha Foundation to the water mains system of Lanquedoc by means of a 160mm uPVC pipeline that will be laid along the road reserve of the Lanquedoc Main Road, and within the current road alignment of the Boschendal Ou Wapad (Figure 7).

The pipeline will bridge over an existing, minor stormwater culvert within the Lanquedoc portion, and will be fixed to the bridge over a watercourse, with a municipal bulk meter installed beyond the bridge, immediately south west of the Boschendal access gate.

The site proposed for the Bertha Foundation New Retreat currently comprises eight pairs of semi-detached workers' cottages on 11/1674, Boschendal Farm. These cottages, built in the late 1970s, are currently unoccupied, and have stood empty since the early 2000s when farmworkers were removed from accommodation on the farm to new houses at Lanquedoc. That proposal sees the renovation, rebuilding and adapting of those structures to provide the facilities necessary for the Bertha Foundation to operate their NGO.

The application for the Bertha Foundation is subject to a Basic Assessment Report in terms of National Environmental Management Act (No. 107 of 1998), and RSA has undertaken the integrated Heritage Impact Assessment for that application. The BAR is about to enter its second phase of Public Participation, and the HIA will be submitted to HWC following the conclusion of that consultation.

This connection is required as a condition of approval in the town planning process related to the New Retreat application. In terms of NEMA processes, this application has been added to that project description and the Water Use registration process as it is necessary to service the site; the application will be approved as part of the current NEMA and National Water Act (No. 36 of 1998) processes.



Figure 7. Layout plan of proposed pipeline (MH&A, 2021).

4.0. SHORT HISTORY OF THE SITE¹

4.1. 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 8 to Figure 10).

4.2. 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.

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.

4.3. 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. Individual farms under the ownership of families connected by kin networks disappeared almost over night, replaced with “corporate farming” (Winter and Baumann, 2013: 17), and rationalising production led to massive growth of the industry as well as the workforce.

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 and Thembaletu. Much of this work 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.

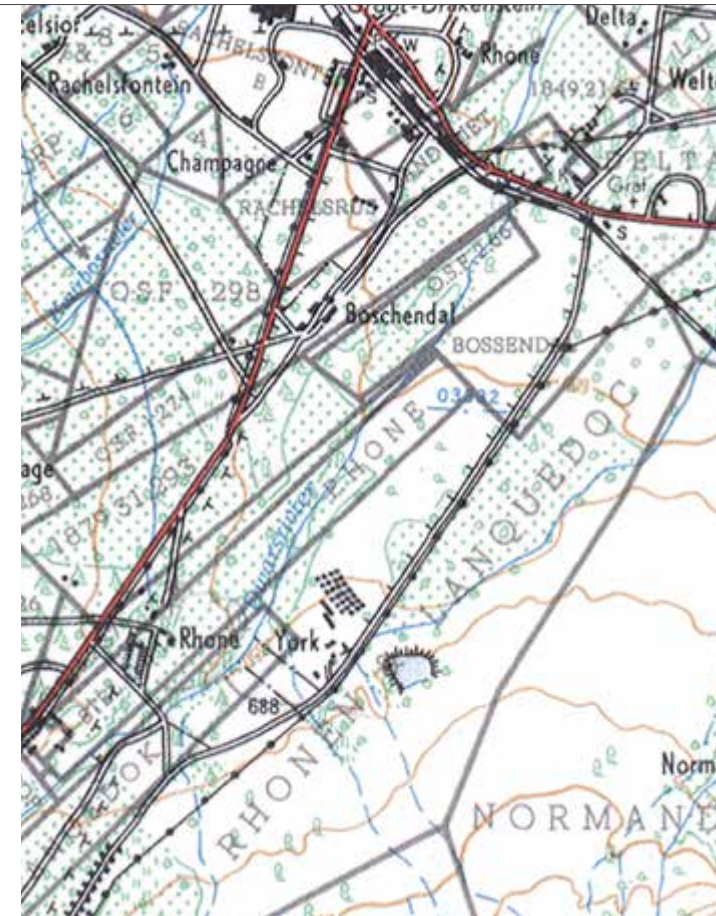
¹ Artefacts.co.za; Baumann et al, 2017; Fransen, 2004; Pastor-Makhurane, 2005; RSA, 2019, 2020a, 2020b; Titlestad, 2007; Winter and Baumann, 2013



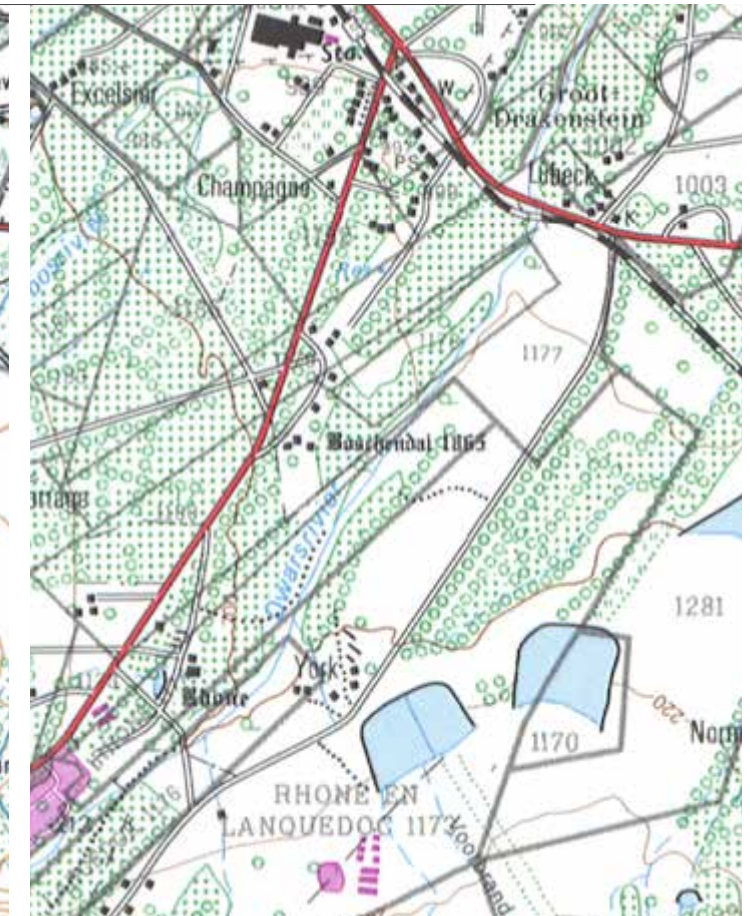
Figure 8. Cape Malmesbury Map, 1890, approximate area of pipeline shown in red (RSA, 2020).



1935



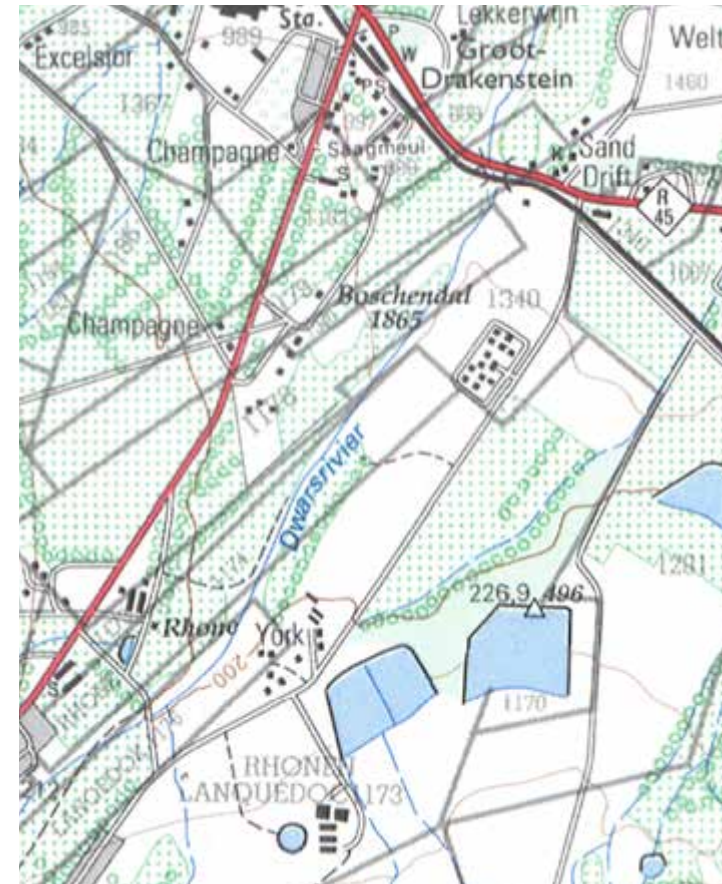
1959



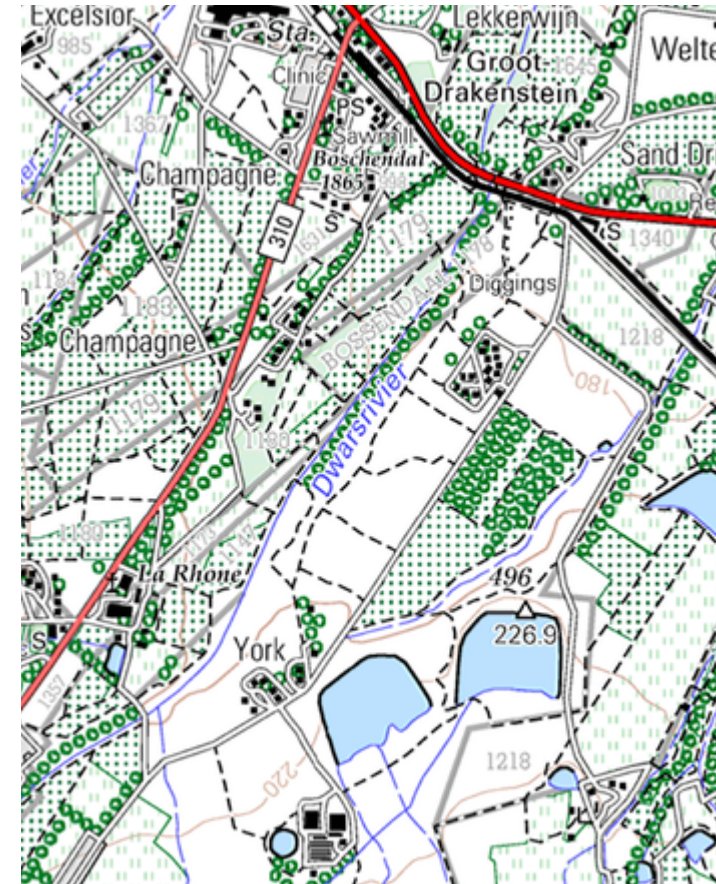
1988



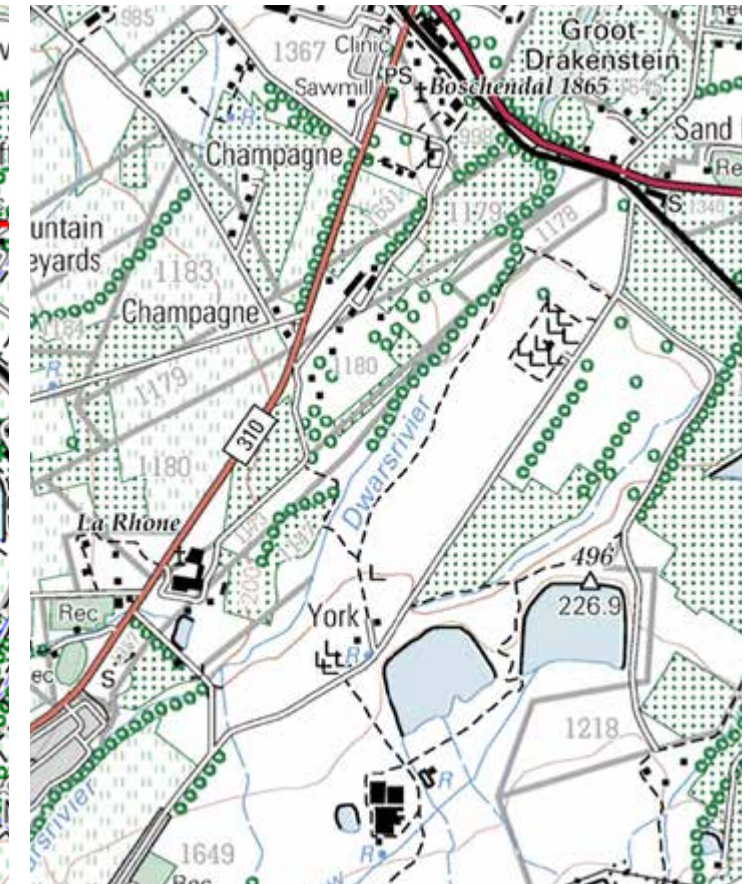
Figure 9. Extract from 1901 Inch Series Map showing the area as open grazing, with Languedoc indicated to the south (KR CPA1901 in Winter and Baumann, 2013: 22).



1992



2000



2010

Figure 10. Series of historic topographical maps showing the changing settlement and landuse patterns of the area. (Frith, 2015) ,

4.4. Lanquedoc

Lanquedoc was established as a planned village for farm workers in the changing landscape of the Dwars River Valley at the end of the C19th (Figure 11 and Figure 12).

The phylloxera epidemic had decimated the wine industry across the Cape, and, in the Franschhoek region, this provided the opportunity for Cecil John Rhodes to buy up extensive tracts of former vineyards, and replant them with fruit trees, thus creating Rhodes Fruit Farms.

While Rhodes was establishing his vast hegemony in the valley, the pressures of the labour demand exerted by the gold and diamond mining industries inland led him to commission a workers' village to attract and retain workers.

The architect Sir Herbert Baker designed an orderly village for the farm workers, comprising simple, but comfortable and well proportioned cottages in the Cape Dutch Revival style that was Baker's trademark. The village also boasted an English-style church, St. Giles, a school and a house for the pastor.

Each cottage included a half morgen allotment for growing flowers, vegetables and keeping some livestock. A hundred morgen was set aside as commonage for livestock grazing. The cottages are simple but well proportioned, and reflect Baker's Cape Dutch Revival style.

In 2004 Boschendal Farm removed all farm residents from the estate, and resettled them into a township outside the farm property. RDP houses were erected in Lanquedoc Extension, a newly-made settlement adjacent to the historic Baker-designed village. The move, which constituted the first mass resettlement in the valley after 1994, was contested by many former residents (Land Claims Court, 2006).

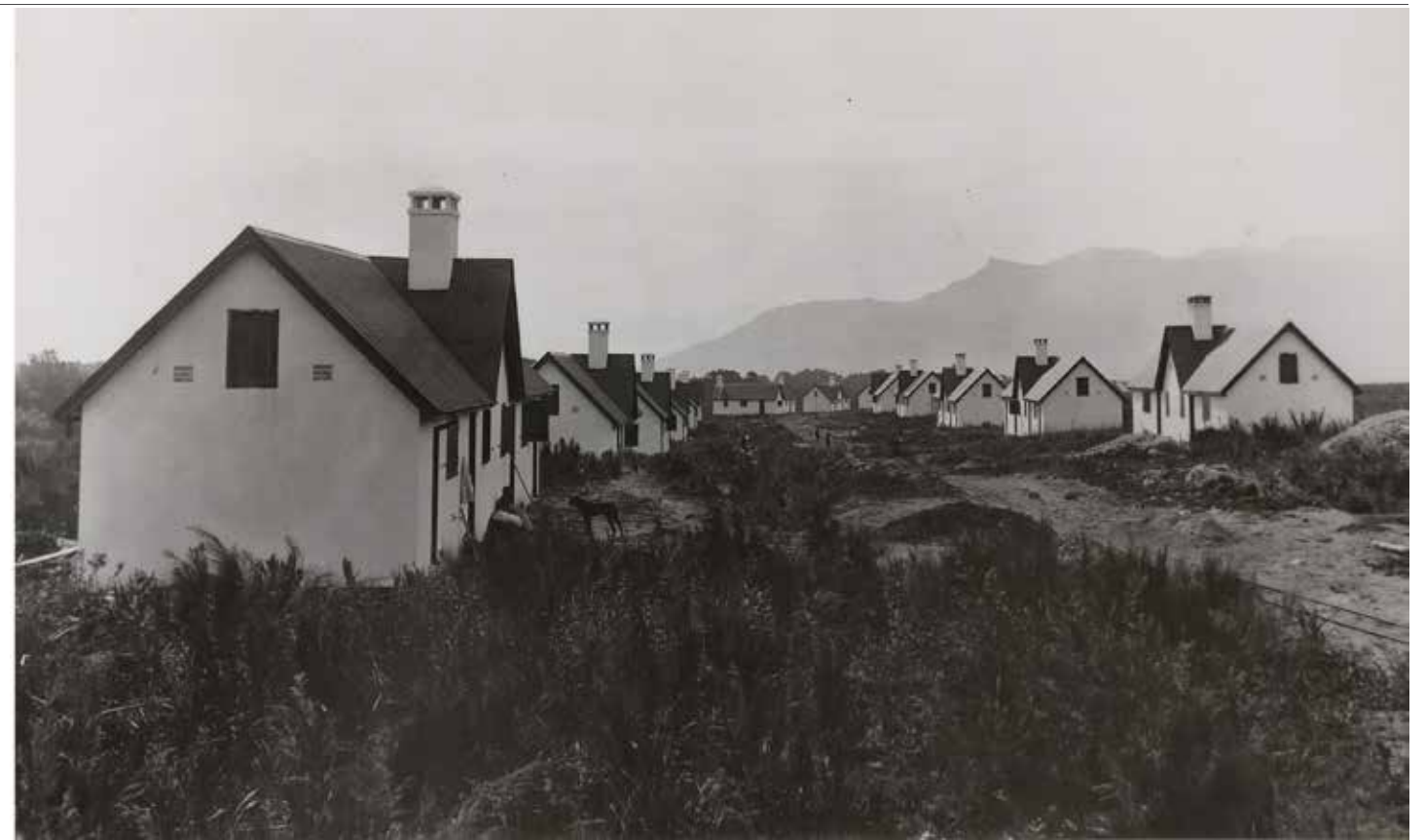


Figure 11. Cottages at Lanquedoc Village (Boschendal Archive, from RSA, 2019)



Figure 12. Workers at Lanquedoc in the early C20th (AG7532, Cape Archives, 2019).

5.0. HERITAGE SIGNIFICANCE

5.1. Heritage Resources Identified

The 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 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 as a discrete Landscape Unit, distinct from that surrounding Lanquedoc (Figure 13 and Figure 14).

The Landscape Unit ascribed to this easterly precinct of Boschendal 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 also contributes to the layers of meaning held by this part of the farm.

The cultural landscape between the Boschendal boundary and Lanquedoc is recognised as its own Landscape Unit comprising the agricultural floodplain of the Dwars River. This LU is noteworthy for its rich tangible and intangible heritage associated with Pniël, Kylemore and Lanquedoc. The tended fields along the River link the village with the river and reflect historic means of irrigation and cultivation in and around the village. The views afforded over cultivated fields

and mountainous landscapes lends the area an agrarian character with high technical, aesthetic and historic significance. Two noteworthy avenues also frame approach routes and visual axes in this landscape, the first being the double row of plane trees between the R310 and the Dwars River bridge, and the second a single row of blue gums lining the road from the bridge to Lanquedoc.

The surrounding environment contains general social significance for the local communities as spaces of leisure, recreation and work. Some discrete locations like picnic sites on the river banks, and swimming dams within the river like Fanie se Dam and similar, hold intangible significance to former and current Dwars River Valley people.

The Built Environment

The cottages of the New Retreat development, are less than 60 years old, having been built in the late 1980s for Amfarms. As such, their significance does not arise from their architectural or aesthetic merit, but rather from the fact that they 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. 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.

Further to the west is the Rhone Werf, which is a Grade II Provincial Heritage Site, and comprises an H-shaped farmhouse in a walled werf with a cellar and taphuis and various outbuildings.

The historic settlement of Lanquedoc carries high significance for their age, association with Baker and Rhodes, and for their technical, aesthetic, architectural and landscape significance. Further to this, the cottages hold enormous social significance as illustrative of unequal labour relations not only historically, but in recent times as well. The stone built St Giles Church within Lanquedoc is also of great local significance.

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 Franschhoek (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 across Boschendal 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.

While retaining the road surface as an informal gravel surface will assist in retaining the rural, agricultural character of the road, its significance is not intrinsic to its fabric. The significance of this resource resides, rather, in its alignment and presence in the landscape, which alludes to its historic use and importance. As such, retention of the road in its entirety, and upkeep of its expression and alignment are the crucial factors in ensuring its preservation and the retention of authenticity and significance.

Archaeology

Stone Age artefacts have been recorded on Boschendal and in the Dwars River Valley, but these are usually in disturbed contexts such as field margins, cuttings, ploughed fields etc (Kaplan, 2005). This section of Boschendal has been subject to a high level survey that yielded no surface archaeological material (Hart and Webley, 2009).

Due to the absence of historic structures, and the marginal status of this area of Boschendal in the past, significant historic artefactual material is unlikely. Historic material from the C20th is likely to be found within the settlement of Lanquedoc itself, but significant material beyond the limits of the village, and within the road reserve, are not anticipated.

5.2. Significance and Restorative Redevelopment

The Boschendal Baseline Heritage Report (RSA, 2019) identified that, in order to achieve the principles of Restorative Redevelopment, interventions on the farm should pro-actively seek to encourage redress. This approach will serve to clarify the relationship of the historic cores to the surrounding farmland and recalibrate the power structures that heritage processes have traditionally reinforced.

This shift in focus and emphasis is a core principle of Restorative Redevelopment and should be attained by:

- Foregrounding silenced narratives;
- Retelling the history of the farm through positive interventions that illustrate the multiplicity of stories relevant to the farm's heritage;
- Fostering linkages between settlements with historic links across the farm;
- Restoring and promoting the heritage significance and value of sites and features beyond the historic werfs and cores.

Any proposed development should be evaluated through consideration of how it addresses those issues and responds to these challenges.

The pipeline, as part of the wider New Retreat development furthers these principles by repurposing derelict cottages in the service of an NGO that aims to create a network of global retreat spaces that facilitate access to spaces for those working to advance social justice for all.

5.3. Grading

The development area lies in a landscape of exceptionally high heritage significance, with several highly graded sites in the immediate vicinity (Figure 13 to Figure 15; Annexure I). Further to this, the R45 and R310 are recognised scenic routes.

The Cape Winelands Cultural Landscape (see Figure 1) is a declared Grade I heritage resource, while the historic Boschendal and Rhone werfs are a Grade II Provincial Heritage Sites.

The affected Landscape Unit within Boschendal Farm has been afforded Grade IIIB significance. The cottages comprising the New Retreat development carry a suggested grading of Grade IIIC in recognition of their association with a social layer that existed prior to the resettlement of workers in 2003-2005.

The portion of the pipeline alignment outside of Boschendal has been recognised as a Grade IIIA Landscape Unit, recognising the very high significance of Lanquedoc and the other local communities, as well as the history, technical and aesthetic qualities of the cultural landscape. The historic core of Lanquedoc itself carries a Grade IIIA grading, while St Giles Church carries a Grade IIIC grading. The portion of the road to Lanquedoc between the R310 and the Dwars River Bridge is graded Grade IIIB, while the portion between the bridge and the village is a Grade IIIC resource.

The Ou Wapad route was graded as a Grade IIIC resource by the Stellenbosch Municipal Heritage Inventory, but more recent assessment of the resource has recommended a grading of Grade IIIA in recognition of its social significance (RSA, 2019, 2020a, 2020b).

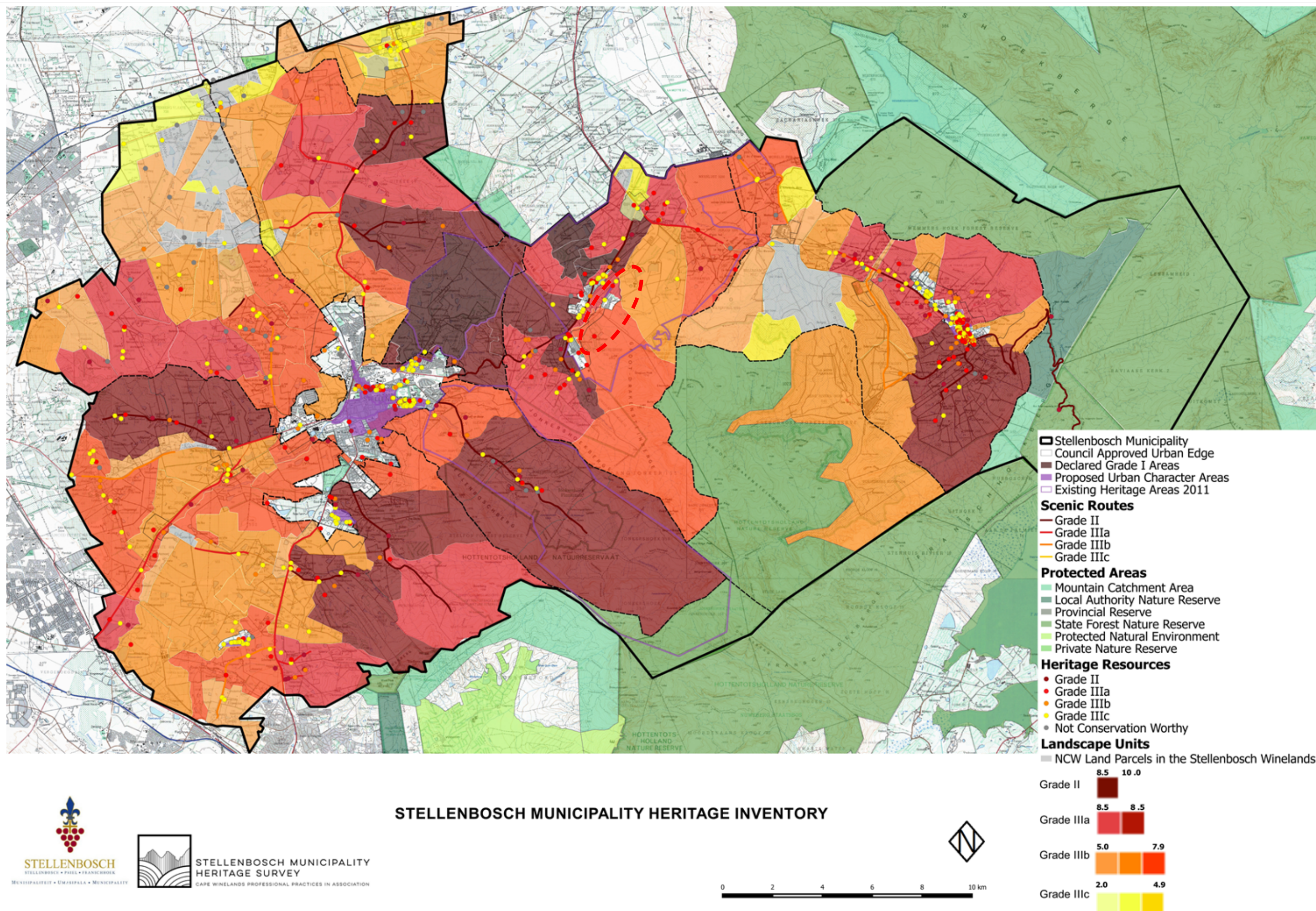


Figure 13. Stellenbosch Municipal Heritage Inventory Grading Map, showing individual heritage sites and Landscape Units shaded according to their respective gradings; the study area is indicated in red (Stellenbosch Heritage, 2019).

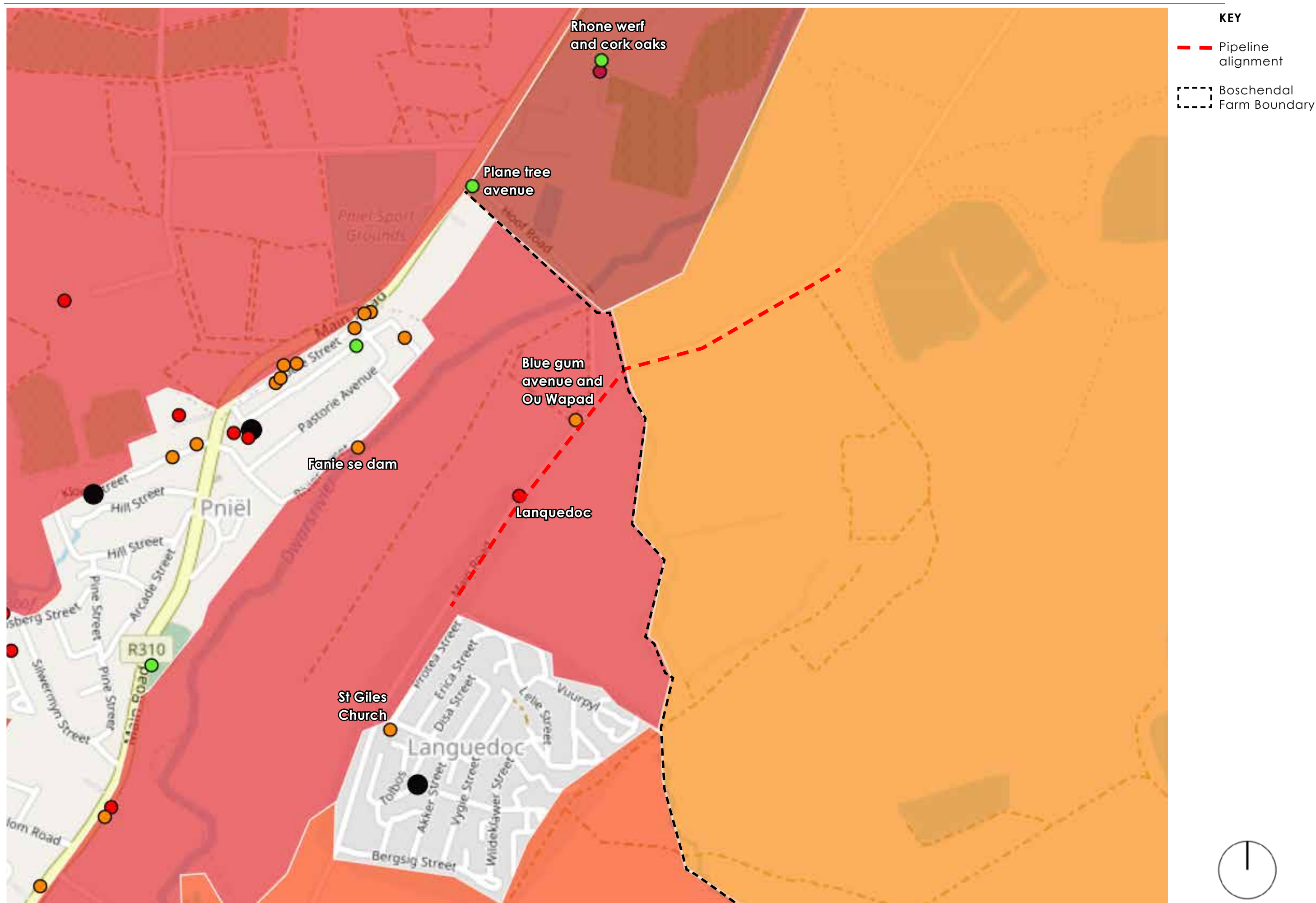


Figure 14. Detail of Stellenbosch Municipal Heritage Inventory Grading Map with the pipeline alignment indicated within the Grade IIIA and IIIB Landscape Units; graded resources in the immediate context are indicated (RSA, 2021 from Stellenbosch Heritage, 2019))

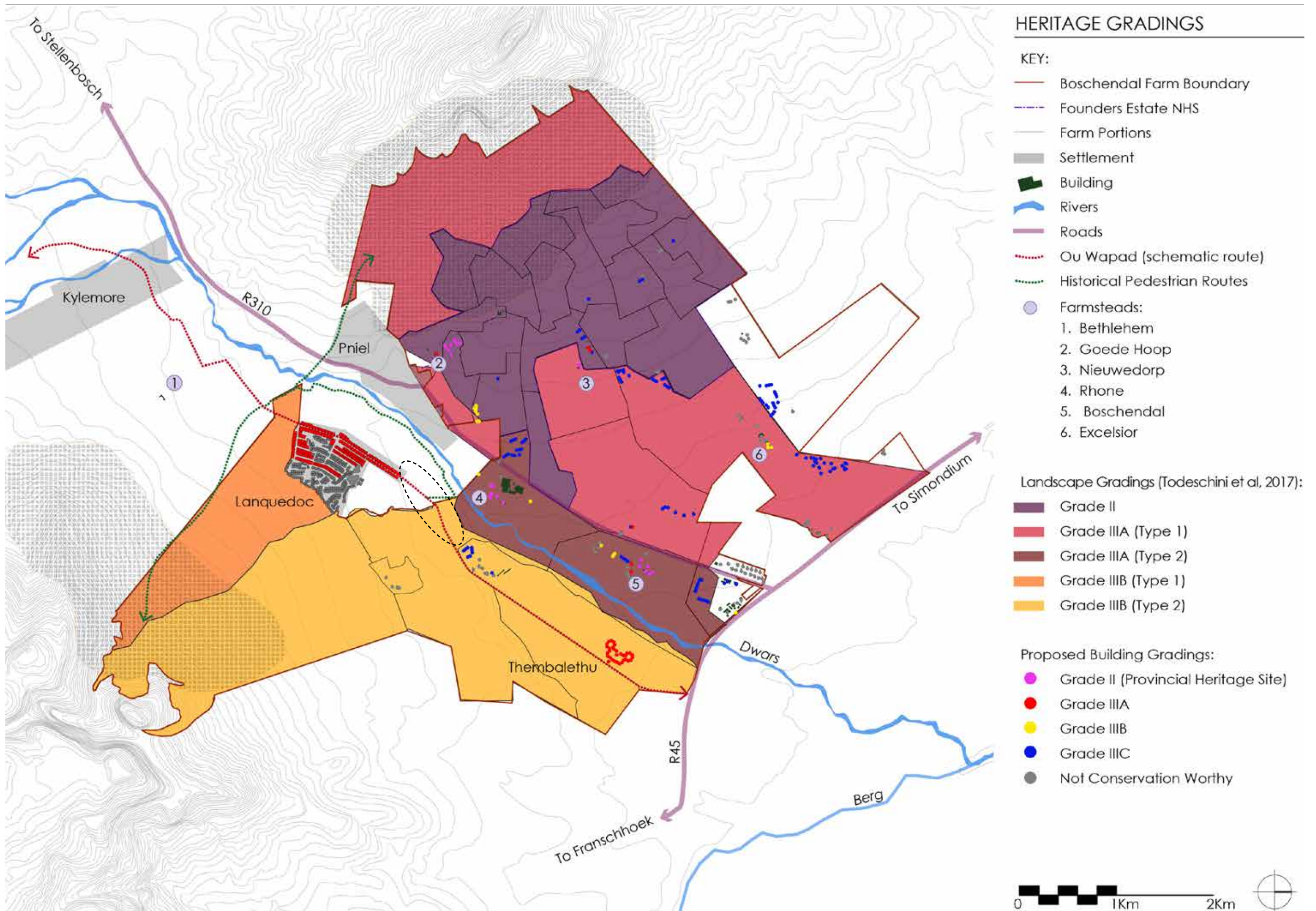


Figure 15. Composite map of Boschendal heritage gradings; area of pipeline alignment indicated in black (RSA, 2019).

6.0. CONCLUSION AND RECOMMENDATIONS

While the pipeline is proposed for a landscape of exceptionally high significance, the proposed development will not result in any impacts to heritage resources.

The disruptions caused will be limited to the construction phase, and, beyond any need for future maintenance or repair that could arise, there will be no lasting impacts.

Trenching for the pipeline within the alignment of the Ou Wapad, a graded heritage resource in itself, will have temporary impacts to that historic route, but, as illustrated above, the significance of this resource does not reside in its fabric, but rather in the fact of its continued existence, and is an intangible significance related to themes of movement and linkages across the landscape.

While there could potentially be archaeological material below current ground surface, similar to the in situ LSA material uncovered during excavations at Solms Delta, this material will not be apparent from a visual survey prior to trenching activities. Monitoring of trenching is, however, recommended to inspect the trench for signs of similar features.

Recommendations:

- No further heritage studies are required
- Archaeological monitoring of the trenching activities should be undertaken periodically to inspect for any in situ or significant below surface features or artefacts
- Should any such material be uncovered, the archaeologist should stop work on site in that area and contact Heritage Western Cape to determine the best way to proceed; this could include mitigation by way of excavation of the site(s)

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LIST OF FIGURES

- Figure 1. Locality Map indicating site location relative to Boschendal Farm boundary, and the extent of the Founders Estate National Heritage Site and Cape Winelands Cultural Landscape Grade I area (RSA, 2020).
- Figure 2. Aerial image of the alignment of the pipeline (RSA, 2020).
- Figure 3. Aerial image of the pipeline alignment across Boschendal land; the proposed New Retreat development site is indicated in orange, and the vineyards of Rhone werf are visible at top left of image (RSA, 2021).
- Figure 4. Aerial image of the pipeline alignment through parcels 2/1176 and 8/1173, now consolidated as Erf 1 (indicated in yellow); the village of Lanquedoc is visible at bottom of image (RSA, 2021).
- Figure 5. Ou Wapad alignment across Boschendal lands (Chand, 2021; RSA, 2020)
- Figure 6. Lanquedoc Main Road from outside Boschendal gates (Chand, 2021; RSA, 2020)
- Figure 7. Layout plan of proposed pipeline (MH&A, 2021).
- Figure 8. Cape Malmesbury Map, 1890, approximate area of pipeline shown in red (RSA, 2020).
- Figure 9. Extract from 1901 Inch Series Map showing the area as open grazing, with Lanquedoc indicated to the south (KR CPA1901 in Winter and Baumann, 2013: 22).
- Figure 10. Series of historic topographical maps showing the changing settlement and landuse patterns of the area. (Frith, 2015) ,
- Figure 11. Cottages at Lanquedoc Village (Boschendal Archive, from RSA, 2019)
- Figure 12. Workers at Lanquedoc in the early C20th (AG7532, Cape Archives, 2019).
- Figure 13. Stellenbosch Municipal Heritage Inventory Grading Map, showing individual heritage sites and Landscape Units shaded according to their respective gradings; the study area is indicated in red (Stellenbosch Heritage, 2019).
- Figure 14. Detail of Stellenbosch Municipal Heritage Inventory Grading Map with the pipeline alignment indicated within the Grade IIIA and IIIB Landscape Units; graded resources in the immediate context are indicated (RSA, 2021 from Stellenbosch Heritage, 2019))
- Figure 15. Composite map of Boschendal heritage gradings; area of pipeline alignment indicated in black (RSA, 2019).

ANNEXURES

NOTES:

1. NO DIMENSIONS TO BE SCALED. ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE ENGINEER.
2. TOPOGRAPHICAL SURVEY BY FRIEDLAENDER, BURGER & VOLKMAN OF FEBRUARY 2020.
3. SURVEY EXTENDED BY FRIEDLAENDER, BURGER & VOLKMAN OF MARCH 2021.
4. FINAL ARRANGEMENT OF BUILDING TO BE CONFIRMED BY ARCHITECT.
5. FINAL ARRANGEMENT OF EXTERNAL FINISHES AND LANDSCAPING TO BE CONFIRMED BY LANDSCAPE ARCHITECT.
6. EXISTING BULK SERVICES & NEW SERVICES CONNECTIONS TO BE EXPOSED AND VERIFIED PRIOR TO WORKS COMMENCING.

REV.	DESCRIPTION	DATE
A	ISSUED FOR INFORMATION	18 MAR 2021

M&A M. HURWORTH & ASSOCIATES CC
 CONSULTING ENGINEERS
 101 LINDSAY STREET, SUITE 101, LINDSAY, 2740
 TEL: 011 252 5111 FAX: 011 252 5112
 Email: info@mhurworth.co.za

CLIENT: BERTHA FOUNDATION
 PROJECT: BERTHA RETREAT PTN 11 OF FARM 1674
 DRAWING TITLE: PROPOSED BULK WATER LINK
 THIS DRAWING IS TO BE USED FOR APPROVAL PURPOSES ONLY

DRAWN	DATE	SCALE
GLYNIS	JANUARY 2021	AS AT 1:1000
JOB No.	DRG No. / CAD FILE	REVISION
170000	170000	1

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

Prepared by me
JANSE VAN RENSBURG HJ

CONVEYANCER

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

FOR RELEASE
SEE BONO.

FEE
R 1000 00

DEED OF TRANSFER
142792/2008
T 142792/08

BE IT HEREBY MADE KNOWN THAT
DIANE FRANCES CANTERBURY
appeared before me, REGISTRAR OF DEEDS, at CAPE TOWN, the said
appearer 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
MURPHY

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: 155,2636 (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:-

Page 20

"3. Subject to the provisions of the Reserved
Minerals Development Act, 1928, 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

Page 21

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 bdefgh 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.

Page 22

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 1928, 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 bdefgh 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.

Page 23

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

Page 24

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. 3176/2000
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 bdefgh 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

Page 25

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.

(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

ℓ

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 ij1k1B1u1t1E1s1r 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.

ℓ

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.

ℓ

(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 abstrusion 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 GHJKLMNPQRSTU middle of stream VWD on said Diagram No. 2858/2003:

A. SUBJECT as regards the figure GHJKLMNPQRST1bWD 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 for the right of way and any damage done 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 tuxw 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. 3178/2000 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 wvz1a 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: 290,0427 (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

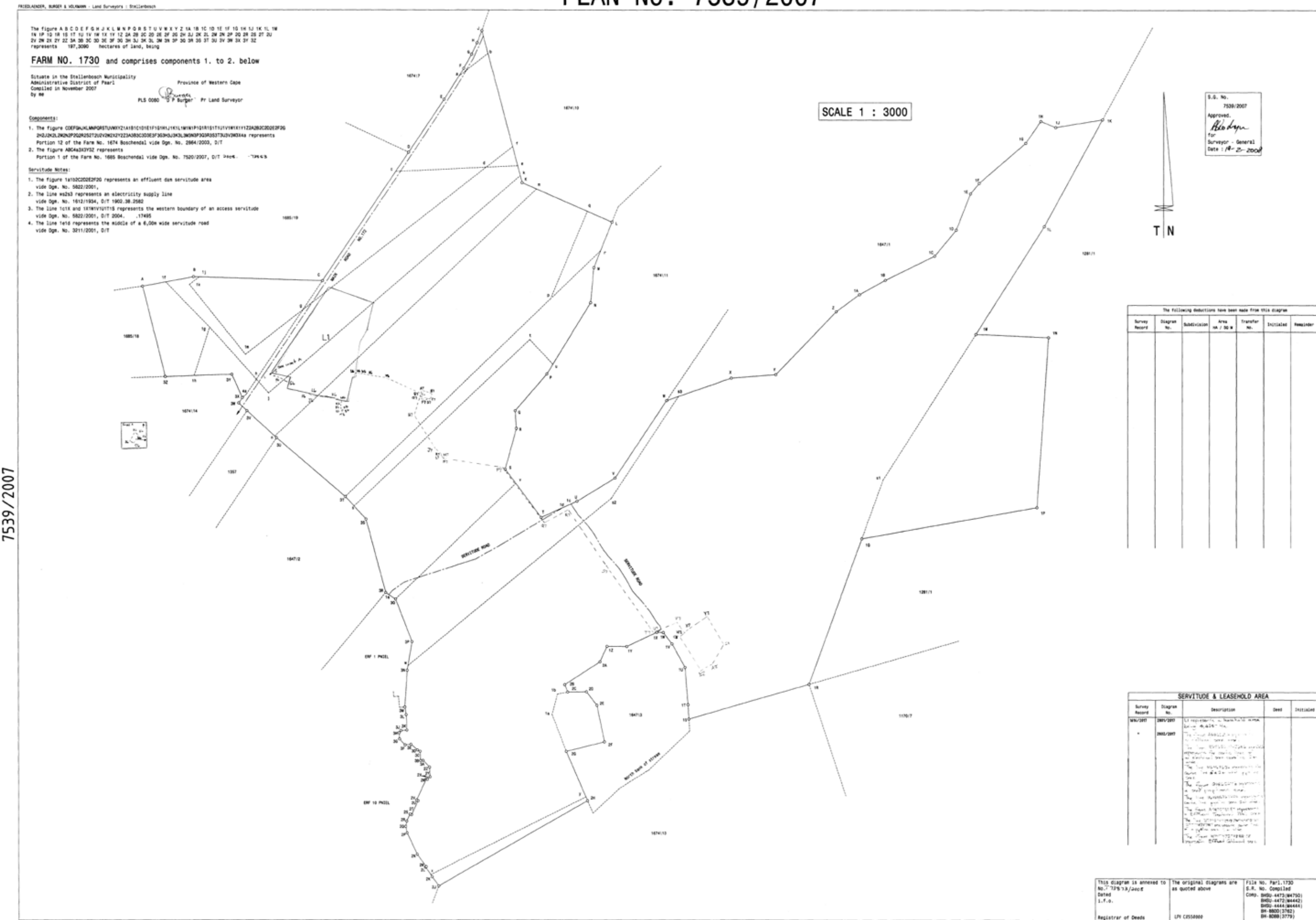
- B. **ENTITLED** to the benefit of

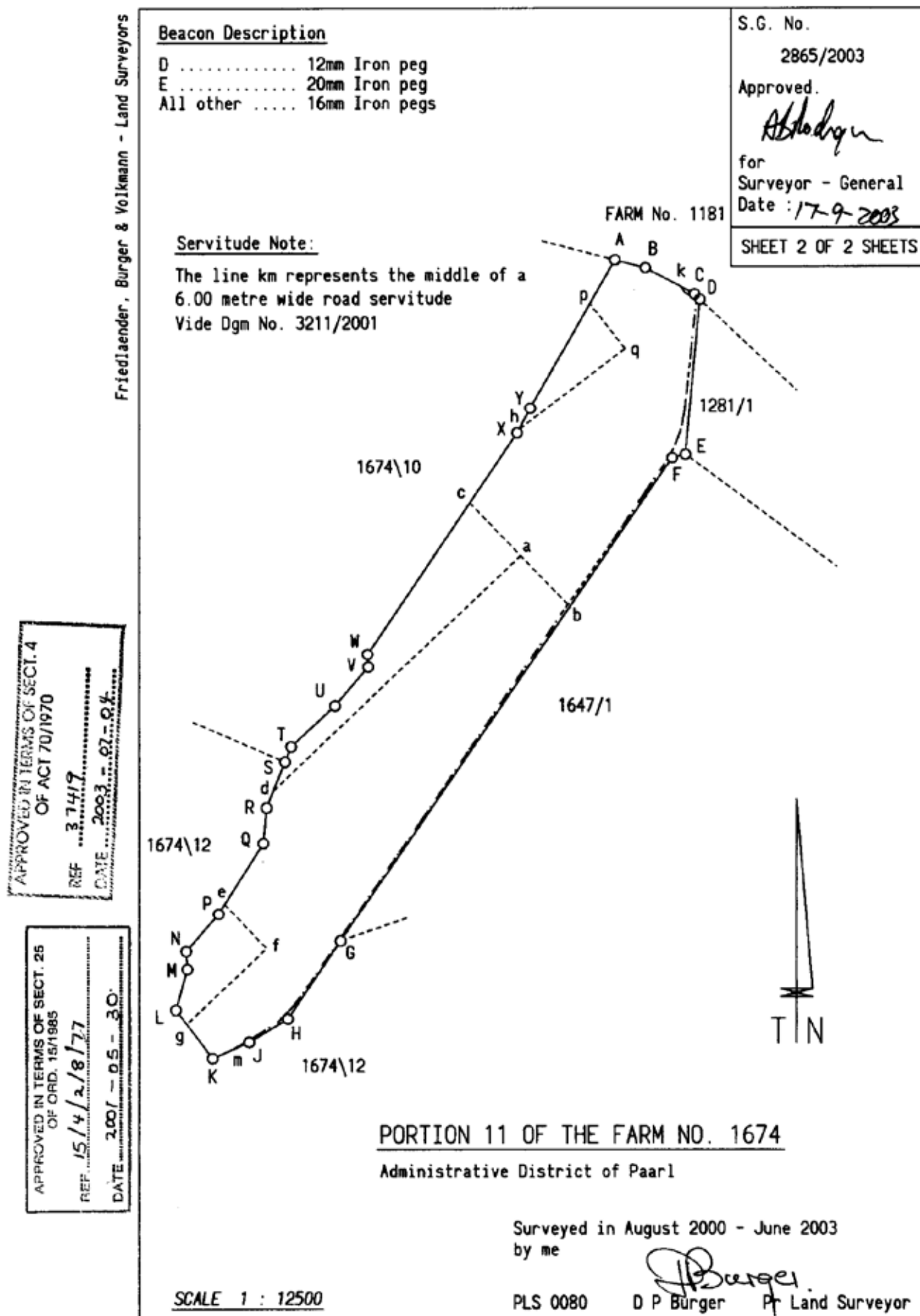
- (a) A pipeline servitude 3 metres wide over the 7 properties described in Condition A above for the purpose of conveying irrigation and domestic water pumped from the dams thereon over such properties.
- (b) A general servitude of right of way 5 metres wide over the 7 properties described in Condition 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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PLAN No. 7539/2007





Deeds Office Property

Printed: 2021/06/29 12:09

windeed
A LexisNexis® Product

LANQUEDOC, 1, 0 (REMAINING EXTENT) (CAPE TOWN)

GENERAL INFORMATION

Deeds Office	CAPE TOWN
Date Requested	2021/06/29 12:09
Information Source	DEEDS OFFICE
Reference	KM

**PROPERTY INFORMATION**

Property Type	ERF
Erf Number	1
Portion Number	0 (REMAINING EXTENT)
Township	LANQUEDOC
Local Authority	WINELANDS DC
Registration Division	PAARL RD
Province	WESTERN CAPE
Diagram Deed	T59842/2009
Extent	3.3485H
Previous Description	-
LPI Code	C00100020000000100000

OWNER INFORMATION

Owner 1 of 1

Company Type	TRUST
Name	BOSCHENDAL TREASURY TRUST
Registration Number	3304/2006
Title Deed	T59842/2009
Registration Date	2009/12/01
Purchase Price (R)	DONATION *
Purchase Date	-
Share	
Microfilm Reference	2009 0313 0682
Multiple Properties	YES
Multiple Owners	NO

ENDORSEMENTS (6)

#	Document	Institution	Amount (R)	Microfilm
1	CONSOLIDATE FROM	REG DIV PAARL RD ,NAME LANGEDOK ,NO 1176 ,PRTN 2	UNKNOWN	
2	CONSOLIDATE FROM	REG DIV PAARL RD ,NAME RHONEN & LANQUEDOC ,NO 1173 ,PRTN 8	UNKNOWN	
3	CONSOLIDATE FROM	REG DIV PAARL RD ,NAME DE BORDJE OUTSPAN ,NO 1171 ,PRTN 1	UNKNOWN	
4	RELAYOUT FROM	REG DIV PAARL RD ,NAME PAARL RD ,NO 1649 ,PRTN 0	UNKNOWN	
5	NOW SUBDIVISION	TOWN LANQUEDOC ,ERF 2 ,PRTN 0	UNKNOWN	
6	NOW SUBDIVISION	TOWN LANQUEDOC ,ERF 10 ,PRTN 0	UNKNOWN	

HISTORIC DOCUMENTS (4)

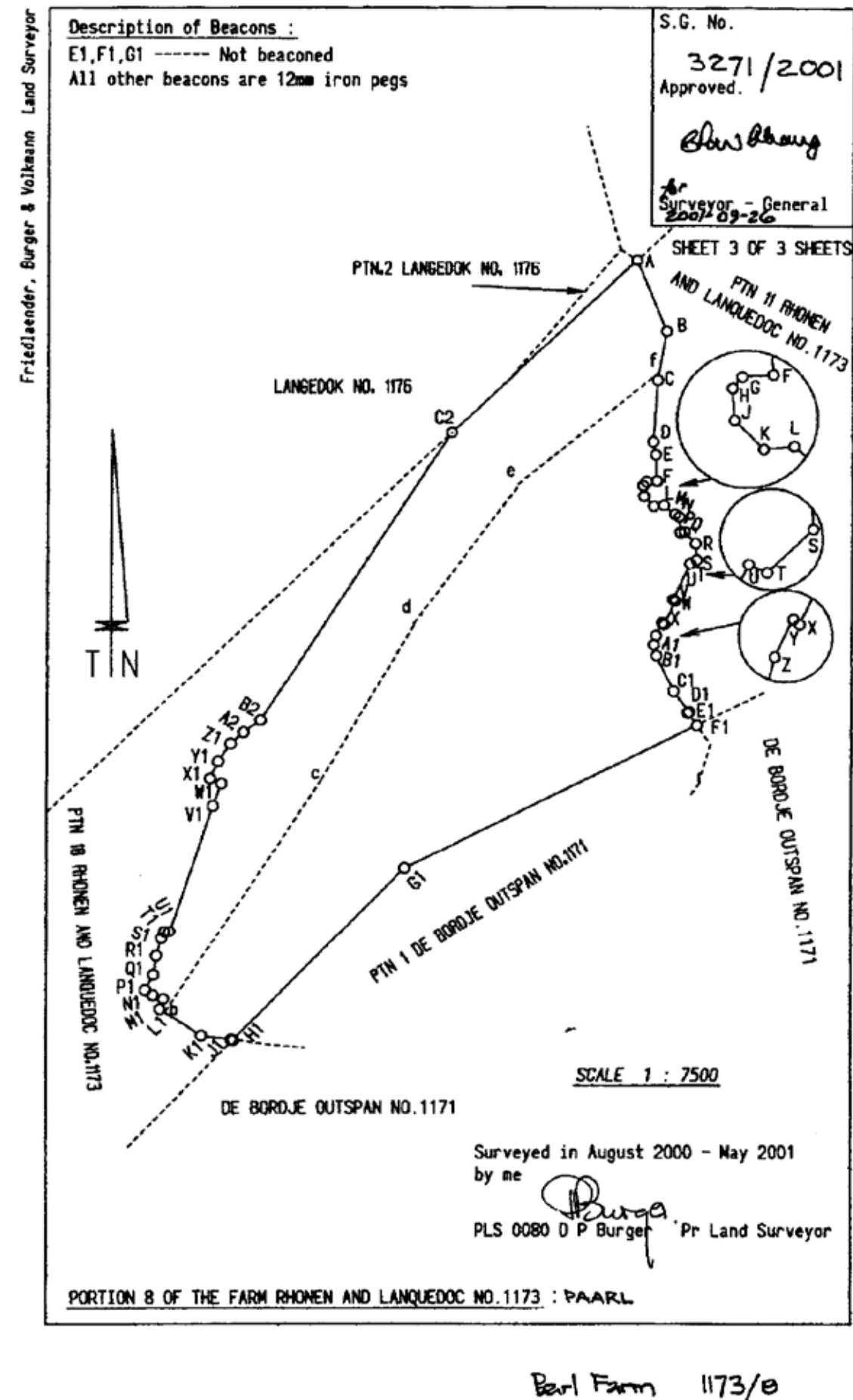
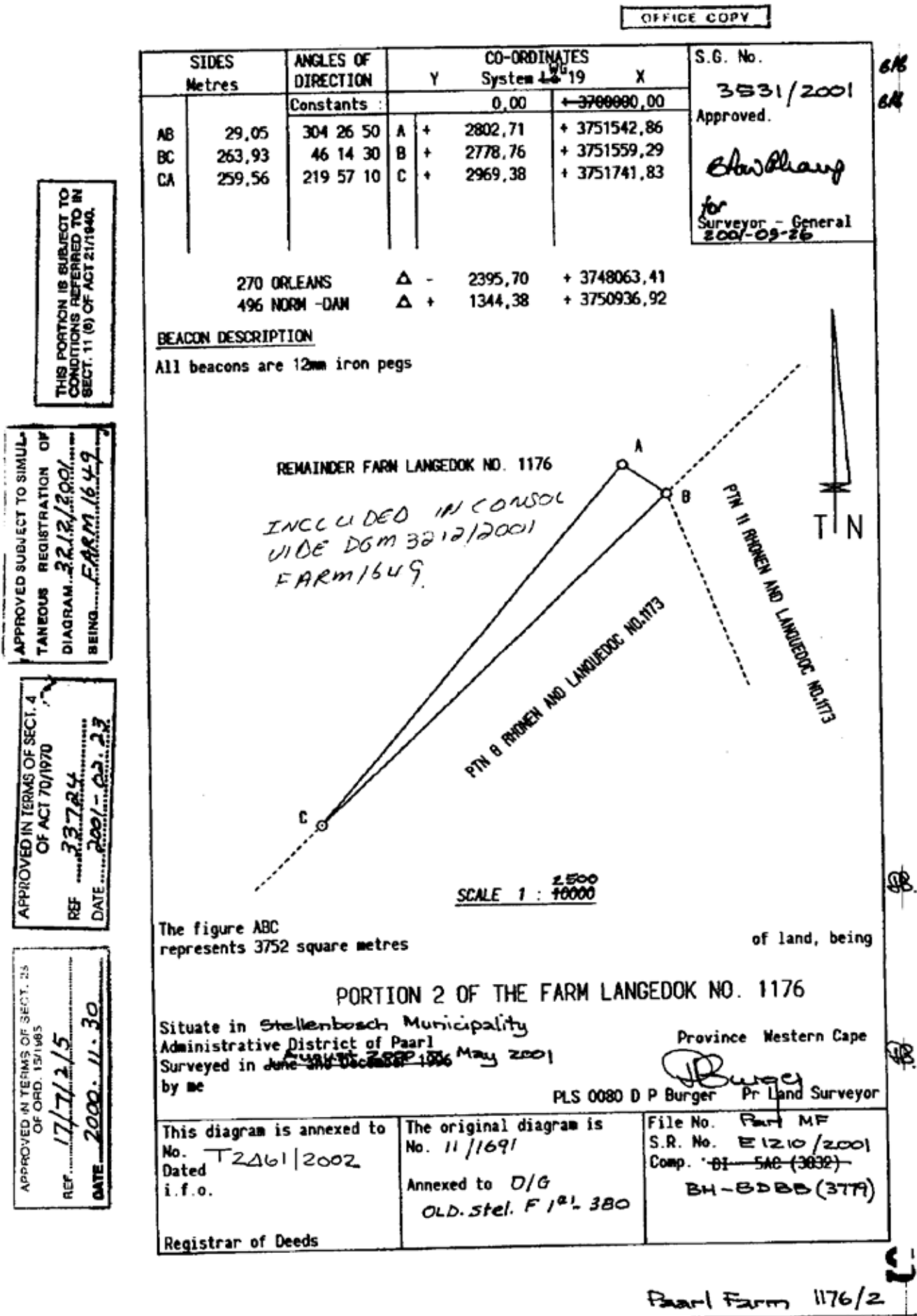
#	Document	Owner	Amount (R)	Microfilm
1	I-5466/2004LG	-	UNKNOWN	
2	T2465/2002	ANGLO AMERICAN FARMS LTD	CCT	2004 0285 2168
3	T17500/2004	AMFARMS REALISATION CO LTD	297,097	2009 0313 0683
4	T17500/2004	ANGLO AMERICAN FARMS INV HOLDINGS LTD	297,097	2009 0313 0683

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3212/2001





BOSCHENDAL PRECINCT SURVEY

RENNIE SCURR ADENDORFF ARCHITECTS

SITE NAME: OU WAPAD				Map Ref: NONE	
				Building Number: None	
ADDRESS OF THE SITE		PROTECTION AND GRADING			
FARM NAME	Boschendal; Old Bethlehem	Curr. NHRA Protection	None		
FARM NUMBER	1674; 153	>60YRS?	Yes		
CURRENT USE	Farm Track	PROPOSED GRADING	Grade IIIA		
ORIGINAL USE	Wagon Track	LANDSCAPE UNIT GRADE	Grade IIIB		
		REVISED LU GRADE	Grade IIIB		
SIGNIFICANCE		ARCHITECTURAL STYLE			
Associational	High	Age	Medium	N/A	
Architectural	None	Rarity	Medium		
Archaeology	Low	Scientific	Low	N/A	
Representivity	Medium	Symbolic	High		
Intangible	High			None	
ARCHITECT/BUILDER				MAP (RSA, 2019)	
				SITE PHOTO (RSA, 2019)	
GROUPING WITH OTHER SITES				LATITUDE/LONGITUDE	
				18°58'50.45" E 33°53'04.94" S	
SITE DESCRIPTION				SITE HISTORY	
An historic track east of the Dwars River that extends from north of the R45, past Thembaletu and Lanquedoc to Kylemore				The route is a formalisation of several pre-existing farm tracks that emerged in the early C20th, likely in response to the development of Lanquedoc at that time	
CONTEXTUAL DESIGN				HERITAGE VULNERABILITY	
The wapad is an important pedestrian link between communities north of the R45, Thembaletu, Lanquedoc and Kylemore				Farm fences inhibiting movement detracts from significance, while upgrading for vehicular traffic, deterioration of the track and loss of the route alignment would further impact significance	
EVIDENCE OF DEMOLITION				STATEMENT OF SIGNIFICANCE	
None				The wapad has social, symbolic and possible archaeological significance. It has landmark qualities both as a visible landscape element and for its importance in linking disparate communities. Its significance is, however, intangible, rather than linked to its physical form or alignment.	
INVASIVE ELEMENTS					
The wapad serves as a boundary between farm portions and is obstructed by fences. As such, in places has lost its clear designation as a road or transport route.					
REFERENCES					
Aikman H. & Berman, A. 2005. Boschendal Heritage Assessment: Built Environment Survey and Evaluation. Unpublished report for Baumann and Winter Heritage Consultants. Aikman and Associates: Cape Town. Baumann, N., Winter, S., Dewar, D. And Louw, P. 2017. Heritage Impact Assessment: Boschendal Village Node, Portion 7 of Farm 1674 and Portion 10 of Farm 1674, Boschendal, Stellenbosch Municipality, August 2017. Unpublished report prepared for Boschendal Proprietary Ltd. Cape Town: Baumann and Winter. Wolff Architects. 2019. Boschendal Estate: Landscape Heritage Report. Unpublished report prepared for Boschendal Proprietary Ltd. Cape Town: Wolff Architects. Wolff Architects. 2018. Boschendal Estate, Stellenbosch, South Africa: Conceptual Framework Report, 4 December. Unpublished report prepared for Boschendal Proprietary Ltd. Cape Town: Wolff Architects. Winter, S. 2013-2014. Review of Historical Built Environment. Unpublished report for Boschendal Ltd. Baumann and Winter Heritage Consultants: Cape Town.					

RECORDING DATE 2019/06/06

SITE NAME: YORK FARM**Map Ref: CC11**
Building Number: BE91-96**ADDRESS OF THE SITE**

FARM NAME	Rhone
FARM NUMBER	1674/11
CURRENT USE	Unused
ORIGINAL USE	Workers' Accommodation

PROTECTION AND GRADING

Curr. NHRA Protection	None
>60YRS?	No
PROPOSED GRADING	Grade IIIC
LANDSCAPE UNIT GRADE	Grade IIIB
REVISED LU GRADE	Grade IIIB

SIGNIFICANCE

Associational	Medium	Age	Low
Architectural	None	Rarity	Low
Archaeology	None	Scientific	None
Representivity	Low	Symbolic	High
Intangible	High		

ARCHITECTURAL STYLE

Late-C20th farm worker cottages

ARCHITECT/BUILDER

Amfarms

GROUPING WITH OTHER SITES

Cottage clusters

**MAP (RSA, 2019)****SITE PHOTO (RSA, 2019)****LATITUDE/LONGITUDE**

18°58'26.86" E

33°53'17.39" S

SITE DESCRIPTION

Eight paired units built in the 1980s, typical of workers' accommodation of the time

CONTEXTUAL DESIGN

Arranged around a central open space; adhoc placement in landscape

EVIDENCE OF DEMOLITION

The buildings have all been stripped and are subject to vandalism and theft

INVASIVE ELEMENTS

None

REFERENCES

Aikman H. & Berman, A. 2005. Boschendal Heritage Assessment: Built Environment Survey and Evaluation. Unpublished report for Baumann and Winter Heritage Consultants. Aikman and Associates: Cape Town.

Baumann, N., Winter, S., Dewar, D. And Louw, P. 2017. Heritage Impact Assessment: Boschendal Village Node, Portion 7 of Farm 1674 and Portion 10 of Farm 1674, Boschendal, Stellenbosch Municipality, August 2017. Unpublished report prepared for Boschendal Proprietary Ltd. Cape Town: Baumann and Winter.

Wolff Architects. 2019. Boschendal Estate: Landscape Heritage Report. Unpublished report prepared for Boschendal Proprietary Ltd. Cape Town: Wolff Architects.

Wolff Architects. 2018. Boschendal Estate, Stellenbosch, South Africa: Conceptual Framework Report, 4 December. Unpublished report prepared for Boschendal Proprietary Ltd. Cape Town: Wolff Architects.

Winter, S. 2013-2014. Review of Historical Built Environment. Unpublished report for Boschendal Ltd. Baumann and Winter Heritage Consultants: Cape Town.

SITE HISTORY

Cottages build for workers in 1980s by Amfarms.

HERITAGE VULNERABILITY

Reuse options are limited; inappropriate reuse/redevelopment will diminish social significance. Settlement has lost its functional use and any associated sense of community that may have existed at the time

STATEMENT OF SIGNIFICANCE

Typical of workers' housing of late-C20th, associated with a social layer that existed prior to resettlement of workers in 2003-2005. Social, symbolic and intangible significance.

RECORDING DATE 2019/06/06

SITE NAME: AVENUE TO LANQUEDOC

LANDSCAPE UNIT NUMBER: F07
LANDSCAPE UNIT GRADE: Grade II

ADDRESS OF THE SITE		PROTECTION AND GRADING		MAP
PROPERTY NO		Curr.NHRA Protection		
SITE ADDRESS	Off R310	>60YRS?		
CURRENT USE		PROPOSED GRADING	Grade IIIb	
ORIGINAL USE				
SIGNIFICANCE		ARCHITECTURAL STYLE		LATITUDE/LONGITUDE
Associational	Representivity			
Age	Rarity	ARCHITECT/BUILDER		
Scientific	Archaeology			
Symbolic	Intangible			
Architectural				-33.886513333318.9660166667

SITE DESCRIPTION
London plane tree avenue leading from R310 to Dwarsrivier.

STATEMENT OF SIGNIFICANCE
This is a significant landscape feature with landmark quality next to the Helshoogte Road.

INTERIOR DESCRIPTION

GROUPING WITH OTHER SITES

EVIDENCE OF DEMOLITION



SITE HISTORY

LANDSCAPE SIGNIFICANCE

CONTEXTUAL DESIGN

INVASIVE ELEMENTS

HERITAGE VULNERABILITY

SITE NAME: AVENUE AND ROUTE: LANQUEDOC TO DELTA

LANDSCAPE UNIT NUMBER: F09
LANDSCAPE UNIT GRADE: Grade II

ADDRESS OF THE SITE		PROTECTION AND GRADING	
PROPERTY NO	Old Lanquedoc Road	Curr.NHRA Protection	
SITE ADDRESS		>60YRS?	
CURRENT USE		PROPOSED GRADING	Grade IIIc
ORIGINAL USE			

SIGNIFICANCE		ARCHITECTURAL STYLE
Associational	Representivity	ARCHITECT/BUILDER
Age	Rarity	
Scientific	Archaeology	
Symbolic	Intangible	
Architectural		

SITE DESCRIPTION
Eucalyptus trees on northern side of old route (see 1935 map).

STATEMENT OF SIGNIFICANCE
This is a significant landscape feature.

INTERIOR DESCRIPTION

GROUPING WITH OTHER SITES

EVIDENCE OF DEMOLITION

MAP

LATITUDE/LONGITUDE

-33.8916910101

18.9687584732



SITE HISTORY

LANDSCAPE SIGNIFICANCE

CONTEXTUAL DESIGN

INVASIVE ELEMENTS

HERITAGE VULNERABILITY

SITE NAME: LANQUEDOC

LANDSCAPE UNIT NUMBER: F09
LANDSCAPE UNIT GRADE: Grade II

ADDRESS OF THE SITE		PROTECTION AND GRADING	
PROPERTY NO		Curr.NHRA Protection	S34
SITE ADDRESS	Main Road, Lanquedoc	>60YRS?	Yes
CURRENT USE		PROPOSED GRADING	Grade IIIa
ORIGINAL USE	Street Village		

SIGNIFICANCE		ARCHITECTURAL STYLE
Associational	Representivity	Arts & Crafts
Age	Rarity	ARCHITECT/BUILDER
Scientific	Archaeology	Baker
Symbolic	Intangible	
Architectural		

SITE DESCRIPTION

Baker-designed village for farm workers, semi-detached and row houses, with rammed earth walls, built on either side of the Oak-lined street which is parallel to river. Unique; different to Aan den Weg cottages in Stellenbosch of same date.

STATEMENT OF SIGNIFICANCE

The rammed-earth farm worker dwellings designed by Baker have technical, aesthetic, architectural, urbanistic and landscape significance.

INTERIOR DESCRIPTION

GROUPING WITH OTHER SITES

EVIDENCE OF DEMOLITION

MAP



LATITUDE/LONGITUDE

-33.89337518.9672433333



SITE HISTORY

LANDSCAPE SIGNIFICANCE

CONTEXTUAL DESIGN

INVASIVE ELEMENTS
Inappropriate additional housing.

HERITAGE VULNERABILITY

SITE NAME: ST. GILES CHURCH, LANQUEDOC

LANDSCAPE UNIT NUMBER: F15
LANDSCAPE UNIT GRADE: Grade II

ADDRESS OF THE SITE		PROTECTION AND GRADING	
PROPERTY NO	156	Curr.NHRA Protection	S34
SITE ADDRESS	Lanquedoc	>60YRS?	Yes
CURRENT USE	Religious	PROPOSED GRADING	Grade IIIc
ORIGINAL USE	Religious		

SIGNIFICANCE		ARCHITECTURAL STYLE
Associational	Representivity	Neo-Romanesque
Age	Rarity	
Scientific	Archaeology	
Symbolic	Intangible	
Architectural		
		ARCHITECT/BUILDER
		Baker

SITE DESCRIPTION

Stone-built church with semi-circular apse, and what appears to be a lean-to addition. Context is lost in recent heavily-engineered street elements and parking precinct.

STATEMENT OF SIGNIFICANCE

Although the context has been somewhat eroded in recent years, this Baker-designed church has some significance.

INTERIOR DESCRIPTION

GROUPING WITH OTHER SITES

EVIDENCE OF DEMOLITION

MAP



LATITUDE/LONGITUDE

-33.89852 18.9637983333

SITE HISTORY

LANDSCAPE SIGNIFICANCE

CONTEXTUAL DESIGN

INVASIVE ELEMENTS

Burglar bars; surroundings

HERITAGE VULNERABILITY



SITE NAME: FANIE SE DAM

LANDSCAPE UNIT NUMBER: F09

LANDSCAPE UNIT GRADE: Grade II

ADDRESS OF THE SITE		PROTECTION AND GRADING		MAP
PROPERTY NO		Curr.NHRA Protection		
SITE ADDRESS	Riverside Road, Pniel	>60YRS?		
CURRENT USE	Water feature	PROPOSED GRADING	Grade IIIc	
ORIGINAL USE	Water works			
SIGNIFICANCE		ARCHITECTURAL STYLE		LATITUDE/LONGITUDE
Associational	Representivity			
Age	Rarity	ARCHITECT/BUILDER		
Scientific	Archaeology			
Symbolic	Intangible			
Architectural				
SITE DESCRIPTION				SITE HISTORY
Water channels, weir and metal workings in sylvan setting.				
STATEMENT OF SIGNIFICANCE				LANDSCAPE SIGNIFICANCE
This water feature has cultural significance				
INTERIOR DESCRIPTION				CONTEXTUAL DESIGN
GROUPING WITH OTHER SITES				INVASIVE ELEMENTS
EVIDENCE OF DEMOLITION				HERITAGE VULNERABILITY



SITE NAME: RHONE

LANDSCAPE UNIT NUMBER: F06
LANDSCAPE UNIT GRADE: Grade II

ADDRESS OF THE SITE		PROTECTION AND GRADING	
PROPERTY NO		Curr.NHRA Protection	S34
SITE ADDRESS	R310 Pneil Road	>60YRS?	Yes
CURRENT USE	Restaurant, etc.	PROPOSED GRADING	Grade II
ORIGINAL USE	Agriculture		

SIGNIFICANCE		ARCHITECTURAL STYLE
Associational	Representivity	Cape Dutch
Age	Rarity	
Scientific	Archaeology	
Symbolic	Intangible	
Architectural		
		ARCHITECT/BUILDER
		Fagan

SITE DESCRIPTION

Werf complex, with ringmuur, comprises homestead, two splayed flanking buildings, at rear is older fabric in structure extended in 19th century, and a discrete new wine cellar. H-plan single-storey pitched thatch roofed house, with early pedimented holbol gables (1795), curve-headed windows on front, casements at rear and fake central door; courts filled in; stoep all round. Cellar / barn with thatched roof, central gable (1837), and altered end gables. Long barn-like outbuilding, opposite, now with restaurant alterations and additions (section of exposed mud brick walling).

STATEMENT OF SIGNIFICANCE


This is a very significant site comprising historic and more recent structures, a splayed farm werf, approaching avenue on axis and many mature trees. The Provincial Heritage Site significance of the place spans aesthetics, architecture, the landscape elements and setting and association with a range of individuals over the centuries.

INTERIOR DESCRIPTION

GROUPING WITH OTHER SITES

EVIDENCE OF DEMOLITION

MAP



LATITUDE/LONGITUDE

-33.8839966667

18.9694183333



SITE HISTORY

LANDSCAPE SIGNIFICANCE

CONTEXTUAL DESIGN

INVASIVE ELEMENTS

None

HERITAGE VULNERABILITY

SITE NAME: RHONE: CORK OAK GROVE AT ENTRANCE

LANDSCAPE UNIT NUMBER: F06
LANDSCAPE UNIT GRADE: Grade II

ADDRESS OF THE SITE		PROTECTION AND GRADING		MAP
PROPERTY NO		Curr.NHRA Protection		
SITE ADDRESS	R310 Pneil Road	>60YRS?	Yes	
CURRENT USE		PROPOSED GRADING	Grade IIIb	
ORIGINAL USE				
SIGNIFICANCE		ARCHITECTURAL STYLE		LATITUDE/LONGITUDE -33.883755 18.9694516667
Associational	Representivity	ARCHITECT/BUILDER		
Age	Rarity			
Scientific	Archaeology			
Symbolic	Intangible			
Architectural				
SITE DESCRIPTION				SITE HISTORY
Grove of cork oaks across small stream from Rhone werf, on intersection of old road to Pneil and main entrance to Rhone.				
STATEMENT OF SIGNIFICANCE				
This old grove of mature Cork Oaks has landscape significance.				
INTERIOR DESCRIPTION				
GROUPING WITH OTHER SITES				LANDSCAPE SIGNIFICANCE
EVIDENCE OF DEMOLITION				
CONTEXTUAL DESIGN				
INVASIVE ELEMENTS				
HERITAGE VULNERABILITY				

