

caThese guidelines set out the design criteria for any building or alterations at Emerald Estate. The guidelines have been developed to protect and maintain the physical and environmental attributes of the Estate.

Emerald Estate is considered “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 shall be at the sole discretion of the Estate.

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

1. PROCEDURE FOR THE APPROVAL OF BUILDING PLANS.

- a) All building plans must be prepared by a registered architect or an architectural designer and submitted to the HOA for approval.
- b) FOUR copies of the original plan submission must be submitted to the Estate Administrator, one of which will be kept for record purposes.
- c) Once the Estate Administrator has reviewed the plans, all four copies will be stamped as APPROVED.
- d) NO construction may commence before this approval has been granted.
- e) THREE copies will be returned to the Homeowner, which are the copies to be submitted to Council. Submission to Council is the responsibility of the Homeowner.
- f) Typically, Council will retain one copy and two are returned to the Homeowner. Homeowners are encouraged to retain one copy in safekeeping, as this may become a mandatory requirement for property transfer.
- g) Once the plan has been APPROVED by the Estate Administrator, the Homeowner must still

get approval from Council PRIOR to any work commencing. This is the time to contact the Estate Administrator to discuss start date and deposit fees (see 1.2 below).

- h) It is the obligation of each proposed owner, architect, Contractor and/or sub-Contractor to familiarise themselves 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

1.1 APPROVAL

- a) 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 Estate Administrator, which approval shall not be unreasonably withheld.
- b) 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 Estate Administrator in its entire discretion may deem appropriate.
- c) 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
- d) The building site will further be monitored to ensure that the construction is kept neat and tidy, that the infrastructure is not damaged, and that the operation causes as little inconvenience to others as possible.
- e) No deviations from the approved drawings will be permitted unless the deviation is

re-submitted and approved in writing prior to construction.

- f) 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.

1.2 BUILDING DEPOSIT FEES

- a) Prior to any work commencing on site, the Homeowner will be required to pay the following building deposits.

A	Refundable building deposit (tarred roads)	R 7,500.00
B	Refundable building deposit (bricked coves)	R 10,000.00
C	Non-refundable road maintenance fee	R 1,000.00
D	Plan scrutiny fee	R 500.00

- b) Only once these deposits have been cleared into the Estate bank account, may Contractors commence work. No trucks will be permitted entry to the Homeowners property before payment of the Building Deposit.
- c) The date the Building Deposit is made is also considered the start date, and Homeowners have 6 months from that date to complete alterations.
- d) 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.
- e) After the Building Deposit has been received, the Estate Administrator will inspect the road, pavement and sidewalk for any existing damages. These will be recorded for comparison on completion.

- f) Contractor times within Emerald Estate are strictly controlled and are non-negotiable.

MONDAY TO FRIDAY

07h30 – 17h00

SATURDAY

08h00 – 13h00

SUNDAY AND PUBLIC HOLIDAYS

Strictly no Contractors permitted.

- g) Homeowners are to advise their Contractors that each member of their crew are required to bring identification with them each day of work. Without any form of identification, they will not be permitted entry to the Estate.
- h) NOTE: A maximum of 5,000 brick load – non-articulated vehicle - will be allowed entry into the Estate at a time. It is the responsibility of the Homeowner to advise their Contractors of this.
- i) Homeowners should be aware that only ‘fixed axle’ vehicles/trucks are permitted access to the Estate (i.e. no horse and trailer), with max. 9.1m length from axle to axle. Vehicles with fluid leaks (eg. oil, diesel, hydraulic etc.) will be denied entry outright and told to park in the main road outside the Estate.
- j) It is the responsibility of the Homeowner to provide ablutions to Contractors. Under no circumstances are any Contractors permitted to use the Gatehouse ablutions. Any Porta-Loos or similar must be placed INSIDE the Homeowners property or building line.

1.3 COMPLETION

When an owner considers his/her building to be complete, they will contact the Estate Administrator for inspection of the road and paving around the property.

A building is considered complete when;

- a) The house is fully constructed and painted as per the Architectural Guidelines, and in accordance with the approved plans
- b) The driveway is complete, from the garage to the road edge.
- c) The Boundary wall is built and in place.
- d) Grass has been planted on the verge and on all areas visible by other residents. For renovations, the grass and verge must be fully reinstated to the condition it was prior to building.

Once the build or alteration has been inspected by the Estate Administrator, reimbursement of any refundable deposits is initiated.

2. SPECIFIC GUIDELINES FOR EMERALD ESTATE PROPERTIES

2.1 Density

Maximum one dwelling per stand.

2.2. Coverage

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

2.3 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 Estate Administrator.

2.4 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 Estate Administrator, whose approval shall not be unreasonably withheld. No relaxation less than 1.0m from the building line will be considered.

2.5 House Size

Although no minimum house size is prescribed, the HOA shall be entitled to not 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 Board 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.

3. PROHIBITED BUILDING MATERIALS AND STRUCTURES

The following elements are prohibited in Emerald Estate

- a) Unpainted plaster.
- b) Pre-cast concrete walls of any kind – including inlay pre-cast
- c) Wood fencing Panels (see 4.5.i)
- d) Razor wire, security spikes or similar features on top of walls
- e) Shade netting or temporary carports (see 4.10)
- f) Thatching of any sort
- g) Arches of any type

4. EXTERNAL FINISHES

Prior written permission needs to be obtained from the Estate Administrator should any owner want to use any material or colour other than the prescribed bricks, roof-tiles, external doors, window frames or paint colour. All external finishes and colours must conform to the following:

4.1 STRUCTURE WALLS

- a) No full face-brick houses will be allowed.
- b) Outbuildings and additions should match the original design and style, both in elevation and in material used.
- c) Wall colours: Any “earthy” colour.

Residents are required to paint a 500mm x 500mm square of the proposed colour to be pre-approved by the Estate Administrator prior to the continuation of the painting.

- d) Window and door surrounds must also be an ““earthy”” colour, including white, but excluding black. Window surrounds/window reveals need not be a different colour to the house colour.
- e) Approved face brick panels or tiles may only be used for the plinth (below the foundation line).

4.2 ROOFS

- a) Original Manufacturer: **Monier Roofing** (previously Lafarge); Type: **Taunus**
- b) The minimum roof pitch must be 22 degrees, and only tiled roofs are permissible.
- c) 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.
- d) No Fibretec or asbestos roof coping may be used on the main house structure, only curved tile caps.
- e) 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.
- f) No downpipe or gutter may drain into the sewerage system.
- g) Gutter and down pipes may be exposed provided they are of a painted Chromadek finish that matches the house roof colour – or an acceptable ‘earth’ colour (excluding white). This is not applicable for patio columns (see 4.6)
- h) Plastic gutters and downpipes are not acceptable materials for Emerald Estate.
- i) The Homeowner 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 therefrom. Drainage holes may not be sealed off by neighbours.
- j) For repainting of roofs - any “earthy” colour, including dark grey/charcoal. Residents are required to paint a 500mm x 500mm proposed colour onto their roof to be pre-approved by the Estate Administrator prior to the continuation of the painting.
- k) Skylights are permitted, provided they follow the grade and contour of the existing roofline. No roof-balconies are permitted.

4.3 DOORS AND WINDOWS

- a) Only Meranti timber window frames, or aluminium frames are permitted for windows and stack/sliding doors.
- b) Timber frames are to be treated regularly.
- c) Aluminium frames may ONLY be **dark bronze** or **white** in colour.
- d) Only internally fitted security bars are allowed, preferably styled with windowpane divisions or mullions.
- e) No security bars are allowed permitted as enclosures for verandahs, patios or balconies.
- f) Window and door awnings as well as any other items which do not form part of the basic structure should be clearly shown and annotated on approval drawings.
- g) Any installed awnings MUST be “earthy” coloured and must be approved in writing by the Estate Administrator.

4.4 DRIVEWAYS & SIDEWALKS

- a) Landscaping on sidewalks must be undertaken by the owners of adjoining stands.
- b) The landscaping theme of the Estate encourages the use of indigenous trees and plants. The sidewalks must be planted with indigenous species.
- c) The 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.
- d) Driveways must be fully paved to the road with coloured pavers.
- e) Only brick-paving consisting of full bricks and concrete block paving is allowed.
- f) No broken bricks or concrete slabs are allowed.
- g) Tar may not be used for any driveway
- h) No galvanized metal is allowed, i.e. doors, garage doors, lean-tos, patio roofs, etc.
- i) No gazebos or permanent fabric patio covers – or temporary gazebos - are permitted
- j) All garden features and structures must fit into the architectural character of the house.

4.5 BOUNDARY WALLS

- a) The brick used for Boundary walls (Corobrik Dusk Satin Semi Face) has been discontinued. Residents must make every effort to match the boundary wall brick.
- b) Boundary walls may not be plastered on the street side, but may be plastered and painted on the inside – per paint colour guidelines (see 4.1.c)
- c) The normal wall height is 1.2m, which may be raised to 1.8m, with Estate Administrator approval. The 1.8m is measured from the lowest part of the wall (on either side of the boundary wall line).
- d) It is the responsibility of the Owner to consult with neighbours on cost sharing – with regards to perimeter walls, or raising of, or repairing of existing walls.
- e) Where repairs are done to walls, the Contractor appointed shall clean (or joint) both sides of the wall.
- f) 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.
- g) 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.
- h) Where the boundary wall has been approved to 2 metre height (only in specific circumstances, and approved in writing from the Estate Administrator), the following conditions apply;
 - From height 1,5m and upward, the panels must be interlocked on each row
 - Every 2nd row must contain 'brick force' wire reinforcing along the length
- i) 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 (interwoven or trellis type only)

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

Screening above walls is limited to 400mm height maximum.

4.6 PATIO ROOF, VERANDAH'S AND AWNINGS

- a) A maximum of 10% of the house area is allowed in the form of flatter roof structures (less than 17 degrees),
- b) Supporting pillars are to be constructed of brick, plastered and painted to match the house.
- c) The roof material must be disguised by parapets that match the pillars. These parapets must then be painted the same colour as the house.
- d) The same applies to fascias (of any material) used for Chromadek roof coverings.
- e) Where residents opt to install a "Louvre-Deck" type covering, the pillars incorporate the water downpipe and need not be constructed of brick and plastered. These must be painted to an "earthy" colour to match the property. Louvre Deck fascias and pillars may not be white in colour.

4.7 SWIMMING POOLS

- a) The building of swimming pools falls within the scope of these Guidelines, and all applicable deposits and costs, plan submission, and approvals are required.
- b) Swimming pools must be built in accordance with Local Council requirements.
- c) Pool pump waste outlet pipes MUST be shown on the plan and are subject to rejection / alteration by the Board, depending on their location.
- d) Pool wastewater may not negatively influence any part of the Estate, including common property, parks, flower beds, access roads or coves.
- e) Rubble removed from the pool excavation site MUST be removed immediately after the building of the pool is complete, or the Owner will be fined as per the Transgressions List.
- f) All Homeowners with pools must ensure that access by children to their pool area is restricted by a locked gate.

4.8 SOLAR PANELS

Only panelled solar heating/swimming pool heating is permitted. No coiled or exposed piping.

4.8.1 Solar PV Panels

The fitting of ANY solar heating panels must be pre-approved in writing.

Photo-Voltaic (PV) Solar Panels must comply with the following;

- a) May ONLY be fitted to a frame or brackets – which must be flatly and securely mounted to the roof.
- b) The framed panels may only be fitted to the roof, no stand-alone garden sub-structure.
- c) All PV Panels are to follow the gradient and slope of the existing roofline.
- c) No frame or panel may protrude past the hip or peak of the roof.
- d) No cabling may be visible from the street or by neighbouring properties.

4.8.2 Water Heating Panels

- a) The use of POOL solar heating pipes is approved; however, the main supply and outward pipes must be BLACK in colour only.
- b) All external plumbing must be attached vertically on the wall and screened inside trunking OR painted to match the house colour.
- c) 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.

4.8.3 Solar Geysers

- a) No external-geyser solar panels system may be used. While tube-type glass panels are permitted on the roof, the geysers must be inside the roof, and may not be visible on the exterior of the Property.

The use of Wind Turbine Generators is not authorised for use within the Estate because of their size, and the noise generated by the blades.

4.9 WATER STORAGE TANKS

Water collection tanks (JoJo's) are permitted, provided they comply with the following;

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

4.10 CARPORTS

Carports may be erected on the roadside of the property provided that;

- a) The columns are constructed SQUARE, are made of brick, plastered and painted to match the house.
- b) 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.
- c) The underside of the roofing material may not be visible from the road, otherwise a ceiling must be fitted.
- d) All other requirements, including architectural plans, written permission from neighbours, building lines, pre-approval of HOA, etc is adhered to.
- e) No carport may be closer than 2m to the roadway or to the neighbouring properties. The measurement is taken from the roofline of the carport.
- f) No free-standing carports are permitted.

4.11 WASHING LINES

- a) 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.
- b) No washing (including carpets, bedding, etc) may be hung over the perimeter wall of any property.

4.12 GARDEN SHEDS

- a) The maximum size of the entire structure may not exceed 2m x 2m.
- b) Only 1 (one) garden shed will be permitted on any Property.
- c) They are placed in the least visible area from roads or private open spaces.
- d) Written permission from neighbours where construction will be visible must be received.
- e) The roofs of such structures are painted the same colour as tiles of the main roof of the house.
- f) The walls of the shed must be painted the same colour as the main house.
- g) Further, such structures may not be placed in the building restriction areas of the property.
- h) The placement of any shed/Wendy house must be discussed with the Estate Administrator prior to installation.
- i) The garden shed may not be used for the purposes of human habitation, whether on a permanent or temporary basis. Its purpose must be for the storage of gardening and/or household tools only.

4.13 AIRCONDITIONERS AND HEAT-PUMPS

- a) Airconditioner external units must be below the perimeter wall line, and out of sight.
- b) The external unit **MUST** be screened **OR** painted the same colour as the house WALL.
- c) The above is also applicable to heat pumps.

4.14 SHADE STRUCTURES

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

4.15 STAFF ACCOMMODATION

- a) Staff accommodation and kitchens should open on to screened yards or patios and must not be visible to any neighbour.
- b) 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.
- c) No staff may be accommodated in garden sheds (see 4.12)

4.16 OTHER BUILDING ELEMENTS

- a) 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
- b) 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.
- c) Balustrades should be either brick walls, or painted steel. No pre-cast concrete balustrades will be allowed. Accent colours must be approved.
- d) All equipment such as, for example, grills, ducts, pool pumps, etc. must be incorporated into the building and be adequately enclosed or screened from view.
- e) Boreholes are controlled by Local Government and no borehole may be drilled without the required permits and the approval of the Board, and not without first receiving written approval from the Council.

5. 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;

- a) The Homeowner is given a maximum period of 2 months within which to start repairs of the property.
- b) The Homeowner will have another 8 months from the start of building, within which to complete the repairs.
- c) 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.
- d) 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.