

ARCHITECTURAL AND AESTHETIC RULES AND REGULATIONS

1. INTRODUCTION

The object of the ELDOVIEW Home Owners Association is to promote, advance, add value and to protect the communal interest of its Members and consequently to ensure a safe, high quality lifestyle to owners and occupants by managing the appropriate maintenance of residences and related facilities in ELDOVIEW ESTATE

All building plans shall comply with the ELDOVIEW HOA (Raslouw x7) Architectural Guidelines prepared by the ELDOVIEW HOA, and must be approved by the Aesthetical Committee of the ELDOVIEW HOA in order to assure such compliance. This applies also to any additions and alterations to existing structures.

- 1.1. The Memorandum of Incorporation of the ELDOVIEW HOA makes provision for the establishment of an Aesthetic Committee and its functions and powers.
- 1.2. Architectural and Aesthetic Rules and Regulations are determined in accordance with the Memorandum of Incorporation of the ELDOVIEW HOA.
- 1.3. The Aesthetic Committee comprises of a minimum of two Board members of the ELDOVIEW HOA and may procure the services of professional consultants, volunteer members of the HOA and other persons as may be required.

2. BUILDING PLANS

- 2.1. Sketch plans together with the site plans must be submitted to the Committee, appointed by the Homeowner's Association (HOA), for consideration and approval of the conceptual design principles.
- 2.2. It is compulsory for all properties to have an engineer appointed at a very early stage to advice on the foundation designs for the property. Their designs must be submitted to and approved by the Department of Geosciences and by the NHBRC before any building work may commence.
- 2.3. It is the duty of any proposed owner, owner, architect, contractor and/or subcontractor to familiarize itself with and ascertain the correct boundaries of any applicable erven to ensure that the pegs indicating the boundaries are in accordance with the General Plan and to adhere to such boundaries and all the other boundaries as set out in this Residential Design Guidelines. The Developer and/or Home Owners Association shall not be responsible for pointing out or indicating the position of any Surveyor beacons or pegs in respect of any erf nor shall the Developer and/or Home Owners Association be liable for any costs in determining the same.
- 2.4. Alterations or additions of existing dwellings will also have to meet the above requirements (2.1 to 2.3)

2.5. SIZE AND SCALE OF DRAWINGS

All sketch plans, site development plans and building plans must preferably be submitted on A1 plan size.

All working drawings to be submitted to a proper scale:

Plans	1:50, 1:100
Elevations	1:100
Site Development plans	1:100 (Res 2 Stands – 1:250)
Sections and details	1:10, 1:20, 1:25, 1:50, 1:75, 1:100

3. THE APPROVAL PROCESS

No plan will be scrutinised by the Aesthetic Committee if the levies of the particular stand are not paid up to date.

A four-stage approval process has been set up to ensure that Architectural and Aesthetic requirements are complied with. (Stages 1 and 2 can be combined, to the owner's preference.)

3.1. NEW LIVING UNITS ON UNDEVELOPED STANDS AND TOTALLY DEMOLISHED LIVING UNITS

3.1.1. STAGE 1: Submission of conception design drawing for approval by the ELDOVIEW Aesthetic Committee

- a) One copy of the site development plan, floor plans and building elevations in concept format as fully prescribed in Paragraph 5.1. (Information required) are submitted to the Aesthetic Committee for comment.
- b) The purpose of this step is purely to prevent drastic design changes being made to detailed drawings that might be requested by the committee.
- c) Detailed design drawings (working plans) can now be prepared and submitted taking cognizance of the committee's comments.

3.1.2. STAGE 2: Submission of detailed design drawings for approval by the ELDOVIEW Aesthetic Committee

- a) One colour copy of the detailed drawings and a site development plan are submitted to the Aesthetic Committee. All amendments requested by the Aesthetic Committee (should stage 1 have been followed) must already be reflected on the plans.
- b) It is a requirement that one set of plans be coloured in, in order to facilitate the evaluation process.

3.1.3. STAGE 3: Submission and approval by the local authority

- a) Once the detailed plans (working plans) have been approved by the Aesthetic Committee, they may be submitted to the City of Tshwane Metropolitan Municipal Council, which requires three sets of plans of which one must be a colour copy.
- b) In terms of an agreement with the City of Tshwane Metropolitan Municipal Council, plans will not be accepted or processed unless the Aesthetic Committee has approved them. The City of Tshwane Metropolitan Municipal Council will on approval issue their "Building Control Conditions" to which the owner / contractor must adhere to.
- c) To ensure that the owner (or his representative) take cognizance of the Building Regulations it is required that the owner (or his representative) sign an acknowledgement of receipt when receiving the Building Regulations and to pay the required building deposit.
- d) Submit a copy of the City of Tshwane Metropolitan Municipal Council notice of approval of building plans which contain the conditions in terms of which the building plan has been approved.
- e) No construction will be allowed to commence before this approval has been granted in writing.

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3.1.4. STAGE 4: Final inspection and issue of occupation certificate

- a) Prior to occupation of the living unit or complex, a final inspection to be applied for by the owner, will be carried out by the Aesthetic Committee to ensure that construction, boundary walls, garden walls, garden gates, landscaping, etc. has been completed in accordance with the approved plans.
- b) This final inspection is a pre-requisite to enable the Aesthetic Committee to issue an Aesthetic approval certificate as required by the City of Tshwane Metropolitan Municipal Council before they will perform their final inspection.
- c) Final Inspections will be conducted upon request by the Owner to the ELDOVIEW HOA office, at least seven days prior to the desired inspection date.
- d) An aesthetic approval certificate issued by the ELDOVIEW HOA plus a request for final inspection must be submitted to the Building Office of the City of Tshwane Metropolitan Municipal Council before they will perform their final inspection and issue the occupation certificate. Occupation will not be allowed by the HOA without a copy of the City of Tshwane Metropolitan Municipal Council occupation certificate.
- e) In case of deviation from approved plans, an as built plan must be submitted to the Aesthetic Committee and a plan fee has to be paid.

3.2. ADDITIONS

3.2.1. STAGE 1: A concept of the floor plan and of the elevations of the proposed additions must be submitted to the Aesthetic Committee for comment.

- a) The purpose of this step is purely to prevent drastic design changes being made to detailed drawings that might be requested by the committee.
- b) Detailed design drawings (working plans) can now be prepared and submitted taking cognizance of the committee's comments.
- c) The owner must inform his architect that the drawings must be "as built" drawings, therefore incorporating all the deviations from the previous approved City of Tshwane Metropolitan Municipal Council plans. The Aesthetic Committee will not consider plans if these are not a true version of the present living unit as on the date of application.
- d) The owner must submit a copy of the previous occupation certificate issued by the City of Tshwane Metropolitan Municipal Council.

3.2.2. STAGE 2, 3 and 4:

In accordance with the actions as fully described in Paragraph 3.1.

3.3. MAINTENANCE AND RENOVATIONS

3.3.1. The office must be informed of the intended maintenance/renovations and all the applicable fees have to be paid, and forms must be completed and signed.

3.3.2. If these alterations affect the elevations of the house (windows, doors, roofs etc.) or affect the fire escape route (enclosing of patios) a house plan has to be submitted and approved by the Aesthetic Committee as well as the City of Tshwane Metropolitan Municipal Council.

4. FEES PAYABLE

4.1. PLAN FEES

The fee for approval of building plans is R1200.00. The initial payment must be made with the submission of plans.

The decision of the Aesthetic Committee is final with regards to the acceptance/rejection of all building plans submitted.

4.2. BUILDING DEPOSIT

4.2.1. A building performance deposit, payable before commencement of construction, will be required for the following:

4.2.2 NEW DWELLINGS. A building deposit of R20000 (twenty thousand) .

4.2.3 ALTERATIONS OR ADDITIONS. A building deposit of between R5000 (five Thousand) R10000 (ten thousand) is payable, depending on the size of the addition.

4.2.4 Amounts payable and date of payment.

4.2.4.1 The amount payable for each category shall be determined annually by the Board and is payable when:

4.2.4.1.1 A copy of the approved building plans by the City of Tshwane Metropolitan Municipal Council is submitted to the Aesthetic Committee.

4.2.4.1.2 The “Undertaking to Comply with the Building Regulations” is signed.

4.2.5 Refunding of Building Deposit

4.2.5.1 A building deposit will be refunded at the completion of the building project, after submission of an Occupation Certificate from the City of Tshwane Metropolitan Municipal Council to the HOA. The building deposit will be forfeited in the event of any breach of the provisions of the Undertaking to comply with the Building Regulations, including:

4.2.5.1.1 Non-compliance with the agreed building period.

The forfeited deposit may be fully or partially utilised for the following:

4.2.5.1.2 Rubble not being removed within 14 days from date of expiry of building period.

4.2.5.1.3 Damage caused by the contractor or suppliers, including but not limited to kerbing, landscaping, community services, roads, irrigation and or any outstanding construction works, not being repaired within 14 days from date of expiry of building period.

4.2.5.1.4 A final inspection from the Aesthetic Committee and the City of Tshwane Metropolitan Municipal Council not having been done within 3 months from the expiry of the building period.

4.2.5.1.5 Failure to submit an “as built” plan in case of deviation from the approved plans.

4.2.5.1.6 Failure to keep levies up to date.

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4.2.5.1.7 Failure to rectify all outstanding items identified by the Aesthetic Committee during final inspection within the period agreed upon.

4.2.5.1.8 Failure to submit a copy of the required City of Tshwane Metropolitan Municipal Council occupation certificate.

4.2.5.2 In the event of the building deposit being retained prior to completion of the project, the construction will be ceased with immediate effect and a full new deposit will be payable prior to construction being continued.

5 INFORMATION REQUIRED

In order for the Board to achieve the object of the ELDOVIEW HOA as stated in Paragraph 1 hereof, it is imperative that the following plans and required information be submitted:

5.1. NEW LIVING UNITS ON UNDEVELOPED STANDS AND NEW LIVING UNITS ON STANDS WITH TOTALLY DEMOLISHED LIVING UNITS.

5.1.1. Site Development plan

5.1.1.1. The site development plan must be drawn on a scale of 1:100.

5.1.1.2. The site development plan should at least reflect the following:

- a) Open areas (laundry yards, private gardens and landscaped areas.
- b) Existing trees (trees with a trunk diameter of 100mm and more, including trees to be removed as a result of the sighting of buildings).
- c) Cadastral information (boundary dimensions).
- d) Positioning of all buildings
- e) Building lines, servitude's and other restrictions.
- f) Storm water management.
- g) Stand numbers of neighbouring stands as well as street names.
- h) Accurate sighting of existing buildings on neighbouring stand.
- i) Contours (1m intervals) & proposed floor plans.
- j) Boundary and screen wall (sighting, height, finishes).
- k) Sidewalks (driveways, landscaping, municipal services and trees on the sidewalk).
- l) Existing municipal services on the sidewalk of stand (storm water inlets, fire hydrants, lamp poles, electricity boxes etc.).
- m) Driveways and other paved areas (positioning and finish).
- n) Entrance gates and balustrades (design and finish).
- o) Permitted and actual Coverage and floor Area Ratio (FAR).
- p) Reverse areas / turning circles.

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q) Any other information that may be of relevance.

5.1.1.3. The site development plan must be accompanied by street elevations (two street elevations should the stand be situated on a corner) on which boundary walls and landscaping (forming part of the elevation) must be indicated. Street elevations must be drawn to a scale of 1:100.

5.1.2. Floor Plans

Floor plans for both the main and outbuildings must be provided indicating the proposed use of each room, size of building/s and additions.

5.1.3. Elevations

5.1.3.1. Plans showing elevations of main and outbuildings must be provided.

5.1.3.2. Plans must at least reflect the following:

- a) External finishes (windows, doors, walls)
- b) Description of materials to be used (doors, windows, gutter, etc)
- c) Gutters, drain pipes and ducts
- d) All patios, verandas, awnings and carports.
- e) In the case of double storeys, all plumbing pipes to be concealed in shafts.

5.1.4. Previous building deposit refunded / not refunded

5.2. MAINTENANCE / RENOVATIONS

All alterations have to be submitted in writing to the Aesthetic Committee.

5.3. BUILDING PERIOD

5.3.1. New living units

5.3.2 The construction of new buildings should be commenced within 6 months from date of registration. In order to reduce inconvenience to neighbours and unsightliness, construction should proceed without lengthy interruptions and should in any event be completed within one year from date of registration. Failure to commence building within 6 months from date of registration will result in levies been increased to R5000 per month. If building period of 12 months from date of registration, is exceeded ,additional levies will be imposed. Phased design should be handled in such a way that the end of each phase should be aesthetically acceptable to the ASC.

5.3.3 Additions

5.3.4 Additions smaller than 100m² with a timescale for completion of less than six months.

5.3.5 Additions bigger than 100m² with a timescale for completion of less than nine months

5.3.5.1 A schedule detailing the period required to complete the construction, addition, maintenance, renovation must be submitted in order to establish and finalise the final completion date. The building periods schedule must be submitted as an annexure to the undertaking to comply with the Building Regulations to be signed by the owner, the building contractor (if applicable), or the architect (if applicable) and the ELDOVIEW HOA.

5.3.5.2 A recommendation from the owner/building contractor that the certificate of

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occupation issued for the present living unit will be valid in respect of health and safety regulations for the period of the intended renovations and / or additions.

5.3.6 Building period

5.3.6.1 The building period will commence from the first date of actual building activities on site.

5.3.7 Extension of Building Period

All construction work, additions, maintenance, and renovations must be completed within the timescales as determined in terms of Paragraph 5.3. Extension of the building period will be considered upon receipt of a written request detailing the reasons that the agreed completion date will be exceeded. Such written request must be submitted at least 30 days prior to the agreed completion date. Infringement or transgression of any of the Aesthetic rules and regulations or of the House rules and subsequent termination of construction will not be considered a valid reason for the extension of the building period.

5.3.8 Additional levies

In addition to the Building Deposit being forfeited in terms of Clause 4.3.3.1 above, additional levies will be imposed where the agreed building period is exceeded.

6. ARCHITECTURAL AND AESTHETIC REQUIREMENTS AND REGULATIONS

6.1. Registration of the architect / architectural technologist

6.1.1. The owner must ensure that his architect / architectural technologist is with at least one of the following professional bodies, prior to submission of building plans;

- a) South African Council for the Architectural Profession (Architectural Professions Act no. 44 of 2000).
- b) South African Institute for Architectural Technologists.

6.1.2. Work carried out by architects/ architectural technologists must be in accordance with the Architectural Professions Act no. 44 of 2000.

6.2. Buildings and structures

6.2.1. Any outbuildings, walls, paving and additions must match the original/existing design and style of the home.

6.2.2. "Wendy Houses", prefabricated garden sheds and/or similar type structures are not permitted.

6.3. Minimum size of residential unit and coverage

The total area of a residential unit must be a minimum of 200 m² for a double storey and 130 m² for a single storey (excluding outbuildings and garages). The total coverage of buildings shall not exceed 40% of the area of the stand. Maximum of one dwelling per stand is allowed

6.4 Height restriction

No double storey dwellings shall be erected without permission from the ASC, the primary consideration of which will be to safeguard the privacy of adjacent residents. Not more than two storeys shall be erected vertically above each other, nor shall the height of any part of

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the structure (roof included) exceed 8, 5 (eight comma five meters) above the natural ground level measured vertically below the highest point. Stands requiring alternative design may be considered by the ASC.

6.5 Building lines

No structures shall be erected within the building lines imposed by the Town Planning scheme.

6.6 Design and style

The planning of building and structures should show sensitivity towards the natural environment.

6.6.1 No limitations are placed on design and style in order to allow for a variety of individual architectural designs and identity. This however is subject to good architecture and approval of all designs will remain the prerogative of the Aesthetic Committee.

6.6.2 The architectural design and style of buildings will be evaluated taking cognisance of existing buildings in the immediate vicinity.

6.6.3 As a general rule, all housing units must live out to the northern side. Living areas will only be allowed on the north and east sides of stands.

6.6.4 Balconies will not be allowed on the south side and western sides of stands.

6.6.5 Should buildings with more than one storey be designed, the designer should consider the following:

- a) The right to privacy of surrounding neighbours;
- b) The view of surrounding neighbours;
- c) The balance between the proposed building and the environment has to be aesthetically pleasing, and
- d) In all instances the total floor area of an upper floor shall not exceed 60% of the ground floor area.

6.6.6 As a general rule, no windows or balconies on the upper storey may overlook the northern living space of then neighbouring living unit.

6.6.7 Buildings should not overshadow each other or the private outdoor living areas of neighbouring properties.

6.6.8 Plans will not be approved if the owner does not abide by these rules.

6.7 Prohibited Building Materials

6.7.1 No unpainted or reflective roofing may be used.

6.7.2 Only two types of roof material per development may be visible.

6.7.3 Outbuildings, boundary walls, paving and screen walls should complement the finish of the main buildings.

6.7.4 Pre-cast concrete walls and "split-pole" type fencing are not permitted.

6.7.5 Unpainted plaster, uncoloured plaster or un-plastered stock brick walls are not

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permitted.

6.7.6 Razor wire or similar type finishes are not permitted on boundary walls.

6.7.7 Thatch lapa's will be allowed if the main building has a thatch roof.

6.7.8 Only paving material may be used to pave driveways. No materials meant for interior use may be utilised as paving material

6.7.9 Reflective or false roofing materials

6.7.10 Wood panel fencing.

6.7.11 Lean to's and temporary carports or patent type shade netting structures.

6.8 Aesthetics (Miscellaneous rules and recommendations).

6.8.1 External finishes must conform to good architecture, so as not to detract from the general appearance of the neighbourhood.

6.8.2 Staff quarters not forming part of the main building, may not be closer to the street than the main building.

6.8.3 Special attention must be paid to the finish of parapets, faces, capping eaves, roof trims, gutters and roof materials. Details of the above mentioned must be supplied with building plans.

6.8.4 Outbuildings, additions, lapas, patios and any other structure should match the original building design in style, elevation and materials used. All plans must indicate at least one enclosed garage and this must be built in conjunction with the original dwelling. Flat roofed structures will be permitted, only if: a).the roof structure cannot be seen from the road, by constructing the roof structure either with a (korbeel of facade).b).Making use of chromadec or IBR Zink roof constructions. c).unless it matches and blends with the design of the main dwelling.

6.8.5 Yard and screen walls should complement the basic materials of the buildings.

6.8.6 Staff quarters and kitchens should open onto a courtyard. All exits and doors adjacent to neighbours to be screened with approved screen walls. Minimum height 1.8 metres measured from finished floor level. The same apply to external fitted washbasins.

6.8.7 All garage door motor-/ opening units to be concealed within the structure and may not be visible from the street or neighbouring stands.

6.8.8 Corrugated or other formed roof sheeting must be concealed with an appropriate fascia or other acceptable finish.

6.8.9 All visible plumbing and washing lines must be concealed from the street and/or other elevations.

6.8.10 All geysers fitted outside are to be enclosed in an aesthetically pleasing enclosure. Solar geysers may be installed.. The geyser must preferably be concealed or fitted inside the roof.

6.8.11 No radio masts may be erected.

6.8.12 Burglar bars to be internally mounted in a simple pattern. No externally fitted burglar bars will be allowed.

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- 6.8.13 All the pavements and gardens forming part of individual residences, which are visible from the street, or from the neighbouring houses, must be kept neat and the lawn must be cut short at all times, to the satisfaction of the Aesthetic Committee.
- 6.8.14 Curtains or any other window coverings must be neat and match the architecture of the house, and not detract from the aesthetic quality of the building and the surrounding area.
- 6.8.15 Outer walls, boundary walls, garage doors, window frames and fencing must always be properly maintained so that it does not detract from the aesthetic quality of the building and the area.
- 6.8.16 Any colour change to an existing residence, walls, or border walls must be approved by the Aesthetic Committee before painting may commence. With the painting of new residences, the Aesthetic Committee must also approve the colour before painting may commence. Only natural and “earthy” colours will be allowed on new and existing dwellings.
- 6.8.17 The Owner must apply for installation or construction of the following:
- a) Solar heating panels for the swimming pool and household heating.
 - b) Swimming pools.
 - c) Air-conditioning units not provided for in the initial building programme.
 - d) Renovations or amendments to outer walls, boundary walls, garage doors, window frames and fencing.
 - e) Generator installations.
 - f) New additional garages.
 - g) Rainwater harvesting reservoir
- 6.8.18 An application for approval by the Aesthetic Committee must be submitted before any existing garage/s may be altered or new garages are built. New garages must be completed before existing garages can be altered.
- 6.8.19 No contractor or worker will be allowed on any site unless approval had been obtained, the ELDOVIEW HOA office notified in advance and the necessary security requirements adhered to.
- 6.9 No deviations from the approved drawings will be permitted unless the deviation is resubmitted and approved in writing prior to construction.
- 6.10 Boreholes
- The drilling of a borehole for the abstraction of groundwater is not permitted on any stand.
- 6.11 Trucks / Vehicles
- No articulated vehicles (i.e. vehicles with a payload exceeding 10m³) will be allowed to make deliveries within the estate.
Owners / building contractors must advise their suppliers of this rule to avoid additional costs that may occur as a result.
- 6.12 Height of buildings / Double storey

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6.12.1 The actual site topography should be determined and considered during the design of all buildings and structures.

6.12.2 The actual fall of the land must be reflected on elevations after consideration was given to the balance between brickwork below floor level and above the floor level.

6.12.3 No third level is allowed.

6.13 Building restriction lines

The building restriction lines and servitudes dictated by the Tshwane Town-Planning Scheme 2008.

6.14 Boundary and screen walls

In order to enhance the appearance of sidewalks, the streetscape and the general Estate, the following guidelines apply:

6.14.1 The erection of all boundary and screen walls is subject to the approval of the Aesthetic Committee.

6.11.2 Although it is appreciated that the diverse nature of single residential neighbourhoods will lead to a varied treatment of street boundaries, every effort should be made to avoid the hostile "canyon-like" affect that high solid walls along streets cause in many residential areas.

6.11.3 Boundary walling in stone or approved face brick as well as approved painted plaster walls are allowed on boundaries between houses.

6.11.4 The street boundaries should be open or a 1, 2m palisade type fence can be used in conjunction with brick pillars. If boundary walling is essential on the street frontage (for example to prevent small children or pets from leaving the property) then the use of a good quality steel palisade of colour approved by ASC are preferred. Should further closure become necessary, this must be submitted to the HOA for approval.

6.11.5 If solid walling is required to enhance the privacy of certain parts of the property (for example, to screen the swimming pool from the street), then such walling should be as low as possible, and should not extend for more than 25% of its length as a continuous line parallel to the street boundary – if a solid wall is unavoidable a stepped-back or articulated wall is considered less detrimental to the streetscape. These walls must be substantially the same as all the other walls surrounding Raslow X7 or as approved by the ASC.

6.11.6 The side walls between properties may be a maximum of 2m high over the extent of the boundary except for the last 3 m adjacent the street boundary, which may be a maximum of 1, 2 m in height.

6.11.7 In order to provide stacking space for cars and for visitor's parking, garages fronting directly onto the street should be set back five metres from the stand boundary.

6.11.8 The design, finish and material of entrance gates must compliment the design and finish of the building.

6.11.9 Side boundary walls should preferably be stopped short of the street boundary (at least 3 metres) to enhance the streetscape where a street boundary wall does not exist.

6.11.10 Boundary walls should not exceed a height of 2.1metres.

6.11.11 Street boundaries.

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Although it is accepted that the diverse nature of single residential neighbourhoods lead to a varied treatment of street boundaries, every effort should be made to avoid the hostile “canyon-like” effect that high solid walls create along streets.

6.11.12 In order to enhance the appearance of sidewalks, the streetscape and the estate in general, the following regulations will apply:

- a) Ideally, no walling whatsoever should be erected along the boundary between stands and the road reserve (create a “park” effect and not a city suburb).
- b) If boundary walling is essential on the street frontage, for example to prevent small children or pets from leaving the property, then the use of good quality steel palisade or trellis fencing is preferred to brick walls. (No devils fork or similar).
- c) If solid walling is required to enhance the privacy of certain parts of the property, for example, to screen the swimming pool from the street, such walling should be as low as possible, and should not extend for more than 25% of its length as a continuous line parallel to the street boundary. If a solid wall is unavoidable, a stepped-back or articulated wall is considered less detrimental to the streetscape.
- d) In order to provide parking space for cars and for visitor’s parking, garages fronting directly onto the street should be set back a minimum of 5 metres from the stand boundary. This, together with the road reserve, will allow two cars to park in the front of the garage, without extending beyond the road kerb, or parking on the sidewalk.

6.12 Sidewalks

6.12.2 The landscaping of sidewalks is of paramount importance as they have a direct influence on the aesthetic quality of the Estate. The landscaping of the sidewalk may not obstruct the sidewalk for pedestrians nor impair the view of motorists.

6.12.3 Every owner has a responsibility to the neighbourhood as a whole to landscape and maintain the area between the road surface and his/her boundary walls.

6.12.4 No building material, rubble or any other refuse may be stacked or dumped on the sidewalk. The owner must make the necessary arrangements to avoid any building material rubble, or refuse is being dumped or stacked on the sidewalk. Where it is not possible to avoid the stacking of material on the sidewalk, a temporary wall must be erected to the satisfaction of the Aesthetic Committee to conceal the building material. The temporary wall must be kept neat and tidy until completion of the building activities. The costs pertaining to this must be provided for. The Aesthetic approval certificate will not be issued if all material or rubble etc. has not been removed.

6.13 Landscaping

6.13.2 Existing trees must be preserved as far as possible and may not be removed without consent of the Aesthetic Committee. Building designs, where possible, must take into consideration existing trees. Where existing trees are damaged or removed without prior consent from the Aesthetic Committee, the owner will be obligated to replace the tree at his own cost.

6.13.3 All areas of the garden of standard residential units that are visible from the street including sidewalks, must be landscaped before occupancy. A minimum requirement is that these areas be planted with instant lawn.

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6.14 Land Use

- 6.15.1. No member may change the land use right for which his/her stand or living unit has been zoned, whether by way of rezoning or by way of consent by the local Authority or in any other way without the written approval of the ELDOVIEW HOA.
- 6.15.2. No duet or similar sectional title structures will be allowed.

7. CONSTRUCTION

7.1. Responsibility of the owner

- 7.1.1. The ELDOVIEW HOA reserves the right to prevent construction from proceeding in the event of:
 - a) Plans deviating from the approved ELDOVIEW HOA and City of Tshwane Metropolitan Municipal Council plans;
 - b) Fees and levies are not paid up to date;
 - c) Undertaking to comply with the Building Regulations not signed;
 - d) Transgression of rules and regulations;
 - e) It being obvious to the Aesthetic Committee that there are serious deviations from the City of Tshwane Metropolitan Municipal Council approved plans and the present construction.
 - f) The required authorisation from the neighbours and the City of Tshwane Metropolitan Municipal Council as required are outstanding.
- 7.1.3. It is in the owners' responsibility to see that contractors / architects abide by the rules as laid down by the ELDOVIEW HOA in order to avoid unnecessary expenses and / or delay.
- 7.1.4. The responsibility lies with the owner and his/her architect to ensure that they are acquainted with the requirements of the City of Tshwane Metropolitan Municipal Council with regard to standard Building Regulations, drafting of building plans and the submission thereof.
- 7.1.5. Prior to commencement of the building project, the owner must sign the undertaking to comply with the Building Regulations and the building period agreement. The Building Regulations undertaking stipulates the following:
 - a) Acknowledgement of access control for construction vehicles and – workers, according to Security Committee.
 - b) Requirements regarding toilet facilities, night-watchman and working hours allowed
 - c) Agreement regarding building rubble and –material.

7.2. Actions at Completion of Construction

In accordance with the actions as fully described in sub-paragraph 3.1.4.

8. DISCRETION OF THE AESTHETIC COMMITTEE

The Architectural and Aesthetic Rules and Regulations in this document will form the basis against which submitted plans will be evaluated. The evaluation process followed and the resulting approval/rejection of plans shall be at the sole discretion of the Aesthetic Committee.

9. NON-COMPLIANCE TO THE ARCHITECTURAL AND AESTHETIC RULES AND REGULATIONS

In addition to the rules and regulations and sanctions contained herein, the Board may impose fines, penalties or additional levies in terms of Paragraph 21 of the House Rules for violations of these Architectural and Aesthetic Rules. Simultaneous to such penalties, the perpetrator's fingerprint access and that of his entire household may be de-activated until such time as the contravention has been remedied. The member and his household will then need to use the visitor's access system for such period.

The severity of the fine will depend on;

- 9.1. The impeachment on the quality of life of the neighbouring member or members.
- 9.2. The effect of exceeding the time schedules for building activities as contracted with the ELDOVIEW HOA on the neighbouring member or members.
- 9.3. Endanger or cause an unfavourable impact on the value of the neighbouring property or properties or the estate as a whole.
- 9.4. The additional administration load on the ELDOVIEW HOA personnel and that of committee members.

10. SITE ACCESS

- 10.1. The contractor acknowledges he is aware that the Estate is a security Estate and will at all times adhere to the security regulation and controls and agrees to co-operate with the HOA in the interest of maintaining security on the Estate.
- 10.2. Detailed procedures will be made available by the HOA to Contractors, which will include security measures for authorized access and identification of vehicles and personnel.
- 10.3. As improvements to the security and the access controls are ongoing, these procedures will be reviewed from time to time.
- 10.4. Hours of work: Contractors may only enter the Estate after 07h00 in the morning and must vacate the Estate by 17h00. No workers will be allowed to sleep overnight on site.
- 10.5. Any contravention of security and access rules will be severely dealt with by the HOA, and depending of the nature and the circumstances, could lead to the suspension of building work, and barring of access to the Estate.

11. HOUSE KEEPING AND TIDINESS

- 11.1. Materials, which are off loaded by a supplier of the Contractor, may not encroach onto the adjacent site, the pavement or roadway. Where suppliers fail to adhere to this, the responsible contractor shall move materials accordingly. The Contractor is also responsible for removal of any sand or rubble that may have mashed or moved into the road.
- 11.2. The Contractor is to ensure that the roads in the vicinity of his house site is always kept neat and tidy, including materials or mud or spoil being driven or dropped onto the road or sidewalk.
- 11.3. 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

ARCHITECTURAL AND AESTHETIC RULES AND REGULATIONS

may be burnt or buried on site. No form of paper, cement, bag, tile off cuts, ceiling boards roof tiles, rubble, or the like is to be left lying around, nor allowed to blow off the site.

- 11.4. 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.
- 11.5. No contractors, sub contractors or supply boards of any kind will be allowed.
- 11.6. The certificate of completion by the HOA includes 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 HOA.

12. BUILDING CONTRACTOR

- 12.1. It is mandatory for all builders to be registered at the National Home builders Registration Council (NHBRC).
- 12.2 Only one house per member will be allowed to be built at any given time.

13. CONFLICT

Should a contradiction arise between the stipulation of these rules and either the stipulations of the MOI or the House Rules, the MOI and then the House rules will take priority and Members will be obligated to do all necessary to amend these rules in order to bring them into agreement with the MOI / House Rules.

Issued in terms of the Memorandum of Incorporation of the ELDOVIEW HOA (NPC)		
Chairperson of the Board of Directors	Date Signed	Effective Date