



ARCHITECTURAL GUIDELINES

Revision (17) - Date : Sept 2016

These guidelines set out for prospective homeowners are the design criteria they will have to comply with if they wish to build or make alterations at Emerald Estate. The guidelines have been developed to protect and maintain the physical and environmental attributes of the Estate.

PROCEDURE FOR THE APPROVAL OF BUILDING PLANS.

1.1 Working drawings together with the site plan/s must be submitted for approval to the Architectural Review Committee (ARC), appointed by the Homeowner's Association, for approval, together with the following:

a)	Refundable building deposit	R 7,500.00 (for road stands) R10,000.00 (for cove stands)
b)	Non-refundable road maintenance fee	R 1,000.00
c)	Builder's Board	R 750.00
d)	Building Control Fee	R 400.00/month
e)	Plan scrutiny fee : New property	R 1,000.00
f)	Plan scrutiny fee : Alterations	R 500.00

The above are to be submitted to the ARC for approval prior to being submitted to the local authority. **No construction may commence before this approval has been granted.**

1.2 One copy of the original sketch submission, together with one copy of the final submission, must be submitted to the ARC, one of which will be kept for record purposes.

TOWNPLANNING CONTROLS

2.1 General – Res 1 stands only

The restrictions set out in this document are in addition to any restrictions imposed in terms of conditions of title, town-planning scheme or national or any other building regulation. Notwithstanding that any plans or improvements may comply with any such restrictions imposed by third parties, the approval of any plans or improvements within Emerald Estate



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shall be at the sole discretion of the ARC. Similarly, compliance with restrictions imposed by the ARC shall under no circumstances absolve the resident from the need to comply with restrictions imposed by third parties, nor shall ARC approval be construed as permitting any contravention of restrictions imposed by any authority having legal jurisdiction.

2.2 Density

Maximum one dwelling per stand.

2.3 Coverage

The maximum coverage shall be 50%, with an allowable Floor Area Ratio (FAR) of 0.8.

2.4 Height restriction

No double storeys are permitted in Emerald Estate. The maximum height of any part of the structure may not exceed 8.5 metres - measured from the lowest point of the specific erf on which the structure is to be erected. Stands requiring alternative designs may be considered by the ARC.

2.5 Building lines

No structures shall be erected within the building lines imposed by the Town planners, unless sanctioned by all the adjoining stands. All relaxations are the prerogative of the Municipality. In general, building lines are set at 2 metres, with 5 metres on the driveway side to accommodate parking for visitors. Swimming Pools must be more than 1,5 metres from boundary walls.

Notwithstanding the fact that any building plan may comply with all the above, the approval or rejection of such plans shall be at the sole discretion of the Homeowner's Association and ARC, which approval shall not be unreasonably withheld.



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2.6 Time limits for construction

The following is an extract from the Special Resolution passed at Emerald Estate AGM – 24th June 2009 – that supersedes any previous guidelines.

“That owner’s of undeveloped stands will have until the end of September 2009 to complete construction of their houses. Failure to comply will result in a monthly penalty levy being charged. The penalty levy will be equal to one months levy.

This monthly penalty will apply for a period of 12 months after which the Board is mandated to impose additional penalties.

It was further agreed that should an owner sell a property, the new purchaser must start construction within 6 months of the transfer of the property into their name. Should they fail to comply, penalty levies will be applied retrospectively from the date of transfer until construction starts.

It was further agreed that owners could apply to the Board for the penalty levy to be waived if they can prove that they are in the process of litigation with the Developer. The Board will have the discretion to waive the penalty or not based on the merits of the application.”

Effective from **1 June 2011**, owners of Vacant Stands will be charged **4 x** Penalty Levy (this is over and above normal Levy). Vacant stands will therefore be charged a total of **5 x Levy amount per month**, inclusive of the normal Levy. This is being done in accordance with the Special Resolution (1) – Clause 9 - adopted at the AGM on 24th June 2009, and is intended to encourage owners of vacant stands to construct houses in order that the estate can at last be completed.



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REVISED BUILDING TIMES

Effective from 1 June 2011, the Owners are required to notify their Agents and prospective buyers of the **new time limits for building;**

- a) Once transfer is done into the new Owners name, building must commence in **3 months** – from the date of transfer
- b) Once ground is broken on site, the Owner has **6 months** to complete building.
- c) If the current owner chooses to sell his/her Vacant stand, the Penalty Levy will stop after the transfer is complete, and the Transfer Certificate from Propell has been issued to the new owner.

Should the building not commence in 3 months after transfer, **OR**, the building time exceeds 6 months, the Penalty Levy of 4 x Levy will be reinstated from the 1st of the following month.

Construction crews will not be granted access if the Owner of the property has any outstanding levies. No exceptions.

2.7 House Size

Although no minimum house size is prescribed, the HOA shall be entitled not to approve the plans for any house that in their sole opinion would detract from the appearance of, or reduce the value of, other houses in the Estate. Any house smaller than 180m² will be closely scrutinised. The trustees shall not be required to give reasons for rejecting such a plan, nor shall the HOA incur any liability to any person in doing so.

2.8 No deviations from the approved drawings will be permitted unless the deviation is re-submitted and approved in writing prior to construction.

2.9 Shade netting is compulsory around the stand BEFORE the building process commences. A building board with all the required information must be in place prior to the commencing of any building operations.



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2.10 Shade netting must remain erected on the site (AND KEPT NEAT AND UPRIGHT) – until the building is complete (see Section 9 below) – or until a boundary wall is in place.

3. Treatment of stand boundaries

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

3.1.1 Boundary walling must be built in the approved face brick namely West-End Honeyglaze Travertine Semi-face.

3.1.2 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 ARC are preferred.

3.1.3 The normal wall height is 1.2m, which may be raised to 1.8m, with ARC approval. The 1.8m is measured from the lowest part of the wall (on either side of the boundary wall line).

3.1.4 It is the responsibility of the Owner to consult with neighbours on cost sharing – with regards to Perimeter Walls, or raising of existing walls.

3.1.5 The perimeter wall must be 2m (two metres) away from any structure of the House. **Under no circumstances may the Boundary wall form part of the residential house wall.**

3.1.6 Where owners are the FIRST to build their perimeter wall - or raise it to a height of 1,8m - they are required to 'clean' both sides of the wall.

3.1.7 It is the responsibility of the Owner to keep the stand clean during construction. Grass and building rubble must be cleaned AND removed from site every week.



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3.1.8 Where the boundary wall has been approved to 2 metre height (only in specific circumstances, and approved in writing from the Estate Manager, the following conditions apply;

- a) The height of the wall is always measured from the lowest part of the wall (on either side of the boundary wall line), to a maximum of 2.00 metres.
- b) From height 1,5m and upward, the panels must be interlocked on each row
- c) Every 2nd row must contain 'brickforce' wire reinforcing along the length
- d) The balance of conditions above (3.1.6 and 3.1.7) apply.

NOTE : A maximum of 5,000 brick load – non-articulated vehicle - will be allowed entry into the Estate (via the contractors gate) at a time

3.1.9 Screening : Where residents opt for additional Screening, this Screening must be a professionally installed screen, and must be made from one of the following materials only;

- Prepared Steel (only Trellis type, not solid steel sheets)
- Treated wood (coated with a Sealant, and must be maintained)
- Plastic Wood (interweaved or trellis type only)

NOTE : Any screening requires application to and approval of the Estate Administrator in writing

PROHIBITED BUILDING MATERIALS AND STRUCTURES.

In principal no limitations are placed on building materials other that the following items, the use of which are not allowed.

4.1 Unpainted plaster.

4.2 Any roofing material other than Tiled – according to the following:



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- Manufacturer: Lafarge
Type: Taunus
Colours: Terracotta
Brown
Kalahari
- 4.3 Pre-cast concrete walls of any kind – including inlay pre-cast
- 4.4 Wood fencing Panels (see 3.1.9)
- 4.5 Razor wire, security spikes or similar features except with the permission of the ARC.
- 4.6 Lean-to's (Stand Alone carports or Carports attached to the house) – as well as temporary car ports or patent type shade-netting structures. – unless they comply with the guidelines as laid out in (5.15) below
- 4.7 Shade netting may be used only if incorporated within an approved purpose-made Structure – and only with ARC approval.
- 4.8 The approval of the ARC should be obtained for the use of any materials other than conventional bricks and mortar.
- 4.9 Approved face bricks and/or Tiles may be used as a decorative feature, subject to the approval of the ARC.
- 4.10 Approved face bricks may only be used for the plinth. (Corrobrick Dusk Satin Semi-face). The main structure may not be facebrick.
- 4.11 No Thatching of any sort will be permitted on the Estate – this includes Lapa's.
- 4.12 No Arches of any type are permitted on any property – including windows, Entrance's or Garage Door Coverings.



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- 4.13 Prior written permission needs to be obtained from the Architectural Review Committee should any owner want to use any material or colour other than the prescribed bricks, roof-tiles, external doors, window frames or paint colour.

MISCELLANEOUS ARCHITECTURAL GUIDELINES.

- 5.1 The aesthetics of the design of parapets, fascias, capping of eaves, roof trim, guttering and roofing materials in general will be considered.

- 5.2 All external finishes and colours must conform to the following:

Roof Tiles

Manufacturer:	Monier Roofing (previously Lafarge)	
Type:	Tanus	
Colours:	Terracotta	
	Brown	
	Kalahari	

Current External Wall paint Colours

Manufacturer:	Dulux	
Colours:	Swirl Cream	Code 5h3-3
	Toasted Bagel	Code 3h2-2
	Sunny season	Code 3h2-5
	Waves of Wheat	Code 3h3-5

Approved Alternative External Wall Paint Colours

Manufacturer:	Plascon	
Range:	Micatex Exterior Matt Finish	
Colours:	Clifton	Code BBO-308



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Quicksand	Code BBO-317
Lions' Den	Code BBO-321
Kalahari	Code BBO-310
Namib	Code BBO-312
Topaz	Code BBO-307
Karoo Dawn	Code BBO-303
Sunset Glow	Code BBO-306
Dune 4	Code BBO-605
Umgeni Sand	Code BBO-313
Sahara	Code BBO-315
Desert Storm	Code BBO-610
Safari Trail	Code BBO-606

The alternative colour painting of window and door surrounds is no longer compulsory

External Door/Window Frames

Manufacturer: Nulu
Type: Wooden Meranti

The use of Aluminium Window frames is permissible, but **ONLY** dark bronze colour

Bay Windows

Bay windows may be installed on MAIN Bedroom windows only, with the following conditions;

- Only the supplier 'Magic Bay Windows' may be used (082 689 0250) / magicwindows@mweb.co.za
- The unit must fully blend into the existing structure – with the walls painted the same colour.
- The window material must match the balance of the house (Meranti wood or Dark Bronze Aluminium) – as well as window design.
- No cottage panes may be used.
- The application for Bay Windows must be sent to the Estate manager for approval prior to any alterations taking place.

Boundary Walls



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Manufacturer: Corobrick
Type: Dusk Satin Semi-face Bricks

- 5.3 Awnings, outdoor blinds and other items which do not form part of the basic structure should be clearly shown and annotated on approval drawings. Any installed awnings MUST be earthy coloured, and must be approved in writing by the Estate manager.
- 5.4 Flat glass solar heating panels, if used, should be incorporated into the buildings to form part of the basic structure and should be clearly shown and annotated on approval drawings. No other solar panels will be allowed. The fitting of ANY Solar Heating Panels must be pre-approved in writing. The use of POOL Solar Heating pipes is approved, however the main supply and outward pipes must be BLACK in colour only. The HOA reserves the right to file a transgression to any owner where the Solar Panels become tatty, hang, or do not comply to these guidelines. No external-geyser Solar Panels may be used. Geysers must be inside the roof, and may not be visible on the exterior of the Property.
- 5.5 The use of Wind Turbine Generators is not authorised for use within the Estate. This is as a result of their size, and the noise generated by the blades.
- 5.6 Outbuildings and additions should match the original design and style, both in elevation and in material used.
- 5.7 Staff accommodation and kitchens should open on to screened yards or patios, and must not be visible to any neighbour.
- 5.8 No staff accommodation should be nearer to the street than the main dwelling unless contained under the same roof or integrated into the total design.
- 5.9 Verandas and entrances to buildings – including covered patio's

A maximum of 10% of the house area is allowed in the form of flatter roof structures (less than 17 degrees), as long as the pillars are brick, plastered and painted to match the house



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and that the flat roofs are disguised by parapets that match the pillars. These parapets must then be painted the same colour as the house. The same applies to fascia's (of any material) used for Chromodek Roof coverings.

No permanent shade structures of any kind may be erected. If a fabric gazebo / umbrella is erected for shade purposes, this must be removed by sunset of the same day. No permanent structure incorporating fabric shadecloth of any type is permitted in the Estate. This includes outdoor 'gazebo' structures of any nature.

5.10 Building elements

- 5.10.1 Chimneys for barbeques and fireplaces are to be designed as a feature of the house and in the same style as the house. The use of cladding for Chimneys is permitted, but only with the prior approval of the HOA
- 5.10.2 Plinths, copings and window and door surrounds are required as per the other houses in the Estate – although the painting of the window or door surrounds in an alternative colour is no longer compulsory.
- 5.10.3 Balustrades should be either brick walls, or painted steel. No pre-cast concrete balustrades will be allowed. Accent colours must be approved.

5.11 Doors and Windows

- 5.11.1 Only internally-fitted security bars are allowed, preferably styled with window pane divisions or mullions.
- 5.11.2 Only Meranti Timber Window Frames are allowed. Update : The use of Aluminium is permitted for windows and stack/sliding doors, provided that ONLY the Dark Bronze colour is used.
- 5.11.3 No security bars are allowed as enclosures for verandahs, patios or balconies.

5.12 Roofs

- 5.12.1 The minimum roof pitch must be 22 degrees, and only Tiled roofs are permissible.
- 5.12.2 Roof apexes must be maintained and replastered when necessary. Painting of the cap on the Apex is required, and must be colour matched to the balance of the roof tiles.



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- 5.12.3 No Fibretec or Asbestos roof coping may be used on the Main house structure, only curved tiles caps.
- 5.12.4 All gutters and downpipes must be an earthy colour and may not be white in colour. Gutters and downpipes must be steel or aluminium, no plastic is permitted.
- 5.12.5 No downpipe of Gutter may drain into the sewerage system.
- 5.13 Exterior walls
No full face brick-houses will be allowed.
- 5.14 Garden sheds, Wendy houses
- The Maximum size of the Entire structure may not exceed 2m x 2m
 - They are placed in the least visible area from Roads or Private Open Spaces.
 - Written permission from neighbours - where construction will be visible - is received.
 - The Roofs of such structures are painted the same colour as tiles of the main roof of the house.
 - The walls of the shed must be painted the same colour as the main house.
 - Further, such structures may not be placed in the building restriction areas of the property.
 - The placement of any Shed/Wendy house must be discussed with the Estate Manager prior to installation.
- 5.15 Carports
Carports may be erected on the road side of the property provided that;
- The columns are constructed SQUARE, are made of brick, plastered and painted to match the house.
 - The roof is flat, and is fully disguised by parapets that match the pillars. The parapets may be chromadek strips, which must match the colour of the house or gutters.
 - The roofing material may not be visible from the road, a ceiling must be fitted.
 - All other requirements, including architectural plans, written permission from neighbours, building lines, pre-approval of HOA, etc is adhered to.
 - No carport may be closer than 2m to the Roadway.



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- 5.16 Washing lines
- All Washing Lines must be screened and may not be visible from the street – or any other communal area. As far as possible, they should not be visible from adjoining properties or roads/coves.
 - No washing (including carpets, bedding, etc) may be hung over the perimeter wall of any property.
- 5.17 All equipment and plant such as, for example and grills, ducts, pool pumps, etc. must be incorporated into the building and be adequately enclosed or screened from view.
- 5.18 Airconditioner external units must be below the perimeter wall line, and out of sight. **The External unit MUST be painted the same colour as the House WALL. The same is applicable to Heat pumps.**
- 5.19 The owner should note that the flow of storm water from a higher lying property or the discharge of storm water on to a lower lying property is obligatory in terms of common law, and the HOA cannot in any way be held responsible for any damage arising there from. Drainage holes may not be sealed off by neighbours.
- 5.20 Gutter and down pipes may be exposed provided they are of a chromadek finish that matches the house roof colour – or an acceptable ‘earth’ colour (excluding white). This is not applicable for patio columns (see 5.8). Plastic Gutters and Downpipes are not acceptable materials for Emerald Estate.
- 5.21 Skylights are permitted.
- 5.22 It is the obligation of each proposed owner, architect, contractor and/or sub contractor to familiarize himself with the current and proposed bulk engineering/municipal services and their location on the Estate. These engineering/municipal services include, but are not limited to water and electrical services, sewerage removal, storm water pipes and drainage. The HOA will not in any way whatsoever be liable for any damage which any owner, proposed owner, architect, contractor or sub contractor may suffer as a result of the existence, situation or otherwise of any such engineering/municipal services



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5.23 Whilst a building deposit is held for the possible damage of infrastructure, should the repair/restoration of a Cove exceed the deposit amount, that difference will be payable by the resident within 30 days of invoice presentation. Failing that payment, the invoice amount will be transferred to the resident's Levy account, and will incur interest at the rate specified by the Levy Service Provider.

5.24 Jojo Tanks

Jojo tanks / Water collection tanks are permitted, provided they comply with the following;

- Tanks may not be visible roads / communal area's.
- Where they will be visible by neighbours, the resident must first obtain permission from the neighbor, and after permission is obtained, then that Jojo tank MUST be an earthy colour (cream, brown, beige, etc.)
- The Jojo tank must be placed alongside the house wall, and not a perimeter wall.
- Jojo tanks should be regularly flushed, in order to avoid any algae build-up, or smells emanating from the tank.

5.25 Property Insurance

Insurance of the main house structure is highly recommended by HOA Board. Whilst the Board cannot insist on this, residents should be advised of the following conditions that are applicable, should fire, lightning, etc – damage any property within the Estate;

- The Homeowner is given a maximum period of 2 months within which to start repairs of the property.
- The Homeowner will have another 8 months from the start of building, with which to complete the repairs.
- Any homeowner that exceeds either of these timeframes, will be fined in accordance with the transgression schedule, every month, until the building is deemed complete.
- The above time periods will not be applicable if there are circumstances outside the control of the homeowner (legal dispute, etc). However, lack of insurance/funds to repair the property as a result of not being insured - will not be considered.

6 General



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All building plans must be prepared by a **registered architect** or an **architectural designer** and submitted for approval to the HOA for approval by the Controlling Architect. Only after this approval has been obtained in writing may plans be submitted to the Local Authority. It is the owner's responsibility to ensure that all plans are submitted and approved by the Local Authority prior to construction.

7 **Driveways, Parking, Paving and Landscaping**

- 7.1 Landscaping on sidewalks must be undertaken by the owners of adjoining stands.
- 7.2 The landscaping theme of the Estate is to encourage the use of indigenous trees and plants. The side walks must be planted with indigenous species. That portion of each property that borders on to the street boundary and that portion of all properties between the building lines and the street boundary must be landscaped using the tree and plan species.
- 7.3 Driveways must be fully paved to the road with coloured pavers as approved by the Controlling Architect.
- Only brick-paving consisting of full bricks and concrete block paving is allowed.
 - No broken bricks, concrete slabs or imprint style paving is allowed.
 - Tar may not be used for any driveway
- 7.4 No galvanized metal is allowed, i.e. doors, garage doors, lean-to's, patio roofs, etc.
- 7.5 No Gazebo's or permanent fabric patio covers – or temporary gazebo's - are permitted
- 7.6 All garden features and structures must fit into the architectural character of the house.

8 **Swimming Pools**

- 8.1 The building of swimming Pools falls within the Scope of these Guidelines, and all applicable Deposits and Costs, Plan submission, and approvals are required.



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- 8.2 Swimming Pools must be built in accordance with the Council requirements.
- 8.3 Pool pump Waste Outlet pipes MUST be shown on the plan, and are subject to rejection / alteration by the board, depending on their location.
- 8.4 Pool waste water may not negatively influence any part of the Estate, including common property, parks, flower beds, access roads or coves.
- 8.5 Rubble removed from the pool dig site MUST be removed immediately after the building of the Pool is complete, or the Owner will be fined as per the Transgressions List.
- 8.6 All Homeowners with Pools must ensure that access by children to their Pool area is locked via a Gate.

9. Completion

- 9.1 When an owner considers his/her building to be complete, they will contact the Estate Manager for inspection of the road and paving around the property.
- 9.2 A building is considered complete when;
 - a) The house is fully constructed and painted as per Architectural Guidelines, and in accordance with the approved plans
 - b) The driveway is complete, from the garage to the road edge – in accordance with clause (7) above
 - c) The Boundary wall is built and in place (including where applicable) – painting of palisade fences
 - d) Grass has been planted on the verge (at least) – OR on all area's visible by other residents. For renovations, the grass and verge must be fully re-instated to the condition it was prior to building.
 - e) The occupational certificate has been issued, and a copy of this stamped certificate is provided to the Estate Manager
 - f) Once the occupational certificate has been received, and the building inspected by the Estate Manager, the monthly building control fee is stopped, and re-



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imbursement of any refundable deposits is initiated.

10. NHBRC

The Owner acknowledges that he/she is aware that all dwellings constructed on the land/property must comply with NHBRC Guidelines and the Housing Consumers Protection of Measures Act (No. 95 of 1998).

11 APPROVAL

11.1 Notwithstanding the fact that any building plan may comply with all the above, the approval or rejection of such plans shall be at the sole discretion of the Homeowner's Association and ARC, which approval shall not be unreasonably withheld.

11.2 The architectural style of the house will be considered in relation to that of other houses in the Estate, as well as the aesthetic appearance and the proposed siting of the building and such other factors as the Homeowner's Association and the ARC in its entire discretion may deem appropriate.

11.3 Nothing in the above will be construed as permitting the contravention of the Conditions of Title of any by-laws or regulations of the Local Authority. Every effort will be made to ensure that standards are observed by all stand owners. However, the right to final approval of building plans ultimately vests in the Local Authority, and no assurance can be given to individual owners that the above required standards will be adopted throughout Emerald Estate

11.4 A monthly building levy of R400.00 per month will be charged for the duration of the construction of the dwelling / renovation. The purpose of the fee is to ensure that the architectural integrity of the Estate is protected by pre-determined on-site visits done at specific stages of construction to ensure that houses are built according to the approved plans. The sites will further be monitored to ensure that the construction sites are kept neat and tidy, that the infrastructure is not damaged and that the operation causes as little inconvenience to others - as possible.