



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16624(TP602/2023)

Our File Reference Number: Erf 252 & 298, Raithby

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: wessel@planpart.co.za

Sir / Madam

APPLICATION FOR REZONING, AMENDMENT OF THE APPROVED SUBDIVISION PLAN & AMENDMENT OF CONDITIONS OF APPROVAL ON ERF 252 & 298, RAITHBY

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

2.1 That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw on the to be consolidated Erf 252 & 298 Raithby for:

2.2 **Rezoning** in terms of Section 15 (2) (a) of the said by-law from subdivisional area approved on the 20 June 2023 to subdivisional area making provision for the following:

- a) 63 x **Multi-unit Residential Zone** erven limited to Group Housing to permit detached dwellings to the total extent of ±3.13 ha, and as depicted by erven 1-63 on the subdivision and zoning plan.
- b) 2 x **Private Open Space Zone** erven limited to open space to a total extent of 0.73 ha, and as depicted by erven 64-65 on the subject subdivision and zoning plan.
- c) 1 x **Private Open Space Zone** erf limited to open space and clubhouse to a total extent of 0.29 ha, and as depicted by erf 66 on the subject subdivision and zoning plan.

- d) 1 x **Private Open Space Zone** erf limited to private road, gatehouse, refuse room & open space to a total extent of 1.11 ha, and as depicted by erf 67 on the subject subdivision and zoning plan.

2.3 **Amendment of an approved subdivision plan** in terms of Section 15 (2) (k) of the said bylaw in order to amend the approved subdivisional plan to accommodate the new subdivisional area plan/zoning plan and servitudes.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2.3 The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

- 2.3.1 The approval only applies to the proposed application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
- 2.3.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 2.3.3 The development be implemented in accordance with the development concept plan, subdivision & zoning plan and phasing plan, referenced as Job No: 4387, Rev 6, (figure 5-7), drawn by: Planning Partners, dated January 2025 and June 2024 respectively and attached as **Annexure A**.
- 2.3.4 The design guidelines for the Newlands Estate attached as **Annexure C** be amended to cater for the subject areas, be submitted and approved by the Municipality prior to the registration of the first property or the submission of any building plan application.
- 2.3.5 Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to the transfer of the first property or submission of any building plans, whichever occurs first, or as may be agreed on in writing with the Director Infrastructure Services, See **Annexure B** for amended Memo dated 03 September 2024.
- 2.3.6 A detailed site development plans as contemplated in terms of Section 16 of the Zoning Scheme Bylaw, 2019 be submitted to the Municipality for approval prior to the submission of any building plans, which site development plans must satisfactorily address, but are not necessarily limited to, all the conditions of this approval, compliance with relevant

development parameters of the said Bylaw, and any relevant matters relating to Section 16(4) of the said Bylaw.

2.3.7 All other conditions of approval as approved by the municipality on the 17 July 2023 (LU/10035) be complied with.

2.3.8 Building plans be submitted for all changes of use in the existing buildings and which building plan(s) be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

3. The **reasons** for the above decision are as follows:

3.1 The proposal will not have an impact on the original development approved by Council or impact on the broader community.

3.2 The proposed amendments propose lesser impact than the previously approved application and the changes are in line with Stellenbosch Municipality Zoning Scheme By-law.

3.3 The proposed updated development concept includes 63 detached residential units and omit the previously approved of semi-detached units and flats/apartments.

3.4 All other land use parameters will still be complied with as initially approved.

4. Matters **to be noted**:

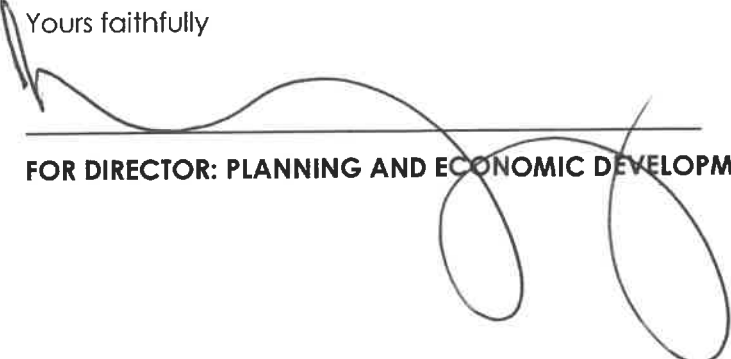
4.1 Building plans must be submitted and approved by the Municipality prior to the commencing of any building works, including the preparation of land, which will only be approved when all relevant (or qualified) conditions of approval have been complied with.

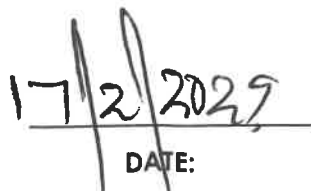
4.2 The application for the amendment conditions of approval as approved on 17 July 2023 has been addressed in above mentioned conditions of approval applicable to the latest decision.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

6. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
7. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**
8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021- 808 8684.
10. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

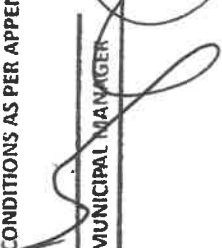

17/2/2029
DATE:

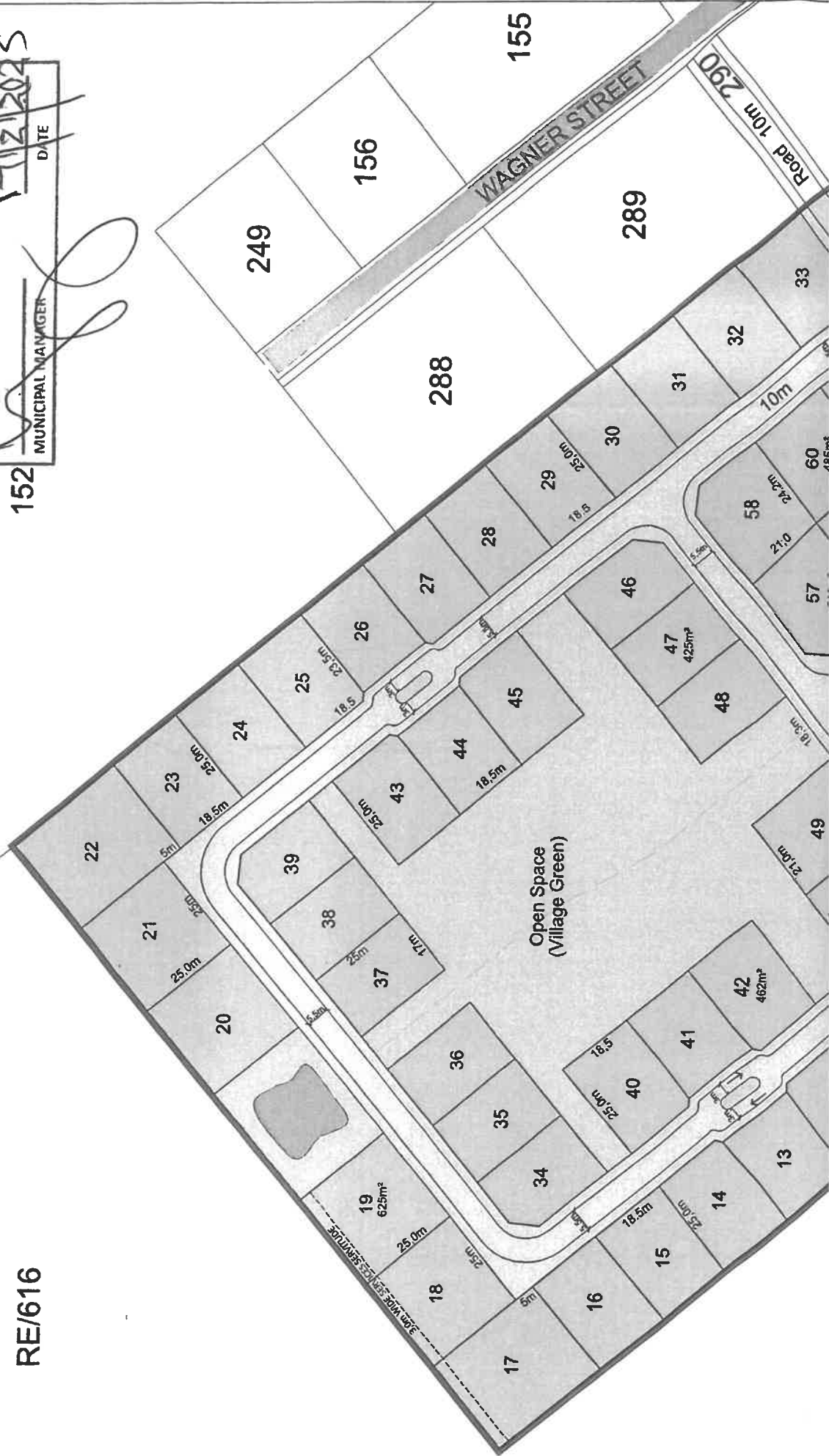
ANNEXURE A

DEVELOPMENT CONCEPT PLAN, SUBDIVISION & CONSOLIDATION PLAN AND PHASING PLAN

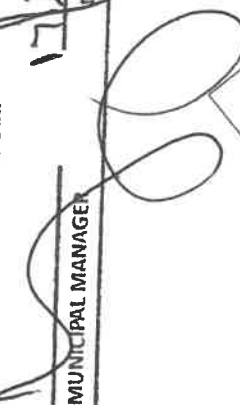
RE/616

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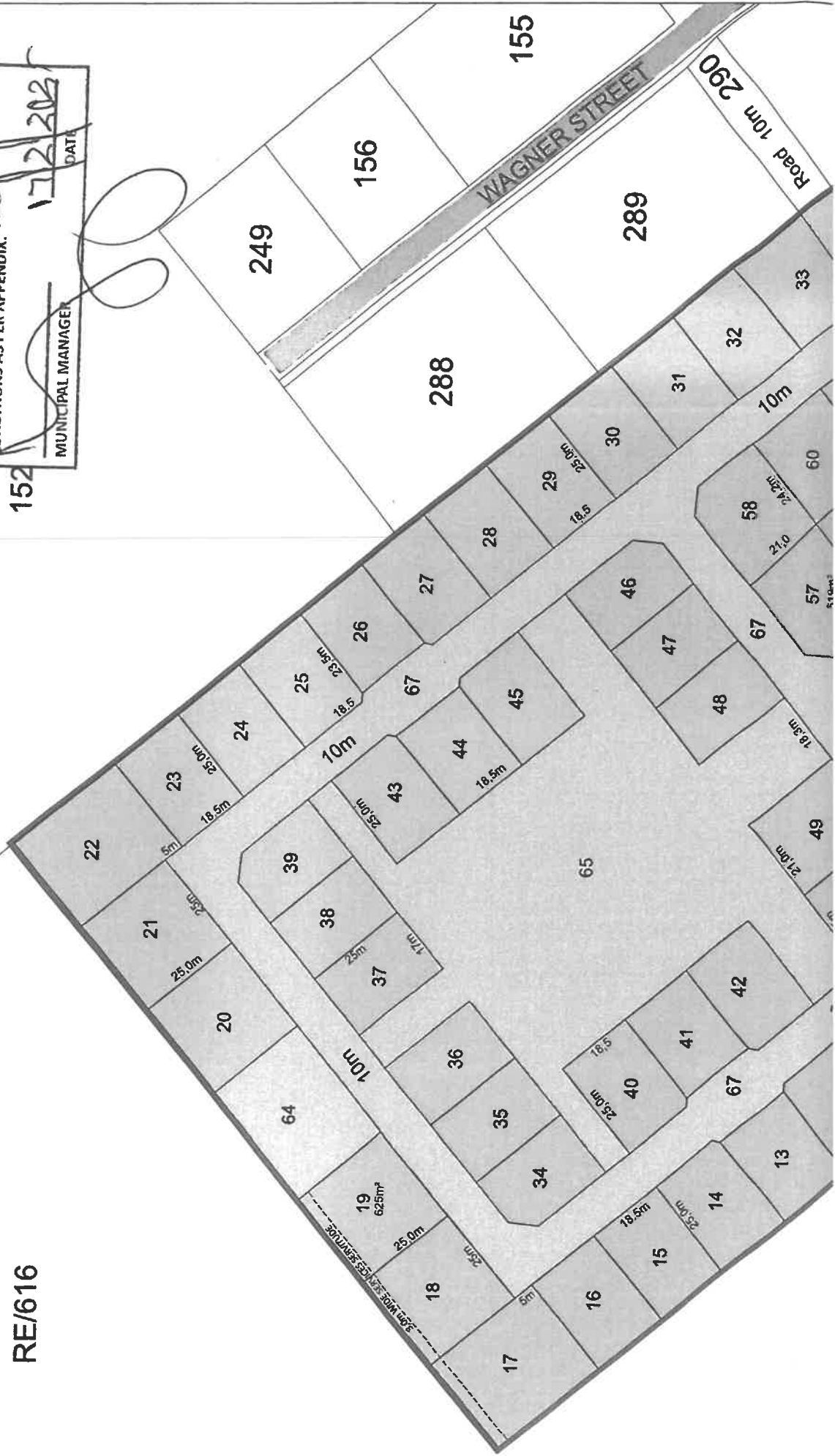
STELLENBOSCH MUNICIPALITY	
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW (2021) SUBJECT TO THE CONDITIONS AS PER APPENDIX 2	
 MUNICIPAL MANAGER	17/12/2025 DATE



RE/616

STELLENBOSCH MUNICIPALITY	
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW 1996 ²⁰²³ SUBJECT TO THE CONDITIONS AS PER APPENDIX.	
MUNICIPAL MANAGER	DATE
	17/2/2023

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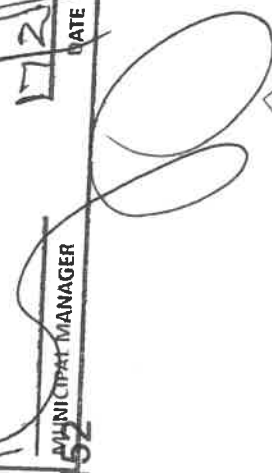
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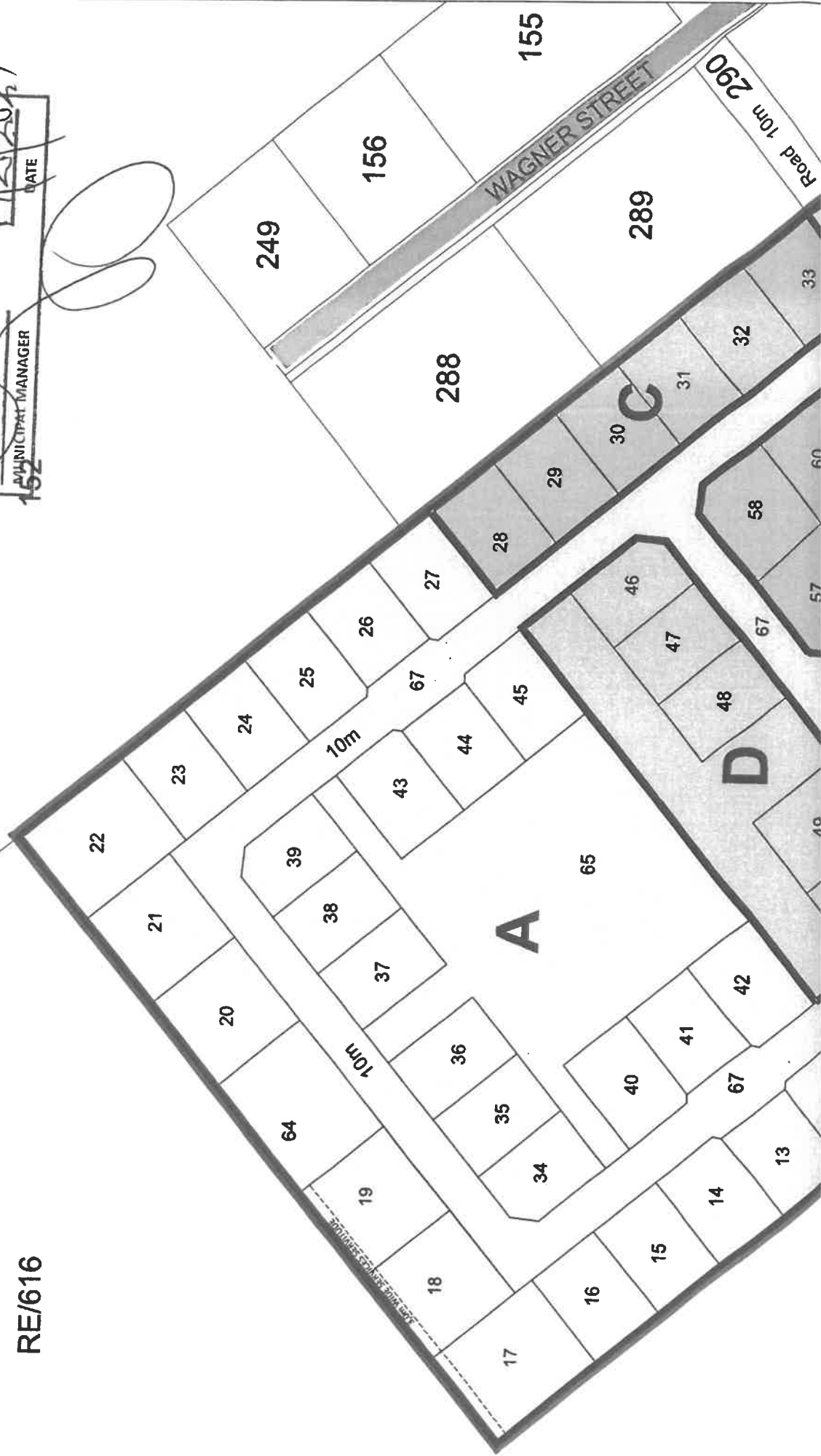
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062

Road 10m 290

RE/616

STELLENBOSCH MUNICIPALITY	
THIS SUBDIVISION HAS BEEN APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW 2014, SUBJECT TO THE CONDITIONS AS PER APPENDIX 2023	
MUNICIPAL MANAGER	DATE
	17/2/2025



ANNEXURE B

COMMENTS FROM DIRECTOR: INFRASTRUCTURE SERVICES



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nicole Katts
From ▫ Van:	Manager: Development (Infrastructure Services)
Author ▫ Skrywer:	Tyrone King
Date ▫ Datum:	3 September 2024
Our Ref ▫ Ons Verw:	Civil LU 2694
Town Planning Ref:	LU/16624
Re ▫ Insake:	Erf 252, Raithby: Application is made in terms of 15 (2) (h) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 for Amendment of conditions of approval in order to facilitate the proposed amendments. Application is made in terms of 15 (2) (k) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 for Amendment of an approved subdivision plan in order to amend the approved Subdivisional plan.

The following engineering documents were evaluated as part of this application:

- Report on Civil Engineering Services, by EKCON Consulting, dated 30 March 2020 (for original subdivision layout);
- Foul Sewer and Water Layout Drawing No P2784-C-LA-200 Rev A by Ekcon dated 2024-08-29 (for revised subdivision layout);
- Roads and Stormwater Layout Drawing No P2784-C-LA-001 Rev A by Ekcon dated 2024-08-29 (for revised subdivision layout);

- Transport Impact Statement by ICE Group, dated 4 March 2020. (for original subdivision layout);
- Transport Impact Statement by UDS dated 1 Dec 2023 (for revised subdivision layout);
- Development Concept Plan Job No 4387A Figure 5 by Planning Partners dated June 2024 Rev 6;
- Subdivision Plan Job No 4387 Figure 6 by Planning Partners dated June 2024 Rev 6;

Background: The original approval was for 116 residential units (group housing + flats). This revised application is for 63 group housing erven.

In consideration of provisions related to Civil Engineering Services the application is supported subject to the following conditions:

Specific Conditions: These conditions must be complied with prior to transfer of the first property or approval of any building plans, whichever occurs first.

1. Water

- 1.1 A bulk water meter conforming to the specifications of the Directorate: Infrastructure Services must be installed, the municipal account for the said meter must be activated and the consumer deposit must be paid.

2. Sewer

- 2.1 The following upgrades must be installed:

- 2.1.1 Raithby Waste Water Treatment Works: The municipality will implement this upgrade and clearance will only be issued after its completion. According to the current budget provisions, completion is expected in June 2026 – please note that this is only an estimate at this stage and a more accurate timeline will be available once a Contractor is appointed.

3. Roads

- 3.1 Any conditions stated by the Provincial Roads Engineer must be complied with.

4. Stormwater

- 4.1 The difference between the pre-and post-development run-off must be attenuated on site. Details of how this will be achieved must be provided with the submission of the detail engineering drawings. The detention ponds, associated stormwater pipelines, inlet and outlet structures and erosion protection must be completed to municipal standards before clearance. All earthworks and trimming and shaping of the ponds must also be completed. See **Annexure SW** for conceptual layout of pond – details must be clearly indicated on the detail engineering drawings.
- 4.2 The overflow from the northern detention pond will be across Farm 616, which is a private property. A letter from the owner of Farm 616 will be required wherein he agrees to the method of discharge, prior to the approval of detail engineering drawings.

5. Solid Waste

- 5.1 The refuse embayment in Watson Way must be completed to allow easy access for municipal refuse vehicles to the refuse room on collection days and to prevent obstruction to traffic flows.
- 5.2 The refuse room must be completed according to municipal standards and specifications, prior to any occupation certificate for any of the houses being issued.

6. Servitudes

- 6.1 All servitudes as indicated on the subdivision plan must be registered.

7. Installation of Engineering Services

- 7.1 Over and above the bulk and external upgrades identified above, each newly created erf must also be fully serviced to water- and sewer connections, stormwater drainage and roads/access points. All internal and link engineering services for the development must be installed by the developer at his cost.

- 7.2 Detail engineering drawings must be submitted for approval prior to the commencement of construction. The engineering drawings approval letter issued by the Municipality will constitute the "engineering services agreement" for the provision and installation of services between the municipality and the land owner / developer, as stated in the municipality's land-use planning by-law.

8. Development Charges (DCs)

- 8.1 DCs are payable in accordance with the prevailing and applicable Council DCs Tariffs and DCs Policy at the time of payment prior to the transfer of the first property or approval of any building plans, whichever occurs first. The amount payable will therefore be the amount as calculated according to the approved tariff structure and according to the DCs Policy principles at the time that payment is made.
- 8.2 A DCs estimate is provided in **Annexure DC**. This calculation is provisional, based on the information available at this stage, and a final calculation will be provided prior to payment and based on the final/approved development parameters.

9. As - Builts

- 9.1 Upon completion, a complete set of as-built drawings, as well as the asset verification information (in the case of municipal services) must be submitted in a format acceptable to the Municipality. These drawings must be signed by a professionally registered engineer.

General Conditions

10. The implementation of the development wrt the provision of civil engineering services, must comply with the "*General guidelines and standard practices for the provision of civil engineering services for new developments*" as published on the municipality's website and as amended from time-to-time.
11. The design of the civil engineering services for the development must comply with the "*Design Guidelines and Minimum Standards for Civil Engineering Services*" as published on the municipality's website and as amended from time-to-time.
12. The internal services are **private**. Therefore, all internal services will be maintained by the **Developer and/or Owner's Association**.

13. The Developer will be held liable for any damage to municipal infrastructure, caused as a direct result of the development of the subject property. The Developer will therefore be required to carry out the necessary rehabilitation work, at his/her cost, to the standards of the Directorate: Infrastructure Services, prior to transfer of the first property or approval of any building plans or occupation certificate, whichever occurs first.



Tyrone King Pr Tech Eng
MANAGER: DEVELOPMENT (INFRASTRUCTURE SERVICES)

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A P278J-C-LA-C

Stellenbosch Municipality

Development Charge Calculation

APPLICATION INFORMATION

Application Number:	Civil LU 2694; LU/16624
Development Name:	Raithby (Newlands Estate)
Date:	03 September 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Raithby
Erf Region (Select Urban or Rural):	Urban
Erf No. / Farm No.:	252 & 298
DC Parameters Reference:	Subdivision Plan Job No 4367 Figure 9 by Planning Partners dated June 2024 Rev 6

SUMMARY OF DC CALCULATION

Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals
Unit(s):	Kl/day	Kl/day	ha°C	t/week	trips/day		persons	
Total Increased Services Usage:	37.8	31.5	1,134	2.52	238.25		252	
Total Service Usage Reduction:	0	0	0	0	0.0		0	
Total Service Usage after Reduction:	37.80	31.50	1,134.00	2.520	238.3		252	
Charges before adjusting for positive only, before Deductions	R 415 267.89	R 450 398.48	R 181 745.33	R 259 056.03	R 2 940 944.53	R 4 247 412.26	R 1 021 686.88	R 5 268 099.13
Charges adjusted for positive only, before Deductions	R 415 267.89	R 450 398.48	R 181 745.33	R 259 056.03	R 2 940 944.53	R 4 247 412.26	R 1 021 686.88	R 5 268 099.13
Total Deductions:	R -	R -	R -	R -	R -	R -	R -	R -
Total Development Charges Payable (excluding VAT):	R 415 267.89	R 450 398.48	R 181 745.33	R 259 056.03	R 2 940 944.53	R 4 247 412.26	R 1 021 686.88	R 5 268 099.13
VAT:	R 62 290.16	R 67 559.77	R 27 261.80	R 38 858.40	R 441 141.68	R 637 111.64	R 153 253.03	R 780 364.87
Total Development Charges Payable (including VAT):	R 477 558.07	R 517 958.26	R 209 007.13	R 297 914.43	R 3 382 086.21	R 4 884 524.09	R 1 174 939.91	R 8 059 464.00

APPLICANT INFORMATION

Application Processed by:	Tyrone King
Signature:	Provisional estimate only. Final calc to be provided prior to payment.
Notes:	

ANNEXURE C

NEWLANDS ESTATE DESIGN GUIDELINES

NEWLANDS ESTATE DESIGN GUIDELINES

NEWLANDS ESTATE, DESIGN GUIDELINES
July 2019 - Rev B

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1. INTRODUCTION

This set of design guidelines controls the architectural and environmental identity of Newlands estate. It has been prepared by the developers and their professional team. The developers, Owners' Association (OA) and Controlling Architects will ensure that the guidelines are complied with during the design and construction phases and thereafter.

The guidelines have been carefully developed so as to establish a timeless and collective architectural identity throughout the Estate without inhibiting the individual owner's creativity and style. Key to the success will be a level of collective identity, which the guidelines prescribe, which reference the historical fabric and forms of the area but allow scope for individual expression in their assembly and arrangement. The elements that form the essence of the identity and the control of these elements are explained in this document.

The control elements are, amongst other things; the covering, pitch and colour of the roofs; exterior paint colours; the street and environmental interfaces; the appearances of the plinths, the appearances of the windows and relationship between buildings. By controlling these elements, the full potential of the Estate will be realised as the individual houses are added, and will in turn, grow the investment that homeowners have made in their property. The erf owner is free to choose his/her own architect subject to the condition that these written and visual guidelines form the basis of the house design and that the rules contained within the document are fully met.

2. SUBMISSION PROCESS:

- 2.1 Meetings of the design review committee (hereinafter referred to as "the DRC") will be convened by the Controlling Architect, and will generally occur once every fortnight (builder's holidays excluded).
- 2.2 Hard copies of the submissions are to be delivered to the Controlling Architects, complete with all required architectural and landscape drawings, completed checklists and proof of payment of the applicable submission fees, by 12h00, at least three working days before the date of the scheduled meeting.
- 2.3 A set of PDF copies of the plans are to be forwarded by the applicant to the Controlling Architect at the same time, to permit circulation to the DRC members before the meeting.
- 2.4 The Controlling Architect will check each submission prior to the meeting and present each submission for discussion, together with his recommendations, to the committee.
- 2.5 The DRC's decision will be communicated to the architect responsible for the design by email within three working days of the date of the meeting.
- 2.6 The revision date of the guideline used in preparing the submission shall be noted on the submission form.

Controlling Architects:
BOOGERTMAN + PARTNERS ARCHITECTS
Landline: (021) 930 9210
Contact Person: Stephen Whitehead
Email: stephen@boogertmanct.co.za

Controlling Landscape Architects:
PLANNING PARTNERS
Landline: (021) 4180510
Contact Person: Jacques Dohse
Email : jacques@planpart.co.za

3. GENERAL PRINCIPLES

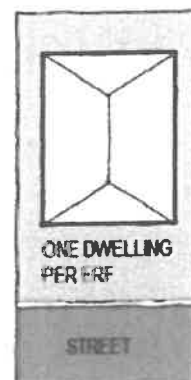
- 3.1 This "design control document" is defined by a body of text (the written guidelines). It contains rules (which are enforceable) and guidelines (which are suggestions and not enforceable) further explained and amplified, where applicable. Where there is any difference in interpretation of the rules the opinion of the Controlling Architect shall be final. (rule)
- 3.2 The constitution requires that homeowners must comply with the architectural, landscaping and environmental controls when houses are designed and built and thereafter.
- 3.3 The approval does not exempt the applicant from any other legislation, bylaws or regulations that may be applicable by any statutory body with control over the estate. (rule)
- 3.4 Any submissions which deviate from these guidelines shall be accompanied by a fully motivated waiver application. Where the Controlling Architect and the duly appointed DRC feel that the waiver will promote good architecture and the interest of the overall built environment, they may approve such waiver. No waiver granted in this process will create a precedent for approval of future waiver applications. (rule)
- 3.5 In order to optimize the manner in which the buildings on the estate use their individual locations it is a requirement that the architect employed by the homeowner visit the site, familiarize themselves with the site constraints and opportunities vis a vis (among others but not limited to) access, existing infrastructure, topography, prevailing weather conditions, summer and winter sun angles, distant views and adjacent views and view corridors. It is also a requirement that a sketch illustrating the analysis of the site and the predominant building responses to the specific site conditions accompany the final building plan submission to illustrate this process. This sketch may be rough but should provide sufficient information to clearly illustrate how the building submission responds to the specific site and may be accompanied by photographs, charts or any other relevant information which informed the design. (rule)
- 3.6 The homeowner is to obtain a survey from a registered land surveyor which shall include any natural features, contours at reasonable intervals, services points, street furniture, trees or services on the sidewalk and extend to any adjoining water bodies or significant natural features material to the design of the home. (rule)
- 3.7 It is a requirement that the property owner engages the services of a registered professional architect (SACAP- PrArch) to carry out the design of any work on the property and that any submission will appear on this registered PrArch's title block and include both the registered persons' registration number and signature.
- 3.8 These design guidelines apply specifically to single residential erven. Any town housing erven, future development areas, apartment sites or other uses may have their own design guidelines (although the landscaping component applies). Note that the Architectural guidelines as set out in this document does not apply to the common areas.
- 3.9 Given the rural nature of the environment homeowners are encouraged to, as far as possible, limit or omit external lighting and preventing "light spill" from patios and homes onto adjoining areas.
- 3.10 Approval of any plans by the DRC shall be valid for a period of 12 months from the date of endorsement. Should construction work not commence within 12 months of the approval, this approval shall be deemed to have lapsed and a new application for approval will be required.

4. PLANNING CONTROLS

4.1 DENSITY, HEIGHT AND COVERAGE OF BUILDINGS

4.1.1 Density:

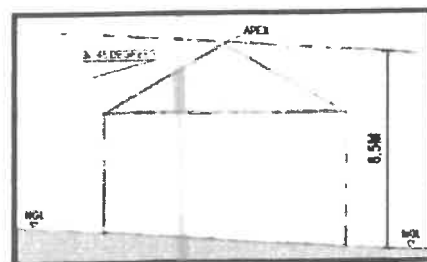
Only one dwelling house per single residential erf is permitted. (rule)



4.1.2 Height:

4.1.2.1 The buildings (excluding chimneys) are limited to a maximum height of 8.5 m measured vertically from natural ground level to the apex or top of any roof.

This is to be determined using the contour plan provided with the submission. (rule)



4.1.2.2 Each plan submission to include the existing and proposed contour levels of the site, as well as a datum level and heights of all concrete surface beds / slabs related back to the contour levels. (rule)

4.1.2.3 Natural ground level (NGL) is defined as being the existing ground level of each site at handover as reflected in the contour plan prepared for the owner by a registered surveyor and any reference to the natural ground level in this document will bear this meaning.

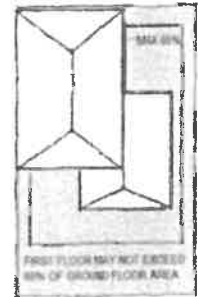
4.1.3 Coverage:

4.1.3.1 All hard-roofed patios, verandas, and similar areas are to be included in all coverage calculations. (rule)

4.1.3.2 The coverage may not exceed 50% of the erf size. (rule)



4.1.3.3 First floor area may not exceed 65% of the ground floor area. (rule)

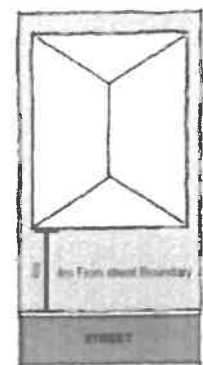


4.1.3.4 It is required that the architects make use of different heights and elements on the street facade to articulate the street facade (rule).

4.2 BUILDING LINES

4.2.1 Street Boundary

4.2.1.1 4 m from the erf boundary for dwelling or any covered area. (rule)



4.2.1.2 2m from erf boundary for pergolas and non-enclosed elements. (rule)

4.2.1.3 Where an erf has frontage onto more than one street the street building setback will apply only along the street from which the homeowner takes vehicular access. Any other boundaries will be subject to setbacks as for side boundaries. (rule)

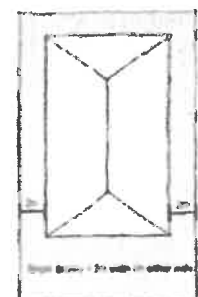
4.2.2 Garages and Covered Parking

4.2.2.1 Garages are to be set back a minimum of 5m from the street boundary or they can be rotated through 90 degrees and set in front of the house. This excludes pergolas and parking areas that are not covered. (rule)

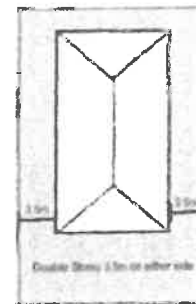


4.2.3 Side Space

4.2.3.1 Single storey 2.0m (minimum). (rule)



4.2.3.2 Double storey 3.5m (minimum) in estate generally. (rule)

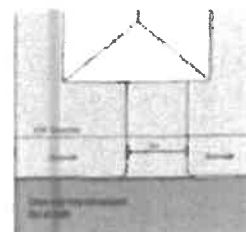


4.2.3.3 Only in unique circumstances will a relaxation of building lines be considered by the DRC and the Controlling Architects. Any such relaxation will still be subject to Local Authority approval.

4.2.3.4 Where property has been consolidated, the total sum of any applicable side spaces along the original side boundaries which separated the consolidated properties shall be provided on the side boundaries of the new property. No side space on the consolidated property may be less than the approved minimum required by the guideline and in addition the total of the side space setbacks provided, when added together, shall total the sum of the original side spaces of the erven which have been consolidated. (rule)

4.3 DRIVEWAYS

4.3.1 The driveway access to the road may not exceed 6m in width where it crosses the sidewalk. Note that the 6m may be split into narrower widths provided that the total sum of the widths does not exceed 6m (rule)



4.3.2 Appearance

3.3.2.1 Driveway materials are to be grey concrete cobbles, exposed aggregate surface beds with a brown aggregate or a combination of these two materials in patterns. (rule)

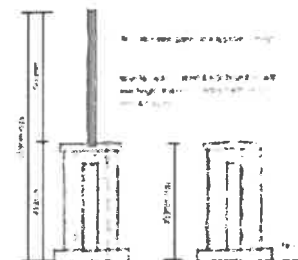
4.3.3 Sleeves

4.3.3.1 Each homeowner shall provide two 100mm PVC sleeves in the sidewalk, 500mm below their drive way complete with draw wires. The sleeves are to be situated alongside one another at 2000mm from the kerb edge and are to extend a minimum of 600mm beyond the edge of the driveway surface. Where the sleeves need to be situated in a different position for any reason the Owners' Association are to be advised and the alternate position agreed in writing by the Owners' Association. (rule)

4.4 BOUNDARY WALLS

4.4.1 Street Facade, boundaries facing onto the Estate perimeter and boundaries facing onto internal green or public open spaces.

4.4.1.1 Low walls with a simple defined base and coping and a maximum height not exceeding 900mm will be permitted along the front and side boundaries. These may be topped with a decorative steel panel in an approved design consisting only of horizontal and vertical elements to match handrails and balustrades (see Clause 4.5). The combined height of the wall and panel shall not exceed 1500mm above the natural ground level. (rule) Full details of the proposed panels must be submitted with the plans for approval.

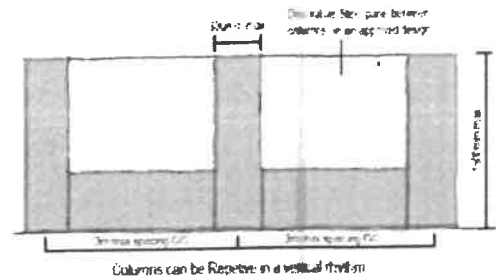


4.4.1.2 No wall exceeding 900mm in height or combination of wall and fence exceeding 1500mm in height will be permitted ahead of a line extending from the plane of the front

façade of the house to the side boundaries except where the DRC considers these to be integral to the design of the house. (rule)

- 4.4.1.3 No gates shall be higher than the adjoining wall and full detail of any gate is required with the submission. (rule)

- 4.4.1.4 Columns are required to boundary walls and are to be repetitive (min 330mm thick) with a decorative coping or capital in a vertical rhythm at max 3m centres specifically where steel panels are being used. (rule)

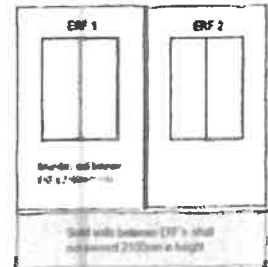


- 4.4.1.5 Any walls facing onto green or public open space shall have a plinth of De Hoop red face brick not less than 200mm above finished ground level to the exterior side (rule)

4.4.2 Side and Rear Boundaries

- 4.4.2.1 Wall types permitted under 4.4.1 will be permitted to the side and rear boundaries. (rule)

- 4.4.2.2 Solid walls between the erven shall not exceed 2100mm in height and any portion of a boundary wall extending beyond the front façade of the house to the roadway is to comply with the requirements of Clause 4.4.1.1. Walls enclosing the drying yard must be 2100mm high solid walls. (rule)



- 4.4.2.3 Where the slope of the natural ground requires it the boundary walls shall be stepped to ensure compliance with the height restrictions relative to the original natural ground level. (rule)

- 4.4.2.4 The total length of boundary walls exceeding 900mm in height may not exceed 20% of the erv's total boundary length. (rule)

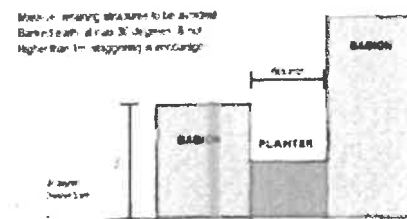
4.4.3 Screen Walls

In certain cases, screen walls between the building line and boundary may be allowed to screen pools and other private areas. The positioning, height and extent of these walls has to be approved by the Owners' Association, with the proviso that no screen wall may be closer than 1m to the side, rear or front boundaries.

- 4.4.4 The full elevations of all boundary walling indicating existing and finished ground levels as well as all applicable wall heights and details of the walls, are required with submission. (rule)

4.5 RETAINING WALLS/STRUCTURES

- 4.5.1 Retaining structures may be used. Banked earth at 30 degrees may also be used. No banked earth will be higher than 1.0 m in a single slope (staggering is encouraged). Plastered and painted walls to match the house are the only materials permitted for retaining walls with special approval by the DRC. Where these are used they are to be stepped in levels not exceeding 0.5m in height with sufficient horizontal width between steps to allow planting – min 600mm planting space (rule)

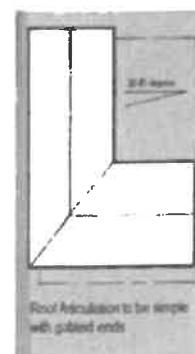


- 4.5.2 No retaining higher than 300mm above NGL will be permitted against any boundary wall (rule)

5. ARCHITECTURAL ELEMENTS AND MATERIALS

5.1 ROOFS

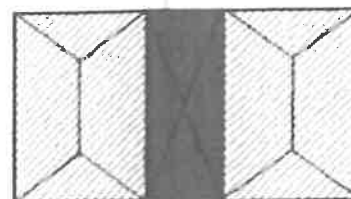
- 5.1.1 Only the following finishes will be permitted:
- 5.1.1.1 Pre-coloured galvanised ultra matt secret fixed sheet. Colour: Charcoal Grey (rule)
 - 5.1.1.2 Natural Slate - Silver Blue.
- 5.1.2 All rainwater goods which are exposed to be painted to match walls. (rule)
- 5.1.3 Permitted roof pitches:
- 5.1.3.1 Primary roofs- 30° or 45°. (rule)
 - 5.1.3.2 Flat roofs may be either sheet (max 5 degrees) to match primary roof or concrete slabs, Flat roofs to be fully enclosed by a wall or a parapet wall. (rule)



- 5.1.4 Roof articulation to be simple forms with gabled ends with overhanging eaves or bargeboards (rule).
- 5.1.5 Vent pipes may not be visible from roadways. (rule)
- 5.1.6 Eave overhangs to be not less than 200mm and not more than 500mm, measured from wall to fascia for pitched roofs. (rule)



- 5.1.7 Flat roofs will be permitted as linking elements between simple pitched roof forms or to cover verandahs. Flat roofs are not intended as a roofing solution for dwellings and are limited to a total area of 20% of the total area of the roof plan. (rule)



Flat roofs must not be used for a dwelling as a main roof form. They must be used as a linking element between two pitched roofs.

- 5.1.8 Any PV panel or solar collector panels are to be mounted in the same plane as the roof and frames and brackets are to be coloured to match the roof finish. Installation and extent must be depicted on the submission drawings (rule)

5.2 WALLS

- 5.2.1 The following wall finishes are permitted:

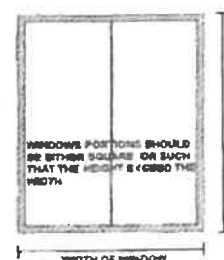
- 5.2.1.1 Smooth plaster and paint. (colour to be Arniston white or alternative approved off-white colour). (rule)
- 5.2.1.2 Painted fair face brickwork will be permitted where used with plastered detail at the discretion of the DRC. (rule)
- 5.2.1.3 Face brick (De Hoop red) plinths will be permitted to max 500mm above finished ground level. (rule)
- 5.2.1.4 Integral coloured rendered wall coatings such as Marmoran, Gama Zenith and Earthcote within the approved palette are permitted. (guideline)

- 5.2.2 Plumbing pipes are to be suitably concealed within walls or ducts and may not be exposed to or visible from any roadway or public space. (rule)

5.3 WINDOWS, SHUTTERS AND DOORS

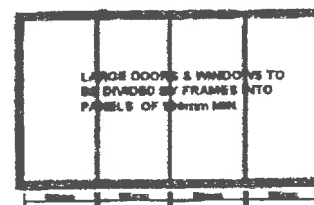
- 5.3.1 Only aluminium-powder / epoxy coated or uPVC to approval are permitted. Colours to be white, light grey or dark grey. (rule)

- 5.3.2 Window, shopfront and external door openings proportions shall be either square or such that height exceeds width when measured from plaster face to plaster face. (rule)

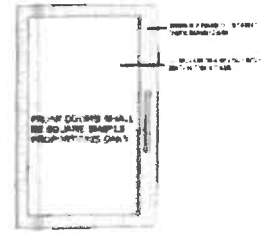


- 5.3.3 In the event that burglar bars are fitted these must be internal and should be aligned with the windows, mullions and transoms. (rule)

- 5.3.4 Large doors and windows (i.e. wider than high) which are divided by frames into panels of approximately 900mm in width in an accepted vertical format will be permitted where screened or recessed a minimum of 1500mm behind the outer line of a roof overhang, pergola or verandah. (rule)

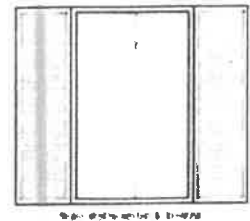


- 5.3.5 Front doors should match balance of external frames. (guideline) Any solid panels to front doors shall be fielded timber to suit the doorframe and finished to match the window frames. (rule)



- 5.3.6 Garage doors shall be single (2440mm wide) doors and be of sectional overhead or tilt up type with horizontal slats or panels. (rule) Additional detail in the form of glazing (glass fanlights) and panels is encouraged but full detail must be submitted for approval where this is envisaged. (rule)

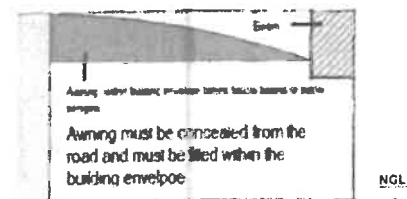
- 5.3.7 Shutters are to be provided to street or public open space facing windows. Shutters shall be side hung, framed and with angled louvres. These shutters must be operational. (rule)



- 5.3.8 Shutter colours are to match wall or be specifically submitted to the DRC for approval. (rule)
 5.3.9 Glazing shall be clear. No heavily coloured or mirrored glass will be permitted. (rule)
 5.3.10 Frameless glazing will be permitted only where screened or recessed as for Clause 4.3.4 (rule).

5.4 AWNINGS

Awnings will be considered, but must be concealed from the road. Fixed or fitted fabric awnings may only be fitted within the building envelope or behind concrete or masonry fascia beams below pergolas. They may not project beyond this extent. These awnings may only be of a single neutral colour and the awning material must be of a uniformly matt finish with the appearance of canvas. (rule) No windows, cut outs, ventilation slots, tassels, scalloped edges or similar functional or decorative modifications will be allowed to the awning. Any awning must be submitted for approval. (rule)



5.5 HANDRAILS AND BALUSTRADES

- 5.5.1 The following materials will be permitted:

- 5.5.1.1 Aluminium, steel or timber trellis work in decorative horizontal and vertical arrangement where the proportions match those of a typical timber construction. (rule)
 5.5.1.2 Masonry with plastered copings to ground floor only. (rule)

- 5.5.2 Full design drawings of adequate scale required with submission (min 1:50) (rule)

5.6 COLUMNS AND PILLARS

- 5.6.1 Masonry columns are to be square and a minimum of 330mm thick. Timber posts and supports will not be permitted (rule)

- 5.6.2 The following materials are allowed:

- 5.6.2.1 Plaster and paint. (colour as per approved palette - see clause 4.2). (rule)

5.6.2.2 Fair facing in conjunction with smooth plaster. (rule)

5.6.2.3 Face brick in conjunction with plaster and paint with plastered painted coping. (rule)

5.7 PLASTER MOULDINGS

5.7.1 The colour palette and the style of the estate encourage the use of plaster moulding to create relief on the facades. The use of corbelling and banding below eaves and along the line of window head and sill height is required. Simple mouldings around windows/doors, lintels or a level of detail in the window sill is specifically required. (rule)



5.7.2 The use of figurative mouldings or curvilinear moulding elements is expressly excluded. (rule)

5.8 PERGOLAS

5.8.1 A pergola element is mandatory in front of the garage or an equal extent of pergola provided elsewhere on the street facing façade. (rule)

5.8.2 The following materials are allowed:

5.8.2.1 Natural timber (dark stained – mahogany or painted to match wall colour). (rule)

5.8.2.2 Aluminium with ends closed and finished to match (to match wall colour). (rule)

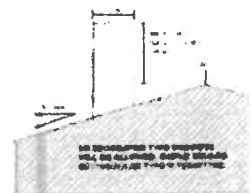
5.8.3 All pergola members to have detailed cuts or shaped ends where not fixed to a wall. (rule)

5.9 CHIMNEYS AND FIRE PLACES

5.9.1 Primary chimneys should be bold of a thick, square or rectangular type (minimum of 1,0m in width in one direction. Plaster or cement copings, and banding details are required. (rule)

5.9.2 Primary chimneys to protrude at a minimum of 1m and a maximum of 2,5m above the roof apex. (rule)

5.9.3 Steel chimney flues will be permitted as secondary elements where they exit through the roof, are coloured to match the roof and are not higher than the adjoining ridge. No flues may exit through walls. (rule)



5.10 EXTERNAL LIGHTING

5.10.1 All external lights, visible from the roadway, and not below a roof overhang, shall be brick lights at 300mm AFFL. Full specification and illustration to be included on submission and fully illustrated on elevations. Floodlights and similar decorative external or garden lighting is not permitted. (rule)

5.10.2 The outside light criteria should be "to see the pool of the light but not the source of the light", i.e. lights below roof overhangs should not be bright and shining towards the streets, neighbours or upwards. (guideline)

- 5.10.3 The omission of unnecessary external light fittings, use of proximity switching, use of lower output lamps, shielding of light sources from neighbours and all efforts to reduce light spill and light pollution are strongly encouraged. These measures are both as an energy saving strategy and in an effort to maintain the essentially rural character of the estate. (guideline)

5.11 SUNDRY ITEMS

- 5.11.1 No air-conditioner or component of an air conditioning system may be visible from the roadways and public areas and all proposed installations or alternatively positions for future fixing are to be clearly marked and approved on the submission drawings. (rule)
- 5.11.2 Gas installations shall be planned from the outset and in addition to any statutory or by-law requirements these shall be screened or located such that they are not visible from any roadway or public area. All proposed installations are to be clearly marked and approved on the submission drawings. (rule)
- 5.11.3 Water tanks will be permitted to be installed in the following manner, (full detail including water collection to be included on drawings for approval):
- 5.11.3.1 Below ground where fully covered. (rule)
 - 5.11.3.2 Where fully contained within the approved building envelope. (rule)
- 5.11.4 No staff accommodation should be nearer to the street than the main building and must be contained under the same roof or integrated into the overall design.
- 5.11.5 No garden sheds, wendy houses, dog kennels and covered facilities for caravans, boats or trailers are permitted except where specifically approved by the DRC.
- 5.11.6 Solar heating or photovoltaic panels, if used, must be incorporated into the building and form part of the basic structure and should be clearly shown on the approval drawings. The panels should lie in the plane of the roof and all framing and fixing is to be coloured to match the roof.
- 5.11.7 TV aerials, satellite dishes and other exterior items must form part of, and be placed, wherever possible within, the basic structure and are to be clearly shown on the approval drawings.
- 5.11.8 No deviations from the approved drawings will be permitted unless the deviation is re-submitted and approved in writing prior to construction.
- 5.11.9 Mechanical equipment, ducts, pool pumps, etc. must be designed into the buildings and / or adequately enclosed or screened off from view and must be shown on the building plan.

As the building within the residential estate will be constructed over a lengthy time period, the following guidelines have been formulated for the benefit of residents:

6. CONDUCT RULES FOR CONSTRUCTION ACTIVITIES

6.1 CONTRACTORS LABOUR

- 6.1.1 Labour must be an employee of the contractor and only under limited circumstances will casual labour be allowed on site. This shall be at the sole discretion of the OA.
- 6.1.2 All labourers or sub-contractors on site must be registered with the contractor who will keep a full record of all staff on site together with copies of their ID documents and contact details.

6.2 DISCIPLINE

- 6.2.1 The contractor is responsible for the discipline of his labour, sub-contract labour and delivery personnel on site.
- 6.2.2 Labourers are not permitted to walk between the construction site and the entrance / exit gates. Labourers will remain on the site where they are employed, and will not be allowed to move between construction sites on the Estate.
- 6.2.3 The employer of any employee found walking across the green areas, between sites will be spot fined, and the employee liable to instant removal from site.
- 6.2.4 No vehicles will be allowed to cross any part of the green areas, or parkland, or to deviate from roads or recognized road routes. Any vehicle contravening this rule will attract a spot fine, be liable for instant removal from the site and liable for damages sustained.
- 6.2.5 Vehicles with mechanical legs on trailers must use protection for possible road surface damage.
- 6.2.6 Any dispute between the contractor and his employees must be settled outside the boundaries of the Estate.
- 6.2.7 If any employee is found disturbing or endangering the animal, fish or bird life, or is found pilfering, stealing or removing material or goods off site without permission or is involved with any form of violence, the company who employs that person will be removed from the site and both employee and company may be denied the opportunity to undertake any further work on the Estate.
- 6.2.8 The contractor is responsible for all his sub-contractors as well as the deliveries, and any damages caused by his own employees, sub-contractors employed by him or delivery vehicles delivering materials to his site, and he is liable to pay for any damages that may occur on the site. These damages also include damage to kerbs, roads, plants, irrigation and or damage to private property.
- 6.2.9 The OA will have the sole discretion as to the nature, extent and value of these damages, and the identification of respective vehicles and persons. A "Building Performance Deposit" of R 20 000 will be lodged with the OA for this purpose before any construction is to take place.

6.3 HOUSEKEEPING AND TIDINESS

- 6.3.1 The site is to be kept as clean as possible of building rubble and general cleaning and good housekeeping practice must be evident during building operations.
- 6.3.2 No building materials, concrete, dagga, cement or such may be temporally stored, or mixed or prepared on any of the roadways, kerbs and pavements.
- 6.3.3 Materials that are off loaded by a supplier or contractor may not encroach onto the adjacent site, the pavement or roadway. Where suppliers fail to adhere to this, the responsible contractor shall move the materials accordingly. The contractor is also responsible for the removal of any sand or rubble that may have washed or moved into the road.
- 6.3.4 The contractor is to ensure that the roads and the vicinity of the house site is always kept neat and tidy, including materials or mud or spoil being driven or dropped onto the road or sidewalk.
- 6.3.5 The contractor shall provide adequate facilities for rubbish disposal and ensure that the workers use the provided facilities and that the rubbish is removed every Friday. No rubbish may be burnt or buried on site. No form of paper, cement bags, tile off cuts, ceiling boards, roof tiles, rubble, or the like is to be left lying around, nor be allowed to blow off the site.
- 6.3.6 Accumulation of hardcore for fill shall be neatly piled. With the OA consent on-site disposal dump or spoil zones may be arranged.
- 6.3.7 With the watercourses on the Development, pollution and contamination of groundwater and run-off water is particularly sensitive. Contractors shall ensure special care in their handling, disposal and cleaning up operations with particular note to paint, tile grout, tile adhesive, cement and rhinolite, chemicals, oil and fuel, etc.
- 6.3.8 Fires for cooking or other purposes will not be permitted, and contractors shall ensure approved alternative meal arrangements are made. Contractors must ensure that their employees make no fires for heating purposes.

- 6.3.9 The contractor shall provide approved portable chemical toilet facilities for the workers. Adjacent construction sites may share toilets as approved by the OA. Toilets and changing facilities shall be suitably positioned and screened with forest fence and kept hygienic.
- 6.3.10 One approved building board shall be erected per site, and such board is to be erected neatly in the corner of each site. Boards are to be maintained in a plumb and level position throughout the contract, and must be removed immediately after completion of each house construction. Board layout drawings will be available from the OA and need to be erected before any construction is to take place.
- 6.3.11 No Contractors, sub-contractors or suppliers boards of any kind will be allowed to be placed or displayed on site.
- 6.3.12 Construction materials may only be delivered to the house site on an as-needs daily basis for installation by latest the Friday of the week, and surplus materials must not be allowed to visibly accumulate on the house site.
- 6.3.13 The certificate of completion by the OA requires the building and landscaping to be completed in accordance with the approved drawings and the site to be entirely cleared of all rubble, surplus materials, and be impeccably clean, and the verge re-instate; all to the satisfaction of the OA.
- 6.3.14 Contractor vehicles shall not be parked or left in the roadway, and a screened designated parking area shall be arranged with the OA.

6.4 CONTRACTORS YARDS, STORAGE AND OFFICES

- 6.4.1 Allocated areas, as authorized by the OA, may be granted to accredited Contractors for their operational use.
- 6.4.2 A designated bulk storage area could be allocated to the Contractor for his materials, for distribution to house sites. Approved storage sheds and containers, or yards could be allowed on the house site, if no alternative can be found.
- 6.4.3 Access to the site, only through the driveway, and with the landscaping zone fenced off. Parking is only allowed on site.
- 6.4.4 The appearance, management, servicing and qualification for these facilities will be reviewed by the OA and negotiated on an as-need basis.

6.5 GENERAL

- 6.5.1 The speed limit is 40 km/h and speeding and reckless driving will not be tolerated. Due care must also be taken by all vehicles not to block the thoroughfare of roads.
- 6.5.2 Noise and dust reduction is essential, and Contractors shall endeavor, whenever possible, to limit unnecessary noise, especially employees talking loudly, shouting or whistling, radios, sirens or hooters, motor revving etc.
- 6.5.3 Contractors are expected to conduct their operation in a reasonable and co-operative manner. Should the OA have any concern with the conduct of the contractor, his sub-contractor or his suppliers and any of their employees, the OA may rectify as deemed necessary and/or reserve the right to suspend building activity, either indefinitely, or until such undesirable conduct is rectified, which it may do so at any time and without notice and without recourse from the owner and/or Contractor and/or sub-contractor, and/or supplier.

7. BUILDING COMMENCEMENT AND INSPECTION

The following must be adhered to before building operations may commence:

7.1 PLAN APPROVAL PROCEDURES AND FEES

- 7.1.1 On approval of the building plans by the Local Authority the Owner must approach the estate manager or OA agent for payment of the builder's performance deposit of R 20 000 which will be deposited and held in trust (free of interest) by the OA. The deposit amount will be used in event there is a breach or non performance to remove rubble or make good any damage caused by the Contractor or his

sub-contractors or suppliers, including kerbing, landscaping, community services, roads, irrigation etc, and to settle any outstanding spot fines. Following signature of the builders contract between the individual owner and his building contractor, and payment of the deposit by Owner or his Contractor, written permission will be issued to the Owner or his Contractor by the OA to enable the Contractor to access the site.

7.1.2 All Local Authority application, connection, deposits and sundry fees are for the Owners account.

7.1.3 The Controlling Architect or any OA agent may carry out site inspections during the following stages of construction and the Contractor is required in any event to provide photographic record to the OA at each stage before work progresses further:

- Surface bed level
- Completion of roof structure
- Practical completion

The Controlling Architect or any OA agent may at any stage during construction request any reasonable alterations and/or additions to ensure that the general design guidelines as intended for the development are implemented.

7.2 OCCUPATION

7.2.1 Occupation of the premises will only be allowed after the home owner has obtained clearance from the Controlling Architect or OA agent and obtained an occupation certificate from the Local Authority.

Remember that the Local Authority should not process the application for the occupation certificate unless it is accompanied by the clearance certificate which is issued by the Controlling Architect on behalf of the OA.