

Application Number: TP1513/2025
Our File Reference Number: Erf 252 & 298 Raitlby
Your Reference Number:
Enquiries: Ulrich von Malendorff
Contact No: 021 – 808 8682
Email address: Ulrich.Vonmaldendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir/Madam

APPLICATION FOR PERMISSION IN TERMS OF CONDITION OF APPROVAL ON ERF 252 & 298 RAITLBY

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 on Erf 252 & 298 (Registered Erf 470) Raitlby for:
 - 2.1.1 **Permission required in terms of a condition of approval** in terms of section 15(2)(l) of said bylaw for the approval of the Site Development Plan (SDP), Landscape Plan and Design Guidelines as per conditions 2.3.4 & 2.3.6 of the approval decision dated 28/02/2025.

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 proposed application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
 - 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 development be implemented substantially in accordance with the endorsed Site Development Plan referenced as project no: ABMB, dated 11/04/24, drawn by: CS (Boogertman Partners) and attached as **Annexure A**.

3.4 The development and all building structures be designed and undertaken to the satisfaction of the Municipality in accordance with the endorsed Newlands Estate Design Guidelines and attached as **Annexure B**.

3.5 The development be implemented substantially in accordance with the endorsed landscape plan referenced as drawing no: ATL/LSE/001, dated AUGUST 2025, drawn by: Alistair Turrell Landscape architect and attached as **Annexure C**.

3.6 The landscaping plan, endorsed as part of the site development plan, be implemented at the cost of the developer and to the satisfaction of the relevant municipal department prior to 50% of the even be transferred or 50% of building plans be approved, whichever occurs first. A letter of undertaking by the transfer attorney be submitted in this regard prior to the issuing of a Section 28 Transfer Certificate.

3.7 All other conditions of approval and land use parameters be complied with as initially approved.

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

3.1 The site development plan, landscape plan and design guidelines are in line with the conditions of approval and conforms with the parameters of the zoning scheme.

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

6. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.

7. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**

8. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the

appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

9. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021- 808 8684.

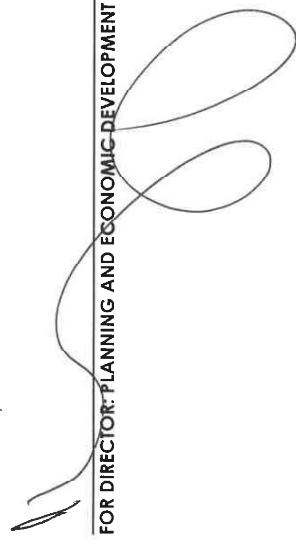
10. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
- (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
- (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

12. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

21/3/2026.
DATE

ANNEXURE A: SITE DEVELOPMENT PLAN (SDP)

**ANNEXURE B: NEWLANDS ESTATE DESIGN
GUIDELINES**

NEWLANDS ESTATE DESIGN GUIDELINES

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Artist's impressions to illustrate application of rules as described in guidelines:



NEWLANDS ESTATE DESIGN GUIDELINES

1. INTRODUCTION

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

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- 1.2 The guidelines have been carefully developed to establish a timeless and collective architectural identity throughout the Estate without inhibiting the individual owner's creativity and style. Key to success will be a level of collective identity which the guidelines prescribe, which reference the historical fabric and forms of the area, but allow scope for individual expression in their assembly and arrangement. The elements that form the essence of the identity and the control of these elements are explained in this document.
- 1.3 The control elements are, amongst other things: the covering, pitch and colour of the roofs; exterior paint colours; the street and environmental interfaces; the appearances of the plinths, the appearances of the windows and relationship between buildings. By controlling these elements, the full potential of the Estate will be realised as the individual houses are added, and will in turn, grow the Investment that homeowners have made in their property. The erf owner is free to choose his/her own architect subject to the condition that these written and visual guidelines form the basis of the house design and that the rules contained within the document are fully met.
2. **PLAN APPROVAL PROCEDURES & FEES**
 - 2.1 All building plans must be submitted to the Controlling Architects electronically and must include the required contour plan, landscape plan, submission form, design informants sketch and plans sections and elevations in a PDF format. Proof of payment of the submission fee must accompany the submission.
 - 2.2 Building plan reviews will be scheduled regularly and the Controlling Architects will circulate the drawings and their recommendations to Excom for ratification according to these guidelines and rules. Once ratified by Excom, the Controlling Architects will advise the applicant of the outcome within 5 working days.
 - 2.3 Hard copies of the submissions are to be delivered to the Controlling Architects, complete with all required architectural and landscape drawings, completed checklists and proof of payment of the applicable submission fees, by 12:00, at least three working days before the date of the scheduled meeting.
 - 2.4 Once approved by Excom and the Controlling Architects the plans will be endorsed for the Owner or the Owner's agents' further submission to the Local Authority.
 - 2.5 On approval of the building plans by the Local Authority, the Owner must payment a builder's performance deposit of R50 000, before any building activities commence, which amount will be deposited and held (free of interest) by the Owners' Association. The deposit amount will be used in event that there is a breach or non-performance to remove rubble or make good any damage caused by the contractor or his sub-contractors or suppliers, including kerbing, landscaping, community services, roads, irrigation etc. and to settle any outstanding spot fines.
 - 2.6 Following signature of the builder's contract between the individual owner and his building contractor, and payment of the deposit by the Owner or his contractor, written permission will be issued to the Owner or his contractor by the Owners' Association to enable the contractor to access the site.
 - 2.7 All building contractors of homes in the Estate shall be required to:
 - 2.7.1 Be registered with the National Home Builders Registration Council ("the NHBRC") and the Building Industry Bargaining Council ("the BIBC");
 - 2.7.2 Be in good standing with the NHBRC and BIBC;
 - 2.7.3 Ensure that the home being constructed is enrolled with the NHBRC and BIBC;

- 2.7.4 Ensure that all its employees are registered with the BIBC, and
- 2.7.5 Provide proof to the satisfaction of the Owners' Association that such contractor has complied with the requirements in clause 2.7.
- 2.8 All Local Authority application, connection, deposits and sundry fees are for the Owner's account.
- 2.9 The Controlling Architects may carry out site inspections during the following stages of construction and the contractor is required in any event to provide photographic record to the Controlling Architects at each stage before work progresses further:
- 2.9.1 Surface bed level;
- 2.9.2 Completion of roof structure, and
- 2.9.3 Practical completion.
- 2.10 The Controlling Architects may at any stage during construction request any reasonable alterations and/or additions to ensure that the general design guidelines as intended for the Development are implemented.
- 2.11 Refer to clause 6.2 for additional procedures to follow regarding landscaping.
- 2.12 The following controlling architects and controlling landscape architects have been appointed and shall hold office until the amendment of these guidelines:

Controlling Architects: **Controlling Landscape Architects:**

BOOGERTMAN + PARTNERS ARCHITECTS ATLA

Contact Person: Stephen Whitehead

Mobile: 082 940 1975

Email: stephen@boogertmandt.co.za

Contact Person: Alistair Turrell

Mobile: 082 940 1975

Email : alistair@atlarch.co.za

3. GENERAL PRINCIPLES

- 3.1 This "design control document" is defined by a body of text (the written guidelines). It contains rules (which are enforceable) and guidelines (which are suggestions and not enforceable), as further explained and amplified, where applicable. Where there is any difference in interpretation of the rules, the opinion of the Controlling Architect shall be final.(rule)
- 3.2 The constitution requires that homeowners must comply with the architectural, landscaping and environmental controls when houses are designed and built, and thereafter.
- 3.3 The approval does not exempt the applicant from any other legislation, by laws or regulations that may be applicable by any statutory body with control over the estate. (rule)
- 3.4 Any submissions which deviate from these guidelines shall be accompanied by a fully motivated waiver application. Where the Controlling Architect and the duly appointed DRC feel that the waiver will promote good architecture and the interest of the overall built environment, they may approve such waiver. No waiver granted in this process will create a precedent for approval of future waiver applications. (rule)

3.5 In order to optimize the manner in which the buildings on the estate use their individual locations it is a requirement that the architect employed by the homeowner visit the site, familiarize themselves with the site constraints and opportunities vis a vis (among others but not limited to) access, existing infrastructure, topography, prevailing weather conditions, summer and winter sun angles, distant views and adjacent views and view corridors. It is also a requirement that a sketch illustrates the analysis of the site and the predominant building responses to the specific site conditions accompany the final building plan submission to illustrate this process. This sketch may be rough but should provide sufficient information to clearly illustrate how the building submission responds to the specific site and may be accompanied by photographs, charts or any other relevant information which informed the design.(rule)

3.6 The homeowner is to obtain a survey from a registered land surveyor which shall include any natural features, contours at reasonable intervals, services points, street furniture, trees or services on the sidewalk and extend to any adjoining water bodies or significant natural features material to the design of the home.(rule)

3.7 It is a requirement that the property owner engages the services of a registered professional architect (SACAP-PrArch) to carry out the design of any work on the property and that any submission will appear on this registered PrArch's title block and include both the registered person's registration number and signature.

3.8 These design guidelines apply specifically to single residential erven. Any town housing erven, future development areas, apartment sites or other uses may have their own design guidelines (although the landscaping component applies). Note that the Architectural guidelines as set out in this document do not apply to the common areas.

3.9 Given the rural nature of the environment homeowners are encouraged to, as far as possible, limit or omit external lighting and "light spill" from patios and homes onto adjoining areas.

4. PLANNING CONTROLS

4.1 DENSITY, HEIGHT AND COVERAGE OF BUILDINGS

4.1.1 Density:

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

4.1.2 Height:

4.1.1.2 The buildings (excluding chimneys) are limited to a maximum height of 8.5 m measured vertically from natural ground level to the apex or top of any roof. This is to be determined using the contour plan provided with the submission.(rule)

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

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

4.1.3 Coverage:

- 4.1.3.1 All hard-roofed patios, verandas, and similar areas are to be included in all coverage calculations.(rule)
- 4.1.3.2 The coverage may not exceed 50% of the erf size.(rule)
- 4.1.3.3 First floor area may not exceed 65% of the ground floor area.(rule)
- 4.1.3.4 It is required that the architects make use of different heights and elements on the street facade to articulate the street facade (rule).

4.2 BUILDING LINES**4.2.1 Street Boundary**

- 4.2.1.1 4m from the erf boundary for dwelling or any covered area.(rule)
- 4.2.1.2 2m from erf boundary for pergolas and non-enclosed elements.(rule)

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

4.2.2 Garages and Covered Parking

- 4.2.2.1 Garages are to be set back a minimum of 5m from the street boundary.(rule)

4.2.3 Side Space

- 4.2.3.1 Single storey 2m (minimum).(rule)
- 4.2.3.2 Double storey 3.5m (minimum) in estate generally.(rule)

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

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

4.2.4 DRIVEWAYS

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



4.2.6 Appearance

Driveway materials are to be clay brick pavers (colour – red) exposed aggregate surface beds with a brown aggregate or a combination of these two materials in patterns.(rule)

4.2.7 Sleeves

Each homeowner shall provide two 100mm PVC sleeves in the sidewalk, 500mm below their driveway complete with draw wires. The sleeves are to be situated alongside one another at 2m from the kerb edge and are to extend a minimum of 600mm beyond the edge of the driveway surface. Where the sleeves need to be situated in a different position for any reason the Owners' Association are to be advised and the alternate position agreed in writing to the Owners' Association.(rule)

4.3 BOUNDARY WALLS

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

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

4.3.1.2 No wall exceeding 900mm in height or combination of wall and fence exceeding 1500mm in height will be permitted ahead of a line extending from the plane of the front façade of the house to the side boundaries except where the DRC considers these to be integral to the design of the house.(rule)

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

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

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

4.3.2 Side and Rear Boundaries

4.3.2.1 Wall types permitted under 4.4.1 will be permitted to the side and rear boundaries.(rule). Solid walls between the erven shall not exceed 2100mm in height and any portion of a boundary wall extending beyond the front façade of the house to the roadway is to comply with the requirements of Clause 4.4.1.1. Walls enclosing the drying yard must be 2100mm high solid walls.(rule)

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

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

4.3.3 Screen Walls

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

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

4.4 RETAINING WALLS/STRUCTURES

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

4.4.2 No retaining higher than 300mm above natural ground level will be permitted against any boundary wall.(rule)

5. ARCHITECTURAL ELEMENTS AND MATERIALS**5.1 ROOFS**

5.1.1 Only the following finishes will be permitted:

5.1.1.1 Pre-coloured galvanised ultra matt secret fixed sheet. Colour: Charcoal Grey.(rule)

5.1.1.2 Natural Slate - Silver Blue.

5.1.2 All rainwater goods which are exposed to be painted to match walls.(rule)

5.1.3 Permitted roof pitches:

5.1.3.1 Primary roofs - 30° or 45°.(rule)

5.1.3.2 Flat roofs may be either sheet (max 5 degrees) to match primary roof or concrete slabs. Flat roofs to be fully enclosed by a wall or a parapet wall.(rule)

5.1.4 Roof articulation to be simple forms with both parapet and hipped ends being permitted per:

5.1.4.1 Gabled ends with projecting parapets, note parapets to extend sufficiently to cover end gutter ends.(rule).

5.1.4.2 Hipped ends with a triangular roof vent of not less than 400mm in height at the junction of the ridge and end angles or equal detail to approval (rule)

5.1.5 Vent pipes may not be visible from roadways.(rule)

5.1.6 Eaves overhang to not be more than 200mm, measured from wall to fascia for pitched roofs.(rule)

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

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

5.2 WALLS

5.2.1 The following wall finishes are permitted:

5.2.1.1 Smooth plaster and paint (colour to be Armiston white or alternative approved off-white colour).(rule)

5.2.1.2 Painted fair face brickwork will be permitted where used with plastered detail at the discretion of the DRC.(rule)

5.2.1.3 Face brick (De Hoop red) plinths will be permitted to max 500mm above finished ground level.(rule)

5.2.1.4 Integral coloured rendered wall coatings such as Marmoran, Gama Zenith and Earthcote within the approved palette are permitted.(guideline)

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

5.3 WINDOWS, SHUTTERS AND DOORS

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

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

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

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

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

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

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

- 5.3.8 Shutter colours are to match wall or be specifically submitted to the DRC for approval.(rule)
- 5.3.9 Glazing shall be clear. No heavily coloured or mirrored glass will be permitted.(rule)
- 5.3.10 Frameless glazing will be permitted only where screened or recessed as for Clause 5.3.4.(rule)
- 5.4 AWNINGS**
- 5.4.1 Awnings will be considered but must be concealed from the road. Fixed or fitted fabric awnings may only be fitted within the building envelope or behind concrete or masonry fascia beams below pergolas. They may not project beyond this extent. These awnings may only be of a single neutral colour and the awning material must be of a uniform mat finish with the appearance of canvas. (rule)
- 5.4.2 No windows, cut outs, ventilation slots, tassels, scalloped edges or similar functional or decorative modifications will be allowed to the awning. Any awning must be submitted for approval.(rule)
- 5.5 HANDRAILS AND BALUSTRADES**
- 5.5.1 The following materials will be permitted:
- 5.5.1.1 Aluminium, steel or timber trellis work in decorative horizontal and vertical arrangement where the proportions match those of a typical timber construction.(rule)
- 5.5.1.2 Masonry with plastered copings to ground floor only.(rule)
- 5.5.2 Full design drawings of adequate scale required with submission (min 1:50) (rule)
- 5.6 COLUMNS AND PILLARS**
- 5.6.1 Masonry columns are to be square and a minimum of 330mm thick. Timber posts and supports will not be permitted.(rule)
- 5.6.2 The following materials are allowed:
- 5.6.2.1 Plaster and paint (colour as per approved palette – see Clause 5.2).(rule)
- 5.6.2.2 Fair facing in conjunction with smooth plaster.(rule)
- 5.6.2.3 Face brick in conjunction with plaster and paint with plastered painted coping (rule)
- 5.7 PLASTER MOULDINGS**
- 5.7.1 The colour palette and the style of the estate encourage the use of plaster moulding to create relief on the facades. The use of corbelling and banding below eaves and along the line of window head and sill height is required. Simple mouldings around windows/doors, lintels or a level of detail in the windowsills is specifically required.(rule)
- 5.7.2 The use of figurative mouldings or curvilinear moulding elements is expressly excluded.(rule)

5.8 PERGOLAS

- 5.8.1 A pergola element is mandatory in front of the garage or an equal length of pergola provided elsewhere on the street facing façade.(rule)
- 5.8.2 The following materials are allowed: Natural timber (dark stained – mahogany or painted to match wall colour).(rule)
- 5.8.3 Aluminium with ends closed and finished to match (to match wall colour).(rule)All pergola members to have detailed cuts or shaped ends where not fixed to a wall.(rule)

5.9 CHIMNEYS AND FIREPLACES

- 5.9.1 Chimneys should be bold of a thick, square or rectangular type (minimum of 1.0m in width in one direction. Plaster or cement copings, and banding details are required).(rule)
- 5.9.2 Chimneys to protrude at a minimum of 1m and a maximum of 2.5m above the roof apex.(rule)
- 5.9.3 Steel chimney flues will be permitted where they exit through the roof, are coloured to match the roof and are not higher than the adjoining ridge. No flu may exit through walls.(rule)

5.10 EXTERNAL LIGHTING

- 5.10.1 All external lights, visible from the roadway, and not below a roof overhang, shall be brick lights at 300mm AFFL. Full specification and illustration to be included on submission and fully illustrated on elevations. Floodlights and similar decorative external or garden lighting is not permitted.(rule)
- 5.10.2 The outside light criteria should be "to see the pool of the light but not the source of the light", i.e. lights below roof overhangs should not be bright and shining towards the streets, neighbours or upwards.(guideline)
- 5.10.3 The omission of unnecessary external light fittings, use of proximity switching, use of lower output lamps, shielding of light sources from neighbours and all efforts to reduce light spill and light pollution are strongly encouraged. These measures are both as an energy saving strategy and, in an effort, to maintain the essentially rural character of the estate.(guideline)

5.11 SUNDRY ITEMS

- 5.11.1 No air-conditioner or component of an air conditioning system may be visible from the roadways and public areas and all proposed installations or alternative positions for future fixing are to be clearly marked and approved on the submission drawings.(rule)
- 5.11.2 Gas installations shall be planned from the outset and, in addition to any statutory or by-law requirements, these shall be screened or located such that they are not visible from any roadway or public area. All proposed installations are to be clearly marked and approved on the submission drawings.(rule)
- 5.11.3 Water tanks will be permitted to be installed in the following manner, (full detail including water collection to be included on drawings for approval):
- 5.11.3.1 Below ground where fully covered.(rule)



5.11.3.2 Where fully contained within the approved building envelope. (rule)

6. LANDSCAPE DESIGN GUIDELINES

6.1 INTRODUCTION

6.1.1 Newlands Estate on the rolling foreground of the Heideberg mountain range embraces its rural surrounds, where the rhythm of nature and agricultural heritage shape the landscape. Surrounded by working vineyards, olive groves, and small-scale farms, the Estate enjoys panoramic views of the Cape Winelands and distant mountain ranges. This setting offers a unique opportunity to blend refined residential living with the textures, tones, and hints of the rural environment neighbouring the Estate.

6.1.2 The landscape vision is as follows:

- Celebrate the vernacular charm of the region through indigenous planting and natural materials.
- Reinforce the landscape patterns and create continuity between private gardens and the surrounding areas.
- Protect scenic view corridors while fostering biodiversity and waterwise practices.
- Create a cohesive identity that respects both the cultivated and wild character of the Cape Floristic Region.
- To create an environment in which the common area landscape and private gardens are seamlessly integrated for the benefit of all residents. To achieve this, residents are required to design and develop landscaping which is in accordance with these guidelines.

6.2 LANDSCAPE PLAN SUBMISSION PROCESS

6.2.1 All Landscape plans are to be submitted alongside the Architectural plan submission as described above. Such Landscape plans must be compiled by a suitably qualified person and must contain the following minimum information:

- 6.2.1.1 Erf number and homeowner's name
- 6.2.1.2 North point
- 6.2.1.3 Date
- 6.2.1.4 Name and contact details of the Landscape designer
- 6.2.1.5 Total areas for hard and soft landscaping, front and back garden
- 6.2.1.6 Scale (1:100 is ideal)
- 6.2.1.7 Full plant list with proposed bag sizes, planting densities and quantities per species
- 6.2.1.8 Areas of lawn and lawn type
- 6.2.1.9 Annotations on plan for all elements
- 6.2.1.10 Adjacent roads, erf numbers and or Open spaces to be indicated
- 6.2.1.11 The landscape plan should graphically convey the design intent using clear and legible graphics.

6.2.1.12 Where retaining structures are proposed, a section through these elements is to be provided including materials.

6.2.2 Payment of the Landscape plan scrutiny fee must be made at the time of submission, as determined by the Estate from time to time. No Landscape plans will be considered without a proof of payment for such scrutiny fee.

6.2.3 Note that a Rider Landscape plan/Amended Landscape plan is required for submission where material changes are being proposed to gardens which have already been completed. Extensions to the house, or other alterations which significantly impact the garden spaces would necessitate a Rider Landscape plan/Amended Landscape plan.

6.3 DESIGN PARAMETERS

6.3.1 Extent of Landscaping works

6.3.1.1 The homeowner is responsible for planting of the road verge and the entire remaining space within the Erf not covered by the house, paving or other elements i.e. swimming pools. The developer will plant the street trees.

6.3.1.2 All Landscaped areas are to be irrigated by means of a fully automated system, as part of the homeowner's obligations. It must be noted that certain underground civil services run within the road verge – the installation of the Landscaping must take this into account. The Estate may require access to such services from time to time and will not be held responsible for damage caused to any landscaping as a result. The use of gravel, stone chip or river boulders as a groundcover or mulch within the road reserve or front garden is limited to 15% of the plantable area.

6.3.2 Hard Landscaping and coverage

6.3.2.1 All proposed hard landscape elements must be indicated on the Landscape plan; a direct reference to Architectural plans is not acceptable. A list of permissible hard landscaping materials is covered under clause 4.3 above.

6.3.2.2 The maximum permissible coverage of hard landscaping is as follows:

6.3.2.2.1 Front gardens, measured to the front plane of the house: 60% hard landscaping

6.3.2.2.2 Back gardens, measured from the front plant of the house to the rear boundary: 30% hard landscaping

6.3.3 Soft Landscaping requirements

6.3.3.1 The Estate plant list is to be consulted and adhered to when selecting plant material. No alien invasive plant species as determined by national legislation may be planted. Landscaping may not encroach on Open Spaces.

6.3.3.2 No Estate tree may be lopped, trimmed, felled or removed unless with the express permission of the Estate.

6.3.3.3 Gardens are to be kept in a neat and presentable manner at all times, non-compliance may result in a penalty from the Estate.

6.3.4 Soil preparation and improvement

- 6.3.4.1 In order to adequately prepare the soil to sustain plant material, the Landscaper must ensure the following minimum preparation is done.
- 6.3.4.1.1 Remove any and all builders' rubble, cement and other waste from the soil.
- 6.3.4.1.2 Incorporate a 50mm thick layer of well rotted compost to a depth of 350mm into the soil.
- 6.3.4.1.3 Incorporate fertilisers at a rate of 100g/m², or as per product specifications
- 6.3.4.1.4 Ensure soil levels are even and free-draining
- 6.3.4.1.5 Note that soil levels against boundary walls may not exceed 300mm above NGL.
- 6.3.4.1.6 On completion of planting, install a 25mm thick layer of coarse compost as a mulch layer to all bed areas.
- 6.3.4.2 Planting densities are as follows:
- 6.3.4.2.1 Groundcovers: 5/m². Shrubs 3/m² using a mixture of 6-Pack plantlets (maximum 40% of total planting) and 4L plants (minimum 60% of total planting). Refer to plant list for recommended planting densities per species.
- 6.3.4.2.2 A minimum of 3 trees to be planted within the erf boundaries. Minimum tree size: 50L bag size, with a total tree height of 1.8m minimum, stem girth of 45mm.
- 6.3.4.2.3 Lawn is to be planted as roll-on sods, with permissible lawn coverage as follows:
- 6.3.4.2.4 Front gardens: maximum 30% of soft landscaped areas.
- 6.3.4.2.5 Back gardens: maximum 60% of soft landscaped areas.
- 6.3.4.3 Synthetic turf is considered permeable hard standing and may only be used in non-street facing portions of the garden.
- 6.3.4.4 An irrigation plan is to accompany the Landscape plan, this can be indicative but must illustrate full coverage and a specification of the irrigation system.
- 6.3.4.5 The use of screening devices comprised of artificial plant material i.e. 'Instant hedges' or 'Easy Ivy' is not permitted.
- 6.3.4.6 Landscaping is to be installed by a suitably qualified contractor and is to be completed and inspected prior to occupancy of the home. On completion of the Landscaping, it shall be inspected and approved by the Controlling Landscape Architect prior to occupation.
- 6.3.4.7 All pool pump and filter apparatus shall be entirely enclosed by a screen where visible from any street or open space.



6.3.4.8 No sculptures/fountains/pots/bird feeders or any other ornamentation will be permitted in front gardens or where these elements may be visible from any street or Open Space.

6.3.4.9 Boundary conditions i.e.fences and or walls to be indicated on Landscape plans, refer to Architectural guidelines.

Estate Plant List

Trees:

Cellis africana	White Stinkwood
Combretum erythrophyllum	River Bushwillow
Curtisia dentata	Assegaai
Cussonia spicata	Kiepersol
Kiggelaria africana	Wild Peach
Olea europaea sbsp.africana	Wild Olive
Podocarpus latifolius	Real Yellowwood
Quercus nigra	Water Oak
Quercus palustris	Pin Oak
Searsia lancea	Karee
Sersia pendulina	White Karee
Syzgium cordatum	Water Berry
Syzgium guineense	Water Pear
Tarchonanthus littoralis	Wild Camphor
Vachellia karroo	Sweet Thorn

Shrubs & Groundcovers:

Aloe arborescens (3/m²)	Candelabra Aloe
Aloe ferox (specimen plants)	Cape Aloe
Aloe striata (4/m²)	Coral Aloe
Agapanthus praecox blue (5/m²)	African Lily
Aptenia cordifolia (5/m²)	Brakvygie
Agapanthus praecox white (5/m²)	African Lily
Aristida junceiformis (3/m²)	nGongoni grass
Asparagus densiflorus 'Mazeppa'	Basket Asparagus
Athanasia dentata (3/m²)	Geelblombos
Carpobrotus edulis (5/m²)	Wild Fig
Carissa 'Green Carpet' (4/m²)	Dwarf Natal Plum
Coleonema album (3/m²)	Confetti Bush
Cotyledon orbiculata (4/m²)	Pigs Ear
Crassula multicaeva (5/m²)	Fairy crassula
Curio crassifolius (4/m²)	Blue fingers
Diets bicolor (5/m²)	Peacock Flower
Dimorphoteca fruticosum (5/m²)	Trailing African Daisy
Diets grandiflora (5/m²)	Wild Iris
Dimorphoteca jucunda (5/m²)	Trailing Pink Daisy
Elegia tectorum (3/m²)	Dekriet
Chasmanthe aethiopica	Cobra Lily

Eragrostis curvula (5/m ²)	Love Grass
Euryops liliifolius (3/m ²)	Resin bush
Gazania rigens 'green' (6/m ²)	African Daisy
Halleria elliptica (3/m ²)	Rock tree Fuschia
Helichrysium cymosum (5/m ²)	Gold Carpet
Helichrysium patulum (5/m ²)	Honey Everlasting
Hypoestes arisata (3/m ²)	Ribbon Bush
Leonotis leonorus (3/m ²)	Wild Dagga
Metasia muricata (3/m ²)	Blombos
Pelargonium capitatum (4/m ²)	Rose-scented Pelargonium
Pelargonium peltatum (4/m ²)	Ivy-leaf Geranium
Plectranthus ciliatus (5/m ²)	Speckled Spur-flower
Plectranthus madagascariensis (4/m ²)	Madagascar Spur-flower
Polygala myrtifolia (2/m ²)	September Bush
Salvia africana-lutea (3/m ²)	Dune Sage
Polygala myrtifolia (2/m ²)	September Bush
Salvia chamelaeagnea (3/m ²)	Blue Sage
Tulbaghia violaceae (7/m ²)	Wild Garlic
Viburnum sinensis (2/m ²)	Sweet Viburnum
Watsonia pyramidata (2/m ²)	Watsonia
Zantedeschia aethiopica (4/m ²)	Arum Lily

Screening and Hedges:

Anastrebe interregina (2/Lm)	Pambati Tree
Brachyleana discolor (2/Lm)	False Silver Oak
Buddleja saligna (2/Lm)	False Olive
Carissa macrocarpa (2/Lm)	Num-num
Dodonaea angustifolia (2/Lm)	Sand Olive
Plumbago auriculata (3/Lm)	Cape Leadwort
Portulacaria affra (3/Lm)	Spekboom
Searsia crenata (3/Lm)	Dune crow-berry
Tarchonanthus littoralis (1.5/Lm)	False Camphor
Tecoma capensis 'Pastel shades only' (2/Lm)	Cape Honeysuckle

Climbers/creeping plants:

Clematis brachiata	Traveller's Joy
Rhoicissus digitata	Baboon Grape
Senecio tamoides	Canary Creeper
Tiunbergia alata	Black-eyed Susan
Trachelospermum jasminoides	Star Jasmine

Lawn:

Cynodon dactylon	Kweek
Dactyloctenium australe	LM Grass (Berea)
Stenotaphrum secundatum	Buffalo

7. GENERAL DESIGN GUIDELINES & RESTRICTIONS

7.1 All plans must be prepared by a SACAP registered professional, selected from a list of such professionals who have been pre-approved by the Newlands Estate Owners' Association to carry out work on the estate. The list of SACAP registered professionals approved by the Owners' Association shall be reviewed no less than bi-annually.

7.2 All plans are to bear the selected person's title block and carry his or her SACAP registration number and signature.

7.3 Plans shall be submitted to the Owners' Association for checking by the Controlling Architects and approval by the Owners' Association. Only after this approval has been obtained in writing may the plans be submitted to the local authority. It is the owner's responsibility to ensure that all plans are submitted and approved by both authorities prior to construction.

7.4 The fees levied by the Controlling and Controlling Landscape Architects for scrutiny of the building and landscape plans on behalf of the Owners' Association to ensure compliance with these guidelines and rules will be payable by the Owner. These fees will allow for interaction with the Controlling and Controlling Landscape Architects and constitutes the professional fee for time spent evaluating the submitted plans against the Newlands Estate set of design guidelines and rules and presenting this recommendation to the Owners' Association for ratification.

7.5 No staff accommodation should be nearer to the street than the main building and must be contained under the same roof or integrated into the overall design.

7.6 Staff accommodation and kitchen areas should open onto screened yards or patios.

7.7 Outbuildings and additions should match the original building design in style, elevation and material usage. All plans must indicate at least two covered parking bays and this must be built in conjunction with the original dwelling. No flat roofed carports will be permitted unless they match and blend with the design of the main dwelling.

7.8 No garden sheds, wendy houses, dog kennels and covered facilities for caravans, boats or trailers are to be visible from the road or green areas.

7.9 Solar heating or photovoltaic panels, if used, must be incorporated into the building and form part of the basic structure and should be clearly shown on the approval drawings. The panels should lie in the plane of the roof and all framing and fixing is to be coloured to match the roof.

7.10 TV aerials, satellite dishes and other exterior items must form part of, and be placed, wherever possible within, the basic structure and are to be clearly shown on the approval drawings.

7.11 No deviations from the approved drawings will be permitted unless the deviation is resubmitted and approved in writing prior to construction.

7.12 Mechanical equipment, gas bottles and plant such as air-conditioners (and grilles), ducts, pool pumps, etc. must be designed into the buildings and / or adequately enclosed or screened off from view and must be shown on the building plan.



- 7.13 Water tanks and any irrigation equipment and controls are to be designed into the house and are to be consciously integrated into the design through colour, screening, form or enclosure.

8. CONDUCT RULES FOR CONSTRUCTION ACTIVITIES

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

8.1. CONTRACTORS' LABOUR

8.1.1 Labourers must be employees of the contractor and only under limited circumstances will casual labour be allowed on the erf. This shall be at the sole discretion of the Owners' Association.

8.1.2 All labourers or sub-contractors on the erf must be registered with the contractor who will keep a full record of all staff on site together with copies of their ID documents and contact details.

8.2 DISCIPLINE

8.2.1 The contractor is responsible for the discipline of his labour, sub-contract labour and delivery personnel on the Development.

8.2.2 Labourers are not permitted to walk between the construction site and the entrance / exit gates. Labourers will remain on the erf where they are busy constructing and will not be allowed to move between construction sites on the Development.

8.2.3 The employer of any employee found walking across the green areas or between sites will be spot fined, and the employee liable to instant removal from site.

8.2.4 No vehicles will be allowed to cross any part of the green areas, or parkland, or to deviate from roads or recognised road routes. Any vehicle contravening this rule will attract a spot fine, be liable for instant removal from the site and will be liable for damages sustained.

8.2.5 Vehicles with mechanical legs on trailers must use protection for possible road surface damage.

8.2.6 Any dispute between the contractor and his employees must be settled outside the boundaries of the Development.

8.2.7 If any employee is found disturbing or endangering the animal life, or is found pilfering, stealing or removing material or goods off site without permission or is involved with any form of violence, the company who employs that person will be removed from the site and both employee and company will be denied the opportunity to undertake any further work on the site.

8.2.8 The contractor is responsible for all his sub-contractors as well as the deliveries, and any damages caused by his own employees, sub-contractors employed by him or delivery vehicles delivering materials to his site, and he is liable to pay for any damages that may occur on the Development. These damages also include damage to kerbs, roads, plants, irrigation and or damage to private property.



8.2.9 The Owners' Association will have the sole discretion as to the nature, extent and value of these damages, and the identification of respective vehicles and persons. A "Building Performance Deposit" of R50 000 will be lodged with the Owners' Association for this purpose before any construction may commence.

8.3 HOUSEKEEPING AND TIDINESS

8.3.1 The site is to be kept as clean as possible of building rubble and general cleaning and good housekeeping practice must be evident during building operations.

8.3.2 No building materials, concrete, dagha, cement or such may be temporally stored, or mixed or prepared on any of the roadways, kerbs and pavements.

8.3.3 Materials that are offloaded by a supplier or contractor may not encroach onto the adjacent site, the pavement or roadway. Where suppliers fail to adhere to this, the responsible contractor shall move the materials immediately. The contractor is also responsible for the removal of any sand or rubble that may have washed or moved into the road.

8.3.4 The contractor is to ensure that the roads and the vicinity of the house site is always kept neat and tidy, including materials or mud or spoil being driven or dropped onto the road or sidewalk.

8.3.5 The contractor shall provide adequate facilities for rubbish disposal and ensure that the workers use the facilities provided and that the rubbish is removed every Friday. No rubbish may be burnt or buried on site. No form of paper, cement bags, tile offcuts, ceiling boards, roof tiles, rubble, or the like is to be left lying around, nor be allowed to blow off the site.

8.3.6 Accumulation of hardcore for fill shall be neatly piled. With the Owners' Association's consent on-site disposal dump or spoil zones may be arranged.

8.3.7 With the watercourses on the Development, pollution and contamination of groundwater and run-off water is particularly sensitive. Contractors shall ensure special care in their handling, disposal and cleaning up operations with particular attention to paint, tile grout, tile adhesive, cement and rhinolite, chemicals, oil and fuel, etc.

8.3.8 Fires for cooking or other purposes will not be permitted, and contractors shall ensure approved alternative meal arrangements are made. Contractors must ensure that their employees make no fires for heating purposes.

8.3.9 The contractor shall provide approved portable chemical toilet facilities for the workers. Adjacent construction sites may share toilets as approved by the Owners' Association. Toilets and changing facilities shall be suitably positioned and screened with forest fence and kept hygienic.

8.3.10 One approved building board shall be erected per site, and such board is to be erected neatly in the corner of each site. Boards are to be maintained in a plumb and level position throughout the duration of the building contract, and must be removed immediately after completion of each house. Board layout drawings will be available from the Owners' Association and need to be erected before any construction is to take place.

8.3.11 No contractors, sub-contractors or suppliers' boards of any kind will be allowed to be placed or displayed on the erf.



8.3.12 Construction materials may only be delivered to the house site on an as-needs daily basis for installation by latest the Friday of the week, and surplus materials must not be allowed to visibly accumulate on the house site.

8.3.13 The certificate of completion by the Owners' Association requires the building and landscaping to be completed in accordance with the approved drawings and the site to be entirely cleared of all rubble, surplus materials, and be impeccably clean, and the verge re-instated, all to the satisfaction of the Owners' Association.

8.3.14 Contractor vehicles shall not be parked or left in the roadway, and a screened designated parking area shall be arranged with the Owners' Association.

8.4 CONTRACTORS YARDS, STORAGE AND OFFICES

8.4.1 Allocated areas, as authorised by the Owners' Association, may be granted to accredited contractors for their operational use.

8.4.2 A designated bulk storage area could be allocated to the Contractor for his materials, for distribution to house sites. Approved storage sheds and containers, or yards could be allowed on the house site, if no alternative can be found.

8.4.3 Access to the site, only through the driveway, and with the landscaping zone fenced off. Parking is only allowed on the erf.

8.4.4 The appearance, management, servicing and qualification for these facilities will be reviewed by the Owners' Association and negotiated on an as-need basis.

8.5 GENERAL

8.5.1 The speed limit is 30 km/h and speeding and reckless driving will not be tolerated. Due care must also be taken by all vehicles not to block the thoroughfare of roads.

8.5.2 Noise and dust reduction is essential, and contractors shall endeavour, whenever possible, to limit unnecessary noise, especially employees talking loudly, shouting or whistling, radios, sirens or hooters, motor revving etc.

8.5.3 Contractors are expected to conduct their operation in a reasonable and co-operative manner. Should the Owners' Association have any concern with the conduct of the contractor, his subcontractors or his suppliers and any of their employees, the Owners' Association may rectify as deemed necessary and/or reserve the right to suspend building activity, either indefinitely, or until such undesirable conduct is rectified, which it may do so at any time and without notice and without recourse from the Owner and/or contractor and/or subcontractor, and/or supplier.

9. COMPLETION & OCCUPATION

9.1 All dwellings shall be completed within 1 year from the date on which building activities commence, failing which the Owners' Association may impose such penalties on the relevant owner as it may consider appropriate.

- 9.2 Occupation of the premises will only be allowed after the homeowner has obtained clearance from the Controlling Architects and obtained an occupation certificate from the Local Authority.
- 9.3 The Local Authority will not process the application for the occupation certificate unless it is accompanied by the clearance certificate which is issued by the Controlling Architects on behalf of the Owners' Association.



ANNEXURE C: LANDSCAPE PLAN

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KEY:

- PROPOSED TREE PLANTING - MAIN ENTRANCE, SELECTED FROM PLANT LIST
- PROPOSED NEW TREE PLANTING ON TRUNK ROAD, RESERVES, LANDSCAPING BY HOMEOWNERS (SUCH HOUSES ARE CONSTRUCTED)
- PROPOSED NEW TREE PLANTING WITHIN OPEN SPACES, SELECTED FROM PLANT LIST
- PROPOSED EARTH MOUNDING WITHIN PRIVATE OPEN SPACE WITH GRASSES, SHRUBS & GROUNDCOVERS PLANTED OVER.

