

# **MONTE CRISTO ECO-ESTATE**

## **ARCHITECTURAL RULES**

**Revision 11**



## REVISIONS

The amended Architectural Guidelines and Building Rules were approved during a Special General Meeting held on 14 May 2016 and confirmed at the Annual General meeting in May 2016.

### Revision 1:

1. Amended on 20 September 2017 and approved by the Management Committee.
2. Terminology changes were included to align the Architectural Guidelines and Building Rules to the new Code of Conduct for Building Service Providers (April 2018).

### Revision 2:

1. A new Constitution was approved by the Mossel Bay Municipality on 12 June 2018 and all cross references to the new constitution were made.
2. The Monte Christo Eco Estate Association of the 2002 constitution was amended to the Monte Christo Eco Estate Home Owners Association (HOA).
3. Amendment in paragraph 4.6.3 (addition of *shade cloth* car port).
4. Added new paragraph 4.6.4 with new content.
5. Paragraph 6 (Table 1):
  - 5.1 Remove *Clinkers* from acceptable to not acceptable
  - 5.2 Remove *Domed roofs* from acceptable to not acceptable
  - 5.3 Add flat roofs (with conditions) as acceptable
  - 5.4 Add *White* as not acceptable for colour of external walls.
  - 5.5 Add *White* as not acceptable for roof finishes.

*Revision 2 approved by the Management Committee on 12 June 2018.*

### Revision 3:

1. Amendment of paragraph 4.6.1 to allow more than one vehicle access point to corner erven.
2. Inclusion of paragraph 4.18.3 that requires the construction of boundary walls, on the side and rear boundaries.
3. The inclusion of paragraph 4.18.6 to prohibit the construction of boundary walls using precast retaining wall blocks, as well as to regulate excavations on the building site.
4. Amendment of paragraph 5.2: Remove *planes* preferred to exclusions.
5. Paragraph 6 (Table 1): Boundary walls, internal walls, and enclosures:
  - 5.1 Add: *on both sides* as acceptable;
  - 5.2 Add: *Bagged brickwork (painted/unpainted)* as unacceptable.

*Revision 3 approved by the Management Committee on 09 July 2019.*

**Revision 4:**

- 1 The amendment of clause 4.15.1 (Installation of Rainwater tanks) in order to regulate the colour thereof.
- 2 Addition of clause 11.2 to regulate any deviations from the approved building plan.

*Revision 4 approved by the Management Committee on 13 November 2019.*

**Revision 5:**

- 1 The Title of the Architectural Guidelines and Building Rules is changed to "Architectural Rules"
- 2 Deleted clauses 9, 10 and 11.
- 3 Incorporated clauses 9, 10 and 11 into the *Monte Christo Eco Estate Rules Regulating Building Activities*.

*Revision 5 approved by the Management Committee on 6 December 2019.*

**Revision 6:**

Deleted clause 4.3.2 that regulates the minimum residence area prescribed in the group housing development on the estate.

*Revision 6 approved by the Management Committee on 16 April 2020.*

**Revision 7:**

- 1 Paragraph 1: Interpretation - Inclusion of the definition for "minor building work".
- 2 The amendment of clause 4.2 to emphasise that no applications for the relaxation of building lines will be considered.
- 3 The amendment of clause 4.8 to regulate the concealment of waste- and down pipes.
- 4 Deleted clause 4.13.2 as the issue is covered by clause 4.8.
- 5 The amendment of clause 4.15.2 to regulate the runoff of rainwater onto roads and/or adjoining properties.
- 6 The amendment of clause 4.18.3 so as to include the panhandle access to the erf.
- 7 The amendment of clause 4.21 so as to regulate the screening of service elements.
- 8 Add clause 4.21.2 to regulate the safe installation of gas cylinders with a capacity of more than nine (9) kilograms.
- 9 Current clause 4.21.2 now becomes clause 4.21.3.
- 10 Deleted current clause 4.21.3 as the issue is covered by clause 22.
- 11 The addition of clause 22 to regulate the installation of solar panels and water heating systems.

- 12 The amendment of clause 6 (Table 1) as follows:
- 12.1 External walls: include Unplastered brickwork as unacceptable.
  - 12.2 Boundary walls, internal walls, and enclosures:
    - include Unplastered brickwork as unacceptable
    - remove galvanised and epoxy-coated steel palisades as acceptable and add to unacceptable.
    - Add “PVC with suitable internal reinforcement to comply with SANS and NBR requirements and supported by 230 mm x 230 mm brick pillars between individual sections”
  - 12.3 Balustrades: Add: “PVC with suitable internal reinforcement to comply with SANS and NBR requirements”
  - 12.4 The amendment of rule 7.1 to clarify the elements of the deposit to be paid with the submission of building plans.
  - 12.5 The amendment of clause 7.4 in order to substitute the phrase “Twenty five percent (25%) of the said deposit” with “The contributions in respect of the Building Plans and Road Maintenance Fund”.

*Revision 7 approved by the Management Committee on 5 November 2021.*

**Revision 8:**

- 1 The amendment of clause 1.9 (a) to allow for the enclosure of an existing, covered verandah with glass, aluminium, or similar material.
- 2 The amendment of clause 4.2 in order to allow for certain encroachments of the building lines.
- 3 The amendment of clause 4.15.2 to ensure that the direction and point of discharge of rainwater runoff be clearly indicated on the building plans.
- 4 The amendment of clause 6 (Table 1) as follows:
  - 4.1 Boundary walls, internal walls, and enclosures:
    - Fibre cement (Nutec) and/or PVC with suitable internal reinforcement to comply with SANS and NBR requirements and supported by 230 mm x 230 mm brick pillars between individual sections

*Revision 8 approved by the Management Committee on 20 July 2022*

**Revision 9:**

- 1 The amendment of clause 1.9(a) to include the addition of items from clause 4.2, building line encroachment, herein.
- 2 Amendment of clause 4.4.2 to change the permissible maximum height of dwellings to 8.0 m.
- 3 Amendment of the wording of clause 4.5.2.
- 4 Amendment of clause 4.6.5 by adding a recommendation regarding the safe slope for vehicle access.
- 5 Amendment of clause 4.13 by the addition of adding requirements for manhole covers on vehicle driveways.
- 6 Amendment of the wording of clause 4.15.1 regarding the non-visibility of water tanks from the street front.

- 7 Amend the wording of clause 4.18.3 for clarity and to specify the minimum height for walls on pan-handle erven.
- 8 Amend the wording of clause 4.18.4 for clarity.
- 9 Amend clause 4.18.5 to indicate that existing boundary walls may not be used as retaining walls if the expected fill against them is more than 0.5 m higher than the floor level behind the wall.
- 10 The wording of clause 4.21.1 is amended to require that gas cylinders, refuse bins, washing lines, and compost heaps are required to be hidden from the street front.
- 11 Amendment of clause 4.22.5 regarding requirements for solar power systems.
- 12 New item: Clause 4.22.10 regarding the procedure for applying for a solar power system.
- 13 Amendment of clause 6, Table 1 regarding acceptable materials, the addition of a handrail, as well as the maximum building height of 8.0 m.
- 14 New item added to clause 7.1 – Refer to Annexure 2.
- 15 Amend the wording of the sub-item in clause 7.2 for clarity.
- 16 Amend clause 8.2.1 to limit filling against existing boundary walls for safety.
- 17 Addition of a recommendation to clause 8.2.5 to limit driveway gradients for safety.
- 18 Amendment of clause 8.2.7 regarding the 8.0 m height restriction.
- 19 Amendment of clause 8.5 to clarify fees.

*Revision 9 approved by the Management Committee on 20 April 2023.*

**Revision 10:**

- 1 Amend Annexure 2

*Revision 10 approved by the Management Committee on 24 August 2023.*

**Revision 11:**

Amendment of the following clauses:

- 1 1.9 (f) To include solar panel power generation.
- 2 4.2 (c) Inclusion of garden steps as evaluated by the Aesthetic sub-committee.
- 3 4.4.1 Include: “subject to 4.3.2.”
- 4 4.6.2 Add: “Such parking areas may not exceed a gradient of more than 1:12. Driveways on pan-handle erven must maintain a maximum gradient of 1:12 from the kerb for a distance of 1.0 metre”.
- 5 4.6.4 Remove “flat-roof carports” and add: “One flat-roof carport with a maximum area of 18 m<sup>2</sup>.”
- 6 4.9 Add: “against walls.”

- 7 4.10 Add: "Lettering for street numbering should preferably not be smaller than 200 mm in height when installed on house walls. It must be aesthetically acceptable and clearly visible. Clearly visible number-blocks, numbered on either side, on the roadside at the driveway entrance may also be used."
- 8 4.12.1 Add "wind and rain gauges" after satellite dishes.
- 9 4.12.3 To prohibit the erection of wind turbines.
- 10 4.16 Add: "and alterations thereto and issue a certificate of compliance" after electrical connections.
- 11 4.18 Add: "Screen and internal walls (court yard walls) may not exceed a height of 1.8 metres, measured from the finished ground level.
- 12 4.19 Amend the clause as follows: "The layout of the driveway and the street reserve may not render the full street reserve inaccessible to pedestrians and no structures may encroach over the boundaries of the adjoining property."
- 13 5.1 Replace "Compulsory" with "Preferable."
- 14 5.1 Replace clauses 5.1.1 and 5.1.2 with:
- 5.1.1 "It is preferable that the owner of a property plants at least two trees on such property within 12 months from the date of the occupation certificate."
- 5.1.2 "If trees have already been planted outside the property the owner may request that a tree be planted there, and this request may be considered for approval by the Estate Manager."
- Approval/rejection may be based on (1) presence of underground services, (2) tree species and root system, and (3) traffic visibility and future restrictions thereon.
- 15 5.2 Exclusions: Add:
- 5.2.5 Alien and invasive species, especially large bougainvillea, pine-, eucalyptus-, jacaranda-, plane- or wattle trees.
- 5.2.6 The Estate Manager may decide to remove any plant, tree, or shrub located outside the erf that threatens underground services or restricts traffic visibility.
- Mossel Bay Municipality is not obliged, after the repair of underground services outside erven, to restore the status quo of the original decorative elements, prior to the repair work.
- 16 Material Specifications Table 1: Replace "SANS and NBR" with "SANS 10400."
- 17 Material Specifications Table 1: Add a column for "Screens for concealing trailers, caravans, and boats".
- 18 7.1 Delete "Refer to Annexure 2."

- 19 7.8 Add: "In the event of the sale of the property, the owner must ensure that a complete set of 'As-Built' plans of the property is available."
- 20 8.2 Delete clause 8.2.9.
- 21 8.3 Add "Status-Mark, 11 Meyer Street, Mossel Bay" after "managing agent" and delete "or sent by registered mail to the Management Committee of Monte Christo Eco Estate, PO Box 567, Mossel Bay 6500."
- 22 8.4 Add "as determined from time to time by the Management Committee" after application fee.
- 23 8.5 Delete: "as indicated in the accompanying Annexure 2. Note that the Building Deposit and Road Construction Fund do apply to minor building works clauses 1.9(a) 4), 7), and 9) as well as clauses 1.9 (b), (d), and (e). However, the plan fees apply to full- and amended originally approved building plans."
- 24 Delete "Annexure 2."

*Revision 11 approved by the Management Committee on 18 September 2025.*

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## 1. INTERPRETATION

Unless the context clearly indicates a contrary intention, an expression which denotes a natural person, includes an artificial person and vice versa:

The following expressions shall bear the same meaning assigned to them below and cognate expressions bear corresponding meaning:

- 1.1 **“Aesthetics sub-committee”** is established in terms of clause 22 of the constitution and implements architectural- and building rules.
- 1.2 **“Communal areas”** are those parts of the Estate, such as roads, parks, sidewalks, main road, erven, nature reserve, as well as the improvements thereof, which are the communal property of the members of the HOA, and which can be changed by members of the HOA.
- 1.3 **“Dwelling”**: means the house and/or all outbuildings and any other building work on an erf, including all fixtures of a permanent nature.
- 1.4 **“Estate manager”** means any natural or judicial person appointed by the HOA that it considers suitable to achieve the objectives of the HOA.
- 1.5 **“Management Committee”**: means the Committee established in terms of Clause 6.1 of the Constitution.
- 1.6 **“Owner”**: is the registered Owner of an Erf as registered by the relevant Deeds Office.
- 1.7 **“The Home Owners Association”** is The Monte Christo Eco-Estate Home Owners Association (HOA) established in terms of section 29 of the Land Use Planning Ordinance No. 15 of 1985. In terms of clause 9 of the Constitution of the HOA the affairs of the HOA will be managed and controlled by a Management Committee.
- 1.8 **“The Rules”** means the *Architectural Rules* and the *Conduct Rules for Owners and Residents* established respectively in terms of clauses 22 and 23 of the Constitution of the HOA.

1.9 “Minor Building Work” means:

- a) The erection of any –
  - 1 Garden tool shed not exceeding 6m<sup>2</sup> in area;
  - 2 Child’s playhouse not exceeding 5m<sup>2</sup> in area;
  - 3 Open-sided carport where such carport does not exceed 18m<sup>2</sup> in area, and subject to the conditions of clause 4.6.4 of these rules;
  - 4 Any free-standing wall constructed of masonry or concrete where such wall does not exceed 1,8m in height at any point above ground level and does not retain soil
  - 5 The enclosure of an existing, covered verandah with glass, aluminium, or similar material.
  - 6 Any pergola;
  - 7 Private swimming pool;
  - 8 Open and uncovered verandas/wooden decks that are less than 0.5 m above natural ground level.
  - 9 Entrance stairs, landing floors, and entrance porches, not wider than 1 metre, excluding door entrances.
  - 10 Roof eaves and sunshades that do not project more than 1 metre from the wall of the building.
  - 11 Cornices, chimney-breasts, flower boxes, drainage pipes, and minor decorative features that do not project more than 500 mm from the wall of a building.
- b) The replacement of a roof, or part thereof with the same or similar material;
- c) The conversion of a door into a window, or a window into a door without increasing the width of the opening;
- d) The making of an opening in a wall which does not affect the structural safety or the aesthetic appearance of the building concerned;
- e) The partitioning or the enlarging of any room by the erection or demolition of an internal wall if such erection or demolition does not affect the structural safety, or aesthetic appearance, of the building concerned;
- f) The erection of any solar water heater or solar power generation system on any roof, subject to the conditions of clause 4.22 of these rules.

The above items must be submitted on an A3-size sheet indicating the site plan, erf number, dimensions, and description of the minor building work to the Aesthetics sub-committee as well as to Mossel Bay Municipality together with the application for minor building work for approval (Refer to Annexure 1).

- 1.10 **“Service provider”** means any person and/or entity carrying out development and building service on the estate and shall include but is not restricted to building contractors, project managers, building material suppliers, developers, owner builders. This definition of service provider is not exhaustive and where the interpretation of the paragraph warrants, shall also include employees, agents, casual workers and sub-contractors of the said service provider that might be appointed for carrying out development and building services in the estate.

## 2. INTRODUCTION

- 2.1 The mission of the HOA is to create an environment in which the natural beauty of the surroundings is enhanced by the architecture and landscaping, allowing for the residents to feel secure and to enjoy tranquility and a sense of openness.
- 2.2 The objective is to achieve an interesting range of mutually compatible house designs within the flexibility afforded by the approved architectural styles, whilst avoiding the monotonous uniformity experienced in many housing schemes.
- 2.3 It is not intended to, unreasonably, constrain building design, nor to establish a 'language' or architectural style, but rather a methodology for architects and draughtsmen, which will be to the benefit of the residents, and ultimately the general ambience of the area.
- 2.4 In order to achieve a harmonious and aesthetically pleasing environment, certain architectural rules are hereby offered.
- 2.5 All new buildings to be erected, alterations or additions to existing buildings, have to be approved by the Aesthetics sub-committee of the HOA.
- 2.6 The Aesthetics sub-committee, established in terms of clause 22 of the Constitution, shall be entitled to refuse the approval of any building plan(s) for any dwelling, which in their sole opinion and discretion, would detract from the aesthetic appearance of, or reduce the value of other existing houses on the estate. The HOA and/or its Management Committee or other sub-committees, shall not incur any liability to any person or instance, in doing so.

- 2.7 The Aesthetics sub-committee shall furnish reasons for such rejection of the said building plans.
- 2.8 In the event of a dispute, the building plans will be referred to the Management Committee whose decision will be final.

### **3. AESTHETICS SUB-COMMITTEE**

- 3.1 The Aesthetics sub-committee shall consist of not less than three persons, of which;
  - 3.1.1 One will be a member of the Management Committee, the other will be the Estate Manager, and
  - 3.1.2 Such other person(s), nominated for his/her/their expertise for this purpose, by the members of the Management Committee.
- 3.2 The main objective of the Aesthetics sub-committee shall be to evaluate all building plans submitted for approval and to make a decision in terms of the acceptability thereof in view of the objectives contained in 2.1 to 2.4 above, with particular reference to the aesthetic qualities of the buildings intended to be erected.
- 3.3 The rules, process applicable, and fees payable shall be set out from time to time by the Management Committee.
- 3.4 The responsibility for the final approval of building plans, shall at all times vest in the relevant local authority, provided however that plans may only be submitted to the local authority after evaluation and approval thereof by the Aesthetics sub-committee.

### **4. DEVELOPMENT RULES**

The aim of the design rules for buildings is to achieve practical accommodation on predominantly gentle steep slopes, some of which are with sea views mainly to the south.

Fragmented plan forms will enhance view and orientation whilst giving visual form and scale.

All owners shall ensure that the following control measures are respected and maintained:

- the right of privacy of surrounding property owners;
- the views from surrounding residences;
- the obligation to adhere to the conditions of approval of the Management Committee;
- the obligation to provide an architectural harmonious development; and

- that an articulate street façade be created in order to avoid a wall of buildings, which will enhance views and privacy.

Factors such as views, privacy and orientation for enough sunlight must be considered in placing structures on erven. Dominant wind and rain directions should also be taken into account when placing and orienting houses. Consideration must be given to privacy when placing the yard- and entertainment areas.

#### **4.1 Building lines**

All habitable structures, including verandas, must be confined within the prescribed building lines.

- 4.1.1 Erven will be subject to a frontal (street) building line of a minimum of 4,5 metres;
- 4.1.2 Side (lateral) spaces are subject to a minimum of 2 metres building line; and
- 4.1.3 Rear building lines are subject to a minimum of 3 metres.

#### **4.2 Relaxation of building lines**

Owners and Architects must take cognisance of the limited size of erven in the Monte Christo Eco Estate and should therefore plan and design the dwelling to avoid applications for relaxation of the building lines, as no applications for the relaxation of building lines will be considered.

#### **Encroachment of building lines**

Notwithstanding the building line requirements set out in Clause 4.1 and 4.2, the following structures or portions of structures may be erected within the prescribed building lines, provided they do not extend beyond the boundaries of a land unit:

- a) boundary walls, screen walls, fences and gates; not exceeding 1,8 metres in height above the natural ground level, excluding where any such wall will result in infilling higher than 0,5 metres above natural ground level;
- b) open and uncovered stoeps/wooden decks that are less than 0,5 metres in height from the natural level of the ground;
- c) entrance steps, garden steps, landings and entrance porches, no wider than 1 metre, excluding *porte cochères* as evaluated by the Aesthetics sub-committee;
- d) eaves and awnings projecting no more than 1 metre from the wall of a building;

- e) cornices, chimney breasts, flower boxes, water pipes, drain pipes and minor decorative features not projecting more than 500 millimetres from the wall of a building;
- f) swimming pools not closer than 1 metre from any boundary;
- g) water storage tanks subject to the requirements of clause 4.15.1.

### 4.3 Coverage

4.3.1 The maximum coverage and floor area ratio (FAR) of any building, must comply with Section Eight (8) of the Mossel Bay Municipality's Town Planning and Zoning Scheme applicable to the conditions of approval of the Monte Christo Eco Estate development. The minimum residence area prescribed on the estate is 200 square meters, inclusive of garages and covered patio's.

4.3.2 Width restriction: The width of the first floor on the transverse axis of a property in the direction of the view may only be 50% (refer to Fig 3 below). Siting of the building must not affect the view of neighbours from adjacent erven unreasonably. Due consideration is to be given to the location and elevation of structures, thus affording the adjacent erven, optimum view and privacy.

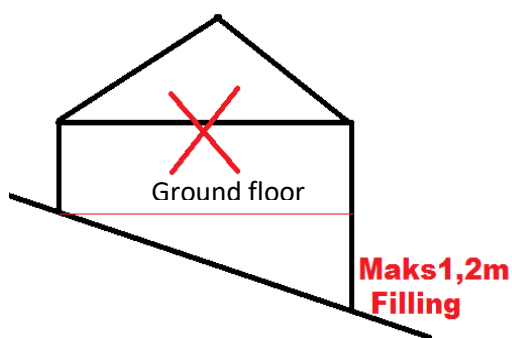


Figure 1

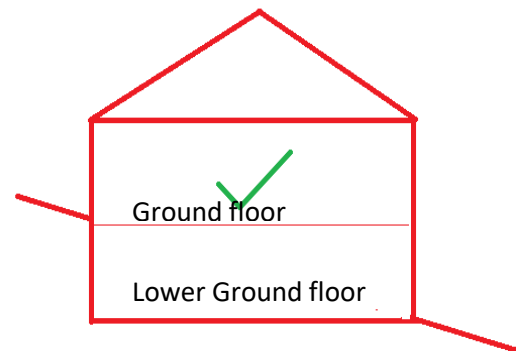


Figure 2

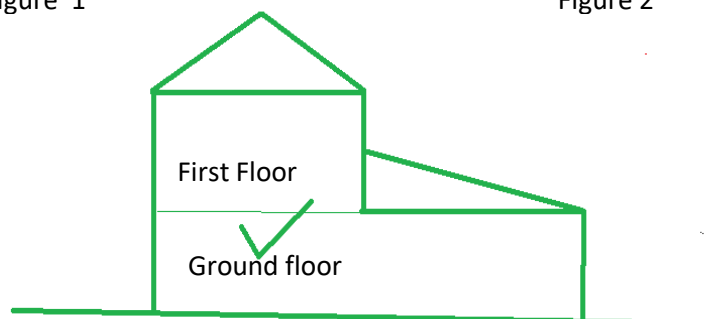


Figure 3

#### **4.4 Building height restrictions and landscaping**

- 4.4.1 Full-height double-storey houses will be permitted subject to clause 4.3.2.
- 4.4.2 Double-storey houses should not exceed 8 meters in height, measured from any point on the roof to the natural ground level directly below that point.
- 4.4.3 Double-storeys must not exceed 50% of the total floor area of the ground floor, as stipulated in 4.3.2 above. (Also see Coverage 4.3.1).
- 4.4.4 Loft rooms and basements will be allowed.
- 4.4.5 Structures and levels of structures must follow the shape of the landscape to avoid excessively high foundations. Buildings must sit in the landscape and not on top of the landscape. A maximum of 1,2 metres high foundation walls are allowed (See fig1).

#### **4.5 Outbuildings**

- 4.5.1 No second dwelling, detached from the main house, will be permitted. If a second dwelling is considered it:
  - a) should not contain more than one bedroom;
  - b) must be inter-leading to the rest of the house (excluding the garage);
  - c) must be approved by the Aesthetics sub-committee; and
  - d) must be approved by the municipality and the appropriate fees paid.
- 4.5.2 No wooden garden sheds (wendy houses) will be allowed,
- 4.5.3 Chimneys, fireplaces and braais are to be designed and constructed to match the character of the house.

#### **4.6 Vehicle access/garages/carports**

- 4.6.1 Vehicular access to any erf shall be limited to one per site per public street or road abutting the site;
- 4.6.2 It is required that at least two visitor's parking bays be provided on an erf, in addition to the main garages. Such parking areas may not exceed a gradient steeper than 1:12. Driveways of pan-handle erven must maintain a maximum gradient of 1:12 from the kerb for a distance of 1.0 metre.

- 4.6.3 No temporary, prefabricated or shade-net carports will be permitted.
- 4.6.4 One flat roofed car port, with a maximum area of 18 m<sup>2</sup> directly connected to the main dwelling, can be erected but must comply with the prescribed specifications as determined by the Aesthetic sub-committee. Furthermore, the roof covering shall comply with the requirements of paragraph 6, be the same colour as the roof of the main dwelling and be screened from neighbouring properties by a suitable fascia board. No structure will be allowed if it encroaches over the building line.
- 4.6.5 For safety reasons, it is recommended that the gradient of vehicle entrances should not exceed 1:3.

#### **4.7 Site clearing/preparation**

No excessive cut and fill will be permitted unless the natural state of the terrain is such, that it is preventative of a reasonable construction.

#### **4.8 Waste pipes/down pipes**

Waste pipes and down pipes are to be unobtrusive and shall be concealed. Any structure higher than 1 meter must be concealed and no visible plumbing, from the street front or adjoining properties, is allowed.

#### **4.9 Lighting**

Outside lights against walls on an erf and/or building must be low-key and unobtrusive to neighbours.

#### **4.10 Lettering and numbering**

Lettering for street numbering should preferably not be smaller than 200 mm in height when mounted on house walls. It must be aesthetically acceptable and clearly visible. It can also be of clearly visible number-blocks, numbered on both sides, on the side of the road at the driveway entrance.

#### **4.11 Refuse**

Refuse areas must be screened off within enclosing yard walls

#### **4.12 External aerials and wiring**

- 4.12.1 Television aerials, satellite dishes and wind and rain gauges must be as unobtrusive possible.
- 4.12.2 No overhead external wiring will be permitted.
- 4.12.3 No wind turbines are permitted.

#### **4.13 Sewerage**

All sewer pipes are to be constructed in accordance with local authority requirements, and the connections to the mains are to be in accordance with the local authority specifications. Manhole covers in driveways must meet vehicle load requirements.

#### **4.14 Water**

Water connections shall be carried out by an approved plumber to the full specifications of the local authority and this will be for the owner's account.

#### **4.15 Rainwater runoff**

- 4.15.1 The installation of water tanks (excluding green unless screened) for the collection of rainwater is encouraged. However, it is important that the tanks are not visible from the street front or should be screened if they must be placed at the street front. The position of the tank(s), along with their color, must be submitted to the Aesthetic Sub-Committee for approval.
- 4.15.2 No concentration of water runoff onto roads and/or adjoining properties, will be permitted and it must be taken into consideration with the gradient of the driveways given the steep nature of the estate.
- 4.15.3 The direction of rainwater runoff and point of discharge must be clearly indicated on the building plans.

#### **4.16 Electricity**

An approved electrician must carry out all electricity connections, and alterations thereto, and issue a certificate of compliance for it.

#### **4.17 Road Verges**

The road verges immediately outside the boundaries will be the responsibility of the erf owner, as far as maintenance is concerned, including grass cutting.

#### **4.18 Boundary walls, internal walls and fences (see also paragraph 6)**

- 4.18.1 The use of these structures must be aesthetically pleasing and be designed to enhance the build form.
- 4.18.2 Walling on the street frontage is not recommended but will be considered by the Aesthetics sub-committee and must be indicated on the plan. The style will be subject to the approval thereof by the Aesthetics sub-committee and all boundary walls must be indicated on the plan together with finishes and specifications.
- 4.18.3 It is required that boundary walls with a minimum height of 1.5 metres, measured from natural ground level, be erected on the side and rear boundaries, except where excavations require higher walls. The height of boundary walls may be reduced to a minimum of 1.0 metre within the 4.5 metre street building line restriction zone.
- 4.18.4 Screen and internal walls (court yard walls) may not exceed a height of 1.8 metres, measured from the finished ground level.
- 4.18.5 Existing boundary walls of lower and adjoining erven may not be used as retaining walls for filling purposes for the new design unless the finished floor level heights on both sides of the wall differ by less than 0.5 metres. It is required that, in addition to the contour lines shown on the design layout plan the floor level height on the lower, and expected inner side of the existing wall, as well as the height of the existing wall at 6.0 metre intervals, must also be indicated on the plan.
- 4.18.6 Boundary walls may not be constructed of precast retaining wall blocks. In cases where the building site needs to be excavated, the excavation may not encroach nearer than 1 meter from the boundary line.

#### **4.19 Paving and driveways that will be permitted are**

- Brick paving;
- Exposed aggregate concrete paving;
- Cobbles;
- Natural stone chip with edging;
- Pebble paving;
- The layout of the driveway and the street reserve may not render the full street reserve inaccessible to pedestrians and no structures may encroach over the boundaries of the adjoining property;

## **4.20 Burglar bars**

- 4.20.1 Burglar bars must be of a simple rectangular design and placed internally and, if possible, should line up with window mullions.
- 4.20.2 Must be purpose-made to suit the proportions of the windows and style of the building in general.

## **4.21 Service facilities and plumbing elements**

- 4.21.1 Gas cylinders, refuse bins, washing lines and compost piles, shall be screened off so as not to be visible from neighbouring dwellings, streets or common areas.
- 4.21.2 Gas cylinders with a capacity of more than nine (9) kilograms shall be housed in a suitable cage or be secured in such a manner so as not to accidentally fall over.
- 4.21.3 Prominent plumbing elements are to be avoided and should be concealed either in the walls or behind external screens, whilst breather valves are to be used instead of vent stacks.

## **4.22 Solar Panels, Water Heating and Heat Pumps**

The following minimum Rules and Standards will apply in the event of any owner wanting to install a Solar System, Heat Pump or similar systems:

- 4.22.1 The system must be accredited in terms of SANS 10400
- 4.22.2 The life expectancy of units are about 10 years but there are cases where units have run for 25 years. The unit must be adequately maintained during this period. In the event of the unit falling into disuse, becomes inoperative or becomes an eyesore for whatever reason, the Committee will require that the unit be removed and the area rehabilitated.
- 4.22.3 Although the units should be installed at Solar-North with optimal inclination, it is an express requirement of these rules that as far as possible, the units should be installed so that it is not easily visible from the main road, common areas or neighbours.
- 4.22.4 The unit must be of an attractive design.

- 4.22.5 It must not have an elaborate or unsightly support structure. The panels or tube banks must be mounted directly on and parallel with the roof slope. The support structure must not be visible.
- 4.22.6 Only the Panels or Tube System to be visible on the house roof.
- 4.22.7 No Header Tanks must be visible. These tanks should preferably be housed in the ceiling of the house.
- 4.22.8 Heat Pumps must be either floor mounted or wall mounted and should be positioned such that they are out of sight from the common property and their neighbours.
- 4.22.9 The Management Committee has the authority to order that installations which were done without prior written approval of the Committee, be removed at the cost of the owner.
- 4.22.10 Submit an application for minor building work, including a layout plan of the proposed solar power system on the roof of the dwelling, together with an electrical certificate of compliance upon completion, to the Monte Christo Aesthetic sub-committee for approval, after which the documentation must be submitted to Mossel Bay Municipality for final approval.

## **5. LANDSCAPE ELEMENTS**

### **5.1 Preferable**

- 5.1.1 It is preferable that the owner of a property plants at least two trees on such property within 12 months from the date of the occupation certificate.
- 5.1.2 If trees have already been planted outside the property the owner may request that a tree be planted there, and this request may be considered for approval by the Estate Manager.

Approval/rejection may be based on (1) presence of underground services, (2) tree species and root system, and (3) traffic visibility and future restrictions thereon.

- 5.1.3 The trees to be planted should, when fully grown, not be less than 1.5 meters in height and shall adhere to the criteria stipulated in paragraph 5.2 below.

- 5.1.4 The owner may purchase the trees and donate it to the Management Committee to plant it where it seems fit.

## **.1 Trees, shrubs and ground covers**

### **Preferred**

- 5.2.1 Indigenous plant species;
- 5.2.2 Accepted imports, oak-, olive-, palm trees; and
- 5.2.3 Creepers such as dwarf bougainvillea and wisteria

### **Exclusions**

- 5.2.4 Exotic and invasive species, especially large bougainvillea, pine-, eucalyptus-, jacaranda-, plane- or wattle trees.
- 5.2.2 The Estate Manager may decide to remove any plant, tree, or shrub located outside the erf that threatens underground services or restricts traffic visibility.

Mossel Bay Municipality is not obliged, after the repair of underground services outside erven, to restore the status quo of the original decorative elements, prior to the repair work.

## 6. MATERIAL SPECIFICATIONS

The Management Committee does not wish to impose any specific architectural style.

The table below indicates, in general terms, the elements, material and colours considered acceptable at Monte Cristo Eco-Estate and those that will not be allowed.

**TABLE 1: MATERIAL SPECIFICATIONS**

<b>Item</b>	<b>Acceptable</b>	<b>Not acceptable</b>
External Walls	<ul style="list-style-type: none"> <li>• Plaster &amp; paint on both sides</li> <li>• Selected face brick Grade 1 SABS (NFX) (Sample of brick and supplier's description must be supplied)</li> <li>• Natural stone</li> <li>• Cladding bricks may be used for features. (Sample must be supplied and reason for use must be motivated by owner and approved by Aesthetics sub-committee)</li> </ul>	<ul style="list-style-type: none"> <li>• Clinker bricks</li> <li>• Unpainted blocks</li> <li>• Scalloped plaster (Spanish)</li> <li>• Unplastered brickwork (painted/unpainted)</li> <li>• Bagged brickwork (painted/unpainted)</li> <li>• Multi-use material</li> <li>• Precast or pre-fabricated</li> <li>• Timber or fibre cement</li> </ul>
Wall colours	<ul style="list-style-type: none"> <li>• Earthy shades (sample supplied by owner and approved by Aesthetics sub-committee)</li> </ul>	<ul style="list-style-type: none"> <li>• Bright colours (including white)</li> </ul>
Roofs	<ul style="list-style-type: none"> <li>• Double pitched</li> <li>• Mono pitched</li> <li>• Hipped</li> <li>• Max 45° degree pitch</li> <li>• Min 18° degree pitch</li> <li>• Flat concrete roofs</li> <li>• Flat roofs provided that the roof is obscured by a suitable parapet/facia board</li> <li>• Roof type should be consistent</li> </ul>	<ul style="list-style-type: none"> <li>• Domed roofs</li> </ul>

Item	Acceptable	Not acceptable
Roof finishes	<ul style="list-style-type: none"> <li>• Natural thatch</li> <li>• Shingles</li> <li>• Natural slate</li> <li>• Fibre cement slate</li> <li>• Corrugated type roof Profiles (e.g., Chromadek/Kliploc/Brown Built/Alu-Zinc)</li> <li>• Concrete roof tiles</li> <li>• Clay tiles</li> <li>• Flat concrete roofs with pebbles</li> </ul>	<ul style="list-style-type: none"> <li>• Galvanized</li> <li>• Asbestos</li> <li>• IBR</li> <li>• Flat sheets (ALL the above painted/unpainted)</li> <li>• Reflective sheeting</li> <li>• White, metallic / reflective colours</li> <li>• Shade-net</li> </ul>
Boundary walls, internal walls, and enclosures	<ul style="list-style-type: none"> <li>• Plastered and painted on both sides</li> <li>• Face brick Grade 1 SABS (NFX) (Sample supplied) Motivated by owner and approved by Aesthetics sub-committee</li> <li>• Clearvue/Betafence (Charcoal only)</li> <li>• Fibre cement (Nutec) and/or PVC with suitable internal reinforcement to comply with SANS 10400 requirements and supported by 230 mm x 230 mm brick pillars between individual sections</li> </ul>	<ul style="list-style-type: none"> <li>• Vibracrete, pre-cast walling</li> <li>• Clinker bricks</li> <li>• Unpainted blocks</li> <li>• Bagged brickwork (painted/unpainted)</li> <li>• Unplastered brickwork (painted/unpainted)</li> <li>• Precast retaining wall blocks</li> <li>• Corrugated sheet metal</li> <li>• Razor wire</li> <li>• Electrical fences on the walls of dwelling inside the estate</li> <li>• Timber</li> <li>• Wire mesh</li> <li>• Palisade fencing</li> </ul>
Windows	<ul style="list-style-type: none"> <li>• Timber (Swartland-Cape Culture/similar)</li> <li>• Anodised aluminium</li> <li>• Epoxy aluminium</li> <li>• UPVC</li> <li>• Shutters</li> </ul>	<ul style="list-style-type: none"> <li>• Steel</li> </ul>
Doors and frames	<ul style="list-style-type: none"> <li>• Timber (Swartland-Cape Culture/similar)</li> <li>• Anodised aluminium</li> <li>• Epoxy aluminium</li> <li>• UPVC</li> </ul>	<ul style="list-style-type: none"> <li>• Steel</li> </ul>

<b>Item</b>	<b>Acceptable</b>	<b>Not acceptable</b>
Garage doors	<ul style="list-style-type: none"> <li>• Timber</li> <li>• Epoxy aluminium</li> <li>• Alu-Zinc</li> <li>• Fiber-glass</li> </ul>	<ul style="list-style-type: none"> <li>• Steel</li> </ul>
Balustrades and handrails must comply with SANS 10400	<ul style="list-style-type: none"> <li>• Galvanised and epoxy coated steel</li> <li>• Anodised/epoxy-coated aluminium</li> <li>• Stainless steel</li> <li>• Glass</li> <li>• PVC with suitable internal reinforcement to comply with SANS 10400 requirements</li> <li>• Suitable hardwood timber as approved by the Aesthetics sub-committee</li> </ul>	<ul style="list-style-type: none"> <li>• Any corrosive material</li> <li>• Steel panels</li> <li>• Untreated/unpainted timber</li> </ul>
Pergolas	<ul style="list-style-type: none"> <li>• Timber (to be specified on plan and approved by Aesthetics sub-committee)</li> <li>• Concrete</li> <li>• Simple and decorative</li> </ul>	<ul style="list-style-type: none"> <li>• Steel</li> <li>• Any corrosive material</li> </ul>
Levels	<ul style="list-style-type: none"> <li>• Double storey maximum 8.0 metres</li> <li>• Loft rooms within permitted height</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-storey</li> </ul>
Garden Layout	<ul style="list-style-type: none"> <li>• Only indigenous species according to list</li> </ul>	<ul style="list-style-type: none"> <li>• Exotic invader species</li> <li>• Noxious/harmful weeds/plants</li> </ul>
Screens for concealing trailers, caravans and boats	<ul style="list-style-type: none"> <li>• Galvanised and epoxy coated steel frame with cladged with horisontal Nutec panels</li> <li>• Aluminium roller door</li> </ul>	<ul style="list-style-type: none"> <li>• Steel frame with shade cloth</li> </ul>

## **7. SUBMISSION OF BUILDING PLANS**

- 7.1 On submitting a plan for approval, the applicant shall pay a deposit, which will be determined by the Management Committee from time to time, (which includes a building deposit, building plan fees and a contribution to the Road Maintenance Fund).
- 7.2 The purpose of the deposit (included in the application fee) is to cover the cost of rehabilitating public sidewalks, roads, open spaces, parklands and adjoining erven and shall include but is not limited to the following:
- Replanting of grass or trees damaged by building activities.
  - Removal of rubble or rubbish left on the sidewalks or adjoining erven.
  - Repairs to any damaged street fixtures, streetlights, litter bins, benches in open areas, etc.
  - Repairs to any damaged electrical and telephone boxes or any manhole covers.
  - Repairs to any damaged kerb or storm water drains on the street side.
  - Repairs to any damaged or sunken paving and concrete spilt on paved surface and not cleaned up properly.
  - Repairs to water irrigation pipes or damaged sprinklers.
  - Repairs to any cable or pipes damaged by excavation activities.
- 7.3 The deposit shall also be applied to cover the cost caused by non-compliance of the building plans and regulations.
- 7.4 The contributions in respect of the Building Plans and Road Maintenance Fund are not refundable and shall be utilised as a fee for maintaining infrastructure that is used by contractors, subcontractors and delivery vehicles in general.
- 7.5 If the owner fails to rectify any damage, the Management Committee shall apply the deposit for that purpose. If the damage exceeds the deposit, the homeowner will be responsible for the payment of additional costs involved.
- 7.6 The deposit will only be refunded on written notice from the owner that the project has been cancelled or on completion of the building works, subject to inspection of the property by the Management Committee and rectification of any damages by the owner or his or her representative.

- 7.7 Additional fees shall be charged in the event of any complications or contradictions in terms of the design manual which will necessitate additional debate or investigation. The fee shall be in accordance with current Architectural Institute time tariffs. The applicant must be notified of any contentious elements, which could result in a debate or investigation.
- 7.8 In the event of the sale of the property, the owner must ensure that a complete set of "As Built" plans of the property is available.

## **8. APPROVAL OF BUILDING PLANS**

- 8.1 Four sets of building plans, or electronically in PDF format, which indicate the information listed below must be submitted to the Aesthetics sub-committee;
- 8.2 All plans and applications for minor building work submitted for approval must be draughted by a SACAP-registered professional. No hand-drawn plans will be accepted.
- 8.3 Information to be submitted:
- 8.3.1 Site plan with contours. In addition to contour lines, the floor level heights of the lower-lying properties, as well as the height of the existing walls and the expected floor level inside the boundary wall, must be shown on the layout plan at 6-metre intervals (Refer to clause 4.18.5).
  - 8.3.2 All floor plans must show construction levels.
  - 8.3.3 Elevation plans north to south, east to west through the building showing the lowest and highest points of the whole erf as well as the street level.
  - 8.3.4 Where excavations have to be done, the plans must show all the retaining walls to secure the neighbors' properties. The excavation may not encroach nearer than 1 meter from the boundary line.
  - 8.3.5 Plans showing the driveway as well as distance and levels from road to garage, as well as the slope, subject to the approval of the Aesthetics sub-committee.
  - 8.3.6 All elevations.
  - 8.3.7 Building height restriction indicated by a parallel contour line of 8.0 meter above natural contours.
  - 8.3.8 Material to be used must comply with the Architectural Rules.

- 8.3.9 Beacon certificate not older than one year by a registered surveyor.
- 8.3.10 Contour plan not older than one year by a registered surveyor.
- 8.4 Applications for approval of plans in terms of these rules shall be lodged at the office of the managing agent, Status-Mark Property Management, 11 Meyer Street, Mossel Bay.
- 8.5 Payment of the application fee, as amended from time to time by the Management Committee, must be made via a direct deposit, or Electronic Funds Transfer, into Monte Christo Eco Estate HOA account.
- 8.6 The Aesthetics sub-committee will approve or reject the application in writing within 10 working days after the submission of documentation and payment of the plan fee, building deposit, and road fund contribution. Please note that the plan fee, building deposit, and road construction fund contribution also apply to minor building work clauses 1.9(a) 4), 7), and 9) as well as clauses 1.9 (b), (d), and (e).

# ANNEXURE 1

**MOSSEL BAY MUNICIPALITY**  
**APPLICATION IN TERMS OF SECTION 13 OF ACT 103 OF 1977 (as amended)**  
**BUILDING CONTROL: MINOR BUILDING WORKS**  
 Tel: 044 606 5073 [www.mosselbay.gov.za/resource-category/building-control](http://www.mosselbay.gov.za/resource-category/building-control)



<b>PROPERTY INFORMATION:</b>	
Erf no:	Suburb:
Street Address:	
<b>PROPOSED STRUCTURE/WORKS:</b>	
Description:	
Erf area:	Exist: <input type="checkbox"/> New: <input type="checkbox"/>
Occupation classification:	Estimated cost:
Sidewalk rent (for stock piles, site offices, etc):	YES / NO
	Period: _____ months
<b>REGISTERED OWNER:</b>	
Name:	ID:
Postal address:	Code:
Contact person:	Tel/Cel:
Email:	Alternative Email:
<small>The Mossel Bay Municipality corresponds by email (default). If you would like an alternative means of communication, please indicate this.</small>	
Owner:	Resolution letter authorising the signatory
Company <input type="checkbox"/>	Registrar of Companies
Trust <input type="checkbox"/>	Resolution letter authorising the signatory
Body Corp <input type="checkbox"/>	Letter of authority from the Master of the Supreme Court
	Resolution letter authorising the signatory
<b>OWNER'S DECLARATION:</b>	
<p>I, the undersigned, intend to erect a structure in accordance with the plans, specifications and other documents attached to this application and hereby lodge such plans, specifications and other documents with the Council and apply in terms of Section 13 of Act 103 of 1977(as amended) for approval in respect of this Application.</p> <p>I hereby declare that I have personally checked the Title Deed and/or any other documents or legislation relevant to the property concerned, and declare that the proposed work is not contrary to any restrictive conditions or servitudes applicable thereto, and in the event of such contravention will bear the sole responsibility to rectify the aforesaid contraventions.</p> <p>I hereby undertake to complete the building work in accordance with the approved plans and National Building Regulations. I am fully aware that a Certificate of Completion must be obtained after construction has been finalised.</p> <p>I certify that the answers on this Application are, to the best of my knowledge, correct</p>	
Authorised representative:	
Signed: <input style="width: 150px; height: 20px;" type="text"/>	Date: <input style="width: 100px; height: 20px;" type="text"/>

--END--