

GAMTOOS MOUTH HOMEOWNERS ASSOCIATION

BUILDING CODE OF PRACTICE (Adopted as at 30 November 2019)

1. General:

- 1.1 The objective of this Building Code is to provide a guideline for the spatial development of the various components of the township with the exercise of controls for the benefit of the Association’s members.
- 1.2 This Building Code is an adjunct to the conditions stipulated in the zoning approvals, both present and future, for the township and is to be accepted as equally binding on members as any other Land Use Restrictions imposed by the Competent Authorities.
- 1.3 The intention is:
 - 1.3.1 to achieve and maintain reasonable aesthetic standards within the township with a degree of homogeneity or uniformity in the architectural style and nature of development within the township;
 - 1.3.2 to this end to exercise control in the style and nature of all structures in the township including the use of exterior materials and colour schemes;
 - 1.3.3 to protect and promote the maintenance of the existing special rural environment and atmosphere with the retention of as much as practically possible of the existing indigenous vegetation both on the erven and on the common areas;
 - 1.3.4 to encourage Members to construct residential units comprising more than one structure rather than a larger single structure, so as to contribute to the retention of indigenous vegetation and the creation of a more pleasing environment with a less-imposing scale of development.
- 1.4 The plans and specifications for all proposed building and developments within the township shall be submitted to the Association for prior approval in terms of this Code or any approved amendments thereto.
- 1.5 All proposed new structures or alterations or extensions to existing structures within the township shall meet the requirements of the National Building Regulations and the relevant Competent Authorities.
- 1.6 Notwithstanding anything to the contrary contained herein the Association shall in its sole and absolute discretion be entitled on good cause to grant and approve relaxations and/or departures from the provisions of this Code in granting its approval to any proposed plans and specifications for developments within the township if in its opinion such relaxation(s) or departure(s) shall not detract unduly from the objectives

stated herein, provided that any such approval shall be granted in writing subject to such conditions as may be imposed in each case.

- 1.7 Wherever reference is made herein to faced or semi-faced brick it shall also be competent to use fair-face brick with flush joints, lightly bagged with a wet slurry and left unpainted.

2. Existing Structures:

- 2.1 It is recorded that the developer enjoys the right to decide in its sole and absolute discretion which if any of the existing structures in the township at commencement of the township must be demolished or may be retained with or without modification and/or upgrading so as to comply with acceptable standards in accordance with this Code.
- 2.2 In the negotiations for the sale of each erf containing an existing structure(s) it shall be mutually agreed between the developer, acting for itself and for and on behalf of Members of the Association, and the purchaser as to the nature and extent of any modifications and/or upgrading which must be undertaken if such structure(s) is not to be required to be demolished, and as to the time period within which and the special conditions upon which such modifications and/or upgrading shall be completed. In the event of disagreement between the parties the matter shall be referred to the Directors of the Association who's decision shall be final and binding on the parties.
- 2.3 Where agreement is reached on the retention of existing structures or portions thereof it shall be competent for the developer, if it so decides in its sole and absolute discretion, to require only superficial modifications or upgrading limited to redecoration or the cladding with approved materials of the external walling of the structure(s).
- 2.4 The terms and conditions as to demolition or retention of any structure(s) or part thereof shall be set out in the Deed of Sale relating to the erf in question and shall be faithfully observed by the purchaser and his successors-in-title for the benefit of the Developer, the Association and/or its Members.

3. Regulations governing the development of erven zoned for Caravans or Mobile or Park Homes or Cabins ("Caravan/Cabin Erven"):

Definitions:

"Caravan/Cabin Erven" shall mean all erven in the first phase of development of the township which are zoned for Caravans or Mobile or Park Homes or Cabins and a caravan/cabin erf shall have a corresponding meaning. All Caravan/Cabin Erven in the development are identified in Schedule 1 attached hereto;

"Caravan" shall mean a caravan or other industrially manufactured mobile dwelling unit such as a Plettenberg or Mobile or Park Home;

"Flat erven" shall mean erven whose gradients are not more than two (2) metres from building line to opposite building line;

"Sloping erven" shall mean erven whose gradients are equal to or more than two (2) metres from building line to opposite building line.

The following may be constructed or installed on each caravan/cabin erf subject to the conditions stipulated herein:

- 3.1 One dwelling unit limited to one kitchen which may comprise one or more structures (including the use of caravans) and which may include the other structures referred to below.
- 3.2 Excluding any plinth or base, at least 80% of the exterior of all built structures shall be constructed of or be clad with treated though non-painted timber, being either logs, half round poles or ship lapped or similar (or similar timber style composite materials approved by the Association from time to time) but under no circumstances constructed of or be clad with flat timber boarding. Any portion of the exterior of all built structures not constructed or clad in timber as aforesaid shall be constructed of unplastered and unpainted faced or semi-faced brick. It is recorded that a combination of brick and timber on a single elevation is permitted.
- 3.3 The base or plinth of all built structures (including for any Caravan) shall be clad in such timber as is permitted in terms of 3.2 above or built in unplastered and unpainted faced or semi-faced brick.
- 3.4 The exterior roofing material to be used on all built structures shall be corrugated iron, fibrous cement, chromadeck, alusink or colourbond sheeting (or similar) with a Big 6, Victorian or IBR profile (or similar) or roof tiles, which sheeting or roof tiles may either be their natural colour if grey or any shade of green including painted green (but no other colour) and the roof construction shall be either mono- or double-pitched. Green coloured shade cloth or polycarbonate sheeting (green or transparent) will also be permitted as roofing material in certain areas provided that adequate measures are taken to prevent sagging of the shade cloth through the use of timber beams, wire or wire-mesh or a combination of these.
- 3.5 Any type of doors, windows and their frames may be used. However, timber, u PVC or aluminium will be preferred and metal discouraged.
- 3.6 A braai area with a maximum roofed area of twelve (12) square meters, provided that at least 25% (twenty five percent) of the perimeter of the area/structure is left open, provided further that any walling of such area for wind protection or privacy shall be constructed of timber poles, split poles, half round poles, ship lapped, slats or semi-faced or faced brick, and provided further that braai structures are constructed of semi-faced or faced brick.
- 3.7 A separate or attached single or double carport not exceeding thirty six (36) square metres floor area roofed in the manner referred to in 3.4 above and with suitable timber facias, and provided such carport is not enclosed except with green coloured shade cloth on a maximum of three (3) sides (excluding its entrance side). Any enclosed garage must be roofed as provided in 3.4 above with the exterior walling as provided in 3.2 and 3.3 above and fitted with a timber door (and any such enclosed garage is included in the coverage in 3.15.1 below).
- 3.8 Patios above ground level shall be fitted with balustrades as per applicable legislation/regulations. Balustrades shall of either timber or stainless steel construction.
- 3.9 Gutters which shall be either fibrous cement, PVC or aluminium are permitted on any structures provided that they do not overhang the boundaries of an erf or discharge onto adjacent erven, and that downpipes from such gutters discharge not closer than 750mm from any boundary.
- 3.10 Gutters, water tanks, windows, doors and their frames may be painted in such colours as are approved in writing by the Association.

- 3.11 Separate private ablution facilities comprising bath/shower, wash hand basin and toilet provided that:
- 3.11.1 the exterior walling shall be constructed as provided in 3.2 and 3.3 above or of semi-faced or faced brick with the roof as provided in 3.4;
- 3.11.2 the interior walling may be smooth plastered and/or tiled or otherwise as desired.
- 3.12 All septic tanks and soakaways or conservancy tanks servicing all ablution facilities on all erven shall comply with the requirements of the National Building Regulations and be positioned and constructed strictly in accordance with plans and specifications approved by the Developer's or Association's Consulting Engineers from time to time, and provided further that the owner of each erf shall at his own cost at all times maintain such septic tanks and soakaways or conservancy tanks in good and proper working order.
- 3.13 It shall be competent for the owners of two or more adjacent erven to construct a single structure comprising two or more private individual ablution facilities with one or more septic tanks and soakaways or conservancy tanks, in which event the provisions of 3.11 shall apply mutatis mutandis and provided that the two or more owners and their successors-in-title shall be jointly and severally liable to maintain any such jointly used septic tanks and soakaways or conservancy tanks in good and proper working order at all times.
- 3.14 A separate or attached garden/tool shed with a floor area not exceeding ten (10) square metres constructed in a similar manner as provided in 3.2, and 3.4 above. Any such aforesaid garden/tool shed which is constructed to be freestanding (movable) must still be constructed as aforesaid, but may be positioned to encroach side and back building lines (but not the front building line). Any such aforesaid garden/tool shed which is not movable must not encroach any building lines.
- 3.15 The perimeter or other fencing of caravan/cabin erven is discouraged and may not be undertaken where natural indigenous vegetation could be damaged by such fencing, provided that:
- 3.15.1 for wind and/or privacy protection or security, an erf may be fully fenced on all boundaries using the materials/designs specified in 3.15.2 below with a maximum fence height not exceeding 1,8 metres (although lower 1,2 metre fences are preferred);
- 3.15.2 perimeter or other fences may not be of a solid design or construction and must be reasonably "see through". The following fencing materials shall be allowed subject to the following:
- 3.15.2.1 Uprights or pillars must be natural coloured treated timber poles, metal poles painted brown or in such colours as are approved in writing by the Association (or be clad with timber) or semi-faced or faced brick. Where semi-faced or faced brick pillars are used, such fence design may include a semi-faced or faced brick plinth connecting the pillars not exceeding 400mm above ground level;
- 3.15.2.2 Cross beams/supports must be natural coloured treated timber or metal painted brown or in such colours as are approved in writing by the Association (or be clad with timber);
- 3.15.2.3 Fencing material between uprights or pillars must be galvanised, uncoated and unpainted diamond mesh or "veldspan" wire fencing, Clearvu or similar fencing or steel bar fencing (minimum gap 30mm) or treated wooden pickets/slats (minimum gap 30mm) or such other fencing material approved by the Association from time to time.

3.16 Notwithstanding anything to the contrary contained herein, the following restrictions and provisions shall apply:

3.16.1 coverage of any erf by roofed structures including caravans (and including the use of shade cloth) shall be limited to a total of ninety seven (97) square metres or the equivalent of 27% of the area of the erf, whichever is the greater, provided that the following will not be included in the calculation of the aforesaid coverage:

3.16.1.1 any unenclosed roofed patio area to a maximum of twenty four (24) square metres. A patio will qualify as unenclosed if at least the front of the patio is left open (i.e. walls on the side of the patio are allowed) and such front open dimension is at least 25% of the total perimeter of the patio;

3.16.1.2 the roofed braai area referred to in 3.6 above (to a maximum of twelve (12) square metres);

3.16.1.3 the roofed carport referred to in 3.7 above (to a maximum of thirty six (36) square metres);

3.16.1.4 the garden/tool shed referred to in 3.14 above (to a maximum of ten (10) square metres);

3.16.1.5 permitted basement areas on sloping erven;

3.16.2 subject to such departures as may be approved in writing by the Association and the Competent Authorities (with the written consent of the owner of the abutting erf (erven)), a set-back building line of three (3) metres from the common boundary with any roadway and a minimum of 750 mm. from any side or rear boundary of any erf shall be observed, provided that no doors or windows shall be included in a section of any façade of any structure which faces onto and is closer than two (2) metres from the side or rear boundaries of any erf, and provided further that no part of any structure including the roof or gutters may overhang or encroach across any boundary of an erf. For the avoidance of doubt, no roofed area may encroach over applicable building lines;

3.16.3 structures on flat erven shall be single story and of a height not exceeding 5400mm from finished floor level to highest point of the roof, shall not have the wall plate height of any wall exceeding 3500mm and no roof spaces or basement areas below floor level may be used as habitable areas;

3.16.4 the finished floor level of the base, plinth or floor slab of all roofed built structures on flat erven shall not exceed 1300mm in height above natural ground level at their highest level. Any base, plinth or floor slab extended to a level higher than the aforesaid maximum 1300mm cannot be enclosed or roofed (but could be used or added as an open patio/deck).

3.16.5 structures on sloping erven shall also be single story above the dwelling floor slab and of a height not exceeding 5000mm from the underside of the floor slab to highest point of the roof. In addition, the wall plate height of any wall above finished dwelling floor level shall not exceed 2700mm and no roof spaces may be used as habitable areas;

3.16.6 structures on sloping erven may have a maximum enclosed basement area below the floor slab equal to 65% of the coverage of the dwelling area above and such area may be used for any purpose (for example, normal habitable spaces, storerooms, garage, etc). Such basement structures shall be clad in such timber as is permitted in terms of 3.2 above or in unplastered and unpainted faced or

semi-faced brick. Reasonable excavation shall be allowed to create the aforesaid basement area subject to an approved excavation plan;

3.16.7 the underside of the dwelling floor slab or floor timbers of structures on sloping erven cannot exceed a maximum of 300mm above the highest natural ground level point within the footprint of the structure. In addition, the height between the natural ground level at the point where the footprint ends on the lower side of the slope and the underside of the floor slab or floor timbers should not exceed 2400mm. In the event that such distance exceeds 2400mm, then the Association may require that the highest natural ground level within the footprint of the structure at the top of the slope is cut back to lower such distance to a maximum of 2400mm. Accordingly, the maximum height of structures on sloping erven from the basement floor level to the highest point of the roof shall not exceed 7400mm.

3.16.8 indigenous vegetation shall be retained and propagated over not less than 40% of the area of each erf (excluding the footprints of all approved structures).

4. Regulations governing the development of erven zoned for Bungalow/Chalet and Residential 1 purposes ("Chalet Erven"):

Definitions:

"Chalet Erven" shall mean all erven in the development of the township which are zoned for Bungalow/Chalet and/or Residential 1 purposes. All Chalet Erven in the development are identified in Schedule 1 attached hereto.

"Flat erven" shall mean erven whose gradients are not more than two (2) metres from building line to opposite building line;

"Sloping erven" shall mean erven whose gradients are equal to or more than two (2) metres from building line to opposite building line.

The following may be constructed on each Chalet Erf in the Development, subject to the conditions stipulated herein:

- 4.1 One dwelling unit limited to one kitchen which may comprise one or more structures (including a garage(s) and/or carport(s) and/or balconies and/or servant quarters) and which may include the other structures referred to below.,
- 4.2 At least 50% of the exterior walling of all structures shall be constructed of or be clad with treated though non-painted timber, being either logs, half round poles or ship lapped (or similar timber style composite materials approved by the Association from time to time) but under no circumstances constructed of or be clad with flat timber boarding. Any portion of the exterior of all built structures not constructed or clad in timber as aforesaid shall be constructed of unplastered and unpainted faced or semi-faced brick or natural rock or smartstone. It is recorded that a combination of brick and timber on a single elevation is permitted.
- 4.3 All roofs shall be mono- or double-pitched with double-pitched roofs over primary or core structures being encouraged while the roofs over secondary structures may be mono- or double-pitched.
- 4.4 The exterior roofing material to be used on all built structures shall be corrugated iron, fibrous cement, chromadeck, alusink, colourbond sheeting (or similar) with a Big 6, Victorian or IBR profile (or similar) or roof tiles, which sheeting or roof tiles may either

be their natural colour if grey or any shade of green including painted green (but no other colour). Green coloured shade cloth or polycarbonate sheeting (green or transparent) will also be permitted as roofing material in certain areas provided that adequate measures are taken to prevent sagging of the shade cloth through the use of timber beams, wire or wire-mesh or a combination of these.

- 4.5 Any type of doors, windows and their frames may be used. However, timber, u PVC or aluminium will be preferred and metal discouraged.
- 4.6 Balconies above ground level shall be fitted with balustrades as per applicable legislation/regulations. Balustrades shall of either timber or stainless steel construction.
- 4.7 Gutters which shall be either fibrous cement, PVC or aluminium are permitted on any structures provided that they do not overhang the boundaries of an erf or discharge onto adjacent erven, and that downpipes from such gutters discharge not closer than 3000mm from any boundary.
- 4.8 Gutters, water tanks, windows, doors and their frames may be painted in such colours as are approved in writing by the Association.
- 4.9 A braai area with a maximum roofed area of twelve (12) square meters, provided that at least 25% (twenty five percent) of the perimeter of the area/structure is left open, provided further that any walling of such area for wind protection or privacy shall be constructed of timber poles, split poles, half round poles, ship lapped, slats or semi-faced or faced brick, and provided further that braai structures are constructed of semi-faced or faced brick.
- 4.10 A separate or attached garden/tool shed with a floor area not exceeding ten (10) square metres constructed in a similar manner as provided in 4.2, 4.3 and 4.4 above. Any such aforesaid garden/tool shed which is constructed to be freestanding (movable) must still be constructed as aforesaid, but may be positioned to encroach side and back building lines (but not the front building line). Any such aforesaid garden/tool shed which is not movable must not encroach any building lines.
- 4.11 The construction of septic tanks and soakaways or conservancy tanks shall comply mutatis mutandis with 3.12.
- 4.12 Perimeter or other fencing of Chalet Erven is discouraged and may not be erected where it will cause damage to indigenous vegetation, provided that:
 - 4.12.1 for wind and/or privacy protection or security, an erf may be fully fenced on all boundaries using the materials/designs specified in 4.12.2 below with a maximum fence height not exceeding 1,8 metres (although lower 1,2 metre fences are preferred);
 - 4.12.2 perimeter or other fences may not be of a solid design or construction and must be reasonably "see through". The following fencing materials shall be allowed subject to the following:
 - 4.12.2.1 Uprights or pillars must be natural coloured treated timber poles, metal poles painted brown or in such colours as are approved in writing by the Association (or be clad with timber) or semi-faced or faced brick. Where semi-faced or faced brick pillars are used, such fence design may include a semi-faced or faced brick plinth connecting the pillars not exceeding 400mm above ground level;
 - 4.12.2.2 Cross beams/supports must be natural coloured treated timber or metal painted brown or in such colours as are approved in writing by the Association (or be clad with timber);

- 4.12.2.3 Fencing material between uprights or pillars must be galvanised, uncoated and unpainted diamond mesh or “veldspan” wire fencing, Clearvu or similar fencing or steel bar fencing (minimum gap 30mm) or treated wooden pickets/slats (minimum gap 30mm) or such other fencing material approved by the Association from time to time.

4.13 Notwithstanding anything to the contrary contained herein, the following restrictions and provisions shall apply:

4.13.1 coverage of any erf by roofed structures (and including the use of shade cloth) shall be limited to a total of two hundred and twenty (220) square metres or the equivalent of 25% of the area of the erf, whichever is the greater, provided that the following will not be included in the calculation of the aforesaid coverage:

- 4.13.1.1 the roofed braai area referred to in 4.9 above (to a maximum of twelve (12) square metres);

- 4.13.1.2 the garden/tool shed referred to in 4.10 above (to a maximum of ten (10) square metres);

- 4.13.1.3 permitted basement and loft areas which do not have their own roof footprint;

4.13.2 subject to such departures as may be approved in writing by the Association and the Competent Authorities (with the written consent of the owner of the abutting erf (erven)), a set-back building line of five (5) metres from the common boundary with any roadway and a minimum of three (3) metres from any side or rear boundary of any erf shall be observed;

4.13.3 structures on flat erven may use either roof spaces or an enclosed basement area as habitable spaces but not both. If a basement area is elected, such basement area is restricted to a maximum of 65% of the coverage of the dwelling area above and may be used for any purpose (for example, normal habitable spaces, storerooms, garage, etc).

4.13.4 structures on flat erven which use roof spaces as habitable areas shall be single storied subject to the following:

- 4.13.4.1 the wall plate height of any walls shall not exceed 3,5 metres from the finished dwelling floor level; and

- 4.13.4.2 the overall height of any roof structure shall not exceed 6 (six) metres above the finished dwelling floor level; and

- 4.13.4.3 the maximum pitch of any roof shall not exceed 45 (forty-five) degrees; and

- 4.13.4.4 reasonable dormer windows and doors shall be allowed, provided the width of any such dormer windows and/or doors does not exceed dimensions approved by the association from time to time (it being recorded that the allowed width of such dormer windows and/or doors need to be limited in relation to and proportionate to the length of the roof); and

- 4.13.4.5 in the event that a building is to be erected on pillars or poles or a plinth, the finished ground floor level of the building shall not be more than 1,8 metres above the natural ground level at any point (and accordingly the overall height of any roof structure shall not exceed 7.8 (seven point eight) metres above the natural ground level at any point);

4.13.5 structures on flat erven which use basement spaces as habitable areas shall be single storied subject to the following:

- 4.13.5.1 such basement area is restricted to a maximum of 65% of the coverage of the dwelling area above and may be used for any purpose (for example, normal habitable spaces, storerooms, garage, etc);
- 4.13.5.2 the wall plate height of any walls shall not exceed 5.4 metres from the finished basement floor level; and
- 4.13.5.3 the overall height of any roof structure shall not exceed 5 (five) metres above the finished dwelling floor level; and
- 4.13.5.4 the maximum pitch of any roof shall not exceed 45 (forty-five) degrees; and
- 4.13.5.5 the finished dwelling floor level of the building shall not be more than 2,8 metres above the finished basement floor level; and
- 4.13.5.6 accordingly the overall height of any roof structure shall not exceed 7.8 (seven point eight) metres above the finished basement floor level;

4.13.6 structures on sloping erven may use both roof spaces and an enclosed basement area as habitable spaces subject to the following:

- 4.13.6.1 if a basement area is elected, such basement area is restricted to a maximum of 65% of the coverage of the dwelling area above and may be used for any purpose (for example, normal habitable spaces, storerooms, garage, etc); and
- 4.13.6.2 the wall plate height of any walls shall not exceed 3,5 metres from the finished dwelling floor level; and
- 4.13.6.3 the overall height of any roof structure shall not exceed 6 (six) metres above the finished dwelling floor level; and
- 4.13.6.4 the maximum pitch of any roof shall not exceed 45 (forty-five) degrees; and
- 4.13.6.5 reasonable dormer windows and doors shall be allowed, provided the width of any such dormer windows and/or doors does not exceed dimensions approved by the association from time to time (it being recorded that the allowed width of such dormer windows and/or doors need to be limited in relation to and proportionate to the length of the roof); and
- 4.13.6.6 the finished dwelling floor level of the building shall not be more than 2.8 metres above the finished basement floor level; and
- 4.13.6.7 accordingly the overall height of any roof structure shall not exceed 8.8 (eight point eight) metres above the finished basement floor level; and
- 4.13.6.8 the underside of the floor slab or floor timbers of structures on sloping erven cannot exceed a maximum of 300mm above the highest natural ground level point within the footprint of the structure. In addition, the height between the natural ground level at the point where the footprint ends on the lower side of the slope and the

underside of the floor slab or floor timbers should not exceed 2500mm. In the event that such distance exceeds 2500mm, then the Association may require that the highest natural ground level within the footprint of the structure at the top of the slope is cut back to lower such distance to a maximum of 2500mm. Accordingly, the maximum height of structures on sloping erven from the basement floor level to the highest point of the roof shall not exceed 8800mm.

- 4.13.7 indigenous vegetation shall be retained and propagated over not less than 50% of the area of each erf (excluding the footprints of all approved structures).

5. Regulations governing erven zoned for business purposes:

Exterior walling and roofing shall be similar to that which is being prescribed for Chalet Erven provided that the walling may be completely semi-faced or faced brick, unplastered and unpainted.

6. Regulations governing the construction of other buildings and public amenities within the township:

The provisions of 5 shall apply to any other building which may be constructed in the township such as administrative offices, a communal hall, communal ablution facilities, workshop facilities, clubhouse or other recreational facilities.

7. Future Development:

In the third and final phase of development of Chalet Erven within the township the Developer in collaboration with the Association reserves the right to vary these regulations so as possibly to permit pockets of Chalet Erven to be constructed with different exterior walling and/or roofing materials.

30 NOVEMBER 2019
