

# **STANDARD CODE OF CONDUCT FOR CONSTRUCTION**

## **MOTAGANENG ESTATE PROPERTY OWNERS ASSOCIATION**

### **1. APPROVAL**

- 1.1 Detailed working drawings incorporating a site development plan, together with a building deposit, as well as proof of the availability of sufficient funds to complete the planned building, and proof that levies are levied in full, are to be submitted to the Aesthetic Committee of the ASSOCIATION for approval, prior to being submitted to the local authority for approval. The ASSOCIATION hereby reserves the right to prevent owners and/or their contractors commencing construction or **access to the Estate** without prior approval by both this body and the local authority.
- 1.2 Where house designs are found to be insensitive towards the environment and the character of the Estate, the owner can be requested to alter such designs or requested to make use of another suitably qualified architect.
- 1.3 One copy of the approved plan will be held for record purposes.
- 1.4 All building work and related actions must be completed within nine months of the first delivery of building supplies. Should the building work not be completed to the satisfaction of the Association, the association will impose a fine of twice the monthly levy each month (ie. monthly levy plus twice the monthly levy).
- 1.5 Where houses and or alterations have not commenced within one year of date of approval of the plans by the ASSOCIATION, such initial approval will lapse, and the plans will have to be resubmitted for re-approval to the Aesthetic Committee.

### **2. PREPARATION OF PLANS**

- 2.1 The site plan must indicate the outline of the ground and first floor plans inclusive of outbuildings, pools and boundary walls to scale.
- 2.2 Design and layout of the entire stand will be considered from the outset. Special consideration should be given to existing natural features on site, i.e. existing flora and topography, the latter to include contour lines on the site plan.
- 2.3 Site plans are required for all swimming pools. Special attention is to be given for privacy, water drainage and safety fencing. Approval is required for pool encroachments over building lines.

### **3. ARCHITECTURAL REQUIREMENTS (SEE [www.cranbrook.co.za](http://www.cranbrook.co.za))**

- 3.1 The main dwelling, excluding garages and outbuildings, may not be less than the prescribed plans: (See [www.cranbrook.co.za](http://www.cranbrook.co.za)).
- 3.2 Elevation treatment of all buildings must conform to acceptable architectural standards, so as not to **clash** with or detract from the general aesthetic appearance of the neighbourhood.
- 3.3 Roofing as per prescribed plans (See [www.cranbrook.co.za](http://www.cranbrook.co.za)).
- 3.4 Special aesthetic consideration should be given to the design of parapets, fascias, copings, eaves, roof trim, guttering and roofing materials in general.
- 3.5 All plumbing must be ducted and suitably screened.
- 3.6 External finishes and colours must be shown – colour samples may be requested, which same procedure will apply on repainting houses.

- 3.7 Outbuildings and additions must match original design and style, both in elevation consideration as well as materials and finish
- 3.8 Staff accommodation and kitchens are to open into a screened yard or patio.
- 3.9 Yard walls and screen walls should match the basic materials of the buildings.
- 3.10 The height of dwelling units may not exceed two storeys. The impact of a second storey on:
  - a) the right to privacy of adjacent property owners; and
  - b) the views from adjacent residences will be considered when plan approvals are requested.
- 3.11 The treatment of sidewalks is considered to be of paramount importance as they have a direct influence on the aesthetic quality of the neighbourhood. The diverse nature of neighbourhoods should give rise to a varied treatment of street boundaries. To create a degree of visual integrity, street boundary walling designs will be strictly controlled. (See [www.cranbrook.co.za](http://www.cranbrook.co.za)).
- 3.12 Application with the necessary drawings, must be submitted to the Association for the erecting of lean-to's and temporary carports.
- 3.13 Out Buildings will be considered in special instances, as will duet or sectional title units subject to approval by the local authority and Aesthetic Committee.
- 3.14 No galvanized finish door, garage door, lean-to, patio roof, etc. will be allowed.
- 3.15 Any external or internal structural or aesthetic changes to duets will only be granted by the Aesthetic Committee after prior approval by both owners has been obtained.
- 3.16 All sidewalks must make provision for pedestrians to the sidewalks
- 3.17 All submitted plans must comply with the checklist as approved by the Board of Trustees and which is available at the Spekboom Office
- 3.18 Washing line must not be visible from the street.

#### 4. APPROVAL

- 4.1 Perspective view and photographs may be requested.
- 4.2 Notwithstanding the fact that the building plans may comply with all the above, the approval or rejection of such plans shall be at the sole discretion of the ASSOCIATION, which approval shall not be unreasonably withheld
- 4.3 The architectural style of the house will be considered in relation to that of other houses in the area, as well as aesthetic appearance and the proposed siting of the building, and such other factors as the ASSOCIATION in its discretion may deem suitable.
- 4.4 Nothing in the above will be construed as permitting the contravention of the Conditions of Title to any **stand** or any by-laws or regulations of the Local Authority.
- 4.5 Every effort is made to ensure that these standards are observed by all stand owners. However, final approval of building plans ultimately rests with the Local Authority and no assurance can be given to individual owners that the above standards will be adopted throughout the Estate.
- 4.6 A non-refundable fee of R2000 per plan (architectural fees excluded) and as determined by the Trustees of the ASSOCIATION from time to time is payable to the ASSOCIATION for the approval of the building plans when the plans are submitted for approval. The ASSOCIATION reserves the right to impose an additional fee if the house is re-designed.

- 4.7 A building deposit (one or two buildings : R15,000 each; three or four buildings: R10 000 each and five or more R5000 each) such amount as determined by the ASSOCIATION from time to time shall be paid by the owner to the ASSOCIATION when submitting plans for approval. This amount will be kept in trust by the ASSOCIATION, and is partly refundable, less the cost of making good any damage **arising out of construction** if found necessary on completion of construction and after deduction of the Scrutiny and Road Maintenance Fee.
- 4.8 No building may be occupied by the owner or a tenant before the final occupational certificate was issued by the Esthetical Committee of the ASSOCIATION as well as the local authority. Contravention of this rule will be fined to the amount of R400 per day for every day the building was occupied without the occupancy certificate issued by the Esthetical Committee of the ASSOCIATION. This will include the day of occupation as well as the day the occupation certificate was issued. A period of 90 days will however be allowed for the owner to finish the garden of the house.
- 4.9 The fee mentioned in 4.6 will make provision for:
- 4.9.1 The first screening of the plans by the architect of the Esthetical Committee of the ASSOCIATION
- 4.9.2 One inspection during the building of the dwelling by the architect of the Esthetical Committee of the ASSOCIATION
- 4.9.3 The final inspection of the completed dwelling by the architect of the Esthetical Committee of the ASSOCIATION
- 4.9.4 Any further inspections by the architect of the Esthetical Committee of the ASSOCIATION over and above the above mentioned, will be for the cost of the owner at an amount determined from time to time by the Trustees of the ASSOCIATION
- 4.10 Any consultation with the architect of the Esthetical Committee of the ASSOCIATION will be considered as professional consultation by the architect and professional fees will be charged by the architect
- 4.11 No deposit will be paid back before the final inspection and the occupation certificate was issued by the Home Owner's Association

## **5 CONDITIONS WITH REGARD TO PRIVATE BOREHOLES**

Under no circumstances will individual owners be permitted to have boreholes on their stands.

**STANDARD CONTROL LIST FOR CONSTRUCTIONS**

Stand Nr.....Date:

Owner:

Cel:.....

Builder:

Cel:.....

Pavement Deposit:

Has building deposit been paid: Yes No  
full: Yes No

Is the levy paid up in

How must building deposit it be refunded:

**Check List for Plans**

1	Is the stand number shown?	
	Is the street name and number	
	Are the neighbours stand and street names and numbers	
2	Are site dimensions shown?	
3	Are all buildings shown?	
4	Are uses of building shown?	
	4.1 Existing	
	4.2 Proposed	
5	Are distances from street and boundary to building shown?	
6	Are boundary walls details shown?	
	6.1 Elevations (height, type and finish)	
	6.2 Sections ? (height, type and finish)	
	6.3 Fences not allowed: Wire fences; Devil's fork fences; Razor fences; Picket fences; Precast walls; Wooden fences; Mesh fences	
7	Is window finishing shown?	
8	Is electrical layout shown?	
9	Is natural or artificial ventilation or apparatus shown	
10	Is roof design and finishing shown? (If sheet metal roofing as been used only chromadec finishing are allowed)	
11	Is the roof overhang minimum 500 mm	
12	Is foundations specified?	
13	Is north point indicated correctly?	
14	Is plumbing note on elevations shown? (No exposed plumbing allowed on elevations)	
15	Are all plumbing in flush ducts and are ducts shown on elevations?	
16	Is water connection to central system shown?	
17	Is sewerage connection to central system shown?	

18	Is electricity connection to central system shown?	
19	Are phases of development (if applicable) shown?	
20	Are entrances to and from the property shown and dimensions?	
	20.1 Are all entrances to and from the property shown ?	
	20.2 Are all dimensions of the entrances to and from the property shown?	
21	Are the following clearly indicated ?:	
	21.1 Building lines	
	21.2 Servitudes	
	21.3 Floor lines	
22	Coverage	
	20.1 Is the allowed coverage shown?	
	20.2 Is the used coverage shown?	
23	Have enough reverse spaces behind parking areas been allowed?	
24	Are one meter contours shown?	
25	Is dispersment of storm water shown?	
26	Is garage door finishing shown?	
27	Are refuse areas shown?	
28	Is position of washing line shown?	
29	Pool:	
	29.1 Is pool position shown? (Setting out dimensions, size of pool etc).	
	29.2 Is position of pool pump indicated?	
	29.3 Is position of back wash pipe indicated? (No back wash in the sewerage system)	
30	Is gate details shown?	
31	Is balustrade details shown?	
32	Chemical Toilet for construction workers	
	31.1 Is the position of the temporary chemical toilet shown?	
	31.2 Is 16m <sup>2</sup> for the construction screened site toilet position shown?	
33	Note the following on plan: Streets / Driveway / Parking / Paving	
34	Is instant lawn provided for and shown on site plan	
35	Are the following specified on the plans:	
	35.1 Electrical Boxes	
	35.2 Trees	
	35.3 Light and electrical poles	
	35.4 Rainwater tank	
	35.6 Storm water run-off	
	35.7 Landscaping layout	
	35.8 Existing trees	
	35.9 Proposed trees	
	35.10 Removal of trees	
	35.11 Communication boxes	
36	Additional information required for <i>house office &amp; granny flats</i> rights	
	36.1 Total area of house	
	36.2 Area of office/ granny flat	
	36.3 Access to office/ granny flat	
	36.4 The entire plan of the house + proposed office (colour in)	
	36.5 Guest parking & dimensions	

	36.6 Show the position of the office and indicate the nature of business to be conducted from this office	
37	Are there deviations from the plans that must be shown on the plans	

First inspection: Date: .....Second inspection:  
Date.....

Third inspection Date: .....

Comments by Esthetical  
Committee:.....

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.....  
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# CONDITIONS REGARDING BUILDING CONTRACTOR

## 1. INTRODUCTION

Certain rules relating to building contractor activity on the Estate have been adopted by the ASSOCIATION, the legal representative of residents and property owners at the Estate.

The primary intention of these rules is to ensure that all building activity at the Estate are conducted with the minimum of inconvenience and disruption to residents. In the event of any queries in this respect, residents and / or their contractors are most welcome to contact the Estate manager.

## 2. LEGAL STATUS

The rules and regulations governing building activity as set out in this document are binding on all residents, their contractors and sub- contractors. Furthermore, all residents are obliged to ensure that their building contractors and sub-contractors are made aware of these rules and that they are strictly complied with. Residents are accordingly required to include these rules in their entirety in any building contracts concluded in respect of any property on the Estate. Such contracts may be required to be submitted to the ASSOCIATION for prior approval.

The ASSOCIATION has the right to suspend any building activity in contravention of any of the conditions and does not accept any losses sustained by a resident or contractor or sub-contractor as a result thereof, or any claims for damages of whatsoever nature.

## 3. SITE PREPARATION

- 3.1 Before any physical construction may commence (not including earthworks), the property has to be screened on all sides with the prescribed shade cloth according to the specifications of the RESIDENTS' ASSOCIATION. The owner must carry all costs for the prescribed screening. If the property is not screened as prescribed and construction commences, the RESIDENTS' ASSOCIATION can prohibit such a contractor from entering the Estate.
- 3.2 No construction may commence unless the water connection is installed on site **and prove of the connecting fee is provided.**
- 3.3 No construction will commence unless an approved site toilet has been installed in a position as approved by the Estate Manager. Entrance to toilet to be screened
- 3.4 No construction will commence before the correct site number has been put up at the site
- 3.5 No construction will commence before the correct stand boundaries was established by a land surveyor to be paid by the owner

## 4. CONDITIONS REGARDING BUILDING CONTRACTOR ACTIVITY

- 4.1 Unless otherwise agreed by the RESIDENTS' ASSOCIATION or its appointed representative, Contractor activity is limited to the following public time hours:  
06:00 – 18:00 Normal weekdays  
08:00 – 15:00 Saturdays  
NOTE: No contractor activity is permitted on Sundays and Public Holidays and during the builders holidays during December and January every year.
- 4.2 Contractor personnel are not permitted to remain on site between the hours of 18:00 and 06:00. (No sleeping on premises).
- 4.3 All the Contractor's workers and / or the Contractor's Sub- Contractor workers must comply with the security rules of the Residents' Association.
- 4.4 The contractor shall provide facilities for rubbish disposal and ensure that the workers use the facility provided. Rubbish and / rubble shall be removed weekly and not burnt or disposed of on the Estate. No rubble dumping on adjacent stands or pavement.

- 4.5 The contract site and the adjacent street(s) to be kept clean and properly screened as prescribed.
- 4.6 Materials off-loaded by suppliers that encroach onto the sidewalk or roadway, must be moved onto the site by the Contractor. Material and / or rubble must not be allowed to remain on the roadway or sidewalk and it is the Contractor's and Owner's responsibility to clear these areas of all such materials and / or rubble. The same applies to sand or rubble washed or moved onto the road during building operations.
- 4.7 Deliveries from suppliers must be scheduled in terms of paragraph 4.1 above with prior permission of the Estate's Manager..
- 4.8 The Owner and the Contractor shall be responsible for damage to curbs and / or plants on the sidewalks and / or damage to private or Estate property.
- 4.9 Should the ASSOCIATION have any reservations with regard to the conduct of the Contractor and / or sub-contractor, the ASSOCIATION reserves the right to suspend all building activity until such conduct is rectified, which it may do at any time and without notice, and free of recourse from the owners and / or contractor.
- 4.10 Only approved contractors and / or contractor's employees who are in possession of legitimate South African Identity Documents or valid SA working permit will be allowed access to the Estate. In the event that illegal workers are apprehended on the Estate, that contractor's employees in totality will be denied access to the Estate.
- 4.11 The ASSOCIATION shall be entitled to levy fines against Association or their contractors and / or sub-contractors with respect to any contravention of the above.
- 4.12 All contractors shall be obliged to sign the Standard Code of Conduct and Rules of the Association applicable to the Estate.
- 5 FINES**
- 5.1 The Trustees of ASSOCIATION may amend or add to the Schedule of Transgressions and fines from time to time, as may be needed to ensure harmonious co-existence of residents
- 5.2 This document must be fully understood and accepted by the Contractor, owner and / or any sub-contractor and they must undertake to comply with these rules, in addition to any further rules and regulations which may be introduced by the ASSOCIATION from time to time.



## BUILDING AND CONSTRUCTION PROCEDURES AND RULES FOR MOTAGANENG ESTATE

1	Rules and regulations that owners and building contractors should note before starting any building activities.
1.1	Memorandum of Association of the Association available from Mamre Property Management (Pty) Ltd ( <a href="mailto:info@mamre.co.za">info@mamre.co.za</a> ) (012 940 8197)
1.2	Code of Conduct of the Association available from Mamre Property Management (Pty) Ltd ( <a href="mailto:info@mamre.co.za">info@mamre.co.za</a> ) (012 940 8197)
1.3	Building and Construction Rules of the Association available from Mamre Property Management (Pty) Ltd ( <a href="mailto:info@mamre.co.za">info@mamre.co.za</a> ) (012 940 8197)
2	Obtain stand measurements, corner points, servitudes and contours from the Resident Architect at Cranbrook (Confirmation of surveyor pins is the responsibility of the stand owner, not that of the developer, its staff or the Management Agent of the Association. Owners are advised to obtain professional advice to confirm pins ( <a href="mailto:architect@cranbrook.co.za">architect@cranbrook.co.za</a> ) (012 665 5308)
3	Confirm stand number, street name and street number, as well as, stand and street of neighbouring stands with the Resident Architect at Cranbrook. ( <a href="mailto:architect@cranbrook.co.za">architect@cranbrook.co.za</a> ) (012 665 5308)
4	Confirm contact points and position for sewerage and electricity, storm water drainage points and electrical service boxes, lampposts and communication boxes with the Resident Architect at Cranbrook. ( <a href="mailto:architect@cranbrook.co.za">architect@cranbrook.co.za</a> ) (012 665 5308).
5	Confirm building styles and related conditions determined by developer with the Resident Architect at Cranbrook. ( <a href="mailto:architect@cranbrook.co.za">architect@cranbrook.co.za</a> ) (012 665 5308).
6	Owners may obtain services of a personal architect or obtain the services of the developer's architect, Mr Lawrence Mokobi, at a fixed rate. ( <a href="mailto:architect@cranbrook.co.za">architect@cranbrook.co.za</a> ) (012 665 5308)
7	The rules mentioned in point 1, including the Standard Code of Conduct List For Constructions, must be submitted to the independent architect. It is the owner's responsibility to check that the architect's plans comply with the prescribed requirements. The aesthetics committee may, at its own discretion, return independent architect plans if the committee feels that the control documents were not submitted to the architect.
8	Building plans must be submitted to the Estate Manager for approval by the Association and approval by the aesthetics committee.  1 Ledibeng Eco-estate: (Mr Henry van Schalkwyk) (0727636992) ( <a href="mailto:wildlife@lantic.net">wildlife@lantic.net</a> ) 2 Motaganeng Estate: (Mnr Ernst Bezuidenhout) (0726119298); ( <a href="mailto:estate@mamre.co.za">estate@mamre.co.za</a> ) 3 Spekboom Estate: (Mnr Ernst Bezuidenhout) (0726119298); ( <a href="mailto:estate@mamre.co.za">estate@mamre.co.za</a> )
9	If the services of the Resident Architect at Cranbrook are not obtained, six sets of plans (1:100) must be submitted (one for the Association, three for the local authority and two for the owner).
10	All levies must be paid up to date and the stand must be registered in the owner's name.
11	Payable fees:

	<p>Approval of plans: R2 000 per plan</p> <p>Approval of plans for extensions: R500</p> <p>Inspection (R1 000 per plan) (R250 per visit, at least three and maximum of four visits)</p> <p>Building deposit:</p> <p>One or two (R15 000 per unit)</p> <p>Three or four (R10 000 per unit)</p> <p>Five and more (R5 000 per unit)</p> <p>Extensions: R500 per extension.</p> <p>The building deposit (one or two buildings: R15 000 each; three or four buildings: R10 000 each and five or more R5 000 each) or such amount as determined from time to time by the Resident's Association, must be paid to the Resident's Association when submitting plans for approval. This amount will be kept in trust by the Resident's Association and is partly refundable, less the cost of making good any damage to sidewalks and/or adjacent properties etc, if necessary after completion of construction</p>
12	<p>Owners must submit proof of the availability of sufficient funds to complete the planned building. If not sufficient in the opinion of the Association, a copy of the quantity survey by the owner's architect or a declaration by the owner's architect must be submitted. The survey or declaration must state that the awarded funds are sufficient for the erection of the dwelling. The Property Owners' Association has the right to obtain an independent survey of the plans and to recover the professional fees for such survey from the owner's levy account.</p> <p>No plan will be approved unless sufficient funds are available to erect the dwelling.</p>
13	<p>All building work and related actions must be completed within nine months of the first delivery of building supplies. Should the building work not be completed to the satisfaction of the Association, the association will impose a fine of twice the monthly levy each month (ie. monthly levy plus twice the monthly levy).</p>
14	<p>No building materials may be delivered unless the plans:</p> <ol style="list-style-type: none"> <li>1 Were approved by the estate's aesthetics committee</li> <li>2 Were approved by the local authority with jurisdiction in the area where the estate is situated.</li> </ol> <p>Should building work start before compliance with this requirement, the owner will be fined to the amount of R400 per day for every day. The Association may stop any work on site by refusing entry of workers and deliveries to the estate.</p>
15	<p>Proof of the building contractor's registration at NHBRC must be submitted.</p>
16	<p>No building plans will be approved unless the plans comply with all requirements.</p>
17	<p>Aesthetics Committee:</p> <ol style="list-style-type: none"> <li>1 Mamre representative</li> <li>2 Resident Architect at Cranbrook</li> </ol>

# APPLICATION FOR APPROVAL OF PLANS

(To be handed in with first submission of plans)

Application date		Stand size in m <sup>2</sup>	
Stand no.		Coverage	
Estate & Extension		Street name & no.	

## REGISTERED OWNER

## APPLICANT (if not registered owner)

Surname & Initials		Surname & Initials	
Full names		Full names	
ID number		ID number	
Cellphone no.		Cellphone no.	
Work phone no		Work phone no	
Physical address:		Physical address:	
E-mail address		E-mail address	
Signature owner		Signature owner: (Special power of attorney should be included if registered owner not applicant)	

## ARCHITECT DETAILS

## BUILDER DETAILS

Architect name		Architect name	
Company name		Company name	
ID number		ID number	
Work phone no.		Work phone no.	
Cellphone no.		Cellphone no.	
E-mail address		E-mail address	
SACAP no.		NHBCR Number.	
Physical address		Physical address	

## DESCRIPTION OF WORK TO BE DONE (mark with an x)

New dwelling		Swimming pool	
Addition		Boundary wall/fence	
Minor building work		Demolition	
Landscaping		Maintenance	
Other (Describe)			

## FOR OFFICIAL USE ONLY

PAYMENTS RECEIVED	Mark	AMOUNT	DATE
Plan evaluation fee paid: New	√		

House			
Plan evaluation fee paid: addition/alteration			
Supervision of construction fee			
Development deposit refund paid			
3 copies of plan received			
Proof of rate and taxes received			
Proof of levy debit received			

**BUILDING PLAN APPROVAL**

Aesthetic committee approval	Signature		Date	
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