

ZWARTKLOOF PRIVATE GAME RESERVE HOMEOWNERS ASSOCIATION NPC

Registration Number: 2005/027184/08

Rules and Code of Conduct

(Revision 9, dated 25 October 2025)

Considered, discussed, approved and adopted to be implemented and in force as from 19 October 2019 as per Special Resolutions 3 and 4 of the ZPGR HOA Annual General Meeting held on 19 October 2019 (Revision 3a), and subsequently amended as follows:

Revision	Effective Date	Revision Clauses and Notes
4	17/10/2020	Special Resolution 4 approved and adopted at the Annual General Meeting of 17 October 2020: • Annexure A, Section A: revised Clause 5.3.2 Approved by Board: • Section B: revised Clause 5.1b
5	16/10/2021	Special Resolutions 1 and 2 approved and adopted at the Annual General Meeting of 16 October 2021: • Section B: revised Clauses 5.1a and 5.1b • Annexure B: revised Clauses 5.2.3a, 5.3.2a, 5.3.2c, 5.3.2c and 5.3.1a
6	Rev 6a – 15/10/2022 Rev 6b – 23/03/2023	Rev 6a: Special Resolutions 1 to 6 approved and adopted at the AGM of 15 October 2022: • Section D: added Clause 5.3 • Annexure A, Section A: revised Clause 9.4; added Clause 9.5; revised Clauses 5.3.6 and 8.6.2a • Annexure B: added Clause 5.3.11 and Clause 6; revised Clauses 7.2 and 7.2.1 Rev 6b: Approved by the Board on 23 March 2023 (clarify and improve interpretation of Rules and Clauses): • Shortened title changed to 'Rules and Code of Conduct' • Section A: added preamble and new Clause 7 • Section E: Clause 3 and Annexure A, Section A: Clause 10.5c revised • Section F: revised Clause 4; added new Clause 5 • Annexure A, Section A: added new Clauses 3.2 and 11 • Annexure A, Section A: revised Clauses 2.1.4, 5.1.1, 5.2.3, 7.5.2; removed Clause 7.7.3; added Clause 7.7.6; removed Clause 8.6.2c • Annexure C: revised Clause reference numbers
7	28/10/2023	Special Resolutions 2 to 9 approved and adopted at the AGM of 28 October 2023: • Section G: revised Clause 10 and deleted Clause 19.4 • Section J: revised Clause 3 • Annexure A, Section A: added new Clause 5.1.3 • Annexure A, Section A: revised Clause 7.1.1b and added new Clauses 7.1.3 and 7.3.5 • Annexure A, Section A: revised Clause 8.1.5 • Annexure A, Section A: revised heading of Clause 8.6 and added new Clause 8.6.3 • Annexure B: revised Clause 6 • Special Resolution 1 was repealed by the Board (Section D: new Clause 5.4)
8	26/10/2024	Special Resolutions 1 to 5 approved and adopted at the AGM of 26 October 2024: • Section E: revised Clause 2 • Section E: revised Clause 3 and Annexure A, Section A: revised Clause 10.5c • Annexure A, Section A: revised Clauses 8.1.3 to 8.1.5 • Section J: new Clause 9 Approved by the Board on 30 September 2024: • Annexure C, Clause 2 (Minimum Corrective Action Guide)
9	25/10/2025	Special Resolution 1 Amendment of Code of Conduct / Practice on Solar Supply (Annexure A, Clause 9.4) • Resolved as approved and hereby adopted at the AGM of 25 October 2025. Special Resolution 2 Amendment of Code of Conduct / Deposit required for new purchases. • Resolved as approved and hereby adopted at the AGM of 25 October 2025. Special Resolution 3 Amendment of Code of Conduct / Letting and re-selling property. • Resolved as approved and hereby adopted at the AGM of 25 October 2025. Special Resolution 4 Amendment of Code of Conduct / Habitable room/s on lower ground floor • Resolved as approved and hereby adopted at the AGM of 25 October 2025.

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A. DEFINITIONS AND INTRODUCTION (RECITAL)

This document *HOA Rules and Code of Conduct* (hereinafter referred to as *Rules and Code of Conduct*) inclusive of the Annexures thereto, governs the code of conduct, rules, regulations, codes, prescriptions, specifications, terms and conditions, practices and procedures of the Association.

References in the Association's Memorandum of Incorporation (MOI) or elsewhere to "Code/s", "Code/s of Conduct", "CoC", "Rules and Regulations", "Code/s of Practice", "CoP", "Code of Conduct/Practice, also referred to as "Rules and Regulations", "Regulations", or "Rules" shall mean this document entitled *Rules and Code of Conduct*.

1. Unless otherwise specified the following wording in the text shall have the following meaning:
 - 1.1 **"Agent"** means an independent third-party service provider appointed by the Board to assist with the management of the Reserve.
 - 1.2 **"Agreement"** refers to the Memorandum of Agreement entered into and between Zwartkloof Developments (Pty) Ltd and the Zwartkloof Private Game Reserve Home Owners Association dated 09 April 2008, as amended and/or substituted.
 - 1.3 **"Architectural Sub-committee ("ASC")"** means the Architectural committee appointed by the Board of Directors who is tasked to ensure compliance with the Association's "Architectural & Development Mandatory Requirements and Controls" ("A&DMRC") (Annexure "A").
 - 1.4 **"Articles of Association"** (AoA) the articles adopted, in April 2008, by the Association in terms of Section 61 (1), Regulation 18 of the Companies Act, Act 61 of 1973. The AoA being substituted with the Association Memorandum of Incorporation (MOI) in terms of the Companies Act, Act 71 of 2008, Chapter 2, Part B, Section 15.
 - 1.5 **"Association"** means the Zwartkloof Private Game Reserve Homeowners Association NPC with registration number 2005/027184/08, a non-profit company without shareholding registered in the Republic of South Africa.
 - 1.6 **"Board"** means the Board of Directors of the Association.
 - 1.7 **"Code"** or **"Code of Conduct"**, being the governance instruments of the Association, which include this document.
 - 1.8 **"Common and/or Public areas"** mean the areas on the Reserve which is open to all Members (Portions 124, 178, 278 & 337), excluding:
 - 1.8.1 Erven owned by the individual Members; 1.8.2. The old mining works; and
 - 1.8.2 Any area demarked as no-go and/or restricted area.
 - 1.9 **"Conditions of Establishment"** refers to the Tribunal Decision Ref. LH12/4/11/2/1/15 (TR) and attached Conditions of Establishment, Parts 1 & 2, Ref. LH12/4/11/2/1(15) DO which prescribes the conditions under which the "Land development" was approved in terms of Section 49 of the Development Facilitation Act, Act 67 of 1995.
 - 1.10 **"Developer"** means Zwartkloof Developments (Pty) Ltd with registration number 1968/011734/07, a company duly registered in the Republic of South Africa.
 - 1.11 **"Director/s"** means duly appointed Director/s of the Association.
 - 1.12 **"Erven(s)"** means the full title Erven(s) situated on the Remaining Extent of the farm Zwartkloof 707 KR. Limpopo Province.
 - 1.13 **"Financial & Commercial sub-committee" ("F&CSC")** means the Financial and commercial committee, appointed by the Board, who is tasked to develop, implement and maintain and ensure compliance with the Associations' financial and commercial codes of practice.
 - 1.14 **"Management"** means the Board and/or appointed agent who is responsible for the day-to-day management of the Reserve.
 - 1.15 **"Member/s"** means a member of the Association, with each member having one vote per Erven registered in its name.
 - 1.16 **"Memorandum of Incorporation"** (MOI) means the prescribed governance requirements, including the *Rules and Code of Conduct*, adopted at an AGM by the Association, in October 2018, in terms of the Companies Act, Act 71 of 2008, Section 15 which substitute the AoA adopted in April 2008.
 - 1.17 **"Owner/s"** means a registered owner of an Erven situated within the Reserve.
 - 1.18 **"Procedure"** means written procedures approved by the Board, stipulating a specific sequence of actions to address a specific task(s) or situation(s) on the Reserve.

- 1.19 **“Reserve”** means Zwartkloof Private Game Reserve situated on the Remaining Extent of the farm Zwartkloof 707KR, Limpopo Province.
- 1.20 **“Rules”** means the *Rules and Code of Conduct*, including but not limited to regulations, terms & conditions, prescriptions and specifications, as applicable.
- 1.21 **“Safety and Security Sub-committee” (“S&SC”)** means the Safety and Security committee appointed by the Board who is tasked to develop, implement, maintain and ensure compliance with the Association’s safety and security directives.
- 1.22 **“Terms and Conditions”** means the prescriptions set by the Board where so specified in this *Rules and Code of Conduct*. Which terms and conditions can be amended as and when required by the Board.
2. The following abbreviations are also used in the *Rules and Code of Conduct*:
- 2.1 **“A&DMRC”** refers to the Architectural & Development Mandatory Requirements and Controls. 2.2. **“AGM”** refers to Annual General Meeting of the Association.
- 2.2 **“AoA”** refers to the Associations Articles of Association as adopted in April 2008. 2.4. **“ASC”** refers to the Architectural sub-committee.
- 2.3 **“CoC”** refers to this ZPGR HOA *Rules and Code of Conduct*. 2.6. **“F&CSC”** refers to the Financial and Commercial sub-committee.
- 2.4 **“HOA”** refers to the Zwartkloof Private Game Reserve Home Owners Association, also referred to as the “Association”. 2.8. **“Mol”** refers to the Association’s Memorandum of Incorporation as adopted in October 2018 and substitutes the “AoA”. 2.9. **“S&SSC”** refers to the Safety and Security Sub-committee.
- 2.5 **“T & C’s”** refers to terms and conditions as defined by the Board.
- 2.6 **“ZPGR”** refers to the Zwartkloof Private Game Reserve, also referred to as the “Reserve”.
3. The primary objective of the Association is to comply with the Companies Act, Act 71 Of 2008, Community Scheme Management Act, Act 8 of 2011 and Community Scheme Services Act, Act 9 of 2011, as applicable, enable the economic viability and ensure a safe and healthy quality lifestyle for its Members/Owners in a natural wildlife environment on the Reserve. The developing, implementing, maintaining and enforcing of the *Rules and Code of Conduct* is in compliance with the said legislation, to protect the economic viability and enhance harmonious community living amongst its Members/Owners. Harmonious community living is achieved when Members/Owners share common values and use and enjoy their privately-owned property, together with the Common/public areas on the Reserve in a responsible manner approved by others. While economic viability can only be sustained if all Members diligently and regularly settle their respective financial obligations towards the Association on time as prescribed.
4. The *Rules and Code of Conduct* will be ratified and incorporated as an Annexure to the Articles of Association of the Association or its Memorandum or Incorporation (whichever is applicable). **The Rules and Code of Conduct are binding upon all members of the Association, as well as all persons entering the Reserve** including, but not limited to; the Members/Owners and the Developer as well as respective family members of both parties, Directors (Board), Management, Employees, Visitors, Tenants, Guests, Service Providers, Contractors and Sub-contractors on the Reserve, as is any decision taken in respect thereof by the Association’s Board in interpreting and/or enforcing the *Rules and Code of Conduct*.
5. The Members/Owners and the Developer are responsible to ensure that their respective Family members, Directors (Boards), Management, Employees, Visitors, Tenants, Guests, Service providers, Contractors and Sub-contractors are made aware and abide by the *Rules and Code of Conduct*. Should any of the Member’s/Owners and/or the Developers Family members, Directors (Boards), Management, Employees, Visitors, Tenants, Guests, Service providers, Contractors and Sub-contractors contravene any of the *Rules and Code of Conduct*, the Member and/or Developer, as applicable, will be held liable for any consequences including, but not limited to damages, fines, and/or penalties imposed by the Association in this respect. The Associations Board will, once a year, after the AGM, e-mail to all Members of the Association and the Developer a revised copy of the *Rules and Code of Conduct*.

6. The *Rules and Code of Conduct* is subject to change from time to time. Any interim rules, rule-changes, rule-additions, rule-amendments or rule- repeals thereof shall be approved by the Members, as prescribed in the AoA or Mol (whichever is applicable) at an AGM in the form of a special resolution. Interim rules, changes, additions, amendments or repeals thereof approved by the Board, will be binding and have validity on an interim basis from the time it takes effect until it is put to a vote at the next AGM of the Association, and on a permanent basis only if it has been ratified by the Members at the AGM. Any failure to ratify the interim rules, changes, additions, amendments or repeals thereof does not affect the validity of anything done in terms of those interim rules, amendments or repeals during the period that they had an interim effect as provided.

Any rules, changes, amendment or repeal thereof as contemplated in this paragraph takes effect on the later of ten (ten) days after publishing it to the Members or the date specified in the Rule, amendment or repeal thereof.

7. Any act, failure to act, omission, latitude, relaxation, indulgence or extension of time by the Board or any Director/s or authorized representative/s to oversee, ensure compliance, and enforce any area or clause in the Rules and Code of Conduct, shall not under any circumstances be deemed to be used as a waiver of the responsibilities of any Member to adhere to any clause in the Rules and Code of Conduct, nor shall it be deemed to be a waiver of the rights of the Association, nor shall it grant any right or privilege to any Member to not comply to the Rules and Code of Conduct. The Association is entitled and members of the Association are responsible to ensure strict compliance with each and every clause in the Rules and Code of Conduct.
8. Zwartkloof Private Game Reserve is a residential eco and wildlife development with 2 (two) legal entities namely:
- 8.1 Zwartkloof Developments (Pty) Ltd; the owner of the Common land (Portions 124, 178, 278 & 337), un-sold stands and the game on the Reserve who will as such, unless agreed otherwise in writing, be responsible as per the Agreement for *inter alia* the following:
- The development of the Reserve; and
 - The management and maintenance of the game (fauna); and
 - The management and maintenance of the Common land.
- 8.2 Zwartkloof Private Game Reserve Home Owners Association (the Association); The Reserve will not be managed and/or controlled directly by the Local Authority (Municipality). All essential utility services, unless agreed otherwise in writing, will therefore be under the control of the Association. These services will as per the Agreement include, *inter alia*, the following:
- Management and maintaining of the roads within the Reserve, as well as the access road between the Reserve and the main public road; and
 - Management and maintaining of the fences and gates on the Reserve; and
 - Extract ground water and/or purchase water from an accredited water provider and supply it to the Members at a competitive fair price; and
 - Management, operating and maintaining of the potable water system to the boundaries of all Erven; and
 - Purchase electricity from an accredited electrical power provider and supply it to the Members at a competitive fair price; and
 - The management, operating and maintaining of the electrical distribution system between the Eskom supply and the meter/termination boxes at the Erven; and
 - Management and maintaining a refuse removal system; and
 - Management and maintaining of an emergency fire-fighting service; and
 - Each Member/Owner will be responsible to construct, operate and maintain the sewage unit/system on its Erven(s), as specified by the Association, and keep it in a good working condition: and
 - Environmental Management, including the flora, but excluding management and maintenance of the fauna (game) which shall be the sole responsibility of Zwartkloof Developments (Pty) Ltd.
- 8.3 Zwartkloof Private Game Reserve Home Owners Association (the Association) shall, unless otherwise agreed in writing, be responsible for enabling and managing the following support services:
- General management of the Reserve, excluding the game; and
 - Access and exit control with limited security service; and
 - Financial- and commercial services as required; and
 - administrative service as required; and
 - All other services that may be required to effectively manage, operate and maintain the Reserve, including the managing of Employees, Agents, Service providers employed and/or appointed by the Association.

9. Unless agreed otherwise between the Developer and the Association, the following principles (as agreed on a meeting dated 23 August 2018) will be applied and utilized in determining each of the Parties' respective Rights and Obligations:
 - 9.1 Zwartkloof Developments (Pty) Ltd (the Developer) will remain the owner of the unsold land and be responsible to develop the Reserve, including the construction of all Infrastructure at the Developer's cost; and
 - 9.2 Once developed, Zwartkloof Private Game Reserve Homeowners Association (the Association) shall acquire a servitude or ownership, where accordingly agreed, and subsequently manage, operate and maintain the said infrastructure generally at the Association's cost, save for where the contrary is stipulated in the Agreement as related to management, operation and maintenance; and
 - 9.3 *Where infrastructure and/or services are utilized by more than 1 (one) entity, the associated management-operating-, maintenance and capital replacement costs shall be shared in proportion to the use of and/or benefit derived by the respective beneficiaries; and*
 - 9.4 Unless agreed otherwise in writing, the risk and/or benefit, responsibilities and accountabilities associated with any of the respective properties/portions/assets shall be that of the owner thereof.

B. ADMINISTRATION

1. All payments (debt) payable to the Association by the Members including, but not limited to water- and electricity consumption and/or monthly levies, are due and payable in advance on the first day of each and every month. Penalties and/or fines issued against Members, in respect of Rule transgressions, will form part of the Member's levy obligation and will be due and payable by the Member in the month the penalty is levied against the Member.
2. Arrear accounts (outstanding payments) 30 (thirty) days and longer will attract an administration fee, as determined by the Board, and compounded interest at a rate of 1,5% (one and a half percent) per month, calculated monthly in arrears.
3. Arrear accounts (outstanding payments) 60 (sixty) days and longer may be handed over for debt recovery with-out further notice. The Member shall be liable for any cost incurred by the Association in recovering arrear accounts and/or outstanding payments payable to the Association.
4. The Board has the right to demand specific performance and/or impose a financial penalty (fine) on Members who do not comply with the *Rules and Code of Conduct*. Such penalty or fine will be added to the Members account and be payable in addition to the Member's monthly levy obligation. This will however not jeopardize or exclude any other right of the Association or any other person or entity to institute action against the transgressor in terms of applicable legislation or Common Law.
5. Late development and late completion penalties:
 - 5.1 A late development penalty, to be determined by the Board and calculated on a monthly basis according to tariffs determined by the Board, will be imposed on a Member/Owner should the construction of the improvements (dwelling) on their Erven not commence:
 - a. within 3 (three) years from the date of registration of the transfer of ownership from the Developer to the first owner (purchaser) of the specific Erven; or
 - b. within 1 (one) year from date of registration of the transfer to the second and any subsequent or future owner (purchaser) of the specific Erven, provided that the change in ownership is not intended to avoid paying late development penalties.
 - 5.2 A late completion penalty, to be determined by the Board and calculated on a monthly basis according to tariffs determined by the said Board, will be imposed on a Member/Owner should the construction not be completed within 1 (one) year from commencement thereof. Completion being defined full compliance with the Architectural & Development Mandatory Requirements and Controls (A&DMC), signed-off by the duly authorized Director of the Association and an Occupancy Certificate being issued by the Local Authority.

C. ENVIRONMENTAL MANAGEMENT

1. The Environmental Management of the Reserve will be managed according to the Environmental Management Plan (EMP) established by the consulting ecologists appointed by the Developer. This will cover *inter alia* veld condition assessment, veld monitoring programme, veld burning, water point rotation, game censuses and game introduction/removal. The Developer, in conjunction with the Association, will ensure that an appropriately qualified person is appointed to implement and maintain the management plan. As the Developer is the owner of the game, the Developer shall, subject to environmental conditions dictating otherwise, be responsible as follows:
 - 1.1 To establish/introduce the game species and numbers, as per the Agreement, on the Reserve; and
 - 1.2 Manage and maintain the game; and
 - 1.3 Set the rules as applicable to the game at large, including feeding and providing of water drinking facilities.
2. No rubble or refuse should be dumped or discarded in any public area. A central **domestic waste** handling facility will be provided on the Reserve. Members/Owners will be required to deposit domestic waste at the facility from where the Association will have it removed to a registered waste disposal site off the Reserve. A central **garden refuse** for organic material, not building refuse, disposal site will be provided on the Reserve. Members/Owners will be required to deliver garden refuse to the site at their own cost. The dumping of **building rubble** on the Reserve is not allowed. Building rubble need to be removed off-site to an approved dumping facility.
3. Members/Owners, their family members, tenants, guests, visitors, friends and all their employees/contractors shall clean-up and leave all areas they visit spotless.
4. Members/Owners are encouraged to develop the habit of picking-up litter in the common and/or public areas and dispose thereof in waste disposal facilities available.
5. No borehole or wells may be sunk on any private Erven within the Reserve.
6. Fauna of any kind may not be hunted, teased, disturbed, chased or trapped, be it by people or animals, including pets...
7. Flora may not be damaged and/or removed from any common and/or public areas.
8. No trees or plants may be removed from any Erven within the Reserve without the prior written permission of the Association. Members may be requested by the Board to replace any tree and/or plant removed.
9. Members and Owners must ensure that there is no declared noxious and/or invading flora on their Erven. The Board may inspect any Erven on the Reserve, by reasonable appointment, to ensure compliance with this provision,
10. Members and Owners may only plant flora indigenous to South Africa. A list of suitable plant species will be included in the Environmental Management Plan.
11. Swimming pool, sewer and waste water may not be emptied onto the grass veldt areas. Swimming pool, sewer and waste water must be contained on the Erven and channeled into an underground french- or soak drain system to prevent wildlife coming in contact with the water outflow.
12. Vacant Erven 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 Erven(s) at the Member's expense.
13. Members and Owners may not make any excavations or remove any soil, rocks or wood on the Reserve unless authorised by the Association.
14. No new roads may be made unless authorised by the Association and approved by the Developer.
15. Fires, of any kind, is strictly forbidden anywhere on Common and/or Public areas on the Reserve and may only be made in a properly constructed fireplace on private Erven and the boma at the swimming pool recreation area.
16. No vehicle will be allowed in the veld, riverbeds or any part of the Reserve other than on clearly defined roads.
17. No camping, sleeping over and/or picnicking on Common/public areas will be permitted except at a site or sites which may be specifically designated for the purpose by the Association.
18. No camping and/or sleeping over will be allowed on any vacant stand and/or Erven under development and/or construction.
19. All visitors to the Reserve must declare their firearms upon entry.
20. No person shall, anywhere in the Reserve, discharge any firearm, except in self-defense.

21. No fireworks may be brought into or set off in the Reserve.
22. The Members' and/or Owners' use of Common and/or Public areas, is doing so entirely at their own risk at all times
23. Feeding and luring of game and birds (Rules as defined by the Developer):
 - 23.1 Members and Owners may install birdfeeders ("seed feeders" and "sugar water feeders" only) and birdbaths which are ecologically and aesthetically acceptable and comply with the Association's pre-approved standards and designs. The Board's decision on any dispute in this regard will be final.
 - 23.2 Save as noted in **23.3** and **23.4** hereunder, the feeding and/or providing of water drinking facilities for wild animals or game, whether on any specific Erven, Common and/or Public areas, **is strictly and absolutely forbidden.**
 - 23.3 The Developer (game owner) may in his sole discretion subject to formal written approval, ecological- & environmental considerations, terms & conditions as set by the Developer from time-to-time;
 - a. approve feeding places and/or drinking holes for the game; and
 - b. make salt and/or game-blocks available to Members/Owners that may be placed in locations approved by the Developer.
 - 23.4 The Developer (game owner) in his sole discretion may with-hold and/or with-draw approval as related to feeding places and drinking holes for the game and Members shall not be entitled to claim for costs incurred.
 - 23.5 Members/owners shall not dispose of waste food where it is accessible to wild animals.
WARNING! Wild animals that are fed by humans may lose their natural fear for humans and become dangerous.
24. Use of natural streams and dams:
 - 24.1 No motorized boat, wet bike, Jet Ski or other floating object is allowed on any dam or stream within the Reserve.
 - 24.2 Canoes and rowing boats and swimming may be allowed, subject to pre-approval by the Association, in areas designated
 - 24.3 for that activity by the Association. The main purpose of this is to preserve the privacy and peace and quiet of Erven situated within the vicinity of the dams and streams, as well as the safety of all Members/Owners and visitors on the Reserve.
 - 24.4 Fishing, on a catch and release basis, maybe allowed in areas designated and approved for that activity by the Association.

D. ROADS WITHIN THE RESERVE

1. For purposes of these Rules a motor vehicle will be a motor vehicle as defined by the Road Traffic Act, Act No. 29 of 1989 (or any amendment thereof) and duly registered with the applicable local authority to be driven on any public road within the Republic of South Africa.
2. Save where inconsistent with these Rules, the Road Traffic Act, Act No. 29 of 1989, applies. For the purpose of applicability of these Rules, all the roads on the Reserve are regarded as public roads.
3. The maximum speed limit is 40 km per hour on all surfaced (tar) roads from the main entrance gate at Provincial road R516 and 30km per hour on all concrete strip- and dirt roads within the Reserve. In the event of these limit not being adhered to the Association reserves the right to introduce further speed calming and/or compliance measures.
4. Except in emergency situations, only fully licenced and road worthy motor vehicles and plant operated by duly licensed drivers/operators will be allowed on the Reserve.
5. Save as noted in **5.1** and **5.2** hereunder for fully licensed motorcycles, no "motorbikes", "quad bikes", "pipe cars" and "beach buggies" are allowed on the Reserve.
 - 5.1 Members/Owners are allowed to operate their fully licensed motorcycles between the main access gate at road R516 and their respective Erven(s), subject to a "motorcycle access permit" being obtained from the Board first. The Board will have the right to impose "motorcycle access permit" requirement as they deem fit. The Board further has the right to revoke or cancel any "motorcycle access permit" in their sole discretion.

- 5.2 All other motorcycles entering the Reserve need to be parked at the main access gate at road R516 at the risk of its owner.
- 5.3 The Reserve management agent is allowed to use a “quad bike” or similar vehicle, as approved by the Board, on the Reserve for maintenance and fence inspections.
6. Vehicles and plant with a gross mass exceeding 3,5 (three and a half) metric ton will be subject to pay a road toll per axle, as determined and approved by the Association from time to time. This is to create a provision fund for future capital maintenance and/or replacement.
7. Vehicles and plant entering and operating on the Reserve will further be limited as follows:
 - 7.1 Gross mass ≤ 15 (fifteen) metric ton with no tandem-axles will be allowed on all roads; and
 - 7.2 Gross mass > 15 (fifteen) metric ton to ≤ 30 (thirty) metric ton with or without tandem axles will be allowed from the main gate at the R516 up-to the transition (off-load) area south of the Eskom switch yard.
 - 7.3 The following vehicles and plant will as a rule not be allowed except with the written approval of the Developer and Association and then only subject to specific terms and conditions set by the Board:
 - a. Heavy vehicles and plant exceeding 30 (thirty) metric tons; and b) Articulated vehicles and plant; and
 - b. Concrete mixer trucks; and
 - c. Vehicles and/or plant with steel banded wheels and/or cat-tracks; and e) Vehicles and/or plant wider than 2,4 and/or higher than 3,5 meters.
8. Members/owners may travel on all roads designated by the Association for game viewing and leisure except the following;
 - a. Roads leading to private Erven without appointment; and
 - b. Roads entry-restricted by signage such as “private”, “no entry”, “reserved entry”, “authorized entry only”, “bicycles and/or foot only” or similar; and
 - c. Access roads to and on the old mining areas. **Entry to the old mining areas and dumps are strictly forbidden!**
9. No person shall drive or operate any vehicle at any place within the Reserve unless he/she is the holder of a valid driver’s license, which would permit him/her to legally drive/operate such vehicle on a public road within the Republic of South Africa.
10. Pedestrians and animals shall have the right of way in all places and at all times.
11. Each Member and/or Owner will be allowed to travel on the roads, for game viewing and leisure purposes, limited to not more than two (2) vehicles per Erven at a time.
12. Vehicles to be towed, including but not limited to caravans, boats, trailers and trucks:
 - 12.1 Save as noted in 12.2, no person shall park or store any caravan, boat, trailer or truck on the Reserve, except with the written consent and at a place designated by the Board.
 - 12.2 Such vehicles belonging to Members/Owners may only be brought onto the Reserve if it can be parked and/or stored on the Member’s/Owner’s Erven in a suitable garage and/or carport approved by the Board.

E. GOOD NEIGHBOURLINESS

1. No business activity may be conducted from any Erven or property within the Reserve not zoned and/or registered for business purposes. Re-zoning/registering of a residential Erven to be used for business purposes shall, in addition to local authority requirements, be subject to a special resolution to be adopted/approved by the Association’s Members and as such signed off by a duly authorized Director of the Board.
2. No activity causing noise or disturbance to other Members/Owners on the Reserve will be allowed. The volume of music, musical instruments, partying, social events and other domestic activities shall always be kept at a level that are in the spirit of consideration and respect towards others and the Reserve as a whole, and not create a nuisance or disturbance to others at any time, including times when silence is not required as outlined in **paragraph 4** below.

3. Construction and mechanical maintenance work (including the use of power tools and equipment) is only permitted during the following hours (excluding public holidays and from the first day to the last day of the HOA published “no-work” period over December and January).
 - 3.1 Monday to Thursday: 07h00 - 17h00 (External Contractors need to be out of the Reserve by 17h00)
 - 3.2 Fridays: 07h00 - 16h00 (External Contractors need to be out of the Reserve by 16h00)
 - 3.3 Essential maintenance and gardening, including grass cutting, but specifically excluding construction work may also be conducted on Saturdays and public holidays between 08h00 and 13h00.
4. Silence shall be maintained between 22h00 and 07h00 on weekdays (Monday – Thursday) and between 22h00 and 08h00 on weekends (Friday – Sunday) and public holidays.
5. Washing shall be hung on lines screened from the roads and neighboring properties.
6. Domestic waste must be contained in suitable bins and secured against damaging by rodents or wild-life.
7. Garden refuse must be stored discreetly in an area on the Erven not accessible to wild life and not in the public eye.
8. No advertisements or publicity material of any person, including maintenance contractors, may be exhibited or distributed on the Reserve without the consent of the Association. The Association shall have the right to remove any material exhibited or distributed in contravention of this rule.
9. No person or persons on the Reserve shall infringe on the privacy of others. As such the following minimum requirements shall be adhered to:
 - 9.1 Subject to the provisions of this Rule, no person shall enter onto a private Erven or property, unless in the case of an emergency, without the permission of the Member and/or Owner/s.
 - 9.2 Apart from legally obliged to comply with aviation- and aerospace legislation, no person shall operate a drone or similar aerospace- device within the Reserve without prior notice to the Members/owners of the areas that may be affected and written approval by the Board.
10. Members/Owners, their family and/or guests are required to use the Common and Public facilities responsibly. This will include, but is not limited to the following:
 - 10.1 The facilities shall be utilized subject to the terms and conditions as listed and Indemnity displayed at the entrance gate onto the Reserve and posted at the respective Common and Public facilities.
 - 10.2 To use the facilities within its respective capabilities not to cause injuries to persons and damage to equipment.
 - 10.3 To leave the facilities in good and clean condition after use.
11. Members/Owners will be allowed to rent certain infrastructure and facilities under the control of the Association, on a non-exclusive use basis, from the Board for private functions. Such rental shall be limited to Members/Owners only and subject to terms and conditions and a renting-fee as defined by the Board.
12. No person shall tamper with the Reserve’s utility facilities such as power distribution network, water reticulation and communication systems.

F. ARCHITECTURAL STANDARDS

1. All development and architectural (building) work shall as a minimum requirement comply with The National Building Regulation and Building Standard Act, Act 103 of 1977, as amended. In the event that any of the prescribed Zwartkloof Architectural & Development Mandatory Requirements and Controls (“A&DMRC”), a copy of which is attached hereto as in Annexure A, is in conflict with the said National Building Regulation and Building Standard Act, Act 103 of 1977, the said Act and regulation/s shall take preference.
2. As the Reserve falls within the jurisdiction of the Bela-Bela Municipality all development and building work need to comply with the Local Authorities applicable by-laws and requirements, as amended from time to time. All development and building plans will therefore need to be submitted to the Bela-Bela Municipality building department for approval who will also need to issue an “Occupancy Certificate” at completion of the development and/or building works, before the residence can be occupied.
3. In addition to National and Local Government requirements, all development and architectural or building-work shall, as a minimum, comply with the A&DMRC, attached as Annexure A.

4. Erven development and architectural or building designs and plans must be approved by the Local Authority and the Board, represented by the Association's Architectural Sub-committee ("ASC"). This includes any new development, additions and/or alterations to existing structures and on-site facilities. The Association's approval of the plans has to be obtained before submitting plans to the Local Authority for municipal approval.
5. It is the responsibility of the Owner to ensure all Architectural Standards and Rules are adhered to in the design and building process, and to submit plans for the Association's approval and to apply for an inspection by the Association before applying for municipal approval. Approval of plans or final inspection of development or alterations by the ASC, does not relieve the responsibility of the Owner to ensure adherence to all Architectural Standards and Rules.
6. Only building plans drawn up by a professionally registered architect or architectural-technologist will be allowed. It is strongly recommended that Members and/or Owners solicit the services of the Associations approved architect/s.
7. The Association's Board, by means of the ASC, has a duty to ensure compliance to the A&DMRC. A function which will attract a plan approval and site inspection costs for the Member/Owner, as determined by the Board from time to time. This approval and/or inspection fees will however not be applicable to designs and plans drawn up by the Associations approved architect/s, as it will be included in the package for professional architectural services to the Member and/or Owner.
8. Prior to starting with development and architectural (building) works, Members/Owners will be required to pay a building-deposit to the Association, as determined by the Board. The deposit, minus any deductions incurred by the Association to make good any damages caused (of whatever nature) by the Member/Owner and/or Member's/Owner's contractors and/or to clean-up and/or to comply with the environmental requirements, will be refunded to the Member after completion of the work/s and inspected and signed-off by a duly authorized person of the ASC.
9. Members/Owners are required to provide a copy of the Rules and Code of Conduct and all applicable sections and Annexures to its contractors and employees and ensure that they comply with the provisions thereof. The Member/Owner will be liable for all transgressions committed by its contractors, including their appointed subcontractors and employees.
10. Members/Owners intending to develop an Erven and/or engage in alterations of existing buildings, structures, patio's, screen walls, fences, recreational- and/or any other on-site facility shall ensure compliance with all approvals required and notify the Board and specifically the Associations Director responsible for site development and architecture of such intention at least 10 (ten) days before intending to start with the work.

G. SECURITY & FIRE PREVENTION

1. All persons entering the Reserve, enter entirely at their own risk and shall comply with the prescriptions of the Rules and Code of Conduct, including directives that the Board need to publish from time to time to prevent and/or minimize harm. The Developer has committed to compliance on behalf of itself, its' Board of Directors, management, employees, guests, friends and service providers.
2. No person shall enter the Reserve without being duly authorized and as such be in possession of a valid Zwartkloof Private Game Reserve access permit/card. See the Safety and Security Code, attached as **Annexure B "RIGHT OF ADMISSION IS RESERVED BY THE ASSOCIATION"**
3. All persons seeking entry onto the Reserve must either be in possession of a valid Zwartkloof Private Game Reserve (ZPGR) long- or short-term access permit/card or have a confirmed appointment, be able to produce positive identification (valid SA ID, Passport or Driver's license) and sign an indemnity of liability to obtain a day access permit (DAP), failing which such persons may be refused entry.
4. Guests, Service providers, Contractors, Employees and General workers must have their access cards/permits with them at all times while on the Reserve.
5. No person shall use or try to gain access to the Reserve on an expired access permit/card, nor use another's persons permit/card for such purpose. Lost and/or expired cards shall be reported and/or returned to the Association.
6. Security officials shall at all times be treated respectfully, courteously and in a cooperative manner.
7. Security protocol at the gatehouse shall be strictly adhered to at all times.

8. Except for duly authorized Directors of the Board, no person shall authorise a deviation from the prescriptions of the Safety and Security Code. This specifically include Rules which covers operational aspects for access onto, movement on and exit off the Reserve.
9. The entrance gate office at road R516 will be manned by a security officer twenty-four hours a day, seven days a week.
10. Members/Owners shall, as far as practically possible, advise the security official on duty in advance of visitors, guests and deliveries by contacting the control room with their relevant particulars. The minimum particulars being the name/s, surname/s, vehicle registration number/s, date and approximate time of arrival. If an Owner or their authorised representative is not able to sign-off the access permit at their departure, the minimum particulars detailed above are to be emailed to the HOA Administration office to authorise HOA Administration to sign the access permit on the first working day after their exit.
11. Safety and security related incidents must be reported immediately the Director: Safety and security, alternatively to the Board.
12. No Owner/Member shall make or be party to the making of any false alarm.
13. Deliberate obstruction of access and egress to/from the Reserve is prohibited.
14. All Members and/or Owners are responsible to put preventative fire control measures in place to ensure no fire cause harm and/or damage to self or others.
15. All Members and/or Owners are responsible to put fire-fighting measures in place to control any un-intended fire that may cause harm and/or damage to self or others.
16. All Members and/or Owners must adhere to fire prevention and -fighting protocol imposed by the Board from time to time. These protocols will be communicated to the Members in writing as and when required.
17. All Members and/or Owners with developed Erven on the Reserve must have a 30m fire-safe-zone around all structures. In this area the grass must be kept short (less than 100mm) and dead wood and combustible material within a 15 (fifteen) meter from the residence or improvements need to be removed. This is to minimize the risk of fire damage to the residence (improvements).
18. All Members and/or Owners must keep at their residences, in a facility accessible to the fire-fighting team, the basic firefighting equipment that is prescribed by the Board in the fire prevention protocol.
19. Basic firefighting equipment shall as a minimum include, but not be limited to the following:
 - 19.1 Two 15-liter minimum, double acting lance firefighting-type knapsack sprayers. (As per Agrinet product no. 041-960 or Mc Beans "Mac Poly Firefighter" or similar); and
 - 19.2 Two fire-beaters. (300mm wide x 500mm long x 10mm thick lacerated conveyor flapper clamped to 1,5m long x 25mm diameter broom stick); and
 - 19.3 In the absence of permanently installed fire reels, two 20m x 20mm hose pipes, preferably connected to the water supply system before any pressure reducing valves which need to be available at all times; and
20. Although the following fire-fighting equipment is not enforced by the Association, it is strongly recommended in the interest of safeguarding Members and/or Owners respective properties:
 - 20.1 At least two 30m x 25mm fire hose reels, strategically placed and connected to the water supply system before any pressure reducing valves. An ideal water pressure at the hose nozzle should not be less the 500kPa (5 Bar);
 - 20.2 At least two 4,5kg powder filled fire extinguishers, one in the kitchen and one in the garage or outbuildings.
21. All outdoor fire places, "fire pits" and braai areas shall as a minimum have a metal "fire snuffer/dozer", or alternatively a permanently connected hosepipe within 10m to snuffle/extinguish the fire after use or during windy conditions to prevent un-intended spreading of fire.
22. Members and Owners will be held liable for damages caused by fire emanating from their properties or that may have contributed to a fire due to their failure to comply with the fire prevention protocol or negligence.
23. The Association is authorised to attend at any Erven on the Reserve to confirm compliance with these Standards, subject to reasonable appointment.

H. VISITORS, CONTRACTORS AND EMPLOYEES

1. The Developer, Members and/or Owners are respectively liable for the conduct of their Family, Friends, Guests, Tenants, Visitors, Service providers, Contractors and Employees, and must ensure that such parties adhere to the requirements of the Rules and Code of Conduct and Annexures thereto.
2. The Developer, Members and/or Owners shall, without detracting from the importance to comply to all prescriptions of this *Rules and Code of Conduct*, specifically ensure that:
 - 2.1 Service providers and Contractors in their employment adhere to the stipulations in **Section F: ARCHITECTURAL STANDARDS** above and **Annexure A** (“Architectural & Development Mandatory Requirements and Controls”).
 - 2.2 Service providers, Contractors, Employees, Guests, Visitors and Tenants adhere to the stipulations in **Section G: SECURITY & FIRE PREVENTION** above and **Annexure B** (Safety and Security Code).
3. No person shall overnight on an Erven unless fully developed and an “Occupancy Certificate” been issued by the local authorities (municipality) and then only in permanent buildings designed and constructed for accommodation purposes.
4. Any temporary or permanent appointed employee may only overnight on the Erven when the Owner/s or guests or tenant/s authorized by the Owner/s, overnight in the dwelling on the Erven and consent thereto has been granted by the Member.
5. Members and Owners may not allow more than four (4) adults per bathroom or four (4) persons per bedroom, whichever is the lower number, to overnight in his dwelling on the Reserve, inclusive of guests, temporary or permanent appointed employees.

For this purpose, a bathroom is defined to have as a minimum one flush toilet, one wash hand basin and one bath or shower.

I. PETS

1. No wild or domestic pets are allowed within the Reserve.
2. Members and Owners with family members or visitors that are totally dependent on the assistance of a guide dog may apply to the Board for permission to allow such guide dog on to the Reserve. Members applying for permission to keep guide dogs will as a minimum be required to provide proof to the Board that the following minimum requirements are complied with:
 - 2.1 That the Member or Member’s family member or visitor is dependent on the guide-dog (medical certification required); and
 - 2.2 The dog has been properly trained and certified as a guide dog with the applicable governing body(ies) and does not carry diseases.
 - 2.3 Horses will be allowed, under very specific conditions to be agreed to, if and when the Association has provided stables within the common area. No stables may be built on private Even and horses will not be allowed to graze on the Reserve.

J. LETTING AND RESELLING PROPERTY

1. Should any Member or Owner wish to let or resell property, the Association shall be advised in writing 10 (ten) days in advance. Letting (leasing) in the context of this paragraph will be for the following purposes only:
 - 1.1 Fixed term letting (leasing), of the premises as a whole, for residential purposes to one tenant at a time, not exceeding the number of people as defined in **Section H Clause 5**; or
 - 1.2 Short-term letting (leasing) is limited to 25% of completed houses with occupancy certificates. Short term rental application is subject to term, conditions and written ZPGR HOA Board approval, of the premises to one tenant at a time on a self-catering basis, not exceeding the number of people as defined in Section H Clause 5.
2. Unless an Erven is specifically zoned/registered for business purposes, the operation of a business, including a guest house/s or lodge/s, will not be allowed on the Reserve. **Also see Section E Clause 1.**
3. Agents may only operate on a “by appointment” basis and must personally accompany a prospective buyer, tenant or lessee and are not allowed to erect any “For Sale” or “To Let” signage boards on the Reserve. No agents will be allowed to enter the Reserve without having the Member’s/Owner’s and Board’s consent. The Association may display “Developer Stand For Sale” boards close to the access road or site number of these stands. The boards must be unobtrusive and may only show contact details.
4. Members shall ensure that the accredited agent informs the potential buyer, tenant or lessee of the content and provide the potential buyer, tenant and lessee with a copy of the latest approved *Rules and Code of Conduct*.
5. The Member/Owner selling property must obtain a clearance certificate from the Association certifying that:
 - 5.1 The Seller has complied with all its obligations in terms of the *Rules and Code of Conduct*; and
 - 5.2 That the Seller has provided the Buyer with copies of the latest approved ZPGR HOA MOI and *Rules and Code of Conduct*; and
 - 5.3 All levies/contributions and fines (if applicable) have been paid and no other monies are owed to the Association.
6. Any restrictions and/or approval/s applicable to the seller (in case of re-sale) or lessor/landlord (in case of lease) must be communicated to the buyer/purchaser or lessee/tenant by the Member/Owner, as applicable, prior to the time of purchase or lease. Failing this, the buyer/purchaser or lessee/tenant may have recourse against the seller or lessor/landlord.
7. Members and/or Owners selling a property in the Reserve shall ensure that the Sale Agreement contains the following clauses:
8. Clause regarding deposit equivalent to 3 months of the levy as applicable on the 26th October 2025 or at the date of purchase.

Special Resolution 2: Deposit required from New Purchasers

New purchasers of properties should lodge a deposit with the HOA equivalent to three months levies (including the Capital Reserve Fund Levy) on registration of the property. The equivalent of two months’ levies may, at the request of the homeowner, be refunded to the owner after a twelve-month period, or in the case of a stand owner, on receipt of a certificate of occupation, provided that in both cases, the owner has diligently paid all invoices from the HOA monthly.

9. The Member/s and/or Owner/s leasing a property in the Reserve shall ensure that:
 - 9.1 The lessee/tenant receives a copy of the latest approved *Rules and Code of Conduct*, Annexures and Attachments thereto and any other administrative regulation applicable at the time.
 - 9.2 The Lease Agreement contains the following clause:
“Rules and Code of Conduct”
“The lessee/tenant acknowledges that upon occupation of the premises, they and their family, their visitors and servants shall adhere to the conditions contained in the Rules and Code of Conduct of the Zwartkloof Private Game Reserve Home Owners’ Association”, which the lessee/tenant hereby acknowledge to have received.
10. A Conservation Entrance Fee of an amount determined by the HOA will be imposed effective 1 February 2025 on paying guests of all short-term letting (leasing) on ZPGR. This fee will be charged to the owner of the home on their monthly levy invoice. Any deviation in this proceeding shall be at the discretion of the directors.

K. INDEMNITY

All persons, including the Developer, the Board, Members and Owners, their respective families, visitors, guests, tenants, employees, service providers, contractors and occupants **enter the Reserve and utilise any facility thereon at their own risk at all times.** Persons entering, including the Developer, the Board, Members and Owners, their families, visitors, guests, tenants, employees, service providers, contractors and occupants hereby waive any right he/she may obtain against the Association and/or Developer to claim any damage incurred by virtue of damage to or loss of property or the personal injury of the person occasioned while anywhere in the Reserve. Persons entering, including the Developer and every Member/Owner indemnifies the Association against any such claim made by the Developers- and/or Member's/Owner's spouse, child, parent, servant, visitor, guest, tenant, service provider, contractor, occupants or invitee. It remains the Developers'- and Members'/Owners' respective obligation to bring the Developers- and Member's/Owner's spouse, child, parent, servant, visitor, guest, tenant, service provider, contractors, occupants or invitee's attention to the *Rules and Code of Conduct*, as well as the indemnity as set out in this clause. The Developer and Members/Owners, as applicable, will be held liable for any and all transgressions of the *Rules and Code of Conduct* by its family members, guests, visitors, friends, tenants, employees, service providers and contractors.

L. NOTICES

1. Any written notice addressed to a Member and/or Owner or occupant of the property will be deemed to have been received and its contents to have come to the addressee's notice if:
 - 1.1 It is either delivered to the Member/owner or to any person seemingly in occupation of the property and seemingly fourteen years of age or older; or
 - 1.2 If it is attached to or slotted under what appears to be the main entrance door to the premises on the Members/owners Erven; or
 - 1.3 If it is posted by prepaid registered mail to any postal address of which the owner may have advised the Association in writing, then 10 (ten) days after posting thereof; or
 - 1.4 If the notice is e-mailed to the e-mail address which the Member/Owner may have advised the Association in writing, then on the same day as the sending of the e-mail.
2. Any written notice to the Association may be delivered to any active Director of the Board by e-mail.

M. CONFLICT OF INFORMATION IN TEXT AND PRECEDENCE OF DOCUMENTS

1. In the event of any conflict in the in the text of the respective documents, annexures, addendums the following shall apply:
 - 1.1 All such conflict of information shall be referred to Board for clarification.
 - 1.2 In seeking clarity between conflicting and/or ambiguous text of one or more documents the following precedence shall apply:
 - a. The stipulations as defined in any applicable South-African legislation (Act and Regulations), whether referenced in this *Rules and Code of Conduct* or not; thereafter;
 - b. The Memorandum and Articles of Association or Memorandum or Incorporation (whichever is applicable); thereafter;
 - c. This *Rules and Code of Conduct*;
 - d. The Annexures attach and which forms part to the *Rules and Code of Conduct*.
2. The decision of the Board in giving clarity as to the meaning and application of the text shall be final and binding on all Members/Owners.



ZWARTKLOOF PRIVATE GAME RESERVE HOMEOWNERS ASSOCIATION NPC

Registration Number: 2005/027184/08

ANNEXURE A:

ARCHITECTURAL & DEVELOPMENT MANDATORY REQUIREMENTS AND CONTROLS (A&DMRC)

(Last revision: 28 October 2023)

This Annexure A ('Architectural & Development Mandatory Requirements and Controls') must be read in conjunction with the latest version of the *Rules and Code of Conduct*, and attachments thereto.

SECTION A: ARCHITECTURAL & DEVELOPMENT MANDATORY REQUIREMENTS

SECTION B: MANDATORY CONTROLS

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SECTION A: ARCHITECTURAL & DEVELOPMENT MANDATORY REQUIREMENTS

1. INTRODUCTION

- 1.1 The objective with this “Architectural & Development Mandatory Requirements and -Controls” (A&DMRC), is to preserve the natural beauty of the surroundings, and to ensure architectural styles do not clash with one another, the Developer and Home Owners Association (herein after called the Association) have adopted a set of architectural and development, including landscape requirements. These requirements are meant to enable compliance to the following;
 - a. Zwartkloof Private Game Reserve (herein after called the Reserve) purpose and objectives; and
 - b. Establishing of a unique Reserve which is sympathetic with the natural character of the site; and
 - c. Enhance the investment value.
- 1.2 For this reason, the underlying principles of Bush-veldt Contemporary Architecture with specific reference to the context and the climate of the area were researched. The findings from this research are incorporated into mandatory design requirements and controls of the Reserve, known as the “Architectural & Development Mandatory Requirements and -Controls” (A&DMRC).
- 1.3 The Architectural Sub-Committee (herein after referred to as “the ASC”), appointed by the Board, will be required to administer and apply the Architectural and Development Mandatory Requirements and -Controls” and, in particular, to examine and approve, with or without amendments, the Erven development- and building plans, specifications and schedules of finishes of buildings to be erected on Erven in the Reserve.
- 1.4 The objective is to ensure that the uniformity of design, standards and quality of building is maintained in accordance with the architectural concept of the Reserve for the benefit of all the Owners. The proceedings shall be in accordance with the A&DMRC approved by the Board. In the event of that the Board fail to reach a decision on any matter the decision of the Chairman of the Board shall be final and binding. Upon the completion of development of the Reserve including the building works, the Association will assume responsibility and take over all the functions of the ASC.
- 1.5 The decision of the ASC as to whether a design is acceptable or not within the concepts of the approved A&DMRC is final.
- 1.6 The ASC reserves the right to request such changes in design that may be needed in their opinion to preserve the style of architecture.
- 1.7 Any other styles of architecture will not be considered. Only buildings designed within the framework of the architectural style described and illustrated in this A&DMRC document may be erected in the Reserve.
- 1.8 The internal design and character of the homes is not restricted.
- 1.9 The design criteria set out herein are in addition to the National Building Regulation and Building Standard Act, Act 103 of 1977, Municipal building regulations. The Board, on recommendation of the ASC reserve the right to alter or amend the “Architectural & Development Mandatory Requirements and Controls” as they may consider necessary to retain the Reserve’s architectural style and integrity.
- 1.10 The A&DMRC document forms part of the *Rules and Code of Conduct* of which one Owner per Erven (stand) will become a Member of on transfer of the Erven (stand) into the Owner/s name.
- 1.11 This A&DMRC document, as amended, shall form an integral part of the Agreement of Sale, which purchasers of Erven in the Reserve will be required to sign.
- 1.12 The respective Owner/s shall ensure that this A&DMRC document forms part of the Contract agreement between the Owner/s and contractor/s appointed to conduct any construction- and/or improvements work on the respective Erven (stands).

2. PRECONDITIONS TO DEVELOPMENT OF ERVEN

- 2.1 Prior to starting with any development and architectural (building) works, Owners will be required to comply with the following minimum requirements:
 - 2.1.1 **Inform the Association** in writing ten (10) days in advance of any intention to develop the Erven or plans to extend, add or modernize, as applicable.
 - 2.1.2 Have **site development- and building plans drawn-up** to as a minimum comply with the prescriptions of this A&DMRC document, as amended.

2.1.3 Ensure that the site development and building plans are approved. Once the site development and building plans are approved by the ASC, Owner/s may apply to the ASC for exemption to do certain site cleaning and clearing while awaiting the approval of plans from the local authorities.

2.1.4 Pay a building deposit to the Association, as determined by the Directors. The deposit, minus any deductions for costs incurred by the Association to make good any damages caused by the Owner/s and/or Owners' contractors and/o to clean up and/or to comply with the environmental requirements, will be refunded to the Owner/s after completion of the work/s, subject to the following conditions being met:

- a. Inspection and approval by a duly authorized person/s of the ASC; and
- b. Submission of a copy of the Municipal Occupancy Certificate to the Association.

2.1.3 Owners shall, as a minimum, **provide the required site toilet and waste handling facilities** on site before starting with any site development and/or building works.

2.2 Owners need to **apply for the installation of a water meter** to be installed by the Association. **See Section 7, Clause 7.7.**

2.3 Owners need to **apply for an electrical connection** and switching by the Association. **See Section 9, Clauses 9.1 & 9.2**

2.4 Owners need to **give written notice to the Association** before connecting the construction electrical distribution board to the site feed cable to ensure the power supply is off and also apply for the power to be switched on once a "Certificate of Compliance" for the temporary construction electrical distribution system has being provided.

2.5 Owners shall take note that **vehicles and plant with a gross mass above 3,5 metric ton shall pay toll** on a R/ axle basis, as prescribed by the Associations Board.

3. THE SITE

3.1 SITE SURVEY

A detailed Erven (stand) site survey need to be conducted at 250mm contour intervals and a site-plan be developed showing the stand directional orientation, boundaries, boundary sizes, including corner pegs and co-ordinates, 250mm contours, prominent natural elements, trees with a circumference bigger than 250mm (80mm diameter), the access road, electrical power and water connection point/s.

3.2 BEACON CERTIFICATE

A Beacon Certificate signed and issued by a registered Surveyor locating and marking/placing erven boundaries and structure beacons has to be submitted to the Association before construction of new development or structural additions can commence. The owner is responsible to ensure beacons are protected to avoid disputes.

3.3 HEIGHT RESTRICTION AND VIEWS

Although no views can be guaranteed, the intention is to provide maximum view and privacy for each property. This process shall be facilitated in the following way:

3.3.1 Buildings must step down with contours and have a maximum height of 4.8m measured from floor level

3.3.2 Save as noted in **3.3.3** here under only single-storey buildings will be allowed.

3.3.3 Subject to terms and conditions and pre-approval by the Association, double-storey buildings may be allowed in the following cases:

- a. In extreme cases where the slope of the terrain demands the use of double-storey building work, only garages, car-ports and a small store room/s will be permitted; or
- b. A viewing platform on single-storey roof level which do not infringe on the privacy of surrounding properties and shall not be enclosed and/or covered with any type of roof or shade structure.

3.3.4 Buildings must be orientated in such a way as not to intrude on neighbours' privacy.

3.3.5 Large roofs must be broken down to provide a more fragmented mass.

3.3.6 The use of a habitable room on the lower ground floor will be allowed under the following conditions:

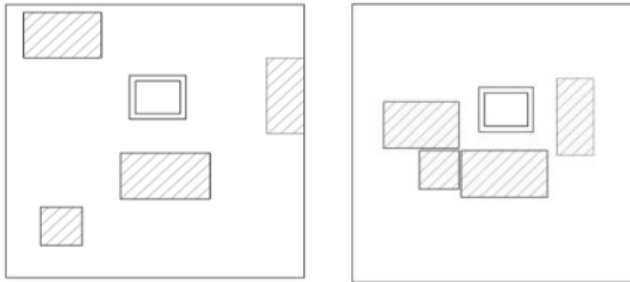
- The ground floor level must begin at the same elevation as the highest point of the slope.
- The plinth must be at least two meters above the lowest point of the slope.
- The building's longitudinal orientation must follow the natural contours of the site.
- The general slope of the site must limit the availability of alternative design options.

The Code of Conduct has been amended, and the lower ground floor is in reference to the pace "under" the main homestead where 3.3.3(a) at present only permits garages, carports and a small storeroom/s. The first three conditions are designed to clarify extreme cases, a vague term that can be interpreted subjectively.

3.4 BUILDING LINES AND ACCESS

3.4.1 Due to the nature of the Reserve and to preserve the natural elements as vigilant as possible, no building-restriction lines will be located. Buildings must however be positioned within the boundaries of the Erven such to, as a minimum, comply with the following requirements:

a) Be grouped together in order to form a unit and avoid informal spread over the site as a whole. See sketches below.



NOT ALLOWED
Scattered layout

ALLOWED
Grouped lay-out

b) No roof-overhang and/or wall foundation to overflow onto the adjacent property and/or common area.

c) Allow space for utility systems (power, water and sewer) to be located within the boundaries of the Erven. d) Allow space for vehicle parking within the boundaries of the Erven.

3.4.2 The grouping of buildings must also be positioned on site in such a manner to maintain maximum distance from neighboring houses.

3.4.3 In most cases access roads to the site will be provided up to the boundary close to one of the main roads of the Reserve.

3.4.4 Vehicular access to the site may be taken at one point only and must be indicated on the site plan for approval.

3.4.5 It is advisable for vehicle parking areas to be placed as close as possible to the entrance road to avoid unnecessary driveway areas that will damage the natural habitat.

3.4.6 The ASC will consider each application on merit for site development and the sitting of buildings. Prior development on adjacent Erven must be considered in placing the house on the site.

3.4.7 Final approval must be obtained from the ASC on the site development plan prior to submission to local council.

3.4.8 Buildings must be set out on site as indicated on the building plans. Any deviation of setting out points must be approved by the ASC.

4. LAND USE AND COVERAGE

4.1 MAIN RESIDENCE

Only one residence, which may consist of more than one building, will be allowed per Erven.

The number of persons per Erven is limited to four (4) adults per bathroom (each bathroom to have at least one flush toilet, one wash hand basin and one bath/shower) or four (4) persons per bedroom, which ever is the lower number, and the building size falls within the maximum specified size. **Also refer to Clause 4.3.**

4.2 OUTBUILDINGS

4.2.1 Outbuildings comprising of staff quarters for max two (2) personnel, garages, storerooms, carports and caravan/trailer-ports may be constructed.

4.2.2 Staff accommodation should open onto a screened yard.

4.2.3 Garages must be permanent structures and as unobtrusive as possible.

4.2.4 Carports must be permanent structures, with roof material that is the same as used for the main building and steel or brick pillars to match.

4.3 BUILDING SIZE

4.3.1 Areas are measured along the outside perimeter for any structure under solid roof cover excluding roof overhangs and ducts.

- 4.3.2 The maximum building size must not exceed 500m² (five hundred square meter) for private lodges (Phases 1, 2 & 3) and 750m² (seven hundred and fifty square meters) for corporate lodges (Phase 4), which aforementioned areas shall include the main residence (one or more buildings), outbuildings, garages, carports, but excluded shaded patio's, shaded lapa's, shaded carports and swimming pools.
- 4.3.3 The minimum building size must not be less than 200m² (excluding shaded patios, shaded lapa's, shaded carports and swimming pools).
- 4.3.4 In cases where the garage, carport and/or store is constructed underneath the building, that area will be included to the floor area.

5. ECOLOGICAL FOOTPRINT

5.1 FOOTPRINT

- 5.1.1 As the beauty of the natural environment should be preserved, little as possible landscaping should be done. Site clearance should be restricted to the absolute minimum. **Also see Section C 'ENVIRONMENTAL MANAGEMENT' of the Rules and Code of Conduct.**
- 5.1.2 The natural environment must be left untouched except as otherwise indicated on the approved site development plan and requirements specified to deal with fire prevention and -fighting as set out in the *Rules and Code of Conduct*, **Section G, Clause 17.**
- 5.1.3 Lawns for new developments from 1 November 2023 shall not exceed 150m² and shall be clearly indicated on the site development plan for approval.
- 5.1.4 Only non-invading South Africa indigenous plants may be planted. A recommended list of approved plants is available on request.
- 5.1.5 The ASC within their sole discretion shall approve all site development, including landscaping.

5.2 SITE CLEARING

- 5.2.1 The remaining trees, and all indigenous shrubs, should be retained where possible, but all of the invader species are to be eradicated by the property Owner/s.
- 5.2.2 Rehabilitation of the building site must be included in the building contract by the Owner/s. Failing to do so, or should the contractor fail to rehabilitate the site, it will be up to the Owner/s to do so.
- 5.2.3 The site must be cleared of all building rubble and rehabilitated, including veld rehabilitation and landscaping, after completion of the building project, before the building deposit will be re-reimbursed

5.3 LANDSCAPE FEATURES AND FENCES

- 5.3.1 Landscape features such as pergolas, bomas, swimming pools, screen walls, rain water catchment tanks, recreational/sport facilities, fences, sign posts, drive- and walk ways need to comply with the prescribed specifications, must be shown on the site development plan and requires ASC approval before starting with construction and/or erection.
- 5.3.2 Safety and security fences: (**also see Clauses 1.1, 3.4, 6.1, 7.3 & 8.4**) a)
Erven boundaries may not be fenced in.
- b) Subject to terms and conditions and prior ASC approval, Members/Owners will be allowed to fence in the **minimum** practical area required to create a safe and secure area around buildings and/or approved recreational facilities, such as a swimming pool and/or boma, and/or external security sensors positioned as close as possible to the building(s).
- c) A single driveway entrance gate (maximum 4 meter long x 1.8 meter high) and/or a pedestrian gate(s) to match the material of the approved fencing types will be allowed where required in order to create a safe area as prescribed in **5.3.2.b.** above.
- d) Fencing material with a maximum height of 1.8 meter is limited to the following:
- Shall comply with the Reserve's aesthetic, material and colour requirements (**also see Clauses 1, 7 & 8**); •
 - Clearview with square tubing or I-section pillars; or
 - 200 x 200 x 4,5mm welded mesh with natural rock filled (gabion) pillars; or
 - 16 Strand galvanized wire with 100mm round corner/straining posts and steel intermediate Y-standards at 3,0-meter centers/intervals electrified security fence. A Certificate of Compliance needs to be submitted to the ASC.
- 5.3.3 Bird baths and seed feeders are allowed, subject that it complies with the minimum requirements specified by the ASC.
- 5.3.4 Subject to terms and conditions as prescribed and ASC approval water features, blending with the natural environment and **not accessible to game**, may be allowed. **Also see Clause 23 in Section C 'ENVIRONMENTAL MANAGEMENT' of the Rules and Code of Conduct**

5.3.5 Manual operated water irrigation systems are permitted.

5.3.6 Owners may apply for approval to the Association to automate the operation of irrigation systems, which approval will not be unreasonably withheld, subject to the irrigation system not being connected to the main water supply but to water tanks, and to the terms and conditions as prescribed by the Association.

6. ARCHITECTURE, STYLE AND CHARACTER

6.1 GENERAL

6.1.1 The general style prescribed is a contemporary, eco-type design. To ensure a clear concept for the development the following items get highlighted to form a common architectural language.

6.1.2 The common architectural language consists of the following:

- a) A limited and sympathetic colour range with subtle variations;
- and b) Use of a compatible range of building materials; and
- c) Similarity in fenestration and architectural style; and
- d) Consistency in the approach to roof forms; and
- e) Integration of the building and landscape features into the landscape; and
- f) Use of mixed materials and textures; natural stone, brick, concrete and paint; and
- g) Vertical brush, wood or steel floated, scratch plaster external plaster rendering;
- and h) Response to climate and context.

6.2 USE OF COLOUR

6.2.1 Colour is intended to act as a primary theme conveying element and shall reflect the Bushveld Contemporary style of the Reserve.

6.2.2 Approved colour samples to choose from are available from the ASC.

6.2.3 A sample colour application must be approved prior to commencement of work.

7. CONSTRUCTION AND MATERIALS

7.1. APPROVED BUILDING MATERIALS

7.1.1 Only the following approved building materials may be used:

- a) Natural Stone typical of the Zwartkloof geology;
- b) Face bricks approved by the Association for elevations, screen and yard walls (see **7.3.5** below for requirements); c) Natural timber;
- d) Painted steel;
- e) Powder coated aluminium;
- f) Painted plaster to approved colours;
- g) Chromadeck or similar coated sheeting to colour prescribed;
- h) Timber slat screens (gum poles are not allowed);
- i) Off shutter or plastered concrete;
- j) Approved paving;
- k) Cobble stones.

7.1.2 The approval of the ASC should be obtained for the use of any materials other than the prescribed building materials for external use.

7.1.3 Alternative construction methods (e.g. light steel construction or light weight concrete blockwork) will be considered for approval by the ASC following detailed proposal by the Owner.

7.2 ROOFS

7.2.1 All roofs shall be power coated (Chromadeck) finish steel long span clip-lock roof sheeting.

7.2.2 The colour of roof sheeting, pressed steel facia and gutters are limited to 'Dark Dolphin Grey' or 'Graphite' or 'Charcoal'.

7.2.3 The mono-pitch shall be between 5 and 10 degrees.

7.2.4 Flat concrete roofs will also be permitted. These roofs must be concealed.

7.3 EXTERNAL, SCREEN AND YARD WALLS

- 7.3.1 Plan forms of walls, and specifically external walls, must be rectangular, or composed of rectangular or square forms.
- 7.3.2 All external and yard walls shall compliment the character of the building and the building materials to be used.
- 7.3.3 Solid walling to enhance certain parts of the property (for example, to screen the swimming pool and bomas), then such walling should not exceed 1.8m in height and plans in relation thereto be submitted to the ASC for approval.
- 7.3.4 Screen walls for dry yards shall not be less than 2.1m from finished floor level.
- 7.3.5 Approved face brick use must be limited to a maximum of 35% of the total building, including external elevations, screen walls and yard walls. Only approved face brick types will be allowed (see **7.1.1b** above).

7.4 FENESTRATION, DOORS AND LOUVRES

- 7.4.1 Windows shall be natural hardwood or powder coated aluminum in bronze or hard wood colour.
- 7.4.2 The proportions of all windows are to be such that there is either a square or approved rectangular proportions for punctuation. Large glass areas may be subdivided in a variety of ways with either horizontal or vertical expressions.
- 7.4.3 Win blocks and cottage pane windows shall not be permitted.
- 7.4.4 Garage doors may be single or double horizontal panels and may be either wood or powder coated aluminium in bronze or hard wood colour
- 7.4.5 External burglar bars will not be permitted.
- 7.4.6 Internal burglar bars, preferably of the 30 x 6mm transparent poly-carbon type, is allowed.
- 7.4.7 Natural timber or powder coated aluminium shutters, in bronze or hard wood colour, may be used subject to ASC approval.

7.5 CHIMNEYS

- 7.5.1 A square chimney mass without applied detail is recommended, but a variety of expressions will be considered.
- 7.5.2 Chimneys may not be higher than 1m (one meter) above roof level as per building regulations.

7.6 COLUMNS

- 7.6.1 Columns must be of square steel or timber. Square brick or concrete columns of sound proportion will also be permitted.
- 7.6.2 Only simple contemporized columns may be used. No classical columns shall be allowed.

7.7 SEWERAGE PLANTS, DRAIN PIPES AND WATER SUPPLY

- 7.7.1 All soil and waste pipes shall be concealed and painted to match walls.
- 7.7.2 Only closed system sewerage disposal systems may be used.
- 7.7.3 No drainage installation will be allowed outside the site boundary of the Erven.
- 7.7.4 A specified water meter with shut-off valve will be installed by the Association, to project between 170mm and 340mm above natural ground, before commencing of any building work. The Owner/s will be required to provide a suitable enclosure which needs to allow easy access for meter reading and maintenance purposes.
- 7.7.5 The cost for the installation of the water meter and the enclosure will be for the Owner/s account. Ownership of the meters will remain vested with the Association. The Association will also maintain the water meter generally at the Associations cost unless tampered, damaged and/or misused by the Owner/s.
- 7.7.6 A water pressure regulator valve should be installed by the Owner.
- 7.7.7 Recycled water from the sewerage plants must flow over into a sub-soil french- or soak drain.

7.8 GUTTERS AND DOWN PIPES

- 7.8.1 Gutters and down pipes should be unobtrusive.
- 7.8.2 The gutters shall match the colour of the roof.
- 7.8.3 Down-pipes shall match the colour of the external walls.

7.9 SATELITE DISHES, SOLAR PANELS, AND AIR CONDITIONING UNITS

- 7.9.1 Solar panels must be placed discretely, preferably with a “landscape” lay-out, for minimum visibility. If at all practically and technically possible, panels should be position not to be visible from the Reserve’s roads.

- 7.9.2 Solar geysers must be sensibly positioned and painted to match the roof colour.
- 7.9.3 Air condition units must be placed as unobtrusive as possible (preferably be installed on ground level) and painted to match wall colour or screened off if on a higher level.
- 7.9.4 Satellite dishes must be placed as unobtrusive as possible and painted to match wall colour.
- 7.9.5 Solar pool heating systems (solid flat panel type) are allowed and must be installed professionally and unobtrusive.

7.10 SHADED PERGOLAS, CANOPIES, CARPORTS AND ALIKE

- 7.10.1 Shaded pergolas, and shaded carports, with permanent structure as prescribed, may only be covered with timber laths.
- 7.10.2 Shaded canopies, with permanent structure as prescribed, may only be covered with timber laths or beams with or without flat multi-wall translucent poly-carbon sheeting over.
- 7.10.3 Temporary pergolas, canopies and carports will not be permitted.
- 7.10.4 No Wendy houses, shipping containers or other temporary structures may be erected.
- 7.10.5 No shade cloth will be allowed.

8. SITE USE

8.1 LIGHTING AND SIGNS

- 8.1.1 Save as specified in **8.1.2** below, no signs other than the site numbers provided by the Developer will be permitted.
- 8.1.2 Site / Erven numbers / signs, as per the example shown hereafter, may be constructed by the Owners at their own costs.
- 8.1.3 External light fittings must be low-intensity and placed discreetly in order to prevent light pollution and discomfort for surrounding neighbours and the Reserve as a whole. Guidelines for discreet placement are as follows:
 - a) Use up and/or down light fittings where the light source is not directly visible.
 - b) Place landscape fittings behind natural objects (i.e. trees or rocks).
 - c) Use fittings with a light temperature not more than 'Cool White' (4000k) that resembles natural daylight.
 - d) Limit the number of fittings to what is necessary for practical use (e.g. walkways, patios) or aesthetic effect (e.g. highlighting rocks or focal points) only.
- 8.1.4 Where external light fittings are higher than 800mm above natural ground level, extra care must be taken on the choice of type of fittings and brightness of source not to create disturbing light pollution.
- 8.1.5 Security flood lights are only permitted to be used for security when necessary and not for recreation purposes e.g. game watching). Such flood lights should be connected to motion detectors or an alarm system where security beams activate these lights, and should not be left shining for a period exceeding ten minutes unless in the event of a security incident or when Owners were alerted to an intruder on the Reserve. A maximum rating of 30 watts is allowed.

8.2 LAUNDRY, REFUSE AND GAS

- 8.2.1 Laundry drying areas and refuse bins must be enclosed, with walls, which must complement the character of the house.
- 8.2.2 Gas installations must be done by duly qualified and certified gas installation contractors.
- 8.2.3 The gas installation to be safely positioned within a suitable enclosure within a screened-off area.
- 8.2.4 The walls must be 2.1m high to provide the necessary screening.

8.3 DRIVEWAYS AND PAVING

- 8.3.1 All driveways leading from the internal access road to the Erven boundary shall be a "strip-road" with two 500mm wide x 100mm thick x 20 MPa minimum concrete strips with a 750mm gap in between filled with broken rock, as per the existing strip roads on the Reserve.
- 8.3.2 Internal drive-ways, walk-ways and paved areas, within the boundaries of the Erven, may be constructed with paving bricks or cobble stones or concrete with a natural colour.
- 8.3.3 Unless agreed otherwise in writing with the Developer, any additional driveway required between the existing roads of the Reserve and the Erven boundary shall be constructed by the Owner as prescribed and approved by the Developer.

8.4 SWIMMING POOLS AND PROTECTION

8.4.1 Members/Owner/s will be responsible for the safety around swimming pools.

Swimming pools need to be provided with protection as prescribed in the National Buildings Regulations and Local Municipal Ordinance and Regulations to prevent the accidental falling in and/or drawing of people. No swimming pool larger than 16m² for private lodges and 40m² for corporate lodges will be allowed.

8.4.2 The design of the swimming pool will be such that any person and/or wild animal falling into the pool will be able to climb out of the pool (**Also see requirements related to fencing and/or screening in Clauses 5.3.2 and 7.3.3**).

8.4.3 No drainage, pool pumps or any installation may be installed over the site boundary.

8.5 STORM WATER MANAGEMENT

8.5.1 Owners shall manage storm water originating from its Erven not to cause ground erosion or damage to others.

8.5.2 Owners shall rehabilitate areas that are prone to future erosion due to construction disturbances.

8.6 WATER TANKS

8.6.1 The collection of rain water from roofs for gardening and wash down purposes are recommended.

8.6.2 Rain water catchment tanks complying with the following minimum requirements are allowed:

- a) Water tank systems must be pre-approved by the Association's Architectural committee;
- b) The rain water tank system shall not be connected into the main Reserve and/or residence water supply;
- c) The tanks need to be placed on the ground and screened-off by means of screen wall or timber-lath partition;
- and d) Outlet taps need to be labelled: "Do not drink".

8.6.3 A water emergency back-up tank used for drinking and domestic use only (no irrigation) may be installed, provided that this tank complies with the following requirements:

- a) It must be pre-approved by the Association's Architectural committee;
- and b) Tanks may not exceed 5000 litre capacity.

9. ELECTRICAL

9.1 POWER SUPPLY

9.1.1 All electrical work shall comply to the Occupational, Health and Safety ACT, Act 85 of 1993 and Regulations thereto and specifically with Regulation 7(1) of the Electrical Installation Regulations of 2009.

9.1.2 The Developer will provide a 380-volt three phase electrical power meter box, inclusive of power usage meter and 63-amp isolating circuit breakers in near proximity of the Erven.

9.1.3 The Developer will provide a four (4) core x 16.mm² electrical supply cable to the Erven closest boundary. (Here in after referred to as the "Electrical Connection Point").

9.1.4 The electrical connection point shall, for all practical purposes, be treated as energised, unless specifically stated otherwise by a qualified electrician after conducting a "live wire test".

9.1.5 All new buildings to be built and/or additions to existing buildings after 19 October 2019 shall be wired to balance the electrical load between the three phases.

9.1.6 In the interest of effective power utilization and to minimize peak load tariffs it is recommended that Member/Owners modify the electrical distribution boards of houses built before 19 October 2019 to balance the house-hold load between the three phases.

9.2 SWITCHING

9.2.1 Switching "on" and/or "off" of the 380-volt circuit breakers at the Reserve's meter box may only be done by a duly competent person (electrician) appointed and/or authorised in writing by the Association. Such approval to switch on or off the power to the electrical connection point will only be done once the Owner/s has complied with the following minimum requirements:

- a) Owners has complied with the "Pre-conditions to Development of Erven" in **Clause 2**;
- b) In the case of initial site development work, the Owner/s has provided the Association with a "Certificate of Compliance", issued by a duly qualified and registered electrician, that the temporary construction power distribution system has being connected, tested and comply with SANS 10142-1;

- c) In the case of development work completion, the Owner/s has provided the Association with a “Certificate of Compliance”, issued by a duly qualified and registered electrician, that the permanent Erven/ (Stand) power distribution system has being connected, tested and comply with SANS 10142-1.

9.2.2 No person, unless duly authorised in writing by the Associations Director appointed to issue such authorisation, shall conduct any electrical switching and/or tamper with any of the Reserve’s electrical installations.

9.3 OPERATING AND MAINTENANCE

- 9.3.1 The Association will operate and maintain the 22-kV and 3,3-kV electrical distribution system between the Eskom bulk supply meter, at the Eskom switch yard, and the electrical meter boxes in close proximity of all Erven.
- 9.3.2 Owners will be responsible for the operation and maintenance of the Erven electrical distribution system, including the supply cable from the Reserve’s meter box.
- 9.3.3 The power supply to the Eskom substation on the Reserve is via 22kV overhead line which may be prone to lightning strikes resulting in power outages and -surges. Both occurrences can cause damage to electrical and specifically electronic equipment and components. Owners are advised to take precautionary measures. This may include, but is not limited to ensuring proper earthing of structures, roofing and water piping that can conduct electricity, fitting of surge and lightning arrestors and running sensitive electronic equipment through an un-interrupted power supply unit (UPS).

9.4 SOLAR POWER SUPPLY

- 9.4.1 The generation of solar power is allowed subject to the solar small-scale embedded generation (SSEG) system complying with the latest regulatory requirements, the South African National Standards (SANS), and the Association’s SSEG Requirements in the event of regen meters being applied for.
- 9.4.2 SSEG installations requires pre-approval by the Association in accordance with the conditions of the SSEG Requirements, *Rules and Code of Conduct* and the Architectural & Development Mandatory Requirements.
- 9.4.3 Solar SSEG systems with the capability to export/inject electrical power into the Association’s electricity grid shall be approved by the Association as “grid-tied SSEG”. **If a Member/Owner wish to export/inject power into the electricity grid, the SSEG system must be configured to ensure no electrical power is recharged/ generated/exported/injected into the Association’s electrical distribution system if the main Eskom supply is switched off.** This is to ensure the safety of maintenance personnel, safeguard the integrity of infrastructure and to ensure regulatory compliance. If a Member elects not to grid-tie their solar SSEG system, it shall be declared to the Association as “off-grid SSEG” and physically and electrically isolated from the Association’s electricity distribution grid. The Association reserves the right to disconnect electricity supply to any premises or installation that does not meet the SSEG Requirements for on-grid and off-grid SSEG installations.
- 9.4.4 The current analogue electrical kWh meters are not capable to measure SSEG electricity exported/injected into the Association’s electricity distribution system. If and once allowed by the Authorities and Association, Member/ Owners may apply to the Association to have the meters replaced or modified at the Member/Owners cost, to measure exported/injected electricity.
- 9.4.5 The Association reserves the right to set the limits for any benefit derived from measured electricity exported/ injected into the Association’s electricity distribution system.

9.5 STANDBY PETROL/DIESEL GENERATORS

- 9.5.1 The installation of a generator is allowed, subject to compliance with the relevant regulatory requirements governing such installations.
- 9.5.2 Generators shall not be connected (grid-tied) to the Association’s electricity grid and shall be physically and electrically isolated from the electricity grid (off-grid) at all times.
- 9.5.3 A generator shall be installed in such a way that it does not create a disturbance or noise pollution to neighbouring properties.
- 9.5.4 The maximum decibel (dB) reading at a 7 (seven) meter distance from the generator shall not exceed 65dB.
- 9.5.5 Generators that are installed permanently and semi-permanently (in the same position for more than 30 consecutive days) must be screened, must be shown on the site development plan and requires ASC approval prior to installation.
- 9.5.6 Generators shall not be operated between 22h00 and 06h00.

10. TERMS AND CONDITIONS REGARDING BUILDING CONTRACTOR ACTIVITY

- 10.1. All Contractors and Sub-contractors' personnel and employees (permanent, temporary or casual) shall apply for an ZPGR. Access permit/card at least ten (10) working days before intending to enter the Reserve. **See Annexure B 'SAFETY & SECURITY CODE'.**
- 10.2. All Contractors and/or sub-contractors shall register with the Association or Associations Managing Agent at least five (5) working days before commencing with any work on the Reserve.
- 10.3. All Contractors' and their workers and/or the sub-contractors shall comply with the *Rules and Code of Conduct*, these Architectural mandatory requirements and controls and the Safety and Security Code. Failing to do so can result in disciplinary action against the Owner/s and/or Contractor/s.
- 10.4. In the event of Contractors and/or sub-contractors breach any of the terms and conditions the Association reserves the right to suspend building activity until such undesirable activity has been rectified. The Association is empowered to act at any time and without notice, and without recourse from the Owner and/or contractor and/or sub-contractor. This right of the Association will however be exercised with care and due consideration of the risk that may emanate from the undesirable act on behalf of the contractor and/or sub-contractor.
- 10.5. Access to the Reserve for the purpose of construction-, maintenance- and improvement work by external contractors and service providers will be limited to the following hours:
 - a) Mondays to Thursdays: In $\geq 07h00$ and out $\leq 17h00$ (External Contractors need to be out of the Reserve by 17h00)
 - b) Fridays: In $\geq 07h00$ and out $\leq 16h00$ (External Contractors need to be out of the Reserve by 16h00)
 - c) Construction-, maintenance- and improvement activities by external contractors or service providers are not allowed over weekends, public holidays and from the first day to the last day of the HOA published "no-work" period over December and January. Contractors will be allowed to enter for absolute essential maintenance and repair work subject to prior access approval by a ZPGR HOA Director who is mandated to grant such approval.
- 10.6. The site is to be kept clean and neat. The Contractor shall provide facilities for waste and building rubble disposal, ensures that the workers use the facilities provided and that the waste and/or building rubble is removed from the Reserve at weekly intervals and not burned on site.
- 10.7. No contractor personnel and/or employee will be allowed to sleep over on site (the Erven).
- 10.8. Contractor and contractors' personnel and/or employees shall be transported along the shortest route in and out between the entrance gate, work site (Erven) and exit gate. Contracting personnel and/or employees are not allowed to walk within the Reserve other than on the work site (Erven) for which a permit was issued.
- 10.9. All building material shall be off-loaded within the site boundaries or such pre-determined area approved by the Association or Architectural Sub-Committee (ASC).
- 10.10. The Contractor shall provide proper toilet facilities for all personnel on site and ensure it is kept hygienic and clean.
- 10.11. No building advertising signboards may be erected.
- 10.12. Road Access:

Owners and Contractors shall take note of the following limitations as related to road access for vehicles and plant:

 - 10.12.1 Access between the main access gate at Road R 516 and the material transit (off-loading) site south of the Eskom reserve is limited to a gross mass of 30 metric tons.
 - 10.12.2 Access from the ZPGR HOA Administration office to the respective Erven is limited to a gross mass of 15 metric tons.
 - 10.12.3 The following vehicles and plant are generally not allowed to enter the Reserve:
 - a) No tandem axles vehicles
 - b) No concrete mixer trucks
 - c) No steel tyre and/or vehicles and/or plant with cat-tracks.
 - 10.12.4 Access from the Reserve's roads to the building area (Erven) will be gained only along the route that will finally serve as the access road to the Erven.
 - 10.12.5 Vehicles with a gross mass exceeding 3.5 metric tons will be subject to paying toll.
- 10.13. The Contractor shall take care as to not to damage the reserves infrastructure and/or private property.
- 10.14. No fauna (wildlife) shall be teased, lured, fed, trapped, injured or hunted.
- 10.15. No flora (plants) may be damaged or removed other than in the areas required for the development/building work as indicated on the construction plans approved by the ASC.
- 10.16. All Contractors, sub-contractor, service providers and suppliers need to be approved by the Association prior to entry into the Reserve. (This action normally forms part of the Security permit application process).

- 10.17. The Contractor and sub-contractors and their respective service providers and suppliers shall follow the route to the specific Erven as prescribed by the Association. If any Contractor or any person in his service and/or directly or indirectly providing a service to him is found on any other part of the Reserve, not required for the fulfilment of his duties, the Association will be entitled to invoke penalties or alternatively ban such a person from the Reserve.
- 10.18. No wood may be collected within the Reserve, in common areas other than to comply with the Associations fire management requirements.
- 10.19. No open fires are allowed, and cooking should only be done on gas or paraffin stoves in a safe enclosed area.
- 10.20. Only proper steel sheds, approved by the Association, are allowed for safe keeping of building materials.
- 10.21. Pre-fabricated steel huts, approved by the Association, will be allowed as site offices, worker shelter and temporary change house facilities.
- 10.22. Any other temporary structures, mobile or stationary, require the prior approval of the Association.
- 10.23. No littering is allowed on the Reserve. All persons entering the Reserve are required to report littering by others.
- 10.24. In the event of any uncertainty in understanding or interpretation of the referred *Rules and Code of Conduct* and/or terms and conditions, Owners and/or their Contractors must consult with the ZPGR Management or Architectural Sub-Committee (ACS) to seek clarity.

11. IMAGES TO ILLUSTRATE EXAMPLES

The images below are examples of Clauses referred to in this Section A of Annexure A 'ARCHITECTURAL & DEVELOPMENT MANDATORY REQUIREMENTS'

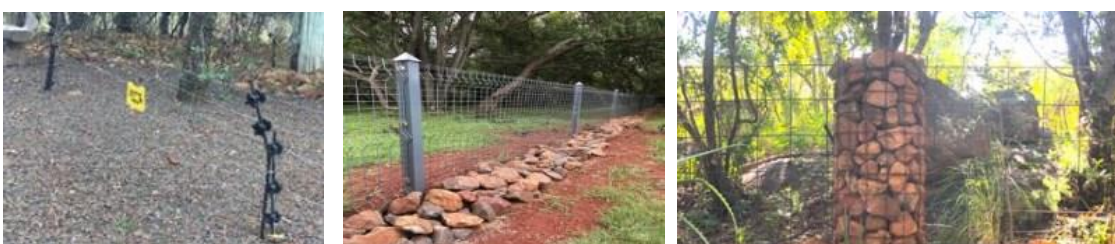
MANDATORY FIRE PREVENTION EQUIPMENT (*Rules and Code of Conduct: Section G 'SECURITY AND FIRE PREVENTION, Clauses 19 - 21)*



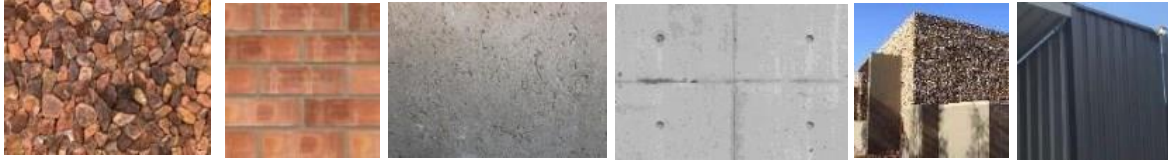
LANDSCAPE FEATURES (E.G. PERGOLA, BOMA) (Clause 5.3.1)



SAFETY AND SECURITY FENCES (Clause 5.3.2 d)



ARCHITECTURE, STYLE AND CHARACTER (Clause 6.1) & APPROVED BUILDING MATERIALS FOR EXTERIOR USE (Clause 7.1)



COLOURS OF NATURAL STONE FOR CLADDING AND LANDSCAPE (Clauses uses 6.2.1 and 7.1.1a)



APPROVED COLOURS (Clauses 6.2 and 7.1.1f)



Examples of ALLCOTE colours for colour matching (from left to right): Bushveld, Fynbos, Cobblestone, Franschhoek, Ouklip, Sable

ROOF – CHROMADECK, MONO-PITCH, COLOUR (Clause 7.2)



EXTERNAL SCREENING OF WATER SOFTENERS AND SEWERAGE PLANTS (Clauses 7.1.1 and 7.3.2)



SEWERAGE PLANT SYSTEM (Clause 7.7)

Left: Calcemite sewerage plant underground. Right: Visible access lids for sewerage plant



SOLAR PANEL PLACEMENT AND VISIBILITY (Clause 7.9.1)



SCREENING OF AIR CONDITIONING UNIT (Clause 7.9.3)



POOL HEATING SOLID FLAT SOLAR PANELS (Clause 7.9.5)



TIMBER LATHS FOR CARPORT, PERGOLA (Clause 7.10.1)



STAND NUMBER POST (Clause 8.1.2)



LIGHTING: DISCREET TO PREVENT DISTURBANCE AND LIGHT POLLUTION (Clauses 8.1.3 and 8.1.4)



GAS SAFETY ENCLOSURE (Clause 8.2.3)



DRIVEWAY TO ERVEN BOUNDARY FROM ACCESS ROAD: STRIP-ROAD WITH BROKEN ROCK (Clause 8.3.1)



SIZE OF SWIMMING POOL (Clause 8.4.1)



SECTION B: MANDATORY CONTROLS

1. APPROVAL OF PLANS

1.1 NATIONAL BUILDING REGULATIONS

- 1.1.1 The provisions of the National Building Regulations, as per the National Building Regulations and Building Standards Act (Act 103 of 1977), shall apply, with specific reference to the approval of building plans and the issuing of occupancy certificates by the Municipality.
- 1.1.2 Should any provision of this development guideline be regarded as contrary to the National Building regulations, then the National Building regulations shall take precedence.

1.2 APPROVAL OF PLANS

- 1.2.1 All building plans, including any additions and alterations to existing site development, buildings and structures, are subject to approval by the ASC and Bela-Bela Municipality.
- 1.2.2 All Erven development, buildings and structures shall be designed and constructed to comply with the provisions of the Architectural & Development Mandatory Requirements and-Controls (A&DMRC) and any and all amendments to the said document as may be affected and approved by the Association.
- 1.2.3 No building and/or structure may be erected or altered without approval by the ASC. This does not apply to internal amendments to existing buildings.
- 1.2.4 All plans for the construction of or alterations to buildings and/or structures must be prepared by a professional registered Architect or Architectural Technologist. It is strongly recommended that Owners solicit the services of the architect/s approved by the Association.
- 1.2.5 Owners shall formally apply for approval of plans to the ASC in accordance with the regulations prescribed by the Association.
- 1.2.6 Prior to the submission of formal plans, for approval in terms of the regulations determined by the Association, Owners must submit sketch drawings of the site development, buildings, structures and improvements to the ASC for approval-in-principle of the design concept. Drawings to be submitted must be at a scale 1:100 or 1:50.
- 1.2.7 Final construction documentation shall as a minimum include, but not be limited to, the following:
 - a. Site plan/s; and
 - b. Floor plan/s; and
 - c. All elevations; and
 - d. Relevant and required sections; and
 - e. Finishing and quantity schedules; and
 - f. Electrical distribution lay-out and an optional single line diagram; and
 - g. Water reticulation; and
 - h. Sewer system; and
 - i. All required engineering plans and specifications (Civil, structural, electrical, and mechanical)
 - j. All required specifications, as applicable.
- 1.2.8 All site development drawings submitted for approval shall at least include, but not be limited to, the following:
 - a. The stand directional orientation, boundaries, boundary sizes, including corner pegs and co-ordinates; and
 - b. 250mm Contours maximum
 - c. The position of all buildings and structures on the Erven; and
 - d. Indicate position and specification of pergolas, boma's, swimming pools, screen walls, rainwater catchment tanks, recreational/sport facilities, fences, sewer plant, drive- and walkways and other prominent landscape features; and
 - e. Prominent natural elements, trees with a circumference bigger than 250mm (80mm diameter),
 - f. The access road, electrical power and water connection point/s.
- 1.2.9 Before drawings can be submitted to Local Authority for approval it must carry the stamp of approval from the ASC. One extra set of the working drawings, in hard copy and electronic format, must be submitted to the Association for retention in their records.
- 1.2.10 The Board may approve waivers of any mandatory specifications under circumstances where such waivers are recommended by the Consultants and are considered justifiable by the Association. The decision of the Associations Board to approve or not approve such waiver/s shall be in their sole and absolute discretion and their decision shall be final.

- 1.2.11 Any dispute, regarding these Architectural & Development Mandatory Requirements and Controls shall be referred to the ASC and if still not clarified a professional architect will be appointed by the Board. A decision regarding any dispute arising from the above, adjudicated by the appointed architect, will be final.
- 1.2.12 Buildings and structures must be constructed in terms of the approved plans and no additional space or no changes to finishes or fenestration may be made or omitted without the consent of the ASC.

1.3 APPROVAL TIME

- 1.3.1 Plans submitted to the ASC will be approved and ready for collection within two (2) weeks of submission.
- 1.3.2 The Association and ASC cannot commit on a time for approval of plans submitted to the local Bela-Bela local municipality for approval. Owners should plan on six (6) weeks, but this cannot be guaranteed.

1.4 APPROVAL AND GOVERNANCE FEES

- 1.4.1 Owners shall submit two copies of each of site development plan and construction documentation, as prescribed, to the Zwartkloof Private Game Reserve (ZPGR) Home Owners Association (HOA) Architectural sub-committee (ASC) for approval.
- 1.4.2 In event that the architectural work being done by the ZPGR HOA recommended architect, a nominal non-refundable approval or scrutiny fee, as determined by the Associations Board, shall be payable to the Association to check compliance and approve the plans.
- 1.4.3 In the event that the architectural work being done by an independent professional architect or technologist, a non-refundable governance- and site inspection fee, as determined by the Associations Board, shall be payable to the professional Architect nominated by the Association to fore full the governance function on behalf of the ZPGR HOA ASC.

1.5 BUILDING DEPOSIT

- 1.5.1 Owners shall pay a refundable building deposit to the Association, as determined by the Board.
- 1.5.2 The deposit, minus any deductions for costs incurred by the Association to make good any damages caused by the Owner/s and/or Owners' contractors and/or to clean-up and/or to comply with the environmental requirements, will be refunded to the Owner/s after completion of the work/s and inspected by a duly authorized person of the ASC.

2. CIVIL, STRUCTURAL AND ELECTRICAL ENGINEERS

All engineers, civil, structural, electrical and mechanical, as may be required, shall be appointed prior to the finalisation of architectural drawings to ensure the total integrated design complies with applicable legislation and design rules.

2.1 CIVIL AND STRUCTURAL ENGINEERS

- 2.1.1 Shall be appointed, at the Owners cost, to assess and report and/or conduct the design and construction supervision as related to the following;
- Geotechnical study to set the design parameters for the foundation/s design and specifications.
 - Civil design of concrete structures, including foundations, columns, beams, floor- and suspended slabs
 - Design of steel structures complete
 - Design of roof trusses and beams, as related.
 - Assessment of specifications as related to load bearing- and retaining walls.
 - Waterproofing details and specifications asrelated to sub-soilareas (floors and retaining walls), concrete floorsand roofs as well as open wall-capping/tops.

2.2 ELECTRICAL ENGINEER

- 2.2.1 Generally, the services of an electrical engineer will not be required for a standard house electrical distribution system.
- 2.2.2 Unless required by the Owner or in cases of a more evolved electrical distribution system such as automation and/or incorporating an integrated solar system, the services of an electrical engineer can be incorporated at the Owners cost.

2.3 ENGINEERS CERTIFICATE/S AND CERTIFICATES OF COMPLIANCE

It is a requirement of the Local Authority to submit a professional engineering certificates for at least the following:

- 2.3.1 Structural and concrete design (to be submitted with building plans).
- 2.3.2 Structural supervision.
- 2.3.3 Roof design
- 2.3.4 Electrical installation Certificate of Compliance
- 2.3.5 Gas Installation Certificate of Compliance
- 2.3.6 Sewer system compliance

2.4 ELECTRICAL COMPLIANCE

- 2.4.1 All residential electrical distribution systems need to be installed/materialised, inspected and commissioned by a duly qualified and competent electrician, in possession of a valid “Wireman’s license”.
- 2.4.2 “Certificate of Compliance” for the electrical installation will be required before the power to the Erven/(stand) will be switched on.
- 2.4.3 The connection to the main power supply at the Reserve’s meter box will be done, checked and approved by the electrician appointed by the Association.

3. CONTRACTORS AND BUILDING CONTROL

3.1 The contractor/s appointed for the construction on respective Erven(stand) shall be required to comply with the *Rules and Code of Conduct*, including but not limited to the following:

- 3.1.1 Rules and Code of Conduct.
- 3.1.2 Architectural and development mandatory requirements and controls.
- 3.1.3 Safety and Security Code.
- 3.1.4 ZPGR management instructions sanctioned by the Board.

3.2 It is the respective owner/s responsibility to ensure that the *Rules and Code of Conduct*, with Annexures and attachments thereto is included in the contract agreement between the respective owner/s and contractor/s.



ZWARTKLOOF PRIVATE GAME RESERVE HOMEOWNERS ASSOCIATION NPC

Registration Number: 2005/027184/08

ANNEXURE B:

SAFETY AND SECURITY CODE

(Last revision: 28 October 2023)

This Annexure B ('Safety and Security Code') must be read in conjunction with the latest version of the *Rules and Code of Conduct*, and attachments thereto.

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1. PURPOSE

To establish safety and security rules, prescriptions and behaviour for the Zwartkloof Private Game Reserve [herein after referred to as the “Reserve” or (ZPGR)], which if complied with, will positively contribute towards the safety of people, wild-live (fauna), plants (flora) and safeguarding of infrastructure.

2. OBJECTIVES

- 2.1 To establish rules for the orderly management of security into and on the Reserve.
- 2.2 To make the rules available to all persons who requires access to the Reserve and to ensure compliance thereto. Such persons shall include, but are not limited to the ZPGR Directors, management, the respective home/property Owners [Herein after referred to as “Owners”] as well as their employees, agents, service providers, contractors and visitors.
- 2.3 To develop and maintain a disciplinary procedure for the handling of transgressions, if necessary.

3. SECURITY AND SECURITY MANAGEMENT

- 3.1 The Safety and Security Code, which may be amended periodically, aims to address the following aspects concerning security and security management:
 - 3.1.1 Gate control
 - 3.1.2 Access permits/cards
 - 3.1.3 Logistics and limitations regarding movement on the Reserve
 - 3.1.4 Disciplinary steps, if needed.
- 3.2 The responsibility to ensure effective and efficient security management will be the responsibility of the Home Owners Association [Herein after referred to as the “Association”].
- 3.3 The Association reserves the right to appoint a Safety and security Sub-Committee [Herein after referred to as the S&SSC] to assist with safety, security- and access control management.

4. GATE CONTROLS

- 4.1 The right of access to the Reserve is strictly reserved by the ZPGR HOA Board, as elected by the Association.
- 4.2 The only official access to the Reserve is through the main entrance gate from the R516 national road.
- 4.3 Official access is possible only by means of a valid access permit/card and subject to specific conditions as contained in **paragraph 5** below.
- 4.4 At least one security officer will be on duty, 24 hours a day for 365 days per year, at the main gate to ensure access- and exit control is adhered to according to prescription.
- 4.5 The security service, on behalf of the Association and the Developer [The Developer being “Zwartkloof Private Game Development (Pty) Ltd on who’s property the gate is situated]” shall be outsourced to a reputable and reliable security company registered with the SA Security Association who will appoint the guards on a permanent basis. The Association however reserves the right to appoint security personnel in its services should the Association so prefer.
- 4.6 The security officer/s will be properly trained in the basic principles of security control. The degree of training will be determined periodically as prescribed by the Security Sub-Committee.
- 4.7 Security officers will, at all times while on duty, be neatly dressed in the prescribed Reserve’s uniform.
- 4.8 A mobile phone supplied by the Association will be made available to the security officer/s at the main entrance to enable security related communication.
- 4.9 A security camera system will be installed and maintained at the main entrance, by the Association, in order to monitor access and exit movements for record purposes.
- 4.10 A two-way radio communication system shall be provided between the ZPGR security office and the control room of a reputable and registered security company.

5. ACCESS PERMITS/CARDS

5.1 In order to promote hassle free entrance to the Reserve, but without compromising effective and efficient security control, three types of access permit/card systems will be permitted, namely:

5.1.1 Long-term access permit/card (LTAC) for the reserves Directors, Management, Owners and pre-approved members of Reserves Management and Owners family and permanent employees:

5.1.2 Short-term access permit/card (STAC) for service providers and employees who do not qualify for a permanent access permit/card, but work on site on a regular basis and/or for a single period of three months or longer.

5.1.3 Day access permit (DAP) for unscheduled and/or ad-hoc access to persons who do not qualify for a long- or short-term access permit/card. It will comprise mostly of visitors, ad-hoc day workers and deliveries.

5.2 Long-term access permit/card (LTAC): This access permit/card is issued by the Association, for a maximum period of three (3) years to permanent staff of the Reserve's management and qualifying permanent employees and maximum of five (5) years to Owners and qualifying family members subject to the following;

5.2.1 Directors, Management, Owners and their family members qualify automatically.

5.2.2 The Association reserves the right to issue long-term access permit/cards to the under mentioned persons/institutions subject to the requirements set out in **paragraph 5.2.3:**

- a. Permanent employees of the Reserve and/or Owners.
- b. Long-term (12 months and longer) service providers, and their permanent staff, who are involved in the management, operation and/or maintenance of the Reserve.
- c. Extended family members of Owners who visit the Reserve on a regular basis (at least once a month).

5.2.3 A long-term access permit/card will be issued to persons/institutions as specified in **paragraph 5.2.2**, subject to

complying with following minimum requirements:

- a. Proper identification by means of a SA identification document/card or a valid passport with a valid work permit or asylum document.
- b. Permanent employees and long-term suppliers must give proof of a valid contract with the Reserve's management and/or Owner.
- c. Proof of a clean security record by means of a Police Clearance Certificate (PCC) as obtained from the SA Police Service or an original copy or certified copy of a valid Automated Fingerprint Identification System (AFIS) Criminal Record Report that is not older than six months.
- d. No previous breach of the Rules and Code of Conduct.
- e. Signing of a written undertaking to comply with Rules and Code of Conduct, as well as a disclaimer and release of any claim against the Association, Management, Owners, employees and agents for any damage which the person may incur, while on the Reserve. (Indemnity typically as contained in the *Rules and Code of Conduct* and day visitors permit).

5.2.4 Qualifying persons issued with a long-term access permit/card must show their permit to the security officer each time on entering or on demand.

5.2.5 The access permit/card shall contain at least the following information; Name, surname, ID number, photo and work/home address, Erven/(Stand) number of the permit/card holder as well as validity period, issue- and expiry dates.

5.2.6 Permit holders are required to provide one recent passport/ID photo in electronic format. 5.2.7 The access permit/card remains the property of Association and must be returned on request.

5.2.7 The first four cards, per stand, will be issued free of charge to owners and their family members. Any additional cards will be charged at a nominal fee to cover costs.

5.2.8 Future replacement and/or lost access permits/cards will be replaced on request at a nominal fee, which will be determined from time to time by the Associations Board.

5.3 Short-term access permit/card (STAC):

This access permit/card is issued by the Association for a maximum of twelve (12) months to persons, institutions and their employees who do not qualify for a long-term access permit/card, but who need to work on the Reserve on a regular basis.

- 5.3.1 The Association reserves the right to issue short-term permits/cards to the under mentioned persons/institutions subject to the requirements set out in **paragraph 5.3.2:**
- Management- and Owners' service providers, included contractors and staff who need to work regularly and frequently over a period of three months or longer on the Reserve, as determined by the authorized HOA representative.
 - Management- and Owners service providers including contractors and staff who need to work on the Reserve on a regular basis; that is more than five (5) days in a thirty (30) day cycle.
- 5.3.2 A Short-term access permit/card will be issued to persons specified in **paragraph 5.3.1** subject to complying with the following minimum requirements:
- Proper identification by means of a SA identification document/card or a valid passport with a valid work permit or asylum document.
 - Proof of a valid contract with Associations management and/or Owner.
 - Proof of a clean security record by means of a Police Clearance Certificate (PCC) as obtained from the SA Police Service or an original copy or certified copy of a valid Automated Fingerprint Identification System (AFIS) Criminal Record Report that is not older than six months..
 - No previous breach of the Rules and Code of Conduct.
 - Signing of a written undertaking to comply with *Rules and Code of Conduct* as well as a disclaimer and release of any claim against the Association, Management, Owners, employees and agents for any damage which the person may incur, while on the Reserve. (Indemnity typically as contained in the *Rules and Code of Conduct* and day visitors permit).
- 5.3.3 Short-term access permit/cards issued to qualifying persons will be held in the Security Office each in a specific space with a duplicate back-ground and issued to the card holder on entry to the Reserve.
- 5.3.4 The short-term access permit/card shall at all times be in possession or at least available at the work site in order to be shown on demand.
- 5.3.5 On exit of the card holder will return the short-term access permit/card to the security officer on duty, who in turn will place it for safe keeping in its allocated slot. With this system it should always be possible to see who is still on the Reserve.
- 5.3.6 The access permit/card shall contain at least the following information: ZPGR Identification and card number as well as name, surname, ID number, photo, Erven/(Stand) number/s), employer/company, contact number of the permit/ card holder as well as validity period, issue- and expiry dates.
- 5.3.7 Permit holders are required to provide one recent passport/ID photo in electronic format.
- 5.3.8 The access permit/card remains the property of the Association and must be returned on request.
- 5.3.9 Initial permits/cards will be issued at a nominal fee, which will be determined from time to time by the Associations Board.
- 5.3.10 Replacement and/or lost access permits/cards will be replaced on request at a nominal fee, which will be determined from time to time by the Associations Board.
- 5.3.11 STAC card holders will disembark from the vehicle and access the Reserve through the turnstile at the main security gate. The card holder will collect his/her card from the security officer and then open the turnstile by scanning a fingerprint or palm on the biometric reader. The card holder will also exit the Reserve by following the same process and hand back their STAC to the security officer. The driver of the vehicle will remain in the vehicle. Their personal driver's license, and license disk will be scanned by the security officer. The driver will be allowed access through the boom gate to pick up their passengers who entered through the turnstile. The same process will be followed when the driver exits the Reserve.
- 5.4 Day permit/s (DAP):
- Day permit/s will be issued by the security officer for periods not longer than one day. Day permits will generally be issued to persons who does not qualify for long- and short-term cards/permits and/or have no prior appointment and/or requires access on an ad-hoc basis. The security officer has the authority to issue a day permit for up to five (5) days to visitors of the Reserve's Management and -Owners, subject that prior arrangements for such an extended day-permit was made by the host with the Director: Safety and Security or person duly authorized by the Director to act on his behalf.
- 5.4.1 The Association reserves the right to issue day permits to the under mentioned persons/institutions subject to the requirements set out in **paragraph 5.4.2:**
- Contractors, consultants, agents, ad-hoc day-workers, sales- and delivery personnel to Owners and management.
 - Ad-hoc day workers and sales-and delivery personnel to main contractors who are the holder of a valid Short-term access permit/cards (STAP). The main contractor/s needs to be on site to take responsibility for such person entering and to sign of the DAP.

5.4.2 A day permit will be issued to persons specified in **paragraph 5.4.1** subject to complying with the following minimum requirements:

- a. Reserve management, Owners and/or service providers/contractors with long- or short-term access permit/ card, as applicable, must timeously (preferably ≥ 2 hours before access is required) notify the security officer of visitors and/or deliveries. [Mobile phone number +27 (0)76 724 2304]. All appointments for access shall be recorded, by the security officer on duty, in an appointment book.
- b. Proper identification by means of a SA identification document/card or SA vehicle driving license or passport and valid work permit. All documents must have a clear photo of the permit applicant.

In the case of Service providers, Contractors, their employees and casual workers the security official may retain the persons identification document, passport, drivers license for safe keeping while on the Reserve.

- c. The person or persons may not have been convicted of breaching the *Rules and Code of Conduct*.
- d. All persons who require access, must sign the day permit, which includes the undertaking of compliance with *Rules and Code of Conduct* and annexures and addendums thereto as well as a disclaimer and release of any claim against the Association, Owners, employees and agents for any damage which the person may incur, while on the Reserve. (Indemnity typically as stated in the *Rules and Code of Conduct* and day visitors permit).
- e. Unless otherwise agreed with the Director: Safety and security, day-permits will be limited to five (5) entries within any thirty (30) day cycle. Persons requiring more regular entry must apply for a short-term permit/card.

5.4.3 Contractors and service providers, arriving at the main gate must complete the day permit form. A copy of the permit which includes a return slip will be handed over to the visitors for signing by the person whom they visit or to whom a delivery is being made. In cases where the Owner is not on the Reserve to sign-off on a visitor DAP the owner shall make prior arrangements with the Director: Safety and Security to have the DAP signed off by an authorized official on behalf of the Owner.

5.4.4 The signed permit/slip must be handed back to the security officer on exit of the Reserve. It serves as proof that the visitor has met with his appointment. It also serves as record of who is on the Reserve and who has left. The same DAP, issued for more than one up to five days, may be used for multiple exit and entries as long as it is handed in at exit and collected at entry.

5.4.5 If the permit is not signed on exit of the Reserve, then the security officer is authorized to do the following:

- a. Contact the responsible host, (being the Reserve's management, Owner or contractor, as applicable), and confirm that the visitor was there and sign-off on the host behalf.
- b. Send the visitor back to the responsible host, (being the Reserve management, Owner or contractor, as applicable), to sign off the permit.

6. HOMEOWNER VISITORS AND GUESTS BIOMETRICS ACCESS (Not applicable to approved short-term rentals)

Homeowners will arrange pre-clearance for guests and visitors using the gate management software application on their mobile phones. A QR code will be sent to the visitor for presentation to the security officer. The security officer will scan the driver's license and vehicle license disk and the information will be stored in the cloud database. Upon exit the driver's license and vehicle license disk will be scanned again to record the vehicle exit. Pre-cleared visitors and guests will not be required to complete a day permit.

7. LOGISTICS AND LIMITATIONS REGARDING MOVEMENT ON THE RESERVE

7.1 Delivery Vehicles (Trucks):

7.1.1 Trucks and plant (self-propelled machinery) must use the alternate access gate; namely gate number two (2) on the East side or to the right of the main gate.

7.1.2 Vehicles, trucks, plant, motorcycles and drivers must comply with the requirements, as contained in **Section D** of the *Rules and Code of Conduct*, with particular emphasis to licensing of the vehicle and driver as well as gross mass and axel limitations.

- 7.1.3 Other than having to deal with emergency situations, **Section D “Roads within the Reserve”** of the *Rules and Code of Conduct* impose the following limitations:
- Save as noted (b) and (c) hereunder for fully licensed motorcycles no “motorbikes”, “quad bikes”, “pipe cars” and “beech buggies” are allowed on the Reserve.
 - Members/Owners are allowed to operate their fully licensed motorcycles between the main access gate at road R516 and their respective Erven(s), subject to a “motorcycle access permit” being obtained from the Board first. The Board will have the right to impose “motorcycle access permit” requirement as they deem fit. The Board further has the right to revoke or cancel any “motorcycle access permit” in their sole discretion.
 - All other motorcycles entering the Reserve need to be parked at the main access gate at road R516 at the risk of its owner.
 - Vehicles and plant with a gross mass exceeding 3,5 (three and a half) metric ton will be subject to pay a road toll per axle, as determined by the Association from time to time. This is to create a provision fund for future capital maintenance and/or replacement.
 - Vehicles and plant entering and operating on the Reserve will further be limited as follows:
 - Gross mass ≤ 15 (fifteen) metric ton with no tandem-axes will be allowed on all roads;
 - Gross mass > 15 (fifteen) metric ton to ≤ 30 (thirty) metric ton with or without tandem axes will be allowed from the main gate at the R516 up-to the transition (off-load) area south of the Eskom switch yard;
 - The following vehicles and plant will as a rule not be allowed except with the written approval of the Developer and Board and then only subject to specific terms and conditions set by the Board:
 - Heavy vehicles and plant exceeding 30 (thirty) metric tons
 - Articulated vehicles and plant
 - Concrete mixer trucks
 - Vehicles and/or plant with steel banded wheels and/or cat-tracks
 - Vehicles and/or plant wider than 2,4 and/or higher than 3,5 meters.
- 7.1.4 Access are obtained as follows:
- The security guard identifies the driver of the vehicle per SA ID book/card, SA vehicle driving license; passport and work permit with an official photo.
 - The motor vehicle driver obtains a day permit. See **paragraph 5.4**.
 - Failing to produce proper identification by the driver (SA ID book/card, SA vehicle driving license, passport and official work permit) then the security officer is authorized to carry out the following action:
 - Contact the Reserve Management, Owner, contractor or service provider, as applicable, and confirm the delivery. The appropriate recipient of the delivery shall be required to physically identify the delivery at the gate and accompany the vehicle to the delivery site and back.
 - Refuse the delivery vehicle access to the Reserve until such time that the requirements can be met.
- 7.2 Entry and exit by means of RFID tag, license plate recognition or mobile phone (+27 76 404 5535):**
- 7.2.1 Entry onto and exit off the Reserve may also be obtained by a registered RFID tag, license plate recognition or dialing a number that will open and close the East Gate (gate number two). The Association reserves the right to make the function available to the following:
- The Reserve’s Directors, Management and Owners and qualifying direct family members with a long-term access permit/card.
 - Agent/s providing a longer-term service to the association with a long-term access permit/card.
- 7.2.2 The availability of this service to pre-defined persons is strictly subject to the condition that the user will not grant access to others that is not in possession of a long-term access permit.
- 7.2.3 The Association reserves the right to suspend the service to persons abusing the system.

7.3 Restrictions on movement:

- 7.3.1 Unless specifically authorized, no person has the right of access to any of the following areas;
 - a. Areas or premises under control of the Reserve's Management or the full title Erven/(Stands) of Owners. (Also see the Section E of the *Rules and Code of Conduct*).
 - b. The Reserve's larger area as a whole is off-limits to business visitors, delivery vehicles and personnel, service providers/contractors and their employees as well as to employees of Owners, but excluding the premises for which an access permit/card is issued and the access roads to and from the work site;
 - c. Any or part of the old mining works.
- 7.3.2 The employees employed by the Reserve Management are authorized to free movement on the Reserve excluding the full title Erven/(stands) of Owners. Any employee/s appointed by the Reserve Management appearing to be suspicious need be reported to the Association for further investigation.
- 7.3.3 Owners and their guests are authorized to free movement on the Reserve excluding the old mining works, private property of the Zwartkloof Development (Pty) Ltd (Jan Morgan) and the full title Erven/Stands of Owners. Any suspicious situation needs to be reported to the Association for further investigation.
- 7.3.4 Unauthorized person/s entering the private property of an Owner or area under the control of Association and/or Developer, is a contravention of the *Rules and Code of Conduct* and is exposed to disciplinary action as contained in **Clause 9**.

8. RIGHT TO SEARCH

- 8.1 The security officer is authorized to search vehicles and/or persons when entering and/or on exiting the Reserve for illegal possession of unauthorized substances (Contraband) that include, but are not limited to the following;
 - 8.1.1 Fire-arms and/or ammunition. Excluding Owners, all other visitors to the Reserve need to declare fire-arms and ammunition.
 - 8.1.2 Drugs and/or any form of suspicious narcotics
 - 8.1.3 Alcoholic beverages to persons who need to perform work on the Reserve.
 - 8.1.4 Any form of suspicious material concerning fauna and flora.
 - 8.1.5 Suspicious household-, construction- and personal material and/or equipment.
- 8.2 Should the security officer detect any suspicious item or behaviour he is authorized to take one or more of the following steps:
 - 8.2.1 Refuse access to the vehicle and/or person and report the incident to the Reserve's management.
 - 8.2.2 Refuse the vehicle and/or person to exit and contact the Reserve's Security Manager, or any person mandated to act on his behalf, to investigate and handle the situation.
 - 8.2.3 Register the full details of the suspicious item/incident, vehicle registration number, name and ID number of the vehicle's driver and/or name and ID number of the suspicious person, as applicable.
- 8.3 If the Security Manager, or a person mandating by him to act on his behalf, confirms an incongruity, he is authorized, on good judgment, to take one or more of the following steps:
 - 8.3.1 Deny the person/s and/or vehicle access to the Reserve.
 - 8.3.2 Take the possession of the suspicious item and issue a receipt.
 - 8.3.3 Report the incident to the Bela-Bela SAPS and file a formal complaint.
 - 8.3.4 Report the incident to Association and ZPGR Management for further investigation and possible disciplinary action. **Also see paragraph 9.**

9. DISCIPLINARY ACTION

Also see Annexure C “PROCEDURE TO ADDRESS TRANSGRESSIONS”

If a person and/or institution bridge any of the requirements as specified in the *Rules and Code of Conduct*, inclusive of the annexures and addendums and specifically this Safety and Security Code, the Board (representing the Association), shall have the right and authority to take one or more of the following actions:

- 9.1 Make contact with the person and/or institution in bridge and request the offender to make good. At the same time register the incident with the ZPGR Management for following up.
- 9.2 Issue a written notice to request rectification within a reasonable period of time.
- 9.3 Issue a written demand to demand compliance to agreed requirements within a reasonable period of time.
- 9.4 Impose a penalty on the transgressor.
- 9.5 Request the transgressor or institution to exit the Reserve.
- 9.6 Refuse transgressors future access to the Reserve.
- 9.7 Report the suspect or institution to the SAPS for further investigation and prosecution, if applicable.
- 9.8 Institute criminal or civil litigation against an offending person and/or institution, for the purpose of enforcing compliance with agreed *Rules and Code of Conduct* and/or to recover damages.

10. RIGHT OF REVIEW

The Board reserves the right to periodically modify and adapt the Safety and Security Code as seen fit to comply with changing security risks and challenges.



ZWARTKLOOF PRIVATE GAME RESERVE HOMEOWNERS ASSOCIATION NPC

Registration Number: 2005/027184/08

ANNEXURE C:

PROCEDURE TO ADDRESS TRANSGRESSIONS

(Last revision: 30 September 2024)

This Annexure C ('Procedure to Address Transgressions') must be read in conjunction with the latest version of the Rules and Code of Conduct, and attachments thereto.

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1. RECITAL

- 1.1 The 'Zwartkloof Private Game Reserve Home Owners Association (the Association) Board rely on its Members to comply with the provisions of the agreed and approved Memorandum of Incorporation (MOI) and *Rules and Code of Conduct*, as adopted by Special resolution, to enable the upholding of the MOI and *Rules and Code of Conduct*.
- 1.2 This procedure to address transgressions and enable corrective action (also referred to as the Disciplinary Code) is compiled and implemented in terms of the *Rules and Code of Conduct* as amended from time-to-time and need to be read in conjunction with the said *Rules and Code of Conduct*.
- 1.3 The Board may, in terms of Section 15 (3) of the Companies Act and subject to Articles 12.3 and 13.10 from time to time make, amend or repeal any necessary or incidental term(s) in the *Rules and Code of Conduct*.
- 1.4 In further addition to **Clause 1.2** above, and subject to any restriction imposed or direction given at a Members' Meeting of the Association, the Board may from time to time make Management Regulations, Rules and Procedures to implement, maintain and enforce such *Rules and Code of Conduct*.
- 1.5 A failure by a Member to observe the provisions of the MOI, and/or any rule or code in the *Rules and Code of Conduct* made by the Association or the Board shall render such Member liable to disciplinary action and/or a fine as determined by the Board from time to time.
- 1.6 In the event of any breach of the *Rules and Code of Conduct* by any Member's household or his visitors, guests, service providers, contractors or lessees, the Board may take or cause to be taken such steps against the Member personally, or against the person who actually committed the breach, as the Board may in its sole discretion decide and deem necessary.
- 1.7 The Association shall be entitled to enforce compliance with the MOI and *Rules and Code of Conduct* in such manner as it may deem fit, and in particular by means of a system of disciplinary action and/or fines or such additional levy contributions as it may deem fit to prescribe. These actions shall include, but not necessary be limited to the following:
 - 1.7.1 Make contact with the person and/or institution in breach and request the offender to make good. At the same time register the incident with the ZPGR HOA Management for following up; and/or
 - 1.7.2 Issue a written notice to request rectification within a reasonable period of time; and/or
 - 1.7.3 Issue a written demand to claim compliance to requirements within a reasonable period of time; and/or
 - 1.7.4 If defined as a material requirement that the non-conformance need to be corrected:
 - 1.7.4.1 stop the non-compliant activity in the case of construction work; and/or
 - 1.7.4.2 enable essential corrective action on behalf of the Member/Owner at its cost including a management, handling and administration fee as determined by the Board; and/or
 - 1.7.5 Impose a penalty on the transgressor; and/or
 - 1.7.6 Recover damages suffered by the ZPGR HOA including a management, handling and administration fee as determined by the Board; and/or
 - 1.7.7 Request the transgressor or institution to exit the Reserve; and/or 1.7.8. Refuse transgressors access to the Reserve; and/or
 - 1.7.8 Report the suspect or institution to the SAPS for further investigation and prosecution, if applicable; and/or 1.7.10. Institute criminal or civil litigation against an offending person and/or institution, for the purpose of enforcing compliance with agreed *Rules and Code of Conduct* and/or to recover damages.
- 1.8 It is a Directors' responsibility, within reasonable limits, to ensure adherence and compliance to the prescriptions of the MOI and Rules and Code of Conduct.
- 1.9 The Directors shall, as far as practically and reasonably possible, ensure consistent enforcement without bias or prejudice. 1.10. The Board reserves the right to add to and/or delete and/or amend this Procedure to address transgressions.

2. MINIMUM CORRECTIVE ACTION AND PENALTIES GUIDE (Last revision: 30 September 2024)

TRANSGRESSION / NON- CONFORMANCE As related to the specified Clauses or similar related CORRECTIVE ACTION offences	CORRECTIVE ACTION	PENALTY	
		FIRST OFFENCE	FOLLOW-ON OFFENCES¹
1. ENVIRONMENTAL MANAGEMENT - Section C			
1.1 Keeping clean: Clauses 2, 3	Enforce compliance	R1 000	R1 500
1.2 Protect: Clauses 6, 7, 8, 9, 12, 13, 14, 16, 21, 22, 23	Enforce compliance and/or recover damage	R750	R1 000
1.3 Safety: Clauses 15, 19, 20	Enforce compliance	R1 000	R1 500
1.4 Good order: Clauses 4, 5, 10, 11, 17, 18, 24	Enforce compliance	R500	R750
2. ROADS - Section D			
2.1 Legal: Clauses 1, 2, 4, 9	Enforce compliance	R1 000	R1 500
2.2 Speeding: Clause 3	Enforce compliance	R1 000	R1 500
3. GOOD NEIGHBOURLINESS - Section E			
3.1 Legal: Clauses 1	Enforce compliance	R1 000	R1 500
3.2 Keeping clean: Clauses 6, 7	Enforce compliance	R500	R750
3.3 Safety: Clauses 10, 12	Enforce compliance	R1 000	R1 500
3.4 Privacy: Clauses 9	Enforce compliance	R750	R1 000
3.5 Noise: Clauses 2 - 4	Enforce compliance	R1 000	R1 500
3.6 Good order: Clauses 5, 8	Enforce compliance	R500	R750
4. ARCHITECTURAL - Section F			
4.1 Legal: Clauses 1, 2	Enforce compliance	R1 000	R1 500
4.2 Compliance: Clauses 3, 4, 5, 6, 8	Enforce compliance	R750	R1 000
4.3 Good order; Clauses 9, 10	Enforce compliance	R500	R750
5. SECURITY & FIRE - Section G			
5.1 Legal: Clauses 2	Enforce compliance and/or refuse entry	R1 000	R1 500
5.2 Safety: Clauses 14, 15, 16, 17, 19, 21		R1 000	R1 500
5.3 Compliance: Clauses 1, 3, 5, 7, 8, 12, 13, 18		R750	R1 000
5.4 Good order: Clauses 4, 6, 9, 10, 11		R500	R750
6. VISITORS, CONTRACTORS & EMPLOYEES -Section H			
6.1 Legal: Clauses 3, 4	Enforce compliance	R1 000	R1 500
6.2 Compliance: Clauses 2	Enforce compliance	R750	R1 000
6.3 Good order: Clauses 5	Enforce compliance	R500	R750
7. PETS - Section I			
7.1 Compliance: Clauses 1, 2	Enforce compliance	R1 000	R1 500
8. LETTING & RESELLING - Section J			
8.1 Legal: Clauses 2	Enforce compliance	R1 000	R1 500
8.2 Compliance: Clauses 1, 5, 7, 8	Enforce compliance	R1 000	R1 500
8.3 Good order: Clauses 3, 4, 6	Enforce compliance	R500	R750
9. ARCHITECTURAL & DEVELOPMENT MANDATORY REQUIREMENTS AND CONTROLS (A&DMRC)			
9.1 Annexure A, Sections A & B	Enforce compliance and/or stop the work until compliance is obtained and/or demand dismantling	R1 000	R1 500
10. SAFETY & SECURITY - Annexure B			
10.1 No formal police clearance	No access permit/card	N/A	N/A
10.2 Not signing indemnity form	No access permit/card	N/A	N/A
10.3 Not in possession of an official ZPGR access permit	No access	R750	R1 000
10.4 Vehicle not road worthy and/or in compliance with Clause 6	No access	R1 000	R1 500
10.5 Driver operator not in possession of valid license	No access	R1 000	R1 500
10.6 Not advising security official ofvisitors that mayrequire a visitors or day permit	Enforce compliance	R500	R750
10.7 Interfering with security officers’ duties	Enforce compliance	R750	R1 000
10.8 Making a false alarm	Enforce compliance	R1 000	R1 500

¹ Within a twelve (12) months period.

3. PROCEDURE TO ADDRESS TRANSGRESSIONS

