

ZEVENWACHT COUNTRY ESTATE

ARCHITECTURAL DESIGN GUIDELINES

CONTENTS

Introduction

1. Building Forms
2. Building Dimensions (Building Width, Height and Length)
3. Building Platform
4. Building Coverage
5. Building Lines
6. Garages
7. Roofs
8. Stoeps and Verandas
9. Boundary Walls and Palisade
10. Gates
11. Exterior Walls, Windowsills and Plaster bands
12. Windows and Doors
13. Shutters
14. Exterior Colours (for windows, doors and shutters)
15. Burglar Bars & Security Gates
16. Services (Aerials / Satellite Dishes / Pipes / Cables, etc.)
17. Chimneys
18. Servants Quarters and Wendy Houses
19. Privacy and Noise
20. Landscaping
21. Plan Submission
22. Builders Deposit
23. Completion and occupation of dwellings

CITY OF CAPE TOWN PLANNING & BUILDING DEVELOPMENT MANAGEMENT	
Application no. <u>213207</u>	
Amendments to section(s) <u>design guidelines</u> of this constitution of the <u>Zevenwacht Country Estate</u> Home / Property Owners' Association have been approved in terms of Section 29(2)(b)(iii) of Ordinance 15 of 1985, as per decision letter dated <u>3/5/12</u> , file reference <u>KSR 241/11,30 & 31</u> attached hereto, insofar as it addresses the requirements in Section 29(2)(b)(i), (ii) and (c) of said ordinance and any related condition of approval.	
<u>alo</u> Delegatee	<u>2/5/2012</u> Date

INTRODUCTION TO THE GENERAL GUIDELINES ("the Guidelines")

The Guidelines are applicable to all homes to be constructed within the Zevenwacht Country Estate and the purpose of these guidelines is to protect the long term values of the properties within the estate.

1. The Zevenwacht Country Estate Home Owners Association Constitution and the Agreement of sale clearly provide that no structure may be erected on an erf within the estate unless it complies with the architectural guidelines. The responsibility for compliance lies with the owner of the erf.
2. Should there be any matters not covered in the Guidelines, which cover certain complex design issues, and in the event of any difference of interpretation, the Architectural Review Committee shall make a ruling, which shall be binding.
3. To assist owners in respect of compliance, all plans must be scrutinized by an architect as appointed by Zevenwacht Country Estate Home Owners Association and/or the Architectural Review Committee ("ARC") of the Home Owners Association prior to submission to the local authority for approval. A plan scrutiny fee, as agreed from time to time between the Home Owners Association and the ARC is payable by the owner of an erf upon which building is to take place, to the nominated architect, in respect of this service.
4. The Guidelines may, in the sole discretion of the Home Owners Association, be amended from time to time, to both take account of areas and subjects not covered or in order to amend or clarify the provisions pertaining to areas or subjects previously dealt with. In the event of amendments, the Guidelines applicable shall be those in force of the time of submission of plans to the ARC for scrutiny.
5. The purpose of the Guidelines is to provide architects and property owners with a framework within which individual properties can be designed and constructed to ensure an integrated and harmonious architectural language for Zevenwacht Country Estate, without sacrificing individual identity.
6. It must be emphasized that these Guidelines are not intended to stifle or inhibit innovative design and / or original thought.
7. The Guidelines are intended to assist architects, home owners and others involved in the design and construction of buildings within Zevenwacht Country Estate to create a qualitative place which will resonate positively with a sense of place, history, craft, nature, and the scale qualities of the Winelands.

1. BUILDING FORM

CW

Building form shall consist of the main building structure, which is expressed as a core building with abutments; and free-standing structures.

1.1 MAIN BUILDING STRUCTURE (CORE BUILDINGS)

1.1.1 Building form must conform to the traditional "letter of the alphabet" building types, which originated in the local vernacular of the Cape.

1.1.2 In this particular typology, the plan form of the building resembles the letters I, T, L, H, U, or variations on the theme. This constitutes the main body of the building and shall be referred to as the core building.

1.1.3 Rectangular sections of the core buildings must be built perpendicular to each other.

1.1.4 Buildings must be dimensioned as described further in this document.

1.1.5 Buildings must be plastered and painted.

1.1.6 In order to create larger floor plans than the building dimensions of the core buildings would allow, the plan forms may be extended in various combinations by means of abutments.

1.1.7 No facade may have more than four columns, including the corner columns, and all columns of the structure must be of equal height.

1.2 ABUTMENTS

1.2.1 Abutments are rectangular, single storey extensions to core buildings.

1.2.2 Abutments must be built to the dimensions that are provided in this document.

1.3 FREE-STANDING BUILDINGS

1.3.1 Free-standing buildings may only have flat roofs, which for the purposes of these guidelines are deemed to be roofs with a gradient of between 3° and 8°.

1.3.2 Free-standing buildings may have a maximum size of 70 m², measured to the outside of the walls.

2. BUILDING DIMENSIONS

(WIDTH, HEIGHT & LENGTH)

Prescriptions relevant to the width of the rectangular sections of the building and the corresponding heights relate to the type of erf on which the house is constructed. The types that are defined are the following:

- (i) Country Cottages
- (ii) Country Estates
- (iii) Gentleman's Estates

2.1 BUILDING WIDTH

2.1.1 Building Width of Core Building

- (i) Country Cottages : 4.2m – 9m
- (ii) Country Estates : 5m – 10m
- (iii) Gentleman's Estates : 6.5m – 11.5m

2.1.2 Building Width of Abutments

The width of any abutment to the core building may not exceed 6 metres.

2.2 BUILDING HEIGHT

The height of any building is related to its width, and the type of erf upon which it is built. Loft spaces, roof volumes and complete double storey areas are to comply to Section 5 Building Lines. The use of roof volumes is encouraged to reduce the height of the roofs. Any part of the roof structure may not exceed 8,0m over the erf measured from the mean level to the highest point of the ridge of the roof. Each erf will have heights measured before construction of a house begins on that particular erf, from which this mean level will be determined. All measurement/survey work pertaining to the aforementioned must be carried out and certified by a registered surveyor.

2.2.1 Height of Abutments

The heights of abutments are to be of the discretion of the architect, but may not exceed 3.3m, and may not exceed the actual height of the wall plate.

2.2.2 Height of Free-Standing Structures

Free-standing structures are only permitted on Country Estates Erven and Gentleman's Estates Erven and the maximum height allowed is 3.3 metres, measured from finished floor level to the top of the surrounding parapet walls.

3. BUILDING PLATFORM

3.1 SLOPES

Buildings on sloped erven must be designed with stepped levels in response to the slope of the site or on stepped building platforms.

3.2 GUIDELINES FOR BUILDINGS ON SLOPES

The following provisions must be applied to buildings which are situated on slopes:

- 3.2.1 The height of ground fill at any point on the site may not be higher than 1.2m, measured from the natural ground level at that particular point of the site. No ground fill on a particular erf may use an existing neighbouring erf boundary wall as retaining structure. In the instance, separate retaining structures must be built.
- 3.2.2 The part of the building that is at the highest part of the site may not cut deeper into the site than 1.2m, measured from the natural ground level at that particular point of the site.
- 3.2.3 In the case of a basement structure, access is only permitted from inside the house.
- 3.2.4 No stoeps or steps may be built within 1,5m from a neighbouring erf boundary.
- 3.2.5 At least one 110mm sleeve pipe is to be installed in all driveways.

3.3 RETAINING STRUCTURES

- 3.3.1 All retaining structures must be solidly built walls.
- 3.3.2 Vertical retaining structures on all boundaries must be plastered and painted brickwork or plastered and painted concrete blocks.
- 3.3.3 Stone masonry walls may not be used.
- 3.3.4 Stacked retaining systems will only be allowed if they are not visible from the outside of the erf.

4. BUILDING COVERAGE

- 4.1 Country Cottages : maximum 50%, minimum 175m²
- 4.2 Country Estates : maximum 40%, minimum 220m²
- 4.3 Gentleman's Estates : maximum 40%, minimum 250m²
- 4.4 The above areas indicate floor area of a unit, garage included, covered stoeps and undercover balconies excluded.

CN

5. BUILDING LINES

- 5.1 Building lines adjacent to Zevendal Housing Estate: 10m
- 5.2 Street building lines: 4.5m
- 5.3 Street building lines for garages built parallel to the street provided it is a single storey structure: 3 m
- 5.4 Side building lines applicable to single storey: 2m
- 5.5 Side & rear building lines applicable to Loft spaces: 4m
- 5.6 Roof volumes and complete double storey areas: 4m
- 5.7 Rear building lines for single storey structure: 3m

6. GARAGES

6.1 DOORS GENERAL

Garage door openings must be 2440mm wide, maximum 2400mm high.

6.2 DOUBLE GARAGES

A double garage must comprise of two garage doors next to each other separated by a 280mm – 560mm wide brick column, plastered and painted.

In the event that a pergola or flat roof structure to a double garage is constructed, the parapet wall may not be curved under any circumstances.

This structure must be attached to the core building, and the other three sides must be surrounded by a parapet wall of between 400mm and 800mm in height.

6.3 ADDITIONAL GARAGES

A third garage is permitted.

6.4 GARAGE DOORS ON STREET FRONTS

(i) If garage doors face onto a street, doors must not be closer to the street front boundary than five metres; however sectional door are limited to 4.5m's.

(ii) A pergola or flat roof structure providing parking space in front of the garage must be constructed. The pergola for a double garage & triple garages to consist of a minimum of two columns & four columns respectively with a minimum of one supporting beam across the columns with perpendicular cross members adjoining the main structure @ a maximum spacing of 750mm c/c.

NOTE: Pergola minimum 1m in depth.

6.5 PARKING

Parking space including garages of 5,5m x 2,5m per parking, must be provided for four vehicles indicated on plan.

7. ROOFS

7.1 ROOF CONSTRUCTION: CORE BUILDINGS

- 7.1.1 Only double pitched roofs are allowed on core buildings.
- 7.1.2 The "Gambrel" Gable end roof comprising of a hipped gable must be incorporated in all designs. The option of a ventilator or mock ventilator is open to the discretion of the architect. The base of such a gambrel must have a minimum width of 2500mm. Mock ventilators must have 125mm horizontal fibre cement slats on a timber framework with a minimum 50mm sealed overlap.

Colour of fascias to be white or same colour as the house but no black or darker colours

- 7.1.3 The roof pitch of core buildings must be 35°. All double pitched roofs must be symmetrical with gambrel gable end finished with bargeboards.
- 7.1.4 Roofs must have eaves of minimum 300mm overhang with fascias along the roof edge running the length of the longitudinal sides of the building.

7.1.5 Materials:

- | | | | |
|-------|----------|---|---|
| (i) | Included | : | Cement Roof Tiles (Lafarge Coverland Profiles) |
| (ii) | Colours | : | Through Colour Black, Granular Black |
| (iii) | Excluded | : | Thatch, Steel, Fibreglass, Polycarbonate Sheets |

- 7.1.6 Structures with glazed roof panels will only be allowed if surrounded by the core building on at least 3 sides. These structures may not be located on the street side.

No part of the structure may be visible from the outside of the erf upon which it is constructed.

7.1.7 Gutters and Downpipes

Only white colour pre-painted O-gee shape seamless aluminium gutters or PVC gutters with D-shape are permitted. Downpipes are to be 75 mm diameter PVC or aluminium in white colour or painted to match the colour of the walls.

7.2 FLAT ROOF CONSTRUCTION: FREESTANDING GARAGES AND OUTBUILDINGS

- 7.2.1 Only flat roofs with minimum gradient falls with parapet walls on all sides and box gutters will be allowed for free standing garages, carports and outbuildings. For the purposes of these guidelines, a flat roof shall be one with a gradient of between 3° and 8°.

7.2.2 Roof materials for flat roofs

- (i) Included: Metal roof sheeting, Reinforced concrete with waterproofing and crushed stone chips

- (ii) Colours: Charcoal
- (iii) Excluded: Shade cloth, Fibreglass, Polycarbonate Sheets

7.3 ROOFS TO ABUTMENTS AND STOEPS

Where the verge of roofs to abutments and stoeps are exposed, they must have a minimum gradient of 17.5°. Flat roofs with a pitch of between 3° and 8° may be used but must be hidden behind parapets.

Curved Victorian Style roofs are not permitted.

8. STOEP / VERANDAH / PERGOLA COLUMNS

- 8.1 Columns to verandas and pergolas must be square.
- 8.2 The finished plaster dimension of square columns without bases may not be less than 360mm x 360mm and may not be more than 470mm x 470mm.
- 8.3 If pre-cast concrete columns are used, no copies of the Greek or Roman orders are permitted.
The shaft of the column may therefore not be fluted.
- 8.4 No Victorian cast iron posts or "broekie lace" detail will be allowed.
- 8.5 No pre-cast concrete pipe sections combined to form columns will be allowed.

9. BOUNDARY WALLS AND PALISADES

The Estate Rules require that all homeowners effectively confine domestic animals to their erven.

Boundary walls create a strong visual impact and will undergo specific scrutiny.

9.1 BOUNDARY WALLS

- 9.1.1 All boundary walls must incorporate saddle copings with minimum 35° pitch projecting no more than 25mm on either side of the wall.
- 9.1.2 The texture of the plaster finish to **all** wall faces must be wood trowelled. No "bagged"-finish walls will be allowed.
- 9.1.3 All free-standing ends of walls must terminate in square columns 345mm x 345mm, with copings as detailed in 9.1.1 above.
- 9.1.4 Where walls incorporate columns, such columns must be square, must protrude no more than 100mm from the face of the wall, and incorporate copings as detailed in 9.1.1 above.
- 9.1.5 No wall may incorporate any recessed or raised panels.

- 9.1.6 The maximum height of street boundary and side boundary walls up to the house will be 850mm with copings as detailed in 9.1.1 above.
- 9.1.7 The maximum height of lateral and rear boundary and/or yard walls will be 1800mm notwithstanding street boundary walls as in 9.1.6 above.
- 9.1.8 If desired for privacy, particularly for swimming pools, a solid built 1800mm high plastered and painted brick wall can be incorporated to a maximum of 1/3 of the length of the street boundary.
- 9.1.9 2100mm high screen walls are permitted for washing line areas and service yards.

9.2 OPEN SPACE BOUNDARY

- 9.2.1 A steel palisade may be mounted on top of walls on the open space boundary of an erf, to a maximum total height of 1800mm.
- 9.2.2 If desired for privacy, particularly for swimming pools, a solid built plastered and painted brick wall can be incorporated to a maximum of 1/3 of the length of the street boundary.
- 9.2.3 Where palisades are used, all balusters must be vertical, solid, and a minimum 10mm x 10mm, a maximum of 25mm x 25mm. Horizontal members required for structural purposes must match the size of the balusters.
- 9.2.4 Where palisades are erected, but not atop a wall, the palisade posts must be square, and of a minimum size of 70mm x 70mm and a maximum size of 100mm x 100mm.
- 9.2.5 Materials for palisades:
 - (i) Included : Epoxy coated Steel
 - (ii) Colours : **Black, Dark Brown, White**
 - (iii) Excluded : Unpainted Galvanised Steel
- 9.2.6 Regarding the Zevenwacht Country Estate perimeter i.e. boundary walls, the North and South walls are to be palisade fencing and the East wall is to be 2100mm high, plastered both sides with an expansion joint at 6500mm with supporting columns. This wall has no saddle copings, in order to accommodate security fencing, if required. The West boundary wall will be as the East boundary wall, or as built adjacent to the particular erf by the owner of the common property and in this instance, the wall will be plastered as required.

10. GATES

Either wrought-iron or close-boarded timber gates with varnished or painted finish may be used. Vertical linear patterns and horizontal may be used.

Note every effort to hide service areas.

11. EXTERIOR WALLS, WINDOW SILLS AND PLASTER BANDS

- 11.1 External walls must be plastered with a wood trowel finish and painted.
- 11.2 All external window sills and surrounds must be plastered, with a smooth wood trowel finish.
- 11.3 Simple articulated plaster bands are encouraged, and if used, must have a minimum width of 120mm and a maximum width of 200mm.

12. WINDOWS AND DOORS

12.1 WINDOWS

- 12.1.1 Only windows in which the vertical dimension exceeds the horizontal are allowed. The ratio of horizontal dimension to vertical must be between 1:1.5 and 1:2. and 1:3.

Diagonally placed windows with symmetrical sections will not be allowed.

An arched window will be considered provided it is a "feature" window and is related to the front entrance only.

12.1.2 Materials:

- (i) Included : Timber, Epoxy Coated Aluminium
- (ii) Colours : White, Black, Dark Brown
- (iii) Excluded : Steel, PVC, Concrete

- 12.1.3 Only Velux or similar approved roof windows may be used in roof space and loft areas, and may not exceed 780mm x 1400mm. The positioning of these windows must align with the placement of doors and windows on the elevations of the building.

12.1.4 Coloured glass is not permitted in any window or door facing a street or close.

- 12.1.5 The combined width of all openings (doors & windows) per façade may not be more than 50% of the total width of the facade however this will not apply in the event of the facade having a pergola, covered stoeps or veranda with a minimum depth of 2400mm.

12.2 DOORS

- 12.2.1 Front doors facing a street or close boundary may not exceed 2700mm in height, measured to the top of the fanlight if applicable. The maximum total width may be 1750mm in the case of double doors, and 1200mm in the case of single doors. The mid-rails of the door, where applicable must be 700mm above finished floor level.

- 12.2.2. Any door, other than the front door, sliding, folding, or otherwise, fitted to openings exceeding 1750mm, measured to the total width of the opening, including sidelights etc.

must be placed at least 2400mm behind a veranda or pergola, and may not face a street.

- 12.2.3 When large glazed areas such as sliding or folding doors are facing the street or public open space it must be behind a covered stoeps or veranda at least 2400mm deep. Large glazed areas on other elevations must be covered with at least a pergola as specified under 12.1.5 & 6.4(ii).

12.3 AWNINGS

Awnings, of any material, fixed, retractable, or other, may not be mounted to, or above, any window or door other than on the private side of the building, away from streets, closes, open space areas, and internal to the erf and may not be shiny.

13. SHUTTERS

- 13.1 Shutters must be functional, side-hinged, and not sliding. No false shutters are permitted.
- 13.2 Shutters must be of hardwood or epoxy powder coated aluminium.
- 13.3 The surface finish and colour of the shutters must match that of the window frame over which they close.

14. EXTERIOR COLOURS

- 14.1 All surfaces for painting must be properly prepared, particularly in the case of metals, which must be galvanized to avoid rusting and degreased to avoid paint flaking.
- 14.2 All plastered exterior walls, including boundary walls and columns to be painted with the approved paint colours with plastered bands painted white.
- Primary or deep colours will not be permitted.

Pastel shades with earth tones are encouraged.

Owners are to provide a paint sample together with the paint description for approval by the ARC prior to commencing with painting.

- 14.3 Timber garage doors must be varnished or painted to match the colour of the window frames.
- 14.4 Fibreglass garage doors must have a matt wood-grain pattern and may be in either a natural wood colour or matt white or match window colour.
- 14.5 Aluminium garage doors must be epoxy powder coated in pure white.
- 14.6 Aluminium frames, windows and doors must be epoxy powder coated in one of the colours prescribed in 12.1.2 above.
- 14.7 Plaster bands and window sills must be painted pure white.
- 14.8 Palisades and/or balustrades, other than the brickwork which may support them, may be galvanised steel and painted/resin coated white, dark brown or black. Exposed

galvanised steel will not be allowed. The strong visual effect created with stainless steel balustrade designs in general is not included in the intended aesthetics for Zevenwacht Country Estate and will undergo specific scrutiny by the ARC.

- 14.9 Wrought iron or steel gates must be painted dark brown or matt black.
- 14.10 Timber gates may be varnished or painted white.
- 14.11 Roofs, if painted, must be dark grey or charcoal.
- 14.12 Chimneys must be painted to match the wall to which they are attached.
- 14.13 Fascias and bargeboards must be painted pure white.
- 14.14 Gutter and down pipes must be painted pure white or match the wall to which they are affixed.
- 14.15 Genuine Sandstone plinths are encouraged. Imitation sandstone will not be permitted.
- 14.16 Bagged and painted brickwork will not be allowed.

15. BURGLAR BARS, SECURITY GATES AND SYSTEMS, INCLUDING SECURITY LIGHTS

- 15.1 All burglar bars, security gates and security screens, including expandable and sliding products, and roller shutter systems, must be mounted internal to the openings which they secure, behind the glazing of windows or sliding doors, and behind wooden doors.
- 15.2 Every effort should be made to align vertical bars with window mullions.
- 15.3 Security lights may not cast direct light outside the erf upon which they are situated, and must be activated by movement sensors.

16. SERVICES

- 16.1 Television aerials and satellite dishes must be fitted below the main building eaves line. Satellite dishes must be white composite or approved equivalent.
- 16.2 Sewer and vent pipes must be concealed in vertical ducting within the wall plane of the building. No exposed plumbing pipes will be allowed.
- 16.3 All telephone and electrical cable reticulation on the property must be underground. No overhead masts or wires are permitted.
- 16.4 Air-conditioning condenser units must, if not located within a service yard be installed against exterior walls at or below ground level, and must not exceed a height of 1200mm above ground level and must be entirely screened by a surrounding brickwork wall of finish and colour matching the exterior wall to which it is attached.

If the condenser units are placed on a flat roof they must be entirely screened by a surrounding brickwork wall of finish and colour matching the exterior wall to which it is attached. The brickwork must extend a minimum of 200mm above the condenser unit and may not be higher than the underside of the fascia.

Under no circumstances may any part of the air-conditioning units be visible from the outside of the erf.

Window mounted air-conditioning units are not permitted.

Note: must give specific attention to placement and positioning of air conditioners.

Energy saving methods (All green building methods to be scrutinized individually and indicated on plan)

- 16.5 House numbers may be no larger than 75mm high and 60mm wide.
- 16.6 Gas cylinders, refuse bins, compost piles and clothes lines must be located within service yards and out of sight from any open space or street.
- 16.7 Solar heated hot water system panels may not be visible from outside the erf on which they are employed. Remote tank and solar panels must be used and combined tank and panels on roofs are not permitted. Any remote equipment must be located within the house structure, or within service yards.
- 16.8 2100mm High screen walls are permitted for washing line areas and service yards and are compulsory when visible from the street or neighbour.

17. CHIMNEYS

Plastered and painted masonry chimneys are permitted and the highest point of the chimney may be a maximum of 1000mm above the ridgeline of the roof.

Genuine Sandstone cladding around chimneys are permitted and the highest point of the chimney may be a maximum of 1000mm above the ridgeline of the roof.

18. SERVANTS QUARTERS & WENDY HOUSES

- 18.1 No servants quarters are allowed in the Zevenwacht Country Estate and will not be approved on plans submitted to the ARC for approval.
- 18.2 No wendy houses may be erected on any erf in the Zevenwacht Country Estate.

19. PRIVACY AND NOISE

19.1 VISUAL PRIVACY

- 19.1.1 The guidelines cannot guarantee visual privacy. The Home Owners Association will however, in applying the guidelines take great care that it is achieved to the maximum degree practically possible.

CW

19.1.2 It is important that individual property owners ensure that houses are designed in a manner which respects the need for private outdoor space for neighbouring owners.

19.1.3 No stoeps or steps may be built within 1,5m from a neighbouring erf boundary.

19.2 NOISE

19.2.1 While visual privacy can be attained by providing screen walls and locating windows and balconies in areas where privacy of the neighbours are not compromised, noise is a potential problem that must be managed.

19.2.2 Good neighbourliness requires noise levels to be kept low by individual households.

19.2.3 Measures are required to regulate and reduce noise levels through technical and design intervention:

- (i) The most effective way of reducing noise disturbance is to ensure that outside living spaces of neighbours are not located directly alongside one another, but that outdoor spaces are located in the centre of an erf with a building separating outdoor living spaces.
- (ii) In the instances where boundaries are defined by walls, additional noise screening devices should be utilized, such as planters hedging, double walls, pergolas and garden seats.
- (iii) Boundary walls can also be defined by covered walkways, which serve as linking elements between buildings and noise screening devices.
- (iv) The sound of falling water from water features located along boundary walls is an effective method of reducing noise from external sources.

20. LANDSCAPING

20.1 GENERAL

20.1.1 It is recommended that owners use indigenous plants and plants with historical (eg. Oak trees) or agricultural (eg. Ornamental grape), connotations in order to integrate private landscaping with the overall landscaping of the estate.

20.1.2 Non-invasive exotic plants may be used.

20.1.3 Owners are encouraged to use Buffalo or Kweek grass for lawn areas as these grass types are less invasive and less water demanding than Kikuyu grass.

20.1.4 General

- (i) Drying Yards enclosures to be provided.
- (ii) Refuse and service yards to be screened.
- (iii) Letter boxes to be simple. No sculptured letter boxes will be approved.

20.2 IRRIGATION

Should irrigation systems be installed, owners must design them in such a way that they do not cause brown or other staining to any walls both on boundaries and forming part of the structures.

20.3 MAINTENANCE

All gardens are required to be kept in a tidy state at all times, and all erven upon which no structures have yet been built must be kept mowed.

20.4 PAVING

20.4.1 All paving planned to the inside of erven and on driveways etc. must match that of the estate and must be approved by the ARC before installation.

20.4.2 Driveways shall be limited to one driveway per erf with a maximum width of 30% of the frontage of the erf (panhandle driveways excluded) and shall continue to the street edge.

20.4.3 Materials:

- (i) Included : Clay Pavers, Cobblestones, Charcoal cement pavers
- (ii) Colours : Multiblend Clay, Tan, Brown, Terracotta, Red, Charcoal
- (iii) Excluded : Cement Slabs, Wood, Stone chips, Crazy Paving, Slate,

20.4.4 No contrasting colour diagonal designs will be allowed. Bordered areas with herringbone patterned colour inner areas are encouraged.

21. BUILDING PLAN SUBMISSION

21.1 No plans may be submitted to the local authority or competent body for its approval until scrutinized and approved by the ARC.

21.2 Detailed procedural rules for submission and approval may be issued by the Home Owners Association from time to time, and must be strictly adhered to.

21.3 Building plans must be prepared and signed by an Architect/Architectural Designer who is a registered member of the South African Institute of Architects or the South African Institute of Building Designers.

21.4 It is recommended that sketch plans for any building work be submitted to the ARC for scrutiny before working drawings are commenced.

21.5 The ARC reserves the right to request any changes in the design or layout, which in their opinion, is required to conform to the Development Guidelines.

- 21.6 On approval of the design, five sets of the amended working drawings are to be submitted to the ARC for final approval, sets will be stamped with the ARC "Approved" Stamp. Four sets will be returned to the owner for submission to the relevant Local Authority and one complete set will be retained by the ARC for record purposes and for onsite compliance inspections.

22. BUILDERS DEPOSIT

22.1 Builders Deposit

Members shall deposit an amount as prescribed by the HOA (the "Builders Deposit") with the HOA prior to the approval of building plans and the commencement of building operations.

Such deposit shall be held in trust to defray expenses caused by damage to services/amenities and may be used by the HOA to rectify and/or ensure compliance with these regulations during the course of construction.

The deposit and interest accrued thereon (or any lesser amount due after deductions) will be refunded on completion of building and related activity to the satisfaction of the HOA in accordance with Clause 22 hereunder.

In the event of the deposit not being sufficient to cover the costs as before mentioned then the owner undertakes to pay the shortfall on demand.

22.2 Deviations

When deviations from approved building plans are noticed during an occupation inspection as per 23.1, the following procedure will apply :

- 22.2.1 The Trustees will address a letter to the owner, via the Managing Agent, in which the deviation(s) and/or outstanding items are stated.
- 22.2.2 The owner has to submit to the Trustees his written plan of rectifying the deviation(s) within two weeks after he receives the letter as per 22.2.1.
- 22.2.3 The Trustees shall respond within two weeks regarding acceptance of such revised proposal as per 22.2.2.
- 22.2.4 After administrative procedure has been completed, a period of three months will be granted during which period the deviations are to be rectified.

22.3 Arbitration

- 22.3.1 Should arbitration occur, it will only commence after expiry of the period of 3 (three) months.

22.3.2 The owner is responsible to commence with the arbitration process and will be responsible for all costs; notwithstanding the outcome of the arbitration.

22.3.3 A period of 3 (three) months shall be granted for such arbitration process.

22.3.4 Should the arbitration-process be unsuccessful for the owner, penalties will be applied with retrospective effect.

22.4 Forfeiting of building deposit and penalties

22.4.1 The building deposit and any interest thereon will be forfeited should the deviations not be completed within the period of 3 (three) months.

22.4.2 A further penalty, as decided upon by the Trustees of the Home Owners Association, shall apply with effect from the subsequent month until such time as the deviations are rectified to the satisfaction of the ARC.

22.4.3 After completion of the deviations, the owner shall apply for the completion certificate issued by the Home Owners Association, as per par. 23.1.

23. **COMPLETION AND OCCUPATION OF DWELLINGS**

23.1 On completion of the works the HOA shall undertake an inspection to ensure that the ARC approved plans have been complied with and that no unauthorized works have been undertaken.

If the HOA is satisfied that the works comply with the approved plans and that the works are completed the HOA shall issue an occupation certificate and completion certificate.

Should the works, in the opinion of the HOA, not comply with the approved plans and / or be incomplete at the time of the said inspection then in such an event the following procedures shall be followed:

- (i) should the works not comply with the approved plans and / or be found to be insufficiently completed for occupation then the HOA shall issue a list of items to be completed (Occupation list) Prior to the issue of an occupation certificate. On completion of the items so listed the owner shall apply for an occupation Certificate.
- (ii) Should the works comply with the approved plans and be found to be sufficiently completed for occupation then the HOA shall issue an occupation certificate together with a list of items to be completed (completion list) prior to the issue of a completion certificate. An owner shall complete the items on such list within the time specified on such list and shall apply for a completion certificate once such items have been completed. The HOA reserves the right to charge a penalty for the

items not completed within the specified time period. Such penalty shall be deducted from the Builders Deposit as contemplated in Clause 4.

- 23.2 No buildings shall be occupied until such time as the HOA and the Local Authority have issued an occupation certificate for such buildings.
- 23.3 The deposit (or lesser amount after deductions) shall be refunded once a completion certificate has been issued by the HOA.

24. **DISCLAIMER**

The HOA may, subject to the terms of the (HOA) Constitution , alter any part or requirements of these guidelines, and may at any time dissolve the ARC and reappoint same at its absolute discretion.

Modifications may be introduced to further clarify the intent and character of the original concept. Plans submitted for approval are to comply with the Development Guidelines applicable at the time of submission.

Design features of existing buildings may not be precedent and / or justification for a departure from the Guidelines applicable at the time of submission.

The HOA does not in any way whatsoever accept or assume any legal responsibility directly from any approval granted in terms hereof.
