

# PARADISE CŲAST

NATURE IMMERSED LIVING ESTATE

CURRENT ARCHITECTURAL GUIDELINES, APPROVAL PROCEDURES  
AND CONTRACTORS CODES OF CONDUCT.

16 MAY 2013

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## 1. INTRODUCTION

These Architectural Guidelines, Approval Conditions and Contractors' Codes of Conduct (AAC) are developed to ensure that all construction and completed building on the Paradise Coast Beach & Eco Estate have a minimum disturbance on the magnificent natural setting and environment.

This document serves as guidelines, procedures and codes of conduct for buyers, architects and builders and shall only be amended by the Trustees of the Paradise Coast Owners Association (PCMOA) at their sole discretion, but in accordance with the Environmental Authorization, Rezoning Approvals and any other relevant legislation applicable on the Paradise Coast Development. No person shall develop any vacant property on the Paradise Coast Estate nor extend nor alter any building thereon without the written approval from the Paradise Coast Aesthetics Committee (PCAC) and Environmental Control Officer (ECO) as appointed by the PCMOA.

The final interpretation of the AAC vests with the PCMOA, represented by the PCAC and the ECO. All queries related to it must be directed to the PCMOA's Managing Agents.

To the extent that the AAC may be more restrictive than the applicable Zoning Scheme Regulations, applicable Local Ordinances of the Mossel Bay Municipality as well as applicable Building Regulations, the provisions of the AAC will prevail.

Copyright of this document and its content vests with FV Holm Architects CC and is intended for the exclusive use by Papillio Investments 33 (Pty) Ltd, or the PCMOA and their successor for the management of building activities on the Paradise Coast Beach & Eco Estate.

These requirements are in addition to the Local Authority's Town Planning and Building Regulations **SANS 1000 as well as SANS 204**. The PCMOA, in conjunction with the AAC reserves the right to make any additions or alterations to these guidelines which, in their opinion, are necessary to create and guide the development in the architectural style and character that is envisaged for the entire development.

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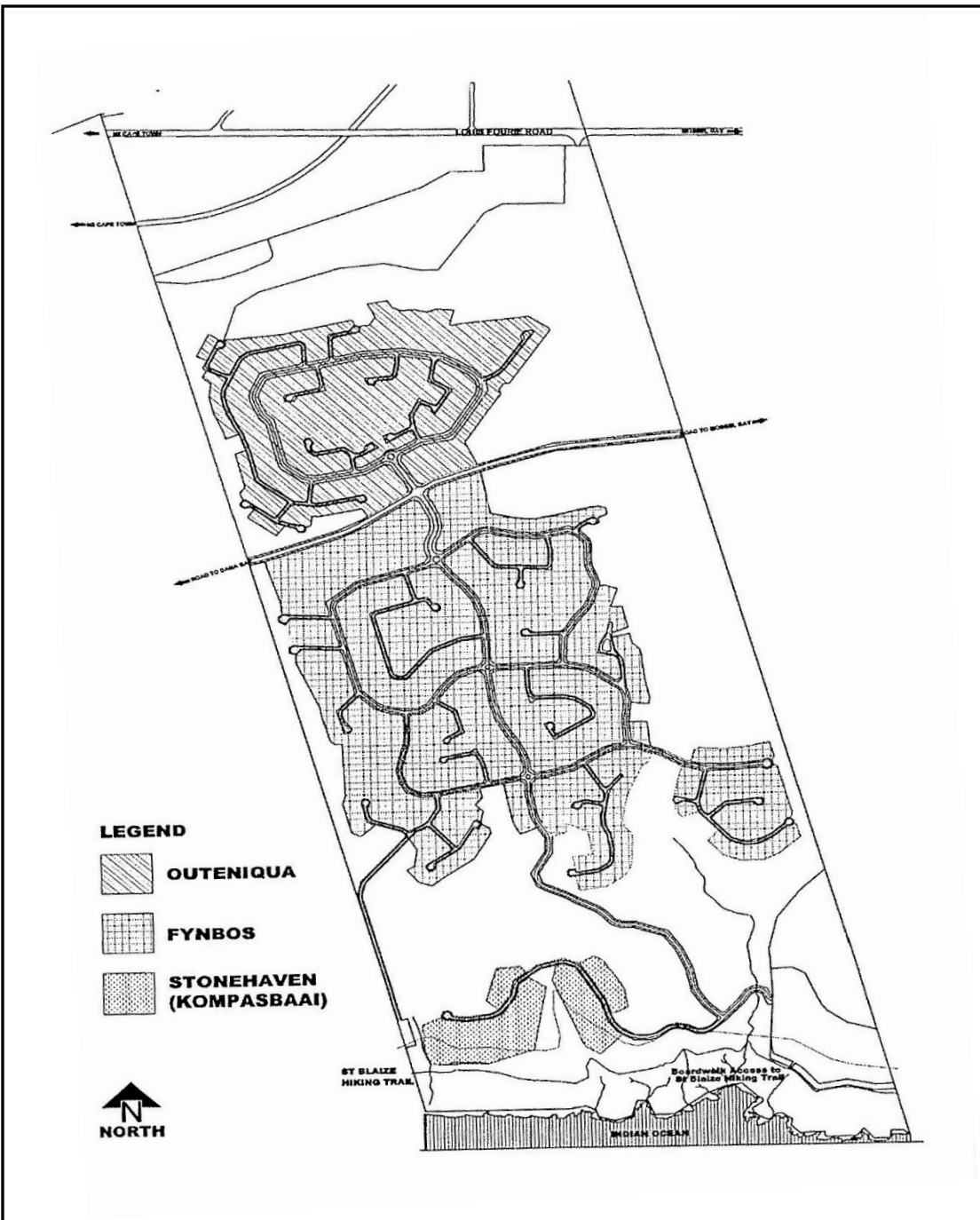
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## Development Precincts

The residential erven within the Paradise Coast Beach & Eco Estate are divided into three distinct precincts, each with their own character and variation of the Coastal Karoo architectural style. These guidelines are applicable to all the three precincts; Outeniqua, Fynbos and Stone Haven (Kompasbaai), with minor variations between each of the three precincts.

This document excludes the Hotel Precinct. The design and construction of any development within the Hotel Precinct shall comply to the Environmental Authorization applicable to this precinct.



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## 2. ARCHITECTURAL GUIDELINES

### 2.1. Introduction

Paradise Coast Beach & Eco Estate is a coastal residential development designed with strong reference to the architectural style found in the Mossel Bay area.

It is the intention of these Architectural Guidelines to set up an aesthetic design framework in order to guide the design process, developing the residential living units within the environmental and contextual background.

On this basis, the PCAC consisting of a representative from the PCMOA, the co-ordinating architect and a further appointee of the PCMOA, is the authorized body which will interpret the provisions set out in these Architectural Guidelines in the interest of all home owners.

### 2.2. Building Parameters

#### 2.2.1. Area of Disturbance

The Area of Disturbance is defined as the full extent of section of the erf occupied during construction and whereon the house, verandas, swimming pools, all paving and gardens are built.

1. Outeniqua Precinct:

No general restriction applies in terms of the Area of Disturbance within the Outeniqua Precinct.

**Special Note:** Any specific sensitive areas that should be excluded from the Area of Disturbance within the Outeniqua Precinct will be identified during the Environmental Response Approval process and will be excluded from the Area of Disturbance.

2. Fynbos Precinct:

No general restriction applies in terms of the Area of Disturbance within the Fynbos Precinct.

**Special Note:** Any specific sensitive areas that should be excluded from the Area of Disturbance within the Fynbos Precinct will be identified during the Environmental Response Approval process and will be excluded from the Area of Disturbance.

3. Stone Haven (Kompasbaai) Precinct:

Disturbance may only take place within the designated Area of Disturbance on each erf and shall not be more than 25% of the total erf size whichever is the most restrictive. The remainder of the erf shall become part of the Conservation Area.

Refer to DELPlan drawing 272/MOS/03/DPP1 (15 February 2010, or as amended) available from the PCMOA or its appointed Managing Agent, indicating the positions of the Area of Disturbance on each within the Stone Haven (Kompasbaai) Precinct.

**Special Note:** The positions of the Area of Disturbance within the Stone Haven (Kompasbaai) Precinct shall not be changed under any circumstances.

#### 2.2.2. Dwelling Footprint (Coverage)

Dwelling Footprint is defined as the ground floor area of the house, including court yards and covered verandas, but excluding open verandas, paved and other hard surfaces, swimming pools and gardens.

1. Group housing and commercial erven:

Refer to relevant sections in the Mossel Bay Section 7 Zoning Regulations (1984, or as revised).

2. Outeniqua Precinct:

No building on any erf within the Outeniqua Precinct shall have a Dwelling Footprint of more than 50%.

**Special Note:** At least 30% of the total area of any erf within the Outeniqua Precinct shall be indigenous garden as regulated by these Guidelines.

3. Fynbos Precinct:

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No building on any erf within the Fynbos Precinct shall have a Dwelling Footprint of more than 45%, excluding Group Housing and erven with commercial and general residential zoning with special consent for Institutional Zoning, where the Mossel Bay Town Planning regulations will apply.

**Special Note:** At least 30% of total area of any erf within the Fynbos Precinct shall be indigenous garden as regulated by these Guidelines., excluding Group Housing and erven with commercial and general residential zoning with special consent for Institutional Zoning, where the Mossel Bay Town Planning regulations will apply.

4. Stone Haven (Kompasbaai) Precinct:

Erven 213, 440 and 441 shall have a Dwelling Footprint of not more than 300m<sup>2</sup>.

**Special Note:** The total area of all open verandas, paved and other hard surfaces as well as swimming pools on the above erven shall be a maximum of 200m<sup>2</sup>. The remainder of the Area of Disturbance shall be indigenous garden as regulated by these Guidelines.

Erven 214, 215, 216, 217, 218, 219, 220, 431, 432, 433, 434, 435, 436, 437, 438, 439 and 442 shall have a Dwelling Footprint of not more than 400m<sup>2</sup>.

**Special Note:** The total area of all open verandas, paved and other hard surfaces as well as swimming pools on the above erven shall be a maximum of 250m<sup>2</sup>. The remainder of the Area of Disturbance shall be indigenous garden as regulated by these Guidelines.

**2.2.3. Floor Area (Bulk)**

1. Group housing and commercial erven:

Refer to the relevant sections in the regulations in the Mossel Bay Section 7 Zoning Regulations (1984, or as revised).

2. All single residential erven:

The Floor Area is defined as the total floor area of the house, including covered verandas, but excluding open verandas, paved and other hard surfaces, swimming pools and gardens. The Floor Area of any house shall not be more than a factor of 1.6 of the Dwelling Footprint. It is the intention of this guideline that buildings should "grow out" of the landscape.

**Special Note:** The floor area of double volume and courtyard spaces shall be included in the Floor Area calculation of a factor of 1.5.

**2.2.4. Building Lines**

1. Group housing, commercial and general residential erven with commercial and general residential zoning with special consent for Institutional Zoning, where the Mossel Bay Town Planning regulations will apply:

Refer to the relevant sections in the Mossel Bay Town Planning Regulations.

2. Outeniqua & Fynbos Precincts:

Street building line setback shall be 4,500 mm from the street boundary line.

**Exception:** Garages with garage doors facing towards the street shall have a setback of 5,500 mm from the street boundary line.

**Exception:** Garages with garage doors facing away from the street shall have a setback of 1,500 mm from the street boundary line.

Rear building line setback shall be 3,000 mm from the rear boundary line.

Side building setback shall have an aggregate of 4,500 mm, with a minimum of 1,500 mm from the side boundary line.

**Exception:** Garages shall have a minimum setback of 1,000 mm from the side boundary line. The placement of garages will be ignored with the calculation of the aggregate side boundary line setback.

Yard walls may be constructed onto the side boundary lines.

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3. Stone Haven (Kompasbaai) Precinct:

No building lines are applicable. The Area of Disturbance (that includes all buildings) is limited to a specific area.

Refer to DELPlan drawing 272/MOS/03/DPP1 (15 February 2010, or as amended) available from the PCMOA or its appointed Managing Agent, indicating the positions of the Area of Disturbance on each within the Stone Haven (Kompasbaai) Precinct.

## 2.3. Built Form

### 2.3.1. General

Buildings consisting of simple loose standing pitched roofed structures, designed around protected outside living areas and connected, where necessary, with enclosed lean-to connections as required. The formation of protected and covered (pergola) outside areas is encouraged.

### 2.3.2. Primary Building Elements

1. Primary Building Elements shall have a square, rectangular or composites square/rectangular plan form.
2. The topography of the erf must be taken into consideration with the placement of Primary Building elements, in order to minimize the height of the ground floor finished floor level above the natural ground level.
3. Primary Building Element shall not be wider than 8,500 mm and narrower than 3,500 mm.  
**Exception:** Primary Building Elements of all buildings, except single residential and town houses, on group housing and commercial erven may be wider than 8,500 mm.
4. Connections, where Primary Building Elements are directly connected together, shall be at 90°.

### 2.3.3. Secondary Building Elements

1. Secondary Building Elements shall be connected to Primary Building Elements and consist of lean-to structures, verandas, chimneys, pergolas etc.
2. Lean-to roofs, with exposed side elevations are limited to ½ of the width of the Primary Building Element it is connected to.  
**Exception:** Secondary elements of non-residential buildings on group housing and commercial erven may not be wider than 5,000 mm or ½ the width of the Primary Building Element it is connected to, whichever is the most restrictive.
3. The total area of all lean-to roofs on a building shall not exceed 20% of the total roofed area.

### 2.3.4. Height

1. The ground floor finished floor level shall not be higher than 750 mm above the natural ground level. It is encouraged that building are cut into slopes, rather than built out.  
**Exception:** Refer to the relevant sections in the Mossel Bay Sections 7 Zoning Regulations (1984, or as revised) for the height restriction on group housing and commercial erven.  
**Special permission:** With special permission from the PCMOA represented by the PCAC and only in exceptional cases on very steep sites, the above guideline will be relaxed.  
A plan clearly indicating the areas where the finished floor level is below natural ground level (cut) and where it exceed above the 750 mm finished floor level height restriction must be presented with the Building Plan Approval documentation to the PCAC from approval.
2. Buildings must be constructed on different levels to move down with the slope, following the natural contours on the site.  
**Special Note:** Front facades of all buildings facing directly onto the St. Blaze trail may only be single storey. Such front facades facing the St Blaze trail shall have a maximum height of 4,000 mm measured from natural ground level.

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3. The maximum height of any structure within the Outeniqua and Fynbos Precincts shall be 8,500 mm above natural ground level.
4. The maximum height of any structure within the Stone Haven (Kompasbaai) Precincts shall be 6,500 mm above natural ground level.

**Exception:** Chimneys only may be built up to a maximum of 1,500 mm above the level of the adjoining Primary Building Element roof apex, notwithstanding the above.

5. The maximum height of any exposed external wall shall be no more than 5,100 mm above natural ground level.

## **2.4. Building Elements and Materials**

### **2.4.1. Walls**

1. All walls shall be plastered and painted.
2. No textured plaster (Spanish plaster, splatter box etc).
3. No ornate plaster bands and –moldings are allowed.
4. Natural stone may be used.

A sample of the type of natural stone, as well as the source of such stone must be included with the Building Plan Approval documentation and presented to the PCAC for approval to ensure aesthetic acceptability and environmental sustainability of the source.

### **2.4.2. Doors and Windows**

1. All doors and windows shall be made of hardwood and or aluminium (bronze or charcoal only).
2. Bay windows with square corners only are allowed.
3. No cottage pane doors & windows are allowed.

### **2.4.3. Burglar Proofing**

1. Burglar proofing, if required, shall be installed on the inside of windows and shall be of a simple design, with the minimum visual impact from outside.

### **2.4.4. Shutters**

1. Functional shutters made of hardwood and or aluminium (bronze or charcoal only).

A full assembly sample of one corner of the shutter that will consist of all components of the shutter must be included the Building Plan Approval documentation and presented to the PCAC for approval.

2. No mock shutters are allowed.

### **2.4.5. Garage Doors**

1. Only garage doors made of hardwood, aluminium, or steel (bronze or charcoal only), and with a simple line pattern may be used.

A full specification, including a brochure with photographs from the manufacturer of such garage doors must be included with the Building Plan Approval documentation and presented to the PCAC for approval.

### **2.4.6. Roofs**

1. All Primary Building Elements shall have hipped end roofs. The minimum angle on any roof of a Primary Building Element shall be 30° and the maximum angle shall be 45°.
2. Only one type of roofing material shall be used on a particular erf.

**Exception:** Concrete roofs or metal sheeting as specified in 5 below, are permitted on Secondary Building Elements, in conjunction with other roofing materials.

3. Only one roof angel shall be used on the Primary Building Elements on a particular erf.
4. The maximum angle of Minor Plan element roofs shall be 15°.
5. The following roofing materials are allowed:
  - S-profile corrugated metal sheeting

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- Standing seam metal sheeting
- Concrete roof tiles
- Corrugated fibre cement sheets

**Exception:** Concrete roof tiles are not allowed in the Stone Haven (Kompasbaai) Precinct.

**Special Permission:** With special permission from the PCMOA, represented by the PCAC, other roofing materials may be used.

A sample of the type of roofing material must be included with the Building Plan Approval documentation and presented to the PCAC for approval.

#### 2.4.7. **Roof and Dormer Windows**

1. With special permission for the PCMOA, represented by the PCAC, roof windows in the same plane as the roof sheeting, or simple 45° triangular dormer windows may be constructed on the external walls of Primary Building Elements. Such window shall be placed above and aligned with a door or window below. A detailed elevation and section (1:20) for each different type of roof and dormer window, clearly indicating all sizes of the window and construction around it must be included with the Building Plan Approval documentation and presented to the PCAC for approval.
2. Only a limited amount of such roof and dormer windows are allowed.

#### 2.4.8. **Facias and Barge Boards**

All fascia and barge boards shall be a minimum of 25 mm thick timber, or 12,5 mm fibre cement building planks

A specification, detail and indication of all positions where such high density fiber cement building planks are intended to be used on the building must be included indicated on the Building Plan Approval documentation and presented to the PCAC for approval.

#### 2.4.9. **Gutters and Down Pipes**

1. All gutters and downpipes shall be the rolled aluminium type to a colour matching the colour scheme of the building.

#### 2.4.10. **Hearths, Barbeques and Chimneys**

1. The design of hearths, barbeques and chimneys must be kept simple and in scale with the rest of the building, without any ornate detailing.

**Special Note:** A detailed elevation (1:20) for each different type hearth, barbeque and chimney must be included with the Building Plan Approval documentation and presented to the PCAC for approval.

#### 2.4.11. **Swimming Pools**

1. A single swimming pool conforming to the National Building Regulations, finish to fit into the general surroundings may be constructed on each erf, provided that rain water from the roofs on the building be collected into separate water storage tanks with a capacity of no less than 5,000l + the capacity required to sustain the water level in the swimming pool.

**Special Note:** A calculation to indicate that enough water can be harvested from the roofs in order to sustain the water level of the swimming, as well as the necessary drawings indicating all roofs to be used for rain water collection, down pipes, pipe reticulation, water storage tanks and dimensions of the swimming pool to such detail that the above calculation can be verified must be included with the Building Plan Approval documentation and presented to the PCAC for approval. The above calculation must be based on the assumption that there is no pool cover over the pool, notwithstanding the fact that all pools if approved must be fitted with a pool cover.

#### 2.4.12. **Kitchen Yards**

1. Only one kitchen yard allowed on each erf.
2. Kitchen yards to be maximum of 20 m<sup>2</sup> in size.

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3. All kitchen yards shall be enclosed with a wall of minimum 2,100 mm and a maximum of 2,400 mm high, as well as with gates of the same height.

#### **2.4.13. Pergolas, Verandas and Carports**

1. The use of pergolas as shading devices is encouraged in order to assist with the climate control in buildings.
2. All pergolas shall be made of planed all round timber elements or aluminium (bronze or charcoals only).

A detailed plan and sections (1:20) for each different pergola, indicating the assembly and sizes of all elements forming part of such pergola must be included with the Building Plan Approval documentation and presented to PCAC for approval.

#### **2.4.14. Timber Decks**

The constructions of timber decks, rather than paved areas are encouraged.

#### **2.4.15. Fences, Screens, Garden Walls and Yard Walls**

1. No fences are allowed.

**Special Permission:** With special permission from the PCMOA, represented by the PCAC, a limited area adjacent to the house of 150 m<sup>2</sup>, but not encroaching over the Area of Disturbance, may be fenced in, with a fence that is not higher than 900 mm, unobtrusive and made of a material that is non reflective (BETAFENCE "Pantanel Family: with PVC coating).

A detail specification and photograph of any other intended fencing must be included with the Building Plan Approval documentation and presented to the PCAC for approval.

2. No garden walls or screens may be built to enclose the perimeter of the erf.
3. The design of screens must be kept simple and must be made of timber or steel painted to match the approved colour scheme of the building.
4. Court yard walls must be simple, without ornate plaster mouldings and no higher than 1,800 mm above natural ground level.

#### **2.4.16. External Balustrades**

1. Only one design of balustrade shall be allowed on a particular erf.

**Special Note:** A detailed section and elevation (1:20) for the balustrades to be used, indicating the assembly and sizes of all elements forming part of such balustrade must be included with the Building Plan Approval documentation and presented to PCAC for approval.

#### **2.4.17. Paving**

1. Samples to be submitted with the Building Plan Approval documentation and presented to PCAC for approval.

- Clay brick pavers
- Concrete paving
- Concrete grass blocks

**Special Permission:** With special permission from the PCMOA, represented by the PCAC, other similar paving to suite the general aesthetic and the approved colour scheme of the building may be used.

A sample of all non-approved paving must be included with the Building Plan Approval documentation and presented to PCAC for approval.

The position, type, size and colour of all paving to be constructed around the building must be indicated on the Building Plan Approval documentation and presented to PCAC for approval.

#### **2.4.18. Electric Power Generation**

1. The type and positioning of any generator will be determined through the Environment Response Approval process described in this document and as approved by the PCAC. Generators may not be visible from the road and/or other buildings.

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2. Photo voltaic panels are allowed, but must be integrated into the design of the house. No separate, loose standing photo voltaic panels will be allowed.

#### **2.4.19. Air Conditioners**

1. If installed, the position of all air conditioning compressor units shall be approved by the PCAC.

#### **2.4.20. External Lighting**

1. The Paradise Coast Beach & Eco Estate has got a "dark sky" policy.  
**Special Note:** All external light fitting positions must be indicated on a drawing as well as a specification of all such light fittings must be included with the Building Plan Approval documentation and presented to the PCAC for approval.
2. All external light fittings must be installed against a wall and may not be installed higher than 1,800 mm above ground floor finish floor level. All external light fittings must be of a design that directs the light downwards, without the source of the light being visible.

#### **2.4.21. Aerials, Satellite Dishes and Fibre Optic**

1. Aerials and satellite dishes above ground level must be below the eaves line in a position least visible from the road and other buildings. The colour of all aerials and satellite dishes must be clear, or match the wall colour it is installed against.  
**Special Note:** The positions of all aerials and satellite dishes shall be determined through the Environment Response Approval process described in this document and be approved by the PCAC. This installation may not be visible from the road and/or other buildings.

#### **2.4.22. Water Installation**

1. A water connection point is provided at each erf.
2. No sanitary appliance with a water usage greater than listed below shall be installed:
  - WC: Volume must comply with statutory requirements. All WC's must have a ½ flush function.
  - Shower head: Must be of the low flow type
  - HWB Taps: All HWB taps must be fitted with an aerator.
3. All hot water pipes must be properly insulated with patented pipe insulation.
4. Solar water heating panels, heat pumps, and gas installations, with a separate hot water storage tank are allowed. No hot water storage tanks shall be visible on the outside of the building.  
The position, type and size of such installation must be indicated on the Building Plan Approval documentation and presented to PCAC for approval.
5. Rain water harvesting installation and tank must be installed on each erf.  
Matching wall colour plastic water tanks, or galvanised metal, may be installed.
6. All garden water taps and garden irrigation must be connected to the rain water harvesting installation. No potable water may be used to water gardens.

#### **2.4.23. Sewerage Installation**

1. All sewerage and vent pipes shall be concealed within the walls.

#### **2.4.24. Signage**

1. No permanent signage other than that provided by the developer or the PCMOA as the developer's successor is allowed.
2. All temporary signage (e.g. for sale signs) must be in accordance with the Local Authority regulations and must be approved by the PCMOA, represented its Managing Agent.

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**2.4.25. Colours**

1. Only earth toned colours matching the colour range found in the natural surroundings will be allowed:

**Special Note:** The full colour scheme of the house must be submitted as part of the Building Plan Approval documentation and presented to the PCAC for approval.

**Exception:** Timber elements may be stained and varnished to retain the original timber look.

2. Roof colours within the Stone Haven (Kompasbaai) Precinct shall only be charcoal or a colour as otherwise determined by the Environment Authorization and any amendments thereto applicable to this precinct within the Paradise Coast Development

**2.4.26. Planting**

1. Only planting of indigenous vegetation found to grow naturally at Paradise Coast is allowed. A list of such plants is available from the developer or the PCMOA as the developer's successor.

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### 3. APPROVAL PROCEDURES

#### 3.1. Introduction

The aim of these Procedures is to regulate the process of house design approvals on the Paradise Coast Beach & Eco Estate.

#### 3.2. Consultants

1. Only consultant firms with offices in the Eden District Municipal Area and of whom at least one principal is permanently residing in this area shall be appointed for any work on the Paradise Coast Beach & Eco Estate.
2. Only consultants properly registered with the relevant statutory authorities to execute the work appointed shall be appointed for such work on the Paradise Coast Beach & Eco Estate.

**Special Note:** Proof of the following must be provided to the PCMOA, represented by the PCAC, before any submission of building plans will be accepted.

- Physical address of the consultant firm appointed,
- Permanent residence of at least one of the principals,
- Registration with the relevant statutory authorities of such consultant firm.

#### 3.3. Approvals

The design approval for all buildings on the Paradise Coast Beach & Eco Estate is done in a three phase process in order to address and approve the site response separate from the compliance with the Architectural Guidelines and approval of special permissions by the PCMOA, represented by the PCAC, before drawings are submitted to the local authority for statutory building plan approval.

##### 3.3.1. Environment Response Approval

1. The purpose of this stage is to obtain approval from the PCMOA, represented by the PCAC, for the position and layout of the building in response to the following:
  - Erf boundaries
  - Prevailing winds
  - Solar axis
  - Views
  - Orientation and slope
  - Existing trees and other significant features, including plants to be rescued for replanting after construction
  - Neighbouring houses
  - Access from the road and position of parking
  - Positioning of all services (photo voltaic installation, solar water heating collector panels, aerial, satellite dishes, etc).
2. The above must be indicated on an Environment Response Plan, including the following drawings:
  - 1:200 site plan.
  - 1:200 primary elevation of all structures on the site.
3. The above Environment Response Plan must be approved by the PCMOA, represented by the PCAC and ECO before Building Plan Approval documentation can be submitted for approval.

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### **3.3.2. Building Plan Approval**

1. The purpose of this stage is to obtain approval from the PCOA, represented by the PCAC for the following aspects of the design:
  - General and specific compliance with the Architectural Guidelines.
  - Approval of Special Permissions as set out in the Architectural Guidelines.
2. The above must be indicated on the Building Plan Approval documentation and must include the following:
  - 1:200 site plan.
  - 1:100 construction layout drawings, including roof plan, plans, sections and elevations.
  - 1:100 service layout drawings, including an electrical, water and sewerage layout plans.
  - 1:100 landscape plan, referencing all plants and hard landscaping to the appropriate schedules.
  - 1:50 Door & window schedule, also indicating all shutters and burglar proofing.
  - Drawings, samples and information as required in the Architectural Guidelines for approval of special permission items by the PCMOA, represented by the PCAC.
  - Completed Paradise Coast Beach & Eco Estate Material and Colour Schedule. A copy of this schedule is available from the PCMOA's Managing Agent.
  - Completed Paradise Coast Beach & Eco Estate Sanitary Schedule. A copy of this schedule is available from the PCMOA's Managing Agent.
  - Completed Paradise Coast Beach & Eco Estate planting list. A copy of this schedule is available from the PCMOA's Managing Agent.

### **3.3.3. Statutory Plan Approval**

1. The purpose of this stage is to obtain statutory plan approval from the Mossel Bay Municipality.
2. The relevant sections from the approved Building Plan Approval documentation and all other documentation as required must be submitted to the Mossel Bay Municipality for approval.
3. Construction work shall not commence before statutory plan approval from the Mossel Bay Municipality has been obtained.

### **3.3.4. Approval fees**

1. An ECO and scrutiny fee of R 5,000.00 for approval up to Building Plan Approval is payable to the PCMOA with the submission of the Environmental Response Approval documentation to the PCMOA.
2. A scrutiny fee of R 1 000, 00 is payable to the PCMOA with the submission of any revised drawings to be approved by the PCAC.
3. The PCMOA reserves the right to change any of the above scrutiny fees without prior notice.
4. The owner is responsible for the payment of all required statutory plan approval fees to the Mossel Bay Municipality.

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## 4. CONTRACTORS' CODES OF CONDUCT

### 4.1. Introduction

The aim of these Codes of Conduct is to regulate construction work and to ensure a harmonious relationship between residents, the natural environment and construction activities taking place on the Paradise Coast Beach & Eco Estate.

These Codes of Conduct are applicable to all contractors and must be adhered to at all times.

Transgression of certain of these Codes of Conduct will result in a fine being imposed on the contractor and/or access to the Paradise Coast Beach & Eco Estate being denied.

The Constitution of the PCMOA, to which the AAC forms an annexure to, determines and regulates the powers and functions of the Developer, the Trustees and the PCMOA during the Development Period and thereafter.

To the extent that reference is made to the powers and functions of the ECO, such powers and functions are exercised by the ECO as delegatee and representative of the Trustees or the PCMOA, depending on who holds the original powers and functions in terms of the Constitution, which powers and functions may at any time be revoked by the Trustees or the PCMOA.

### 4.2. ECO (Environmental Control Officer)

1. An ECO will be appointed by the Trustees to enforce these Codes of Conduct.
2. All contractors and workmen on the Paradise Coast Beach & Eco Estate fall under the jurisdiction of the ECO.
3. The ECO has got the following authority:
  - To stop any building work.
  - Remove any person from the Paradise Coast Beach & Eco Estate.
  - Impose fines in terms of these Codes.
  - Issue instructions as he might see fit in terms of environmental protection measures and/or rehabilitation to be implemented in general or on a specific building site.
  - Issue instruction in terms of conformation of building work to the Architectural Guidelines and/or approved building plans.

### 4.3. Approval of contractors

1. Only contractors and owner builders approved by the Developer, during the Development Period and thereafter by the PCMOA will be allowed to build any building on the Paradise Coast Beach & Eco Estate.
2. Contractors can apply to the PCAC, represented by the ECO, to be approved for contracting on the Paradise Coast Beach & Eco Estate. An application form is available from the PCAC.
3. Only contractors and subcontractors with offices in the Eden District Municipal Area and of whom at least one principal is permanently residing in this area shall be appointed for any work on the Paradise Coast Beach & Eco Estate.

**Special Permission:** With special permission from the Developer, during the Development Period and thereafter by the PCAC, only in exceptional cases where specialist work need to be done and where proof can be provided that these are not a minimum of three contractors/subcontractors for such specialist work, a contractor from elsewhere can be appointed for such specialist work.

Proof of the above must be provided to the PCAC, before the appointment of such contractor/subcontractor.

4. A minimum of 80% of all workmen employed by any contractor/subcontractor must reside within the Eden District Municipal Area.
5. All semi-skilled workmen employed by any contractor/subcontractor must reside within the Mossel Bay Municipal Area.

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#### **4.4. Liability**

The primary liability to the PCMOA for any damage caused, outstanding fines and moneys owed by the contractor to the PCMOA shall remain the responsibility of the owner of such erf where construction work is taking place. It is recommended that it be made a condition of the building contract that the contractor indemnifies the employer against any damage caused, outstanding fines and moneys owed by the contractor to the PCMOA.

#### **4.5. Builder's Deposit**

1. A Builder's Deposit of R 10,000.00 for each construction site shall be paid by the contractor, other than the developer, into the PCMOA's bank account.
2. The Builder's Deposit, less all outstanding fines and moneys due to the PCMOA, as well as all costs to repair any damage caused by the contractor on the Paradise Coast Development during construction, will be paid back to the contractor, without interest, after an Occupation Certificate has been issued for the building by the PCAC and the Mossel Bay Municipality.
3. The PCMOA reserves the right to change the above Builder's Deposit without prior notice.

#### **4.6. Builders' Levy**

1. A non-refundable Builders' Levy of R 5,000.00 for each construction site shall be paid by the contractor, excluding the developer, into the PCMOA's bank account.
2. The PCMOA reserves the right to change the above Builders' Levy without prior notice.

#### **4.7. Fines**

1. All spot fines shall be paid over into the PCMOA's bank account within 72 hours. Failing to do so may result in the PCAC forbidding the contractor and his workmen access onto the Paradise Coast Beach & Eco Estate.
2. All other fines must be paid over into the PCMOA bank account before an Occupation Certificate will be issued by the PCAC. All fines related to environmental matters, as stipulated by the Environmental Management Plans and/or Programs applicable to the Paradise Coast Development shall be paid over to an environmental trust fund.
3. The fine for any repeat transgression will be double the previous fine imposed for such transgression.
4. Any fines imposed as a result of these Codes does not exempt the transgressor from being fined by the relevant authorities for the same transgression.
5. The Trustees reserve the right to change the amount of any fine as described in these Codes without prior notice.

#### **4.8. Codes of Conduct**

##### **4.8.1. Area of Disturbance**

1. The Area of Disturbance on all erven within the Stone Haven (Kompsbaai) Precinct has been indicated on DELPlan drawing 272/MOS/03/DPP1 (15 February 2010, or as amended) available from the PCMOA or its appointed Managing Agent for positions of the Area of Disturbance within the Stone Haven (Kompasbaai) Precinct.
2. On all erven within the Outeniqua and Fynbos Precincts, the Environment Response Plan will be marked up by the ECO to indicate the following:
  - The extent of the allowed Area of Disturbance available to the contractor and the position of the hoarding and gates around the same.
  - Plants and other natural features within the Area of Disturbance to be protected, as well as a specification of such protection measures.
  - Any other item related to the protection of the environment in and around the Area of Disturbance.

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3. It is recommended that the above drawing forms part of the contract procurement process, in order to avoid any misunderstandings in terms of the area available to the contractor for construction.
4. The Area of Disturbance shall be fenced in with a minimum 1,800 mm high hessian, or similar and approved hoarding, consisting of properly secured vertical supports, with horizontal wires between the vertical supports to fix the hessian on. This hoarding shall be erected before any excavations is started on site and shall be removed before an Occupation Certificate for the building is issued by the PCAC.  
**Fine:** Each transgression of the above will be spot fined a minimum of R1,000.00
5. The contractor shall keep the appearance of the Area of Disturbance neat and tidy at all times.

#### **4.8.2. Work Hours**

Work hours shall be between 07h00 and 18h00 on weekdays only. No construction work allowed over weekends and public holidays.

**Fine:** Each transgression of the above will be spot fined a minimum of R250.00.

**Exception:** The contractor may apply to the PCAC for permission to work on Saturdays and public holidays between 08h00 and 13h00.

#### **4.8.3. Workmen**

1. No workmen shall stay overnight on the Paradise Coast Beach & Eco Estate.
2. No family or friends of workmen are allowed on the Paradise Coast Beach & Eco Estate.
3. Workmen may not walk on any road or path on the Paradise Coast Beach & Eco Estate and must be transported from the entrance gate to the building site.
4. Workmen shall not leave the Area of Disturbance during working hours.
5. The conduct of the contractor, his subcontractors and their workmen shall be exemplary at all times.
6. No person under the influence of alcohol or any other intoxicating substance shall be allowed on the Paradise Coast Beach & Eco Estate.

**Fine:** Each transgression of any of the above will be spot fined a minimum of R1,000.00.

#### **4.8.4. Materials and Equipment**

1. Material and equipment shall be stored inside the fence around the Area of Disturbance, except the Group Housing zoned area where it will be stored within a fenced off site camp as approved by the PCAC.
2. No natural elements such as rocks, logs or plant material shall be picked up and collected from the Paradise Coast Beach & Eco Estates.

**Fine:** Each transgression of the above will be spot fined a minimum of R1,000.00

3. All topsoil and excavated material to be re-used shall be stock piled in a manner to minimize the impact on the natural environment.

#### **4.8.5. Access**

1. Contractors shall not make use of any roads or paths other than the road leading straight from the entrance gate to the building site.
2. The maximum sized truck allowed on the Paradise Coast Beach & Eco Estate shall have a gross weight not exceeding 23.5 metric ton (5.5 metric ton on the front axel and 9 metric ton on each back axel) and have a wheelbase of no more than 13 meters and a track width of no more than 2.5 meters.

**Fine:** Each transgression of any of the above will be spot fined a minimum of R2,500.00.

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#### **4.8.6. Temporary Toilet**

1. A temporary chemical toilet only shall be erected on site in a non-prominent position as approved by the PCAC within the Area of Disturbance. This toilet shall be kept serviced at all times.
2. No temporary toilet shall be connected to the sewer reticulation network on the Paradise Coast Beach & Eco Estate.

**Fine:** Each transgression of any of the above will be spot fined a minimum of R1,000.00.

#### **4.8.7. Temporary Water**

1. A water connection point is provided on each erf. A temporary water meter for construction purposes must be connected to this water connection point.
2. The owner of any erf where construction is taking place shall be liable to the Mossel Bay Municipality for the payment of water being used during construction. It is recommended that a clause be introduced into the building contract making the contractor responsible for the repayment of the amount charged for water consumption during the construction period back to the owner of the erf.
3. A flexible hose with a non-hold open meter tap shall be connected to the temporary water connection for construction purposes.
4. Except for testing of the water reticulation system and for construction purposes, the temporary water connection shall not be used to supply the house with water.

**Fine:** Each transgression of the above will be spot fined a minimum of R10,000.00

#### **4.8.8. Temporary Electricity**

1. An electrical connection point is provided on each erf. A temporary electrical meter for construction purposes must be connected to this electrical connection point.
2. The owner of any erf where construction is taking place shall be liable to the Mossel Bay Municipality for the payment of electricity being used during construction. It is recommended that a clause be introduced into the building contract making the contractor responsible for the repayment of the amount charged for electricity consumption during the construction period back to the owner of the erf.
3. Except for testing of the electrical reticulation system and for construction purposes, the temporary electrical connection shall not be used to supply the house with electricity.

**Fine:** Each transgression of the above will be spot fined a minimum of R10,000.00

#### **4.8.9. Environmental Control**

1. No fires are allowed on any building site on the Paradise Coast Beach & Eco Estate.

**Fine:** Each transgression of the above will be spot fined a minimum of R5,000.00.

2. The contractor will be kept liable for making good of any damaged caused by veld fires, or liability claims arising from any fire started by himself, his subcontractors or any workmen under the control of himself or his subcontractors.
3. The Area of Disturbance and general area around the erf shall be kept clean of any waste and litter. The contractor shall provide adequate waste storage facilities in a position and containers as approved by the PCAC. All waste must be separated for recycling purposes. The waste containers shall be removed from the Paradise Coast Beach & Eco Estate and emptied on a weekly basis (every Friday).

**Fine:** Each transgression of the above will be spot fined a minimum of R2,500.00.

4. The contractor shall ensure that his workmen, subcontractors and their workmen are made fully aware of the environmental control measures applicable.
5. All building rubble and surplus building material shall be removed immediately from the Paradise Coast Beach & Eco Estate and disposed of in a position allocated for this type of refuse by the Local Authority.

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6. Concrete and cement shall only be mixed within a waterproof tray of minimum 4 m<sup>2</sup> in the area approved by the PCAC to do so. This area shall be laid out and maintained such that no water run off from this area can occur.

**Fine:** Each transgression of the above will be spot fined a minimum of R2,500.00.

7. The contractor shall take all reasonable steps to prevent noise and dust around the Area of Disturbance.
8. No washing of any vehicles shall be allowed on the Paradise Coast Beach & Eco Estate

**Fine:** Each transgression of the above will be spot fined a minimum of R2,500.00

#### **4.8.10. Archaeological Monitoring and Vegetation Rescue**

1. All initial vegetation clearing and earthworks must be done in the presence of the Archaeological Monitor appointed the PCMOA.

**Fine:** Each transgression of the above will be spot fined a minimum of R1,000.00

2. All plants identified to be rescued during the Environment Response Approval process, shall be temporarily stored and cared for, in order to be replanted after construction in a position as approved during the Building Plan Approval process and by the ECO.

#### **4.8.11. Fuels and Chemicals**

1. All fuels and chemicals shall be stored as follows:

- On a flat surface in a predetermined and secure position, of low environmental importance, as approved by the ECO within the Area of Disturbance.
- At least 55 meters away from any water course and/or wetland area.
- Within impermeable bunding with a capacity of at least 110% of the total capacity of the storage tanks. A suitable material shall be placed in the base of the bunding to soak up any accidental spillage.

2. All fuel storage tanks shall be:

- Locked and secured when not in use.
- Fitted with automatic shut-off nozzles
- Maintained regularly to ensure safety

3. The area where chemical and fuels were stored within the Area of Disturbance shall be totally rehabilitated before an Occupation Certificate will be issued by the PCAC. All contaminated materials shall be taken to a registered dumping site for such purpose.

4. The contractor shall ensure that all fuel and chemicals are stored and handled in such way to minimised the risk of spillage and/or pollution. Appropriate steps shall be taken by the contractor to prevent pollution in the event of a spill.

5. All stationary vehicles and equipment that may leak shall be positioned on watertight drip trays to catch all pollutants. These drip trays shall be of a suitable size. All drip trays shall be cleaned regularly.

6. In the event any fuel or chemicals being spilled and becoming a pollution hazard, the contractor shall inform the ECO immediately.

**Fine:** Each transgression of the above, or non-disclosure of an incident that can cause pollution of the surface or ground water will be spot fined a minimum of R5,000.00. Over and above this fine, the contractor shall be held responsible to clean up all spills and pollution.

#### **4.8.12. Erosion Prevention**

1. The contractor shall take all reasonable steps to prevent ground erosion.
2. In the event of any ground erosion occurring in or around the Area of Disturbance the contractor shall inform the ECO immediately.

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**Fine:** Each transgression of the above or non disclosure of an incident that caused erosion will be spot fined a minimum of R2,500.00. Over and above the fine, the contractor shall be held responsible to rehabilitate any ground erosion caused by himself, his subcontractor or any workmen under the control of himself or his subcontractors.

**4.8.13. Animal Life**

1. The Area of Disturbance must be checked for animal life before any work is taken in hand. Any animals found in the Area must be carefully removed and relocated to the Conservation Area on the Paradise Coast Development.
2. No animals shall be harmed or killed.

**Fine:** Each transgression of the above will be spot fined a minimum of R2,500.00.

**4.8.14. Non-Conformance to Approved Drawings**

1. All building work must be done in accordance with the approved Building Plan Approval documentation.

**Special permission:** With special permission from the PCMOA represented by the PCAC, minor deviations from the approved Building Plan Approval documentation can be made, provided that such deviation conforms to the Architectural Guidelines.

A drawing indicating such deviation from the above approved documentation must be resubmitted to the PCAC for approval.

**Fine:** Each deviation from the approved Building Plan Approval documentation, without the approval from the PCAC, shall be spot fined a minimum of R2,500.00

**4.9. Construction period**

**4.9.1. Induction Process**

1. All consultant contractors, subcontractors, workmen, and all other persons involved in the construction of any building on the Paradise Coast Development, shall go through an induction process managed by the PCAC, before being allowed to enter the Development to commence work.

**4.9.2. Construction period limitations**

1. Construction work to the exterior of the building on any erf shall be completed within the time limit as set out in the sales documentation relevant to such specific erf. All penalties related to late completion as set out in such sales documentation is applicable and separate to any fine as set out in this document.
2. All construction work on new buildings shall be completed within 11 calendar months and additions to existing buildings within 6 months after site hand over.

**Fine:** The contractor will be fined a minimum of R1,000.00 for each week or part thereof that construction exceeds the above construction period limitation.

**Exception:** In exceptional cases only and if approved by the PCAC the above construction period limitations can be extended.

**4.9.3. Site hand over**

1. Before a site is handed over to any contractor, such contractor shall submit the same 1:200 Environment Response Plan as marked up by the ECO, indicating the following additional information:
  - Extent of the Disturbance Area.
  - Position and specification of the hoarding around the Area of Disturbance, as well as the position of the access gates into same.
  - Position of the temporary WC for workmen.
  - Position of the contractor's shed and other large equipment.
  - Position where fuels and chemicals will be stored.

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- Position where material will be stock piled.
  - Position of rubbish bins.
  - Position where top soil and excavation material to be re-used will be stock piled.
  - Position where dagha and concrete will be mixed and the preparation of such mixing platform to prevent run off.
2. Before any site is handed over to a contractor:
    - Such contractor must provide proof to the PCAC that he paid the construction levy over into the account of the PCMOA.
    - A properly signed a copy of these Guidelines, Procedures and Codes must be submitted to the PCAC.
    - A fully completed and signed copy of the Contractor Site Access Checklist (available from the PCAC) must be submitted to the PCAC.
  3. After a site is handed over and before any construction work is taken in hand the following shall be erected on site:
    - A hoarding around the Area of Disturbance as described in these Codes.
    - A temporary toilet as described in these Codes.
  4. After site hand over and before any excavations for foundations are started, the entire building shall be pegged out and approved by the ECO.

#### **4.9.4. Completion of Building Work and Occupation by Owner**

1. At completion of all building work and after all environmental rehabilitation has been done according these Codes and as instructed by the ECO during the construction period, the contractor shall notify the ECO accordingly. The ECO will inspect the site and general area around the erf within a reasonable time. If all building work conforms to the approved Building Plan Approval documentation, including any approved deviations from the same and all environmental rehabilitation has been done according to these Codes and to the satisfaction of the ECO, and after all outstanding fines or other moneys due to the PCMOA has been paid, the PCAC will issue an Occupation Certificate to the contractor.
2. Only after the above Occupation Certificate has been issued by the PCAC, as well as an Occupation Certificate by the Mossel Bay Municipality, may the owner of such house take occupation thereof.
3. Only after the above Occupation Certificate issued by the PCAC shall a permanent water connection is made to the house.
4. It is recommended that it be made a condition of the building contract that the contractor will only have reached practical completion after obtaining the occupation certificate from the PCAC.

#### **4.10. Acceptance**

1. These Architectural Guidelines, Approval Procedures and Contractors' Codes of Conduct are hereby accepted unconditionally by the undersigned owner and contractor. The developer or the PCMOA as the developer's successor is hereby authorized to impose fines as set out in this document.
2. The contractor indemnifies the developer and the PCMOA as the developer's successor, or their agents, employees and contractors against any costs or damages whatsoever arising due to the implementation and/or breach of these Architectural Guidelines, Approval Procedures and Contractors' Codes of Conduct.

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