

BERG EN DAL ESTATE
(INCORPORATING MOUNTAINDALE ESTATE)
HOMEOWNERS' ASSOCIATION

ARCHITECTURAL AND
LANDSCAPING REGULATIONS
(A & L REGULATIONS)

VERSION 1.5

EFFECTIVE DATE: 7 MAY 2021

(ADDENDUM A TO CONSOLIDATED RULEBOOK FOR HOMEOWNERS, RESIDENTS AND THIRD PARTIES)

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REVISION DATE	AUTHOR	REVISION NUMBER	CHANGE DESCRIPTION
5 June 2015	Sue Freeman	V1.0	Reformat of document dated 17 November 2014 according to new standard template. Content unchanged.
8 January 2016	Sue Freeman	V1.1	Document dated 17 November 2014 was not the latest approved document. Document dated 20 November 2014 located and the minor differences incorporated in sections B 1 and B 4
11 January 2018	Sue Freeman/ Mark Spinoy	V1.2	Incorporate Mark Spinoy's changes including re-sequencing of sections; verge parking bay specifications; and references to the Water Harvesting, Storage and Saving Policy, and the Generator Guidelines
20 October 2019	Sue Freeman	V1.3	Align to Consolidated Rulebook for Owners, Residents and Third Parties by making this document Addendum A. Remove references to and incorporate the Water Harvesting, Storage and Saving Policy (dated 23/11/2017), and the Generator Guidelines (dated 28/08/2015)
20 November 2020	Sue Freeman	V1.4	Incorporate the New Innovations/Technologies rules that were approved by the Board of Trustees on 19 November 2020 as Section 2. S. The sections following the insertion, "Other" moved to T. and "Completion / Expiry of Authorisation" to U. Standardise references to the HOA Board as such.
7 May 2021	Sue Freeman	V1.5	Approved at Board Meeting 6 May 2021. Change all references to the GLOvent Portal to refer to the EstateMate Portal; Include Landscaping amendments: Section 1, reasons for

			<p>landscaping regulations and change the blanket application of restrictions for tree/hedge heights to those that obstruct neighbours' views; section 2. L. to include common property landscaping maintenance rules, and change the blanket application of restrictions for tree/hedge heights to those that obstruct neighbours' views</p> <p>Section 2. B. 9., architect's scrutiny fees for 2021 updated.</p>
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1. INTRODUCTION

ABOUT THIS DOCUMENT

This document is addendum A to the consolidated “Rulebook for Owners, Residents and Third Parties”.

Addenda to this Architectural and Landscaping Regulations document include:

A1 Building and Garden Contractor Activity and Code of Conduct

A2 Alien and Invasive Plant Management Plan

These should be read in conjunction with this document.

REASONS FOR REGULATIONS

The Regulations are intended to control the development of the Estate by encouraging designs which allow for individual expression while ensuring a measure of consistency in the character of the Estate, and to maximise the value of every property in Berg en Dal. Restrictions on certain materials are intended to contribute to the quality and standard of the building work.

Consideration must at all times be given to the impact of the design and intended landscaping on the views of other Homeowners and where an existing approved structure (e.g. a boundary fence or wall) is replaced by another structure that is not the same in design and/or composition, the approval procedure with the Homeowners Association (HOA) Board of Trustees (Board) must be followed.

For this reason property owners must bear in mind the Architectural and Landscaping Regulations (the “Regulations”) with regard to their own privacy as well as the privacy of surrounding neighbours when designing their properties. Height restrictions will be strictly applied for building structures both within and outside the building platform, and applied where necessary for hedges, trees and shrubs that obstruct neighbours’ views.

Berg en Dal is an attractive estate with well-established trees, gardens and green zones including the green belt along the ravine and the dam area. The Estate landscaping team trims and maintains trees and shrubs on the verges and common property to secure a healthy and an aesthetically appealing flora that grows properly, retaining its natural shape and symmetry, including the canopy.

It is the responsibility of the homeowner to ensure that he or she is in possession of the current version of the Architectural Landscaping Regulations which must be requested in writing from the Estate Manager (also available on the Berg en Dal Website or the Portal). *Refer to Section 3.2 of the consolidated “Rulebook for Owners, Residents and Third Parties” for more information about the Portal and Website.*

Homeowners or their authorised representatives are required to acknowledge receipt of these Regulations in writing (register of documents handed over to be kept by the Estate Manager) and specifications will only be deemed current if they have been validly obtained within 60 days of the submission of any plan for approval.

All building work is subject to the current regulations applicable at the time that that work is undertaken. The Regulations are amended from time to time to clarify interpretation, to remain current with building materials and lifestyle trends and improve the qualitative aspects of Homeowners where identified. For this reason a rule that may not have been in existence at the time

of purchase of a property in the Estate may impact on a subsequent proposed development. In addition, existing precedent will have no bearing upon applications for departures from current rules and will be considered on merit and, where necessary, with affected neighbours.

Where any homeowner is uncertain as to interpretation of any clause, clarity should be obtained from the HOA Board prior to proceeding.

2. REGULATIONS

A. BEFORE BUILDING COMMENCES

The Building Platforms, Building Lines, applicable Building Heights and the Regulations as per the initial SDP plan ME-SDP-01 approved by Council, as amended from time to time by the Trustees in terms of the powers set out in the Berg en Dal Estate Constitution, currently detailed in DWG No. 2013 – 17 WS 1 100, dated October 2013, must be confirmed and agreed in writing with the Trustees of the Homeowners' Association before proceeding with the detailed design. Submissions and communications must be placed in an envelope addressed to the Estate Manager, Berg en Dal (incorporating Mountindale Estate) Homeowners' Association, and deposited at the Gatehouse.

B. PROCEDURE FOR APPROVAL OF PLANS (*ORIGINAL PLANS AND ANY ALTERATIONS*)

1. The Owner must submit sketch plans to the Trustees of the Homeowners' Association and Consulting Architect (CA), showing elevations, typical transverse and longitudinal sections including a section through the highest point, a site plan depicting the building platform superimposed over the proposed structure, and a certified survey diagram of the property, for provisional approval prior to the commissioning of Council drawings. The sketch plans must show the coverage calculation, the flat roof proportion, and the horizontal plane of the height restriction pertaining to their ERF. Once approved, the remainder of the drawings can be completed.
2. As part of this initial process, the Owner should advise adjoining Owners, of their intention to build/make alterations and should advise them on an ongoing basis of information such as dates contractors will be moving onto site, expected duration of works and other information of relevant interest.
3. The final drawings for Council must then be submitted via the Estate Manager to the HOA Board of Trustees and the Consulting Architect for their consent before being submitted to Council. Council will not accept plans for approval that are not approved by the HOA Board. However, should any such approval be obtained for whatever reason, such plans will not be valid or recognised by the HOA Board.
4. Council currently requires one coloured-in hard copy of the plans, together with a scanned pdf of same for approval purposes. Our advice is that you should check first with Council what is their current requirement, as it changes from time to time. In addition to their requirement, once approved by Council, an electronic pdf copy, and an additional two hard copies of the final plans must be submitted to the Estate, one to be retained by the Homeowners' Association and one for the Consulting Architect for record purposes. A total of three (3) coloured-in copies are therefore required, for both new building and alteration plans.

5. The Homeowners' Association requires a "verge" deposit to be paid, commensurate with the scope of work being carried out, which will be refunded when building operations have been completed, less any retention made for damage caused to the Estate's curbs, roads, road signs, gates or any other collective property of the Estate. A minimum deposit of R10, 000 will be levied regardless of scope of the proposed works.
6. The deposit will increase based on the scale of work proposed, particularly if heavy plant and equipment is to be brought onto the Estate or blasting is required. Typically this could amount to R50, 000 or more, according to the situation.
7. No site preparation or building work may commence until there is confirmation that the required deposit has been received.
8. The Owner will be required to deliver a copy of the current **'Building and Garden Contractor Activity and Code of Conduct Regulations' (Addendum A1a)** or **'Small-scale Home Maintenance and Garden Contractor Activity and Code of Conduct Regulations' (Addendum A1b)** to his main contractor, (who is also responsible for the conduct of his subcontractors), and to any other independent contractor employed by the Owner.
9. Consulting Architect scrutiny fees will apply for all new build plans and proposed alterations requiring Council submission. The current rate charges are R1, 800 excluding VAT per hour with minimum charges of 1 hour or 3 hours, depending on the nature and complexity of the scrutiny. The 'Architect's Scrutiny Fees' may be viewed on the Portal under Rules and Regulations and a copy may be obtained from the Estate Manager. Plans representing departures from Regulations may incur greater charges.

C. CONTROL OF MASS, SCALE AND POSITIONING OF DWELLINGS (HEIGHT RESTRICTIONS AND COVERAGE)

1. At an early stage, the building platforms and building lines should be confirmed with the Estate Consulting Architect, currently Mr Dion Walters of Bomax Architects, 27 Pepper St, Cape Town 8001. Tel: 021 422 3259, mobile: 082 822 0833 and email: dion@bomax.co.za.
2. Dwellings of more than one story shall be limited to coverage of 0.36 of Erf size.
3. Single storey dwellings shall be limited to coverage of 0.5 of Erf size.
4. Height restrictions are taken from original natural ground level, recorded by a registered land surveyor in conjunction with the undisturbed site contour plan for the Estate, prior to any site works being put in hand.
5. All erven are subject to the height restrictions indicated on the most current Berg en Dal Site Development Plan (SDP) which is available from the Estate Manager (currently DWG No. 2013 – 17 WS1 100). In the event of any clarification being required, interpretation of height restrictions will be determined in consultation with the Compliance Trustees of the HOA Board, as appointed from time to time.
6. In those instances where the height restriction only allows for the building of single storey dwellings, underground parking and storage will be permitted.
7. The obligation to adhere to the height restrictions remains on the Owner of the property, even if plans have been approved by the Consulting Architect and Local Authority, and any variation from

the heights that are indicated on the plan must be resubmitted for approval. This would apply even if the height remains within the permissible height restriction.

8. If so required by the Consulting Architect or the Board of Trustees, the Owner shall, at his own expense, provide survey points and a sketch with measurements, showing the difference in height between the survey points and the roof height.
9. Before the ground floor slab has been cast, the owner must obtain certification of its surface height above mean sea level from a registered land surveyor, and submit this to the Consulting Architect before proceeding with casting the slab.
10. Where a reduced building line is granted on the roadside boundary for garaging, or where the nature of the plot is such that congestion is likely, the Owner must make provision for off-road parking for two mid-size cars in addition to the garaging provided, within the Owner's property.
11. The impact of driveways should be minimised and the standard is that one double width driveway or an entry/exit configuration, with a single or combined width of no more than 7.0 m across the estate verge (street parallel), will be allowed without specific permission of the Trustees.
12. Driveways should be paved.
13. In the event that an Owner wishes to apply to create parking on the common verge in addition to an existing driveway, they must make application to the HOA Board of Trustees who will not unreasonably withhold permission as long as certain conditions are adhered to in the request:
 1. Application must be made with appropriate plans, including specifications of no less than 2.5m X 5m with either Wheatstone/Autumn paving or a gravel surface
 2. Approval from the board of trustees

The guidelines to be applied by the HOA Board will follow conditions of:

1. Aesthetics of the bay and location
2. Safety of the location and risk eliminated to other residents
3. Traffic flow and density of traffic

In the event permission is granted, the cost of such facility and responsibility for its maintenance will be for the Owner and the Owner will not be allowed exclusive use.

14. The overall massing, scale and position of the houses in considering the aspect and prospect of each individual unit within the overall aesthetics of the final development is subject to the approval of the Consulting Architect.
15. A double story building is defined as any structure that has a second level above the ground level which has a floor to wall plate height greater than 1.8m.

D. SITE PREPARATION

1. No excavations may be made closer than 1.5m from the side boundaries running down the slope.
2. No excavations may be made closer than 3.0m from road boundaries or 3.0m from end boundaries running across the slope.
3. No excavations (cut or fill) may create a change in level of in excess of 3.0m.

E. RETAINING WALLS, TERRACING AND EMBANKMENTS

1. Any embankment raising a ground level may not exceed 1,5m in height and must be established in accordance with the angle of repose specified for that material with at least a 10% error margin.
All embankments created must be properly compacted and stabilised to preclude erosion run off into the storm water system or onto neighbouring properties.
2. All artificial changes of level which are steeper than the natural angle of repose of the soil material on site must be supported by a Loffelstein or similar equal approved site works support system. Such artificial systems should be planted to provide a visual effect as far as possible in keeping with the natural mountain vegetation.
3. All retaining walls or structures exceeding 1.0m in height must be designed and signed off by a registered structural engineer. (Note – municipality requires that any retainer over 1.0m is approved by an engineer).
4. The finish and texture must be in keeping with the natural mineralogy on the site.
5. Retaining structures that are not part of the main structure must be sympathetic to the natural contours of the site and may not exceed 1.5m in height unless terraced or stepped.
6. Where retaining walls are terraced (stepped) the platform between the individual terraces must be a minimum of 1.0m apart.

F. CONSTRUCTION OF ROOFS

MAJOR ROOF FORMS

1. Symmetrical double-pitched roofs with a pitch of 17 degrees to 35 degrees.
2. Hipped roofs on rectangular building forms with a pitch of 17 degrees to 35 degrees.
3. Roofs 1 and 2 on one house shall be of the same pitch.
4. Roofs must cover supporting walls and have fascias and gutters.
5. Eaves are permitted up to a maximum width of 700mm.

MINOR ROOF FORMS

6. Lean-to and veranda roofs shall have a single pitch roof between 5 degrees and 25 degrees.
7. Flat roofs:
 1. Flat roofs can cover a maximum of 30% of roof area, measured in the horizontal plane.
 2. Flat roofs are any roofs less than 5 degrees in pitch which are constructed of concrete, wood, glazing, chromadeck and kliplock. These flat roofs are waterproof and cover living areas, garages, patios, verandas and stoeps.
 3. A flat roof may have a parapet not exceeding 250mm.
 4. Flat concrete and wood roofed areas are to be finished in natural stone-chips, in brown or grey colours, if not utilised as roof decks.
8. Roof finishes must be cement tile, cement slate, kliplock, small Victorian profile corrugated metal, chromadeck, natural slate.

9. Roof colour – charcoal/dark grey/dove grey/olive green.
10. Roof-lights must be glass or carbon fibre in clear materials and to be set into the plane of the roof. Maximum size 780 x 1400mm.
11. Cable ends may have a painted Nutec cladding under eaves to form a triangle section.

G. CONSTRUCTION OF WALLS AND FINISHES

1. All walls should be of either cement or clay brickwork with a minimum width of 280mm.
2. Aluminium and timber fenestration in Contemporary Style or Cape Vernacular is permitted. Shutters to cover windows when closed must be either horizontal-sliding or hinged, in aluminium or in timber.
3. Rainwater goods must be either coated aluminium or plastic square section. All excess rain-water which is not absorbed by or drained through the ground naturally must be collected in ground level sumps and discharged by suitable storm water conduits to curb level or into an existing storm water drain.
4. All chimneys for fireplaces and braais must be constructed in masonry, to match the wall with minimum flue size of 800 mm x 600 mm.

H. STOEPS, VERANDAS, PATIOS AND WOODEN DECKS

1. They must not be raised more than 1,2m above the external ground level.
2. Where they exceed 900mm above ground level, a 1.0m high balustrade must be fitted.
3. The leading edges must be treated as walls and finished accordingly.
4. Canvas shade awnings may be fitted.
5. The construction of the piers to hold up roofs must be either in brickwork, not less than 300mm x 300mm in size, or in timber.

I. OUTBUILDINGS AND LINKING WALLS

These must be treated in the same way as main house walls.

J. WALL FINISHES

1. All masonry walls must be smooth plaster and painted.
2. Plaster bands are permitted around fenestration and to express horizontal edges of walls.
3. The walls may only be painted in “broken” white, to “warm” off-white, or earth tones. The Building Compliance Committee must see and approve external wall colours before painting or re-painting commences. A sample should be painted on a wall for viewing.
4. Primary colours may not be used for any external finishes.
5. Owners should submit building sketches and preliminary plans to the Trustees before proceeding with detailed design. Submissions and communications must be placed in an envelope and addressed to the Estate Manager, Berg en Dal, and deposited at the Gatehouse.

K. BOUNDARY WALLS AND FENCING

1. Residents are encouraged not to build unbroken boundary walls on the road side of their properties. Consideration should be given to using fencing, low walls or palisade, fencing in combination with vegetation to create privacy, noise barriers or demarcate boundaries on the road side.
2. The existing perimeter walls and palisade fencing have been erected by the Estate to present a consistent façade and provide reasonable element of security. Owners may not paint the fencing or walls in any colour other than that approved by the HOA Board, the details of which are available from the Estate Manager. Should any homeowner elect to erect any structure on the Estate boundary, such structure must not interfere or in any way compromise the perimeter security of the estate and must allow reasonable access for the necessary maintenance of the perimeter structures.
3. Within the Estate, plastered and painted walls, natural or artificial stone walls, green or black plastic coated diamond-mesh fencing using creosote timber posts, ranch-type fences, with or without green or black diamond mesh, or green steel paling may be erected by Owners on the boundaries of their erven up to a maximum height of 1,8m above natural ground level (NGL). Any other materials proposed must be pre-approved by the HOA Board. Vibracrete, face brick and wooden plank type fencing is not permitted.
4. Only wrought iron gates, painted in colours other than the primary colours and less than 2.0m high, shall be permitted, unless special exemption is requested and granted by the HOA Board.

L. HEDGES, SHRUBS AND TREES ON PRIVATE AND COMMON PROPERTIES

1. Within private properties:
 - Hedges that obstruct neighbouring properties' views shall be maintained at a height of less than 1.8m above natural ground level.
 - Trees and shrubs that grow to more than 1.8m may only be cultivated if located within the building platform and may not exceed the building height restriction applicable if they obstruct views of, or cause risk to neighbouring properties.
 - Palm trees that are higher than 7.5m need to be maintained and cleared of dead fronds on a regular basis
2. Trees and shrubs that grow on common areas throughout the estate will be assessed and, where necessary, maintained on an ongoing basis to ensure safety.
 - Trees and shrubs in common areas are not to be topped flat, but if trimmed, must be shaped to represent the natural growth of said tree/bush.
 - Trees and shrubs in common areas including verges may be maintained by Berg en Dal Estate staff only, unless an agreement is in place to the contrary.
 - No trees may be planted on verges that obscure the vision of other owners or motorists.
3. The ravine area will be retained as a no-topping zone to maintain a forest-like feel, and will not be cut unless previously trimmed for view maintenance. Ongoing maintenance will continue in order to keep it clear and free from dead wood.

4. Should a dispute arise between homeowners or between a homeowner and estate management over vegetation obstructing reasonable access to a view, the dispute resolution process must be followed (Addendum D to the Consolidated Rule book for Owners, Residents & Third Parties).

M. CAR PORTS, WENDY HOUSES, JUNGLE GYMS, TRAMPOLINES AND OTHER STRUCTURES

1. No temporary or prefabricated carports are permitted.
2. No Wendy houses or garden huts are permitted.
3. Jungle gyms / trampolines will only be permitted if the agreement is obtained of all immediate Homeowners and Homeowners whose house views will be affected or to whom the structure is significantly visible.
4. Any structures relating to pets (e.g. dog kennels, aviaries, etc.) should be discreetly positioned so as not to be visible from neighbouring properties.
5. The HOA Board reserves the right to require the removal of any fixed structure that has not been pre-approved by the HOA Board in the event that such structure is deemed to interfere with the rights of a resident or residents to reasonably enjoy their investment in the Estate, even if such structure does not require planning approval from the local Authority (e.g. skateboard ramps, tree houses, garden artworks, etc.)

N. GAZEBOS, OUTDOOR ENTERTAINMENT AREAS AND “LAPAS”

1. Gazebos / Outdoor Entertainment Areas / Lapas must be built within the building platform, match the architectural style of the main buildings, comply with the style and character of the Estate and require the prior approval of the Homeowners’ Association.

O. SWIMMING POOLS AND WATER FEATURES

1. Where swimming pool construction is proposed outside of the building platform, such plans must be developed in conjunction with, and approval by, the HOA Board to ensure that adjoining neighbours are not compromised.
2. To this end and for guidance, the longer side of the pool must run parallel with the lower building line of the Erf, must have a maximum height above median NGL of the pool footprint of < 1.5 metres (to decking level), and may extend a maximum of 4 metres beyond the building line. No pergolas or other superstructures will be permitted, other than 1.1 metre high non-solid balustrades.
3. Where residents have swimming pools and water features, to exclude danger of accidents—particularly involving children—it is a legal requirement that these must either be inaccessible from the Common Areas of the estate or be fenced off or covered. Swimming pool or pond pumps must be screened from view. Any noise stemming from the running of pumps should not cause disturbance to neighbours. Pool pumps shall not be run between the hours of 9 p.m. and 7 a.m.

P. SOLAR HEATING PANELS AND GEYSERS

1. Detailed designs of proposed solar units must be developed in consultation with affected neighbours, and submitted to the HOA Board for approval prior to erection to ensure that such units will be unobtrusive and not invasive to the views of other properties on the Estate. Proposed units should be profiled against roof lines unless located behind parapet walls.

2. For the purposes of clarity and in the long term interests of the aesthetics of the Estate, the Board of Trustees has resolved that for all future and retro-fitment installations:

1. The panels must lie flat onto the existing roof.
2. The outer edge of the panels must be painted to match the colour of the roof.
3. The water storage tank must be mounted inside the roof or completely out of sight.

Compliance advice, direction and approval must be obtained for all future applications. These regulations will be rigidly enforced.

3. It should not be seen as a right of every homeowner to be able to mount solar panels and geysers onto their roof within the Estate. If the house isn't able to comply with the installation regulations, then it is not suitable for a solar heating installation.

Q. GENERATORS

1. Homeowners must submit a formal application to install a generator to the HOA Board for approval prior to installation. The application should include the following:

1. Specifications of the generator to be installed
2. Location plan of the generator
3. Electricity lay-out plan showing detail of the connections to and from the generator
4. A Fire Protection Plan
5. Envisaged noise level output measured by decibel
6. A letter of consent, signed by all affected parties (direct neighbours) must be submitted with the application. If the homeowner is unsuccessful in obtaining a neighbour's signature and feels aggrieved, the attempts to obtain such signature should be included in the application to the HOA Board.
 - a. Where in the opinion of the HOA Board the neighbour approval is being unreasonably withheld, the Board may overrule the refusal on the basis of insufficient motivation

2. Homeowners who choose to install household generators must comply with the following Conduct Rules:

1. The noise level of the generator must not exceed 70db (decibels) at 10m. The noise level will be tested by Management subsequent to installation to ensure compliance with the Conduct Rules
2. Only one diesel-driven, single phase generator of maximum 6 KVA (26 Amps – 6000 wattage) per Home is allowed. The rated amount of wattage used per home should therefore be 90% (5400 Watts)
3. The generator should be of the household, "silent" sound proof type with an automatic switch-on/off capability
4. The generator should be seen as an emergency back-up and should only operate during power failures (see 12. below)

5. The generator should be installed within the boundaries of that particular stand, on a raised plinth inside a ventilated, dry, non-habitable room or compartment (utility room) with a solid door, but without any windows, away from any gas bottles
6. The generator should not be installed in the garage or any other room
7. The generator room or compartment should be secure and fireproof with at least one handheld fire extinguisher installed on the wall near the entrance to the room
8. The generator should be installed by a qualified, competent electrician
9. The generator should be properly grounded
10. There should be an opening of at least 1m on each side for access to the generator for servicing
11. Diesel fuel for the generator may be stored in the fuel reservoir of the generator, but not in separate containers inside the generator room
12. The generator should be connected directly to the main Electrical Distribution Board (DB) in the home through an Automatic Change Over Switch/Automatic Timing Switch (ATS), connected to a timer. The timer should be set that no generator is started on the Estate between 22h30 and 06h30, even if a power failure occurs
13. The ATS has a control cable of 5m connecting the generator's electronic panel to the ATS and it is advised that the ATS does not exceed 5m from the main Electrical Distribution Board (DB) inside the Home to the generator
14. The wiring of the generator should be connected to a phase on the DB Board and that phase to each circuit breaker where power is required. This wiring should also be accompanied by a "certificate of compliance" issued by a qualified electrician
15. Proper heavy-duty power cords should be used and should be concealed and/or covered
16. Home owners must take responsibility for advising their insurance company about the installation

R. WATER HARVESTING AND STORAGE

Residents are encouraged to make provision for the storage of water for emergency purposes as well as implementing water savings programmes to reduce consumption of potable water in such a way that it does not detract from the overall visual appearance of the estate or in a manner that inconveniences fellow residents

1. Water Tanks

1. The location of all tanks should pre-approved by the HOA Board. Submissions should be made to the Estate Manager who will liaise with the HOA Board
2. Owners with storage tanks installed prior to this policy (November 2017), must notify the estate manager to inspect them and advise should there be a need to effect changes (e.g. make them more aesthetically pleasing). The owner will be required to submit a plan of action within 30 days of receiving this advice to effect the required changes with a timetable commitment

3. Tanks having an installed height taller than 1800mm above NGL (Natural Ground Level) must be positioned within the building platform
 4. Tanks up to 1800mm in height can be positioned outside of the building platform provided they are not elevated to exceed a maximum installed height 1800mm above NGL
 5. Tanks should preferably be located on side boundaries of properties
 6. Tanks that are visible from roads or the living areas of neighbouring properties should be screened behind walls, vegetation or approved structures to reduce the visual impact of the tanks on the general appearance of the estate
 7. Colours of tanks should be light non-primary colours e.g. grey, wheatgrass, marble, light earth, i.e. colours that are similar to permitted house colours
 8. Tanks that are black, red, yellow, bright blue or green will not be permitted unless fully hidden from view or located indoors
 9. All tanks in a cluster must be of the same colour
 10. Tank inflow connections must be properly fixed to walls and piping should be in colours that match existing gutters and downpipes
 11. Tank inflow connections should be aesthetically positioned to maximise vertical positioning at higher levels and connected to gutters directly above the receiving tank, or alternatively, the piping connected to the gutters may be concealed underground and feed into the tanks according to the principle that water always finds the lowest level
 12. Where possible, tanks should be connected in series to minimise connections to gutters
 13. Any pumps installed to distribute water between tanks or to points of usage must be of silent operation with an electric or battery power source
 14. Where pumps cause inconvenience to neighbours, it is the pump owner's responsibility to take the necessary steps to mitigate that inconvenience
 15. Fixed pumps should be positioned behind screens and may not be visible to neighbours or from the street
2. Recommendations
 1. Water storage tanks should be erected on proper foundations
 2. Water production by downpipes should be monitored to determine the most productive locations and ensure maximum yields to storage
 3. Residents should ideally have storage sufficient to meet two weeks of average domestic activity usage, estimated to be 1200-1500l per permanent resident
 4. Residents should consider the convenience of portable pumps where pumps are required. These can be disconnected and stored securely e.g. in a garage which would prolong pump life
3. Swimming Pool Owners
 1. Residents with swimming pools should have covers on their pools

2. Residents with swimming pools should seriously consider installing backwash recycling tanks:
 - a. A backwash tank is usually a 350L-500L tank connected to the pool pump to capture all water backwashed. Once the backwash is complete, a flocculent is added to settle the dirt and, after 24 hours, approximately 95% of that water is run back into the pool via the stopcock at the base, leaving the settlement in the tank
 - b. If, after rains, the pool is over full, pump some water into the tank for storage. Run it into the pool when needed or before backwashing and then, after backwashing, you can store the water in the tank. This tank should be no bigger than 500l as you will have to clean out the settlement from time to time (approximately once a month). If the base of the tank is slightly elevated relative to the pool surface, all water feedback can be done using gravity
3. Alternative to backwashing:

Replace your sand filter system with a cartridge filter system that does not require any backwashing. The cartridge is cleaned once a week with harvested rain water

S. NEW INNOVATIONS/TECHNOLOGIES

Ongoing technological innovation leads to the introduction of new technologies and products that may be deemed to be of benefit by homeowners who then desire to have these incorporated into new building designs or retrofitted to existing homes within Berg en Dal Estate.

1. The new technology/product may not be installed in sight or hearing of neighbours without informing the Estate Manager and without the pre-approval of the HOA Board and affected neighbours, even if such technology/product does not require planning approval from the local Authority. This approval will not be unjustly withheld.
2. The Board reserves the right to require the removal of any new technology/product that has not been pre-approved by the Board.
3. The new technology/product must be unobtrusive, not invasive in terms of noise or to the views of other properties on the Estate, and aesthetics maintained. The Estate Consulting Architect will advise if deemed necessary.
4. The approval by the Board and neighbours for one property does not give blanket approval to other properties. Properties will be considered on an individual basis.
5. Should it become a general requirement to install the technology/product on the Estate, the Board of Trustees and Estate Consulting Architect may draw up rules and guidelines specific to that type of technology/product such as was done for solar panels and geysers for example.

T. OTHER

1. Satellite and TV aerials must be located below roof height and may not be freestanding from the main buildings.
2. Air conditioning condenser units and geysers must be installed inside the roof cavity or at ground level and screened from view. Window mounted air conditioner units are not permitted.

3. Swimming pool or pond pumps must be within the building platform, screened from view and provide for a reasonable level of noise insulation.
4. Clothes lines and refuse bins must be screened from view behind a 1.8m screen or concealed / stored within a service area.
5. No structure in excess of 1.8m above natural ground level may be built outside of the building platform.
6. Homeowners may not fully cover the common verge to the curb with vegetation without prior consultation with HOA Board. Such development should not affect traffic visibility and should be landscaped to allow pedestrians to stand off the road to avoid traffic.
7. House numbers must not be painted on the walls, but must be made of brass, stainless steel or black-iron, 150mm to 250mm in size and fixed to the wall. Any other material must be pre-approved by the HOA Board.

U. COMPLETION / EXPIRY OF AUTHORISATION

Occupation may not take place before:

1. Municipality Occupation Certificate received.
2. Estate Completion Certificate received.
3. Should work be discontinued for a period of 20 consecutive working days, all containers, site toilets, building sheds etc. must be removed from site.
4. Failure to comply with a reasonable written instruction issued on behalf of the Trustees to comply with any building related regulations may result in appropriate action being taken and costs recovered from the curb deposit.
5. In the event that the Trustees have approved a building plan and these plans are on-sold with a sale of the property, such approval will no longer be valid and the new owner will be required to resubmit the plans for re-approval by the Trustees, such approval will not be unreasonably withheld if the plans comply with the Regulations applicable at the date of transfer.
6. Where building plans are approved by the Trustees, such plans must be submitted to Council within three months of such approval and building work must be commenced within nine months of such Council approval being granted. Should these time periods be exceeded the Trustees' authorisation will be deemed to have lapsed and re-approval on the same conditions as Point 5 above will apply.

3. UNDERTAKING

By their signatures hereto, the Owner and Owners' Architect acknowledge that they understand the content of this document, **Architectural and Landscaping Regulations V1.5 dated 7 May 2021**, and agree to be bound by its provisions.

Signed at: _____

Owner: _____

Date: _____

Name in Full: _____

Signature: _____

Erf No: _____

Owners' Architect: _____

Date: _____

Name in Full: _____

Signature: _____

Trustee Representative: _____

Date: _____

Name in Full: _____

Signature: _____