

**THE MEADOWS COUNTRY ESTATE
ARCHITECTURAL AND AESTHETICAL RULES**

Approved at a Special Meeting of Members on 21 May 2022

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INTRODUCTION:

- a) The document as described below is a revision of the initial drafted guideline that was issued during the initial stages of the development of the Estate. The need for a revision to this document was driven due to the fact that the Estate is now fully developed.
- b) The purpose of these design guidelines is to encourage individual creativity while fostering a unity of materials and finishes to ensure that the overall development harmonizes to create a balanced lifestyle for all residents. The following guidelines will be maintained to ensure a sensitively constructed environment with a high quality of aesthetics to ensure a return on your investment.
- c) The design of the dwelling unit and the entire stand should show a special sensitivity to the existing natural features, flora and topography.
- d) Elevational treatment of all buildings must conform to good architecture so not to interfere with or detract from the general appearance of the neighbourhood.
- e) In case of any uncertainty with regards to these rules members are encouraged to engage with the Architectural Committee in order to seek clarity.
- f) These Rules are subject to change from time to time at the discretion of the Board, who will cause any such additions or amendments to be ratified at a subsequent Annual General Meeting.
- g) The decision of the AC and the Board is final and binding in respect of the interpretation of these Rules.

1. **DEFINITIONS:**

In these Rules the following words shall the meaning ascribed to them:

“Architectural Rules and Guidelines” means the Architectural Rules and Guidelines contained in this document as approved by the members of the HOA at a members’ meeting and amended from time to time;

“Architectural and Aesthetical Committee” means the Committee established in terms of the MOI of the Company and includes **“AC”**;

“Appointed Architect” means the Architect appointed by the HOA to act as consultant architect on behalf of the HOA in connection with the application and implementation of these Architectural and Aesthetical Rules;

“Board” means the Board of Directors of the Company;

'building' includes-

(a) any other structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with the accommodation or convenience of human beings or animals;

(b) any wall, swimming bath, swimming pool, reservoir or bridge or any other structure connected therewith;

(c) any part of a building, including a building as defined in paragraph (a) or (b);

“Building restriction area” means the area on a property where no building, except as permitted by the Town Planning Scheme, may be erected and which is bounded on one side by a Building Line and on the other side by a boundary of the property and also includes open spaces or as indicated in an Annexure T to the Town Planning Scheme and includes **“side spaces”**;

'erection', in relation to a building, includes the alteration, conversion, extension, rebuilding, re-erection, subdivision of or addition to, or repair of any part of the structural system of, any building; and 'erect' shall have a corresponding meaning;

“Local Authority” means the Tshwane Metropolitan Municipality;

“Member” means a member of the Company;

“MOI” means the Memorandum of Association of the Company;

“Conduct Rules” means the Conduct Rules HOA;

“Company” means The Meadows Homeowners Company Non-Profit Company, to which this Memorandum of Incorporation is applicable, duly registered and incorporated according to the company laws of the Republic of South Africa with registration number 1998/024775/08 and includes the term Meadows HOA or HOA;

“HOA” means the Meadows Home Owners Association and includes the Company;

“Neighbour” means the owner or resident of the dwelling situated directly next door or across the road from a particular property and in respect to a cul-de-sac all properties making use of the cul-de-sac;

“prescribe” means prescribed in these Architectural and Aesthetical Rules or the MOI or the Conduct Rules as the case may be; and

“structure” means a construction, permanent or temporary by nature, of any material or combination of materials with or without a roof.

2. **OBJECTIVES OF THE ARCHITECTURAL RULES:**

The objectives of the Architectural Rules are to promote, advance and to protect the collective interest of its Members within the Meadows Estate by prescribing and regulating acceptable architectural standards and aesthetic appearance of improvements to immovable property including landscaping.

3. **GENERAL RULES APPLICABLE:**

3.1 All building plans must comply with the Tshwane Town Planning Scheme, as amended from time to time, the SANS 10400 as amended 2021 and any other legislation or by-laws that may be applicable to the Property.

3.2. All plans must be approved by the AC and the Board prior to any building works, alterations or additions are commenced by the owner.

3.3. Owners may only employ a registered Professional Architect, Architectural Draughtsperson, Architectural Technologist or a Professional Senior Architectural Technologist of their choice to prepare and submit their plans to the HOA.

3.4. No building works may commence prior to the approval of the plans by the Local Authority.

3.5. The neighbours' privacy of surrounding properties should be considered and as a general rule and as far as practical windows or balconies on the upper story may not overlook the main outdoor living areas & private zones of the adjacent dwelling. (See also 5.3).

3.6. Outbuildings and additions should as far as practicable attempt to blend or match the original building design in style elevation and material usage.

3.7. No deviations from the approved drawings will be permitted unless the deviation is resubmitted and approved in writing by the AC, the Board and the Local Authority prior to construction commencing.

3.8. No clearance certificate will be issued by the HOA in the absence of approved plans.

3.9. The AC and the Board will be responsible for the approval of building plans pertaining to any building works on Property.

3.10. Building plans and designs shall only be approved by the AC and the Board if it is complementary to and sensitive in respect of the overall aesthetic appearance of the Estate.

3.11. Site plans are required for all swimming pools. Special attention is to be given to privacy, water drainage and safety fencing. The pool must not be accessible from the street or other properties.

3.12. No balconies may be used as a storage facility or enclosed for purposes of storage facility.

3.13. Swimming pools must be clearly indicated on the approved building plans and any proposed plan building plan.

3.14. The privacy of surrounding properties must be considered by the architect appointed by the owner to prepare building plans.

- 3.15. A boma is viewed as a garden feature and need not be indicated on a plan.
- 3.16. Jungle gyms/Doll/tree/children playhouses are allowed only if it is explicitly approved by the AC and the Board. Playhouses/Doll or Tree houses and prefabricated houses are not allowed to have structures with metal sheets as roof covering and may not be used as storeroom or as sleeping quarters. All such structures must be properly maintained. In such event the neighbours' permission must be obtained prior to the erection of such items. Such items to be positioned to take into consideration the privacy of neighbours. The items set out in this paragraph including bomas and boma type firepits may not be visible from the street front.
- 3.17. Tanks for rainwater harvesting must be discretely and sensitively positioned and all water tank pipes, and periphery must be hidden/screened.
- 3.18. No "Farm style" corrugated metal tanks may be used as aesthetic element or water tank. The AC will advise as to which water tank may be installed.
- 3.19. Satellite dish and external antennae must be discretely positioned and all antennae and dish installations, other than normal DSTV type, must not obstruct the view of other owners or residents and must be approved by the AC prior to installation.
- 3.20. Landscaping must be designed and planned to harmonize with the buildings, their layout and visual profile.
- 3.21. Balustrades must harmonize and conform to the aesthetic appearance of the house.
- 3.22. Clear glazing, stainless steel or painted mild steel may be used.
- 3.23. A detailed design of the balustrades must be submitted with the plans and approved by the AC.
- 3.24. Awnings, TV aerials, blinds, satellite dishes and other items must form part of the basic structure and are to be clearly shown on the approval drawings.
- 3.25. All exposed plumbing should as far as practicable blend in with the buildings and washing lines should be fully screened and not be visible from the street elevations and other elevations onto adjoining properties.
- 3.26. Mechanical equipment and plant such as air-conditioners (and grilles), ducts, pool pumps etc. must be designed into the buildings and / or adequately enclosed or screened off from view as far as practicable.
- 3.27. Bathroom and toilet windows visible from street elevation and/or neighbouring Properties must be of an acceptable obscure glass as required by the AC.
- 3.28. Outside showers must be screened from street view or the view of neighbouring Properties.
- 3.29. No radio masts may be erected on any Erf.
- 3.30. Wind Turbines are allowed. All installations of wind turbines are to be approved by the HOA prior to installation. Members must ensure applications meet any local government by-law requirements. These can be obtained from your service provider. The Applications to include details on the placement; type of turbine, size and appearance. Members to consider the noise level and visual impact of the turbine on their property and the neighborhood. No noise applications will be better suited to the estate.
- 3.31. No owner may change the land use right for which his/her/its Erf has been zoned.
- 3.32. Granny flats will only be considered subject to the following conditions: (a) the granny flat must be linked structurally and visually to the main dwelling to form one unit; (b) The granny flat must comply with the Local Authority Town Planning Scheme; and (c) The owner must, in writing, undertake to the HOA that the unit will never be sub-let to anybody for income purposes and in the event of the property being sold the new owner must carry this undertaking.
- 3.33. Granny flats will only be considered in special instances and at the sole discretion of the Board of Directors.
- 3.34. No subdivision of the property will be allowed.
- 3.35. Only 1 (ONE) dwelling and accompanying joint outbuilding per erf shall be allowed.
- 3.36. Should the Owner or Resident and/or Lessee, depending on the case, fail to obtain approval for any works, the HOA will be entitled to claim: (a) that the work immediately be discontinued; and

(b) that plans be submitted within a specified period. Should the works already completed, fail, in the sole discretion of the AC and the Board, to comply with any these Rules, the HOA shall be entitled to demand that the works be demolished or brought up to the required standard. The HOA may enforce the completion of such works by way of legal process.

3.37. Emergency contractors such as plumbers, electricians, glass fitters etc., may be allowed after hours.

3.38. The HOA Aesthetic and Architectural Rules do not absolve the Owner from complying with the applicable rules, regulations, requirements and guidelines as set out and stipulated in the applicable SANS Codes, the National Building Regulations, the NHBRC rules, regulations and requirements of the Local Authority as set out in the Local Town planning scheme, Provincial Legislation and any Land Use legislation that may apply to any Erf within the Estate.

4. TOWN PLANNING CONTROLS:

The following Town Planning Controls will be applicable to properties within the Estate.

4.1. COVERAGE

Single storey dwellings: Maximum coverage allowed will be 50%

Double storey dwellings: Ground floor coverage of double storey dwellings shall not exceed 50% of the area of area of the stand while the upper level shall not exceed 80% of the ground floor (excluding terraces).

4.2. BUILDINGS LINES

| | |
|------------------------|--------------------------------|
| Single storey dwelling | - 5m from the street boundary |
| Double storey dwelling | - 7m from the street boundary |
| Side space | - 2.2m from each side boundary |

Street building lines may be relaxed subject to the neighbours having no objection and such relaxation of the building lines being approved by the AC and the Board. The approval of the Local Authority will still be required.

4.3. TREATMENT OF STAND BOUNDARIES

All buildings (i.e., living areas) to face North unless otherwise decided by HOA due to the orientation of stand. Sensitivity must be displayed towards the private zones of neighbours.

It is appreciated that the diverse nature of single residential neighbourhoods will lead to a variety of treatment to the street boundary. Every effort should be made to avoid the hostile "*canyon like effect*" that high solid walls along streets cause in many residential areas. In order to enhance the appearance of sidewalks and the street scape of the general Estate, the following rules will apply:

4.3.1. STREET BOUNDARY

The current street boundaries are accepted for purposes of the aesthetical requirements of the Estate and any wall boundary exceeding 1.2m must be approved by the AC and the Board which will be subject to the approval by the Local Authority.

4.3.2. BUILDING RESTRICTION AREA

The current side walls between properties are accepted for purposes of the aesthetical requirements

of the Estate. Any alteration or relaxation of these lines must be approved by the AC and the Board which will be subject to the approval by the Local Authority.

5. **BUILDING DESIGN GUIDELINES:**

5.1. All plans must be prepared and submitted for approval to the HOA for approval. Only after this approval has been obtained in writing can the plans be submitted to the local authority. It is the owner's responsibility to ensure that all plans are submitted and approved by both authorities prior to construction. The HOA shall not be liable for any delay in the approval of any owners' plans by the Local Authority.

5.2. The privacy and views of surrounding properties should be considered as a premium.

5.3. As a general rule no windows or balconies on the upper storey should overlook the main outdoor living areas & private zones of the adjacent dwelling.

5.4. No staff accommodation should be nearer to the street than the main building unless contained under the same roof or integrated into the overall design.

5.5. Staff accommodation and kitchen areas should open onto screened yards or patios.

5.6. Outbuildings and additions should as far as practicably match or blend with the original building design in style, elevation and material usage.

5.7. All plans must indicate at least one enclosed garage and this must be built in conjunction with the original dwelling. No flat roofed carports will be permitted unless it has been approved by the AC and the Board and matches or blends with the design of the main dwelling as far as practicable.

5.8. Yard and screen walls should complement the basic materials of the building.

5.9. No Garden sheds, Wendy houses, dog kennels, caravans, boats or trailers are to be visible from the street and may not be placed within the building restriction areas unless the neighbor's consent has been obtained.

5.10. Garden sheds and Wendy houses will be allowed. No structure or carport may be placed over such garden shed or Wendy house or may be used for human accommodation.

5.11. Subject to the approval of the AC shade netting may only be used if incorporated with an approved purpose made structure which matches the design of the original dwelling.

Solar Water Heaters

The general shortage in electrical supply in South Africa has necessitated review of the abovementioned HOA's rules and regulations on solar units for the heating of water and the supply of electricity. The HOA's support the drive towards the installation of solar units, to the following amended rules:

Systems preferred by the HOA listed from most recommended.

- UPS – inverter system.
- Gas stove – to be submitted to the local authorities for approval.
- Solar heating for geysers.
- Petrol and diesel generators.
- Photo Voltaic Panels

Only the solar panels (either the vacuum tube–type or flat panel-type) may be visible – no external geyser, header tanks or coiled pipes may be visible. The solar panels must be incorporated into the basic structure and may not – where visible – be placed on an elevated structure within the Erf or in any common area adjacent to the Erf.

All geysers fitted outside on flat roofs are to be enclosed in an aesthetical pleasing enclosure. The Board may issue guidelines in respect to alternative energy sources and the requirements for such installation.

Solar Systems

A written request accompanied by a schematic showing where and how the panels will be installed must be submitted to the HOA for approval before the installation can commence. All solar panels must be fitted flat on the roof. Solar systems may only be installed by an installer who is a member of the Association of Renewable Energy Practitioners or the SA Photovoltaic Industry Association or any similar recognised Association. A Certificate of Compliance is required for the installation of a solar system and a copy of such Certificate of Compliance will be furnished to the HOA upon completion of installation. Photo Voltaic Panels may not be placed on a stand within the Erf or in any common areas adjacent to the Erf.

Standby generators

Generators must be installed in such a way that it does not create a nuisance to neighbours. Generators that are permanently or semi-permanently installed (semi-permanent shall be a unit being in the same position for more than 30 days), must be visibly screened and indicated on plans.

Generators installed must comply with the following.

- The necessary precautions should be taken to reduce noise.
- The generator should have a sufficient and effective exhaust system and sound proof box.
- The generator should have the necessary auto cut-in and out unit in case of power failure.

These rules are in addition to the Conduct Rules that regulate the use of generators within the Estate.

Liquefied Petroleum Gas (LPG)/Awnings/Plumbing/Mechanical Equipment

If an owner wants to install Liquefied Petroleum Gas (LPG), the following requirements have to be adhered to:

- (a) A plan of installation must be submitted to the local authority for approval if required.
- (b) The installation must be done by a person that is qualified and registered with the LPG association or similar body or association.
- (c) A copy of the registration certificate of the person mentioned in must be submitted with the plans.
- (d) A certificate of competency for the installation must be issued to the owner.
- (e) Upon completion an inspector from the Fire Department of the Local Authority, if required, must conduct an inspection.

6. APPROVED ARCHITECTURAL ELEMENTS:

6.1. ROOFCOVERING

6.1.1. Profiled metal sheeting – pre-painted/coated Only African Heritage Collection colours. (e.g.: Chromadek) as per Annexure A hereto.

6.1.2. Concrete rooftiles.

Colours – Terracotta, Antique Terracotta, Antique slate, Standard slate.

6.1.3. Thatch roofing – thatch will only be allowed at existing thatch roof dwellings.

6.1.4. Slate roofs.

6.1.5. Fibre cement type roofing slates.

Colours – Green, Dark grey, Terracotta, Charcoal.

- 6.1.6. Flat roofs – waterproofing to be non-reflective.
- 6.1.7. Any other roof material to be submitted for approval prior to construction.
- 6.1.8. No galvanized gutters and drainpipes will be permitted. All exposed gutters and rainwater goods to be factory painted to match the colour of the buildings.

6.2. **Walls**

External masonry walls shall be 230mm brick finish. Plaster and painted walls will be permitted.

Plinths, not exceeding 600mm in height will be permitted in face brick.

6.2.1. Face brick permitted recommended to match:

| | |
|-----------|--------------------------|
| Rosema | Contessa Satin |
| - | Contessa Travertine |
| Corobrick | Roan Satin/Travertine |
| - | Country Manor Travertine |
| - | Corn Gold |
| - | Topaz Satin/Travertine |
| - | Blue Barley Travertine |
| - | Agate Satin/Travertine |
| | or as approved by the AC |

6.2.2. Natural stone foundations and other stone on site will be allowed.

6.2.3. Selected semi face bricks with autumn colours.

6.2.4. Any other building materials must be approved and must match the aesthetical image of the Estate.

6.3. **Paving and Landscaping**

6.3.1. Landscaping on sidewalks must be undertaken within the integrated landscape language of The Meadows Estate subject to the Local Authority Roads & stormwater

6.3.2. The Landscaping theme of The Meadows is to encourage the use of indigenous trees and plants.

6.3.3. All driveways to be fully paved. Driveway widths are limited to 5000mm at the junction with the public road. No raw concrete driveways will be allowed.

6.3.4. The use of hedgerows is recommended and the planting of indigenous trees and shrubs is encouraged where possible.

6.3.5. Planting and hedgerows are also encouraged where palisade fencing is used.

7. **PROHIBITED BUILDING MATERIAL:**

7.1. To allow for diversity and interest a variety of individual architectural designs will be encouraged. In principle, no limitations are placed on building materials other than the following items.

7.1.1. Unpainted plaster, uncoloured plaster or unplastered stock brick walls;

7.1.2. Wire fencing, swimming pool type mesh fencing and “split-pole” type fencing;

7.1.3. No precast concrete walls will be allowed and any face brick or plastered walls must be completed on both sides of the wall;

7.1.4. Unpainted reflective metal sheeting;

7.1.5. Lean-to or temporary carports or shade netting structures;

7.1.6. Wood panel fencing;

7.1.7. Razor wire, security spikes or similar features; and

7.1.8. Devils Fork palisade fencing.

8. CONSTRUCTION ACTIVITIES:

As building work within the residential Estate must be completed within a reasonable time period, the following guidelines have been formulated for the benefits of residents:

- 8.1. All building materials are to be stored within the site boundary, no material is to be off-loaded onto the road or road reserve.
- 8.2. No advertising or sub-contractors' boards will be permitted. Only the approved contractor/professional board will be permitted.
- 8.3. No workmen or nightwatchmen will be permitted on site between the hours of 17h00-08h00.
- 8.4. All contractors will be required to provide screened ablution facilities for the workmen and sub-contractors under his control.
- 8.5. Construction hours are restricted to 08h00-17h00 Monday to Friday. No construction activity may take place on public holidays, Saturdays and Sundays.
- 8.6. Delivery routes and hours for delivery may be prescribed from time to time by the HOA and all contractors must obtain these restrictions from the Company.
- 8.7. Fines may be levied from time to time by the Company for contractors and delivery vehicles that spill material en-route, damage roadways and kerbs, stain tarmac and generally create nuisance within the Estate.
- 8.8. The Owner and the Contractor shall be responsible for damage to kerbs and/or plants on the sidewalks and/or damage to private or estate property. The Owner shall be responsible for any penalty imposed by the HOA for a transgression of these Rules by the contractor or sub-contractor.
- 8.9. No concrete, dagma, cement or such may be stored, mixed or prepared on any of the roadways and sidewalks during the construction process.
- 8.10. The Board may from time-to-time issue guidelines in respect of construction activities in order to minimise any nuisance that such building works may occasion to owners and residents.

9. BUILDING PLAN SUBMISSION AND BUILDING INSPECTIONS:

- 9.1. The following must be adhered to before building plans and approval of building operations will be considered for inspection:
 - 9.1.1. An application letter is to be submitted together with the drawings of the intended building works that describes:
 - 9.1.2. The extent of the building or alterations considered,
 - 9.1.3. The expected timing thereof (start date) subject to all approvals being in place,
 - 9.1.4. The expected duration thereof,
 - 9.1.5. Confirmation that a discussion has taken place with the affected neighbours by having the affected neighbours countersign the application letter.
- 9.2. A copy of any and all plans associated with any building works to be conducted on a property necessary for Local Authority approval must be submitted to the Company board for approval by the AC and the Board prior to submission to the Local Authority.
- 9.3. In the event of any uncertainty as to the requirements for approval the owner may make an appointment with the Appointed Architect to consult on the specific requirements at a cost of **R500.00**. A non-refundable plan approval fee of **R3800.00** must be submitted with the application as in 9.1. The plan approval fees may escalate annually as approved by the Board. **This fee is made up of an as-built assessment charged at R1500 and the building plan assessment fee which is charged at R2300.**
- 9.4. The decision of the application for the approval of the building plans will be given to the applicant within 10 working days of the complete set of plans and all relevant documents being received by the AC. Building plan approvals will not be considered during the period between 15 December of each year and 10 January of the following year.
- 9.5. No building works are to commence prior to receipt of the necessary approval from Local

Authority.

9.6. A true copy of the approval is to be provided to the HOA prior to building works commences.

9.7. In the event that the Local Authority requires amendments to the building plans the amended plans must be resubmitted to the AC for evaluation and approval by the AC. The costs for the approval in such event shall be **R1400.00**.

9.8. Prior to the commencement of any building works and site establishment by the contractors, the owners are to sign an agreement with the HOA wherein they commit to fixing all damages caused by their contractors inside the estate.

9.9. The following information must be clearly shown on the plans:

9.9.1. area of dwelling, including patios and outbuildings;

9.9.2. first floor to Ground floor Ratio (%);

9.9.3. coverage (%);

9.9.4. building lines;

9.9.5. all external finishes;

9.9.6. boundary wall / fence details, including elevations;

9.9.7. drainage and how it is concealed, as well as the sewer connection;

9.9.8. layout of driveway; and

9.9.9. a copy of this guideline, signed by the Owner of the erf, is to be submitted as part of the application.

9.10. The HOA may inspect the works at any stage during construction and may request any reasonable alterations and/or additions to ensure that the general design guidelines as intended for the development are implemented.

9.11. The assessments referred to herein shall not be conducted between 15 December and 10 January of the following year.

10. **ASSESSMENT OF PROPERTIES UPON THE SALE THEREOF:**

10.1. In the event of the sale of a property the owner shall inform the HOA in writing and request the appointed architect to inspect the property and assess the property in order to establish whether the property complies with the Tshwane Town Planning Scheme, as amended from time to time, and the SANS 10400 as amended 2021.

10.2. The Appointed Architect shall perform such assessment within 3 days of the owner informing the HOA of the sale of the property. The Appointed Architect shall conduct the assessment within 3 business days and advise the HOA and the owner of any remedial works to be effected to the property or that the property complies with the above requirements.

10.3. The HOA, AC or the Board of Directors shall not be responsible in the event that any delay is occasioned by the remedial work that it required to be done.

10.4. In the event that the remedial work that is required to be done which may materially jeopardise the sale of the property the Board of Directors may issue a clearance certificate if the purchaser of the property undertakes in writing to:

(i) complete the remedial works on behalf of the seller; and

(ii) that the Purchaser shall be liable for the costs of such remedial works; and

(iii) that all debts of the seller towards the HOA, if any, has been paid by the Seller.

10.5. The HOA shall have no liability in respect to the remedial works that is required to be completed by the AC and may issue the clearance certificate on such conditions as to the completion of the remedial works and the payment of such fees for the approval thereof by the AC.

10.6. The assessments referred to herein shall not be conducted between 15 December and 10 January of a particular year.

10.7. The costs for the assessment will be **R1500.00** and may increase annually as approved by the Board.

11. **DISPUTE RESOLUTION:**

In the event of any dispute regarding these rules and their interpretation thereof or the exercise thereof by the HOA or the AA the HOA will request the chairperson of the South African Council for the Architectural Profession to nominate an architect of no less than 10 years standing to act as umpire in regard to the dispute. The umpire shall determine his or her own procedure to determine the dispute. In the event that the HOA or AC's decision is upheld the member will be liable for the costs of the umpire. The decision of the umpire shall be final.

12. **PENALTIES:**

- 12.1. The HOA is authorised to levy penalty levies in respect to the breach of the rules set out herein.
- 12.2. The penalties shall apply to all members.
- 12.3. The owner acknowledges that the owner is liable for the conduct of the particular contractor or sub-contractor and a breach of these rules shall be deemed a breach of the rules by the owner or resident who appointed the particular contractor or sub-contractor.
- 12.4. Any penalty imposed shall be recovered from members by way of levy and shall carry interest in accordance with the provisions of the MOI.
- 12.5. The provisions of clause 16 of the Conduct Rules of HOA will apply *mutatis mutandis* to penalty levies for the breach of these rules. Such penalties levied in terms of these Rules may be added to the levy account and collected by way of legal process by the HOA.

13. **AMENDMENT OF RULES AND GUIDELINES:**

The HOA may from time to time amend these Rules in the prescribed way and issue guidelines in connection therewith.

14. **TRANSITIONAL PROVISIONS:**

- 14.1. These Architectural and Aesthetical Rules shall be effective from the date on which the members of the HOA adopt the Architectural and Aesthetical Rules at a meeting of members and shall not affect any previous permission that was granted by the HOA.
- 14.2. The coming into effect of the amended Rules does not affect any rights, obligations and/or any liabilities which existed on the day immediately preceding the day on which the Rules come into effect.
- 14.3. In the case where owners have no approved plans for their dwellings such owner shall, subject to the process set out above, within 18 months after which these Rules came into effect submit to the HOA a copy of the approved plans for the dwelling and outbuildings. The HOA shall keep a set of approved plans for record purposes.

15. **ACKNOWLEDGEMENT:**

The above document is fully understood and the Owner undertakes to comply with the above rules, in addition to any further controls which may be instituted by the HOA from time to time in the form of a written guidelines and to ensure compliance by any contractor and sub-contractors employed by the Contractor, and any suppliers to either contractors, sub-contractors or Owners.

Stand no. Date:

Appointed Architect/Competent Person

Contact number: Fax:

e-mail address: Signature:

Registered Owner:

Contact number: Fax:

E-mail address: Signature:

Annexure A: Approved CROMADEK colours (African heritage range):

