

RIVERHORSE VALLEY BUSINESS ESTATE

THE DEVELOPMENT CODE CONCEPT

The Development Code is intended to set reasonable standards and create disciplined development, resulting in a planned neighbourhood with enhanced property values. The Management Association is formed to maintain these standards, the public environment, and provide security that will also enhance the value of the property.

It is therefore assumed that purchasers will adopt a positive attitude to adhering to this code thus ensuring that neighbouring developments will also adhere to the code.

The overall theme is not architectural but is a colour code where buildings will range from predominantly white, silver and / or grey, with secondary and preferred accent colourings on elevations encouraged. The Development is set in a green landscape of open space and an extensive riverine environment rich in indigenous flora and fauna.

A major feature of buildings in a business park / light industrial areas is the roofscape. All steel sheeted roofs are to be white, silver or grey only. Tiled or shingle roofs are to be light grey, charcoal grey or black. All windows and skylights will be clear, white, silver or tinted grey, charcoal or black tones. No blue, green, bronze or other colours are permitted. Lighting of buildings at night will be solely of a "white light" which will assist with security camera surveillance of the area and will accentuate the light coloured buildings and the green landscaping and open space.

Further details follow in the manual that support this colour-coded concept and must be included in any development proposal submitted to the Design Review Panel. Please regard the intention of the Development Code as a facilitative document that can be amended and adapted from time to time. The spirit is one of cooperation and the Design review Panel is prepared to take cognizance of individual design merits not appropriately catered for in the Code. Where necessary, therefore, the Panel is willing to consider waivers to the requirements of the Code as long as the spirit and intention of the Code are maintained and no unwelcome precedents are set.

DEVELOPMENT CODE FOR
RIVERHORSE VALLEY
BUSINESS ESTATE

Originally prepared by GAPP Architects & Urban Designers

for

TONGAAT HULLETT DEVELOPMENTS

and

**RIVERHORSE VALLEY BUSINESS ESTATE MANAGEMENT
ASSOCIATION**

Version

February 2012

1 THE ETHIC OF RIVERHORSE VALLEY BUSINESS ESTATE

1.1 Riverhorse Valley Business estate is a development of excellence and is a project occupying a highly visible and prominent location on the N2 highway. Rather than simply being another commercial strip in the emerging north coast corridor, Riverhorse Valley Business Estate is intended to form a distinctive node and landmark within this corridor. Apart from the Total Petroport that distinguishes the Effingham Interchange from others on the highway (by day as well as by night when the interchange is washed in bright white light from high elegant masts), the Business Estate is intended to reinforce these qualities in terms of:

1.1.1 Consolidating the area as an easily recognized node having a sense of place and memorability

1.1.2 Establishing a superior quality of environment through a high standard of landscaping of the public environment and buildings governed by a simple set of development parameters and guidelines

1.1.3 Carrying through a simple code of colours and materials that creates an overall integrity

- 1.1.4 Undertaking all development with attention to quality through a simple plan review process
- 1.2 While it is understood that the commercial buildings that characterize business parks on highways have to optimize visibility and stand out as distinctive developments to fast-moving traffic, it is also essential to achieve an identity for the area as a whole. The group form of the architecture in terms of colour, material, texture, scale, signage and lighting, must therefore reinforce an overall identity and create a context of distinction that enhances the prestige of each individual development.
- 1.3 It is therefore the intention to promote discipline and integrity of development through the control of form and scale, parking and carports, screening of yards and storage, the use of materials, and, most importantly, color, signage and lighting. The colour code for all buildings is predominantly in the white, silver or light grey, cool grey and medium grey range of colours with proportions of these being required as primary and secondary colours. Accent colours of red (picking up on the corporate colours of the Petroport) and yellow are encouraged throughout. Where, owing to corporate identity or branding requirements, there is a necessity to use additional colours in the architecture of particular development, these are to be accommodated as further accent colours played against the predominantly white, silver and grey backdrop of buildings, the collective white and light gray roofscape and the verdant green of the extensive and lush landscape of the overall development.
- 1.4 Signage must be a conscious aspect of each building design and a complex with multi-owners or tenants is required to have a policy governing signage into the future to facilitate later consideration and incorporation into lease documentation.

2 DEVELOPMENT RIGHTS

- a. Zoning in respect of all sites: (see Annexure “Z”)

Uses:	Office, warehouse, showroom, light industries, limited retailing and service uses including storage and distribution
Parking:	6 bays / 100 sq.m retail floor area 3 bays / 100 sq.m commercial office floor area 1 bay / 100 sq.m other industrial floor area
Minimum Landscaping:	15% of total site platform area
Special Conditions:	Site Development and Landscape Plans are required to be approved in addition to building plans. Site Owners are obliged to become members of the Management Association

Owing to the sensitive nature of the riverine environment, passive storm water management principles are encouraged in leading storm water either into the piped storm water system or into the surrounding wetlands area. These principles should allow for storm water flows to be minimized and

attenuated on-site for as long as possible within driveway and parking areas, paths, decks, terraces, balconies and hard or soft landscaped areas before being discharged either into the piped system or adjacent open spaces. The impact of discharge into adjacent open spaces is also to be minimized and properly engineered.

3 THE PLAN REVIEW PROCESS

a. The Riverhorse Valley Business Estate Management Association is represented by its Design Review Panel (the Panel).

b. The plan review process may be undertaken in the following sequence

Step 1: Pre-design conference and statement of intent

Step 2: Presentation of a conceptual design and a site development plan (see 4.2)

Step 3: Presentation of sketch plans presented for approval in principle

Steps 1 – 3 may be combined into one presentation if prepared by registered architect, engineer or senior professional technician.

Step 4 Council submission plans perused and signed off by the Panel prior to submission to Council (Plan Approval)

Step 5: After inspection of the completed development including installation of landscaping, signage and lighting, approved by the Panel, a certificate of "Final Approval" will be issued.

4 SITE WORKS AND SITE LAYOUT

a. Most of the individual sites within the Estate will require varying degrees of re-contouring to achieve gentle falls over wide areas. While earth platforming is necessary in respect of individual sites, this is to be undertaken within the following guidelines:

- i. Platforms should be confined as far as possible to specific aspects of the site's proposed development e.g. the footprints of the warehouse section, the office component, service yards, trucking areas and car parking areas. Each component is to be regarded as a separate entity and (without compromising the relationship of one element to another) should be expressed as a discrete level in each case.
- ii. Care should be taken to exploit any changes of level within individual sites to achieve trucking dock facilities, covered parking and visual screening of service, plant, parking and trucking areas, for example.
- iii. Extensive earth retaining structures are discouraged and should be ameliorated into several smaller changes in level if possible.

- iv. Earth retaining systems such as Terraforce are permitted, together with reinforced concrete or clay masonry retaining walls, although these must be amply planted to allow for the substantial screening of such systems by sustainable vegetation.
 - v. All embankments or retaining systems are to be accommodated entirely within the cartilage of individual sites provided that these requirements may be waived by the Panel in cases of individual merit.
 - vi. No retaining structure or embankment may be constructed on a site so as, in the Panel's view, to create an injurious condition to an adjacent site.
- b. Each site development plan shall include (Step 2 in Clause 3.2 refers).
- i. The envelope intended for accommodating the office component of the development
 - ii. The envelope intended for accommodating the warehouse component of the development
 - iii. The zones intended for accommodating the trucking, car parking and service yard components of the development
 - iv. The points at which it is intended that entrance for various classes of traffic be taken to each site
 - v. Any non-user servitudes that may apply to individual sites
 - vi. Landscaping zones to be planted by individual developers and any Estate landscaping that is to be augmented by developers
 - vii. Building lines, build-to lines and points of architectural accentuation that may be required
- c. No open-air storage or outdoor working areas other than service yards are permitted, providing that the Panel may waive this requirement in terms of individual merit. No washing or repair of vehicles, equipment or plant may take place on a site other than that which is minor and incidental to the day-to-day operations of the enterprise and provided that such activity takes place within a building or within a suitably screened, approved area. Any approved storage of goods in the form of containers, crates, boxes, palletes or stacking is to take place within a suitably screened and approved area and may not exceed a height of 4m provided that the Panel may consent to a waiver in cases of individual merit. Outdoor storage or yard areas whether covered or uncovered are to comply with the following:
- i. The area designated for such use may not be visible from any adjacent roads
 - ii. The area must be suitably screened from adjacent developments where there is, in the Panel's view, the threat of compromising the outlook of an adjacent development

- iii. Any structure erected to provide cover to outdoor storage areas is to be of a substantial nature and in keeping with the overall integrity of the development
- iv. Any outdoor storage area must be suitably screened with well-lawned earth mounds and swales, planting and / or screen walls designed in the ethic of the overall development.

5 PARKING

- 5.1 No parking is permitted within the building line areas applicable to the N2 provided that the Panel may consent to limited encroachments of parking into these areas and providing that such parking is uncovered surface parking, part of a parking structure integral to the building (but excluding any carports of all descriptions) and suitably screened and landscaped when viewed from these main roads.
- 5.2 Where a building is primarily factory or warehouse in nature, a minimum of 20% of all on-site parking is to be covered, provided that where such cover is provided within car-port structures, such carports are to be of a substantial nature in keeping with the architectural ethic of that portion of the building to which it most closely relates. "Platinum" coloured shade cloth may be used on suitably designed framed structures in order to provide shade for cars. Where the Panel is satisfied that the scale and intensity of tree planting within parking areas warrants it, the requirements for covered parking may be reduced or waived at the discretion of the Panel.
- 5.3 All surface car parking areas are, as far as possible, to be fragmented into smaller areas rather than extensive car parks and generously landscaped with substantial shade trees. The number of trees planted in parking areas shall be on the basis of one tree per 4 car parking spaces. Indigenous young trees minimum 2.0 metres tall of a species selected from the list in Clause 8.2 of the landscape section of the Environmental Management Plan
- 5.4 Any parking provided in excess of the minimum required is to be subject to the provisions of 5.2 above.
- 5.5 Where the parking of vehicles, either for storage or display, forms part of the development's "stock in trade", such parking is to be subject to the provisions of 5.2 above.
- 5.6 All uncovered surface parking areas and driveways for cars are encouraged to be constructed of high quality cobbles or pavers. Where such driveways and parking areas are also required to cope with heavy-duty vehicles, concrete paving blocks, tarmac or interlocking blocks are permitted.
- 5.7.1 All trucking areas and areas used for loading and off-loading purposes are to be suitably screened from adjacent developments and roads constructed of suitably durable and easily maintained materials such as concrete block, concrete panels or tarmac with concrete edge restraints.
- 5.8 All uncovered surface car parking areas are to be suitably screened from adjacent developments and roads by means of earth berms and landscaping.(4.3.4 refers)

6 FENCING AND SECURITY

- 6.1 Security and the demarcation of property boundaries is obviously a high priority in developments such as Riverhorse Valley. Where the Panel believes that the erection of security boundaries is not in the public eye, and does not impact on the adjacent developer. The Panel favours the following:
- 6.1.1 Where boundary treatment is in the public eye and forms a common boundary between developments that is visible to an adjacent developer, the boundary treatment is regarded as an important element in achieving an overall integrity and identity of distinction for Riverhorse Valley. The intention is to use generally/lightweight fencing systems in the colour range of white/ silver and or light grey.
- 6.1.2 Where walls are to be used along boundaries, these cannot be of a precast system variety by rather block or brick rendered in white or grey.
- 6.2 The perimeter security fence for the outer extents of the Business Estate varies. Where a fence in adjacent to an open space or riverine area, a non-electrified green V-Beam Palisade is used. The Panel may permit the electrification of the V-Beam fence by individual owner's cases of individual merit and provided that such electrification is within the private property side of the fence line, and is mounted so as to be parallel with the top of the fence.
- 6.3 All street frontages that are, in the Panel's opinion, in the public eye must be fenced in the colour code of white, silver and or grey. Galvanized or metallic finishes are considered to be silver or grey. This could include plastered brick or block piers, plastered brick or block solid panels, or steel palisade panels of vertical members. Save for proper spun-pole post and rail wooden fences painted white, wooden gum pole or split pole fences are not permitted. Any boundary facing onto an adjacent area of open space or riverine environment is to be of the green V-Beam Palisade variety. Side and back boundaries will be considered on merit depending on effect on neighbours, visibility from public access and road, and security requirements.
- 6.4 Additional security related to the perimeter fence, if desired by individual developers, is to be separate from the perimeter fence and should observe the following guidelines:
- 6.4.1 An additional fence line will occur no closer than 2.5m to the established perimeter fence at any point.
- 6.4.2 The additional security line is to be of visually permeable fencing only, may not consist of any solid panels nor piers and unobtrusive in colour (being natural galvanized silver or grey or, where appropriate to blend into landscaping green). Wooden split pole or rudimentary gum-pole fences are not permitted. Where wooden post and rail systems are envisaged to be designate boundaries or barriers, these can be of the 'spun-pole' type and painted white.

6.4.3 The additional security line is to be suitably landscaped so as to minimize the visual impact of the additional fenceline while remaining an obvious deterrent to would-be trespassers.

6.4.4 No barbed nor razor wire is permitted on road frontages or in public view along other boundaries.

6.5 Where security arrangements on common boundaries between sites and at back boundaries are, in the opinion of the Panel, in the public eye and/or significant from an adjacent developer's point of view, these are to be considered as integral with the design of the site's development with the following guidelines to apply provided that the Panel may waive any of these in cases of individual merit:

6.5.1 the boundary line should be secured primarily by means of the fencing systems described in 6.3 and 6.4 above

6.5.2 solid sections of the boundary treatment should not exceed 3.5m high at any point relative to the neighbouring finished ground level and should not exceed lengths of 15m for any single section.

6.5.3 the height of the general side-boundary treatment should not exceed 2.5m at any point relevant to the neighbouring finished ground level

6.5.4 barbed and razor wire is discouraged but can be considered where practical and not visually prominent

6.5.5 electrification above boundary walls or fences should consist of no more than 3 horizontal electric strands

6.5.6 all boundary treatment is to be suitable landscaped as an integral part of the overall site's landscape design.

6.6 All gates, gatehouses and arrangements for security personnel dealing with the security of individual sites are to be designed as integral parts of the site's development and approved during "Plan approval" by the Panel.

7 ARCHITECTURE

7.1 The ethic of a "colour-coded architecture" applies to all buildings within the Business Estate. Primary, secondary and accent colours set the basic colour code for all architecture. The primary colour defines either a "white" architecture or a "grey" architecture as set out in 7.2.2 below and are broadly defined as follows:

7.1.1 "White" architecture is a building or complex of buildings rendered in the colour range of white (and not tones of white such as ivory or cream), silver (including electro-polished stainless steel, natural aluminium and/or silver painted surfaces and galvanized sheeting or steel members).

- 7.1.2 “Grey” architecture is a building or complex of buildings rendered in the colour range of light grey, dove grey or medium grey, whether these colours be painted plaster surfaces, natural stone, concrete blockwork or off-shutter concrete.

7.2. In respect of more detailed attention to the colour code:

- 7.2.1 The **primary colour** encompasses the range of white, silver and light to medium tones of grey with clear or grey tinted glazing being regarded as contributing to the primary colour. Darkened glazing may include dark grey to charcoal or silver with mullions being rendered accordingly. – No green, blue, bronze or other colour of glazing and mullion system is permitted.
- 7.2.2 Within this range of **primary** colours, an individual developer is to choose a primary colouring that is substantially “white” or “grey”. That is, in choosing a “white” colour scheme, the primary colours are to be drawn from one or more of the colours in the range of white, silver and/or natural aluminium. Where a “grey” colour scheme is chosen, one or more of the colours from the range of light grey, dove grey or medium grey are to be used. Having made this primary choice, the **secondary** colouring must be adopted from the primary range **not** chosen as the primary colour for the building. That is, where the primary colour scheme chosen is from the white/silver range, the secondary colours chosen from the light, dove and medium grey range. To this range may be added dark grey, charcoal and black with very dark grey or black glazing. In the event of light, dove and medium grey being adopted as the primary colouring of the building, white/silver/natural aluminium is to be used as the secondary colour range for the building.
- 7.2.3 The building is encouraged to be substantially of the primary colour range chosen (i.e. 70% or more of any single elevation and its associated roof when read in pure elevation). Where, in the case of bona fide, documented ‘corporate identity’ requirements, a building or components of a building, cannot be rendered to the full extent of 70% or more of the primary colour range, the primary colour range should not account for less than 50% of any single elevation and its associated roof.
- 7.2.4 **Secondary colours** should account for no more that 30% of any single elevation when read in pure elevation. Where the roof of the building is rendered white or silver, this area need not be included in the calculation of the secondary colouring applicable to the elevation under consideration.
- 7.2.5 All sheeted roofs are to be in white, silver or very light grey colouring by virtue of the reduced heat absorption associated with these at set out in 7.2.8 below. All tiled, slate or shingled roofs are to be of a light grey, charcoal or black colouring.
- 7.2.6 **Accent colours** (that is, colours not in the primary or secondary ranges) may account for no more that 10% of any single elevation when read in pure elevation. Accent colours, other than within signage as provided for in Section 9, may not be used on roofs above the cornice or gutter line of a building or components of a building. Red and Yellow are the two accent colours encouraged (red being a branding picked up from the Total Petroport as the focal

point of the Estate and yellow being a very strong accent colour read with the grey, white and black backdrop) and should be used as architectural accentuation, emphasis, modulation or distinction. Other corporate colours of individual developments should be subservient to these main accent colours and should be confined primary to logos and corporate identity. Where, the *bona fide*, documented 'corporate identity' requirements, accent colouring other than red or yellow is to make up a substantial proportion of the 10% accent colour quota, these colours should be corporate, timeless and tasteful. Faddish colours and colours that are likely to date quickly are discouraged.

7.2.7 Facebrick can be included in the calculation of secondary colouring. Satin or travertine Roan or Spanish Terracotta facebrick (or similar approved) are the sole facebricks permitted. Where concrete block or brick construction is used, these can be plastered or painted in keeping with the colour code adopted for the development. Where concrete blocks or brick products are to remain unplastered, they must be rendered as high-quality, finished and suitably pointed or jointed elevations and fit into the colour code requirements of the building.

7.2.8 Extensive, low-pitched roofs are characteristic of business estates and, because of higher-lying vantage points surrounding the Estate, roofs are to be white, silver or very light grey. Apart from the thermal advantages from a warehousing point of view of reducing heat absorption, the impression of roofs from the surroundings will be a powerful one and it is important that the integrity of a "colour-coded architecture" be expressed in the roofscape.

7.3 Apart from higher quality materials associated with the office component of a development on a site, various sheeting options and industrialized building systems are permitted in respect of elevational treatment. These, however, should be confined primarily to those portions of the development associated with warehousing.

7.4 It is nevertheless acceptable that no distinction be made between the warehousing, showroom or office components of the development and a single palette of materials may be used to express the commonality of architectural ethic throughout the development.

7.5 The design of an elaborate office or showroom component with a standardized warehouse simply "tacked onto" this is discouraged and the exploration of warehousing component as an important, even dominant, element of the site's architecture is encouraged.

7.6 The roof is an extensive element in the architecture associated with business parks and the exploration of dynamic, exciting roof forms and elements is encouraged. Where a roof is to be substantially of a low double or mono pitch, the height of a roof structure may not exceed 3m above wall plate level (or equivalent level where no wall plate exists) provided that, in cases of individual merit, the Panel may waive this requirement.

7.7 Attention must be paid to the way the transition from the roof element of the warehouse component into its facades is handled. Many of the warehouse/factory building systems simply handle this transition as a bullnose crank in the profiled sheeting is used. Care must be taken in the architectural design and detailing of the transition (be this in the form of a cornice line, eaves overhang, sun-screening device or some particular architectural feature).

7.8 The scale of the architectural elements associated with a business park requires particular attention:

- **height** – as far as possible the maximum heights permitted are encouraged in respect of office component of the development in order to bring the warehouse component into scale with the remainder of the development. Save where the height restriction of a site permits more, the warehouse component of a development at eaves should not exceed 12m with height at the pitch of the roof being in the order of 15m
- **expans**e – the horizontal extent of the warehouse component of the development should be consciously modulated to de-emphasise the scale of warehouse elements
- **meeting the ground** - because of the sheer extent of the warehouse component, it is important to address the way in which the ground plane is designed as a conscious aspect of the development's architecture
- **meeting the sky** - the tendency of many factory systems to blur the distinction between façade and roof element requires that particular attention be paid to the architecture of the roof of the warehouse component
- **attention to scale** - under-scaled or nonexistent fenestration in facades not required to provide interior natural light means that many facades in the warehouse component tend to be bland, featureless planes and need to be addressed as a conscious design concern
- **over-scaling of certain elements** – various elements such as apertures to accommodate trucking and bulk handling can be over-scaled to modulate the sheer expanse of the warehouse component of the development
- **roofs designed to provide top-lighting** – the roofscape derived from top-lighting concerns has the ability to bring dynamic possibilities to the architecture of the warehouse component and needs careful attention in the overall design of the development
- **careful integration of mechanical plant** – mechanical ventilation is an important element of warehousing and the plant associated with this must be considered as a conscious aspect of the design
- **venting as a design opportunity** – ventilation and extraction requirements and how these impact on the architecture of the roof offer interesting possibilities in creating a warehouse architecture of distinction

8 LANDSCAPING

8.1 The basic principles in respect of landscaping are as follows:

- 8.1.1 The re-instatement of natural coastal forest and riverine environments is to be used by individual developers so as to augment the overall landscaping of Riverhorse Valley.
- 8.1.2 Simple landscaping is sought (such as rolling, manicured lawns with dense shade trees of stature to mitigate the scale and extent of facades) to enhance the clean lines of the anticipated architecture.
- 8.1.3 Any areas, after development, not requiring to be flat are to be re-contoured to create an undulating landscape in keeping with the rest of the surrounding area.

- 8.1.4 The list of plants permitted is included in Annexure “EMP”
- 8.1.5 Attention is drawn to the importance of fragmenting surface car parking, as far as possible, into smaller parking lots with ample shade trees as set out in 5.3 above.

9 SIGNAGE, GRAPHICS AND LIGHTING

9.1 A major reason for purchasing a business site adjacent to the N2 is to capitalize on exposure. It is therefore important that companies be permitted to display signage on those facades facing surrounding roads, that signage does not become cluttered and that size be limited within reason, to prevent signage “out-shouting” other signs.

9.2 In this regard, signage must be governed by the following guidelines and any waivers granted by the Panel in this regard will be in terms of the considerations of individual design merit:

- 9.2.1 no sign may appear on a building or any component thereof other than as an integral part of the building’s design and each building or complex of buildings must be designed with signage as a conscious aspect and a policy governing signage into the future for inclusion in the lease documentation must accompany the approved design
- 9.2.2 pylon signage is expressly forbidden provided that, if designed as an integral part of the main building and not exceeding 12m in height, the Panel may waive this requirement in respect of a single pylon only
- 9.2.3 only the name of the company having naming rights to the building may display its name on the building’s façade
- 9.2.4 where a development has been designed as a series of discrete units, more than one company name may be displayed provided that only one name appears on each unit and that the sign is suitably reduced in scale to relate to the unit to which it applies
- 9.2.5 no product may be displayed nor advertised unless condoned, in writing, by the Panel and this usually only where product is synonymous with company name
- 9.2.6 all other signage, such as addresses, telephone numbers, advertising billboards and banners, as well as freestanding signs on poles or attached to fences are expressly forbidden
- 9.2.7 not more than one sign may be displayed on any one façade of a building provided that the Panel may waive this restriction where the length, proportions and form of the façade. The profile of the building’s occupants and the nature of the prospective signage merit such waiver and within the guidelines noted in 9.2.12 below
- 9.2.8 no sign may project above the point of which the façade of a building meets the roof of the building (being that point where the vertical face of any elevation transitions to constitute the roofing element of the building) save that, subject to the provisions of 9.2.9 below, signage explicitly designed as an integral part of a building’s roof may be considered in cases of individual merit. No signage may be painted onto the roof of a building nor erected on any roof other than being an integral part of the design of the roof

- 9.2.9 if, in the view of the Panel, a building or complex of buildings warrants a special design of its roof element to facilitate a single sign and that such design response is considered by the Panel to be appropriate, a sign not exceeding 50 sq. metres, but in proportion to the extent of the building in the Panel's opinion may, be considered provided that such sign contains solely the name of the enterprise having naming rights to such sign, does not contain the advertising of any product or service other than as implicit in the enterprise's name, does not contain any advertising slogans or addresses or telephone numbers and generally subscribes to the high standards of signage implicit in the remainder of the provisions of this Development Manual
- 9.2.10 no characters nor items of a sign may exceed 1.2m in height and the sign may not exceed 10m in length provided that the Panel may, in the individual circumstances of a development, decide that such size may be inappropriate and reduce or increase such sizing parameters
- 9.2.11 should the sign envisaged not suit the proportions noted above, the guide will be followed that the overall area of the entire sign shall not exceed 12sq m subject to the proviso noted in 9.2.10 above
- 9.2.12 where, in cases of individual merit and deemed appropriate by the Panel, approval of more than one sign on any one elevation is possible provided that such signs are reduced to 0.9m in height and 4m in length with 4sq m each being regarded as the overall governing area of such signs
- 9.2.13 the favoured fixing method of signs discourages backing boards affixed to a building and prohibits signwriting directly onto the façade, roof or any other surface of the building
- 9.2.14 the favoured fixing method of a sign, whether comprising individual cut-out letters or a backing board, encourages each character of a sign or its backing board to be pin mounted at least 20mm from the surface of the façade
- 9.2.15 where backing boards are to be used as the basis of a sign, such boards are to be designed as integral parts of the building's architecture or individually detailed and framed so as to create an elaborate signboard affixed to the building
- 9.2.16 no flashing nor moving components on signage is permitted
- 9.2.17 as far as possible the signage on buildings will be confined to monochromatic colours in the range from silver to white to grey to black where corporate livery is not mandatory
- 9.2.18 materials used in the manufacture of signs are to be of high quality, matt finish and of enduring materials and colourings

9.3 Each site requires, as an integral part of its site entry, a sign that observes the above provisions but which does not exceed an overall area of 5sq m

9.4 The address of the concern must be reflected as an integral part of the site's entrance subject to the above guidelines and provided that the address does not exceed 200mm high and 1 200mm long.

9.5 Flags, bunting, blimps, balloons, inflatable objects and banners are not permitted.

9.6 Signs relating to security services contracted on a particular site are to be limited in their numbers and displayed discreetly. These are not to advertise the service provider but to show the building has security. For Sale and agents signage - 1 agent sign per property. Multi tenanted sites will be entitled to 1 signboard per unit.

- 9.7 All mechanical plant, masts, and antennae are to be designed and placed as an integral part of the overall development of a site and no such plant or services are to be surface mounted on the outside facades of the building other than as a conscious expression of the building's architecture.
- 9.8 All lighting on the exterior of a building or within the surrounds of a development on a site is to be of a white light type only in order to ensure effective functioning of security systems and cameras and provide an overall integrity to the appearance of the park at night.
- 9.9 Lighting, whether for architectural, functional or security purposes is to be discreet with an emphasis on uplighting in a way that does not contribute to light pollution of the sky nor overspill into the adjacent natural habitats and disturb the light qualities of the natural habitat.
- 9.10 Floodlighting is discouraged and all lighting should be considered in terms of the extent to which it contributes to surveillance and security, promotes the ambiance of the park as a whole, accentuates individual developments without 'out-shouting' the neighbouring developments and does not cause glare into conversation areas, the highway, main roads and into the sky.

10. DUE PERFORMANCE

- 10.1 It is in the interests of the Association and tenants with individual buildings, that the conduct and performance of on-site contractors are exemplary throughout the Estate's development. To this end it is required that certain matters related to tendering and construction procedures come before the Panel.
- 10.2 Whether a negotiated or open tender, the nature of such tender is to be reported to the Panel. In all cases it will be required that an additional contract governing due performance be entered into between the applicant and the Association.
- 10.3 In the case of all developments and irrespective of tender procedures and the proposed appointment of a successful tenderer, it is required that the Association receive a full report on the successful tenderer and the position regarding bank guarantees. Where the successful tenderer's work is unknown to the Association, it will be required for such contractor to appraise the Association of previous work.
- 10.4 In all instances a special retention is to be lodged by the developer with the Association, in the form of cash or a bank guarantee, to cover damages to the public and semi-public domain and/or failure to comply with due performance criteria, late finish or failure to complete any aspect of the development satisfactorily. This sum currently been set at R50 000.00.
- 10.5 A Clerk of Works, at the discretion and cost of the Association, may be appointed to ensure due performance of contractors in respect of the interests of the Association. The Clerk of Works will report to the Panel on a regular basis.
- 10.6 Prior to commencing on the site, all contractors are to furnish to the Association, for approval of the Panel, full particulars of their intended site establishment, arrangements for contractors entrances, materials and plant storage, fencing detail, site office arrangements, security of the site and ensuring security for adjacent sites, and site management procedures.

- 10.7 All contractors proceed on-site there are to furnish the Clerk of Works updated copies of work programmes and sub-contractors responsibilities to enable Clerk of Works to monitor progress and report back to the Panel.
- 10.8 On completion of the development, the Panel will, if satisfied, issue a certificate of “Final Development Approval” in respect of the development of the site. Such certificate of Final Development Approval is a pre-requisite for official hand-over and the repayment of the retention noted in Point 10.4 above or the cancellation of the guarantee that was lodged.

Note: Plan Approval by the Panel constitutes approval of the building plans only in order to commence construction. Final Development Approval will only be issued after approval of the installation of landscaping, signage and lighting to the satisfaction of the Panel. Unless Final Development Approval is granted, in writing, the deposit or guarantee will not be cancelled and the Development will be considered “incomplete” in terms of the Articles of Association of the Association of Owners.

11. BREACH

11.1 In the event of any Contractor, Service Provider, Sub-Contractor, or any of their employees, being in breach of any Obligations, Rules or Protocols as set out by the Riverhorse Valley Business Estate Management Association, the Association shall be entitled to one or more of the following remedies:

11.1.1 Give written notification to the Contractor, Service Provider, Sub-Contractor, or individual employees, to remedy the breach within 24 hours

11.1.2 Close the Contractor’s access to the site until the breaches have been remedied. Any contractual delay claims will be at the Contractor’s expense.

11.1.3 Insist on rectification of the breach at the cost of the Contractor, Service Provider, Sub-Contractor, or employee.

11.1.4 Imposing of a fine as indicated in the Guideline of Fines in this document, or as decided by the Association Design Review Committee.

12. PENALTY / FINES GUIDELINE

A written warning or fine up to amount indicated

<u>OFFENCE</u>	<u>1st Offence</u>	<u>2nd Offence</u>	<u>Repeat Offences</u>
Unroadworthy Vehicle	Written Warning	R500.00	R5000.00
Speeding and/or dangerous/negligent driving	Written Warning	R250.00	R1000.00
Parking Vehicle on Vegetation/Gardens/Verge	Written Warning	R250.00	R1000.00
Parking – causing obstruction	Written Warning	R250.00	R500.00
Dangerous Loads (people or goods)	Written Warning	R500.00	R5000.00
Spillage on roads	Written Warning Plus Costs	R500.00 Plus Costs	R2000.00 Plus Costs
Damage to trees/vegetation	Written Warning	R500.00	R3000.00

Littering	Written Warning	R250.00	R500.00
Interfering with game or setting snares	Written Warning	R500.00	R5000.00
Possession of Alcohol or drugs (individual person)	Written Warning	Banned from	Estate
Failure to use toilets/Washing in view of public	Written Warning	R250.00	R1000.00
Damage to light poles and any street furniture	Written Warning Plus Costs	R500.00 Plus Costs	R2000.00 Plus Costs
Damage to services	Written Warning Plus Costs	R500.00 Plus Costs	R2000.00 Plus Costs
Failure to secure a site at end of working day	Written Warning	R250.00	R2000.00
No toilet/Insufficient toilets on site	Written Warning	R2000.00 R5000.00 And closure of site until rectified	
No litter collection	Written Warning	R250.00	R5000.00
Burning on site	Written Warning	R250.00	R5000.00
Storage of equipment and materials on verge	Written Warning	R250.00	R2000.00
Deviation from approved plan without approval	R2000.00	R20 000.00	Banned from Estate
Building without approved plans	R20 000.00	Banned from Estate	
No Foreman/Supervisor on site	Written Warning	R250.00	R1000.00
Illegal Signage	Written Warning	R250.00 Per sign	R1000.00 Per sign
Failure to comply with written notices/instructions	R500.00	R2000.00	R5000.00
Failure to install Professional Notice Board	Written Warning	R500.00	R1000.00
Tampering with water supply or meter	R500.00	R2000.00	R20 000.00
Tampering with any services	R500.00	R2000.00	R20 000.00
Encroachments over building lines	R2000.00	R20 000.00	R50 000.00
Encroachments over Boundaries/Servitudes	R2000.00	R20 000.00	R50 000.00
Failure to comply with E.M.P.	R2000.00	R20 000.00	R50 000.00
Failure to rehabilitate areas on instruction	R2000.00	R20 000.00	R50 000.00
Failure to install adequate storm water control	R5000.00	R20 000.00	R50 000.00
Pollution of any kind	R5000.00	R25 000.00	R50 000.00
Failure to erect approved site perimeter hoarding	R2000.00	R10 000.00	R50 000.00
Removal of any trees or indigenous vegetation without written permission	R2000.00	R10 000.00	R50 000.00

Please note: All fines to be paid within 7 working days of notification, failing which the full amount of the fine will be deducted from the Retention fee deposited with the Association by the Owner of the property.

Where any costs are incurred to effect repairs due to the above offences, the Contractor or person who caused the damage will be invoiced for such repairs. Failure to pay the fine or for the repairs with the

period specified by the Association management will result in the full amount being deducted from the retention fee deposited with the Association by the Owner of the property. In instances where there is no retention fee held by the Association, and the contractor fails to pay any fines levied against them, then those fines shall be passed onto the owner of the property by way of attaching them to the levy due for payment by that owner.

The Association reserves the right to revise the guideline of fines from time to time without notice.

The above list is not exhaustive, and any breaches of any Protocols not listed will be dealt with in accordance with Clause 11 of this Protocol and the Articles of Association.