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GREENWAYS COUNTRY ESTATE ARCHITECTURAL GUIDELINES

FOR SINGLE RESIDENTIAL ERVEN As amended on 20 March 2019

1. INTRODUCTION

- 1.1 The main business of the Association is the promotion, advancement and protection of the interests of the Members of the Greenways Country Estate Home Owners' Association (HOA).
- 1.2 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 brick walls visible to neighbouring stands or from common areas. The Group Housing Development, Village Green, will be of the Cape Victorian Townhouse style as laid down by the developer.
- 1.3 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.

2. MEMBERSHIP OF THE HOME OWNERS' ASSOCIATION

- 2.1 Membership of the HOA is compulsory for every registered owner ('Member') 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.
- 2.2 A Member shall not transfer a Land Unit unless it is a condition of the transfer that:
 - 2.2.1 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;
 - 2.2.2 the written consent of the Trustees of the HOA has been obtained.
- 2.3 The condition as aforesaid shall be made conditions of the relevant Property upon registration of transfer thereof and the terms of these conditions 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.

3. BUILDING PLANS

3.1 General.

- 3.1.1 The Greenways Building and Architectural Review Committee (BARC), as a standing sub-committee of the Trustee Board 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.
- 3.1.2 The HOA 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.
- 3.1.3 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.
- 3.1.4 All building projects shall comply with the requirements prescribed in the City of Cape Town Municipal Planning By-Law, 2015 and SANS 10400 National Building Regulations. The Municipality will be responsible for the verification and enforcement of all applicable boundaries and building lines. Spacing of common building lines is also subject to Greenways HOA approval.
- 3.1.5 All builders must be registered with the NHBRC (National Home Builder Registration Council).

3.2 Legal Status

- 3.2.1 This document does not take preference over any statutory provisions. Should any provision of this document be regarded as contrary to the SANS 10400 National Building Regulations and/or the City of Cape Town Municipal Planning By-Law, 2015, then such regulations shall prevail. Any applications for waivers or departures from such regulations or any other statutory requirements should first meet with the approval of the HOA.
- 3.2.2 This document must be read in conjunction with the HOA Constitution and any regulations made there under.
- 3.2.3 All building regulations as contained in these Architectural Guidelines, must be observed and will be enforced in terms of the Constitution. This includes the imposition of penalties contained in the Architectural Guidelines, and/or the retention of the builder's deposit where applicable.
- 3.2.4 The Trustee Committee has the mandate to make amendments to the Architectural Guidelines.
- 3.2.5 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.

- 3.2.6 This revised edition does not affect dwellings constructed under the previous guidelines.
- 3.2.7 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.

3.3 **Plans Required.**

- 3.3.1 Owners of properties in Greenways Estate must submit building plans for approval by the HOA for:
 - 3.3.1.1 New dwellings to be erected;
 - 3.3.1.2 Any external alterations or additions;
 - 3.3.1.3 Any internal alterations or additions that could be construed as altering the residential nature of the dwelling.
 - 3.3.1.4 Any new boundary walls, retaining walls or fences to be erected.

4. **DESIGN REVIEW AND APPROVAL PROCESS OF BUILDING PLANS**

4.1 **Design Review.**

- 4.1.1 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 HOA as well as unnecessary delays and the risk of rejection of working drawings.
- 4.1.2 Sketch plans to include floor plans, elevations, site layout and external materials to be used.

4.2 **Approval.**

- 4.2.1 All documentation and plans for the BARC/HOA must be routed *via* the Estate Manager. The HOA will enforce the contents of this document and any other requirements at its discretion. Each design will be treated on its own merit.

4.3 **Timing.**

- 4.3.1 Final working drawings should be submitted to the BARC/HOA for scrutiny and approval at least three weeks prior to the anticipated Local Authority submission date. The HOA does not take any responsibility for the time that the Local Authority requires for its own processing.

4.4 **Documents required.**

- 4.4.1 Two full sets of printed plans must be submitted as well as any additional requirements of the BARC/HOA. One printed plan set will be stamped and signed and returned to the applicant upon approval for submission to the local authority. The other printed plan set will be retained at the office of the Estate Manager for record purposes.
- 4.4.2 A printed copy of the Title Deed must accompany the printed plan sets.
- 4.4.3 A PDF copy of the building plans must be presented to the Estate Manager on a memory stick. The electronic plans will be downloaded and the memory stick returned to the applicant.

4.4.4 Where departure applications are or will be required, the applicant must approach all affected neighbours (as identified by the HOA) and obtain their written consents or objections to all departures. Without the written consents or objections, the HOA will not consider the approval of any departure application.

4.5 **Alterations.**

4.5.1 No alterations to approved plans, including (but not limited to) floor plan outlays, elevations and specifications shall be made without the written consent of the HOA. Should the building plans approved by the local authority differ substantially from the plans approved by the HOA due to corrections, one set of printed final plans must be submitted to the Estate Manager for record purposes, together with an electronic PDF version of the final plans.

4.6 **Local Authority.**

4.6.1 Greenways Management will supply the applicant with an approval letter for submission to the local authority. The applicant will be responsible for the collection of the building plans from the HOA once approved, as well as for the submission to and collecting plans from the local authority.

4.6.2 No building activity shall commence until the building plans have been approved by the local authority. A copy of the approved building plans must be available on site and presented to Estate Management upon request.

4.7 **Builder's Permits.**

4.7.1 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*'.

4.8 **Inspections.**

4.8.1 It is the owner's responsibility to have the foundations inspected by the Municipality Building Inspectors to *inter alia* verify positions in relation to boundaries and building lines, before concrete is poured as well as all subsequent prescribed inspections. The Estate Manager will do *ad hoc*, or on request, site inspections. The Estate Manager may not be refused reasonable access to the building site.

4.9 **Deviations.**

4.9.1 If any deviations from the approved plans are found, building activities will be stopped until approval has been obtained from the HOA.

4.9.2 If any rules and regulations as laid down in the '*Builder's Code of Conduct*' are contravened the Builder's Permit will be terminated and building activities may be stopped until the problem has been resolved.

4.10 **Completion Certificate.**

4.10.1 On completion of all building and related activities a Completion Certificate will be issued by the Estate Manager. After reconciliation of the relevant damages, fees and fines the (balance of the) Builder's Deposit with accrued interest will be refunded.

4.11 **Fees.**

4.11.1 Scrutiny fees will be paid directly to the HOA. 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:

4.11.1.1 R300,00 non-refundable fee to the HOA for the review of preliminary plans. (*Optional*)

4.11.1.2 R1'000,00 non-refundable fee to the HOA for the scrutiny of the final working drawings of a new dwelling.

4.11.1.3 R500,00 non-refundable fee to the HOA for the scrutiny of the final working drawing for additions, alterations or boundary walls.

4.11.1.4 R30'000,00 as a 'Builder's Deposit' to the Managing Agents for a new dwelling.

4.11.1.5 R7'000,00 as a 'Builder's Deposit' to the Managing Agents for additions, alterations and boundary walls at existing dwellings.

4.11.2 The HOA reserves the right to request a 'Builder's Deposit' of R5'000,00 in the case of internal rejuvenation at existing dwellings, particularly where heavy freight is to be delivered to the dwelling and/or where skips and/or building material will be on site for prolonged periods.

4.11.3 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 Guideline or in the 'Code of Conduct for Building Contractors'.

4.12 **Penalties.**

4.12.1 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:

4.12.1.1 New Dwelling: For every additional month after twelve (12) months used for completion, a penalty of up to R7'000 (seven thousand rand) will be charged by the HOA.

4.12.1.2 Alterations and Additions. For every additional month after four (4) months used for completion, a penalty of up to R3'000,00 (three thousand rand) will be charged by the HOA.

4.13 **Minimum building plan details.**

4.13.1 The final working drawings submitted to the BARC/HOA must at least contain the following minimum details:

4.13.1.1 All floor layout plans with proper dimensions and clear indications of the floor-factor calculation, footprint percentage calculation and total square meters per floor storey.

- 4.13.1.2 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 or 1:50).
- 4.13.1.3 At least one section clearly indicating natural ground level and finished floor levels of each floor storey, together with the maximum height of the building (scale 1:100 or 1:50), calculated over the natural ground level.
- 4.13.1.4 All pergolas to be indicated on the floor plan outlays and elevations.
- 4.13.1.5 A sewer and electrical layout plan.
- 4.13.1.6 A window and door schedule with description of materials to be used.
- 4.13.1.7 Energy efficiency calculation indicating at least water heating methods and fenestration calculation.
- 4.13.1.8 A site plan indicating:
 - i) Open spaces, e.g. laundry yards, private gardens, landscape areas, driveways, retention walls 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 and natural ground levels.
 - ix) Boundary yard and yard walls with dimensions (height).

5. GENERAL ARCHITECTURAL REQUIREMENTS AND GUIDELINES

5.1 Floor Area.

- 5.1.1 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.

5.2 Height.

- 5.2.1 The maximum height of dwellings may not exceed two stories or 11m. Roof gardens, patios, mezzanines and attics on a third floor storey are prohibited.

5.3 Cellars.

- 5.3.1 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.

5.4 Outbuildings and Additions.

5.4.1 All outbuildings and additions shall match the original design, finish and style, both in elevation and in material usage, in particular the roof.

5.4.2 Staff accommodation and kitchens shall open on to a screened yard or patio.

5.5 **Exclusions.**

5.5.1 The following structures are not allowed.

5.5.1.1 Pre-cast concrete garages.

5.5.1.2 Lean-to's, other than car ports.

5.5.1.3 Temporary carports.

5.5.1.4 Shade netting.

5.5.1.5 'Wendy'-houses or similar structures as outbuildings other than paragraph 5.6.1 below.

5.5.1.6 'Port-a-pools' bigger than 2m in diameter when the safety measures do not subscribe to the SANS 10400 regulations regarding fencing or to Sections 5.8 and 5.9 below regarding preferred fences on Greenways.

5.6 **Doll's Houses.**

5.6.1 "Wendy" or similar designed and built doll's houses are allowed subject to the following:

5.6.1.1 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.

5.6.1.2 The structure and roof must be painted in the same colour scheme as the main house.

5.6.1.3 The structure must be placed as unobtrusive as possible.

5.6.1.4 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.

5.6.1.5 All neighbours must give permission in writing before approval by the HOA.

5.6.1.6 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.

5.7 **Portable Trampolines.**

5.7.1 Portable trampolines are allowed subject to the following:

5.7.1.1 The size of the trampoline may not exceed 4,5m in circumference (outside measurement).

5.7.1.2 The total height of the portable trampoline (measured from ground level) may not exceed 1,5m. If safety nets are used, such nets must be removed at all times when the trampoline is not in use. If the trampoline is sunk into the ground, permanent safety nets may be used on condition that the total height does not exceed 1,5m.

5.7.1.3 Portable trampolines must be placed as unobtrusive as possible and kept in a neat condition at all times.

5.8 **Boundary Walls and Fences.**

5.8.1 Yard, screen and boundary walls should complement the basic materials of the buildings and will be subject to approval by the HOA. The following limitations may not be exceeded:

5.8.1.1 Boundary walls may not exceed 1,8m in height. The HOA may reconsider this limitation on a written request from the owner and written permission from the adjacent neighbour(s).

- 5.8.1.2 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 stock bricks or unplastered face bricks. Boundary walls facing the golf course or rivers shall not exceed 1,8m in height.
- 5.8.1.3 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 or composite woodplastic 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 HOA. Allowing for the contours of the plot, the height of sea facing fences may not exceed 1,5m in height.
- 5.8.1.4 Retaining walls need special application subject to engineering specifications and may vary in height.

5.9 **Fencing and screening.**

- 5.9.1 Wire fencing, precast walls, 'latte' (reed fencing and/or screening) and wood panel fencing and/or screening 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 at identified security areas and shall be for the account of the HOA.

5.10 **Attachments.**

- 5.10.1 The following guidelines regarding attachments will be closely monitored:

- 5.10.1.1 Awnings, TV aerials, satellite dishes, blinds and other items that do not form part of the basic structure should be clearly shown and annotated on the building plans.
- 5.10.1.2 Solar heating panels should be incorporated into the buildings to form part of the basic structure and should be clearly shown and annotated on the building plans. Solar panels (with or without water reserves) may not extend above the roof profiles.
- 5.10.1.4 Solar heating grids for swimming pools should be positioned as unobtrusively as possible.
- 5.10.1.5 Plumbing, if exposed, must be ducted.
- 5.10.1.6 Washing Lines must be screened from the street elevation or other visible elevation.

5.11 **External Finishes.**

- 5.11.1 All external finishes and colours must be shown on the building plans. Colour samples may be requested by the BARC/HOA. The following roof cover materials are not allowed:
 - 5.11.1.1 Reflective roofing material.
 - 5.11.1.2 Canadian Pattern roof sheeting.
 - 5.11.1.3 Big six corrugated roof sheeting.
 - 5.11.1.4 Asbestos sheeting of any kind.
 - 5.11.1.5 Translucent sheeting if visible from any elevation.

6. VILLAGE GREEN CLOSE

6.1 Architectural style.

6.1.1 The architectural style in Village Green Close is based on the Cape Victorian Townhouse style, reflecting high pitched corrugated metal sheet roofs. This is contrasted and complicated by chimneys and other vertical accents and the use of rendered (plastered) brick walls.

6.2 Roof design.

6.2.1 All pitched roofs to be hip roofs with a pitch of 45° and 25° over dormitories and 15° over ground storey verandas. All decorative features like trellises and finials to be white painted timber, composite woodplastic or PVC.

6.2.2 Uncovered timber pergolas may be allowed.

6.3 Services and utilities.

6.3.1 Service related items such as air conditioning units, satellite dishes and heat pumps must be sited out of view of roadways, golf course and neighbours.

6.3.2 Laundry drying areas, refuse bins and water storage tanks must be fully screened.

6.3.3 All soil pipes and waste pipes must be enclosed in ducts or concealed.

6.4 Landscaping.

6.4.1 Boundary walls to be maximum 1.8m high and must be plastered and painted to match the main residence. Wall recesses must be 500mm wide and 600mm deep and filled with white painted timber, PVC or composite woodplastic in the standard cross-profile. In an effort to gradually replace the existing timber cross-profiles (which are susceptible to rot), lateral members (3x150mmx15mm) will also be allowed.

6.4.2 Wire fencing, pre-fabricated walling systems, metal or picket fences, 'latte' (reed fencing and/or screening) and wood panel fencing and/or screening shall not be permitted under any circumstances.

6.4.3 Colour scheme for Village Green Close (based on the Plascon colour charts or similar colours allowed after consultation with Greenways Management):

ROOF COLOURS	EXTERIOR WALL COLOURS
Blue Aureole (TRP 206)	Clifton (BBO 308)
Green Leaf (TRP 216)	Sahara (BBO 315)
Grey Ashen (TRP 214)	Sand / Quicksand (BBO 317)
Red Antique (TRP 209)	Dune (BBO 605)
	Oatmeal (WAA 5)
	Light Honey (WAA 20)
	Pebble Beach (WWA 80)

7. BUILDING LINES, STREET EDGES AND BOUNDARY PLANTING

7.1 **Sidewalks.**

7.1.1 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.

7.2 **Building Lines.**

7.2.1 Setbacks from the boundaries (street and common building lines) must be in accordance with the City of Cape Town Municipal By-Law, 2015, with due recognition of possible Title Deed restrictions or court orders where it deviates from the City of Cape Town Municipal By-Law, 2015.

7.2.2 Thatched roof houses must be built not closer than 4,5m to any boundary, including boundaries to Private Open Spaces (POS). *This will be enforced without any exception.*

7.3 **Hedging.**

7.3.1 The height of boundary planting, including hedges and shrubs, 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. It will be the responsibility of the owner wishing to obscure the view of his/her neighbours to obtain the written permission from such neighbours.

7.3.2 Where trees, particularly on the beachfront, obscure or interfere with the security monitoring systems, the HOA reserves the right to demand from the relevant Member/s to cut or trim such trees to an acceptable height as determined by Estate Management.

7.4 **Extended Gardens.**

7.4.1 Owners of beachfront erven may apply for extended gardens onto POS maintained by the HOA stretching to the dune area owned by the 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.

7.5 **Protected Trees / Plants.**

7.5.1 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).

8. **GENERAL BUILDING WORKS REQUIREMENTS**

8.1 **Working Hours.**

8.1.1 Building contractors are permitted on the Estate only from 07h00 to 18h00 on weekdays. Given the mature nature of the Estate and protecting resident's rights to peace and quiet, no building activity will be permitted on Saturdays, Sundays and


Public Holidays. However, in the event of extraordinary circumstances, special permission must be obtained from the Estate Manager at least 24 hours prior to a requirement to work on a Saturday between 07h00 and 13h00. This permission must be obtained for every event and must not be regarded as a blanket approval. Should the owner or contractor dispute that decision, the matter will be referred to the Trustees for a final decision. In the event of an extension of not more than three hours being required for the completion of a critical aspect during normal working days (e.g. pouring of *in situ* slabs), permission must be requested from Estate Management before 15h00 on the day in question.

8.2 **Entry and Exit.**

- 8.2.1 All contractors must obtain an access permit from the HOA, which will be issued by Estate Management.
- 8.2.2 Builders and their workers may enter or leave the Estate only through the Contractor's Gate (situated in Gordon's Bay Road) and by vehicle only – workers on foot will not be permitted entry to or exit from the Estate.
- 8.2.3 No workers will be permitted on any part of the golf course, walking over the dunes to the beach or on property other than that on which they are authorized to work.
- 8.2.4 Drivers of vehicles are responsible and accountable for the activities and behaviour of all occupants of the vehicle. Any worker ignoring these rules will immediately be denied access to Greenways.
- 8.2.5 It is the responsibility of the builder to ensure the good behavior of his personnel during their presence on the Estate, including that of sub-contractors.
- 8.2.6 All personnel must be driven in by the builder/sub-contractor to the work site. At the Contractor's Gate security will issue a tag to each worker. The builder/sub-contractor is responsible to take all personnel out again in the afternoon and to return all tags issued in the morning to security. For every tag short, the builder/sub-contractor has to pay a fine of R250,00 to Estate Management before entering the Estate again.
- 8.2.7 It is the responsibility of the builder/owner to ensure that no unauthorized person is present on his construction site.
- 8.2.8 The Home Owners Association reserves the right to rectify any contravention of these guidelines summarily at the builders/owner's cost.
- 8.2.9 It is the responsibility of the builder/owner to ensure that all public open space (including, but not limited to sidewalks) is kept free from building material and/or rubble.

8.3 **Main Architect/Contractor Board.**

- 8.3.1 Before building activities commence, one main architect/designer/contractor board must be erected on site in accordance with the attached specifications.

	
NEW HOUSE FOR MR & MRS OWNER ERF 10876	
ARCHITECTS / DESIGNERS <i>ABC Architects</i>	Tel: 021-123-4567 Cell: 082-123-4567
PROJECT MANAGERS <i>DEF Projects</i>	Tel: 021-123-4567 Cell: 082-123-4567
STRUCTURAL ENGINEERS <i>GHI Engineers</i>	Tel: 021-123-4567 Cell: 082-123-4567
QUANTITY SURVEYOR <i>JKL Surveyors</i>	Tel: 021-123-4567 Cell: 082-123-4567
CONTRACTOR <i>MNO Construction</i>	Tel: 021-123-4567 Cell: 082-123-4567

Colours : Board is beige with green borders and interior divisions.
 New House : 50mm in black
 Detail and numbers : 30mm in maroon.

8.3.2 The maximum size is 1220x1020mm and the minimum information required is the site number and the name of the building contractor and a contact telephone number. In the case of an owner/builder, or where the owner acts as the main contractor, the owner's name must be provided. This information is needed so to enable Management to make contact with the appropriate party when necessary. No sub-contractor boards of any kind, including painting, landscaping, interior decoration etc. are permitted in Greenways. The boards are not to be erected on the verge landscaping.

8.4 **Encroachment**

8.4.1 Written permission to encroach onto adjacent site(s) must be obtained from the adjacent site owner(s) and lodged with the HOA.

8.4.2 Before building activities commence, a well anchored fence with netting must be erected on all the site boundaries other than the road boundary to minimize splattering on neighbouring properties.

8.4.3 Building activities, builders' and sub-contractors' employees, delivery personnel and as far as practically possible, their vehicles and building material, must not encroach onto adjacent sites or sidewalks causing interference with pedestrians and/or traffic safety.

8.4.4 Permission to encroach onto common areas or the golf course must be obtained from the HOA. In the absence of such permission, the relevant site boundaries must be fenced. Permission will be granted in exceptional circumstances only.

8.4.5 Owners and contractors should note that where verge landscaping has already been completed, only limited off-street storage and site access will be available. Arrangements must be made *via* the HOA to remove plant material where possible or to protect it during construction.

8.4.6 The HOA reserves the right to replace plant material at the owner's expense should material be irrevocably damaged.

8.5 **Toilet Facilities.**

8.5.1 Before ANY activities commence, an adequate toilet, properly tied down, must be erected within the site boundaries in a position which will be screened from view from the golf course and street. If this is not possible a suitable screen must be erected. The colour of the toilet must be acceptable. Corrugated iron structures must be painted dark green. Anyone found not using the toilet will be ushered off the Estate.

8.6 **Storage Facilities.**

8.6.1 **Equipment Store.** If a store is placed on site it must be acceptable, adequate, secure, properly tied down and placed within the site boundaries. If a corrugated steel or similar structure is used it must be painted dark green.

8.6.2 **Building Sand Storage.** Sand must be covered prior to vacating the premises every day. In addition the heaps must be covered during working days, if wind is causing it to be blown away. Loose sand must not be left to spread over the building site and must be regularly heaped. All heaps to be covered with a suitable tarpaulin or shade cloth which must be adequately secured. Note that builders and/or owners will be held responsible should neighbours be effected by windblown sand.

8.7 **Disposal of Rubbish.**

8.7.1 Before building operations commence, suitable containers for the ongoing accumulation of litter, plastic bags, cement bags, etc., must be placed on the site. These must be emptied and the contents removed from the Estate at appropriate intervals, but in any event, not less frequently than once a week. Burning of rubbish and fires is not permitted under any circumstances.

8.8 **Disposal of Rubble.**

8.8.1 During building operations, rubble must be accumulated and covered in a suitable pre-designated area within the boundaries of the site and must be removed from the Estate on Fridays.

8.9 **Disposal of fill.**

8.9.1 During building operations, fill arising from building activities must be accumulated and covered within the boundaries of the site and, if not required for landscaping purposes, must be removed on Fridays.

8.10 **Deliveries.**

8.10.1 Deliveries from suppliers must be scheduled during working hours only. Delivery vehicles will not be allowed entry after 17h00 on weekdays and not at all on Saturdays, Sundays and public holidays.

8.10.2 Vehicles carrying abnormally large or heavy loads may be denied access to certain parts of the Estate. Similarly, abnormally long or articulated vehicles will not be permitted entry for practical reasons. Contractors must make suitable advance arrangements with suppliers and Management in this regard.

8.10.3 Owners and contractors will be liable for damage caused by any vehicle associated with activity on their site and recovery of any related costs from owners or drivers of those vehicles will be the responsibility of owners and contractors.

8.10.4 Where materials are off-loaded by a supplier and encroach onto road verges, these materials must be moved immediately onto the site by the contractor. No material must be allowed to remain on the road verges and it is the contractor's and owner's responsibility to clean the verges and road of all such materials. The same applies to sand or rubble washed or moved onto the road verges during building operations.

8.11 **Speed Limits.**

7.11.1 Only licensed drivers are permitted to drive vehicles on the Estate. The driver of any vehicle considered by an appointed official of the HOA to be exceeding the speed limit of 30 km/h will be stopped and warned. A subsequent transgression by the same driver will result in the driver being denied access to the Estate.

8.12 **Noise.**

8.12.1 All noise on site must be kept to a minimum. Where objections to excessive noise are lodged by nearby residents the HOA will take appropriate action.

8.13 **Sleeping on Site.**

8.13.1 Under no circumstances may any employee of a builder, sub-contractor or security firm reside or sleep on a building site during the period of construction. Anyone found doing so will be evicted from the Estate.

8.14 **Damages.**

7.14.1 Owners shall be responsible for any damage caused by contractors or their agents on the Estate including, without affecting the generality hereof, damage to the entrance gate to the Estate, roads, kerbs, verges, plants on the sidewalks, common areas, golf course and private property.

8.15 **Protection of Wildlife.**

8.15.1 Any person found disturbing, harming or destroying any animal, reptile or bird, or setting any traps or snares will be summarily evicted from the Estate and may be prosecuted in terms of the Wildlife Protection Legislation.

8.16 **Site Safety.**

8.16.1 Owners and contractors are responsible for ensuring that all legislative requirements are complied with. The HOA will not be held responsible for any injuries of any kind or deaths of any persons or damages to any property that may occur on any building site.

8.17 **Specifications for Temporary Structures.**

8.17.1 Temporary structures will only be permitted at Greenways Estate for use on building sites as storage sheds or to house temporary toilet facilities.

8.17.2 Each structure must be fitted with a solid door which is fitted with a minimum of two hinges. The door must be lockable from the outside by means of a sliding bolt or hasp and staple in the case of a storage shed and both internally and externally in the case of a temporary toilet. The door to the toilet shall be closed at all times.

- 8.17.3 The above structures must be adequately anchored to the ground to withstand storm conditions.
- 8.17.4 The toilet must be fitted with a waterborne flush toilet and connected directly into the foul sewer system.
- 8.17.5 The builder must ensure that adequate supplies of toilet paper are on hand to prevent the use of cement bags or newspaper which will lead to blockage of the system. When blockages do occur, it must be cleared by the contractor at his/her own cost.
- 8.17.6 Both the storage and toilet structure must be painted dark green.
- 8.17.7 No advertising or other notices will be permitted on these structures.

8.18 **UNDESIRABLE CONDUCT.**

8.18.1 Should the HOA be dissatisfied with the conduct of any contractor, sub-contractor or supplier, the HOA may rectify as deemed necessary, including but limited to the following steps:

8.18.1.1 Suspend building activity until such undesirable conduct is rectified;

8.18.1.2 The HOA reserve the right to levy a fine of up to R1'000,00 for each contravention of any of the rules contained herein.

8.18.2 Should a builder, his/her sub-contractor or any of the personnel persistently ignore any of the above rules, the HOA may deny the builder and/or sub-contractor continued or any future access to Greenways.

9. FINAL INSPECTION

9.1 It is the responsibility of the Member to obtain an 'Occupation Certificate' from the 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:

9.1.1 Completion and finish according to approved specifications. Certificates of Compliance may be requested from the Member in respect of engineering works, electrical works, fenestration, gas installation and plumbing.

9.1.2 No exposed plumbing.

9.1.3 Removal of all building rubble.

9.1.4 No damage to neighbouring properties.

9.1.5 No damage to public open spaces.

9.1.6 No damage to Municipal areas and properties.