

RULES: N4 GATEWAY PROPERTY OWNERS ASSOCIATION (MAY 2018)

DEFINITIONS

1 Words

The singular number shall include the plural, and the converse shall also apply;

the masculine gender shall include the feminine, and neuter genders; and the neuter gender shall include the masculine and feminine genders;

2 Association

N4 Gateway Property Owners Association (association incorporated under Section 21 of the Companies Act 61 of 1973)

3 Owners

Owners, who in terms of the Deeds Registries Act is reflected in the records of the applicable Deeds Office as being the registered owner of Property in N4 Gateway

5 ARC

The Architectural Review Committee as provided for in Article 12.7 of the Articles of Association of N4 Gateway Property Owners Association

6 Board

Board of Directors of the N4 Gateway Property Owners Association

7 Developer

Uniqon Wonings (Edms) Bpk, Registration Number 1999/001441/07, a company registered in accordance with the Companies Act 61 of 1973

8 Levies

Levies (including special levies) imposed by the Board of Directors of N4 Gateway Property Owners Association from time to time upon the Members for the purposes of meeting all expenses which the Association has incurred, and/or to which the Directors reasonably anticipate the Association will incur, in the attainment of its objects and/or the pursuit of its business.

9 Manager or Managing Agent

Any person(s) or body appointed by the Association to undertake the administrative and management functions of the Association, and "*Managing Agent*" shall have a cognate meaning.

10 Member

The Developer in its capacity as such, and any other person who in terms of the Deeds Registries Act is reflected in the records of the applicable Deeds Office as being the registered owner of Property in N4 Gateway

11 Rules

The Rules which may be established by the Board from time to time in accordance with the Articles of Association and all directives issued by the Board in accordance with the powers conferred upon the Board in terms of the Articles of Association which shall have the same force and effect as a rule

12 N4 Gateway Users

Owners, tenants, visitors, employees, contractors, sub-contractors and delivery personnel using the facilities of N4 Gateway

13 Arbitration

Actions in accordance with the Arbitration Act, Act No. 42 of 1965, as amended or as determined in par 12.11 of these rules.

14 Buildings

Buildings erected in accordance with the plans approved by the ARC of the N4 Gateway Property Owners Association.

15 Clearance certificate

Certificate issued by the Board of Directors of the N4 Gateway Property Owners Association before any property can be transferred.

16 Deposit

16.1 Refundable builders deposit

Refundable Deposit to be paid by owners before the commencement of any building activities after the building plans were approved by the ACR to the Association as security for compliance with these rules. The amount will be determined by the Board of Directors from time to time. This deposit will be refunded after the building is completed and any damage to N4 Gateway property is repaired to the satisfaction of the ARC (See Annexure A)

16.2 Non refundable deposit for approval of the building plans

Non refundable deposit per plan (architectural fees excluded) and as determined by the Board from time to time is payable for the approval of the building plans. simultaneously with the submission of the plans. The Association reserves the right to impose an additional fee if the building is re-designed. (See Annexure A)

1. INTRODUCTION

1.1 Harmonious coexistence in N4 Gateway is achieved when N4 Gateway Users make use of and enjoy the property as well as the public areas of N4 Gateway. General consideration of everybody by and for each other will assist in assuring harmonious relations in N4 Gateway.

1.2 The prime objective of these Rules are to preserve and enhance the security, aesthetics and environment of N4 Gateway.

1.3 The rules have been established in accordance with the Memorandum and Articles of the N4 Gateway Property Owners Association (association incorporated under Section 21 of the Companies Act 61 of 1973. These rules are binding upon all N4 Gateway Users, as is any decision taken by the Board of Directors in interpreting these Rules.

1.4 **The registered owners of the properties at N4 Gateway are responsible for ensuring that tenants, visitors, employees, contractors, sub-contractors and delivery personnel abide by these rules.**

1.5 These rules are subject to change from time to time at the discretion of the Board of Directors.

1.6 The decision of the Board is final and binding in respect of the interpretation of these rules.

1.7 In the event of problems or complaints, the involved parties should attempt to settle the matter between themselves, exercising tolerance and consideration. In instances where problems are not solved, the matter should be brought to the attention of the Board for arbitration, mediation and settlement.

2 ADMINISTRATION

- 2.1 All contributions and/or levies are due and payable in advance on the first day of each and every month.
- 2.2 Interest will be levied on arrear accounts at a rate as determined by the Board from time to time.
- 2.3 Owners are responsible to pay the levies as imposed by the Board from time to time in order to enable the directors to settle the expenses of the Association:.
- (1) Levies are payable in advance on the first day of each and every month
 - (2) Failure on the part of any owner to ensure payment on time of levies or any other amount due to the Association will result in the following action;
 - a) On the eighth day of the first month a written reminder will be issued to the owner by the Association/Managing Agent. (Can be done by phone or sms or e-mail)
 - b) On the first day of the second month the owner will receive a final written reminder from the Board of Directors of the Association / Managing Agent.
 - c) If the arrear levies is not settled by the eight day of the second month, the matter will be handed over to an attorney for collection
 - (3) All cost incurred for the above actions shall be for the account of the owner.
 - (4) The owner shall be liable for payment of an administration- / credit control- / hand-over-fee levied by the Managing Agent in respect of any letters of demand.
 - (5) In the absence of a determination by the Board of Directors of the interest rate to be levied on arrear levies, the rate prescribed by the Prescribed Rate of Interest Act, Act 55 of 1975, shall apply.
 - (6) No owner is allowed to vote at any meeting or stand as a member of the Board, if his levies are in arrears.
- 2.4 The Association has the right to fine transgressors where any of the rules as stipulated by the Association have been broken. Such fine will form part of the monthly levy and be due and payable on due date of payment of the levies. This will, however, not jeopardize or exclude any other right/rights of the Association or any other person or instance to institute legal action against the transgressor in terms of the law. **(SEE ANNEXURE B)**
- 2.5 Summons will be issued in cases of arrear accounts or breach of any of the rules imposed and the legal costs on an attorney and own client basis in respect thereof will also be for the account of the owner who is in arrears.

3. **BUILDING AND ARCHITECTURAL STANDARDS**

The Building and Architectural Guidelines form an integral part of these Rules and Regulations.

4. **BUILDINGS**

- 4.1 All buildings must be erected in accordance with the plans approved by the ARC of the Association.
- 4.2 If an owner wishes to extend or amend his buildings after construction, the owner shall first obtain the of the ARC and the local authority.
- 4.3 Owners must ensure compliance with all rules pertaining to building operations and all contractors must be made aware of it and it must be incorporated in any building agreement.**
- 4.4 Owners are responsible to ensure that all building rubble is removed from the property.

5. **USE OF THE PROPERTY**

5.1 Owners and/or tenants may only use their properties for the approved purpose but not residential purposes.
(SEE <http://n4gateway.co.za/documents/conditions-of-establishment>)

5.2 N4 Gateway Users are not allowed to use his property or the common property (road, servitude area, etc) in such a manner that it causes a nuisance, annoyance, discomfort or disturbance..

6 GENERAL RULES

6.1 Owners must ensure that all waste must be placed in bins designed for that purpose and will be removed in such a manner as determined by the Association and or the local government.

6.2 No person is allowed to bring any explosive device and fireworks into the N4 Gateway and the detonation thereof is prohibited.

6.3 Owners are obliged to fully inform a purchaser of all his rights and obligations as a result of ownership and as contained in this Rules. An appropriate clause to this effect must be incorporated in the deed of sale.

6.4 No transfer may be registered in the Deeds Registry unless a clearance certificate has been issued by the Board of Directors of the Association as provided for hereinafter. A fee is payable for the issue of each clearance certificate.

7 MEMBERSHIP:

7.1 Every owner automatically becomes a member upon registration of property in N4 Gateway in his name;

7.2 Every member has one vote in respect of each property owned;

7.3 Regular meetings will be held as provided for in the Articles of Association of the Association;

7.4 The members will appoint the Board of Directors as stipulated in the Articles of Association of the Association. The main task of the Board is to attain the objects of the Association:

7.4.1 Board is responsible for the implementation of the Rules and the sound administration of the Association;

7.4.2 Board must determine the levies payable by owners and take appropriate steps to collect same when due. Interest and a penalty can be levied or arrear payments;

7.4.3 The Board will prepare a budget for approval by members at its annual general meeting;

7.4.4 The Board must issue a clearance certificate before any property may be transferred. This clearance confirms that an owner has paid all monies due to the Association, that the deed of sale obtains the required clause and that the owner is not in breach of the Rules and Guidelines;

7.4.5 The Board will appoint the Managing Agent and/or Manager of N4 Gateway and will oversee the day to day running of the Association;

8. BUILDING REQUIREMENTS

8.1 Every owner and building contractor must sign the rules regarding building activities and it is the final responsibility of the owner to ensure that these rules are strictly adheres to.

8.2 Members are obliged to bring these rules to the attention of building contractors and are also obliged to ensure that these rules are observed. Members must include a reference to these rules in their building contracts. The Association has the right to terminate any building activity that takes place in contravention of these conditions and the Association shall not be liable for any resultant loss or damage incurred.

8.3 All material is to be off-loaded only on/or of the property and contractors/suppliers are not allowed to on/off-load in the streets.

8.4 The owner/contractor must supply his workers with the necessary sanitary facilities on the property and rubbish may under no circumstances be incinerated on the property.

9. SAFETY AND SECURITY

- 9.1 Safety and Security is of paramount importance and the protocol at the gate must be adhered to at all times.
- 9.2 Every owner and/or tenant must ensure that all visitors, employees, contractors, sub-contractors and delivery personnel adhere specifically to the safety and security stipulations and the conditions with regard to the contractor activity.
- 9.3 Perimeter walling and fencing serve as a deterrent and are not guaranteed. All attempts of burglary or instances of fence crawling must be reported to a member of the security staff, and/or sub-committee. Owners must take all necessary steps to ensure that the security fence is not damaged.
- 9.4 Safety and security is an attitude. All owners and/or tenants need to enforce and apply safety and security measures to make it work.

10. ENVIRONMENTAL MANAGEMENT

- 10.1 No rubble or refuse should be dumped or discarded in any public area, private open space, streets or water features.
- 10.2 A particular appeal is made to leave open spaces spotless.
- 10.3 Flora may not be damaged or removed from any public or private open space.
- 10.4 Owners or tenants are responsible for watering trees, plants and shrubs planted on the pavements.
- 10.5 Vacant stands must be kept clean on a regular basis to the satisfaction of the Association, and if not maintained, the Association reserves the right to clean the stand at the owner's expense.

11. ROADS WITHIN N4 GATEWAY

- 11.1 The roads within the development are for the movement of all N4 Gateway Users.
 - 11.1.1 The maximum allowable speed limited on all roads within N4 Gateway is 40 km per hour.
 - 11.1.2 Only roads designated by the Association may be traveled on by vehicles.
 - 11.1.3 Only heavy motor vehicles, motor vehicles and motor cycles will be allowed.
 - 11.1.4 Vehicles must be driven with care in order not to constitute a danger to other persons.
 - 11.1.5 Save for the above, the Road Traffic Legislation and Laws or any amendment thereof is in force in N4 Gateway.
 - 11.1.6 Vehicles must be parked on the parking areas.
 - 11.1.7 Abnormally large vehicles may only travel on roads within N4 Gateway if prior written approval had been obtained from initially the Developer and pursuant the Association.
 - 11.1.8 Engine powered vehicles are not allowed to drive anywhere except in the streets of N4 Gateway.
 - 11.1.9 All road and traffic signs must be adhered to as well as road traffic rules especially, but limited to traffic rules in respect of road islands.

12. GOOD NEIGHBOURLINESS

- 12.1 No activity which would cause aggravation or nuisance to fellow owners or tenants may be conducted.
- 12.2 Refuse must be contained in approved bins on designated positions and must be secured against damaging and may not be placed on the pavement, except early on day of collection.

- 12.3 Each stand owner is responsible for maintaining the area between the kerb and the boundary of his property in a clean and pleasing condition.
- 12.4 Fences and/or walls and outbuildings forming part of the streetscape should be regularly maintained and painted where necessary.
- 12.5 Building material may not be dumped on the sidewalks under any circumstances.
- 12.6 No trees or plants may be removed without the permission of the Association. Planting should not interfere with pedestrian traffic or obscure the vision of motorists.
- 12.7 No advertisements, publicity material or advertising boards or hoardings may be exhibited on side walks or distributed without the consent of the Association.
- 12.8 No habitation of any mobile home or caravan on any stand in N4 Gateway will be permitted.
- 12.9 Owners and/or tenants must ensure that visitors, employees, contractors, sub-contractors and delivery personnel do not loiter in N4 Gateway
- 12.10 In the event of annoyances or complaints, the parties involved should attempt as far as possible to settle the matter between themselves, exercising due tolerance, reasonableness and consideration. Where a dispute cannot be resolved, and in particular a dispute between neighbours, the procedure shall be the following:
 - 12.10.1 Written submissions will be made by the parties involved in the dispute to the Board.
 - 12.10.2 The Board of Directors may, at their sole discretion, decide as to whether the Board of Directors will arbitrate on the matter or not;
 - 12.10.3 In the event that the Board is of the view that they are entitled to arbitrate on the matter, the decision of the Board shall be final and binding in respect of the resolution of the dispute;
 - 12.10.4 In the event that the Board is of the view that they are not prepared to arbitrate in the matter, the Board may either:
 - 12.10.4.1 Inform the parties involved that the Board of Directors are not prepared to arbitrate in the matter and the parties will have to resolve the dispute themselves and/or by legal action and/or arbitration;
 - 12.10.4.2 The Board may refer the matter to an independent arbitrator, at the Board's discretion, in which event the arbitrator's fees shall be paid in advance in equal shares by the parties to the dispute or by the party nominated by the Board;
 - 12.10.4.3 In this regard, the arbitrator's decision shall be final and binding and the arbitrator shall be entitled to make an award as regards legal costs.
- 12.11 No party and/or tenant shall have any claim of whatsoever nature for damages against the Association as a result of a decision taken by the Association regarding the interpretation of these rules.
- 12.12 The Board or the Association is not responsible for the safety of owners or tenants, visitors, employees, contractors, sub-contractors and delivery personnel or responsible for the property or belongings of owners, tenants, visitors, employees, contractors, sub-contractors and delivery personnel.

13 ANIMALS OR LIVESTOCK

- 13.1 No animals or livestock may be kept in N4 Gateway without the permission of the Association.
- 13.2 The Association reserves the right to request the owner to remove any pet or animal.

14 SLAUGHTERING OF ANIMALS FOR CULTURAL, RELIGIOUS OR OTHER PURPOSES

- 14.1 Slaughtering of animals for any purpose, including religious and cultural purposes, will not be allowed.

15. LETTING AND RESELLING OF PROPERTY

- 15.1 In order to ensure that the rules applicable to N4 Gateway, which regulate property ownership and occupation of the premises in N4 Gateway made known to new owners and/or tenants, the following rules relating to resale of property shall apply:
- 15.1.1 Only the owner or an Estate Agent accredited with Association may be selected to manage the sale or lease. Agents may only operate on a "by appointment" basis, and must personally accompany a prospective buyer or lessee.
- 15.1.2 The accredited agent must ensure that the buyer/lessee is informed about and receives a copy of the Rules, Building and Architectural Guidelines and any other administrative regulations and conditions applicable at the time with regard to Building Contractor activity.
- 15.1.3 A clearance certificate must be obtained from the Association certifying that all levies have been paid and no other monies are owing to the Association.
- 15.1.4 An approval granted to the seller (in case of resale) or lesser, prior to the time of sale or lease must be communicated to the buyer or lessee at the time of purchase or lease. Failing this, the buyer or lessee will have recourse against the seller or lessor.
- 15.1.5 The seller or lessor of a property in N4 Gateway shall ensure that the sale or lease agreement contains the following clauses in the case of reselling or letting:

"Association

The purchaser acknowledges that he upon registration of the property into his name automatically becomes a member of the Association and agrees to do so subject to the Articles of Association."

"Lease

The lessee acknowledges that upon occupation of the premises, he, his visitors, employees, contractors, sub-contractors and delivery personnel shall adhere to the rules and regulations as contained in the Rules of the Association. The lessor must personally ensure that the lessee receives a copy of these Rules, and any other administrative regulation applicable at the time and binds the lessee to the rules and regulations in the lease."

16 COMMUNICATION

The Board of Directors will decide on the system of communication in N4 Gateway and no owner and/or tenant will be allowed to install any system not approved by the Board.

17 SECURITY

- 17.1. The security guards are doing a difficult job. They may not under any circumstances be abused!
- 17.2. Security protocol at the gate must be adhered to at all times. Under no circumstances may any person other than the security personnel or Board be allowed into the Gate House.
- 17.3. All owners and/or tenants must request to adhere to security protocol and owners and/or tenants are requested to always treat the security personnel in a co-operative manner.
- 17.4. All owners must ensure that tenants, visitors, employees, contractors, sub-contractors and delivery personnel adhere specifically to the security stipulations...
- 17.5. All attempts at burglary or instances of fence jumping must immediately be reported to a member of the security staff and/or Security sub-committee.
- 17.6. Security is an attitude. Be aware that you need to enforce and apply security to make it work.
- 17.7. No no food or any gifts may be given to the security guards.
- 17.8. N4 Gateway will be manned by security 24 hours a day, and patrolled on a random basis.

- 17.9 New owners and/or tenants must advise the Security Supervisor on duty of their contact detail to enable Security to make contact with the owner and/or tenant..
- 17.10. No property may be secured with razor wire or similar fencing during or after the construction period. All other security fencing must be approved by the ARC
- 17.11. Owners and/or tenants on the perimeter wall are responsible for keeping any overgrowth clear of the electrified fence.
- 17.12 No Owners/tenants may issue instructions to Security Personnel.
- 17.13 Should buyers of property within N4 Gateway wish to enter N4 Gateway to inspect such property, they shall obtain the necessary security clearance etc at the gate.

18 INDEMNITY

- 18.1 N4 Gateway Users use the facilities in N4 Gateway entirely at their own risk at all times. Every member of the Association as well as any N4 User hereby waives any right to claim any damage incurred by virtue of damage to or loss of property or the personal injury while anywhere in the development.
- 18.2 N4 Gateway POA can't be held responsible for any interruption of bulk municipal services eg water and electricity supply

19 NOTICES

Any written notice addressed to an owner or tenant of the property will be deemed to have been received and its contents to have come to the addressee's notice if either delivered at the property to any person seemingly in occupation of the property or if it is attached to or slotted under what appears to be the main entrance door to the premises. If it is posted by prepaid registered mail to any postal address of which the owner may have advised the Association in writing, then ten days after posting thereof. If it is faxed, it is considered to be received by the addressee on the first business day following the day that the fax is transmitted. If it is sent by e-mail or sms, it is considered to be received by the addressee on the first business day following the day that the e-mail or sms is transmitted.

20. CONSTRUCTION PLANS

- 20.1.1 Detailed working drawings incorporating a site development plan, together with the Refundable builders deposit of R20 000 and an inspection fee of R2000 are to be submitted to the ARC of the Association for approval, prior to being submitted to the local authority for approval. The Association reserves the right to prevent owners and/or their contractors commencing construction without prior approval by the ARC and the local authority.
- 20.2 Where building designs are found to be insensitive towards the environment and the character of N4 Gateway, the owner can be requested to alter such designs or requested to make use of another suitably qualified architect.
- 20.3 One copy of the approved plan will be held by the Manager for record purposes.

21. PREPARATION OF PLANS

- 21.1 The site plan must indicate the outline of the ground and floor plans inclusive of outbuildings, etc and boundary walls to scale.
- 21.2 The non refundable deposit for approval of the building plans will make provision for:
 - 21.2.1 The first screening of the plans by the architect of the ARC.
 - 21.2.2 One inspection during the erection of the building of the building by the architect of the ARC.
 - 21.2.3 The final inspection of the completed building by the architect of the ARC

- 21.2.4 Any further inspections by the architect of the ARC over and above the above mentioned, will be for the account of the owner at an amount determined from time to time by the Board.
- 21.2.5 Any consultation with the architect of the ARC will be considered as professional consultation by the architect and professional fees will be charged by the architect
- 21.3 No deposit will be paid back before the final inspection and the occupation certificate was issued by the ARC.
- 21.4 Design and layout of the entire stand will be considered from the outset. Special consideration should be given to existing natural features on site, and topography, the latter to include contour lines on the site plan.
- 21.5 The Association reserves the right to impose an additional fee if the building is re-designed.

22 ARCHITECTURAL REQUIREMENTS

All submitted plans must comply with the checklist as approved by the ARC. The following and any other items on the check list of the ARC must be shown on all submissions for approval:

- 22.1 The surface measure of the main building excluding outbuildings, may not be less than the prescribed plans
- 22.2 Elevation treatment of all buildings must conform to acceptable architectural standards,
- 22.3 Roofing as per prescribed plans
- 22.4 External finishes and colours
- 22.5 The height of buildings (not exceed three storeys).
- 22.6 Excavating and earth moving relating to any work
- 22.7 Boundary walls and palisade details
- 22.8 External lightning layout
- 22.9 Positions of awnings, TV aerials and dishes
- 22.10 Services and connections from stand boundary to main building
- 22.11 Structural and external alterations to existing structures
- 22.12 Demolition of existing buildings
- 22.13 All underground constructions i.e. drains, water pipes etc
- 22.14. Garages and car ports
- 22.15 Walls, security fences, gates or any landscape construction
- 22.16 Building lines:
- 22.16.1 Stands adjacent to National Route N4 (Witbank Highway) shall be subject to the following building lines: 20.00 meters: Provided that the building line may be relaxed with written approval of the authorised authority.
- 22.16.2 Stands adjacent to K69 (Hans Strijdom Drive) and P154-1 (K22/R104) (Bronkhorstspruit Road): 20.00 meter building line.

22.16.3 Stands 472, 473, 476, 477,478, 510 to 520 and 565: 15.00 meter along the western boundary of the stands. (Provided that the related building restriction area may be used for purposes of parking and landscaping in accordance with an approved site development plan.)

22.16.4 All other building lines and/or restriction areas shall be in accordance with an approved site development plan. (Street 5 meter, side 4.5 meter and back 3 meter)

22.17 No precast walling on plastered concrete block or timber fencing shall be permitted

22.18 Outbuildings, garages and any additions to existing buildings must be similar to match the original main structure on the property.

22.19 Any deviation from the approved design must be submitted for approval.

22.20 Street boundary walling

The treatment of sidewalks is considered to be of paramount importance as they have a direct influence on the aesthetic quality of the neighbourhood.

22.21 Boundary walls

22.21.1 Internal boundary walls

Please see Annexure C & D (Available from the Estate Manager) for the guidelines for the erecting of the solid internal boundary walls. All internal boundary walls will be erected on the total length of the perimeter of the stand. Should the owner of an adjoining erf have erected a barrier, the Purchaser shall be obliged to refund to such other owner such amount as may be agreed between the purchaser and such other owner, or failing such agreement, in an amount equivalent to not less than 50% of the cost actually incurred by such adjoining owner on the basis that same shall be apportioned with respect to a barrier in accordance with the minimum specifications.

22.21.2 N 4 Gateway External Boundary Walls

No alterations will be made to the N 4 Gateway external boundary walls without the written permission of the ARC

22.21.3 Additional security on perimeter walls of stands

Additional security on the perimeter walls of stands, must be submitted to the ARC for esthetical approval.

22.22 Esthetical appearance of stands

Any packaging or similar material which is kept on the stand in the front of a building, must be screened from viewing from the street.

23 APPROVAL

23.1 Perspective view and photographs may be requested.

23.2 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 ARC, which approval shall not be unreasonably withheld

23.4 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.

23.5 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 N4 Gateway.

23.6 No building may be occupied by the owner or a tenant before the final occupational certificate was issued by the ARC

24 CONDITIONS REGARDING BUILDING CONTRACTOR

The primary intention of these rules is to ensure that all building activity at N4 Gateway is conducted with the minimum of inconvenience and disruption. In the event of any queries in this respect, owners and/or their contractors are most welcome to contact the Association

25 LEGAL STATUS

25.1 The rules and regulations governing building activity as set out in this document are binding on all owners, their contractors and sub- contractors. Furthermore, all owners are obliged to ensure that their building contractors and sub-contractors are made aware of these rules and that they are strictly complied with. Owners are accordingly required to include these rules in their entirety in any building contracts concluded in respect of any property on N4 Gateway. Such contracts may be required to be submitted to the ARC of the Association for prior approval.

25.2 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 an owner and/or tenant or contractor or sub-contractor as a result thereof, or any claims for damages of whatsoever nature.

25.3 The Association has the right to enforce any construction or building preconditions, including preconditions for the construction of any other buildings it may find necessary from time to time

26 SITE PREPARATION

26.1 No construction may commence unless the water and electricity connection is installed on site.

26.2 No construction will commence unless an approved site toilet has been installed in a position as approved by N4 Gateway Manager. Entrance to toilet to be screened

26.3 No construction will commence before the correct site number has been put up at the site

26.4 No construction will commence before the correct stand boundaries was established by a land surveyor to be paid by the owner

27 CONDITIONS REGARDING BUILDING CONTRACTOR ACTIVITY

27.1 Unless otherwise agreed in writing by the Association or its appointed representative, contractor activities are limited to the following hours and days:

06:00- 18:00 Monday to Saturday.

No construction contractor activity is permitted on Sundays and during the builders holidays during December and January every year.

27.2 Contractor personnel are not permitted to remain on site between the hours of 18:00 and 06:00. (No sleeping on premises will be allowed).

27.3 All the Contractor's workers and/or the Contractor's Sub-Contractor workers must comply with the security rules of the Association.

27.4 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 N4 Gateway. No rubble dumping on adjacent stands or pavement.

27.5 The contract site and the adjacent street(s) to be kept clean.

27.6 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.

- 27.6 The Owner and the Contractor shall be responsible for the restoration of damage to streets, curbs and plants on the sidewalks and damage to private or Estate property.
- 27.7 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.
- 27.8 Only approved contractors and/or contractor's employees who are in possession of legitimate South African Identity Documents or valid SA working permits will be allowed access to N4 Gateway. In the event that illegal workers are apprehended on N4 Gateway, that contractor's employees in totality will be denied access to N4 Gateway.
- 27.11 The Association shall be entitled to levy fines against Owners or their contractors and/or sub-contractors with respect to any contravention of the above or any other rule **(SEE ANNEXURE B)**
- 27.12 All contractors shall be obliged to sign the Standard Code of Conduct applicable to N4 Gateway.

28 ACCEPTANCE OF RULES

This document must be fully understood and accepted by the Owner, Contractor, and any sub-contractor and must undertake to comply with these rules, in addition to any further rules which may be introduced by the Association from time to time.

ANNEXURE A

DEPOSITOS DETERMINED BY THE BOARD OF DIRECTORS OF THE N4 GATEWAY POA

1	Deposit	
1.1	Refundable builders deposit Refundable Deposit to be paid by owners before the commencement of any building activities after the building plans were approved by the ACR to the Association as security for compliance with these rules. The amount will be determined by the Board of Directors from time to time	R20 000 per stand
1.2	Non refundable deposit for approval of the building plans Non refundable deposit per plan (architectural fees excluded) and as determined by the Board from time to time is payable for the approval of the building plans. The Association reserves the right to impose an additional fee if the building is re-designed.	R2 000 per plan

N4 GATEWAY

FINES

Description of Transgression	Fine R
Speeding: Exceeding the Estate speed limit of 40km/h.	300.00
Skipping stop signs or the disobeying of any law in terms of the Gauteng Road Traffic Ordinance	300.00
Driving without a license Any engine powered vehicle (cars, two and four wheel motor cycles)	300.00
Creating a public nuisance	
Noise generated by electronic instruments, partying etc. (residents and their employees) – 1 st warning (no fine)	
2nd warning	300.00
3rd warning, etc.	600.00
Treating the security personnel in an abusive manner.	2000.00
Noisy vehicles.	
Noisy vehicles. Use of vehicles or motor cycles with noisy exhaust systems.	200.00
Littering (By any person on the Estate).	200.00
Burning of rubbish on the Estate.	400.00
Illegal parking.	2000.00
Using noisy equipment.	200.00
Contractors working outside the permitted working hours	200.00
Contractors not keeping their sites clean, tidy and screened	200.00
Illegal dumping by residents and Contractors	
No rubble, refuse or building material shall be dumped or discarded in any public area.	300.00
Loitering on the Estate. Contractors workers walking on the Estate outside their normal place of work. Residents and Contractors to ensure that their employees do not loiter on the Estate.	200.00
No toilets on building site	R200 per day
Accumilating rubbish on site	R100 per day
Damage to kerbs, lights, light poles, streets etc	Cost to repair & 10%
Illegal water/electrical connections	R500
Load or off load in streets	R1 000
The Board of Directors 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 property owners	