



ANNEXURE D
REVISED ARCHITECTURAL GUIDELINES
SINGLE RESIDENTIAL ERVEN, AS AMENDED ON
24 MARCH 2011

INTRODUCTION

1. The main business of the Association is the promotion, advancement and protection of the interests of the Members of the Home Owners' Association (HOA).
2. The Greenways Building and Architectural Review Committee (BARC) is appointed by the Trustees of the HOA to protect the long-term values of properties in Greenways and to ensure that aesthetic and functional building standards are maintained.
3. To allow for diversity and interest, a variety of architectural designs are encouraged. In principle no limitations are placed on materials other than reflective roofing, unpainted plaster or unplastered stock brick walls visible to neighbouring stands or from public open spaces (POS). The Group Housing Development, Village Green, will be of the Cape Victorian Townhouse style as laid down by the developer.
4. Sectional Title owners are subject to the Building Regulations and fees pertaining to individual Sectional Title Schemes in Greenways. They do, however, need Builder's Permits issued by Greenways Management only.

MEMBERSHIP OF THE HOME OWNERS' ASSOCIATION

5. Membership of the HOA is compulsory for every registered owner of a Land Unit on the Estate. Such membership commences simultaneously with the transfer of the Land Unit into the name of the transferee. When a Member ceases to be the registered owner of a residential Land Unit he shall ipso facto cease to be a Member of the HOA.
6. A Member shall not transfer a Land Unit unless it is a condition of the transfer that:
 - a. the registration of transfer of that Land Unit into the name of the transferee shall ipso facto constitute the transferee as a Member of the Association;
 - b. the written consent of the Trustees of the HOA has been obtained.

7. The condition as aforesaid shall be made conditions of the relevant Property upon registration of transfer thereof and the terms of this Annexure D shall be binding on all successors of title of the purchaser and shall include the same in any deed of sale entered into with any party hereafter regarding the sale of this property and shall impose a condition on the following purchaser that such condition shall likewise be imposed on the successor of title.

BUILDING PLANS

8. General.

- a. The BARC will take a total view of what is most beneficial to Greenways as a whole whilst giving a balanced consideration to the practical and individual needs of the applicant.
- b. The BARC only evaluates the aesthetics of any submission and cannot take any responsibility for technical, structural, health or safety standard or for non-compliance with municipal or any other statutory requirements.
- c. Where any reference is made to approval being required anywhere in this document such approval must be in writing and a copy thereof must be lodged with the HOA.
- d. All building projects shall comply with the requirements prescribed in the Town Planning Scheme of the Strand (Helderberg) Municipality.
- e. All builders must be registered with the “*National Home Builders Registration Council SABS.0400 National Building Code*”.

9. Legal Status

- a. This document does not take preference over any statutory provisions. Should any provision of this document be regarded as contrary to the NBR, then the NBR shall prevail. Any applications for waivers of the NBR or any other statutory requirements should first meet with the approval of the BARC.
- b. This document must be read in conjunction with the HOA constitution and any regulations made there under.
 - i. All building regulations as contained in these Architectural Guidelines, Annexure D, must be observed and will be enforced in terms of the Constitution. This includes the imposition of penalties contained in the revised Architectural Guidelines, Annexure D, and/or the retention of the builder’s deposit where appropriate.
 - ii. The Trustee Committee has the mandate to make amendments to the Architectural Guidelines, Annexure D. However these amendments may be subject to ratification by a General Meeting at the discretion of the Trustee Committee.

- c. Nothing in this document shall be construed as permitting the contravention of the Condition of Title on any Land Unit or any by-laws or regulations of the Local Authority.
 - d. This revised edition does not affect dwellings constructed under the previous guidelines.
 - e. Any plan received for approval by the BARC after 01 August 2004 must comply with this revised edition of the guidelines, unless it can be proved that the design procedures commenced before such date in which case the previous guidelines shall apply subject to BARC approval.
 - f. Notwithstanding the fact that the building plans may comply with all applicable rules and conditions, the approval or rejection of such plans shall be at the sole discretion of the HOA
10. **Plans Required.** Owners of properties in Greenways must submit building plans for approval by the BARC for:
- a. New dwellings to be erected.
 - b. Any external alterations or additions;
 - c. Any internal alterations or additions that could be construed as altering the single residential nature of the dwelling *to double or more*.
 - d. Any new boundary walls, retaining walls or fences to be erected.

DESIGN REVIEW AND APPROVAL PROCESS OF BUILDING PLANS

11. **Design Review.**
- a. It is strongly recommended that concept drawings and sketch plans be submitted for review before final drawings are prepared. This could obviate changes enforced by the BARC as well as unnecessary delays and the risk of rejection of working drawings.
 - b. Sketch plans to include floor plans, elevations, site layout and external materials to be used.
12. **Approval.** All documentation and plans for the BARC must be routed via the Estate Manager. The BARC will enforce the contents of this document and any other requirements at its discretion. Each design will be treated on its own merit.
- a. **Timing.** Final working drawings should be submitted to the BARC for scrutiny and approval at least three weeks prior to the anticipated Local Authority submission date. The Local Authority needs at least three to four weeks for processing.

- b. **Number**: At least four full sets should be submitted as well as any additional requirements of the BARC.
 - c. **Alterations**. No alterations to approved plans, elevations and specifications shall be made without the written consent of the BARC.
 - d. **Local Authority**. The Local Authority will not approve any plans without the HOA's stamp of approval. Owners/builders are to submit to and collect plans from the Local Authority themselves.
 - e. **Builder's Permits**. These permits will be issued by Greenways Management only after receiving a signed receipt for a "Builder's Code of Conduct" and proof of all relevant fees having been paid. This date will signify the start of the "*one year building period*".
 - f. **Inspections**. It is the member's responsibility to have their foundations inspected by the Helderberg Municipality Inspectors before concrete is poured and all subsequent prescribed inspections. The Estate Manager will do ad hoc, or on request, site inspections.
 - g. **Deviations**.
 - i. If any deviations from the approved plans are found, building activities will be stopped till approval has been obtained from the BARC.
 - ii. If any rules and regulations as laid down in the *Builder's Code of Conduct* are contravened the Builder's Permit will be terminated till the problem has been resolved.
 - h. **Completion Certificate**. On completion of all building and related activities a Completion Certificate will be issued. After reconciliation of the relevant damages, fees and fines the (balance of the) Builder's Deposit with accrued interest will be refunded.
13. **Fees**. Scrutiny fees will be paid directly to the scrutinizing agent. Builder's deposits will be invested in an interest bearing Trust account for the benefit of the depositor. This deposit will be used to defray any expenses incurred in repairing damage to the adjacent off-site properties caused in the building process and any other damage to the property of the HOA or Municipality. On completion of building and related activities the deposit plus accumulated interest minus damages will be paid to the depositor. The following fees are to be paid on submission of plans:
- a. **R200-00** non-refundable fee to the scrutiny agent of the HOA for the review of preliminary plans. (Optional)
 - b. **R500-00** non-refundable fee to the scrutiny agent of the HOA for the scrutiny of the final working drawings of a new dwelling.
 - c. **R250-00** non-refundable fee to the scrutiny agent of the HOA for the scrutiny of the final working drawing for additions, alterations or boundary walls.

- d. **Rxxx-xx** to the Local Authority for their scrutiny, approval and series of inspections of a new dwelling.
 - e. **R20 000-00** as a “Builder’s Deposit” to the Managing Agents for a new dwelling.
 - f. **R5000-00** as a “Builder’s Deposit” to the Managing Agents for additions, alterations and boundary walls at existing dwellings.
 - g. **Rxxx-xx** to the Local Authority for their scrutiny, approval and series of inspections of alterations, additions and boundary walls at existing dwellings.
 - h. The HOA reserves the right to retain the builder’s deposit or part thereof should the Member or builder breach any rules and/or regulations as stated in this Annexure or in the “Code of Conduct for Building Contractors”.
14. **Penalties.** The building period will commence from the date of issuance of a builder’s permit. Members will be fined as follows should their building activities exceed twelve months for a new dwelling and four months for alterations and additions:
- a. **New Dwelling:** For every additional month after 12 months used for completion, a penalty of up to R10000-00 (ten thousand rand) will be charged by the HOA.
 - b. **Alterations and Additions.** For every additional month after 4 months used for completion, a penalty of up to R5000-00 (five thousand rand) will be charged by the HOA.
15. **Contents.** The final working drawings submitted to the BARC will consist of:
- a. All floor plans with proper dimensions showing the square meters of all areas of each floor.
 - b. All elevations with a clear indication of exterior treatment of all buildings, the materials to be used and the colours of all roofs and walls, including perimeter walling and fencing. Scale 1:100, 1:50.
 - c. A minimum of 1 section -- showing n.g.l., f.g.l. and scale 1:100, 1:50.
 - d. All pergolas to be drawn on plan and elevations.
 - e. A sewer and electrical layout.
 - f. A window and door schedule with description of materials to be used.
 - g. A site plan indicating:
 - i. Open spaces, e.g. laundry yards, private gardens, landscape areas, driveways and existing trees.

- ii. Swimming pool with dimensions, sections and distance from main building and boundary. Pool pump shall be placed discreetly and enclosed.
- iii. Building lines and other restrictions.
- iv. Storm water management.
- v. Cadastral information (i.e. boundary dimensions) north point, street number, erf and adjoining erf numbers, positions of adjacent buildings.
- vi. Dimensions of all structures to boundaries.
- vii. Ground contours, street and corner peg levels.
- viii. Proposed finished ground levels.
- ix. Boundary yard and yard walls with dimensions (height).
- x. Size of dwelling and size of erf including percentage coverage.

GENERAL ARCHITECTURAL REQUIREMENTS AND GUIDELINES

- 16. **Floor Area.** The floor area of the main dwelling on each erf excluding garages, store rooms and staff accommodation shall not be less than 150m² in extent. Floor area for the Group Housing Development shall not be less than 80m².
- 17. **Height.** The maximum height of dwellings may not exceed two stories or 11m. Roof gardens, patios, mezzanines and attics on a third floor level are prohibited.
- 18. **Cellars.** Owners who intend building a cellar beneath their houses must submit an engineer's certificate detailing how ground water will be pumped out and where it will be pumped to.
- 19. **Outbuildings and Additions.**
 - a. All outbuildings and additions shall match the original design, finish and style, both in elevation and in material usage, in particular the roof.
 - b. Staff accommodation and kitchens shall open on to a screened yard or patio.
 - c. **Exclusions.** The following structures are not allowed.
 - i. Pre-cast concrete garages.
 - ii. Lean-to's.
 - iii. Temporary carports.
 - iv. Shade netting.
 - v. "Wendy"-houses or similar structures as outbuildings other than paragraph 19.d below.
 - vi. Port-a-pools bigger than 2m in diameter when the safety measures do not subscribe to the SABS 0400-1900 standards regarding fencing or to paragraphs 20 and 21 below regarding preferred fences on Greenways.
 - d. **Doll's Houses.** "Wendy" or similar designed and built doll's houses are allowed subject to the following:
 - i. The size of the structure may not exceed 1,5m (high) x 1,8m x 1.8m with a verandah extension not exceeding 1,0m.
 - ii. The structure and roof must be painted in the same colour scheme as the main house.
 - iii. The structure must be placed as unobtrusive as possible.

- iv. The structure may be used as a doll's house only and will have to be removed if the owner uses it for any other purpose, including servant's quarters, garden tool shed or other storage facility.
 - v. All neighbours must give permission in writing before approval by the Trustees.
 - vi. The structure must be removed when the house is sold or, the new owners must reapply to keep the doll's house under the prescribed conditions.
20. **Boundary Walls and Fences.** Yard, screen and boundary walls should complement the basic materials of the buildings and will be subject to approval by the BARC. The following limitations may not be exceeded:
- a. Boundary walls may not exceed 1,8m in height. The BARC may reconsider this limitation on a written request from the owner and written permission from the adjacent neighbour(s).
 - b. Only 25% of boundary walls facing the golf course and rivers may be of solid masonry. The rest may consist of either approved steel bars or decorative palisading between plastered or unplastered face bricks. Boundary walls facing the golf course or rivers shall not exceed 1,8m in height.
 - c. No solid boundary walls shall be erected on the sea front. Solid masonry boundary walls between sea front houses may only extend to the building line on the sea front. Members with sea front dwellings may erect prefabricated metal fences facing the sea, the design of which must be complimentary to the house's architectural design and colour and shall specifically be approved by the BARC. Allowing for the contours of the plot, the height of sea facing fences may not exceed 1500mm in height.
 - d. Retaining walls need special application subject to engineering specifications and may vary in height.
21. **Fencing.** Wire fencing, precast walls and wood panel fencing shall not be permitted under any circumstances. Razor wire or similar tops are not permitted except on the outer perimeter wall of the Estate and shall be for the account of the HOA.
22. **Attachments.** The following guidelines re attachments will be closely monitored:
- a. **Awnings, TV aerials, blinds** and other items that do not form part of the basic structure should be clearly shown and annotated.
 - b. **Solar heating panels** should be incorporated into the buildings to form part of the basic structure and should be clearly shown and annotated. Solar panels may not extend above the roof profiles.
 - c. **Plumbing,** if exposed, must be ducted.

- d. **Washing Lines** must be screened from the street elevation or other visible elevation.
23. **External Finishes**. All external finishes and colours must be shown. Colour samples may be requested. No roof covering profiles may be visible except F.C. Victorian profile at Village Green. The following materials are not allowed:
- a. Reflective roofing material.
 - b. Canadian Pattern roof sheeting.
 - c. Big six corrugated asbestos sheeting.
 - d. IBR sheeting if visible from any elevation.
 - e. Translucent sheeting if visible from any elevation.

BUILDING LINES, STREET EDGES AND BOUNDARY PLANTING

24. **Sidewalks**. The maintenance of sidewalks is the responsibility of the relevant member and has a direct impact on the aesthetic quality of the neighbourhood. The diverse nature of residential neighbourhoods should give rise to a varied treatment of street boundaries. To create a degree of visual integrity street boundary wall designs will be strictly controlled. At least 1m-walking space must be allowed between the street's edge and any planting.
25. **Building Lines**.
- a. Set backs from the boundaries must be in accordance with the Strand's Town Planning Scheme except that with erven 9 to 29 the street building line has been reduced to 3,5m. No building will be allowed within that area. Where that line has been exceeded with boundary walls, Members will be requested to rectify the matter.
 - b. Thatched roof houses must be built not closer than 4,5m to any boundary, including boundaries to POS. ***This will be enforced without any exception.***
26. **Hedging**. The height of boundary planting, including hedges, shrubs and trees, may not exceed 1,5m. Neighbours must give written permission for their view to be obscured by hedges, shrubs or trees before the HOA will consider it.
27. **Extended Gardens**. Owners of beachfront erven may apply for extended gardens onto POS maintained by the HOA stretching to the dune area owned by the Helderberg Municipality. Plants must be indigenous, no lawn may grow onto the dunes, and sufficient open space must be left for members to walk and maintenance vehicles to drive on. No extended gardens will be allowed onto the golf course.
28. **Protected Trees / Plants**. Members are not allowed to remove any protected trees or plants to erect a dwelling. The HOA is not, under any circumstances,

allowed to approve any building plans that would cause to endanger or necessitate the removal of any protected tree(s) plant(s) or shrub(s).

FINAL INSPECTION

29. It is the responsibility of the Member to obtain an "Occupation Certificate" from the Helderberg Municipality. The Estate Manager will carry out the final inspection after completion of the building activity on Greenways. In the case of the Sectional Titles, the caretaker will carry out the inspection. The following aspects will be monitored:
- a. Completion and finish according to approved specifications.
 - b. No exposed plumbing.
 - c. Removal of building rubble.
 - d. Damage to neighbouring properties.
 - e. Damage to public open spaces.
 - f. Damage to Municipal areas and properties.