

2.10 Architectural Standard:

2.10.1 All buildings plans and extensions to buildings should be in accordance with the Architectural Guidelines applicable to Mooikloof Heights and must be approved by the Association. This applies to any additions and alterations to existing structures as well. The Architectural Guidelines are contained in Annexure A. Building according to approved standards obviates the necessity of making costly changes at a later stage.

2.10.1.1 The BOD will establish an Aesthetics Committee (AC), consisting of a minimum of three members (one must be a director and including the Estate Manager) to draw up and apply the Architectural Guidelines (Annexure A) and will also appoint a qualified and registered Architect to assist them in the valuation of building plans and other matters.

2.10.1.2 Plans for any building, structure, or alteration must be submitted and approved by the HOA and Local Authority before any construction may start. The approval process will consist of four stages:-

- a) Stage 1; Submission of conceptual drawings (in sketch plan format) for evaluation by the AC. The following must be shown on these plans: stand number, site plan, contours, north point, site boundary dimensions, building lines, servitudes, existing trees, open garden areas, traffic ways, entrances to the site, parking areas, sewage lines, septic tank and storm water treatment, any permanent earthworks, swimming pools, dams and ponds. Approved sketch plans have to be converted into Working Drawings, and rejected concepts have to be replaced by new concepts.
- b) Stage 2: Submission of Working Drawings in accordance with Clause 8 of the Architectural Guidelines and showing all the relevant information and to be approved by the HOA.
- c) Stage 3: Submission to the Local Authority may only be done after approval of the plans by the HOA.
- d) Stage 4: Final inspection and issue of occupation and completion certificates. No building or part thereof may be occupied before a final inspection has been carried out and a completion certificate has been issued by the AC or the appointed Architect as well as a occupation certificate by the Local Authority..

- 2.10.2 It is noted that the dwelling on stand 756 existed when the property on which Mooikloof Heights is laid out was acquired and that it was incorporated on a piece of land which became a stand in Mooikloof Heights. The dwelling house may not in all respects comply strictly with the Regulations of the Association regarding the architectural design, aesthetic and the like. Likewise, a few plans were approved before either transferral or finalisations of the architectural Guidelines, and any plan approved before the introduction date of this amendments, contained in the Rules and Regulations and may not comply strictly. The members of the Association are not entitled to object to this fact. However, any future changes to the plans that were approved prior to finalisation of the guidelines as well as the dwelling on stand 756, must be in accordance with the Rules and Regulations applicable to Mooikloof Heights.
- 2.10.3 Occupation of any building on a stand may only be taken after both a completion certificate has been issued by the HOA and an occupation certificate has been issued by the Local Authority, in respect of "as built" building plans. If any stand is occupied without any one of these two certificates, an additional penalty to those stipulated in Rule 2.10.5, of R500 per day will be levied against the levy account of the owner as from date of occupation.
- 2.10.4 Building penalties will be increased as from 1 February 2015 to 2 (two) times the monthly levy for all undeveloped stands and stands under construction, where after the building penalties will increase as follows:
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| On 1 March 2016: | 3 (three) times the monthly levy |
| On 1 March 2017: | 4 (four) times the monthly levy |
| On 1 March 2018: | 5 (five) times the monthly levy |
- 2.10.5 As from the 1st of February 2015 an owner, whose building plans were approved on or after 1 September 2014, will receive a 100% rebate on building penalties paid from 1 Feb 2015, if building activities in respect of his stand are completed on or before the 1st of August 2017. "Completed" entails that during this period the owner has received approval of his building plans from the HOA and the local authority, completed building activities and received a completion certificate from the HOA and an occupation certificate from the local authority. During the period 1 February 2015 to 1 August 2017 penalties will apply and the owner will be liable for payment of these penalties. Qualifying owners shall be reimbursed within 30 days from completion.
- 2.10.6 Owners who have received registration of transfer after the 31st of August 2013 and who has complied with the conditions concerning building plan approval and issuing of a Completion and Occupation Certificate in terms of clause 2.10.5, will qualify for a similar rebate as stipulated in clause 2.10.5. This concession will however only apply where the new owner was not an interested party (co-owner, shareholder, member, trustee, etc.) in respect of the transferor of the Stand.

2.10.7 A penalty-free period is not transferrable in any form whatsoever, except for the remaining balance for the stands and period listed in 2.10.8.

2.10.8 Building penalties will not apply to the following stands from 1 September 2014, for a period of 30 months, i.e. until 31 March 2017, from which date building penalties will apply if building is not completed:

765

812

824

836

794

854

760