

ARCHITECTURAL, AESTHETICS & LANDSCAPING RULES & GUIDELINES

of the

WINELANDS ESTATE HOME OWNERS ASSOCIATION

**A statutory body established in terms of Section 29 (1) as read with
Section 42 of the Land Use Planning Ordinance 15 of 1985**

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1 INTRODUCTION

All residences in this exclusive estate benefit from each homeowner's adherence to architectural and landscaping principles to ensure a coherent mood and character. The purpose of these rules and guidelines are to protect the value of each investment and to ensure a steady increase in the quality of the development as a whole.

Before construction commences each owner's plans require approval by the trustees of the Homeowners Association (HOA) in terms of its Constitution. These rules and guidelines are therefore utilised as a base from which each owner's architect can draw guidance and against which the HOA and its' aesthetic consultant can assess the plans for approval.

The object of the Winelands Estate Home Owners Association (hereafter referred to as WEHOA) is to promote, advance and protect the communal interest of its Members and consequently to ensure a safe, high quality lifestyle to owners and occupants by managing the appropriate development of residences and related service facilities as well as farming and communal areas.

- 1.1 The Constitution of the WEHOA makes provision for the establishment of an Aesthetics Committee (hereafter referred to as the AC).
- 1.2 The Constitution of the WEHOA also provides for Architectural and Aesthetic Rules to be drawn up and issued and according to which:
 - 1.2.1 The basis for evaluation of building plans for all structures is set. Apart from houses, these structures include: extensions, improvements, outbuildings, swimming pools, tennis courts, pergolas, etc.;
 - 1.2.2 Inspections are conducted;
 - 1.2.3 Completed dwellings are approved;
 - 1.2.4 Unsightly construction work/structures are rectified;
 - 1.2.5 Construction work that does not conform to the requirements may be stopped.
- 1.3 Building plans have to be approved by the AC and the council before any construction work commences.
- 1.4 The AC comprises of a maximum of three trustee members of the WEHOA in co-operation (assistance) with a technical committee, consisting of professional architects and other pertinent professionals, as deemed necessary. The Technical Committee scrutinises the plans and makes recommendations to the AC. The ruling of the AC will be final. Consulting architects as appointed by the WEHOA and/or approved architect as appointed by the trustees will examine these plans and make recommendations in regard to approval, interpretation, exceptions and waivers.

2 TIME SCALE FOR ACTIONS BY THE AC

The weekly closing date and time for both the evaluation of plans and an application for a building inspection is 12h00 on Fridays. The inspection will take place within 3 working days thereafter and the plans evaluated within 14 working days. Feedback/comments will be supplied soon after the evaluation.

3 REGISTRATION OF THE ARCHITECT

The owner must ensure that his architect is registered with the WEHOA and with the following professional body, prior to submission of building plans:

- South African Council for the Architectural Profession (See Architectural Profession Act no. 44 of 2000)
- Category membership and number of SAIA and CIFA and refer to item 5 of the Plan Approval Policy procedures.

The registration with the WEHOA will remain valid for 12 months. Registration will therefore have to be applied for on a yearly basis. The WEHOA shall be entitled to remove any architect from their registration, or refuse to re-register such a person, should the standard of work or adherence to the Architectural Guidelines not be to the satisfaction of the WEHOA.

Work carried out by architects must be in concurrence with the Architects Act 1970.

4 THE APPROVAL PROCESS

The approval process consists of four stages:

4.1 STAGE 1:

PREPARATION OF DESIGN DRAWINGS FOR EVALUATION BY THE AC

All conditions set by the WEHOA PLAN APPROVAL POLICY must have been fulfilled prior to submission of plans taking place.

The following plans in sketch plan format have to be submitted for approval:

- 4.1.1 Specific Design Detail regarding site layout and aesthetic finishing details proposed shall include the following *annotated* information:
- Stand number, placing of all buildings, contours, north point, side boundary dimensions, building lines (scale 1;100), servitudes where applicable, existing trees and vegetation, the siting of service areas, open garden space, terraces, distances from

boundaries and adjoining structures, overlooking of neighbouring properties, proposed vehicular circulation, entrances to the site, refuse collection and parking, storm water attenuation and boundary walls, the footprint of the building and the permissible coverage.

- Enclosures for pets (dogs).
- Floor plans that indicate the use and size of the rooms.
- Roof pitches.
- External finishing (visible from street & common property areas) such as lights, doors, windows, cladding type and detail, paving type and colour, paint colour treatments, band colours, metalwork and balustrade.
- At least four elevations and 3D images indicating the treatment of the building exterior, including colours walls and application of Copperture Roof Tiles. Cut and fill must be shown (if applicable).

4.1.2 Considerations prior to STAGE 2, submission of plans for scrutiny by the AC:

- All requirements specified in the WEHOA PLAN APPROVAL POLICY must have been fulfilled.
- Rejected concepts – The architect will have to submit a new set of plans for Stage 2 approval.
- The initial scrutiny fee will allow for one additional iteration only. Where additional iterations are required, additional scrutiny fees will apply.

4.2 STAGE 2:

SUBMISSION OF WORKING DRAWINGS FOR APPROVAL BY THE AC

4.2.1 The following plans have to be submitted for approval:

- **Four (4) sets required: coloured as per Municipal requirement of the SDP (Three (3) sets of plans as per Municipal requirement and one set of plans for the Estate HOA office)**

The SDP **must** be drawn on a scale of 1:100.

The SDP should at least reflect the following:

- Open areas (laundry yards, private gardens and landscaped areas)
- All trees with specie names (trees with a trunk diameter of 100mm and more, including trees to be removed as a result of the siting of buildings)
- Cadastral information (boundary dimensions)
- Siting of all buildings (site plan)

- Roof Plan with the use of mandatory Copperture Tiles annotated
- Building lines, servitude's and other restrictions
- Storm water management
- Stand numbers of adjacent erven as well as roads/pathways
- Accurate siting of existing buildings on adjacent erven
- Contours (1 m intervals) & proposed floor levels
- Boundary and screen wall (siting, height and finishes)
- Sidewalks (driveways, landscaping, municipal services and trees on the sidewalk)
- Existing municipal services on sidewalk of erf (storm water inlets, fire hydrants, lamp poles, electricity boxes etc.) and on erf (where physically existing on the erf)
- Driveways and other paved areas (siting and finish)
- Entrance (design and finish), house names and numbers
- Permitted and actual Coverage and Floor Area Ratio (FAR) and
- Any other information that may be of relevance.

- **One rendered copy of the elevations**

Elevations must indicate the following:

- All proposed external finishes; including colour schemes.
- Ducts, gutters and drain pipes, and
- All patios and verandahs.

NOTE: All plumbing pipes to be concealed in ducts and details must be provided.

- **One 3D rendered copy of the Planned Development should be included in the stage 1 submissions**

This is required to establish a view of the completed development in context with the surrounding landscaping, to establish whether the aesthetics of either the Provencal or Tuscan themes have been adhered to. The proposed external colour treatments with chosen palette annotations must be depicted here.

- **Municipal Required number of copies (Three) of Working Drawings Plus one set for the Estate**

Floor plans for both the main and outbuildings must be provided also indicating the proposed use of each room.

- **Landscaping Plan**
- One set prepared by registered and approved landscaper is required for submission to the AC.
- A minimum of all visible areas from the road and communal areas must be provided in the plan.

4.3 **STAGE 3:**

SUBMISSION TO THE LOCAL AUTHORITY

Once the AC has approved the detailed working drawings, they may be submitted to the Local Authority.

In terms of an agreement with the Local Authority, plans will not be accepted or processed unless approved by the WEHOA and properly certified on the plans as such (WEHOA Stamped on plans with the authorized signature of AC.)

A copy of the final approved plans with all municipal (DM Department of Planning Services) certificate and conditions must be lodged with the WEHOA Office before building activities commence on site.

4.4 **STAGE 4:**

FINAL INSPECTION AND ISSUE OF OCCUPATION CERTIFICATE

Prior to occupation of the dwelling, an inspection has to be carried out by the AC to ensure that the construction, boundary walls, garden walls, garden gates, landscaping, etc. has been completed in accordance with the approved plans. This will also be relevant for any additions and renovations.

This inspection must be applied for by the owner or building contractor. A completion certificate must be issued by the WEHOA and submitted to the Building Office of the Local Authority before the Local Authority will carry out their final inspection and issue an occupation certificate. Occupation will not be allowed prior to this.

No deviations from the approved plans will be allowed unless approved by the AC.

5 **FEES PAYABLE**

4.5 Plan fees

The exact detail of payment of plan scrutiny fees as determined from time to time is available at the Estate office. The initial payment must be made with the submission of plans. This fee is not refundable in part or whole.

4.6 Building Performance Deposit

A building performance deposit as determined by the WEHOA is payable on submission of plans.

This amount will be used in event of a breach of non-performance to remove rubble or make good any damage caused by the contractor or his sub-contractors or suppliers, including but not limited to kerbing, storm water channels, landscaping, community services, roads, irrigation and/or any outstanding construction works.

Fines in terms of the Builders Code of Conduct will be deducted from this amount where applied.

Up to 50% of this amount will be refundable with the occupancy Certificate issued by the AC.

6 SIZE AND SCALE OF DRAWINGS

All site development plans and building plans must be submitted on A1 plan size.

All working drawings to be submitted to a proper scale:

Plans	1:100
Elevations	1:100
Site Development plans	1:100
Site Plans	1:200
Sections and details	1:20, 1:50, 1:100

7 ARCHITECTURAL AND AESTHETICAL REQUIREMENTS AND GUIDELINES

The Winelands development is grounded on a few essential principles:

- Uniformity in roof scape and finish.
- Earthy colour tones to plastered walls.
- Uniformity in building materials.
- Wall dominant architecture.
- Asymmetrical, yet ordered, massing.
- Synchronisation of colours, styles and textures between main building and supporting structures.
- Integration of building masses and linkage with landscaped space.

The guiding theme for the development is to achieve a qualitative rural atmosphere with subtle Tuscan and Provencal overtones appropriate to the setting in the Winelands. This calls for the sensitive juxtaposition of forms and spaces within the framework of the above mentioned principles. The guidelines are to apply to all structures including entrance walls and features.

All architects are urged to study the existing development and to employ the principle of the "second man" as suggested by Alexander in his authoritative publication on architectural etiquette "A Pattern Language".

7.1 Specific Design Rules

7.1.1 ROOFS

All visible roofs to be tiled with the "Copperture" mottled tiles as per La Farge. Care should be taken in application as even subtle variations on this unifying theme can have quite jarring effects. Suppliers: "COPPERTURE" by La Farge available through Cape Roof.

7.1.2 ROOF SLOPES

All visible roofs must have a minimum pitch of 20 degrees and a maximum pitch of 30 degrees. Roofs to terraces, over walkways or similar secondary spaces may be flat or mono-pitched, but only if not visible from adjoining properties or the road. No reflective sheet metal roofs are permitted. The eye should flow from roof to vineyard, from loggia to grove and on to neighbours or distant views – unchallenged and often delighted.

7.1.3 EAVES

OPTION 1:

A standard roof overhang of 300 mm to 600mm to all visible tiled roofs. Exposed truss ends. Visible truss ends to be shaped and stained to match the colouring of the windows or painted black. Brick corbelling or plaster band at junction of eave and wall.

OPTION 2:

Zero overhang with plaster band. No fascia boards. Seamless gutters with appropriate mould pattern will be used.

7.1.4 CHIMNEYS

All chimneys to be constructed must have plastered masonry and finished to match the style of the main building. Chimneys may be covered with sandstone cladding. Coverage must be within the overall 20% stone-cladding allowance (ref. 7.1.17 Stone Cladding).

7.1.5 WALLS

External walls to be plastered and finished in earthen tones (browns not yellow) as per "Earthcote", "Cemcrete" or similar approved products. Colour schemes intended to be used require approval in terms of sample walls once construction has reached the applicable phase. Paint colour recommendation - refer to sections 7.1.19 & 20.

7.1.6 EXTERNAL WINDOW CILLS AND PLASTERBANDS

To be plastered and in keeping with the overall theme. Plasterbands must be the same colour paint as walls or a subtle tonal variation thereof.

7.1.7 **DOORS**

Timber frames or aluminium. Varnish or stained to natural timber finish or painted to match colour of shutters. Refer to section 7.1.19 regarding approved colour palette.

7.1.8 **WINDOWS**

Timber frames - varnished or stained to natural timber finish or to match colour of shutters. Refer to section 7.1.19 regarding approved colour palette. Aluminium windows to the approved colour palette.

7.1.9 **COLUMNS**

Plastered masonry in keeping with the theme of the main building or pre-cast concrete.

7.1.10 **HEIGHTS**

Single and double storey only. Basement level is allowed if below ground level. If any part of the proposed building exceeds 11 (eleven) metres above NGL, this will require special approval by the AC.

7.1.11 **PAVED SURFACES**

Broken brick (red clay colour), pre-cast flagstones, cobbles, slate and stone textured tiles in earthen tones or greys are permitted. Loose brown aggregate in walkways is also permitted.

7.1.12 **BALUSTRADES**

Plastered and textured to match walls or timber or wrought iron.

7.1.13 **GARAGE DOORS**

Timber or aluminium only and in keeping with the general aesthetic of the main building. Varnish or stained to natural timber finish or painted to match colour of shutters. Refer to section 7.1.19 regarding approved colour palette.

7.1.14 **SHUTTERS**

Timber only. Louvered or panel. Varnished or stained to natural timber or painted one of the three HOA approved colours. Refer to section 7.1.19 regarding approved colour palette.

7.1.15 **SECURITY BARS AND DOORS**

Custom designed to suite the opening. Mounted internally only. Painted black. Decorative elements limited to subtle accentuation of junctions on a simple gridded geometry.

7.1.16 **MASSING**

The mass of the main building should always be off-set against and linked to secondary elements such as pergolas, colonnades, porticos, terraces and/or garages. This device is aimed at avoiding box-like structures, which rise abruptly out of the landscape on all sides. The eye should flow from roof to vineyard, from loggia to grove and on to neighbours or distant views – unchallenged and often delighted.

7.1.17 **STONE CLADDING**

Real (Natural) Stone cladding and exposed brickwork should be used as accents and not exceed 20% as a total of wall surfaces.

7.1.18 **EXTERNAL LIGHT FIXTURES**

External Light fittings must be cleared with the AC and must reflect the appropriate Provencal or Tuscan style in design.

7.1.19 **PAINT COLOUR FOR SHUTTERS**

Plascon - Inkstone E32-4
Plascon - Super Shores E21-5
Earthcote - Antiquing Liquid Natural Dark
Earthcote/Midas - Shipwreck

7.1.20 **PAINT COLOUR FOR OUTSIDE WALLS**

The following paint colours (or the tonal variation thereof) are recommended for use on outside walls:

Earthcote – *Fitzgerald Stone*
Earthcote - *Paternoster Sand*
Earthcote - *Sandstone*
Earthcote – *String*
Earthcote - *Putty*
Earthcote - *Driftwood*
Earthcote – *Fawn*
Plascon – *Broncho 4-17M A15*

7.1.21 **RECOMMENDED PET ENCLOSURES**

Refer to APPENDIX 5 for drawing.

7.2 **Minimum size of house/Dwelling**

The minimum under roofed area of a dwelling on an Agricultural 1 stand must be 450 m² and 300 m² for a housing unit on a Residential 1 stand.

NOTE: The floor area specified above includes all roofed structures, including garages, patios, etc.

7.3 Design and Style

- 7.3.1 The planning of buildings and structures should show sensitivity towards the natural environment;
- 7.3.2 No limitations are placed on design and style in order to allow for a variety of individual architectural designs and identity. This however is subject to good architecture and approval of all designs will remain the prerogative of the AC;
- 7.3.3 The architectural design and style of buildings will be evaluated taking cognizance of existing buildings in the immediate vicinity;
- 7.3.4 As a general rule all planned buildings and structures must conform to the existing footprint and be sensitive to the proximity thereof to neighbours.

7.4 Prohibited Building Materials

- 7.4.1 Any painted or unpainted or reflective roofing material;
- 7.4.2 Pre-cast concrete walls, wire fencing, swimming pool type mesh fencing and "splitpole" type fencing;
- 7.4.3 Unpainted plaster, uncoloured plaster;
- 7.4.4 Razor wire or similar type fences as well as electrical fences;
- 7.4.5 Lean-to or temporary carports or shade netting structures;
- 7.4.6 "Wendy Houses" or similar type structures;
- 7.4.7 Thatch or roofs of mock or artificial stone.

7.5 Miscellaneous Rules and Recommendations

- 7.5.1 External finishes must conform to good architecture, so as not to detract from the general appearance of the neighbourhood. Monotonous face brick applications will not be allowed;
- 7.5.2 Proposed paint colours must be approved by the AC during submission Stage 1 and Stage 2 (see 4.1 and 4.2). Should the owner during the construction process wish to deviate from the approved colours, new colour samples must be presented to the AC for approval prior to painting of the house. The AC may at their own discretion request an owner to paint 1x1m samples of the proposed colours against the exterior walls of the owner's house for AC approval.
- 7.5.3 Staff quarters not forming part of the main building, may not be closer to the street than the main building;
- 7.5.4 Special attention must be paid to the finish of parapets, fascias, corbelling, capping eaves, roof trims, and roof material. Details of the above mentioned must be supplied with building plans;

- 7.5.5 Staff quarters and kitchens should open onto a courtyard. All exits and doors adjacent to neighbours to be screened with approved screen walls; (min height 1, 8 metres measured from finished floor level and 2.1 metres for laundry yards).
- 7.5.6 The use of solar panels for the heating of water is encouraged. Only the solar panels (either the vacuum tube-type or flat panel-type) may be used – no external geyser, header tanks or coiled pipes may be visible. The solar panels must be incorporated into the adjoining structure and may not – where visible – be placed on an elevated structure. Reference and adherence to the WEHOA Solar Panel Policy is required. Position to be indicated on building plans at all relevant stages.
- 7.5.7 Laundry lines must be concealed from the street and neighbour's natural ground level;
- 7.5.8 No external TV - or any other type of antennas is allowed to be visible from the street or communal areas.
- Satellite dishes must be finished in a colour to match the house;
- Satellite dishes may not be fixed against any projecting architectural feature of the house for e.g. the chimney and may not interfere with the aesthetics of the house;
- No radio masts may be erected;
- 7.5.9 No externally fitted burglar bars will be permitted;
- 7.5.10 Mechanical equipment and plants such as air-conditioners (and grills), pool pumps, Heat pumps or any other mechanical or electronic devices which does not normally form part of standard building materials and all of the above to be indicated on the building plans, must be designed into the buildings and/or adequately enclosed or screened off from view and drawings to be submitted to AC indicating the position of the air conditioning units.
- 7.5.11 Only one type of roof material per development may be visible from the street or the natural ground level of neighbouring stands;
- 7.5.12 Outbuildings, walls and alterations must match the original design and style of the house;
- 7.5.13 All construction must be completed within 18 months of inception
- 7.5.14 All standby generators must comply with the minimum requirements of MES.
- 7.5.15 Generators must be installed in such a way that it does not create a nuisance to neighbours. In addition to the requirements above, generators that are permanently or semi-permanently installed (semi-permanent shall be a unit being in the same position for more than 30 days), must be visibly screened and indicated on plans approved by the HOA

7.6 Treatment of Stand Boundaries

7.6.1 Street Boundaries

Although it is accepted that the diverse nature of single residential neighbourhoods lead to a varied treatment of street boundaries, every effort should be made to avoid the hostile "canyon-like" effect that high solid walls create along streets cause in many residential areas.

In order to enhance the appearance of sidewalks, the streetscape and the estate generally, the following guidelines will apply:

- If boundary walling is essential on the street frontage, for example; to prevent small children or pets from leaving the property, then the use of good quality steel palisade or trellis fencing is preferred to brick walls. (No devils fork or similar). An evergreen hedge to mask the fencing is encouraged.
- If solid walling is required to enhance the privacy of certain parts of the property, for example, to screen the swimming pool from the street, such walling should be as low as possible, and should not extend for more than 25% (twenty five percent) of its length as a continuous line parallel to the street boundary. If a solid wall is unavoidable, a stepped-back or articulated wall is considered less detrimental to the streetscape.
- In order to provide parking space for cars and for visitor's parking, garages fronting directly onto the street should be set back a minimum of 7 (seven) metres from the stand boundary.
- Street Boundaries (Agricultural 1 and Residential 1): A street building line of 5 (five) metres shall apply, with 7 (seven) metres for the garage.
- In all instances, boundary walls are discouraged and where the owner deems them necessary, a motivation is required and will be approved at the sole discretion of the AC.

7.6.2 Side and Rear Boundaries

- The wall design must be integrated with the design of the house to form a whole;
- Side boundary walls should preferably be stopped short of the street boundary (at least 5 metres) to enhance the streetscape;
- Walls should not exceed a height of 1.8 metres and 2.1 metres for the laundry yard.
- No laundry yards are to be visible from the street or communal areas.
- Rear and Side Boundaries a minimum of 5 (five) metre building line to be provided.
- Street Boundaries (Agricultural 1 and Residential 1)

- A street building line of 5 metres shall apply, with 7 (seven) metres for the garage.

7.6.3 **Stands Fronting onto Open Areas (Parks)**

Where stands front onto the farming blocks, open areas or parklands, the aesthetics of the interface is considered to be extremely important. In order to avoid the erection of unsightly solid walls along the edge of the open areas or neighbouring properties, the following guidelines will apply:

- The boundary between stands and farming blocks or open areas (parks) should be totally unfenced and only landscaped;
- If some form of boundary fencing is essential, then the use of an approved steel palisade or trellis fence will be permitted subject to approval by the AC, Recommended Fence in Appendix 5;
- Evergreen hedges are encouraged to mask and enhance the fence. Hedges to be a maximum height of 1,2 mtrs

7.7 **Sidewalks (Verges)**

7.7.1 The landscaping of sidewalks is of paramount importance as they have a direct influence on the aesthetical quality of the estate;

7.7.2 A verge of 3 (three) metres is the responsibility of the WEHOA as a whole to be landscaped and maintained – this is the area between the road surface and the stand boundary;

7.7.3 No building material or other refuse may be dumped on the sidewalks and all building rubble must be removed before an occupation certificate will be issued;

7.7.4 Trees planted near the sidewalk should conform to the Tree Planting Development Plan (if applicable). The Plan is available at the Estate Office and was specifically prepared to establish a uniform character in sections of the estate;

7.7.5 The WEHOA reserves the right to remove plants and/or infrastructures established on this 3 (three) metre verge that have not been approved or that may interfere with the underling services infrastructure and storm water drainage system;

7.7.6 Repairs to damaged storm water channels (caused by building) will be repaired by the WEHOA at the cost of the owner.

7.8 **Landscaping**

7.8.1 Existing trees must be preserved as far as possible and may not be removed without the consent of the AC. Building designs must, where possible, take existing trees and farming blocks into consideration;

7.8.2 Where existing trees or farming blocks are damaged or removed without prior consent from the AC, the owner will be obliged to replace the trees or farming block area affected at his own cost;

- 7.8.3 All areas of the garden that are visible from the street, must be landscaped before occupancy. A minimum requirement is that these areas be planted with instant lawn;
- 7.8.4 The landscaping of the WEHOA 3 (three) metre boundary areas that are visible from the street is the responsibility of the WEHOA;
- 7.8.5 The planting of hedgerows is recommended and the planting of indigenous trees and shrubs is encouraged where possible. However, a list of WEHOA approved flora is recommended to maintain the Tuscan/Provencal character of the estate.

7.9 Land Use

- 7.9.1 No owner/member may change the land use right for which his/her stand or dwelling unit has been zoned, whether by way of rezoning or by way of consent by the Local Authority or in any other way without the written approval of the WEHOA;
- 7.9.2 No duet or similar sectional title structures will be allowed.
- 7.9.3 In order to preserve the agricultural status of the estate as a whole, a minimum portion of each stand must be planted with a specific cultivar of an olive grove or a wine grape vineyard. The size will be determined by the footprint as set out and may not be changed without written consent by WEHOA

7.10 Building Controls

The Winelands Estate imposes the following restrictions on erven within the development:

7.10.1 Zoning and Density

- All single erven are zoned "Agricultural 1" with a density of "one dwelling per erf"
- All single erven are zoned "Residential 1" with a density of "one dwelling per erf"

7.10.2 Coverage

The total coverage of buildings which exceed 1200m² on Agricultural 1 stands and 800m² in Residential 2 stands will require prior AC approval. This includes all built-up, paved and hard-landscaped areas of the erf.

7.10.3 Building Lines

- Rear and Side Boundaries a minimum of 5 (five) metre building line to be provided.
- Street Boundaries (Agricultural 1 and Residential 1)

A street building line of 5 (five) metres shall apply, with 7 (seven) metres for the garage.

7.10.4 Boreholes

The drilling of a borehole for the abstraction of groundwater is only permitted on an erf subject to AC approval.

Any surface tanks must not be visible from the street or communal areas or be a visible distraction to neighbours.

7.11 Compliance with the NHRBC and Health & Safety Act

7.11.1 NHBRC

It is important that the NHBRC requirements are met during the planning and design stage and that plans submitted to the AC reflect such requirements. The homeowner is also advised that enrolment with the NHBRC is a pre-requisite for the registration of a bond against a title deed. In order to enroll a housing unit a specified procedure must be followed which requires amongst others, that an engineer be appointed and an NHBRC registered contractor be used.

7.11.2 Occupational Health & Safety Act

It is important that all OHS requirements are met during the building stage and this remains the responsibility of the builder and owner. The WEHOA will not be held responsible for any related incidents in this regard.

8 CONSTRUCTION

- 8.1 The owner and the approved builder must sign WEHOA Builders Code of Conduct prior to commencing construction;
- 8.2 It is the owners' responsibility to see that contractors abide by the rules as laid down by the WEHOA;
- 8.3 The required building deposit must be paid;
- 8.4 A copy of the council approved plans and council comments must be filed with the WEHOA office prior to the commencement of any building activities;
- 8.5 The responsibility lies with the owner and his/her architect to ensure that they are acquainted with the requirements of the Local Authority with regard to standard building regulations, drafting of building plans and the submission thereof.

9 LANDSCAPING & APPROVED FLORA

The landscaping guidelines are based on the principle that the development comprises homesteads in a farm setting. Accordingly landscaping is to be confined to driveways, selected property boundaries (which requires approval by the AC in terms of farming activity and views enjoyed by homeowners) and around the homestead.

The preferred planting list is as follows:

9.1 TREES

London Plane – *Platanus acerfolius*

Pin Oak – *Quercus palustris*

Chinese Poplar – *Populus simonii*

Cypress:

Cupressus sempervirens

Cupressocyparis "Leylandii"

Skyrocket – *Juniper scopularum*

Olive trees :

Wild olive – *Olea Africana*

Mission olive – *Olea europaea mission*

Manzilla olive – *Olea europaea manzilla*

Ficus trees :

Hill's weeping fig – *Ficus microcarpa*

Wild fig – *Ficus natalensis*

Broom cluster fig - *Ficus sur*

Bay trees – *Laurus Nobilis* – (good for screening)

Lemon trees - *Citrus limon*

Orange trees – *Citrus sinensis*

Bottlebrush - *Callistemon*

9.2 SHRUBS

Iceberg Roses – *Rosa 'Iceberg'*

Lavender - *Lavandula angustifolia* (not ideal as they don't like clay soil and needs to be replaced every 3 years)

Hebe – *Hebe fransiscana*

Boxwood - *Buxus Sempervirens*

Rosemary – *Rosemarinus officinalis* (upright variety)

Pittosporum varieties

Cape Reed – *Elegia fistulosa/ Elegia equisetacea*

9.3 PERENNIALS

Spur flower - *Plectranthus Neochilus*

Cupheas :

Cuphea hyssopifolia Pink Star

Cuphea hyssopifolia Purple

Cuphea mexicana Lilac Wonder

Cuphea mexicana White Wonder

Wild Iris - *Dietes grandiflora*

Daylily – *Hemerocallis*

African Lily - *Agapanthus Africanus*

Society garlic/pink agapanthus – *Tulbaghia violacea*

9.4 **CLIMBERS**

Star Jasmin – *Trachelospermum Jasminoides*
Ornamental Vines
Virginia Creeper/Boston Ivy – *Parthinocissus*
Wisteria – *Wisteria Sinensis*

9.5 **GROUND COVERS**

Cape succulants :
Sour fig - *Carpobrotus dimidiatus*, *Carpobrotus edulis*
Rosemary – *Rosemarinus officinalis* (prostrate variety)
Trailing Daisy - *Dimorphotheca jucunda*
Cape Daisy - *Osteospermum*
Helichrysum - *Helichrysum italicum*
Lamb's ears – *Stachys lanata*
Mediterranean herbs – e.g. Thyme, Mint, Sage

10 **DISCRETION OF THE AC**

The Architectural, Aesthetics and Landscaping Rules and Guidelines in this document will form the basis for the evaluation of plans. The evaluation process followed and resulting in approval/rejection of plans shall be at the sole discretion of the AC.

The AC can make special decisions based on individual requirements without setting a precedent in this regard.

11 **COMPLIANCY BY THE OWNER**

These Rules & Guidelines do not absolve the home owner from complying with the National Building Regulations and the requirements of the Local Authority. Approval by the AC does not absolve the owner from complying with the standards set by these Rules & Guidelines and all other related policies, procedures and memorandums issued by the WEHOA.

12 **CONFLICT**

Should a contradiction arise between the stipulations of these Rules and either the stipulations of the Constitution or the Code of Conduct, the Constitution and then the Code of Conduct will take priority and Members will be obliged to do all necessary to amend these Rules in order to bring them into agreement with the Constitution/Code of Conduct Rules.

13 **DISCLAIMER**

It should be noted that these updated Rules & Guidelines have resulted from an evaluation by the WEHOA of houses designed and built to date. Modifications have been introduced to further clarify the intent and character of the original concept. Certain design features of existing buildings that were approved and built before the below date may not be used as precedent nor may the previous guidelines, illustrations and sales literature be used to justify

departures. Any plan submitted after November 2010 is obliged to comply with these updated Rules & Guidelines.

DATED at on this the day of 2010.

AS WITNESSES:

1. **FIRST TRUSTEE**
2.

DATED at on this the day of 2010.

AS WITNESSES:

1. **SECOND TRUSTEE**
2.

DATED at on this the day of 2010.

AS WITNESSES:

1. **THIRD TRUSTEE**
2.

The Winelands Estate Home Owners Association Application for Plan Approval

This application must be completed and submitted with dimensioned and annotated drawings prepared in accordance with the Architectural, Aesthetics and Landscaping Rules and Guidelines of the WEHOA so as to fully illustrate the proposed design in plan, elevation and section at a scale of 1/100. All correspondence and submissions are to be addressed and delivered to the following address and a copy to the WEHOA Estate Office at the Winelands Estate:

WEHOA Aesthetics Committee:

The Winelands Estate Home Owners Association Aesthetics Committee c/o The Estate Manager

WEHOA Controlling Architects:

An architect as appointed by the WEHOA.

Enquiries: +27 82 771 5902

Fax: +27 21 872 4100

Email: halali@mweb.co.za

Registered Owner Details:

ERF NO: Registered OWNER:

TEL NO: FAX NO:

E-MAIL:

Current Physical Address:

.....

..... Code:

Current Postal Address:

..... Code:

Registered Owner Signature:

Date:

Non-refundable Scrutiny fee paid to The Winelands Estate bank account (provide proof of payment):

ABSA Bank, Branch Code: 334210, Current Account: 4062077275

The owner confirms that the information provided in this application and the attached drawing is in full conformity with the Architectural, Aesthetics and Landscaping Rules and Guidelines of the WEHOA as sent out by the HOA Office e-mail: wehoa@telkomsa.net

Registered Architect Details:

Registered Architects Practice

Practice nr and SAIA and/or CIFA membership nr:

TEL NO: FAX NO:

E-MAIL:

SACAP Registration Number:

Principal Architect:

Current Physical Address:

..... Code:

Current Postal Address:

..... Code:

Registered Architect Signature

Date

The Architect confirms that the information provided in this application and the attached drawing is in full conformity with the Architectural, Aesthetics and Landscaping Rules and Guidelines of the WEHOA as sent out by the HOA Office e-mail: wehoa@telkomsa.net

The Winelands Estate Home Owners Association Register of Architects

(Recommended, however, any REGISTERED Architect will be considered)

ARCHITECT	TEL NUMBER	FAX NUMBER	EMAIL
Estate approved architects	+27 82 771 5902	+27 21 872 4100	halali@mweb.co.za

The Winelands Estate Home Owners Association Register of Building Contractors

NOTE:

Builder must be registered with the **NHBRC** and preferably belong to **Boland Master Builders Association**. All contractors must apply to be on the panel of the WEHOA builders list.

CONTRACTOR	TEL NUMBER	FAX NUMBER

The Winelands Estate Home Owners Association Register of Landscaping Architects & Professionals

NOTE:

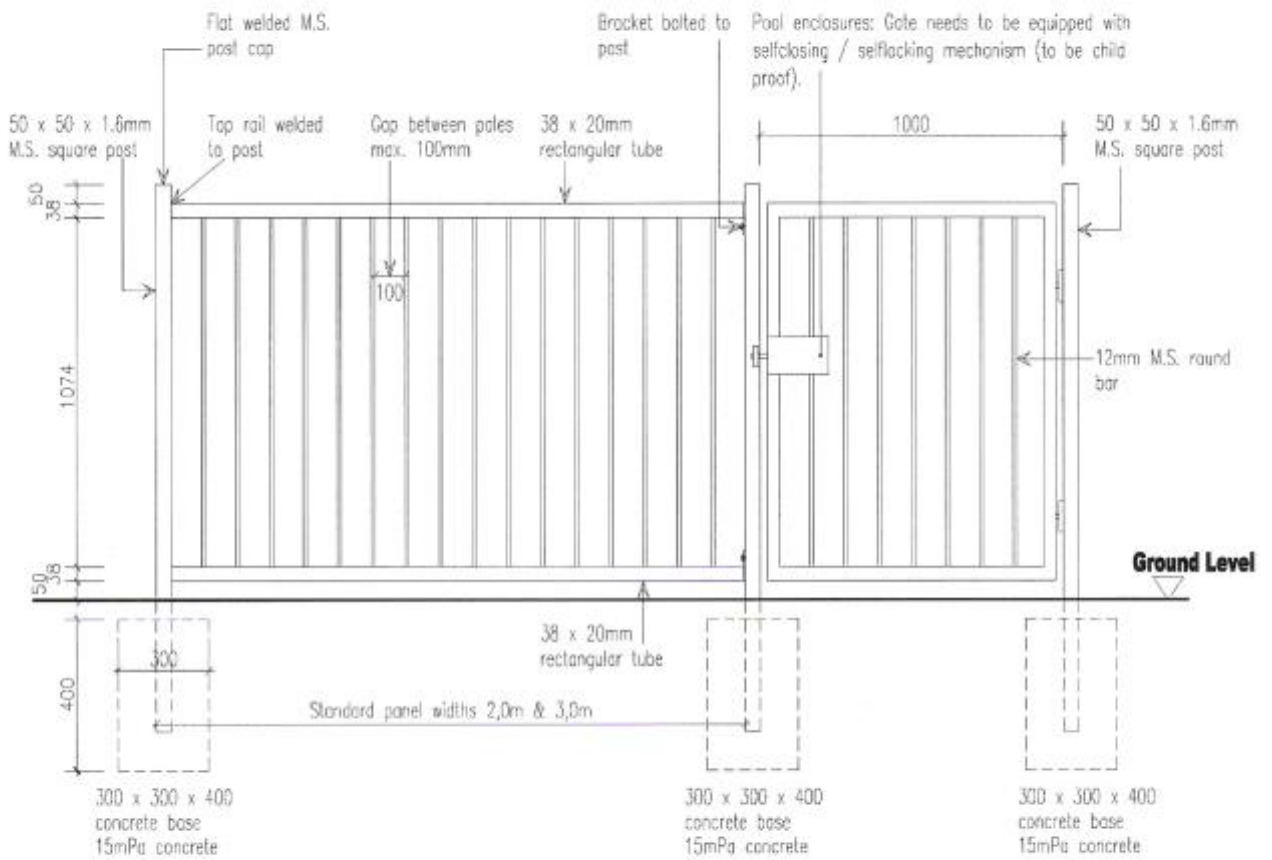
It is recommended the Landscaping Architect must be registered with the South African Institute for the Landscape Architectural Profession (**SACLAP**) and the Institute of Landscape Architects of South Africa (**ILASA**). All contractors must apply to be on the panel of the WEHOA architects list.

CONTRACTOR	TEL NUMBER	FAX NUMBER

The Winelands Estate Home Owners Association Recommended Pet Enclosure Fence

NOTE:

Evergreen hedges are encouraged to mask and enhance the fence. Steel fence detail when used as a swimming pool surround, must comply with the N.B.R. with a height of 1,2 meter.



Steel Fence Detail

Finish:- Hot dipped galvanised & then epoxy powder coated