



DESIGN RULES

ALL PHASES

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- **the Design Review Committee on 21st August 2019.**
- **by the Board of the ZREHOA on 4th July 2018: and**
- **by the Annual General Meeting of the ZREHOA on 30th August 2018.**
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DESIGN RULES

1 Background

These Design Rules have been updated by the Design Review Committee (“**DRC**”) of the Zini River Estate Homeowners Association (“**ZREHOA**”), have been approved by the Board of Directors of the ZREHOA (“**the Board**”) and will be submitted to the Annual General Meeting of the ZREHOA in November for final approval.

2 Objectives and Requirements

It is the intent of these Rules to be as broad as possible, to maximize the scope for individual design. Only two main mechanisms are relied upon for the creation of a harmonious result:

- 1.1 The use of competent Architects or Designers who have been accredited by the DRC.
- 1.2 Strict limitations on materials and colour combinations to be used.

Unlike many other such Rules, there are a limited number of restrictions on form or that are intended to encourage a specific Architectural language. There is thus no intended “style” that is sought as a result. Ideally responses will be broad and a-stylistic, giving owners / architects a broad range for individual expression without leading to a chaotic suburban complexity.

With the correct application of these Rules, each individual Homeowner should be able to accommodate his/her own needs with the minimum personal compromise, whilst contributing to the integrity of the Estate as a whole.

3 Associated and Applicable Documentation

These Rules are to be read in conjunction with and as mutually explanatory of the following Associated Documents, Agreements and Protocols – Annexed to these Rules. In the event of an unreconcilable conflict between these Rules and such Associated Documents, or between the Associated Documents themselves, the decision in writing of the DRC, as confirmed by the Board, shall be final and binding:

- 1.3 Architect/Designer Accreditation Application Form and Procedure – Annexure A.
- 1.4 The Architect/Principal Agent Protocol – Annexure B.
- 1.5 Plan Approval Application Form and Procedure – Annexure C.
- 1.6 The Building Contractor Accreditation Application and Procedure – Annexure D.
- 1.7 The Building Contractor Protocol – Annexure E.
- 1.8 Site Handover Procedure and Site Rules – Annexure F.
- 1.9 The Environmental Management Plan and Landscape Protocol – Annexure G.
- 1.10 The Town Planning Scheme – Annexure H.
- 1.11 Application for Final Certificate – Annexure I.
- 1.12 Stormwater Requirements – Annexure J.
- 1.13 Security Requirements and Procedures – Annexure K.

4 Appointment of Architect/Professional Team

The DRC strongly recommends to Homeowners that Registered Professional Architects (“RPA’s”) are employed on all construction or modification projects (“Improvements”) within the Estate. Although this is not obligatory, the DRC advises that the use of RPA’s, employed on a full-service basis, will be more likely to result in optimum project outcomes, maximum value-add and value for money, including swifter (and less costly) approval of plans, and final approval of “as built” plans.

Even where RPAs are employed, such Architects still need to be accredited by the DRC, in accordance with the provisions of clause 4.1 below, and of Annexure A.

Where the Homeowner elects to proceed with a project with an Architect or Designer who is not an RPA, the draughtsman or designer in question must at least be registered with the South African Institute of Architects and/or the South African Council for the Architectural Profession and accredited by the DRC on behalf of the Board.

Once again, the DRC strongly recommends that the RPA be appointed based on a full-service commission, so that the Architect is the PRINCIPAL AGENT on the Project.

Where the Homeowner elects to proceed other than on the basis recommended above, the commission should at least be on a “design and Local Authority” approval basis. Homeowners are advised that plan approval where RPAs are not appointed as the Principal Agent, will possibly take longer, and involve multiple plan submissions, with additional plan approval costs being charged.

4.1 Accreditation

- a) The DRC maintains a list of Architects and Designers who are DRC Accredited Architects (“the ZRE Accredited Architect’s List”), which is available from the Estate Office.
- b) Homeowners can propose RPA’s or Designers (“Architect/s”) who are not yet accredited, by having the proposed RPA complete the Accreditation Application Form, attached as Annexure A to these Design Rules, and who meet the Accreditation Requirements that form part of such Accreditation Application Form.
- c) Such Application must be completed and approved prior to the appointment of the Architect in question, and prior to the acceptance of a commission to do any work on the project by the Architect so proposed.
- d) Where an Accreditation Application Form, together with a portfolio of relevant and applicable prior work, has been submitted to and accepted by the DRC, the Architect/Designer in question will be accredited to execute one commission, and only when that commission is complete, and the final “As Built” drawings completed to the satisfaction of the DRC, will the Architect in question be entitled to apply for full accreditation.
- e) Architects not producing buildings of consistently high caliber may, at the sole discretion of the DRC, after consultation with the Board, be removed from the ZRE Accredited Architects List.

4.2 Consultation and Pre-Planning – Kick-Off Meeting

- a) The DRC requires that, prior to the commencement of any work by the appointed Architect, or by other members of the project team on any project, that the Homeowner and Architect request a Kick-Off meeting with the DRC (or representatives of the DRC), the Estate Manager and the Building Control Officer, at which the project will be discussed, the required procedures and documentation discussed, and an overall approach agreed upon.
- b) The process of consultation and planning and the Kick-Off Meeting will not commence unless and until all amounts owed by the homeowner to the ZREHOA have been paid in full, or otherwise secured to the satisfaction of the Board. Should the homeowner default on the payment of any amounts due to the ZREHOA during the execution of the project in question, the DRC shall be entitled, with the written permission of the Board, to suspend the execution of the project.
- c) This Kick-Off meeting may take place prior to the final appointment of the Architect on the project. Should a ZRE Accredited Architect be appointed, the Architect may attend this Kick-Off Meeting.
- d) Once the said meeting has been held, the minutes of that meeting will be circulated, and the project will proceed in accordance with the provisions of Paragraph 4 (Planning Approval) below, and in line with agreements reached at the Kick-Off Meeting, as recorded in the said minutes and always in accordance with these Rules and the relevant Associated Documentation.

5 Plan Approval Application and Procedure

- a) Provided that all amounts owed by the Homeowner to the ZREHOA are fully paid and provided further that the prescribed fees for Plan Approval, as set out in the Plan Approval Application form set out in Annexure B, accompany such Application, the process of Plan Approval by the DRC may commence.
- b) The Plan Approval Process will commence with the submission by the Architect and the Homeowner to the DRC of the Application for Plan Approval set out in Annexure B, together with a free-hand or CAD based sketch plan to scale of the proposed improvements (**“the Improvements”**), in sufficient detail to communicate the overall design of the Improvements. (**“the Sketch Plan”**). This Sketch Plan will be reviewed and commented on by the DRC with such comments being provided, in writing, by the DRC to the Homeowner and the Architect.
- c) In its comments, the DRC will be entitled, in appropriate circumstances, to request that the Sketch Plans for the Improvements be drawn to the attention of neighbors and others who may be impacted by the proposed Improvements. The DRC shall, in its deliberations regarding the sketch plans, and subsequent detailed plans, take into consideration the comments of any neighbors and others who, having been consulted, submit comments to the DRC for onward communication to the Homeowner and Architect. (It should be noted in this regard that the opinion of the neighbors will not be binding on the Homeowner, with compliance with these Rules and the Town Planning Scheme being the governing requirements.)
- d) Preparation of CAD drawings for the detailed design of the Improvements (**“the Detailed Plans”**) shall not commence until the comments of the DRC on the Sketch Plan have been received and reviewed, and where applicable, implemented.

- e) Once the Sketch Plans have been approved, the Architect may commence with the preparation of the Detailed Plans, and once these have been approved and signed by the Homeowner, such Detailed Plans, which shall be prepared in full compliance with the provisions of these Rules and with the requirements of Paragraphs 5 and 6 hereof in particular, and in strict compliance with the requirements of Annexure B, shall be submitted to the DRC for approval.
- f) Homeowners and Architects are reminded that in terms of the uMlalazi Town Planning Scheme, the ZRE, acting on the recommendation of the DRC, are required to stamp and approve the Detailed Plans prior to submission of such Detailed Plans to the local authority for formal approval. Any submission without such stamp of approval by the DRC will not be accepted by the Municipality.

6 Architecture

The Architecture should reflect a sensitive response to the site with the aspect, orientation, views, wind-direction, and the uniqueness of Mtunzini as primary informants, and particularly that the Estate has been developed with “eco-friendly” principles in mind.

The Architecture should also take into consideration the immediate environment around the proposed improvements, and how the improvements will blend into the surrounding area and how they will impact on neighbors and other interested and affected parties.

As this is a unique development on a unique landscape the Design should strive to be something better than "suburban mediocrity". For example, elements such as:

6.1 PHASES 1 – 4

- a. Composition.
- b. Good Proportion (Golden Section & derivatives thereof) of openings-windows and Doors.
- c. Generous Verandas.
- d. Well considered circulation.
- e. Well considered detailing.
- f. Simple, modern architecture with reference to South African veranda houses.
- g. Verandas are to be minimum of 40% of perimeter of house.
- h. No plaster detailing, recesses, patterns, motifs allowed.
- i. No “Tuscan style” of Architecture is allowed.
- j. No Fibre-cement barge boards and fasciae allowed – only hardwood or hardwood with steel (Chromadeck or Colorband) to cover over hardwood.
- k. Chimneys to be higher than the apex of roof as a focal point.
- l. Floor to ceiling height 3400 minimum in main, principal structure.
- m. Clear articulation of primary and secondary spaces, i.e. main house, and garage complex.
- n. No stainless-steel balustrades, handrails, posts allowed.
- o. House externally to be painted one colour.
- p. No concrete flying-beams, buttresses portals allowed.
- q. Privacy screens, if required are to be designed using indigenous vegetation or carefully detailed timber screens.

6.2 PHASE 5: All the above but in addition:

- a. No boundary walls allowed. Wooden Ranch Style Fences are allowed and if pets are to be kept on the property, a weld-mesh fence, integrated with ranch style fence is permitted. Prior approval of the DRC for the final design of the fences is required. All the above points will be considered in the evaluation process by the DRC.

Please Note: the approval by the DRC does NOT constitute Town Planning approval. It is merely approval of the aesthetics of the plans and compliance with these Rules. The Architect must ensure that the Detailed Plans comply with the Town Planning Scheme.

7 Site Handover Procedures, Operating Requirements and Completion

- a. Only Accredited Building Contractors may be contracted by the Homeowner to undertake building operations on the Estate.
- b. Should a Homeowner wish to apply for the Accreditation of a Building Contractor, not yet accredited by the DRC, the procedure set out in Annexure D shall be complied with.
- c. Homeowners and Architects should note that all building activities should be completed within 12 months from the date of the issuance of the Site-Handover Certificate. An extension of a further 6 months may be applied for by the DRC should there is any unforeseen delays in the building process.
- d. Should the building activities not be completed within the said 12-month period and provided no extension has been authorized, the DRC may recommend to the Board that a fine of up to R2 500.00 per month be levied against the Homeowner and/or Building Contractor, as may be appropriate.
- e. Upon further recommendation by the DRC to the Board, the fine may be increased to a further R5 000.00 per month after a further 3 months of delay (i.e. after 15 months from the issuance of the Site Handover Certificate). This fine will continue to be imposed until the Certificate of Occupation is issued.
- f. Should the building not be completed within a 3-year period from the issuance of the Site-Handover Certificate, the DRC may recommend to the Board that a fine of up to R10 000.00 per month be levied against the Homeowner and/or Building Contractor, as may be appropriate.

8 Design Inclusions & Exclusions for buildings on ZRE

ARCHITECTURE		
	INCLUSIONS	EXCLUSIONS
1.	STYLE	
	<ul style="list-style-type: none"> a) A variety of design responses is encouraged. b) Appropriateness to function, climate & site. c) It is intended that no specific stylistic response is sought. 	Neo Province, Neo Tuscan, Neo Balinese, Neo Victorian, Neo Cape Dutch, Neo Georgian, Neo Anything
2.	EXTERNAL FORM	
	<ul style="list-style-type: none"> a) Orthogonal forms b) Simple roofs c) Reflect internal usage. d) Curves e) 	45° Angles Dormers / complex roofs
3.	EXTERNAL WALLS & OPENINGS	
	<ul style="list-style-type: none"> a) Full panes of glass OR primarily solid panes with limited well-proportioned windows & doors. b) Defined plinths c) Separated roof plane (articulated) 	Cottage Pane Windows
4.	ACCESSORIES	
	<ul style="list-style-type: none"> a) Working shutters same size as opening. b) Timber natural or aluminum (Powder coated dark) c) Storm Grey, Charcoal, Dove Grey, Pearl White d) Limited use of natural materials stone e) Pergolas f) Simple timber / concrete columns 	Columns: <ul style="list-style-type: none"> a) Corinthian b) Ionic c) Gothic d) Lotus External burglar guards False Stone False anything
MATERIALS		
	INCLUSIONS	EXCLUSIONS
1.	ROOFS	
	<ul style="list-style-type: none"> • S Profile or Klip lock sheeting, fibre cement, clay or concrete roof tiles Aluminum, Steel (although this is not highly recommended due to the proximity to the coastline) • Rib • Flat (concrete) roof covered with stone chip of approved colour (submit sample) • Colours: Storm Grey, Charcoal, DoveGrey, and Pearl White 	

2	WALLS	
	<ul style="list-style-type: none"> • Plaster & paint or “Earthcote” type product of approved colour. • Limited use of natural materials to define elements and planes only. e.g. as plinth separating wall element from roof element. • See colour palette in para 12 below 	Timber Face Brick False Rock False Anything Hollow blocks (breeze blocks)
3	WINDOWS	
	Either natural timber or Aluminum powder coated or anodized in colours: Storm Grey, Charcoal, Dove Grey, and Pearl White	Painted timber. Reflective glass

9 Streets & Boundaries

The relationship between the street and boundaries is critical. The approach in principle is:

- g. Boundary walls are not encouraged but are permitted.
- h. Garages on boundary or within envelope - if on boundary doors at 90° to road.
- i. Forecourt materials stipulated.
- j. Low front (1m - 1,5m) high (2m) sidewalls. Submit full details on drawings.
- k. No retaining walls in front of **the envelope unless for structural purposes.**
- l. Traffic requirements are to be carefully considered.

10 General Requirements

10.1 Town Planning (Refer also to Town Planning Scheme)

Any additional structures outside of the approved plans, must have sketches / drawings submitted to the DRC for approval. No construction of any structure shall take place without the approval of the DRC.

1. FAR (Floor Area Ratio) does not apply to ZREHOA.
2. Coverage Regulations - 35% of ERF area.
3. Floor area not to exceed 500m² with a minimum of 130m²
4. Side space & Back space - National Building Regulations (2m).
5. Front - National Building Regulations (5m).
6. Boundary walls provided there are no services within the servitude.
7. Gate structures not to be within the road reserve and must be within the property coverage.

N.B. Special 10m non-building servitudes apply to sites adjacent to conservation areas.

10.2 Street Address Numbers

All street numbers and address signs to be detailed and submitted for review and approval by the DRC.

10.3 Reception Devices

Any reception devices including TV antennae and satellite dishes are to be positioned in an inconspicuous manner. The position of any reception device is to be clearly indicated on the drawings for close investigation by the DRC. Even where such devices are to be installed at a later stage, the intended location is to be shown.

10.4 Laundry Lines

All washing lines, windy driers and laundry lines are to be positioned so that they are not visible from any boundary. Sites which are "below" road level are to receive special care. Screen walls of 2.1 meters are recommended to screen laundry yards and lines. The positions of yards and washing lines are to be clearly indicated on drawings for scrutiny by the DRC.

10.5 Outside Lighting

An application may be made to the DRC for approval of any exterior lighting of buildings/building elements. Landscape lighting is recommended and is to be indicated on the landscape proposal submitted in terms of clause 8 below, for scrutiny by the DRC.

10.6 Air-conditioning Plant

All air-conditioning plants and equipment are to be positioned out of sight from any boundary or screened appropriately. The existing and likely positioning of future properties are to be considered when positioning any such plant. Even where such devices are to be installed at a later stage, the intended location is to be shown.

10.7 Burglar Alarms

Burglar alarms must be installed by an approved security contractor, a list of such approved Security Contractors being available at the Estate Office. The alarms should be monitored in the Central Monitoring Room. DIY installations will not be accepted.

10.8 Stormwater

A stormwater management design prepared by a Registered Engineer is to be included in all plan submissions. The method of stormwater control both during and post construction is to be indicated and shall comply, as a minimum, with the requirements of Annexure J. Stormwater is to be disposed of into a stormwater drain, or onto the road, but not onto an adjacent property.

10.9 Carports

Carports are permitted provided they are supplied by professional approved suppliers and must be approved by the DRC before erection.

11 Telkom

A 50mm plastic pipe with a draw wire needs to be laid from the road verge to the house as overhead access for connections by Telkom or other service providers is not permitted.

12 Optic Fibre Cable

The Estate is in the process of being equipped with an Optic Fibre Cable network. The Homeowner will be responsible for providing a link from the connection box outside each erf to the home of the Homeowner at the cost of the Homeowner.

13 Sewerage Pipes

Sewerage pipes must be concealed or boxed in. No sewerage pipes may be visible on the outside of the house.

14 Solar Panels

The use of solar power is encouraged, and solar power installations should be shown on the Detailed Plans.

15 Rainwater Harvesting

Rainwater harvesting is encouraged; however, the colour and positioning of tanks is to be shown on the Detailed Plans and must receive prior approval of the DRC.

16 Grey Water Treatment

Grey Water treatment systems are encouraged.

17 Modifications and Alterations

- a) Homeowners and Architects are advised that during the execution of the Improvements, any modifications, additions, deletions or other changes ("**Modifications**") to the Detailed Plans, as approved by the DRC, and subsequently by the Local Authority, should not be executed or implemented prior to such Modifications being referred to and advised to the DRC in the first instance, by way of a further application for Plan Approval in terms of Annexure B, and then to the Local Authority once approved by the DRC.
- b) If appropriate the DRC reserves the right to levy a further Plan Approval Fee in respect of such Modifications.
- c) The DRC will, upon application by the Homeowner for a Final Certificate in terms of Annexure G, arrange for a detailed inspection of the Improvements to ensure that the Improvements – "As Built" match the Detailed Plans as approved by the DRC and the Local Authority, and may require the Homeowner to remove the Modifications, or to apply for approval of such Modifications prior to the issuance by the DRC of the Final Certificate in respect of the Improvements.

18 Landscaping

A landscaping proposal prepared by a suitably qualified landscape Architect or designer is to accompany all architectural plan submissions. All landscape proposals are to comply with the Environmental Management Plan and Landscape Protocol, a copy of which is Protocol set out in Annexure G to these Rules. Landscaping may only proceed with approval by the DRC.

The general landscaping philosophy is one of controlled landscaped areas within the site, which are integral with the design and immediately adjacent to the built structure. It encourages the infusion of natural vegetation (plant and grassland) into the site and in certain instances up to the structure, whilst proposing the "blurring" of property boundaries. A sense of territorial encampment is promoted by site demarcation which is strongly discouraged.

The landscaping of gardens is to be strictly in accordance with the approved plan and is to be completed within 3 calendar months of the issuance of the Final Certificate in respect of the relevant property. An audit of the landscape installation will take place approximately nine calendar months (allowing for 6 months "growing in" period) after the Final Certificate. The owner or landscape contractor will be responsible for the maintenance of the garden prior to the audit.

Once the established garden has been accepted, the ongoing maintenance will be the responsibility of the owner.

The removal of any existing trees and indigenous vegetation on ZRE property (road verges, commonages, etc.), even if planted by the Homeowner, is strictly by application to ZREHOA.

19 Zini River Estate Colour Palette

<u>DULUX NAME</u>	<u>CODE</u>
Pepper Tree	10GG 38/038 **LF tint
Basic Beige	45YY 65/084 **LF tint
Sea Gul Grey	30YY 42/083 **LF tint
Veld Storm - <i>Accent Colour</i>	Std. Textured **LF tint new
Sand White	30YY 58/082 **LF tint
Grey Wind - <i>Accent Colour</i>	Std. Textured **LF tint new
Scroll Beige	20YY 43/083 **LF tint new
Nightingale	Grey Std. Textured **LF tint (<i>Iliza Bay Exterior</i>)
Carolina Strand - <i>Accent Colour</i>	30YY 69/048 **LF tint new
Zeppelin	30YY 46/036 **LF tint
Fossil Grey	30YY 56/060 **LF tint
Old Monterey	30YY 33/047 **LF tint
Castle Stone	PLC **LF tint
Cape Fog	Std. Textured **LF tint new
Karoo Land	Std. Textured **LF tint
Bergh Cloud	Std. Textured **LF tint new

LF = Use of light fast colourants for exterior

20 Associated Documents & Annexures

This Code is to be read in conjunction with the following Associated Documents, Agreements and Protocols – Annexed to the Architectural and Development Code and Procedures. In the event of an unreconcilable conflict between these Rules and such Associated Documents, or between the Associated Documents themselves, the decision in writing of the DRC, as confirmed by the Board, shall be final and binding:

- **Annexure A – Zini River Estate Procedure for Building of a new residence**
- **Annexure B – List of Accredited Architects**
- **Annexure C – Criteria for Acceptance onto the Accreditation of Architects with the ZREHOA**
- **Annexure D – Architect Accreditation Applicant Form**
- **Annexure E – The Architect / Architect / Principal Agent Protocol**
- **Annexure G – Indicative Sections of Typical Building Types**
- **Annexure H – Plan Approval Check List – Stage 1 and Stage 2**
- **Annexure I – List of Accredited Building Contractors**
- **Annexure J – Criteria for Acceptance onto the Accredited List of Building Contractors**
- **Annexure K – The Building Contractor Protocol**
- **Annexure L – The Kick-Off Meeting Procedure – Orientation Meeting and signing of the Building Pack – This done in a meeting at the ZRE Board Room**
- **Annexure M – Environmental Management Plan for House Construction**
- **Annexure N – The Town Planning Scheme**
- **Annexure O – ZRE Stormwater Management Plan**
- **Annexure P – Stormwater Management Protocols & Recommendations**
- **Annexure Q – Sub-Contractors Security Rules & Procedures Protocol**
- **Annexure R – Landscaping Contractor Protocol & Design Rules**
- **Annexure S – Approved Colour palette**