



## **Moditlo Estate Home Owners Association NPC**

**Registration Nr: 2002/013524/08**

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## **ARCHITECTURAL DESIGN GUIDELINES** **AND BUILDING REQUIREMENTS**

**Revision 2020**

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## 1. INTRODUCTION

- 1.1 The conditions governing building activity as set out herein are rules adopted by the Muditlo Home Owners Association (HOA) and are binding on all owners, their contractors and sub-contractors. The HOA is a Non-Profit Company Incorporated under the Companies Act, 2008. These Guidelines and Requirements set out in this document are issued by the HOA in terms of the powers conferred to and the authority vested in the HOA as stipulated in its Memorandum of Incorporation (MOI).
- 1.2 All building plans must be in accordance with the Design Guidelines and Architectural Guidelines applicable to the Estate and must be approved by the Architectural Committee. This applies also to any subsequent alterations and additions to existing structures. All owners are obliged to ensure that their contractors and sub-contractors are made aware of these conditions and comply strictly with them. Building according to these architectural guidelines and approved standards obviates the necessity of making costly changes at a later stage.
- 1.3 The primary intention of the provisions is to ensure that all building activity occurs with the least possible disruption to other owners/residents and on the environment. In the event of any uncertainty, owners and/or their contractors are most welcome to contact the HOA appointed Executive Director.
- 1.4 The purpose of these design guidelines is to encourage individual creativity within a unity of materials and finishes, ensuring that the overall development harmonises and creates a balanced lifestyle for all residents. To achieve this, these architectural guidelines have been drawn up as far as the use of materials, the treatment of boundaries and the landscaping is concerned. For the rest, it is up to the individual architect to contribute to the successful execution of the MEHOA's aim, and the Architectural Committee will also assist in attaining this goal.
- 1.5 Owners are required to include these conditions in their entirety in any building contract concluded in respect of property within the estate, and all such contracts shall be required to be submitted to the HOA for prior approval. The building contractor must conclude a contractor's agreements with the HOA. The owners are ultimately responsible for their contractors, employees and visitors and shall see to it that the rules and regulations as set out herein are complied with at all times.
- 1.6 The HOA, via the Executive Director, has the right to suspend any building activity in contravention of any of the conditions herein, including the design guidelines, and the HOA incur no liability whatsoever for any losses sustained by an owner as a result hereof.

- 1.7 Owners are free to commission professional architects of their choice provided they are members of the South African Institute of Architects and adhere to these architectural design guidelines. The design of the dwelling unit and the entire stand must show sensitivity to the existing natural features, flora and topography. All construction work must be under architectural supervision at all times.
- 1.8 The collective pride in the Estate depends to a large extent on the contribution made by every owner in creating and maintaining a pleasing appearance on their own property and thereby of the Estate as a whole.

## **2. APPROVAL PROCESS**

The following process will apply to all building operations on the estate in order to ensure a harmonious development and a consistent architectural theme.

### **2.1 Stage 1**

One copy of the conceptual drawings (sketch plan format) shall be submitted to the HOA for consideration by its architectural committee for scrutiny and comments at meetings to be convened for this purpose. The following must be shown on these plans: stand number, contours, north point, site boundary dimensions, building lines, servitudes, existing trees, the site development plan, proposed floor plans the elevations of buildings, and open garden areas. All permanent earthworks with a resultant change of more than 1,6m in elevation must be clearly indicated on the plans. The Stage 1 plans shall be accompanied by a certificate from the registered professional architect who prepared the plans confirming that the plans comply with the HOA design guidelines.

### **2.2 Stage 2**

After Stage 1 approval has been obtained, detailed drawings (working drawings) must be prepared. One copy of these Stage 2 drawings shall be submitted to the HOA for consideration and approval by its architectural committee. Once approved a further 3 copies need to be submitted for stamping and authorisation.

### **2.3 Stage 3**

After the detailed drawings have been approved by the architectural committee, the approved drawings shall be submitted together with the prescribed plan fees and proof of payment of connection fees by the owner or authorised agent to the local authority for its consideration and approval. A copy of the final plans approved by the local authority must be lodged with the HOA.

On receipt of the local authority's approval of the building plans and after payment of the prescribed fees, owners may proceed with the construction of the building in accordance with the building by-laws, standard building regulations and the approved building plans. All owners must register the start of any building activities with the HOA before any person will be allowed on site.

## **2.4 Stage 4**

Final inspection and issuance of an occupation and completion certificates.

No building or part thereof may be occupied and services reconnected before a formal inspection has been carried out and a completion certificate has been issued by the Executive Director as well as an occupation certificate by the Local Authority, in respect of 'as-built' building plans.

All owners must ensure that their main contractors complete the contractor registration forms and that a copy of the completed forms is lodged with the Moditlo Estate Home Owners Association office.

## **3. FEES**

### **3.1 Project enrolment fee**

A Project Enrolment Fee of 2% of the value of the house based on the encased square meterage multiplied with an amount as determined by the BoD and ratified by the members in General Meeting from time to time must be paid to the HOA. This enrolment fee includes the scrutiny fee of the site development plans as well as any other expenses incurred by the HOA.

The Project Enrolment Fee is payable as follows:

3.1.1 A deposit upfront as part of the stage 1 approval;

3.1.2 The balance on completion of the project before the final certificate of completion will be issued.

### **3.2 Deposits in the amount of:**

3.2.1 An amount as determined by the BoD and ratified by the members in General Meeting from time to time in respect of electricity; and

3.2.2 An amount as determined by the BoD and ratified by the members in General Meeting from time to time in respect of water must be paid to the HOA before the handover of the site will take place.

## **4. APPOINTMENT OF BUILDING CONTRACTORS**

4.1 The owner may select a building contractor of his or her own choice, provided the contractor is a registered member of NHBRC. All owners must ensure that their contractors complete the contractor registration forms with the HOA.

4.2 The owner and the building contractor will be required to sign an agreement with the HOA to regulate the building activities on the stand. This agreement will include, but not be limited to:

4.2.1 the requirement that the building contractor pay a deposit to the HOA;

4.2.2 the obligation to erect screens to minimise the visual impact during the building period;

4.2.3 conditions relative to the delivery and storage of materials, working hours, transportation routes to the estate and to the stand;

4.2.4 security procedures within the estate;

4.2.5 the removal of rubble from the stand and the estate; and

4.2.6 the erection of boards and signs.

4.3 All contractors will pay a deposit of an amount as determined by the BoD and ratified by the members in General Meeting from time to time to the HOA. This is a refundable deposit which will be paid to the contractor once the building project has been completed and the Operational Manager has inspected the site and certified it to be clear of all rubble. This inspection will also include the surrounding bush, anthills, donga's, etc. The MEHOA retains the right to employ the deposit or any part thereof to complete any outstanding matters that the contractor had to complete.

## **5. SITING OF PROPOSED DWELLING**

5.1 Building may take place anywhere on the designated erf taking trees and natural features into consideration and subject to the approval of the architectural committee and within the guidelines of the Development Facilitation Act. All buildings should act as one unit and separate buildings are to be connected with walkways.

5.2 The Architectural Committee requires that all sites be surveyed by a Registered Land Surveyor – boundary beacons, contours, vegetation, 100-year flood lines and services indicated. All trees more than 150 mm Ø must be indicated on plans with those in the immediate vicinity (within 5 meters) of the proposed dwelling position, indicated and identified. Trees with a diameter of more than 150 mm on the building sites may not be cut down without the prior written permission from the Operational Manager.

## **6. GENERAL ARCHITECTURAL GUIDELINES**

### **6.1 Building Area**

The vicinity where the building of the dwelling may take place is set out in paragraph 5 here above. The intention is to prevent buildings being spread over the erf as well as being too close to each other on neighbouring erven. All sites have a 10 m building line all around. Construction over and/or between the 100-year flood line and riverbank is prohibited.

## **6.2 House size**

The prescribed house size is 150m<sup>2</sup> to 500m<sup>2</sup> calculated on the encased area. The HOA shall be entitled not to approve the plans for any house which in their sole opinion would detract from the appearance of, or reduce the value of other houses on the Estate. The HOA shall not be required to give reasons for rejecting such a plan, nor shall the HOA incur liability to any person in doing so.

## **6.3 Restrictions**

The restrictions set out below are in addition to any restriction imposed in terms of conditions of title, town-planning schemes or national or any other building regulations. Notwithstanding that any plans or improvements may comply with any such restrictions imposed by third parties, the approval or any plans of improvements within the Estate shall be at the sole discretion of the HOA. Similarly, compliance with restrictions imposed by the HOA shall under no circumstances absolve the owners from the need to comply with restrictions imposed by third parties, nor shall the HOA approval be construed as permitting any contravention of restrictions imposed by any authority having legal jurisdiction.

### **6.3.1 Density and DFA restrictions**

Subject to the conditions set out here in the number of dwellings that may be erected on a stand shall not exceed the maximum density permitted in terms of the Town Planning scheme and DFA restrictions, with a maximum of 5 bedrooms or 10 beds (including staff accommodation) per site. Double beds will be counted as two beds.

6.3.2 Stands may not be sub-divided. Should any stands be consolidated, the number of beds permitted on a consolidated stand will be a maximum of 5 bedrooms or 10 beds. The consolidated stand will furthermore only be allowed one connection in terms of water and electricity.

6.3.3 No razor wires or security spikes are permitted. Clearview Fencing, latte/wooden structures and electric shock wires are permitted. Fences must be a design feature of your house and must be indicated on your building plan for approval.

6.3.4 No boundary demarcation of individual stands of any type is permitted.

6.3.5 Lean-to or temporary carports will not be permitted.

6.3.6 No landing strips or helipads are permitted on the Estate.

## **6.4 Appearance**

Owners shall at all times ensure that any object which could, in the opinion of the HOA, be considered unsightly or to the detriment of the appearance of the Estate, not be visible from common areas or other properties. Objects, which should be screened from view, include among others washing lines, exposed plumbing and swimming pool pumps.

## **7. DWELLINGS**

### **7.1 Aesthetic concept**

The built environment on the estate is to project a game lodge visual effect with strict control in terms of the architectural rules as listed. Any external element not described below will be assessed and approved by the Moditlo Estate Home Owners Association against the intention of the concept.

### **7.2 Height Restriction**

No double story dwellings (second tier structures with walls and windows) shall be erected on the Estate. Only single-story dwellings with no dormer windows from which light at night may emanate or from which the sun may reflect will be allowed. The height of any part of the structure is not to exceed an average wall plate height of 2,8m (two comma eight meters) above the floor level and a maximum width of the roof to not more than 12 meters at a 45-degree angle a total ridge height of 8,5m (eight comma five meters). The floor level above the natural ground level at the highest ground-level point of the footprint shall not exceed 3 brick courses (255mm).

### **7.3 Boma**

Only one Boma is permitted per site.

### **7.4 Bedroom Units**

Mezzanine floors are not permitted. Bedroom units may not be self-contained i.e. no kitchen.

### **7.5 House walls**

Only hardwearing, waterproof, ultraviolet resistant external paint to one approved colour sample as per Appendix A to be used. If face brick and/or stone are to be used for visual effects in panels, the face brick and/or stone must be approved by presenting a sample of the proposed material.

### **7.6 Yard and screen walls**

The external screen walling shall not exceed 2,1m in height, shall be finished on both sides, and shall be either wattle lathe on a plinth, will consist out of natural stone/stone cladding or brick walling to finish as described under house rules. If stone is to be used

for visual effects, the stone must be approved by presenting a sample of the proposed material. Washing lines and refuse bins are not to be visible from neighbouring properties.

### **7.7 Plinths**

Plinths are allowed as a design element and may extend past external house walls to stabilise the external gum pole roof support columns and are to be finished with a hardwearing approved external paint to compliment the internal finish or clad in stone. Colour to be approved and to compliment the prescribed house wall colour. If stone is to be used for visual effects, the stone must be approved by presenting a sample of the proposed material. All must be to the satisfaction of the Architectural Committee. Plinths are allowed to have a round or square cut shape.

### **7.8 Outbuildings**

All garages, staff quarters, housing for electrical meters, lockable refuse enclosures and other outbuildings shall be constructed and finished to match the main house.

### **7.9 Roofs**

All pitched roof coverings to dwellings must be thatch or a tile equivalent thereof and at a minimum 45 degrees pitch for thatch and 15 degrees for tiles. For tile roofs, a variable pitch structure is permitted (from steep to flatter). The equivalent to the thatch must be approved by the Architectural Committee. Explicitly permitted are grey/brown variants of Harvey Thatch tiles, as well as natural slate tiles and composite slate-lookalike tiles permitted in any variants of black/grey in colour. (Appendix B) For the thatched roofs 25mm mesh is optional. Thatch is to be done by specialists and no gutters will be permitted. It is suggested that a hard surface (pavers, pebbles, etc.) is provided for 1m around all buildings to prevent erosion from rainwater.

### **7.10 Concrete links**

Flat concrete sections of the roof over the links between thatched structures to be maximum 2,4m floor to ceiling, 170 RC slabs and 170 up-stands with approved drip and rainwater disposal detail and waterproofing. Flat roof rainwater disposal must be spouts and or concealed downpipes. Should spouts (with or without chain) be opted for discharge, it is to be in rock/stone-filled catch pit to be detailed by the architect. Any rainwater discharge that may cause erosion in the opinion of the HOA will not be permitted. Colour as prescribed by HOA.

### **7.11 Carports**

Carports, should it be a design requirement, is to be either gum pole or brick column structures. Wattle lathe gables or approved wattle lathe sunscreens or mesh reinforced waterproofed screed on wattle lathe support with a 100mm fall over 6 meters are also allowed. Colour of waterproofing to match the flat concrete roof finish. Sheet metal



may be used if it is concealed. No shade netting will be allowed. Gum poles can have a round or square cut shape.

### **7.12 Covered patios**

Covered patios/carports must be gum pole structures or brick column. Covering must be as for the main roof. Wattle lathe gables or approved wattle lathe sunscreens or mesh reinforced waterproofed screed on wattle lathe support with a 100mm fall over 6 meters are also allowed. Colour of waterproofing to match the flat concrete roof finish. Sheet metal may be used if it is concealed. No or shade netting will be allowed. Gum poles can have a round or square cut shape.

### **7.13 Windows**

Windows are to be hardwood stained dark brown or dark brown/charcoal grey powder-coated aluminium. All high-level windows are to be fitted with external or internal shutters/blinds which must be closed at night.

### **7.14 Doors**

Doors are to be hardwood stained dark brown or dark brown/charcoal grey powder-coated aluminium.

### **7.15 Garage Doors**

To be horizontally slatted hardwood doors stained dark brown or dark brown/charcoal grey wood imitated powder coated aluminium.

### **7.16 Rainwater storage tanks (cisterns)**

No visible rainwater storage tanks will be allowed.

### **7.17 Timber**

All external structural timber to be CCA treated.

### **7.18 Plumbing**

No visible supply, vents, water or sewer pipes will be allowed, and low-level vent valves in lieu of vent pipes are to be utilised.

## **8. POOL OR SPLASH POOL**

- 8.1 Only 1 pool/splash pool is permitted per site. Pumps must be out of sight. The pool is to be set in decks.
- 8.2 Depth, length, width or shape are at the owner's discretion if the total volume of water contained within the pool does not exceed 45,000 litres.

## **9. REFUSE AREA**

Refuse bins may only be placed out of sight in an enclosed courtyard and must be animal (baboon) proof. A metal enclosure for the bin is recommended. When the property is unoccupied, the refuse bin must be stored in a lockable storage room.

## **10. GARDENS**

### **10.1 Lawns**

Lawns are permitted subject to the approval of the architectural committee and must be indicated on site plans presented for approval. No automatic garden irrigation systems will be permitted.

### **10.2 Plants/trees**

No exotic plants will be permitted.

### **10.3 Walkways**

All buildings are to be connected with timber walkways raised above the ground or concrete slabs simulating timber or pavers to match the walls. The position and method of construction are to be indicated on the plans.

## **11. SEWERAGE**

It is the responsibility of each owner to install his/her own onsite sewage treatment plant. To comply with the requirements of the Department of Water Affairs and Forestry, as well as the Department of Agriculture Conservation Environment and Land Affairs, special attention must be given to the treatment of sewage. The proposed method of sewage treatment must carry the approval of the HOA.

Full details of the proposed method of sewage treatment must be submitted with the house plans to the HOA and no construction may commence until the proposed method of treatment has been approved. The Maruleng Municipality and the Department of Water Affairs and Forestry reserves the right to require a homeowner to take remedial action should the onsite sewage disposal system on any property be creating damage to the environment or be causing a nuisance to the general public, either through bad design, construction or maintenance and that, should the owner not take the necessary action, then the Municipality will undertake such action at the expense of the homeowner.

As a guideline, small electrically operated package treatment plants will be acceptable

All storage tanks are to be completely buried. The effluent from the plant can either be used for irrigation or can be taken to a soakaway as described. In this instance, the soakaway can be closer than 100m to any rivers or streams.

## **12. ELECTRICITY & LIGHTING**

- 12.1 Single-phase electricity will be supplied by an underground cable to the border of each unit which point will be the supply point of electricity to the unit. An electric current of 60 A will be supplied and must be safeguarded on the main current breaker of the unit.
- 12.2 All internal electrical installations must comply with the standards of the SABS0142 (user code for the wiring of premises). After completion, but prior to the connection to the electrical network, each owner will have to supply the Home Owners Association with an electrical certificate issued by an accredited person as prescribed by SABS0142 user code.
- 12.3 High-level windows must have external shutters which must be closed at night. All task lighting must shine directly down and no general spotlighted areas, which could bother neighbours or game, are permitted. Thatched external patios must have wattle lath gables preventing light emanating to natural areas. No movement-sensitive security lights are permitted.
- 12.4 Only low-level lighting 1,0m above floor level will be allowed in carports, driveways, service areas and external walkways. Lighting should never be visible from neighbours' property. Light fittings for external patios (covered and uncovered) and entrances to be wall-mounted and "eyelid" type fittings shining down.
- 12.5 The use of solar panels is permitted but must be installed out of sight. All such installations must comply with the standards of the SABS0142 (user code for the wiring of premises). After completion, but prior to the connection to the electrical network, each owner will have to supply the HOA with an electrical certificate issued by an accredited person as prescribed by SABS0142 user code. The MEHOA's appointed electrician to sign off on all installations.
- 12.6 Generators will be allowed on prior approval from the MEHOA. Silent type generators must be used and be installed out of sight. The MEHOA's appointed electrician to sign off on all installations.

## **13. FIRE PROTOCOL**

- 13.1 All dwellings MUST be fitted with:
  - Approved SABS fire hose reels that will reach all sections of the building for the necessary firefighting capabilities;
  - An external SABS approved lightning conductor if the dwelling is fitted with a thatched roof if so required by the member's insurance company;
- 13.2 Fire retardant treatment of thatch is recommended.

## **14. EXTERNAL FITTINGS**

### **14.1 TV aerials**

Aerials must be positioned as to have minimum visual impact.

### **14.2 Satellite dishes**

Satellite dishes must be positioned as to have minimum visual impact.

### **14.2 Air-conditioning units**

Wall-mounted air-conditioning units' condensate drainpipes and conduits must be concealed. Split unit condensers must be placed on flat roof links painted to compliment the wall finish and piping and conduits must be concealed.

## **15. CONDITIONS WITH REGARD TO ALL CONTRACTOR ACTIVITY**

### **15.1 Conditions regarding the selection of building contractor:**

15.1.1 Only NHBRC registered contractors can build on the estate. No contractor is permitted onto the estate unless he has concluded a contractor's agreement with the HOA and paid the required deposit, which may be varied by the HOA from time to time.

15.1.2 An owner nominates his own contractor to construct any building for which plans have been approved, provided that such contractor receives approval from the HOA via the Operational Manager and operates within design guidelines.

15.1.3 All contractors must prior to the commencement of any building work, lodge a deposit of R10 000.00 with the HOA, which will be refunded on completion of the building project once the Operational Manager has inspected the site and found it to be 100% clear of all rubble. This inspection will also include the surrounding bush, anthills, dongas etc.

15.1.4 The Operational Manager, his appointed representative and the architect of the owner, shall be responsible for monitoring the adherence to these conditions and the design guidelines as set out from time to time. All building work must be supervised by the architect.

### **15.2 Conditions regarding building contractor activity within the estate:**

15.2.1 Entrance and exit to and from the estate for all contractors, subcontractors and their employees, will be at the entrance gate at the contractor's camp. All contractors must travel to, from and between sites in a vehicle. A contractor may only transport labourers in his employ, and not employees of other contractors. All contractor vehicles may be subject to a security search.

15.2.2 Building Contractor activity and deliveries shall only be permitted during normal building hours being the hours of 06:00 to 18:00 in summer (Summer being 1/10 to 30/4), Monday to Friday and 06:30 to 17:30 in winter (Winter being 1/5 to 30/9), Monday to Friday. Working hours on site are from 07:00 to 17:00. The remainder of the time is to be used for travelling to and from the site. No contractors will be allowed on the estate after hours. The contractor's gate will be locked from 18:00 every evening until 06:00 the following morning according to the summer/winter times. No Building contractor activity is permitted on Saturdays, Sundays or Public Holidays, without the express permission of the Operational Manager. This time is considered as private time. The specific application for contractor activity during private time must be lodged with the Operational Manager and adjacent neighbours, one week prior to the proposed period of work.

### **15.2.3 During periods designated as private time:**

15.2.3.1 the building contractor shall only be permitted to have one representative per site as a watchman. Such representative must display the appropriate ID card, which is obtainable from the HOA. The safety and control of an ID card issued is the sole responsibility of the contractor. The loss of such ID card will incur a penalty determined by the HOA.

15.2.3.2 in the case of emergency repairs, the owner has to arrange access for the contractor with the Operational Manager.

15.2.4 All workers of contractors and sub-contractors must enter the estate in an approved vehicle. Each contract worker must hand in a copy of his/her ID book so as to be issued with an ID card which he/she must carry with him/her. Contractors will be liable for the cost of the ID cards @ R30.00 per card. Cards are available from the Front Office Manager. All such workers will only gain entry to the estate through the designated entry point. On completion of a building contract, all ID cards must be returned to the HOA.

15.2.5 The contractor shall provide facilities for rubbish and rubble disposal and ensure that their employees use such facilities. Securable containers must be placed on site for rubbish. All rubbish and rubble shall be removed from the estate by the contractor weekly. The contractor shall not remove rubble, rubbish or materials to within the road verges or roadways. No rubbish or rubble shall be burnt on the site. If rubble is to be used for erosion sites, it may not contain paper, tins, pipes, etc.

- 15.2.6 No concrete or other building material may be mixed directly on the ground, mixing platforms must be provided.
- 15.2.7 No materials shall be off-loaded by a supplier onto road verges or roadways. All materials shall be off-loaded on a site or onto the designated yard area for the receiving contractor. At handover, a stockpiling area on the building site will be demarcated.
- 15.2.8 Delivery of materials to the site or to designated yards shall not be permitted during private times as defined above. Specifications with regard to delivery vehicles are as follows:
- 15.2.8.1 no horse and trailer trucks and interlinks
  - 15.2.8.2 double axel trucks with a maximum weight of 10 tons will be allowed
  - 15.2.8.3 maximum allowable height - 3 metres from ground level.
- 15.2.9 The speed limit on all roads is strictly 30 km/hour. Trucks and service/delivery vans will only be issued entry permits on proof of a delivery document clearly stating the site number. All service and delivery vehicles must follow the contractor routes. All service/delivery vehicles may be subject to a security search. No unauthorised vehicles (buses, taxis, etc.) will be allowed into Modiflo Estate.
- 15.2.10 The area of the building site will be demarcated by hessian or such other material approved by the HOA and no workers employed on the building site are permitted to leave that demarcated area. A responsible foreman should be present on-site at all times. An approved site number must be displayed at the entrance of the site within 1 week of site handover - height 90 centimetres. No trees or bushes may be cut down before handover. At handover, the layout of the construction must be clearly pegged out and demarcated with danger tape. No person may remove or move any peg, marker, and danger tape or beacon stakes.
- 15.2.11 The contractor shall provide portable chemical toilet facilities for use by its workers. No pit latrines will be permitted. Only chemical toilets or a properly constructed septic tank and French drain may be used. At the time of site handover, the toilet must be on-site and installed out of sight. All toilet facilities will be maintained in a sanitary and healthy manner. Percolation tests in accordance with the requirements as prescribed by the NHBC must be completed within two weeks of site handover.
- 15.2.12 Contractor building boards of 800mm by 600mm must be erected at each site. No sub-contractor boards shall be permitted. All boards so erected shall be removed from a site on completion of construction.

- 15.2.13 The owner and the contractor shall be jointly liable for any damage to plants, roadways and private property. The contractor will be responsible for any damage caused to fauna and flora or fences by delivery vehicles entering Moditlo Estate. Contractors are responsible for TLB's. Such damage shall be rectified to the satisfaction of the Operational Manager or his representative at the cost of the owner and/or contractor.
- 15.2.14 Should the HOA have any concerns about the conduct or performance of any contractor, sub-contractors or their employees, the matter shall be referred to the Operational Manager whose ruling on the incident(s) shall be final.
- 15.2.15 The owner, contractor and sub-contractors shall not claim at any time that they are not aware of the existence of these rules and any other applicable to their respective obligations and it is incumbent upon each owner to ensure that every contractor and/or sub-contractor in his employ is aware of their respective responsibilities.
- 15.2.16 The conditions regarding building contractor activity within the estate as set out in this document are the basic conditions and will it be set out in more detail in the contract between the HOA and the contractor.
- 15.2.17 No fires are allowed to be made on site.
- 15.2.18 Under no circumstances is it allowed for sand to be removed from the riverbed for building purposes.
- 15.2.19 No fishing in any of the dams is allowed.
- 15.2.20 Contractors may not remove any plant, animal, rocks, wood or any other material from the estate or use any of the abovementioned for building purposes.
- 15.2.21 In the event that the appointed contractor cannot complete the works for whatever reason, the owner shall appoint an alternative contractor who is approved by the HOA before continuing.
- 15.2.22 Approved plans must be kept on-site at all times. Deviation from approved plans will not be accepted. Substantial changes on plans during constructions have to be approved before building may commence. Such changes would include:
- 15.2.22.1 Any change that would alter the external envelope of the building, i.e. elevations, roofscapes, heights, finishes, external lighting, etc.
  - 15.2.22.2 Any change to external works such as swimming pools, decks, carports, lapas, verandas, screen walls, etc.

- 15.2.23 Open water, electricity and Telkom trenches are to be closed up within a maximum period of one month. The open trenches are to be animal-friendly with a ramp at every 10 metres
- 15.2.24 Request for site hand back must be submitted in writing. Contractors are to ensure that the structure exactly matches the approved plans before site hand back. All project completion certificates, i.e. termite, electrical, engineering, percolation, etc. and council occupation must be submitted at site hand back. Site hand back cannot take place without these certificates.
- 15.2.25 Contractors are to strictly adhere to the initial expected contract period. The contract period may not exceed 9 months from commencement. An extension must be requested from the MEHOA in writing.
- 15.2.26 No firearms are allowed to be brought in to the Moditlo Estate.
- 15.2.27 On breach of any of these rules and procedures, the HOA reserves the right to institute action as determined by them from time to time.
- 15.2.28 The HOA reserves the right for the Directors to amend the foregoing and other conditions at any time under advice from the Operational Manager. Any changes shall be circulated to all owners, active contractors and newly appointed contractors and sub-contractors, in writing within 7 (seven) days of a change having been approved.

We, the undersigned, with our signatures below, herewith confirm that we have read, understand, accept and undertake to be bound by the content of this ARCHITECTURAL DESIGN GUIDELINES AND BUILDING REQUIREMENTS.

**MODITLO ESTATE STAND NUMBER:**

**OWNER:**

**DATE:**

**CONTRACTOR:**

**NAME:**

**DATE:**

**OPERATIONAL MANAGER**

**DATE:**