

Conduct Rules

SECTIONAL TITLE SCHEME OF HIGHLANDS WILDERNESS

SS1237/2005

**MADE BY THE BODY CORPORATE OF THE HIGHLANDS WILDERNESS SCHEME,
SS1237/2005, AS AUTHORISED BY A SPECIAL RESOLUTION BY THE MEMBERS OF THE BODY
CORPORATE IN THE AFORESAID SECTIONAL TITLE SCHEME**

- A. The Conduct rules prescribed in terms of Section 35(2)(b) of the said Sectional Titles Act No. 95 of 1986 (namely the Conduct Rules as per Annexure 9 to the Regulations of the Sectional Titles Act No. 95 of 1986) are applicable to the sectional title scheme known as Highlands Wilderness.

- B. Conduct rules in addition to the conduct rules referred to in paragraph A) above:

These Conduct Rules will be in addition to the existing Rules as prescribed by the Regulations to the Sectional Titles Act 95 of 1986. Where a rule in terms of Annexure 9 to the Regulations of the Sectional Titles Act is in direct conflict with any of the Rules as set out below, the rule in the said Annexure to the Regulations of the Act will be deemed to be substituted by the concurrent Rule as indicated in this document. The Regulations and Architectural Specifications which is currently filed at the Deeds Registry, in the Sectional Title Register of Highlands Wilderness, are hereby withdrawn and replaced by these rules.

For the purposes of this document the Common Property and all sections on the common property in the sectional title scheme of Highlands Wilderness (situated at the Farm Highlands Wilderness No. 771, Registration Division K.R., Limpopo Province, Bela Bela Local Municipality) will collectively be referred to as the "Estate".

These rules will be applicable to all Sectional Title Unit Owners ("owners") and registered holders of a real right of extension, in terms of Section 25 of the Act ("real right holders"), in Highlands and which owners and real right holders will also be responsible and liable for the actions of their guests, visitors, family, workers, building contractors or any other person entering Highlands with the permission or on the authority of an owner or real right holder in Highlands. The owners and real right holders shall ensure that all the aforementioned persons are aware that they are bound by these rules.

Notwithstanding any other rule to the contrary, these Rules shall equally apply to such natural and legal persons who may have acquired a real right of extension of the scheme pursuant to the provisions of section 25 of the Act.

To the extent that the context allows, and in as much as it shall be reconcilable with the tenor and meaning of such Rule, every reference to "owner", "owners" or "residents" in these Rules shall include a holder of a real right of extension.



Words importing the singular shall include the plural and *vice versa* and words importing the masculine gender shall include females, partnerships, trusts, companies, close corporations and *vice versa*, except where indicated otherwise.

RULES:

1. Interpretation, Enforcement Procedure and Complaints

- a) The Trustees' interpretation of these rules shall be final and binding on all owners and real right holders. No owners, real right holders or any other person shall have any claim of any nature, including a claim for damages, against the Body Corporate or the Trustees of the Body Corporate as a result of a decision taken by the Body Corporate or its Trustees regarding the interpretation and enforcement of these rules. In circumstances that the Trustees deem exceptional, the Trustees may allow for deviations from the rules.
- b) Should any of these rules be breached in any way, the Trustees will be entitled to impose and collect a fine or impose and enforce other reasonable sanctions against the perpetrator or owner or real right holder who allowed the perpetrator to enter Highlands, as part of the administration and management of Highlands.
- c) Except where otherwise stated, the Trustees will first issue a warning letter to the owner of a section, or the holder of a real right of extension, where transgression of the conduct rules takes place by the aforesaid owner or real right holder or any of their representatives, friends, family, guests, employees, appointed building contractors or any other person entering Highlands with the permission or on the authority of the owner or real right holder in Highlands.
- d) The Trustees will then impose a fine on the above said owner or real right holder if the transgression of the rules does not come to an end within the time specified by the Trustees.
- e) The warning letter can be delivered by hand, sent by e-mail or faxed to the relevant owner or real right holder and will be deemed to have been received on delivery or at successful transmission of the e-mail or fax.
- f) The fine will be directly in relation to the nature of the violation of the rules and the amount of the fine will be in the discretion of the Trustees. The amount of the fine may however not be exceeding an amount equal to two times the ruling monthly levy.
- g) The fine will be debited to the monthly levy account of the owner or real right holder.
- h) In addition to the above mentioned fine, if the breaching of the conduct rules causes any damages to the common property, or cause the Body Corporate or any other person to suffer any form of damages to their person or property whatsoever and the owner or real right holder refuses to immediately compensate for these damages, legal action can be taken against the owner or real right holder by the person who suffered the damages, it being hereby stipulated that the owner or real right holder (if not personally responsible for the breaching of the conduct rules and subsequent damages) is to be directly

responsible and liable for the conduct of any of their representatives, friends, family, guests, employees, appointed building contractors or any other person entering Highlands with the permission or on the authority of the owner or real right holder, and who caused the said damages.

- i) All complaints or applications or ideas and suggestions must be forwarded to the Board of Trustees in writing or per e-mail. The aforesaid will however not be entertained if anonymous.

2. Access Control

All persons entering or exiting Highlands are required to comply with the security procedures implemented or to be implemented by the Board of Trustees.

3. Camping

Camping, meaning tents, caravans or shacks as accommodation, is not normally allowed anywhere on Highlands. However, approval can be obtained to allow camping subject to the following conditions:

- a) Written approval must be sought at least seven days in advance from the Trustees of the Body Corporate, the Farm Manager or another representative appointed by the Trustees;
- b) Such approval may be withdrawn at any time if the conditions are not complied with;
- c) The owner or real right holder, and/or his/her immediate family members must be present;
- d) Camping may only take place within the borders of the owner's or real right holder's stand;
- e) Levy payments must be up-to-date;
- f) All other rules must be complied with, especially those dealing with fire prevention and refuse removal.

4. Disclaimer

- a) Management, The Body Corporate and Trustees do not accept any responsibility whatsoever for any loss of life or theft of any kind or damages or loss of any vehicle or any injury to any person in Highlands.
- b) The Body Corporate and Trustees do not accept any responsibility whatsoever for any damage to common property or privately owned property occasioned by any act or omission of any person entering Highlands, nor for any damage whatsoever caused by any act or omission by Management, or any of the members, homeowners, guests, servants, workers, building contractors, agents or Trustees.
- c) Management, The Body Corporate and Trustees do not accept any responsibility whatsoever for safekeeping of any property or goods brought onto Highlands by any person.

- d) All persons enter Highlands at their own risk, and the owners and real right holders will be responsible to bring this information to the attention of all persons entering Highlands with the permission or on the authority of an owner or real right holder.

5. Environmental Protection, Management and Ensuring a Pleasing Environment

- a) The design and management of Highlands is intended to cause minimal disruption to the natural bushveld environment.
- b) Protection of this natural environment includes all plant life, wild animals, birds, fish, insects, water and air.
- c) No activities will be permitted on Highlands that cause harm or disruption to the environment.
- d) All terms and conditions as set out in the Environmental Authorisation of 22 November 2001 and any future amendments or newly issued terms by the relevant authority will be applicable to and binding on all owners and real right holders. The Environmental Authorisation will be loaded onto the website of Highlands Wilderness as to be accessible to all owners and real right holders.
- e) Owners and real right holders must ensure effective waste management as more fully described in section 19.
- f) No temporary wendy houses or tool sheds may be used once construction is completed. Small structures for the storage of tools and implements may be built provided that they blend into the natural environment. If the owner refuses to remove any unapproved structures, the Trustees of the Body Corporate may remove such structures at the cost of the owner.
- g) All water tanks, equipment, tools, trailers or vehicle parts should be located out of view and appropriately screened from neighbouring properties and the road.

6. Feeding of animals

- a) Controlled feeding of animals using approved specially formulated mixtures suitable for wild animals in specific feeding spots is permitted as part of the game management plan.
- b) No scraps or other food items may be placed or left outside where animals may gain access to it.
- c) No potentially harmful substances, including plastic bags, may be kept in the open.

7. Firearms

The use of any firearm, air rifle, pistol, gas-propelled or powered arm, bow and arrow, slingshot, fireworks or any other potentially hazardous or dangerous weapon is strictly prohibited. Firearms may only be used in life threatening situations or as part of the game management program. The Body Corporate is not responsible for the consequences of the unlawful use of any arms.

8. Fires



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- a) Fire protection on Highlands is critical.
- b) Open, unprotected fires may not be lit anywhere on Highlands. Fires may only be lit in a braai area, built specifically for that purpose, and must be adequately supervised. [See clause o) below]. No open fire may be left alone. This implies that all fires be properly extinguished after use. Extreme care must be taken as especially hard wood can absorb so much heat energy that a fire which may at first inspection appear to be dead, can still be smouldering at the bottom or inside and can naturally be kindled and blown up during the night.
- c) Areas surrounding braais must be kept clear of grass or other combustible material at all times and fires must be properly extinguished after use. Grass in areas further from the braai area, and which falls within an owner's exclusive use area registered in his name or allocated to him, or that specific part of the common property on which a real right holder can exercise his Section 25 real right of extension (hereinafter called a "stand") has to be kept short. Dry leaves and especially Mexican Marigold (kakiebos) occurring within the aforementioned areas have to be removed on a regular basis as same burns vigorously. Low branches of trees within these areas also have to be trimmed.
- d) Braai covers are required to be used on all open fires when not being directly supervised.
- e) No flammable materials should be stored within a 10 (ten) meter radius from a section (house).
- f) Care should be taken at all times to avoid veldt fires and in particular burning cigarettes should never be thrown from cars or dropped anywhere in Highlands. All owners and real right holders need to take care not to start an unwanted fire or allow a fire to burn out of control.
- g) Any Owner or real right holder found to be responsible for causing an unwanted fire, or allowing a fire to burn out of control, or failing to make the necessary fire breaks as provided for in the management rules, will personally be responsible for any damages caused by the fire to any building, section or exclusive use area in the scheme to any neighbouring farms or properties. The owner or real right holder (if not personally responsible for causing the fire) is to be directly and personally responsible and liable for damages caused by a fire which ignites as a result of an act or omission (negligence) by his representatives, friends, family, guests, employees, appointed building contractors or any other person entering Highlands with the permission or on the authority of the said owner or real right holder.
- h) The Fire Act No. 101 of 1998 is applicable to the scheme. The Trustees of the Body Corporate will see to it that the Body Corporate obtains effective and sufficient firefighting equipment with funds obtained from the levy fund, but all owners and real right holders are obliged to obtain their own firefighting equipment as well, at their own cost. Provision has to be made by owners and real right holders for conveniently placed and clearly marked firefighting equipment, which will include fire extinguishers, sand and fire swats.



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- i) All owners and real right holders are obliged to help when a fire ignites in any area within Highlands as well as on neighbouring properties, as fires which are not stopped in time can burn out of control and raze whole districts.
- j) Each owner and real right holder is responsible for fire prevention on his exclusive use area or own stand and will personally be held legally liable for any fire originating on his exclusive use area, stand or section (house), be that from cooking fires from his builders or himself, as well as any other fire which originates on his exclusive use area, stand or section.
- k) Owners and real right holders are expected to prove reasonable preventative measures.
- l) Owners and real right holders should familiarise themselves with the location of the closest fire hydrant. The intent is not for the fire hose to directly reach his home or stand, but rather to fill the tanks of high-pressure firefighting pumps. Obviously, time wasted by those driving around in order to reach a hydrant is not ideal.
- m) Owners and real right holders are obliged to attend to the making of fire breaks as indicated in the management rules and at such time as notified by the Trustees of the Body Corporate. Failure of the Trustees to send out the necessary notice will however not exempt the owner or real right holder from making the fire breaks or from being liable if the fire breaks have not timeously been made. The Owners and real right holders will furthermore be responsible to provide notification to the Trustees and adjacent section- and landowners before commencing with a planned fire break if such fire break is made by burning (as opposed to cutting).
- n) Owners and real right holders should strictly follow any fire management plan issued by the Trustees of the Body Corporate at any time, which fire management plan does not have to be filed at the Deeds Registry to be enforceable.
- o) At all times, but especially during the dry months (usually from beginning of June up to the end of October) owners and real right holders should ensure that neither themselves nor any of those persons making use of their property, shall make an open fire on any other place other than that specifically prepared for this purpose. As a guideline, such a place should:
 - i. Have a diameter of at least 4 metres which is cleared of any flammable material;
 - ii. (2) On the direct perimeter of the fireplace itself, have a border which is either masoned or packed with stone. This border acts as a wind screen. Therefore, the height of the fire packed should be in reasonable relation to the height of the said border.
 - iii. Have a form of first line fire extinguishing equipment in close proximity. This can be something like a purpose made fire extinguisher, a sand bucket, a tap equipped with a suitable hose or fire swats.

9. Fishing, Boats and Swimming

- a) Fishing and angling are permitted on Highlands but only on a catch and release basis at designated dams. Children under 12 years must be supervised. Bird life must be protected and any signs in this regard must be obeyed.
- b) Exotic fish species may not be stocked in any water bodies.
- c) The use of boats of any description on any dams or rivers in Highlands is strictly prohibited.

10. Flora and Fauna

- a) All flora and fauna are protected and may not be tampered with or harmed in any way and no feeding- or drinking place may be erected to entice animals or birds, except if so, decided by the Body Corporate at a General Meeting.
- b) No plants or trees or any other flora may be removed unless these interfere with the positioning of a house.
- c) No dead wood may be collected or removed from the property by owners, real right owners, visitors, staff, contractors etc. Dead wood forms part of the eco system and may not be disturbed. Management however have the right and responsibility to maintain the property in good order and may remove dead trees within reason at their discretion.
- d) No animals, birds, reptiles, or insects may be brought onto Highlands or removed from Highlands. No animal of any species (including fish or any form of wildlife) may be sold, hunted, culled, captured or shot in Highlands, except in the sole discretion of the Trustees of the Body Corporate as part of a management plan.
- e) Owners are not allowed to introduce any flora onto Highlands or cultivate any flora anywhere in Highlands, except if the flora to be introduced to Highlands is indigenous and appears on the list of approved flora, as compiled by the Trustees of the Body Corporate. No noxious flora is to be planted.
- f) Where applicable, trees have to be planted, fertilized and watered by an owner within his exclusive use area, or by a real right holder within his stand, in accordance with stipulations as to be contained in the Environmental Management Plan whilst remaining within the daily water quota per stand.
- g) All owners and real right holders are obliged to control alien weeds and invasive exotic plants, existing or establishing due to disturbance from the development, within their exclusive use areas or stands.

11. Maintenance of Exterior

- a) The Body Corporate or its trustees may compel the owner to improve the aesthetic appearance of his buildings when deemed necessary, at the cost of the owner. The maintenance of the owner's property stays the owner's responsibility.

- b) The Body Corporate and its trustees have the right to effect repairs, at the cost of the owner, should it be considered necessary, which costs will be added to the monthly levy.

12. Exclusive Use Areas and Stands

- a) As stipulated in the Management Rules, owners and real right holders are respectively obliged to maintain their exclusive use areas and stands at their own cost. Maintenance and reparations should be done in a manner as to comply with these rules and to the satisfaction of the Trustees of the Body Corporate.
- b) The exclusive use area and stands may not be used in any way that creates a nuisance or threatens the safety of Highlands or any person or property in or upon Highlands.
- c) Owners and real right holders may not erect fences or gates, except for stands which were fenced off before or at date of opening of the sectional title register for Highlands Wilderness at the Pretoria Deeds Registry. Limited enclosures may be approved by the Trustees.

13. Game and Game viewing

- a) Highlands is stocked with a wide range of wild animals and reptiles some of which could be dangerous. Care should therefore be taken at all times.
- b) Game viewing is encouraged and may be conducted by game-drive vehicle. Game drives may be done on all roads during daylight, but not later than 22h00 and not before sunrise. Night drives shall only be allowed on the savannah portion of the common property and specifically where no dwellings are located.
- c) No driving or traversing of any riverbed is permitted, unless specifically designated as a thoroughfare road.
- d) Vehicles may only be driven on designated roads and may not exceed any speed limits. No off-road driving will be permitted.
- e) Animals have the right of way at all times and may not be harassed or frightened in any way.
- f) No lights may be shone into the eyes of the animals or into private houses while conducting a game drive.
- g) Vehicles must stay on the designated roads at all times.
- h) Animals may not be fed.
- i) A game management plan and rules for culling of game will be formulated by the Trustees of the Body Corporate and same will be made available to owners and real right holders on request. These rules may be amended by the Trustees from time to time and need not be filed at the Deeds Registry to be valid and enforceable.

14. General Behaviour and Security

- a) Any conduct which disturbs the peace and tranquillity and any activity that could cause aggravation or nuisance to fellow residents are not permitted. Please respect the fact that Highlands is situated in a Nature Reserve and all persons are requested to act accordingly.
- b) Excessive and unnecessary noise by vehicles, power generators, power tools, appliances, radios, and/or raucous behaviour by individuals constitute a disturbance of the peace under these rules. The use of power tools should only be undertaken between the daily hours of 8h00 to 16h00 but is prohibited on Sundays.
- c) Other than for the purposes of maintenance or construction (such as the clearing of a fire break), no mechanical appliance, air conditioners, swimming pool motors or other should be heard from adjacent sections or stands.
- d) All noise is to be kept to a minimum, particularly after 22h00.
- e) No fireworks are permitted anywhere in or upon Highlands.
- f) No alcohol abuse, shouting, or foul language will be tolerated on the common property.
- g) Any person displaying aggressive conduct towards staff, security guards on duty, other Owners or any other person on Highlands will be dealt with severely. Action taken against the offending person may include the levy or a fine, removal from the property, arrest, refusal of future access, or such other action as is deemed appropriate.
- h) Security regulations have been formulated and can be amended by the Trustees of the Body Corporate and are available from management. These regulations need not be filed at the Deeds Registry to be enforceable.
- i) Security protocol at the gate must be adhered to at all times by any person entering Highlands.
- j) All owners and real right holders must immediately report any attempts at burglary or instances of fence jumping, that they are aware of, to the security guard on duty and the Trustees of the Body Corporate.
- k) No owner or real right holder may issue instructions to Security Personnel. Only the Trustees of the Body Corporate and the farm manager have this right.

15. Generators

- a) Generators must be installed in such a way that the noise level does not exceed 70dB as measured at a distance of 10m from the generator.
- b) Generators may only be used between the hours 8h00 and 17h00, unless special arrangements have been made with the Trustees of the Body Corporate to deviate from this; where valid emergency/medical conditions necessitate the use of the generator outside the specified hours. If this is a continuous requirement then the generator must be installed in such a manner that it is not audible to the neighbour.

- c) Generators which are to be installed as a permanent fixture need to be fire-proof and sufficiently sound-proofed/damped so as not to exceed the prescribed sound level
- d) Upon request, proof of the actual dB level of a generator is to be provided to the Trustees of the Body Corporate, to the cost of the owner.
- e) If, in the opinion of the Trustees any generator creates a disturbance for neighbouring home sites, the owner shall be required to remedy this situation or re-locate the generator.
- f) Generators must be in good working order. In particular, they may not leak oil or fuel, and the exhausts may not be damaged.

16. Irrigation, Management Principle to Avoid Water Pollution, Swimming Pools, private boreholes, water meters and water tanks

- a) Water is a scarce commodity and must be conserved at all times.
- b) Watering of grass and plants is discouraged but if necessary, this can be done by hand and **should be restricted within the water allocation of 800l/day.**
- c) The use of automatic or manual irrigation systems is not permitted.
- d) Possible leaching of pathogens from the sewerage of any sections erected or to be erected in the area near the footing of the gorge, from where the adjacent farm Lekkerbreek obtains water from a 60-meter-deep borehole, is to be prevented by following management principles to be issued in terms of the Environmental Management Plan.
- e) No large swimming pools will be allowed. The Trustees have to approve the building of a swimming pool before same is constructed and only pools not in excess of 3m x 3m x 1.5m deep with a maximum capacity of 8 000 (eight thousand) litres will be allowed.
- f) It is not permitted to fill swimming pools without the approval of the Trustees of the Body Corporate. Compensation filling is allowed but water rotation may only be done per special arrangement with management (Trustees of the Body Corporate) to ensure sufficient water availability to all at all times.
- g) The design of the swimming pool must allow any animal that may fall into the pool to easily get out again or the pool must be covered during the times not being used.
- h) No nets may be used over pools as they may cause animals to entangle.
- i) The owner or real right holder will be liable to maintain water reticulation from his water meter to his section and/or exclusive use area and/or his stand.
- j) The owner will be responsible for maintenance of the reticulation road to his section and/or exclusive use area and/or his stand. The route must be submitted to the Trustees of the Body Corporate for approval before work commences.
- k) All viable water saving devices must be implemented to ensure efficient water utilization, for example design of houses as rainwater catchments for drinking water sources.

- l) Cost of water-loss due to non-closure of shut valves when leaving Highlands will attract a fine which can be levied upon an owner by the Trustees, as allowed for in terms of these rules. Costs associated with any water loss due to said non-closure will be levied recovered from the owner.
- m) An approved water meter needs to be installed at real right holder/owner's cost and the water pipes towards the stand must be properly buried. The meter must be made fire safe according to the standard.
- n) Sufficient taps need to be available during construction as bent pipes, being utilised as water shut-off mechanism, lead to water loss and will be penalised.
- o) A water tank of a maximum of 5000 (Five Thousand) litres may be installed. Such a tank must be equipped with a shut off valve before the inlet to the tank, as well as a correctly adjusted ball valve.

17. Landscaping

Owners are required to maintain their exclusive use areas or stands in a natural bushveld condition.

18. Letting and Reselling of Properties

- a) Owners are entitled to make their own arrangements to rent out their homes and thus allow other people to utilize their homes if they so wish.
- b) Where owners allow other parties to utilize their homes, they are still responsible for their conduct while in Highlands.
- c) Should an owner want to sell his property, only estate agents accredited by the Trustees of the Body Corporate may be used.
- d) The accredited agent and the owner must ensure that the buyer is informed of and receives a copy of the rules and regulations. These rules and regulations must be an annexure to any deed of sale or lease agreement.
- e) A clearance certificate must be obtained from the Body Corporate or applicable Managing Agent at a cost prior to any transfer of the property.
- f) Owners are to familiarise themselves with detail regulations with regard to marketing and selling of their properties as issued by the Trustees. Failure to do so will not constitute a valid excuse for non-compliance.
- g) No advertising boards will be permitted anywhere on the property. Advertisements or publicity material may not be exhibited or distributed unless the consent of the Trustees has been obtained.

19. Littering and Refuse

- a) All owners, real right holders, guests, visitors, contractors and employees etc. are required to refrain from littering anywhere on Highlands.
- b) All exclusive use areas and stands, including any place on the common property, are required to be maintained free from any form of litter whether before, during or after construction of a section.



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- c) As soon as possible after completion of construction, real right holders are required to remove any leftover construction or other related materials from their stands and restore the area outside their section back to a natural state.
- d) No visible storage of any equipment or material on a completed section is permitted.
- e) Any owner of real right holder found guilty of littering or failing to maintain their exclusive use area or stand in a tidy state will be penalized.
- f) No rubble or refuse should be dumped or discarded in any place upon the common property, including the veldt.
- g) All refuse of an owner or real right holder and/or their visitors or people entering Highlands on their authority, must be removed by owners and real right holders. No owner or real right holder or their visitors or people entering Highlands on their authority may leave any refuse behind after a visit or entrance to Highlands. No refuse may be buried since animals may dig it up.
- h) Refuse temporarily stored outside of buildings must be kept in baboon-proof waste cages.

20. Pesticides and insecticides

- a) Owners and real right holders are required to minimize the use of pesticides and insecticides as these are potentially harmful to birds and other wildlife.
- b) No dangerous chemicals may be used or left outdoors.
- c) The use of pool chemicals must be properly controlled.

21. Pets

No pets or other domesticated animals are allowed on Highlands at any time.

22. Picnicking

- a) Picnicking is not permitted on Highlands outside the areas designated for such purpose.
- b) Members are responsible to ensure that any fires in these designated areas are properly controlled and extinguished after use.

23. Signage

Please read and comply with all official signage posted anywhere on Highlands. No private signage will be permitted without the express approval of the Trustees.

24. Rules of the Road and Vehicles

- a) The maximum speed limits permitted must be obeyed at all times. The co-operation of all people driving motor vehicles is required for the benefit and enjoyment by everybody, as the roads in Highlands are for the use of all residents.
- b) Drivers are reminded that animals have right of way and they do not understand or respect the rules of the road.



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- c) Any person found guilty of speeding or dangerous driving will be penalized with a fine.
- d) The overall speed limit is 30km per hour throughout Highlands, but lower limits may be imposed in some areas.
- e) The use of all vehicles and bicycles is restricted to the official roads and designated pathways in Highlands.
- f) All roads in Highlands are subject to the normal road traffic ordinances and by-laws.
- g) Only licensed drivers may operate and drive vehicles in Highlands.
- h) The use of quad bikes, scramblers, motorcycles, mopeds or other vehicles with noisy exhaust systems is prohibited at Highlands. However, the Trustees may in their discretion make an exception to this rule for managerial or security reasons. Further exceptions may be granted to owners subject to the following conditions:
 - i. The motorcycle may only be used for commuting (not for leisure) directly from the gate to the house and vice versa;
 - ii. Written permission from the Trustees can be revoked at any time and must be renewed annually;
 - iii. Wild animals may not be disturbed;
 - iv. The motorcycle may not be excessively noisy.
 - v. Only licensed motor vehicles and game viewing vehicles are permitted to enter Highlands.

25. Staff, Employees and Contractors employed

- a) No staff member, employee or contractor employed by an owner or real right holder will be allowed access to the property, unless they have been registered by the owner or real right holder at the administration office and are in possession of an official valid and current dated identification card, issued by the Trustees of the Body Corporate. These cards reflect the staff member's or employee's or contractor's name, the site number at which they are working, and the expiry date.
- b) These identification cards are issued for a set time period and automatically expire on the expiry date. It is the Owners' responsibility to ensure that arrangements are made timeously to have these cards renewed before the expiry date.
- c) While at Highlands all staff, employees and contractors are required to carry their identification cards. In the event that an individual staff member, employee or contractor is causing a disturbance or breaking the rules, owners may be requested to take appropriate action, including possible removal of such person from Highlands.
- d) Domestic staff, employees and contractors are not permitted to use any Highlands facilities unless accompanied by the Owner.

- e) Transport of staff, employees or contractors between the gate and the owner's Section or real right holder's stand must be provided by the owner of the Section or holder of the stand, or his nominee. No staff may walk unaccompanied on the common property of Highlands, whether on the roads or through the bush, except that domestic staff and employees of Highlands may do so if they wear valid identification cards.
- f) Any staff members, employees or contractors found accessing another owner's property without permission or interfering in any way with another owner's privacy will be removed from the property.
- g) No staff member, employee or contractor employed by an owner of real right holder are permitted to overnight in Highlands without the owner or real right holder being present.
- h) The farm manager and his employees may only receive instructions from the Trustees of the Body Corporate, and no owner or real right holder is allowed to personally make use of any employee of the Body Corporate without approval of the Trustees.

26. Visitors & Guests

- a) Owners are entitled to have visitors at their home sites, but the owners and real right holders are liable for the conduct of their visitors, contractors, employees or any person who enters Highlands with permission or upon instruction of the said owner or real right holder and it is the sole responsibility of the owner or real right holder to communicate these rules to the aforementioned persons and to ensure that they adhere to these
- b) All owners must ensure that contractors in their employ have signed these rules and the Contractors Code of Conduct (available from management) prior to commencement of any work in Highlands and that they adhere to the stipulations of these rules and the said code of conduct at all times.
- c) All guests of owners and persons entering Highlands on the authority of the owner or real right holder (including building contractors and all other contractors) are the responsibility of the owner or real right holder while on the property and it is expected that the owner or real right holder will ensure their compliance with all rules and regulations.

27. Responsibilities of Owners

An owner may not conduct or allow to be conducted any activity considered detrimental to Highlands as a whole or his immediate neighbours.

28. Common Property

- a) This is all property in Highlands apart from the sections registered to the individual owners, situated at the Farm Highlands Wilderness No. 771, Registration Division K.R., Limpopo Province, Bela Bela Local Municipality.
- b) Under no circumstances may residents tamper with or have work done on the electric or water equipment which serves the common property.

- c) No action, alteration or addition by or for an owner or real right holder may negatively impact on services supply to and for areas of common property.
- d) All faults detected on the common property must be reported to the Board of Trustees or the farm manager.
- e) Any person damaging or soiling the common property is compelled to repair or clean the damage at his own expense within 7 (Seven) days after the event occurred. If said work is not to the satisfaction of the Trustees, they will appoint a contractor to do the reparation and debit the person responsible by way of levy account. Where such damage holds danger to person or property or involves continued loss of water, such damage shall be repaired immediately.
- f) Fire hoses situated on the common property may only be used for the singular purpose that they were installed for. The use of fire hoses for any other purpose is strictly forbidden.
- g) Washing lines must be screened off in an environmentally soft manner and must not endanger any party or animal on the common property in Highlands.

29. Helicopters, Microlights and Aircraft

- a) No low flying will be allowed over Highlands, other than in cases of emergency or as part of game management.
- b) Special helicopter landing area is provided, outside the main gate.

30. Architectural and building specifications & Building Regulations

- a) Owners and real right holders are obliged to ascertain themselves of applicable building restrictions and requirements, as special requirements apply to certain stands. The Building Committee (as appointed by the Trustees of the Body Corporate from time to time) should be consulted before architectural drawings are being prepared.
- b) All building activities need to be completed within a period of sixty months from soil breaking.
- c) All Building plans are to be submitted to the Building Committee and to the Bela Bela Local Municipality for approval before building operations may be commenced with. Approval from the Building Committee must however firstly be obtained in writing before handing in plans to the Local Authority.
- d) After approval of the building plans, a copy of the approved plan must be submitted to the Building Committee before any construction may commence.
- e) Only the professional surveyor appointed by the Trustees of the Body Corporate from time to time, will be allowed to enter Highlands to identify the boundary pegs and to survey any extension of the scheme or any extension of a Sectional Title Unit.
- f) All surveyor work to be affected will be for the account of the owner or real right holder. It is a requirement that the surveyor attends to an on-site inspection to point out the four corners of the real right area within which the building has to be constructed, to avoid any encroachments onto the common property.



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- g) The application for approval of the building plans has to be accompanied by a letter of confirmation by the surveyor, as proof of compliance with the above.
- h) Plans must be prepared by a SACAP registered person, and all work must comply with SABS 0400 National Building Regulations and all related SABS building codes.
- i) A Real Right holder should first obtain permission from the Building Committee as to where he will be allowed to erect his section within the area of his stand, as the placement of the section must be done in such a way as to comply with the Environmental Management Plan and the requirements of the owners of the adjacent property, namely Lekkerbreek. The impact of the building on the view of the neighbouring stands and/or farms will be taken into account, and buildings should blend into the environment and not protrude prominently. If it appears that any part of the building will be visible from Lekkerbreek, the selection of the position and/or mitigation arrangements will be negotiated with Lekkerbreek by the Building Committee before approval of the position of the building.
- j) Henceforth, footprint will refer to the total horizontal area covered by all the structures at a site, including houses, garages, carports, generator buildings, storerooms and the like. The measurement is in square meters and is unaffected by the number of floors. All parts of structures that are under a roof or some other types of cover are included in the footprint measurement even if such structures are not or only partially surrounded by walls. Roof overhang refers to that part of the roof that extends beyond a wall by up to fifty centimetres and is excluded from the measurement of footprint. Areas covered only with timber laths are excluded from the measurement of footprint.
- k) A collective footprint not exceeding 250 (Two hundred and fifty) square meters is permitted, unless otherwise specified in approved building plans and/ or the approved development and resort rights. Buildings that are subject to certain restrictions imposed by the farm Lekkerbreek may have a collective footprint of 300 (Three hundred) square meters if the height is limited to eight meters.
- l) Unless otherwise specified in building plans filed at the Deeds Office, the minimum footprint of any section may not be less than 80 (Eighty) square metres, provided that a minimum footprint of 50 (Fifty) square metres will be accepted on condition that future extensions are shown on the building plans and completed within a period of five years of completion of the first phase. This rule is subject to the fact that a building plan is obliged to be in accordance to the Section 25 elevation plans which have been filed at the deeds office for the specific section to be erected.
- m) All buildings must be placed inside a circle of 50 (Fifty) meters diameter. Buildings that are subject to certain restrictions imposed by the farm Lekkerbreek must be placed inside a circle of 70 (Seventy) meters diameter if the height is limited to eight meters.
- n) No shade cloth car ports will be allowed.



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- o) Only thatch roof houses, cement roof tiles, Harveytile, Chromadek steel roofing and green roofs are acceptable. With the exception of green roofs, all roofs must be in dark matt colours. The permitted colours for Harveytile are grey, black and green. The permitted colours for Chromadek are “Charcoal Grey”, “Aloe Green” and “Buffalo Brown”. The trustees may, at their sole discretion, permit other products that are equivalent in appearance and quality to Harveytile or Chromadek, but specifically excluding galvanised metal sheets that are not colour coated by the manufacturer. The building subcommittee shall ensure proper finishing of Chromadek roofs especially around the edges of such roofs. “Green roof” refers to a roof that is partially or completely covered with vegetation indigenous to Highlands Wilderness, planted over a waterproofing membrane.
- p) Sufficient lightning conductor/s must be installed for all thatch roofs and needs to comply with the specifications of the insurer.
- q) Thatch roofs must be covered with protective bird mesh.
- r) The section must be positioned in such a way that the horizon is not broken and if there is danger of the skyline being broken, procedures as stipulated in the Environmental Management Plan should be followed.
- s) Roof height may not exceed 10 (Ten) meters from natural ground level and sections to be erected adjacent to the neighbouring farm Lekkerbreek, have to limit the roof height to 8 (Eight) meters.
- t) Only dark face brick or stone finish walls and dark earthy colour plastered wall finishes may be used.
- u) Approved septic tanks and French (soak away) drains may be used.
- v) Solar panels need special security measures as issued by the Trustees of the Body Corporate.
- w) Bush clearing around houses may take place after consultation and consent by the Building Committee, but owners should keep damage to trees to an absolute minimum. Soil should not be disturbed unnecessarily, in order to avoid growth of weeds and damage to indigenous plants.
- x) Outside lighting must be kept to a minimum. Outside lights must be low wattage down-lights, gas lights or foot lights, if the owner feels it to be necessary. Spotlights, floodlights, bulkheads, coach lights, (any unconcealed lights) as external lights on any building are not permitted. No up lighting that emphasizes structure or elevations at night is allowed to be installed and all external lights should be of a type preventing light to cast away from buildings.
- y) The owner will affect the necessary construction risks insurance and will see that the Building Contractors or Independent Contractors appointed by a real right holder take out the necessary insurance to indemnify the Body Corporate against claims for any loss, damages or injury, as follows:
 - i. Contractors all risk insurance (In other words the sum insured on the policy must be for the value of the work being carried out, as well as the value of the existing structures and that cover must be extended to include cover



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- until beneficial occupation, by the owner and registration of the section at the deeds office).
- ii. Public Liability insurance, including cover for surrounding property and the liability arising from the Spread of Fire. (Minimum amount of cover should be 10 times the value of the house). The Body Corporate of Highlands Wilderness must be listed as a jointly insured party on the Insurance policy arranged on behalf of the contractor.
 - iii. Proof of the above insurance cover must be provided to the Body Corporate prior to the commencement of work.
- z) Immediately after the completion of the buildings, the owner/real right holder is obliged to contact the appointed surveyor to survey the structure and to prepare the sectional plans for the structure. The structure has to be registered as a section or the extension of a section at the Deeds Office, at the cost of the owner/real right holder, within 90 days from date of completion of the buildings. The attorney appointed by the trustees will be attending to the deeds office registration process. The owner shall join the Body Corporate insurance scheme once the house is occupied (as defined in the Management Rules) and the insurance premium will be added to his account.
- aa) Directly after the registration of the sectional plans at the deeds office, the owner shall provide the Body Corporate with a copy of the approved sectional plans of his section and also with a copy of the title deed when delivery of same has been received from the deeds office.
 - bb) Once a section has been registered then the Trustees may approve the building of any additional structure located within the borders of the original area of the real right of extension and the section owner is not obliged to follow the process in terms of section 24 of the Sectional Titles Act UNLESS such structure consists of a foundation, walls and roof (an enclosed area), in which case the Section 24 route will be mandatory. Any additional structure will be subject to all other building regulations, specifically rule 29 j) regarding total footprint. The section owner will be responsible for the future maintenance and additional payment of insurance premium even if the additional structure forms part of common property. The section owner must take appropriate action if the additional structure increases the risk of fire to existing buildings.

31. Rules governing contractors and sub-contractors and to be enforced against members

- a) Only builders registered with the NHBRC will be allowed to attend to any construction activity within Highlands and proof of a valid NHBRC certificate has to be submitted to the Building Committee, before the commencement of construction within Highlands.
- b) All building work must be certified by registered professionals of applicable certification.



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- c) The Building Contractor ("Contractor"), his Sub-contractors and workers will at all times be subject to the rules and regulations issued by the Body Corporate.
- d) No construction activity may commence until a tri-party building contract has been concluded between the owner/real right holder, building contractor and the Body Corporate, which agreement is obliged to contain the provisions of Paragraph 30, 31 and 32 of these rules, where same relates to the erection of buildings and rules applicable to contractors, etc.
- e) No Contractor/Sub-contractor will be allowed to stay or overnight on Highlands.
- f) Contractors/Sub-contractors/Deliveries will only have access to Highlands based on the following days and times: –
 - i. Monday to Fridays between 7h00 and 17h00
 - ii. No Access on Saturdays, Sundays and Public Holidays
 - iii. Special deliveries and emergency services (e.g. electrical, water, TV, air conditioning etc.) must carry the approval of the Trustees of the Body Corporate.
 - iv. All contractors and workers are obliged to exit Highlands by vehicle before 18h00 on any given weekday.
- g) Access roads may only be made once the final building site, within a specific stand (real right area), is decided upon.
- h) All building sites must have at least one site toilet. The owner/real right holder needs to ensure that the Builder or another party has erected a potable or chemical toilet facility before any staff commence with building activities or site clearing on the stand.
- i) NO OPEN FIRES may be made by Contractors or Sub-contractors. Should there be a need for cooking fires it is the duty of the builder to build a wind shielded fireplace for this purpose. Such a fireplace needs to be within a clearing with at least a 2 (two) metre radius, free from any flammable substance. Unmanned fires are strictly prohibited.
- j) No Contractor/Sub-contractor will be allowed to move off the building site or walk freely in Highlands or between stands. No pedestrian activity by the Contractor/Sub-contractor and their workers will be tolerated anywhere within Highlands and thus no walking between the entrance gate and the building site will be allowed. The aforesaid persons are provided access to Highlands on the strict understanding that access is only granted for work on the applicable building site. No access to other sites or use of common property will be tolerated and such action will lead to immediate and permanent refusal of access for the applicable person/s. Abuse of access permission will lead to removal from the premises and permanent refusal of further access.
- k) The Contractor/Sub-contractor will ensure that NO litter or building rubble is left on the building site. The site must be kept neat at all times. The Contractor must ensure that suitable provisions are made for rubble removal during the week and need to remove the said rubble weekly. Rubble may never be in such a state or position as to pose a temptation to animals. Waste food and its lure for primates

needs special consideration. The Contractor should see to it that his Sub-contractors and workers adhere to these requirements. Littering will not be tolerated, and fines will be imposed on the Owner of the specific stand if any of the workers linked to the stand and his building site are found littering anywhere in the reserve.

- l) Delivery of material may only take place during building hours and must be to the applicable site only. Where the mass of a vehicle exceeds the maximum as stipulated by the Building Committee according to the road conditions at the time, delivery needs to be at the off-loading site of which the location will be made available on request.
- m) The owner/real right holder is responsible for the building site and building activities and the building site must at all times be kept in accordance with the Occupational Health and Safety Act No. 85 of 1993. All Contractors/Sub-contractors must comply with Health and Safety Regulations at all times.
- n) Signage of the Contractor must comply with the standards set by the Building Committee and no signage may be erected by Sub-contractors. All signage must be removed on completion of the building process.
- o) The Contractors and Sub-contractors will not be allowed to erect any fencing as storage area and cargo containers or temporary storage structures, to be used for the storage of building equipment, will only be allowed if same complies with the requirements of the Building Committee. These items/structures need to be removed on completion of the building activity.

32. Security applicable to contractors

- a) All Contractors/Sub-contractors' vehicles must be registered with the Body Corporate before entering any section of Highlands.
- b) The driver of a vehicle entering Highlands needs to be in possession of a valid and applicable drivers' licence and will have to sign in said vehicle, which needs to be fully roadworthy and licensed.
- c) All Contractors, Sub-contractors and workers must be in possession of an ID card (see paragraph 25(b) above) issued by the Body Corporate, which should be carried at all times whilst in Highlands. They furthermore also need to present an ID card at the security entrance which has been issued by their own company, and must reflect the following details:-
 - MAIN CONTRACTOR
 - Photograph
 - Name of Company
 - Name of Employee
 - Site Number
 - Company telephone number
 - SUB-CONTRACTOR
 - Photograph
 - Name of Main Contractor

- Name of Company
 - Name of Employee
 - Site Number
 - Company telephone number
- d) Access control registers must be completed at the gate, and names must appear on the arrival list in order to gain access to Highlands. All Contractors/Sub-contractors need to inform the dedicated person as nominated by the Trustees from time to time in advance to have their names added to the arrival list.
- e) All Contractors/Sub-contractors and other workers need to have valid ID books and/or work permits available for inspection whilst they are entering Highlands. Comparison of faces and identification documentation, body count upon entry and exit, signing procedures and searching of vehicles, Contractors, Sub-contractors and workers will be conducted. Non-co-operative individuals may be denied access to Highlands and those persons who are not in possession of a valid South African identity document or work permit, will be also be denied access to Highlands.
- f) Speed limits must be obeyed at all times by all Contractors/Sub-contractors.
- g) All workers must stay within the perimeter of the building area.
- h) Any Contractor/Sub-contractor found in breach of the above Rules and Regulations will be asked to exit Highlands

33. Use of logos and letterheads

The Highlands Wilderness logo and letterheads may only be reproduced with permission from the trustees.

34. Changes to existing roads

For the avoidance of doubt, there is no individual land ownership at Highlands Wilderness and owners can therefore not insist to have existing roads moved. Nonetheless, owners may ask the Trustees to move existing roads subject to the following rules:

- a) This will only be considered if the road runs through the area of a real right of extension or an exclusive use area, or if there are other valid reasons such as soil erosion;
- b) All related costs are for the account of the owner who requested the change;
- c) The owner needs to rehabilitate the old, closed off road within two months of the move;
- d) The new route may not cause a hindrance to others;
- e) Access to game viewing areas may not be restricted without alternative;
- f) New routes may not create an erosion problem;
- g) An administration fee of two times the monthly levy is payable to Highlands Wilderness;
- h) The change must be visually appealing;



- i) Any road closure resulting in a Cul de sac shall have at its end a circle to enable turning around;
 - j) The Trustees will do an on-site inspection and point out the new route if the application is approved.
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