



BY RÉMEY

NOOITGEDACHT

VILLAGE | STELLENBOSCH

APPENDIX 5

VILLAGE CLOSE



DESIGN GUIDELINES

DECEMBER 2015



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THE

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NOOITGEDACHT VILLAGE ARCHITECTURE

The Nooitgedacht Village is the overall proposed future town ('the Nooitgedacht') being a mixed use development envisaged on three adjoining erven in the Koelenhof area just outside of Stellenbosch. The land, which includes inter alia the Remainder Erf 1 Koelpark ('Erf 1') is bound by Kromme Rhee and Elsenberg Roads and Koelenhof Station.

The town is conceived as a medieval walled in town with all the commercial, residential, entertainment and educational facilities.

The Nooitgedacht Village Close ('the village') will be a quaint, medium-density residential component of the proposed Nooitgedacht Town to be developed on Erf 531 of the Estate.

The purpose of this document is to set norms and standards in accordance with which the village is to be developed. The document does not purport to override binding law and to the extent that the provisions herein are in conflict with the constitution of the Homeowners' Association and/or the statutory instruments applicable to developments of this nature, including but not limited to the relevant Zoning Scheme and municipal by-laws, the provisions of the said constitution and those statutory instruments shall prevail.

The aesthetic of the entire development will reflect the traditional South African Cape/ Platteland/ BoKaap architecture of simplistic buildings of different character, two storeys in height and so placed to form streetscapes, piazzas and other social interaction spaces.

The emphasis is on the landscaping with the buildings forming a backdrop to a romantic rural ambience.

The colour of the buildings will predominantly be sand or off white with different coloured doors and shutters. Some buildings will be in an accented rich colour to enhance the vibrancy of village life. The boundary walls will be made of different textures and materials, and will either be plastered and painted walls or palisade fencing at the total discretion of the Developer. The spaces between the buildings will be cobbled with the meandering movement routes identified by the placements of bollards, trees and a slight depression in the route surface.

Different façade treatments on a few standard house type plans with various boundary walls and or palisade fencing will create a picturesque village.

Lighting in the form of traditional pennants and wall lights will lend a mysterious night scene.

The emphasis will be on a pedestrian village where the controlled vehicle traffic will be a secondary means of transportation.

Study accommodation in the form of small tower articulations to existing houses form accent buildings surrounding piazzas etc.



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DEVELOPER'S VISION





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INTRODUCTION

Village Close is one of the residential precincts in Nooitgedacht Village and comprises a total of 27 erven. Each erf will be divided into 2 parts: a servitude area ('the servitude area/the common use area') for common use by all owners and the remainder for exclusive use by the respective owner ('the exclusive use area').

The servitude area registered in respect of the erven will be used for vehicular and pedestrian movement around the village, landscaping and public open spaces.

One unique feature of the village is that all erven have architecturally pre-designed units that are sold to owners and will be built according to the Resident Architect's drawings. In other words owners start with a completed unit to which future alterations and additions may be made in line with the Guidelines noted below.

Note:

- **These guidelines and agreements are subject to periodical revision as deemed necessary from time to time**

A. DEVELOPMENT GUIDELINES FOR ALTERATIONS & ADDITIONS

No building or any part thereof may be constructed in the village before Building Plans depicting that building and complying with the requirements laid down in this section A have been approved by the Homeowners' Association, in conjunction and consultation with the Resident Architect, and the Stellenbosch Municipality in accordance with the process referred to in section C below.

Even in instances where Municipal approval is not a statutory requirement for structural alterations, adjustments or the installation of external fixtures, fittings or appurtenances serving the amenities of the completed unit (e.g. television antennas, satellite dishes and air-conditioning units) envisaged for a particular completed unit, same shall not be permissible without the prior written approval of the Home Owners Association in conjunction and consultation with the Resident Architect. The approval shall be procured in accordance with the provisions of section C below after plans that depict such alterations, fixtures, fittings or building work in detail that is sufficient in the Resident Architect's sole and unfettered discretion to enable him/her to comprehend what the proposed building work will entail have been submitted to the Board.

The fact that this section A provides that certain features and parameters will be permissible does not in itself create any rights in favour of a homeowner in instances where the addition of such feature requires the approval of the Homeowners' Association in terms of another provision in these Guidelines or of any authority in terms of binding legislation. In those instances the relevant provision constitutes confirmation, however, that the features concerned are not undesirable in



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principle and will be considered for approval by the persons and authorities charged by law and in terms of these Guidelines with approving building plans.

In the event that there is a dispute as to whether or not a particular proposal complies with the criteria set in this document the decision of the Resident Architect will be final and binding.

In these Guidelines, unless a contrary intention is expressed or appears from the context, the following words shall have the meanings assigned to them below:

- “Board” shall mean the board or committee that manages the affairs of The Homeowners’ Association in terms of the Association’s constitution.
- “Building Plan” shall mean a plan depicting a building or feature, fixture, fitting or appurtenance to be affixed or attached to a building which requires the approval of the Home Owners’ Association and/or the Municipality and shall include but is not limited to a Municipal Building Plan.
- “Completed/unit/s” shall mean a dwelling that has been erected in accordance with the building plans attached to the building agreement that was entered into between the Developer and the first buyer of each erf.
- “Developer” shall mean Remey Construction (Pty) or its successors in title until such time as the last of the units in The Nooitgedacht Village has been completed, where after it shall be the Homeowners Association.
- “Homeowners Association” shall mean the Homeowners Association of the Nooitgedacht Village or its successors in title.
- “Municipal Building Plan” shall mean a drawing depicting the proposed building work in detail sufficient to procure building plan approval from the Municipality in accordance with the National Building Regulations and Building Standards Act and which shall provide the following information irrespective of the Municipal requirements for approval of the building plans:
 - The Building lines
 - Parking Bays, garages and doors
 - Location and position of external fixtures and fittings or building service
 - External color of all building elements
 - Finish floor level in MSL (Mean sea level)
 - Coverage percentage 50%
 - Fully dimensioned plans, sections and elevations
 - Window and door schedules
 - External paving finishes
 - Title Deed of the Erf concerned
- “Resident Architect” shall mean the architect appointed by the Developer from time to time to act in this capacity.



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1. SIMPLE DOUBLE STOREY BUILDINGS

- a. All completed units will have no more than two storeys being ground and first floor, while some completed units will have a mezzanine level expressed as a tower feature over the first floor.
- b. The height restriction in respect of each individual erf will be the height of the highest point of the roof of the topmost storey of the completed unit measured from the natural mean level of the ground. No additions to the topmost floor or other prominent features to the completed unit will be allowed.

2. ROOFS

- a. All roofs with a pitch up and equal to 10 degrees must be constructed of Chromadek Charcoal Kliplok sheeting.
- b. All roofs with a pitch exceeding 10 degrees must be constructed of Chromadek Charcoal corrugated s-profile sheeting.
- c. No roof overhangs are permitted on roofs up to and equal to 10 degrees.
- d. Pitched roof eaves overhang of min 300mm along the longitudinal side of the building a min 150mm overhang on the gable-end walls.



- e. All gutters shall be in charcoal "Watertite" aluminium fixed on a bargeboard against the wall.
- f. All rain water pipes shall be painted charcoal to match the gutter.

3. BALCONIES

- a. Balconies are permitted provided they do not impact on the adjoining owner's privacy.

4. OUTSIDE ATTIC STAIRS.

- a. Outside attic stairs are permitted in masonry, concrete or painted timber.
- b. Balustrades shall comply with the requirements in 12 below.

5. ROOF PATIOS.

- a. No roof patios other than those on the completed units shall be allowed.

6. HORIZONTAL PARAPET WALLS

- a. All additions or extensions to parapet walls must match the shape and the finish of and be limited to the maximum height of the completed unit.



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7. DOORS & WINDOWS

- a. Doors and windows may only be used in buildings in the village if they appear in the Window and Door Schedule for the village and may only be used in a particular building if they are shown on the Building Plan for such building duly approved in accordance with the provisions of this document.
- b. External window and doors can only be in white anodized aluminium, with solid front door permissible in solid timber, painted the same colour as the shutters.
- c. Reflective glazing is not allowed.
- d. Coloured glass is not permitted to any doors or windows facing any servitude area.

8. SHUTTERS

- a. Shutters in front of doors and windows may be added but must be functional.
- b. Shutters must be of hardwood and painted.
- c. The surface finish and colour of the shutters will be done to the discretion of the Developer or the Resident Architect.

9. GARAGE DOORS.

- a. Doors to garages that were not approved as part of the completed unit must be of a similar style and appearance as the doors in the completed unit.

10. VERANDAS/CANOPIES.

- a. Shall be covered with S-profile charcoal Chromadek roof sheeting in either the traditional “baldak” or straight profile roof.
- b. Columns support may only be plastered masonry or treated timber.
- c. No broekie lace decorations are allowed.
- d. Shall receive a charcoal “Watertite” aluminium gutter with circular rain water pipes.
- e. No canvas, plastic or aluminium telescopic fold out wall-mounted awnings are permitted.

11. PERGOLAS.

- a. Pergolas are permitted and encouraged and may only be covered in one of the following materials:
 - i. Timber slats.
 - ii. Small round tanalith “laaitjies” or bamboo with maximum of 50 mm diameter.
 - iii. Planting.
- b. Support structures to pergolas must comply with the requirements laid down above for verandas.

12. BALUSTRADES OF STAIRS AND BALCONIES

- a. Balustrades shall conform to the design, style and material of the completed unit of which they form part.



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- b. Balustrades that do not form part of the completed unit shall be built one meter high from finish floor level to the top of the balustrade and constructed in brick, plastered and painted to match the completed unit and finished off at the top with plaster and paint.

13. CHIMNEY & FIREPLACE

- a. Fireplace chimneys and enclosures may project outside the face of the wall.
- b. The form and shape shall be done to the discretion of the Developer and Resident Architect
- c. Metal components shall be painted black.

14. EXTERNAL WALLS

- a. External walls shall be built in plastered brick or block work and finished in conformity with the completed unit.
- b. All corners to walls must be struck off and plastered to a minimum radius of 20 mm.

15. PAVING

- a. Where a paved area on the exclusive use area of an erf adjoins the servitude area or is visible from the servitude area the paving used shall match in color, size and form, the paving used on the servitude area adjoining the exclusive use area concerned.

16. PAINT

- a. The colours of the completed units shall be as prescribed by the developer and Resident Architect in their sole discretion and once the colours have been so prescribed, the completed units and additions thereto may only be painted in those colours.
- b. The colour codes as used on the completed development will be available from the Home Owners Association.

17. PLUMBING SERVICES

- a. Sewer and vent pipes must be concealed in vertical ducting within the wall plane of the building. No exposed piping including water supply pipes are permitted.
- b. All storm water to be channeled to the storm water reticulation system.

18. ELECTRICAL

- a. Owners of properties accept that the street lighting, draw boxes and electrical kiosks may be built into and fixed against their external walls facing the common use areas.
- b. The said street lighting fittings remain the property of the Home Owners Association who is responsible for the maintenance thereof. Accordingly owners are not allowed to restrict or prevent access to the Home Owners Association to fulfill their obligations thereto.

19. BURGLAR BARS

- a. All burglar bars, security gates and security screens, including expandable and sliding products, and roller shutter systems, must be mounted internal to the openings, which they secure.



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20. AIR CONDITIONERS

- a. Air-conditioning condenser units may only be installed in the back yard of the completed units where it must be installed against the walls of either the dwelling or the boundary walls at a maximum height of 2100 mm measured from the natural mean level of the ground abutting the wall concerned to the top of the air-conditioning units.
- b. Window mounted air-conditioning units shall not be allowed.

21. TV AERIALS, SOLAR HEATERS & WIND GENERATORS

- a. The location and specifications of TV aerials, TV dishes, solar water heating panels as well as wind generators, will fall within the sole discretion of the Developer and Resident Architect who will, in exercising their discretion, be guided inter alia by what the most desirable position for the fixing of these services will be, the aim being to ensure that the said appurtenances will as far as possible not be visible from outside the erf concerned.

22. ENERGY SAVING

- a. The latest Government Regulations regarding energy and water saving must be adhered to.
- b. As far as possible, energy saving lamps to light fittings must be used. This may be revised by the Homeowners' Association at their sole discretion.
- c. All swimming pool equipment to be on timers set to the rules as determined by the Home Owners Association.

23. DUMPING

- a. Dumping is not permitted on the property. All rock spoil and building rubble must be removed immediately from the property and disposed of at a licensed landfill site.
- b. Should the fill not be removed by the registered owner of an erf within 14 days of being requested to do so by the Homeowners Association, the Homeowners Association shall be entitled to arrange for the removal of the rubble and the registered owner of the erf in question shall be liable for the cost thereof

24. BOUNDARY WALLS

- a. The external boundary walls/fence and including gates on the street cadastral boundary of the Nooitgedacht Village may only be constructed at a height of 2.100 m high with openings to create transparency in terms of the Stellenbosch Approved Policies and By-laws (1.1) By-law relating to the control of boundary walls and fences.
- b. All free standing lateral/side boundary walls shall be constructed in a solid 2.100 m high brick walls plastered and painted
- c. As the internal servitude roads do not fall under the aforesaid by-law, the boundary walls abutting the internal private servitude roads will be constructed as a solid 2.100 m high brick wall, plastered and painted or a natural stone wall or a timber slatted fence in terms of the approved Building Plans.



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- d. It is the developer's intention to apply for the relaxation of the by-law relating to paragraph 24.1 and all Purchasers agree to the relaxation of this by-law.

B. PLANNING RESTRICTIONS

1. COVERAGE

- a. Total percentage area of site that may be covered by buildings measured over the outside walls and covered by roof or projections is to be a maximum of 50% of the total erf area inclusive of common and exclusive use areas.

2. HEIGHT

- a. The maximum height is as prescribed above in section A item 1.a. and 1.b.

3. BUILDING LINES

- a. A zero building line shall apply in respect of all boundaries of the erven in the village, provided that the cadastral boundary between the servitude areas and the exclusive use areas on the respective erven shall be deemed to be their boundaries for purposes of this clause.
- b. No foundations or any building elements including but not limited to gutters and down pipes may project beyond or exceed the site boundaries or common use servitude line.
- c. All gutters on such site boundaries must be positioned behind a parapet wall and the parapet wall shall extend a minimum of 250 mm above the top of the gutter.
- d. No window or door openings shall be allowed in any wall on the lateral or rear boundaries. Walls with openings parallel to these boundaries shall notwithstanding anything to the contrary herein contained be set back a minimum of 1.5 m from these boundaries.

4. PARKING

- a. Parking bays and garages to completed units may not be used for any other purpose without ensuring continued compliance with the minimum Municipal requirement of 2 parking bays per erf.
- b. Areas demarcated for parking in common use areas are under the jurisdiction of the Home Owners Association



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5. ENCROACHMENTS INTO THE SERVITUDES

- a. The following building elements, if not part of a completed unit, may, with the prior written consent of the Body Corporate, encroach onto the servitude area adjoining the exclusive use area upon which the relevant completed unit is constructed, provided that they do not encroach upon any parking bays or interfere with the free flow of vehicular and pedestrian traffic in the common use areas:
 - i. Rainwater pipes
 - ii. Gutters
 - iii. Light fittings
 - iv. Lamp posts
 - v. Flower Boxes
 - vi. Beddings for planting
 - vii. Archways
 - viii. Storm water channels and underground pipes
 - ix. Landscaping Elements

C. BUILDING PLAN SUBMISSION FOR ALTERATIONS & ADDITIONS

1. BUILDING PLANS CONTROL PROCEDURE BY THE HOME OWNERS ASSOCIATION

- a. Building Plans submitted to the Board and/or the Municipality in terms of these Guidelines must be submitted by a registered member of the South African Council for the Architectural Profession.
- b. Building Plans must be submitted for approval to the Board.
- c. Municipal Building Plans shall in all instances be submitted where structural additions are made to a completed unit and/or where the submission of a Municipal Building Plan to the Municipality or other authority is required by law.
- d. The Board shall take all its decisions in respect of Building Plans in conjunction with and on advice of the Resident Architect.
- e. Any approval required from the Board may be made subject to any conditions the Board deem fit, and shall become of force and effect upon the issuing by the Board of a letter confirming such approval.
- f. The Architects/Designers submitting Building Plans must certify whether or not the plans and the buildings depicted thereon are in compliance with the provisions of these Guidelines.
- g. A copy of the approved Building Plans shall be kept on record at the office of the Homeowner's Association.
- h. The Municipality shall not issue an Occupation Certificate in respect of a completed unit or any other building work in the village before the Resident Architect has certified that such completed unit or building work has been erected in accordance with a Building Plan approved by the Board.



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- i. The Resident Architect shall be entitled to a professional fee in respect of the scrutinizing of any Building Plans, a final inspection, and costs to rectify unauthorized work as set out herein.
- j. The said fee shall be calculated in accordance with the hourly rate as recommended by the South African Council for the Architectural Profession from time to time and travel expenses shall be in accordance with the rate recommended by the AA from time to time.
- k. The scrutiny fee shall be payable as follows:
 - i. A non-refundable deposit to be determined from time to time by the Resident Architect in agreement with the Home Owners' Association will be paid on submission to the Board for the approval of a Building Plan and the Building Plan shall not be scrutinized before the deposit has been paid.
 - ii. The balance, which shall be that portion of the scrutiny fee, calculated at an hourly rate as provided for above, that exceeds the deposit shall be payable before the approved Building Plan is returned to the applicant concerned.
- l. Fees in respect of all other services rendered by the Resident Architect shall mutatis mutandis be calculated and paid in the manner as provided for in respect of scrutiny fees, provided that the deposit shall always be the fee for one hour calculated at the relevant hourly rate and the balance shall be payable upon the tendering by the Resident Architect of the completed work s/he was contracted to do, which shall include but not be limited to the tendering of any certificate, the Resident Architect is required to issue.
- m. Should there be any deviation from these approved building plans, whether or not such deviation is approved by the local authority, those parts of the building that constitute the deviation (the 'illegal building work') will be demolished at the cost of the registered owner of the erf. If the said registered owner refuses and/or fails to demolish the illegal building work within 30 days of being requested to do so by the Board, the Board will arrange for the illegal building work to be demolished by others at the cost of the said registered owner.
- n. The Board shall be entitled, subject to the constitution of the Homeowners' Association to delegate its powers and functions in terms of this section C.1 to a committee nominated to exercise control of building work in the village.



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2. INFORMATION REQUIRED ON PLANS

1. The following information must be indicated on plans being submitted for scrutiny at both sketch design and at working drawing stage.
 - a. Minimum 1:200 scale Site plan with contours every 500 mm
 - b. Level of corner pegs
 - c. North point
 - d. Minimum 1:100 Roof Plan
 - e. Minimum 1:100 Floor Plan
 - f. Minimum 1:100 Elevations and Sections
 - g. Position of driveway and paving of hard landscaping finishes
 - h. Drainage plan
 - i. Bulk earthworks with cut and fill sections
 - j. Location of retaining structures
 - k. Schedule of finishes
 - l. Position of external lights
 - m. Any proposed structure must be indicated

3. BUILDING PLAN CONTROL PROCEDURE BY THE STELLENBOSCH MUNICIPALITY

1. No building may be erected on any erf without the prior approval of the Stellenbosch Municipality and it needs to be emphasized that approval of the building plans by the Homeowners' Association does not constitute approval by the Municipality. Each owner needs to familiarize him/herself with the process to be followed to obtain the Municipality's approval. The following provisions, in addition to the statutorily prescribed provisions, are relevant to the municipal planning approval process:
 - a. No plans may be submitted to the local authority for its approval unless certified as approved by the Home Owner's Association representative Architect.

AMENDMENTS TO THESE GUIDELINES, AFTER CONSULTATION WITH THE RESIDENT ARCHITECT, MAY BE APPROVED BY THE HOME OWNERS ASSOCIATION FROM TIME TO TIME IN ACCORDANCE WITH THE RELEVANT PROVISIONS OF THE CONSTITUTION OF THE HOMEOWNERS' ASSOCIATION, AND MUST BE STRICTLY ADHERED TO. THE LAYOUT AND NUMBERS OF ERVEN AS WELL AS THE ADJOINING PROPERTY