

THE FARM HOMEOWNERS' ASSOCIATION ARCHITECTURAL GUIDELINES: GENERAL FORMS AND CONSTRUCTION REV:5

**TO BE SIGNED BY THE CONTRACTOR AND OWNER.
AS PER THE MARGATE TOWN PLANNING SCHEME.**

1. HEIGHT

Double storey homes will only be allowed on designated lots. These restrictions will be registered on each title deed. Maximum floor to ceiling height will be 3m and will have to comply with the Margate Town Planning Scheme.

2. BUILDING LINES

Transnet Reserve and properties adjoining "THE FARM": – 3m

Road boundary: – 3m

Side boundaries: – 2m single storey

2.5m double storey

Wetlands: No construction is allowed in the wetland area excepting where timber decks may be requested. This approval will be subject to the conditions as set out by the environmental local authority and the Architectural Review Committee. All buildings to conform to local environmental requirements.

3. MINIMUM / MAXIMUM AREAS PER DWELLING

Single and double storey dwellings – minimum of 120m² excluding garages and outbuildings. Maximum coverage of each lot will be 50%. FAR 60%. Every dwelling must provide for at least one lock up garage.

4. PARKING FACILITIES

Every property must provide guest parking for at least 1 car (excluding garages) within the boundaries of the property.

5. GENERAL FORMS AND ELEMENTS

No temporary structures will be permitted on the property except whilst the dwelling is under construction. These temporary structures may only be used for storage of building materials, and not for the occupation of owners or contractors.

No freestanding structures such as tool sheds, Wendy houses or carports are permitted without the prior written approval of the Architectural Review Committee.

Service areas such as washing lines/drying yard must be screened off with a 1,8m wall, dog kennels etc. may not to be visible from the street or public open spaces.

Multi coloured electric light bulbs are only to be used for festive occasions.

6. BOUNDARY WALLING AND ENTRANCE GATE

The entire estate is walled / fenced and access monitored by Guards and CCTV cameras. Boundary walls will be permitted with a maximum height of 1.8m. Courtyard / drying yard areas will have a height of 1.8m. All walling must conform to the basic architectural design, as per the architect specifications. Boundary walls to be plastered both sides. No precast walling or slatted timber fencing will be allowed.

No electric fencing will be permitted on individual boundary walls.

7. SWIMMING POOLS

Any type of portable pool will not be permitted. Pools must be of a permanent structure and may not have access from the road for safety reasons. Must also comply to safety regulations.

8. GENERAL FORMS OF CONSTRUCTION

- a) On transfer of the property into the purchaser's name, it will be the purchaser's responsibility to maintain the said property to the satisfaction of the Homeowners Association.
- b) All buildings are to comply with the National Building Regulations.
- c) All structures can only be undertaken by contractors approved by the developers / Homeowners Association.
- d) Owner builders must be registered with the NHBRC, (to be monitored by the Building Control Officer (BCO) appointed by the Trustees). Each house must be registered with the NHBRC.
- e) Owners must obtain a surveyors certificate as proof of boundaries
- f) Owners must obtain a Geotech report.
- g) A Member must pay a verge deposit of R7000 to the Association before commencing construction of a dwelling on his Unit Erf, or commencing alterations or additions, which deposit,
 - less the cost of 4 compulsory building inspections at, currently R500 each payable to the FHOA building inspector.
 - less the cost of repairing any damage done to the Common Area during the course of construction of that dwelling,
 - less a contribution by all members when construction is completed of R1000 to the final road repair fund – which repairs will be done only when all construction is completed on the Estate - shall be refunded to the Member by the Association on completion of the dwelling and provided an Occupation Certificate is supplied.
 - In the case of alterations **only** – the contribution towards the final road repair fund is however, not applicable again.
- h) No site clearing is to take place until the Building Compliance Document is approved by BCO only the can commencement of construction start and in particular, no crops may be cultivated on a Unit Erf.
- i) **Owners will get a maximum of 8 months to complete their homes from commencement date, i.e. breaking ground. In the case of renovations, the period shall be four (4) months.**
- j) The ENTIRE construction site must be completely cordoned off from adjoining sites on FOUR sides, either by erecting 1.5m high green/blue shade cloth wall which would include the adjoining areas where sand stockpiles or materials are put, prior to any construction OR a properly constructed boundary wall on three sides and shade cloth on 4th side before any activity on the Unit Erf can be considered. **(Should an adjoining Erf/Stand and or Common Property be utilized by the Contractor then written approval for the use must be presented to the FHOA or the BCO.**
- k) A registered surveyor must expose the beacons of the Erf for inspection by the BCO.
- l) A registered surveyor must set up the profiles of the proposed buildings so that all restrictions are maintained for inspection by the BCO.
- m) A portable toilet must be placed on the site for the duration of the construction period. To be cleaned weekly. No portable toilets may discharge directly into the main sanitation system.
- n) A pressure release valve is to be installed at each Unit Erf.
- o) **1000 litre water storage tank to be installed on each unit Erf – as per regulations from UGU District Municipality.**

- p) **Construction workers allowed on Estate between 07:00 – 17:00 Monday – Friday; Workers must be off the Estate by no later than 17:30, Monday to Friday. No work allowed on Saturday, Sundays or any Public Holiday (or for the Festive Season period of approximately 14 days in December and January of each year). (amended Nov 2008)**
- q) At the time of submitting the submission drawings to the Architectural Review Committee for approval, the applicant shall also submit a written building contract or a detailed costing of the proposed construction together with written proof to the satisfaction of the Committee that the applicant either has sufficient funds or access to sufficient funds to fully complete the proposed dwelling and outbuildings, including the installation of all services. (Amended Aug 2011)
- r) Note that the owner is responsible for the register of all construction workers on his erf at the Department of Labour. Owner is also responsible for the Health and Safety file to be kept on site.

Superstructure:

Only cement or clay bricks plastered and painted. **Exterior paint will be earthy colours** only, colour charts will be available from the architect or developer.

Roof Structure:

Developer's intent: The roof is the most visually dominating element of a home and a harmonious relationship of complementary roofs is of prime importance in promoting the architectural style. The roof design and appearance is therefore strictly controlled.

- a. All roofs are to be pitched and where possible hipped. Gable ends will only be permitted where it is aesthetically enhancing to the dwelling. **There will be a colour choice of roof tiles as approved by the Architectural Review Committee.**
- b. Minimum pitch to all areas will be 17.5 degrees. Maximum pitch 20 degrees or as otherwise approved. Any variation to the roof pitch will only be permitted by the Architectural Review Committee of the Association if it is satisfied that no Member will be detrimentally affected by such variation.
- c. Rainwater goods: Gutters and down pipes must be brown powder coated aluminum. Fasciae and barges to match.
- d. Exposed roof timbers must be treated and painted.
- e. Mono pitched, domed or semi-circular vaulted roofs are not permitted.
- f. Skylights to be aesthetically designed by the architect.
- g. No solar geyser is allowed externally on the roof, only flat positioned solar panels are allowed.

Windows and doors:

- a. Only bronze powder coated aluminum or natural wood will be allowed.
- b. All external timber frames and doors to have a natural finish.
- c. Garage doors to be brown fiberglass or timber with a natural finish.
- d. Internal doors as per the owner's choice.
- e. Only burglar bars as supplied by the window manufacturer will be permitted.

9. PATIOS, BALCONIES AND PERGOLAS

- a. Every home must have at least one covered patio.
- b. Patio support structures can be concrete columns, brick or timber.
- c. No creosote gum poles will be permitted.
- d. Timber decks must be either Ballou or CCA treated pine with matching balustrades.
- e. Balustrades may be galvanized wrought iron, timber, aluminum or moulded concrete.

10. DRIVEWAY DUCTS UNDER PAVING

Paving to verges for driveways and pathways must incorporate 2 x 110mm heavy duty ducts at 600mm below the ground level and approximately 1500mm from the road edge. These ducts should protrude a minimum of 500mm on either side of the paving. The PVC pipes must have stop ends on both sides. This measure is to ensure that should any of the service providers need to lay a cable/pipe in the verge in the future, then they will be able to traverse the driveway without having to lift the paving/tarmac etc.

Telkom requires a buried 20mm conduit be installed within the property. No overhead telephone cables will be permitted.

11. LANDSCAPING

A landscaping style that is sympathetic to the environment and that responds correctly to the sub-tropical climate is recommended. The developers would like to encourage homeowners to use plant species that provide feeding, breeding, nesting and resting opportunities for urban wildlife.

12. GENERAL

Various other finishing elements impact on the aesthetic values of the houses and need to be controlled as follows:

Driveways: Cement brick, burnt brick, cobble stone or tarmac. Driveways may not be painted.

Lighting: Only white light bulbs on all external light fittings will be allowed. No coloured or exposed glaring light bulbs. All external light fittings must complement the architecture and be of non-corrosive material.

T.V. Aerials: T.V. aerials and satellite dishes must be discreetly positioned.

Style or Theme: The Architectural Review Committee may assign different building styles or themes to different portions of the Township Area and Members shall be obliged to ensure that dwellings designed for erection on their Unit Erven conform to the building style or theme assigned to that particular portion of the Township Area.

Solar panels: will be allowed if discreetly positioned and ONLY the panel will be allowed above the roof. The geyser part must be positioned below the roof.

Colours: **Exterior paint will be earthy colours only**. Approval must be obtained from the Aesthetics Committee before painting is undertaken.

13. PLAN APPROVAL PROCEDURE

Sketch plans must be submitted to the Architectural Review Committee for pre-scrutiny and preliminary discussion if required. This is to ensure that the proposed development complies with the Building Design Code and to avoid any unnecessary delays or expenses.

Any relaxation of this Building Design Code will be at the discretion of the Architectural Review Committee. If relaxation is required, the applicant will submit a letter of motivation together with the drawings, clearly explaining the need for this. If approval is granted by the Architectural Review Committee, the normal procedure for relaxation as required by the Local Authority must then be followed. The same will apply for any alterations or additions to existing homes. The Architectural Review Committee cannot guarantee approval of any relaxation by the Local Authorities.

All submission drawings are to be submitted to the Architectural Review Committee for approval. On approval, all sets of the drawings will be stamped “Approved” One set of plans, approved by the Hibiscus Coast Municipality, is to be handed to the Architectural Review Committee before commencement of any construction. This committee only relates to the aesthetics of the plans. The architect must ensure that the plans comply with statutory approvals in terms of the Hibiscus Coast Municipality.

The Architectural Review Committee hereby reserves its rights to discretionary powers should any “grey areas” or ambiguity exist in this code, or where an alternative interpretation of the code and specification has occurred.

14. CONSTRUCTION COST SUNDRIES

The price from the contractors does not normally include the following, and allowances must be made for:

1. Architects fees
2. Plan submission fees
3. Verge deposit of R7,000.00 to “The Farm Homeowners’ Association” of which R4000 less the cost of repairing any damage caused will be refunded. A construction deposit shall also be payable in the event of the renovation of an existing house.
4. Telkom connection fee
5. Cost of GEOTECH report.
6. Copy of surveyors report.
7. Cost to connect to the water and electricity meters already available.
8. Installation of bulk water tank 1000kl and pump to pump water through dwelling.

15. COMPLETION CERTIFICATES

1. No dwelling erected on a Unit Erf maybe inhabited until written completion certificates in respect of such dwelling have been issued to the relevant Member by the Hibiscus Coast Municipality and by the Architectural Review Committee.
2. upon failure to comply with Item 16.1. above, the Trustee Committee shall be entitled to impose upon and recover from the Member who is the owner of the Unit Erf in question a penalty consisting of payment of such monthly sum as shall be equivalent to three times the monthly levy payable at the time in terms of clause 5 of the Constitution, which penalty shall be recoverable from the first day of inhabitation contrary to Item 16 until the day when the second completion certificate required in terms of Item 16.1 is issued.

16. TRUSTEE COMMITTEE TO HAVE FINAL SAY

In case any particular matter relating the construction of a dwelling on “THE FARM” is not specifically addressed in these guidelines, the Trustee Committee shall have the final say in relation thereto and may impose any additional ruling as it sees fit.

ADOPTED on 30th April 2005
AMENDED on 25th Feb 2009
AMENDED on 25th May 2009
AMENDED on 15th March 2010
AMENDED on 20th August 2013

OWNER SIGNATURE

LOT NO. _____ DATE _____

CONTRACTORS NAME

CONTRACTORS SIGNATURE

THE FARM HOMEOWNERS ASSOCIATION
GENERAL COMPLIANCE FOR OWNERS AND CONTRACTORS AND FORMS PART
OF THE ARCHITECTURAL GUIDE LINES:

- 1 Please adhere to the road signs and the speed limits.
- 2 The tidiness of our Eco Estate is very important to us. Please help to keep it beautiful.
- 3 The trustees are available to assist you with any queries or problems you may experience.
- 4 All non-residents to sign the book at the gate and in so doing agree to abide by rules of The Farm Home Owners' Association.
5. It is the responsibility and requirement of the various Contractors to apply to the Security Company no later than the 25th day of each consecutive month for their access stickers/cards for the following month. Late application or failure to comply will result in non-access and is non-negotiable, until such time that application has been done and processed. Access stickers will expire on the last working day of each month.
6. Please transport the labour force to and from the gate.
7. The labour force is not allowed to roam the Estate.
8. The labour force must change clothing in an enclosed area, and not in plain site of any resident of The Farm.
9. All buildings are to comply with the National Building Regulations.
10. All structures can only be undertaken by contractors, approved by The Farm Homeowners' Association
11. Every owner must inform the Managing Agent of his/her intention to commence construction.
12. No deviations will be allowed to the approved plans without the consent of the Trustees. Amended building plans will have to be re-submitted for approval.
13. Owners will get a maximum of 8 months to complete their homes from commencement date, i.e. breaking ground.
14. The connection to the sewerage system must be done by a qualified plumber.
15. Electricity and water connections must be done as soon as possible – and any use of electricity and water must go through your OWN electricity and water meters.
16. Verges, building sites and adjoining areas must be kept neat and tidy and NO fires or burning of rubbish will be allowed on the Estate. This is as per the municipal bylaws of Shelly Beach.
17. Construction workers are allowed on the Estate between 07:00 – 17:30 Monday – Friday; Saturdays 07:00 – 13:00. Workers must be off the Estate by no later than 18:00 on Monday to Friday and 13:00 on Saturdays. No work allowed on Saturday afternoons, Sundays or any Public Holiday. (amended Nov 2008)
18. Delivery of building materials are allowed between these hours, Monday to Friday, but it is required that these vehicles have to be off the Estate by 17:30. No exceptions will be allowed for

construction sites. The contractor must be present when goods are off-loaded onto the construction site. **NO DELIVERIES WILL BE ALLOWED ON SATURDAYS, SUNDAYS OR PUBLIC HOLIDAYS.**

19. All builders, contractors, workers, tenants and guests must register at the security entrance unless alternative arrangements have been made with the Trustees. Contractors and their staff are specifically requested to adhere to these rules and assist the Estate with security on the Estate. Compliance with the abovementioned rules will be strictly monitored and enforced. Letters of non-compliance will be issued and thereafter fines will be imposed if no remedial action has been taken.
20. Any contractor, sub-contractor or building staff who breach any security at The Farm, will result in fines being imposed and the possibility of the entire work force being barred from the Estate.
20 No guards are permitted to overnight on any Unit Erf on which a dwelling is being constructed. (Amended March 2007)
22. A copy of the Construction Commencement Form is to be signed by the owner and contractor before any construction may commence. This includes earthworks and site establishment.

Page 2:

COMPLETION CERTIFICATES

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