

# Pusela Estate

- Architectural Guidelines
- Estate Rules
- Design Criteria Checklist

## **Architectural Guidelines**

1. Introduction
2. Approval of building plans
3. Information to be provided on drawings
4. Town planning controls
5. Prohibited building materials
6. Design guidelines
7. Landscaping
8. Control of building activities

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### **1. Introduction**

The purpose of the Architectural Guidelines is to ensure that the character and quality of Pusela Estate is maintained – thereby protecting the value of your home and environment.

It is important to ensure that the development of Pusela Estate has minimal impact on the natural beauty of the site, and that the varying architectural styles do not conflict with one another. The buildings should blend in harmoniously with the environment to achieve this. With this in mind, the developers and their consultants have developed a flexible design framework for establishing a visually pleasing character for the development as a whole.

It is not the intention to unreasonably restrict building design, but rather to establish a language of architectural style and methodology. The Architectural Guidelines are a condition of the purchase agreement and will be enforced by the Pusela Estate Home Owners' Association (PEHA). Any reference to the PEHA shall include, where relevant, an Architectural Review Committee specially established by the PEHA for the evaluation and control of the Estate's architecture.

The PEHA shall, in addition to any other remedy, be entitled to impose fines in respect of approved building plan deviations, at a rate agreed by the Directors. The design criteria set out in this manual are in addition to Municipal or National Building Regulations. The developers, and subsequently the Pusela Estate Home Owners' Association, reserve the right to alter or amend the Architectural Guidelines.

## **2. Approval of Building Plans**

### **2.1 *The Approval Process***

Drawings must be submitted to and collected from the Developer's office on Fridays. Drawings submitted before 12:00 on a Friday, will be available for collection after 12:00 on the following Friday. Building plan approval will be done in two stages:

#### **2.1.1 STAGE 1: Conceptual Design and Sketch Plans**

Two copies of the conceptual design and sketch plans must be submitted to the PEHA for its consideration. One copy must be coloured for retention by the PEHA.

The plans should be submitted to the Estate Representative together with a R1500,00 - scrutiny fee, payable to the Pusela Estate Home Owners Association. The designer may be requested to personally address the PEHA on specific queries.

## 2.1.2 STAGE 2: Council Submission / Working Drawings

Having obtained Stage 1 approval, working drawings should now be drawn up in accordance with the National Building Regulations and Local Authority's requirements.

Five copies of the working drawings are to be submitted to the PEHA for approval. One copy should be coloured. One copy will be retained by the PEHA for its records. The other four copies will be returned to the applicant with stamped approval and/or comments to the applicant for submission to the Greater Tzaneen Municipality.

Having received the PEHA stamp of approval, the drawings are submitted together with the prescribed plan and connection fees by the owner, to Local Authority for its consideration. Please note that the Local Authority will not accept plans that do not bear the PEHA stamp of approval.

After obtaining Local Authority plan approval, the owner may commence construction in accordance with the building by-laws and National Building Regulations.

## 2.2 *Sidewalk Deposits*

2.2.1 A refundable sidewalk deposit of R2000 per stand must be paid to the PEHA on submission of Stage 2 drawings. The sidewalk deposit will be used by the PEHA to cover the following costs:

2.2.1.1 Removal of rubble or rubbish left on the sidewalks or adjoining vacant erven; and/or

2.2.1.2 Repair of kerbings, roads, sidewalks, and any other damaged services.

2.2.2 Once construction is completed, and subject to a satisfactory PEHA inspection, the sidewalk deposit will, on request, be refunded less any deductions the PEHA may at its sole

discretion deem necessary. An “As Build” plan is to be handed in before repairing will take place.

### 2.3 *Additions and Alterations*

Sketch plans and working drawings should again be submitted to the PEHA, together with further R500,00-scrutiny fee. The same design criteria will apply as herein contained for the main structure.

## 3. Information to be Provided on Drawings

### 3.1 *STAGE 1: Conceptual Design and Sketch Plans*

3.1.1 The stage 1 plans must contain the following information:

- 3.1.1.1 A location plan identifying the site.
- 3.1.1.2 A tabulated summary clearly stating the use-zoning of the stand and indicating permissible and actual coverage, height, density, restricted building areas, and parking requirements applicable to the stand.
- 3.1.1.3 A site plan (drawn to 1 : 200 or 1 : 500) clearly indicating the proposed placing of the new building or additions in response to a site analysis study, and including the following information:
  - 1. Stand number,
  - 2. Street address,
  - 3. Contours,
  - 4. North Point,
  - 5. Site boundary dimensions,
  - 6. Building lines,
  - 7. Servitudes where applicable,
  - 8. Existing trees and vegetation,
  - 9. The siting of service areas,

10. Open garden space,
11. Terraces,
12. Distances from boundaries and adjoining structures,
13. Entrances to site,
14. Refuse collection and parking,
15. Storm water attenuation and flood lines, where applicable,
16. Boundary walls,
17. Cut and fill planes.

3.1.4 Floor plans (drawn 1 : 100 or 1 : 50) must indicate the proposed use and size as well as floor finishes of all rooms and spaces.

3.1.5 Sections (drawn to 1: 100 or 1 : 50) must indicate heights of all structures, building lines, finished floor levels and site slopes.

3.1.6 Elevations should clearly indicate treatment of building exterior, materials, and the colours of roofs and walls including all perimeter walling / fencing. Primary colour are discouraged. The elevations must include a reference datum point; ground floor lines (if applicable).

## 3.2 *STAGE 2: Working Drawings*

Working drawings prepared in accordance with the PEHA approved sketch plans must be submitted to the PEHA for approval before submission to the Local Authority.

All drawings are to be prepared in accordance with National Building Regulations, and the Local Authority's requirements.

## 4. **Town Planning Controls**

### 4.1 *General*

The following restrictions are in addition to any restrictions imposed in terms of conditions of title, town planning schemes, national, or any other building regulations. Notwithstanding the condition that the plans comply with the above requirements, the approval of any plans within the Estate shall be at the sole discretion of the PEHA.

Similarly, compliance with restrictions imposed by the PEHA shall under no circumstances absolve the residents to comply with restrictions imposed by third parties, nor shall the PEHA approval be construed as permitting any contravention of restrictions imposed by any relevant authority.

#### 4.2 *Density*

The maximum density shall be one dwelling per 500m<sup>2</sup> on the residential stands.

#### 4.3 *Coverage and Minimum Size*

- 4.3.1 Coverage is defined as the area on the ground, which is covered by roofed portions of the house; this includes covered patios, carports, covered atriums and garages.
- 4.3.2 Only one integrated building per stand will be allowed, except for a free standing garage building.
- 4.3.3 Single story dwellings: The coverage of single story dwellings shall not exceed 50% (fifty percent) of the area of the stand.
- 4.3.4 Double story dwellings: The ground floor coverage of double story dwellings shall not exceed 50% (50 percent) of the area of the stand.
- 4.3.5 The minimum size of any dwelling shall be 140m<sup>2</sup>. This excludes garages, outbuildings and covered patios.

#### 4.4 *Height Restriction*

The construction of double story houses is permitted bearing in mind the interest of adjacent residents' privacy.

#### 4.5 *Building Lines*

Street Boundary	3,0 metres
Side Boundary	2,0 metres
Rear Boundary	2,0 metres

No structures shall be erected within the building lines imposed by the Town Planning Scheme and the PEHA. The PEHA may at its sole discretion, be prepared to support Local Authority applications for the relaxation of the building lines. Affected neighbours must agree (in writing) to proposed building line relaxation.

#### 4.6 *Construction Time Lines*

4.6.1 Construction should proceed without lengthy interruptions in order to reduce inconvenience to neighbours and unsightliness, and should in any event be completed within nine (9) months of the approval of working drawings by the PEHA.

4.6.2 Any deviation from the above restrictions will be subject to penalties calculated on a daily basis according to a penalty tariff established by the PEHA.

#### 4.7 *Treatment of Stand Boundaries*

The treatment of sidewalks is considered to be of paramount importance as they have a direct influence on the neighbourhood's aesthetic quality.

Residential neighbourhoods normally give rise to a varied treatment of street boundaries. To create a degree of visual integrity, street boundary walling and garage designs will be controlled as follows:

- 4.7.1 The height of the fencing shall be a maximum of 2,1 metre (in respect of columns) and 1,8 metre for walls on the side boundaries, except for walls on the side boundaries inside the 3 metre street building line, where a 1,2 metre height restriction shall be applicable;
- 4.7.2 Approved quality steel palisade or trellis fencing may be erected on the stand boundaries;
- 4.7.3 Garages with entrances facing directly onto the street, must be set back five (5) metres from the stand boundary to provide stacking space for cars;
- 4.7.4 wire mesh fencing is not permitted.

## 5. Prohibited Building Materials

To allow for diversity and interest, a variety of individual architectural designs will be encouraged. In principle, no limitations are placed on building materials, other than the following items, the use of which is not allowed:

- 5.1 Unpainted plaster or unplastered stock brick walls;
- 5.2 Unpainted or **reflective metal sheeting**;
- 5.3 Razor wire, security spikes, or similar features except with the permission of the PEHA on the perimeter of the Estate;
- 5.4 Lean-to's and temporary carports;



- 5.5 Any materials not conventionally used in the region, provided that the PEHA may in its sole discretion give permission for the use of such materials in exceptional circumstances.

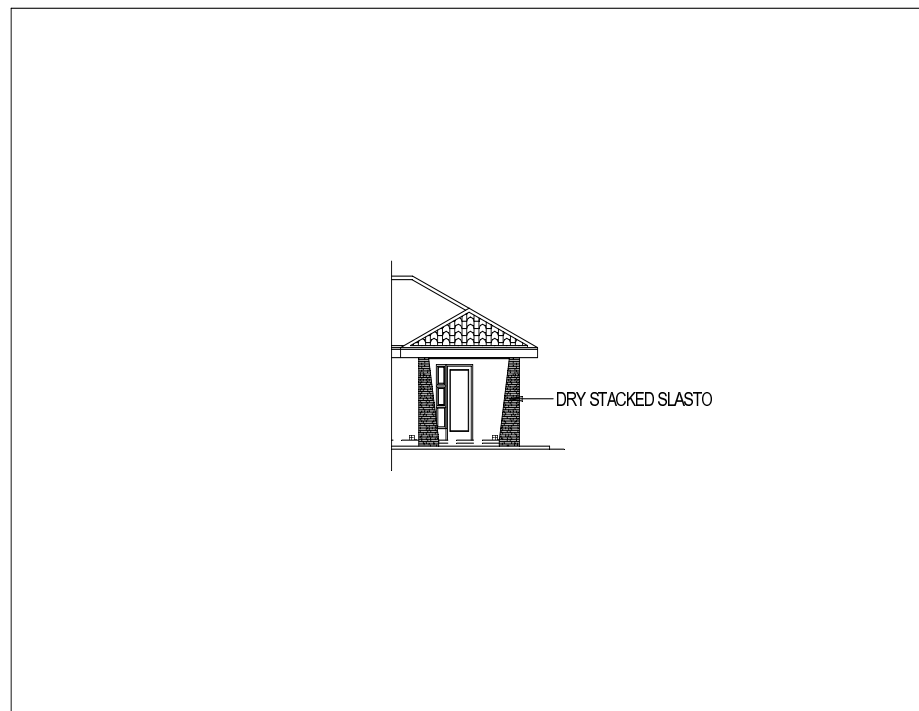
## 6. Design Guidelines

### 6.1 *General*

- 6.1.1 The aesthetics of the design of parapets, facias, capping eaves, roof trim, guttering and roofing materials in general, will be considered.
- 6.1.2 All external finishes and colours should be specified, and colour samples may be requested.
- 6.1.3 Awnings, TV aerials, blinds and other items, which do not form part of the basic structure, should be clearly shown and annotated.
- 6.1.4 Solar heating panels, if used, should be incorporated into the buildings to form part of the basic structure and should be clearly shown and annotated.
- 6.1.5 Additions to the main structures should match the original style and design, both in elevation and material used.
- 6.1.6 Staff accommodation and kitchens should open into a screened yard or patio.
- 6.1.7 Yard walls and screen walls should complement the building.
- 6.1.8 The privacy of surrounding properties should be considered. As a general rule, no windows or balconies on the upper story should overlook the “living space” (e.g. the swimming pool) of adjacent dwellings.

6.1.9 All exposed plumbing, TV aerials, satellite dishes and washing lines should be fully screened on all elevations visible from the street.

6.1.10 Detail on rock columns at front door required, detail on garage optional.



6.1.11 Perspective views may be requested.

## 6.2 *Roofs*

6.2.1 Roof pitch, to be not less than 20° and not exceeding 35°.

6.2.2 All pitched roofs are to be concrete tiles with Double Roman terracotta antique mix colour as prescribed by the PEHA.

## 6.3 *Walls*

6.3.1 External walls are to be plastered and painted with quality paint as per PEHA approved colours, colours to be allowed will be only earthy tones.

#### 6.4 *Window and Doors*

6.4.1 External doors: To suit style of house.

6.4.2 Window frames: Wood or bronze anodised aluminium.

6.4.3 Garage doors to be wood or epoxy powder coated roller shutter doors; alternative materials will be subject to approval by PEHA.

6.4.4 External gates subject to approval by the PEHA.

#### 6.5 *Gutters and Down-pipes*

Gutters and down-pipes only seamless material will be allowed.

#### 6.6 *Waste Pipes*

Waste and drainage pipes to be concealed.

#### 6.7 *Signage*

Stand numbers must be clearly visible from the street and should not be larger than 500 mm in height.

No signage such as security firm signs will be permitted. The only signage permitted, shall be that, approved by the PEHA in accordance with the Estate's signage specifications.

#### 6.8 *Paving*

All paving layouts are to be submitted to the PEHA for approval. Where owners of stands adjoining the cul-de-sacs wish to provide

brick paving between their stand boundary and the road edge, this shall be subject to the approval of the PEHA. Tarmac or “chip and spray” paving not permitted.

## **7. Landscaping**

Owners are encouraged to plant predominantly endemic indigenous trees, shrubs and perennials for reasons of climate tolerance, water saving, maintenance and the encouragement of birds and wildlife.

## **8. Control of Building Activities**

### **8.1 *Introduction***

The Pusela Estate’s Home Owners’ Association (PEHA), the legally constituted representative of Pusela Estate residents, has adopted certain rules relating to the activities of building contractors on the Estate. The primary intention of the rules is to ensure that all building activity at Pusela occurs with the least possible disruption to residents. In the event of any uncertainty, residents and/or their contractors are encouraged to contact the PEHA.

### **8.2 *Legal Status***

The rules governing building activity, set out below, are adopted by the PEHA and are binding on all owners. Furthermore, each resident is obliged to ensure that his building contractor (“the Contractor”) is made aware of the rules and complies with them. Residents must include the rules in their entirety in any building contract concluded in respect of property on the Estate. The PEHA has the right to suspend any building activity in contravention of the rules and the

PEHA accepts no liability whatsoever for any losses sustained by a resident/owner as a result thereof.

### 8.3 *Building Rules*

8.3.1 Building activity is only allowed during the following public times:

07:00 to 18:00 - Normal weekdays  
07:00 to 13:00 - Saturdays

All other times are determined as “private time”.

Note: no building activity is permitted on Sundays, public holidays, Easter weekend and from 30 December to 2 January. These days are viewed as private time. Special applications for building activity during private time should be lodged with the PEHA, together with the approval of all adjacent neighbours one-week prior to the required private time activity.

8.3.2 No workmen and only one watchman may sleep on the site.

8.3.3 All the Contractor’s workers and/or Contractor’s sub contractor’s workers must abide by the Estate security rules.

8.3.4 The Contractor shall provide facilities for rubbish disposal and ensure that the workers use the facility provided. The rubbish is to be removed weekly and not burnt on site.

8.3.5 The site is to be kept as clean as possible, with regular cleaning and removal of building rubble taking place during building operations.

8.3.6 Where materials off-loaded by a supplier encroach onto the pavement or roadway, the Contractor must move these materials onto the site. No material may remain on the roadway

or pavement, and it is the Contractor's responsibility to clean the roadway of all such materials. The same applies to sand or rubble washed or moved onto the road during building operations.

- 8.3.7 Suppliers are discouraged from using semi-trailers for deliveries in view of the damage caused by them to the streets and kerbs. Owners will be held liable for any damage caused by such vehicles to roads, services, or landscaping. Maximum load allowed will be eight tonnes.
- 8.3.8 Deliveries from suppliers should only be scheduled in public times.
- 8.3.9 The Contractor must provide toilet facilities for his workers. These facilities must be connected to the existing sewer system on site before any excavations start.
- 8.3.10 Building boards may only be erected if they comply with the PEHA's standards, details of that are available from the PEHA. The owners are responsible for the removal of the boards on completion of the building.
- 8.3.11 Owners will be held liable for damage to services and plants caused by the building operations.
- 8.3.12 Should the PEHA have any concerns as to the Contractor's conduct, it reserves the right at any time without notice to suspend building activity until such undesirable conduct is rectified.
- 8.3.13 Water for construction may only be drawn off the owners stand from approved metered water connections. The cost of the water metre and water usage is for the owner's account.

8.3.14 The Contractor and his sub-contractors must make use of designated construction entrances and abide by all Estate security measures.

8.3.15 The Contractor must undertake in writing, to comply with the above rules, in addition to any further controls, which may from time to time be instituted by the PEHA, and to ensure compliance by any sub-contractor employed by the Contractor.

#### 8.4 *Appointment of Architects and Building Contractors*

Owners are encouraged to use an Architect or designer acceptable to the PEHA. Building Contractors will be screened for approval by the PEHA prior to the commencing of any building operations.

## **Estate Rules**

1. Introduction
  2. Use of the streets
  3. Maintenance of sidewalks and environment
  4. Pets
  5. Security
  6. Letting and reselling of property
  7. Noise control
  8. Levies
  9. General matters
- 

### **1. Introduction**

The developer's main objective in the development of Pusela Estate is to provide residents with a high quality, secure lifestyle. The intention of Pusela Estate Home Owners' Association (PEHA), in applying these Estate Rules, is to protect the residents' lifestyle and interests. The Estate Rules, which the Directors may change from time to time, have been established in terms of the PEHA Articles of Association. The Estate Rules are binding upon all residents, as is any decision taken by the Directors in interpreting these rules. The registered property owners are responsible for ensuring that their families, tenants, visitors, friends and all their employees abide by the rules.

### **2. Use of the Streets**

- 2.1 The speed limit on all streets is 30 km / hour.
- 2.2 Save for the above, the applicable Road Traffic ordinances, by-laws and laws of the road will apply.
- 2.3 Engine powered vehicles are not allowed to drive anywhere except in the streets or specially demarcated areas.
- 2.4 Parking is allowed in demarcated areas only.



2.5 Motorists should always drive with extreme caution.

### **3. Maintenance of Sidewalks and Environment**

Each resident has a responsibility to: -

- 3.1 Maintain the area between the road kerb and his property boundary;  
and
- 3.2 Ensure that caravans, washing lines, trailers, boats, Wendy houses, tool sheds, mechanical equipment or parts thereof and accommodation for pets are sited out of public view and screened from neighbouring properties.
- 3.3 Leave refuse at designated refuse collection points.
- 3.4 Keep their pavements, gardens, fences/walls and buildings clean and tidy, and properly maintained, painted and repaired. Where necessary, the Directors may effect appropriate cleaning, maintenance, repairs and/or painting, and the owner concerned shall pay the cost.
- 3.5 No trees, plants or sidewalk lawn may be removed without the permission of the PEHA. Planting should not interfere with electric fences, pedestrian traffic, or obscure motorists' vision.

### **4. Pets**

Each resident has a responsibility to ensure that their pets are not the cause of disturbances at any time.

Dogs will not be allowed into open areas without the use of a leash, and owners will be responsible for cleaning of fouling.

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 handed to the Municipal Pound.

The PEHA will impose penalties against residents who do not adhere to the above.

## **5. Security**

Security protocol must be adhered to at all times. A motorised gate will be provided at the entrance to the Estate. Each household will be provided with a connection via cell phone to the motorised control gate at its street boundary. Each household will be responsible to arrange its own connection with the gate via estate managing agent.

Residents are to note that the perimeter walling serve as a deterrent and are not guaranteed to prevent a determined attempt of intrusion **into** the Estate.

## **6. Letting and Reselling of Property**

### **6.1 *Estate Agents***

Estate agents should operate on a “by appointment” basis, personally accompanying prospective buyers. Estate agents must not erect more than two advertising boards per house.

It is the owner’s responsibility to fully inform the agent of the Estate Rules and regulations, and to ensure that they are made known to the prospective buyer / tenant.

### **6.2 *Show days***

On weekend show days, agents must advise the PEHA of details of the property by 12:00 on the Thursday proceeding the weekend.

Boards must be removed by 17:00 on the Monday following the weekend show day.

- 6.3 Should any member let his property, he must give the PEHA advance written notification of the lessee's name and lease period.
- 6.4 The seller / lessor must ensure that the buyer / lessee is informed and receive a copy of the Rules and any other applicable administrative regulations, and agrees to be bound by such rules.
- 6.5 A clearance certificate must be obtained from the Managing Agent prior to any transfer, at a cost to be determined.
- 6.6 The member shall ensure that the sale agreement contains the following clauses: -

6.6.1 *Home Owner's Association*

The Purchaser acknowledges that he is required upon registration of the property into his name, to become a Member of the PEHA and agrees to do so subject to the PEHA Memorandum of Association.

6.6.2 *Conditions of Title*

The following conditions have been imposed by the Developer and will be inserted as conditions of title in the deed of transfer to the original and subsequent purchasers:

- 6.6.2.1 Every owner of an erf shall become and remain a member of PEHA and be subject to its Memorandum and Articles of Association until they cease to be an owner of an erf. Neither the erf nor any interest therein shall be transferred to any person who has not bound himself to become a member of the PEHA.

- 6.6.2.2 The owner of the erf or any interest therein shall not be entitled to transfer the erf or any interest therein without PEHA confirmation and compliance with the provisions of the PEHA Articles of Association.

## **7. Noise Control**

### **7.1 Public time hours:**

- 07:00 to 18:00 - Normal weekdays
- 07:00 to 13:00 - Saturdays

- 7.2 No business activity or hobby, which would cause aggravation or nuisance, may be conducted. Power saws, lawn mowers and the like, may only be used during public hours and on Saturdays between 14:30 and 16:30.

- 7.3 No auctions and/or jumble sales are allowed.

## **8. Levies**

- 8.1 The Purchaser shall be obliged to pay a monthly levy as determined by the PEHA towards the maintenance, security and any other expenses as determined by the PEHA for the upkeep of the Estate.
- 8.2 All levies are due and payable in advance on the first day of each and every month.
- 8.3 Interest will be raised on all accounts in arrears as decided by the directors on a yearly basis.

## **9. General Matters**

- 9.1 The Directors reserve the right to take any action they deem fit where rules are contravened and written notice has been serviced. Such action may include PEHA intervention, the cost of which will

be charged to the transgressor, or possible imposition of fines and subsequent legal action. Where a property is being leased, the owner of the property will always be liable for the cost.

- 9.2 All building plans should be in accordance with Architectural Guidelines and must be approved by the Architectural Review Committee. This also applies to any additions and alterations to existing structures.
- 9.3 The PEHA reserves the right to appoint a managing agent at its sole discretion, responsible to the PEHA.
- 9.4 This document may be amended from time to time to cater for conditions that may not have been foreseen at the time of writing. The Directors reserve the right to make such amendments as they deem fit, which amendments shall be binding upon all Estate residents.

## Design Criteria Checklist

ERF NO: \_\_\_\_\_ DATE: \_\_\_\_\_

OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CHECKED: \_\_\_\_\_

We acknowledge receipt of your drawings and comment as follows on the minimum criteria by the Pusela Estate Home Owners Association on your submitted drawings:

Item	Does comply	Does not comply	Description
1			Two copies of conceptual sketch plans (plans, elevations, (x2) site plans and roof plans received)
2			R1500-00 scrutinising fee payable to Pusela Estate HEV.
3			R2000-00 pavement deposit payable to Pusela Estate HEV.
4			Minimum roof pitch 20° and maximum pitch 35°
5			Show stand number, north point and site boundary dimensions.
6			Minimum floor plan area and main building is 140 m <sup>2</sup> (excluding garage)
7			Maximum coverage of 50% of stand size.
8			No more than one main dwelling and garage if not integrated.
9			Maximum double story building.
10			3 metre building line to street boundary, all other building lines 2 metre.
11			Structures requiring structurised design to be designed by a competent professional registered structural / civil engineer.

Item	Does comply	Does not comply	Description
12			No wire fences or precast panels.
13			Garages with entrance facing directly onto the street boundary must have a 5 metre set back from the street boundary.
14			Unsightly structures, such as washing lines and kennels must be enclosed or not visible from any street adjoining the property.
15			Building materials to be used are Double Roman terracotta antique mix colour roof tiles, wood or bronze or Mahogany anodised aluminium or wooden window frames, plaster and cemwash finish or quality paint(colours as determined)
16			The height of the fencing to be a maximum of 2,`1 metre (in respect of columns) and 1,8 metre walls on the side boundaries, except for walls on the side boundaries inside the 3 metre street building line, where a 1,2 metre height restriction is applicable. Corner erven to have a maximum of 50% of the boundary wall of 1,8 metre and the remaining 50% to be not higher than 1,2 metre.

## Occupation Criteria Checklist

ERF NO: \_\_\_\_\_ DATE: \_\_\_\_\_  
 OWNER: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ CHECKED: \_\_\_\_\_

You can not move in unless you comply in every aspect.

We acknowledge receipt of your request for occupation of the house and comment as follows on the minimum criteria by the Pusela Estate Home Owners Association on your completed house:

Item	Does comply	Does not comply	Description
1			Two copies of conceptual sketch plans (plans, elevations, (x2) site plans and roof plans received) Confirm copies on record
2			R1500-00 scrutinising fee payable to Pusela Estale HOA
3			R2000-00 pavement deposit check for damages sign release of deposit
4			Confirm Minimum roof pitch 20° and maximum pitch 35°
5			Do outside conform with house rules. Unsightly structures, such as washing lines and kennels must be enclosed or not visible from any street adjoining the property.
6			Garden wall does it confirm.
7			Was house build according to plan, does roof tiles and colour confirm with rules.
8			Confirm levies are uptodate
9			Confirm owner has house rules etc.
10			Discuss maintenance with owner
11			Copy of NHBRC and other certificates