



# BUILDING and LAND USE REQUIREMENTS in RANDJESFONTEIN

**PREFACE:** When Randjesfontein was initially developed as an equestrian residential area a number of specific land use and building requirements were written into the constitution to ensure that the uniqueness of the area and the quality and value of the properties would be maintained. Many of these requirements are embedded in the original deeds for the farm Randjesfontein as updated from time to time, including conditions imposed by the “Administrator of the Transvaal” on 25 October 1988. The duty of care and enforcement of the aforesaid requirements was delegated to the Randjesfontein Country Estates and no buildings or fencing may be erected on the property without the prior written consent of the RCE. The specific requirements are noted below:

## 1. BUILDING LINES

- 1.1 No building shall be erected on any portion within a distance of thirty meters from the boundary thereof abutting on a road and within fifteen meters from any other boundary. (This condition does not apply on the boundary of portions 48, 96 to 99 and 229 to 236 abutting on Road P -2).
- 1.2 Each portion is subject to a servitude, three meters wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a road boundary as determined by the local authority. No building or other structure shall be erected within this servitude and no large-rooted trees shall be planted within the area of such servitude or within two meters thereof.
- 1.3 Special requirements pertaining to Portions 48, 96 to 99 and 229-236:

- 1.3.1 Buildings, including outbuildings, erected on the portion shall be located not less than ninety five meters from the centre line of Road P 1-2
- 1.3.2 Ingress to and egress from the portion shall not be permitted along the boundary of the portion along abutting the Road P 1-2.
- 1.4 The local authority shall be entitled to deposit temporarily on the land adjoining the servitude described in 1.2, such material as may be excavated by it during the course of construction, maintenance, or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of construction, maintenance, or removal of such sewerage mains or other works being made good by the local authority.
- 1.5 In the instance where the 30m building line is the same 30m as the horse trail servitude of a particular property, RCE recommends that any buildings should not be positioned within a further 10m of this servitude as the horse trail is a public thoroughfare.

## **2. AREA, ORDER AND MINIMUM SIZE OF BUILDINGS**

- 2.1 The total surface area of buildings erected on the property shall not exceed 8% of the area of the portion.
- 2.2 The dwelling house shall be erected simultaneously with, or before the erection of the outbuildings and it shall be a completed building and not one partly erected and intended for completion at a later stage.
- 2.3 The dwelling house shall be of a minimum size of 250 square meters.
- 2.4 Any structure with a roof occupying a floor area in excess of 5 square meters must be approved by RCE, as per local authority requirements.

## **3. DWELLINGS AND OUTBUILDINGS**

- 3.1 Without the consent of the local authority and the RCE not more than one dwelling house together with the usual outbuildings may be erected on the portion.
- 3.2 One cottage may be added on each property as a dwelling

- 3.2.1 A cottage is defined as a dwelling house that is smaller than the main house.
- 3.2.2 This cottage should be not more than 75% of the size of the main house, up to a maximum of 250sqm
- 3.2.3 Point 2.1 above will still apply.
- 3.2.4 An existing main house can only be converted into a cottage and a new main house built if all of the above conditions are still fulfilled.
- 3.3 Additional outbuildings may be built and must comply with Section 4 below.
  - 3.3.1 An outbuilding is defined as a building used for the purpose of accommodating domestic staff.
  - 3.3.2 Outbuildings for any other purpose must be applied for in writing and approved by the RCE board.
  - 3.3.3 An outbuilding that has been approved for a certain purpose cannot be converted for any other purpose without plans first being submitted and approved.
- 3.4 A Temporary structure is defined as a structure used solely for a project and must be removed once that project is completed.
- 3.5 No containers are allowed.
- 3.6 No wooden stables are allowed.
- 3.7 No wooden huts may be used for living quarters.

#### **4. BUILDING MATERIALS**

- 4.1 Materials for the construction of buildings should either be face brick, plastered brick or stone. Materials used for roofing are restricted to cement tiles, clay tiles, thatch, or concrete. Steel roofing, including IBR sheeting, may only be used if it conforms to SABS standards of colour fixing i.e. chromadek or if covered by top tiles.
- 4.2 All outbuildings including storerooms and stables must be constructed:
  - 4.2.1 of the same materials as the main dwelling,
  - 4.2.2 in accordance with the legislation relating to health, hygiene and fire hazards as stipulated and enforced by the local authority. This requirement precludes the construction of wooden stables within Randjesfontein.
- 4.3 In the event of the main dwelling having a thatch roof an alternate roof covering may be utilized for stables provided that the alternate roof complies with the requirements set forth in 4.1 above.
- 4.4 All extensions and additions to existing buildings must be constructed of similar materials that comply with the

requirements of 4.1 above and must be in the same style as the main dwelling house.

## **5. FENCING**

- 5.1 No fencing may be erected on the portion without the prior written consent of the RCE.
- 5.2 No precast walling other than concrete palisade fencing is permitted.
- 5.3 Fencing erected should not create a hazard to horses or any residents of Randjesfontein and accordingly, the following conditions apply:
  - 5.3.1 the use of barbed wire or razor wire is prohibited
  - 5.3.2 electric fencing may only be used if an additional fence is in place on the exterior of such electric fence.
    - 5.3.2.1 The SANS document must be used for installation requirements. Copy from RCE office.
- 5.4 Horse trail servitudes are to be kept open at all times and may not be fenced in or used to dump building materials or rubble.

## **6. LAND USE & SEWERAGE**

- 6.1 Except with the consent of the local authority and RCE, the portion shall be used for residential and agricultural purposes only.
- 6.2 All domestic water, waste and sewerage must be disposed of by means of a septic tank and French drain and under no circumstances may it be allowed to percolate or run into the horse trails creating a risk of contamination. Septic tanks and French drains must be placed in accordance with the health and hygiene requirements of the local authority.
  - 6.2.1 Any property in the low-lying areas and wetlands submitting new plans after Jan 2009 must have a conservatory installed instead of a French drain system. Each case to be assessed.
- 6.3 Kennels or piggeries shall not be permitted on the portion.
- 6.4 The number of animals to be kept on the portion shall not, except with the consent of the local authority, exceed:
  - I. 6 large stock
  - II. 10 small animals
  - III. 50 fowls
- 6.5 Permission for more than 6 horses is required in the following procedure:
  - 6.5.1 A letter to RCE stating purpose.

- 6.5.2 A letter to Health department for permission.
- 6.5.3 Consent use application to Jhb City Council if running an income generating business eg breeding, teaching.
- 6.5.4 Approval of stable building plans by RCE and then Council.

## **7 VEGETATION**

- 7.1 No tree will be allowed grow to the height exceeding 3 meters within 5 meters from the power line or any power structure supporting mechanism.
- 7.2 No tree shall be planted under the power line nor shall be allowed to grow to within 3 meters from any part of the power line or within 5 meters from any structure supporting mechanism of the power line.
- 7.3 No material, which may, in the opinion of Eskom, endanger the safety of any power line, shall be placed within 9 meters of the centerline of any power line.

## **8. SPECIAL USES**

With reference to clause 6.1 the following definitions will apply to other uses for all portions:

### **8.1. Bed & Breakfast and Guest Houses**

#### **8.1.1. Definition: Bed & Breakfast**

"A B&B shall mean a private dwelling-house/unit which is occupied by the owner and/or caretaker in which a number of rooms within the main dwelling are available for guests. It may also include a dining facility for the exclusive use of the residing guests, but does not include a public restaurant."

Conditions:

- The number of rooms available should not exceed four (4);
- No conferences or social functions shall be held on the property;
- The amenity of the area shall not be disturbed, either by noise, such as loud music, hooting of motor vehicles or by excessive illumination;
- No bright lights shall be permitted;

- The serving of food and beverages shall be restricted to *bona fide* visiting residents of the B&B only.
- Health and traffic requirements must be met.

### **8.1.2. Definition: Guest House**

"A Guest House shall mean a private dwelling-house/unit which has become rezoned with Guest House rights and is NOT necessarily occupied by the owner, in which a number of rooms within the main dwelling are available for guests. It may also include a dining facility for the exclusive use of the residing guests, but does not include a public restaurant."

Conditions:

- The number of rooms available should not exceed six (6);
- No conferences or social functions shall be held on the property;
- The amenity of the area shall not be disturbed, either by noise, such as loud music, hooting of motor vehicles or by excessive illumination;
- No bright lights shall be permitted;
- The serving of food and beverages shall be restricted to *bona fide* visiting residents of the Guest House only.
- Health and traffic requirements must be met

### **8.2 Guidelines for Home Business of an Agricultural nature:**

Businesses that fall under this category will naturally fall into two sections,

- horse related business eg riding schools or the keeping of livestock,
- business related to agriculture eg the growing of vegetables & plants, the supplying of equestrian products or such activities.
- Any application, once approved by both RCE and Council, is only relevant to that owner.
- Approval is non-transferable upon the sale of the property.
- The new owner is obliged to re-apply should they wish to continue the business.
- Application to RCE must include agreement from neighbours.
- One *bona fide* resident and family members.
- No more than 2 people employed in the business. RCE must grant permission for more than 2 staff members
- The display of one sign (460mm x 600mm) which may only indicate-
  - The name of the resident
  - The address

- The phone number
- The nature of the business
- The display of goods contemplated inside the space limitations and in such a way that it is not visible from outside
- Health department and traffic department requirements must be met
- No nuisance through noise, smell, dust, light, radio-activity, gas or vibration or any other hazardous condition.
- Arenas must be managed correctly to reduce the dust as much as possible.
- Fly control must be practiced.
- Compost heaps must be managed correctly to reduce the nuisance of flies. Manure must be removed from the property weekly OR managed in regularly turned compost heaps.
- Weed poison, plant fertilizers and other toxic substances must be managed and stored as per Occupational Health & Safety regulations.
- The times of business should, as far as possible, fall within the following working hours; 06:00 -18:30 Monday to Saturday, except in the case of an emergency. If activities need to take place outside these hours the neighbours should be advised accordingly
- Sufficient parking facilities need to be available to manage the proposed business requirements and activities
- Any delivery vehicle must not create any traffic obstructions and not exceed the municipal weight limit of 5 tons.
- Delivery and dispatch of goods must as far as possible, take place within regular working hours
- No materials or equipment of any kind are to be stored on the horse trails. No deliveries to take place via the horse trails without special permission from RCE.
- The owner must notify RCE and the direct neighbours before holding a show, gymkhana, or event.
- These events should be limited to once every 2 months, ie 6 times a year.
- These events should be held on a Saturday. If the owner wishes to host an event on a Sunday it must be approved by all direct neighbours.
- The hosting business must comply with all the above regulations with regard to noise, parking, etc. Loud speakers should be turned away from neighbours as much as possible.
- If possible, these events should be held at a public facility such as The North Rand Training Centre or The Homestead.

- The slaughtering of any beasts for any reason must follow the rules as stipulated by the SPCA and Health Dept.

### **8.2.1 Consent Use**

- If you breed animals or grow plants of some sort it is considered agricultural use and no consent is required.
- If you stable for someone else, or are bringing things, animals or people to the property for your business activity, this is not considered agricultural and consent use is required from Council.
- Consent use falls into various categories, but on the same application form.
  - To have more than 6 of your own horses/stables you need Consent to Increase the number.
  - To have more than 6 horses that are not all your own you need Stabling Consent
  - To have more than 6 horses that are used to teach other people you need Training Consent ( not rezoning for education)
- The owner must apply to Council for Consent Use to run the agricultural business once the RCE Board has approved the application for the business and supplied a report.
- The business owner must display a Council sign on the fence of the premises where the proposed business will take place for the period of time as determined by Council before going ahead with the business. If there is to be an increase in the number of animals to be kept ie more than that laid down in the title deeds, this must be mentioned on this notice.

### **8.2.2 Consent to Increase the number of Animals.**

- If more than 6 stock animals per portion is required, then the owner must apply to Council for Consent to Increase the number of animals.
- The application must first apply to the RCE Board.
- Direct neighbours must be notified of the intention to increase the number of animals and/or run a business on the premises. Neighbours written agreement must be included.
- Each application is assessed separately, reviewed and considered on its own individual merits.
- RCE recommends that up to 6 stock animals per hectare is acceptable. Over and above that requires expert opinion & assessment of the animal management intended and the specific property conditions.



- The Board, in conjunction with an outside expert ( health dept, SPCA etc) if they deem it necessary, will assess the property specifically related to the keeping of large animals.
- RCE will issue their recommendations in the form of a report, which must be handed to Council in conjunction with the application.

### **8.3 Home Business ( non agricultural) Guidelines**

Home business is defined as a business run by the owner using his qualifications or skills and limited to:

- one bon fide resident;
- maximum 30% of gross floor area provided that this does not exceed 60 square meters;
- the display of one sign (460 x 60mm) which may only indicate-
  - the name of the resident
  - the address
  - the phone number
  - the nature of the business
- the display of goods contemplated inside the space limitations and in such a way that it is not visible from outside;
- delivery and dispatch of goods by means of a private motor vehicle or light delivery vehicle with a gross vehicle mass of maximum 3500kg of which only one may be parked at the property provided it cannot be seen from the street;
- a crèche for a maximum of 12 pre-school children without compulsory educational requirements.
- health and traffic requirements must be met;
- no activity before 8:00, after 17:30 or on Saturdays, Sundays or Public Holidays;
- no nuisance through noise, smell, dust, light, radio-activity, gas or vibration or any other hazardous condition;
- no more than two people employed in the business;
- one parking bay for every twenty-five square meters used, provided on the property.

## **9. BUILDING PLAN APPROVAL**

- RCE must approve all building plans for new buildings, alterations, and additions.
- A fee of R2500 must be paid on submission of plans. R500 is a non-refundable deposit. R2000 is a refundable deposit once the site has been cleared after building is completed.

- Any consent granted by the RCE for the erection of buildings, walling or fencing on any portion will be done on the following terms:
- Construction must commence within one year of the date of written approval by the RCE.
- Construction must continue uninterrupted as far as humanly possible until the building or fence is complete.
- The owner takes responsibility for the behaviour of the construction workers and must register these workers at RCE office. See separate registration form.

## **10. DOCUMENTS REQUIRED FOR PLANS APPROVAL**

- The following documents are required to facilitate a speedy approval
- Notification of Evaluation of Building Plans
- Submission of Building Plans for approval form
- 4 coloured Paper copies of plans
- Signed acknowledgement of control of construction workers.

\*

\*

\*

## **APPENDIX**

The developers drew up the original building regulations in 1982.

- Amendments to these building regulations:
- Point 5.3.3 regarding electric & razor wire fencing was added in 1999 by the RCE board.
- Point 7: regarding the trees and Eskom requirements was added in 2007 after negotiations with Eskom, as per their wording, and presented at the AGM in 2007.
- Point 3.2 through 3.3 were added in Oct 2008, defining a cottage and outbuilding use, after a participatory meeting with owners on 16 Aug as per the 2008 AGM.
- Point 8 : Definition of a B & B and Guest house was amended in order to clarify the points in 2008.
- Point 1.5 and 6.2.1 were included in 2009 after discussion with building inspectors.
- Point 8.2 and 8.3 were added after a community meeting in Aug 2009. Discussion around clarification of Agricultural business vs Home Based business and what is appropriate for our agricultural zoning.

- Contractors & Site Regulations have been added to this document in 2010, although have been implemented as such for the past few years.
- Points 3.7-3.7 have been added in 2011 as clarification. These regulations have always been in place but have been discussed again in Sept 2010 by the community at a special meeting.

Herewith I \_\_\_\_\_ owner of \_\_\_\_\_  
acknowledge that I fully understand the Randjesfontein Building  
Rules and land use guidelines and will not deviate from the  
prescribed rules.

\_\_\_\_\_  
Resident

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness from RCE office

\_\_\_\_\_  
Date



## COUNTRY ESTATES

### Submission of Building Plans for Approval

I, \_\_\_\_\_, the owner of portion number \_\_\_\_\_ in Randjesfontein submit the accompanying plans for approval. I confirm that the buildings to be erected/modified are to be used for the purpose of residential only.

This being the case, I agree to abide by the specified building and land use guidelines both now and in the future as confirmed below.

I also acknowledge that I am familiar with the Consent to Resale, a legal requirement, issued by the original developers, Randjesfontein Developers (Pty) Ltd, regarding building requirements within the area.

I, the owner of Portion \_\_\_\_\_ of the farm Randjesfontein, agree to abide by the guidelines laid down and declare that the building plans submitted for approval by the Randjesfontein Country Estates will not be used in any way which is in contravention of these guidelines. I also confirm that I have sufficient finances in order to erect/modify the buildings indicated on the accompanying plans.

**Applicant:**

**Witness:**

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Tel number: \_\_\_\_\_ Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Please deliver this form to the RCE office**



## **Building Contractors & Site regulations**

1. All building plans must be approved by RCE before submission to the Johannesburg City Council. This is a title deed requirement.
2. All owners are fully responsible for the building contractors and their staff at all times.
3. In light of the point above all building contractors are to register with the RCE in order to control access to the area and to make contractors aware of the nature of the area.
4. A deposit of R2500 will be payable on submission of plans and R2000 will be refunded once the contractor leaves the area in the same way the area was found.
5. Owners must make themselves and their contractors aware of building regulations applicable in the area, as negligence will not be excused and you will be held responsible for complaints in this regard.
6. The owner will repair any damage to the surrounding area before any refund will be made. This will be closely monitored by the estate manager and security directors
7. No Flora or Fauna in the RCE estate may be removed or destroyed. If for any reason this causes a hindrance to building operations it must be reported to the estate manager who will then investigate.
8. Building rubble will remain on site until appropriately removed from the property. No building rubble will be dumped on side-walks, horse trails or any other public area other than on the property site.
9. RCE will not be responsible for any losses occurred as a result of theft, damage or other irregularities on building sites.

## **Access Requirements**

1. As this is an equestrian estate Horses have the right of way. All owners are to ensure that all contractors & service providers and their staff are informed.
2. Speed limits (40kmph) are to be maintained or even reduced by considerate contractors at all times
3. Respect for riders and their horses will be maintained at all times
4. No litter will be allowed to be thrown off the back of vehicles inside the estate.

## Site Specific Requirements

1. Temporary accommodation on site must be applied for and be inspected by the RCE Estate manager.
2. Building huts and storage facilities must be removed as soon as building is completed.
3. All accommodation and storage facilities on site may at no time ever prevent access to horse trails servitudes and/or roadways
4. An ablution facility as well as clean running water must be available on the building site. The estate manager and the security directors will closely monitor this.
5. Electricity must be available in the facility used for accommodation in order to prevent the making of fires and this is STRICTLY forbidden in the area. No burning of excess rubbish will be allowed on site.
6. Access to sites will be limited to 06h00 – 18h00 in the evening during normal week days
7. Access over weekends must be limited to Saturday 08h00-17h00. No access on Sundays or Public Holidays.
8. Only one person will be allowed to remain on site after hours to take on the responsibility of security for the contractor. This person should also have access to a phone or our security patrols in case of any emergency.
9. All staff on the building sites are to wear access cards at ALL times so that the whereabouts of people can be monitored by security staff
10. A person acting in a supervisory capacity (Site Foreman) must be present on site at all times
11. Hygiene standards on sites must be maintained at the highest of standards at all times.
12. Waste bins must be provided.
13. No building rubble is to be dumped on site; surrounding areas open plots or left in any horse trail that may cause risk or injury to a horse or rider eg. Bricks, wire, piping, used cement bags etc.

### **Signed by Owner:**

I acknowledge that I am aware that I am responsible to ensure compliance as per this document, by any contractors that I employ.

Date \_\_\_\_\_ Name \_\_\_\_\_ Plot no. \_\_\_\_\_

**Please deliver this form to the RCE office  
Prior to commencement of Building operations.**