

Annexure A



CYCAD ESTATE

***CYCAD ESTATE HOME OWNERS
ASSOCIATION NPC***

Architectural
Guidelines

Contents

1.	Introduction.....	4
1.1	Concept Statement.....	4
1.2	By-Laws and Regulations	4
1.3	Amendments to Architectural Guidelines.....	4
1.4	Development Time Frame.....	4
2	Siting controls	4
2.1	Estate Management.....	4
2.2	Zoning	4
2.3	Heights.....	4
2.4	Size of Buildings.....	4
2.5	Building Lines.....	4
3.	Architectural design controls	5
3.1	Specific Exclusions.....	5
3.2	Roofs, Eaves and Gutters.....	5
3.3	Windows, Doors, Shutters and Burglar Bars.....	6
3.4	Garden Gates, Balustrading, Pergolas and Awnings.....	7
3.5	Parking, Garages and Carports.....	7
3.6	Outdoor Living Areas and Private Gardens.....	8
3.7	General Landscape Guidelines.....	8
3.8	Boundary Walls and Fences.....	9
3.9	Swimming Pools.....	9
3.10	Signage and House Names.....	10
3.11	Interior Design.....	10
3.12	Paving Material (Drive Ways).....	10
3.13	Exterior Colour Scheme	10
3.14	Miscellaneous	11
3.15	Generators.....	12
3.16	PV Panels.....	12
3.2	Responsibility.....	10
3.3	Approval.....	10
3.4	Construction Activities: Conduct Rules for Building Contractors, Sub-Contractors and Suppliers, Operating Within Cycad Estate	13
3.5	Accredited Contractors.....	15
3.6	Acknowledgement.....	15

1. Introduction

1.1 Concept Statement

The main objective of the development is to provide high quality lifestyle for residents with secure living in residential parkland and a high standard of architecture. The purpose of these rules is to protect this lifestyle. The guidelines will permit design expression with maximum freedom whilst retaining the benefits of overall harmony for the entire development through restrictions on basic materials, fenestration and finishes, but not on stylistic approach.

1.2 By-Laws and Regulations

These Architectural Guidelines (“Guidelines”) establish the architectural character of Cycad Estate and are an addition to Local Authority by-laws and National Building Regulations.

1.3 Amendments to Architectural Guidelines

Only architects and architectural technologists (with a minimum of 5 years’ experience), registered with the South African Council for Architects and approved by the Association will be allowed to design dwelling units on the estate.

1.4 Development Time Frame

Construction of a dwelling must start within a period of 3 years from the date of transfer and the dwelling is to be completed within 9 months from the commencement date.

2 Siting controls

2.1 Estate Management

The Association will manage the Estate.

2.2 Zoning

The area is zoned for residential in accordance with the requirements of the Local Municipality Town Planning scheme and shall apply to all developments.

2.3 Heights

- 2.3.1 The maximum height of any residential building may not exceed two storeys (8.0m) above natural ground level measured from the average height of the area surrounding the building, including roof structure.*
- 2.3.2 Approval of double storey structures will be adjudicated with the privacy of adjacent property owners taken into consideration.*

2.4 Size of Buildings

No dwelling shall be smaller than 150m², excluding verandas, patios, outbuildings and garages. No units in group housing projects shall be smaller than 90m² excluding garages and outbuildings.

2.5 Building Lines

Certain sites have special building lines related to their shape or size. The roof overhang may project over the prescribed building lines by 800mm.

2.5.1 Street Building Line

- (a) No structures apart from paved areas and steps may be built on the street building line.

2.5.2 Building Lines

- | | |
|----------------------|--|
| (a) Street boundary | 3.00 metres single storey #
5.00 metres double storey * |
| (b) Side boundaries | 2.00 metres single storey
3.50 metres double storey |
| (c) Back boundary | 3.00 metres single storey
5.00 metres double storey |
| (d) Landscaped Areas | 3.00 metres |

in cases of corner stands, one of the boundaries may be relaxed to 2 metres

* In cases of corner stands, one of the boundaries may be relaxed to 3 metres

2.5.3 Landscape Interface

- (a) The architecture of any building should be designed to minimize the visual impact on the landscaped areas.
- (b) There is a building line of 3m across the landscaped area boundary.

3. Architectural design controls

3.1 Specific Exclusions

The specific exclusions referred to in these Guidelines will be strictly adhered to and an owner may not include any of the specific exclusions in any building plan for approval.

3.2 Roofs, Eaves and Gutters

3.2.1 Roofs

- (a) Pitched roofs are preferred, with the following materials:
 - (aa) Natural slate
 - (bb) Fibre cement slate
 - (cc) Clay tiles
 - (dd) Cement tiles
- (b) Pitch roofs may not be less than 22, 5 degrees or more than 35 degrees.
- (c) Flat roofs to be constructed with "Chromadek" type sheeting concealed behind a beam or parapet wall and may not be visible from the street. Concrete with natural stone chips may also be utilized to construct flat roofs.
- (d) Specific Exclusions
 - (aa) Unpainted reflective roof sheeting

3.2.2 Eaves

- (a) Eaves may be closed or open. Maximum height above finished floor level is not to exceed 3m. Hipped roofs to project over the walls by a minimum of 800mm and a minimum of 400mm for gable-end roofs.
- (b) No exposed trusses are allowed, and must be hidden behind painted fascia, or painted bargeboard or parapet wall.

3.2.3 Gutters

- (a) Gutters are optional, where not used; provision must be made for a splash apron to dissipate the water.

- (b) *If used, gutters must not be visible externally. Gutters are to be concealed either within the roof, behind fascias and the connector branches to the down pipes, or within closed eaves. Down pipes must be concealed in walls.*
- (c) *Walls must either be plastered or bagged and painted. Plinths (to surface bed level) of face brick or textured plaster may be used. Face brick to external walls will be permitted if the motivation for the architecture is in harmony with specific style. Similarly, decorative pre-cast mouldings will only be permitted with prior approval from the Association.*
- (d) *Face brick to be of FBX quality, and to include one of the following types:*
 - ROSEMA *Contessa satin*
Contessa travertine
 - COROBRICK *Roan satin*
Roan travertine
Country manor travertine
Corn-gold
Topaz satin
Topaz travertine
Blue barley travertine
Agate satin travertine
 - MIDDELWIT *Kiaat Satin*
Kiaat Travertine
Camel Satin
Camel Travertine
Red Satin
Red Travertine

The face brick selected is to be specified on the drawings. FBS quality will only be permitted with prior approval from the Cycad Home Owners Association.

- (e) *Specific Exclusions*
 - (aa) *Decorative plaster such as Spanish plaster*
 - (bb) *Semi-face brick*
- (f) *General Inclusions*
 - (aa) *Smooth or textured plaster in earthy colours*
 - (bb) *Bagged brickwork*
 - (cc) *Approved colour plaster*

3.3 Windows, Doors, Shutters and Burglar Bars

Openings should be large to generate a spacious and airy quality, and to enhance views. Only internally mounted burglar bars will be considered with a simple grid pattern.

- 3.3.1 *Windows - Window frames must either be in timber, anodized/powder-coated aluminium and UPVC finish. No steel window frames or precast concrete window systems may be used. Reflective glazing will not be allowed.*
- 3.3.2 *Doors - Doors facing the street must be in natural timber with or without glass inserts.*
- 3.3.3 *Shutters - Shutters may be used for sun control and/or privacy. Shutters must be in either aluminium or timber to match the colour of the window frames. Shutters should be of the sliding variety. No cottage or Cape Dutch type shutters may be used.*
- 3.3.4 *Specific Exclusions*
 - (a) *Tinted reflective glass*
 - (b) *Steel frames*
 - (c) *Fake shutters*
 - (d) *Highly decorative doors*
- 3.3.5 *General Inclusions*
 - (a) *Powder coated/anodized aluminium frames*

- (b) *Natural or painted timber windows*
- (c) *Aluminium sliding/folding shutters*
- (d) *Sliding/folding aluminium doors and windows*
- (e) *UPVC doors & windows*

3.3.6 *Trellidor*

- (a) *The Trellidor should not face the street (with exception to bedrooms)*
- (b) *Trellidor must be colour-coded with window and frames*
- (c) *Burglar bars must be square and indiscreet*
- (d) *All plans must first be submitted to the board for approval*

3.4 Garden Gates, Balustrading, Pergolas and Awnings

- 3.4.1 *Garden Gates - Garden Gates must either be in natural or painted slatted hardwood. No creosote treated timber may be used that is visible. Visible external security gates are not allowed.*
- 3.4.2 *Balustrades - Balcony and veranda balustrades must be in keeping with the architecture of the house, and must be either in natural or painted hardwood or metal to comply with the list of approved colours. Brickwork balustrades must have either a timber or metal handrail.*
- 3.4.3 *Pergolas - Pergolas must be constructed in natural hardwood and supported on either timber or brick columns. Brick columns may not be less than 345mm square and are limited to the ground floor only. Pergolas may be constructed in timber beyond the building line if they form terraces not higher than 500mm above natural ground level. Pergolas within the building line may not at any stage in the future be covered or closed in.*
- 3.4.4 *Awnings - Sun control shall be by means of a wide overhang, shutters or planting. No clip-on aluminium or canvas awning systems may be used over windows or doors. A horizontal sliding canvas system for patios and pool decks is allowed. No brightly striped canvas may be used.*
- 3.4.5 *Specific Exclusions*
- (a) *Decorative wrought iron/cast aluminium e.g. Victorian brookie lace*
 - (b) *Concertina or other type steel security gates*
 - (c) *Gum pole pergolas*
 - (d) *Exposed translucent sheeting*
 - (e) *Fixed or fold-away aluminium awnings*
 - (f) *Bright/ striped canvas*
- 3.4.6 *General Inclusions*
- (a) *Timber, painted steel, brass, aluminium or stainless steel balustrades*
 - (b) *Concealed translucent sheeting under pergolas*
 - (c) *Horizontal folding/sliding canvas shade system*
 - (d) *Plain colour canvas*

3.5 Parking, Garages and Carports

- 3.5.1 *Parking - Parking for at least three cars in the driveway must be provided on each erf, excluding parking in garages*
- 3.5.2 *Garages - Garages should form part of the overall architectural design. Diagonally timber slatted garage doors are preferred. No pre-fabricated garages, steel garage doors or fibreglass garage doors may be used.*
- 3.5.3 *Carports - Carports must have a flat-pitched roof that is hidden behind a fascia. Supports must either be in big timber sections or brick columns. The side may be trellised and planted with creepers. Patented prefabricated carport systems may not be used.*
- 3.5.4 *Specific Exclusions*
- (a) *Prefabricated garage / carport units*
 - (b) *Visible sheeting*
 - (c) *Temporary / makeshift structures*

3.5.5 General Inclusions

(a) Construction and finishes to match main structure

3.5.6 Kitchen Yards - Must be enclosed with a wall on all sides. Wash lines and garbage bins may not be visible from the road and must be screened from neighbouring properties.

3.6 Outdoor Living Areas and Private Gardens

3.6.1 Privacy - It is recommended that outdoor living areas such as pool decks and terraces should, as far as possible, be positioned so that the building shelters them. Additional walls may be erected for privacy, provided they comply with the guidelines with respect to walls and fences

3.6.2 Orientation - It is recommended that outdoor living spaces are orientated to the benefits of sun, wind shelter and views.

3.6.3 Construction - Materials and finishes must match those of the house.

3.7 General Landscape Guidelines

3.7.1 Intent - The purpose of the general landscape guidelines is to create an integrated and responsive landscape with emphasis on nature, open space and style that will be unique to Cycad Estate. It will also create sensitivity and harmony between the private stands and the communal open spaces as well as the streetscape. The guidelines furthermore aim to preserve and enhance the natural open spaces, minimise possible negative impacts whilst at the same time establish a new, stylish and nature-based character to the estate. In order to control the general landscape development on private property to be a continuation of the landscape design of public spaces as well be established by the developer, the following guidelines will apply to every stand:

3.7.2 Preservation of existing trees - The development will at all cost, preserve as many as possible of the existing trees, even though they may be exotic species, in order to minimise any visual impacts and to preserve the value and character of the site. However any new tree planting must be indigenous and as far as possible be local (endemic) species.

3.7.3 Plant Species - The character of Cycad Estate constitutes not only the Bushveld feel but also in the architectural style as well as the specific landscape architecture to be introduced. The landscaped vernacular will fulfil a crucial role in the harmonious integration of the existing environment and the new development. For this reason the use of plant species on private property need to be controlled as follow:

3.7.3.1 The establishment of an indigenous, and as far as possible endemic, plant community is encouraged throughout Cycad Estate.

3.7.3.2 No exotic (excluding palm trees) or other exotic or invader species are to be introduced.

3.7.3.3 Plant species are to enhance the character of the landscape on common open spaces and street reserves (refer to the general landscape plan). The following species are preferred and may only be used within the transition zone as described below:

3.7.3.4 Tree Species

- (a) *Acacia galpinii*
- (b) *Acacia xanthophloea*
- (c) *Acacia sieberiana* var. *Woodii*
- (d) *Ekebergia capensis*
- (e) *Harpephyllum caffrum*
- (f) *Kirkia wilmsii*

3.7.3.5 Scrub And Groundcover Species

- (a) *Agapanthus praecox* "Blue"
- (b) *Anisodontea* "Lady's Pink"
- (c) *Asparagus densiflorus* "Myersii"
- (d) *Carrisa macracarpa* "Green Carpet"
- (e) *Chondropetalum tectorum*

- (f) *Coleonema album*
- (g) *Dietes grandiflora bicolor*
- (h) *Plumbago auriculata*
- (i) *Bulbine frutescens*
- (j) *Felicia ameloides*
- (k) *Gazania krebsiana*
- (l) *Scabiosa Africana*
- (m) *Carpobrotus muiirii*
- (n) *Othonna capensis*

3.7.4 *Landscape Design - The integration of the landscape design of open spaces and street reserves with that of private property is encouraged. The following measures are to be applied in the landscape design of each stand:*

- 3.7.4.1 *Landscaping on private stands within the building line area, must be treated as a transition zone between the communal landscape and the private gardens. The design guidelines need to be strictly adhered to within the building line zone, whereas more flexibility will be allowed outside of the building line area.*
- 3.7.4.2 *Homeowners are encouraged to enhance and to stay within the framework of species and landscape character of the public landscape adjoining each stand.*
- 3.7.4.3 *The landscape layout, in terms of lawn and bed areas, at the interface between public spaces and private property are to be harmoniously integrated. No formal gardens, hedges, features or ornamental garden structures will be allowed within the building line zone, so as to establish an informal and natural water-wise garden that will enhance the communal landscape vernacular. It can be a combination of lawn and plant beds, although only lawn or only plant beds will also be allowed. The use of mass planting and simplicity in design must dictate the garden layout in the transition zone.*

3.8 Boundary Walls and Fences

- 3.8.1 *As a general rule, boundary walls are not encouraged and will only be allowed as screens for privacy and must be built according to the following guidelines:*
- 3.8.2 *Boundary walls on corner stands facing the street or facing landscaped areas may be built with special written permission from the Association on such boundary line for a distance not exceeding 50% of the length of that specific boundary. The height of the wall may not exceed 1.8m.*
- 3.8.3 *An owner may erect such a boundary wall, as long as it does not project past the building lines of adjacent site boundaries. The height of boundary walls may not exceed 2.1m and it may not project beyond the landscape area building line.*
- 3.8.4 *Walls along the street boundary will only be permitted if built on the building line with the prior written permission of the Association.*
- 3.8.5 *Specific Exclusions*
 - (a) *Concrete panel walls*
 - (b) *Barbed wire fencing*
 - (c) *Diamond mesh fencing*
 - (d) *Unplastered brick or block walls*
 - (e) *Log type fences*
 - (f) *Concrete or steel palisade fencing*
- 3.8.6 *General Inclusions*
 - (a) *Plastered / bagged brick walls*

3.9 Swimming Pools

- 3.9.1 Pools must be constructed to local authority approval. Swimming pool water may only be discharged directly into the sewer system.
- 3.9.2 Pools may not be visible from the road or adjacent properties. Filtration units must be adequately screened.
- 3.9.3 Pools must not be freely accessible from the street or open areas.
- 3.9.4 Specific Exclusions
- (a) Portable pools above ground level
 - (b) Visible pump and filtration units
 - (c) Concealed filtration units
 - (d) Plastered / bagged brick walls

3.10 Signage and House Names

- 3.10.1 House numbers and letters must match the "Times New Roman" font with a width factor of 1.2
- 3.10.2 House number must be in black matt only. All numbering and lettering should be horizontally aligned. Maximum height of lettering 250mm.
- 3.10.3 House numbers must be placed on the house in a visible position.
- 3.10.4 Post boxes at individual houses will not be permitted as no street deliveries will be allowed.

3.11 Interior Design

There are no constraints on interior design.

3.11.1 The installation of Trellidor / security doors

- The Trellidor / Security door should not face the street except the bedroom
- Colour should be the same as windows
- Burglar bars should be square
- Plans must be submitted for approval

3.12 Paving Material (Drive Ways)

Paving within the street building line shall only be of the following:

3.12.1 General Inclusions

- (a) Clay brick pavers (SABS approved)
- (b) Concrete pavers (SABS approved)
- (c) Cobbles

3.12.2 Specific Exclusions

- (a) Slasto
- (b) Concrete slabs
- (c) Crazy paving
- (d) Chip and Spray

3.13 Exterior Colour Scheme

Colours must reflect soft, subdued earthy tones such as ochre, sandstone, beige, autumn shades, complemented by harmonious greens and greys.

3.13.1 Specific Exclusions

- (a) Bright primary colours (include: red, orange, yellow, blue, purple, pink and black)
- (b) Large areas of black and white

3.13.2 General Inclusions

- (a) Earthy tones
- (b) Harmonious greens and greys colour accent

3.14 Miscellaneous

- 3.14.1 *No exposed plumbing is allowed on externals.*
- 3.14.2 *TV aerials may not be attached to building exterior and the positions of satellite dishes have to be indicated on the sketch plans.*
- 3.14.3 *No air conditioner unit may be visible from the street or the landscaped areas.*
- 3.14.4 *Solar heating panels must be screened and may not have external tanks.*
- 3.14.5 *Exterior-, garden- and security lighting must be installed in such a position that it will not cause any disturbance to neighbouring properties*
- 3.14.6 *Wireless Internet Aerials: Installation of Aerial is restricted to the roof. Height restriction of the pole is 1.5m. Aerial can be installed on the side of the chimney or wall. Aerial must not be higher than the pitch of the roof. Plans to be submitted for approval prior to installation.*

3.15 Generators

- 3.15.1 *Any type of installation (mobile or fixed) requires written approval from the HOA/Esthetical Committee.*
- 3.15.2 *Requests must be submitted in writing, together with drawings to HOA/Esthetical committee with detailed explanation of the type, dimensions, position of generator, cabling, etc. before any installation may be made, and only after approval thereof. (See point 9)*
- 3.15.3 *Drawings must consist of site plan clearly indicating position of generator.*
- 3.15.4 *Neighbours of adjoining properties must sign off position of installation in order to avoid noise nuisance to bedrooms and living area's*
- 3.15.5 *Generator canopy must be of super silent type and must be certified and signed off by manufacturer*
- 3.15.6 *Generator must be screened with wall from neighbours and green areas with maximum 2,1m high screen wall.*
- 3.15.7 *Maximum noise level of 65 Db will be allowed for generator and exhaust, measured at distance of 7m radius around generator. This is in-line with the Polokwane Noise control By – Law and all generators with a generating capacity in excess of 10 kilowatt has to be registered at Polokwane Municipality.*
- 3.15.8 *Any person who is wholly or partially responsible for causing air pollution or creating a risk of air pollution must take all reasonable measures to prevent any air pollution from occurring; or to mitigate, as far as reasonably possible, any air pollution that may occur, and to promote good neighbour relations.*
- 3.15.9 *Approval of a Generator installations must be given/denied in writing by the board within 14 days after having received such application.*
- 3.15.10 *Generators that are already installed and inspected by the board and found that it does not comply to these rules have only 30 days to conform, if not the machine must be removed immediately. Any decision made by the board in this regard is final.*
- 3.15.11 *Only Generators of reputable make and that is bought from an approved Supplier list of the Estate will be accepted.*

3.15.12 The HOA will be allowed to inspect all existing and new installations on arrangement only and at which time they will be allowed to measure the noise level output with the appropriate equipment.

3.16 Solar photovoltaic (PV Panels)

3.16.1 Any installation of this type requires written approval from the HOA/Esthetical Committee.

3.16.2 Requests must be submitted in writing, together with drawings to HOA/Esthetical committee with detailed explanation of the type, brand, position of panels, piping, etc., before any installation may be made, and only after approval thereof (see point7)

3.16.3 Drawings must consist of roof plan and elevations clearly indicating position of solar photovoltaic (PV) panels.

3.16.4 Solar PV panels must be incorporated into the building and form part of the basic structure as far as possible.

3.16.5 Solar PV panels on pitched roofs must be mounted flush with the roof surface and all piping must be concealed.

3.16.6 Solar PV panels on flat roofs must be installed in such a manner that the mounting minimises the visual impact.

3.16.7 Approval of PV panel installations must be given /denied in writing by the board within 14 days after having received such application.

3.2 Responsibility

These guidelines do not absolve the house owner from complying with the National Building Regulations and the requirements of the Local Authority.

3.3 Approvals

3.3.1 All building plans must be submitted to the Association for approval. A fee of R1'000.00 (excluding VAT) is payable which is not refundable. The applicant must follow the following stages and submit the required plans / drawings :

(a) First Stage

(aa) Sketch Plan

(bb) Four elevation plans

(cc) Floor and site plan

(dd) Typical section and colour scheme

(ee) Two week approval time.

(b) Second Stage

(aa) Working documentation (in compliance with the sketch plans) must consist of all elevations, plans sections and finishing schedules

(bb) Two week approval time.

(c) Third Stage

(aa) A copy of the plans to be submitted to the Local Authority must be submitted to the Association prior to the lodging of same to the Local Authority.

(bb) Note that interpretations, exceptions and waivers of any provisions of these guidelines are subject to the approval of the Architectural Sub-Committee. Only after approval may the owner submit these plans to the relevant Local Authority.

- 3.3.2 *Site inspections may be carried out by the Association or its duly appointed representative to monitor compliance with the building plans as submitted and approved by the Association.*
- 3.3.3 *The Association may request any reasonable alterations and/or additions to ensure that the general design guidelines as intended for the development are implemented.*
- 3.3.4 *A copy of the plans as approved by the Local Authority is to be submitted to the Association prior to the commencement of any construction activities.*

3.4 Construction Activities: Conduct Rules for Building Contractors, Sub-Contractors and Suppliers, Operating Within Cycad Estate

- 3.4.1 *General - As buildings within the estate will be constructed over a lengthy time period the following guidelines have been formulated for the benefit of residents:*
- 3.4.2 *Site access and exit:*
 - 3.4.2.1 *The contractor acknowledges that he is aware that Cycad Estate is a security Estate and will at all times adhere to the security regulation and controls, and agrees to co-operate with the Association in the interest of maintaining security on the Estate.*
 - 3.4.2.2 *Detailed procedures will be made available by the Association to Contractors that will include security measures for authorized access and identification of vehicles and all personnel.*
 - 3.4.2.3 *As improvements to the security and the access controls are ongoing, these procedures will be reviewed from time to time.*
 - 3.4.2.4 *Hours of work: Contractors may only enter the Estate at 07h00 in the morning and must vacate the Estate by 17h45. No workers will be allowed to sleep overnight on site.*
 - 3.4.2.5 *Construction will be limited on weekdays from 07h00 to 17h00 and on Saturdays from 08h00-13h00. No construction will be permitted on Sundays and public holidays.*
 - 3.4.2.6 *Double axel vehicles will not be permitted to enter the estate under any circumstances. Materials delivered by such vehicles are to be off-loaded in the temporary construction area, as indicated by the Association. It is the obligation of the Contractor to notify his suppliers of this and the Association shall not entertain any claims of losses or damages in this regard. All such material must be removed by the contractor within 24 (twenty four) hours.*
 - 3.4.2.7 *Deliveries must be scheduled for between 7 am and 5 pm on weekdays only.*
 - 3.4.2.8 *The Estate Security personnel reserve the right to subject vehicles entering and exiting the Estate to a search.*
 - 3.4.2.9 *Tools, equipment and machinery can only be taken out of the Estate if accompanied by a transfer note, signed and stamped by an authorized officer of the contractor. A copy of the transfer note must be handed to the security personnel for record keeping.*
 - 3.4.2.10 *Materials can only be removed from the site if accompanied by a transfer note signed and stamped by an authorized officer of the Contractor and the Association. A copy of the transfer note must be handed to the security personnel for record keeping.*
 - 3.4.2.11 *Points of access: All access will be via Contractor's entrance / exit and not through the main entrance as indicated by the Association.*
 - 3.4.2.12 *Any contravention of security and access rules will be severely dealt with by the Association, and depending on the nature and the circumstances, could lead to the suspension of building work, and barring of access to the Estate.*
- 3.4.3 *Contractors labour:*
 - 3.4.3.1 *All contractors' labour must adhere to all security arrangements of the Association.*
 - 3.4.3.2 *Labour must be an employee of the contractor and only under limited circumstances will casual labour be allowed on site. This shall be at the sole discretion of the Association.*
- 3.4.4 *Discipline:*

- 3.4.4.1 *The contractor is responsible for the discipline of his labour, sub-contract labour and delivery personnel on site.*
- 3.4.4.2 *Labourers are not permitted to walk between the construction site and the entrance / exit gates. Labourers will remain on the site where they are busy constructing, and will not be allowed to move between construction sites on the Estate.*
- 3.4.4.3 *Vehicles or trailers with mechanical legs must use protection for possible road surface damage.*
- 3.4.4.4 *Any dispute between the contractor and its employees must be settled outside the boundaries of the Estate.*
- 3.4.4.5 *If any employee is found disturbing or endangering the animal or birdlife, or is found pilfering, stealing or removing material or goods off site without permission or is involved with any form of violence, the company who employs that person will be removed from the site and both employee and company will be denied the opportunity to undertake any further work in the estate.*
- 3.4.4.6 *The contractor is responsible for all his sub-contractors as well as the deliveries, and any damages caused by his own employees, sub-contractors employed by him or delivery vehicles delivering materials to his site, and he is liable to pay for any damages that may occur on the site. These damages also include damage to kerbs, roads, plants, irrigation and or damage to private property.*
- 3.4.4.7 *The Association will have the sole discretion as to the nature, extent and value of these damages, and the identification of respective vehicles and persons.*
- 3.4.5 *Housekeeping and Tidiness*
 - 3.4.5.1 *The site is to be kept as clean as possible of building rubble and general cleaning and good housekeeping practice must take place during building operations.*
 - 3.4.5.2 *No concrete, dagga, cement or such may be temporarily stored, or mixed or prepared on any of the roadways, kerbs and pavements.*
 - 3.4.5.3 *Materials which are off loaded by a supplier of Contractor may not encroach onto the adjacent site, the pavement or roadway. Where suppliers fail to adhere to this, the responsible contractor shall move the materials accordingly. The contractor is also responsible for removal of any sand or rubble that may have washed or moved into the road.*
 - 3.4.5.4 *The Contractor is to ensure that the roads and the vicinity of his construction site is always kept neat and tidy, including materials or mud or spoil being driven or dropped onto the road or sidewalk.*
 - 3.4.5.5 *The Contractor shall provide adequate facilities for rubbish disposal and ensure that the workers use the provided facilities 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 be allowed to blow off the site.*
 - 3.4.5.6 *Accumulation of hard-core for fill shall be neatly piled. With the Association's consent on-site disposal dumps or spoil zones may be arranged.*
 - 3.4.5.7 *Pollution and contamination of the estate is particularly sensitive. Contractors shall ensure special care in their handling, disposal and cleaning up operations, with particular note to paint, tile grout, tile adhesive, cement and rhinolite, chemicals, oil and fuel, etc. Special preventative controls must be taken on to avoid spillage.*
 - 3.4.5.8 *Fires for cooking or other purposes will not be permitted, and Contractors shall ensure that approved alternative cooking arrangements are made i.e. paraffin/gas stoves. Contractors must ensure that their employees make no fires for heating purposes.*
 - 3.4.5.9 *The Contractor shall provide approved portable chemical toilets facilities for the workers. Adjacent construction sites may share toilets as approved by the Association.*

Toilets and changing facilities shall be suitably positioned and screened with forest fence and kept hygienic.

3.4.5.10 One approved building board shall be erected per site, and such board is to be erected neatly in the corner of each site. Boards are to be maintained in a plumb and level position throughout the contract, and must be removed immediately after completion of each house construction.

3.4.5.11 No Contractors, sub-contractors or suppliers boards of any kind will be allowed.

3.4.5.12 The certificate of completion by the Association includes for the site to be entirely cleared of all rubble, surplus materials, and be impeccably clean, and the verge re-instated, all to the satisfaction of the Association.

3.4.5.13 Contractor vehicles shall not be parked or left in the road.

3.4.6 General

3.4.6.1 The speed limit is 30 km per hour. No speeding or reckless and/or negligent driving will be tolerated. No vehicles shall be allowed to block the thoroughfare or roads. Vehicles may only be parked in designated areas (i.e.) Garages and/or driveways.

3.4.6.2 No pets, birds, or domestic animals of the contractors' will be permitted onto the Estate.

3.4.6.3 Noise and dust reduction is essential, and Contractors shall endeavour whenever possible to limit unnecessary noise, especially employee loud talking, shouting or whistling, radios, sirens or hooters, motor revving etc.

3.4.6.4 Contractors are expected to conduct their operation in a reasonable and co-operative manner. Should the Association have any concern with the conduct of the Contractor, his sub-contractor or his suppliers and any of their employees, the Association may rectify as deemed necessary and/or reserve the right to suspend building activity either indefinitely or until such undesirable conduct is rectified, which it may do so at any time and without notice, and without recourse from the owner and/or Contractor and/or sub-contractor, and/or supplier.

3.5 Accredited Contractors

Only contractors registered by the NHBRC and approved by the Association will be allowed to perform construction work in the estate. To be accepted as an accredited contractor by the Association contractors must supply proof of registration and references concerning at least two completed projects with their applications.

3.6 Acknowledgement

3.6.1 This document is fully understood and the Contractor and owner undertake to comply with the above points, in addition to any further controls which may be instituted by the Association or the Developer from time to time in the form of a written notification and to ensure compliance by any sub-contractors employed by the Contractor, and any suppliers to either contractors, sub-contractors or owners.

3.6.2 It is hereby placed on record that should the owners, the contractors or any sub-contractors fail to comply with the terms and conditions of this document, the owner as the responsible party would be in breach of agreement, and should the owner fail to remedy such breach within 7 (seven) days from date of delivery of a notice by the Association to this effect, the Association will have the right inter alia:

3.6.2.1 To apply for an interdict on an urgent basis to prohibit any further building works on the premises and/or to rectify any transgressions, the costs whereof will be borne by the owner.

3.6.2.2 In addition to clause 3.19.2.1, to calculate any damages that the Association has suffered on account of the breach of contract by the owner and be entitled to, without derogating from any other remedies available to the Association in Law, institute a claim for damages suffered as a result of such breach of contract, which costs will also be borne by the owner.

- 3.6.2.3 *To apply an R500.00 fine (excluding VAT) to the contractor for contravening any rules of the Association. Fines will be increased in increments of R500.00 for any further defaults from the contractor.*
- 3.6.2.4 *In addition to clause 3.19.2.1 and/or 3.19.2.2 and/or 3.19.2.3 to perform the work and/or services which is required to be done or provided, or to rectify the breach, at the expense of the member and shall be entitled to recover all expenditure in connection thereof from the member, together with interest calculated thereon at prime bank rates, for the period date of expenditure to date of payment.*