



**Cedar Creek Estate
HOMEOWNERS ASSOCIATION**

RULES OF CONDUCT

(MADE BY THE BOARD OF DIRECTORS OF THE
Cedar Creek Estate Home Owners Association
IN TERMS OF THE ARTICLES OF ASSOCIATION)

Reg. No.: 2002/019331/08

PART II - ARCHITECTURAL DESIGN GUIDELINES

NOTE

The aim of the Cedar Creek guidelines is to establish a harmonious and aesthetically pleasing environment, relevant to a South African architectural language and lifestyle.

The guidelines serve to promote a development known for its design and ultimately its own unique “sense of place”, and in this way to set a standard of high quality lifestyle for occupants and protect property values.

The Board of Directors has appointed an Architect to scrutinise all Building Plans for compliance with the applicable Architectural Guidelines prior to submission thereof for Municipality approval.

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1. INTRODUCTION

- 1.1 All plans should be prepared by a Registered Architect or a Registered Architectural Designer and be submitted for approval to the Aesthetics Committee of the Homeowners Association, nominated by the CCHOA (See item 9 Building Plan Submission). Only after this approval has been obtained can the plans be submitted to the local authority. It is the owner’s responsibility to ensure that all plans are submitted and approved by both authorities prior to construction.

2. BUILDING DESIGN GUIDELINES

- 2.1 The purpose of these design guidelines is to encourage individual architectural creativity within a unity of materials, finishes and architectural language, ensuring that the overall development harmonises and creates a balanced lifestyle for all residents.

It is the aim of these guidelines to promote a unique South African Architectural approach to design at Cedar Creek, allowing architects and designers creative freedom within a cohesive overall language, through the use of natural materials, light, and strong architectural form. Each house should respond to its site and client’s individual brief within a context sympathetic to the whole.

To this end borrowed classical detailing and applied “styles” are strongly discouraged. Designers should rather seek to create original architecture using principles of good design.

The guidelines below serve to protect neighbours’ rights to privacy and light, to prevent over bulking of the estate and to encourage a variety of roof scapes and street scapes, rather than to lay out a prescribed “style”. It is up to the individual architect to contribute to the successful execution of the developers’ aim and the supervising architects will also assist in attaining this goal.

3. APPROVED BUILDING MATERIALS AND DESIGN STYLES

As a general rule the principle of ‘truth to materials’ should be applied at Cedar creek. I.e. materials such as stone, concrete, wood, steel and glass are encouraged to be expressed for the properties of the material. Hence no artificial fake rock cladding, fibre cement columns and pseudo classical moulding details will be permitted. Shutters should be working shutters, not applied fixed decoration. A use of texture is encouraged, as is the use of heavy masonry to create depth and shadow to elevational treatment, utilising the harsh South African sunlight as a design element. Change of finish and colour may be used to delineate different planes or forms in the design.

Pigmented plaster, natural stone, off shutter concrete and raw sealed stock brick, combined with plaster and paint or pigmented plaster is encouraged. Should the architect be required to design a more classical home, simple rules of classical proportion in a modern context will be encouraged, looking toward the work of Herbert Baker or the new classicists such as Ken Tate. Wide overhanging roofs, farmhouse style houses, natural tactile finishes will be encouraged in more traditional homes, rather than the applied details of such borrowed “styles” as “Georgian” or “Tuscan”.

3.1 ROOFS

The following roof coverings are encouraged:

- Concrete roof tiles in earth tones
- Approved Metal Sheeting that has been pre painted e.g. Chromo deck
- Slate roof tiles
- Natural clay tiles or shingles
- Flat concrete roof with non-reflecting finish,(provided roofs are at different heights)
- Combinations of flat and pitched roof forms
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The following Roof coverings are Prohibited:

- unpainted steel reflective roofs (due to their reflective nature for neighbours)
- Thatch roofs

All roof colours must be natural earth colours, Grey or Charcoal, and approved by the Aesthetics Committee. No black or primary colours on roof finishes are permitted.

Roof Pitch: According to the individual design of the house

Roof overhangs: According to the individual design of the house:

Wide roof overhangs are encouraged.

Clipped eaves with gutters are allowed if roof sheeting is used, but corbel detailing with no gutters are strongly discouraged.

3.2 WALLS

- Walls may be plastered and painted or pigmented plaster. Earth toned colours are encouraged. Colours must be submitted for approval. Note: Scratch plaster is discouraged as it leaves dirt marks in walls and is dated.

- Face brick (only red face brick to approved sample) and raw clay stocks may be used in panels as part of a particular design, provided they do not constitute more than 30% of the elevation. Samples must be approved by the aesthetic committee.
- Natural stone and other stone will be permitted but samples must be approved by the Aesthetics Committee. Dry stone packing is encouraged.
- All screen walls must be completed and finished on both sides.
- Any other building materials must be approved by aesthetic committee, e.g. gabion walling, steel and latte fencing, metal cladding (if non reflective e.g. rusted etc.)
- Thick walls creating deep shadows are encouraged.

Prohibited

Spanish wave plaster work.
 Plaster to Look like stone work
 Artificial rock cladding:
 Face brick except in panels as stipulated above.
 Paint in primary or bright colours

WINDOWS:

In keeping with the particular design

The following window treatments are encouraged:

- Windows may be of timber or aluminium or steel for large sections of window if applicable to a certain design.
- Painted, powder coated or treated to suit house. No black or anodised aluminium

Large glass panels on garden elevations are encouraged, counterbalanced with Punched deep inset glazing on street scapes.

Prohibited

Anodised aluminium
 Glass bricks
 Concrete wimbles
 Ornate window surrounds and sills.
 Unbalanced placement of windows in relation to each other and wall space, particularly on street and green belt elevations.

ARCHITECTURAL ELEMENTS AND DETAILS TO BE ENCOURAGED:

The building should respond to the topography of the site and therefore level changes are encouraged on sloping sites.

Plans that are composed of a series of rectangular or square major forms that are connected to one another by the use of minor plan forms are encouraged. Arbitrary angles and flying beams are

Major plan forms may have mono pitched or centrally pitched roofs, or flat roofs at varying heights. Minor plan forms may be glass links with flat roofs, or mono pitched verandas, perpendicular to major plan forms.

Elements to be encouraged:

shadows

- Textural elements, raw clay brickwork, pigmented plaster
- Dry packed stone walling
- Mono pitched metal roof structures, wide overhangs
- floor to ceiling fenestration, balanced with thick masonry walls, creating deep shadows
- Sculptural chimney detailing,
- simple reflective water features
- Working sliding screens and shutters,
- Use of steel and metal work as sculptural elements

3.4. PROHIBITED BUILDING MATERIALS and DETAILS

In an effort to encourage an individual and original South African architectural style on the estate, only a few materials and details are prohibited.

Unpainted plaster (except cement oxide or if shown on approved elevations);

- Split pole fencing; precast concrete walling
- Razor wire, security spikes or similar features
- Face brick other than as specified above. No klinker brick
- Asbestos
- Carports unless designed as part of the architectural language of the house, approval of which shall be at the discretion of the CCHOA aesthetic committee.
- Round fibre cement columns
- (note: properly proportioned columns may be allowed at the discretion of the aesthetics committee, if left in natural concrete, well proportioned and in keeping with an overall design, but then only on a garden elevation and not on street elevations. No double volume round columns on the street will be allowed.
- Applied non functioning shutters
- Paint technique.
- “ Tuscan” corner detailing (i.e. horizontal brick coining)
- Applied ornate classical mouldings and pediments
- Brookie lace or Victorian detailing
- Stainless steel cladding
- Mirrored or Tinted glass in colours other than grey, laminated safety glass
- Glass bricks and “ win blocks”
- Timber “sculptured” front doors depicting elephants or “modern” wood sculptures.
- Artificial rock cladding

LANDSCAPING AND WATERFEATURS

Note approval from the Aesthetics committee is required for any water features or sculptures to be built on street elevations.

The CCHOA aesthetics committee shall have the final say as to the aesthetic appeal and interpretation of these guidelines for any particular stand. Relaxation of any guideline for a particular property, at the aesthetics committee discretion, shall not set a precedent or absolve any other owner from adhering to that guideline.

Any approved water feature built on a street elevation, and approved by the aesthetics committee, the property owner is required to ensure public safety to avoid accident, death injury. Such water features must be suitably fenced off with a required 2m fence or an approved expert installed net. Satisfactory water safety, chemical hazard exposure and equipment maintenance must be undertaken by the property owner.

4. TOWN PLANNING CONTROLS

4.1 COVERAGE and HEIGHT

4.1.1 Maximum of one dwelling per erf. An additional flat let of max 75sqm may be allowed on Ervin over 1000sqm, provided any necessary 2nd dwelling approval is obtained from Local Authority.

4.1.2 Maximum height - two storeys, and **8.5m** above natural ground level. i.e. the highest point of the roof at any point is not to exceed 8.5m above the existing natural ground level directly below that point. In the case of extremely steep e.g. river frontage stands the aesthetic committee may at their entire discretion allow e.g. a half basement to accommodate the fall of the site and a particular design, provided the height restriction is adhered to over the majority of the stand and neighbours privacy rights are not adversely affected.

A MAX PLINTH HEIGHT OF **600mm** above ngl on boundaries to neighbouring properties and 1.2m on boundaries adjoining greenbelts and streets shall be strictly adhered to. The purpose of this is to prevent overlooking at ground floor level into a neighbouring garden.

4.1.3 Single storey dwellings - maximum coverage allowed will be **60%**.

4.1.4 Double storey dwellings - the ground floor coverage of double storey dwellings shall not exceed 50% of the area of the stand and the first floor shall not exceed **75%** of the ground floor coverage. (This **75%** shall be the roofed area of the first floor, including double volumes.)

4.1.5 No dwelling may be smaller than **200m²** excluding garages and outbuildings.

4.2 BUILDING LINES

Single Storey portion of the Dwellings:

Street Boundary: 3 meters from the street boundaries
Side Boundary: 2 meters from each side boundary;
Back Boundary: 2 meters from the back boundary.

Garages	5 meters from street boundary if facing street 3 meters from street boundary if parallel to street
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Double Storey portion of Dwellings:

Street Boundary:	5 meters from the street boundaries;
Side Boundary:	3 meters from each side boundary;
Back Boundary:	3 meters from the back boundary.

In case of a side or back boundary, bordering onto a public open space, the following building lines will apply:

Single Storey :	3 meters from the public open space;
Double Storey:	5 meters from the public open space;

In the case of **corner stands**, stands bordering on 2 (two) or more street boundaries, stands bordering on 2 (two) or more green areas or stands bordering on street boundaries and 2 (two) or more green areas, application can be made for a relaxation. Relaxation will only be allowed for 1 (one) of these boundaries in the discretion of the CCHOA and the Aesthetic Committee.

The architect and owner shall ensure they are not contravening any servitude in the title deeds of their property.

The application for **relaxation of boundaries** must be submitted to the CCHOA together with the written consent from the adjacent neighbours together with the submission of the building plans. No application for relaxation will be considered without the necessary consents. The following is the only relaxation that will be allowed by the CCHOA:

Single Storey Dwelling:	To a minimum of 1 (one) meters from the side boundaries;
Double Storey Dwelling:	To a minimum of 2 (two) meters from the side boundaries;

The above relaxations will be considered only provided the building is stepped along the boundary. Relaxation will not be considered for the entire length of the building.
No relaxation for the back boundary.

4.3 PRIVACY

The privacy of surrounding properties must be considered. As a general guideline all windows bordering directly onto neighbouring boundaries are to be sand blasted. No first floor balconies shall overlook directly onto a neighbouring stand and side walls of balconies close to neighbours may be required to have 1800 high screen walls.

This is for the benefit of the entire estate. The CCHOA wishes to encourage a feeling of good neighbourliness within the estate, and a balance between privacy and community life, so that houses are not hidden behind massive walls. The architect appointed by the CCHOA shall have the final say as to whether a privacy issue is reasonable or unreasonable.

- 4.4 Staff accommodation shall be contained under the same roof and integrated into the overall design.
- 4.5 Outbuildings and additions must match the original building design in style, elevation and material use.
- 4.6 Washing lines and refuse areas must be screened off with a 2 meter high wall of the same material as the external finishes of the house.
- 4.7 Dog kennels, caravans, boats or trailers must be placed / parked in approved undercover parking and screened from public view.
- 4.8 No pre-fabricated garden sheds or “Wendy houses” will be allowed on the Estate without the prior written approval of the CCHOA and these must be positioned within the building lines of the erf, out of public view.
- 4.9 No shade netting may be used for carports or any other coverage.
- 4.10 Solar heating panels, if used, should be incorporated into the building and form part of the basic structure and should be clearly shown and annotated on the approval drawings.
- 4.11 Awnings, TV aerials, air-conditioning units, satellite dishes, and other items, which do not form part of the basic structure, are to be clearly shown and annotated on the approval drawings. If the positioning of the aforementioned can not be shown at the time of the lodging or approval of the drawings or building plans then the written consent of the CCHOA must be obtained after the approval of the drawings and plans but before the aforementioned are attached to the basic structure. Air conditioning units particularly must be placed at ground floor level and out of public view.
- 4.12 Plumbing must be screened, and plumbing of double storey dwellings shall at all times be enclosed in ducts as part of the design of the house
- 4.13 No external lighting to adversely affect neighbours
- 4.14 No deviations from the approved drawings will be permitted unless the deviation is resubmitted and approved in writing by the Aesthetic committee.

5. TREATMENT OF STAND BOUNDARIES

It is appreciated that the diverse nature of single residential neighbourhoods will lead to a variety of treatments to the street boundary.

5.1 STREET BOUNDARY

The street boundary should preferably be open or be enclosed with a palisade type fence with or without brick pillars to a maximum height of 1.8 meters. If the boundary contains a solid wall of whatever kind for the sake of privacy then the solid wall may not exceed 50% of the total length of the boundary.

5.2 SIDE SPACE

The side walls between properties may be a maximum of 2 meters high over the entire extent of the boundary, from the new ground level, and a max of 3m from the original NGL. This is to encourage residents not to cut and fill their sites by more than 1m against a neighbouring property, resulting in massive retaining walls. The Aesthetic committee will look at existing contours and decide each case on its merits.

All boundaries bordering onto parks and storm water green belts will be handled in the same way as the street boundaries as mentioned under item 5.1

6. PAVING AND LANDSCAPING

- 6.4.1 Landscaping on sidewalks must be undertaken within the integrated landscape language of the Cedar Creek Estate.
- 6.4.2 The landscaping theme of The Cedar Creek Estate is to be encouraged in the use of indigenous trees and plants.
- 6.4.3 All driveways must be paved. Preference will be given to clay brick paving, coloured concrete cobble paving. Some loose stone may be allowed, but no crusher run or tarred driveways are permitted.
- 6.4.4 The use of hedgerows is recommended and the planting of indigenous trees and shrubs is encouraged where possible. Trees to be planted in the road reserve must follow the guidelines set for that street, if applicable.
- 6.4.5 Planting of hedgerows is also encouraged where palisade fencing is used.
- 6.4.6 No trees, plants or sidewalk lawn may be removed without prior approval of the CCHOA.
- 6.4.7 No shrubs, trees, flowers or plants may be planted on sidewalks without prior approval of the CCHOA.
- 6.4.8 No shrubs, trees, flowers or plants may create an obstruction on sidewalks to pedestrians.

7. CONSTRUCTION ACTIVITIES

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

- 7.1 All building materials are to be stored within the site boundary; no material is to be off-loaded onto the road or road reserve.
- 7.2. Contractor advertising boards are permitted to be erected within the confines of the site boundary lines only. Contractor signs are to be removed within 20 days of occupation of a house/building.
- 7.3 No advertising or sub-contractors boards will be permitted. Only the approved contractor and architect's board will be permitted.

- 7.4 No workmen will be permitted to stay on site after construction times. s.
- 7.5 All contractors must provide screened ablution facilities for the workmen and sub-contractors under his control.
- 7.6 Construction hours are restricted from 07h00 to 17h00 Monday to Friday from 08h00 to 13h00 on Saturdays. No construction activity is to take place on Public Holidays or Sundays
- 7.6 Delivery routes and hours may be redefined from time to time by the CCHOA and all contractors are to obtain these restrictions from the managing agent. If a separate entrance is made available for construction vehicles, only that route may be used.

No articulated trucks hauling an additional trailer are permitted on site. Fines may be levied from time to time by the CCHOA for contractors and delivery vehicles that spill material en-route, damage roadways and kerbs, stain tarmac and generally create nuisance within the estate.

Contractors are to sign a code of conduct available from the Estate management prior to commencing work on site. This Code of conduct is subject to amendment by the Estate management from time to time.

The speed limit is 30 km/h and speeding and reckless driving will not be tolerated. Due care must also be taken by all vehicles not to block the thoroughfare of roads.

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

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.

Contractors are expected to conduct their operation in a reasonable and co-operative manner. Should the Homeowners Association have any concern with the conduct of the contractor, his sub-contractor or his suppliers and any of their employees, the Homeowners 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.

8. GENERAL

- 8.1 The developer will secure the entire township and provide secured gate control. Because building activities will take place, owners must ensure that their residences are properly secured. It is recommended that Contractors provide their own lockable sheds. The CCHOA will not be responsible for goods and equipments on site. One night watchman may be allowed to sleep over per site by special arrangement with the managing agents.
- 8.2 No private boreholes will be allowed.

- 8.3.1 The day to day running of the estate will be managed by **Effective Estate Management**. All queries regarding levies or any enquiry relating to the running of the estate must be directed to **Samantha McLean** at :

Effective Estate Management
The Management Office,
Cedar Creek
TEL: 011 026 9601/2
FAX: 086 275 1360
POSTAL: PO Box 912 Fourways 2055
E MAIL: sam@eemoffice.co.za

9. BUILDING PLAN SUBMISSION

The following must be adhered to before building plans will be considered for inspection:

All design documentation must be submitted to the Estate management for approval by the Aesthetics Committee prior to submission to the local authorities. The following shall be the submission procedure:

9.1 PLAN APPROVAL FEE

- 9.1.1 With effect 2013 Jan, a plan approval fee of **R2 000-00** per Ervin is payable to the CCHOA Aesthetics Committee on submission of plans to the Office of the Estate Management.

Samantha McLean at:
Effective Estate Management
The Management Office ,
Cedar Creek
TEL: 011 026 9601
FAX: 086 275 1360
POSTAL: PO Box 912 Fourways 2055
E MAIL: sam@eemoffice.co.za

Note: These plans must be submitted with payment on or before Friday 12 noon of every week and the Aesthetics Committee will meet on Mondays.

- 9.1.2 Each time plans are resubmitted for consideration due to amendments to previously submitted plans an additional **R600.00** plan fee will be payable. This also applies to as built plans for changes during construction.
- 9.1.3 Three Site inspections will be performed by the managing agents. Should the estate aesthetics committee representative be required to attend a site meeting, or a meeting to settle disputes between neighbours, an additional site inspection fee of **R500.00** will be payable in respect of each such inspection to the architects.

The SG diagrams and services drawings will be available electronically at a service fee of **R100**.

9.2 BUILDING DEPOSITS

9.2.1 A building performance deposit of **R 9000.00** must be paid to CCHOA and will be held in trust (interest free) pending completion of the building works and the issuing of an occupation certificate.

In addition a non-refundable payment of **R1000-00** towards the road maintenance fund is payable simultaneously with the building deposit.

9.2.2 The R8500 refundable deposit will be used if there is a breach on non-performance to remove rubble or make good any damage caused by the owner, contractor or sub-contractors or suppliers, including kerbing, landscaping, community services, roads, irrigation etc. and for any outstanding levied costs or spot fines.

9.2.3 The R8500 refundable building performance deposit shall only be released on submission to the managing agent of a Local Authority's Certificate of Completion and Occupancy, and shall be refunded within fourteen (14) days once the managing agent has certified that the erf and surrounding area has been properly restored.

9.2.4 The CCHOA reserves the right to forfeit the deposit and claim any additional amount from the owner if the above is not fully adhered to.

9.3 SUBMISSION OF PLANS

9.3.1 All plans necessary for City Council approval must be submitted together with an extra rendered paper copy to be kept for record purposes by the CCHOA. Plan approval fees charged by the City of Jhb Metropolitan Municipality are for the owner's account.

9.3.2 In the event of the owner of the property applying for relaxation of boundaries, no such application will be accepted without the prior written consent of the neighbours being obtained by the owner as are prescribed by the Building Plan Section of the City of Jhb Metropolitan Municipality.

9.3.3 SKETCH PLAN SUBMISSION

Submit drawings with the following information:

SITE PLAN: showing

Stand No
North Point
Boundary distances
Building Lines

Ground Floor Foot print
Distances to boundaries
Contours: annotated to same levels as house.
Datum Point 000 correlating to levels of house.
Layout of driveway and access on site. It is the owner/
designers responsibility to ensure that this does not

clash with existing street lamps, storm water culverts
etc.
Street and Access to site, guest parking
Paving , Landscaping areas
Boundary wall detailing , indicating percentage of
open/ palisade
Positions of storm water culverts, street lights and
electrical boxes on site
Proposed pool pump position
Existing trees: retained and removed
Position of screened drying yard
Storm Water control

AREA SCHEDULE: showing

Coverage
Area of Ground floor
Area of First Floor
Percentage of First Floor/Ground Floor ratio (75%)

FINISHING SCHEDULE: showing

Wall finish: material (e.g. type of plaster finish) and
colour
(Note: List colour spec. Final colours to be approved on
site from samples by the Aesthetic Committee prior to
painting)
Window material and colour
Balustrade material and colour
Roof Tile material, profile and colour
Cladding if applicable

GROUND FLOOR PLAN

FIRST FLOOR PLAN

Indicating concealed drainage:
1800 screen walls to balconies if applicable

Roof Plan Indicating down pipe positions:

One section indicating height of house above NGL less than 8.5m, and plinth
height.

Rendered Street Elevation/ 3d artists impression indicating proposed
materials/massing

Rendered Green Belt Elevation/ 3d artist's impression if applicable.

- Contours on the site plan/ setting out plan, referenced to the same
levels as the house, with a clearly marked datum level , ensuring that

the maximum plinth height above ngl does not exceed 600mm on neighbouring properties and 1.2 m on greenbelts / streets.

- A 3d artist's impression or rendered elevation of the house indicating the massing of the building and an understanding of the 3d realisation.

9.3.4 All plans must be dropped at the Estate Managers office before Friday at 12 for scrutiny.

10 TIME FRAME

The construction of improvements must commence within 2 (two) years from the date of first registration of transfer of ownership or such extended period agreed to by the CCHOA (Thus, within 2 (two) years from the date the property is transferred from the Developer to the first purchaser). The construction must be completed and a certificate of occupation issued by the Local Authority within 12 months from the date of commencement of any building activity. Should this not be adhered to, the CCHOA will have the right to introduce penalties, to a maximum of double the monthly levies. In order to reduce inconvenience to neighbours as well as unsightliness, construction must proceed without lengthy interruptions and be handled in such a way that the end of each phase should be aesthetically acceptable to the CCHOA.

The design of the dwelling unit and the entire stand must show sensitivity to the existing natural features, flora and topography. Permission must be obtained from the CCHOA before existing trees are removed and all existing trees are to be shown on the site plan. Surrounding structures must be taken into account in the design process.

All property owners are afforded 12 (twelve) months to complete the construction of their house from date of physically commencing on site. This is deemed to be sufficient and reasonable time within which to start, complete and receive a certification of occupancy. Should any house building commence and exceed the defined twelve month period, the owner will be considered to be in breach of the CCHOA rules and guidelines. A double levy will therefore be implemented until the owner furnishes a certified copy of the Certificate of occupation to the Estate Management.

SUBDIVISION

No erf shall be subdivided or rezoned. Should 2 Ervin be consolidated, each erf will still be subject to separate levies. Once an erf is consolidated, it shall not then be re subdivided.

DISCLAIMER

The restrictions set out above are in addition to any restrictions imposed in terms of conditions of title, town planning schemes, national or any other building regulations. Notwithstanding that any plans or improvements may comply with any such restrictions imposed by third parties, the approval of any plans or improvements shall be at the sole discretion of the CCHOA, via the appointed architects. Similarly compliance with the restrictions imposed by the CCHOA, shall under no circumstances absolve the owner of a property within the estate from the need to comply with restrictions imposed by third parties, nor shall the CCHOA approval be

construed as permitting any contravention of restrictions imposed by any local authority having legal jurisdiction.

Approval by the CCHOA and their appointed aesthetics committee is solely in terms of these guidelines and should not in any way be seen as approval or checking of building plans for structural integrity, national building regulations or design faults, although the Estate Architects may at their discretion point out any such faults during the process of scrutinising the plans.

The interpretation of these rules and decision on whether or not a plan for a dwelling and the ongoing construction of the dwelling complies with these guidelines and maintains a high degree of aesthetic integrity and harmony, both in relation to the surrounding environment and with other buildings in the estate, remains the sole discretion of the appointed aesthetics committee members.

Should changes from the plans be made on site, revised plans are to be submitted to the estate aesthetics committee. An additional fee shall be payable as set out in 9.1.2. Non compliance with approved building plans may result in the intervention of the appointed City of Johannesburg Building inspector stopping construction on site and access of builders being denied until the non compliance is rectified, particularly if the deviation contravenes these general and prescribed guidelines.

The Aesthetics Committee of the CCHOA reserves the right to change the plan submission procedure at any stage.

10. ACKNOWLEDGEMENT BINDING ON ALL OWNERS

The owner and his/her contractor and sub-contractors will be bound by these Architectural Guidelines and any amendments thereto from time to time, and no elevation or relaxation will be permitted without the prior written approval of the CCHOA.

In the case where the property is sold or leased, the seller or lesser must ensure that the buyer or lessee receives a copy of these guidelines and which is binding on the buyer or lessee.

PART V - ACKNOWLEDGEMENT

ACKNOWLEDGEMENT

The above 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 Homeowners 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.

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 Homeowners Association to this effect, the Homeowners Association will have the right inter alia:

Apply for an interdict on an urgent basis to prohibit any further building works on the premises and / or to rectify any transgressions, the legal costs thereof will be borne by the owner.

Will be entitled in addition to clause ____ to calculate any damages that the Homeowners 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 Homeowners 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.

Will be entitled in addition to clause ____ and / or ____ to, in terms of the Articles of Association, impose a system of fines and other penalties as resolved by the Homeowners Association from time to time.

Will be entitled in addition to clause ____ and / or ____ and / or ____ 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, together with interest calculated thereon at prime bank rates, for the period date of expenditure to date of payment.

These options will not limit any other remedies that the Homeowners Association and / or the developer may have in law.

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NAME OF OWNER

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CONTRACTOR - CO NAME

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REPRESENTATIVE

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REPRESENTATIVE

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SIGNATURE

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SIGNATURE

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DATE

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DATE

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TEL NO (BUSINESS)

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TEL NO (RESIDENTIAL)

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TEL NO (CELLULAR)

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FAX NO

POSTAL ADDRESS

POSTAL ADDRESS

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