

Architectural Design Manual for proposed new Development known as

# MOQUINI BEACH APARTMENTS

Erf 14796, Danabaai, Mossel Bay



*where whispering dunes meet rolling waves*



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## 1. BACKGROUND

The architectural concept for the development is to create buildings integrated with the site from which the spectacular location can be experienced. The communal space is based on a street concept. From this street, you move to the apartments via vertical circulation elements. This vertical movement takes the visitor on a journey, embracing the spectacular views of the valley and the ocean the site offers.

A unique sense of place is created, which celebrates the site and context.

A kit-of-parts is designed to design the buildings in a harmonious language. This kit-of-parts is restricted and must be used within the design of the buildings. This will ensure that the development does not read as individual buildings but as one single development. The kit-of-parts will be made up of various building elements, materials, and design elements that will be incorporated into each of the designs.

The phased development comprises of 13 erven, of which 10 erven (Erf 3 – 12) are made up of 10 Sectional Title Development Schemes (as defined in the Sectional Titles Act 95 of 1986, read with the Sectional Title Schemes Management Act 8 of 2011), each with its own Sectional Title Register and own Body Corporate. In total, approximately 144 apartments will be distributed throughout the development. The remainder of the Parent Erf (Erf 14796), comprising of 2 Protected Fynbos Areas (Erf 1 and 13) and 1 Common Property & Communal Facilities (Erf 2) (excluding any erf/erven or portion thereof forming part of a Sectional Title Development Scheme) will be transferred to the Moquini Beach Apartments Master Homeowners Association (“the MHOA”). The Common Property & Communal Facilities erf (Erf 2), will in general provide access and services to each Sectional Title Development Scheme and shared communal facilities such as a gate House, Security, Clubhouse, swimming pool, communal entertainment, and additional parking.

The Erven are listed and named as follows:

- Erf 1 - Protected Fynbos Area
- Erf 2 - the MHOA Common Property & Communal Facilities
- Erf 3 - Oyster Catcher (Sea / Danabaai & internal views)
- Erf 4 - Sea Breeze (Sea views)
- Erf 5 - Whale View (Sea views)
- Erf 6 - Driftwood (Sea views)
- Erf 7 - Sea Shells (Sea views)
- Erf 8 - The Breakers (Sea views)
- Erf 9 - Cape Gannet (Natural Valley views)
- Erf 10 - Sandpiper (Natural Valley views)
- Erf 11 - Sea Gull (Natural Valley views)
- Erf 12 - The Bay (Bay view / Valley views)
- Erf 13 - Protected Fynbos Area

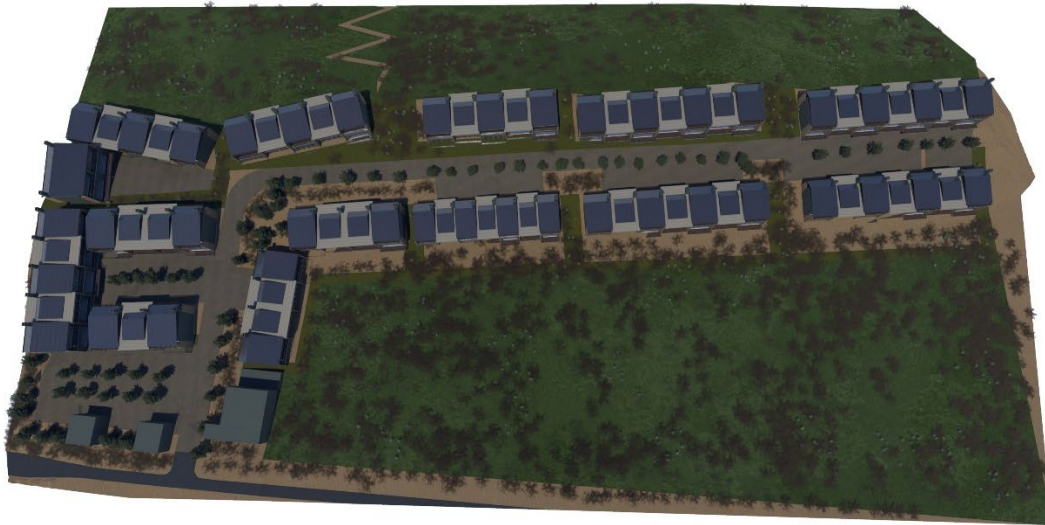
Parking areas on the ground floor level will be incorporated to adhere to the site's green principles and allow for minimal visual disturbance. The basements will anchor the buildings to the site and be treated with stone or other suitable textured material. Suitable plants will further soften the structures.

Embracing your senses, embracing your soul.

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Sustainable green design principles should be inherent in the passive design of buildings, natural ventilation, and heating. The buildings should operate efficiently to reduce the use of and impact on municipal services. In addition to these design criteria, sustainable mechanical systems, such as water heating, electricity generation, and space cooling/heating where required, could be incorporated.

Vertical gardening principles are encouraged to allow for natural ventilation, environmental balance, and practical and psychological benefits to the inhabitants.



*Figure 1 Artists Impression*

## 2. THE DEVELOPMENT MODEL

The developer's development model envisions a phased development process based on the subdivision of the Parent Erf (Erf 14796) into smaller erven. The phased development as set out above, comprises of 13 erven, of which 10 erven (Erf 3 – 12) are made up of 10 Sectional Title Development Schemes (as defined in the Sectional Titles Act 95 of 1986, read with the Sectional Title Schemes Management Act 8 of 2011), each with its own Sectional Title Register and own Body Corporate. In total, approximately 144 apartments will be distributed throughout the development. The remainder of the Parent Erf (Erf 14796), comprising of 2 Protected Fynbos Areas (Erf 1 and 13) and 1 Common Property & Communal Facilities (Erf 2) (excluding any erf/erven or portion thereof forming part of a Sectional Title Development Scheme) will be transferred to the Moquini Beach Apartments Master Homeowners Association ("the MHOA"). The Common Property & Communal Facilities erf (Erf 2), will in general provide access and services to each Sectional Title Development Scheme and shared communal facilities such as a gate House, Security, Clubhouse, swimming pool, communal entertainment, and additional parking.

Each of the Sectional Title erven (Erf 3 – 12) will be developed by the construction and erection of a residential apartment building, which will be managed and governed by its respective Body Corporate as outlined in Section 3 of the STSMA. The Body Corporate will *inter alia* manage the common property within its scheme, establish funds for expenses, maintain and repair common property, collect from its members such funds (levies) in accordance with the provisions of the MHOA's Constitution in order to cover the expenses of the MHOA, and will ensure compliance by its members of applicable laws, the provisions of MHOA's Constitution, the Conditions of Approval, the Development Controls, the Development Rights, the SDP, the Governing Rules and the Architectural Guidelines.

Membership of the MHOA shall comprise of the Developer and/or a Sub-Developer and the 10 Bodies Corporate of the Sectional Title erven. Individual Sectional Title Unit Owners will therefore not be members of the MHOA, but will be represented by their respective Bodies Corporate on their behalf as a member of the MHOA. Each of the Bodies Corporate will be bound to the MHOA's Constitution, the Conditions of Approval, the Development Controls, the Development Rights, the SDP, the Governing Rules and the Architectural Guidelines and/or any other directives given by the MHOA and/or sanctions and/or penalties that may be imposed from time to time in order to ensure uniformity and compliance across the development.

Further, the MHOA and Bodies Corporate will be bound by the Environmental Authorization granted by the Western Cape Department of Planning and Environmental Affairs, the Land Use Planning approval by the Mossel Bay Municipality, and all relevant legislation, bylaws, rules and regulations in this regard.

The purpose of the MHOA is to manage communal property (such as the 2 Protected Fynbos Areas (Erf 1 and 13) and the Common Property & Communal Facilities erf (Erf 2) and to ensure that the development of the Sectional Title erven is done in harmony with each other and compliance with this Design Manual. This ensures that the development of the Sectional Title erven is done in harmony with the unique identity and character that the developer intended.



Figure 2 Artists Impression

### 3. DEFINITIONS AND REGULATORY FRAMEWORK

This document sets out the design framework, aesthetic requirements, and the characteristics to be adhered to, to ensure that the developer's intended vision and sense of place are achieved and maintained into the future. These guidelines do not aim to supersede or overrule any statutory or regulatory framework. All relevant legislation and legal processes, such as the following, are applicable.

- Municipal Bylaws, requirements, regulations and zoning parameters
- Compliance with the Architecture Act No 44 of 2001
- National Building Regulations and Building Standards Act 103 of 1977.
- Housing Protection Measures Act of 1998.
- Latest applicable Safety and Security Act.
- National Forest Act No 84 of 1998.
- Sectional Titles Act 95 of 1986.
- Sectional Title Schemes Management Act 8 of 2011.
- Community Schemes Ombud Service Act, Act 9 of 2011.

All conditions as set out in the approval documents will be relevant, with reference, but not limited to the following documents:

- Environmental Authorisation & Amendment of Environmental Authorisation.
- Application for Rezoning, Subdivision & Departure.

This document must further be read in conjunction with the MHOA's Constitution, the Conditions of Approval, the Development Controls, the Development Rights, the SDP, the Governing Rules, the Builders Code of Conduct, the Landscaping Guidelines and all other documents relevant to the MHOA from time to time.

Expressions and/or words defined in the MHOA's Constitution shall carry the same meanings in this document, unless specifically herein defined.

If any provision of this document conflicts with or is inconsistent with any law, the invalidity of such provision shall not affect the validity of the remaining provisions of this document.

In the event of a conflict between any provision in this document and any provision of the MHOA's Constitution, the relevant provision of the Constitution shall take precedence.

The Developer (during the Development Period) reserve the right to amend these Guidelines from time to time as it in its sole discretion deems necessary, for the benefit of the development, subject to approval by the local authority should the changes relate to changes to land use, town planning, or other development regulations and subject to compliance with relevant legislation, such as the Architectural Profession Act, 2000, and the Spatial Planning and Land Use Management By-law.

It is hereby specifically recorded that no Sub-Developer (as the Developer's successor in title in respect of an Erf in the Development to be developed by the Sub-Developer as provided for herein and read with the MHOA's Constitution) shall have the right to amend these Guidelines, pending completion of the Development.

Upon the Completion Date (either the date of transfer of the last Section in the Development from the Developer and/or Sub-Developer to the relevant title holder thereof OR until the Developer notifies the MHOA in writing that the Development Period has ceased, whichever shall occur first), the MHOA reserve the right to amend these Guidelines from time to time as may be required for minor changes which would affect aesthetic characteristics (subject to approval by the local authority, if required).

Any design of any building work to take place within the development must be submitted to the Architectural Review Committee(ARC).

The ARC will comprise of a representative of the Developer (during the Development Period), a representative of the MHOA and a review architect appointed/to be appointed by the Developer (during the Development Period), and upon completion of the development, by the MHOA.

It is hereby further specifically recorded that no Sub-Developer (as the Developer's successor in title in respect of an Erf in the Development to be developed by the Sub-Developer) shall have the right to appoint a representative to serve on the ARC.

In this document and unless inconsistent with the context the following words and expressions shall have the meanings hereby assigned to them:

- 'AGENT / REVIEW ARCHITECT'** means an architectural company appointed by the Developer of Moquini Beach Development, who shall act as an adjudicator to approve proposed building work regarding the aesthetic requirements and this design manual.  
The appointed adjudication architectural design company is:  
Practice: Coetzee Architects & Associates (PTY) Ltd  
Address: Prince Vintcent Building, 86 Bland Street, Mossel Bay, 6500  
Phone: 044 050 0515  
e-mail: [studio@coetzee.arci](mailto:studio@coetzee.arci)  
or his successor in title or such Architect(s) as appointed from time to time as such by the Developer during the Development Period and thereafter by the MHOA.
- 'ARCHITECTURAL GUIDELINES'** means this document being the Architectural Design Manual and Guidelines prepared for and applicable to the Development and includes all/any amendments made thereto from time to time. The Developer (during the Development Period) reserve the right to amend these Guidelines from time to time as it in its sole discretion deems necessary, for the benefit of the development, subject to approval by the local authority should the changes affect more than the aesthetic characteristics of the development, more specifically if it relates to changes to land use, town planning, or other development regulations and subject to compliance with relevant legislation, such as the Architectural Profession Act, 2000, and the Spatial Planning and Land Use Management By-law. Upon the Completion Date, the MHOA reserve the right to amend these Guidelines from time to time as may be required for minor changes which would affect aesthetic characteristics (subject to approval by the local authority, if required).
- 'ARCHITECTURAL REVIEW COMMITTEE' / ARC** means the Architectural Review Committee (ARC), comprising of a representative of the Developer (during the Development Period), a representative of the MHOA and a review architect appointed/to be appointed by the Developer (during the Development Period), and upon completion of the development, by the MHOA.
- 'BASEMENT'** means that a non-inhabitable portion of a building, the finished floor level of which is at least 2m below, or the ceiling of which is at most 1m above, a level halfway between the highest and lowest natural ground levels immediately contiguous to the basement building footprint. Only that part of the basement that does not extend 1m beyond the finished ground level shall be construed as a basement and not considered as a storey for determining the height restriction and coverage.

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<b>'BUILDERS CODE OF CONDUCT'</b>	means the Construction and Operational Manual, approved by (and in terms of criteria determined) from time to time by the Developer during the Development Period and thereafter by the Association, controlling and regulating all construction and operations within the Development.
<b>'BUILDING LINE'</b>	means the line delimiting the area measured from the boundary of a land unit within which no building or other structure may be erected.
<b>'BUILDING WORK'</b>	means any construction work to be carried out, whether a new building or any alterations & additions, including any aesthetic changes made to any structure within the development.
<b>'COMMON PROPERTY'</b>	Means, in relation to a Sectional Title Scheme, the land included in the Sectional Title Scheme, and such parts of a building or buildings that are not included in a Section, on the approved Sectional Title Plan concerning the relevant Sectional Title Scheme and vested, owned or managed by a Body Corporate.
<b>'COMMUNAL PROPERTY'</b>	means collectively, all private streets, private open spaces and specifically includes any roads, buildings, infrastructure, and facilities which are or will be located on the Parent Erf and allocated, vested, owned or managed by the MHOA, from time to time, for the benefit of, inter alia, the MHOA and its Members and the members of any Body Corporate (Sub-Members) including but not limited to the following "Erf 1 Protected Fynbos Area" and "Erf 2 HOA Common Property and Communal Facilities" and "Erf 13 Protected Fynbos Area" (but excluding Common Property managed by a Body Corporate).
<b>'COMPLETION DATE'</b>	means either the date of transfer of the last Section in the Development from the Developer and/or Sub-Developer to the relevant title holder thereof OR until the Developer notifies the MHOA in writing that the Development Period has ceased, whichever shall occur first.
<b>'CONDITIONS OF APPROVAL'</b>	means the conditions of approval imposed from time to time by the Council in terms of the Planning By-Law.
<b>'CONSTITUTION'</b>	means the MHOA's Constitution, with the annexures thereto to be approved / approved in terms of Sections 29 and 60 of LUP By-Law, as may be amended from time to time.
<b>'COUNCIL'</b>	means the local authority: Mossel Bay Municipality.
<b>'COVERAGE'</b>	means the total area of the site covered by buildings measured over the outside walls and covered by a roof. An eave overhang or other projection of a maximum of 1m wide shall be excluded from the calculation of the permissible coverage.
<b>'DEVELOPMENT'</b>	means the residential property development known as " <b>MOQUINI BEACH APARTMENTS</b> " to be established by the Developer and/or Sub-Developer on the Parent Erf in accordance with the Conditions of Approval, the General Plan and the SDP (or any

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portion thereof) and includes all/any further subdivisions / extension/s, amendments or changes made by the Developer and approved by the Council from time to time.

**‘DEVELOPMENT CONTROLS’** means the Development Controls prescribed by the Developer and the Local Authority from time to time, including the Conditions of Approval relating to the zoning rights and the subdivision of the Parent Erf as may have been issued by any relevant authority.

**‘DEVELOPMENT PERIOD’** means the period from the date of establishment of the MHOA (the registration in the Deeds Office of the first Erf or Section in the name of a person or entity other than the Developer) until the Completion Date.

**‘DEVELOPMENT RIGHTS’** means all the Development Rights granted to the Developer by all relevant authorities to enable the Developer and/or Sub-Developer to develop the Development, including the Development Controls..

**‘DEVELOPER’** means MOQUINI BEACH HOTEL (PTY) LTD, Registration Number 2003/012732/07 (or its successor in title).

**‘ENVIRONMENTAL AUTHORIZATION / EA’** means the Environmental Authorization approved in terms of the National Environmental Management Act 107/1998, and the Environmental Impact Assessment Regulations under reference Number: .....by the Department of Environmental Affairs and Development Planning of the Western Cape Government in the name of and in favour of the Developer (and any amendments thereto).

**‘GOVERNING RULES’** means the Governing Rules to govern, amplify and/or implement the provisions of the MHOA’s Constitution, to be drafted and approved by the Developer (during the Development Period and thereafter by the MHOA) and implemented by the MHOA, which Governing Rules will inter alia deemed to be including this document.

**‘IN WRITING’** means written, printed, e-mailed or lithographed or partly one and partly another, and other modes of representing or producing words in a visible form, but excluding “short message service” or WhatsApp or similar messages??? – to be confirmed.....

**‘KIT OF PARTS’** means a predefined set of architectural design elements used in the architectural design of a building. The design manual defines a parts library describing every primary assembly in the building. The assemblies are conceived systematically based on specific rules such as increment, size, or design. Simple connections between the assemblies are carefully defined to create a common architectural language.

**‘MANAGING AGENT’** means any person or entity appointed by the Developer, during the Development Period, and thereafter the MHOA, as an independent contractor to undertake any or all of the management functions of the MHOA, subject to and in terms of this Constitution.

**‘MASTER HOMEOWNERS’ ASSOCIATION (MHOA)’** means Moquini Beach Apartments Master Homeowners’ Association.

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<b>'NATURAL GROUND LEVEL'</b>	means the ground level before any work occurs. Levels determined by the surveyor after completion of the civil works by the developer shall be deemed the correct and final levels for determining the height restriction.
<b>'OWNER'</b>	means the registered owner of any Erf or Section in the Development or any part thereof.
<b>'PARENT ERF'</b>	means Erf 14796 Mossel Bay, in the Municipality and Division of Mossel Bay, Province of the Western Cape, or any portion thereof and includes all/any further subdivisions / extension/s, amendments or changes made by the Developer and approved by the Council from time to time.
<b>'SITE DEVELOPMENT PLAN (SDP)'</b>	means a Site Development Plan as available on the Estate's website, which SDP may from time to time, during the Development Period, be amended by the Developer, subject to the approval thereof by the Council, in which instance, the latest approved SDP will be deemed to be the SDP referred to in this document.
<b>'SECTION'</b>	means any Section which forms part of a Sectional Title Scheme in the Development and as shown on a Sectional Title Plan, as more fully provided for in the Sectional Titles Act 95 of 1986, as amended.
<b>'SECTIONAL TITLE BODY CORPORATE / BODY CORPORATE'</b>	means any Body Corporate, in respect of any subdivided portion of the Parent Erf, who will all be Members of the MHOA and be bound to the MHOA's Constitution and this document.
<b>'SIDE BOUNDARY'</b>	means any other boundary other than a street boundary or rear boundary.
<b>'STOREY'</b>	<p>as defined in the Mossel Bay Municipality: Integrated Zoning Scheme By-Law (as amended from time to time) and means that portion of a building between the surface of any floor and the surface of the next floor above; or, if there is no floor above the ceiling, then up to the ceiling; provided that, unless the contrary appears clearly from the provisions of this By-law—</p> <p>(a) a basement does not constitute a storey;</p> <p>(b) a roof, or dome forming part of a roof, does not constitute a separate storey unless the space within the roof or dome is designed for, or used for, human occupation or other living or entertainment purposes, in which case it is deemed to be a storey;</p> <p>(c) the utilisation of an open roof area does not constitute a separate storey; however, should any means of coverage or fixtures such as a Jacuzzi, swimming pool or built-in braai be added to the roof of a building in a single residential zone, the area is regarded as an additional storey;</p> <p>(d) any storey greater than 4 metres, measured from the finished floor level to the finished floor level of the storey above, or to the ceiling in the case of a top storey, but equal to or less than 6 metres in height is, for the purpose of the height measurement, regarded as two storeys, and every additional 4 metres in height or portion thereof, is regarded as an additional storey; and</p> <p>(e) in counting the number of storeys of a building, the ground floor is the first storey and the next floor above is the second storey.</p>

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<b>'STREET BOUNDARY'</b>	means the boundary of a site or a land unit, which is also its boundary with a street.
<b>'STOREY'</b>	<b>"storey"</b> means that portion of a building between the surface of any floor and the surface of the next floor above; or, if there is no floor above the ceiling, then up to the ceiling; provided that, unless the contrary appears clearly from the provisions of the Mossel Bay Municipal By-law—  <i>(a)</i> a basement does not constitute a storey;  <i>(b)</i> a roof, or dome forming part of a roof, does not constitute a separate storey unless the space within the roof or dome is designed for, or used for, human occupation or other living or entertainment purposes, in which case it is deemed to be a storey;  <i>(c)</i> the utilisation of an open roof area does not constitute a separate storey; however, should any means of coverage or fixtures such as a Jacuzzi, swimming pool or built-in braai be added to the roof of a building in a single residential zone, the area is regarded as an additional storey;  <i>(d)</i> any storey greater than 4 metres, measured from the finished floor level to the finished floor level of the storey above, or to the ceiling in the case of a top storey, but equal to or less than 6 metres in height is, for the purpose of the height measurement, regarded as two storeys, and every additional 4 metres in height or portion thereof, is regarded as an additional storey; and  <i>(e)</i> in counting the number of storeys of a building, the ground floor is the first storey and the next floor above is the second storey;
<b>'SUB-DEVELOPER'</b>	means a member of the MHOA and the Developer's successor in title in respect of an Erf in the Development to be developed by the Sub-Developer subject to the provisions of the Constitution, the Conditions of Approval, the Development Controls, the Development Rights, the SDP, the Governing Rules and these Architectural Guidelines (or its successor in title and/or permitted assigns).

#### 4. REVIEW AND DESIGN SCRUTINISING PROCESS

Any design of any building work to take place within the development must be submitted to the Architectural Review Committee.

No unauthorized work or work without an approved building plan will be allowed. No new buildings, alterations and additions to existing buildings, walls, fences, swimming pools or any other structures may be erected until they have been approved in writing by the ARC and where necessary by the local authority.

All unauthorized work will be subject to a penalty against the owner for each calendar day unauthorized work is active without approved plans.

The penalty due to the MHOA for unauthorized work is: **R1000 per day**.

*The plan author must comply with the Architectural Professions Act No 44 of 2001, which includes the Framework of Works requirements. Only registered persons with SACAP may submit building plans.*

##### a. THE PROCESS IS AS FOLLOWS

- i. Scrutinizing Fee must be paid in full to the MHOA.
- ii. The Scrutiny fee payable upon submission of the Sketch Plans will be **R35, 000 + VAT** in 2025 (or any other amount as may be determined from time to time by the ARC), escalating at CPI annually.
- iii. The initial Sketch Plans of proposed building work are to be submitted to the MHOA, or the Managing Agent appointed by the MHOA.
- iv. The said plans will be referred to the review architect who will review the Plans and make recommendations to the ARC for further review.
- v. The ARC will provide feedback within 14 days from date of submission of the said plans and reserves the right to call for additional information and/or amendments to the said plans.
- vi. As soon as the ARC has approved and endorsed the said plans, the owner may draft a formal application addressed to Council of which must be presented to the ARC for final approval.
- vii. On final approval by the ARC of the said application, the owner may submit same to Council for approval.
- viii. On approval of Building Plans by Council a copy thereof must be presented to the ARC.
- ix. Before construction may commence, a builders deposit will be payable and/or guarantees to be delivered in the amount of **R 150,000** (or any other amount as may be determined from time to time by the ARC).
- x. During the construction process, the Agent will inspect key points.
- xi. All Building work shall be carried out as set out in the **ENVIRONMENTAL MANAGEMENT PLAN**
- xii. All Building work shall be carried out according to the **BUILDERS CODE OF CONDUCT**.
- xiii. Once the Building Work has been completed and all inspections have been completed, a FINAL COMPLETION CERTIFICATE will be issued by the MHOA, and the builders deposit, less any damage or costs, will be repaid.

*No approval shall imply approval in terms of the National Building Regulations or Local Authority and will remain the author's responsibility.*

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## **b. BUILDING PLAN REQUIREMENTS**

All drawings shall be compiled as per local authority and national building regulations requirements with the following additional information to enable suitable illustration of the design intent, textures, finishes and relevant clarity

### **i. Site Plan:**

- Indicate Surrounding Green areas and landscaping, including abutting HOA property information
- Building Lines
- Storm water design
- Sewage
- Building Widths
- Paving & Hard Landscaping elements
- Contours with 500mm intervals
- Indicate undisturbed areas, areas to be rehabilitated
- Position of construction hoarding

### **ii. Floor Plans:**

- Paving & Hard Landscaping elements
- All Sewage & concealment thereof
- Yard Walls
- Boundary Walls, Fences & Screens

### **iii. Elevations:**

- Building Lines
- Height Restriction
- All Sewage & concealment thereof
- Differing textures with suitable hatching and legend
- Paint Colours
- Roof Pitch
- Gutter Downpipes
- Detailed Finishing Specification
- Yard Walls
- Boundary Walls, Fences & Screens

### **iv. Sections:**

- Building Lines
- Height Restriction
- All Sewage & concealment thereof
- Roof Pitch
- Yard Walls
- Boundary Walls, Fences & Screens

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### **C. GUIDELINE REVISIONS**

The onus remains on the property/unit/section owner to ensure that the latest revision of the Architectural Guidelines is used.

The Developer (during the Development Period) reserve the right to amend these Guidelines from time to time as it in its sole discretion deems necessary, for the benefit of the development, subject to approval by the local authority should the changes affect more than the aesthetic characteristics of the development, more specifically if it relates to changes to land use, town planning, or other development regulations and subject to compliance with relevant legislation, such as the Architectural Profession Act, 2000, and the Spatial Planning and Land Use Management By-law.

Upon the Completion Date, the MHOA reserve the right to amend these Guidelines from time to time as may be required for minor changes which would affect aesthetic characteristics (subject to approval by the local authority, if required).

The process for such revisions would be as follows:

- i.** Proposed amendments will be indicated and marked in the current valid guidelines.
- ii.** As from the Completion Date, the amendments must be submitted to the MHOA for majority approval by an AGM or a Special General Meeting.
- iii.** Should the revisions affect more than the aesthetic characteristics of the development, more specifically if it relates to changes to land use, town planning, or other development, the revised guidelines will be submitted to the original relevant authorities for approval.

### **d. MANAGEMENT PLAN**

All building work should be carried out according to the contractor's code of conduct, National Building Regulations, Occupational Health and Safety Regulations, NHBRC requirements and Environmental Management Plan.

## 5. SITE LAYOUT

Several factors have influenced the configuration of the proposed development –

### a. PHASING

The phased development comprises of 13 erven, of which 10 erven (Erf 3 – 12) are made up of 10 Sectional Title Development Schemes (as defined in the Sectional Titles Act 95 of 1986, read with the Sectional Title Schemes Management Act 8 of 2011), each with its own Sectional Title Register and own Body Corporate. In total, approximately 144 apartments will be distributed throughout the development. The remainder of the Parent Erf (Erf 14796), comprising of 2 Protected Fynbos Areas (Erf 1 and 13) and 1 Common Property & Communal Facilities (Erf 2) (excluding any erf/erven or portion thereof forming part of a Sectional Title Development Scheme) will be transferred to the Moquini Beach Apartments Master Homeowners Association (“the MHOA”). The Common Property & Communal Facilities erf (Erf 2), will in general provide access and services to each Sectional Title Development Scheme and shared communal facilities such as a gate House, Security, Clubhouse, swimming pool, communal entertainment, and additional parking.

### b. DEVELOPABLE AREA

The Developable area of the site has been clearly defined to minimise the impact on the existing dune environment. The proposed buildings are positioned within this zone and are, in fact, setback from the edge of the defined area to maintain as much of the natural landscape as possible.

### c. EXISTING DEVELOPMENT PATTERNS

The proposed site layout reflects the adjacent Fishermans Village development layout to the West of the site. The narrow finger of Developable area is in a similar alignment to the seafrontage erven within Fishermans Village, while the defined Private Open Space on the northern part of the site is also a continuation of the area of designated open space within Fishermans Village.

This configuration ensures that the development's impact on the sea views, particularly from the Moquini Coastal Estate and Fishermans Village erven closest to the shared boundary, is limited. The view to the North from Moquini Eco Estate is similarly unaffected.

### d. SCALE & DENSITY

With the site being situated on the edge of Dana Bay and immediately adjacent to the Fishermans Village and Moquini Coastal Estate developments, a higher density development than that which characterises the remainder of Moquini Coastal Estate, was designated when the original zoning was put in place. With the original Developable Area of the site having been reduced by a further 40% through the imposition of a further Environmental setback line, thus leaving an effective Developable area of just 35% of the Erf, the density of the layout is inevitably affected.

The Environmental Authorization’s Visual Impact assessment requires that view corridors be created between buildings. Therefore, no building line relaxations will be considered.

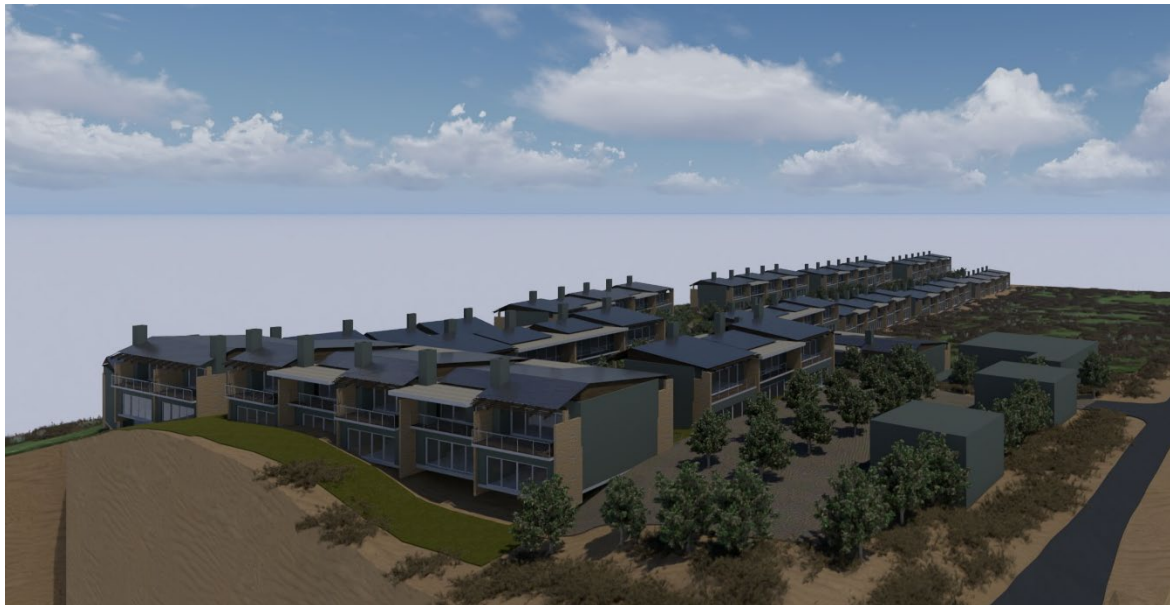
Heights are limited to **2 storeys**, with no structure exceeding the 8m height limitation as required by the Zoning Regulations. Staggering the heights in response to the site levels and breaking the facades into smaller bays will further mitigate the perceived mass of the various buildings.

The “roofscape” is envisaged as a combination of flat and low-pitched forms, further broken down visually using glazing and landscaping elements.

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**e. SITE ACCESS & SECURITY**

The entire development will be served by a single access point at the eastern end of the existing roadway, which runs along the site's northern boundary. Therefore, it must be easily accessible without compromising the security of the Moquini Coastal Estate and Fisherman's Village. Access control will be using security measures as determined by the MHOA. Each Body Corporate will be responsible for compliance with the Master Homeowners Association access control measures to ensure the safety of the development. Pedestrian access from the beach will only be for residents via a security gate on access control, subject to the approval of the boardwalk by the relevant authorities and the relevant adjacent property owner(s) .



*Figure 3 Artists Impression*

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## 6. BUILDING PARAMETERS

The following is given in accordance with the Approval granted by Mossel Bay Municipality on 26 June 2015.

### a. BUILDING LINES

Building lines as applied by Mossel Bay Zoning Scheme shall apply with further restriction as follow for **General Residential Zone III (GRZIII) erven** only:

#### i. Erven 1, 2, 3, 4 & 5 as follows:

1. **Street (North):** 0.0m (Internal road)
2. **Side (East):** 5.0m
3. **Side (West):** 5.0m
4. **Back (South):** 0.0m (Coastal Set Back Line as determined by CSIR Report)

#### ii. Erven 6, 7, 8, 9 as follows:

1. **Front (North):** 0.0m (Set Back Line as determined by EA)
2. **Side (East):** 5.0m
3. **Side (West):** 5.0m
4. **Street (South):** Internal road – 0.0m

#### iii. Erven HOA follows:

1. **Front (North):** 5.0m
2. **Side (East):** 5.0m
3. **Side (West):** 0.0m (Set Back Line as determined by EA)
4. **Street (South):** Internal road – 0.0m

### b. BUILDING FOOTPRINTS

Phases 1 to 10 has predefined footprints, as the ERF diagrams below indicate. Building extents may only be within these footprints. The outer perimeter of the Footprints is defined as Build From lines to ensure a well-defined streetscape.



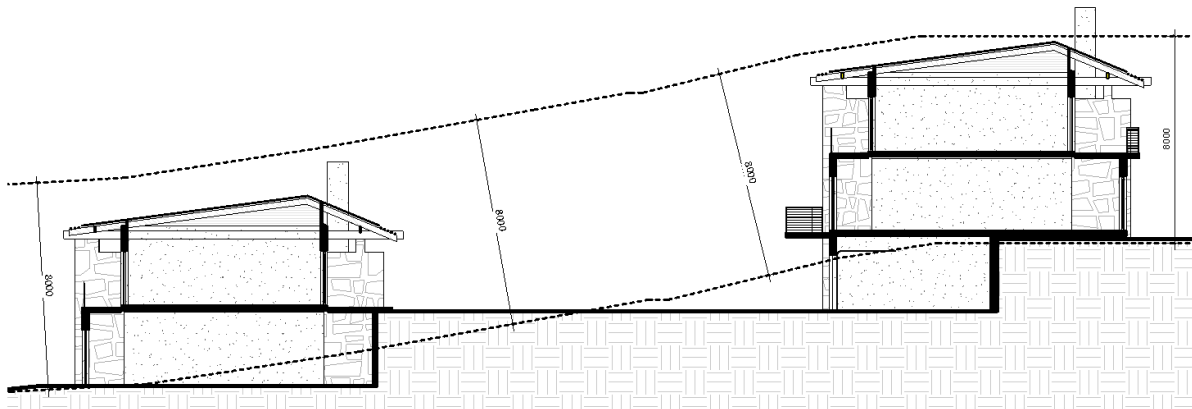


Figure 5: Height Restriction Diagram

**e. BUILDING WIDTHS**

All buildings in the development are to be kept to a maximum width of 12m to ensure suitably fragmented expression in elevation and plan.

**f. PARKING**

Parking is required in terms of the Mossel Bay Zoning Scheme and the requirements set out in the ROD issued by Mossel Bay Municipality. As per approval dated 26 June 2015, this will be 1.25 parking spaces per unit.

**g. ROAD SURFACES**

Road surfaces are to be of exposed aggregate interlocking paving, as per Civil Engineer Specification of a natural, earthy colour. No asphalt will be permitted. The maximum load capacity of the Internal Roads are set at 10 metric tons.

**h. PRIVACY AND OVERLOOKING**

Care must be taken in designs to achieve the maximum degree of privacy.

Attention must be paid to the privacy between one apartment and the next. Designs must evaluate the position and placement of windows and doors of adjoining apartments.

## 6. ARCHITECTURE AND BUILDING ELEMENTS

### a. BUILDING MASS

Buildings are to be fragmented to respect the visual vistas of the residential units in the distance to the north and minimise the visual impact of the buildings. Buildings are also to be designed staggered with a base, i.e. basement, clad in stone and/or suitable rendering texture.

### b. MAIN BUILDING ELEMENTS

#### i. WALLS & FACADES

All building walls will be constructed using masonry and/or a concrete frame with infill brick panels. External walls can be finished with plaster & paint, stonework, timber panels, and suitable metal sheeting. Combinations of textures are encouraged, and large expanses of only plaster are not permitted. Plaster may only be smooth or scratch plaster. No other plasters, such as Spanish plaster, are allowed. A sample/specification of the external materials intended for use will be included at the Sketch Plan submission stage.

#### □ PAINTING COLOURS

All paintwork is to be to pre-approved colours, approved by the ARC. The colours are to be of a Natural Earth Colour that blend with the immediate surrounding context within which the development is situated. The purpose is that the buildings should integrate into the landscape with and not stand out. No colours such as whites or primary colours shall be allowed. In General, the plinth level of the buildings is to be of darker colours, and the upper facade levels to be lighter shades of earthy colours. All timber is to be darker and/or should be stained to a dark colour.

- Utilisation of variations / shades of the following Plascon Essential Collection colours apartment blocks (where painted):
  - Sombrero (24)
  - Mother Earth (Y1-E1-1)
  - Crete Shore (52)
  - Wood Shadow (Y7-E1-2)
  - Addo Skin (59)
  - Tibetan Cloak (65)
- No blue-greys or light colours to be utilised on the building.

#### □ CLADDING

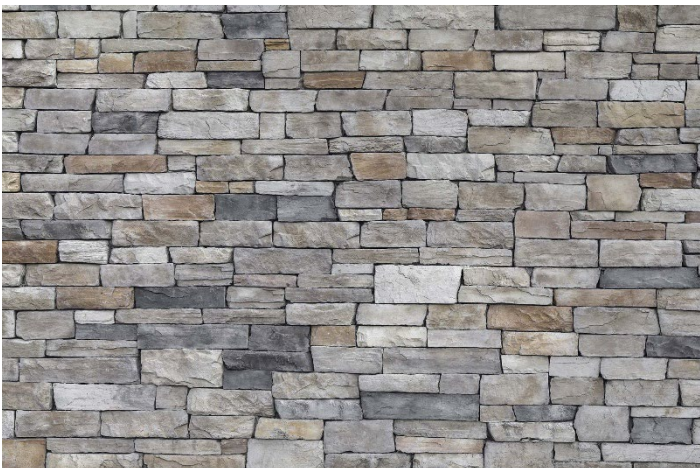
Cladding to create different textures on elevation is encouraged. It must be of a natural material; no artificial materials are permitted. Cladding such as natural stone, timber, etc., is envisioned.



*Figure 6: Natural Stone - Option 1*



*Figure 7: Natural Stone - Option 2*



*Figure 8: Natural Stone - Option 3*

## ii. WINDOWS

Horizontal window proportions are preferred. If windows with a vertical proportion are required, then the dividing mullions should create horizontal glass panes. Only aluminium window frames are permitted and should be made of natural, earthy colours such as bronze, stone grey, burnt umber, etc.

No cottage pane windows will be allowed.

## iii. DOORS

All doors are to be aluminium vertically proportioned doors powder coated to match the colour of the aluminium windows.

## iv. ROOF

### □ ROOF DESIGN

The roof must be scaled down to create a smaller-scale building.

The roof profile is set to be an off centre ridge with the longer plane being 7.5 degrees and the steeper plane being 22.5 degrees.

Roofs should be broken up and should not be more than 24m long. Roofs to be linked with connecting concrete slabs.

Any elements fitted or installed on a roof are to form an integral part of the roof design and must be the same pitch and colour.

No hipped roofs will be permitted, only gable ends without a parapet.

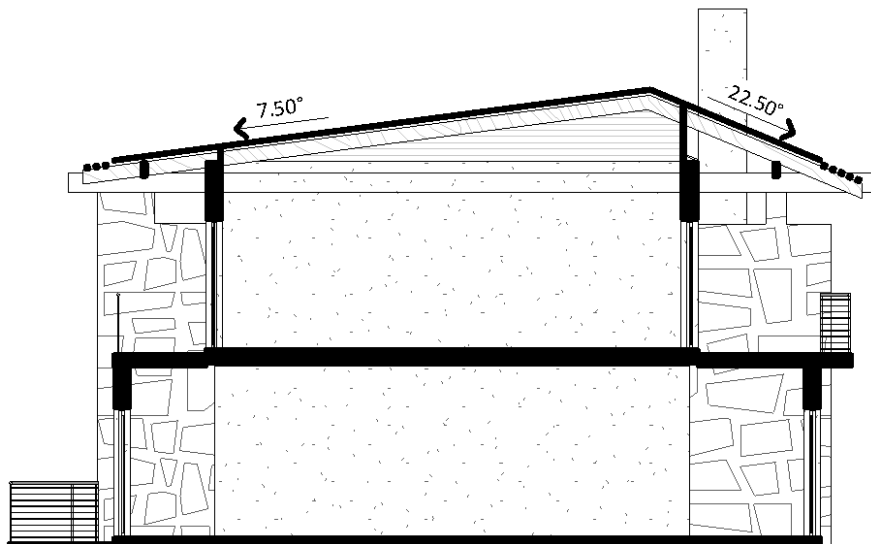


Figure 9: Roof Pitch Profile

**ROOF COVERING**

Roofing material must be uniform. Only the following materials are allowed:

0.8mm aluminium, deep-seam metal sheeting with concealed anchoring. Sheetting to be pre treated with Blue Scope Colorbond ULTRA only. Only the following profile will be permitted. With the approval of the ARC, a different manufacturer may be used with a similar profile.

**Klip Tight from Global Roofing Solutions**

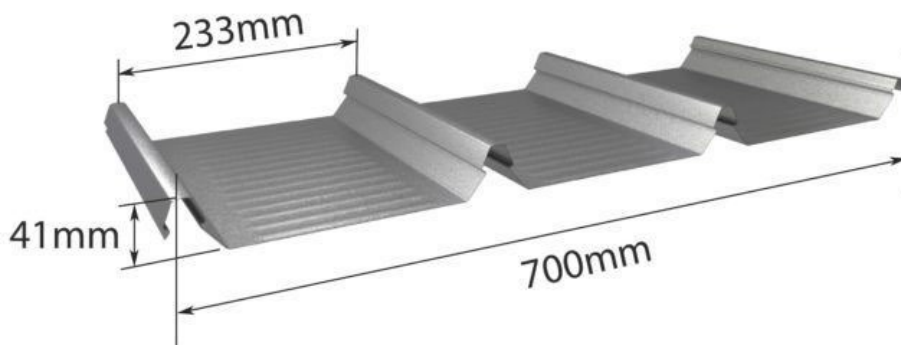


Figure 10: Roof Sheeting Profile

Colour can only be **Armor Grey (SRI:71) Colorbond**. No other colours are allowed.



Figure 11: Roof Sheeting Colour

**ROOF OVERHANG**

A minimum roof overhang of 600mm and a maximum of 1m are required.

**ROOF WINDOWS**

Tony Sandal or Velux type or safety glass roof windows will be allowed. These must be placed within the slope of the roofs.

**GUTTERS, DOWNPIPES & FASCIAS**

Gutters and downpipes are to be of the same colour and match the colour of the roof. Material must be seamless aluminium throughout. The fascias should be painted to match the wall colour and can only be a fibre cement profile.

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□ **SHADING DEVICES & PERGOLAS**

Terraces, balconies and pergolas are important elements of the contemporary style creating deep sheltered facades and a strong horizontality.

Covered verandas should not be deeper than 5m.

All shading structures must be clearly indicated on the drawings with sufficient detail and specification to be able to understand the construction thereof. Only shading structures of a suitable hardwood material will be permitted and with pre-approval and of an aluminium construction.

Pergola supports are to be either square/rectangular hardwood posts, galvanized steel or aluminium of timber proportions (70-180mm).

Pergolas should not be supported on heavy, thick piers. Horizontal members must project at least 700mm from the face of vertical supports.

□ **CHIMNEY'S & COWLS**

Chimneys to be well proportioned and be suitably scaled to the building design. Preferably, a 500mm base of brickwork above the roof with a stainless steel pipe and fixed storm cowl as per the diagram below.



*Figure 12: Chimney Cowl*

□ **SOLAR WATER COLLECTORS, PHOTOVOLTAIC PANELS**

Any panels fitted to the roof are to be placed flat on the roof surface, and no projections at a differing slope from the approved roof slope are allowed. Panels should be evenly grouped and cannot be scattered across the roof as individual elements.

Only the solar collector or panel may be placed on the exterior of the roof. Any water storage unit, inverter, power supply, etc., has to be concealed in the roof space or elsewhere inside the building.

□ **FLAT CONCRÉTE ROOFS**

Building roofs should be fragmented using flat concrète roofs. These flat concrète slabs to be covered with brown coloured pebbles.

**v. AWNINGS**

Awnings are to be the material/canvas retractable type fixed to the underside of pergolas, or the mechanical extendable type fixed to the wall above a pergola. Colour: To approval. No stand alone awnings will be permitted.

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#### **vi. SHUTTERS**

Functional shutters may be used, no mock shutters are allowed. Shutters must match the windows in material and colour. The design is subject to prior approval.

#### **vii. BALCONIES & BALUSTRADES**

To be placed for maximum privacy and to form an integral part of the building design. Balconies may be constructed from reinforced concrete or hard wood (decking). Neighbours' privacy is to be paramount.

Balustrades must conform to the nature of the development and may only be Stainless Steel, frameless glass or aluminium and Glass, subject to approval by the DRC, designed and signed off by a Structural Engineer.

#### **viii. BRAAIS, TIMBER DECKS, HANDRAILS AND BALUSTRADES**

**BRAAIS**

Plaster and painted brick built or built-in Jetmaster type braais as an integral terrace structure will be permitted with chimneys as described under Chimney's & Cowls.

**TIMBER DECKS**

The use of timber decks as an extension of living areas is encouraged. These avoid the need for large-scale masonry and fill operations. The maximum height of decks above natural ground level is 1m and should be planted below.

Decks should cantilever at least 0.5m over the external support columns. The use of H4 CCA-treated SAPINE timber for deck structures requires ensuring that the decks float on the ground.

Decking planking to be a low-maintenance material, such as GARAPPA or composite material.

#### **ix. COLUMNS**

Columns are to be smooth shafts with detailed bases and caps. No fluted columns will be permitted. The base and cap must be simple in design and articulated.

#### **x. HEAT PUMPS & AIR-CONDITIONING UNITS**

Any heat pump or air-conditioning unit must be screened off and may not be visible on any elevation. They should be clearly indicated on the drawings for ARC approval. Only inverter-type units are to be used. Screening to be submitted with sufficient detail for ARC approval.

**xi. EXTERIOR LIGHTING**

- a. All exterior lighting should be down-facing LED Warm White 2700K and kept to an efficient minimum whilst keeping within the safety norms.
- b. Street lighting only by means of bollard-type down lighting with LED Warm White 2700K source. Illustration below is the only design permitted.
- c. Light fitting to be of IP 66 Rating with suitable coastal rating



*Figure 13: Bollard Light*

**xii. BOUNDARY WALLS**

No boundary walls or fences of any kind will be permitted between Sectional Title Erven. The mother erf HOA Erf will have appropriate security measures to ensure the safety of the development. The HOA Boundary fence will be of a Clearview Type or similar with a coating and treatment for high corrosion coastal conditions, and will be for approval by the ARC.

**xiii. DRIVEWAYS AND CARPORTS**

**DRIVEWAYS**

Driveways are to be paved with approved-colour pavers or cobbles to complement or match the internal MHOA road. Patterns and colours are subject to prior approval.

The extent of driveways and paving should be limited and will be subject to approval.

**CARPORTS**

To be free-standing or attached to brick pier structures with pergolas over. All these to be the same design and to the MHOA design. Roofed carports should have overhangs, fascias and gutters to match the main apartment building. No shade cloth or similar type material will be permitted.

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□ **SITE PARKING**

Adequate paved on-site parking is essential but should be fragmented and sensitively planted to prevent the effect of large-scale hard standing.

Please note that inadequate visitor parking availability will lead to refusal of approval.

**xiv. SERVICES**

All sewer pipes are concealed in cavities or ducts within the wall plane, and vent valves are to be as discreet as possible.

Drying yards and refuse bin areas must be reasonable in size and concealed behind 2.1m high screen walls, as described elsewhere. Internal refuse removal will be as determined by the MHOA and stored at the central MHOA Refuse yard on the northeast corner of the development. Municipal Refuse collection will only be from the MHOA Refuse yard.

Apartments to be fitted with low-flow shower heads and double-flush toilet cisterns.

**xv. RETAINING WALLS**

The retaining walls will be either Gabions or Masonry & Concrete, clad with stone as per the design manual.

Gabions are to be plastic-coated wire mesh with a rectangular aperture. Retaining walls may not exceed 1.5m in height; stepping back from retaining structures is required. Where retaining walls' total height exceeds the allowable change in level in terms of the NBR, a handrail must be installed as described elsewhere in the Design Manual.

No loffelstein or any other structure above the retaining structures will be allowed.

A Structural Engineer will design all retaining structures.

Gabions are to be packed with faces dressed in stonework, as described elsewhere in the Design Manual.

Built retaining walls of masonry and concrete cavity shall be dressed in stonework as described elsewhere in the Design Manual.

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## 7. LANDSCAPING / GARDEN FEATURES / SIGNAGE

### a. LANDSCAPING

It is required and may be executed by specialist landscape contractors or by the developer, subject to a maximum 3-month completion period after practical completion.

The use of indigenous plants is encouraged. Plants listed as invader species are not permitted.

Garden Ornaments (non-indigenous) only allowed in containers, courtyards, or streetscapes. All landscaping that borders on the thicket or dune areas should be locally occurring indigenous species.

A landscape design with a plant list and specification of plant sizes must be submitted to MHOA for approval. For sloping erven, this design must be presented with the building documents submitted for prior approval. Landscaping design is a condition and must be done by a Professional Landscape Architect. It should be cohesive, consistent, and harmonized.

Planted hedges are to be maintained to the following heights:

1.8m for side boundaries,

1.5m to street boundaries

### b. GARDEN FEATURE

Whether fixed or free standing that is visible from the street is subject to prior approval by the ARC. There are to be no visible ornaments or decorations.

### c. APARTMENT NAME & NUMBERS

Each apartment block and individual apartment must have a number. The number must be installed where it is clearly visible from the street side i.e. Garage or near entrance facing the street.

Specifications: Stainless steel, Font: Calibri, Size: 180mm in height

No other external signage will be permitted.

## 8. BURGLAR ALARMS

Only silent burglar alarms may be installed on the Development.

## 9. BURGLAR BARS AND SECURITY GATES

The use of 'Trellidor' Clear Guard doors and windows or similar approved is only permitted on condition that:

- They are installed on the inside of the existing doors and windows.
- Their frames are concealed from view behind the existing door and window frames.
- They will consist of a mesh solid screen without mullions or transoms.
- The colour of the frame must match appropriately to that of the existing doors and windows.
- The colour of the mesh screen will be charcoal only.

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## **10.GENERATORS & SOLAR**

Only silent generators will be permitted, and the decibel level must be approved by the MHOA and comply with the Rules. A generator's positioning must be obscured from view from any point. Alternative electricity supply will only be using Photovoltaic Installations.

Where photovoltaic installations are being used, an official application for SSEG should be submitted to the Mossel Bay Municipality, with the MHOA approving the panels' positions and implications for the internal electrical network.

## **11.SATELLITE/ TV DISHES/WIFI/CCTV CAMERA POINTS**

The position of these must be approved before installation. Visibility from the development, neighbouring properties, and public areas will be considered for approval of the position. The satellite dish must be painted the same colour as the surrounding walls or roof. Only one unit for Satellite, TV, and Wi-Fi will be permitted per apartment building.

## **12.CONSTRUCTION PERIOD**

Construction of new apartment buildings shall proceed without lengthy interruptions and shall be completed within:

12 (twelve) months for Buildings up to 12 flats (excluding annual builders break as published by the MBA)

18 (eighteen) months for Buildings more than 12 flats (excluding annual builders break as published by the MBA)

Followed by an additional 3 (three) months for landscaping. Any owner failing to comply with such time limits shall become liable to pay a penalty in such sum as the HOA may decide from time to time, unless the HOA grants an extension of time due to valid reasons.

Major alterations shall proceed without lengthy interruptions and shall be completed within 6 (six) months of commencement thereof.

Minor alterations shall proceed without lengthy interruptions and shall be completed within 3 (three) months of commencement thereof.