



# STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: TP1683/2026

Our File Reference Number: Erf 16422, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: [Ulrich.Vonmolendorff@stellenbosch.gov.za](mailto:Ulrich.Vonmolendorff@stellenbosch.gov.za)

PER E-M

Sir/Madam

**APPLICATION FOR PERMISSION REQUIRED IN TERMS OF CONDITIONS OF APPROVAL IN TERMS OF SECTION 15(2)(L) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BYLAW: ERF 16422, LA ROCHE ESTATE, STELLENBOSCH**

1. The above application refers.

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

- 2.1 That the application in terms of Section 15(2)(l) of the Stellenbosch Municipal Land Use Planning Bylaw, to obtain a permission in terms of a condition of approval dated 26/11/2010, for the approval of the amended ***La Roche Home Owners' Association (LAhoa) Constitution and La Roche Home Owners' Association Architectural Directives and Design Guidelines, (LAHOA AD&DG)*** on Erf 16422, Stellenbosch.

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

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

3.1 The approval only applies to the 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.

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.

3.3 The **La Roche** Homeowners' Association be subject to the revised **La Roche Home Owners' Association (LAhoa) Constitution, signed by members in December 2025 and La Roche Home Owners' Association Architectural Directives And Design Guidelines For La Roche Estate, Stellenbosch (LAHOA AD&DG), 20 May 2026**, attached as **Annexure B**.

4. The reasons for the above decision are as follows:

4.1 The proposed Constitution and Design Guidelines of the **La Roche** Home Owners' Association are in line with the Stellenbosch Zoning Scheme By-Law and compliant with the approvals granted for the development.

4.2 The proposal is consistent with the objectives of the Municipal Spatial Development Framework by promoting a well-managed, high-quality residential environment and ensuring the long-term sustainability and desirability of the estate.

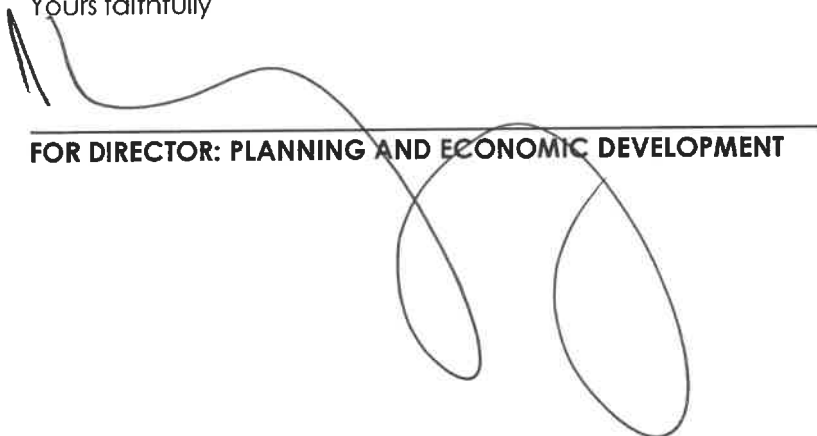
5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for 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](mailto: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](mailto: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



A large, stylized handwritten signature in black ink, consisting of a series of loops and curves, positioned over a horizontal line.

**FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT**

22/9/2026  
DATE



**STELLENBOSCH**  
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# **ANNEXURE A**

Landscape Plan

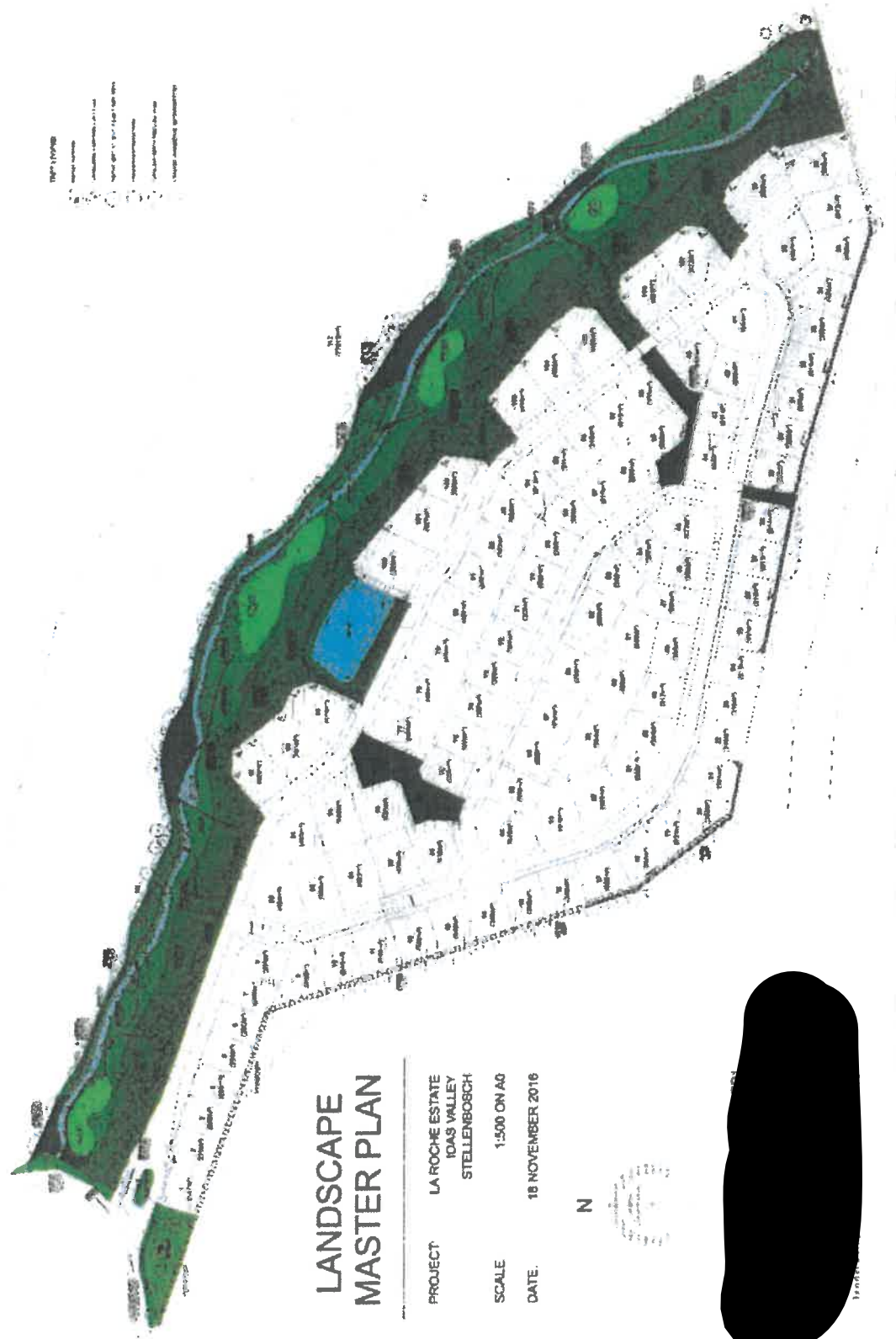


Figure 24: Landscape Master Plan

Prepared by Dennis Moss Partnership (COPYRIGHT RESERVED)





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## **ANNEXURE B**

Amended La Roche Estate Design Guidelines and  
constitution



STELLENBOSCH MUNICIPALITY

THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY  
APPROVED IN TERMS OF SECTION 60 OF THE  
STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW.

MUNICIPAL MANAGER

18/9/2026  
DATE

CONSTITUTION

OF

LA ROCHE HOME OWNERS' ASSOCIATION

Established

in terms of Section 29 of the Stellenbosch Municipality Land Use Planning By-law,

as promulgated in the Provincial Gazette Extraordinary No. 7512 dated 20 October 2015.

Catherina Heunis

Signed by Catherina Heunis, catherina@tokara.com

01/12/2025 20:03:48(UTC+02:00)

Tim Maree

Signed by Tim Maree, tim@efw.co.za

08/12/2025 09:47:58(UTC+02:00)

Catherina Heunis

Tim Maree

Albert Botes

Signed by Albert Botes, albert@deliciousfish.co.za

08/12/2025 10:18:23(UTC+02:00)

Albert Botes

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| <p align="center"><b>STELLENBOSCH MUNICIPALITY</b></p> <p>THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY<br/>APPROVED IN TERMS OF SECTION 60 OF THE<br/>STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW.</p> <p align="center">ESTABLISHED IN TERMS OF STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW &amp;<br/>MUNICIPAL MANAGER'S STATUS OF THE ASSOCIATION.....</p> <p align="center">15/09/2021<br/>DATE</p> |
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| STELLENBOSCH MUNICIPALITY                                                                                                                   |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY<br>APPROVED IN TERMS OF SECTION 60 OF THE<br>STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW. |                   |
| MUNICIPAL MANAGER                                                                                                                           | 18/9/2026<br>DATE |

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**STELLENBOSCH MUNICIPALITY**

THE OWNERS ASSOCIATION ~~CONSTITUTION~~ IS HEREBY  
APPROVED IN TERMS OF SECTION 60 OF THE  
STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW.

MUNICIPAL MANAGER

DATE

18/9/2020

**1 ESTABLISHED IN TERMS OF STELLENBOSCH MUNICIPALITY LAND USE PLANNING BY-LAW & STATUS OF THE ASSOCIATION**

- 1.1 The La Roche Home Owners' Association is constituted in compliance with Section 29 of the Stellenbosch Municipality Land Use Planning By-Law, as promulgated in the Provincial Gazette Extraordinary No. 7512 dated 20 October 2015, in accordance with the conditions imposed by the Stellenbosch Municipality when approving the subdivision of Erf 16422 Stellenbosch, situated in the Municipality and Division of Stellenbosch, Western Cape Province.
- 1.2 There shall be only one overall association for La Roche, which association shall be governed by this Constitution, and shall be known as the La Roche Home Owners' Association.
- 1.3 The Association shall be structured as a common-law association not for profit and without capital, but for the benefit of its members.
- 1.4 The Association shall have legal personality, perpetual succession, and be capable of suing and being sued in its own name.
- 1.5 The provisions of the Companies Act, No. 71 of 2008, as amended, shall not apply in respect of the Association.
- 1.6 None of the members in their personal capacities shall have any right, title or interest to or in the property, funds or assets of the Association.

**2 INTERPRETATION**

In this Constitution:

- 2.1 the following words shall, unless the context otherwise requires, have the meanings hereinafter assigned to them:
- |                          |                                                                                                                                                                                                                 |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| "the Association"        | means the La Roche Home Owners' Association, as hereby constituted;                                                                                                                                             |
| "building manual"        | means the Architectural and Landscape Design Framework, as compiled by Dennis Moss Partnership for the development, which is subject to change from time to time and which is available to member upon request; |
| "conditions of approval" | means the conditions imposed by the Stellenbosch Municipality when approving the subdivision of Erf 16422 Stellenbosch;                                                                                         |
| "the Constitution"       | means this Constitution;                                                                                                                                                                                        |
| "control architect"      | means Dennis Moss Partnership or such other architect that may be appointed by the trustee committee;                                                                                                           |
| "development"            | means the residential development on Erf 16422 Stellenbosch (in extent 13,1825 hectares);                                                                                                                       |

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| STELLENBOSCH MUNICIPALITY                                                                                                             |      |
|---------------------------------------------------------------------------------------------------------------------------------------|------|
| THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW. |      |
| MUNICIPAL MANAGER                                                                                                                     | DATE |

means the period commencing on the date of establishment of the Association and terminating on the date upon which the developer has sold and transferred to a third party the last of the erven within the development owned by the developer;

means the Trustees for the time being of La Roche Trust [Registration number IT1427/2016(C)] or any third party to whom the Trustees for the time being of La Roche Trust may in future cede the rights conferred upon it in this constitution;

means a trustee appointed by the developer;

means an individual erf or all erven, as required by the context of the Constitution, excluding Erf 16739 Stellenbosch, and erven zoned for "private roads" and "private open spaces", contained in the development;

means any person or body appointed by the trustee committee as an independent contractor to undertake certain functions on behalf of the Association/trustee committee;

means a member of the Association under the provisions of clause 5 hereunder;

means a trustee appointed by the members;

means the private open spaces, as indicated on the General Plan for the development, as approved by the Office of the Surveyor-General;

means all regulations made by the trustee committee in terms of clause 21.5 hereunder which may be in force from time to time;

means the Stellenbosch Municipality Land Use Planning By-Law, as promulgated in the Provincial Gazette Extraordinary No. 7512 dated 20 October 2015;

means the board of trustees of the Association, comprising the developer trustees and the member trustees, and includes alternate and co-opted trustees;

means written, printed, lithographed or transmitted in electronic format or partly one and partly another; and

2.2 Unless the context otherwise requires, any words importing the singular number only shall include the plural number and vice versa and words importing any one gender only shall include the other two genders.

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| STELLENBOSCH MUNICIPALITY                                                                                                                                                                                                                                                                         |      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| <p>THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED 2.8 IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND-USE PLANNING BY-LAW.</p> <p>Invalidity of any such provision shall not affect the validity of the remainder of the provisions of this Constitution.</p> <p>16/01/2020</p> |      |
| MUNICIPAL MANAGER                                                                                                                                                                                                                                                                                 | DATE |
| 3                                                                                                                                                                                                                                                                                                 |      |

THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED 2.8 IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND-USE PLANNING BY-LAW.

Invalidity of any such provision shall not affect the validity of the remainder of the provisions of this Constitution.

### LEGAL PERSONALITY OF THE ASSOCIATION

- 3.1 The Association:
  - 3.1.1 exists as an entity with rights and duties independent from its members' rights and duties;
  - 3.1.2 can own property independent from its members;
  - 3.1.3 has perpetual succession;
  - 3.1.4 does not primarily operate for the acquisition of profit for itself or its members, but for the benefit of its members; and
  - 3.1.5 has separate legal personality.
- 3.2 No member in his personal capacity shall have any right, title or interest in or to the assets of the Association, which shall vest in the Association.

### 4 OBJECTS OF THE ASSOCIATION

The objects of the Association are:

- 4.1 To manage and maintain:
  - 4.1.1 all communal roads, buildings and civil infrastructure services within the development;
  - 4.1.2 all private open spaces within the development, which includes landscaping and irrigation (for avoidance of doubt, retaining walls located on erven shall be maintained by the member who is the owner of that erf);
  - 4.1.3 all communal sidewalks (for avoidance of doubt, sidewalks located on erven shall be maintained by the member who is the owner of that erf);
  - 4.1.4 the booster pump station;
  - 4.1.5 the security fencing & walling enclosing the development as well as any security controls and/or structures which may be erected;
  - 4.1.6 the retentions ponds;
  - 4.1.7 the street lighting and low voltage reticulation; and
  - 4.1.8 all recreational facilities established within the development, including the mountain bike trail network;
- 4.2 To formally represent, promote, advance and protect the collective mutual interests of the area, suburb or neighbourhood where the development is situated in accordance with the conditions of approval;

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- 4.3 To implement and enforce the provisions of this Constitution and regulations/rules made in terms hereof;
- 4.4 To introduce traffic calming measures, if required;
- 4.5 To enforce the conditions of approval;
- 4.6 To administer and enforce the building manual;
- 4.7 To take transfer of, maintain and insure, where necessary, the roads and private open spaces in the development, excluding Erf 16739 Stellenbosch, and to control the use thereof and of the facilities belonging to the Association or falling under its control; and
- 4.8 To make regulations/rules in order to achieve or promote the abovementioned objects.

|                                                                                                                                       |                |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------|
| STELLENBOSCH MUNICIPALITY                                                                                                             |                |
| THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW. |                |
| MUNICIPAL MANAGER                                                                                                                     | DATE 18/9/2026 |

## 5 MEMBERSHIP OF THE ASSOCIATION

- 5.1 Membership of the Association is automatic for every registered owner of an erf. Such membership shall commence upon transfer of the erf into the name of the transferee.
- 5.2 Ownership of an erf, and consequently Membership of the Association, shall be evidenced by registered ownership in the Deeds Registry in Cape Town of one or more erven.
- 5.3 Membership of the Association is limited to the registered owners of the erven, provided that where any such owner is more than one person, all the registered owners of that erf shall jointly and severally be one member.
- 5.4 When a person ceases to be the registered owner of an erf, he shall *ipso facto* cease to be a member.
- 5.5 The registered owner of an erf may not resign as a member.
- 5.6 The rights and obligations of a member shall not be transferable, except to his executor, liquidator, trustee or curator.
- 5.7 The trustee committee may, by regulation, provide for the issue of a membership certificate, which certificate shall be in such form as may be prescribed by the trustee committee.

## 6 DUTIES OF MEMBERS

Every member shall -

- 6.1 to the best of his ability further the objects and interests of the Association;
- 6.2 comply with the provisions of this Constitution and observe all regulations (including conduct rules) made by the trustee committee;

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**STELLENBOSCH MUNICIPALITY**

THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW.

18/9/2026

- 6.3 comply with any agreement, referred to in clause 2.1.4, concluded by the Association insofar as such agreement may directly or indirectly impose duties on a member;

- 6.4 observe all directives made or given by the Association and/or trustees; and

- 6.5 comply with the building manual.

**7 PROCEDURES WHEN THE ASSOCIATION CEASES TO FUNCTION**

- 7.1 In the event that the Association ceases to function or carry out its obligations, Section 30 of the Stellenbosch Municipality By-Law will apply.

- 7.2 Should a member wish to transfer his erf to a third party during a period when the Association has ceased to function or carry out its obligations, such a member shall obtain the consent to transfer his erf from the trustees in office at that point in time. If there are no trustees in office at that point in time, consent to transfer his erf must be obtained from at least 50% (fifty percent) of the members.

**8 RESTRICTIONS ON THE USE OF ERVEN**

A member shall not be entitled to:

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- 8.1 use his erf or any improvements thereon or permit the use thereof in such manner or for such purposes as in the discretion of the trustee committee shall be injurious to the ambience of the development;
- 8.2 operate a guest house, tourist dwelling unit, tourist accommodation establishment Airbnb or similar enterprise from his erf, where the erf is rented out for accommodation of transient guest, nor shall any business or profession be conducted from his erf ~~without the prior written consent of the trustee committee~~;
- 8.3 transfer his erf without the written consent of the trustee committee, which consent shall be given:
- 8.3.1 if the transferee of such erf has undertaken in writing to abide by the Constitution and has acknowledged that registration of the erf into his name shall automatically make him a member of the Association;
- 8.3.2 if there are no outstanding obligations of the member towards the Association or amounts owed to the Association by the member, which shall be evidenced by a clearance issued by the Association to that effect;
- 8.4 consolidate an erf with one or more erven without the written consent of both the Association and the developer, for as long as it remains a member; and
- 8.5 erect any buildings and/or structures of any nature whatsoever, nor to make any alterations, modifications or renovations to such buildings and/or structures on his erf without the written approval of the Association, which approval shall be sought in accordance with the procedure set forth in the building manual.

**9 ANNUAL, MONTHLY AND SPECIAL LEVIES**

- 9.1 The trustee committee shall from time to time impose levies upon the members for the purpose of meeting the expenses which the Association has incurred, or which

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**STELLENBOSCH MUNICIPALITY**

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STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW.

Page 8 of 22

the trustee committee reasonably anticipates the Association will incur for achieving its objects. In calculating levies the trustee committee shall take into account income earned, if any, and expenses incurred by the Association, and the number of even.

15/01/2020  
MUNICIPAL MANAGER

- 9.2 The trustee committee shall estimate the amount required by the Association to meet the expenses during each year, together with any estimated deficiency from the preceding year, and shall impose a levy upon the members in accordance with clause 9.6 hereunder. The trustee committee may include in such levy an amount to be held in reserve to meet any anticipated future expenditure.
- 9.3 The developer shall not be obliged to pay levies in respect of any erf forming part of the development for as long as it remains owner thereof. The developer may however, in its sole discretion, make such additional payments in this regard to the Association as it may deem necessary.
- 9.4 The trustee committee may from time to time impose special levies upon the members in respect of expenses mentioned in clause 9.1 which are not included in any estimate made in terms of clause 9.2, and such special levies may be made payable in the sum and by such instalments and at such time or times as the trustee committee shall think fit.
- 9.5 Any amount due by a member by way of a levy shall be a debt due by him to the Association. The obligation of a member to pay levies relating to periods beyond the transfer date of the erf shall cease on the transfer date, without prejudice to the Association's right to recover arrear levies. No levies paid by a member shall under any circumstances be repayable by the Association upon his ceasing to be a member. A member's successor in title to an erf shall be liable as from the date upon which he becomes a member pursuant to the transfer of that erf, to pay the levy attributable to that erf.
- 9.6 The total amount(s) payable by all the members pursuant to the provisions of clause 9.2 shall be equally apportioned between the members and shall be payable by the members as monthly levies. Such levies shall be payable by members monthly in advance.
- 9.7 Any special levies imposed by the trustees in terms of clause 9.4 shall be apportioned between the members by the trustees in a manner which the trustees may regard as reasonable, regard being had to the direct benefits which the member(s) may derive from the proposed expenditure for which the special levies are imposed.
- 9.8 The trustees committee may, in anticipation of the determination of the annual levy for a financial year by members at an annual general meeting as contemplated in clause 9.2, determine interim monthly levies for that financial year based on its estimate of the anticipated income and expenditure of the Association for that financial year, and may collect such interim monthly levies with effect from the first day of that financial year until such time as the annual levy for that year is determined as contemplated in clause 9.2.
- 9.9 No member shall be entitled to any of the privileges of membership (including the right to vote) unless and until he shall have paid all levies and other sums (if any) which shall be due and payable to the Association in respect of his membership.

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STELLENBOSCH MUNICIPALITY

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STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW.

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**10 PAYMENT OF LEVIES**

- 10.1 Any levies or any other amounts that may be collected in terms of this Constitution may be recovered from the persons who were owners of the erven, to which such levies apply, at the time such levies became payable.
- 10.2 Monthly levies shall be due and payable on the first day of each calendar month, failing which the provisions of clauses 16.1.1 and 16.3 shall apply.
- 10.3 Special levies shall be made payable in one sum or by such instalments and at such time or times as the trustee committee may deem fit.

**11 SALES LEVIES**

**11.1 Every –**

- 11.1.1 registered owner of an erf (which shall include, but not be limited to a natural person, trust, company or close corporation), or where the erf is owned by more than one registered owner, all the registered owners of the erf jointly and severally;
- 11.1.2 shareholder of a company owning an erf;
- 11.1.3 member of a close corporation owning an erf; or
- 11.1.4 beneficiary of a trust owning an erf,

who has sold or otherwise alienated the erf, his shareholder's interest, his member's interest or his beneficial interest in the trust, as the case may be, shall pay a sales levy equal to 1% (one percent) of the value of the erf or shareholder's interest or member's interest or beneficial interest, as the case may be ("the sales levy") to the Association.

**11.2 For purposes of clause 11.1 "value" means –**

- 11.2.1 in cases where transfer duty is payable on the transaction, the amount on which the transfer duty is payable;
- 11.2.2 in cases where the transaction is subject to value added tax, the amount on which such tax is payable; and
- 11.2.3 in all other cases, the market value of the erf or of the interest which has been sold or otherwise alienated.

**11.3 Unless otherwise agreed between the party concerned and the Association, the "value" of the erf or the interest for purposes of clause 11.2 shall –**

- 11.3.1 in the case of an arm's length transaction, be the amount of the consideration payable in respect of the transaction; or
- 11.3.2 in any other case, be the market value of the erf or the interest as determined by a professional valuer or a professional associate valuer registered in terms of the Property Valuers Profession Act, No. 47 of 2000, appointed by the trustee committee.

AB. fr

STELLENBOSCH MUNICIPALITY

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APPROVED IN TERMS OF SECTION 60 OF THE  
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- 11.4 ~~MUNICIPAL MANAGER~~ <sup>18/9/2026</sup> ~~Notwithstanding the provisions of clause 11.1, no sales levy shall be payable in respect of the transfer of a property in the name of a person who can show that the acquisition is exempt from transfer duty as contemplated in section 9(1)(i) or section 9(1)(k) of the Transfer Duty Act, No. 40 of 1949, as amended.~~
- 11.5 The sales levy shall:
- 11.5.1 be imposed upon the members for purposes of accumulating a capital reserve fund for the Association which will primarily be used to meet the capital expenditure requirements (including necessary expenditure in relation to the maintenance of capital infrastructure); and
- 11.5.2 be payable to the Association against registration of transfer.
- 11.6 The obligation to pay the sales levy shall accrue prior to transfer and accordingly transfer shall be without prejudice to the Association's right to recover such sales levy (and interest thereon) after transfer.
- 11.7 No sales levy shall be payable by the developer in respect of erven transferred by the developer to third parties.

## 12 CONSENT TO THE TRANSFER OF ERVEN

The Association shall be entitled to withhold its consent to the transfer of an erf if any levy due in respect of the erf has not been guaranteed or paid to its satisfaction or if the transferor has not fulfilled any of its obligations in terms of this Constitution.

## 13 PERIMETER SECURITY

- 13.1 The Association shall be responsible for the maintenance and upkeep of the perimeter security fence and walling enclosing the development.
- 13.2 Members who own erven which borders upon the security fence and wall shall permit the Association and/or its contractors, reasonable access over their erven for purposes of the carrying out of maintenance and/or replacement of the security fence and walling.

## 14 BUILDING OBLIGATION AND DEPOSIT

- 14.1 An initial member, and any successor in title, shall be required to commence construction of a dwelling or approved building structure on any undeveloped erf within forty eight (48) months from the date of the first transfer of the erf from the developer.
- 14.2 Once construction has commenced, the member shall ensure that the building works are completed within 12 (twelve) months from the commencement date of building works.
- 14.3 Every member shall, when submitting to the trustees for approval the sketch drawings for the construction of new improvements or alterations to existing improvements on his erf in terms of clause 8 pay to the trustee committee a building deposit as determined by the trustee committee from time to time, which amount shall be retained by the trustee committee in trust.
- 14.4 Upon completion of the improvements on the erf (including the landscaping, with irrigation, of the sidewalks), the trustee committee shall, if they are satisfied that no damage has been effected by the member or any of his contractors to any of the common areas within the development and that the improvements have been

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DATE properly constructed in accordance with duly approved plans and the provisions of the building manual, release the building deposit to the member. In the event of any common areas as aforesaid having been damaged due to the building activities, the member shall, within 15 (fifteen) days of having been requested to do so in writing by the trustee committee, have the damage repaired to the satisfaction of the trustee committee, failing which the trustee committee shall be entitled to appoint an independent contractor to repair the damage. The deposit paid to the trustee committee in terms of clause 14.1 above shall then be utilised to defray the charges of the independent contractor. It is, however, recorded that should the damage caused by the member be such that the deposit is not sufficient to cover the costs of the repairs thereof, the claim of the trustee committee against the member shall not be limited to the amount of the said deposit.

## 15 AMENDMENT OF BUILDING MANUAL

- 15.1 The trustee committee may, in liaison with the control architect and with the consent of the Stellenbosch Municipality (if legally required) amend, amplify, clarify or add to the provisions of the building manual.
- 15.2 In the event of the provisions of the building manual being amended or added to and if such amendment or addition will materially affect any further development of any erf, the trustee committee shall by written notice inform all members of the amendment or addition to the building manual.

## 16 BREACH BY MEMBERS

- 16.1 Should any member:
  - 16.1.1 fail to pay on due date any amount due by that member in terms of the Constitution or any regulation and remain in default for more than 7 (seven) days after being notified in writing to do so by the trustee committee; or
  - 16.1.2 commit any other breach of any of the provisions of the Constitution or any regulation and fail to commence remedying that breach within a period of 7 (seven) days after being notified in writing to do so by the trustee committee or fail to complete the remedying of such breach within a reasonable time;

then and in any such event, the trustee committee shall be entitled on behalf of the Association, without prejudice to any other rights or remedies which the trustee committee or the Association or any other member may have in law (including the right to claim damages), to institute legal proceedings on behalf of the Association against such member for payment of such overdue amount or for performance of his outstanding obligations in terms of the Constitution or any regulation, as the case may be; or in the case of a breach of clause 16.1.2, to remedy such breach and immediately recover the total cost incurred by the trustee committee or the Association in so doing from such member.

- 16.2 Should the trustee committee institute any legal proceedings against any member pursuant to a breach by that member of this Constitution or any regulation, then without prejudice to any other rights which the trustee committee or the Association or any other member may have in law, the trustee committee shall be entitled to recover from such member all legal costs incurred by the trustee committee, including attorney and client charges, tracing fees and collection commission.
- 16.3 Without prejudice to any other rights of the Association, should a member fail to pay any amount due by that member on due date, then such member shall pay interest thereon at the publicly quoted prime rate of interest charged by the Association's bankers from time to time plus 3% (three percent), calculated from the due date for payment until the actual date of payment of such amount.

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**17 NO CLAIMS AFTER CESSATION OF MEMBERSHIP**

No erstwhile member nor his executors, curators, trustees or liquidators shall have any claim upon or interest in the funds or other property of the Association. This clause shall be without prejudice to the rights of the Association to claim from such member or his estate payment of any arrear levies or other sums or performance of any obligations due by him to the Association at the time of cessation of his membership.

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**18 ELECTION OF TRUSTEE COMMITTEE**

- 18.1 There shall be a trustee committee for the Association which shall consist of not less than 3 (three) and not more than 6 (six) trustees.
- 18.2 The first trustees shall be appointed by the developer (developer trustees) and shall hold office until the first annual general meeting of the Association.
- 18.3 After the first annual general meeting of the Association, and for as long as the developer is a member, the trustee committee shall comprise of 4 (four) developer trustees and 2 (two) member trustees.
- 18.4 A trustee shall be an individual but need not be a member if he/she is a developer trustee, provided that all member trustees shall be members.
- 18.5 Upon any vacancy occurring on the trustee committee prior to the next annual general meeting, the vacancy will be filled by a person nominated by the remaining trustees. If the relevant trustee was a member trustee, he/she shall be replaced by a member. If the relevant trustee was a developer trustee, the developer shall be entitled to appoint a substitute trustee to fill the vacancy.
- 18.6 The trustee committee may co-opt onto the committee any member or members chosen by it, subject thereto that the total number of trustees shall not be more than six. A co-opted trustee shall enjoy all the rights and be subject to all the obligations of the trustees.
- 18.7 Once the developer is no longer a member, the trustee committee shall comprise entirely of member trustees elected at every annual general meeting of the Association.

**19 PERIOD OF OFFICE OF TRUSTEES**

- 19.1 Save as set forth in clause 19.2 below, each trustee shall continue to hold office until the annual general meeting next following upon his appointment. Every trustee retires from office at the end of such meeting, but shall be eligible for re-election to the trustee committee.
- 19.2 A trustee shall cease to be a trustee upon:
  - 19.2.1 his estate being sequestered, whether provisionally or finally, or his surrendering his estate;
  - 19.2.2 his conviction by a Court of Law for any offense involving dishonesty;
  - 19.2.3 his becoming of unsound mind;

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his resignation as a trustee, delivered in writing to the chairman or vice-chairman of the trustee committee; or

19.2.5 his being removed from office by a resolution of members; at a members' meeting with a three-quarter majority of the votes actually cast.

19.3 Any resolution taken by the trustee committee at a meeting shall be valid notwithstanding the participation in good faith of an erstwhile trustee who has at the time of the meeting ceased to be a trustee.

## 20 CONSTITUTION OF THIS TRUSTEE COMMITTEE

20.1 Within 7 (seven) days of the holding of every annual general meeting, the trustee committee will meet and will elect from its own number a chairman and a vice-chairman, who will hold their respective offices until the annual general meeting held next after their said appointment, provided that the office of the chairman or vice-chairman will *ipso facto* be vacated by the trustee holding such office upon his ceasing to be a trustee for any reason. In the event of any vacancy occurring in any of the aforesaid offices at any time, the trustee committee will immediately meet to appoint one of their number as a replacement in such office.

20.2 The first chairman and vice-chairman will be appointed by the developer and will hold office until the first annual general meeting following the date of their appointment. His office will *ipso facto* be vacated by his ceasing to be a trustee for any reason.

20.3 Save as set forth in clause 35 below, the trustees will not be entitled to any remuneration, fees or salary in respect of the performance of their duties.

## 21 FUNCTIONS AND POWERS OF THE TRUSTEE COMMITTEE

21.1 Subject to the provisions of this Constitution, the trustee committee shall manage and control the business and affairs of the Association, and shall have full powers in the management and direction of its business and affairs. Save as otherwise provided in this Constitution, it may exercise all powers of the Association and perform all acts on behalf of the Association which are under this Constitution required to be exercised or done by the Association in a members' meeting. The functions and powers of the trustee committee shall include, but not be limited to the following:

21.1.1 To attend to the upkeep, upgrading and installation, where required, of common services serving the development, such as, but not limited to, the sewerage, water reticulation, storm water systems, security fences and roads;

21.1.2 To manage and maintain the borehole, irrigation, retention dams, electrical reticulation, and the pathways and environs along the river banks within the development;

21.1.3 To regulate the conduct of any person so as to prevent nuisance of any nature within the development;

21.1.4 To introduce traffic calming measures;

21.1.5 To impose fines and other penalties on members and to enforce payment of fines and penalties that may be payable by members;

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- 21.1.6 to open and operate bank accounts (which shall include ~~accounts~~ with any recognised financial institution) for the Association, draw cheques on such accounts or deposit moneys in them, to issue bills and guarantees in favour of third parties against the account and to hand to the bank, bills for collection in favour of the Association;
- 21.1.7 to invest moneys on such terms and conditions as the trustee committee may determine;
- 21.1.8 to make and receive loans with or without security;
- 21.1.9 to institute or defend legal proceedings by or against the Association;
- 21.1.10 to attend meetings of creditors of a member who is a debtor of the Association irrespective of whether the meeting is in connection with insolvency, liquidation or judicial management; to vote on any matter regarding the meeting and generally, to exercise all the rights a creditor would have in similar circumstances;
- 21.1.11 to issue receipts, discharges or indemnities in respect of any repayment or discharge of obligations;
- 21.1.12 to make use of the services of professional advisers and contractors for the affairs of the Association and to pay for such services out of the Association's funds;
- 21.1.13 to appoint employees at such wages and subject to such conditions of service as the trustee committee shall determine;
- 21.1.14 to accept donations or bequests on behalf of the Association from anybody subject to the terms and conditions of this trust deed and subject to the terms and conditions attached to such donation and/or bequest;
- 21.1.15 to sign all documents and take all steps considered necessary for the meaningful exercise of its powers;
- 21.1.16 to exercise all the powers which directors of a private company have in terms of the Companies Act No. 71 of 2008; and
- 21.1.17 to exercise any of its powers and functions within or outside the development.
- 21.2 The trustee committee has the right to vary, cancel or modify any of its decisions and resolutions from time to time.
- 21.3 The trustee committee may investigate any suspected or alleged breach by any member or trustee of this Constitution and any regulations made in terms thereof, in such reasonable manner as it shall decide from time to time.
- 21.4 The trustee committee may enter into agreement(s) with local authorities and outside service providers for the performance of its functions and duties.
- 21.5 The trustee committee may make regulations, not inconsistent with the Constitution:
- 21.5.1 as to the resolution of disputes between members generally;

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- 21.5.2 for the furtherance and promotion of any of the objects of the Association;
- 21.5.3 for the management of the affairs of the Association;
- 21.5.4 for the conduct of members within the development;
- 21.5.5 for the conduct of trustee committee meetings and general meetings;
- 21.5.6 establishing conduct rules applicable within the development;
- 21.5.7 to facilitate its administration and to govern its activities generally;
- 21.5.8 as to security control measures for the development;
- 21.5.9 governing building work and services;
- 21.5.10 as to landscaping and maintenance of roads, sidewalks and open space areas within the development; and
- 21.5.11 for the provision and utilisation of recreational areas within the development.
- 21.6 The trustee committee shall be entitled to cancel, vary or modify any regulation from time to time;

## 22 PROCEEDINGS OF THE TRUSTEE COMMITTEE

- 22.1 The trustee committee may meet for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit, subject to the provisions of the Constitution and all relevant regulations.
- 22.2 Meetings of the trustee committee shall be held at least once every quarter, provided that if all the trustees shall in writing have waived the above requirement in respect of a particular quarter, then no meeting of the trustee committee need be held for that quarter.
- 22.3 The quorum necessary for the holding of any meeting of the trustee committee shall be 50% (fifty percent) or more of the number of trustees in office.
- 22.4 The chairman shall preside at all meetings of the trustee committee, provided that should at any meeting of the trustee committee the chairman not be present within 5 (five) minutes after the time appointed for the holding thereof, then the vice-chairman shall act as chairman at such meeting, provided further that should the vice-chairman also not be present within 5 (five) minutes of the time appointed for the holding of such meeting, those present of the trustees shall vote to appoint a chairman for the meeting, who shall thereupon exercise all the powers and duties of the chairman in relation to such meeting.
- 22.5 Minutes shall be taken of every trustee committee meeting, although not necessarily verbatim. The minutes shall be reduced to writing without undue delay and shall be certified correct by the chairman of the meeting. All minutes of trustee committee meetings after certification as aforesaid must be placed in a trustee committee minute book. The trustee committee minute book shall be open for inspection at all reasonable times by a trustee, the auditors, the members and the municipality.

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- 22.6 Save as otherwise provided in the Association Constitution and the Regulations, the proceedings at any trustee committee meeting shall be conducted in a reasonable manner and form as the chairman of the meeting may decide.
- 22.7 A resolution signed by all the trustees shall be valid in all respects as if it had been duly passed at a meeting of the trustee committee duly convened.

## 23 MEETINGS OF MEMBERS

- 23.1 The Association shall within 4 (four) months after each financial year end of the Association hold a general meeting of members, as its annual members' meeting. In addition, other general meetings of members may be held during any financial year.
- 23.2 General meetings of members shall be held at such time and place as the trustee committee may decide from time to time.
- 23.3 The trustee committee may, whenever they think fit, convene a members' meeting.
- 23.4 The trustee committee must convene a members' meeting at the written request of at least 20 members.

## 24 NOTICE OF MEMBERS' MEETINGS

- 24.1 Members' meetings shall be called by not less than 21 (twenty one) days' notice in writing. The notice shall specify the place, the day and the time of the meeting and shall be accompanied by an agenda, as specified in 26 below. Notwithstanding the above, a members' meeting called by shorter notice shall be deemed to have been duly called if it is so agreed by three-quarters of the members entitled to attend and vote thereat.
- 24.2 The accidental omission to give notice of a meeting or the non-receipt of any notice correctly addressed to any member or other person entitled to receive the same shall not invalidate the proceedings at, or any resolution passed at, any members' meeting.

## 25 QUORUM

- 25.1 No business shall be transacted at any members' meeting unless a quorum is present when the meeting proceeds to business. The quorum necessary for the holding of any members' meeting shall be such of the members present in person or any proxy who together represents one-quarter of the total votes of all members entitled to vote.
- 25.2 If within half an hour from the time appointed for the holding of a members' meeting a quorum is not present, the meeting, if convened on the requisition of members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same place and time, or at such other place as the chairman of the meeting shall determine. If at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the members present shall constitute a quorum.

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## 26 COMPILING OF AGENDAS FOR MEMBERS' MEETINGS

- 26.1 Any member may place an item on the agenda of a forthcoming members' meeting by giving written notice of the agenda item to the trustee committee at least 7 (seven) days before the date of the meeting. The trustee committee must as soon as possible give written notice to all members of any agenda items so submitted.
- 26.2 Only items properly on the agenda of a members' meeting may be raised at the meeting.

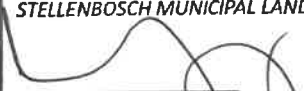
## 27 AGENDA AT MEETINGS

In addition to any other agenda items, the following matters shall be on the agenda and be dealt with at every annual members' meeting:

- 27.1 the election of the trustee committee;
- 27.2 the consideration of the financial statements of the Association for the financial year of the Association preceding the date of such meeting;
- 27.3 the consideration of the report of the auditors;
- 27.4 the appointment of the auditors of the Association; and
- 27.5 the consideration and fixing of the remuneration of the auditors for the financial year of the Association preceding the meeting.

## 28 PROCEDURE AT GENERAL MEETINGS

- 28.1 The chairman shall preside as such at all general meetings. Should the chairman not be present within five minutes after the time appointed for the holding thereof, then the vice-chairman shall act as chairman at such meeting. Should the vice-chairman also not be present within five minutes of the time appointed for the holding of such meeting, then the members present at such meeting entitled to vote, shall elect a chairman for the meeting, who shall thereupon exercise all the powers and duties of the chairman in relation to such meeting.
- 28.2 The chairman may, with the consent of any general meeting at which a quorum is present (and if so directed by the meeting), adjourn a meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business which might have been transacted at the meeting from which the adjournment took place. Whenever a meeting is adjourned for ten days or more, notice of the adjourned meeting shall be given in the same manner as of an original meeting. Save as aforesaid, the members shall not be entitled to any notice of adjournment, or of the business to be transacted at an adjourned meeting.
- 28.3 Except as otherwise set forth in this Constitution or in any regulations, all general meetings shall be conducted in accordance with generally accepted practice.

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|                                                    | 18/9/2026 |
| MUNICIPAL MANAGER                                                                                                                     | DATE      |

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**29 PROXIES**

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- 29.1 A member may be represented at a members' meeting by a proxy, who need not be a member of the Association. The instrument appointing a proxy shall be in writing and signed by the member concerned or his duly authorised agent in writing, but need not be in any particular form, provided that where a member is more than one person, any one of those persons may sign the instrument appointing a proxy on such member's behalf. Where a member is:
- 29.1.1 a company, the proxy may be signed by the chairman or managing director of the board of directors of the company or by its secretary;
- 29.1.2 a close corporation, the proxy may be signed by any of its members;
- 29.1.3 a Trust, the proxy must be signed by all of its trustees; and
- 29.1.4 an association of persons, the proxy must be signed by the chairman or secretary of the managing committee.
- 29.2 The instrument appointing a proxy and the power of attorney or other authority (if any) under which it is signed, or a notarially certified copy thereof shall be deposited at the office of the Association or given to the chairman of the meeting at any time before the time appointed for the commencement of the meeting, or adjourned meeting, at which the person named in the instrument proposes to vote. No instrument appointing a proxy shall be valid after the expiration of 12 (twelve) months from the date of its execution.
- 29.3 A vote cast in good faith in accordance with the terms of an instrument of proxy shall be valid notwithstanding the previous death of the principal or revocation of the proxy, provided that no intimation of the death or revocation shall have been received by the trustee committee at least one hour before the time fixed for the holding of the meeting.

**30 VOTING**

- 30.1 At every members' meeting every member present in person or by proxy and entitled to vote shall have one vote for each erf registered in his name, provided that if an erf is registered in more than one person's name, then they shall jointly have one vote for that erf.
- 30.2 Save as provided for in this Constitution and the regulations, no person other than a member who shall have paid every levy and other sum (if any) which shall be due and payable to the Association in respect of or arising from his membership, shall be entitled to vote on any question, either personally or by proxy, at any members' meeting.
- 30.3 A resolution put to the vote at a members' meeting shall be decided on a show of hands, unless either prior to or on the declaration by the chairman of the result of the show of hands, a poll is demanded by any person entitled to vote at such meeting.
- 30.4 Notwithstanding the provisions of clause 30.3, voting on the election of a chairman of a members' meeting (if necessary) or on any question of adjournment, shall be decided on a show of hands by a majority of the members present in person or by proxy and entitled to vote.

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- 30.5 Every resolution and every amendment of a resolution proposed for adoption by a members' meeting shall be seconded at the meeting and, if not seconded, shall be deemed not to have been proposed.
- 30.6 In the case of an equality of votes, whether on a show of hands or on a poll, the chairman of the members' meeting shall be entitled to a casting vote in addition to his deliberative vote.
- 30.7 Unless any member present in person or by proxy at a members' meeting shall before closure of the meeting have objected to any declaration made by the chairman of the meeting as to the result of any voting at the meeting, whether by show of hands or by poll, or to the propriety or validity of the procedure at such meeting, such declaration by the chairman shall be deemed to be a true and correct statement of the voting, and the meeting shall in all respects be deemed to have been properly and validly constituted and conducted. An entry in the minutes to the effect that any motion has been carried or lost, with or without a record of the number of votes recorded in favour of or against such motion, shall be conclusive evidence of the vote so recorded if such entry conforms with the declaration made by the chairman of the meeting as to the result of any voting at the meeting.

### 31 OUTSIDE CONSULTANTS AND SERVICE PROVIDERS

Save as otherwise provided in this Constitution, the trustee committee shall at all times be entitled to engage on behalf of the Association the services of accountants, auditors, attorneys, advocates, architects, engineers and any other professional person or firm and any other service providers, contractors and employees on such terms as the trustee committee shall decide.

### 32 ACCOUNTS

- 32.1 At each annual members' meeting the trustee committee shall lay before the Association an audited income and expenditure account for the immediately preceding financial year of the Association, or in the case of the first account, for the period since the incorporation of the Association, together with an audited balance sheet made up as at the last financial year end of the Association. Such financial statements shall be accompanied by comprehensive reports by the trustee committee and the auditors. There shall be attached to the notice sent to members convening each annual general meeting, as set forth in clause 23 above, copies of such financial statement and reports.
- 32.2 The financial year end of the Association is the end of February of each year.
- 32.3 The trustee committee may from time to time make regulations as to the time and manner of the inspection by the members of the accounts and books of the Association. Subject to such regulations, the accounts and books of the Association shall be open to the inspection thereof by members at all reasonable times during normal business hours.

### 33 AUDIT

- 33.1 The annual financial statements of the Association must be audited by a registered accountant in terms of the Public Accountants' and Auditors' Act, No.80 of 1991.

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- 33.2 The members in general meeting must appoint the chartered accountant and determine his remuneration.

#### 34 SERVICE OF NOTICES

- 34.1 Every notice by the Association to a member shall be in writing and shall be given or served by the Association upon the member, either personally or by post in a prepaid registered letter, properly addressed to the member at the address of the erf owned by him or to any other address indicated by the member in writing, or by electronic transmission or facsimile.
- 34.2 Every member must provide the Association with his electronic mail address and/or facsimile number. If a member's erf is not improved by a completed dwelling, notice to such member shall be given or served by the Association upon such member, either personally or by post in a prepaid registered letter, properly addressed to the member at an address indicated by the member in writing, or by electronic transmission or facsimile.
- 34.3 No member shall be entitled to have a notice served on him at any address not within the Republic of South Africa. Every member will provide the Association with an address within the Republic of South Africa which shall be his address for the purpose of the service of notices.
- 34.4 Any notice sent by prepaid registered post shall be deemed to have been received 7 (seven) days after transmission. In proving the transmission of a notice by registered post, it shall be sufficient to prove that the notice was properly addressed and posted. Any notice transmitted by facsimile or electronic mail shall be deemed to have been received by the addressee on the date upon which it is transmitted.

#### 35 REIMBURSEMENT OF EXPENSES AND INDEMNITY

- 35.1 Subject to this Constitution and all applicable regulations every trustee of the trustee committee, member, servant, agent and employee of the Association and the auditors shall be reimbursed by the Association for all costs and expenses (including travelling expenses) which such person may incur or become liable for by reason of any act or deed done by such in the discharge of any of his duties.
- 35.2 A trustee shall not be liable for the acts, neglects or defaults of the auditors or of any of the other trustees, whether in their capacities as trustees or as chairman or vice-chairman, nor for any loss or expense sustained or incurred by the Association through the insufficiency or deficiency of title to any property acquired by the trustee committee for or on behalf of the Association, nor for the insufficiency of any security in or upon which any of the monies of the Association shall be invested, nor for any loss or damage arising from the insolvency or tortuous act of any person with whom any monies, securities or effects have been deposited, nor for any loss or damage occasioned by an error of judgment or oversight or his part, nor for any other loss, damage or misfortune which may occur in the execution of any of his duties, unless (in all the above instances) the loss, damage, expense or misfortune has occurred through lack of *bona fides* or a breach of duty or a breach of trust.



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### 36 DISPUTE RESOLUTION

- 36.1 The members and the Association may agree to arbitration as a method to resolve any dispute, question or difference arising at any time between any members reciprocally or between any members and the trustee committee. The arbitration shall be on such terms and conditions as may be agreed to between the parties.
- 36.2 Any dispute between members regarding a breach of any rules of conduct contained in the regulations must be referred to mediation before any legal proceedings may be instituted, unless the Court in which the proceeding have been instituted, directs otherwise. The trustee committee shall appoint the mediator. The proceedings before the mediator shall be privileged, and may not be introduced in evidence in any Court, unless such Court directs otherwise.

### 37 ERF 16739 STELLENBOSCH

The developer shall be entitled to rezone Erf 16739 Stellenbosch (situated outside of the boundary fence of the development), which is indicated as a private open space on the General Plan, for residential purposes in due course and to transfer this property. The members irrevocably undertake not to oppose this rezoning.

### 38 EFFECTIVE DATE

The provisions of the Constitution shall come into effect when the first erf is transferred from the developer to the transferee thereof.

### 39 AMENDMENTS TO CONSTITUTION

- 39.1 No provision of the Constitution shall be added to, amended, substituted or repealed without the prior consent in writing of the Stellenbosch Municipality.
- 39.2 Subject to the provisions of clause 39.1 above, the Constitution or any part thereof may only be amended by a resolution taken at a meeting of members and passed by a majority of three-quarters of the votes cast at the meeting in respect of the resolution.
- 39.3 No amendment of the Constitution may be inconsistent with or in contravention of any current legislation.

| STELLENBOSCH MUNICIPALITY                                                                                                             |                |
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| THE OWNERS ASSOCIATION CONSTITUTION IS HEREBY APPROVED IN TERMS OF SECTION 60 OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW. |                |
| MUNICIPAL MANAGER                                                                                                                     | DATE 18/9/2020 |

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18/9/2026

## LA ROCHE ARCHITECTURAL DESIGN GUIDELINES REV.1 UPDATED AND AMENDED



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## INTRODUCTION AND PURPOSE OF THE MANUAL

The overriding principle served by this framework is to enable sustainable development and sustainability. Commitments in this regard have been incorporated in the approvals granted for the rezoning and subdivision of the land by Stellenbosch Municipality.

In the rezoning application sustainable development was defined as "development that promotes human well-being and the integrity of the environment by the efficient and just use of resources".

Having regard for the holistic development approach that La Roche is committed to, this framework document comprises of two sections.

### Section 1 Architectural Guidelines

#### Section 2 Landscaping elements and plant list

#### Section 3 Principles of Sustainable development

Sustainable development is a process that takes place during planning-design and implementation of project management over time. During the planning-design and approval phase a vision and the development and the applicable development parameters were agreed upon. The images illustrated in this document encapsulate the vision for the development. The task that lies ahead is to make the vision, principles, and development parameters explicit and to add value to the development process by means of the guidelines and building codes summarized and illustrated in this document.

Guidelines are not intended to be strictly prescriptive. Therefore, unless otherwise specifically stated in this document, some discretion is allowed in the interpretation of the guidelines and scope exists for innovative and creative proposals on building plans submitted to the Homeowners Association (HOA) of La Roche. If, in the opinion of the HOA, proposals that deviate from these guidelines would improve the overall design of an individual building and if such deviation would add value to La Roche as a whole, the HOA may consider the endorsement of such a proposal. However, if proposals were made that cannot be reconciled with the original development intent that was motivated and illustrated in the applications and the illustrations incorporated in the conditions of approval, such proposals would not be approved by the HOA.

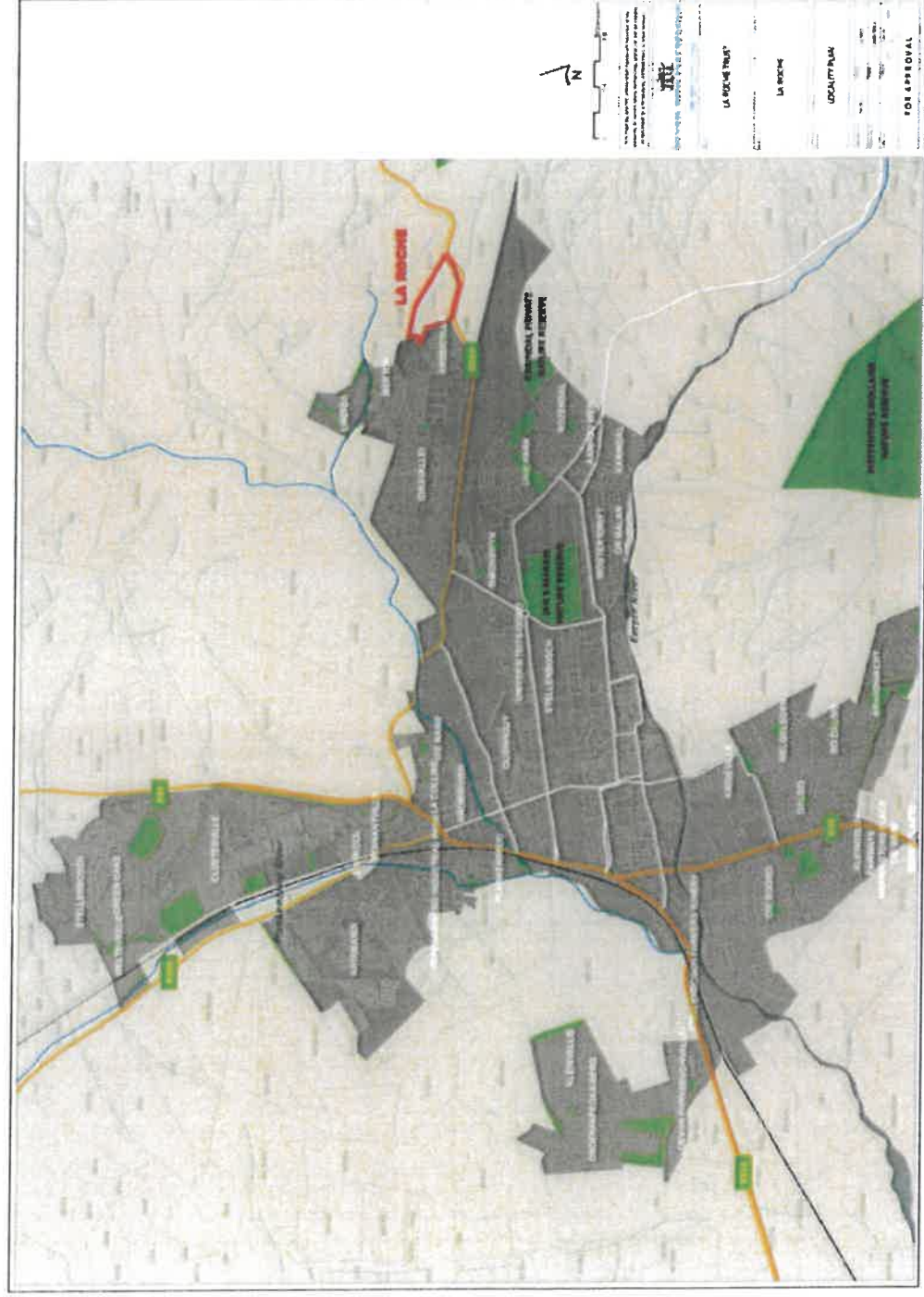
The guidelines provided in this document are supported by building codes that are not discretionary. In this regard reference is, for example, made to the colour of the roofs, type of paving material such as bitumen, brick or concrete, exterior colours of walls, specific types of windows, garage doors, plant species etc.

The final authority for the approval of building plans is Stellenbosch Municipality. In accordance with the constitution of the HOA, the latter must endorse a plan approval application before it is submitted to the municipality. The responsibility for assessing and endorsing a building plan is delegated by the HOA to a professional architect registered with the South African Council of Architects (hereafter referred to as the control architects for the Development). It is the responsibility of the control architect to assess, support, comment and/or request revisions to the plans submitted. If plans were, in the opinion of the control architect, not aligned with the guidelines and codes of this document, such plans would not be endorsed.

Nothing in this document or any regulations herewith, will be construed as permission to contravene the Title of Conditions of any Erf or any Zoning, By-Laws or Regulations of Stellenbosch Municipality, or its rezoning and subdivision conditions.

The design guidelines have been prepared to guide homeowners and designers to contribute to the improvement and enhancement of the design and development intent incorporated into the rezoning and subdivision approvals of the Stellenbosch Municipality. Individual property owners are invited to contribute to the optimization of the holistic vision for La Roche. The underlying philosophy is that the "whole is greater than the sum of its parts." In this regard individual property owners are to ensure that each house contributes to the quality of the development. This is a fundamental objective of this document.

**NOTE: These guidelines will be subject to periodical revision as deemed necessary from time to time. In case of conflict, the control architects will make a final ruling.**



### Locality Plan

## SECTION 1: ARCHITECTURAL DESIGN GUIDELINES

### 1. BUILDING PLAN AESTHETIC APPROVAL PROCEDURE

#### 1.1 PLAN APPROVAL STANDARDS AND PROCESS

- i) The Estate will be subject to the control of the HOA, the local authority's statutory requirements and the National Building Regulations. The final authority to approve working drawings vest with Stellenbosch Municipality. The municipality requires that plans must be endorsed/aesthetically assessed & approved by the HOA AND their delegated control architect before being submitted to the municipality for consideration and Council approval.
- ii) Building plans for consideration must be prepared by a Professional Architect or Professional Senior Architectural technologist, registered with the South African Council for the Architectural Profession (SACAP).
- iii) Documentation required with 1<sup>st</sup> submission:
  - All floor plans, with neighbouring structures where available – min. scale 1:100, to include contour levels.
  - All four elevations (IN COLOUR), including full street elevations up to the side boundaries – min. scale 1:100, to include levels and all heights.
  - Minimum of 4 sections through the dwelling and site, illustrating how the building is situated on the sloped site to maximise the balance between cut and fill and complying to the height restrictions. All the roof types must be captured – min. scale 1:100, to include levels and all heights.
  - Site and roof plan, min. scale 1:100, indicating site work, swimming pools, decks, pergolas, position of yards, services, stormwater reticulation, driveways and main landscaping elements, erf numbers of adjoining properties.
  - Specification of all external materials and finishes.
  - A colour schedule of external finishes.
  - Detail breakdown of construction areas must be tabulated indicating building coverage and building area per floor and the total area.
  - Building coverage must be expressed as a percentage of the total site area. The erf area must be provided.
  - Indicate clearly on drawings: Height measured from the existing natural ground levels (immediately touching the building), to top of concrete (TOC) of all storeys (including basements, if applicable), wall plate and roof ridge heights.
  - Heights of ALL boundary walls clearly indicated on all relevant plans.
  - Complete door, window and shutter schedule showing dimensions, material description, and colour at scale 1 : 50. Window and door positions to be identified by a number or letter code.
  - Any other additional relevant information required for proper assessment.

- iv) For aesthetic evaluation of building plans, one combined set of drawings in PDF format, must be submitted to the HOA by the Architect or Owner of the property. The first set of drawings submitted (PRE-EVALUATION), must indicate all the above information and elevations and sections must indicate the colour scheme that will be used to comply with the colour intent for La Roche. Once this is approved, the complete Council-ready plans must be submitted to the Control Architect and HOA for

final evaluation against the Design Guidelines. Following final approval, the complete set will be stamped by the HOA and returned to the client. The HOA will keep a pdf copy of the approved drawings. The stamped/endorsed drawings may then be submitted to Council for Municipal approval.

- v) A non-refundable scrutiny fee (amount to be determined by the HOA from time to time) is payable to the HOA before any plans can be accepted for assessment by the Control Architect.
- vi) The owner and the name of the responsible architect or professional senior technologist, with their SACAP registration numbers must be clearly recorded in the title block together with the relevant Erf number, title of plan (e.g. floor plans, elevations, etc.), date, scale of drawing and north point on each drawing.
- vii) \*\*NOTE - All plans must be signed by the owner and the professional architect/senior technologist that prepared the plans.

## 1.2 UNAUTHORISED DEVIATIONS FROM APPROVED BUILDING PLANS

- i) Deviations from aesthetically approved building plans must be re-submitted to the control architect before such work is undertaken.
- ii) All such applications must be in writing with the proposed changes indicated on the plans and bubbled in red, submitted per PDF. No telephonic communication will be accepted in this regard. There may be an extra charge for the re-evaluation of plans.
- iii) In the event of unauthorised construction changes during the building process and/or deviation from aesthetically approved plans, it remains the responsibility of the homeowner or his/her architect to ensure that such deviations are approved by the Council and is reported to the HOA and the La Roche site inspector as soon as possible, to avoid fines and redundant work.

## 2. PLANNING CONTROLS

### 2.1 ZONING

- i) All residential erven are zoned as 'Conventional Residential', in accordance with the Stellenbosch Zoning Scheme 2024.
- ii) This architectural and landscape architectural framework must be read together with the conditions imposed by Stellenbosch Municipality relating to the approval of the rezoning and subdivision plans.
- iii) The Approvals of Stellenbosch municipality relating to: Subdivision Plan: Erf 16422 (previously portion 7 of Farm 490), Stellenbosch, applies.

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## 2.2 COVERAGE AND SIZE OF DWELLING

- i) Only one residential dwelling (core building) is permitted per erf.
- ii) A minimum size of 150m<sup>2</sup> is prescribed for the total ground floor: core building, inclusive of garages, outbuildings and covered patios.
- iii) Double storey dwelling: total building area under roof – max. coverage of 50% of erf size.
- iv) Single storey dwelling: total building area under roof – max. coverage of 60% of erf size.
- v) It is important to note that, while single storey buildings aren't prohibited, the owner and his architect must clearly illustrate with sections and elevations, how this option is maximising the use of the site and tie in with existing neighbouring building levels without excessive building platforms and boundary wall heights – final approval vests with the Controlling Architect and HOA of La Roche.
- vi) All dwelling components must adhere to the Municipal definition of 'a freestanding building'.

## 2.3 BUILDING LINES

Building lines for La Roche are as follows:

### A. STREET BUILDING LINES

- i) Core building: 2.0m from street boundary, for all erven.
- ii) Garages: min. 5.0m from street boundary, for all erven.
- iii) Pergola in front of garages: used as screening element for garage doors: 2.0m from street boundary.

### B. REAR BUILDING LINES:

- i) 2.0m from rear boundary for all erven.

### C. SIDE BUILDING LINES:

- i) Dwelling house: 2.0m from common boundaries.
- ii) Garages and carports: 0m building line allowed on one of the two side boundaries to a maximum length of 7.0m. 0m building lines do not apply to any storage rooms associated with the garage. In the case of a storey above the garage, the 2.0m building line rule still applies with regards to the storey above.

#### **D. BUILDING LINES IN GENERAL**

- i) Swimming Pools: Min. 1.0m from any erf boundary. Fencing around pools/property must comply with the National Building Regulations and SANS10400 Part D.
- ii) **Brick-build Braai structures; must adhere to all building lines.**
- iii) Chimney breasts (for internal fireplaces) extruding from the building: 1.5m from one of the two side building lines.
- iv) **Raised building platforms: if more than 1.0m raised from the natural ground level, it must fall within the building lines prescribed. will have to be aesthetically assessed – keeping in mind that roof coverings over such decks/platforms must fall within the building lines as prescribed above.**

#### **2.4 BUILDING HEIGHTS**

It is to be recognised that most of the erven in La Roche are from a steep nature and that owners must take special care when preparing their building plans with regards to the existing natural ground levels, existing services, common boundary walls and platforms on site.

- i) Building heights are restricted to a maximum height as prescribed below and may not exceed double storey in total, EXCLUDING the basement level if applicable – refer to v)) below for definition of and rules for a basement. A storey is defined as a single level of building (excluding a basement).
- ii) **If a wall-plate height of a single storey is more than 4.8m, then it will be seen as 2 storeys.**
- iii) **A wall-plate means the lowest longitudinal member, truss, or bracket supporting a roof.**
- iv) Any habitable space in the roof or storey, which is not a basement, will be seen as a storey.
- v) A basement is defined as any storey or part of a storey with an "underside of slab" height max. 1.0 meter above, a level halfway (level "C") between the highest and lowest existing natural ground levels (level "A" & "B") immediately touching the building envelope (seen from the roof plan view). Refer figure 2 below.
- vi) **Existing natural ground level means the surface levels of the land in its unmodified state before the erection of any building work on the site.**
- vii) **NOTE-** Basements can only be used for non-habitable spaces like the entrance lobby (if applicable) for dwelling access to upper floors, guest toilet, garage/s, laundry room and storage, with retaining walls to the back and side of the house (where applicable). Max heights for basements (used as garage) are restricted to 2.805m from top of concrete (TOC) of the basement entrance level to underside of concrete ground floor slab. This is to leave enough space in basement garage for extra height (max. 2.25m) garage door with sectional overhead mechanisms.
- viii) **The height of all buildings must conform to the restrictions illustrated in Figure 2 below and heights will have to be confirmed by a Registered Land surveyor.**

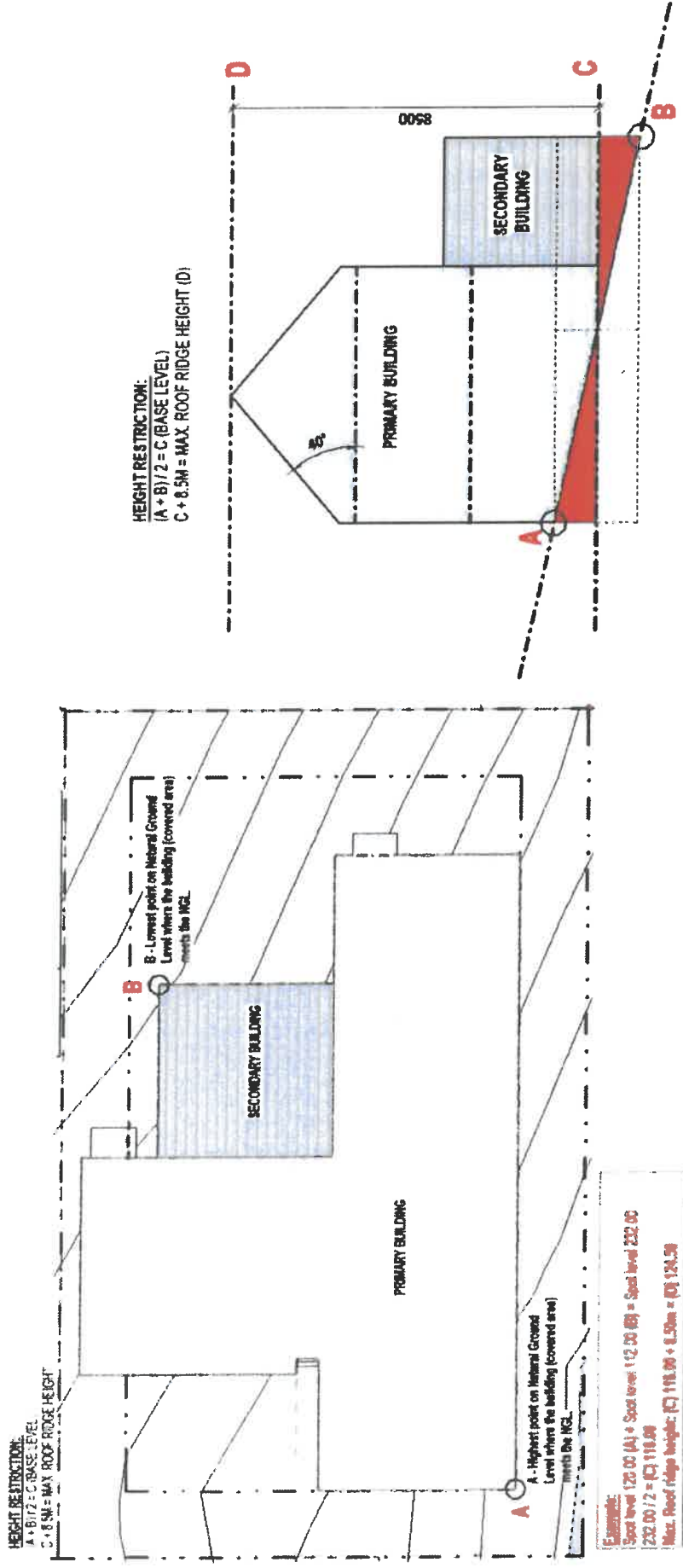


Figure 2: Illustrating the principle to find the Base Level on your site and working out the height restriction applicable to your house.

## 2.5 BUILDING ON STEEP SLOPES AND RETAINING WALLS

- i) All retaining walls at the rear of the site (lower-level entry to house) OR front of the site (higher level entry to house), must be stepped.
- ii) No earth bank or retaining structure used for holding back earth or loose rock, whether associated with a building or not, may be constructed to a height of more than 2.5 meters above existing ground level; and no series of earth banks or retaining structures may be constructed to a cumulative height of more than 2.5 meters above existing ground level unless an approximately level area of at least 1 meter wide is incorporated between successive embankments or retaining structures for every 2.5 meters of cumulative height.
- iii) The following types of retaining structures are allowed: stone gabions, smooth face or rockface retainers (from suppliers like 'Cape Brick'). Terra force or plastered brick retaining walls. Stepped retainer platforms must be planted.
- iv) 'Greenlock S22 Step blocks' may also be used for garden steps.

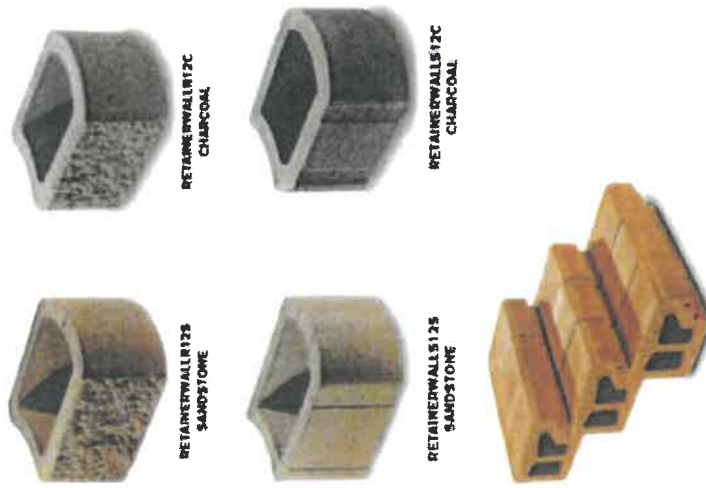


Figure 3- Colour and type of retainers.

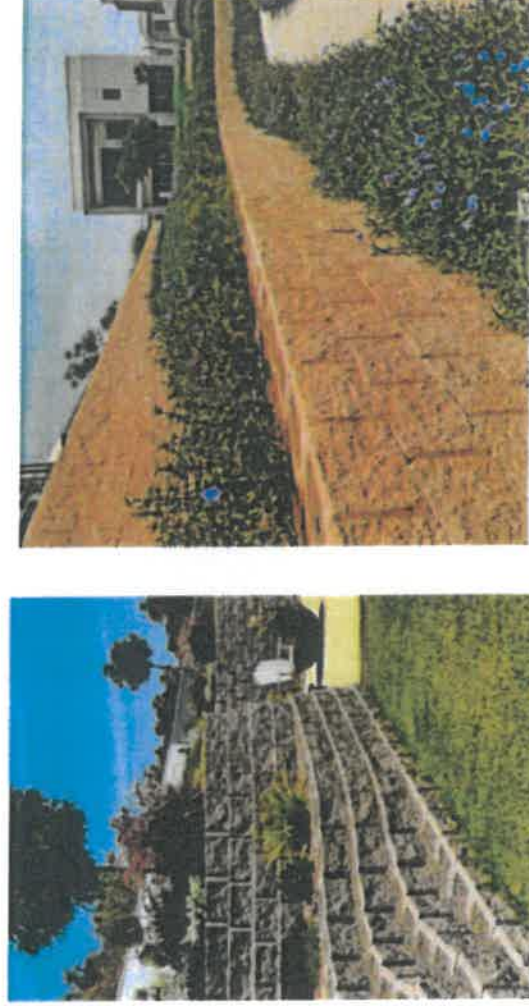


Figure 4 - Typical stepping of retaining platforms with planting

### 3. ARCHITECTURAL CHARACTER AND AESTHETICS

The architecture of La Roche is primarily informed by the historic typology and rural character of the Cape Winelands settlements.

Traditional Cape architecture has architectural elements and characteristics such as building typology (form) which is used as the basis for the design guidelines. The unique significance of the site with regards to the location, breathtaking views and the fact that most of the erven are north/north-east facing, are not to be understated. The steep nature of the sites (most of them) must not be seen as a restricting element, but rather as unique opportunities to create beautiful homes which facilitates outdoor living and connecting to the 'village life' offered in the Estate.

By interpreting and implementing these specific architectural and landscape elements and taking advantage of the design opportunities in La Roche, will provide property owners the benefit of ensuring a consistent high-end residential estate, which will in return sustain and enhance the overall property values.

Landscaping elements such as the use of low walls ("warf walls") to connect houses and form a continuity of the street edge, will be strongly encouraged as part of the whole concept. Consistent with contemporary design requirements, larger glazed areas are incorporated to create indoor/outdoor fusion.

Furthermore, from an aesthetic perspective, the design of each building should be considered in context of its impact or potential impact on adjoining buildings and in context of the whole.

Scale and proportion are crucial elements in the establishment of the 'Cape Village' architectural language, especially where contemporary elements are incorporated. Careful consideration should therefore be given to these elements and the articulation of the building forms, their heights, dimensions, roofs, wall openings and detailing to achieve an attractive and cohesive architectural language for La Roche.

The proposed designs should be compatible with the above and overall complement the rural atmosphere. The height of boundary walls is very important in this instance as the idea is not to create another sub-urban neighbourhood with high walls and fences. While privacy is important, natural light and views should always be considered. The nature and slope of the site require the placement of garages either on the lower or upper level of the property, depending on layout.

#### 3.1 BUILDING FORMS (TYPOLOGY)

Typology is the study and theory of architectural type, such as the traditional "Cape" rectangular building forms ("letter of the alphabet") with its double pitched roofs and abutments with lean-to or flat roofs. This typology is the principal informant for the design of the houses.

Buildings must be rectilinear roofed blocks, and a combination of pitched and flat roofs are allowed. Buildings must be placed parallel or at right angles to the internal street.

Linking building elements (flat roof only) can be used to break up the scale of the roof. The majority of the main building (core) must have a pitched roof and always treated as symmetrical.

Should cases arise where the perpendicular form of the building is stifled by an 'odd' erf shape, consideration will be given to an adjusted typology to enhance and maximise the value of the site and layout of the house. This will be considered on a case-by-case basis. Alternatives will be considered where the abutments are concerned.

### 3.2 BUILDING WIDTHS

- i) The main building structure is referred to as the core or primary building and may not exceed a width of **6.5m**.
- ii) 'Linking building elements' may be used to break down the mass of the roof over the larger building form. These may not exceed **4.65m deep x 3.50m wide** and have flat roofs with parapet walls all round, only.
- iii) Abutments (secondary to the main building) must always be rectangular in plan form and may only be built perpendicular to the core building. No variation on this condition will be considered, except in cases as referred to in point 3.1 above. Maximum dimensions of abutments are **3.0m deep** and **6.0m wide**. Anything larger will be seen as part of the core building and treated as such.

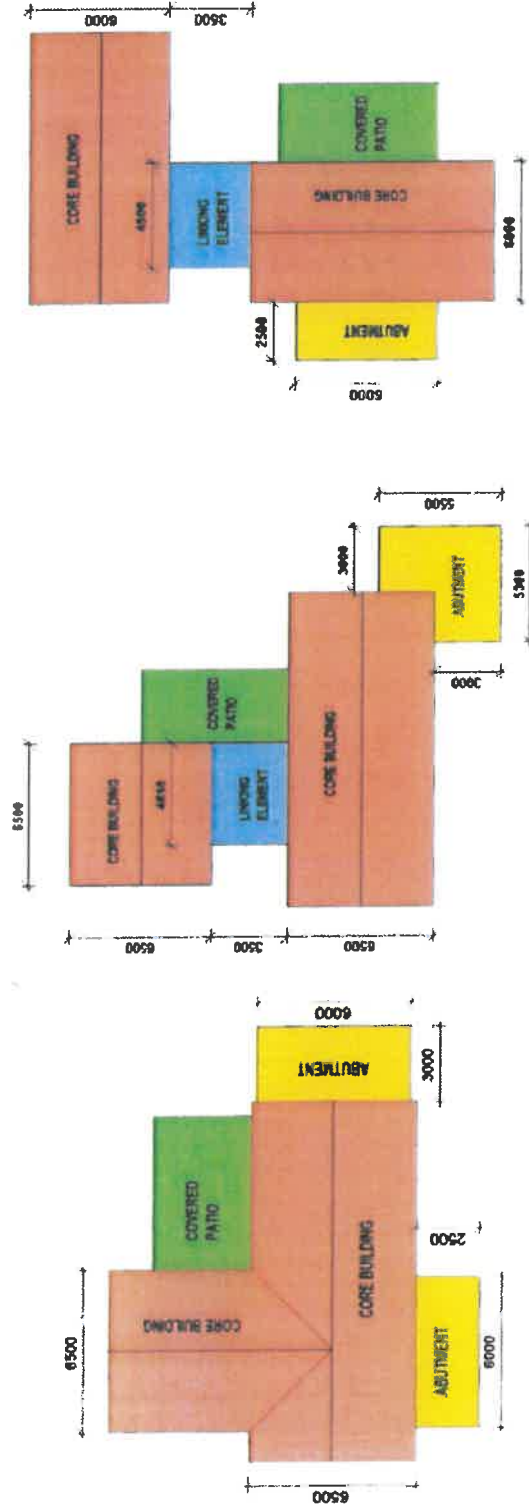


Figure 5: Illustration for combining Core building, Abutments and Linking elements.

### 3.3 BUILDING ELEMENTS, MATERIALS AND A COLOUR PALETTE FOR LA ROCHE.

#### 3.3.1 COLOUR PRINCIPLES AND THEORY.

The visual character of La Roche in its completed form is illustrated in the preamble of this document. Colour plays a critical part in realising the desired identity of this place.

For the development to maintain a harmonious and cohesive 'whole' with building form, material, colour and layouts being consistent throughout the development, building materials and colour specifications are limited to the pallet below. The principles and theories below should inform decisions taken in this regard.

**The use of the approved additional (secondary) colours, apart from standard white, is strongly promoted and no dwellings that are only 'White' will be endorsed.**

It is therefore important to keep this in mind when designing the house, as the colour areas of the house must be read as an integral element and as such the painting of only 1 wall of a building element will not be entertained. Building setbacks in the facade is an easy way to create an element of the building to be painted in another colour and reduce the building mass and deconstruct the form.

In the case where the owner only wants to paint the ground floor part of the building in a different colour and there is no protruding element to mark the transition of colour, a plaster band of a min. 75mm – max. 150mm deep, extruding min. 20mm from the face of the building, must be used. The colour of this plaster band can be either white or the same colour as the additional colour used.

Other paint suppliers such as 'Midas' or 'Dulux' can be used, provided that the colours match exactly with the palette below (Refer to Figure 6). These must be pre-approved by the Control Architect and HOA. It is the responsibility of the owner to provide paint samples on the exterior walls for the Control Architect, who will use a 'Brush-out' card of the approved colours to make sure the colours are a match.

**NOTE:** Applicants should clearly illustrate on the drawings which they submit for endorsement how they intend applying these principles on the buildings and structures. To enable identification, control and continuity, paint identification codes must be submitted with building plans.

### 3.4 ROOFS

#### 3.4.1 CORE BUILDINGS, ABUTMENTS, LINKING ELEMENTS.

- i) The same roofing material must be used for all double pitched and lean-to (mono-pitch) roofs on a dwelling.
- ii) Roofs over core buildings: double pitched roof of 40 degrees (always symmetrical) with a maximum roof overhang of 50mm measured from the wall, including the fascia but exclude the gutter.
- iii) Gable walls are not allowed to protrude past the roof finish/edge.
- iv) Roofs over linking elements: concrete flat roofs only, with parapet walls all round.
- v) Roofs over abutments: concrete flat roof with parapet walls all around OR mono-pitch roof with a max. slope of < 5 degree with parapet walls around 3 sides and exposed gutter facing away from the street view (only applicable to ground floor abutments).

- vi) Concrete flat roofs must always be hidden behind a horizontal parapet wall.
- vii) Any mono-pitch roof with a slope of < 5 degrees, must be hidden behind a parapet wall or have parapet walls around 3 sides and an exposed gutter facing away from the street view. In such cases the fascia and gutter must sit flush up against the building with no overhang.

### **3.4.2 PATIOS AND ENTRANCES.**

- i) Roofs over patios & 'braai areas': flat roof application behind parapet walls OR mono-pitch with a slope between 5 – 15 degrees with the edges exposed and finished off with the appropriate fascias and rainwater goods.
- ii) Roofs over entrances: flat roof application behind parapet walls OR to achieve a more modern look, the concrete roof edge can also be concealed behind an approved edge steel I-beam. (refer to the section on 'External colours')
- iii) It is important to note that in the case where patios are enclosed (post construction) with brickwork or glazing, the roof condition for an abutment applies, since it is now seen as part of the building envelope.
- iv) Polycarbonate sheeting (NOTE - flat sheets ONLY) to promote light onto patios are allowed with the condition that it may NOT be visible from any side. Such roofs must ALWAYS be hidden behind a fascia, approved Steel I-beam edge or horizontal parapet wall all-round.

### **3.4.3 ROOF LIGHTS AND SKYLIGHTS**

- i) Roof lights and skylights are subject to prior aesthetic approval. Only vertically proportioned roof lights ('Velux' or similar approved) are allowed to be used.
- ii) The position of these roof lights must always align with doors and/or windows on the same elevation and the same size used per elevation.
- iii) Roof lights are only allowed on the double pitched roof aspect.
- iv) Roof lights must be set in the same plane, flush with the roof material (same pitch) and frames must be powder coated to match the roof colour.
- v) Skylights in flat roofs may be used to permit light into interior spaces. These skylights may not be visible from the street and totally hidden by parapet walls.
- vi) No Dormer windows.

### **3.4.4 TECHNICAL SPECIFICATIONS FOR ROOFS AND ROOFING ELEMENTS.**

- i) Double pitched roofs – 40 degrees.
- ii) Mono-pitch roofs - <5 degrees (concealed behind parapet) OR between 5-15 degrees (visible).
- iii) Only single span pre-coated metal roof sheeting with concealed fixing ("Klip-lock" or similar), are approved such as 'Diamonddek' or 'Brownbuild'.
- iv) Colours: Chromadek Dark Dolphin OR Coloumband Volcanic Grey.
- v) Fascias and bargeboards: maximum width = 225mm. Timber or 12mm thick medium density fibre cement board (such as 'Everite Nutec') with plain finish, butt jointed and painted with high quality acrylic paint in the colour 'Matt white' OR 'Charcoal' to match the colour of the roof.

- vi) Eave overhangs – max. 50mm (excluding gutter).
- vii) Eave closures to be painted white.
- viii) Bargeboards flush against the wall.
- ix) Flat concrete roofs: Reinforced concrete as per Structural Engineer's specifications complete with waterproofing, insulation and grey stone dressing as per the architect's specifications.
- x) No shade cloth will be allowed on any visible part of the main dwelling, pergolas, outbuildings, or carports.
- xi) Rainwater Gutters: Pre-painted seamless 'Watertite' Aluminium gutters in domestic 'Ogee' profile.
- xii) Colour – 'Charcoal' to match the roof and fascia.
- xiii) Rainwater Down Pipes and Hopper Heads: Pre-painted seamless 'Watertite' Aluminium extruded round or square downpipes.
- xiv) Colour – 'Charcoal' to match the colour of the gutters (and roof) OR to match the colour of the wall to which they are affixed.

### 3.5 EXTERNAL WALLS

A range of secondary WALL colours which should be combined with Standard White, have been selected for the houses at La Roche. They are from the 'PLASCON INSPIRED RANGE'.

- i) Exterior walls, windowsills and plaster bands (if applicable) must be plastered with a smooth wood trowel finish and painted. Paint can be slightly textured.
- ii) NOTE: 'Veldrit' – Plascon code Y2-D2-3, is NO LONGER a colour option in La Roche.
- iii) Approved secondary colours are from the 'PLASCON INSPIRED RANGE', which should be used in combination with 'Standard White'. These are: (Figure 6)
  - Baby Elephant (Y1-E1-4)
  - Cement Wash (Y1-E2-2)
  - Daphne's Dream (Y1-E2-3)
  - Maison Blanche (Y1-E2-1)
- iv) All windowsills to be painted the same colour as the wall.
- v) Simple plaster bands, with a max width of 200mm may be used around doors, windows and openings. These can be painted white or in one of the secondary colours. Plaster quoins, rustication and decorative mouldings are not permitted. A longer plaster band or recess below windows 600, 900 and 1200mm long is allowed to lengthen the vertical proportion of a window.



**Figure 6 – approved secondary colours**

- vi) Thickened walls for building plinths are encouraged.
- vii) 'White-washed' exposed red brick will be permitted on the plinth of the buildings and on accentuated building parts (like linking walls between main building forms, chimneys, entrances etc.)
- viii) For the white-washed finish, a 'Red rustic blend variation' clay stock brick should be used. It is rougher in texture, non-uniform and more absorbent.
- ix) Recommended application: The bricks should be plastered as if for a Face brick finish. Use a combination of 2 x 'white cement' + 3 x 'plaster sand' mixed with water to create the plaster mixture which will be used for the 'white-washed' effect. This should be purposefully applied with a trowel into the cement grooves between the bricks. After completing a few rows of bricks, a wet sponge is used to wipe the 'white' plaster from the bricks, resulting in the 'white-washed' look. See images below which clearly indicates the process with start and end results.

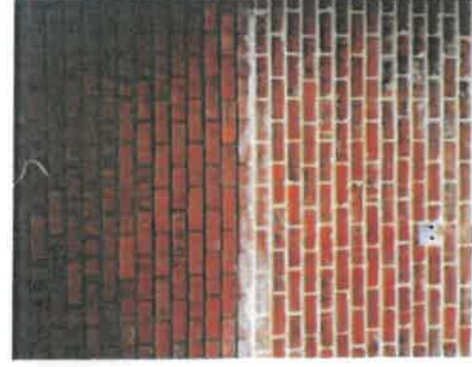


**Figure 7: White washing the red brick.**



- x) Plumbing should be suitably concealed within walls or ducts, where possible and if exposed to the exterior, painted to match the colour of the exterior walls.
- xi) No visible trunking of AC pipes and new fibre lines allowed on exterior of the building.
- xii) All INTERNAL BOUNDARY WALLS to be plastered & painted in 'PLASCON' colour: Stone Wash – code Y2-D2-2.



Figure 8 – boundary wall colour

### 3.6 WINDOWS & DOORS

- i) Windows and external doors must only be from Aluminium and to be epoxy powder coated 'MATT CHARCOAL' (code ANP 3055) OR MATT WHITE (code ANP 1101).  
NOTE only one of these two colours may be chosen for the Aluminium windows and doors – it may not be mixed in the same building.



Matt Charcoal

ANP3055



Figure 7: Epoxy powder coated Aluminium colour

Figure 8: Not allowed X

Figure 9: Modern interpretations of 'smaller pane' windows and doors allowed. ✓

- ii) No timber doors (apart from the front door) may be used on the exterior of the building.
- iii) All glazing to comply with the National Building Regulations (NBR): SANS 10400-XA; SANS 204 and AAAMSA specifications.

- iv) No small colonial/cottage pane type windows allowed – refer to Fig. 8 above. Exceptions to this rule may be granted if thinner Aluminium strips are applied to provide a more modern look – prefer to Fig. 9 above – only if implemented throughout the language of the house and not as isolated elements.
- v) No coloured, reflective or mirror glass may be used. High quality applied 'film' on the inside of bathroom windows to create an 'obscured glass' effect, are allowed. The film needs to be replaced at the first signs of peeling.
- vi) All windows and doors must be vertically proportioned and can be sliding/top hung/side hung or tilt and turn. (Figure 10)
- vii) Where the width to height proportion of glazed double doors, stacking/folding doors, door/window combinations and single windows are more than 1:1, these must be sub-divided with vertical mullions and set back from the front of the building façade OR screened with a pergola or patio roof, by a minimum of 0.8m.
- viii) Horizontal strip windows will be permitted in discreet locations such as the kitchen, scullery or bathrooms, if it has a maximum height of 0.6m (or closest brick dimension) and height to width proportion of 1: 2/1.3 or 1:4. (Figure 9 ref).



Figure 9: permitted horizontal strip windows



Figure 10: typical vertical proportioned windows



- ix) Horizontal folding/sliding or stacking windows will be allowed for 'Braai kamers'. ONLY if separated from the main house by another door and read as a separate space. These don't have to be screened with a pergola or roof (Refer to vii) above. These types of windows will not be allowed if the room forms part of the house layout without separation – this will dilute the overall vertical aesthetic that must be achieved. (Figure 11 ref).



Figure 11: for 'Braai kamers' only.

- x) Corner windows are allowed.

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- xi) Typical Cape 'clerestorey' windows (also called clear storey or high windows) are allowed. These are positioned in the upper part of walls, typically above eye level to allow daylight to penetrate deep into a room without compromising privacy. Sizes and positioning of these will be assessed on a case-to-case basis.



Figure 12 – Clerestorey windows

- xii) Windows should generally be taller on the ground storey than on the first storey OR the same height.
- xiii) Windows should be the same head height throughout the same storey except for feature/focal windows/doors.
- xiv) Front doors may be in Aluminium or Hardwood finish. Door & door frame must be of the same material. Doors may be solid or have glazing. Aluminium must be powder coated in one of the two approved colours prescribed for the windows above and their colour must match the window colour selected.
- xv) Timber doors can be varnished OR painted, to match the Aluminium colour used for the windows. Matching paint colour for the Aluminium 'MATT CHARCOAL' (code ANP 3055), is ANTHRACITE ALUMINIUM (code AL-B02).



Figure 13 – matching paint colour for the epoxy powder coated colour 'Matt Charcoal'.

### 3.7 SHUTTERS AND SCREENS

- i) The use of functional shutters to reduce summer heat are strongly encouraged. No 'false/mock' shutters permitted.
- ii) Shutters may be internal or external mounted, folding or sliding and louvre or solid.
- iii) Shutters for windows and doors must be in aluminium, epoxy powder coated to match the aluminium colour selected for the house.
- iv) Shutter widths must be in harmony with the windows they cover.
- v) Suitable Aluminium (colour: 'Matt Charcoal') or metal (colour: 'Anthracite Aluminium') roller shutters are allowed for side screening on covered patios – these must be pre-approved by the HOA. Colour to match windows/doors.
- vi) Aluminium shutters may be used to enclose patios that are open on the sides. Colour to match windows/doors.
- vii) The creative use of screening elements for privacy and to create flexible outdoor living spaces, are encouraged. These can be in Aluminium, Timber OR Galvanised steel and timber combinations. These must aesthetically match the language of the house and comply with the colour applications.
- viii) Laser-cut decorative screens will be allowed, subject to colour conformity and pattern approval.
- ix) Screens can also be used in combination with pergola structures.



Figure 14: Screening elements.

### 3.8 COVERED PATIOS & PERGOLA'S

- i) Patios may be covered with a roof OR a pergola with evenly spaced rafters.
- ii) For solid roof types over patios refer par. 3.4.2. Underside of roof structures must have a suitable ceiling installed.
- iii) Patios may be enclosed with frameless glass panels, folding/stacking doors or functional shutters as per par. 3.3.4. It is important to note the conditions of roof applications over newly permanently enclosed Patios. All subject to the approval of the Control Architect.
- iv) No decorative corner brackets allowed.
- v) Pergolas can be cantilevered.

- vi) Pergolas can be in the form of adjustable louvre systems, to match the colour of the Aluminium windows and doors.
- vii) The following column types for pergolas, are allowed:
  - Square hardwood timber posts OR hardwood double timber posts ('sandwich post'). No excessive post sizes allowed.
  - All Timber to be treated and varnished OR painted in the approved colour, 'Anthracite Aluminium'.
  - Plastered masonry columns (340 x 340mm), with a coping - up to the height of the pergola structure (2.4m or similar). Plastered and painted white OR in the approved whitewashed brick finish.
  - Square metal columns - max. 150 x 150mm or steel I-sections (max. 100 x 150mm). All external metalwork to be galvanized & painted in Plascon 'Anthracite Aluminium' and always to Structural Engineer requirements.
  - Aluminium sections are allowed, epoxy powder coated 'Matt Charcoal'.
  - Composite Timber sections are allowed if aesthetically like the approved materials in these Guidelines.



Figure 15 – pergolas

### 3.9 GARAGES

- i) Single garage doors may have a max. opening width of 2.7m. Double garage doors may have a max. opening width of 5.0m.
- ii) In the case of two single garage doors next to each other, they must be separated by a prescribed minimum masonry column width of 450mm. No more than two single or one double garage door may face the street.
- iii) Garage doors must always be set back min. 5.0m from the street boundary to create an additional parking space in front of the garage and must always be screened with a pergola. This condition is prescribed and must be constructed under all circumstances.
- iv) Hardwood timber or steel or aluminium garage doors to match "Corama Corolux" or similar approved sectional overhead garage doors may be used. Tip-up type doors may also be used.

- v) Aluminium garage doors to be epoxy powder coated 'Matt Charcoal' OR 'Matt White' (code ANP 1101), whichever is the chosen colour of the aluminium windows and doors for the specific house. Timber and steel garage doors can be varnished (timber) or painted to matching the Aluminium doors and windows – matching colour 'Anthracite Aluminium' OR 'white'.
- vi) NOTE- Garages may not be altered and changed into accommodation or living spaces.
- vii) No dwellings without garages will be permitted.
- viii) No shade cloth covering over pergola.

### 3.10 PEDESTRIAN GATES

- i) Aluminium Powder coated 'Matt Charcoal' OR painted galvanised steel ('Anthracite Aluminium') frame with horizontal slatted hardwood timber inserts are preferred. Timber can be varnished or painted in the same colour as the steel frame.
- ii) Frames can be round or flat bars.
- iii) Plain designs without timber inserts will be considered.

### 3.11 BALCONIES

It is advised that through these guidelines, the Control Architect or the La Roche HOA, cannot guarantee visual privacy. Special precaution must be taken in the design to ensure that the placing of balconies does not compromise the privacy of neighbouring dwellings.

- i) Balconies must form an integral part of the design and any visible sides of slabs on elevation, must be plastered and painted to match the wall surface to which they attach.
- ii) No balcony will be allowed over any building line.
- iii) No timber balconies allowed.
- iv) For Juliette-type balconies, the slab may protrude a maximum of 200mm past the exterior face of the building. The width of such slab may not exceed the door opening.
- v) Cantilevered balconies will be allowed as per Structural Engineer's design.
- vi) Balconies must not overlook or compromise the privacy of neighbouring properties. Balconies directly overlooking neighbouring properties will be prohibited.
- vii) Balustrading can be fixed onto the side or top of the balcony structure with suitable brackets.
- viii) Larger balconies may be supported by square Galvanised MS columns (max. 150x150mm, painted in the approved colours OR plastered and painted brick columns. Sizes for brick build columns must be in proportion of the whole.



ix) Ground storey flat roofs may be partially used as balconies to the discretion of the Control Architect, providing that adequate protection against falling conforms to these Guidelines and the National Building Regulations.

x) Suitable rooftop planters can also be placed on top of ground storey flat roofs, keeping in mind drainage requirements. Planter boxes must be aesthetically approved.



Figure 16 – Roof top planters

### 3.12 BALUSTRADES

Balustrades must always conform to the National Building Regulations (NBR). In addition, the following conditions apply:

- i) The height to the top of the horizontal rail, including those mounted on brickwork, **MUST be max. 1100mm above the internal finished floor level.**
- ii) Balusters may be positioned vertically or horizontally. **No ornate patterns allowed.**
- iii) Square mild steel tubing and flat metal balusters are allowed. All external metalwork to be galvanized & painted in one of the colours matching the colour of the Aluminium doors and windows – 'White' or 'Anthracite Aluminium'.
- iv) Painted and plastered brickwork is allowed.
- v) Glass balustrading is allowed.
- vi) **Stainless Steel balusters and 'cabling' is allowed.**

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#### 4.0 BOUNDARY WALLS AND PALISADES/FENCING

##### 4.1 GENERAL CONDITIONS IN RESPECT OF THE DESIGN OF BOUNDARY WALLS

- i) Any walls not built on an actual boundary line, but which fulfil the function of a boundary wall in relation to a boundary or dwelling, will be deemed to be a boundary wall for the purposes of this document and as may be determined by the Control Architect.
- ii) The boundary wall provisions described in this guideline document apply to all erven.
- iii) All boundary walls and built masonry columns must incorporate saddle copings projecting no more than 20mm on either side of the wall, slanted to inside of property.
- iv) Where boundary walls incorporate masonry columns as advised by a Structural Engineer, such columns must be square and protrude max. 100mm from the face of the solid wall section.
- v) Boundary walls must be simple and may not incorporate any recessed or raised panels, or any other form of embellishment.
- vi) Any reference to the maximum height of a wall shall be taken as a measurement from the final finished ground level inside the property, to the top of any coping forming part of the wall.
- vii) Due to the steep nature of the sites in La Roche, all boundary walls must be stepped to adhere to the height restrictions of boundary walls.
- viii) Walls around a service yard may be incorporated as part of a boundary wall and only be constructed to a height of 1.8m to effectively screen any items contained in the service yard from public view.
- ix) \*\*NOTE: Each property owner should ensure that adequate emergency escape routes exist for surface stormwater runoff to exit the property should the secondary stormwater drainage system malfunction.

##### 4.2 INTERNAL BOUNDARY WALLS

High walls should generally be integrated into the design of structures and buildings rather than used as freestanding elements.

All walls must allow for free drainage of storm water runoff i.e. weep holes, subsoil drains or channels. Weep holes are to be a maximum of 50mm diameter. The pipes must be cut flush with the wall and be spaced 2m apart. The pipe outlet must be a maximum of 150mm above the final ground level.

All walls are to be plastered and painted to a minimum of 300mm below the final ground level. In addition, the soil adjacent to walls must be well compacted after plastering to avoid the unplastered brickwork becoming visible through soil erosion or subsidence.

**A. Common Boundary (Side Boundary):**

- i) Any single boundary, which separates two adjoining even must be a solid wall with a maximum height of 1800mm measured from the final finished ground level on the inside of the property, directly adjoining the wall (grass, paving etc.) It must be plastered and painted smooth on all sides. This wall type may also be used to link the building to the side boundary to create edge continuity – a garden gate may be placed in this wall for access to the rear of the property. These walls must step to follow the slope of the site.
- ii) No timber screen structures on top of common boundary walls are allowed to increase the height there-of or to provide more privacy. Privacy screening must form part of the original house design.
- iii) Common boundary walls that surpass the front façade of the dwelling, will be required to step down to the required height prescribed for the street boundary walls.

**B. Rear Boundary:**

- i) Where even border the external/perimeter boundary of La Roche, the existing boundary condition will form the rear boundary.
- ii) For any boundary, which borders any of the green public open spaces, fencing are allowed which can match the balustrade type used for the external of the house, OR Clearview type fencing of max. 1200mm high, measured from the natural ground level, on the property boundary line, depending on the site conditions and the possible need for retaining.
- iii) For even where the main access is from the lower site level, the rear boundary wall can incorporate plastered and painted brick retaining walls OR retaining structures such as "Loffel stein", "Terraforce" (refer to 2.6). The height of these is restricted to max. 3.0m from the final finished ground level on the inside of the property.
- iv) For even where the main access is from the highest site level, the rear boundary wall must be plastered and painted brick walls to a max. height of 1.2m measured from the highest level.

**C. Street Boundary:**

- i) Where possible, all street boundaries must incorporate low walls (max. 1.2m high) and/or planting hedges (trimmed to match the height of the prescribed wall condition and maintained as such), to create visual interaction and form edge continuity with the adjacent properties, resulting in a cohesive environment.
- ii) No timber screen structures on top of street boundary walls will be allowed.

**All masonry boundary walls must be smooth plastered and painted in the approved colour: Plascon "Stone Wash" – Y2-D2-2.**

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#### 4.3 EXISTING PERIMETER BOUNDARY WALLS

The perimeter fence & wall will remain the property of the HOA. Access will be required for maintenance and security purposes.

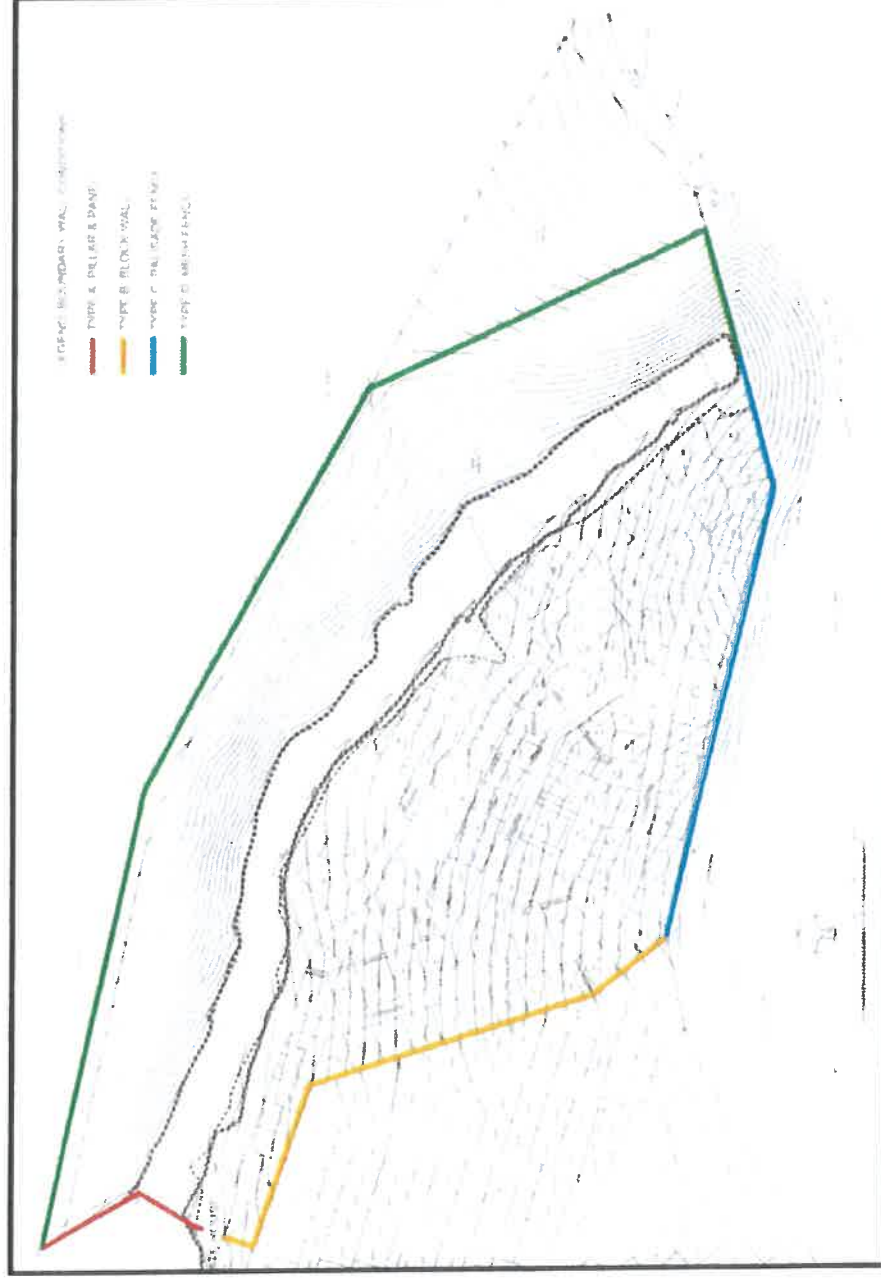


Figure 17: Colour coding for external boundary conditions.

#### 4.4 MISCELLANEOUS AND GENERAL

- i) Satellite dishes must be white composite in colour as approved by the HOA.
- ii) All gas cylinders, refuse bins, compost piles and clothes lines must be screened within service/drying yards in order not to be visible from the neighbouring properties, or the street.
- iii) All lettering and numbering must conform to the approved size and finish. Size: max. 150mm high x 100mm wide; Lettering style as "Verdana Bold"; Colour: "Charcoal" to match the roof sheeting OR natural brushed aluminium. All lettering and numbering to be placed horizontally and in line.
- iv) All exterior lighting should be sensitively positioned and not directed in such a way that it may have a negative impact on the immediate surroundings or potentially in view or hazardous to adjoining properties, residents or passing traffic. Exterior lighting should shine down or up/down. **All exterior lights must be LED's. All exterior light fittings to dwellings must match the fittings of La Roche and to be approved by the HOA. Colour for exterior light fittings is charcoal to match the roof sheeting.**

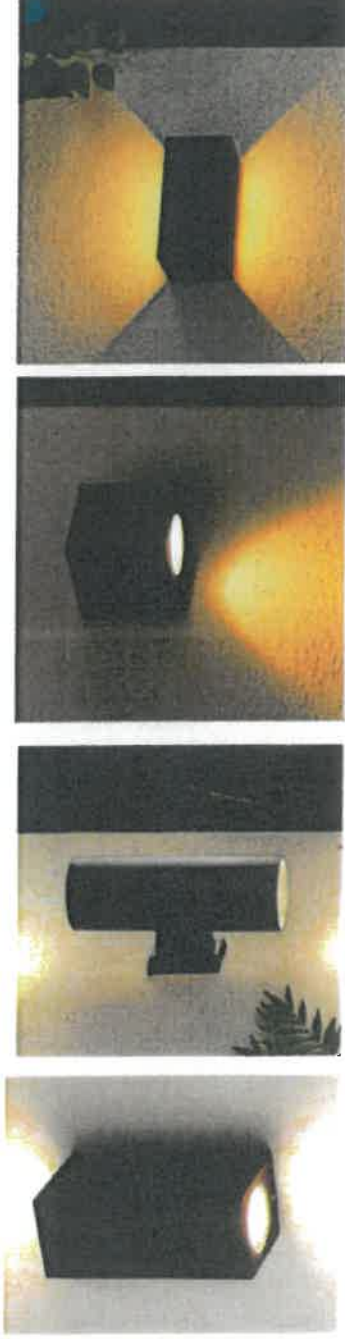


**Figure 18: permitted external lights – same type used on any one building.**

- v) Any burglar bars and security gates **MUST** under all circumstances be aesthetically approved by the Control Architect and HOA. Burglar bars must be the "clear polycarbonate bars" (internally mounted). Security gates must be compatible with the design of the house, fixed internally.
- vi) **NO awnings (retractable or fixed) are allowed.**
- vii) **Hot water heating requirements:** Heat pump OR Solar thermal systems. The angle at which the flat plate solar panels are mounted, must match the angle of the roof to which is it affixed and the frame and fittings must be powder coated to match the roof colour. Heat Pumps must be installed inside service yards OR if not, enclosed by a **purpose-built hardwood timber or steel louvered enclosure**. It must be fixed as low to ground as possible in order not to be visible from street view.
- viii) **No visible Solar water tanks allowed.**
- ix) **Swimming Pools:** position of all swimming pools is subject to the final approval by the HOA. The final position of the pool, pump and filter must be shown on plans and elevations submitted for aesthetic evaluation. Fencing around properties with pools must comply with the National Building Regulations and clearly considered with the height restriction of boundary walls.

- x) Air-conditioning condenser units must be installed inside service yards OR fixed as low as possible to the final finished ground level (final height approved by AC manufacturer and supplier). These may not be visually intrusive and, if not in a service yard, always be screened by an aesthetic approved hardwood timber or steel louvered enclosure. Proposed positions must be submitted with the plans for aesthetic approval prior to installation. Louvered enclosures must be painted to match the colour chosen for the fencing and gates. The timber members can also be varnished.

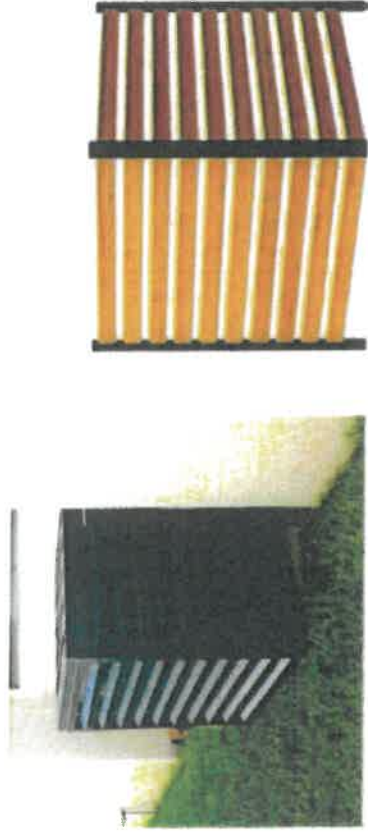


Figure 19 – typical enclosures for visibly placed ac condensers and heat pumps.

- xi) No sewer and water pipes may be visible on the elevations and must be suitably enclosed in ducts/cavities. Stub vent stack systems are to be used.
- xii) All chimneys must comply with the National Building Regulations (NBR). Brick build chimneys can be plastered and painted or in the whitewashed red brick finish as described under the Colour section of this document. Stainless-Steel chimney flues on its own or on top of a brick build base, (max. 275mm in diameter) are also allowed. Fixed metal chimney cowls in matching stainless-steel material must complete the installation. All chimney and flue installations must be indicated and submitted to Control Architects for aesthetic approval.
- xiii) Garden/tool sheds, Wendy houses or temporary structures will not be allowed.
- xiv) Dog kennels, caravans, trailers & boats must be stored out of sight behind garden or yard walls.
- xv) No visible trunking on elevations (for AC condensers etc.). Sleeves must be provided for such future installations during the construction of the dwelling.

## SECTION 2: LANDSCAPING ELEMENTS & PLANT LIST

The design and implementation of a qualitative and enduring landscape form an integral part of the overall design and is considered to be an imperative for the successful development of La Roche. This section of the framework document should be read together with the rezoning and subdivision application.

### **Cape Winelands Biosphere Reserve context**

La Roche is located within the UNESCO-listed Cape Winelands Biosphere Reserve, which was proclaimed on 18 September 2007. The Cape Winelands Biosphere Reserve aims to give practical effect to UNESCO's MAB (Man and the Biosphere) Program. This program was launched in 1971 by UNESCO, as a global program of international co-operation to advance people-environment interactions to promote sustainable development, nature conservation and care for life on earth.

Stellenbosch Municipality is committed to implement the objectives of the MaB programme. This is addressed by the Municipality's Spatial Development Framework (SDF) and the Municipality Environmental Management System (EMS).

La Roche is located on the edge of Ida's Valley on the slopes of the Simonsberg. It is envisaged that the estate together with the Simonsberg Conservancy will promote an ecological and management corridor to protect and extend the Renosterveld habitat in the area.

In summary, the project site will be managed according to MaB's principles. The development will also support the key functions of the biosphere reserve, namely development, conservation and logistical support.

The proposed development will enhance the viability of the biosphere reserve, in that it will ensure compliance with key stipulations of the Seville Strategy namely to '**ensure that all zones of biosphere reserves contribute appropriately to conservation, sustainable development and scientific understanding**'.

## 4.5 LANDSCAPING CHARACTER

An 'integrated green system' will be established throughout the proposed development, comprising landscaped open spaces and water elements that will be effectively linked, or integrated, with the natural areas through natural corridors. An integral part of the landscaping will, therefore, be the restoration of the existing natural corridors and the establishment of additional corridors. The gardens within the development will continue and consolidate this place specific landscape architectural theme and will integrate the human-made environment with the dams, agriculture and natural environment.

It is therefore the objective that gardens, as part of the envisaged 'integrated green system', should promote biodiversity conservation to the extent possible through inter alia the following:

- Planting of suitable indigenous plant species.
- Alien vegetation clearing & management.
- Innovative soil management.
- Wise use of water resources.

- Using low energy maintenance techniques.

The goal is to identify and to reinforce and enhance the sense of place qualities of the development. This would be achieved by the consistent use of materials and detailing, and the coordination of materials and colours of the hard and soft landscaping of the project. The design guidelines promote a balance between privacy and transparency. This is to be achieved by creating a balanced relationship of vertical mass to horizontal space. Additionally, it would be achieved by integrating the project with the rural quality of the surrounding area as well as having regard for the emphasizing of the views towards the mountains.

A key requirement is that any land use on La Roche must respond to and ensure the maintenance of the conservation-worthy characteristics of the receiving landscape. Therefore, generally, any construction or other forms of landscape modification on La Roche shall be planned, designed and implemented in a manner that harmonises with and complements the cultural and natural environment.

#### 4.6 HARD LANDSCAPING

The objective for the detail hard landscaping elements is:

- To create a place where the scale and form of the hard landscaping elements are in harmony with the setting and the character of the region and contribute to the overall visual appeal of the site.
- To create a place with amenity, attractive paths to walk, comfortable seats, shade, water and opportunity for socializing with other community members (public green areas in La Roche).
- To use materials (incl. specific paving types and colours) that enhances the atmosphere (sense of place, history, craft, nature and limits) of La Roche and create a cohesive environment both in the public areas and individual even.

##### 4.6.1 GENERAL

- All utilities must be placed/installed underground.
- For information on retaining and internal walls, refer to SECTION 1, paragraph 2.5, and 4.2. Stepped and sloped retaining walls must always be planted.**
- Steps and ramps are seen as another dimension of paving, accommodating changes in levels, helping to define spaces and even providing outdoor seating. External footlights are encouraged where-ever a change in level occurs.
- All steps and ramps should adhere to the Standard Building Regulations.
- Plant containers may be used where trees and shrubs cannot be planted directly into the ground and in conjunction with seating, steps and retaining walls.
- They may also be used to form barriers, provide screening or soften high walls, Brick (plastered and painted), clay or re-enforced concrete planters may be used.
- No pots will be allowed in sidewalk areas. Free-standing pots will be subject to the approval of the Control Landscape Architect.
- Pots should match existing colour schemes of the estate and are not allowed to be excessively decorative. Simple shapes and earthy colours are allowed.

#### 4.6.2 VEHICLE AND PEDESTRIAN PAVING

Nodal social spaces, pedestrian routes and functional open spaces have been created and will enhance the quality of the recreational and living experience within The Estate as a whole. The design of streets and paths express the street hierarchy, which relates to symbolic gateways, internal nodes and landmarks that provide focus and direction and give legibility to the development.

- i) All roads are paved with interlocking exposed aggregate pavers with mountable concrete kerbs



Figure 20 – road surface paving

- ii) All other paving areas must be sufficiently edged with concrete haunching for aesthetic and functional purposes. Haunching areas may not be exposed.
- iii) Driveways must consist of in-situ cast exposed aggregate concrete with a wire brush finish OR interlocking pavers of regular texture or exposed aggregate. Colour tones are Grey, Tan and Kalahari to match the existing road surface. Charcoal or Grey cobbles may be used for accent lines and edging.

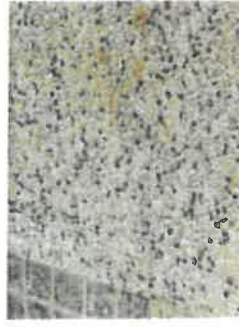


Figure 21 – types of pavers

- iv) Pedestrian paths are paved with clay bricks or exposed aggregate (brown aggregate). Additional informal pathways around the Estate are made from mulch or laterite.
- v) The use of permeable paving (except the driveway), will be encouraged to optimise the use of natural resources.



**Figure 22 – Permeable paving**

- vi) On the sidewalk areas, before an owner builds a driveway, he must install a minimum of two 110ØPVC sleeves in the driveway area. The sleeves are required to protect and accommodate additional services in the public space and are installed 500mm below ground level.
- vii) Where trees are planted into the paving, the porosity of the paving material should be considered. Spaced pavers with gravel or planting infill would allow water and air to reach tree roots.
- viii) A pathway to the entrance of a house may not exceed 2.0m in width. Paving and non-slip external tiling can be done in various creative ways and dependant on prior aesthetic and HOA approval. Examples are not limited to those in the images below:



**Figure 23 – Examples of entrance pathways.**

- ix) Patterns in paved areas should follow and accommodate expansion joints.
- x) Paving should be designed with cross-falls to act as a self-cleaning mechanism and to limit water to collect on the paving that results in discoloration and slippery surfaces. Channels may be incorporated in the edge/center patterning to allow run-off of surface water.
- xi) Where possible the position of manhole covers should be integrated into the paving pattern and aligned with buildings, so that brick and slab cutting are kept to a minimum.

#### 4.7 SOFT LANDSCAPING

Soft spaces are those dominated by the natural environment and plants. The quality and style of the soft landscaping will contribute to the sense of place of the site and reinforce the existing landscape identity of the region. The planting form will enhance the landscape qualities valued in the region. The character of the estate's landscape is a rich blend of elements derived from the natural areas, the geometric agriculture pattern, the residential and the public spaces.

In addition harmonious balance is to be promoted in the landscape. This occurs where there are equally spaced hard and soft elements incorporated into the landscape design.

The Cape Winelands has a Mediterranean climate and is described as a winter rainfall area with cool, wet winters and warm, windy, dry summers. Take note of local climatic conditions such as prevailing winds and optimise storm water run-off by effectively managing it with the topography.

The local Cape Floral Kingdom, one of only 6 floristic Kingdoms in the world is unique with an extremely high rate of endemic and diverse plants species.

Soft landscaping and planting of trees can also reduce glare in the landscape by deflecting the sun's rays, thereby cooling the environment down as well as minimizing the use of dark coloured hard surfaces.

Seasonal variation in deciduous foliage – mainly trees - will change the sense of enclosure through the year, while evergreen plants will have a stronger year-round spatial definition.

Trees that are planted too far apart will lose their visual effectiveness in the overhead plane. The degree of enclosure varies with the relative height of the surrounding vegetation, its spacing, density and position of the viewer relative to the surrounding vegetation.

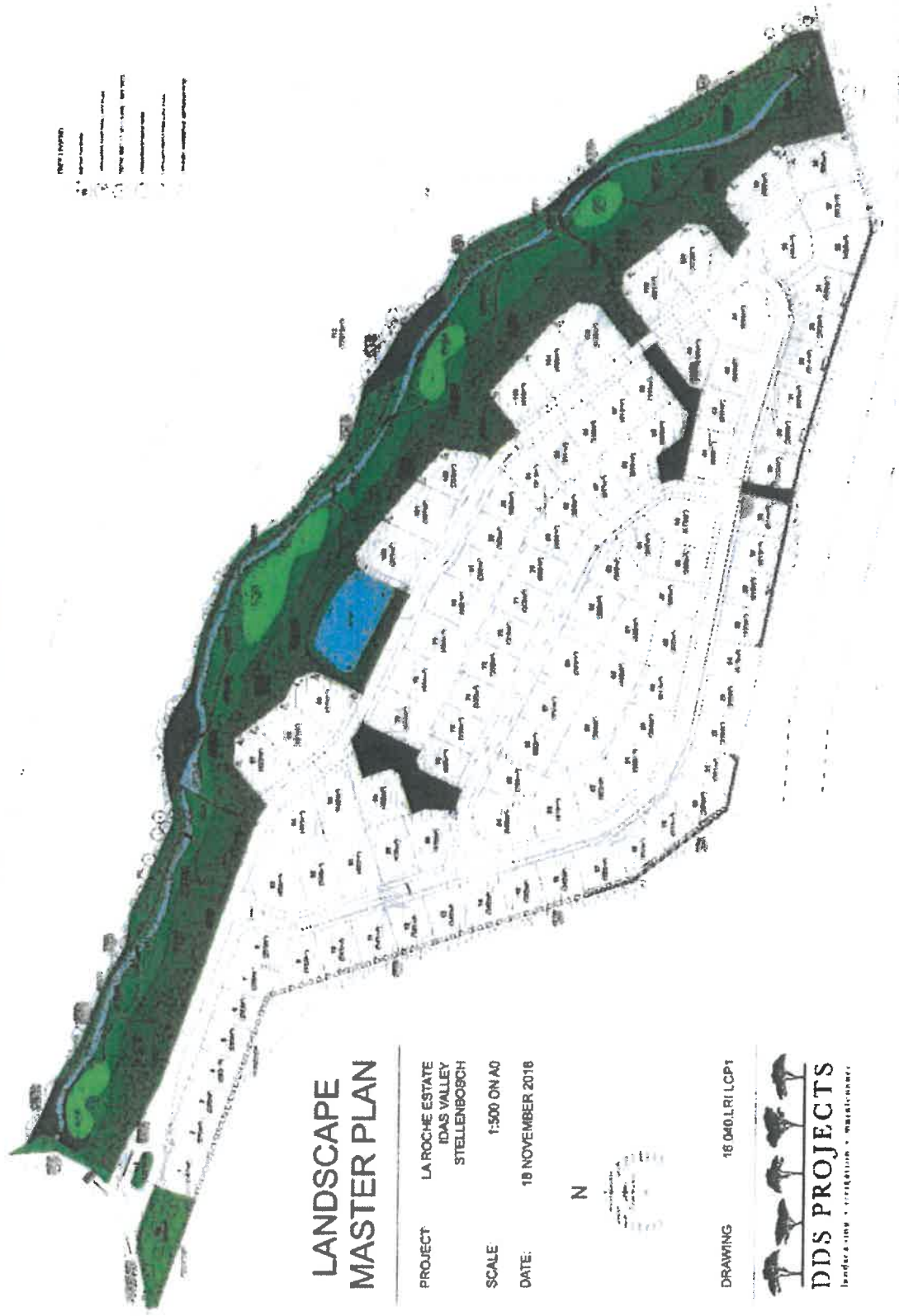


Figure 24: Landscape Master Plan

Revision 1 by Sense Architects (Pty) Ltd and La Roche HOA

#### 4.7.1 PLANTING AND TREES

##### **A. Existing Vegetation.**

- i) Existing soil levels have been disturbed, and the alien vegetation have been removed.
- ii) The steep slope has been stabilised and planted with appropriate indigenous species. The Gum trees that have been removed will be used to stabilise the embankment.

##### **B. Trees in general.**

- i) No Palm trees, conifers or any large leaved species with a tropical character will be allowed to be planted.
- ii) Indigenous trees are recommended as they are more suitable to our climatic conditions. The existing indigenous trees will be retained or can be transplanted to an alternative position on site if necessary.
- iii) Plant trees strategically to protect the views towards the mountain.
- iv) Trees to be planted along the Old Hellschoogte road to create a densely planted edge to screen the development from view.
- v) All new trees to be staked with 2x 75-100mm tanalith poles and crossed braced.
- vi) Alien and Invader Trees - The trees listed on the latest Alien and Invasive Regulation, 2014 and Alien and Invasive List, 2014, must be removed and managed as per the NEM: Biodiversity Act, 2004

##### **C. Communal Areas**

- i) Soft landscaping will be designed to give identity to a specific area and enhance the quality and roles of specific places.
- ii) Plant species that are typical of the historical and cultural character of the area will be planted, e.g oak trees, olive trees etc.
- iii) All plant species must be drought and wind resistant, water-wise and non-invasive.
- iv) The use of indigenous plants will receive preference and be used in a combination of ways to emphasize and give character to squares, spaces between nodes, as well as, accentuating focal points, axes and perspectives.
- v) Natural transition will be achieved through the gradual, ascending or descending arrangement of different elements with varying textures, forms, colours, or sizes.
- vi) Fynbos will be reintroduced where possible in appropriate spaces on the site to enhance a natural 'green system'.



**D. Edible plants**

- i) Vegetable and herb gardens can be created within the limitation of the EMS, established in private garden and common areas common spaces to create a sense of community.
- ii) Fruit trees e.g. Olive, Lemon, can be planted for aesthetic and productive purposes enhance the rural character of the area and to complement the existing trees on site. This will also encourage bird and insect life on the site.

**E. Noise/Visual impact of the Heishoogte Road**

- i) The key impact of the development is its potential visual intrusion, in particular as it relates to the aesthetic quality of the site from the perspective of surrounding properties.
- ii) Intense landscaping along the boundary between the erven and the Heishoogte Road is recommended in order to reduce noise and block off traffic from view. This will greatly enhance the aesthetic quality of the site.

**F. Private Gardens & Sidewalks**

- i) Orientation of the internal spaces relative to the sun, wind and shade is vital, the positioning of the deciduous trees on the north and evergreen trees to the south and west for winter sun and summer shade are important.
- ii) Courtyard or semi-courtyards of houses can create atmosphere, privacy and protection from the southeaster wind.
- iii) Private spaces must be designed, in both a formal or informal manner and will complement the landscaping of the surrounding open spaces.
- iv) The use of aromatic plants in certain areas can create a pleasant living environment. The use of colour is an effective technique to enhance atmosphere will receive special attention in the project. While the same or similar hard landscape elements would be used in several different locations in the settlement, the use of different colour combinations changes the mood and character of a particular area significantly and achieves variety and diversity. The structures will be plastered and painted as per the architectural colour palette.
- v) The homeowner is responsible to landscape and provide irrigation for the sidewalk/s adjacent to his property. The La Roche Trust will provide 2x 100 litre trees (species to conform with the landscape design for La Roche). Trees to be planted as part of the sidewalk planting.
- vi) Limit lawn areas to reduce water usage and maintenance cost. Plant indigenous town species e.g. Buffalo or Kweek.
- vii) Plants to be grouped together for their sun/water requirements.
- viii) All plants brought to the site must be disease and pest free.
- ix) The homeowners will, in applying the guidelines take great care that visual privacy is achieved to the maximum degree practically possible. Hedging and trellises can be used to create privacy.
- x) The use of trellises with planting and creepers, are encouraged to soften the appearance of high walls and create dramatic entrances. Trellis panels can be constructed of treated timber or wire type framework fixed to the wall.



Figure 25: example of 'vine' trellis fixed to the wall.

## 4.7.2 LIST OF TREES AND SHRUBS FOR PRIVATE GARDENS AND PAVEMENTS.

| Suitable trees for smaller gardens |                                           |                                                             |             |                         |         |           |                   |                 |  |
|------------------------------------|-------------------------------------------|-------------------------------------------------------------|-------------|-------------------------|---------|-----------|-------------------|-----------------|--|
| no                                 | name                                      | Character                                                   | growth rate | fruit                   | flowers | size      | water wise        | roots           |  |
| 1                                  | Apodytes dimidiata / White pear           | Large tree, suitable for screens                            | 700mm/yr    | Edible, Dec - June      | Yes     | To 25m    | Water wise        | non-aggressive  |  |
| 2                                  | Brachylaena discolor / Mock Silver Oak    | Upright tree, tall crown, suitable for lanes                | 1,5m / yr   | Small edible nuts       | Yes     | To 10m    | Med water, 1-2yrs | non-aggressive  |  |
| 3                                  | Buddleia saligna / False Olive            | Suitable for screens, can be trimmed                        | 800mm / yr  | Small edible            | yes     | To 10m    | Water wise        | non-aggressive  |  |
| 4                                  | Buddleia saligna / Sage wood              | Suitable for screens, can be trimmed                        | 800mm/yr    | Small edible            | yes     | To 8m     | Water wise        | non-aggressive  |  |
| 5                                  | Calodendrum capense / Cape Chestnut       | Upright tree, better for larger areas, pretty flowers       | 850mm/yr    | 5 compartments          | yes     | To 25m    | Water wise        | non-aggressive  |  |
| 6                                  | Carissa macrocarpa / Num-num              | Can be grown as security hedges due to thorns               | 500mm/yr    | Edible plum like        | yes     | To 5m     | Water wise        | non-aggressive  |  |
| 7                                  | Bauhinia galpinii / Pride of De Kaap      | Shrub with orange flowers, for bigger gardens               | 500mm/yr    | Podlike seeds           | yes     | To 5m     | Water wise        | non-aggressive  |  |
| 8                                  | Celtis africana / White stinkwood         | Large tree, deciduous, small flowers, for large areas       | 2m / yr     | Small yellow            | yes     | To 40m    | Water wise        | non-aggressive  |  |
| 9                                  | Dais cotinifolia / Pompon tree / Kannabas | Medium sized tree, pretty pink flowers, semi deciduous      | 800mm / yr  | Hairy tubular fruit     | Yes     | To 12m    | Water wise        | non-aggressive  |  |
| 10                                 | Diospyros whyteana / Bladder nut          | Medium sized, round to flat crown, edible fruit             | 800mm / yr  | Edible coffee bean      | Yes     | To 15m    | Water wise        | non-aggressive  |  |
| 11                                 | Dovyalis caffra / Kei-appel               | Thorny medium sized, suitable for hedges                    | 600mm / yr  | Edible, jam suitable    | Yes     | To 9m     | Water wise        | non-aggressive  |  |
| 12                                 | Ehretia rigida / Deurmekaarbos            | Deciduous, but suitable for hedges, fruit for birds         | 600mm / yr  | Edible, sour taste      | Yes     | To 9m     | Very water wise   | non-aggressive  |  |
| 13                                 | Ekebergia capensis / Cape ash / Essenhout | Large tree suitable for parking lots                        | 1m / yr     | Edible fruit            | Yes     | To 20m    | Water wise        | non-aggressive  |  |
| 14                                 | Gardenia thunbergia / Witte katjlepieling | Small tree, pretty fragrant flowers, suitable for pots      | 300mm / yr  | Pod like fruit          | Yes     | To 5m     | Water wise        | non-aggressive  |  |
| 15                                 | Grewia occidentalis / Kruisbessie         | Small tree, pink flowers, evergreen, for hedges             | 1,5m / yr   | Grape like bunches      | Yes     | To 10m    | Water wise        | non-aggressive  |  |
| 16                                 | Halleria lucida / Tree fuchsia            | Medium sized tree, pretty red flowers, for birds            | 1m / yr     | Edible clusters         | Yes     | To 10m    | Water wise        | non-aggressive  |  |
| 17                                 | Ilex mitis / Cape holly / Without         | Large tree, evergreen, for focus on large lawn areas        | 900mm / yr  | Edible sweetish         | Yes     | To 30m    | Water wise        | non-aggressive  |  |
| 18                                 | Kiggelaria africana / Wildeperske         | Large tree, focus area, semi-deciduous, good shade          | 1,3m / yr   | Edible, butterflies     | yes     | To 20m    | Water wise        | non-aggressive  |  |
| 19                                 | Myrsinax aethiopicum / Koeboebessie       | Medium sized, attractive when planted in groups             | 500mm/yr    | Edible red berries      | yes     | 6m to 15m | Very water wise   | non-aggressive  |  |
| 20                                 | Nuxia floribunda / Bosvier / Forest elder | Pretty white flowers, medium sized, wind sensitive          | 800mm/yr    | Small edible            | yes     | To 20m    | Med water, 1-2yrs | non-aggressive  |  |
| 21                                 | Olea africana / Olienhout / Wild olive    | Used to prevent erosion, not suitable next to walls & roads | 800mm / yr  | Edible, bitter to sweet | yes     | To 14m    | Very water wise   | semi-aggressive |  |

|    |                                            |                                                                  |            |                        |     |        |                   |                |
|----|--------------------------------------------|------------------------------------------------------------------|------------|------------------------|-----|--------|-------------------|----------------|
| 22 | Pittosporum viridiflorum / Cheesewood      | Glossy leaves, medium sized, good for smaller gardens            | 600mm / yr | Edible, sweet          | yes | To 15m | Water wise        | non-aggressive |
| 23 | Podocarpus falcatus / Outeniqua yellowwood | Very large tree for large open spaces only                       | 1.5m / yr  | Edible, round          | yes | To 46m | Med water, 1-2yrs | non-aggressive |
| 24 | Polygala myrtifolia / Septemberbossie      | Small tree, pretty pink flowers year round, for small gardens    | 1m / yr    | Edible, small          | yes | To 4m  | Water wise        | non-aggressive |
| 25 | Portulacaria afra / Spekboom               | Succulent, good to combat soil erosion, edible leaves            | 700mm / yr | Papery capsule         | yes | To 3m  | Very water wise   | non-aggressive |
| 26 | Rapanea melanophloeos / Kaapse boekenhout  | Medium sized, cone shaped, wood for musical instruments          | 600mm / yr | Clusters of berries    | yes | To 15m | Med water, 1-2yrs | non-aggressive |
| 27 | Rhamnus prinoides / Dogwood                | Evergreen bush to small tree, shiny pretty leaves, for birds     | 1m / yr    | Berries along branches | yes | To 5m  | Med water, 1-2yrs | non-aggressive |
| 28 | Rhus lancea / Karee                        | Evergreen, rounded crown, Med sized, good shade tree             | 800mm / yr | Edible small brown     | yes | To 9m  | Water wise        | non-aggressive |
| 29 | Tarzananthus camphoratus / Kanferbos       | Fragrant leaves, good for hedges, too messy around pools         | 700mm/yr   | Edible, small          | yes | To 5m  | Water wise        | aggressive     |
| 30 | Tecomaria capensis / Cape honeysuckle      | Various colours, essentially a climber to be trained into a tree | 1m / yr    | Small pods, edible     | yes | To 5m  | Water wise        | non-aggressive |
| 31 | Viburnum tinus (exotic)                    | Smaller leaved Viburnum, large tree, good for hedging            | 1m/yr      | Small berries, edible  | yes | To 10m | Med water, 1-2yrs | non-aggressive |
| 32 | Viburnum sinensis (exotic)                 | Wider leaf variety, more wind sensitive, also good hedging       | 1m/yr      | Small edible berries   | yes | To 10m | Med water, 1-2yrs | non-aggressive |
| 33 | Myrtus communis (medicinal)                | Small tree, edible berries and leaves, good low hedge            | 300mm / yr | Small edible berries   | yes | To 3m  | Med water, 1-2yrs | non-aggressive |
| 34 | Syzygium guineense / Water pear            | Medium to large, good for roadside lanes, cone shaped            | 1m / yr    | Small edible berries   | yes | To 15m | Water wise        | non-aggressive |
| 35 | Hibiscus Spp (exotic)                      | All colours of flowers, med tree, can be pruned                  | 500mm/yr   | No fruit               | Yes | To 8m  | Water wise        | non-aggressive |

## SUITABLE PLANTS FOR SMALLER GARDENS

| no | name                            | Character                                             | growth pattern   | fruit | flowers | size     | water wise | roots          |
|----|---------------------------------|-------------------------------------------------------|------------------|-------|---------|----------|------------|----------------|
| 1  | Agapanthus praecox white / blue | Rhizome root system, larger variety                   | self dividing    | no    | yes     | to 500mm | Water wise | non aggressive |
| 2  | Agapanthus nana white / blue    | Smaller variety, suitable for borders                 | self dividing    | no    | yes     | to 200mm | Water wise | non aggressive |
| 3  | Dietes grandiflora              | Broader leaf variety, white flowers                   | self sowing      | no    | yes     | to 500mm | water wise | non aggressive |
| 4  | Dietes bicolor                  | Narrow leaf variety, yellow flowers                   | self sowing      | no    | yes     | to 500mm | water wise | non aggressive |
| 5  | Gazania daybreak range          | Variety of colours, perennial, bushy growth           | self sowing      | no    | yes     | to 200mm | water wise | non aggressive |
| 6  | Gazania regens / trailing daisy | Groundcover creeping variety, yellow / purple flowers | self sowing      | no    | yes     | to 100mm | water wise | non aggressive |
| 6  | Myrtus compacta                 | Compact low growing tree, good for low hedges         | small tree/shrub | yes   | yes     |          | water wise | non aggressive |

## 4.8. IRRIGATION

- Indigenous plant species, recommended for all the gardens, do not need a lot of water once established.
- To help prevent unnecessary water loss, a layer of mulch over the planted area can be applied. The mulch layer will also be suppressing weed growth.
- Organic matter which arises after pruning or cutting can be used for mulch.
- Private garden irrigation systems must be designed to be energy-efficient and water-efficient.
- Drip irrigation can be used in small, localized areas such as trees in paving or narrow planting flowerbeds.
- In larger areas, where sprayers will be necessary to ensure the area is watered adequately: wind velocity will need to be considered i.e. the heights and distances, sprayers will need to cover: to reduce excessive water use or loss.
- Plants in the landscape will be selected for their drought-resistant qualities and are to be separated into hydro-zones: where the plants use the same amount of water.

viii) Stellenbosch Municipality's water restriction rules are applicable on the use of potable water by Property Owners for irrigation of their private garden as well for the communal areas.

- ix) It is best practice to irrigate before 10h00 or after 16h00.
- x) It is recommended that grey water be harvested for irrigation purposes on all private erven.
- xi) Owners may not connect their private irrigation systems into the Estate's irrigation system.
- xii) Where irrigation in the public space is affected by the addition of pathways or new driveways, the owner must notify the HOA in order for them to arrange to move the irrigation so that it waters the landscaped areas correctly.
- xiii) Should irrigation systems be installed, owners must design them in such a way that they do not cause staining to any walls.
- xiv) Irrigation systems must be properly designed and utilised in a way that will maximize the efficient use of water. Water saving components and irrigation products should be as water-wise as possible.
- xv) All driplines are to be concealed under a layer of bark chips or other approved mulches.
- xvi) Irrigation systems should be used to assist plant establishment and then only used during exceptionally dry spells.

#### 4.9 STORM WATER RUN OFF

Water is scarce, therefore all measures must be taken to conserve water and to utilise rainwater optimally.

- i) All the storm water runoff will be directed to the drainage line via a vegetative swale or channel. The retention dams on the Estate, are visually appealing and create habitat for animals.
- ii) Storm water runoff must be effectively dissipated and stabilized using landscape swales and permeable paving to counteract erosion and maximize infiltration and natural dissipation of water.
- iii) Storm water should be dispersed as much as possible to prevent erosion speed of the run-off of the owner's property.
- iv) A network of informal mulch pathways along the drainage line and embankment provide the opportunity for the residence to enjoy nature.
- v) Each homeowner is responsible for the dispersal of the storm water from their erf, ensuring that the water flow is dealt with on the property on not channeled to adjacent erven.
- vi) Storm water will be dispersed into the manmade channels and not onto lawned areas, hard surfaces or into flowerbeds to the extent where erosion will take place.
- viii) Should storm water be directed to the public roads, drainage pipes that protrude from kerbs must not be visible and chamfered flush with the kerbs.
- ix) All drainage pipes are to be sub-surface.
- x) All owners must indicate on their site plans submitted for approval how they are going to deal with storm water from roofs, paved areas and subsurface water.

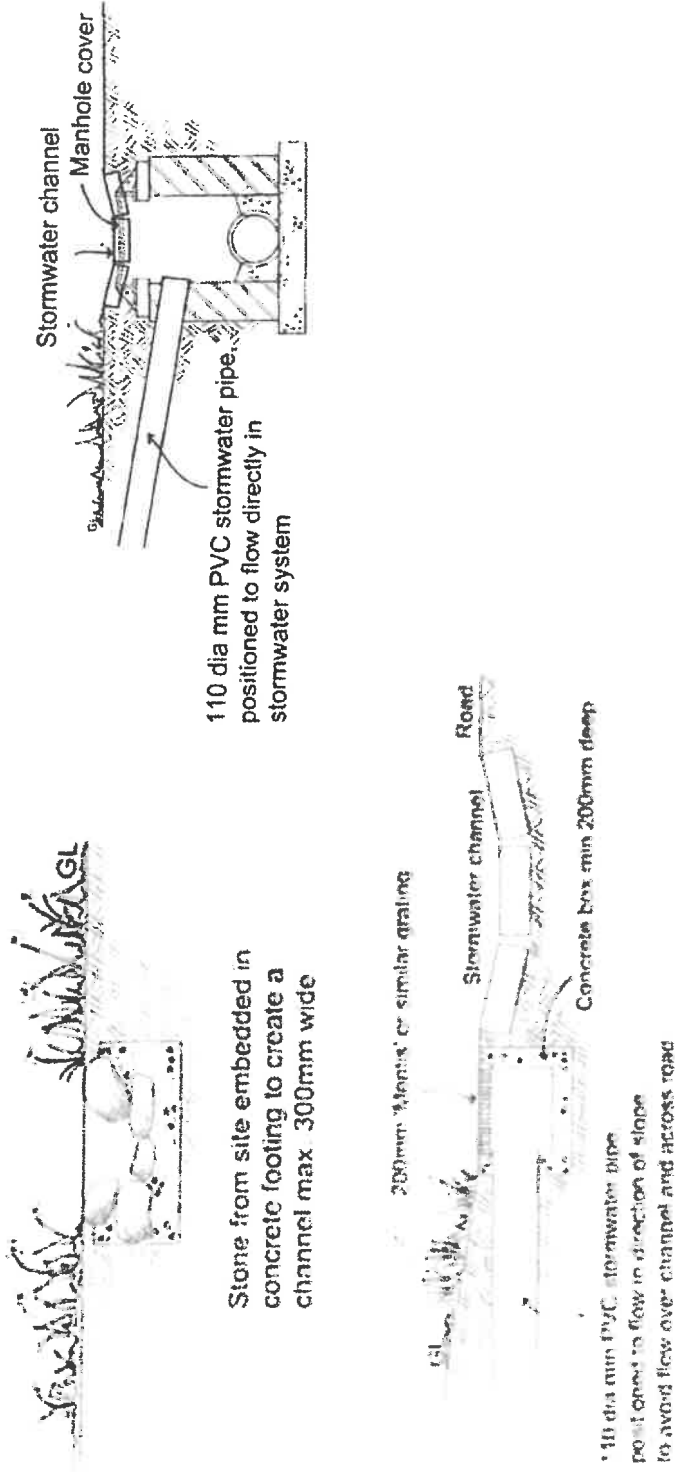


**Figure 26: Methods of drainage:**

#### 4.10 SOIL

To promote the sustainability of the soft landscaping, the concept of Effective Microbes (EM) will be explored.

EM is based on the phenomena that organisms can co-exist in mixed cultures and that they are physiologically compatible with one another. When these cultures are introduced back into the natural environment, their individual beneficial effects are significantly magnified in a synergistic manner. EM is prepared from cultures of naturally occurring species of micro-organisms.

EM can be applied as inoculants to increase the microbial diversity of soils which, in turn, can improve soil health and the growth, yield and quality of plants. It can suppress soil-borne pathogens, accelerate the decomposition of organic wastes and crop residues, and increase the availability of mineral nutrients and useful organic compounds to

plants. Moreover, it will enhance the activities of beneficial indigenous micro-organisms, such as Mycorrhizae that fix atmospheric nitrogen, thereby replacing chemical fertilizer and pesticides. In addition, it is envisaged that the implementation of EM will ensure a significant saving of irrigation water.

The soil at this site is clay based and requires organic material for the re-introduction of nutrients as well as drainage.

There is no topsoil on site available therefore a 500mm layer of topsoil and compost must be brought in for any planting to survive.

#### 4.11 REHABILITATION

La Roche is committed to the restoration/rehabilitation of all aspects of the natural environment and its community-supporting natural processes, and the creation of an environment that enhances the physical, social and economic well-being of its residents and visitors.

The aim of the rehabilitation process will be to create an integrated 'green system' of functional ecological corridors as an essential intervention that can significantly contribute to enhancing the quality of life of the residents of the area. Throughout the development appropriately landscaped 'green areas' will be linked, or integrated, with ecological corridors. The existing natural areas will form part of the system of 'green areas' (refer to the Site Development Plan).

The environmental rehabilitation will focus on, *inter alia*, the clearing of alien vegetation and the implementation of management interventions that will promote biodiversity conservation. The rehabilitation of areas infested with alien plants is a priority.

Only indigenous and non-invasive exotic plant species will be used for the rehabilitation of disturbed areas.

#### 4.12 MAINTENANCE

##### A. Unwanted plant species

- i) Eradicating alien invader infestations is of great importance. Invader plants are defined as "a kind of plant which has been declared an invader plant and includes the seed of such plant and any vegetative part of such plant which reproduces itself sexually".
- ii) Weeds are defined as "any kind of plant which has been declared a weed and includes the seed of such plant and any vegetative part of such plant which reproduces itself asexually". If weeds or invader plants occur, the landscaping maintenance team will control those weeds or invader plants by means of any of the control methods that are appropriate for the species concerned and the ecosystem in which it occurs.
- iii) These control methods include the removal of seedlings and saplings (including entire root systems), foliar spray and chopping plants down and then treating with herbicides.

##### Low maintenance hard landscaping elements and plants

- i) Only use low maintenance plants (no pruning required)
- ii) Use local suppliers and labour.

- iii) All garden waste will be used to make compost that can be used in the landscaped areas.
- iv) On a small-scale kitchen waste and worms can be used to make compost to supplement the nutrients in the garden soil on a long-term basis.

#### **Area to be maintained**

- i) Each property owner will be responsible for the upkeep of their respective gardens as well as the sidewalk area adjacent to their erf. Refer to Figure 24.
- ii) The landscaping and irrigation in the open space areas are communal property and may not be altered without approval from the HOA. The HOA can be contracted if any existing trees require pruning on the common property.
- iii) All gardens are required to be always kept in a tidy state.
- iv) All erven on which no structures have not been built must be mowed on a regular basis.
- v) Unbuilt erven that are not mowed on a regular basis will be maintained by the HOA and the cost thereof charged to the respective owner.
- vi) Owners are welcome to extend the landscaping of their gardens across their boundary into the landscaped garden spaces of the HOA property, however specific arrangements are to be made and formalized with the HOA in this regard. The implementation and maintenance of such landscaping areas must be undertaken and in consultation with the HOA and the latter has to be given in writing by the HOA application to the HOA.

#### **Fire Control**

- i) Suitable measures will be instituted by the Homeowner's Association to facilitate efficient domestic fire protection. These measures will include the following:
- ii) An 'external' fire combat system comprising high-pressure fire hydrants with appropriate equipment to combat wildfires and external infrastructure fires will be installed by the developer. Where required, the system will be linked to the water system. An appropriate booster pump will be installed in the system if the natural water pressure is not adequate to ensure efficient functioning of the fire hydrants.
- iii) "Internal" fire combat system comprising equipment such as a high-pressure fire hydrant at the entrance gate and dry powder extinguishers (e.g. Metasol 1147S) in each residential unit.
- iv) The La Roche Trust, and, in time, the Homeowners' Association, will establish appropriate arrangements with the Stellenbosch Municipality and adjacent landowners to assist during possible emergencies. These arrangements will be following the National Veld and Forest Fire Act 101 of 1998.

## SECTION 3: PRINCIPLES OF SUSTAINABLE DEVELOPMENT

### 5. SUSTAINABILITY

Sustainable development has long term sustainability as the goal. The philosophy supported in La Roche is that "every bit counts" and that unless the sustainable development process is managed and measured, success rates will be low, or worse, the principles would fail.

In the Basic Impact Assessment (Ito NEMA, Act 107 of 1998) and the application for Rezoning, Subdivision and Amendment of Development Conditions (Ito LUPO, Ord 15 of 1985) commitments have been made to promote the contribution of La Roche to addressing climate change during both the construction phase and the operational phase. As stipulated below, the primary responsibility for the continued implementation and management of these commitments will rest with the private home owners and the HOA during the operational phase.

Various rating tools are available in South Africa which could be used to assess the degree to which the project and individual homes promote the principles of environmentally friendly design, construction and operation. Refer to Annexure C for introductory information on the Green Building Council's Green Star Rating Tools and EDGE for homes rating tools.

#### MANAGEMENT

To achieve the set sustainable development objectives two distinctive programs have been identified namely an Environmental Program and a Property Development Program. The EMP covers each of these programs and compliance is to be measured and monitored in terms of ISO 14001 by the developer during the construction phase and by the HOA in the long term. Differentiation is made between the responsibilities of the developer/HOA and the private property owners as is illustrated and explained below.

### 5.2 DEVELOPMENT ENTITY AND PROPERTY OWNERS' RESPONSIBILITIES

The following measures have been identified which will be implemented to reduce energy consumption, promote the efficient use of energy and promote appropriate alternative renewable energy sources.

#### 5.2.1 PASSIVE SOLAR DESIGN

The correct design of urban space and related buildings through the application of Passive Solar Design principles will contribute significantly to reducing energy use (specifically energy required for heating and cooling a building). Passive solar design is based on the following 6 principles i.e:

- i) Building orientation
- ii) Thermal massing
- iii) Shading
- iv) Ventilation
- v) Insulation
- vi) Landscape design

Buildings have been designed to collect, store and radiate heat inside the building to maintain higher night-time temperatures in winter while in summer excessive internal heating of the building is avoided.

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### 5.2.2 PROMOTING ENERGY EFFICIENCY

The use of energy efficient electrical and associated appliances in all buildings will be promoted. A range of possible measures include the following:

Installation of a Building Management System which controls all energy related appliances, lighting, heating and cooling which could contribute to promoting energy savings.

- i) Installation of low energy lighting in and around buildings and public spaces.
- ii) Installation of evaporative coolers (a device which cools air through the evaporation of water). Evaporative coolers have significantly lower installation and operational costs than a conventional air-conditioning system.
- iii) Use of sky-lights to reduce demand for artificial interior lighting.
- iv) Refer to the Energy Management Methods for La Roche by Gibb Engineering & Architecture (7 April 2017, revision 1)

### 5.2.3 WATER HEATING

It is generally accepted that heat pump provides the most efficient technology for water heating in the Western Cape. The installation of an Air-sourced heat pump or solar water heating system, or a hybrid (combination of both technologies) will be mandatory on all buildings.

Due to aesthetic considerations only 'split-system' SHW systems with a geyser located inside the building envelope will be allowed. SHW panels should be placed flush on the outside of roofs.

### 5.2.4 GRID TIED RENEWABLE ENERGY GENERATION

The installation of a Grid-Tied Renewable energy system will be encouraged for all houses.

Grid-Tie renewable energy refers to the direct grid or utility Feed-In of instantaneous generated power through different sources such as wind (Wind Turbines) or sun (Photovoltaic Panels), which enables direct savings on electricity usage for the commercial sector which has the potential to contribute significantly towards the reduction of conventional energy sources. The technology allows for the renewable energy generated to be used locally, thereby reducing the demand on external energy sources.

### 5.2.5 WATER USE EFFICIENCY

It is recognised that it has become critically important that the efficient and appropriate use of scarce potable and non-potable water resources should be promoted and that alternative methods of water capturing and management be investigated. Water use will be addressed by managing water for private use (buildings and activities on private erven) and common use (private open space and associated amenities) by the HOA.

The sustainable use of water requires that:

- i) Potable and non-potable water use, in general is reduced.
- ii) Water is used responsibly for a specific application.
- iii) Water is used efficiently at all times.
- iv) Alternative water sources are used to their full potential.

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### 5.2.6 MANDATORY WATER MANAGEMENT MEASURES

In order to promote responsible private domestic and common water use it is recognised that the use of potable municipal water for exterior purposes should be supplemented.

The following measures will be taken and implemented:

- i) Plants in the landscape will be selected for their drought-resistant qualities and are to be separated into hydro-zones; where plants use the same amount of water.
- ii) The use of organic mulch is encouraged to minimize water loss due to evaporation.
- iii) The irrigation system will be designed to be energy-efficient and water-efficient.
- iv) Drip irrigation will be used in small, localized areas such as trees in paving or narrow planting flowerbeds. In larger areas, where sprayers will be necessary to ensure the area is water adequately, wind velocity will need to be considered to reduce excessive water use or loss.
- v) Weather stations will be installed to monitor seasonal fluctuations in rain fall so that the irrigation program can be adjusted accordingly.
- vi) The use of wireless rain sensors to regulate the irrigation system daily would be mandatory. Watering times will be regulated so that the irrigation system does not run during the hottest time of the day.
- vii) Water Use Guidelines and Restrictions shall be determined and managed by the HOA.
- viii) The guidance regarding drought tolerant water-wise plants shall be adhered to.
- ix) The installation of water efficient fittings (e.g. dual-flush toilets, low flow showers, aerated taps) will be specified throughout all buildings.
- x) The use of water efficient appliances will be promoted.
- xi) Buildings can be fitted with a suitable rainwater harvesting system, which would take the form of external water tanks (always screened from public view), installed to catch rainwater from buildings' roofs.
- xii) Tank placement, design and screening should be indicated on building plans for approval in terms of these guidelines. The sloping site provides opportunity to place water tanks underneath buildings or stoeps where visual impact can be reduced.

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