



**XANADU NATURE ESTATE
HOMEOWNERS XHOA**

ARCHITECTURAL AND BUILDING RULES

OCTOBER 2019

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1. GLOSSARY

- 1.1. "Architect" means an Architect appointed by the Association to scrutinize all plans on behalf of the Association;
- 1.2. "Architectural and Building Committee" ABC may make rules and codes of conduct and may vary or modify the same from time to time;
- 1.3. "Association" means the Xanadu Nature Estate Homeowners' Association, XHOA an Association not for gain, constituted in terms thereof;
- 1.4. "Constitution" means the Xanadu Eco Park Constitution or any amendments thereto;
- 1.5. "Estate" the 13 private townships proclaimed as Xanadu extensions and any other townships as may be phased or subdivided from time to time and any other land added to this area and joined by common land situated on the Remaining extent of Portion 43 of the farm Rietfontein 485JQ. Together the Erven and common property forms the Xanadu Nature Estate;
- 1.6. "Erf" means any residential erf and includes any units in a Sectional Title or Cluster Scheme resulting from the sub-division of land in the estate including consolidated Erven;
- 1.7. "Local authority" means the local authority having jurisdiction over the estate;
- 1.8. "Unit" shall mean an erf and includes but is not limited to a residential full title erf (either for residential, business or other purposes), developed or undeveloped, with or without a dwelling thereon as well as a unit in a sectional title scheme but excludes a room;
- 1.9. "South African Council for Architectural Profession" SACAP;
- 1.10. "National Building Regulations" NBR;
- 1.11. Unless the context otherwise words importing the singular shall include the plural and vice versa, words importing any one gender shall include the other genders and any reference to a person shall include natural or juristic persons amongst others a company incorporated or registered as such under any law, anybody of persons corporate or unincorporated and any trust whether testamentary or inter vivos.

2. INTRODUCTION

The purpose of these rules is to inform owners and their Architects of the building and landscaping requirements for the Estate and to provide information relating to the procedure to be followed in order to obtain the necessary approval from the Architect appointed for all buildings and structures to be erected on each erf and any alterations and additions thereto. Structures include all buildings, outbuildings, carports, walls and swimming pools.

These rules were designed to allow for a fairly broad range of personal choice in the external appearance of the houses but also to ensure that the overall character of the development will be identifiable by the use of certain unifying external elements such as the colour and finish of external walls, roof coverings, garage doors and, importantly, a standardised form of boundary and site walling.

It is important that owners buy into the vision for Xanadu Nature Estate and it is vital that they work together with, and support the Estate General Manager, or his representative and Architect appointed to scrutinise the plans in implementing these rules. It should be borne in mind that we should strive to create an environment in Xanadu Nature Estate where the whole is greater than the sum of the parts and in so doing owners may need to make compromises for the benefit of all.

The Architectural and Building rules, as part of the Constitution, are binding on all members who will be required to adhere to requests from the manager to make good any contravention of these Architectural and Building Rules.

Any omission by management to enforce the rules will not create a precedent. Owners will be required to make good any contraventions to the rules, despite management having omitted to require such contraventions being rectified previously.

Management will, from time to time, issue a list of previous contraventions that will no longer be permitted.

It should be noted that all laws of the Republic of South Africa, Madibeng Municipality and any other statutory authority shall apply in the application of these rules. No employee of the XHOA has the authority to approve any item not allowed in the guidelines. Precedent may not be used to validate the use of any material in contradiction to the guidelines.

The XHOA management was mandated by the Board of Trustees at the meeting of the Trustees held on the 7th September 2019, to conduct an aesthetics audit and to remind residents of their contractual obligations to comply with the Architectural Guidelines and the Constitution, which are binding on all members. Members will be required to adhere to requests from management to make good any contravention of these Architectural guidelines, despite management having omitted to require such contraventions being rectified previously.

3. PLAN APPROVAL PROCESS

Prior to the submission of the design concept and sketch plans, the owner must obtain from the XHOA, the project registration form as well as details of the plan approval process. Services connection diagrams and contour plans are required in order to facilitate the design process, it will be the responsibility of an owner to ensure that he is in possession of the latest version of the rules. Such rules will be published on the Estate website - www.xanadu.co.za

It is required that all plans are prepared by a professional senior Architect or professional Architectural technologist, both of whom must be registered with the South African Council for the Architectural Profession (SACAP), as well as with one or more of the 9 regional institutes for the Architectural Profession. Prior to submitting the plans to the local authority, the plans are to be submitted to the XHOA for approval.

The Architect's/technologist's registration number must accompany any application for plan approval - this will ensure an exclusive, up-market designed development.

It is to be noted no precedents may be used to validate submissions.

The approval process will involve the following stages:

3.1. First Stage

The design concept and sketch plans must be submitted to the Aesthetics and Building Committee for approval before final working drawings/plans are finalised.

3.2. Second Stage

After the design concept and sketch-plans have been approved the detailed design and working drawings must be submitted to the Aesthetics and Building Committee for approval.

As the Estate is contracted to provide the water connection to each site, a water installation fee is payable to the XHOA. Maintenance and replacement of water meters remain the responsibility of the

XHOA at the cost of the Member. Kindly note that the Madibeng Town Council does not provide this service at Xanadu Nature Estate

3.3. **Third Stage**

After the detailed and working drawings have been approved, they must be submitted to the local authority for approval. Certain prescribed fees will be payable at this stage to the local authority.

3.4. **Fourth Stage**

Upon final approval of the plans by the XHOA and the local authority, the member/architect is to provide the XHOA with electronic copies of the final approved plans.

3.5. **General**

Should the requirements of the local authority, any other statutory authority or the National Building Regulations conflict with these rules, then such other requirements will take precedence.

No precedents may be used to validate submission.

The XHOA accepts no responsibility for poor construction, faulty workmanship or the use of sub-standard materials in the construction of any structure erected by an Owner.

4. **BUILDING PROCESS**

- 4.1. It is the owner's responsibility to obtain a list of the requirements relating to the building process from the XHOA.
- 4.2. No building activities whatsoever shall commence until all the relevant requirements have been complied with and the Building Code of Conduct signed by the owner and builder.
- 4.3. The manager will be entitled to regulate the activities of all building and other contractors and determine that the contractor(s) and the owner sign the Builder's Code of Conduct and ensure compliance with OHSA.
- 4.4. In instances of noncompliance the manager shall inform the building contractor that building activity will be stopped. Should building activity be stopped, the member shall have no right of claim against the XHOA for denying access to the builder.
- 4.5. All unfinished building sites are to be fully enclosed with perimeter walls and forest fencing to improve the appearance and to limit unauthorised entry, this includes the perimeter on the street front.
- 4.6. When test pits are to be excavated, this will be undertaken on the same day as the inspection/test is to take place. Such pit shall be re-filled immediately after inspection. The digging of pits shall be coordinated in such a way as to ensure no pit remains open for more than 12 hours.

5. **HEALTH AND SAFETY REQUIREMENTS**

- 5.1. The contractor is responsible for safety at the construction site. The contractor is also responsible for the preparation of a safety plan and for carrying out the safety plan. The contractor staff shall maintain conformance to the health and safety plan throughout the course of construction. The contractor is required to cooperate with Xanadu HOA who are vested with the authority to enforce requirements of the Occupational Health and Safety Act. The contractor shall comply with the following NIH Health and Safety Requirements.

- 5.1.1. Promote a safe and healthy work environment.
- 5.1.2. Ensure subcontractors and employees are adequately trained in occupational safety and health topics relevant to the activities to be performed under this contract. This includes, but not limited communication and training of anticipated hazards.
- 5.1.3. Instruct all employees of safe work methods and practices when assigning work.
- 5.1.4. Ensure that employees have, use, and understand the limitations of the proper protective equipment and equipment for the services performed under the contract.
- 5.1.5. Ensure that equipment operators are properly qualified and trained on the specific piece of equipment in use.
- 5.1.6. Cooperate fully with Xanadu HOA representatives in connection with all matters pertaining to safety.

6. EXCAVATING AND TRENCHING

- 6.1. Excavations and trenches shall be evaluated for confined spaces before entry.
- 6.2. Ensure Xanadu HOA representatives inspects the excavation or trench before work begins and as needed during the excavation. When the Xanadu HOA representatives find evidence of a hazardous condition, exposed employees shall be removed from the hazardous areas until the necessary precautions have been taken to ensure their safety.
- 6.3. All excavations, regardless of depth, shall be barricaded or covered. If barricades are utilized and are left overnight, they shall be equipped with appropriate reflectors.
- 6.4. Walkways shall be provided where employees or equipment are required or permitted to cross over excavations.

7. HOUSE FORMS

- 7.1. The minimum size of the house must be 280 square metres, including the main dwelling, garages and outbuildings.
- 7.2. The maximum permissible height of any building on an erf is 9 metres when measured from the highest point of the roof to the highest point of the natural ground level along the perimeter of the building. Refer to Appendix 1: House Forms Height Definition.
- 7.3. Natural ground level shall be deemed to be the level as determined on a contour plan. Should a dispute arise relating to the determination of any natural ground level, the ABC and/or appointed Architect will be entitled to rely on the details shown on the contour plan in his possession.
- 7.4. The onus is to be upon the client to ensure that the contours on-site relate to the contours on the plan. The XHOA will supply upon request from the client or his Architect a copy of the contour site plan.

8. TELECOMMUNICATIONS

- 8.1. The Estate is reticulated with fibre optic cables for telecommunications, T.V. and broadband IT. Save for those people who have already installed satellite dishes prior to the availability of the telecommunications provider system satellite dishes will be allowed on the Estate only if installed in the roof void or is not visible from the street.
- 8.2. You, as a member of an erf or unit, are specifically requested to ensure that you apply for a Telecommunications provider connection when commencing construction of your house, to connect your home to the system.

- 8.3. Your Architect/designer is also to be instructed by you, to make provision for the dispersion of the system through your house by means of the necessary ducting etc. when designing your home.
- 8.4. A distribution box MUST be part of the Architectural plans to ensure the connection of the Telecommunications provider cabling from street to the home. Owners are to ensure adequate reticulation within the home to accommodate the systems.

9. EXTERNAL WALLS

- 9.1. External walls must be plastered and finished in specified colours in accordance with the samples which are to be obtained from the manager or appointed Architect. A sample or specifications must be submitted to the ABC for approval prior to commencement of the application thereof.
 - 9.1.1. Face brick plinths are encouraged and form part of the 30%. No type or form of face-brick or unplastered brick will be permitted on external walls as the *dominant* feature but up to a maximum of 30% face brick may be considered for decorative purposes solely at the discretion of the ABC. Face-brick plinths are encouraged and form part of the 30%. This must be indicated on the plan. A sample must be submitted to the ABC for approval.

10. ROOFS

- 10.1. Asymmetrical roofs will be considered but to the discretion of the ABC. Roofs must be dominantly pitched in form. Major plan forms are to be roofed with symmetrical double pitch roofs with a pitch of between 17.5 and 35 degrees. Roofs over verandas may have a lesser pitch provided that the same covering is used as on the major elements. Up to 30 per cent of the total roof area which includes the main dwelling, garages and outbuildings may have a pitch of fewer than 5 degrees provided that these sections are concealed behind parapets which are extensions of main walls. Sections, which have a pitch of fewer than 5 degrees and are constructed in concrete, shall be finished with pebbles or stone chips up to a thickness of no less than 50mm. No galvanised iron or chromadeck roof sheeting of any kind will be permitted in the project.
- 10.2. Roof coverings are to be restricted to natural slate (stone), terracotta colour tiles including the antique range in accordance with the specifications which are to be obtained from the Architect. A sample must be submitted to the ABC for approval prior to the commencement of the laying thereof. No variations to these restrictions on roof coverings will be permitted under any circumstances. The manager on behalf of the XHOA reserves the right to order the removal of any roof coverings in contravention of the submitted approved specification.
- 10.3. Builders may not place tiles on the roofs of the house without the consent of the manager with regard to the profile of tiles and in particular that the colours are acceptable to the Building Committee. Where tiles have been placed contrary to these rules, the builder will be asked to remove such unacceptable tiles, and the XHOA may impose a penalty in accordance with the penalty schedule until the situation is rectified. This penalty form part of the monthly levy.

11. WINDOWS, AND EXTERNAL DOORS, INCLUDING FRENCH DOORS AND SLIDING DOORS

- 11.1. No dormer windows will be permitted.
- 11.2. Skylights and roof windows are permitted provided that they are set in the plane of the roof.
- 11.3. Windows and external doors must be constructed from natural hardwood (and shall comply with a Kiaat-like colour) or from aluminium which may be powder coated or anodised (and shall be of a Kiaat-

like colour, bronze or dark shades). Colours must be approved by the Building Committee. No white or light colours may be used.

- 11.4. Cottage pane windows are not permitted.
- 11.5. External shutters are permitted. Shutters must be constructed from natural hardwood, (and shall comply with a Kiaat-like colour) or from aluminium which may be powder coated or anodised (and shall comply with a Kiaat -like colour). Colours must be approved by the ABC. No white or light colours may be used.
- 11.6. External burglar bars and expanding security grids are not permitted unless specifically permitted in writing by the ABC.
- 11.7. External fixed or mobile awnings are permitted but must be colour matched.
- 11.8. Natural hardwood may not be painted.

12. AIR CONDITIONERS

- 12.1. No, air conditioners or any obstructions may be built on the roofs, and may not be visible from the street or neighbouring properties.
- 12.2. Window and/or wall-mounted combination air-conditioning units are not permitted. The compressor of split unit air-conditioners must be mounted at ground level and screened from view.
- 12.3. Any Air-conditioner units NOT complying with this rule will have to be re-fitted after due notice from the Aesthetics Building Committee.

13. VERANDAS, PORCHES AND PERGOLAS

- 13.1. Supports shall be masonry columns however they may be constructed from steel sections provided such sections are wood cladding or comprised of suitable columns. Verandas, Porches and pergolas may be covered provided that such covering is concealed. Clear polycarbonate or louvre type coverings are permitted. Galvanised sheeting coverings are NOT permitted.
- 13.2. No lean-to of any type will be permitted.

14. GARAGES AND DRIVEWAYS

- 14.1. Garages may not be converted or used for any other purpose than a garage. Every house must have the minimum of a double garage. Wooden or natural wood-textured panel aluminium doors may be installed. In cases of aluminium, the colours must be approved by the Building Committee. Natural hardwood doors may not be painted. Roller shutter doors are NOT permitted. Garage doors must be approved by the ABC prior to the installation thereof.
- 14.2. The garages must be built before an occupational certificate will be issued to the owner by the XHOA.
- 14.3. Garages shall be used for the purpose of parking motor vehicles.
- 14.4. Conversions of garages to storerooms, offices etc. is not permitted.
- 14.5. Garages with doors facing the street must be set back at least 5 metres from the erf boundary abutting the street.
- 14.6. Garages with doors perpendicular to or facing away from the street may be set back 3 metres from the erf boundary abutting the street. The doors may be double and may exceed 2.5 metres in width.

- 14.7. The garage and driveway must be arranged so that at least 3 motorcars may be parked on the erf excluding motorcars parked inside the garage(s). Driveways shall not be constructed from asphalt, crushed stone, slasto, broken bricks, gravel or any form of crazy or brick imprint paving. Cobblestones, bricks or interlock paving bricks may be used. A sample or specification must be submitted to the ABC for approval prior to commencement with the laying thereof.
- 14.8. A minimum of two 110 mm diameter PVC sleeves are to be laid under driveways and paths constructed by owners across sidewalks for the purpose of accommodating any pipes and cables that may be laid in the sidewalks.

15. BOUNDARY WALLS

Street frontage

A face brick plinth may be used but may not exceed three bricks above natural ground level. Boundary walls along or relating to street frontages are not mandatory but if constructed they must be constructed from masonry or masonry with steel trellis inserts ('Devil fork' palisade fencing is not permitted - see sketches). Colours must be approved by the appointed Architect. Face bricks may be used for decorative purposes, but their proportion of overall boundary walling shall not exceed 30%. Refer to Appendix 2: Boundary walls.

Boundary walls along public open spaces

Boundary walls along or relating to open spaces are mandatory and must be constructed from face bricks, masonry or masonry with steel trellis inserts (see sketches). Colours must be approved by the appointed Architect. The XHOA requires waterproofing on all foundations and boundary walls to have waterproofing done before painting as this ensures the longevity of the boundary wall.

Where a wall faces onto a street, internal park, or walkway or onto the Eco Park, the wall facing onto such external common property must be predominantly plastered. Columns and plinths may be constructed from face bricks according to specification and not exceeding 30% in proportion.

Lighting

Spotlights may not be fitted on the exterior envelope of the building. Where exterior lights are fitted, low wattage lamps must be used and lights must be shaded to shine downward to provide ambient light only.

Lighting on walls along street frontages

Bright lights shining onto the street or neighbouring properties may not be fitted to the walls along the street frontage.

The number of exterior lights must be kept to a minimum. Where exterior lights are fitted, low wattage lamps must be used, and lights must be shaded to shine downward to provide ambient light only. External lights mounted on walls should be positioned at least 500mm below the level of the boundary walls. In cases of a mixture of masonry and steel, the lights should not be positioned more than 1m from ground level. No external lights may shine directly into a neighbouring erf or parklands or may be otherwise intrusive or be likely to be intrusive, to other residents.

Internal boundary walls

Internal boundary walls are not mandatory, but if constructed they must be constructed from masonry or masonry with steel trellis inserts ('Devil fork' palisade fencing is not permitted - see sketches). Colours must be approved by the appointed Architect.

Service yard walls must be constructed for screening washing lines. Under no circumstances may washing lines be seen either from the street or from neighbouring properties.

No form of wire or wooden fencing shall be permitted on an erf or between units in a sectional title or cluster scheme.

16. BUILDING LINES

Street boundary	5 metres.
Back boundary	3 meters for a single dwelling and 4.5 metres for a double-storey.
Side boundary	aggregate of 5 metres on both sides subject to a minimum of 2 metres on one side.

17. COVERAGE

Maximum coverage for single storey houses	55 per cent of the erf size.
Maximum coverage for double-storey houses	45 per cent of the erf size.

CLUSTERS (GROUP HOUSING) The minimum size of a unit on a full title stand must be 180 m².

18. EXTERNAL PIPES, FITTINGS, FIXTURES, DEVICES, AND RESERVOIRS

- 18.1. Only profiled chroma deck aluminium gutters and downpipes are allowed. Gutters must be painted to match the colour of the roof or external walls and downpipes must be painted to match the colour(s) of the external walls.
- 18.2. All plumbing pipes must be concealed.
- 18.3. Any conduits or trunking for post-construction installations must be painted to match the colour of the wall. For new construction, concealed ducting must be provided for.

19. FIXTURES

- 19.1. Television Aerials are to be contained within the roof space. Satellite dishes to be erected in an inconspicuous spot away from the roads.
- 19.2. Street numbers must be fitted and be clearly visible from the street. No business signage is permitted, and all signs shall be no higher than 300mm.
- 19.3. Balustrades are permitted provided that they are constructed from steel, stainless steel, glass and steel or treated natural hardwood. Colours must be approved by the appointed Architect or manager. Any other materials must be approved by the Building Committee.

20. SOLAR PANELS

Guidelines for photovoltaic, solar water heating and heat pump installations are as follows:

Photovoltaic, solar panels and heat pumps:

Eskom provides all Erven with a connection, either single or three-phase. In terms of the new recently promulgated SANS 10400 building regulations, it is now mandatory that a minimum of 50% of the water heating in every home is via alternative sources other than Eskom grid power. Accordingly, solar panels or heat pumps as a means of alternative power supply or heating is encouraged.

Photovoltaic (PV) systems are also encouraged to provide an alternative power source to residences. Detailed submissions on the intended PV, solar panel and/or heat pump water heating system and strategy to be submitted to the ARC for approval together with a clear indication of the number of panels / pumps intended, panel size, panel / pump location, inclination and intended screening method on roof plan, elevations and sections where applicable.

The positions of all PV or solar panel and/or heat pump installations must be carefully and sensitively considered. PV or Solar panels are ideally to be positioned flush on pitched roof sections. No geysers to be installed on any pitched roof section under any circumstances. It is recommended that geysers for solar installations be situated in the roof void wherever possible.

Heat pumps ideally to be positioned behind screen walls in kitchen yards or screened from view on flat roof areas so they are now visible from any open space or the street.

Should an architect or installer choose to position solar panels on a flat roof section, these solar panels must be screened from view from all public spaces as well as neighbours wherever possible. No geysers or reservoirs to be placed on any flat roof sections unless completely screened from view from all public spaces as well as neighbours.



21. GENERATORS

21.1 Generator Installation Guidelines

The following procedures and installation specifications apply should any homeowners wish to install a household generator at a home on the Estate.

21.2 Application

Homeowners will have to submit a formal application, to install a generator. The application should include the following:

- Specifications of the generator to be installed;
- Location plan of the generator;
- Electricity layout plan showing the detail of the connections to and from the generator;
- A fire Protection Plan;
- Envisaged noise level output measured by decibel.

21.3 Conduct Rules

Homeowners who choose to install household generators should take the following Conduct Rules into consideration:

- The noise level of the generator should not exceed 70db supplier test certificate need to be submitted once the installation is completed.
- The generator should be of the household, “silent” soundproof type with an automatic switch on/off capability.
- The generator should be an emergency back-up and should only operate during power failures.
- The generator should be installed within the boundaries of that stand, on a raised plinth, out of sight from road and neighbours away from any gas bottles.
- The generator location should be secure and fireproof with at least one handheld fire extinguisher installed on the wall nearby.
- The generator should be installed by a qualified, competent electrician.
- The generator should be properly grounded.
- Diesel fuel for the generator may be stored in the fuel reservoir of the generator, but not in separate containers.
- All generators on the Estate should be switched off between 22h00 and 06h00.
- The generator should be connected directly to the main Electrical Distribution Board (DB) in the home through an Automatic Change Over Switch (ATS), connected to a timer. The timer should be set that no generator is started on the Estate between 22h00 and 06h00, even if a power failure occurs.
- The ATS has a control cable of 5m connecting the generator’s electronic panel to the ATS and it is advised that the ATS does not exceed 5m from the main Electrical Distribution Board (DB) inside the Home to the generator.
- The wiring of the generator should be connected to a phase on the DB Board and that phase to each circuit breaker where power is required. This wiring should also be accompanied by a “certificate of compliance” issued by a qualified electrician.
- Proper heavy-duty power cords should be used and should be concealed and/or covered.
- Homeowners must take responsibility for advising their insurance company about the installation.



21.4 Acronyms/ Terminology

- ATS = Automatic Change over switch / Automatic Timing Switch
- DB = Distribution Board
- db = decibels

22. GAS INSTALLATIONS

According to the regulations, all gas installations must have a Certificate of Conformity according to the Pressure Equipment Regulations that have been promulgated under the Occupation Health and Safety Act (No 85 of 1993).

The types of gas installations that require this certificate include gas fires or braais, gas stoves and ovens, as well as hot water systems.

Gas bottles may not be installed should the gas bottles be:

- In-site of view from the street;
- Less than 1 metre sideways from doors and windows;
- Less than 2 metres from drains and air vents;
- Less than 3 metres below windows (unless a non- combustible roof is installed);
- Less than 1 metre from the property boundary wall (unless it is a firewall);
- Less than 5 metres sideways away from a switchable electric point or plug switch;
- Light bulbs cannot be less than 1.5 metres above a gas bottle.

Other installation rules:

- Only class 1 or 2 copper pipes, or other approved gas piping, may be used (Note: this is not the same copper piping used by plumbers);
- Copper pipes going through a wall must be sleeved;
- An approved flexible hose may not be more than 2 metres long and may not go through any partition (including wood, drywall, cupboard wall etc.)

23. ERF USE

- 23.1. A stand may neither be subdivided or rezoned or a sectional title plan be registered under any circumstances.
- 23.2. Where two residential stands are consolidated to form a larger stand, a double levy will be applicable to the consolidated stand. Should any consolidated stand again be subdivided, the original erf sizes must be honoured.

- 23.3. Under no circumstances may a house on a Res 1 stand be divided into 2 or more houses. Communes are not allowed on the Estate.
- 23.4. Carports may be permitted only if approved by the Architectural Committee. The roof of the carport must be tiled and match the roof of the house. The pillars and walls of the carport must match the finishing of the house.
- 23.5. Boats and caravans must be concealed inside garages. Domestic trailers may be stored on the property provided they are screened from the street.
- 23.6. Temporary structures and tents are not permitted.
- 23.7. Dog kennels are permitted provided that they are screened from view at street level.

24. WENDY HOUSES

- 24.1. All wendy-houses slides, jungle gyms and any other playground area are deemed temporary structures, and the approval is only valid for one (1) year. Thereafter, the structure must be removed, or a new application must be submitted. Approval will only be extended after inspection by the HOA. Should the structure be used for any other use other than a Wendy house or a play area the approval will immediately expire and, the structure will be deemed illegal.
- 24.2. These structures are purely allowed as wendy houses or play areas. These structures may not be inhabited or used as an extension of the residence. These structures may also not be used as garden stores or storage areas. Any person wanting to create storage space must do so in brickwork attached to the residence.
- 24.3. A site plan must be submitted indicating the proposed position of the structure. The structure may not be closer than 1, 0 m from the boundary and may not exceed 2,1 m in height. The structure may not overlook neighbouring properties or be visible from neighbouring properties. The structure must match the residence in terms of colour. A photo of the proposed structure or a plan must be submitted to ensure that the structure complies with the standard set by the HOA. All Materials must be specified on the drawing (roof, walls, doors and windows).
- 24.4. The HOA may request neighbours to sign on the plan should they think it is necessary.

25. SWIMMING POOLS

- 25.1. Swimming pools are permitted provided that they are constructed below ground level or behind masonry or concrete retaining walls and within the building lines.
- 25.2. The restriction of the building lines shall apply to the positioning of swimming pools and filtration plants.
- 25.3. Residents must comply with safety regulations in terms of the Local authority by-laws as regulated by the Madibeng Council from time to time.
- 25.4. Water being discharged must not run into a neighbour's property and should where possible end up in a stormwater catchment and may not be discharged in a sewerage pipe.

26. PEDESTRIAN GATES / YARD GATES

- 26.1. Any member intending to erect street-facing, garden or yard gates must submit a detailed plan or obtain prior written approval from the ARAC.

- 26.2. The following requirements are to be adhered to when designing any street-facing, garden or yard gate:
- 26.3. The gate must be fit for the intended purpose and be manufactured to a high standard;
- 26.4. All garden and yard gates should match the height of the boundary or screen wall within which it sits;
- 26.5. The gate must match the residence aesthetics in the broader material and colour thereof;
- 26.6. No glass, polycarbonate, composite plastic or reflective panels will be allowed in any gate;
- 26.7. The design of all yard gates must be at least 1,8 meter in height with a solid or semi-permeable screening;
- 26.8. to limit visibility into the yard area.

27. RAINWATER HARVESTING

Rainwater tanks / JoJo tanks Guidelines

Eco-friendly and aesthetically pleasing solutions for rainwater capture and rainwater harvesting are encouraged.

The tanks may be integrated into the design of the house and may even take the form of a pond, a reservoir or be underground.

The second option is to harvest water by using JoJo water tanks. Alternative colours are Bushveld Green, Stormy sky and Winter Grass are allowed alternatively Khaki brown and Sandstone (See below JoJo tanks colour spectrum). To mitigate the visual impact, all other tanks, need to be screened or clad in an approved position and finish to the satisfaction of the HOA. The position of the tanks must take into consideration the aesthetics and the practicality of the guttering and downpipes.

All tanks must be screened from neighbours' view.



28. SIDEWALK HARD LANDSCAPING

- 28.1. Hard landscaping on the sidewalk may not exceed more than 20%.

29. SECTIONAL TITLE

- 29.1. The minimum size of a sectional title unit may not be less than 75² (excluding garages and carport), provided that there is a minimum of 4 units per block.

29.2. For sectional title units, the following must be provided:

29.2.1. Communal refuse areas for rubbish removal, designed to NBR regulations, domestic quarters with ablution facilities.

30. BUILDING PERIOD

30.1. Should a sale of a vacant stand have occurred from a developer, owners are granted a thirty-month period from the date of transfer to commence with the building. Once the construction of a house commences, the house must be completed within a period of 10 months. Should owners not have commenced the building within the stipulated period the owner or his successor in title, will be liable to the Home Owners XHOA for an additional levy over and above the normal levy, which will be imposed by the trustees from time to time.

30.2. Owners are granted a 6 months period from the date of transfer to commence with the building. Once construction of a house commences, the house must be completed with a period of 10 months or such further period as agreed to by the trustees, failing which the XHOA will impose an additional levy over and above the normal levy on the member. The amount of the additional levy may change from time to time.

31. DUETTES, BED & BREAKFAST

31.1. Under no circumstances will a duettes be allowed on the Estate.

31.2. An owner may not subdivide a house either temporarily or otherwise for any reason whatsoever.

31.3. Under no circumstances will Bed & breakfast or any other short term letting be permitted.

32. COMPLETION AND OCCUPATION OF HOUSES

32.1. An owner may not subdivide a house either temporarily or otherwise for any reason whatsoever.

32.2. No more than one family may occupy a home or a single residential stand. A family is regarded as the immediate family of the owner or tenant if a house is rented, which includes the owner/tenant, the spouse or partner, the children and / or parents and parents in law of the owner/tenant. The consent of the XHOA must be obtained in writing should any other person reside with the family for more than one month at any given time. No communes are allowed on the Estate. Despite as occupational certificate being issued by the Madibeng Town Council to an owner, no owners may take occupation of their completed homes, before the XHOA has issued their occupational certificate, in respect of the house.

32.3. In order to obtain an occupational certificate from the Homeowners' XHOA in future, the following steps will have to be taken:

32.3.1. Any person submitting plans in future, must first sign and acknowledge the contents of the completion and occupation of houses letter which will be obtained at the Estate office or from the code of conduct. A builder will not be allowed access onto the Estate without this letter having been signed by the stand owner. The builder is also required to sign this document.

32.3.2. On completion (completion is dependant as all construction, all outside work and paving, the garden and the pavement must have completed and rubble removed both from site and surrounding stands and the house painted), the manager must be contacted to come and do a final inspection and copies of the electrical, plumbing and glass compliance certificates must be supplied to him. The manager, once satisfied as in 25.3.4 below, will issue an HOA

occupational certificate. The HOA certificate must be presented to the Council together with a copy of the electrical, plumbing and glass compliance certificate.

- 32.3.3. The Operations Manager will conduct a full inspection of the house, the erf, pavement and surrounding stands, before issuing an occupational certificate. Under no circumstances whatsoever, may an owner take occupation of a house without the necessary occupation certificate being issued by the XHOA.
- 32.3.4. The owner's refundable pavement deposit will only be refunded to the owner following the issuing of the occupational certificate by the XHOA and pending clearance of all penalties. The XHOA may retain the building deposit until such time as the owner has complied with all the Architectural Guidelines and the approved building plans.
- 32.3.5. Should an owner take occupation without the necessary occupational certificate being issued by the XHOA, and the owner refuses or fails to vacate the Estate until the certificate is issued, the XHOA reserves the right to impose a penalty on the owner, not exceeding R5,000.00 per month. In terms of the constitution of the XHOA, this penalty is due and payable as part of the levy, on the first day of the month, following the date that such penalty is imposed.

33. ADDITIONS, ALTERATIONS AND MAINTENANCE

- 33.1. Should ANY additions, alterations or maintenance be undertaken (including repainting of a house), these rules will apply, and the necessary plans and/or permission shall be acquired prior to the commencement of such work.

34. GENERAL

- 34.1. These rules are to be read in conjunction with the Agreement of Sale between the owner and the developer, and the Constitution of the Xanadu Nature Estate Homeowners' including any amendments thereto and the Code of Conduct.
- 34.2. Even if an owner may have complied with these rules, the manager, together with the Building Committee, will have the absolute discretion to reject any plans which do not, in their sole discretion, embody the spirit of what is intended for the built environment in Xanadu Nature Estate.
- 34.3. The manager, together with the Building Committee, will, in their absolute discretion, be entitled but not obliged to waive any of these guidelines but any waiver granted shall not constitute a precedent which shall automatically be applied to any other owner(s).
- 34.4. Owners must be members of the Xanadu Nature Estate Homeowners' XHOA.
- 34.5. During the development period, the developer and thereafter Xanadu Nature Estate Homeowners' XHOA shall be entitled, in their absolute discretion, to amend these rules from time to time.
- 34.6. Should any disputes arise relating to the application or implementation of these rules, the manager's decision shall be final and binding on the parties concerned.
- 34.7. Owners are to ensure that all building associated documentation is completed and submitted including signed copies of approved plans, NHBRC certificates, title deed and the Builders Code of Conduct and Contractor Activities.

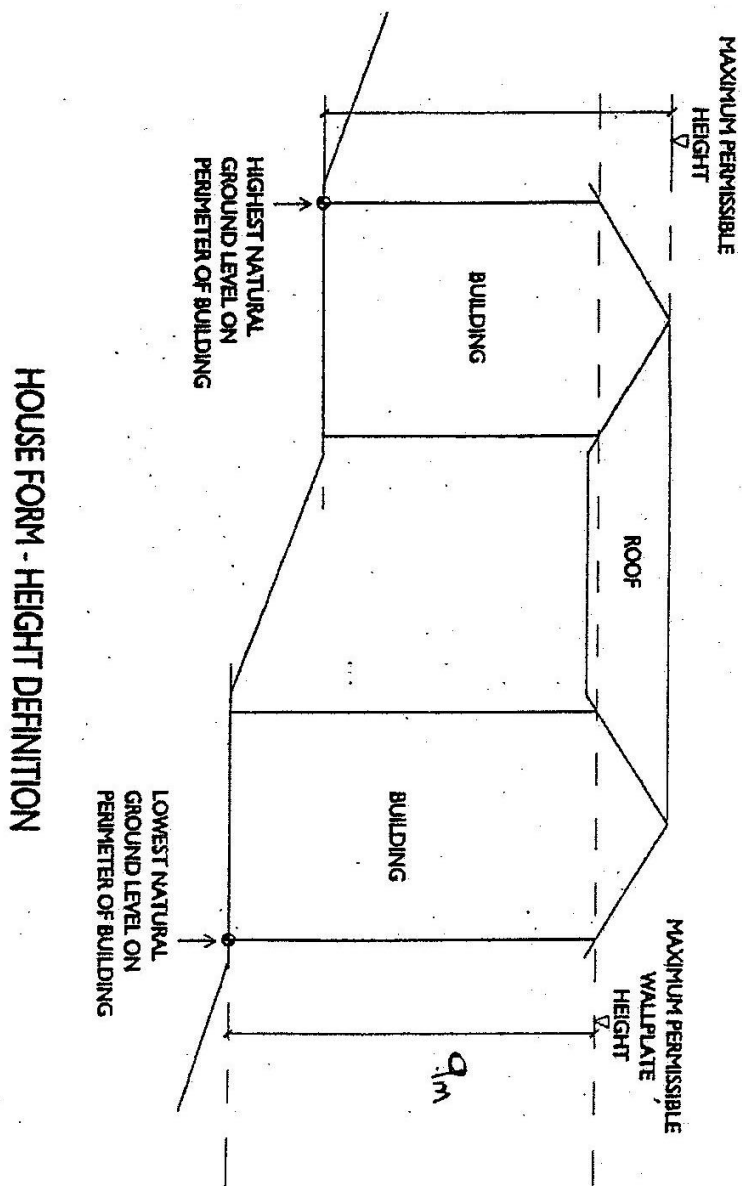
35. SCRUTINY FEES, BUILDING FEES AND PENALTIES

- 35.1. A scrutiny fee is payable with the first submission of plans.
- 35.2. Payment of a refundable deposit in the amount of which of R20000.00 (twenty thousand rand) or as

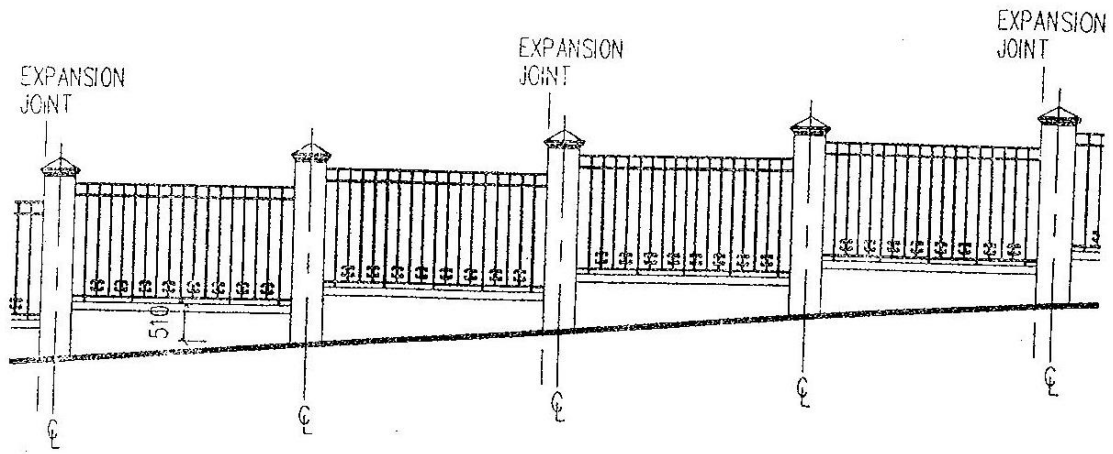
amended by the Trustees from time to time is required. The refundable deposit will be returned free of interest subject to the satisfaction of the manager that all landscaping has been restored, any damage to the Estates' infrastructure has been repaired, all rubble on the site and adjoining sites have been cleared, all levies are up to date and all penalties, that might have been issued, have been settled in full. This deposit is applicable to a single site only and is not transferable to alternate construction sites.

- 35.3. The XHOA may retain the building deposit until such time as the owner has complied with all the architectural guidelines and the approved building plan.

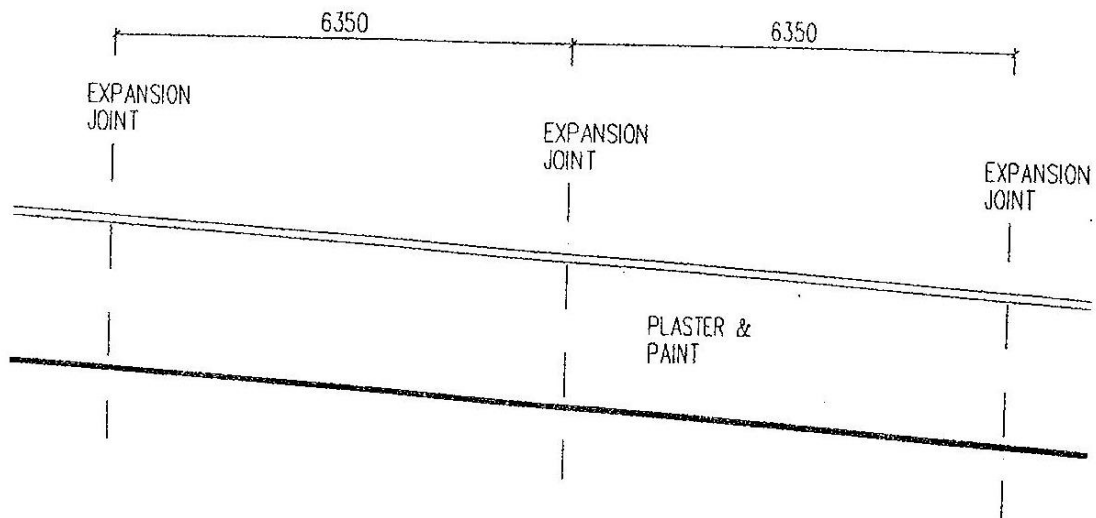
Appendix 1: House Forms – Height Definition



Appendix 2: Boundary Walls

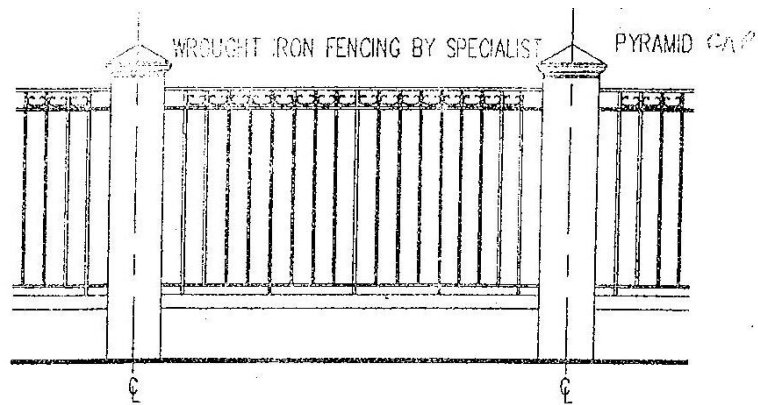


**TYPICAL BOUNDARY WALL
ALONG STREET FRONTAGE ELEVATION**

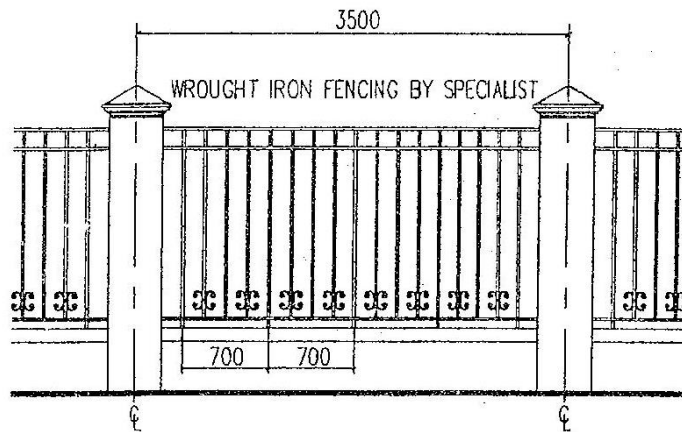


TYPICAL INTERNAL BOUNDARY WALL ELEVATION

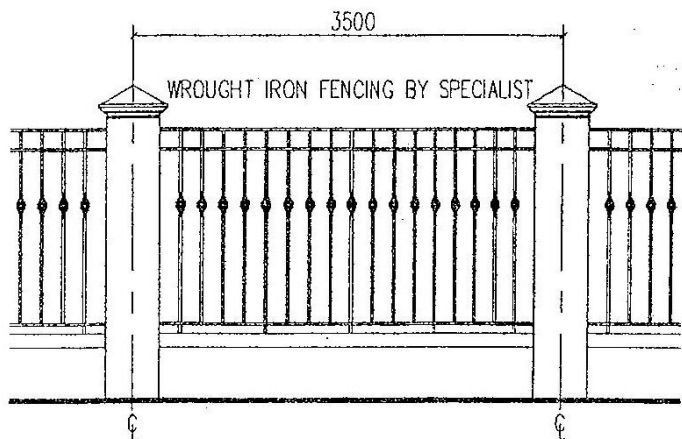
Appendix 3: Boundary Walls along street frontage



BOUNDARY WALL ALONG STREET FRONTAGE - OPTION 1

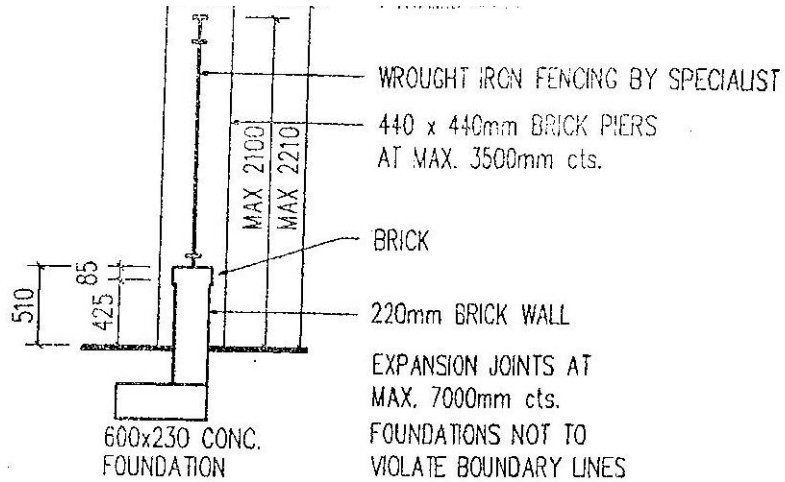


BOUNDARY WALL ALONG STREET FRONTAGE - OPTION 2

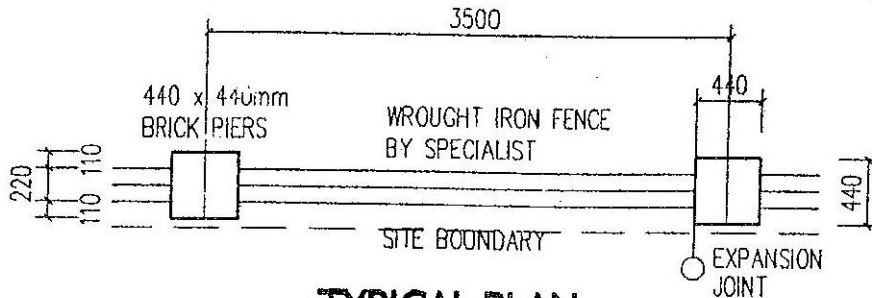


BOUNDARY WALL ALONG STREET FRONTAGE - OPTION 3

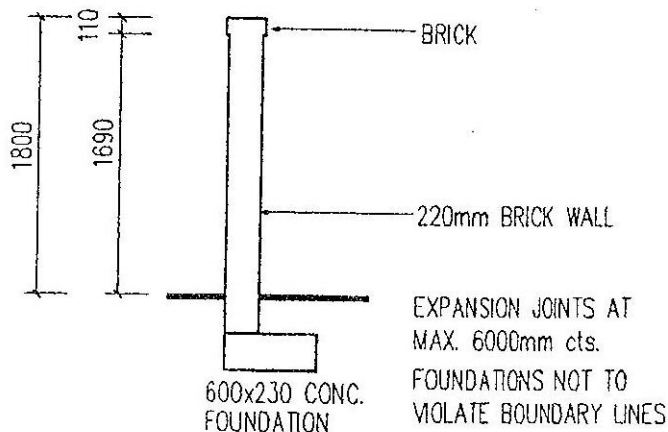
Appendix 4: Typical section through boundary wall along street frontage (Options 1 to 3)



TYPICAL SECTION THROUGH BOUNDARY WALL ALONG STREET FRONTAGE - OPTIONS 1 TO 3

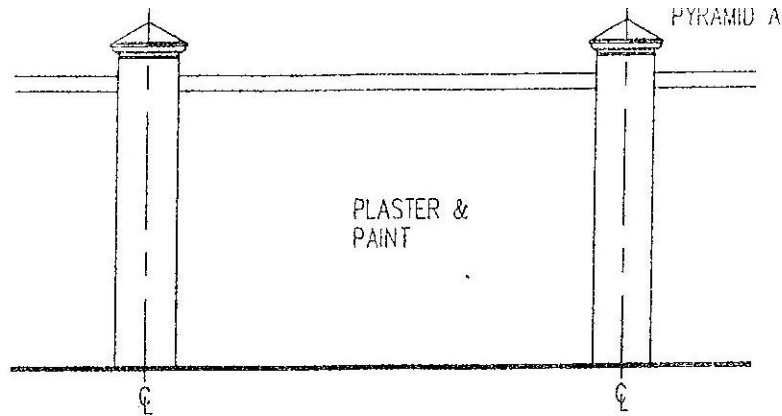


TYPICAL PLAN BOUNDARY WALL ALONG STREET FRONTAGE - OPTIONS 1 TO 3

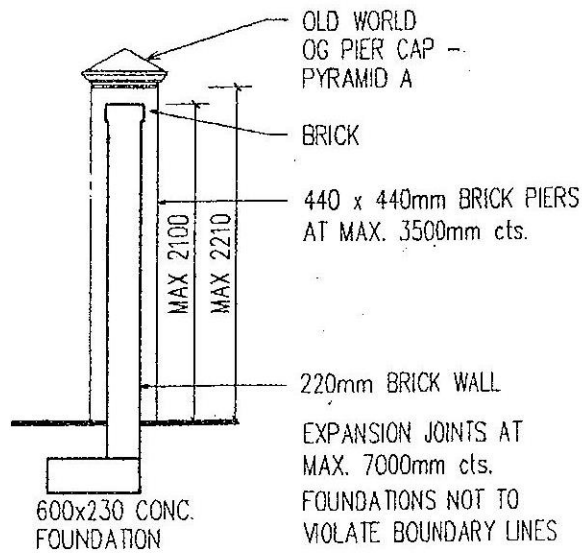


TYPICAL SECTION THROUGH INTERNAL BOUNDARY WALL

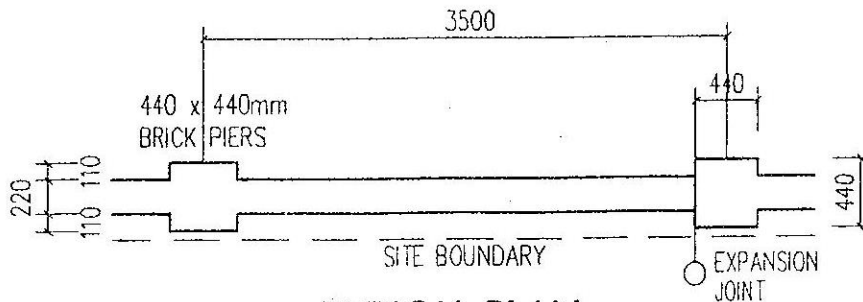
Appendix 5: Typical section through boundary wall along street frontage (option 4)



BOUNDARY WALL ALONG STREET FRONTAGE - OPTION 4

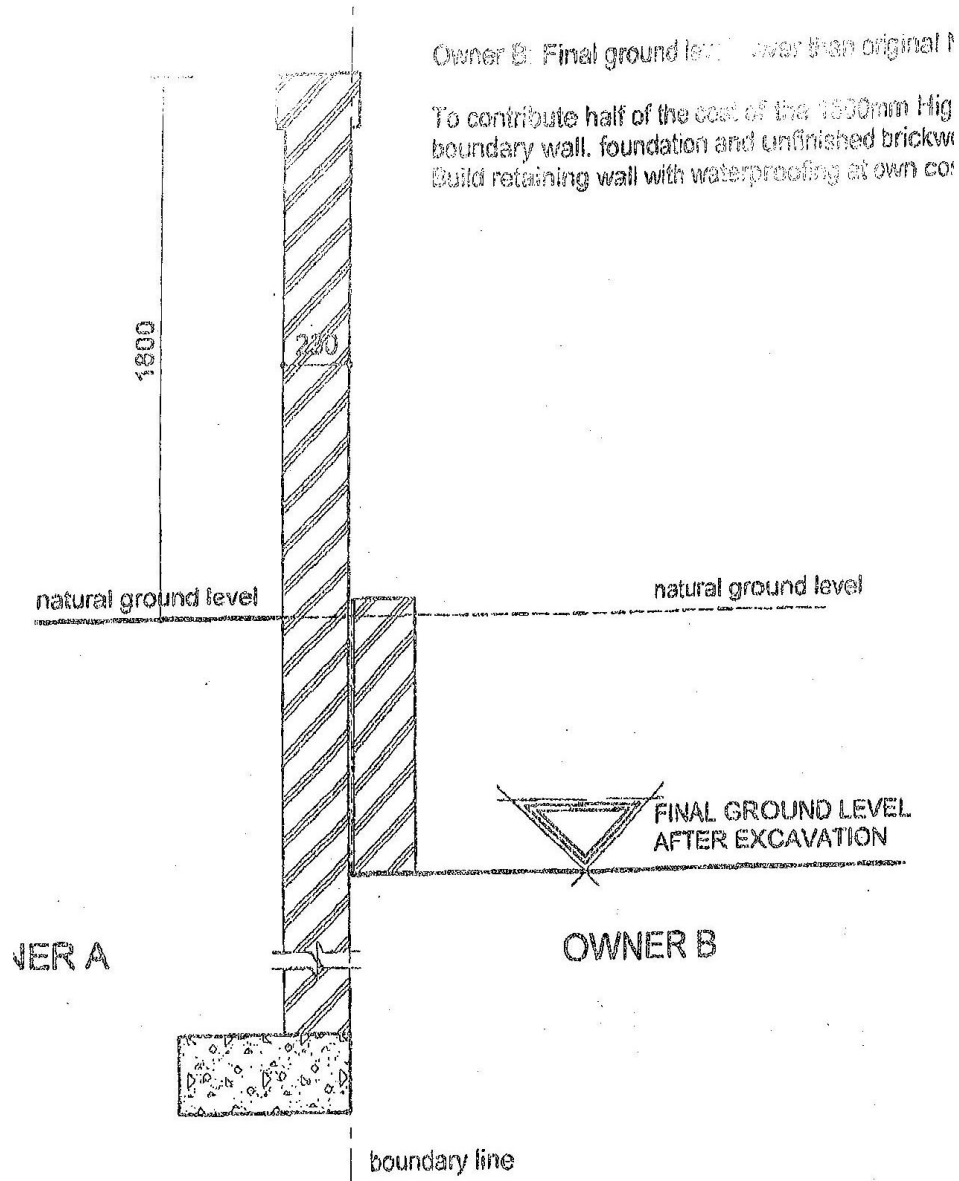


TYPICAL SECTION THROUGH BOUNDARY WALL ALONG STREET FRONTAGE - OPTION 4



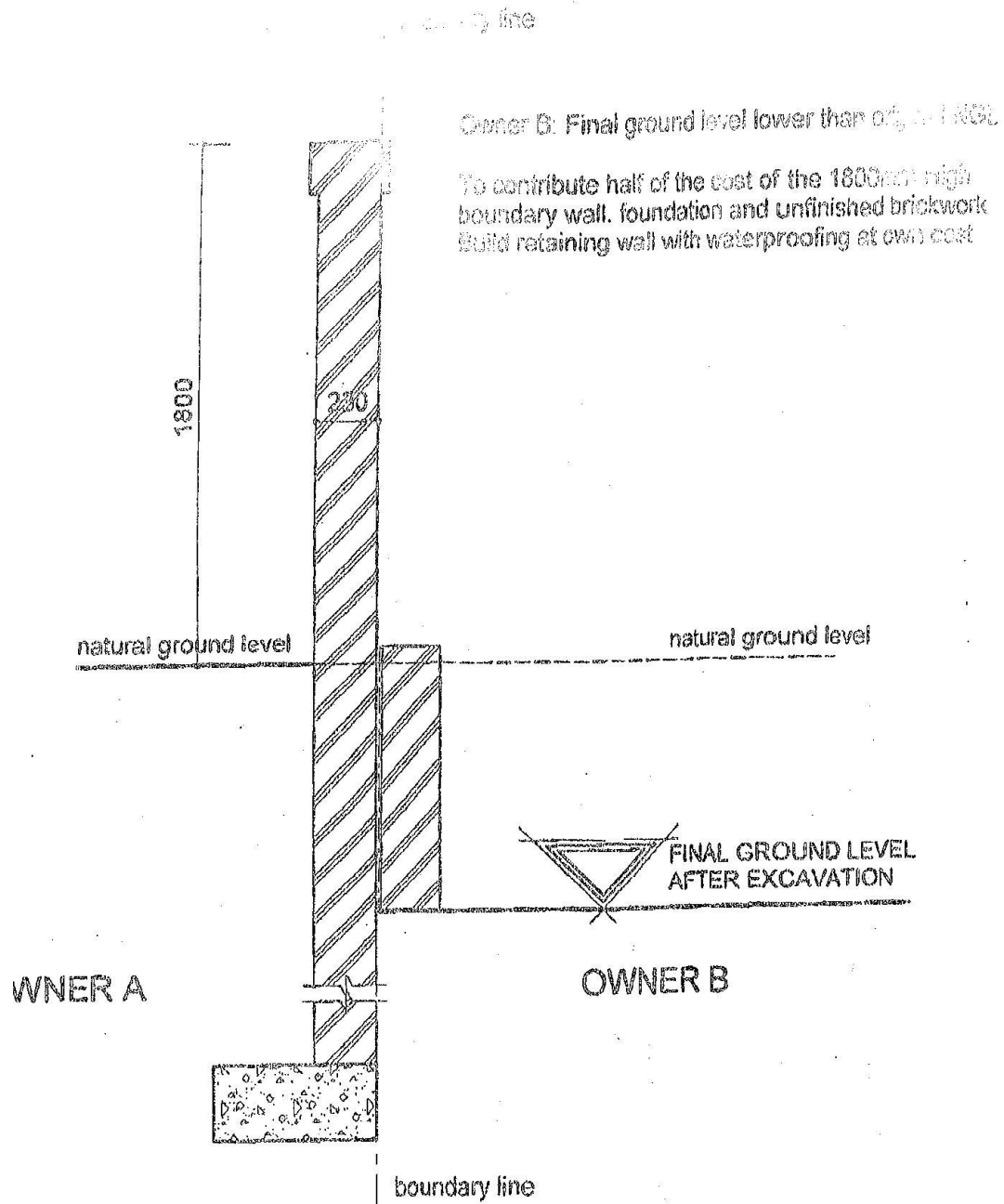
TYPICAL PLAN BOUNDARY WALL ALONG STREET FRONTAGE - OPTION 4

Appendix 6: Boundary Walls General Rules



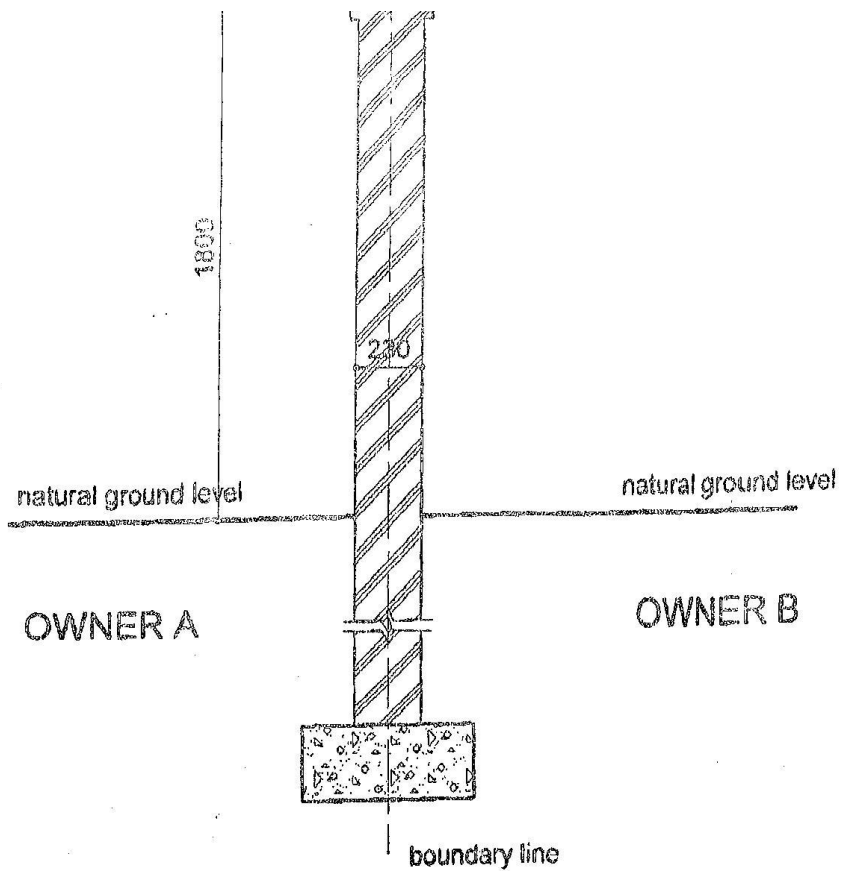
INADU ECO PARK: BOUNDARY WALLS
GENERAL RULES SCENARIO #1

Appendix 7: Boundary Walls General Rules



CANADU ECO PARK: BOUNDARY WALLS
GENERAL RULES SCENARIO #1

Appendix 8: Boundary Walls General Rules



IF BOTH OWNERS AGREE ON COMMUNAL WALL:

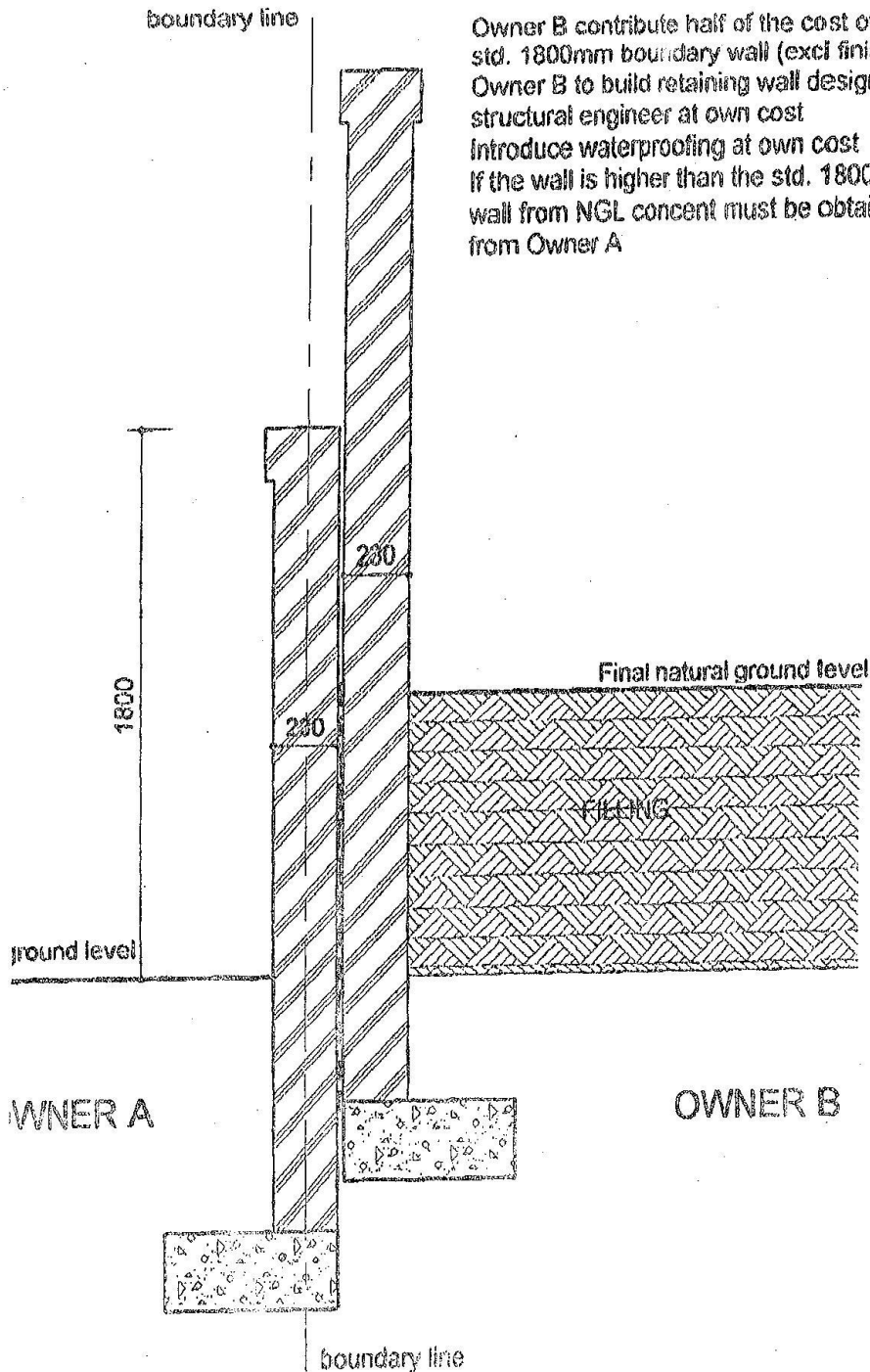
Boundary wall can be in the centre of the site boundary
Both owners contribute half of the cost of the foundation
and brickwork of the unfinished wall
Each owner is responsible for the cost of the final finishes
of the wall on his side eg. plaster and paint

XANADU ECO PARK: BOUNDARY WALL GENERAL RULES SCENARIO #2

Appendix 9: Boundary Walls General Rules

OWNER B: FINAL GROUND LEVEL HIGHER THAN ORIGINAL NATURAL GROUND LEVEL:

Owner B contribute half of the cost of the std. 1800mm boundary wall (excl finishes)
 Owner B to build retaining wall designed by structural engineer at own cost
 Introduce waterproofing at own cost
 If the wall is higher than the std. 1800mm wall from NGL concent must be obtained from Owner A



**NADU ECO PARK BOUNDARY WALLS
 GENERAL RULES SCENARIO #3**