

Reference number: Erf 3379, Blanco

Date: 1 April 2021

Enquiries: Marisa Arries

MONT FLEUR MOUNTAIN ESTATE HOA
PO BOX 9956
GEORGE
6530

planning@delplan.co.za

<p>APPLICATION FOR MONT FLEUR MOUNTAIN ESTATE ARCHITECTURAL GUIDELINES: ERF 3379, BLANCO</p>

Your application in the above regard refers.

The Deputy Director: Planning (Authorised Official) has, under delegated authority, W.1.33 decided that the application in terms of section 15(2)(l) of the Land-Use Planning By-Law for George Municipality, 2015 for the amendment of the MONT FLEUR MOUNTAIN ESTATE ARCHITECTURAL GUIDELINES (20 October 2020);

BE APPROVED in terms of Section 60 of said By-law for the following reasons:

Reasons for decision:

- The Mont Fleur Mountain Estate Home Owner's Associations' Design Review Committee approved the said Architectural Guidelines on 27th October 2020;
- The design guidelines comply with the George Integrated Zoning Scheme By-Law, 2017 and as well as the Land-Use Planning By-Law for George Municipality, 2015.

You have the right to appeal to the Appeal Authority against the decision of the Authorised Employee, in terms of Section 79(2) of the George Municipality's By-law on Municipal Land Use Planning.

- A detailed motivated appeal with reasons should be directed to and received by the Appeal Authority, P O Box 19, George on or before **22 APRIL 2021**.
- An appeal that is not lodged within the set date or that does not comply with Section 80 of the George Municipality's By-law on Municipal Land Use Planning will be deemed invalid.

Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

Kindly note that in terms of Section 80(14) of the George Municipality's By-law on Municipal Land Use Planning, the above decision is suspended until such time as the period for lodging an appeal has lapsed, any appeal has been finalised and you have been advised accordingly.

Yours faithfully



M D POWER
DEPUTY DIRECTOR: PLANNING AND DEVELOPMENT

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MUNISIPALITEIT GEORGE MUNICIPALITY

Approved in terms of Section 60 of the George Municipality: Land Use Planning By-Law (2015) subject to the conditions contained in the covering letter.

11/04/2021
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MUNICIPAL MANAGER
MUNISIPALE BESTUURDER



1. INTRODUCTION

Mont Fleur is a world-class lifestyle estate situated at George in the heart of the Garden Route. The objective of Mont Fleur Mountain Estate is to provide the home-owner with a secure environment, to enjoy wholesome country living in an architecturally regulated landscaped setting.

The Estate will provide:

1.1 High level security

24 hour security with point of entry control at the gate-house and electrical perimeter fencing with the latest in security technology.

1.2 Country living

The Mont Fleur Mountain Estate will re-establish the indigenous vegetation of the area. The estate was designed with a myriad of parks and open spaces meandering through with existing and new dams as focal points. Landscaping will be predominantly indigenous and will be provided between roads and the erven encouraging homeowners to extend the landscaped zone into erven.

1.3 Village Centre

A centre incorporating a club space for meetings and catering which includes a kitchen, server, braai and covered verandas.

A multi-purpose entrance links the club space with an office, store and toilet facilities.

1.4 Architectural style

To promote a sense of community with individual identity, the designers have created an appropriate architectural design manual. Guidelines address the spatial and aesthetic design aspects such as the interface with the streetscape and the green and public areas, together with building forms, proportions, roof design, colour, texture, etc.

The relatively young history of lifestyle estate design in South Africa has shown that a well regulated estate will increase in value more than an uncontrolled estate, ensuring a good investment opportunity for the home-owner.

2. LOCALITY, CONTEXT AND TOPOGRAPHY

Mont Fleur Mountain Estate is located north west of George linking the Garden Route with the Little Karoo and providing a base to explore the southern cape coast and Karoo regions of South Africa.

The estate is situated on the foothills of the Outeniqua mountain range and is a stone's throw from Fancourt Hotel and Country Club Estate. Mont Fleur Mountain Estate is also close to the airport and CBD.

No further development is foreseen between the Estate and the mountain. Being on the foothills of the mountain, the estate slopes from the northeast to the southwest. The topography creates wonderful views over the coastal plateau.

The area experiences all year rainfall with a 60 – 70% of windy days. Temperatures are mild all year round. Designers should take cognizance in their designs of the south-easterly winds in summer and westerly winds during the winter together with strong berg wind conditions (NW) in winter.

3. VISION

The manner in which humans intervene in the natural environment directly affects the quality of their existence. The vision of the developers, Falcon Properties (Pty) Ltd, is to create an environment that focuses on a sustainable community orientated lifestyle that proves the idea that people can share common ground and life values.

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A settlement's character has to do with the interplay of social, cultural, traditional, economic and physical factors. It was essential to the developers that the designers address all of the above through a rational design process to achieve the desired harmony and balance between homes and nature.

The ideal is to overcome separation of humans from one another and their environment, and in so doing create a unique living environment. By achieving a symbiosis between the heritage, culture and peaceful country atmosphere George has to offer, this luxury lifestyle estate will generate wealth for all of its owners.


4. SUMMARY

- 4.1 The architectural guidelines will be regulated by the developer during the construction phase and thereafter a controlling architect and a representative of the Home Owners Association (H.O.A).
- 4.2 The purpose of these design guidelines is to encourage individual creativity while using limited materials and finishes to ensure that the overall development harmonizes.
- 4.3 Construction must commence within two years from the date of registration of transfer of ownership from developer to first owner of a stand. In order to reduce inconvenience to neighbours, as well as unsightliness, construction should proceed without lengthy interruptions and should be completed within 12 months from the date of commencement. Phased design should be handled in such a way that the end of each phase should be aesthetically acceptable to the Home Owners' Association. Non-completion within the prescribed time-frame will result in the imposition of penalties as determined by the H.O.A.
- 4.4 The design of homes should show sensitivity towards existing natural features, flora and topography. Permission is required before any existing trees are removed and all existing trees are to be indicated on site plans. Adjoining homes, privacy and views must be taken into account in the design process.
- 4.5 The controlling authority for the development is the Mont Fleur Mountain Estate Home Owners Association (HOA) who will be responsible for the approval of all plans and buildings. Application for approval of building plans needs to be submitted to the HOA in writing, a scrutiny fee is payable at the time of application. Scrutiny fees will be reviewed annually. A Land Surveyor Certificate must accompany the application. It is strongly recommended that the purchaser engage the services of an architect appointed to the approved panel of architects.
- 4.6 No stand may be subdivided or rezoned without written consent from the HOA.
- 4.7 Stands may not be consolidated to increase the size of houses.
- 4.8 Any approval from the HOA does not exempt the owner from obtaining the required local authorities approval.
- 4.9 All construction shall comply with the National Building Regulations and NHBRC requirements.
- 4.10 The developers and subsequently the HOA reserve the right to alter or amend these rules and guidelines, if necessary to retain the aesthetic integrity of the residential estate.

5 ARCHITECTURE DEFINED

The architectural philosophy is the concept of creating a "sense of place".

The estate lends itself to a healthy and secure lifestyle. The development utilizes the opportunities the site has to offer, and preserves and enhances the inherent qualities of the locality. Buildings are to display a modern vernacular theme.

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This is achieved by:

- 5.1 The use of natural materials, especially timber, as the town was established in about 1810 as a woodcutters outpost which supplied timber to the Cape Colony.
- 5.2 Simple geometric plan forms of a barn - type character with the structure being honest to its function.
- 5.3 Simple gable roofs.
- 5.4 Deep shaded verandas.
- 5.5 Recessed windows and door openings creating depth through the play of light and shadow and framed vistas.
- 5.6 Generous hearth and chimney designs.
- 5.7 Painted plastered walls.
- 5.8 Thin, simple and light balustrades and other clip-on elements such as pergolas and lean-to roofs with emphasis on the horizontal lines or structural members.
- 5.9 Focus of the street as a common public landscaped space.
- 5.10 Outside staircases must be aesthetically pleasing and blend in with the visual presentation of the building and landscape. The HOA will consider the visual aspect and aesthetics of outside staircases when plans are scrutinised.

6 BUILDING ENVELOPE

6.1 COVERAGE, HEIGHT AND DENSITY

- 6.1.1 Maximum dwellings per stand – one (except where indicated otherwise).
- 6.1.2 Maximum height – 2 storeys (excluding roof and loft rooms) – provided that the first storey be restricted to a maximum of 75% of the ground storey. Maximum height is 8.5m to the highest point of any roof measured from any point of the natural ground profile taken over the buildings footprint. Chimneys excluded.

6.1.3 Coverage:

50% maximum coverage

- 6.1.4 Minimum size of dwelling allowed = 110m²

6.2 BUILDING SET BACKS

6.2.1 Street boundary

Single Residential - 4.5m

General Residential - 4.5m

Group housing (erf 3321, erf 3323 and erf 3379) - 2m and 3m for Garage boundary

Designers are encouraged to respect the street boundary with regards to the orientation of the building. The ideal is to have the dominant elements of the building facing the street boundary, parallel or at right angles to the street boundary.

6.2.2 Side and Rear boundary (including Green Areas)

Single Residential - 3m

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General Residential - Zero and 3m where this zone abuts on another zone

Group housing (erf 3321, erf 3323 and erf 3379) - Zero and 1m (including street boundaries where another boundary serves as the street boundary and complies with 6.2.1)

Sensitivity must be displayed towards private zones of neighbours and views.

6.3 Boundary with Cherry Creek

A 6m building line is applicable.

Because of the 6m building rear line applicable to erven on the Southern boundary (Cherry Creek boundary) any application to relax the 3 meter lateral building line setback of the erven on the Southern boundary (Cherry Creek boundary) be considered based on merit and motivation.

ONLY applicable to erven 3254, 3255, 3256, 3257, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3280 & 3281 and NOT any other erf on the Estate.

a flat roof garage and carport not exceeding a height of 4m, within the common boundary line be allowed to be built on these erven.

6.4 Estate Housing Properties

A 0m building line be applicable on the common boundary of all semi-detached units and at least a 2m building line on the other side and rear boundary. A 4.5m street boundary will be applicable.

Sensitivity must be displayed towards private zones of neighbours and views.

6.5 General Residential erven parking

At least two parking bays per house

The above building lines are internal guidelines for the development and will be submitted to the municipality with each submission.

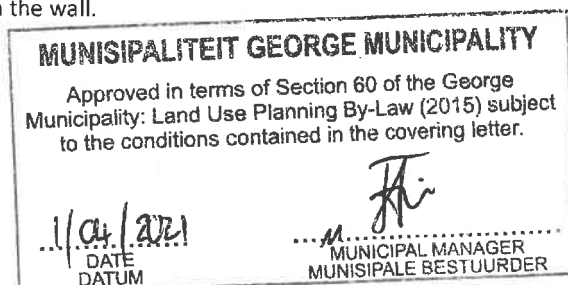
7. **WALLS AND FENCES**

7.1 **STREET BOUNDARY**

7.1.1. No Walls are encouraged to support an open street scape.

7.1.2. A maximum height of 1000mm for walls will be permitted on the street boundary. Planting to the front of the wall is encouraged.

7.1.3. If a higher wall is needed for privacy, a maximum height of 2.1m is allowed to a maximum length of 50% of the street boundary. Landscaping at the front of this wall is compulsory to soften the wall.





7.2 SIDE BOUNDARY

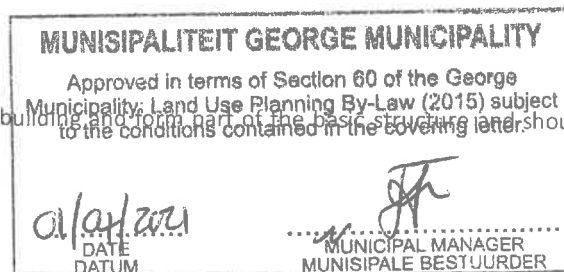
- 7.2.1 The side walls between property boundaries may be provided at a maximum height of 2.1m over the extent of the boundary as may be required to screen off an approved use of area (not exceeding 60% of the length of the boundary).
- 7.2.2 Only 1 screen wall between properties may be erected in any position.
- 7.2.3 The rest of the boundary can be enclosed with a 1000mm high wooden fence or white PVC fence (as approved by the HOA) for dogs etc.
- 7.2.4 No electrical fences are allowed inside the complex.

7.3 GREEN AREA BOUNDARY

- 7.3.1 No walls are encouraged.
- 7.3.2 A maximum height of 1000mm for walls or allowed wooden fence will be permitted on the green area boundary.
- 7.3.3 Landscaping is encouraged for screening of walls or fences.
- 7.3.4 If a higher wall is needed for screening of pools, patio's etc. it must be clearly shown on the plans and motivated for the HOA's approval.

8. BUILDING DESIGN GUIDELINES

- 8.1 All plans must be prepared by an approved Architect and submitted for approval to the Mont Fleur Mountain Estate Home Owners Association for approval by the HOA. Only after this approval has been obtained in writing can the plans be submitted to the local authority. It is the owner's responsibility to ensure that all plans are submitted and approved by both authorities prior to construction.
- 8.2 The privacy and views of surrounding properties should be considered. As a general rule no windows or balconies on the upper storey should overlook the living space of the adjacent dwelling.
- 8.3 No staff accommodation should be nearer to the street than the main building and must be contained under the same roof or integrated into the overall design.
- 8.4 Staff accommodation and kitchen areas should open onto screened yards or patios.
- 8.5 Outbuildings and additions should match the original building design in style, elevation and material usage. All plans must indicate at least one enclosed garage and this must be built in conjunction with the original dwelling. No flat roofed carports will be permitted unless they match and blend with the design of the main dwelling.
- 8.6 No wendy houses, dog kennels and covered facilities for caravans, boats or trailers are to be visible from the street or green areas and may be placed in the side space (building lines) if approved in writing by all affecting neighbours and approved by the council.
- 8.7 No garden sheds will be allowed and wendy house sizes will be limited to 1.8m L x 1.2m W x 1.8m H (top of roof).
- 8.8 No shade netting may be used.
- 8.9 Solar heating panels, if used, should be incorporated into the building and form part of the basic structure and should be clearly shown on the approval drawings.





8.9.1 Solar Photovoltaic Cells

Given the present and projected future energy crisis in South Africa the installation of grid-tied and independent home electricity generating systems is a reality.

However, when considering this the following must be considered for approval:

- PV panels whether standard or thin are to be integrated into the form and shape of the roof plane in question.
- To be effective the roof plane must be correctly orientated.
- PV panels must be fixed to the roof plane at the same angle as the roof.
- PV panels shall all be the same colour on the roof.
- The extent and number of PV panels on a house roof is subject to prior approval. A 5kW installation will provide for 14PV panels for example.
- The extent of PV panels on a house roof must not dominate the roof. That is, a section of roof may not be covered in total by panels. Panels may not reach the gutter or the roof ridge.
- All cables and ducting must be housed in the roof space with no visible wiring.

8.10 Awnings, TV aerials, blinds, satellite dishes and other items must form part of the basic structure and are to be clearly shown on the approval drawings.

8.11 All washing lines should be fully screened and not be visible from the street, green areas or from adjoining properties. No exposed plumbing is permitted on walls and must be enclosed.

8.12 No deviations from the approved drawings will be permitted unless the deviation is re-submitted and approved in writing prior to construction.

8.13 Mechanical equipment and plant such as air-conditioners (and grilles), ducts, pool pumps, etc. must be designed into the buildings and / or adequately enclosed or screened off from view.

8.14 All additions and alterations after initial construction, including re-painting of houses are to be submitted for approval by the HOA.

9. APPROVED ARCHITECTURAL ELEMENTS

9.1. ROOFS

9.1.1 The following roof finishes are permitted:

- 0.47mm Corrugated iron roof sheets pre painted.
- 0.47mm Saflock 410 roof sheets pre painted.
- Marley Modern concrete roof tile

9.1.2 The roof colour must be dark grey, charcoal or similar approved.

9.1.3 No galvanized gutters or rainwater goods will be permitted. All exposed gutters and rainwater goods to be Aluminium factory painted to match the colour of the buildings.

9.1.4 No thatch or metal roof tiles will be permitted.

9.1.5 Roof pitches to be between 26° and 45° for main roofs.

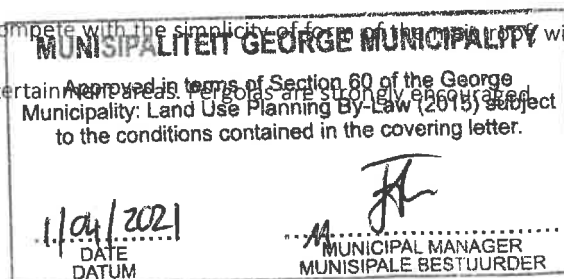
9.1.6 Roof articulation – simple symmetrical double pitched roofs with gable ends designed in such a manner to express the inherent plan form of the structure. Secondary lean-to roofs may be used at 15° or lower pitch.

9.1.7 Dutch hip roofs are not encouraged but can be approved by the HOA if the need be.

9.1.8 Skylights, vent stacks and solar panels are allowed but should be clearly shown on the plans to be approved by HOA.

9.1.9 No dormers, skylights or any other roof form, which may compete with the simplicity of form of a main roof, will be permitted.

9.1.10 Roof forms may extend over the plan to define outdoor entertainment areas. Pergolas are strongly encouraged, subject to the conditions contained in the covering letter.





9.2 WALLS

9.2.1 The following wall finishes are permitted:

- Smooth plaster and paint
- Rough cast plaster and paint
- Bag washed finish

9.2.2 Natural stone can be used as elements not covering more than 30% of the wall areas. No concrete stone look-alikes are permitted.

9.2.3 Parapet gables are allowed with a simple angled shape to follow the shape of the roof only.

9.2.4 No corbelling will be allowed as part of eaves detail.

9.2.5 All the painted walls must be white. Other colours must be approved by the HOA. A 1m x 1m paint colour swab on the exterior wall must be presented to the HOA for approval.

9.2.6 Plumbing and sewer pipes (particularly from upper storeys) must be concealed either within the walls or ducts.

9.2.7 No face brick is permitted for walls.

9.3 WINDOWS, SHUTTERS AND DOORS

9.3.1 Only timber or epoxy coated aluminium (approved colour range as per the HOA) windows and doors will be permitted. Timber shutters are allowed. No standard type steel windows will be permitted.

9.3.2 Window proportions should be of higher than wide and of moderate size. In certain cases they may be joined together provided that the vertical emphasis is maintained.

9.3.3 Burglar bars are discouraged. Only internal burglar bars of simple rectangular form will be allowed. They should line up with window mullions.

9.3.4 Large doors and windows are permitted but are encouraged to be recessed by a minimum of 600mm behind pergola, veranda or screen.

9.3.5 Garage doors must be of the sectional overhead type as per examples and colour supplied by HOA.

Garage doors not permitted: steel roll-up, pressed wood, block patterns, carved artistic type doors and corrugated iron.

9.3.6 Toilet or bathroom doors in an external wall must have a screen wall.

9.3.7 Shutters and louvres are strongly encouraged around external apertures painted approved colours.

9.4 DRIVEWAYS, PARKING, PAVING AND LANDSCAPING

9.4.1 Landscaping on sidewalks must be undertaken by the stand owner within the integrated landscape language of Mont Fleur to be approved by the HOA with assistance from the appointed landscape specialist.


9.4.2 The landscaping theme of Mont Fleur is to encourage the use of appropriate indigenous trees and plants per the landscape design. The green areas are to be planted with indigenous species in accordance with a landscape theme.

9.4.3 All driveways to be fully paved with autumn coloured face brick or concrete block pavers per sample colours to be provided by the HOA. Driveway widths are limited to 6m at the junction with the public road.

9.4.4 The use of hedgerows is recommended and the planting of indigenous trees and shrubs is encouraged where possible. Trees planted in the road reserve must follow the guidelines set for that street.

9.4.5 Houses erected on the visual slopes of the site require special attention to reduce the interruption to the horizon line and any other potential visual impact. This will have to be done by additional landscaping and controls to the scale of the buildings. Where possible, cut and fill is to be minimized and the buildings should rather be "terraced" down the slope of the site.

9.4.6 All pedestrian entrances to the house should be of the same material as the driveway.

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9.5 BALCONIES, PATIOS AND PERGOLAS

Balconies, patios and pergolas should have clean lines with plain railings

Columns should be aesthetically light and made up of brick, steel or timber.

Heavy brick or concrete support columns should be avoided. Balustrades and pergolas to be painted but wood can be stained. Balustrade designs to be kept simple. Balustrade walls to balconies are allowed but must match the style of the house.

10. PROHIBITED BUILDING MATERIALS

The following materials are prohibited:

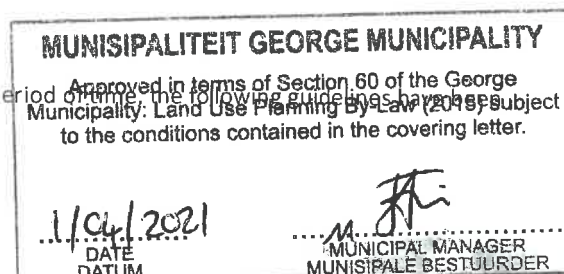
- 10.1. Unpainted plaster, unflushed brick walls or concrete block walls. (Excluding bagging finish).
- 10.2. No precast concrete walls.
- 10.3. No swimming pool type mesh fencing will be allowed.
- 10.4. Unpainted reflected or painted metal sheeting or shade netting.
- 10.5. Thatch roofs for houses and/or lapas.
- 10.6. Razor wire, security spikes or similar security features.
- 10.7. Standard type steel windows.
- 10.8. No externally fitted burglar bars will be permitted (only internally fitted type will be approved).
- 10.9. Precast concrete building elements are not allowed (certain simple copings, column caps and windowsills / frames are in order.
- 10.10. Precast Sculptures are prohibited. Any structures (inclusive of fountains) which will be visible from the street / green areas shall be submitted to the HOA for their recommendation prior to the erection thereof.
- 10.11. Fibre cement roofing tiles.
- 10.12. Face brick walls.
- 10.13. Concrete mock stone cladding.

11. GENERAL

- 11.1. The light source to all external lighting (except under covered patio, balcony or gazebo roofs), wall mounted or otherwise may not shine onto adjacent properties and be directly visible from the street or Clubhouse. The intention is to curb light pollution and to ensure all site lighting will be subdued and indirect.
- 11.2. Wash line, refuse or gas area to be screened off with the same house material and not visible from the public or open areas.
- 11.3. The Contractor must fix the house number to the house before the HOA signs off and issues the letter for the occupation certificate. Samples of the required appearance of house numbers are available from the Estate Manager.
- 11.4. The Contractor to ensure that the installation of a sleeve for future fibre connection is to be indicated on the plans and installed from the sidewalk to the structure.

12. CONSTRUCTION ACTIVITIES: RULES OF CONDUCT FOR BUILDING CONTRACTORS, SUBCONTRACTORS AND SUPPLIERS OPERATING WITHIN MONT FLEUR

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





12.1. SITE ACCESS AND EXIT

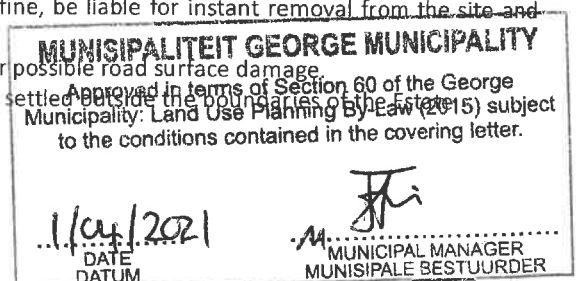
- 12.1.1. The contractor acknowledges he is aware that the Estate is a security Estate and will at all time adhere to the security regulation and controls, and agrees to co-operate with the HOA in the interest of maintaining security on the Estate.
- 12.1.2. Detailed procedures will be made available by the HOA to Contractors, that will include security measures for authorized access and identification of vehicles and all personnel.
- 12.1.3. As improvements to the security and the access controls are ongoing, these procedures will be reviewed from time to time.
- 12.1.4. Hours of work: Contractors may only enter the Estate after 07:00 in the morning and must vacate the Estate by 17:30. No workers will be allowed to sleep overnight on site. No employee may remain on the house site to "guard" the building. Contractors may negotiate with the HOA's appointed security company for this service, if required.
- 12.1.5. Construction will be limited from Monday 07:00 to Friday 17:30 and Saturdays from 07:00 to 13:00. No construction will be permitted on Sundays and public holidays unless prior written agreement with the Estate Manager.
- 12.1.6. Only authorized vehicles will be allowed onto the Estate. There is a load restriction of six (6) ton per axle and the vehicles may be subject to axle load testing by the HOA prior to being allowed entry. Excepting for roof truss deliveries, no articulated vehicles are permitted in the Estate, unless by prior authorization of the HOA. It is the obligation of the Contractor to notify his suppliers, and the HOA shall not entertain any claims of losses or damages in this regard.
- 12.1.7. Deliveries must be scheduled for between 7am and 5pm on weekdays only.
- 12.1.8. The Estate Security personnel reserve the right to subject vehicles entering and exiting the Estate to a search.
- 12.1.9. Materials can only be removed from the site if accompanied by a transfer note signed and stamped by an authorized officer of the Contractor and the HOA. A copy of the transfer note must be handed to the security personnel for record keeping.
- 12.1.10. Points of access: Contractors shall only access and exit through the designated area that is determined by the Mont Fleur HOA.
- 12.1.11. Any contravention of security and access rules will be dealt with by the HOA, and depending on the nature and the circumstances, could lead to the suspension of building work and barring of access to the Estate.

12.2. CONTRACTORS LABOUR

- 12.2.1. Labourers must be employees of the contractor and only under limited circumstances will casual labour be allowed on site. This shall be at the sole discretion of the HOA.
- 12.2.2. All labourers must be registered with the HOA office – Estate Manager where they will be issued with a permit, which will be in possession of Security Services at the Gate House at all times - whilst on and off site.

12.3. DISCIPLINE

- 12.3.1. The Contractor is responsible for the discipline of his labour, sub-contract labour and delivery personnel on site.
- 12.3.2. Labourers are not permitted to walk between the construction site and the entrance / exit gates. Labourers will remain on the site where they are busy constructing, and will not be allowed to move between construction sites on the Estate.
- 12.3.3. The Contractor of any employee found walking across the green areas, between sites will be spot fined, and the employee will be liable to instant removal from site.
- 12.3.4. No vehicles will be allowed to cross any part of the green areas, or parkland, or to deviate from roads or recognized road route. Any vehicle convening this rule will attract a spot fine, be liable for instant removal from the site and liable for damages.
- 12.3.5. Vehicles with mechanical legs on trailers must use protection for possible road surface damage.
- 12.3.6. Any dispute between the Contractor and its employees must be settled outside the boundaries of the Estate.





- 12.3.7. If any employee is found disturbing or endangering the animal- or bird life, or is found pilfering, stealing or removing materials or goods off site without permission or is involved with any form of violence, the company who employs that person will be removed from site and both employee and company will be denied the opportunity to undertake any further work on the site.
- 12.3.8. The contractor is responsible for all his sub-contractors as well as the deliveries, and any damages caused by his own employees, sub-contractors employed by him or delivery vehicles delivering materials to his site, and he is liable to pay for any damages that may occur on the site. These damages also include damage to kerbs, roads, plants, irrigation and or damage to private property.
- 12.3.9. The HOA will have the sole discretion as to the nature, extent and value of these damages, and the identification of respective vehicles and persons.

12.4. HOUSEKEEPING AND TIDINESS

- 12.4.1. The site is to be kept clean of building rubble and general cleaning and good housekeeping practice must take place regularly during building operations.
- 12.4.2. No concrete, mortar, cement or such may be temporarily stored on any of the roadways, kerbs and pavements.
- 12.4.3. Materials that are offloaded by a supplier of Contractor may not encroach onto the adjacent site, the pavement or roadway. Where suppliers fail to adhere to this, the responsible contractor shall move the materials accordingly. The contractor is also responsible for removal of any sand or rubble that may have washed or moved into the road.
- 12.4.4. No building materials such as cement, tile grout, paint, etc. may be flushed down the storm water drains.
- 12.4.5. The Contractor is to ensure that the roads and the vicinity of his house site is always kept neat and tidy, including materials or mud or spoil being driven or dropped onto the road or sidewalk.
- 12.4.6. The Contractor shall provide adequate facilities for rubbish disposal and ensure that the workers use the provided facilities and that the rubbish is removed every Friday. No rubbish may be burnt or buried on site. No form of paper, cement bags, tile off-cuts, ceiling boards, roof tiles, rubble or the like is to be left lying around, nor be allowed to blow off the site.
- 12.4.7. Accumulation of hardcore for fill shall be neatly piled. With the HOA's consent on-site disposal dump or spoil zones may be arranged.
- 12.4.8. With the dams and water features on the Estate, pollution and contamination of ground water and run-off water is particularly sensitive. Contractors shall ensure special care in their handling, disposal and cleaning up operations, with particular note to paint, tile grout, tile adhesive, cement and Rhinolite, chemicals, oil and fuel, etc. Special preventative controls must be taken on waterfront sites to avoid spillage.
- 12.4.9. The same care needs to be applied not to flush these items down the storm water drains as they lead to the ponds.
- 12.4.10. Fires for cooking or other purposes will not be permitted, and Contractors shall ensure approved alternative meal arrangements are made. Contractors must ensure that their employees make no fires for heating purposes.
- 12.4.11. The Contractor shall provide approved portable chemical toilet facilities for the workers. Adjacent construction site may share toilets as approved by the HOA. Toilets and changing facilities shall be suitably positioned and screened with forest fence and kept hygienic.
- 12.4.12. One approved building board shall be erected per site, and such board is to be erected neatly in the corner of each site. Boards are to be maintained in a plumb and level position throughout the contract, and must be removed immediately after completion of each house construction. Board layout drawings will be available from the HOA.
- 12.4.13. No contractors, sub-contractors or suppliers boards of any kind will be allowed.
- 12.4.14. The certificate of completion by the HOA includes for the site to be fully cleared of all rubble, surplus materials and be impeccably clean, and the verge reinstated, all to the satisfaction of the HOA.
- 12.4.15. Contractor vehicles shall not be parked or left in the road.
- 12.4.16. Hoarding – all construction sites must be enclosed by a 1.8m high dark green shade cloth hoarding and in the poles and must be neatly maintained on all sides of the site.

12.5. CONTRACTORS YARDS, STORAGE AND OFFICES

- 12.5.1. Allocated areas, as authorized by the HOA, will be granted to accredited Contractors for their operational use...
- 12.5.2. A designate bulk storage area could be allocated to the Contractor for his materials, from the HOA to house sites. Approved storage sheds, containers or yards could be allowed on house sites, if no alternative can be found.

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- 12.5.3. Access to the site only through the driveway and the landscaping zone should be fenced off. Parking is only allowed on site.
- 12.5.4. The appearance, management, servicing and qualification for these facilities will be reviewed by the HOA, and negotiated on an as-need basis.
- 12.6. GENERAL**
- 12.6.1. The speed limit is 30km/h and speeding and reckless driving will not be tolerated. Due care must also be taken by all vehicles not to block the thoroughfare of roads.
- 12.6.2. No pets, birds or domestic animals of the contractors' will be permitted onto the Estate.
- 12.6.3. Noise and dust reduction is essential, and Contractors shall endeavour whenever possible to limit unnecessary noise, especially employee loud talking, shouting or whistling, radios, sirens or hooters, motor revving, etc.
- 12.6.4. Contractors are expected to conduct their operation in a reasonable and co-operative manner. Should the HOA have any concern with the conduct of the Contractor, his sub-contractor or his suppliers and any of their employees, the HOA may rectify as deemed necessary and /or reserve the right to suspend building activity either indefinitely or until such undesirable conduct is rectified, which is may do so at any time and without notice, and without recourse from the owner and/or Contractor and/or sub-contractor, and/or supplier.
- 12.6.5. Vehicles leaking oils and fluids will not be permitted to park on the roadways.

13. BUILDING PLAN SUBMISSION AND BUILDING INSPECTIONS

The following must be adhered to before building plans and approval of building operations will be considered for inspection:

- 13.1. Before construction work is approved to commence, a building performance deposit, a non-refundable Road Fund Levy plus a non-refundable admin fee are payable to the HOA. The building performance deposit will be deposited and held in trust (free of interest) by the HOA.
- 13.2. The amounts of the building performance deposit, the non – refundable Road Fund Levy and the non – refundable admin fee will be reviewed annually and are obtainable from the Estate Manager.
- The deposit amount will be used in event of a breach on non-performance to remove rubble or make of any damage caused by the Contractor or his sub-contractors or suppliers, including kerbing, landscaping, community services, roads, irrigation, etc. and for any outstanding spot fines.

The building performance deposit may be used on a "roll-on" basis for up to 5 houses for a multiple housing developer or contractor to the discretion of the HOA.

The building performance deposit shall be released subject to the submission to the HOA of:

- Local Authority's certificate of completion and occupancy
- Practical completion certificate from the HOA
- A letter from the HOA to certify "No Damage" to HOA property

And shall only be refunded within 14 days once all the above documents are correctly completed and submitted. The HOA reserves the right to prevent the occupation of any of the houses if the above is not fully adhered with.

- 13.3. The HOA plan approval committee will sit every two weeks for inspection of plans.

- 13.4. All plans and fees necessary for City Council approval are for the building approval in terms of Section 60 of the George Municipality: Land Use Planning By-Law (2015) subject to the conditions contained in the covering letter.

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mountain estate
Home Owners Association

- 13.5. The following items must be clearly indicated on the plans:
- 13.5.1. area of dwelling, including patios and outbuildings
 - 13.5.2. coverage (%)
 - 13.5.3. height above original natural ground level
 - 13.5.4. building lines and service connection points
 - 13.5.5. all external finishes, including a colour specification
 - 13.5.6. boundary wall / fence details, including elevations
 - 13.5.7. drainage and how it is concealed, as well as the sewer connection
 - 13.5.8. layout of driveway
 - 13.5.9. 500mm Contours including a bench mark

13.6. Inspection by the HOA:

The HOA could carry out, (but is not obliged to) site inspections during the following stages of construction:

- 13.6.1. Surface bed level
- 13.6.2. Completion of roof structure
- 13.6.3. Practical completion


The HOA may inspect the works at any stage during construction and may request any reasonable alterations and/or additions to ensure that the general design guidelines as intended for the development are implemented.

The home owner is responsible to notify the developer / HOA as to when the stages of completion as set out above have been resolved in order to arrange for the inspection of the works. (At least 5 days notice is required for this arrangement)

It is the owners' responsibility to ensure compliance to the guidelines.

13.7. **OCCUPATION**

Occupation of the premises will only be allowed after the homeowner has produced an occupation certificate from the Municipality and the HOA's certificate of practical completion.

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14. ACKNOWLEDGEMENT

The above document is fully understood and the Contractor and owner undertake to comply with the above points, in addition to any further controls which may be instituted by the HOA or the Developer from time to time in the form of a written notification and to ensure compliance by any subcontractors employed by the Contractor, and any suppliers to either contractors, subcontractors or owners.

.....

Owner

Contractor

.....

Name

Name & signatory

.....

Witness

Witness

.....

Date

Date

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[Signature]

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Stand no:

.....
Name of Contracting Company

Tel: Business

..... Residential

..... Cellular

..... Fax

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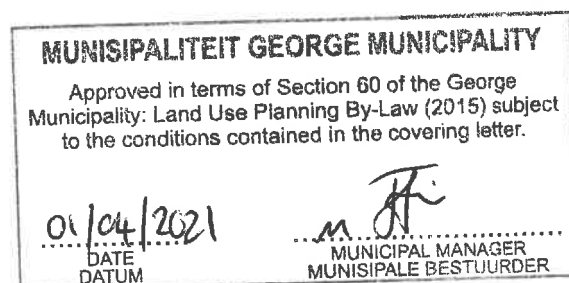

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15. SCHEDULE OF PENALTIES

PROCEDURES ON PENALTIES

- Any person contravening a provision of the MFHOA Constitution, House Rules, Owner/Contractor Code of Conduct or any rule enforced by National Legislation may be liable to a penalty as determined by the Board of Trustees from time to time. Such penalties shall be deemed to be part of the levies referred to in rule 4 of the House Rules.
- A penalty must be paid within 21 working days at the MFHOA office.
- A penalty that has not been paid within 21 working days shall automatically be debited to that Member's monthly statement and it will be payable in the normal manner on the first day of the next month in which the penalty was imposed.
- A person who is aggrieved by the penalty may within 21 working days of the date upon which the penalty was issued, lodge in writing his/her grievance with the MFHOA.
- A person who is not satisfied with the decision of the MFHOA may appeal in writing to the Board of Trustees, within 7 working days. The decision of the Board is final.
- The Board of Trustees may appoint Security Officers / MFHOA to enforce the Constitution, House Rules and issue penalties in upholding the Constitution, House Rules, Aesthetic Rules and/or the Owners and Contractor Code of Conduct.
- These rules also apply to contractors and/or visitors that enter the Estate.
- A contractor who fails to pay a penalty may have his/her registration and access to the Estate suspended.
- A visitor who fails to pay the penalty may be refused access to the Estate.





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Offence	1 st Offence	2 nd Offence
Motorcycle / Unlicensed motorised vehicle	Written Warning	500.00
Underage Drivers	Written warning	500.00
Speeding 30 – 40km/h	Warning	500.00
Speeding 41km/h plus	500.00	1000.00
Reckless Driving	500.00	1000.00
Not Stopping	500.00	1000.00
Flying of a drone	Warning	1000.00
Killing of wildlife – reportable to SPCA	1000.00	2000.00
Problem domestic animals (noise, etc)	500.00	1000.00
Construction personnel outside demarcated boundaries or within no-go areas	300.00	500.00
Domestic animals outside confines of the property – not on a leash	500.00	1000.00
Operating Plant outside boundaries of the site	300.00	1000.00
Oil Leaks on plant or machinery	300.00	1000.00
Washing of paint brushes in uncontrolled manner	300.00	1000.00
Discharge of cement or concrete in an uncontrolled manner	1000.00	2000.00
Spillage of materials	1000.00	2000.00
Littering	300.00	1000.00
Failure to erect silt fencing	500.00	1000.00
Failure to utilise ablution facilities	300.00	1000.00
Damage to Fauna & Flora	1000.00	2000.00
Erosion Damage	Min 1000.00 max dependant on severity, being determined by a qualified person	
Dumping	1000.00	2000.00
Unnecessary noise or unsocial behaviour	300.00	500.00
Unauthorised work after hours	500.00	1000.00
Making of Fires	300.00	1000.00
Consumption or possession of alcohol or drugs	1000.00 plus removal of offender from Estate	

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