



**THORNHILL**  
*Estate*

THORNHILL ESTATE

DOCUMENT CONTROL SYSTEM

**ADD:003:D**

**ADDENDUM 3:  
ARCHITECTURAL / AESTHETIC GUIDELINES  
AND BUILDING RULES**

**SECTION A: THORNHILL ESTATE RULES**

**SECTION B: OAKTREE VILLAGE RULES**

**SECTION C: BUILDING RULES**

Original Issue 'B'	Name	Signature	Date
Prepared by:	Gov Committee	<i>ORIGINAL</i>	29/02/2012
Recommended by Sub Committee:			
Authorised for issue by THOA Chairman:	Ian Boxall	<i>Signed I.B.</i>	08/05/2012

Note: Rev A was never formally issued. It was later updated and issued in accordance with 2011 Constitution

REV	DESCRIPTION	DATE	CONTENT APPROVED	AUTHORISED
C	General update	2016-11-18	THOA Board meeting 07-12-2016	Signed S. Burrow 07-12 - 2016
D	Plans to be submitted on Disk	2019-07-01	THOA Board meeting 25-06-2019	Signed S Burrow 11-07-2019

# Thornhill Homeowners Association

9 Namur Avenue, Thornhill Estate, Modderfontein. 1644

Tel: 011 608 0835 Fax: 011 608 2832 Email: [admin@thoa.co.za](mailto:admin@thoa.co.za) Web: [www.thoa.co.za](http://www.thoa.co.za)



<b>SECTION A: GENERAL RULES</b> .....	4
1. INTRODUCTION .....	4
2. GENERAL.....	4
3. PRIOR APPROVAL REQUIRED FOR BUILDING WORKS .....	5
4. TOWN PLANNING CONTROLS.....	5
5. SITE DESIGN GUIDELINES.....	6
6. ARCHITECTURAL DESIGN .....	9
7. MAINTENANCE OF EXISTING RESIDENCES .....	11
8. APPROVAL OF BUILDING PLANS.....	12
<b>SECTION B: OAKTREE VILLAGE</b> .....	14
<b>SECTION C: BUILDING RULES</b> .....	16
1. PAVEMENT DEPOSITS .....	16
2. BUILDING CONTROL .....	16
3. DISCIPLINE AND CONTROL OF LABOUR: .....	16
4. BUILDING SITE REQUIREMENTS .....	17
5. VARIATION OF APPROVED BUILDING PLANS .....	17
6. COMPLETION OF BUILDING WORK .....	17
7. INSPECTIONS.....	18
8. ACCESS CONTROL FOR CONTRACTORS.....	18
9. CESSATION OF BUILDING ACTIVITIES.....	18

## **ADDENDUM 3: ARCHITECTURAL / AESTHETIC GUIDELINES AND BUILDING RULES**

(To read in conjunction with the Code of Conduct, Rules and Regulation of Thornhill Estate)

### **SECTION A: GENERAL RULES**

#### **1. INTRODUCTION**

- 1.1** A residence in Thornhill Estate is not just a home but also an investment and the THOA wishes to ensure that the value of a home in the Estate improves over time, and that ongoing development of the Estate reinforces values. Whilst the THOA wishes to permit expression of a degree of individuality and personality, it also wishes to ensure that the Estate maintains a high degree of aesthetic integrity and harmony, both within the surrounding environment and with other building elements within the Estate.
- 1.2** The current Architectural guidelines are posted on the THOA website and it is incumbent on the owner, the architect and the builder to utilise these, and not earlier versions that have been discontinued. No rights are inferred through general adherence to these guidelines. The decision on whether or not the drawings for a dwelling and the commencement, ongoing and final construction of the dwelling, complies with the approved architectural style and maintains a high degree of aesthetic integrity and harmony, both within the surrounding environment and with other structural designs and building elements within the Estate, remains at the sole discretion of the THOA.

#### **2. GENERAL**

- 2.1** The restrictions set out below are in addition to any restrictions 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 of any plans or improvements within the estate shall be at the sole discretion of the THOA.
- 2.2** Similarly, compliance with the restrictions imposed by the THOA shall under no circumstances absolve the owner of a property within the Estate from the need to comply with restrictions imposed by any third party authority having legal jurisdiction, nor shall the THOA approval be construed as permitting any contravention of restrictions imposed by any such authority.
- 2.3** In other words, all Building Plans must first be approved in writing by the THOA **and** then the Local Authority **prior** to the commencement of any Building Works.
- 2.4** No precedent on the Estate may be referred to by Owners or their architects as motivation for any divergence from these Design Guidelines.
- 2.5** No demolition of any structure is permitted without permission from the THOA and the Local Authority.
- 2.6** Demolition of and alterations to houses, older than 60 years, are subject to National Heritage Authority Regulations.

- 2.7** No deviations from the approved drawings will be permitted unless such deviation is resubmitted and approved in terms of clause 2.3 above prior to construction.
- 2.8** It is expressly noted that THOA approval for any building works does not guarantee compliance with local authority by-laws, nor does it guarantee the structural integrity of any proposed design, modification, alteration or addition.

### **3. PRIOR APPROVAL REQUIRED FOR BUILDING WORKS**

**3.1** THOA Architectural / Aesthetic Guidelines and Building Rules are binding upon all owners who carry out any building activities, including alterations, and failure to comply will result in penalties being imposed.

**3.1.1** Owners are required to receive signed approval from the THOA for the following:

- a) New buildings, external work including additions and modifications.
- b) Structural, aesthetic and external alterations and extensions to existing buildings.
- c) Changing of use of buildings such as converting a garage into a habitable room, etc.
- d) Carports.
- e) Swimming pools and ponds including storage and rainwater tanks.
- f) Boundary and Screen Walls and gates.
- g) Awnings and Extending roofs.
- h) Demolition of buildings.
- i) Internal structural alterations.
- j) Installation of burglar bars, security gates, and other security devices that are visible from the road.
- k) Wendy houses and garden structures.
- l) Appendages to buildings such as TV satellite dish and other antenna, solar heating panels and air conditioning units.
- m) Power generators.

**3.1.2** All alterations and additions, including any proposed building line relaxations, will require approval from the neighbours in sight of the work (including those across the road). The affected neighbour must sign on the submitted drawing together with their name; stand number, phone number and date. Permission cannot be unreasonably withheld.

### **4. TOWN PLANNING CONTROLS**

Town Planning Controls are stated as follows:

- |                                    |   |
|------------------------------------|---|
| <b>4.1 Coverage:</b>               | 50% max for Modderfontein, Ext 2 erven.<br>40% max for Founders Hill (Golf View) erven. |
| <b>4.2 Floor Area Ratio (FAR):</b> | 0.8 max Founders Hill erven (Golf View).<br>N/A Modderfontein x2 erven.                 |
| <b>4.3 Height:</b>                 | Max 2 storeys allowed.  |
| <b>4.4 Building Lines:</b>         | 5m building line for street boundary.   |

2m building lines for side boundaries.

Approval for all building line relaxations must be obtained from the THOA & Johannesburg Council.

- 4.5 Subsidiary Dwelling Unit:** To be in accordance with the existing Johannesburg Town Planning Scheme.  
A 110m<sup>2</sup> subsidiary unit could be allowed for erven zoned as Residential 1A. A second or subsidiary dwelling may or may not be connected to the primary residence. However, the second dwelling must conform to the architectural style and be an integral part of the design of the primary residence.
- 4.6 Parking:** A minimum of one covered parking space and one uncovered parking space together with the necessary manoeuvring area must be provided. This is subject to design constraints for The Cottages & Oaktree Village.
- 4.7 Subdivision:** The sub-division of stands which would effectively increase the number of properties will not be allowed without the prior written consent of the Trustees.

## 5. SITE DESIGN GUIDELINES

### 5.1 Street Boundary

Continuous high walls are not permissible on the street boundary. However, the following will be permitted:

- a) A continuous steel palisade fence of max 1,8m high.
- b) A low wall, not higher than 600mm with steel palisade, to a total height of not more than 1.8m, with/without masonry columns at  $\pm$  3m intervals.
- c) One solid screen wall of max 1,8m high & 3m long.
- d) In the case of corner stands, the address street frontage must be palisade as above and up to 50% of the remaining street frontage may be walled subject to the approval of the THOA.
- e) Walls & Columns to be face brick or plastered and painted to match the exterior of the house.
- f) Prefabricated concrete walls will only be allowed on the street boundary when plastered & painted, subject to above mentioned parameters.
- g) Vehicle & pedestrian gates to form an integral part of the style and design of the boundary fence.

### 5.2 Side and Rear Boundaries

Continuous high walls are permitted on the side and rear boundaries, subject to the following conditions:

- a) Side and rear boundary walls to be max 2.1m high.
- b) Side boundary walls to step down to meet street frontage structure.

- c) All boundary walls facing public open spaces (not street frontage) to be maximum 1.8m high.
- d) The surface of the wall facing the public space can either be face brick or plastered & painted. The home owner will be responsible for regular maintenance of the wall.
- e) In case of a building line relaxation being approved on the boundary, the wall of the building facing the neighbour has to be finished to the neighbour's approval. Proposed finish must be indicated on the building plans and signed by the neighbour.

### **5.3 Stormwater**

**5.3.1** Provision should be made in solid boundary walls for the receipt of non-concentrated stormwater from higher lying properties.

**5.3.2** No stormwater shall be allowed to flow into the sewer system.

### **5.4 Utility Yards**

**5.4.1** Storage areas for refuse and gas bottles as well as laundry drying areas must be concealed from view from public spaces and neighbours wherever possible, enclosed by solid screen walls constructed in a material, colour and design appropriate to the design of the house. The max 1.8 m high by max 3 m long, solid screen wall rule applies to street boundaries.

**5.4.2** All gas bottles must be stored in accordance with LPG Safety Association and SABS regulations.

### **5.5 Garages, Carports and Parking**

**5.5.1** Garages and outbuildings must form an integral part of the design and style of the main house, both in elevation and in material usage.

**5.5.2** In the case of an application for the relaxation of the building line for the construction of a garage, 5m parking space must be allowed in front of the garage for visitors parking, or alternative visitors parking must be allowed on site. This is subject to design constraints for The Cottages & Oaktree Village.

**5.5.3** All permanent or long term residents parking must be on site.

**5.5.4** It is preferable that carports form an integral part of the property design and have brick columns and parapet walls screening sheet metal roofing.

**5.5.5** No insubstantial timber and DIY shade netting carports are allowed. Shade netting may only be used if incorporated within an approved purpose made structure. Netting colours should comply with THOA colour charts or otherwise be pre-approved.

**5.5.6** Owners will be held responsible for regular maintenance of shaded carports.

**5.5.7** Boats, trailers and caravans must be allowed for at the design stage and must be screened from the street.

## **5.6 Swimming Pools**

- 5.6.1** Each resident is responsible for the necessary safety precautions to be taken around swimming pools and any other water features. Home owners must accept full responsibility and liability with regard to ensuring that pool enclosures comply with all NBR requirements.
- 5.6.2** Swimming pool backwash shall be connected to the municipal sewer system and not directed to stormwater drains.

## **5.7 Garden Structures**

- 5.7.1** Approval must be obtained from THOA before installing any garden structures. Such garden structures shall include, but not be limited to, Wendy houses, doll's houses, tree houses, dog kennels, tool sheds and washing lines. Where possible these structures shall not be visible from the street or neighbours gardens, and they must be well maintained
- 5.7.2** Paint colours of the above mentioned garden structures must comply with THOA colour charts or pre-approved samples

## **5.8 Landscaping**

- 5.8.1** The character of the Estate landscape is primarily indigenous and all visible landscaping undertaken should integrate into the aesthetics of the Estate. Focus has been given to material that attracts birds and other fauna.
- 5.8.2** The residential garden is an integral part of the Estate and has great importance in ensuring that the Estate develops into a homogeneous whole.
- 5.8.3** Should owners/residents wish to donate and plant material on land which is part of the THOA owned park, plots, greenbelt or common areas; then such owner/resident must apply to the Garden Committee for approval via the Estate Office. Such application shall include the following:
- a) A statement of intent, accompanied by a sketch illustrating the proposal.
  - b) Confirmation from the Operations Manager that the proposed planting locations do not negatively impact any of the underground services such as water, electricity or sewerage and any existing storm water drainage systems.

## **5.9 Sidewalks**

- 5.9.1** No trees may be planted on the sidewalk without prior consultation with the THOA.
- 5.9.2** No trees on the pavement may be removed, for whatever reason, without permission from the THOA.



## 6. ARCHITECTURAL DESIGN

### 6.1 Primary Architectural Elements – Elevations

**6.1.1** The relationship of the house to the street is of major importance. All houses should be designed in such a manner as to have an attractive exposed frontage addressing the street.

**6.1.2** The public frontage should provide adequate opportunity for informal surveillance of the streets and communal open space of the Estate. Preferably, at least one habitable room should be located on the facade facing the street boundary with a door or window overlooking the street. A veranda or covered porch shall be regarded as a portion of a habitable space.

**6.1.3** No solid walls of the building on street elevation to exceed 4m without any windows or a porch.

**6.1.4** The following wall materials will be allowed:

- a) Plastered & painted brick. Paint colours to comply with THOA colour charts or pre-approved samples.
- b) Face brick
- c) Selectively used stone masonry
- d) Corrugated sheet metal cladding in Chromadek finish in THOA approved colours.
- e) All boundary walls facing public open spaces to be maximum 1,8m high.

**6.1.5** The design and style

- a) Where air-conditioning units are used, the owner is to ensure that the units and all pipe work are well concealed.
- b) Pipe work is preferably to be installed ducts.
- c) All condenser units are to be well screened off from adjacent properties.

### 6.2 Primary Architectural Elements – Roofs

**6.2.1** All houses must have predominantly duo-pitched roofs.

**6.2.2** Roofs with gable fronts or hipped roofs will be allowed.

**6.2.3** On verandas, stoeps, balconies or secondary side spaces, flat or mono pitch roofs are permitted.

**6.2.4** The following roofing materials will be allowed:

- a) Concrete, clay or slate tiles.
- b) Corrugated sheet metal (painted or Chromadek finish in THOA approved colours)
- c) Concrete slabs with waterproofing.
- d) IBR sheeting (painted or Chromadek finish in THOA approved colours). The IBR profile must be approved by the THOA Architectural / Aesthetic Committee prior to the commencement of construction. .

**6.2.5** Thatch roofed houses will not be allowed:

### **6.3 Secondary Architectural Elements – Paint**

- 6.3.1 Plastered walls are to be painted according to approved THOA colour charts or approved samples.
- 6.3.2 Roof tile & sheet metal, and roof paint colours must comply with approved THOA colour charts or approved samples.

### **6.4 Secondary Architectural Elements – Glazing, Gutters, Plumbing and Skylights**

- 6.4.1 No reflective glazing allowed.
- 6.4.2 Colour of gutters and downpipes to comply with approved THOA colour charts.
- 6.4.3 No stormwater from downpipes is allowed to be discharged into sewer system.
- 6.4.4 All exposed plumbing on the first floor should be fully screened and not be visible from the street or from adjoining properties.
- 6.4.5 Skylights or Roof lights should not be prominent to the roof skyline and no reflective glass shall be used. However, tinted glass would be acceptable.

### **6.5 Secondary Architectural Elements – Air Conditioners, Solar Equipment & Power Generators**

- 6.5.1 The installation of air conditioners, solar panels and power generators must be discussed with the Operations Manager and the Architectural / Aesthetics Committee before making any commitment to such installations.
- 6.5.2 Preferably split unit air conditioners should be used, ensuring that the compressor unit is not visible from the street. If this is impractical then the compressor unit must be hidden from view.
- 6.5.3 Only the solar panels (either the vacuum tube-type or flat panel-type) may be visible. Header tanks and plumbing located above solar panels should be screened from general view.
- 6.5.4 The solar panels must be incorporated into the adjoining structure and any elevating structure necessary should be screened from general view.
- 6.5.5 All geysers fitted outside on flat roofs are to be enclosed in an approved enclosure and they shall be screened from general view
- 6.5.6 The installation and use of power generators shall be in accordance with Addendum 11: Rules Governing the Installation & Operation of Generators

## **6.6 Secondary Architectural Elements – Water Tanks**

**6.6.1** Rainwater harvesting is encouraged.

**6.6.2** Due to aesthetic reasons, all types of water storage tanks and the location thereof, must be approved by the THOA, and should not be visible from public spaces.

## **6.7 Secondary Architectural Elements – Security**

**6.7.1** Windows may be protected by burglar proofing subject to the following conditions:

- a) They must be fitted to the inside of the window.
- b) They must be of simple design, i.e. horizontal and vertical sections only.

**6.7.2** Front Door may have a steel security gate fitted to the outside. It should be of simple design and colour to match the door.

**6.7.3** Concertina security type doors (Trellidor, Maxidor or similar) are discouraged, if fitted, they must be on the inside.

**6.7.4** Electric fencing to the site boundaries is discouraged. If fitted, it may extend to a maximum of 300mm above the top of the boundary wall. No electric fence is allowed on the street boundary and no razor wire or broken glass measures may be installed on boundary walls.

**6.7.5** Armed Response: Home owners may wish to contract an armed response security service. In this connection home owners are encouraged to appoint the THOA contracted security company. The Estate Office can assist with the arrangement of such service.

## **6.8 Secondary Architectural Elements – Lighting**

Any external lighting shall be positioned so as not to interfere with the neighbours.

## **6.9 Secondary Architectural Elements – Balconies**

No overlooking features should compromise any adjacent living unit's sense of privacy. Such effect may be ameliorated by agreement by the affected parties, but this must be approved by the THOA.

## **7. MAINTENANCE OF EXISTING RESIDENCES**

**7.1** It is important for the good appearance of the Estate that individual owners keep their buildings, boundary walls and fences in a good state of repair.

**7.2** Non-compliance will elicit a penalty to be imposed in terms of the THOA Code of Conduct, Rules and Regulations and Addendum 13: Schedule of Fees, Fines and Penalties. In addition, the owner shall be required to immediately rectify the non-compliance at his/her expense.

- 7.3** The exterior of buildings, boundary walling, fencing, sidewalk and access paving are to be kept in good order and maintained to the satisfaction of THOA.
- 7.4** Should any owner wish to redecorate their house, they must ensure that the colour selected complies with the Estate guidelines. Prior approval must be obtained from the THOA regarding alternative colours.

## **8. APPROVAL OF BUILDING PLANS**

- 8.1** The decision on whether or not a plan for a house complies with the approved architectural style shall be at the sole discretion of the THOA. In this regard, owners contemplating any change to the basic architectural style of their home should first discuss this with the THOA Architectural/Aesthetics Committee prior to incurring costly design fees.
- 8.2** Detailed design drawings shall be prepared so as to comply with these Guidelines.
- 8.3** A scrutiny fee for new houses and all other applications will be charged for each submission in line with Addendum 13: Schedule of Fees, Fines and Penalties.
- 8.4** Drawings shall be handed in at the THOA office for scrutiny by the Architectural/Aesthetics Review committee.
- 8.5** Three copies of the drawings shall be submitted to the THOA for approval. Upon approval of the drawings, one copy will be retained by the THOA and the other two returned, stamped & signed by THOA for submission to the Local Authority. Thereafter one copy of drawings approved by the Local Authority shall be lodged at the THOA Office.
- 8.6** Should the drawings not be approved, they will be returned with comments to the applicant, for amendment and resubmission.
- 8.7** A copy of the Local Authority's approved drawings having both the Local Authority and THOA approval stamps shall be submitted to the THOA before construction commences.
- 8.8 Information Required on Drawings Submitted to THOA for Approval**
- 8.8.1** A copy of CAD plans and Site Development Plans (SDP) on Disk to be submitted.
- 8.8.2** Floor plans to be to 1:50 or 1:100 scales. Site plans to be to a 1:250 scale or bigger.
- 8.8.3** Site plan indicating:
- a) Stand boundary, north point, boundary dimensions, and street position with name, adjacent stand numbers and existing trees & position of buildings
  - b) Proposed new building work to be coloured in red.
  - c) Building lines together with servitudes and other restrictions.
  - d) Proposed boundary walls, fences and gates, including the height and type of each.
  - e) Driveway entrance to stand.
  - f) Landscaping structures including any terraces.
  - g) Position of sewer and connection.
  - h) Swimming pool and ponds including backwash drainage details.

- i) Proposed new non-permanent structures like tool sheds, tree/Wendy houses etc.
- j) Coverage schedule shall include the following details:
  - Area of stand;
  - Existing covered area per floor;
  - Area of proposed additions;
  - Total Floor area;
  - Coverage as a % of stand area;
  - FAR (Floor Area Ratio) where applicable.

**8.8.4** Floor Plans indicating:

- a) The proposed levels and use of rooms;
- b) Dimensions of proposed new building work;
- c) Proposed new drainage.

**8.8.5** Elevations indicating:

- a) The exterior finishes of all walls, roofs windows & doors;
- b) Fixtures like awnings, pergolas, air conditioning units, solar panels;

**8.8.6** Sections indicating:

- a) Proposed additions or alterations;
- b) Ceiling heights;
- c) Maximum height of the buildings from existing natural ground level.

**8.8.7** Paint Colours

Colour samples must be signed and delivered to the THOA office and, if not in compliance with the THOA pre-approved colour range, must be separately approved by the THOA.

## SECTION B: OAKTREE VILLAGE

### OAKTREEVILLAGE HOMEOWNERS ASSOCIATION

#### ARCHITECTURAL RULES

The Oaktree Homeowners' Association was established soon after the Cluster Development Scheme was completed. At that stage the accepted rule was that the original external finishes and general appearance of the Oaktree Village would remain unchanged. This rule covers any extensions, the external colour scheme, roofing, paving bricks, boundary fencing and walls, garden gates, etc.

However, in keeping with modern trends, it has since being decided to include an optional complementary colour scheme that many owners felt would enhance the aesthetic appeal of Oaktree Village. No further colour changes are permitted and the aesthetics of Oaktree Village will remain strictly controlled by the Oaktree Village Homeowners' Association (OVHA).

All alterations to existing Oaktree Village properties must first be passed by the OVHA Committee prior to submitting to THOA Architectural Committee for final approval.

The following architectural rules are applicable:

#### 1 External Colour Scheme:

All units shall comply with one of the following colour schemes. Alternative paint manufacturers may be used, but the colours shall conform to those specified below:

##### 1.1 External Walls, Corbelling & Columns:

	<b>Walls</b>	<b>Corbelling</b>	<b>Columns</b>
<b>Option 1:</b>	Plascon Micatex, Kalahari (code BBO 310).	Plascon Micatex, Keewatin (code E 19-5).	Plascon Micatex, Keewatin (code E 19-5).
<b>Option 2</b>	Plascon Micatex, Kalahari (code BBO 310).	Dulux Weatherguard, Castlewood Canyon	Dulux Weatherguard, Castlewood Canyon
<b>Option 3</b>	Plascon Micatex, Fever Tree (code BBO 602).	Plascon Micatex, Clifton (code BBO 308).	Plascon Micatex, Clifton (code BBO 308).
<b>Option 4</b>	Plascon Micatex, Dune4 (code BBO 605).	Plascon Micatex, Sahara (code BBO 315).	Plascon Micatex, Sahara (code BBO 315).

1.2 External doors / window frames: Natural wood, dark stain or oiled.

1.3 Garage Door: Silkwood neutral or Woodoc 30 clear.

1.4 All Palisades: Modo Cape Green (code IJ1683).

1.5 All boundary walls and pillars: To match the external walls.

1.6 Wrought iron side gates: Matt black.

- 2 Roof:**  
Double Roman tiles by Marley, colour Antique Terra Cotta as per original. However, units 1 to 4 were tiled with “Coverland Double Roman Terracotta Farmhouse” tiles, manufactured by La Farge (now trading as Monier). These tiles have been discontinued so any changes proposed to these roofs and tiles must first be discussed with the OVHA Committee.
- 3 Paving Bricks:**  
Cement Multi-tone paving bricks by Brickor  
Legoto Sandstone Cobble pavers, by SmartStone  
Lawley brick pavers – Colour to be approved by OVHA Committee
- 4 Boundary Fencing and Walls:**
- 4.1 Street Front: Shall be either open, full-length palisade or pillar and palisade to a maximum height of 1500mm. Fully bricked walls are not permitted other than for screening of unsightly views (e.g. wash lines and refuse bins, etc.).
- 4.2 External Wall: The wall adjacent to Johannesburg Road must not be changed and shall be uniformly painted once every five (5) years along the entire length by the relevant owners (No. 29 to 39) commencing in July 2010.
- 4.3 Palisade Fences: The palisade fence on the north, east and south side of the development must not be changed and shall stay uniform along the entire length.
- 5 Guttering:**  
While the original development did not include gutters, a number of residents have seen fit to install gutters and this should be standardised for future installations as follows:
- Site extruded pre-coated aluminium seamless gutters, coloured dark brown with down pipes coloured to match the external walls.
- 6 Tree Felling:**  
The felling of trees in the common area is not permitted and the felling of any trees inside individual properties will first require permission from the THOA Operations Manager.
- 7 Gardens and Pavements:**  
Are the responsibility of the owner or tenant and these shall be maintained in an orderly manner with the grass being cut regularly.
- 8 General:**  
All other issues must be in accordance with THOA rules and regulations.

## **SECTION C: BUILDING RULES**

### **1. PAVEMENT DEPOSITS**

- 1.1** A pavement deposit shall be paid by each applicant upon approval of his/her drawings by the THOA for any new residence or for an alteration or addition. The amount of the pavement deposit shall be determined by the THOA on an annual basis. The pavement deposit shall be fully refundable on completion of the work, subject to the clauses given below:
- 1.2** Owners shall, on an ongoing basis, ensure that building operations are organised so as to minimise the unsightly dumping of material on the sidewalk. Building rubble shall be cleared at least weekly. Failure to comply will incur a fine or penalty.

### **2. BUILDING CONTROL**

- 2.1** The owner shall ensure that approved building work on a vacant stand and/or renovations, alterations or additions to existing buildings shall comply with the stipulated time limits from commencement to completion of the Building Works. Failure to comply with the prescribed times shall be subject to a double levy as set out in the THOA Constitution, clause 6.10. and its sub-clauses.
- 2.2** The Owner shall ensure that the contractor complies with the provisions of Addendum 004 - Contractors Rules.
- 2.3** The Owner is responsible for his/her main contractor and all sub-contractors as well as their deliveries onsite. The Owner will be liable for the repair of any damage to kerbs, roads, street lights, distribution boxes, plants, irrigation and/or damage to private property on the Estate caused by the Contractor, the Contractor's employees, sub-contractors employed by the Contractor or delivery vehicles delivering materials to the Owner's property.
- 2.4** All contractors will sign a copy of Addendum - 004: Contractors Rules indicating acknowledgement to abide by, and be subject to the rules, and complete Addendum 5: Contractors Registration Form.

### **3. DISCIPLINE AND CONTROL OF LABOUR:**

- 3.1** The contractor and employer shall acknowledge and undertake to adhere to these Architectural/Aesthetic Guidelines and Building Rules as formulated by the THOA and/or any further controls or instructions which may be implemented by the THOA, from time to time.
- 3.2** All owner builders, contractors and sub-contractors are obliged to transport all their employees from the respective entrance gates to construction sites and to the relevant exit gate on completion of shift. Any building construction employee found on the Estate other than at the relevant construction site will result in the contractor / Owner being held responsible and fined.



#### **4. BUILDING SITE REQUIREMENTS**

Prior to and at all times during the construction of the works, a Contractor shall:

- 4.1 Permanently display, on view, at the building site the laminated "Authorised Building Site" issued by the Operations Manager. Such display shall be continuous until completion of building operations. This may be mounted on the contractor's signboard.
- 4.2 Have a copy of the working drawings and plans of the works, stamped with the approval of the THOA and the Local Authority, in the contractor's possession, which plans must be available at the building site for inspection by an authorized representative of the THOA during normal working hours.
- 4.3 Ensure that a responsible person is appointed on all construction sites.
- 4.4 Prior to commencement of the construction of the works, provide written proof to the Trustees of the THOA that the water connection has been made by the City of Johannesburg.

#### **5. VARIATION OF APPROVED BUILDING PLANS**

- 5.1 The parties acknowledge that the THOA will enforce compliance with the Architectural/Aesthetic Guidelines and Building Rules and any other instructions and regulations in respect of the construction of any works on the Estate. Should the contractor receive instructions from the architect or the owner to deviate from the plans approved by the THOA and the local authorities, the Contractor shall be obliged to immediately advise the THOA Operations Manager orally and further in writing, of the nature and detail of the deviation so as to permit the THOA the opportunity to consider the deviation or the deviation plan in the light of the THOA's requirements. The contractor shall not commence construction of any deviation in the works until the THOA has consented thereto in writing or until a revised deviation plan is approved by the THOA and the local authorities in writing.
- 5.2 The owner acknowledges that he shall be liable for the correction of any building work, which does not comply with approved drawings. Such correction shall be done within the time period stipulated by the THOA.

#### **6. COMPLETION OF BUILDING WORK**

All construction activities must be completed within the time limit laid down in the THOA Constitution, clause 6.10, which is summarised as follows:

- 6.1 Building work on vacant land must commence within eighteen (18) months from the date of transfer of ownership.
- 6.2 Any building work shall be completed within a period of eighteen (18) months from commencement of building activities.
- 6.3 Any approved renovations, alterations or additions to existing dwellings shall be completed within six (6) months of commencement of building operations.

- 6.4** The owner shall ensure that approved building work on a vacant stand and/or renovations, alterations or additions to existing buildings shall comply with the stipulated time limits from commencement to completion of the Building Works. Failure to comply with the prescribed times shall be subject to a double levy as set out in the THOA Constitution, clause 6.10.and its sub-clauses.

## **7. INSPECTIONS**

- 7.1** The Operations Manager or his appointees are entitled to make such further inspections of the erf and the works as they may in their sole discretion, elect to do and shall be permitted at all times, to have access to any erf and the works thereon.
- 7.2** Prior to proceeding with any further construction, the owner shall ensure compliance with every direction issued by the Operations Manager.

## **8. ACCESS CONTROL FOR CONTRACTORS**

- 8.1** The control of access to and from the Estate is critical to the proper functioning of the security arrangements on the Estate. In the event that the Estate Rules, in regard to access and security, are not being adhered to by the Contractor and after the Contractor has received written notice to rectify its failure to adhere to the Estate Rules, penalties shall be imposed in accordance with Addendum 004: Contractor Rules. The access control arrangements may be varied at the sole discretion of the THOA, from time to time, and on reasonable notice to the employer or his/her Contractor.
- 8.2** All contractors, their employers and sub-contractors have to register with the THOA Security and will be required to produce a valid Identity Document.
- 8.3** Any contravention of security and access portions of the Estate Rules will be severely dealt with by the THOA and depending on the nature and the circumstances, could lead to the suspension of building work.
- 8.4** As improvements to the security and the access controls are ongoing, these procedures will be reviewed from time to time.

## **9. CESSATION OF BUILDING ACTIVITIES**

- 9.1** The THOA shall be entitled to prevent building by any owner builder / contractor who is in breach of these rules or if the owner is in arrears with levies or other amounts due to the THOA.