House Rule
Balconies

1. Introduction

1.1. Apartment balconies form a huge part of the outside appearance of the building. The aesthetic appearance of the building is thus dependant on the appearance of the balconies.

1.2. In Sectional Title the appearance of the building and therefore the appearance of the balconies is a Trustees responsibility. To achieve this there must be close co-operation between owners and the Trustees.

1.3. This set of conduct rules aims to regulate the appearance of balconies which becomes the responsibilities of both the owners and the Body Corporate.

2. Legal Position

2.1. The balcony is part of the unit and therefore the maintenance of the balcony is primarily an owner's responsibility.

2.2. If a wall leads onto Common property, the mid of the wall is the line splitting the responsibility between owner and Body Corporate. When a wall leads onto the owner's property such as a balcony or exclusive use area the owner is responsible to maintain the property.

2.3. Wall onto Common property The cost to repair or replace the wall or windows is split in half if the walls lead onto common property. For instance, the cost to repaint the wall in the inside is an owner's responsibility and the cost to paint the wall on the outside is a Body Corporate responsibility. Replacing a broken window is also split 50% - 50%.

2.4. Wall onto Own or Exclusive use Area When a wall leads onto own property such as a balcony or exclusive use area such as an outside paving the cost is in general for the owner. Fixing a window in this wall is therefore for the owner's pocket. Painting such a wall is an owner's responsibility unless the entire outside of the building is repainted.

3. Painting

3.1. The schedule to paint the building is defined in the long-term plan. This long-term plan is revised every year and the painting schedule may also change depending on priorities. It could be that the entire building is painted within one project over a short period of time, or it could be done with inhouse personnel over a longer period.

3.2. Most balconies at Dolphin Beach are part of the owner's private property. Therefore, the responsibility to maintain balconies between the major painting projects, rest with the responsible owner. The owner may not change the paint colour or specifications.

3.3. Owners are encouraged to paint their balconies, if it needs painting, or else the owner must wait for Body Corporate schedule.

3.4. To assist owner's the Trustees have made the following concessions:

- The Body Corporate will provide the paint if a resident wish to repaint his/her balcony. The Body Corporate will not assist with the painting.

- If a fin wall divides two apartments the top of the fin wall must be painted to provide a uniform appearance. If for some reason the top of a fin wall is in dire need of repainting and neither adjacent owner has attended to the problem, the Body Corporate may paint the top of the fin wall on own discretion without the approval of the relevant owner.
- If water leaks occur in the walls the reason for the leak must first be addressed before painting commences.

4. Balconies Floors

4.1. The balconies in the main building must be tiled. The type and colour of the tile can be obtained from the Estate Manager. In principle an off-white tile is used. It is recommended to use a tile similar in colour used on the passages.
4.2. If a different colour tile is required, it must be approved by the Design Review Committee.
4.3. The balconies at the Cabanas must either be constructed with a wooden deck as was originally installed, or pathway bricks.

5. Balcony Windows

5.1. Clear window glass is the norm.
5.2. Approval is given to install light coloured blue/green glass to absorb harsh sunlight. The glass must be coloured glaze and not a film added to the in- or outside. When using coloured glass, the approval of the Estate Manager is required.
5.3. The current aluminium window frame used at Dolphin Beach must be maintained. Any proposed changes must be approved by the Estate Manager.

6. Balcony Balustrades

6.1. The balcony balustrades and associated glass are very visible and therefore the current frame and look must be maintained.
6.2. Broken glass must immediately be replaced.
6.3. The glass should be cleaned on a regular basis.
6.4. Owners should check the rubber spacers to ensure proper integrity.

7. Piping and Drains on the Balconies

7.1. Full bore The full bore is the mechanism used to channel water from balconies to the down pipes. Over the years some of these full bores and down pipes have become clogged either totally or partially. Many previous renovations have altered these full bores and any leaks could cause serious water damage in other apartments. Maintaining the full bore is primarily an owner's responsibility.
7.2. Down Pipes All the down pipes are a Body Corporate responsibility as the down pipes may route through other apartments or common property. However, it is to the advantage of all owners to regularly ensure there is a positive outflow as it could cause serious damage if the water is not cleared from the balconies. The down pipe of a Cabana is the responsibility of the owner.

7.3. Expansion Joints The detail of managing the expansion joints is covered in the House rule 'Leaks in Apartments". Kindly refer to this document for maintenance tasks, and owner's responsibilities on the expansion joint.

8. Awnings and Pergolas

8.1. Awnings Strict rules apply to all awnings to create a uniform appearance. The type and colour of an awning is available at the Estate Manager's office. No other awning type or colour may be used. Awnings degenerate very quickly, and it is therefore essential that owners maintain the awnings regularly but at least annually. As the awning is normally a fixed installation onto a pergola the maintenance of those pergolas as well as the ceiling of the balcony, becomes the responsibility of the owner, once the awning is installed. The Body Corporate reserves the right to insist that the awning and pergola must be kept in good and clean condition.

8.2. Pergolas The pergolas are situated over owner's area. In principal pergolas is therefore an owner's responsibility. However, because the pergolas are so visual the Trustees might decide to maintain the pergolas as part of the long-term plan. Interim painting and maintenance must be done by the owner.

9. Safety Precautions

9.1. All burglar guards must be installed on the inside of the windows and doors.

9.2. Care should be taken not to install burglar guards that is not rust proof.

9.3. Owners may make use of private security companies. No advertisements may be made on the balconies. Care should be taken not to install movement sensors on the balconies. As Dolphin Beach is situated in a nature reserve, many animals frequent onto the balconies causing false alarms.

9.4. Dolphin Beach security will only respond to a private company alarm if the necessary arrangements have been made with the Estate Manager.

10. Furniture and Other fixtures on the Balcony

10.1. No permanent fixtures may be erected on balconies.

10.2. The balcony should not be used as a storage facility causing un-aesthetic appearance.

10.3. Outside type furniture is allowed but must be maintained in good order.

10.4. Jacuzzis are only allowed on Cabana balconies and not on the main building balconies. Special permission is required to install Jacuzzis, as permanent water piping and electrical cabling are required. The Body Corporate reserves the right to cancel approval of a Jacuzzi when it is noisy or unsightly.

10.5. Balconies may be decorated during festival times such as Christmas etc. No permanent flashing lights or decorations will be allowed.

10.6. No wooden fires may be made on balconies. Care should be taken not to be a nuisance to neighbours.

10.7. All air conditioner units with outside units must be enclosed in the prescribed manner. (Refer to the Design Guidelines for specific instructions). Care should be taken where the outside unit is installed as it could easily cause a nuisance to the neighbours. The outside unit must not be installed close to a neighbour's bedroom window.

11. Cabling across balconies

11.1. Over the years, as technology changes, many additional installations such as the incorporation of fibre and DSTV cabling were done across balconies. These cables are part of the bigger system. The maintenance of these cables is a Body Corporate responsibility.

11.2. As the cable enters the unit is becomes the responsibility of the Owner.