



## **The Wilds Home Owners Association**

Reg No: 2003/008761/08

**RULES AND REGULATIONS**

and

**ARCHITECTURAL GUIDELINES**

as approved at the AGM of 28 January 2015

# *Rules and Regulations*

## **INTRODUCTION**

The Wilds Home Owners' Association NPC (the "Association" or "HOA") a company incorporated under the Companies Act, No 71 of 2008. The company's memorandum of incorporation contain provisions, which supplement these rules.

- 1 The broad objectives of the Association are the following:
  - 1.1 To control the character and architectural standards of buildings and other structures to be erected.
  - 1.2 To control the use of roads and open areas in the townships, subject to all local, Provincial and National laws.
  - 1.3 To provide for the maintenance of sidewalks and open areas in the townships.
  - 1.4 To provide controls for keeping of dogs and other animals in the townships.
  - 1.5 To implement and control security procedures for admission to the townships and generally in the townships.
  - 1.6 The HOA has the right to fine transgressors where any of the rules as stipulated by the HOA from time to time have been broken or infringed upon. Such fines will form part of the levy and shall become due and payable on the due date of payment of the levy.
- 2 In the quest of a happy and harmonious community residents of the townships are obliged to use and enjoy the properties they own and /or occupy as well as the public areas and open spaces in accordance with their own rights, but as curtailed by the rights of other members or occupants.
- 3 The abovementioned provisions contained in this introduction are of an operative nature and are therefore binding provision of these rules.

## **CONDUCT RULES**

### **A Streets – Sidewalks- Open spaces**

The streets of the townships are intended for vehicular and pedestrian traffic by all occupants. Drivers of motor vehicles do not have a preferential right of use and are obliged to afford all other users of roads an equal use right.

- 1 The speed limit is restricted to 40 km per hour, throughout the Township. Save for the above, the Gauteng Road Traffic Ordinance shall remain in force.
- 2 Parents are obliged to ensure that their children do not play in the streets and they take responsibility for their children's safety. In spite of this provision drivers of motor vehicles are obliged to take special care while driving so as to allow for the possible presence of people in the street.
- 3 Engine powered vehicles are not allowed to drive anywhere except in the streets of the township. Vehicles are not allowed in parks or on pavements.
- 4 No parking is allowed on sidewalks and in the streets opposite traffic islands.
- 5 Only drivers holding a valid driver's license will be permitted to drive vehicles in the township.
- 6 The use of motorcycles or vehicles with noisy exhaust systems is prohibited, save for entering or exiting from the estate.

### **B Streetscape**

- 1 Every owner is obliged to maintain, trim and keep clean and tidy and manicure the area between the road kerb and the boundary of his property. The HOA may oblige the owner or tenant to improve the appearance of this area when deemed necessary, at the cost of the owner.
- 2 Garden fences/ walls and outbuildings forming part of the streetscape shall be maintained, kept neat and clean and painted where necessary.
- 3 Caravans, trailers, boats, equipment, tools, engine and vehicle parts as well as accommodation for pets are to be sited out of view and screened from neighbouring properties.
- 4 No Wendy Houses may be erected. Tool sheds maybe erected on condition that:
  - Approval has been obtained from all the neighbour Members.

- Height not to exceed height of adjoining boundary wall with a Maximum height of 1.8 meters.
- Must not be used for any form of accommodation.

- 5 Building material may not be dumped on the sidewalks, streets or other open spaces under any circumstances.
- 6 No trees or plants on sidewalks and no sidewalk lawn may be removed without the permission of the Association. Plants may not interfere with pedestrian traffic or obscure the vision of motorists.
- 7 Should an owner or occupant fail to comply with any of the above rules, the Association is entitled to carry out the necessary work (or have it done) and to claim payment of its expenditure from the owner together with interest at a rate which from time to time is equal to the prime rate of interest in which from time to time is equal to the prime rate of interest charged by NEDCOR plus 2% (Two percent). The aforementioned amount shall be added to the homeowner's levy account.
- 8 Every owner is encouraged to employ only accredited garden services agencies to landscape and maintain their gardens.

### **C Environmental Management**

- 1 No rubble or refuse may be dumped or discarded in any public area, including the parks, streets, lakes or vacant stands.
- 2 A particular appeal is made to residents to leave open spaces they visit in a cleaner condition than that in which they were found. Residents are requested to develop the habit of picking up and disposing of any litter encountered in the open spaces and streets.
- 3 Flora may not be damaged or removed from any public area.
- 4 Fauna of any nature may not be chased or trapped in any public area, be it by people or by dogs.
- 5 Residents are responsible for maintaining trees and watering and manicuring plants and shrubs planted on their pavement by the Association.
- 6 Residents are obliged to maintain their gardens in a neat, clean and manicured condition.
- 7 Residents shall ensure that declared noxious flora are not planted and do not grow in their gardens.
- 8 Swimming pool water must be canalised into the storm water system and not into the street.
- 9 Vacant stands must be kept clean to the satisfaction of the Association. Owners are responsible to remove rubble dumped on their erven even if dumped by others, failing which the Association shall remove the rubble at the cost of the owner.

- 10 General refuse, garden refuse and refuse bags may not be placed on the pavement, except if they will be removed within 8 hours.
- 11 No bathing or boating in the dams or lakes is allowed should such dams and /or lakes be in existence or be erected, nor are dogs or any other animals permitted to swim therein.
- 12 Should an owner or occupant fail to comply with any of the above rules, the Association is entitled to do the necessary work and to claim payment of its expenditure from the owner or occupant together with interest at a rate which from time to time equal the prime rate of interest charged by NEDCOR plus 2% (two percent).

## **E Buildings and Architectural Standards**

- 1 The owner of an erf is obliged to commence with the construction of his dwelling within 24 (twenty four) months of date of first registration of the property into his name, and complete the construction within 12 (twelve) months of commencement.

Should construction not commence within 24 (twenty four) months or such construction not be completed within 12 (twelve) months of commencement of construction the levy on such erf shall double for a period of 6 (six) months and further double after an additional 6 (six) months until such infringement is rectified. The penalty levy applies from date of **FIRST** transfer of the erf.

If construction has not commenced within 24 (twenty four) months, the levy amount will only be adjusted to the normal levy after:

- i. the owner has provided approved plans to the Association;
- ii. any amount due to the Association is paid in full, and
- iii. the owner commenced building activities.

Should the construction not be completed within 12 (twelve) months from commencement, the levy would be re-adjusted to the normal levy upon:

- written confirmation of the completion of the building work is presented to the Association
- an approved Occupancy Certificate is provided and
- any amount due to the Association is paid in full.

- 2 All building plans shall comply with the ARCHITECTURAL GUIDELINES and must be approved by the Architectural Sub-committee of the Association in order to assure such compliance. This applies also to any additions and alterations to existing structures. The Architectural Guidelines are contained in the attached document marked "ARCHITECTURAL GUIDELINES" and are incorporated and forms part of these rules.

## **F Good Neighbourliness and Use of Erven**

- 1 No business activity or hobby which causes aggravation or nuisance to fellow occupants and neighbours may be conducted, including but not limited to auctions and jumble sales.
- 2 No business may be conducted from home without the written consent of the HOA. All owners /tenants wishing to conduct businesses from home have to apply to the HOA in writing. Such business operation must adhere to the criteria and conditions as specified by the HOA and to local municipal bye-law regulations. The business area may not exceed a maximum of 60 square meters of constructed floor area. Approval will be for a maximum of two years after which a new application should be made to the HOA.
- 3 The volume of music or electronic instruments or other sources of noise, partying and the activities of domestic workers should be restricted to an acceptable level or should take place in such manner as not to be heard on adjoining properties. If heard, it may not cause aggravation and /or nuisance to the neighbours.
- 4 The use of power saws, lawn mowers, and power tools should only be undertaken between the following hours on Mondays to Saturdays: 07h30 – 18h00 and on Sundays only between 09h00 – 18h00 but not between 12h00 -16h00.
- 5 Washing may only be hung on lines screened from the street and from neighbouring properties.
- 6 Advertisements or publicity material may not be exhibited or distributed unless the prior written consent of the Association has been obtained.
- 7 Owners must ensure that domestic workers and other employees do not loiter on the estate and specifically at any prominent places such as gates, road circles and the like.
- 8 No duettes, cluster housing or town houses are to be developed on the erven, either by way of sectional title units or subdivision, except on the erven zoned for such development under sectional title. No subdivision of any of the residential erven is permitted.
- 9 No property may be used as a commune.
- 10 No fireworks to be fired off in the Estate.
- 11 In the event of annoyances or complaints, the parties involved should attempt as far as possible to settle the matter between themselves, exercising due tolerance, reasonableness and consideration.
- 12 Where a dispute cannot be resolved and in particular a dispute between neighbours, the following procedure shall apply:

- 12.1 Written submissions will be made by the parties involved in the dispute to the HOA;
- 12.2 The HOA may, in their sole discretion, decide as together the HOA or the Chairman of the Association will arbitrate on the matter or not;
- 12.3 In the event that the HOA are of the view that they are prepared to arbitrate on the matter, the decision of the HOA shall be final and binding in respect of the resolution of the dispute;
- 12.4 In the event that the HOA are of the view that they are not prepared to arbitrate in the matter, the HOA may either;
  - 12.4.1 inform the parties involved that the HOA are not prepared to arbitrate in the matter and the parties will have to resolve the dispute themselves and/or by legal action and/ or by arbitration, or
  - 12.4.2 the HOA may refer the matter to an independent arbitrator, at the HOA's discretion in which event the arbitrator's fees shall be paid in advance in equal shares by the parties to the dispute and in this regard, the arbitrator's decision shall be final and binding on the parties and the arbitrator shall be entitled to make an award as regards to costs.

## **G Security**

- 1 It will be a breach of these rules to abuse security personnel under any circumstances.
- 2 Security rules and protocol at the gates and elsewhere in the township shall be adhered to at all times by the developer, owners, residents, contractors, workers and visitors.
- 3 Any ID card system to be introduced by the Association for permanent workers, temporary workers and contractor representatives must be conscientiously enforced by every owner with respect to people in his/her employ or contracted to him.
- 4 Owners are obliged to request visitors, contractors and workers to adhere to security protocol and owners are requested to treat the security personnel in a co-operative and courteous manner.
- 5 Owners are obliged to ensure that contractors in their employ adhere specifically to the security stipulations of the Contractors Code of Conduct referred to and as more fully set out in the attached document marked CONTRACTORS CODE OF CONDUCT which is regarded as incorporated and forms part of these rules.
- 6 All attempts at burglary or instances of fence jumping must be reported immediately to a member of the security staff and the Security Sub-committee of the Association.



- 7 As successful security depends on attitude, owners should be aware that they need to enforce and apply security to ensure its success and hence owners are encouraged to question suspects not displaying formal ID cards.
- 8 It is suggested that owners install a home security system as soon as possible after taking occupation of their homes, and to link the system to a response company registered with the Association .
- 9 The township will be manned 24 hours a day by such security personnel as the Association may determine and owners if issued with security stickers, should attach the stickers to motor vehicle windscreens.
- 10 The township will be patrolled on a random basis by security guards and random searches will be performed on contractors and workers in the township.
- 11 Owners on the perimeter wall are responsible for keeping any overgrowth clear of the electrified fence.
- 12 Owners and /or their tenants are not permitted to issue instructions to Security Personnel.

#### **H Sub Division**

No subdivision of any of the residential erven shall be allowed.

## **I Letting and Reselling Property**

- 1 The owner is obliged to ensure that the agent is in possession of a copy of these rules and the purchaser or lessee is furnished with a copy thereof and binds himself in writing to subject himself to these rules as from the date of occupancy or ownership, whichever is the earlier.
- 2 The agent must also ensure that the purchaser/lessee is informed about and receives a copy of these rules, the Architectural Guidelines, the Contractor's Code of Conduct and any other administrative regulations applicable at the time. Agents may only visit the township by appointment with an owner and must personally accompany a prospective purchaser or lessee and are not allowed to erect any "for sale" or "to let" or "sold" signage boards.
- 3 A clearance certificate must be obtained from the Association at a cost determined by the Association (which amount may be adjusted annually at the discretion of the Board of Directors).

### **3.1 Lease Agreements** to contain the following:

"Lessees of properties in the township and their family, visitors and servants become bound to these rules on occupation of the property and shall adhere to the rules and regulations as contained in this document"

### **3.2 Accreditation of Estate Agents:**

- 3.2.1 An Estate Agent is accredited after signing an agreement with the HOA to the effect that such agent has been accepted by the HOA and that the said agent shall abide by the rules and in particular the stipulated procedures applicable to the sale and/or a lease of property in the township.

## **J Pets**

- 1 The local authority byelaws and sectional titles rules relating to pets will be strictly enforced.
- 2 Without the written approval of the Association no person may keep more than two dogs and two cats on an erf.
- 3 No poultry, pigeons, aviaries, wild animals or livestock may be kept on the estate.
- 4 Pets are not allowed to roam the streets.
- 5 Pets must be walked on a leach in public areas.
- 6 Should any excrement be deposited in a street or other public area, the owner of the pet shall immediately remove it.

- 7 Every pet must wear a collar with a tag indicating the name, telephone number and address of its owner. Stray pets without identification tags will be apprehended and handed to the Municipal Pound of SPCA
- 8 The Association reserves the right to have a pet removed should it become a nuisance within the estate. The Association has an absolute discretion in this regard, but will not exercise the said right without first having directed a written notice to the owner furnishing details of the complaint and the complainant and affording the owner a reasonable opportunity to eliminate the cause of the complaint.

**K Recreational facilities**

- 9 Owners (i.e member of the Association) shall automatically become members of the General Club once built. No joining fee or annual subscriptions are payable, but the levy referred to in clause K above will include an appropriate amount to defray the club's expenses. Members of the Association are not by virtue of their membership of the Association entitled to membership of the bowling section (if applicable) of the club. Members of the Association may apply for membership of the Bowling club in the ordinary course of events.
- 10 The bowling club is entitled to make rules which apply to members of that club. The general club is entitled to make rules which apply to members of the general club (which will include members of the bowling section of the club.)
- 11 Members of the Association who are not also members of the bowling section of the club are obliged to honour and abide by rules of the general club and/or the bowling club which pertain to the presence of persons and/or animals on the bowling green. Members of the Association are not by virtue of their membership of the Association entitled to be present on the bowling green unless the rules promulgated by the bowling section of the general club allows for such presence, in which event members will abide strictly by the said rules of the bowling section.

# *Architectural Guidelines*

The purpose of these guidelines is to encourage individual creativity while fostering a unity of material and finishes, to ensure that the overall development be in unison to create a balance and compatible life style for all residents.

The construction and improvements should commence within two years from the date of registration of transfer of ownership. In order to reduce inconvenience to neighbours as well as unsightliness, construction should proceed without lengthy interruptions and should be completed within 12 months from the date of commencement. Phased design should be handled in such a way that the end of each phase should be aesthetically acceptable to the Home Owners' Association (HOA).

The design of dwelling and the entire stand should show sensitivity to the existing natural features, flora and topography. Permission is to be obtained from the estate manager before any existing trees are removed. All existing trees are to be shown on the site plan submitted with the building plans. Surrounding structures must be taken into account and any buildings on adjacent erven are to be indicated on the site plan.

**ELEVATION TREATMENT OF ALL BUILDINGS MUST CONFORM TO GOOD ARCHITECTURE SO AS NOT TO INTERFERE WITH OR DETRACT FROM THE GENERAL APPEARANCE OF THE NEIGHBOURHOOD AND BE TO THE SATISFACTION OF THE H.O.A.**

## **1 TOWNPLANNING CONTROLS**

### **1.1 RESIDENTIAL ERVEN**

Single storey dwellings 50 percent maximum

Double storey dwellings 80 percent of the area of the ground floor plan. Group housing in accordance with council regulations

A schedule of areas is to be provided on the plans submitted for approval with the coverage expressed as a percentage of the site area.

### **1.2 BUILDING LINES (for residential and group housing)**

The following building lines shall apply:

Street boundary	5.00 meters single storey 8.00 meters double storey
Side boundaries	3.00 meters single storey

	3.75 meters double storey
	4.50 meters thatch to overhang
Back boundary	3.00 meters
	4.00 meters double storey
Atterbury	16.00 meters
De Villa Bois	16.00 meters

### **1.3 TREATMENT OF STAND BOUNDARIES**

Every effort should be made to avoid the 'hostile canyon like' effect that high solid walls along streets cause in many residential areas. In order to enhance the appearance of sidewalk and the streetscape of the estate, the following guidelines will apply:

Please note: All heights of walls as mentioned hereunder are from the natural ground level of the site.

#### **1.3.1 Street boundary**

A maximum height of 1.2m will be permitted on the street boundary which is to be taken for a distance of 3m down the side boundaries, before height of wall may be increased. Should a palisade type fence be used it should be used in conjunction with brick pillars. Should further enclosure become necessary, this must be set back 3.0m from the boundary and may be to a maximum height of 2.0m. Details of the fencing, indicating materials, finishes and colours to be used are to be submitted to the HOA for approval together with building plans.

#### **1.3.2 Side space – walls**

The boundary walls between properties may be a maximum height of 2.0m except for the last 3.0m to the street which are to be reduced to 1.2m in height.

## **2 BUILDING DESIGN GUIDE LINES**

- 2.1 All drawings submitted for approval to the HOA are to be prepared by a registered architect or alternatively an architectural technician, the standard of whose work is found to be acceptable to the HOA. All the information required as contained in these guidelines is to be included on the plans submitted to the HOA for approval.
- 2.2 Before submitting plans to the local authority the HOA are to approve the plans, and furthermore it is the responsibility of the owner to obtain approval of both HOA and the local authority before any building work will be permitted. A scrutiny fee will be charged to the home owner which will be payable before the plans are approved, in the discretion of the HOA.

- 2.3 Privacy of surrounding properties. Windows and balconies, especially those of double storey houses, should not overlook the living areas of surrounding properties.
- 2.4 No staff accommodation will be permitted closer to the street than the main house unless contained under the same roof. Kitchen yards, drying yards and staff facilities are to be screened and should open onto enclosed areas. Washing lines are to be indicated on the drawings. Outbuildings and future additions are to match the main building in all respects. All plans are to indicate a minimum of two enclosed garages, to be built in conjunction with the main house.
- 2.5 No flat roofed, lean-to type carports will be permitted. Carports are to be designed as an integral part of the main house and to match in all respects.
- 2.6 The face of boundary walls visible to adjacent properties are to have a maintenance-free finish, to the approval of the HOA, no stock brick walls or pre-cast concrete will be permitted.
- 2.7 No dog kennels, caravans, boats, trailers, etc are to be visible from the street and will not be permitted in the side spaces.
- 2.8 Awnings, aerials, blinds, satellite dishes, solar heaters and other items which do not form part of the basic structure are to be clearly shown on the drawings and all necessary details are to be provided to the HOA.
- 2.9 All plumbing pipes are to be installed in ducts or concealed in such a manner so as to be acceptable to the HOA. Details are required on the plans.
- 2.10 No deviation from the drawings submitted to, and approved by the HOA will be permitted. Revised drawings will have to be re-submitted and approved of, before any construction work is put in hand. An additional fee would be charged when submitting revised plans.
- 2.11 No dwelling shall be smaller than 250 sq.m including outbuildings and garages. No units in group housing projects shall be smaller than 90 sq.m excluding garages and outbuildings.
- 2.12 Areas of units in group housing projects are as follows, all inclusive of double garages:
 

a)	20 units per ha.	Min area	200 sq.m
b)	25 units per ha.	Min area	120 sq.m
c)	30 units per ha.	Min area	120 sq.m

### 3 APPROVED BUILDING MATERIALS

#### 3.1 Roof Coverings

Profiled steel sheeting, having a pre-painted finish, e.g. chromadek or colomet.

Concrete tiles having one of the following colours: terra cotta, antique terra cotta, antique slate or standard slate.

Thatch will be permitted.

Slate tiles/shingles.

Fibre-cement tiles / shingles having one of the following colours: green, dark grey, terra cotta, charcoal.

Flat concrete roofs are to have a non-reflective finish.

Galvanized gutters or down-pipes will be permitted, this is to be stated clearly on the drawings and must be painted to harmonize with the building finishes.

#### 3.2 Walls

External masonry walls to houses shall be 220mm thick, with either a face brick or plastered and painted finish.

##### **Approved face bricks include:**

ROSEMA	Contessa Satin Contessa travertine
COROBICK	Roan satin Roan travertine Country manor travertine Corn-gold Topaz travertine Blue barley travertine Agate satin travertine

Samples of any other face bricks to be submitted for approval. The face brick selected is to be specified on the drawings.

Semi-face bricks may be considered after a sample panel of a minimum of 2 sq.m has been erected on site at the owner's expense, for inspection by the HOA. Only autumn colours will be permitted. This sample panel is to be retained for the duration of the works.

Any other materials contemplated for use must be approved by the HOA and if required samples are to be submitted before any work is put in hand.

- 3.3 All materials with the finish and colours thereof to be used externally are to be indicated on the drawings submitted for approval.

#### **4 PAVING AND LANDSCAPING**

Landscaping on sidewalks must be undertaken within the integrated landscape language of The Wilds.

- 4.1 The landscaping theme of the estate is to encourage the use of indigenous trees and plants. The portion of all properties that border and the portion of all properties between the building lines and the street boundary should be landscaped accordingly.
- 4.2 All driveways are to be completely paved, with a maximum width of 5 meters at the site boundary and at the junction of the road. No exposed concrete finish to driveways will be permitted. Finishes to driveways and walkways are to be indicated on the drawings, and the extent of driveways at the street boundary is to be shown. In the event of two driveways being envisaged the maximum width of both may be 7m with a minimum of a landscaped area of 5 m between driveways, details required.
- 4.3 The use of hedgerows is recommended and the planting of indigenous trees and shrubs is encouraged where possible.
- 4.4 Trees planted in the road reserve must follow the guidelines as set out for that particular street.
- 4.5 Planting and hedgerows are also encouraged where palisade fencing is used.
- 4.6 Houses built on the visual slopes of the estate will require special attention to reduce the interruption to the horizon line and any other visual impact. This will have to be achieved by inter alia, additional landscaping and a sensitive approach to the scale and proportions of the buildings.
- 4.7 Cut and fill is to be kept to minimum.
- 4.8 Contours indicating the natural slope of the ground at 5m intervals are to be shown on the site plan with floor levels relative to them.

#### **5 PROHIBITED MATERIALS AND FINISHES**

- 5.1 Unpainted plaster.
- 5.2 Pre-cast concrete walls. All boundary walls are to have maintenance free finish facing adjacent properties. Face brick, to match the main house will be permitted.



- 5.3 Unpainted reflective steel sheeting. Whether to roofs, gutters, down pipes or any other components of the external finishes.
- 5.4 Wood panel fencing.
- 5.5 Razor wire, security spikes or similar features (The Association deems, under the definition of “similar features”, that electric fencing is a prohibited material).
- 5.6 Galvanised garage doors.
- 5.7 Institute cast concrete panels with a brick or any other pattern imprinted into the surface thereof will not be permitted.

## **6 CONSTRUCTION ACTIVITIES**

As the building within the residential estate will be constructed over a considerable time period, the following guidelines have been formulated for the benefit of residents.

- 6.1 All building materials are to be stored within the site boundary, no material is to be off-loaded onto the road or road reserve.
- 6.2 No advertising or sub-contractors boards will be permitted. Only the approved contractors’ professional board will be permitted (see Pro-Forma).
- 6.3 No workmen will be permitted on site between the hours of 16h30 and 07h00.
- 6.4 All contractors will be required to provide screened ablution facilities for the workmen and sub-contractors under his control.
- 6.5 Construction hours are restricted to 07h00 and 16h00 Monday to Friday and 7h00 to 13h00 on Saturdays. No construction activity is to take place on Sundays and Public Holidays. No building activities are allowed during the “builder’s holiday” (the period when builders cease building activities over the December school holiday). The Association’s will define the estate’s “builder’s holiday” each year as per industry norm.
- 6.6 Delivery routes and hours may be defined from time to time by the HOA and all contractors are to obtain these restrictions from the Estate Manager.
- 6.7 Fines may be levied from time to time by the HOA for contractors and delivery vehicles who spill material enroot, damage roadways and kerbs, stain tarmac and generally create a nuisance within the estate.
- 6.8 Contractors Rules and Regulations to be obtained from the Estate Manager.



## 7 SUBMISSION OF BUILDING PLANS

7.1 Before plans which are submitted for approval will be scrutinized, the following particulars are to be complied with:

- a. The owner will be requested to effect payment of a pavement deposit as determined by the Board of Directors which will be utilised to make good to any damaged curbs, roadways, pavements and the like.
- b. The contractor must pay a levy as determined by the Board of Directors per stand.
- c. A clearance certificate will be issued to commence building once a copy of council approved building plans and the above levies have been paid.

7.2 A plan approval fee as determined by the Board of Directors per dwelling, together with a refundable building deposit as determined by the Board of Directors must be paid with the submission of the building plans. A contractor's levy as determined by the Board of Directors per stand is also payable.

7.3 The following plans are to be submitted for approval:

7.3.1 All plans required by the local authority; coloured in, according to council regulations.

7.3.2 One further set of the above plans which have been rendered so as to give an accurate indication of the materials to be used, and the colours thereof.

7.4 The set of rendered drawings will be retained by the HOA for their records. A schedule of areas is required indicating the areas of the site, ground floor and first floor, areas of covered patios are also required. Coverage is to be given on the drawing as a percentage of the site area.

7.5 The registered owner is to sign each drawing submitted, stating that the guidelines have been understood and complied with.

7.6 The following items must be clearly shown on the plans:

- Area of dwelling including patios and outbuildings
- Coverage (%)
- Building lines
- All external finishes including a colour specification
- Boundary wall/fence details including elevations
- Drainage and how it is concealed
- Layout of driveway

**NOTE: ALLOW 21 DAYS FOR EXAMINATION OF PLANS**

# *The Wilds Residential Estate*

## *Contractors Code of Conduct*

(Forms part of the Rules and Regulations)

### **1 Introduction**

The main purpose of the following rules is to ensure that all building activity in the townships occurs with the least possible disruption to residents. Owners are obliged to ensure that building and other contractors in their employ sign the Contractor's Code of Conduct prepared by the Association and strictly adhere to the stipulations thereof. The Association may delete or amend any of these conditions and/or include further conditions at its sole discretion.

### **2 Legal status**

The conditions governing building activities which are set out in this clause are rules adopted by the Association and are therefore binding on all owners and other occupants and, through them, on their contractors and sub-contractors and other parties who are on the estate at their invitation. All owners are obliged to ensure that their building contractors and sub-contractors and other invitees are aware of these conditions and comply strictly with them. Owners are therefore obliged to include these conditions in their entirety in any building contracts concluded in respect of property in the estate (and to procure their inclusion in any sub-contract) and all such contracts may be required to be submitted to the Association for prior approval. The Association has the right to suspend any building activity in contravention of any of these provisions and/or to fine a member and/or contractor, and the Association accepts no responsibility or liability for any injury, loss of life, damage or loss of materials or equipment during building operations.

### **3 General Conditions**

3.1 Contractor activity including delivery of supplies is only allowed during the following hours:

07h00 to 16h30 on normal weekdays and 07h00 to 13h00 on Saturdays. These times are called 'public time'.

**NOTE:** No contractor activity is permitted on Sundays, public holidays and during the builder's holiday (as determined by the HOA), as these days are viewed as Private time. Special applications for contractor activity during Private time must be lodged with the Association, together with the written approval of all immediate surrounding neighbours, one week to the required private time activity.

- 3.2 All the contractor's workers and/or the contractor's sub-contractor workers must enter/exit the estate in an approved vehicle and be in possession of an approved access card before entering the township. No contractor's workers will be allowed to enter/exit the estate on foot. It is the responsibility of the owner to inform the Estate Manager of the person who will be responsible for the co-ordination of construction activities and must provide a list of all contractors to be used. Contractors not portrayed on the said list will not be permitted unto the Estate.
- 3.3 No building activity shall commence on the designated site unless a screened ablution facility connected to the sewerage system is erected or an alternative facility approved by the HOA is erected. The contractor shall provide facilities for rubbish disposal and ensure that the workers use the facility provided and that the rubbish is removed weekly and not burnt on site.
- 3.4 The site is to be kept as free as possible of building rubble.
- 3.5 Where materials are off-loaded by a supplier on or partly encroaching onto the pavement or roadway, the materials must be moved onto the site by the contractor the same day. No material must be allowed to remain on the roadway or pavement and it is the contractor's and owner's responsibility to clear the roadway of all such materials the same day. The same applies to sand or rubble washed or moved onto the road during building operations.
- 3.6 Deliveries from suppliers must be scheduled in public times only.
- 3.7 Building boards may only be erected if they comply with the Association's standards, details of which are available from the Association. Such boards are not to be erected on the pavement landscaping. No sub-contractor's boards are allowed. All boards must be removed upon completion of construction.
- 3.8 The owner and the contractor shall be responsible for damage to kerbs and/or plants on the sidewalks and/or damage to private or estate property.
- 3.9 Should a contractor breach or allow the breach of any provision of these rules by his employees, workers, a sub-contractor or its workers, the Association may itself rectify the breach as deemed necessary and claim any expense from the contractor and/or suspend building activity until such breach is remedied and in addition impose an appropriate fine. It may do so at any time and without notice and without recourse from the owner and/or contractor and/or sub-contractor.
- 3.10 The contractor and owner undertake to comply with the above provisions in addition to any further provisions which may be promulgated by the Association from time to time in the form of a written notification and to ensure compliance by any sub-contractor employed by the contractor and by all employees and/or other workers.

3.11 Any contractor who fails to comply with these rules may be prohibited from entering the township and neither the owner nor contractor will have any claim against the Association of whatsoever nature as a result thereof.

3.12 Under no circumstances may a contractor employ employees who are not in possession of a legitimate South African identity document.

3.13 Contractors and/or employees who are not in possession of the aforementioned document will not be allowed access onto the township.

SIGNATURES:

\_\_\_\_\_

OWNER

\_\_\_\_\_

DATE

\_\_\_\_\_

BUILDER

\_\_\_\_\_

DATE