



**EAGLE CANYON GOLF AND LIFESTYLE
ESTATE HOMEOWNERS' ASSOCIATION NPC**

**ARCHITECTURAL, BUILDING AND LANDSCAPING
REQUIREMENTS**

For Residential Dwellings on the Estate

14 JUNE 2023

(This document supersedes all previous editions)

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INTERPRETATION AND ABBREVIATIONS

In the Architectural, Building and Landscaping Requirements Document the following terms and abbreviations shall have the meanings assigned to them below and any reference to the male gender shall also refer to the female gender and reference to the singular shall include the plural, or *vice versa*, unless the context dictates otherwise:

Additions	The addition of incremental built area to an existing dwelling.
Architectural Review Committee	Established in terms of the provisions of the Memorandum of Incorporation (MOI) of ECGEHOA to consider and review all building plans and applications by Members and/or Developers for all building and/or related construction work to ensure full adherence to these Rules. The Architectural Review Committee consists of the ECGEHOA Operations and Compliance Manager, appointed Controlling Architect, and relevant Board Director or such other persons as may be appointed by the Board of the ECGEHOA to the Architectural Review Committee.
Building Line	Means a line that is a fixed distance from the boundary of an Erf or Property and may include a floodwater mark where indicated on the Zoning Maps, Schedule or Annexure.
Board	The Board of Directors of the ECGEHOA.
BOT	Board of Trustees of Sectional Title Complexes situated within ECGE.
Controlling Architect	The Professional Architect appointed by the ECGEHOA to support and assist with the review of all building plans and to advise the Operations and Compliance Manager as to consideration for approval of such plans, to ensure compliance to the Rules of the ECGEHOA.
Coverage	Means the total area of land that may be covered by buildings as seen vertically from the air, measured from the outer face of exterior walls, expressed as a percentage of the land area, and shall include all roofed areas, provided that the following portions of buildings shall be disregarded in the calculation of coverage: (i) Unroofed areas such as a stoep, entrance steps and landing; (ii) Projecting balconies open on all vertical sides; (iii) Retractable awnings or pergolas, with or without louvres, and areas covered by permeable material; (iv) Cornices, chimneys, water pipes, drainpipes and minor decorative features not projecting more than 500mm (500 millimetres) from the building wall; (v) Eaves and canopies not projecting more than 1m (one metre) from the wall of the building; (vi) Electrical high- and low-tension chambers; (vii) The area covered by open-air swimming pools.
ECGE or Estate	Eagle Canyon Golf Estate as defined in the MOI of ECGEHOA.

Erf / Erven	The freehold residential properties forming part of ECGE as defined in the MOI of ECGEHOA including any residential Erf, Stand or Stand zoned for development and will include any common property belonging to the ECGEHOA.
Dwelling / Dwellings	A residential dwelling, whether a house on a freehold property, a Unit in a complex or a section within a Sectional Title development.
Floor Area	<p>The sum of the gross area covered by the building at the Floor Level of each storey, provided that the area reasonably required for the purposes detailed below may be excluded from the calculations of the Floor Area, which calculations shall be clearly indicated on the building plans. Floor Area shall be measured from the outer face of the exterior walls or similar supports of such building, and where the building consists of more than one storey, the total floor space shall be the sum of the Floor Area of all the storeys, including that of basements.</p> <p>Areas that may be excluded from the calculation of Floor Area are:</p> <ul style="list-style-type: none"> (i) Any area, including a basement, which is reserved solely for parking of vehicles and loading and off-loading areas. (ii) 10% (ten percent) of the total floor area shall be regarded as area required for the cleaning, maintenance, care and proper mechanical and electrical functioning of the building.
Floor Area Ratio or FAR	Means the ratio obtained by dividing the Floor Area of a building or buildings by the total area of the Erf or Site upon which the building/s is erected, thus Floor Area of a building.
Ground floor or ground storey	Means a floor at ground level or a floor having its entrance directly accessible from existing Ground Level by means of a ramp, stairway, or similar structure, provided that the floor level of the ground floor shall at no point extend more than 1,5m (one point five metres) above the lowest existing Ground Level of the ground immediately contiguous to the building.
Storey / Upper Storey	<p>Means the portion of a building included between the surface of any floor and the surface of the next floor above, or if there is no floor above the ceiling, provided that:</p> <ul style="list-style-type: none"> i). A basement does not constitute a storey; ii). A roof, or dome which forms part of a roof, shall not constitute a separate storey unless the space within the roof or dome is designed for, or used for, human occupation, in which case it is counted as a storey; and iii). The maximum height of the single storey shall not exceed 6 metres and the maximum roof height of a double storey shall not exceed 8,5m (eight point five metres) from finished floor level.
Hard Landscape/Hardscape	This is a term used to describe the non-plant material used in landscaping, for example: gravel, brick, wood, pavers, embellishments or stone.
HOA/ECGEHOA	The Eagle Canyon Homeowners Association NPC, a non-profit company with voting members as defined in the Memorandum of Incorporation.

Local Authority	City of Johannesburg/COJ/CoJ.
Developer	The Member of a residential or commercial development site within the boundaries of the ECGE.
Member	A Member of the ECGEHOA by virtue of their ownership of a residential Erf, Unit or Section in the Estate.
Memorandum of Incorporation (MOI)	The legally enforceable Memorandum of Incorporation of ECGEHOA.
Moroccan Kasbah Developments	Kasbah Canyon and Kasbah Ridge.
Person	A Resident, Tenant, Visitor, Member, Contractor, or Employee.
Resident	Any Person who resides within the ECGE boundaries by virtue of being a Member, or as Tenant of rented properties or by virtue of their status as a household employee who lives on the property.
Rules	The Architectural, Building and Landscaping Requirements as contained in this document.
Soft Landscape/Softscape	This refers to the live horticultural elements of a landscape, soft scaping can include flowers, plants, shrubs, trees, and flower beds.
Unit	A Sectional Title Unit described in the Sectional Title Schemes Management Act 8 of 2011 and as defined in the MOI of ECGEHOA.

1. ARCHITECTURAL AND BUILDING REQUIREMENTS FOR ALL NEW BUILDING AND CONSTRUCTION PROJECTS, ALTERATIONS AND ADDITIONS

- 1.1 It is the objective that architectural designs within ECGE fit the look and feel of the Estate. The purpose of these design requirements is to encourage individual creativity while fostering the use of uniform materials and finish to ensure that the overall development harmonises to create a balanced approach. The requirements as provided in these Rules are implemented by the ECGEHOA to ensure a sensitively constructed environment with a high-quality aesthetic presentation, while maintaining maximum privacy.
- 1.2 In respect of the Moroccan Kasbah Developments, it is noted that the developments consist solely of traditional Moroccan themed residential units and that special considerations will apply to preserve that theme within the original design parameters and guidelines.
- 1.3 Every Member of the ECGEHOA shall be obliged to abide by the Rules and no deviations from or relaxation of these Rules shall be allowed, subject to the provisions of Clause 16 hereof.
- 1.4 COJ plans must be submitted within 12 (twelve) months of registration of transfer of any underdeveloped Erf.
- 1.5 Any new construction, any alternations and any improvements must be completed within 12 months of COJ approval of plans. New construction, phased design and construction must be handled in such a way that the end of each phase is to be aesthetically acceptable to the ECGEHOA.
- 1.6 Any new developments, new buildings or any construction in the form of alterations or improvements involving additions to existing developed freehold properties requires the submission of alteration plans to the ECGEHOA for approval prior to submission to COJ and commencement of construction.
- 1.7 Any alterations involving additions to developed Units within a Sectional Title Complex require firstly any competent resolution in terms of the provisions of the Sectional Titles Scheme Management Act, 8 of 2011 and/or the BOT approval, followed by ECGEHOA approval and finally submission to COJ for approval before commencement of construction.
- 1.8 The design of any dwelling must show a special sensitivity to the existing natural features, flora and topography. Written Permission must be obtained from the ECGEHOA and BOT (where applicable) before any indigenous trees are removed, and all existing trees are to be shown on the site plan submitted for approval to the ECGEHOA and BOT (where applicable). The design, look and feel of surrounding structures must be considered in the design process.
- 1.9 The ECGEHOA appoints a Controlling Architect who is responsible for the consideration and recommendation for approval or rejection, as the case may be, of all architectural building plans submitted to the ECGEHOA in conjunction with the Architectural Review Committee and ECGEHOA.
- 1.10 The Member must engage the services of an independent, qualified and South African Council for the Architectural Profession (SACAP) registered architect or designer to design and prepare his architectural plans.
- 1.11 No Erf may be subdivided except:
 - 1.11.1 where such Erf has been allocated for Development purposes.
- 1.12 No Erf may be re-zoned for any other use than for a single Dwelling with outbuildings.
- 1.13 No Erf may be consolidated.

- 1.14 No boreholes may be drilled on any residential Erf.
- 1.15 All building structures, (including outbuildings, boundary walls, retaining walls, swimming pools, ponds, fountains, hard landscaping structures) must be designed to conform with these Rules to the satisfaction of the HOA. The objective is to achieve an interesting range of mutually compatible building structure designs.

2. TOWN PLANNING CONTROLS

2.1. Coverage, Height, and Density of Units

2.1.1. FAR – Floor Area Ratio:

The FAR shall, unless provided for herein, be in accordance with the ratio permitted in the City of Johannesburg Land Use Scheme 2018 / Zoning certificate obtained through COJ.

2.1.2. Maximum dwellings per Erf:

One dwelling only: The HOA may allow for a subsidiary dwelling at its discretion.

2.1.3. Maximum roof height:

No more than two storeys shall be erected vertically above each other, nor shall the height of any part of the structure measured from the Finished Floor Level to the highest point of the roof exceed 8,5m (eight point five metres) above the Finished Floor Level. Existing Ground Level should be used as an alternative measurement vertically below that point. (This height restriction is not applicable to chimney stacks which are governed by SANS 10400). On completion of the building structure the Member must provide an engineering certificate that the roof height complies with this rule.

2.1.4. Coverage:

2.1.4.1. Single Storey Dwellings:

A Single Storey Dwelling shall not exceed 60% (sixty percent) of the Erf.

2.1.4.2 Double Storey Dwellings:

The Ground Floor coverage of a Double Storey Dwelling shall not exceed 50% (fifty percent) of the area of the Erf. The area of the Upper Storey shall not exceed 50% (fifty percent) of the Ground Floor.

2.1.5. Double Volumes:

Double Volumes in houses shall not be deemed to form part of the Upper Storey area.

2.2. Building Lines:

The following building lines shall apply in respect of all dwellings:

2.2.1. Street Boundary:

2.2.1.1. Single Storey Dwelling – 5m (five metres) from the street boundary

2.2.1.2. Double Storey Dwelling – 5m (five metres) from the street boundary

2.2.1.3. Garage – 5m (five metres) from the street boundary

2.2.2. Side Boundary:

2.2.2.1. Single Storey Dwelling:

No Single Storey structure shall be erected within 2m (two metres) from the boundary between one Erf and another.

2.2.2.2. Double Storey Dwelling:

No Double Storey structure shall be allowed to be erected within a distance of 3m (three metres) from the boundary between one Erf and another, of the side boundaries of the Erf.

2.2.2.3. No Dwelling shall be situated closer than 5m (five metres) from the Golf Course boundary. Gazebos, pool houses and other non-residential constructions may be situated at least 1,5m (one point five metres) from the Golf Course boundary.

2.2.2.4. No building shall be erected in a building restriction area.

2.2.2.5. Where omnibus servitudes and municipal services are situated on properties, all services shall be indicated on the building plan.

3. TREATMENT OF STAND BOUNDARIES

3.1. Golf Course Boundary:

3.1.1 Members and Residents shall take appropriate measures to protect their Persons and property in the eventuality of a golf ball causing material damage. Various techniques exist to provide such protection, including but not limited to:

3.1.1.1 The installation of an appropriate specification laminated safety glass.

3.1.1.2 The application of an appropriate safety film ('anti smash and grab' type).

3.1.1.3 The installation of a glass security barrier – e.g. Trellidor Clear Guard or similar technology.

3.1.1.4 The installation of a Protective Net deterrent system with the prior approval of the HOA.

3.1.2 If, for reasons of privacy, (for example to screen a swimming pool) a barrier is required between the House and the Golf Course such barrier shall be achieved by means of planting vegetation or installing or installing a palisade fence limited to 1,2m (one point two metres) in height and subject to the approval of the HOA.

3.2. Boundary Walls:

3.2.1. No security spikes, razor wire, electric fencing, or any similar devices shall be permitted on any site boundary wall of any residential property within the Estate.

3.2.2. Walling between Erven shall be constructed of brick and mortar and shall not exceed 1,8m (one point eight metres) in height, measured from the existing ground level of the Erf, shall be plastered and painted on both sides, and shall be of design and finish approved by the HOA. Should there be a necessity to go higher, this would require HOA approval and neighbour's consent.

3.2.3. If face-brick walls are intended for the boundary walls adjacent to neighbouring Erven,

these walls must be constructed to a 230mm (two hundred and thirty millimetres) brick wall thickness to allow for the neighbour's side of the wall to have a stock brick finish that can be plastered.

3.3. Properties on the Perimeter Wall:

It is the responsibility of Members to ensure that any foliage and vegetation on the Estate Perimeter Wall is 500mm (five hundred millimetres) clear from the perimeter wall thus ensuring a clear line of sight for security cameras installed on the perimeter wall.

4. BUILDING DESIGN REQUIREMENTS

- 4.1. All plans must be submitted to the ECGEHOA for approval.
- 4.2. Only after approval has been obtained in writing can plans be submitted to the Local Authority. It is the Member's responsibility to ensure that all plans are submitted and approved by the Architectural Review Committee and the Local Authority prior to commencing with construction. A copy of the Local Authority approved plan must be submitted to the ECGEHOA.
- 4.3. The privacy and views of the surrounding Dwellings must be considered as a premium.
- 4.4. Outbuildings and additions must match the original building design in style, elevation and material usage. All plans must indicate at least one enclosed garage and this must be built in conjunction with the original dwelling. No flat roofed carports will be permitted unless it matches and blends with the design of the main dwelling and with written approval by the ECGEHOA.
- 4.5. Walls should be similar to the basic materials and colours of the building.
- 4.6. No garden sheds, tool sheds, wendy houses, dog kennels or similar non-permanent structures are to be visible from any road, the Golf Course, or adjoining properties.
- 4.7. No caravans, boats or trailers are to be visible from any road or the Golf Course.
- 4.8. The awning type and approved colour scheme of the Moroccan Kasbah Developments to be adhered to.
- 4.9. All equipment such as heat pumps, air conditioners and grills, all cabling and piping, ducts, pool pumps, etc. and parts thereof, must be adequately enclosed or screened from view from the road, the Golf Course and adjoining Erven.
- 4.10. Washing is to be hung on lines, on the ground floor level only and not to be visible from the streets.

5. APPROVED BUILDING MATERIALS

- 5.1. Roof Coverings:
 - 5.1.1. New building structures, including alterations and additions to existing structures shall have a combination of flat and pitched roofs or solely pitched roofs.
 - 5.1.2. Any new roof and/or additions are required to match the existing approved design.
 - 5.1.3. Flat sections of roofs shall be concrete and surrounded by parapet walls. Waterproofing to be non-reflective.
 - 5.1.4. Drainpipes shall be concealed from view from any road, the Golf Course and adjoining Erven.

- 5.1.5. Gutters and down pipes shall form an integral part of the design and shall be constructed and finished to match the style of the house.
- 5.1.6. No thatch, or asbestos cement roof tiles will be permitted.
- 5.1.7. Shade cloth or canvas carports, or golf cart covering structures are not permitted on any residential Erf.
- 5.2. Walls:
 - 5.2.1. External masonry walls shall be a minimum of 230mm (two hundred and thirty millimetres) brickwork to be plastered or face brick finish. Finishes to the plaster must be with a colour range submitted for approval by the HOA.
 - 5.2.2. Face brick or natural rock (preferably loose packed sandstone) and colour specifications for face brick are to be approved by the HOA, provided that plinths shall be to a maximum height of 680mm (8 courses).
 - 5.2.3. Coloured textured wall coatings such as Gamma Zennith, Cemcrete and Earthcote or products similar in quality and application may be allowed subject to approval of the colour range by the HOA.
 - 5.2.4. The approved exterior paint colour for the Moroccan Kasbah Developments is the Prominent Paints shade of Nu Namib. Should Nu Namib not be available, the ECGEHOA will advise on the replacement shade. No non-approved shade may be used.
 - 5.2.5. In the event of new technology becoming available and being SANS approved material, it will be considered on written application to the ECGEHOA.
- 5.3. Swimming Pools and Jacuzzis
 - 5.3.1. All swimming pools and Jacuzzi installations must comply with the safety requirements set out in the National Building Regulations SANS 10400 Part D and the requirements set out in the revised Johannesburg Municipal By-Laws.
 - 5.3.2. Swimming pool and Jacuzzi wastewater must discharge into a sewer drain. Swimming pool and Jacuzzi wastewater may not be discharged onto any road, storm water drain or into any dam or water course.

6. BACK-UP POWER INSTALLATIONS

- 6.1. The installation of Solar Power systems and/or invertors with battery systems are the preferred back-up power solution of the HOA as an alternative to generators for the Residents of the Estate. Residents are actively encouraged to move away from the use of generator powered back-up power systems.
- 6.2. The installation of Back-up power generators will only be permitted subject to the following:
 - 6.2.1. All new generator installation applications must be submitted to the ECGEHOA offices for written approval prior to installation commencing. The application must include the location of the new generator installation.
 - 6.2.2. Generator installation applications in Sectional Title Complexes must comply with the provisions of the Sectional Titles Schemes Management Act 8 of 2011 as well as the rules of that complex and must first be approved by the BOT prior to submitting the application to the ECGEHOA as per the provisions of these Rules.

- 6.2.3 The generator may not be placed in the street facing space of any structure or in any space facing the Golf Course.
- 6.2.4 Generators are to comply with the requirements of the air quality standards in the South African National Environment Management: Air Quality Act, 2004 No. 39 of 2004.
- 6.2.5 The generator must be enclosed and may not be visible from the street or Golf Course. The generator enclosure must include noise dampening insulation.
- 6.2.6 The generator exhaust may not discharge towards any adjoining Erf and may not be within 5m (five metres) from any window or opening into a habitable space. Generators must not pollute the environment above the ambient air quality standards as specified by the National Environment Management: Air Quality Act, 2004 No. 39 of 2004.
- 6.2.7 The generator must be adequately sound proofed and must not generate a noise level exceeding 50 dBA (fifty A weighted decibels, measured 7m (seven metres) from the generator and 3,5m (three point five metres) from any sound reflecting structure in terms with SANS 10103 (The Measurement and Rating of Environmental Noise) at any time during operation.
- 6.2.8 All electrical cables, connectors, switchgear and the like shall be installed by a certified professional electrical contractor and must be concealed from view.
- 6.2.9 The generator may not be in operation between 22h00 – 06h00 on any night unless concession is granted by the ECGEHOA for health or medical conditions only. The decision by the ECGEHOA is final in this regard.
- 6.2.10 The Member must submit a Certificate of Compliance from the supplier that the installation of the generator complies with the Estate's requirements in terms of the rules set out above as well as any of the By-Laws of the Local Authority or any other authority that has legal oversight of electrical installations, and only when the ECGEHOA is satisfied that the installation has met all these requirements may the generator be operated.
- 6.2.11 Generators that have previously been installed must adhere to the above amended protocols and rules.

7. SOLAR HEATING AND SOLAR POWER INSTALLATIONS

- 7.1. No close-coupled units (i.e. incorporating an exposed hot water cylinder) may be used on buildings.
- 7.2. All pipe and or cable work from any solar panels shall be concealed in ducts and/or taken directly into the roof space.
- 7.3. Solar Power Installation applications in Sectional Title Complexes must comply with the provisions of the Sectional Titles Schemes Management Act 8 of 2011 as well as the rules of that complex and must first be approved by the BOT prior to submitting the application to the ECGEHOA as per the provisions of these Rules.
- 7.4. All Solar Power Installations applications must be submitted to the ECGEHOA offices for written approval prior to installation commencing. The application must include the location of the new solar heating and/or solar power installation.
- 7.5. All solar panels shall be securely fixed to the roof surface they are mounted on.
- 7.6. Solar panels are to be positioned as discretely as possible.

8. RAINWATER HARVESTING

- 8.1. Rainwater harvesting is encouraged. All water storage tank installation proposals are to be submitted to the BOT (if applicable) and HOA for approval prior to installation.
- 8.2. No water storage tanks of any type may be installed on roofs, or anywhere other than ground level.
- 8.3. All rainwater storage tank installations are to be concealed in such a manner as to not detract from the aesthetics of the specific site, or adjacent Erven.

9. PROHIBITED BUILDING MATERIAL

The following building materials are prohibited:

- 9.1. Unpainted plaster, unplastered stock brick walls and concrete block walls.
- 9.2. Precast concrete walls.
- 9.3. Mesh type swimming pool fencing.
- 9.4. Unpainted reflective metal sheeting for roof materials.
- 9.5. Thatch roofs, fibreglass sheets and shade cloth netting for houses, lapas, awnings and pergolas.
- 9.6. Wood panel and picket fencing.
- 9.7. Razor wire, security spikes, electric fencing or similar security features.
- 9.8. Externally fitted burglar bars.

10. CONSTRUCTION ACTIVITIES, RULES FOR BUILDING CONTRACTORS SUB-CONTRACTORS AND SUPPLIERS, OPERATING WITHIN THE ESTATE

- 10.1. COJ plans must be submitted within 12 (twelve) months of registration of transfer of Membership of the particular Erf. New construction, alterations and improvements must be completed within 12 (twelve) months of date of COJ approval.
 - 10.1.1 Phased design and construction must be handled in such a way that the end of each phase is aesthetically acceptable to the HOA.
 - 10.1.2 No deviations from the approved plans will be permitted unless the deviation is re-submitted and approved in writing prior to construction. The ECGEHOA reserves the right to stop all construction on an erf in the event that any deviations are not approved by the ECGEHOA.
- 10.2. Should the Member/Developer fail to comply with the commencement of construction as detailed above, a penalty in line with the Penalty Schedule will be levied on a monthly basis.
- 10.3. After written approvals for any new build, or alterations, or additions, have been obtained from the BOT (where applicable) and the HOA, the Member is required to advise the HOA who the principal building contractor will be prior to commencement of work.
- 10.4. The Member will ensure that the contractor attends an induction meeting with the ECGEHOA prior to any construction activities on the site.
- 10.5. The Member will ensure that the contractor signs and complies with the Builder's Code of Conduct of the ECGEHOA.

- 10.6. The Member will pay the building deposit prior to any construction activity commencing. This amount is determined by the ECGEHOA and will be deposited and held in a separate account (free of interest / 0% [zero percent]) by the ECGEHOA.
- 10.7. The building deposit will be refunded after the final construction completion inspection is done by the ECGEHOA:
- 10.7.1 The deposit will be forfeited to the amount required if there is any non-compliance or breach of any or all of the provisions of the Rules by the Member, contractor, sub-contractor, suppliers or any person acting on behalf of the Member.
- 10.7.2 Subject to the above, the balance of the building deposit, if any, shall be released once a certified copy of the Local Authority's Occupation Certificate has been provided to the HOA and all verges immediately in front of the building site have been reinstated and any other damage caused to Estate property during the construction period has been rectified and approved by the ECGEHOA.
- 10.8. An Erf is deemed to be under construction until permission to occupy the developed Erf has been granted by the Local Authority. Buildings may only be occupied if they are completed, safe and the Local Authority have no objections to the building being occupied or have issued an Occupation Certificate.
- 10.9. Detailed procedures will be made available by the ECGEHOA to Contractors, in terms of the Builder's Code of Conduct that will include security measures for authorised access and entry of identified vehicles and all personnel. It is the contractors' responsibility to remain updated on all required security protocol and procedures. The ECGEHOA reserve the right to change any security procedures or security protocol at its sole discretion.
- 10.10. Contractors shall only access and exit through the designated Contractors Gate on Zeiss Road.
- 10.11. Only authorised vehicles will be allowed onto the Estate. There is a load restriction of six tons per axle. No articulated vehicles are permitted in the Estate, unless by prior authorisation of the HOA. It is the obligation of the contractor to notify his suppliers of this and the HOA shall not entertain any claims of losses or damages in this regard. Vehicles leaking oil, diesel and/or hydraulic fluid will not be permitted to enter the Estate. Any overloading or labourer(s) hanging over the edge of a vehicle is not permitted. In the case of the Moroccan Kasbah Developments, the load restriction of four tons is applicable.
- 10.12. Members requiring furniture removal companies to enter/exit the Estate will require prior arrangement with the HOA.
- 10.13. Hours of work: Contractors may only enter the Estate on weekdays from 07h00 in the morning and must exit the Estate by no later than 18h00. No workers will be allowed to remain overnight on the Estate.
- 10.14. The delivery of any building related materials must be scheduled for between 07h00 and 16h00 on weekdays only and are required to be escorted by the contractor from the gate to the site and back to the gate. During concrete pours the onus is on the Member to arrange extended time from the ECGEHOA.
- 10.15. No construction will be permitted on Saturdays, Sundays, and public holidays. Only Emergency and remedial work with written approval from the ECGEHOA may be implemented. Service providers namely pool services, garden services, dog groomers, etc. will be permitted entry via the Contractors Gate on Saturdays from 08h00 to 15h30. These service providers are to leave the Estate by no later than 16h00. Emergency Services may enter and exit at any time e.g., Plumbing, Electrical, Fire, and Emergency Response Services. The Estate Security Control Room must be

informed of any emergency and late exits.

- 10.16. No employee of contractor/s, sub-contractor/s or construction staff may leave the building Site they are working on at any time save in the exercise of their duties and only then by vehicle and not on foot.
- 10.17. The Estate Security personnel reserve the right to search vehicles entering or leaving the Estate.
- 10.18. Any contravention of security procedures, and/or protocols, and/or Rules will be severely dealt with by the ECGEHOA, and depending on the nature and the circumstances, could lead to the suspension of building work, barring of access to the Estate and/or penalties being imposed.
- 10.19. The Member accepts responsibility for any loss or damage caused by his contractor, sub-contractor or supplier.

11. HOUSEKEEPING AND SITE SAFETY

- 11.1. A Construction Site is to be kept tidy and the contractor shall take measures to ensure that general cleaning and good housekeeping practice take place during building operations. Refuse skips must be utilised on any stand where construction is in progress to house all rubble and shall be emptied regularly to prevent spillage on the Site. All papers and other lightweight objects shall be properly contained so that they cannot be blown about in the wind.
- 11.2. No concrete, cement or other building materials may be temporarily stored, or mixed or prepared or disposed of on or in any of the roadways, kerbs and pavements of the Estate.
- 11.3. Materials which are off-loaded by a supplier or contractor may not encroach onto the adjacent Stand, Unit or site, the pavement or roadway. Where suppliers fail to adhere to this the responsible contractor shall move the materials accordingly before close of business.
- 11.4. The Member as the registered owner of any Erf under construction is responsible to ensure the contractor always keeps the roads and the vicinity of his Erf neat and tidy, including removing any materials, mud or soil dropped or washed onto the road, sidewalk, or adjacent Erf. This must be monitored daily and after any heavy rainfall.
- 11.5. The Member as the registered owner of any Erf under construction is responsible to ensure the contractor complies with the Occupational Health and Safety Act and always keeps the Site safe. Safety audits must be done daily and a safety record kept on site.
- 11.6. Accumulation of all types of filling shall be neatly piled.
- 11.7. The Member is responsible to ensure his contractors shall exercise 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 waterfront sites to avoid spillage. No building materials shall be discharged into the storm water system, dams, water courses or sewer system.
- 11.8. The Member is responsible for pre-construction storm water control management at all times and shall ensure his contractor is responsible for storm water management during construction. This includes the installation of adequate storm water controls to prevent silt, sand, and mud run-off from the Site onto the roads, adjacent Erven, Golf Course or dams, or into any sewer services, drains or ducts.
- 11.9. Open fires will not be permitted.
- 11.10. The contractor shall provide approved portable chemical toilets for the workers. These are to be always kept hygienic.

- 11.11. No advertising boards relevant to contractors, sub-contractors or suppliers of any kind will be allowed.
- 11.12. Construction materials may only be delivered to the Site on an as-needed basis, and all materials on site must be properly screened off.
- 11.13. Contractors shall screen the entire Site boundary with 1,8m (one point eight metres) high dark green 80% (eighty percent) factor shade cloth secured to a Bonnox fence for the full period the Site is under construction. Screening shall always be maintained in a condition to the satisfaction of the ECGEHOA.
- 11.14. The contractor shall install a 3,0m (three metres) wide gate at the access point to the Site. This gate must be lockable to prevent any unauthorised persons entering the Site.
- 11.15. Contractors' vehicles need to be parked within the boundaries of the site development. Should the Member's contractor not be able to park within the site or Erf, alternative arrangements must be made in writing with the ECGEHOA.
- 11.16. The contractor shall ensure that he complies with SANS 10400 Part F6 - 2010 Control of Unreasonable Levels of Dust and Noise and also with the National Environment Management: Air Quality Act No. 39 of 2004, in particular the Act's National Dust Control Regulations, and shall in general ensure that dust and noise control are effectively attended to.
- 11.17. The certification of completion by the ECGEHOA requires for the site to be entirely cleared of all rubble and surplus materials, to be tidy, the verge must be reinstated, and all damage repaired to the satisfaction of the ECGEHOA. All services must be connected and operational.

12. APPROVAL OF BUILDING PLANS

- 12.1. Detailed and professionally prepared site development plans of both the proposed floor plans and the elevations of buildings shall be submitted to the BOT (if applicable) and HOA for its consideration of the conceptual design principles.
 - 12.1.1. 3 (three) copies of the plans shall be submitted to the HOA for scrutiny, provided that where alterations or amendments are required, a deviation plan is also submitted.
 - 12.1.2. All plans must be accompanied by the prescribed scrutiny fees, scrutiny application form, interparty agreement forms as applicable and relaxation consent form if applicable.
 - 12.1.3. The HOA approval of building plans is valid for no longer than 12 (twelve) months from the date of the approval and if construction fails to commence within this time period, the approvals by the HOA shall be deemed to have expired, provided that approval by the HOA does not relieve the Member of the responsibility and requirement to submit an application for approval to the Local Authority in terms of its own rules and procedures.
- 12.2. After the plans have been approved by the HOA, the approved plans shall be submitted together with the prescribed plan fees and connection fees by the Member to the Local Authority for its consideration and approval.
 - 12.2.1. Should the Local Authority require any changes to the plans, the Member must notify and submit new plans to the ECGEHOA reflecting the changes prior to resubmitting the plans to the Local Authority.
 - 12.2.2. On approval of the plans by the Local Authority, the Member must provide the ECGEHOA with a copy of the set of Local Authority approved plans together with a copy of the Local Authority approval letter.

- 12.3. The Construction of the proposed work must be completed within 12 (twelve) months from the date of approval of the plans by the Local Authority.
- 12.4. Occupation and final construction inspection for new buildings:
 - 12.4.1. The Dwelling must be safe and all services to the Dwelling shall be operational and the Local Authority must consent to the occupation of the Dwelling. A Local Authority Occupation Certificate must be provided to the Member prior to moving into the dwelling and a copy forwarded to the ECGEHOA.

13. SECTIONAL TITLE COMPLEXES

- 13.1. Sectional Title Rules are to align to the Estate Rules and Regulations. Such documentation must be approved by the HOA prior to the application being submitted to the Local Authority.
- 13.2. The conditions contained in the Rules will apply in its entirety.
- 13.3. The Member/developer of any Erf may not rezone such Erf.
- 13.4. The Member/Developer may not sell or in any way dispose of the Erf, any portion thereof or any interest or right there in without all conditions contained in the Rules being complied with.
- 13.5. Any purchaser of any individual portion or Erf of a residential 2 or 3 Erf must over and above these requirements, comply with the architectural theme and style required by the relevant governing bodies of the Unit or Complex.

14. LANDSCAPE REQUIREMENTS

- 14.1. Each individual Member shall be responsible for the general landscaping of their individual Erf and sidewalks. Members are encouraged to use indigenous trees and plants. It is highly recommended that waterwise gardens are utilised.
- 14.2. Vacant Erven and their adjacent sidewalks must be kept neat and clean by the Member.
- 14.3. Softscaping should not interfere with pedestrian traffic or obscure the vision of motorists.
- 14.4. Hardscaping structures, such as fountains, rocks, large pots, embellishments, and planters may not be built or installed on verges outside the stand boundary.
- 14.5. The HOA reserves the right to install walkways within the road reserve to ensure safety of pedestrians.
- 14.6. All irrigation on the verges must be designed and implemented so that no water is sprayed onto the road, and any excessive run-off is prevented.
- 14.7. The need to regulate the growth of weeds and tall grass that may: pose a risk to safety and fire safety; impair visual sight lines; create habitats for mosquitos, rodents or other insects and animals; contribute to neighbourhood blight; and maintain an attractive neighbourhood in the best interest of good neighbourliness, grasses and weeds may not exceed 15 cm (fifteen centimetres) in height. Complete and/or vacant stands, including the adjacent Verges, are to be kept neat clean on a regular basis to the satisfaction of the HOA. Members will be given 48 (forty-eight) hours in which to rectify maintenance or condition shortfalls. After 48 (forty-eight) hours' notice, the HOA reserves the right to clean the Stand and/or Verge/s, without prior notification at the Member's expense.

15. STORM WATER CONTROL AND MANAGEMENT

- 15.1 Stormwater may not discharge into any sewer system, gulley, manhole or drain.
- 15.2 Concentrated storm water may not discharge onto adjoining Erven without the adjoining Member's written consent. Any flow of storm water which is directed through a drain, pipe, outlet, or weephole is deemed concentrated storm water.
- 15.3 Natural flow of water is water which flows down an undisturbed contour or slope of undeveloped land towards a natural catchment area. Any person who disturbs this flow of water by breaching its direction of flow due to development on the land, or constructing a wall across the natural flow direction, or diverting the flow by means of cut-off drains or trenches, is responsible for the management and safe control of the water to an approved drain, water course or dam.

16. DEVIATION OR RELAXATION

- 16.1 With effect from the date of acceptance of these Rules by the Board of ECGEHOA, the Board as it is empowered in terms of the provisions of the MOI of ECGEHOA, may consider any written duly motivated application received from a Member for deviation from, or relaxation of, or condonation for non-compliance with any of the conditions and/or rules provided for in these Rules.
- 16.2 The Board may delegate its authority to HOA Management, or any of its officials, to approve any deviation, relaxation, or condonation for non-compliance with any Rules.
- 16.3 Any application for relaxation, deviation or condone non-compliance with any of the Rules, may only be considered after receipt of a duly motivated written application and after considering all relevant information.
- 16.4 No deviation, relaxation, or condonation for non-compliance with these Rules shall be valid or of any effect unless reduced to writing and signed by an official representative of the Board, or the HOA Management, as the case may be.
- 16.5 No indulgence granted by the Board of ECGEHOA of these Rules shall create a precedent that can be relied upon for future or past relaxations, each case shall be dealt with on its own merits.