
ARCHITECTURAL and BUILDING REGULATIONS

Springerbaai Coastal Eco-estate

Issue Date: NOVEMBER 2023



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Addendum A: Environmental Directive & Requirements for Building Contractors

Addendum B: Tables of building fees and penalties / fines

CONTROL SHEET:

1 st Issued	Jun 2003	
1 st Revision	Oct 2004	
2 nd Revision	Mar 2007	
3 rd Revision	Aug 2008	
4 th Revision	Jul 2010	
5 th Revision	Nov 2013	
6 th Revision	Nov 2015	
7 th Revision	Nov 2017	
8 th Revision	Oct 2018	
9 th Revision	Apr 2019	
10 th Revision	Oct 2020	
11 th Revision	Sep 2021	
12 th Revision	Jun 2023	<ul style="list-style-type: none"> • Changed format - separated regulation from construction activities. • Added 3.6 - status of existing features, external features to be added. • Extended 3.8 – anything missed do not constitute approval. • 6.3.5 - Defined 3 areas, increase minimum area to 150 m². • 6.3.5 - Flat roof area maximum of 20%, previously 15% of footprint. • 6.4 - Final floor level jointly agreed upon by BAC and Owner. • 6.5.2 – Mixture of paint colours not allowed. • 6.6 – Loft windows maximum size increased to 1 m x 1.5 m; area limited to 20% of gable wall area. • 6.7.4 - Removed chevron garage doors permitted. Increased height of garage door from 2.3m to 2.4m. • 6.8.1 - Added caravan to trailer for screening of carport. • 6.8.2 - Added Carports to be attached to main buildings. • 6.10.5 - Roof ridges may be painted to tinted cement colour as well as atmosphere grey added.

		<ul style="list-style-type: none"> • 6.13 - Removed positioning of dishes and painted same colour as house. • 6.14.3 - Limit solar panel area to 40 m² in one area, panels to be level. • 6.15.1 - Silent generators limited to 65 dB, 2m from unit. • 6.18.1 - Latte spacing on pergolas with sheeting specified. • 6.18.3 - External material awning colour fixed primarily at SAND. • 6.19.6 – Compulsory to have at least one x 30m firehose reel. • 6.23 - Driveway width increased from 2.5 m to 3 m. Turning circle added. • 6.25 - Retaining wall types defined. • Removed accreditation, Contractor's approval, and Consultant Boards. • 7.9.4 – Resale of property, inspection required to compare with as-builts. • Addendum A - Sannitree systems incorporated in regulations. • Addendum C - Added R 10,000 Contractor deposit.
13 th Revision	Nov 2023	<ul style="list-style-type: none"> • 2.1 – Added inhouse regulations to be subject to the Mossel Bay Zoning Scheme Bylaws. • 6.3.5 – No double flat roof garages, implied in previous regulations, specifically stated. • 6.3.5 – 25% area in the horizontal projection coverage defined as per local bylaws, impacting on footprint area for Area 1. • 6.8.1 – No more than two sides of carport to be covered in line with local bylaw definition. • 6.18 – Area 1 footprint implications for coverage of pergolas by more than 25% stated, in line with local bylaws. • 6.20.3 – Chimneys may not be higher than 1m above the highest point of the roof, in line with local bylaws. • 7.6 – Building period for renovations to be agreed upon between BAC and owner.

1. INTRODUCTION

- 1.1 Springerbaai Coastal Eco-estate (hereafter referred to as Springerbaai) is a unique residential eco-estate in magnificent natural indigenous coastal surroundings. Due to the environmental sensitivity of the area, it is important for the architecture to not only add value to the dwellings but to also contribute to preserving the ecosystem. The architectural principles must therefore conform to the fundamental philosophy of harmony with nature and surrounding property.
- 1.2 The spirit and objectives of the regulations set out in this document are to:
- Ensure harmonious interaction with the natural environment.
 - Capture the beauty of a particular site, including views, vegetation, natural features, and slopes, and incorporate them in the designs.
 - Maintain a consistent architectural aesthetic on the estate and to serve as an environmental protective mechanism.
 - Ensure that individuality is recognised within the defined character of the estate.
 - Manage and minimise the negative impacts of building activity on the environment and adjoining properties; and
 - Preserve the privacy of homeowners from its immediate surrounds.

2. TOWN PLANNING CONSIDERATIONS

- 2.1 The regulations set out herein are in addition to any restrictions imposed in terms of conditions of title, town planning schemes, National regulations, the Mossel Bay Zoning Scheme Bylaws, and any other building regulations-
- 2.2 It is incumbent upon the homeowner, the architect, the main contractor, and all sub-contractors to fully comply with all legal requirements listed in paragraph 2.1.

3. THE BUILDING AND AESTHETICS COMMITTEE

- 3.1 The Building Aesthetics Committee (hereafter referred to as the BAC) is mandated by the HOA to develop, revise, guide and enforce the implementation and interpretation of these regulations.
- 3.2 The BAC reports to the Trustees of the HOA.
- 3.3 The BAC comprises at least three persons appointed by the HOA, plus the Estate Manager. Meetings are held on the last Friday of each month.
- 3.4 The BAC must approve all plans, including the positioning of buildings on the stand before the plans can be submitted to the Mossel Bay Municipality for municipal approval.
- 3.5 The main objective of the BAC is to ensure that submitted plans conform to the

Springerbaai regulations as contained in this document, as well as the National Building Regulations.

- 3.6 The existence of features contrary to these regulations in existing properties in no way implies consent to deviate from the latest regulations. Any external features to a house not covered in the regulations, whether functional or decorative, need to have approval from the BAC before being erected.

Any alterations to existing houses will, in addition to current regulations, be evaluated by the BAC on the following parameters:

- a) Impact on new footprint requirements;
- b) Impact on own and neighbour's privacy;
- c) Impact on aesthetics; and
- d) Impact on creating a fire hazard.

- 3.7 A secondary objective of the BAC is to guide owners and architects in achieving the most aesthetically pleasing design in addition to assisting with practical guidance for conserving the environment. This will be done as part of the approval process of the plans.
- 3.8 The BAC may not approve any plans which are in contravention of local or national regulations. Any aspect on the plans not commented on by the BAC, do not imply approval and must be rectified by the Contractor to adhere to either inhouse or national regulations.
- 3.9 Any deviations from the approved plans must be submitted to the BAC by means of a written motivation. No deviations may be affected until receipt of approval has been obtained from the BAC in writing.
- 3.10 In the event of a breach of the regulations, the BAC shall notify the homeowner, architect or building contractor thereof in writing and request them to rectify the breach within 7 calendar days.
- 3.11 Should the breach not be rectified to the satisfaction of the BAC, the BAC shall be entitled to:
- 3.11.1 Deny the building contractor and/or its employees or sub-contractors access to the estate.
 - 3.11.2 Apply to the Courts for an interdict or an order to demolish or remove or redo anything built, finished, or painted in contravention herewith.
- 3.12 All queries relating to these regulations, submissions or building procedures and requirements must be directed to the BAC as follows:

The Estate Manager Springerbaai Coastal Eco-Estate
Phone: 044 6991248 / 082 418 7844
E-mail: springer@intellect.co.za

4. THE DESIGN REVIEW PROCESS

- 4.1 Building plans shall be prepared by a person registered with the South African Council for the Architectural Profession. The person may be an architect or an architectural professional (hereafter referred to as the architect).
- 4.2 Four sets of paper copies (A1) of the proposed building plans shall be submitted to the BAC together with a non-refundable plan scrutiny fee (See Addendum C for details of current fees).
 - 4.2.1 One set of the four sets shall be held by the BAC for record purposes.
 - 4.2.2 The remaining three sets, when approved by the BAC, will be stamped by Springerbaai, whereafter the owner/architect can collect the plans for submission to the Mossel Bay Municipality. Mossel Bay Municipality will not accept plans that do not bear the Springerbaai stamp of approval.
 - 4.2.3 One set of the Mossel Bay Municipality approved plans must be lodged with the BAC for record and control purposes prior to any construction activities at the site.
 - 4.2.4 All plans must be sent to the Estate manager at least 1 week prior to a BAC meeting. Electronic plans will be accepted by the BAC for consideration; however, the four paper copy sets must be provided by the owner/architect for physical stamping. Any plans received at or after a meeting will be held over until the next meeting.
 - 4.2.5 The set of building plans must contain and indicate:
 - 4.2.5.1 Positioning of the buildings, yards, paving, driveway, gas installation, solar panels, any underground tank(s) including details of pumps and all associated piping as well as any known indigenous plants and rock formations.
 - 4.2.5.2 A floor plan as well as a loft plan and full elevations of all facades. No broken elevations should be indicated.
 - 4.2.5.3 A complete colour scheme and materials specification.
 - 4.2.5.4 Energy plan and lighting layout. The intended placement of solar panels, energy devices, and outside lights will require written approval from the BAC prior to such installation.
- 4.3 Any intended alterations and/or additions subsequent to the final approval of plans, be it before building commences or after it has already started, shall be submitted to the BAC for approval. Only once the relevant application has been received and approved may the changes be incorporated. Substantial changes, as determined by the BAC, may require submission of new plans for municipal approval. Any unauthorised changes may result in a fine, suspension of building works and denial of access to the building contractor and sub-contractors.

5. DESIGN PHILOSOPHY

The architectural design philosophy is to capture the serene atmosphere of the estate and to ensure that the houses and people interact in a harmonious manner with nature. The Springerbaai architectural style adopted for the estate incorporates aspects of the Cape Vernacular and Cape Cottage elements with thatch roofs and an earthy colour appearance as indicated in [Figure 1](#).

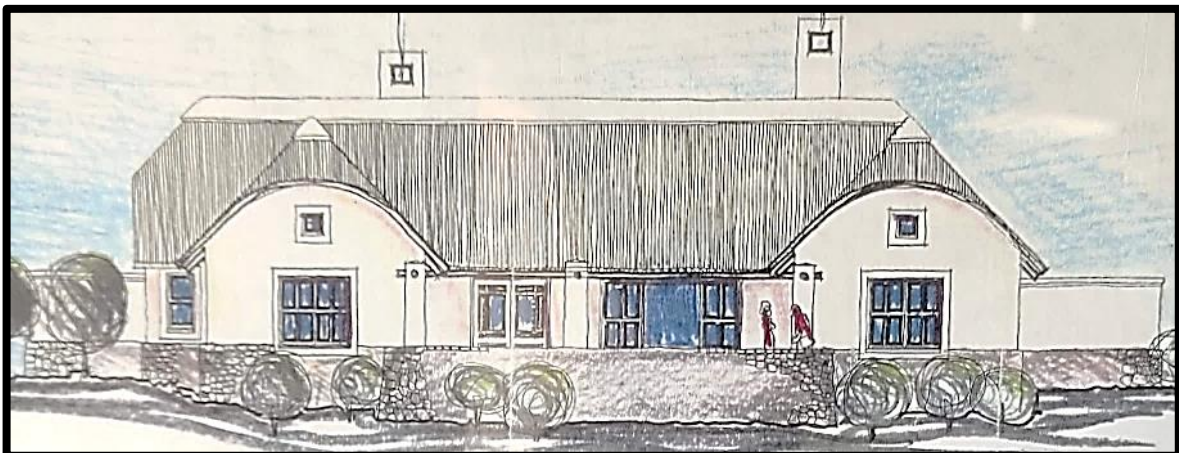


Figure 1: Typical Springerbaai architecture

6. ARCHITECTURAL AND BUILDING REGULATIONS

The following aspects must be incorporated into the design and placement of each dwelling.

6.1 GABLES

- 6.1.1 Hipped-end / Wolfent (“wolweneus”) are the preferred gable style for the development – see [Figure 1](#).
- 6.1.2 Simple gables are permitted provided that the gables and parapets comply with the dimensions and details shown in [Figure 2](#).

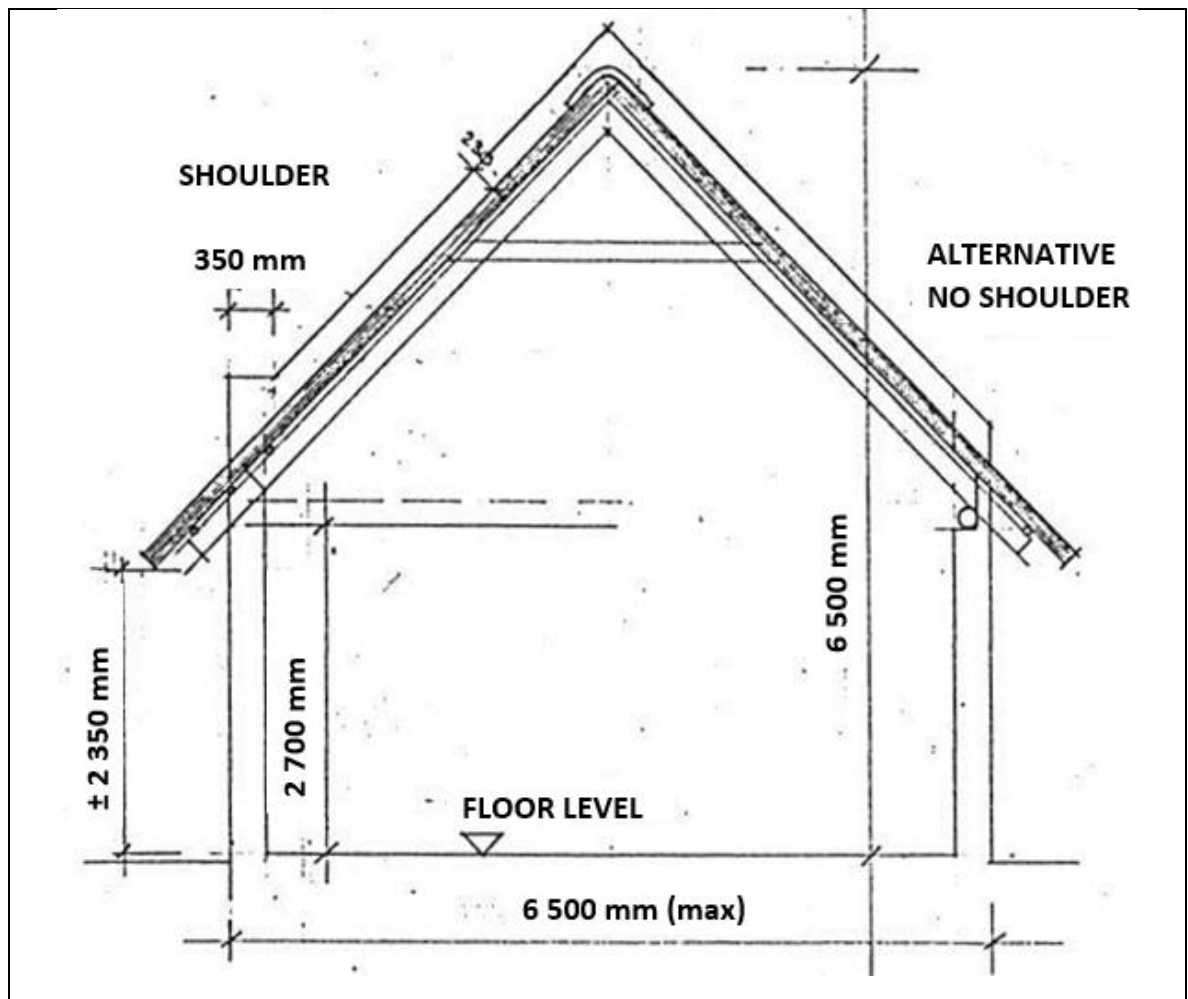


Figure 2: Gables

6.2 SITE PLANNING AND PLAN FORM

- 6.2.1 Factors which should be kept in mind in deciding on the placement and orientation of a house on a stand are:
- Topography.
 - Protected and sensitive vegetation.
 - Views and Privacy (i.e yard and entertainment areas).
 - Orientation for sunlight, predominant wind, and rain directions (at Springerbaai, the prevailing wind directions are South-East and North-West).
- 6.2.2 Fragmented or traditional T, H, U etc. plan forms are acceptable. These should enhance view and orientation opportunities whilst giving visual form and scale.

6.3 BUILDING LINES, HEIGHT, WIDTH AND FLOOR AREA

- 6.3.1 Building Line. A building line of 4.5m for thatched roofs is required by the National Building Regulations. Any relaxation of building lines is to be motivated to and approved by the Municipality.
- 6.3.2 Basements, ground floor and additional floor levels are allowed within the applicable height and width restrictions.
- 6.3.3 The building height is restricted to a maximum of 6.5 m from the house ground floor level to the roof ridge.
- 6.3.4 The maximum allowable building width is 6.5 m measured to the outside faces of exterior walls.
- 6.3.5 The building area (coverage/footprint) for any residence consists of 3 definable areas namely:

Area 1: The main dwelling, garages, stoeps, covered walkways, swimming pools and carports shall be a minimum of 150 m² and a maximum of 205 m².

Area 2: The yard shall be a maximum of 18 m².

Area 3: Outside timber decks shall be a maximum of 45 m².

Please note the following:

- Any loft / “solder” rooms must have a ceiling height of 2.4 m over an area of 6.0 m² and any bathrooms, passages and mezzanines must have a height of 2.1 m over the usable area.
- The total area for flat roofs must not exceed 20% of allowable Area 1 and no double garage with a flat roof will be allowed.
- Should the area in the horizontal projection of its solid portions exceed 25% of the total area of the structure, it will be considered a roof and part of Area 1, eg. a pergola with sheeting or latte (see Clause 6.18.1)

6.4 LEVELS

Careful consideration must be given to the floor levels of houses so as to avoid excessively high foundation walls. Buildings must sit in the landscape and not on top of the landscape (see [Figure 3](#)), which is a requirement from Springerbaai's Environmental Management Plan. Cut and fill must be equal or preferably more cut and less fill. Finished Floor Level (FFL) will be established as the average natural ground level, averaged over the footprint of the house or individually in fragmented plans. This will be established and agreed upon by both the Homeowner (or his representative) and the BAC, prior to any excavation.

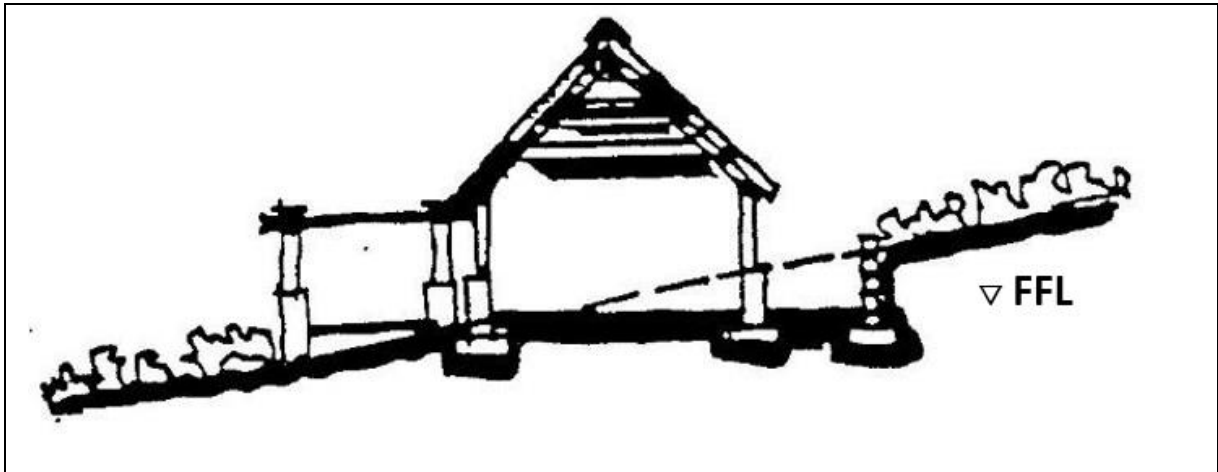


Figure 3: Floor Levels

6.5 MATERIALS AND COLOURS

The following building materials and colours are mandatory:

6.5.1 Materials:

- 6.5.1.1 External plastered cavity walls with or without window and door surrounds. No external face brick is allowed.
- 6.5.1.2 Treated natural timber with natural colour.
- 6.5.1.3 External stone cladding, if chosen, to be randomly shaped from local natural sandstone to a maximum of 1.5m above natural ground level, as illustrated in Figure 4.
- 6.5.1.4 Only thatched roof from Cape Reed is allowed.
- 6.5.1.5 Hardwood frames as well as aluminium frames may be used for windows and doors.

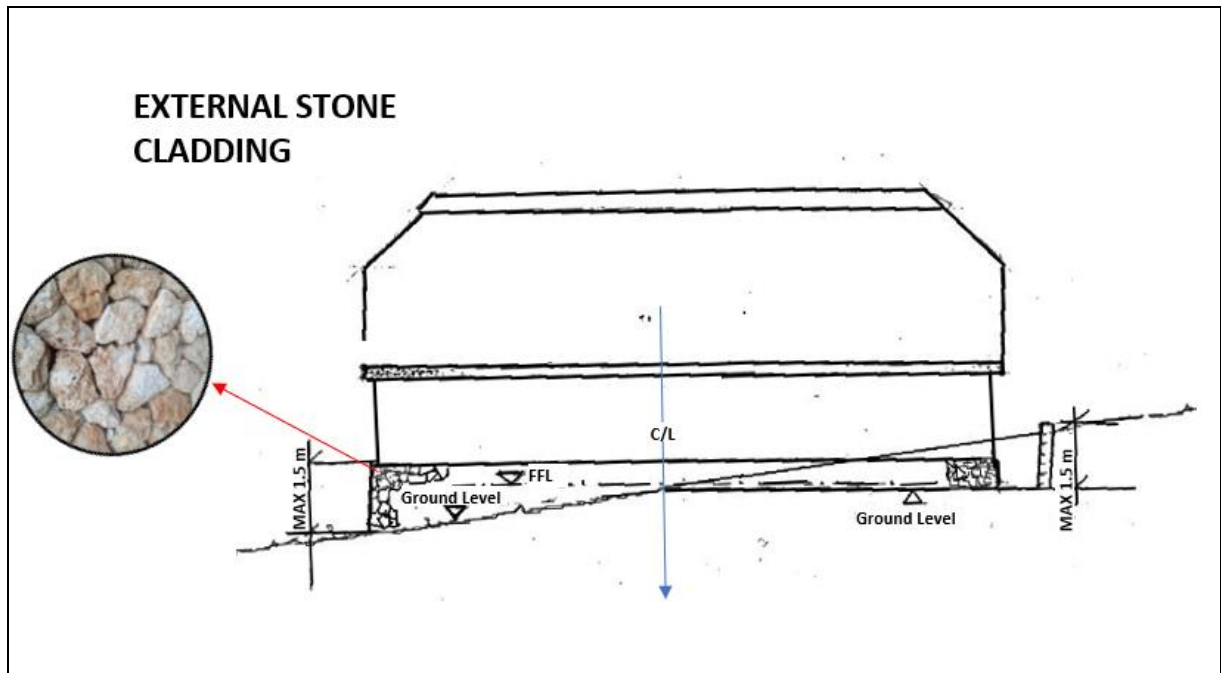


Figure 4: Stone walling

6.5.2 Colours:

Owners/Architect can select their preferred (textured) colour choice(s) from the current approved range of colours provided by the Estate, namely:

- Dulux – Karooland
- Dulux - Oak Beige
- Dulux – Mohawk Valley
- Dulux – Malaga
- Dulux - Palamino
- Dulux – Stoneware
- Plascon – Freshdrop (code C14-6)
- Plascon – Oak Beige (
- Midas – Sunwarm Sand 75%
- Midas – Sunwarm Sand 100%
- Midas – Oak Beige
- Eartcote / Cemwash – San la Mer
- Eartcote / Cemwash - Sandstone

NOTE: The colour variation intended for features of the new and existing building, such as window reveals, surround bands and concrete ridges need to be approved by the BAC. Painted sample colour boards are available at the office for viewing to assist in colour selection. Mixture of approved colours are not allowed.

6.6 WINDOWS

6.6.1 The total area of all structural openings inclusive of windows and doors in one elevation shall not exceed 40% of the wall area of the elevation measured from floor level to wall plate height of 2.7 m. This does not include any loft level windows.
NOTE: This regulation still to comply with SANS 10400 XA.

6.6.2 All openings are to be a maximum of 2.1 m from FFL to the underside of the lintel.

6.6.3 Window proportions must be either square with maximum size of 800 mm x 800 mm, or higher than wider and of moderate size with a proportion of 1:1.5 width: height. Large windows are permitted if recessed 1 m under a pergola or structural overhang. Any window wider than 1.2 m will be deemed to be large.

Loft gable windows i.e. windows built into brickwork to loft areas are to:

- comply with the 1:1.5 proportion, not to exceed a maximum of 1000 mm width x 1500 mm height and no more than 2 windows of the same size will be allowed on the gable end, with a least 400 mm spacing between them, or
- be square windows with maximum size of 800 mm x 800 mm, of which only one window will be allowed.
- not exceed 20% of the wall area of the specific gable (measured from wall plate height to top of the ridge).

6.6.4 Dormer windows i.e. windows built as part of the roof structure are to be a maximum of 2.0 m wide at the base of the dormer and the thatch line on the sides are to be an angle of 35° as required by National Building Regulations. A soft rounded line for the frame must be used, as for gables.

6.6.5 Acceptable window materials are hardwood which is sealed, varnished, or oiled, with the natural colour retained. Matt finished aluminium windows and frames are permitted subject to specifications described below. Bright primary colours and colour washes may not be used externally.

6.6.6 Frame sections must be clean, substantial and with minimal decorative mouldings.

6.6.7 No circular arched, round, or geometric shaped windows are permitted. Skylights are allowed only when not visible from roads, public spaces, and neighbours.

6.6.8 Burglar bars must be a simple rectangular design and fitted internally. Timber window shutters and deep reveals are recommended.

6.6.9 Where new aluminium frames are to replace part of existing windows the coating must match existing timber frames as closely as possible, and samples are to be provided for approval by the BAC prior to manufacturing.

6.7 DOORS

- 6.7.1 The total area of structural openings including windows and doors in one elevation shall not exceed 40% of the area of the elevation measured from floor level to the underside of the roof. Openings are to be a maximum of 2.1m from FFL to the underside of the lintel. Compliance with National Building Regulation to be adhered to.
- 6.7.2 Large doors to a maximum of 3.0 m wide by maximum 2.1 m high are permitted with a minimum 1 m deep pergola.
- 6.7.3 Acceptable door materials are hardwood sealed, varnished, or oiled with the natural colour to be retained, and matt bronze external aluminium doors and door frames.
- 6.7.4 Garage doors must be maximum 2.4 m wide and 2.4 m high, and in timber or matt finish bronze aluminium. Standard horizontal or vertical planking patterns are permitted. Galvanised steel doors are not allowed. No double-width garage doors will be permitted –only single doors.
- 6.7.5 Where new aluminium frames are to replace existing timber doors the finish must match as closely as possible, and samples are to be provided for approval by the BAC prior to manufacturing.

6.8 GARAGES AND CARPORTS

- 6.8.1 Timber carports are permitted (subject to total Area 1 allowance) and timber lattice for screening is allowed on not more than two sides. Screening for trailers and caravans must be provided.
- 6.8.2 Carports to be attached to main buildings.
- 6.8.3 Single or double garages built detached from the main house are not permitted to incorporate habitable areas.

6.9 BALCONIES AND TERRACES

- 6.9.1 First floor / loft level balconies/decks or recessed gable ends are NOT allowed.
- 6.9.2 Flat roofs may not be used as balconies.
- 6.9.3 Balustrades must be simple and to be in timber only. They should comprise a top handrail, single bottom rail and minimum uprights necessary for structural stability or an edge seat with backrest rail / handrail only. Timber to be sealed and treated.
- 6.9.4 'Union Jack' style balustrades are not permitted.
- 6.9.5 Balustrading must conform with the National Building Regulations.

6.10 ROOFS

- 6.10.1 Only thatched roofs with a pitch of 45° are allowed. No other roof covering or pitch for the main roof is permitted.
- 6.10.2 The pitch for dormers should not be less than 35° as per the National Building Regulations.
- 6.10.3 The span of roof trusses is limited to 6.5 m over walls. The maximum roof height is 6.5 m as indicated in Figure 2. The height to the underside of the wall plate / tie beams shall not exceed 2.7 m measured from FFL.
- 6.10.4 Thatch roof overhangs may not be less than 500 mm except on large gable ends where no less than 300 mm is recommended. This provides protection against adverse weather conditions.
- 6.10.5 Cement roof ridges may be tinted to match a cement finish, painted “atmosphere grey” (Plascon), or finished to match the house wall colours.
- 6.10.6 Flat concrete roofs may be constructed to link main roofs where necessary but may not be used as terraces or balconies.
- 6.10.7 Lean-to roofs are allowed on minor areas of houses or garages, set between parapets, and have a standard Victorian corrugated galvanised iron or fibre cement profile, painted in any black or charcoal tone. The overhang may not exceed 300 mm and wall plate height to be 2.4 m measured from FFL.

6.11 YARDS AND STORAGE

- 6.11.1 Yard walls are to be plastered brickwork or timber latte.
- 6.11.2 The maximum height of yard walls is 2 m measured from the finished yard paving level. All such walls are to be clearly indicated on the plan.
- 6.11.3 The maximum size/area limit for yards is 18 m². Refer to Area 3 in Section 6.3.5
- 6.11.4 Yard designs must ensure that garbage bins, washing lines, storage units, gas bottles etc. are not visible from roads and your neighbours.

6.12 STORAGE SHEDS/UNITS

- 6.12.1 No standalone storage sheds (e.g. “wendy houses”) are allowed.

6.13 ANTENNAE, SATELLITE DISHES AND TELECOMMUNICATION APPARATUS

6.13.1 All antennae, telecommunication apparatus and satellite dishes are to be positioned as unobtrusively as possible and must be set below the roof thatch line.

6.14 SOLAR PANELS AND SOLAR WATER HEATING

6.14.1 Eskom power is not available at Springerbaai and therefore solar and/or gas systems must be considered. No wind turbines are allowed.

6.14.2 All house plan submissions are to include a scaled layout of the proposed solar panel system.

6.14.3 For solar panels erected on the ground, a maximum of 6 x 1 m wide solar panel blocks per supporting pole/frame will be allowed with a minimum gap of 1 m between arrays if panels are not spaced apart in rows. Ground mounted solar panels must not be higher than 1.8 meters, measured at the centre of the panels from natural ground level to the highest point of the panel. No more than 40 m² shall be used for solar panel layout. Layout shall be restricted to one area only. Panels can be tilted to any angle, provided that the top line is level.

6.14.4 Solar panels installed on roofs shall have a maximum permissible height of 500 mm above the roof surface.

6.14.5 All piping and cabling must be concealed.

6.14.6 No panels or any solar installation is allowed on thatch roofs.

6.14.7 Security measures for panels:

- All alarm systems must be silent.
- No palisade fencing will be allowed around solar panel systems at ground level.

6.14.8 Solar water heating systems must adhere to the following requirements:

- If on flat roofs, the same rules that are applicable to Solar panels will apply.
- The panels and tanks are to be positioned as unobtrusively as possible and are to be approved by the BAC prior to installation.

6.15 GENERATORS

6.15.1 Only silent generators are permitted and may only be used between 10h00 and 13h00. A maximum noise level of 65 decibels measured at 2 m from the unit will be allowed.

6.16 EXTERNAL LIGHTING

- 6.16.1 External lights are only to be used when required and not left on indefinitely. Owners are to ensure that any tenants are aware of this restriction. All external lights are to be hooded, and the bulb/filament must be concealed. The use of low-level footlights is encouraged. No floodlights are allowed.
- 6.16.2 The positioning, wattage and number of external lights must be shown on drawings. The number of external lights should be limited and preferably motion activated.
- 6.16.3 External lights may not be higher than 2 m above the paving level and must be set below the thatch overhang.

6.17 EXTERNAL GAS GEYSER

- 6.17.1 Where external gas geysers are used, the position of these must be indicated on the drawings for approval. All such units are to be installed in a recess in the wall (sealed on the inside) and fitted with a cover plate which is flush with and the same colour as the external walls.

6.18 PERGOLAS

- 6.18.1 Pergolas must be constructed using Tanalised SA Pine poles with a minimum diameter of 125 mm and with sub-members at a maximum spacing of 800 mm. SA Pine droppers (latte) or Spaansriet can be used for shading, but if the coverage density exceeds 25% of the covered area, it will be regarded as a roof and counts towards Area 1 footprint. Only masonry or timber columns are allowed.
- 6.18.2 Where translucent corrugated sheets are used over pergolas, they must have a layer of latte (maximum spacing 100 mm) fixed on top so that the sheeting is not visible. Such a setup will count toward Area 1 footprint.
- 6.18.3 The colour for external material awnings is "Sand" unless otherwise approved by the BAC.

6.19 SERVICES

- 6.19.1 There shall be no visible pipe work above finished ground level. Only vent pipes to a max of 1.0 m are allowed above FFL. All plumbing and vent pipes above this level, particularly from loft floors, must be concealed, either within the walls or be built into internal ducts. All external services are to be located underground.
- 6.19.2 The estate provides a 32 mm metered supply pipe to each stand. The water pressure of the estate has been designed to be a minimum of 20 m –24 m (2 – 2.4 bar) at the take-off point of each stand. The pressure is however not guaranteed, and homeowners must design their system accordingly.
- 6.19.3 A Super Sewer system from Sannitree has been provided for at the estate to

collect overflow from individual houses' septic tank systems. This system has been installed in all phases and no individual soak-aways are required. A direct connection is made from the individual septic tanks' outlet point into the main sewer line. The connection points are marked on each stand. Tanks can be positioned anywhere between this connection and the single pipe of the house sewer.

- 6.19.4 The sewer main lines, consisting of a 63 mm diameter small bore system have been constructed with stand connections at given low points on each stand. A co-ordinated- "as-built" drawing indicating such connections, as well as the positions of main lines, is available.
- 6.19.5 All houses are required to be fitted with a septic tank with a minimum size of 3,000 litres which has two compartments, each one fitted with an inspection lid and a typical T-piece configuration with a filter to prevent solids from entering the central Super Sewer system. This T-piece and filter must not be removed except for the periodic cleaning of the filter which is done by pulling the filter upwards from the T-piece through the inspection lid directly above the T-piece. The filter must be replaced immediately after cleaning. Any broken filters or defect thereof must be reported to the Estate Manager for immediate repair or replacement. Owners are responsible to ensure that no detergent or other matters which may affect the working of the sewage system are used. Tanks may be covered with a geo-fabric blanket (U24) and filled over with topsoil, provided inspection lids are supplied and built up with bricks to avoid topsoil falling into the tank when opening.
- 6.19.6 Each house must have a minimum of 1 x 30 m fire hose reel and must comply with fire regulations. The tap for the sprinkler drencher system at ground level is to be located in an easily accessible position and identified accordingly.

6.20 FIREPLACES, CHIMNEYS, COWLS, AND SPARK ARRESTORS

- 6.20.1 Fires may only be lit in approved fireplaces.
- 6.20.2 External fireplaces are a hazard. Built external fireplaces will be considered only if they adhere to the following:
 - 6.20.2.1 They are part of the main structure.
 - 6.20.2.2 They have a chimney which conforms with fire regulations related to thatch, and
 - 6.20.2.3 Contain doors, which must be closed when the fireplace is left unattended.
- 6.20.3 Chimney stack openings may not be less than 1 m from any roof thatch, while the chimney itself may not extend higher than 1 metre above the highest point of the roof. No ornate pots are allowed.

- 6.20.4 All chimneys must have stainless steel spark arrestors installed.
- 6.20.5 Only turbine ventilators which comply with the specifications on the following website www.windmaster.co.za are permitted.
- 6.20.6 The approval of the BAC must be obtained to install cowls.
- 6.20.7 The colour of the cowl must be black polyurethane coated.
- 6.20.8 Flue or Vent pipes penetration through thatch roofs:
- 6.20.8.1 The BAC does not recommend that flue or vent pipes penetrate directly through thatch roofing.
 - 6.20.8.2 Responsible person to provide the BAC with adequate proof that a metal flue is insulated from adjoining flammable material.
 - 6.20.8.3 Flues and chimneys to be in compliance with NBR.
 - 6.20.8.4 External Flues / vent pipes and external flashings to be painted black / charcoal.
 - 6.20.8.5 If a flue is installed it shall be done by an experienced and competent installer and must be indicated on plans. The installer shall provide a signed certificate that ensures the flue is in compliance with the NBR.

6.21 STREET ADDRESS AND SIGNAGE

- 6.21.1 Only estate signage is allowed on public open spaces.
- 6.21.2 House name boards must be positioned within the boundaries of the property.
- 6.21.2.1 All stands have a stand number displayed which must be clearly visible from the road. Signs are provided by the HOA in a standard design format.

6.22 PAVING

A maximum width of 0.9 m of paving is allowed around the perimeter of the buildings. Paving is otherwise limited to stoeps, patios, yards, carports, and a reasonable area in front of garages.

The following materials are approved:

- Clay brick (full or half brick)
- Cobbles
- Natural stone chip confined with perimeter edging to avoid spillage.
- Tinted cement bricks and pavers such as "Smartstone" or similar.

6.23 DRIVEWAYS

Hard surface for driveways to be 3 m wide. Natural stone chips are permitted. No concrete or tar is allowed. Paving, particularly on stands with steep slopes is permitted but must be discussed with the BAC before installation.

A motivated turning circle will be allowed and must be finalised with the BAC on site after construction to limit excessive removal of plants. The turning circle shall not exceed a length of 4.5 m.

6.24 BOUNDARY WALLS AND FENCES

No boundary walls or fences are permitted on the estate.

6.25 RETAINING WALLS

Retaining walls must be limited to the extent necessary. Smooth concrete walls are not allowed. Tan rockface Terraforce retaining blocks, plastered brick, stone gabions with plastic coated mesh, hardwood sleepers and stone clad walls (1.5 m high maximum) are allowed.

6.26 PLANTING

- 6.26.1 The indigenous coastal vegetation on the property must be retained and protected. These specific plant communities are well adapted to the climate and therefore will act as a lush backdrop with low maintenance.
- 6.26.2 The total clearing of properties of indigenous vegetation is not permitted. The clearing of indigenous plants is only allowed along the access road, the footprint of the house plus an additional 1,5m for construction purposes around the footprint.
- 6.26.3 The cost of removing indigenous plants from the site footprint will be for the homeowner's account.
- 6.26.4 This selective clearing may only be done by an approved person or persons. Contact the Estate Manager to obtain further information. All indigenous plants removed from the access road or footprint must be re-planted elsewhere on the estate or in the nursery. No plants, shrubs or trees may be removed from the estate.
- 6.26.5 The planting of alien grasses and lawns is not permitted and alien vegetation on sites must be systematically removed during and after the building process.
- 6.26.6 For the re-instatement of vegetation in areas cleared for the building process and for supplementing the existing vegetation where required, a list of appropriate, well-adapted indigenous plant species is available on request from the Estate Manager.
- 6.26.7 Adequate plant cover must be provided after construction to cover exposed soil and prevent soil erosion.

6.26.8 Environmental control. Refer to Environmental Directive 1.1 in Addendum B, which must be complied with by Homeowners and Contractors.

6.26.9 Landscaped Berms are allowed under the following conditions:

- Owners to provide motivation for the establishment of a landscaped berm on their site for approval by the BAC. NOTE: Providing privacy is the main objective.
- Owners to provide a scaled drawing showing the exact location and shape (width, length and height) of the proposed berm outline on the site with photos showing the position and shape marked out with latte posts and tape on the site.
- Top outline of berm to preferably be broken and a maximum length of a berm should not exceed 10 m.
- BAC members to visit site and confirm acceptance or not of demarcated proposed berm location.
- Angle of repose (the steepest angle at which the sloping surface formed of loose material is stable) should not exceed 40 degrees above the horizontal plane and the maximum height of any berm above NGL to not exceed 1.5 m.
- Only good quality topsoil is permitted to form berms. No building rubble or sand fill is permitted.
- Berms to be planted immediately only with plants allowed on SB Estate.
- Berms only allowed within the owners' property boundaries and lowest outer edge perimeter of berms to be a minimum of 1m away from roads, underground main sewer pipes and other services such as water meters.

6.27 SWIMMING POOLS

6.27.1 Small pools up to a maximum size of 2.5 m x 4 m (or approximately 10 m²) water area, and part of the deck/stoep are allowed. Pools for part of footprint as per Area 1 definition (Clause 6.3.5).

6.27.2 The position and design thereof will be subject to approval by the BAC.

6.27.3 Pools must be incorporated in patios or decks which are to be attached to the house.

6.27.4 All swimming pools must be made secure in terms of the National Building Regulations and Local Authority requirements pertaining to pool ingress & safety. **Where a swimming pool is shown on plans the relevant section of Regulation D4 of the NBR SANS 10400-D 4.4, including the Declaration (signed by the owner) must be included with the plan submission.**

6.27.5 It is the responsibility of homeowners to ensure that swimming pools, jacuzzi, ponds and water features are safe for children & animals and that they comply with Municipal By-laws & National Building Regulations. Enclosures for safety of pools are subject to approval by the BAC. The following materials are recommended for construction of safety fencing around pools: Timber latte, glass screens & suitable netting.

6.27.6 Pumps and filtration systems must be screened / concealed. All screens must be

approved by the BAC.

- 6.27.7 Portable or temporary swimming pools are **NOT** permitted.
- 6.27.8 Pools may not be heated by means of combustible materials.
- 6.27.9 The design of swimming pools must be such that any wild animal falling into the pool will be able to climb out of the pool unaided.
- 6.27.10 Swimming pools must be fitted with solid covers when not in use.
- 6.27.11 Swimming pool water may not be pumped or backwashed into the soil but must be deposited into a drainage filter system prescribed and approved by the BAC.

6.28 RAINWATER COLLECTION AND STORAGE

It is permitted to install tanks intended for the harvesting of rainwater only. Positioning of these tanks must be approved by the BAC. All rainwater harvesting installations must comply with the following conditions:

- 6.28.1 Tanks to be used for the harvesting of rainwater may be located underground or above ground in predetermined positions and screened by timber latte fencing and vegetation.
- 6.28.2 All piping associated with the tank installation, including downpipes, and pumps, must be concealed or hidden from view.
- 6.28.3 Water tanks above ground are to be suitably screened from view by neighbours or from public areas such as roads. The screen to be a maximum of 0.5 m from the tank. Screening can be by means of latte, while the planting of indigenous shrubs in front of screens is recommended to enhance the overall visual impact.
- 6.28.4 The maximum size tank allowed is a 5000-litre tank. A maximum of 10 000 litres storage per house is permitted.
- 6.28.5 Special gutters for thatch roofs and external downpipes for water discharge are allowed subject to:
 - Material to be selected hardwood or aluminium with a charcoal colour. Gutters to be fixed to protruding timber pole rafter ends with brackets.
 - The special thatch gutter is not intended as a continuous element fitted to the entire thatch roof perimeter but should rather be fitted along selected straight eave runs particularly where roof valleys occur.

7. CONSTRUCTION ACTIVITIES

7.1 COMMENCEMENT TO BUILD

7.1.1 **The Title Deed of the owner of a plot and a set of plans for proposed new dwelling and alterations, approved by Mossel Bay Municipality, must be submitted to the BAC before any of the following site activities are permitted:**

- Setting out the building profile
- Erecting screen fencing
- Removing plants
- Site clearing
- Building work

7.1.2 A refundable Building Contractor and Owner deposit (refer Addendum B) must be paid to the HOA before construction commences. For large alterations or additions to existing houses, a deposit might be required, if deemed necessary by the BAC.

Refer Addendum B for details of current deposits and fees for submission of Plans to the BAC.

Deposits will be held in trust (free of interest) by the HOA until completion of building work and/or alterations, have been achieved.

7.1.3 The proposed footprint of the house, solar panels and other structures must initially be demarcated on site for approval by the BAC. This is to avoid unnecessary environmental damage on the stand.

7.1.4 Acknowledgement of the Environmental Management Plan (refer Addendum B), which includes Building Contractors' responsibilities, access arrangements, site establishment, environmental protection, penalties for non-compliance, is required and must be adhered to.

7.1.5 After site clearance, but before any levelling takes place, the Building Contractor must erect a profile (pole) indicating relevant maximum building heights as prescribed and Finished Floor Levels (FFL). This profile must be set up on site and agreed upon by the Homeowner, Architect and BAC.

7.1.6 Profile markings must show the following, as per approved drawings:

7.1.6.1 Average natural ground level of the house, which will become the top of ground floor slab level - for all portions of the house.

7.1.6.2 The maximum permissible height of the roof ridge at 6.5 m above FFL.

7.1.6.3 The profile must be located and adequately set in such a position so as not to impede construction, not be readily removable and may only be removed when the roof has been erected.

7.1.7 Once both building deposits have been paid to the HOA, water will be provisionally supplied to the property for building purposes only. All water usage costs are for the

account of the Homeowner and are to be paid upon receipt of an invoice.

- 7.1.8 At least two weeks before building work commences a site meeting with the Homeowner and/or Architect, the BAC and the Estate Manager must be held to agree on all aspects regarding the construction process, levels, environment, and responsibilities of all parties.

7.2 BUILDING PERIOD / TIME LIMIT

All **building** work must be completed within **12** calendar months from date of commencement.

A Programme for the works including **start date** and anticipated **practical completion date** must be submitted to Management by the Owner/Contractor.

- 7.2.1 Plans for a 'phased' design must be submitted to the BAC for approval. Phased building shall be carried out in such a way that at the end of each phase all building work must be aesthetically acceptable. This completion status will be determined by the BAC/Trustees.
- 7.2.2 If during construction unforeseen delays arise, this must be brought to the attention of the BAC. If after the 12-calendar month period, the building has not been completed, a notice of non-completion will be sent to the Homeowner by the BAC/Trustees. Failure to act upon this notice will result in penalties being imposed, as detailed in Addendum B. A waiver of the Building Period may be considered by the Trustees on prior receipt of a written application from the Homeowner motivating an extension of the original approved building period. If granted, all external work must be completed as per approved drawings so that the visual image of Springerbaai and other properties is not compromised by unsightly unfinished work. Clearance of building contractors' rubble, stores, and any plant or vegetation rehabilitation required will be deemed external work.
- 7.2.3 Any deviation from the above building period/time limit will render the Homeowner liable for a penalty (refer Addendum B).

7.3 APPROVED PLANS

A full set of the latest **approved** plans must be kept on site. This is to ensure that any member of the BAC, the Estate Manager and the Building Contractor can monitor compliance with approved plans.

7.4 BUILDING CONTRACTORS' RUBBLE

Building Contractors rubble must be stored only on site and removed from the Estate on a weekly basis. Drums (44 gal)/waste containers must be provided for containment of all building rubble on site.

7.5 CONSTRUCTION CAMP

The SB Construction Camp may be temporarily used to store building equipment and materials on condition that the Contractors tidily maintain their materials and

that all items are removed once building has been completed.

Prior approval for this must be obtained and necessary arrangements made with Management.

7.6 ALTERATIONS OR ADDITIONS

The same design criteria and regulations as for new building work as set out herein applies and a building period will be agreed upon by the BAC and the owner based on the complexity of the planned alterations.

7.7 PENALTIES / FINES

In addition to penalties/fines referred to in this document, the HOA are entitled to claim penalties from Homeowners or Building Contractors if any breach of these regulations causes damage to or jeopardises fauna, flora, and security of the Estate. (These penalties/fines are detailed in Addendum A).

7.8 HOMEOWNERS AND BUILDING CONTRACTORS' RESPONSIBILITIES

The HOA has provided certain regulations relating to Building Contractor activity on the estate. The primary intention of these regulations is to ensure that all building activity takes place with the least possible disruption to SB residents, the environment and wildlife. In the event of uncertainty in this regard, Homeowners and/or their Building Contractors may contact Management for clarification.

7.8.1 This document must be studied by the Homeowner, Architect and Building Contractor, and all parties undertake to fully comply with the requirements detailed herein. The BAC reserves the right to, from time to time, ensure compliance with additional requirements and controls, introduced via written notification. The Homeowner and Building Contractor shall ensure they comply with these additional requirements.

7.8.2 Conditions governing building activities, which are set out in this document, are regulations adopted by the HOA and are therefore binding on all Homeowners, their Consultants, Building Contractors, in any Building Contract concluded in respect of a property on Springerbaai Estate.

7.8.3 The HOA has the right to suspend any building activity in contravention of any of the restrictions herein and to refuse access to the responsible Building Contractor, his staff, and sub-contractors. **The HOA accepts no liability whatsoever for any losses sustained by a Homeowner as a result thereof.**

7.8.4 Building Contractor activity is only allowed during the following 'public' hours:
08h00 –18h00: normal weekdays.

No Building Contractor activity is permitted:

- On Saturdays, Sundays and Public Holidays.
- Over the Easter weekend, and
- From 15 December to 15 January.

These periods are considered 'private time' for SB residents.

Special applications for any building or general maintenance work during the above 'private time' must first be lodged with Management, one week prior to the required activity, for consideration and approval.

- 7.8.5 Building Contractors and their sub-contractors must comply with security arrangements of the HOA. Homeowners must ensure that this is strictly adhered to by their appointed building team.
- 7.8.6 The building site is to be kept clean and neat as possible. The Building Contractor shall provide facilities for rubbish disposal and ensure that all rubbish is removed from the Estate on a weekly basis.
- 7.8.7 During the construction period the area designated for building purposes must be securely screened on all boundaries by a hessian/shade cloth screening fabric, approved by the HOA and as specified.
- 7.8.8 The Building Contractor must ensure that all building materials, equipment, and machines are off-loaded and stored on site within the above noted screened off area.
- 7.8.9 Deliveries from suppliers must be scheduled in accordance with public hours as per paragraph 7.8.4.
- 7.8.10 Building Contractors must provide toilet facilities for all workers prior to commencement of any work on site. The position of any temporary toilet facility on a site must be approved by the Estate Manager.
- 7.8.11 Access to SB Estate is gained via the Main gatehouse entry and from here access to sites/dwellings is only allowed via Estate dirt roads. The Building Contractor, his sub-contractors and suppliers must follow the route to their site prescribed by the Estate Manager, must strictly adhere to the Estate speed limit and must not disturb or harm any fauna or flora on the estate.
- 7.8.12 Homeowners and their Building Contractors are responsible for damage caused to roads, plants and to private or HOA/common property.
- 7.8.13 Building Contractors and sub-contractors are to conduct themselves fairly and professionally and are not to interfere with other Contractors and sub-contractors busy on the Estate.
- 7.8.14 If, in the opinion of the BAC, the conduct of a Building Contractor or sub-contractor is found to be inappropriate, the BAC may rectify the situation as deemed necessary and/or reserve the right to suspend building activity until such undesirable conduct is rectified. The BAC is empowered to act at any time and without notice, and without recourse from the Homeowner and/or Building Contractor and/or sub-contractor.
- 7.8.15 No plants are to be damaged or removed without prior consent and fauna are not to be disturbed.

- 7.8.16 If any Building Contractor/sub-contractor/supplier or any person in their employ is seen or found on any other part of the Estate where they are not required for the fulfilment of their duties, it will be deemed a breach of this paragraph and the Estate Manager will be entitled to invoke the prescribed penalties.
- 7.8.17 No Building Contractor and sub-contractor or their employees may stay overnight on the Estate. The Building Contractor and sub-contractor and their employees must travel by vehicle to and from the building site along the prescribed route and all occupants must remain in the vehicle until the destined building site is reached.
- 7.8.18 All Building Contractors, sub-contractors and their employees must be in possession of a valid identity document and police clearance certificate in order to be granted entry onto the estate.
- 7.8.19 No wood may be collected on the Estate.
- 7.8.20 No open fires are allowed, and any cooking should only be done on gas stoves in a safe position under supervision of the building contractor on the site.
- 7.8.21 Building contractors may use generators between the hours of 08h00 and 17h00.
- 7.8.22 Building Contractors and sub-contractors must comply with all health and safety regulations. It is the responsibility of each Homeowner to ensure that this is adhered to.

7.9 OCCUPATION OF COMPLETED BUILDINGS

- 7.9.1 Prior to completion of the works, the Homeowner/Architect must submit an 'as-built' drawing certifying that the house has been built in accordance with the approved plans.
- 7.9.2 The Estate Manager and BAC will inspect the site and completed building work. If there is any non-compliance, the Homeowner has a period of one month to make good and clear all rubble and building materials from the site.
- 7.9.3 As per National Building Regulations, it is mandatory to have a Certificate of Occupation in order to occupy a new building. To ensure compliance with NBR's, Springerbaai HOA require the following documentation from the Homeowner/Contractor to enable Springerbaai HOA to provide a "letter of compliance", which is necessary to obtain the Certificate of Occupation from the Mossel Bay Municipality:
- As built plans
 - Electrical compliance certificate
 - Fire compliance certificate
 - Gas compliance certificate

- Glass/Glazing compliance certificate
- Plumbing compliance certificate
- Structural compliance certificate

Once all the above documentation has been received, a Springerbaai HOA “letter of compliance” will be issued to enable the Homeowner/Contractor to apply for the required Certificate of Occupation.

- 7.9.4 For the re-sale of a property, the BAC will inspect and verify compliance of the property with its approved as-built plans, to ensure that no illegal alterations or additions have been made. This verification will be done before the HOA issues its levy clearance certificate for the property transfer.

ADDENDUM A

ENVIRONMENTAL MANAGEMENT: ENVIRONMENTAL DIRECTIVE 1.1

This directive is to be incorporated into all contracts and sub-contracts on the project as part of the Environmental Management Plan for the project.

1. ENVIRONMENTAL POLICY STATEMENT

The Springerbaai Eco-estate is on the remainder of portion 2 (Klipfontein) of the farm Klipfontein no 249 (434ha) and is located in an environmentally sensitive area. It incorporates a sloping coastal plateau (1:8) running down to a coastal dune field. The surface geology comprises calcrete and sand. This is covered by thick indigenous plant cover infested in parts with alien species.

This plateau environment is a popular recreation area but is also a vulnerable natural environment exposed to extreme environmental conditions and development pressures.

Gale force winds under storm conditions may cause excessive erosion and deposits of sand.

This factor coupled with low erratic rainfall and fluctuating temperatures results in a relatively unfavourable habitat for plant growth and stabilization and therefore demands care during development.

Springerbaai Eco-estate is an important recreational project in the Southern Cape and bases its main resources or attributes to its magnificent natural environment. Should this be marginalized or destroyed, the estate will be severely compromised. Consequently, all efforts must continually be made to reconcile development and conservation on the estate.

As a result of this, a specific modus operandi is required from all Building Contractors, sub-contractors and suppliers on the property. It is not the HOA's intention to be restrictive but to control all project actions within a system of strict environmental management called the Environmental Management Plan (EMP).

Liaison between project Consultants and knowledgeable authorities, such as Cape Nature Conservation, Outeniqua District Council and certain NGO's is maintained on a regular basis through the functions of an Environmental Monitoring Committee (EMC).

Environmental audits are carried out on a regular basis to ascertain the success of this protective system and provide guidelines within all project construction phases.

2. HOMEOWNER AND BUILDING CONTRACTOR RESPONSIBILITIES

2.1 Site clearance.

The Homeowner/Building Contractor must ensure that a permit for the clearing of special plants from the site is issued by the Department of Environmental Affairs, Fisheries and Forestry (DEFF). They must then ensure that the designated Horticulturist is called to the site to identify and remove special plants in the area designated for construction. SB Estate Management require 2 days after the Horticulturist has removed plants, to clear any remaining plants deemed environmentally relevant.

2.2 “Sensitive areas”

Sensitive areas on site will be indicated by the above Consultant and or the Estate Manager. These are “no-go” areas which may include steep slopes and vegetation thickets which are not to be damaged except under special conditions authorized by the designated Consultant.

These “no-go” areas must be adequately protected by demarcation or fencing at the cost of the Homeowner/Building Contractor to prevent unauthorized access by workers or others. Fences or barriers must be maintained during construction and removed by the Building Contractor at completion of the project when the Consultant has indicated in writing that it is safe to do so.

2.3 Workspace, circulation and storage areas

These areas are restricted to the site and the Building Contractor must ascertain what equipment and construction techniques will be used on the site for the erection of the buildings. A maximum width of 2 m around the building footprint perimeter may be used for workspace and falls within the required screened off area of the site.

2.4 Building Contractors responsibility regarding the environment

The Building Contractor is responsible for the actions of sub-contractors and any other nominated contractors supplying materials or services. He must ensure that these persons are informed about the contents of this directive before entering the site and that they act within the parameters laid down for environmental protection of the site.

2.5 Equipment, plant and vehicles

The building contractor must establish that the type of plant, machinery and vehicles used on site or for deliveries are compatible with the site. Specific care must be taken with long multi-axle vehicles and vehicles such as back-actors. Specific caution is to be exercised in controlling deliveries by Ready-Mix vehicles and long wheeled trailer vehicles.

2.6 Site clearing

Sensitive areas and the extent thereof will be indicated on site by the Environmentalist. Machine operators must be well briefed on their tasks to avoid any incidental environmental damage.

All plants to be cleared must be relocated to other areas of the Estate by prior arrangement with the Estate Manager before any construction work commences. Specialist resources may be required to remove protected vegetation.

2.7 Topsoil

Topsoil on the site is thin and is therefore a valuable commodity and must be treated with care. Topsoil areas will be demarcated by the Estate Manager. These areas must be protected from mixing with subsoil, refuse, construction rubble and alien vegetation, to allow re-use in the reinstatement of certain areas of the site during and after construction. Only topsoil from Springerbaai must be used for rehabilitating areas once construction has been completed.

2.8 Bulk Cut and Fill Areas

Subsoil may be relocated from excavated areas to be used to elevate certain areas of the site. This fill may only be deposited in areas demarcated for this purpose. During bulk excavation or fill operations, depending on the structural system required by Consultants/Building Contractor, cognizance must be taken of the workspace and stability (slumping) of soil. No burrow pits may be opened on the property.

2.9 Service Routes

Permanent or temporary service routes over the site must be properly protected in terms of 2.2 above.

2.10 Roads, Marshalling Areas, and Circulation

Only existing roads are to be used for access to construction sites. Cognizance must be taken of road widths for circulation, marshalling and access to construction sites. Suitable arrangements must be made with Consultants/Contractors for vehicle parking. Marshalling activities will be limited to the demarcated areas only. No deviation without prior written approval from the Estate Manager will be permitted.

The main access routes to the site are used by Homeowners and residents. All construction and delivery vehicles have a responsibility to drive within designated speed limits and safely to ensure no harm to wild game.

2.11 Dumping

No dumping of construction rubble or any other material will be permitted on the Estate. Cut vegetation may be dumped in areas indicated by the Estate Manager. All refuse must be removed regularly from sites to prevent unnecessary accumulation. No paper, plastic and other building materials/packaging or food packaging may be left lying around so that it can be blown by wind on the erf or on to adjacent areas. Appropriate, durable, and adequate litterbins must be provided by building contractors at designated areas.

Each building site MUST have a waste bin or similar containers on site for storage of rubble.

2.12 Areas for Workmen

Specific areas will be indicated on site for use by workmen. These areas must be maintained in a clean and neat condition. Specific areas will be demarcated for the placing of temporary chemical toilets. Appropriate informative signage that can be understood by workmen must be erected to inform them of procedures to be followed.

2.13 Toilet Facilities

Building contractors are to ensure that toilet facilities as described in 1.9.7 are suitably located on site for easy access by workmen and that no defecation takes place on any areas of the site or on adjoining properties.

No works are to commence on site until toilet facilities are in place.

Washing facilities for workmen must also be suitably placed and run-off controlled by prior agreement with the Estate Manager.

During all holidays, as stipulated in item 1.9.1 (excluding weekends only), toilet facilities are to be removed from site or stored out of site in buildings.

2.14 Use of Poisons and Chemicals on Site

The Building Contractor must supply the Estate Manager with a list of all poisons or chemicals that may be used on the project prior to its commencement.

Specific attention is to be paid to the following operations/chemicals:

- Machine oils –leaks and changes
- Herbicides or pesticides (**not permitted on site**)
- Paints and solvents
- No cleaning of cement mixers on site
- PCB's

2.15 Temporary Storm Water Drainage from the Works

This must be arranged in collaboration with the Estate Manager.

2.16 Erosion

All soils on the property are erodible (by wind and water) and the Building Contractor will be responsible for reinstatement of any areas of the site that are eroded due to construction activities. Reinstatement of areas eroded will be as directed by the Estate Manager to the satisfaction of Cape Nature Conservation.

2.17 Fires

NO FIRES ARE PERMITTED. The building contractor will be held responsible for damage caused by fire on the building site and any adjacent properties. Remedial works will include reinstatement of vegetation to the satisfaction of the Estate Manager. Prior to commencement of construction activities, the building Contractor is to ascertain the fire requirements of the Local Authority and must submit a contingency plan to the Estate Manager.

2.18 Public Access

The Owner and Building Contractor must note that certain authorized members of the public such as BAC members and Estate Management are allowed access to the site for building/site inspections and to ensure the above restrictions are being enforced by the Building Contractor for the duration of the contract.

2.19 Dust Generation

The Building Contractor must ensure that excessive dust generation on site is kept in check. Collaboration with the Estate Manager in this regard is recommended.

3. PENALTIES

Due to the importance of protection of the environment, for the duration of the building period, a range of penalties will be imposed for any transgressions. These are as follows:

3.1 Litter – R100 per item.

3.2 Failure to provide or use chemical toilets – R500 per transgression.

3.3 Entering “no-go” areas without authority – R500 per transgression per person. Any damage to “no-go” areas must be repaired by the Building Contractor or a third-party contractor. Reparation costs will be deducted from the relevant deposit. Building Contractors will be denied access to the Estate until such damages are repaired to the satisfaction of the Estate Manager.

3.4 Speeding – R300 per transgression. A maximum speed of 40km/h is permitted. If an enforcing official following an offending vehicle records a speed of 45 km/h, this will be deemed speeding and the offending driver will be fined.

3.5 Driving off demarcated roads – R500 per transgression and, in addition, responsibility for repairing damaged areas. Any damage must be repaired by the Building Contractor, or a third-party contractor approved by the HOA. Costs for reparations will be deducted from the Builders deposit. Building Contractors will be denied access to the Estate until such damages are repaired to the satisfaction of the Estate Manager.

3.6 Poaching – R1000 per bird or animal or in respect of any trap found to have been set. Building Contractors will be denied access to the estate until the fine is paid.

3.7 Fishing – R1000 per transgression. Access to coastal areas is not permitted for fishing or for any other reason. Building Contractors will be denied access to the Estate until the fine is paid.

3.8 Lighting of fires – R10,000 per transgression. Owners and Building Contractors must be made aware of the severity of this transgression.

Springerbaai is a high fire risk area and easily prone to fire damage. Building Contractors will be denied access to the estate until the fine is paid. Full reinstatement of the vegetation will be required to be carried out by the Building Contractor to the satisfaction of the Environmental Committee. Alternatively, the Building Contractor will be permanently removed from the Estate.

3.9 Damage to vegetation – R200 per shrub but increased to R1000 per Milkwood and Candlewood. This does not detract from regulations applicable in terms of the National Forest Act.

3.10 Loitering of Building Contractors’ staff from their building site - R200

per person per transgression. Building Contractors and any person who enters the Estate as part of a team working on a building site are not allowed to leave the building site on foot. Any unnecessary driving around the Estate or loitering will be reported to and assessed by the Estate Manager and strict measures taken. No access is permitted to the nature areas or surrounding properties for any reason. A Building Contractor or any person who enters the Estate as part of a building team is prohibited from using the 4 beach walkways or going to the beach at any time. Building Contractors will be denied access to the Estate until the fine is paid. The Estate Manager has the right to permanently deny a repeat offender access to the Estate.

3.11 Payment of fines. Fines will be deducted from the deposit subject to what is set out above, after the Homeowner, Building Contractor (including offender's details) have received a formal written fine from the Estate Manager. Deductions will be made by the Estate Manager, no later than one week after the fine is delivered to the Building Contractor.

3.11.1 In the event of a Homeowner refusing to pay a fine or have it deducted from the appropriate deposit, the Building Contractor will be denied access to the Estate until such time as the fine is paid or the amount deducted from the deposit.

3.11.2 Appeals can be lodged with the Trustees. Trustees meet 4 times per annum and no emergency applications will be considered.

3.11.3 The following persons are empowered by the HOA/Trustees to impose fines and deny access:

- The Estate Manager
- The Assistant Estate Manager

4. REINSTATEMENT

Building Contractors are advised that landscape reinstatement must take place concurrently with any civil and building work and that access to these areas will be limited. The Building Contractor will be notified timeously by the Estate Manager of these actions.

5. PROTECTION OF SPECIFIC TREES

Specific trees in close proximity to roads and building work are to be marked with danger tape for protection, by the Building Contractor. These trees will be pointed out by the Estate Manager.

6. SAFETY ON ROADS

As SB Homeowners concurrently use the main road routes on the Estate, the Building Contractor must consistently address public safety aspects with his staff and suppliers.

7. COMPLAINTS:

If Homeowners or Contractors have any grounds for complaints, they should lodge these formally in writing with the Estate Manager, providing details, proof and motivation for the complaint so that the Estate Manager may formally investigate. The Estate Manager in consultation with the Trustees may after an investigation decide to impose penalties/fines or withdraw access to the Estate of parties implicated. If the complaints are directed at outside third parties, the Estate Manager may choose to not get involved.

8. CIRCULATION OF THIS DIRECTIVE

- All Consultants
- All Members of the HOA
- Trustees
- Estate Manager
- Members of the BAC
- Project Managers, Building Contractors and Consultants
- The Environmental Monitoring Committee
- Cape Nature Conservation –George
- Mossel Bay Municipality - Planning Department
- Springerbaai Homeowners Association's Attorneys

ADDENDUM B

1. BUILDING FEES

A. ON SUBMISSION OF PLANS (non-refundable and payable before collection of stamped approved plans)	
• Receipt of plans, administration, and scrutiny	R 2 000
• Any re-submission of plans (if applicable)	R 1 000
• Approval of Council submission plans (5 x copies)	R 3 000

B. SITE INSPECTIONS (non-refundable and payable before construction commences)	
• Checking and confirming site levels, etc., prior to construction	R 1 800
• Subsequent monthly inspections: 1 per month by BAC during construction and when deemed appropriate (not more than 4 inspections)	R 500 per inspection

C. APPROVAL – “AS BUILT PLANS” (non-refundable and payable before collection of stamped plans for submission to the municipality for occupation certificate)	
• Submission of “as built plans” for scrutiny and site inspection for application of Certification of Occupation	R 1 500

D. BUILDERS DEPOSIT (refundable)	
• Refundable building deposit (no interest) – by Owner	R10,000
• Refundable builders deposit (no interest) – by Contractor	R10,000

2. PENALTIES / FINES (non-refundable)

A. EXCEEDING BUILDING PERIOD	
• Failure to act upon notice – first month	R 20,000
• Failure to act upon notice – each month after first month	R 5, 000

B. ENVIRONMENTAL MANAGEMENT	
• Various breaches / non-compliance	Addendum A

NOTE:

1. All fees and penalties are subject to periodic change. For details of the current fees and penalties please contact the Estate Manager.
2. Springerbaai Homeowners Association is not Value Added Tax (VAT) registered.