

ARBOUR NATURE ESTATE

HOME OWNERS ASSOCIATION

ESTATE RULE

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A. INTRODUCTION

1. The ESTATE Rules have been established in terms of the Constitution of the Arbour Nature ESTATE Home Owners Association (ANEHOA). The Trustees may from time to time amend or add to these Rules, as may be deemed necessary to ensure the happy and orderly co-existence of residents under authority of a special resolution from the Association, as prescribed by the Association's Constitution.

2. These Rules are binding on all residents of the Arbour Nature ESTATE ("the ESTATE"), as is any decision taken by the Trustees in the interpretation thereof. The registered owner of each property is responsible for ensuring that members of their families, their tenants, visitors, friends, employees, and contractors abide by these Rules and co-owners of any erf or section shall be jointly and severally liable for the due performance of any obligation to the Association.

3. The main objective of the ESTATE is to provide a high-quality lifestyle for Members and/or their tenants, and the purpose of these Rules is to protect this lifestyle. Harmonious community living is achieved when Members use and enjoy their private property as well as the communal areas and amenities of the ESTATE, whilst generally considering all occupants of the ESTATE.

4. In the event of contravention of the Constitution and ESTATE Rules or on receipt of complaints from any member, the parties involved should attempt to settle the matter between themselves, exercising tolerance and consideration. In instances where problems cannot be resolved, the matter should be brought to the attention of the Trustees or be referred for arbitration and settlement.

5. Interpretation

   Words used in the ESTATE Rules, shall unless the context provide otherwise, have the meanings assigned to them as in terms of the Constitution of the Home Owners Association as amended from time to time.

B. GENERAL RULES

1. MEMBERS AND COMMUNICATION

1.1 All Members are required to provide the ESTATE with a registered e-mail address and cell phone number, and an e-mail or SMS properly dispatched to such an address/number will be regarded as having been received twenty-four hours after dispatched unless the contrary has been proven.

1.2 Members are to notify the ESTATE of changes in such addresses and contact numbers.

1.3 New Members and Tenants will receive a Digital Key to access the Arbour Nature ESTATE Community Portal. All contact details need to be updated and submitted on your Community Portal Profile. All messages or notices sent through the Community Portal will be regarded as having been received twenty-four hours after dispatch unless the contrary has been proven.

2. DOMESTIC REFUSE

2.1 All refuse shall be kept in suitable containers which shall not be visible from any road, except when placed in containers for the purpose of collection by the Local Authority or Waste Collection Contractors, provided that the ESTATE Manager may, from time to time, by notice in writing to all residents;

- 2.1.1 prescribe the type and size of refuse containers to be obtained and used;
- 2.1.2 provide directions regarding any place designated for refuse removal;
- 2.1.3 require the payment of a reasonable charge for the provision of such containers.

2.2 It shall be the duty of every resident to ensure that any direction given by the ESTATE Manager from time to time is observed and implemented.

2.3 Where, in the opinion of the ESTATE Management, any refuse is of such a size and nature that it cannot be expediently removed by the Local Authority or by a Waste Collection Contractors, the ESTATE Management shall give the resident wishing to dispose of such refuse such directions for its disposal as he may deem fit.

2.4 Suitable refuse containers may be provided (at a cost determined by the ESTATE).

3. ALARM SYSTEMS

3.1 Burglar alarms must be in a sound working condition and comply with any regulations which the ESTATE may make with regard thereto from time to time. Related sirens must not disturb neighbours (i.e. be silent to the outside environment).

3.2 Armed response services shall be exclusively provided by the Estate's appointed security contractor. External armed response providers are not permitted, as their access would be subject to an enrollment process upon each entry, which may hinder timely emergency response.

4. USING THE STREETS

4.1 The streets of the ESTATE are private streets and are for the movement of all residents, whether by foot, bicycle, motorcycle, truck, delivery van or car.

4.2 Residents must be aware of pedestrians and of children playing in the streets and should always drive with extreme caution.

4.3 Parents are responsible for always ensuring the safety of their children.

4.4 Engine-powered vehicles may not to be driven anywhere except in the streets of the ESTATE. All Private Open Spaces are off-limits. Motorized vehicles shall be driven only by persons holding valid driver's licenses.

4.5 The use of motorcycles or other vehicles with noisy exhaust systems, apart from when entering and exiting the ESTATE, is prohibited.

4.6 Complaints regarding motorized vehicles on Private Open Spaces should be directed to the ESTATE Management by completing the official complaint form and so such complainant should be prepared to be identified before a penalty will be imposed on the transgressor.

4.7 Parking is prohibited on sidewalks and Private Open Spaces except where designated parking areas are in place in these areas.

5. TRAFFIC

5.1 The movement and control of traffic and pedestrians are subject to these ESTATE Rules and such further directives as may be made by the ESTATE Manager with regard thereto.

5.2 Subject to consent being obtained from the ESTATE Management, heavy vehicles are not permitted on Saturdays, Sundays and Public holidays, nor before 07h00 and after 16h00 on weekdays. Motorised vehicles shall be driven on roads only, and only by persons who hold a valid current international or South African driver's license.

5.3 Pedestrians, animals and birds shall at all times have the right of way on and about the ESTATE. Vehicles shall be brought to a stop whenever necessary.

5.4 The maximum speed limit within the ESTATE is 30km per hour, provided that lower speed limits may be imposed by the ESTATE where this is deemed necessary.

5.5 The ESTATE may by means of appropriate signage give directions as to the use of roads or any portion of roads on the ESTATE. Failure by any person to obey such signage shall constitute a contravention of these ESTATE rules.

5.6 No person shall drive or ride any vehicle within the ESTATE in such a manner that would constitute an offence under any traffic ordinance. All vehicles shall be in a good and roadworthy condition. Without limiting the generality of the forgoing, vehicles emitting excessive noise, smoke and/or oil are prohibited.

5.7 The driving of vehicles is confined to roads and driveways, provided that non-motorised vehicles may be used on those areas (if any) specifically designated by the ESTATE for that purpose.

5.8 The ESTATE reserves the right to introduce any traffic calming measures, including but not limited to, speed-humps and pedestrian crossings, that they in their sole discretion deem necessary from time to time.

5.9 No person shall store, park or leave unattended any vehicle, except:

5.9.1 in a structure, compliant with all the provisions of the Architectural & Design guidelines in any area designated for such a purpose by the ESTATE by means of appropriate signage;

5.9.2 where lines are marked on the surface of any parking area indicating demarcated parking spaces within that area.

5.10 No trailers, caravans or boats shall be brought onto the ESTATE, except with the consent of and subject to, such conditions as may be prescribed by the ESTATE Management from time to time. This excludes Residential Erven, provided such items are not visible from the street.

5.11 Quad bikes may be stored under the conditions above but must not be ridden anywhere on the ESTATE if it is not duly licensed.

5.12 There are clearly marked restricted areas for emergency vehicles which must only be used for that purpose and which entrances must be kept clear.

5.13 The usage of skateboards, rollerblades, or any related equipment is restricted to designated common areas as specified by the Estate Management, and it is only permitted in areas deemed safe for such activities.

6. COMMUNCAL AREAS AND ENVIRONMENTAL ASPECTS

6.1 The ESTATE shall be entitled to control all aspects of the environment on or about the ESTATE, including but not limited to the management and control of fauna and flora on the ESTATE.

6.2 No person shall do anything or omit to do anything that may, in the opinion of the ESTATE, be likely to have a detrimental effect on the environment or that is likely to unreasonably interfere with the use and enjoyment of the Common Area by Members.

6.3 Littering and camping are prohibited. Fires may not be lit in places other than in areas specifically designated by the ESTATE for that purpose. Fires may not be lit at any property other than in the properly constructed braais/fireplaces designed for that purpose or manufactured braais, including, but not limited, to a Weber braai.

6.4 No person shall (without the prior written authority of the ESTATE) pick or plant any flowers or plants on or about the Communal Areas.

6.5 The ESTATE shall be entitled to prohibit or restrict access to any part of the ESTATE, excluding the Erven, in order to preserve the natural fauna and flora.

6.6 Any form of hunting, fishing, the trapping of birds and animals. And the setting of snares, other than with the knowledge and approval of the relevant nature conservation authority and the ESTATE, is strictly prohibited anywhere on the ESTATE.

6.7 No person shall anywhere on the ESTATE disturb, harm or permit to be disturbed, harmed or destroyed any wild animal, domestic animal, reptile or bird.

6.8 No temporary structures (Tree houses) as defined by the National Building Regulations may be erected in the Communal Areas.

6.9 No swimming is allowed in the fishponds, lakes and/or any other water features on the ESTATE other than where duly approved signage indicates that such activities are allowed.

7. LIFESTYLE CENTRE AND OTHER AMENITIES

7.1 ACCESS

7.1.1 Access to the estate amenities shall be granted exclusively to Members, Tenants, and other Residents, provided that the Member is in good standing with levy payments and all Estate requirements. No outside visitors shall be permitted access unless accompanied by a Member, Tenant, or Resident.

7.1.2 Access to any and/or all the amenities may be denied if levies and/or penalties are in arrears.

7.1.3 Access may be temporarily suspended for practical reasons such as maintenance at the sole discretion of the ESTATE.

7.1.4 The ESTATE manager may at times do spot-checks on equipment and sportswear used to ensure safety, cleanliness and hygiene.

7.2 SWIMMING POOL

7.2.1 Children under the age of 12 are to be accompanied by an adult at all times when using the swimming pool or in the pool area.

7.2.2 Appropriate swimwear must be worn at all times.

7.2.3 Running, pushing, or rough play in the pool area is strictly prohibited.

7.2.4 Glass containers or other breakable items are not permitted in the pool area.

7.2.5 No loud music is allowed in the pool area.

7.2.6 Smoking/vaping is prohibited in the pool area.

7.2.7 Animals are not allowed in the pool.

7.2.8 Swimming is entirely at one's own risk. There shall be no lifeguard on duty.

7.2.9 The safety equipment is for emergency use only. Equipment must not be tampered with or played with.

7.2.10 Any person with considerable exposed sub-epidermal tissue, open blisters or cuts will not be permitted to use the pool, as open wounds may become infected.

7.2.11 The gate to the swimming area must remain closed at all times.

7.2.12 The swimming pool may be closed from time to time for necessary maintenance.

7.2.13 Owners and occupiers must assist in maintaining a clean environment in the pool and patio area and must dispose of all litter in the bins provided.

7.2.14 The Association Trustees reserve the right to refuse entrance to any person(s) who, in their reasonably exercised judgement, is/are in violation of the rules and regulations.

7.2.15 The Estate Management in conjunction with the Association Trustees shall determine the operating hours of the swimming pool.

7.2.16 The Association Trustees shall have the authority to rent out the Swimming Pool area to Members for private use, subject to availability and in accordance with terms and conditions determined by the Association Trustees from time to time. The Association Trustees may impose such conditions, rules, and fees as deemed necessary to ensure the proper management, maintenance, and fair use of the facility. The Association Trustees also reserve the right to refuse or revoke rental privileges in cases where such use may negatively impact the interests of the Association or its Members.

7.3 PADEL COURT

The Estate Management in conjunction with the Association Trustees shall determine the operating hours of the padel court. To ensure that the court is used safely and that the players enjoy the use of the facility, please respect and follow the below:

7.3.1 Play at your own risk.

7.3.2 Play is only permitted for the duration of your booking time.

7.3.3 Dress code – active/sports wear.

7.3.4 No playing barefoot – Proper sports shoes required (Preferably Padel, Tennis or running shoes).

7.3.5 Before play starts – Padel bat must be looped around the wrist.

7.3.6 Only 4 players allowed per court unless otherwise stated or due to squad training etc.

7.3.7 Please leave your gym bag, sweat towel and water bottle outside the court.

7.3.8 Retrieve all balls that you may hit outside the court.

7.3.9 No jumping over the net.

7.3.10 No high heeled shoes on the court.

7.3.11 Only Padel balls are allowed to be played with on the court.

7.3.12 No tennis or squash racquets allowed on Padel courts.

7.3.13 No smacking the glass, turf, steel or net intentionally.

7.3.14 No Glass or Alcohol allowed on the court.

7.3.15 No playing whilst inebriated.

7.3.16 No food or eating allowed on the court.

7.3.17 No gum chewing on the court.

7.3.18 Children under the age of 12 are to be accompanied by an adult at all times when using the Padel Court.

7.3.19 No Smoking/vaping inside the court

7.3.20 Please do not litter – use bins provided.

7.3.21 Members are required to book the Padel Court in advance through the Community Portal. All bookings are subject to availability. No Member shall have exclusive rights to the facility, and the Association Trustees reserve the right to amend booking procedures or restrict usage if deemed necessary for the fair and efficient management of the facility.

7.4 OUTDOOR CINEMA AREA

7.4.1 The Outdoor Cinema is a communal facility intended for the enjoyment of Estate Members, Tenants, and Residents. Its use shall be subject to the Estate Rules and any additional guidelines set by the Estate Management and Association Trustees.

7.4.2 The Estate Management, in conjunction with the Association Trustees, shall determine the operating hours of the Outdoor Cinema and may amend the rules governing its use if deemed necessary.

7.4.3 The volume and content of screenings shall be regulated to ensure they do not cause a disturbance to surrounding residents.

7.4.4 No smoking or vaping is permitted within the Outdoor Cinema area.

7.4.5 No pets off leash are allowed in or around the Outdoor Cinema area.

7.4.6 No littering is allowed. Users must respect the facility and surrounding areas by disposing of all waste in designated bins after each use.

7.4.7 No private or commercial events may be hosted at the Outdoor Cinema without prior written approval from the Estate Management.

7.4.8 Any misuse or damage to the facility shall be the responsibility of the individual(s) involved, and they may be held liable for repair costs or face further penalties as determined by the Association

7.4.9 For safety and environmental reasons, the use of braais (barbecues), open fires, or any similar cooking or heating equipment is strictly prohibited in the Outdoor Cinema Area.

7.5 ELECTRONIC EQUIPMENT

The possession, membership, operation or use of illegal trans-receiving devices and/or radio equipment in addition to any other legal equipment which may interfere with the electronic services on the ESTATE are prohibited.

8. ELECTRICITY AND WATER SUPPLY

As long as the ESTATE retains ownership and responsibility for maintaining the electricity and water supply infrastructure within its premises, all Members are required to apply for their electricity and water connections directly through the ESTATE. If, in the future, the ownership of the mentioned infrastructure is transferred to the George Municipality, the applicable Rule will cease to be in effect.

The Members shall pay for the usage of electricity and water on a postpaid basis. Electricity meters will therefore be installed at each Erf and in each Section at a charge determined from time to time by the ESTATE. Procedures, costs and all other aspects relating to the system utilized on the ESTATE shall be determined from time to time by the ESTATE and communicated to Members.

8.1 The ESTATE shall not be liable for damages, expenses or costs caused to Members and/or Residents for any interruption in supply.

8.2 Under no circumstances shall any rebate be allowed on any account for water supplied and metered in respect of water wasted due to leakage or any other fault in the Erf or Section installation. No person shall in any manner or for any reason whatsoever tamper or interfere with any meter or service connection or service protection device or mains supply.

8.3 No person, other than a person specifically authorized thereto by the ESTATE in writing, shall directly or indirectly, connect, attempt to connect, or cause to be connected any installation or part thereof to the mains supply or service connection.

8.4 The ESTATE may, without notice, disconnect any Erf temporarily for purposes of affecting repairs or carrying out tests, or for any other legitimate purpose.

8.5 The Members shall pay for the usage of water on a postpaid basis. Water meters will therefore be installed at each Erf and in each section at a charge determined from time to time by the ESTATE. Procedures, costs and all other aspects relating to the system utilized on the ESTATE shall be determined from time to time by the ESTATE and communicated to Members.

8.6 Boreholes are permitted based on approval from the Estate Management and relevant by-laws. In order to effectively manage water resources, no borehole or well points may be erected on any Erf in the ESTATE, nor may any existing borehole be used for any purpose without written approval by the ESTATE. If a borehole is approved, then all related costs to return the common property to its original position will be for the owner's cost. This may include a damages deposit whose value is assessed by the management and trustees at the time.

8.7 If a borehole installation is approved, all costs related to restoring the affected Common Property to its original condition shall be the sole responsibility of the owner. The Association Trustees, in consultation with Estate Management, may require a damages deposit, the value of which shall be assessed at the time of approval. The deposit shall be held as security for any necessary repairs and will be refunded, less any costs incurred, upon satisfactory restoration of the Common Property.

8.8 The ESTATE shall take all reasonable steps to procure and maintain an adequate supply of water for Communal Areas but does not guarantee the same will always be maintained.

8.9 The ESTATE shall not be liable for damages, expenses or costs caused to residents due to

flooding and/or excess storm water.

9. ELECTRIC FENCING

The ESTATE is surrounded with a high voltage electric fence coupled with an intrusion detection system which is monitored from the Security Control Centre. The electric fence is open on the inside of the ESTATE and is equipped with sufficient warning signs to warn people to stay away. People working or residing on the ESTATE must take note that the fence is live at all times, and Members hereby indemnify ESTATE and hold it harmless against any and all claims in this regard.

10. BUSINESS FROM HOME: COMMERCIAL ACTIVITES

10.1 The Estate Management is entitled to regulate all commercial activities on or about the ESTATE. No application for any trading or similar license may be made to conduct any commercial activity of any nature from any Erf or section without the prior written consent of the ESTATE;

10.2 Business activities may be conducted from home, provided that prior written approval is obtained from the ESTATE.

10.3 Applications to conduct such activity from home must be made in writing and the following particulars must be provided: –

10.3.1 The nature of the business activity;

10.3.2 The percentage of the floor area of the dwelling used or to be used to conduct the business activity;

10.3.3 The number of staff members employed or to be employed;

10.3.4 The number of expected visits from outside Arbour ESTATE per month from;

10.3.4.1 customers/clients,

10.3.4.2 suppliers of goods/services, and

10.3.4.3 any other visits; and

10.3.5 Any other details pertinent to the application.

10.4 Application to conduct business from home or any renewal thereof will be approved, provided that: -

10.4.1 security within the estate is not compromised;

10.4.2 no door to door canvassing and/or selling is permitted;

10.4.3 no unreasonable aggravation or nuisance to fellow residents is caused by the activity;

10.4.4 the dominant use of the dwelling shall be for accommodation purposes and

the business activity may not occupy more than twenty-five per cent (25%) of the floor area of the dwelling;

10.4.5 no goods for sale may be publicly displayed;

10.4.6 no advertising sign and/or logo and/or signage and/or notice and/or placard may be displayed;

10.4.7 no advertisements or publicity material may be exhibited or distributed without the prior written consent of the ESTATE;

11. GOOD NEIGHBOURLINESS

11.1 Any hobby which, in the considered opinion of the Trustees, causes unreasonable aggravation or nuisance to fellow residents may be prohibited by the ESTATE.

11.2 Jumble / garage sales are prohibited.

11.3 The volume of music or electronic instruments, partying and the activities of employees should be kept at a generally acceptable noise level.

11.4 Mechanical maintenance, and the use of power-saws, lawn-mowers and the like, (electric mowers are preferred), may be undertaken only between the following hours:

Mondays - Fridays	:	May - August	07h30	-	18h00
	:	September - April	07h00	-	19h00
Saturdays	:		08h30	-	18h00
Sundays	:		10h00	-	16h00

11.5 No person shall discharge a firearm, air rifle, crossbow or any similar weapon anywhere inside the ESTATE, except in circumstances of self-defense.

11.6 Use or igniting of fireworks is strictly prohibited within the ESTATE.

11.7 No washing of any nature (including, but not limited to garments and household linen) may be hung or placed to dry except in areas specifically designated for that purpose. All washing lines and similar devices must be placed below the level of garden/yard walls in order that they are not readily visible from any road and/or other Erf.

11.8 No unauthorized persons are allowed on any Erf where building operations are under progress.

11.9 No person shall make or cause to be made any undue disturbance or noise or do anything or allow anything to be done that may constitute a nuisance in the sole and unfettered discretion of the ESTATE Manager to other Members or Residents.

11.10 In order to maintain the low-density residential nature of the ESTATE, no Member or Tenant shall accommodate or allow the accommodation of more than 2 (two) persons per bedroom in any dwelling on the ESTATE.

12. ENSURING A PLEASING STREETSCAPE

12.1 Trampolines, Jumping Castles, jungle gyms, dollhouses, kennels, motorized equipment, tools, engines and vehicle parts must be sited out of view of the street and sufficiently screened from neighbouring properties.

12.2 Building material may not be dumped on the sidewalks/street verges under any circumstances. Domestic refuse, garden refuse and refuse bags may not be placed on the sidewalk/street verge, unless they are to be removed within a period of 24 hours.

12.3 No vegetation on Private Open Spaces may be removed without the permission of the ESTATE.

12.4 No aerials or satellite dishes are allowed.

13. SELLING OF PROPERTY AND POST BOXES

13.1 The ESTATE imposes certain Rules which must be followed by all Estate Agents working on properties within the ESTATE.

13.2 The seller and/or his accredited agent must ensure that the purchaser is informed about and receives a copy of the ESTATE Constitution and ESTATE Rules and any other administrative procedures applicable at the time. The ESTATE Rules are available from the ESTATE Office at a price determined by the Trustees.

13.3 Purchasers moving into the ESTATE and Members or tenants moving out of the ESTATE must advise the Security office in advance of the name of their appointed removal contractor and the expected time of arrival. The Member or tenant is also required to advise the Security office once the removal truck is ready to leave the ESTATE.

13.4 A post box is allocated per property, as no street delivery service is available. The post boxes, indexed per Street Address for Residential Erven , are situated at the Gatehouse. Section Number for Sectional Title Units are situated inside the Southfork lobby.It should be noted that post boxes are not managed by the ESTATE, and all arrangements regarding the use of these boxes must be between the SA Post Office, the seller and the purchaser.

14. ACCREDITATION OF ESTATE AGENTS

14.1 Only sales or letting agents that are duly accredited by the ESTATE will be allowed to work in the ESTATE.

14.2 An Estate Agent is accredited after signing an agreement with the ESTATE which binds such agent to comply with the stipulated procedures applicable to the sale and/or letting of property in the ESTATE.

14.3 Any Estate Agent wishing to be accredited may be required to provide written proof of his registration and good standing with the relevant authority.

14.4 Estate Agents must operate on a "by appointment" basis, and they must personally accompany prospective buyers or tenants onto the property.

14.5 No "show houses" or "open houses" are permitted within the ESTATE.

14.6 No "For Sale", "Sold", directional signs or any other marketing boards will be permitted within the ESTATE. Nor may any of these signs be erected on any property within the estate.

14.7 Accreditation of Estate Agents will have to be renewed from time to time as determined by the Trustees and may also be reviewed by the ESTATE from time to time. An updated list of accredited Estate Agents is available on request from the ESTATE.

14.8 Estate Agents who do not comply with the aforesaid rules, will not be allowed access to the ESTATE.

15. LETTING AND MANAGEMENT OF PROPERTY

15.1 Only an ESTATE-accredited Estate Agent may be appointed to attend to the letting and management of a property within the ESTATE.

15.2 The Member must notify the ESTATE, in advance and in writing on the prescribed form, of the accredited agent(s) appointed to attend to the letting and management of the Member's property.

15.3 The Member must notify the ESTATE, in advance and in writing on the prescribed form, of the names of all the tenant(s) and the period of the lease.

15.4 The Member and/or the accredited agent must ensure that the tenant is informed about and receives a copy of the ESTATE Rules and any other administrative procedures applicable at the time.

15.5 Any concession granted to a Member by the ESTATE must be communicated to the tenant at the time of signing of the lease contract.

15.6 Tenants moving into the ESTATE and Members and tenants moving out of the ESTATE must advise the Security office in advance of the name of their appointed removal contractor and the expected time of arrival. The Member/tenant is also required to

advise the Security office once the removal truck is ready to leave the ESTATE.

16. WATER CATCHMENT TANKS (for detail refer to Design guidelines)

This regulation exclusively applies to Single Residential Erven. In addition to the existing catchment tanks provided, residents may install water catchment tanks made of materials other than asbestos cement. However, these tanks must either be installed underground or integrated into the structure of the dwelling. It is essential that these tanks remain invisible from the street. Please consult the Design Guidelines for further details.

17. PETS

17.1 Members and their tenants shall not be entitled to keep pets on their Property without the written approval of the relevant Component or Association Trustees of the ESTATE, subject to the conditions set out below.

17.2 The Local Authority by-laws relating to pets will be strictly enforced.

17.3 No pets are permitted to roam the ESTATE. Pets are only allowed outside the erf perimeter under direct supervision and must be walked on a leash at all times, except in designated Dog Park areas. Unleashed pets and pets roaming the ESTATE will be considered "problem pets" in terms of these rules.

17.4 Should the excrement of any pet be deposited on any open space or garden area, the immediate removal thereof is the sole responsibility of the owner of the pet. Non-compliance with this rule will result in penalties or fines as determined by the Trustees.

17.5 To assist in the identification of roaming pets, every pet must wear a collar with a tag indicating the name, telephone number and address of its owner. Owners of cats are encouraged to have their cat fitted with a collar that contains a bell in order to prevent the cat from depleting the bird population.

17.6 Complaints regarding problem pets: -

17.6.1 Complainants are required to complete the Official Pet Complaint Form and thus be prepared to be identified, before any communication will be addressed to the owner of an offending pet.

17.6.2 A letter, accompanied by a copy of the complaint form, will be addressed to the owner of the pet. The owner will be granted two (2) days to respond in writing to the ESTATE on the allegation(s). A Committee (one Association Trustee, one

Component Trustee and a member of the ESTATE Management) will consider the complaint and the owner's response and will within two (2) working days after the receipt of such response, inform the owner of its decision.

17.7 The Committee is empowered to:

17.7.1 dismiss the complaint;

17.7.2 to issue a warning letter,

17.7.3 to impose a fine; or

17.7.4 to direct that the pet should be removed from the ESTATE.

17.8 Should the pet owner be dissatisfied with the Committee's decision, they may approach CSOS to resolve the dispute.

17.9 In exceptional circumstances, where pets become a nuisance to other ESTATE occupants or threaten to become a nuisance to other ESTATE occupants (e.g. pets which have attacked humans or animals - irrespective of injury or pets which display aggressive behaviour, etc.), the ESTATE Management may issue direct instructions for the removal of such pets from the ESTATE. A written instruction will be delivered to the owner of the pet, and the owner will be granted two (2) working days to submit reasons why this ESTATE decision should not be made final. The abovementioned Committee will consider the owner's response and will reply in writing within two (2) working days to such representations. Should the pet owner be dissatisfied with the Committee's decision, such owner may apply in writing, and within two (2) working days, for the matter to be taken to arbitration.

18. COMPLIANTS REGISTER

18.1 Complaints of Members or tenants will be recorded, in reference number order in the ESTATE Office. All complainants should be prepared to furnish their names, addresses and telephone numbers before a complaint will be attended to.

18.2 Full details of a complaint will be referred to the ESTATE Management for appropriate investigation and action. Information regarding the complaint, as well as notes describing the manner in which the matter was resolved, will be kept on file in the ESTATE Office.

18.3 The ESTATE is not prevented by this Rule from taking action on its own initiative, if evidence of unacceptable conduct should come to its attention from any source including written and verbal complaints.

19. ENFORCEMENT OF ESTATE RULES

19.1 For the purpose of the enforcement of any of the ESTATE Rules, the Association or where applicable the Component Trustees may take or cause to be taken such steps as they may consider necessary to remedy the breach of the ESTATE rules of which a resident and/or Member may be guilty, and the ESTATE may take such action, which includes approaching CSOS or instituting court proceedings, as they may deem fit.

19.2 In the event of any Member disputing the fact that they have committed a breach of any of the ESTATE Rules, a committee of 3 (three) trustees appointed by the Chairperson for that purpose, shall adjudicate upon the issue at such a time and in such a manner and according to such procedure as the Chairperson may direct.

19.3 Notwithstanding the foregoing, the Trustees may in the name of the ESTATE enforce the provisions of any ESTATE Rules by proceedings in a court of competent jurisdiction and for this purpose may appoint such attorneys and counsel as they may deem fit.

20. OTHER GENERAL ESTATE RULES

20.1 The ESTATE shall have control of the use of all recreational and entertainment facilities and all other amenities on the Common Area of the ESTATE and the Trustees shall have the right to levy charges for the use thereof.

20.2 In general, where no specific ESTATE Rules have applicability, the Trustees reserve the right for the ESTATE Manager to make ESTATE Rules from time to time that he/she may deem necessary subject to the approval of the Trustees.

20.3 The Trustees reserves the right to amend these ESTATE Rules from time to time in such a manner as deemed necessary.

20.4 The ESTATE Manager will publish any changes in the ESTATE Rules on the ANE website.

20.5 Vandalism;

20.5.1 The ESTATE has a zero-tolerance approach to vandalism (damage) of property.

20.5.2 The following action will be taken against the perpetrators of any such acts;

20.5.2.1 All damages will be restored at the perpetrator's or their parents' expense in case of a minor;

20.5.2.2 Should damage be caused to the property of a Member within the ESTATE, the ESTATE will provide the Member with all the information at its disposal with regards to such damage.

20.5.2.3 Any legal action will then be at the discretion of the Member.

C. RULES DEALING WITH BUILDING, RENOVATIONS AND ALTERATIONS

(to be read in conjunction with the Design Guidelines)

21 BUILDING / WORKS DEPOSIT

21.1 Each Registered Owner shall, when submitting to the Association Trustees for approval, the detailed plans for the construction of any building and/or improvements, or alterations or additions to existing improvements in the Estate, pay to the Association a deposit in an amount to be determined from time to time by the Developer or the Association Trustees which amount shall be retained by the Association in trust until completion by the Registered Owner and/or its contractors of such work, the interest on which deposit shall accrue to the Registered Owner, provided that the works approved by the Association Trustees is carried out within the time frames as agreed. If the timeframes are not complied with, the interest accrues to the Association.

21.2 A works deposit in an amount to be determined by the ANEHOA from time to time, payable to the ESTATE, is to be paid prior to the commencement of any operation which will create rubble or will necessitate the storage of building or other material. This deposit will be subject to review from time to time at the discretion of the ESTATE. The ESTATE shall be entitled to demand a higher deposit from a Member in circumstances which justify such higher deposit.

21.3 In exceptional circumstances, where written permission is granted for any Member to use part of a Private Open Space, the building deposit payable by the Member will be increased in an amount to be determined by the ANEHOA from time to time or more, dependent on the circumstances.

21.4 The deposit will be refunded, with interest, once a request for a refund is received on the prescribed form, and the following has been complied with: -

21.4.1 all construction work has been completed within the stipulated timeframe;

21.4.2 all building material, equipment and rubble have been removed from the building site, adjacent or nearby vacant erven, surrounding areas, Private Open Spaces, and from the ESTATE;

21.4.3 all walkways and sidewalks/street verges have been cleared of builder's sand, rubble, paint, and excavated soil;

21.4.4 damage to any road surface, storm water catch pits and curbstones has been repaired to the satisfaction of the Local Authority;

21.4.5 the Building Inspector of the Local Authority has approved the building operations; and

21.4.6 the requirements of the Local Authority regarding the Electrical Compliance Certificate, Plumbing Certificate, Civil Structural Engineer's Certificate (where applicable), and Roof Certificate, are complied with.

21.5 Any cost to the ESTATE for the removal of any loose building material, building rubble or for the repair or replacement of any damaged paving, landscaping, walling, fencing, street lighting, street names, notices, or any part of the communal area of the ESTATE will be for the account of the Member concerned and may be deducted from the building or works deposit.

21.6 The building and works deposits will prescribe after a period of three (3) years from the date of payment, after which period the deposit will be forfeited to the ESTATE

22 BUILDING COMMENCEMENT AND COMPLETION

22.1 The Design Guidelines will be strictly enforced and all building plans have to be approved and signed off by the ESTATE Architect before lodgment at the municipality for approval.

22.2 No building work, site leveling or excavation work may commence prior to the lodgment at the office of the ESTATE of the building plans duly approved by the ESTATE Architect and the City of George.

22.3 Any building work, site leveling, excavation or any civil engineering ground work of any nature to be undertaken on any property, shall proceed in accordance with the approved plans and may only commence with the written permission of the ESTATE Manager.

22.4 Once the building work, site leveling, excavation or any civil engineering ground work has commenced, the building works shall be completed, both internally and externally as per the approved plans, within the time period that the relevant Component or Association Trustees have set out in the application submitted for the building works.

22.5 Notwithstanding the fact that an occupancy certificate has been issued by the Building Inspector of the Local Authority, the requirements of all the ESTATE Rules must be complied with before the ESTATE Manager will be able to issue a completion certificate.

23 BUILDING WORK AND CONTRACTOR

24.1 The ESTATE Trustees have adopted certain Rules relating to building contractor activity within the ESTATE. The primary aim of these Rules is to ensure that all building activity within the ESTATE occurs with the least possible disruption to residents. It is the responsibility of the Members to ensure that their building contractors are fully informed

of these ESTATE Rules and that they are strictly complied with.

24.2 The ESTATE reserves the right, at any time and with no prior notice, to suspend building activity for contravention of any ESTATE Rule, or in instances where undesirable conduct is established in terms hereof.

24.3 The appointment of building contractors is subject to such contractors being accredited by the ESTATE. A contractor is accredited after signing an agreement with the ESTATE which binds such contractor to comply with the stipulated procedures applicable to contractor activities. Only contractors registered with the Master Builders' Association will receive accreditation from the ESTATE and will be allowed access to the ESTATE.

24.4 Every building contractor shall be required to abide by the Rules, the architectural guidelines and any other rules made by the ESTATE regulating the conduct of building contractors from time to time and to sign such prescribed undertakings as may be determined by the ESTATE with regard thereto. A building contractor will not be allowed to undertake any building work on the estate until such time as the undertakings referred to in this clause have been given.

24.5 Any building contractor who fails to sign any such prescribed undertaking and/or fails to comply with the provisions thereof may be denied access to the estate.

24.6 The contractor must provide toilet facilities on site before construction of any nature commences.

24.7 Contractor activity is permitted during the following hours, except where superseded by Municipal by-laws: -

24.7.1 Monday to Friday: 07h00 to 18h00;

24.7.2 Saturdays 08h00 to 14h00; and

24.7.3 No building or contractor activities will be permitted on Sundays, public holidays or builders' holidays.

24.7.4 The above time frames shall exclude construction activities undertaken by the Developer during the Development Period. However, the Developer shall adhere to all relevant municipal by-laws and regulations governing construction activities.

24.8 No contractor or worker is permitted to use any part of a Private Open Space for any purpose whatsoever without the written permission of the ESTATE. Permission to use any part of a Private Open Space will, as a rule, not be granted. Only in very exceptional circumstances will permission be granted subject to: -

24.8.1 A formal written request being received in which the need to use the Private

Open Space is fully motivated.

24.8.2 A specific area being demarcated for the purpose.

24.8.3 Permission must be in writing and will only be granted for the shortest possible period, subject to the payment of the relevant additional deposit.

24.9 The contractor will not be permitted to employ his/her own watchman or security for any site.

24.10 All building sites must be manned by a foreman to ensure that staff are under supervision at all times. No employees may leave the building site, or leave the ESTATE on foot, unless accompanied by the appointed foreman, the building contractor or the Member.

24.11 The contractor must provide facilities for rubble and refuse disposal and ensure that workers use the facilities provided. Rubble / refuse must be removed on a weekly basis and may not be burnt on site.

24.12 The sites are to be kept clean of building rubble and refuse, with regular cleaning taking place during building operations. All street frontages must be kept clear of rubble and refuse at all times.

24.13 Building materials must be off-loaded onto the site. It remains the Member's and contractor's responsibility to ensure that the road is kept clean at all times.

24.14 Deliveries from suppliers must be scheduled during normal working hours only.

24.15 Only builder's boards approved by the ESTATE Management will be permitted. Such boards must be neatly painted and must be fixed in such a way that they cannot be blown over by wind or knocked over by workers. Such boards must be placed in a position so as not to interfere in any way with traffic lines of sight. No boards of suppliers and/or sub-contractors are permitted.

24.16 The Member is ultimately responsible for the actions of his contractors and will be held responsible for damage to curbs and/or plants on the sidewalks/street verges and/or damage to private or ESTATE property.

25 ENVIRONMENTAL RULES

25.1 The dumping of rubble, refuse or building material on any Private Open Space, the Riparian Zone or street is strictly prohibited.

25.2 All fauna and flora are protected in the ESTATE. No fauna may be released into the ESTATE without prior written consent of the ESTATE.

25.3 Members must ensure that declared noxious flora is not planted or allowed to grow in their gardens.

25.4 Swimming-pool water may not be emptied onto vacant erven or open spaces but must be channeled into the sewer line.

25.5 Vacant erven must be cleared at least once every 2 months, to the satisfaction of the ESTATE. Failure to comply with this Rule will result in the ESTATE appointing a contractor to undertake the required work without notice to the Member, at the Member's expense.

25.6 Residents' use of the Riparian Zone, children's play parks, other open spaces and Lifestyle Estate facilities is entirely at their own risk at all times.

25.7 Fire Prevention: -

25.7.1 Other than designated areas as determined by the Association Trustees, no materials may be burned anywhere in the ESTATE;

25.7.2 Dead and waste plant material must be removed from the site to reduce fuel load.

25.7.3 Erven should be kept clean from dry, overgrown grass and weeds

25.7.4 No fireworks will be allowed on the ESTATE.

26 FIRE RESPONSE

26.1 All members must familiarize themselves with the position of the fire hydrants/extinguishers in the ESTATE as well as in the Lifestyle Centre. A list indicating the position of this equipment and a map indicating the location of fire hydrants are available on the notice board in the Lifestyle Centre.

In the case of a fire occurring on site or in the Nature Reserve, the following actions are to be taken immediately: -

26.1.1 contact the ESTATE Manager or the chairman of the AHOA;

26.1.2 contact the relevant general emergency number from landlines or through the emergency number of your cell phone provider; and

26.1.3 warn neighbours of potential danger.

E. SECURITY

27 GENERAL

27.1 The security of the ESTATE is of paramount importance. All members, their families, tenants, boarders, visitors, friends, employees and contractors must adhere strictly to the ESTATE security procedures.

27.2 The perimeter security and access control systems serve as deterrent and detection functions and are not guaranteed to prevent a determined attempt at intrusion into the ESTATE. All residents are expected to be vigilant to safeguard the overall security.

27.3 The security company contracted to undertake the access/exit control and ESTATE security is the contracted agent of the ESTATE, and not of the individual Members or residents. No Member or resident may issue an instruction to security employees. All queries are to be addressed to the ESTATE Management.

27.4 Verbal or physical abuse of security employees, a lack of co-operation or non-compliance with any valid instruction will not be tolerated. Penalties will be imposed and/or legal proceedings may be instituted against transgressors at the discretion of the ESTATE. In addition, the security company may institute independent action.

27.5 Domestic workers and gardeners, whether temporary or permanent, must be a South African citizen or hold a valid worker's permit. They are not permitted to roam or linger in any common areas and must proceed directly between the Estate entrance and their designated place of work. The Member or Resident remains fully responsible for the actions and behavior of their employees at all times.

28 ACCESS CONTROL

28.1 As an integral part of overall security, the ESTATE is responsible for regulating access to the ESTATE. There is a significant cost attached to operating and maintaining a secure access control system

28.2 The ESTATE reserves the right to suspend the biometric or other automatic access system of a Member or Resident should the Member be in arrears with ESTATE levies or any other monies owing to the ESTATE. Such a Member will have to sign in manually using the applicable procedure for Visitors of the ESTATE. This Rule will apply to any additional vehicle access required by individual residing or working at the relevant property.

28.3 The Member is responsible for all vehicle access reflecting on their or their tenants' application. Access to the biometric or other automatic access systems may be

suspended at the discretion of the Association Trustees, should the member transgress any ESTATE Rule or in any way jeopardise the integrity of the security system and/or the security of the ANE Community. Such a transgressor will have to sign in manually using the applicable procedure for Visitors of the ESTATE

28.4 The ESTATE and its Security Contractor will monitor and control access to the ESTATE.

28.5 Each person entitled to vehicle access must complete the required documentation and pay any relevant fee.

28.6 No persons, other than those provided for in these Rules, shall be entitled to access the ESTATE except by special dispensation to be considered by a person or panel, appointed by the Association Trustees.

28.7 Members and/or Residents moving from one address within the ESTATE to another address within the ESTATE, must inform the ESTATE Management within a reasonable time, of their new address, in order to ensure that access to the ESTATE is not denied.

28.8 All Members, their resident families, Tenants, Boarders, employees and Contractors working on the ESTATE, must be enrolled on the access system in order to have access to the ESTATE.

28.9 Only persons authorised to reside and/or work on the Member's premises, shall be entitled to be enrolled onto this system.

28.10 The security of the ESTATE is dependent upon management being able to identify persons and vehicles entering and leaving the ESTATE. Circumventing access procedures compromises security.

28.11 All Members have the right to pedestrian access over Common Areas and Common Property, subject to the restrictions set out in these Rules and any further directives issued by the Trustees.

28.12 Common Areas and Common Property include, but are not limited to, parks, pathways, greenbelts, recreational spaces, and other communal facilities designated for shared use.

29 PROCEDURES

29.1 Members or residents making use of motorised vehicles may enter the ESTATE via the Residents' Lane by means of the designated access control system applicable.

29.2 Members or Residents may also gain access to the ESTATE through the Visitors Lane should circumstances require them to do so.

29.3 Access control will be managed and utilised by an appropriate access control system applicable to the Estate.

29.4 All Residents shall make use of the access control system system to allow their visitors access to the ESTATE. If a resident did utilise the access control system for their visitor to enter the ESTATE, the Security Guard will attempt to obtain authority from the relevant Resident by phone, to admit the person concerned to the ESTATE. It will be the responsibility of the Member/Resident to register on the guest enrolment system. If such authority is not obtained by the security officer, they will be entitled to refuse the person concerned access to the ESTATE.

29.5 Visitors and contractors are required to produce valid identification, declare the purpose of their visit, name the resident and/or the address they wish to visit, and complete the required visitors' access procedure.

29.6 The vehicle and driver's license of the Visitor and/or Contractor will be scanned before the Security officer shall grant access to such persons wishing to access the ESTATE.

29.7 Pedestrian Visitors and Contractors wishing to access the Estate without a motorised vehicle must be registered at the Security Control Centre and comply with the Estate's access control procedures.

29.8 Upon successful registration and approval by the Security Office, access will be granted through the Estate's designated access control system.

29.9 If an individual is unable to utilize the primary access control system, an alternative method, as determined by the Estate from time to time, may be employed—provided that all other access requirements have been met and the Security Office is satisfied with the individual's authorization to enter.

29.10 Tailgating to gain access to or exit from the ESTATE is regarded as a serious transgression and could lead to the imposition of penalties and/or the deactivation of any vehicle access card issued to the transgressor.

29.11 Residents expecting visitors to arrive after 22h00 should make appropriate arrangements with the security staff. In the event of security staff not being notified of an arrival expected after 22h00, the resident will be contacted telephonically to confirm acceptance of the visitor.

29.12 Contractors will be granted access to work in the ESTATE only on the days and times stipulated in these Rules. If emergency repair work is required outside of permitted contractors' working hours, contractors will be permitted to enter the ESTATE after the security staff has verified the emergency.

29.13 Members and Tenants are responsible for the actions and behaviour of their employees. Employees of the Arbour Nature Estate residents who enter the ESTATE on foot or by bicycle, e.g. domestic workers and gardeners are required to enter and leave the ESTATE through the pedestrian turnstile, and will be granted access to the ESTATE only if

they are in possession of a permanent Workers' Permit issued by the ANE Security Office, or a temporary Workers' Permit issued by the ANE Security Office. If the employee is not in possession of the required permit, the employer will be required to fetch the employee from outside of the ESTATE entrance and accompany the worker out of the ESTATE at the end of the working day.

29.14 Pedestrians that are not residents of the ESTATE and are not in possession of the required permit, nor in the employ of a resident, will be denied access to the ESTATE.

30 SPECIAL DISPENSATIONS: All other Residents and Non-Resident employees

30.1 Written application in this respect, fully motivated, must be made by the Member or registered Tenant and submitted to the ESTATE Office for consideration by a person or panel appointed by the Association Trustees.

30.2 If granted, access to the ESTATE will be allowed under such conditions as are determined in respect of each application.

30.3 Access granted as a result of such application will be valid for a maximum period of twelve months from the month of issues, after which the Member or registered Tenant must apply in writing to the ESTATE Office for the validity of the access to be extended for a further maximum period of twelve months.

31 ISSUE OF WORKERS' ACESS PERMITS

Application in this respect must be made by the Member or registered Tenant.

32 VISITORS, DOMESTIC WORKERS AND LABOURERS (ALL EMPLOYEES)

32.1 The right of admission to the ESTATE shall be under the control of the ESTATE, that may on any reasonable grounds, deny any person/s access to the ESTATE.

32.2 Domestic Workers and Labourers are obliged to abide by these ESTATE Rules & Regulations and the Constitution. Members and/or Tenants are obliged to familiarize their employees with these ESTATE Rules & Regulations and the Constitution, and to ensure that they are aware of all the provisions.

32.3 Members and/or Tenants are required to notify the ESTATE of and to provide full details of any employees that reside on the ESTATE.

32.4 If the Security Officer on duty has no record of the arrival of any employees, the Security Officer may (but will not be obliged to) attempt to obtain authority from the relevant Member and/or Resident to admit the employee concerned to the ESTATE. If such authority is not obtained, the Security Officer will be entitled to refuse such an Employee access to the ESTATE. Members and /or Residents shall, at their own costs, ensure that all

Employees wear clean and presentable clothing within the ESTATE.

32.5 All employees shall be required to carry valid identification with them whilst they are on the ESTATE at all times.

32.6 Members and/or Residents must ensure that none of their Employees behave or engage in conduct unbefitting to the high standard of the ESTATE; and/or engage in strikes or other labour action on or about the ESTATE. It is recorded that the ESTATE and/or the ESTATE management shall be entitled to procure compliance with the aforesaid in their discretion and any costs associated therewith shall be for the account of such a Member and/or Resident.

36.7 Employees may only reside (live-in) within the ESTATE with written permission of the ESTATE. The maximum number of employees that may reside on a property, with written permission from the ANEHOA, is 2 (two). Family members or friends of employees are not allowed to overnight.

F. PENALTIES, FINES AND STOP WORK ORDERS

If the conduct of a member or occupier of a section or their visitors constitutes a nuisance or danger in the opinion of the trustees, or if a member, occupier or visitor contravenes, breaches, disobeys, disregards a Constitution or Conduct Rule, the trustees may give the member and occupier written notice, which may in the discretion of the trustees be delivered by hand, by registered post or by email, specifying the conduct which constitutes a nuisance or danger and the Rule allegedly contravened, and notifying the offender that if they persist in such conduct or contravention, a penalty or penalties will be imposed on the member of the section in terms of this rule.

If the member or occupier nevertheless persists with the conduct complained of or in contravention of the relevant Rule, the trustees may impose an "initial penalty" for the first offence and a "subsequent penalty" for every identical offence thereafter, without derogating the rights in law of the trustees and Association to take further action, which penalty will be added to the members account which the member is obliged to pay.

The member will have the right to request a meeting to present their case and appeal any penalty raised, within ten (10) days of receiving notice of the penalty, provided that the member may not participate, unless otherwise permitted by the chairperson, in the decision making or voting at the meeting.

The Association may, at a general meeting, from time to time, determine the amount of the "initial" and "subsequent" penalties, or in the absence of such a determination within the previous two (2) years, the trustees shall determine such penalties, provided that the members of the Association have approved such new penalties at a general or special meeting and provided that the penalty may not be equal to or exceed the monthly levy payable by a member in respect of their section.