



FANCOURT

MASTER HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS PERTAINING TO BUILDING AND CONSTRUCTION

MAY 2018 (REVISION)

1. OBJECTIVES OF THE ARCHITECTURAL REGULATIONS AND GUIDELINES.

It is the intention of this document to act as a set of regulations and guidelines to purchasers, homeowners and professionals in the design and development of residential homes on Fancourt Golf & Country Estate. An appropriate architectural language for such a development would be to draw not purely from the different architectural styles, but to subtly draw from the influences and attitudes, which shaped life in the Garden Route.

It is important that there be a consistency of architectural style and building materials throughout the development in order to create an unobtrusive environment integrated into the golfing landscape. It is for this reason that certain styles, materials, colours and various building elements have been excluded from the development. The use of alternate materials will be investigated by the Town Planning Committee. However, all materials investigated must have a successful track record of more than five years in the South African environment. The FMHA does not wish to become pioneers for the testing of new materials and thereby compromise the aesthetics of the Estate. The use of any such materials is subject to prior approval by the FMHA board.

The Town Planning Committee of the Fancourt Master Homeowners Association ("FMHA") uses the Guidelines when scrutinizing plans submitted by owners. The Guidelines have changed and will change in the future to ensure that the key objectives are met.

Planning is made in two phases, firstly the structural design and material issues and secondly the finishing materials. At all stages through the development process the Town Planning Committee will scrutinize the development, of the construction, with the approved plans. Should there be any deviation, however small, the Town Planning Committee will enforce the original plans unless the Committee has formally passed new plans to cover such deviations. Certain elements of this document are Regulations and are noted as such. Other items are guidelines, which should be used as the recommended design or material. Changes to a specific guideline will be considered but it should be noted that the Town Planning Committee will not allow such change unless it is seen to be conforming to the overall objectives of the Guidelines. Such change may only come into effect with the approval of the FMHA board.

The requirements of *the* Guidelines are in addition to criteria used for building plan approval by the Local Authority as well as the National Building Regulations and other related by-laws.

For the architectural guidelines applicable to the specific portion of the Development refer to separate documents, available upon request from the FMHA.

2. PLANNING APPROVAL PROCESS.

2.1 PHASE 1 APPROVAL.

Submission of building plans for approval will be evaluated by a Town Planning Committee. The plan submissions are scrutinized by the building controller and an external architect appointed by the FMHA. The Town Planning Committee consists of a FMHA representative, a Developer representative and a member representative from that particular canton. Approval will be granted if, in the opinion of the Town Planning Committee the design successfully communicates the desired architectural language and character of the development. The Town Planning Committee meets once a month on the 2nd Thursday or an alternate date agreed, to approve plans. Plans must be submitted via the FMHA (Building controller) two weeks prior to meeting dates, to ensure the necessary checks and scrutiny can be performed before the meeting.

NOTES:

Please note that plans will not be approved until such time as they are suitably endorsed and signed by the owner or his authorized representative.

The George Municipality will only approve a plan that has been approved by the FMHA. Building work can only commence once the FMHA and George Municipality have approved the plans. A copy of the approved plan must be submitted to the FMHA's office before construction commences.

For Phase 1 of the process one full set of working drawings together with a written application to scrutinize, is to be handed in at the FMHA office. These are to include:

a. Plan Approval Application:

- 1 Brief description of building work proposed.
- 2 Confirmation that the plans are conforming to the guidelines or a complete list of deviations. (Deviation form completed)
- 3 Proof of payment of plan scrutiny fees.

b. 1:200 Site Layout: (In the event of alterations, changes need to be clearly marked: All changes to be bubbled in red. Demolished walls etc. to be indicated in blue.)

- 1 Indications of sewer, water and electrical connections.
- 2 Storm water layout and drainage.
- 3 Boundaries and building lines.
- 4 Boundaries and building lines of adjacent erven.
- 5 Indication of street and golf course.
- 6 Pool positions and dimensions, if applicable. (Including pool enclosures conforming to the NBR regulations and indication that backwash from pool pumps/filters discharge into the storm water system).
- 7 Flood line, if applicable.
- 8 Indication of paved and soft landscaped areas.
- 9 North orientation.

c. 1:100 General layouts: (In the event of alterations, changes need to be clearly marked: All changes to be bubbled in red. Demolished walls etc. to be indicated in blue.)

- 10 Floor Plans including dimensions and indication of the bench mark (setting out level).
- 11 Roof plans.
- 12 Elevations from all directions.
- 13 Sections indicating wall plate, ceilings and roof pitch heights.
- 14 Three dimensional drawing of the exterior.

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General information:

- 15 Land surveyors diagram indicating one meter contours and confirming that the architect applied those contours to the design, as well as a beacon certificate.
- 16 Specifications of Materials and Colours (including Windows and Doors).
- 17 Dimensions of all Window and Door Types used. Window and Door Schedules.
- 18 Sketch of boundary (walls or fence) layout and dimensions.
- 19 Positions and details of solar or alternative energy installations.
- 20 Position and details of fire hose reels.
- 21 Electrical power requirements.
- 22 Rain water harvesting and water treatment systems positions and details.
- 23 Coverage calculation.

2.2. PHASE 2 APPROVAL.

NOTE:

Phase 2 approval must be given by the FMHA before painting, paving or any other exterior finishing starts. The FMHA reserves the right to halt construction on any site where the owner or contractor fails to get prior approval.

For Phase 2 of the process Specifications are to be handed in at the FMHA office. These are to include:

- 1 Colours for the External and Boundary Walls and plaster bands surrounding doors and windows.
- 2 Specification for Drive and Yard Paving.
- 3 Examples of External Light fittings.
- 4 Drawings/Examples of External Gates.
- 5 Drawings/Examples of External Balustrades.
- 6 Sketch of proposed Landscaping including a complete plant list indicating the types and species of plants.
- 7 Sketch of Water features, if applicable.
- 8 Location of TV Dish/Antenna/Air-conditioning units.

As stated previously certain elements of this document are Regulations and are noted as such. Any deviation from these Regulations will mean that the plans are rejected. No exception can be made. Should the architect wish to attend the Town Planning Committee meeting then he should notify the FMHA when submitting the plans. If the Town Planning Committee feels that a meeting with the architect will advance the approval process then the Town Planning Committee reserves the right to call such a meeting.

You are requested to ensure that your contractor/architect adheres to the approved plan. Variations will not be permitted until such time as a variation plan has been submitted and approved by the Town Planning Committee. Any deviations from approved plans without prior consent by the FMHA may lead to a penalty being imposed. Any small changes on sites can be submitted to the FMHA for approval by the Review committee which takes approximately 5 working days.

3. SCRUTINY FEES AND DEPOSITS.

The FMHA charges a fixed sum for scrutiny and building control during the construction process (see FMHA Scrutiny Building Fee schedule). The plan scrutiny fee is payable at the time of submitting the plans, the remainder of fees before start of construction. An element of the fee is returnable ("Deposit"), but only after successful site, roads and infrastructure clearance to the satisfaction of the FMHA and subject to the receipt of the Municipal occupation certificate. Any damages or clearing up costs will be deducted from the Deposit. Any costs in excess of the Deposit will be billed directly to the Owner.

Plans that have not been approved must be corrected and resubmitted for approval (As built plans). These amendments will not attract a fee, but any amendment, after approval, will attract a fee per submission as stipulated in the Building Fee structure marked FMHA Scrutiny Building Fee schedule.

4. PROFESSIONALS AND CONTRACTORS.

A list of professionals and contractors that have previously done work on the Estate is available from FMHA. The FMHA acting as a representative of the existing home owners wishes to ensure that new developments not only fit into the environment and conform to the Guidelines, but are built to a high quality by reliable professionals.

Should the purchaser elect to use his own professional team, the minimum requirement would be to use the services of a registered Architect and a registered Structural Engineer. Documentary proof (including current documentary proof of their professional indemnity insurance) must be submitted and approval obtained before any preliminary design work is undertaken. The following conditions must be adhered to:

- 5 An Architect registered with the South African Council for the Architectural Profession. (SACAP) must be used for new houses designs.
- 6 An Architectural Technologist or draughtsman may be used for alterations.
- 3 The Structural Engineer must be a registered engineer with The Engineering Council of South Africa. (ECSA).
- 4 The Quantity Surveyor must be a registered quantity surveyor with The South African Council for the Quantity Surveying Profession. (SACQSP).
- 5 The Electrical Engineer must be a registered electrical engineer with The Engineering Council of South Africa. (ECSA).

Should the Purchaser be a Building Contractor himself, he can elect to construct his own house provided only that he adheres to the following conditions:

- 1 Provides documentary proof of being a Building Contractor (including registration number of the company).
- 2 The Building Contractor needs to sign and adhere to the Security and Safety rules for service providers.
- 3 During construction of their house, the Building Contractor will not be allowed to tender on any other projects on the Estate.
- 4 Provides documentary proof of current registration with the MBSA/MBA, NHBRC and Workman's Compensation as well as necessary insurances being in place, such as CAR, SASRIA and Public Liability (minimum cover R 2 Mill. per incident). Premiums to be payable upfront for the duration of the building process from start to practical completion.

5. FINAL APPROVAL.

Once approval has been granted by the FMHA and the Municipality, building may start, subject to:

- a** The payment of building deposit and building inspection fee (new houses and alterations) as well as road fee for new houses.
- b** A site handover to the owner / main contractor by the FMHA (Building Controller). An application for site handover shall be made at least one week before start of construction. At site handover the architect must indicate / minute the position of the benchmark and value in accordance with the approved drawings.
- c** A written confirmation from the architect or land surveyor of correct setting out to prevent exceeding of building lines and encroachments, and of the floor level being in accordance with the approved drawings / datum.
- d** The builder complying with the Security and Safety rules for service providers. The conduct of the builder and his staff and sub-contractors will be monitored by the FMHA and Security Officers.

The FMHA and/or Security reserve the right to expel or bar entrance to any company or individual that does not comply with the Code of Conduct or is felt to be a Security Risk.

- e The road verges being maintained throughout the building process.

6. COMPLETION AND OCCUPATION.

Before practical completion and occupation (at which time the Builders Deposit is returnable) of a development the following must be completed:

- 1 The building must be fully completed internally and externally.
- 2 The landscaping (front and back) must be fully completed.
- 3 The Site Clearance Certificate must be applied for.
- 4 All the beacons must be protected and pointed out to the representative of the FMHA.
- 5 The Principal Agent to confirm, in writing, compliance of every aspect of the construction in accordance with the approved drawings and to supply the FMHA with a complete set of As Built Documents.
- 6 The final Site Inspection must be done to the satisfaction of the Building Control Officer.
- 7 The site must be cleared and the Site Clearance Inspection be done to the satisfaction of the Building Control Officer, appointed by the FMHA and the Clearance Certificate granted.
- 8 An Occupational Certificate must be granted by the Local Authority.

7 TIME LIMIT FOR CONSTRUCTION ON UNDEVELOPED LAND

Construction shall proceed without lengthy interruptions, and shall be completed within 12 (twelve) months (new houses) / 6 months (Major and Minor Alterations) of commencement thereof [excluding landscaping, which shall not exceed 3 (three) months]. Any owner failing to comply with such time limit shall become liable to pay a penalty in such sum the FMHA board may decide from time to time, unless an extension of time is granted by the Board due to valid reasons.
