



EBOTSE GOLF & COUNTRY ESTATE

WE ALL DESERVE A BEAUTIFUL PLACE

ARCHITECTURAL DESIGN GUIDELINES & RULES

CONTENTS

1. Introduction
2. Town Planning Controls
3. Treatment of stand boundaries
4. Building design Guidelines & Rules
5. Approved building materials & design styles
6. Landscaping
7. Prohibited building material
8. Construction activities
9. General
10. Building plan submission
11. Acknowledgement

1. INTRODUCTION

1.1. The purpose of these design rules is to encourage individual creativity within a unity of materials and finishes to ensure that the overall development harmonizes and creates a balanced lifestyle for all residents. This will also assist in protecting all owners' investments in the estate.

1.2. It is the aim of the professional team that the lifestyle reflected would represent that of the creativity of the individual and there is no prescribed architectural style. Architectural guidelines & rules have been drawn up as far as the use of materials, the treatment of boundaries and the landscaping is concerned. For the rest, it is up to the individual architect to contribute to the successful execution of the developer's aim and the supervising architects will also assist in attaining this goal.

1.3. The controlling authority for the development is the "Ebotse Golf and Country Estate Homeowners Association" (EHOA) who will be responsible for the approval of all plans and buildings on behalf of the developer.

1.4. It is compulsory that the owner engage the services of a Qualified Registered Architectural Professional for designing purposes. It is the responsibility of the owner to ensure that their Architectural Professional is registered with SACAP and working within their allowed scope of work, as allowed by the IDOW by SACAP.

1.5. The construction and improvements must commence within twenty-four months from the date of FIRST registration of transfer of ownership of a particular erf. Thereafter, construction must commence within six months from the date of any other subsequent transfer that takes place for that particular erf. In order to reduce inconvenience to neighbours as well as unsightliness, construction must proceed without lengthy interruptions and handled in such a way that the end of each phase should be aesthetically acceptable to the EHOA. Once building work has commenced, it must be completed within 15 months. Any additions and alterations to be completed on a residence must be completed within six months and as per further submission to Aesthetics Committee. Failing to comply with the above commencement and completion periods will result in penalties being imposed.

1.6. The design of the dwelling unit and the entire stand must show sensitivity to the existing natural features, flora, and topography. Permission must be obtained from the EHOA before existing trees are removed and all existing trees are to be indicated clearly on the site plan. Surrounding structures and houses must be considered in the design process. Any newly planted trees on the sidewalks must be kept in mind as they are not to be removed.

1.7. No erf shall be consolidated, subdivided, or rezoned without first obtaining the written consent of the EHOA, and then only subject to such conditions imposed by the EHOA, which will include a condition that the levy to be imposed on the affected erf be adjusted accordingly.

1.8. Please note that the existing rules are still in effect for all homes that have been approved prior to the release of these new guidelines.

1.9. These rules are not a replacement of any statutory requirements, necessary submissions or approvals and are in addition to the National regulations, Occupation Health and Safety Act or any other Local Authority Requirements.

1.10. The Aesthetics Committee reserves the right to disapprove any plans that do not have the aesthetic appeal commanded by the overall aesthetic of the Estate as a whole.

1.11. In terms of the MOI, (Memorandum of Incorporation) of the Home Owners Association, the Directors have the power *to make rules and regulations in regard to the standards and rules for the architectural design of all buildings, outbuildings and structures to be erected in the estate.*

1.11.1. Apart from approval by the local authority, all building plans must:

1.11.1.1. comply with the Architectural Guidelines & Rules; and

1.11.1.2. be approved by the Members of the Aesthetics Committee

1.11.2. The Aesthetics Committee may, upon written application by an owner, consider exceptions to specific compliance of the rules. Each such application is considered by the committee on its own merits taking into account all relevant factors and surrounding circumstances *inter alia* location, slope, view, elevation, privacy, value, aesthetic impact, etc.

1.11.3. The granting of an exception to the rule does not alter the rule.

1.11.4. The Aesthetic Committee is appointed by the Directors in terms of the provisions of the Memorandum of Incorporation of the Home Owners Association

1.12. PVV RULE – (Privacy, Value, View): Exceptions to the specific compliance of any of the rules contained herein may be considered by the Board of Directors of the Home Owner's Association upon written application by a home owner during the plan approval stage.

1.12.1. Each applicant shall be considered on its own merit and the Board's decision:

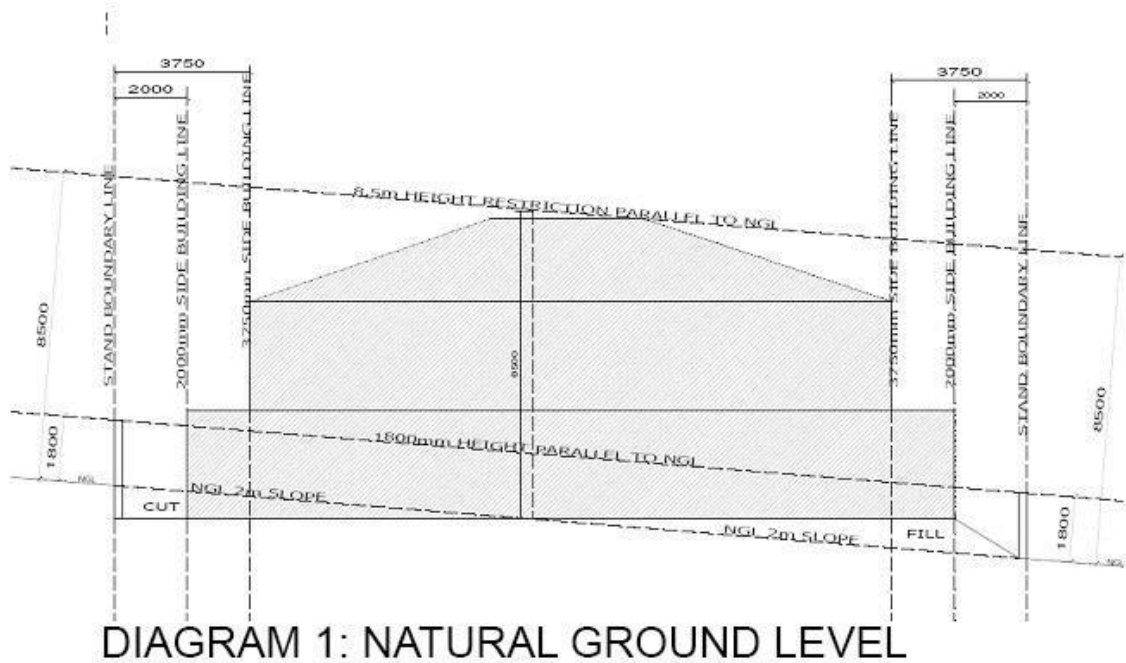
1.12.1.1. Shall be final; and

1.12.1.2. May be made subject to such conditions as the Board may deem fit

1.12.2. The Board shall not be obliged to provide reasons for its decision.

1.13. DEFINITION OF NGL (NATURAL GROUND LEVEL)

Natural Ground Level is the level at which the ground “naturally” falls. This is the ground level before the land is excavated or filled.



2. TOWN PLANNING CONTROLS

2.1. Coverage

- 2.1.1. Maximum dwellings per erf - One (except where approved otherwise). Any granny flat must be attached to the main residence and must meet the Town planning regulations. Under no circumstances may a granny flat be rented out to create an additional income on the property, and to only be used by direct family members.

Any home office enterprise must be approved by the EHOA prior to commencement and must meet all Town planning regulations.

- 2.1.2. Maximum height** 2 Storeys (excluding roof and loft rooms).
Maximum height 8.5m above natural ground level (excl. chimney stacks). To ensure integration into the landscape, building layouts must respond to the contours of the site. The maximum height of the ground floor finished floor level may not exceed 800mm above the natural ground level at any point on the site.
- 2.1.3. Single storey dwellings** Maximum coverage allowed will be 50% in accordance with Town Planning.
- 2.1.4. Double storey dwellings** 50% of the Ground floor footprint.
Stairwells and double volumes may be excluded from the first-floor calculations however these spaces may not be larger than 10% of the first-floor area.
- Garages facing the street, placed in front of the house may not have a full double storey.
- The first-floor area on stands **3240, 3246, 3264, 3265, 3269, 3272, 3273, 3276, 3277, 3280** and **3281** may exceed 50% of the ground floor footprint to 70% due to the street building line on these particular stands.
- 2.1.5. Minimum size the house, excluding garages and out-buildings, should not be less than 150m².**
- 2.1.6. Group Housing** - The number of units allowed will be as indicated on the general site plan and specified on the deed of sale. All group housing developments' town planning controls will be in accordance with the conditions of establishment as approved by the Local Authority.

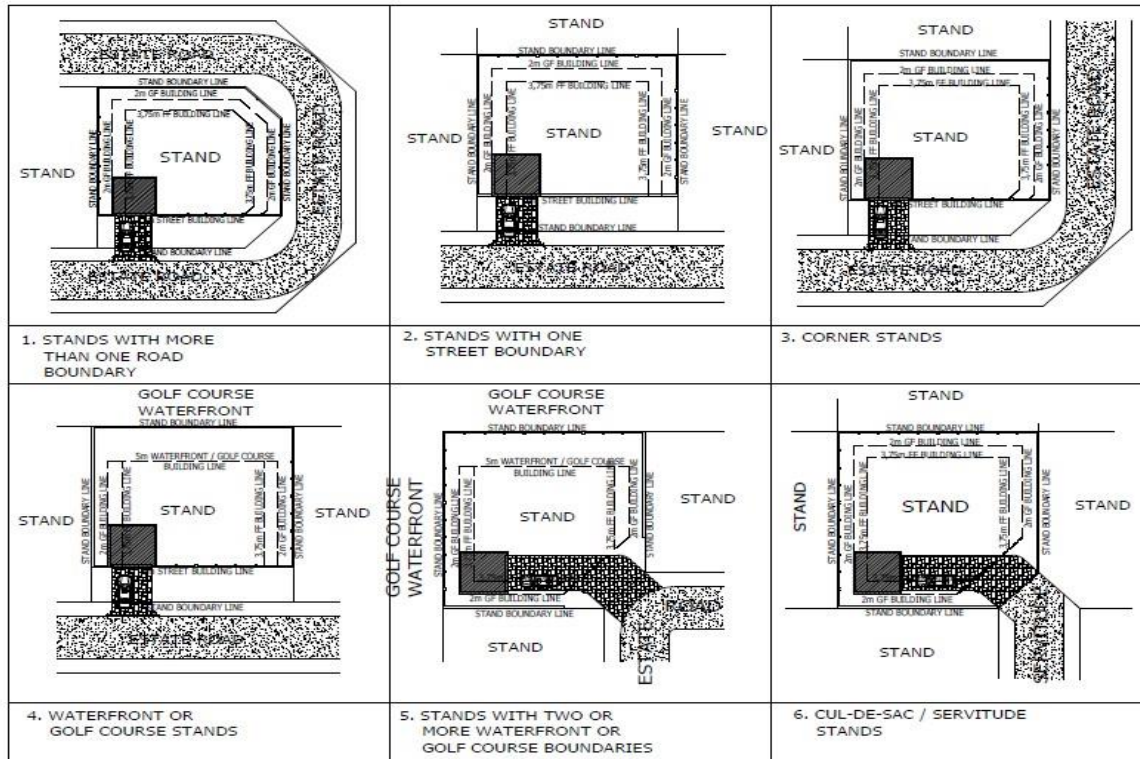
2.2. Buildings Lines

Please note that any relaxations indicated below, in certain circumstances, as indicated, will still require relaxations to be applied for at council, as per the Town Planning Scheme.

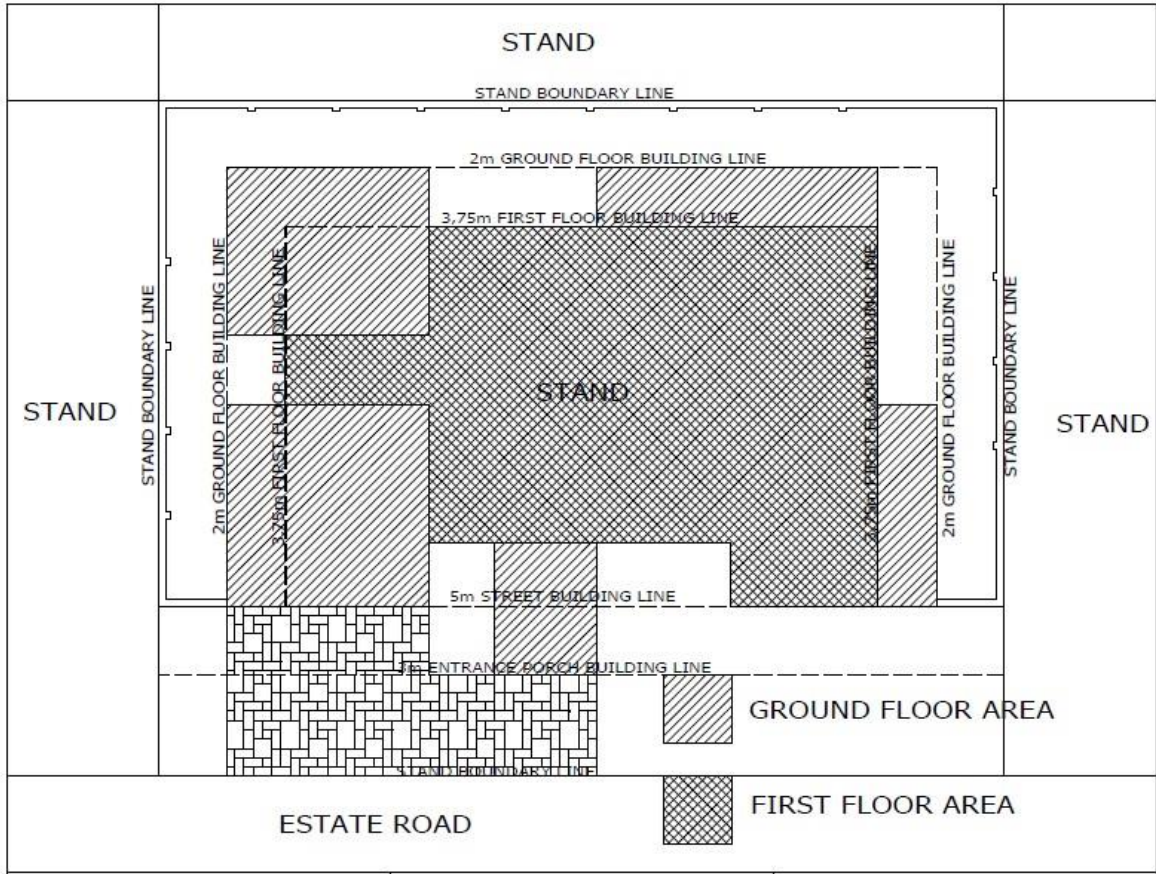
- 2.2.1. Single storey dwellings** 5m from the street boundaries except covered stoeps, verandas and porches, that may be 3m from the street boundary.
- 2.2.2. Double storey dwellings** 5m from the street boundary for ground floor.

- 5m from the street boundary for first floor.
3m from the street boundary for covered stoeps, veranda's and porches.
- 2.2.3. Side Spaces** 2m from each side boundary for ground floor. 4m from each side boundary for first floor.
- 2.2.4. Golf course / Waterfront** 5m Building line, ground and first floor, from any Golf course or Waterfront boundary. Application for relaxation of the ground floor building line on the golf course to 3m, and first floor to 4m, may be applied for, provided that the immediate adjoining affected neighbours agree to any extension over the 5m building line.
- 2.2.5. Side Open Space** In the case of a side space or back boundary, boarding onto a public open space, the ground floor building line will be 3, with the first floor 4m. In the case of more than 2 open boundaries, relaxation may be granted as indicated on the site development plan.
- 2.2.6. Corner stands / stands with and more than one public/open/ golf boundary** 5m from one street front boundary for ground and first floor. The front boundary will be determined by where access is gained to the property. The remaining street or public/open space boundary may have a 2m building line restriction on the ground floor. The first-floor level for double storey dwellings on this side may have a 4m building line restriction.
- 2.2.7. Other relaxation** Any other applications for relaxations of building lines will be at the sole discretion of the EHOA and will be judged on the merits of each case.

The following sketches show some typical building line situations (Fig 2.14):



Please refer to the sketch below showing a typical stand with the estate building lines (Fig 2.15):



3. TREATMENT OF STAND BOUNDARIES

It is appreciated that the diverse nature of single residential neighbourhoods will lead to a variety of treatments to the street boundary. Every effort must be made to avoid the hostile “canyon like” effect that high solid walls along streets cause in many residential areas. In order to enhance the appearance of sidewalks and the street scape of the Estate, the following rules will apply:

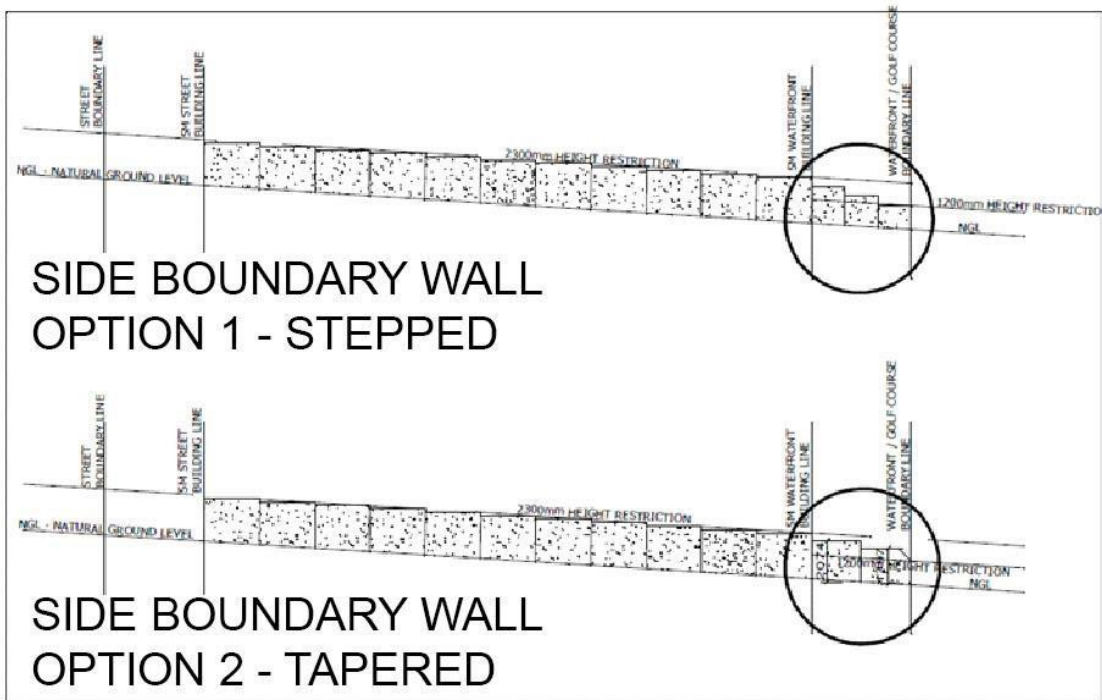
3.1. Street Boundary

3.1.1. The street boundary must be completely open with no boundary walls or fences within the 5m restricted area. Application may be made for the relaxation of this ruling, but only under the most extreme cases will it be granted.

3.1.2. For corner stands, the pre-determined front street boundary will be in accordance with the above, but the remaining street boundary may have a boundary wall built to a maximum height of 1.8 m except for the last 5 m adjacent to the street, golf course or waterfront boundary. Due to landscape setting no continuous boundary walls will be allowed. A maximum wall length consisting of 30% on each side of the boundaries will be allowed subject EHOA approval.

3.2. Side Space

The side walls between properties may be a maximum height of 2,3m over the extent of the boundary except for the last 5m adjacent to the street (see items 3.1 & 3.3) This height must be agreed upon by both the owner of the property and the neighbour of the shared wall. (Without this approval the wall must remain at a maximum height of 1,8m.) The wall must step down to 1,8m in height for the last 5m adjacent to the waterfront or golf course boundary and must step down or taper to 1,2m in height at the waterfront or golf course boundary. All boundary wall details must be approved by the EHOA.



3.3. Change in Levels

The edge of any balcony, bridge, flat roof or similar place more than 1m above the adjacent ground or floor level shall be provided with a balustrade or parapet wall not less than 1m in height, unless unauthorized access of persons thereto has been excluded by a physical barrier properly erected and maintained.

3.4. Swimming Pools and Swimming Baths

3.4.1. The owner of any site which contains a swimming pool or swimming bath shall ensure by means of a wall or fence that no person can have access to such pool or bath from any street or public place or any adjoining site, other than through a self-closing and self-latching gate with provision for locking in such wall or fence:

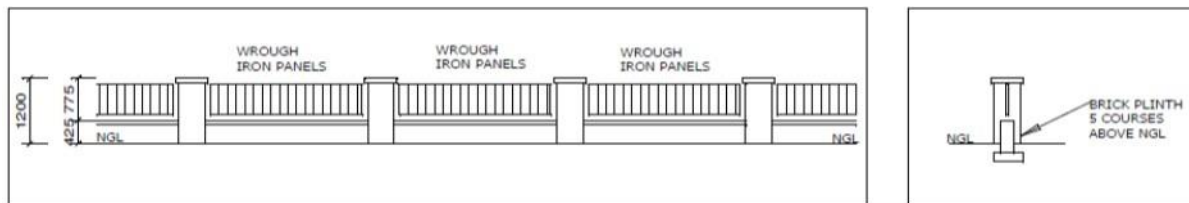
Provided that where any building forms part of such wall or fence, access may be through such building. Home Owners and Architectural Professionals are responsible to ensure that the necessary safety precautions are taken into account around all pool and water features, in accordance with NBR. It is the full responsibility and liability of the resident to ensure that these regulations are enforced to ensure their pool and/ or water feature is compliant with NBR. The Body Corporate to take full responsibility for their own properties and units.

3.4.2. The owner of any site which contains a swimming pool shall ensure that access to such swimming pool is controlled. Placement of pool netting and height of the wall (1.2m) needs to be conformed to as per regulations.

3.4.3. Any owner who fails to comply with the requirement of sub regulation (1) shall be guilty of an offence.

3.5. Golf Course and Waterfront Boundaries

3.5.1. 5m from the site boundary for dwellings, but 1,5m for gazebos, pool house, swimming pools etc. The golf course and waterfront boundary may be completely open or a 1,2m high palisade type wall with brick columns and a 500mm high plinth may be erected on the boundary. All boundary wall details must be approved by the EHOA. In the case of a stand having more than two golf course, waterfront or street boundaries, application may be lodged for a relaxation of this rule.



3.5.2. Any earth retaining type walls higher than 1,2m must be constructed from approved Loffelstein blocks and the structure must be signed off by a registered structural engineer prior to construction. If such a wall is required on the golf course, waterfront or public space boundary of a stand, a request must be made in writing to the EHOA.

3.5.3. NOTE: The following stands, **3540, 3541, 3542, 3543, 3544, 3545** and **3546**, must refer to the Estate Storm water Engineer's drawings and will not be approved unless a Professional Engineer has designed and signed off the storm water design for these particular stands. The drawings and information are available from the Building Control office on request.

3.5.4. NOTE: It is recommended that all homes built on golf course stands should be designed in such a way that protects inhabitants from golf balls entering the properties from the golf course. Further to this it is recommended that trees or other plants are used to shield these homes from golf balls. If it becomes necessary to place protective screens it must be done at the property owner's cost. All designs of such screens must be approved by the EHOA prior to installation.

4. BUILDING DESIGN GUIDELINES & RULES

4.1. All plans must be prepared by a Registered Architectural Professional and submitted for approval to the EHOA's Architect (see item 10 - Building Plan submission). Only after the approval by the EHOA has been obtained can the final technical drawings be submitted to the Local Authority for approval. It is the owner's responsibility to ensure that all plans are submitted and approved by both authorities prior to construction. This applies to any new construction, as well as any additions and alterations on the property.

4.2. The privacy of surrounding properties must be considered. As a general rule no windows or balconies on the upper storey should overlook the living space of the adjacent dwelling. If once the dwelling is completed and privacy issues arise due to the unique situations on site the EHOA reserves the right to request the owner of the dwelling at fault to change or alter the residence to preserve the privacy of the adjacent dwelling.

4.3. No plans will be approved in respect of buildings to be erected on stands that are in the process of being consolidated, until such time as the consolidation of the stands has been registered in the Deeds Office. The levy payable in respect of consolidated stands will be the same as the sum total of the levies previously paid on each of the individual stands, now forming part of the consolidated stand.

4.4. No staff accommodation must be nearer to the street than the main building. Staff rooms and Garages to be contained under the same roof or integrated into the overall design.

4.5. Staff accommodation and kitchen areas must open onto screened yards.

4.6. Additions must match the original building design in style, elevation, and material usage. All plans must indicate at least one double enclosed garage, and this must be built in conjunction with the original dwelling. No flat roofed carports will be permitted or any other steel carports.

4.7. In the case where the owner may need to use a large vehicle or truck as an everyday vehicle this must be concealed in a specially designed garage as to hide the vehicle from view. All such vehicles to be checked for noise pollution by the EHOA before designs are submitted.

4.8. Yard and screen walls must compliment the basic materials of the buildings and be indicated on the plans.

4.9. All louvered roofs and pergolas must be within the building lines, and to be designed in such a way as to blend in with the original building style. The area of these covered spaces must be clearly indicated on the area schedule.

4.10. Any fire pit or external braai area to be clearly indicated on the plans, and to take into consideration the adjoining neighbours. Any fire pit or braai area close to the boundary wall must have written approval from affected neighbours.

4.11. No dog kennels, caravans, boats, or trailers are to be visible from the road and may not be placed in the restricted side space (buildings lines), if not concealed appropriately from external views,

4.12. No prefabricated garden sheds or Wendy houses will be allowed on the Estate.

4.13. No shade netting may be used for carports or any other coverage.

4.14. Solar heating panels, if used, should be incorporated into the building and form part of the basic structure. They must be clearly annotated on the plans submitted for approval. No solar heating panels with an externally attached water tank (such as Solarhart) may be installed. Only split units will be permitted. In the event the solar panels are visible on flat concrete roofs, the panels and tanks must be positioned in such a way that they are not visible from the road, waterfront, golf course or any other public open space. In the event this is not possible, the owner shall install a EHOA approved form of screening to conceal them. Please refer to the available Solar Panel policy for further information regarding the use of solar panels, available from the Building Control office and in the House Rules.

4.15. All generators are to be “silent” types and are to conform to the Generator policy available from the Building Control office for further information and in the House Rules.

4.16. All new energy supply systems are to have a valid COC.

4.17. Air-conditioning units, trampolines, jungle gyms and other items which do not form part of the basic structure, are to be clearly annotated on the plans submitted for approval. These must not be visible from the road, waterfront, golf course or any other public open space. Air conditioning units must be designed into the overall structure of the building, or suitably screened, if visible.

4.18. TV aerials and satellite dishes are to be installed in such a position so as to be hidden from view of the golf course, waterfront, road and public open space. Where good signal feed prevents this, then, and only then, may they be repositioned, but in such a way that such position is the best option so as to impact minimally on any of the above views. Such repositioning will be subject to the consent of the EHOA prior to installation.

4.19. All plumbing to be concealed in ducts, and washing lines must be fully screened and not be visible from the street elevations and other elevations onto adjoining properties. In the case of flat roofs, all geysers must be installed inside the houses or concealed from view so that it is not visible from the outside. If a geyser or sewer pipe is covered with timber the timber must be decking type timber and well maintained.

4.20. All external lighting to be shown clearly, and to be approved prior to installation. No bright lights may shine into any neighbours property, and consideration for neighbours across the water and/ or golf course is to be taken into account should lights be used to light up the area outside the property. The encouragement of warm light bulbs and timers to

restrict continuous usage of lights is to be considered. Please refer to the external lighting policy available from the building control office and in the House Rules for further information.

4.21. No deviations from the approved drawings will be permitted unless the deviation is resubmitted and approved in writing prior to construction.

5. APPROVED BUILDING MATERIALS AND DESIGN STYLES

5.1. Roof Coverings

5.1.1. Roof finishes in combination will be allowed. The following roof coverings will be allowed:

5.1.1.1. Cromadek roof sheeting

5.1.1.2. Slate roof tiles

5.1.1.3. Fiber cement slate roof tiles

5.1.1.4. Concrete roof tiles

5.1.1.5. Flat concrete roofs

5.1.1.6. Shingles

5.1.2. All roof finishes to be approved by the EHOA

5.1.3. The following roof colours will be allowed:

5.1.3.1. Dark Grey

5.1.3.2. Charcoal

5.1.3.3. Black

5.1.3.4. Terracotta

5.1.3.5. Green

5.1.3.6. Any other colour is to be approved by the EHOA's Architect

5.2. Structural Walls and Screen Walls

5.2.1. Interior Walls – this will be the choice of the owner and to conform to the design submitted for approval.

5.2.2. Exterior Walls – conventional brick walling is envisaged with glazed elements to maximize on the beauty of the surrounding area. The plastered brickwork to be finished off with a high-quality exterior paint. Alternative building methods will be considered by the Board for approval, based on a presentation to the Board for approval. Please contact the Building Control office for a list of alternative methods approved. This list is subject to change. Long uninterrupted wall panels exceeding 6m lengths shall not be permitted. Soft tones of low reflection values to be used on plastered surfaces. The colour sample must be submitted to the EHOA for approval prior to painting.

5.2.3. The following wall finishes will be allowed:

5.2.3.1. Plaster and paint (rough or smooth)

5.2.3.2. Bagging and paint

5.2.3.3. Washing and paint

5.2.3.4. Face brick

5.2.3.5. Off shutter concrete (max 30% of all external wall surfaces) must be buffed, polished, and filled.

5.2.3.6. Tiles, Stone cladding and timber cladding (Max 30% of external wall surfaces).

5.2.4. The colours of the paint on the exterior walls must be:

5.2.4.1. Approved by the EHOA's Architect by way of a colour swatch of the paint, indicating the colour and code. Final colours to be painted on the residence as a sample for approval during construction, for inspection prior to final colours being applied. Failure may result in colours not being approved, and new colours to be applied. This applies to new construction as well as existing residences that would like to change their existing colours.

5.2.4.2. Colour samples for residence panels must be presented to the EHOA for approval. Once the EHOA has approved the panels colours, the dwelling may be painted. Please inform the EHOA when the painted panels are ready for inspection.

5.2.4.3. Coloured feature walls may not exceed 10% of the given façade.

5.2.4.4. White paint may be used on 50% of the exterior walls only. Totally white house will not be permitted.

5.3. Paving and External Tiling

5.3.1. For driveways and walkways preference will be given to clay brick paving. Other paving to be approved by the EHOA's Architect. No Tar or gravel will be allowed. Paving layout to be submitted and approved prior to installation.

5.3.2. Concrete pavers may be used if specified as multi-blend and laid in a herring format only. No painted finish on the driveways allowed, unless approved by the Aesthetics Committee.

5.3.3. A maximum of 70% of the front property may be paved, the remaining 30% must be landscaped with grass and/ or plants.

5.3.4. Two 110mm diameter PVC conduits are to be placed beneath the paved pavement for future services.

5.3.5. Pergolas and patios/verandas should be finished with tiles, timber decking or clay brick paving.

5.4. Windows

5.4.1. Position and proportion of windows are important and careful consideration should be given to the traditional use of windows. Large, glazed areas will not be permitted on the golf course stands unless covered by an overhang of more than 2m, a veranda or covered patio, except if to form a conservatory. Wind-blocks or other precast elements, free form styles, mirror glazing, and coloured glass may be used if approved by the EHOA's Architect.

5.4.2. Windows frames shall be made of aluminium, wood, PVC or steel and no other materials are allowed.

5.4.3. Window frame colours to be earth tones and must be indicated on the plan and approved by the EHOA's Architect.

5.4.4. No reflective/ mirrored glass permitted. Colour of glass, if required, to be clearly indicated on the plan and approved by the EHOA.

5.4.5. Windowsill colour and material must be indicated on the plan and approved by EHOA's Architect.

5.4.6. Any variety of pane sub-division is allowed in order to suit style of house.

5.4.7. NOTE: For safety reasons it is recommended that all homes built on golf course stands should use toughened glass in all window frames exposed to the golf course.

5.4.8. Any security protection measures must be fixed internally and approved by the EHOA prior to installation.

5.4.9. Preference will be given to aesthetically pleasing minimalistic material.

5.4.10. No Spanish bars or other external bars shall be allowed.

5.5. Doors

5.5.1. Internal doors to be the preference of the owner. Special attention to the design of the entrance door is recommended. Doors will be constructed of the same materials as the windows. Trellidor type expanding security doors are not permitted in an external position.

5.5.2. Garage doors can be in timber or chromadek and no steel roller shutter or “flip-up” doors will be allowed on the street side of the residence. Any other garage door type may be considered on application to the EHOA. No reflective/ mirrored glass doors allowed. All garage doors to be approved by the EHOA prior to installation. Roller shutter doors may only be used if they are concealed from the street side of the residence as back garage doors.

5.6. Verandas, Porches, Awnings and Pergolas

5.6.1. The provision of verandas, porches and pergolas are encouraged to enhance the individual style and atmosphere. Supports shall be plastered masonry piers, precast concrete or stone columns, timber or metal or metal posts of traditional design to match the specific style of house.

5.6.2. Where building filters such as pergolas, sunscreens, walls etc. are to be used, they shall be portrayed on the drawings submitted for approval. Galvanised steel or aluminium awnings may only be allowed on approval.

5.7. Awnings for Shading & Protection

A request for the above may be approved subject to the following:

5.7.1. The product must be of a natural/earthly colour, to blend, be aesthetically pleasing and compliment the overall appearance of the home.

5.7.2. A sample of the product and the intended colour sample shall be submitted to the EHOA for approval, prior to installation.

5.7.3. Preference will be given to maintenance free, quality products, which will not deteriorate or fade/become unsightly quickly.

5.7.4. Clear “Reboss” awnings and natural aluminium will be supported and other materials, such as chromadek, fibreglass, polyester and retractable canvas awnings

will be considered, subject to the strict adherence to the provision of maintenance thereof, as more fully described in Clauses 3,3; 3,5; 3,7 and 4,2 of the EHOA Rules & Regulations.

5.8. Parapets, Eaves & Chimneys

5.8.1. Chimneys must be of plastered masonry with approved moulded cappings. Steel type chimney flues may only be used if the ratio between the masonry plinth and the steel flue no more than 2:1 where the steel flue is no longer than twice the length of the masonry plinth. (Please see the diagram below)

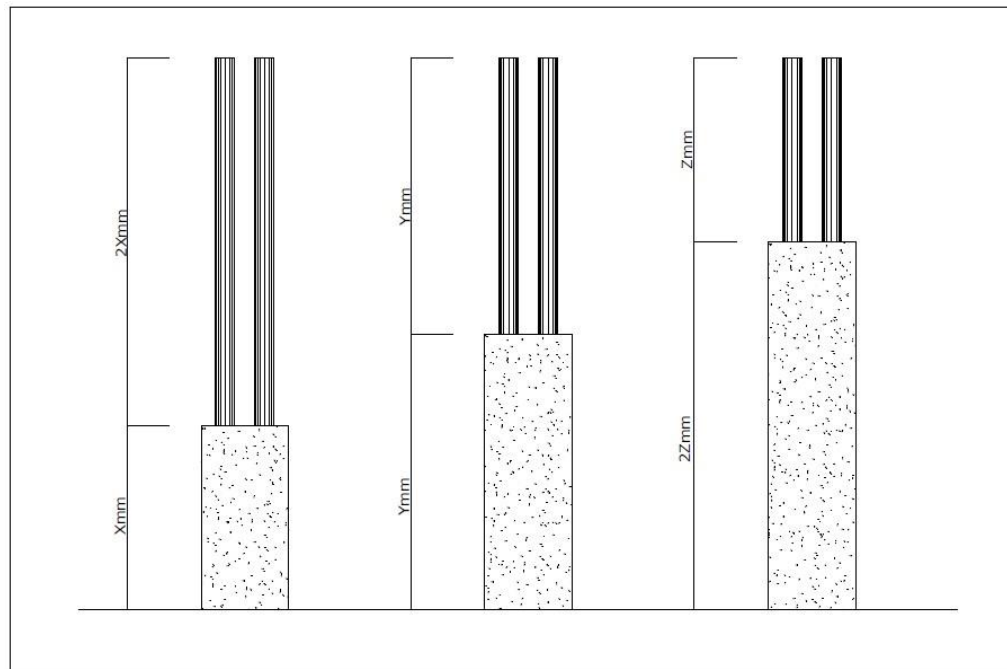


Figure 5.7: All the above options are acceptable.

5.8.2. Eaves overhang shall be restricted to a maximum of 1m from the wall face and shall be decorative.

5.8.3. Concrete roof overhangs to be a maximum of 1m from the wall face, if extending over the building lines.

5.9. Rainwater Goods

5.9.1. The disposal of rainwater onto the site shall be controlled to avoid damage to the site. The rainwater down pipes must be handled with care. Any site lower than an adjoining site is obliged to take the higher-lying property’s storm water. This is to be done between the two neighbours amicably.

5.9.2. The colour of any downpipe and/ or gutter from the roof must blend in with the colour scheme of the house and can be in darker colours. Gutters and

downpipes to be continuous. Any rainwater downpipe from a slab or flat roof must be concealed in the walls or ducts, and no overflow pipes will be allowed. Any Jojo's or other water tanks shall be underground or completely screened from view.

5.10. Columns

An image of the column treatment and colours to be submitted for approval to the EHOA's Architect.

6. LANDSCAPING

6.1. Landscaping on sidewalks must be undertaken within the integrated landscape language of the Estate and a paving and landscaping plan must be approved by the EHOA. All pavements remain the property of the council however home owners are encouraged to incorporate these areas into their stands and maintain them as their own.

6.2. STREETSCAPE - The sidewalks remain the property of the City of Ekurhuleni, but every resident is responsible for the maintenance of the area between the road kerb and the boundary of his property. No trees, plants, rocks or built structures may interfere with pedestrian traffic or obscure the vision of motorists.

6.3. The landscaping theme of the EHOA is strictly the use of only indigenous trees.

6.4. The use of hedgerows, up to the site boundary, is recommended and the planting of trees and shrubs is encouraged where possible. Trees planted in the road reserve may not be removed and must be replaced where damaged.

6.5. All earth retaining walls of 1m in height or less must be constructed of dry pack stone approved by the EHOA.

6.6. All properties bordering public / golf course or waterfront areas must improve and maintain these areas outside their properties to the EHOA's satisfaction.

6.7. Astroturf (artificial grass) may be used within the walled boundaries of a property only if a retention pond for storm water runoff has been designed and approved by an engineer. No Astroturf or artificial grass may be used on the pavements or visible streetscape.

6.8. Two 110mm diameter conduits for electrical connections to neighbouring stands must be supplied under all paved driveways in the pavement areas. These must be shown on the working drawings.

6.9. All pots and other garden furniture or ornamentation to be approved by the EHOA prior to installation.

6.10. Extension of Gardens Beyond Property Boundaries

Gardens may not extend beyond the boundaries of the Member's property. Take note that these areas remain the property of the EHOA. If home owners want to beautify or upgrade the EHOA common area adjacent their properties to the benefit of the Estate or themselves, the following rules apply:

6.10.1. A formal request must be submitted to the Environmental Officer of the EHOA for consideration and approval;

6.10.2. The Environmental Committee will only allow indigenous grass, trees and rocks for possible improvement;

6.10.3. The consent of the adjacent or affected neighbours must be submitted to the EHOA in writing before this notion will be considered. The proposed improvement must not impair value or view, especially with the possible inclusion of large trees;

6.10.4. Common property area earmarked for possible upgrade cannot infringe into the golf course area (white stakes), unless communicated with golf club management.

6.11. Landscaping

Owners are strongly encouraged to plant indigenous plants and shrubs. Only indigenous trees will be allowed on the streetscape and outside areas of property boundaries on the Estate.

7. PROHIBITED BUILDING MATERIAL

To allow for diversity and interest, a variety of individual architectural designs within the theme will be encouraged. The following building materials may however NOT be used:

7.1. Unpainted plaster.

7.2. No precast concrete walls will be allowed, and any face brick or plastered walls must be completed on both sides of the wall.

7.3. Unpainted reflective metal roof sheeting.

7.4. Wood panel fencing.

7.5. Thatch roof lapas.

7.6. Unpainted galvanised sheet metal flashing.

7.7. Wall mounted statues.

7.8. Plastered fake stone finish.

7.9. Mesh / Netting -

The use of chicken mesh or any other type of mesh/netting on boundary walls, balustrading or side gates, visible from the common areas or neighbours is strictly prohibited.

8. CONSTRUCTION ACTIVITIES

As the building within the Estate will be constructed over a considerable time period, the following Rules have been formulated for the benefit of residents:

8.1. The building contractor must be registered with the National Home Builders Registration Council and has to be registered and accredited by the EHOA.

8.2. A registration certificate will be issued by the EHOA to the contractor for 15 months and a new application will be necessary on an annual basis.

8.3. The EHOA shall be entitled to refuse re-registration or cancel a registration of any contractor should the standard of work and adherence to these rules and/or security rules, and management/control of the employees of the contractor or any of its sub-contractors, not be to the satisfaction of the EHOA.

8.4. All building materials are to be stored within the site boundary. No material is to be off-loaded, mixed, or prepared on the road, road reserve, kerbs, pavements, or adjacent property.

8.5. During building operations, the site must be always screened off on all sides with 80% green shade cloth of 1.8m high, with a lockable access gate, to be locked when no activity is taking place on site and kept neat throughout construction.

8.6. The contractor shall provide adequate facilities for rubbish disposal and ensure that the workmen use the facilities provided and that the rubbish is removed every Friday. NO rubbish may be burnt or buried on site. No form of paper, cement bags, tile off-cuts, ceiling boards, roof tiles, rubble or the like, is to be left lying around, nor may be allowed to blow off site.

8.7. No advertising or sub-contractors' boards may be displayed anywhere in the estate. Only boards approved and purchased through the EHOA for the owner's contractor/professional will be permitted.

For any other advertising required, costs are available on the different platforms available from the EHOA.

8.8. No workmen will be permitted on site between the hours of 17h30 and 06h00 i.e. NO workmen are allowed on site overnight.

- 8.9.** All contractors will be required to provide screened ablution facilities for the workmen and subcontractors under their control. Toilets and changing facilities shall be suitably positioned and kept hygienic.
- 8.10.** Fires for cooking, heating or other purposes will not be permitted, and contractors shall ensure approved alternative meal arrangements are made.
- 8.11.** Construction activity will only be allowed between 07h30 and 17h30 Monday to Fridays.
- 8.12.** No construction activity is to take place on Public Holidays, Saturdays or Sundays, unless approved by the EHOA.
- 8.13.** Delivery routes and hours may be defined from time to time by the EHOA and all contractors are to obtain these restrictions from the EHOA. A separate entrance will be made for all construction vehicles and only that route will be used.
- 8.14.** Fines will be levied from time to time by the EHOA for contractors and delivery vehicles who spill material en-route, damage roadways and kerbs, stain tarmac and generally create nuisance within the Estate.
- 8.15.** Only single unit delivery trucks may come into the development and also up to a maximum weight of 30 tons apart from Simon Street and only 5 tons allowed on Zimbali drive. No articulated trucks will be allowed to deliver any material on the site.
- 8.16.** In the unlikely instance where larger trucks need to come onto site, arrangements must be made with the EHOA.
- 8.17.** With the dams on the Estate, pollution and contamination of groundwater and run-off water is particularly sensitive. Special preventative controls must be taken, especially on waterfront sites, in the handling, disposal and cleaning up of paint, tile grout, tile adhesive, cement, rhinolite, chemicals, oil, fuel etc.
- 8.18.** The EHOA inspector will make several unannounced visits to the site during construction. The inspector's job is to check for any contraventions of the rules and the approved plans and to report this back to the EHOA. The Inspector is not responsible for any contravening works, for giving any advice to the contractors or owners, for pointing out of stand pegs or municipal services, or any other works that fall within the contractor's scope of works.

9. GENERAL

- 9.1.** It is recommended that the home owner or his architect discuss his concept with the EHOA's Architect at an early stage.
- 9.2.** No boreholes will be allowed.

9.3. The EHOA will be responsible for the maintenance of the streets as well as the special streetlights.

9.4. Each and every owner who submits building plans shall sign a standard indemnity form, indemnifying the EHOA from any liability at all with regards to public safety or any accident which may occur during or after construction or as a result of any deficiency with regards to balustrading, gating, public street access, exposed Loffelstein walling, protection of swimming pools, ponds and water features or any other matter or non-adherence to building or safety regulations.

9.5. Multiple Properties:

In the event more than one property is being developed in the Estate by an owner or his spouse or any other legal entity in which he/she has any interest, it is noted that:

9.5.1. Consent to commence construction will not be agreed to by the EHOA unless all levies, road maintenance fees and construction penalties on the last property completed by such owner are brought up to date.

9.5.2. Construction of any further home be halted by the EHOA should such a situation arise during the construction of any further homes.

9.5.3. It is noted that the completion certificate issued by the EHOA may/will be withheld until all outstanding penalties are paid or the EHOA is satisfied that a suitable arrangement has been made to settle same.

9.6. Selecting Building Contractors:

We are extremely fortunate to be able to say we have several good, reliable and reputable building contractors on the Estate.

9.6.1. It would also be true to say that there are others that are not as good. In the interest of the estate and in your interests, we would like to give you some sound advice:

9.6.2. Please, please, please get references on any contractor you intend using and speak to some of his past clients to ensure what you are led to believe is accurate.

9.6.3. Where possible see some of the contractor's past work.

9.6.4. Insist on using a reputable engineer for foundation and concrete/slab design.

9.6.5. To determine financial stability, ask your contractor for the names and contract numbers for some of his suppliers and subcontractors. If his accounts are well-managed, you can expect that he will manage your finances well.

9.6.6. Ask previous clients whether or not the contractor delivered within the expected/contracted time period or not and if there were any penalties they incurred.

9.6.7. These are just a few critical areas you may want to check on for your own peace of mind.

9.6.8. The HOA will not be held liable for any legal action by the contractor based on unlawful/unfair competition or spoliation as the HOA would merely be complying with its duties to ensure that the contractor is competent to complete the work.

10. BUILDING PLAN SUBMISSION

Design drawings to be submitted in 2 stages in order to curtail expenses and speed up the approval process.

10.1. One set of A1 size colour prints of the sketch plans shall be submitted to the EHOA. After approval thereof, the owner is required to submit 1 colour set of A1 size and two sets of black and white A1 size full building plans for approval by EHOA's Architect, as well as by the local authority.

10.2. For control purposes, the drawings for both stages are to be submitted to:

Ebotse Golf and Country Estate Homeowners Association at the Building
Control Office Tel No: 087 285 3545
Email: aest.committee@ebotsehoa.co.za

10.3. The approval fees are as follows:

10.3.1. Stage 1: Sketch plans – R1 800.00 per submission – fees updated on an annual basis or at the discretion of the EHOA (Should the sketch/ concept plan not be approved by the third (3) submission, an additional R900.00 submission fee will be payable with the fourth (4) submission)

10.3.1.1. 1:100 floor plans, sections & elevations, showing all building lines, vertical heights above NGL, etc.

10.3.1.2. The site contour plan to a 1:100 scale complete with 500mm contour survey, all indigenous trees, indicating all site works, paving and the exact siting of the buildings. A clear indication must be given of the exterior finishes and structure envisaged.

10.3.1.3. Colour scheme and relevant swatches.

10.3.2. Stage 2: Building plan – plan approval fees of R3 000.00 per submission – fees updated on an annual basis or at the discretion of the EHOA. 3 paper copies - 2 for the council ,1 of which is coloured, and 1 for the EHOA for record purposes (Should the sketch/ concept plan not be approved by the third (3) submission, an additional R1 500.00 submission fee will be payable with the fourth (4) submission)

10.3.2.1. Building plans to a minimum scale of 1:100 complete with floor plans, sections, elevations, site works and levels. Fenestration, roof tiles, decks, and outside work to be clearly indicated.

10.3.2.2. A detailed site plan showing the position of trees, screen walls and the buildings.

10.3.2.3. All service installations i.e. water, sewer and electrical to be indicated.

10.3.2.4. Sufficient structural details to be indicated, complete with the design of the engineers if required.

10.3.2.5. Sufficient technical details as required in terms of the NHBRC and to the approval of the Local Authority.

10.3.2.6. Whatever technical detail may be required for approval by the Local Authority.

10.3.2.7. It is the owner and/ or owner's architectural professional's responsibility to submit the drawings to the Local Authority for approval once the approval of the committee has been obtained.

10.3.2.8. Any relaxations given by the EHOA are specific to that individual stand and do not automatically allow for a relaxation by the local council. Any relaxations given by the EHOA must also be applied for at the Local Council for their consideration and neighbour's consent will be required for all building line and servitude relaxations.

10.3.2.9. The approval of the design by the committee is in general terms and is subject to the approval by the Local Authority.

10.3.2.10. Please note that it is the owners / architectural professionals responsibility to use the approved SG (Surveyor General) diagram only to set out the residence. The provided engineer's site plan is NOT a SG diagram. SG diagram must be submitted along with the plan submission.

10.4. Alteration plan submission fee: R1900.00 per submission (Should the plans not be approved by the third (3) submission, an additional R950.00 submission fee will be payable with the fourth (4) submission)

10.5. As-build plans or Deviation plan: R1900.00 per submission. (Should the plans not be approved by the third (3) submission, an additional R950.00 submission fee will be payable with the fourth (4) submission)

10.6. (3 paper copies - 2 for the council ,1 of which is coloured, and 1 for the EHOA for record purposes) The area that is added or changed must be clearly highlighted on the plan. All on A1 paper size.

10.7. All fees updated on an annual basis or at the discretion of the EHOA.

NOTE: The plans will not be circulated or passed by the local authority unless the plans are signed and stamped by the HOA.

10.8. A Building Performance Deposit of R10 000 (Ten Thousand Rand) per residence, or R1/ sqm complex development, must also be submitted to the EHOA's Finance department and it will be held in trust (interest free) by the EHOA's selected attorneys.

10.9. Contractors board must be applied for at the Building Control office when commencement of work is to begin, with a cost of R1 500

10.10. The deposit amount will be used in the event of a breach or non-performance to remove rubble or make good any damage caused by the contractor or his sub-contractors or suppliers, including kerbing, landscaping, community services, roads, irrigation etc. and for any outstanding spot fines. A road levy of minimum R600 per residence for up to 600sqm, or R1 per sqm for buildings over 600sqm, is payable per month by the contractor.

10.11. The Building Performance Deposit shall be released subject to the submission to the EHOA's Building Control officer of a Local Authority's certificate of completion and occupancy and shall only be refunded within 14 days once all the above documents are correctly completed and submitted.

10.12. The Local Authority will not issue the Occupancy Certificate until such time as the EHOA has issued the EHOA Completion Certificate. The EHOA reserves the right to prevent the occupation of any residence if the above is not fully adhered with.

10.13. All plans necessary for Local Authority approval must be submitted together with an extra rendered paper copy to be kept for record purposes by the EHOA. Plan approval fees for the Local Authority for the building are for the owner's own account.

10.14. The following items must be clearly shown on the plans:

10.14.1. Contours – which are to be indicated on the site plan. Contours on the site plan are to correspond with elevations.

10.14.2. Area of dwelling including patios and outbuildings.

10.14.3. Coverage (percentage).

10.14.4. Building lines.

10.14.5. All external finishes including a colour specification (coloured in elevation & sample of paint as issued by the paint manufacturer)

10.14.6. Boundary wall/fence details including elevations.

10.14.7. Drainage and how it is concealed.

10.14.8. Layout of driveway

10.15. A signed copy of these rules (acknowledgement on page 18 of this document) by the owner of the erf is to be submitted.

10.16. Plan Submission to Council - Final plans may only be submitted to the local authority for approval once they have been approved by the EHOA. You will collect the actual plans which have been approved from the EHOA to submit to council.

10.16.1. Only A1 plans – folded into A4 size – no rolled up sets of plans, plans folded to A3 size or plans folded to A5 size, will be accepted.

10.16.2. You will submit one EHOA approved colour set and one EHOA approved black and white set to the local authority.

10.16.3. The EHOA will retain one black and white set for record keeping.

10.16.4. Plans will not be scrutinized if submission fees have not been paid.

10.16.5. Council Submission Plans will only be scrutinized once the sketch plan has been approved.

10.16.6. Without sketch plan approval, council submission approval will not be given by the EHOA.

10.16.7. Any amendments to plans must be re-submitted as detailed above PTO – 11. Acknowledgement.

11. ACKNOWLEDGEMENT

11.1.1. The above document is fully understood, and the contractor and owner undertake to comply with the content of this document and any further controls which may be instituted

by the EHOA or the Developer from time to time in the form of a written notification. It is the owner’s responsibility to ensure compliance by any sub-contractors employed by the contractor, and any suppliers to contractors, sub-contractors, or owners.

11.1.2. Notwithstanding anything contained in these Architectural Design Rules it is recorded that the owner shall always be responsible for and answerable for the due compliance of the rules contained herein. The owner shall ensure that the members of his/her professional team and contractors employed by him/her to erect any improvements on his/her property shall duly comply with these rules. Approval of building plans by the EHOA or any committee or persons in the terms of the delegated powers shall not release the owner of his obligation in terms thereof; it being recorded that the onus of due compliance shall always rest on the owner.

.....
SIGNATURE - OWNER

.....
Witness

.....
Name

.....
Erf No

.....
Date

.....
Township

Tel: Business
..... Residential
..... Cellular
..... Email

ANNEXURE “A”

A1: Building Work Penalties

Contravention	First Offence	Second Offence	Third Offence
<p>Paragraph 1.5</p> <p>(i) Exceeding building time limits – Construction window period – new stand</p> <p>(ii) Paragraph 1.5 – Construction window period (Vacant Stand)</p>			<p>R 11 500 per month from month 1-3, R500/day R 23 000 per month from month 3-6, R1000/day R46 000 per month from month 7 onwards R2000/day</p> <p>R5 000 per month from month 1-12</p>
<p>Paragraph 4</p> <p>(i) Paragraph 4.1, 4.21 – Building without approved plans.</p> <p>(ii) Paragraph 4.10, 4.11, 4.12, 4.13, 4.14, 4.17, 4.18, 4.20 – Illegal structures and non-compliance to unsightly structural screening</p>	<p>R3 000 per month from month 1 – 2 R5 000 per month from month 3 onwards.</p>		
	<p>Written warning (14 days to comply)</p>	<p>R3 000 per month from month 1–2 R5 000 per month from month 3 onwards.</p>	
<p>Paragraph 5</p> <p>(i) Paragraph 5.6, 5.7 - Illegal structures and non-compliance to unsightly structural screening</p>	<p>Written warning (14 days to comply)</p>	<p>R3 000 per month from month 1–2 R5 000 per month from month 3 onwards.</p>	
<p>Paragraph 6</p> <p>(i) Paragraph 6.7 – Non-Compliance with building and architectural guidelines</p> <p>(ii) Paragraph 6.10 – Encroachment onto communal property</p>	<p>R3 000 per month from month 1 – 2 R5 000 per month from month 3 onwards.</p>		
	<p>Written warning (7 days to comply)</p>	<p>R5 000 per month until compliant.</p>	
<p>Paragraph 7 – Non-Compliance with building and architectural guidelines</p>	<p>R3 000 per month from month 1 – 2 R5 000 per month from month 3 onwards.</p>		
<p>Paragraph 8</p> <p>(i) Paragraph 8.4 – Building Contractors non-compliant.</p>	<p>Written warning (48 Hours to comply)</p>	<p>R500 per day after 48 hrs.</p>	

(ii)	Paragraph 8.5, 8.6, 8.7, 8.8, 8.9, 8.10, 8.11, 8.12, – Building Contractors non-compliant.	R1 000 per week
(iii)	Paragraph 8.13, 8.15– Building Contractors non-compliant.	R500
(iv)	Paragraph 8.14 – Damage to Estate property	Cost of repairs plus 50%
(v)	Paragraph 8.17 Illegal dumping	R15 000 – dumping in sewer or storm water lines. R50 000 – Illegal dumping anywhere on the estate property
Paragraph 9	Paragraph 9.2 – Non-compliance with building and architectural guidelines	R3 000 per month from month 1 – 2 R5 000 per month from month 3 onwards.