

THE ISLAND LANDOWNERS ASSOCIATION

ARCHITECTURAL GUIDELINES

1. APPLICATION

Since they address only part of the broader architectural guidelines, these guidelines need to be read in conjunction with the documents listed below. They are not a replacement of any statutory requirements, necessary submissions or approvals, and are in addition to the National Building regulations, Occupational Health and Safety Act or any other Local Authority requirements.

- Sales Agreement
- Memorandum of Incorporation (MOI)
- Nature Estate Rules
- Environmental Guidelines
- Contractors Code of Conduct

2. PURPOSE

The purpose of establishing a framework is to ensure:

- That the design vision will be maintained throughout the life of the estate, right from design and construction.
- That every decision impacting on the environment will contribute positively to the estate, immediately and in the future.
- That the rights of each property owner will be protected in respect of security, privacy, and views.
- That a high standard of design and construction will be maintained throughout the development, and
- That the investment value of the development continues into the future.

3. INTRODUCTION

Given the prominence, environmental and community sensitivity of the development, the design philosophy is to allow as much flexibility as possible whilst retaining the overall sensitivity to nature and quality life style.

The Architectural Review Committee will always take a global view of what is most beneficial to the Nature Estate, whilst balancing the individual requirements of owners.

It must be stressed that this document is for the purpose of guidelines only, and apart from those items specifically excluded, all submissions will be treated on merit.

The Island Landowners Association Directors may, subject to terms of the Memorandum of Incorporation, alter any part or requirement of these guidelines, and may at any time decide to appoint new members to act as the Review Committee. The Association reserves the right to alter or amend the guidelines, as they may consider necessary to retain the architectural character and integrity of the estate.

The Architectural Review Committee can only evaluate the aesthetics of any submission, and cannot bear any responsibility for technical, structural, health or safety standards, nor for non-compliance with any statutory requirements.

All parties who are involved in the planning and the placing of houses on erven are encouraged to do it in an environmentally friendly way, considering factors such as views, privacy and climate. Owners are encouraged to use the natural forces to establish the orientation of their houses.

The DEVELOPMENT shall be developed in accordance with a standard approved by the Architectural Review Committee.

No building operations shall be commenced in the DEVELOPMENT and no additions or alterations to improve buildings shall be effected until the Architectural Review Committee as delegated in accordance with the Design Manual have in writing approved the design and construction plans including material and colour specifications for the erection of any building or structure specifically including a dwelling house, outside buildings, fences or walls.

That the ARCHITECTURAL REVIEW COMMITTEE shall be the judges as to the suitability of the design and/or construction method, material or colours and their decision shall be final.

No REGISTERED OWNER shall, without the prior written consent of the Architectural Review Committee alter the previously approved external colour scheme of buildings/structures erected on the ERF registered in his name or in the PRIVATE AREAS.

Each REGISTERED OWNER shall be obliged to obtain approval from the Architectural Review Committee in respect to any buildings and/or structures to be erected on the ERF registered in his name and he shall further be obliged to comply with all conditions and standards imposed by The Association.

In granting any approval in terms hereof the Architectural Review Committee shall have the right to determine the setting of all buildings and/or structures (including garden/boundary/link walls) to be erected on the ERF and to impose such conditions as the Architectural Review Committee deem necessary.

To ensure the minimum period of disturbance and the on-going peace and tranquillity, all building construction must be completed within 6 years from date of first registration.

Building activities, including the clearing and reinstating of the road reserve, must be completed to the satisfaction of the Architectural Review Committee within twelve months of start of construction. Start of construction will be taken as any construction activity on the stand including clearing for construction and installation of the sewerage system. A penalty equal to the monthly levy will be imposed for every month or part of a month of non-compliance with the above.

4. **ZONING** (Northwest Provincial Administration 1998)

- Portion 3 of The Island No 13 502 IQ, North West Province is subdivided into 81 residential erven as shown on the Land Surveyor's Plan.
- ERF 50 being 19,69 Ha to be rezoned and subdivided as approved by North West Province. All costs will be for the account of the DEVELOPER as embodied in the Deed of Sale.
- Erven R/5, 52, R/6, 53, 7 & 8 are zoned for Group Housing.
- The following stands have no zoning; 51
- The following stands are zoned Single Residential Dwelling; R/9, R/10, R/11, R/12, R/13, R/14, R/15, R/18, R/19, R/20, R/21, R/24, R/25, R/26, R/27, R/28, R/29, R/30, R/31, R/32, R/33, R/37, R/39, R/41, R/42, R/43, R/44, R/45, R/47, R/48, R/49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84.
- The following stands are zoned as Residential Duet; 16, 17, 22, 23, 34, 35, 36, 38, 40, 46 & 73.
- No business activities or guesthouses allowed on Single Residential Dwellings and Residential Duet erven.

5. **NOTICE OF INTENTION**

Notice of intention to do new work (outlining the proposed work) must be handed to the Estate Manager at least two weeks before submission to the Committee, thus enabling a site inspection to ensure a clear understanding of the proposal.

Prior to the submission of formal plans owners would be well advised to submit working / sketch drawings to the Review Committee.

6. **ARCHITECTS AND ENGINEERS**

Owners may appoint their own architects and engineers.

Engineers report required for: -

- Foundations
- First Floor Slabs

7. **WORKING DRAWINGS / SITE DEVELOPMENT PLANS**

Detailed working drawings and sketches of the proposed floor plans, site plan and the elevations of buildings shall be submitted to the Architectural Review Committee for its consideration. Where alterations of amendments are required these too shall be shown on revised drawings. A non-refundable scrutiny fee shall accompany the plans.

8. **DEPOSITS**

A deposit required shall be paid to the Association by each owner upon submission of the working drawings to cover the costs of: -

- Replanting of trees damaged or destroyed during building operations.
- Remove building rubble.

The unutilised portion of the deposit will be refunded to the owner: -

- Upon request to the Association on completion of the building construction.
- When not required to cover the cost of the above items.

- On receipt by the association of a certificate from the architect (or person who prepared the plans) confirming that the buildings are in accordance with the plans approved by the Association.

9. COPIES REQUIRED

Three copies of the drawings shall be submitted to the Association for approval. One copy will be retained by the Association for its records, and the other returned, either approved or with comments to the owner.

10. INFORMATION TO BE PROVIDED

- Site plan.
- Parking areas.
- Open spaces (e.g. laundry, yards, private gardens and landscape areas).
- Existing trees, natural obstacles, rocks etc.
- Contours showing natural ground level prior to any excavation or earth moving on the erf.
- Actual floor area / coverage / footprint.
- Storm-water management
- Dimensions to the nearest building on adjacent erven.
- The trees that are to be removed with the Association's consent.

11. ELEVATIONS

- Drawings clearly show all proposed building elevations. The elevations shall give a clear indication of exterior treatment of buildings and materials to be used.
- All external finishes and colours should be specified.

12. PLANS APPROVAL

- No building may be erected or altered without approval by the Review Committee. This does not apply to internal amendments to existing buildings.
- The applicant shall formally apply for approval of plans.
- Where there are existing buildings on the adjacent stands these must be indicated in site plans.
- On approval the plans will be stamped with the Review Committee stamp of approval.
- Should any provisions of these guidelines be regarded as contrary of the National Building Regulations, then the National Building Regulations shall prevail.
- The Committee may approve waivers of any mandatory specifications under special circumstances where such waivers are recommended by the consultant architects and are considered justifiable by the Committee.
- The Local Authority will not scrutinize any plans without the Architectural Review Committee's "Approved" stamp.
- The Committee meets every second Tuesday of the month.

13. APPROVAL PROCESS

A three-stage building approval system will be employed in order to ensure that aesthetic and functional standards are maintained.

- Stage 1 – Site development

- Stage 2 – Detailed design drawings shall be prepared so as to comply with the conditions of approval issued by the Committee in respect of stage 1 plans.
- Stage 3 – on receipt of prescribed fees, applicants may proceed with the construction of the building in accordance with the building by-laws, standard building regulations and the approved building plans, and after completing the security procedures required for each builder.

14. SUBMISSION OF BUILDING PLANS

Building plans should be submitted to the offices of the Association, and should be accompanied by the receipt of payment in respect of scrutiny and inspection fees.

15. BUILDING CONTRACTORS

The owner and the contractor will be required to sign a Builders Code of Conduct agreement with the association to regulate the building activities on the erf. The contract will include: -

- The building period.
- Conditions relative to the delivery and storage of materials.
- Working hours.
- Transportation of workers.
- Security procedures within the estate.
- The erection of boards and signs.
- The payment of the deposit to protect the Association against breaches of any such conditions.

16. BUILDERS CODE COMPLIANCE

The **Estate Building Inspector** will ensure compliance with builder's code and monitor the new work from the Estate's perspective.

17. PROHIBITED BUILDING MATERIALS

To allow for diversity and interest, a variety of individual architectural designs will be encouraged. In principal no limitations are placed on building design and materials other than the following items: -

- Unpainted plaster or un-plastered stack brick walls.
- Unpainted metal sheeting.
- Precast concrete walls.
- Wood panel fencing.
- Barbed wire and pre-fabricated walling.
- Steel, plastic or canvas awnings.
- External steel doors and frames (only anodised aluminium doors and windows or natural wood will be allowed).
- All plumbing pipes visible from the street to be fully concealed into walls or ducts.
- Carports, lean-to structures or pre-fabricated (Perspex or fibreglass) not allowed.
- Granny flats must be totally integrated with the design of the house. Separate cottages are prohibited.

The approval of the Review Committee should be obtained for the use of materials other than conventional brick and mortar.

18. ADDITIONS AND ALTERATIONS

- No additions or alterations whatsoever to any buildings or property, including the addition or replacement of appurtenances such as satellite dishes, air-conditioning units or other devices visible from street or neighbouring properties, shall be effected without the prior written approval of the Committee.
- Any request for change in the house colour scheme is subject to prior written consent of the Committee.
- Additions should match the original design and style, both in elevation and in material usage.

19. HEIGHTS

- No portion of the built structure will be higher than 8 meter above the point on the natural surface of the ground vertically below it. The exception is chimneys and small details such as finials which may exceed the 8 meter restriction where they are positive addition to the built form.
- It is recommended that the built structure should fit comfortably into the natural contouring and orientation of the site.

20. SOLAR HEATING

Solar heating panels, if used, should be incorporated into the building to form part of the basic structure. No REGISTERED OWNER shall, without the prior written consent of the Architectural Review Committee erect/construct on the ERF registered in his name or in the PRIVATE AREAS any solar heating systems, outdoor radio aerial, or the aerial(s) of TV, cellular network or satellite dishes and/or similar structures.

21. SWIMMING POOLS

- To be designed as an integral part of the outside living area, surrounded by approved paving.
- Above ground level pools or porta pools are specifically prohibited.

22. AWNINGS

- Aluminium adjustable louvers in white may only be used if they are completely boxed-in by a parapet wall or beam.
- Steel or plastic awnings are specifically prohibited.
- Canvas awnings are specifically prohibited.
- Shade-cloth over pergolas and carports are specifically prohibited.

23. SITE ENCLOSURE / BOUNDARY WALLS

In order to avoid the erection of unsightly solid walls, the following will apply: -

- Ideally the boundary between stands and the eco-belt should be totally unfenced and open.
- If some form of boundary fencing is essential, then the use of approved steel palisade or trellis fence will be permitted.
- Although it will to a certain extent depend upon architectural design of the dwelling, the colour of the plaster or brick plinth and pillars of the palisade fence should be unobtrusive and an "earthy colour".
- If it can be demonstrated to the satisfaction of the Review Committee that a visible impenetrable barrier is essential along part of the frontage, then no more

than 25% of the boundary may be walled with solid wall of a height, finish and colour approved by the Committee.

24. ENTRANCE GATES

Entrance gates, if approved should match the design of the palisade fencing and must have piers at either end. The height is not to be higher than the palisade fencing.

25. DRIVEWAYS

- Two driveways per erf are not permitted.
- Driveways are to be a maximum of 3.5m wide and cross over and continue all the way to the street edge.

26. SIGNAGE

- Contractors – see “Contractors Code of Conduct”
- No Sculptural letterboxes.
- No Floodlighting.
- No ornate steel gates.

27. SITES & SERVICES

The position of all underground service connections for each site can be obtained from the office of the Association.

28. SETTLEMENT OF DISPUTES

As set out in the Memorandum of Incorporation of the Landowners Association.

29. FLOOR AREA (FOOTPRINT) COVERAGE

- The minimum footprint will be 250m². The Review Committee may at its sole discretion be prepared to support an application to decrease the minimum area in certain circumstances.
- A maximum footprint area of 450m² provided that the total paved area is not more than 35% of the stand area excluding the eco strip.
- Maximum of 20m² for approved loose standing structure e.g. gazebo's & lapa's

30. BUILDING LINES

- Street Boundaries: A minimum 10m building line along the entire length of the road reserve, this 10 meter plus the road reserve will form the Eco-Belt.
- Side / Common Boundaries: A minimum 2.5 meter building line along all sides or common boundaries.
- Rear Boundary: A minimum 2.5 meter building line along all back boundaries.
- River Frontage: A minimum of the 50-year flood line.
- With the exception of the entrance/driveway which may be a maximum of 3.5m wide and an enclosed yard, no paving will be allowed outside the building lines.
- Entrance/driveways must not widen to more than 3.5 meter outside the building lines. Garages will have to be placed to accommodate the flaring of driveways.
- No Parking, Pools, Fountains, Gazebo's or other structures allowed outside the building lines.

31. SEPTIC TANKS AND SOAKAWAYS

The utilization of septic tanks with soakaway drains has been approved for the Nature Estate based on the approved development density i.e. the 61 single unit stands and the 10 duet stands (maximum 2 houses per stand).

The septic tanks and soakaways to comply with the following:

- a. Detail of the proposed septic tank must be submitted with the building plans for approval. The construction, location, capacity and detail of the tanks must be indicated. The capacity of the tanks must be certified by the manufacturer or engineer. It is prudent to provide sufficient capacity, rather larger than required than too small.
- b. The septic tank and soakaway must be located on site by the architect which must be approved by the Review Committee.
- c. The soakaway must be designed and constructed in accordance with the percolation test below to be conducted at the location of the proposed soakaway. A minimum of two tests are required. The results of the percolation tests must be indicated on the drawings together with detail of the soakaway.
- d. Percolation test
To determine the area of ground required, a percolation test must be carried out within the area where the proposed soakaway system is to be located. This percolation test needs to be done in accordance with SANS Code 0400-1990, Section PP28.

The Test:

The area chosen must be representative of the general ground conditions. This test involves digging an excavation **300 mm² x estimated proposed depth** for the soakaway. The sides of the bottom **350 mm** of such excavation shall be roughened to provide a natural infiltration surface. A **50 mm** thick layer of gravel is to be placed at the bottom of this excavation to prevent scouring when filled with water.

The hole is filled with water to a height of not less than **300 mm** and maintained at this level for a period of not less than **4 hours**. At the end of this period the water level shall be marked and the times noted. The drop in level of such water as it soaks away over a subsequent period of **30 minutes** shall be measured. This test must be carried out in at least two locations within the area proposed for the soakaway system; the test must also be repeated three times in order to obtain consistent results. Where such percolation rate is less than 30 minutes, the soil shall be deemed suitable for the construction and use of a soakaway. See Table for the percolation rates below.

TABLE	
RATES FOR PERCOLATION AND EFFLUENT APPLICATION	
Percolation Rate: Average time for 25 mm fall of test water level in minutes	Rate of application of effluent to sub soil infiltration areas (litres/m² of soakaway wall area/day)
0 – 3	108 maximum
3 – 5	108 – 100
6 – 10	99 – 80
11 – 15	79 – 65
16 – 20	64 – 53
21 – 26	52 – 40
27 – 30	39 – 33
Over 30	Not permitted
Table and calculations as per SANS Code 0400-1990	

- e. The location of the septic tank must allow for the future cleaning of tank by means of vacuum tanker. A removed suction point may be required depending on the location of the tank in relation to the access.
- f. One septic tank and soakaway will be allowed per housing unit.
- g. Only one housing unit may be connected to a septic tank and soakaway.
- h. Developments with a higher density than the present approved layout may not utilize septic tanks and soakaways for sanitation.
- i. The effective and proper operation of the septic tank and soakaway is the responsibility of the house owner. Should the property be rented out the ultimate responsibility remains with the owner who must ensure that the rentee complies.
- j. Grease traps must be provided to prevent any grease and fats entering the septic tank from the kitchen.
- k. Non-organic material may not enter the septic tank and must be disposed of alternatively.
- l. Bio-treatment to start up the septic tank and to correct operational problems is available at the offices. If there is no smell the system is working properly.
- m. Conservancy tanks will not be allowed.
- n. Septic tanks will be allowed in the 50year flood line or Eco-Belt on condition that the no trees are damaged or disturbed in any way.

32. TIME LIMITS FOR CONSTRUCTION

- To ensure the minimum period of disturbance and the on-going peace and tranquillity, all building construction must be completed within 6 years from date of first registration.
- Building activities, including the clearing and reinstating of the road reserve, must be completed to the satisfaction of the BOARD within twelve months of start of construction. Start of construction will be taken as any construction activity on the stand including clearing for construction and installation of the sewerage system. A penalty equal to the monthly levy will be imposed for every month or part of a month of non-compliance with the above.

33. SITE CLEANING

(See Appendix)

34. BURGLAR BARS

- All window fittings to shown on the window schedule.
- External burglar bar are specifically prohibited.

35. CARPORTS

Carports, lean-to structures or pre-fabricated (Perspex or fibreglass) not allowed.

36. HOUSE NAMES & NUMBERS

- No house numbers and names

37. GRANNY FLATS

Granny flats must be totally integrated with the design of the house. Separate cottages are prohibited.

38. LIGHTING

- While street lighting will be discreet and subtle as not to create glare, it will provide a safe and attractive nocturnal environment.
- Exterior lighting must be positioned so it is not a nuisance to neighbours or estate users. Any high level lighting must be shaded, and no security, spotlights or motion-sensor lights will be permitted.

39. TREES, GARDENS AND MAINTENANCE

- Each REGISTERED OWNER shall care for any trees on the ERF servitudes, and he shall not remove or cut down, or cause to be removed or cut down any trees situated as aforesaid, without the prior written consent of the Environmental Committee.
- Each REGISTERED OWNER shall maintain in a neat and tidy condition all buildings and/or structures erected on the ERF registered in his name.

40. INSURANCE

That each REGISTERED OWNER shall adequately insure all building and/or structures erected on the ERF registered in his name (and if requested, to furnish proof of such insurance to the Directors) and in the event of total/partial destruction shall within a reasonable time period make good such damage or reconstruction in accordance with the Directors approval.