



## Board Note

To: Ebotse Residents

From: Ebotse HOA

Date: January 27, 2023

**RE: EBOTSE BOARD NOTE: ALTERNATIVE ENERGY POLICY**

Dear Residents,

1. The HOA Rules Committee and Board recently revisited the current generator policy and added a gas installation section.
2. The new policy is called the "Alternative Energy Policy", inclusive of a section on gas installations, installation of invertors and a section on appeal procedures, should a resident wish to appeal to a sanction that has been imposed on an installation.
3. This policy from a national standards perspective now also reflects a section with the legal noise levels that generators must comply with in terms of decibels for different areas of occupancy, South-African National Standards (SANS) 10103.

We thank you in advance for your understanding in the implementation of this important policy in order to guide homeowners, ensuring that all live in peace and harmony with each other, taken our close-knit living conditions into consideration.

Kind Regards,

*Signed*

**BOARD OF DIRECTORS: EBOTSE HOA**



## **ALTERNATIVE ENERGY POLICY FOR EBOTSE GOLF & COUNTRY ESTATE (THE "ESTATE")**

Annexure A: Rating Levels for Ambient Noise for Different Areas of Occupancy

Annexure B: Manual/Automatic Changeover Connections

Annexure C: Gas Installation Regulations SANS 10087

### **1. Introduction**

- 1.1** The purpose of this policy is to set out and inform homeowners of the rules applicable to the installation and use of alternative energy sources ("AES").
- 1.2** In this policy "AES" shall mean any source of energy other than that supplied by Eskom, and shall therefore include, (but not be limited to) generators, solar solutions, and gas.
- 1.3** A contravention of any of the terms of this policy will constitute a contravention of the Ebotse Home Owners Association (EHOA) Rules, and be subject to sanctions as provided for in the EHOA Rules.

### **2. Application to Aesthetics Committee**

- 2.1** Any person wishing to make use of an AES on a residential property within the estate, shall first apply to the Aesthetics Committee for consent to do so.
- 2.2** Such application must be made before an Applicant commences with the installation or use of the AES.
- 2.3** Applications will only be considered by registered homeowners. Tenants and / or other residents who wish to make use of an AES must accordingly request the relevant homeowner to make an application on their behalf.
- 2.4** Applications by homeowners owning units in the various sectional title complexes within the estate, must be accompanied by a certificate from the relevant Body Corporate confirming that the Body Corporate:
  - (i)** has considered an application by the relevant homeowner; and
  - (ii)** has no objection to the homeowner's application.
- 2.5** All applications are to be in writing, and must be submitted by e-mail to the Aesthetics Committee, and to the following address:

[aest.committee@ebotsehoa.co.za](mailto:aest.committee@ebotsehoa.co.za)



### **3. Applications for use of a generator**

**3.1** Any application for the use off a generator, must be accompanied by the following information / documentation:

- (i)** the address of the residential property;
- (ii)** the address and contact details of the homeowner (or tenant or other occupants as the case may be) of the residential property;
- (iii)** the make, model, and specifications of the generator;
- (iv)** a location plan for the generator, confirming where the generator will be placed, and with specific reference to the manner in which the generator exhaust and fume emissions will be dealt with;
- (v)** an Electricity Lay-out Plan (wiring diagram) showing connections to the existing system;
- (vi)** confirmation of the envisaged noise level output measured in decibels (DB). In this regard take note that noise levels need to be in accordance with South African National Standards (SANS) 10103, as referred to in Annexure "A" hereto;
- (vii)** a fire protection plan;
- (viii)** written confirmation from all homeowners who may be affected by the use of the generator, that they have been fully informed of the nature of the Applicant's application, and specifically the positioning of the generator, and that they have no objection to such an application. Such confirmation will, as a minimum, include confirmation by each of the homeowners whose properties share a boundary with that of the Applicant;
- (ix)** confirmation that any fume or exhaust emissions (air pollution) and flammable products are compliant with the National Building Regulations. It must specifically further be confirmed that any fumes and exhaust gases shall be vented into a safe area with adequate ventilation to disperse the fumes / gases safely, and without causing any nuisance to other homeowners;
- (x)** confirmation that an "auto change over" has been installed, and operates on a timer;



- (xi) confirmation that the generator will be adequately screened off or suitably roofed, and shall not be visible from any road, golf course, and the joining properties;
  - (xii) insofar as the only option available to the homeowner in regard to the placement of the generator, is to place the generator in a specially designed generator room, a plan of the generator room must be submitted, with confirmation that the generator room will be adequately ventilated, soundproof and fireproof with at least one handheld fire-extinguisher installed on the wall near the entrance to the room;
  - (xiii) confirmation that the generator will be connected directly to the main electrical distribution board in the home through an Automatic Change-over Switch ("ATS"), or manual Change Over Switch, as set out in Annexure "B" hereto; and
  - (xiv) the generator must be installed by a qualified, competent electrician, be properly grounded and comply with all relevant legislation, bylaws and safety regulations. A COC must be completed for the installation and submitted to the Aesthetics Committee within 7 days of the installation of the generator.
- 3.2** The Aesthetics Committee will consider any such written applications within 7 days, and provide the applicant with a response to the Application thereafter.
- 3.3** The Aesthetics Committee may require such further additional information / documentation as the Aesthetics Committee in it's sole discretion deems necessary to properly consider such application. An Applicant shall provide the Aesthetics Committee with such further information / documentation as soon as reasonably possible after same has been requested by the Aesthetics Committee.
- 3.4** In approving an application for the installation and use of a generator, the Aesthetics Committee may make such approval subject to such conditions as the Aesthetics Committee, in it's sole discretion, deems necessary under the circumstances. The approval by the Aesthetics Committee shall at all times be subject to the condition that the installation and use of the generator is conducted in accordance with the terms and conditions of this policy.
- 3.5** In the event that the generator is installed or used contrary to the generator rules set out hereunder, or any other provision of this policy, then the Aesthetics Committee may cancel the approval for the use of the generator. The Aesthetics Committee shall not cancel it's approval to the use of the generator



without first providing the Applicant with a reasonable opportunity to provide reasons in writing as to why such approval should not be cancelled.

- 3.6** An Applicant must, within 5 working days of installing a generator, notify the Aesthetics Committee that the installation has been completed. The Applicant must thereafter permit a member of the Aesthetics Committee to inspect the installation as soon as reasonably possible, and upon a mutually convenient date and time.
- 3.7** Provided that the generator and the installation thereof complies in all respects with this policy, the Aesthetics Committee shall provide the Applicant with a certificate confirming that the generator and the installation thereof complies with this policy.
- 3.8** Provided that there are no alterations to either the generator, or the installation thereof, such certificate will be valid for a period of 18 months.
- 3.9** Upon the expiry of the certificate, the homeowner shall permit a representative of the Aesthetics Committee to inspect the generator and the installation thereof, and provided that the generator and installation are still compliant, a further certificate will be issued as provided for herein.

#### **4. General rules in respect of the installation and use of a generator**

- 4.1** A homeowner may only commence use of a generator once:
  - (i)** the homeowner has provided the EHOA with a COC; and
  - (ii)** a representative from the Aesthetics Committee has had an opportunity to examine the installation of the generator, and has issued the certificate referred to in paragraph 3.7.
- 4.2** The generator must be soundproof and not generate noise exceeding levels in accordance with SANS 10103 (as per Annexure "A" hereto) at any time during operation.
- 4.3** In the event that there are any complaints by neighbours or other affected persons about the manner in which the generator is used, and / or any inconvenience caused thereby, the homeowner shall provide it's full co-operation to the Aesthetics Committee to enable the Aesthetics Committee to investigate such complaint, which will include permitting a representative from the Aesthetics Committee to examine and (if necessary) test the generator as



soon as possible after a complaint in this regard has been received by the EHOA.

- 4.4** In the event of there being a dispute as to the noise levels of a generator, and an expert is required to provide a report on the noise level, the costs of such expert will be for the account of the homeowner in the event that the expert's report confirms that the relevant noise levels exceed those referred to in Annexure "A" hereto.
- 4.5** Only one natural gas or petrol or diesel driven household generator per home will be allowed.
- 4.6** The generator may only be used during power failures or "loadshedding". The generator may not be used during the hours of 23H00 to 06H00.
- 4.7** Residents making use of a generator shall continuously monitor the generator to ensure that the use thereof does not cause any inconvenience or nuisance for neighbours and / or other residents, and in this regard special care must be taken in respect of all exhaust gases and / or fumes emitted from the generator.
- 4.8** Any fuel for the generator must be stored in the fuel reservoir of the generator, and any standby fuel must be stored in leakproof containers and in such a manner as to ensure that no fire hazard is caused thereby. No more than 30 litres of fuel may be stored on site. A portable fire extinguisher must be wall mounted in close proximity to the fuel storage and / or refuelling area.

## **5. Existing generators**

Insofar as homeowners tenants and / or residents have already installed generators, and are making use of same, without having obtained the requisite approval from the Aesthetics Committee, the following rules shall apply:

- 5.1** the relevant homeowner must submit an application for the installation and use of such generator within 60 days of the date upon which this policy is promulgated;
- 5.2** until such time as such applications are approved (or declined as the case may be), the use of such generators must be in accordance with the provisions of this policy, with specific reference to ensuring that the use thereof does not cause any inconvenience or nuisance to any neighbours, or other residents, and the generator is not used between the hours of 23H00 and 06H00.
- 5.3** In the event that a homeowner fails to make an application as provided for herein, then such homeowner will be provided with a period of 7 days to



decommission the generator and to provide the EHOA with an undertaking in writing that the generator will no longer be used at the residence.

## **6. Application for installation of solar panels**

- 6.1** In addition to the full contact details of the homeowner, all applications for the installation of solar panels must be accompanied by a detailed plan showing the number, position, and height of the panels.
- 6.2** Approval of such an application will be subject to such conditions as the Aesthetics Committee deems reasonable, which as a minimum shall include the following:
- (i)** panels may only be installed onto an existing tile, concrete or chromdadek roof; and
  - (ii)** the panels shall be fitted against the roof at the same pitch as the roof, unless they are placed at an angle on a concrete roof ensuring they are not visible to neighbours; and
  - (iii)** if installed onto a flat roof on a frame, the panel shall be installed in such a manner so as to minimise wind access to the underside, and be secured in order to withstand the substantial winds encountered in the Estate. In this regard the Aesthetics Committee may request an Engineer's Certificate confirming that the structure and in installation complies herewith; and
  - (iv)** the height of the top of the highest panel shall not exceed 8,5 m from NGL; and
  - (v)** panels that are clearly visible to neighbouring properties shall be screened off in a manner acceptable to the Aesthetics committee; and
  - (vi)** no panels shall be permitted to cross over the ridge of any existing roof; and
  - (vii)** any panel system shall be installed by qualified professionals only, whose competency shall be confirmed in writing to the Aesthetics Committee if so required by the Aesthetics Committee.
- 6.3** An Applicant must, within 5 working days of installing the solar panels, notify the Aesthetics Committee that the installation has been completed. The Applicant must thereafter permit a member of the Aesthetics Committee to



inspect the installation as soon as reasonably possible, and upon a mutually convenient date and time.

- 6.4 Provided that the solar panels and the installation thereof complies in all respects with this policy, the Aesthetics Committee shall provide the Applicant with a certificate confirming that the solar panels and the installation thereof complies with this policy.
- 6.5 Provided that there are no alterations to either the solar panels, or the installation thereof, such certificate will be valid for a period of 18 months.
- 6.6 Upon the expiry of the certificate, the homeowner shall permit a representative of the Aesthetics Committee to inspect the solar panels and the installation thereof, and provided that the solar panels and installation are still compliant, a further certificate will be issued as provided for herein.

## **7. Installation of invertors**

- 7.1 No formal application is required for the installation of back-up power invertors.
- 7.2 The installation of back-up power invertors shall take place within the build space of the building structure, and the battery shall be installed in a well ventilated room.
- 7.3 A homeowner must ensure that the homeowner has a valid COC issued in respect of inverter installations, a copy of which must be provided to the Aesthetics Committee if so requested by a representative of the Aesthetics Committee.

## **8. Regulations in respect of the installation of gas**

The installation of gas must comply with the regulations set out in annexure "C" hereto.

## **9. Appeal procedure**

- 9.1 A homeowner who is aggrieved by:
  - (i) a refusal to grant an approval, or
  - (ii) any condition imposed, or
  - (iii) a refusal to issue a certificate in terms of this policy,

may appeal against such decision.





- 9.2** An appeal must be addressed in writing to the CEO of Ebotse, and be hand delivered to the EHOA office within 10 days of the date upon which the homeowner becomes aware of the decision against which the homeowner wishes to appeal.
- 9.3** The appeal must:
- (i) specify the decision against which the appeal is made; and
  - (ii) set out full reasons for the appeal.
- 9.4** The CEO must without delay present the appeal to the Appeal Committee established by the Board of Directors for this purpose, who must consider the appeal and make a decision within 10 days of the filing thereof by the homeowner. This period may be extended where the Appeal Committee calls upon the homeowner to provide such further information as the Appeal Committee may reasonably require to consider the Appeal. In this instance the 10 day period will commence from the date upon which the homeowner provides the Appeal Committee with the further information requested.
- 9.5** A decision of the Appeal Committee will be final and binding on the homeowner.



## Annexure A: Rating levels for ambient noise for different areas of occupancy

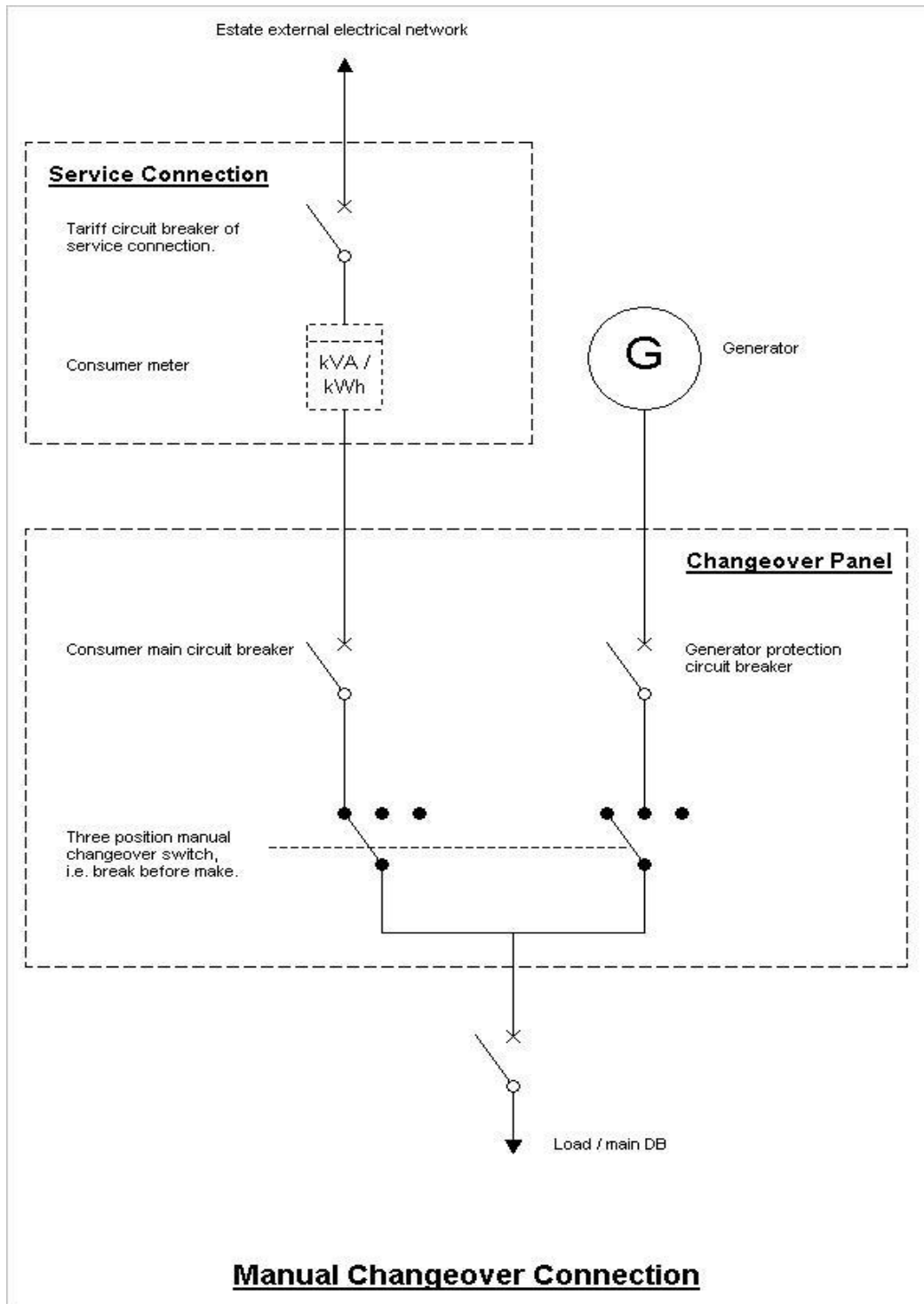
**Table 1 — Design and maximum rating levels for ambient noise for different areas of occupancy or activity indoors**

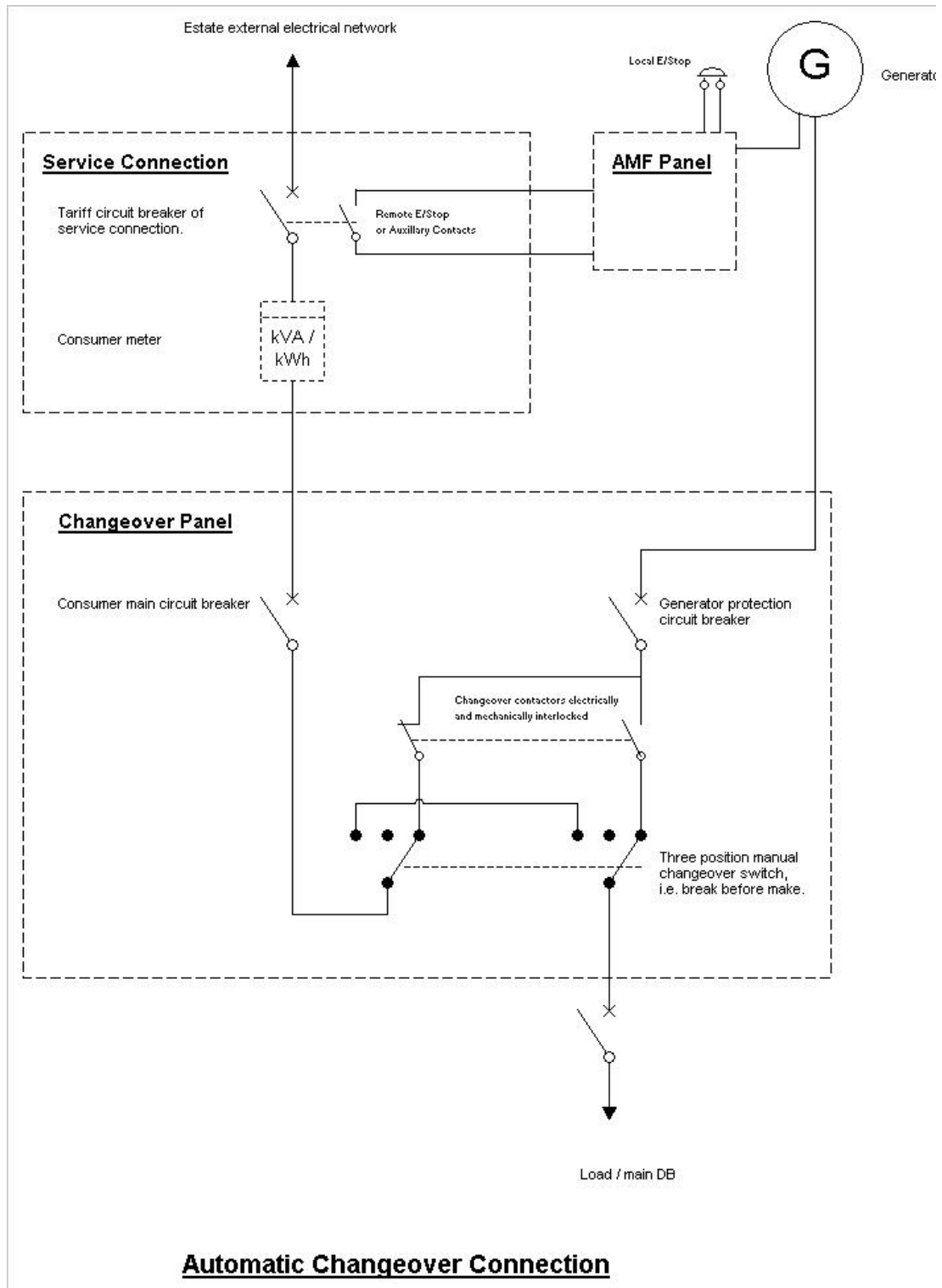
1	2	3
Types of occupancy or activity	Design equivalent continuous rating level ( $L_{Req,T}$ ) <sup>a</sup> for ambient noise dBA	Maximum equivalent continuous rating level ( $L_{Req,T}$ ) <sup>for</sup> ambient noise dBA
9. Residential buildings		
Living rooms	35	45
Kitchens and service areas	45	55
Bathrooms and toilets	40	55
Bedrooms	30	40

**Table 2 — Typical rating levels for noise in districts**

1	2	3	4	5	6	7
Type of district	Equivalent continuous rating level ( $L_{Req,T}$ ) for noise dBA					
	Outdoors			Indoors, with open windows		
	Day/night $L_{R,dn^a}$	Daytime $L_{Req,d^b}$	Night-time $L_{Req,n^b}$	Day/night $L_{R,dn^a}$	Daytime $L_{Req,d^b}$	Night-time $L_{Req,n^b}$
a) Rural districts	45	45	35	35	35	25
b) Suburban districts with little road traffic	50	50	40	40	40	30
c) Urban districts	55	55	45	45	45	35
d) Urban districts with one or more of the following: workshops; business premises; and main roads	60	60	50	50	50	40
e) Central business districts	65	65	55	55	55	45
f) Industrial districts	70	70	60	60	60	50

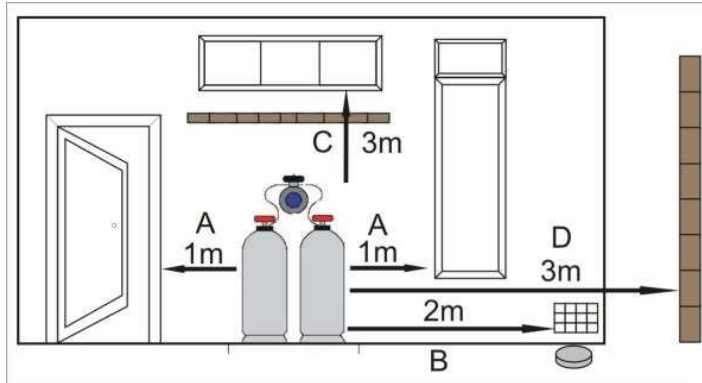
## Annexure B: Manual/Automatic Changeover Connections





## **Annexure C: Gas Installation Regulations SANS 10087**

### Gas Installation Regulations SANS 10087



The Minister of Labour published on 4th October 1997 an amendment to the Occupational Health and Safety Act 1993 in respect of 'The Vessels Under Pressure Regulations No.17468. This regulation states that as from the 1st of August 1997 it is a legal requirement that:

*"No person shall install a fixed appliance, equipment or system for gas LP Gas fuel .....unless such person is a holder of a certificate of registration ....."*

#### **Gas bottles may not be installed:**

1. Less than 1 meter sideways from doors and windows.
2. Less than 2 meter from drains and air vents or any other place where the gas can gather if the bottle leaks.
3. Less than 3 meter below windows unless a non-combustible roof are installed between the gas bottles and the bottom of the window.
4. Less than 1 meter from the property boundary wall unless it is a fire wall, at least 1.8 meter tall and there are no ventilation gaps in the wall (acceptable if up to 48kg X 2 gas are stored) Less than 3 meter from the property boundary wall (if more than 48kg X 2 gas are stored).
5. Less than 5 meter sideways away from a switchable electrical point or plug switch and socket or electrical motor or pool pump etc. (but not a light bulb) and not less than 1.5 meter above the gas bottles.

#### **Other rules on installations:**

1. Only class 1 or 2 copper pipes or other approved gas piping may be used. (This is not the same copper piping as used by plumbers).
2. Copper pipes going through a wall, must be sleeved.
3. Approved flexible gas hose may not be more than 2 meter long and may not go through any partition at all (including wood, dry wall, cupboard wall etc.)



### **Certificate of Conformity for Gas Appliances**

The Machinery and Occupational Safety Act of 1993 requires owners of buildings to hold a certificate of compliance in respect of the electrical installation. This has now been extended to also include a compliance certificate of conformity of gas installations. This requirement applies to all new gas installations since 1st August 1997 and again applies when a property is sold / transferred to a new owner.

The installations would include all build in gas equipment - Gas fires, Heaters, Gas Braais, Stoves, Ovens, Hot water systems, etc.

Yours sincerely,

*Signed*

**(AESTHETICS COMMITTEE)  
EBOTSE GOLF & COUNTRY ESTATE**