

**SECTIONAL TITLE SCHEME OF ELEMENTS PRIVATE GOLF RESERVE
SS452/2004**

CONDUCT RULES

MADE BY THE BODY CORPORATE OF THE ELEMENTS PRIVATE GOLF RESERVE SCHEME, SS452/2004, AS AUTHORISED BY A SPECIAL RESOLUTION BY THE MEMBERS OF THE BODY CORPORATE IN THE AFORESAID SECTIONAL TITLE SCHEME

- A) **THE FOLLOWING CONDUCT RULES WILL EFFECTIVELY REPLACE THE EXISTING CONDUCT RULES APPLICABLE TO THE ELEMENTS PRIVATE GOLF RESERVE SCHEME:**

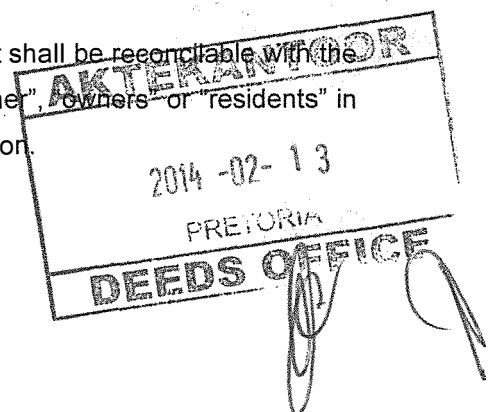
The Conduct Rules currently filed at the Deeds Registry, in the Sectional Title Register of Elements Private Golf Reserve, are hereby withdrawn and replaced by these rules.

For the purposes of this document the Common Property and all sections on the common property in the sectional title scheme of Elements Private Golf Reserve (situated at Portion 9 (a Portion of Portion 3) of the Farm Elandsfontein 440, Registration Division K.R., Limpopo Province, Local Authority: Bela Bela Local Municipality) will collectively be referred to as "Elements" or the "Estate".

These rules will be applicable to all Sectional Title Unit Owners ("owners"). It will also be applicable to registered holders of a real right of extension in the scheme, in terms of Section 25 of the Act ("real right holders") for as far as it relates to the common property and the exercising of the real right of extension in Elements.

The 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 Elements with the permission or on the authority of an owner or real right holder in Elements. The owners and real right holders shall ensure that all the aforementioned persons are aware of the content of these rules and of the fact that they are bound by these rules.

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, Complaints, Enforcement Procedure, Penalties and dispute resolution

- a) Reference to the "Trustees" will be interpreted as to be a reference to the appointed Trustees of the Body Corporate of the Elements Private Golf Reserve Scheme. 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 a penalty 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 Elements, as part of the administration and management of Elements.
- 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 Elements with the permission or on the authority of the owner or real right holder in Elements.
- d) The Trustees will then, subject to clause l) below 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, or the Trustees can withdraw any previously given consent applicable to the particular matter to which such default pertains and/or take such further action, including legal action, as the Trustees may deem fit to enforce the Rules.
- e) The warning letter can be delivered by hand, posted, sent by e-mail or faxed to the relevant owner or real right holder and will be deemed to have been received on delivery, within 5 days of posting or at successful transmission of the e-mail or fax.

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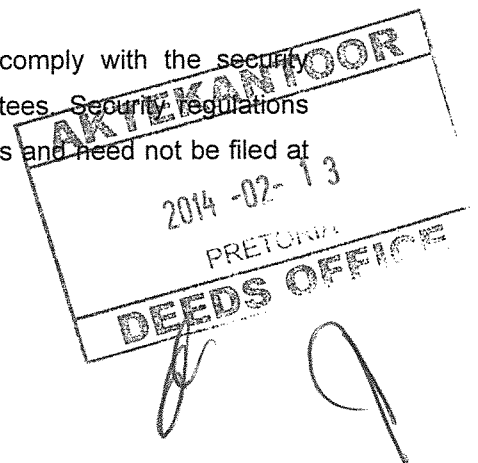
- f) The fine will be directly in relation to the nature of the violation of the rules and the amount of the fine will be in the discretion of the Trustees. The amount of the fine may however not be exceeding an amount equal to two times the ruling monthly levy. The Trustees will be guided by the Schedule of Transgressions and Penalties (see paragraph 33 of the Conduct Rules below), but are not obliged to impose a penalty for the exact amounts as stipulated in the attached schedule.
- 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 Elements with the permission or on the authority of the owner or real right holder, and who caused the said damages.
- i) In the event of repeated breaches of a particular Rule by a defaulting party, the Trustees shall be entitled, but not obliged, to escalate the penalties which may be imposed in respect of such breach, in terms of the Schedule of Transgressions and Penalties, on each and every occasion that such breach re-occurs.
- j) The decision of the Trustees regarding the enforcement of the Rules and security procedures and the imposition of any sanctions and/or penalties in terms of these rules, shall be final and binding.
- k) Should the defaulting party dispute that he has committed a breach of any obligation in terms of the Rules, he shall be entitled to deliver a submission, in writing, to the Trustees within a period of not more than 3 (Three) business days from date of expiry of the period of demand contained in the warning letter delivered to the affected defaulting party. At receipt of such submission, the Trustees shall convene a meeting as soon as reasonably possible after receipt of such notice. The proceedings of such meeting of Trustees shall comply with the principles of natural justice and the decision of the Trustees shall be final and binding upon the Body Corporate and the defaulting party. However, the provisions of this clause shall not preclude any party from seeking any urgent or interim relief from a competent court.

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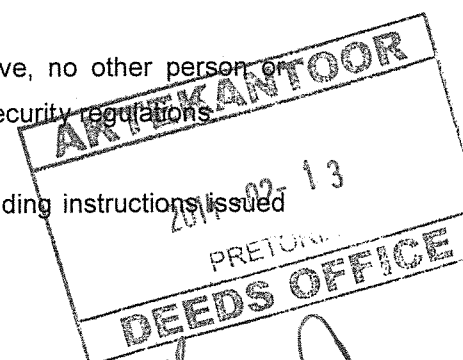
- l) Owners and real right holders acknowledge that they are responsible, as provided in the Rules, for the acts and omissions of their family, tenants, employees, visitors, invitees, contractors and subcontractors, including payment of penalties in respect of any of the aforementioned and that the exercising by the Trustees of any rights, insofar as an offending party (who is not an owner or real right holder) is concerned, shall not relieve the affected owner or real right holder from his obligations, nor abrogate from the rights of the Trustees to exercise any right or enforce any remedies against such owner or real right holder, arising from the offending breach of the Rules.
- m) The Trustees may delegate any of their powers and/or responsibilities in terms of this paragraph 1 to a sub-committee consisting of at least one Trustee and a member of the Managing Agent, to undertake administrative functions of the Association to which the penalty relates.
- n) 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.
- o) Where a dispute arises between owners or right holders (including tenants or occupants), the parties involved shall endeavour in the first instance to settle such dispute (whether relating to a nuisance, disturbance or another complaint) between themselves. However, where such dispute cannot be resolved, the disputing parties may reach consensus to refer the matter to be mediated by the Trustees. If the matter is then resolved to the satisfaction of the disputing parties, as a result of the mediation, such settlement shall be final and binding upon both parties. The parties will equally be liable for the payment of all costs related to the mediation process.
- p) If the matter is not resolved during mediation, any one of the parties may proceed to take legal action and seek relief from a competent court. If agreed by both parties, the matter can be referred to arbitration.

2 Access Control and Security Rules

- a) All persons entering or exiting Elements are required to comply with the security procedures implemented or to be implemented by the Trustees. Security regulations which have been formulated can be amended by the Trustees and need not be filed at the Deeds Office to be operational and valid.



- b) Security personnel shall not under any circumstances be abused. Any person displaying aggressive conduct towards staff, security guards on duty, other Owners or any other person on Elements will be dealt with severely. Action taken against the offending person may include the levy of a penalty, removal from the property, arrest, refusal of future access, or such other action as is deemed appropriate.
- c) Security protocol at the gatehouse shall be adhered to at all times by any person entering the Estate. Under no circumstances shall residents or any person other than security personnel, Trustees or authorised personnel be allowed into the gatehouse.
- d) No owner or real right holder or service provider may issue instructions to Security Personnel. Only the Trustees and/or the Managing agent and/or estate management may do so. Residents always have to treat the security personnel in a cooperative manner.
- e) The access control system for permanent workers, temporary workers, golf caddies, Golf Course staff and contractor and subcontractor representatives must be diligently enforced by every owner and real right holder, with respect to employees, contractors and subcontractors. No resident, visitor and any category of employee may enter the Estate without being issued with the requisite authorisation.
- f) Employees, gardeners and domestic workers must carry with them their security access permits and/or cards at all times.
- g) All residents, visitors and invitees must adhere to security protocol and may not use access cards belonging to another person.
- h) All owners and real right holders must ensure that contractors and/or subcontractors in their employ adhere specifically to all security stipulations.
- i) All owners and real right holders must immediately report any security related incidents, including attempts at burglary or instances of fence jumping, that they are aware of, to the security guard on duty and to the estate management.
- j) Except for the Estate Manager or his appointed representative, no other person or security officer shall authorise a deviation from the formulated security regulations.
- k) No resident may issue instructions to or countermand the standing instructions issued to security personnel.



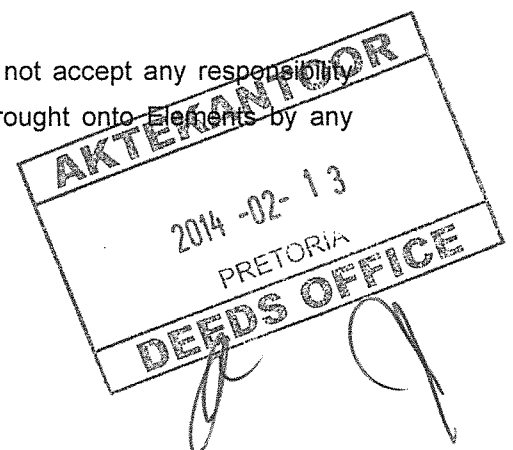
- l) Visitors to the Estate must produce either a valid original driving licence, or valid original South African Identity book or passport for access to the Estate, failing which such visitors may be refused entry.
- m) Contractors, subcontractors, visitors and employees shall be requested to produce valid identification documents by the security.
- n) Owners and real right holders shall comply with all security protocols and other directives as prescribed by the Trustees from time to time.
- o) No vehicle shall enter or leave the estate at any point except at the designated entrance gates, except in special circumstances, and then only with the consent of, or at the discretion of the Trustees.
- p) Burglar alarms must comply with any regulations which the Body Corporate may institute.

3 Camping

Camping, meaning tents or caravans as accommodation, is not allowed anywhere on Elements.

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 Elements.
- 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 Elements, 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) The Managing Agent, Body Corporate and Trustees do not accept any responsibility whatsoever for safekeeping of any property or goods brought onto Elements by any person.



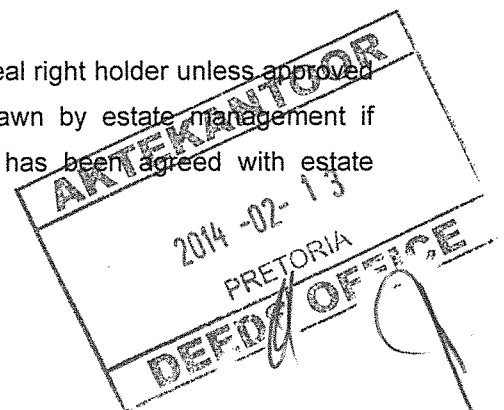
- d) All persons enter Elements do so at their own risk and the owners and real right holders will be responsible to bring this information to the attention of all persons entering Elements with the permission or on the authority of an owner or real right holder.

5 Environmental Protection, Management and Ensuring A Pleasing Environment

- a) The design and management of Elements 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 Elements that cause harm or disruption to the environment.
- d) All terms and conditions as set out in the Environmental Authorisation applicable to the Estate 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.
- e) 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 may instruct the Managing Agent to remove such structures at the cost of the owner.
- f) Washing lines must be screened from any street and the Golf Course. Washing lines must also be screened off in an environmentally soft manner and must not endanger any party or animal on the common property in the Estate.
- g) Caravans, trailers, equipment, tools, engine and vehicle parts and the like shall be located out of view and totally screened from any street, neighbouring properties and the Golf Course.

6 Feeding of animals

- a) No feeding of wild animals is allowed by any owner or real right holder unless approved by estate management. This approval can be withdrawn by estate management if owner or real right holder deviates from that which has been agreed with estate management.



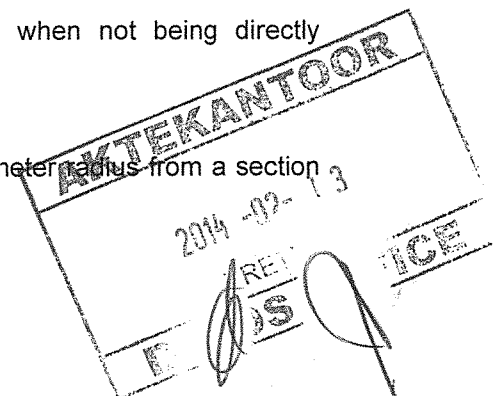
- b) No scraps or other food items may be placed or left outside where animals may gain access to it.
- c) No potentially harmful substances, including plastic bags, may be kept in the open.

7 Firearms

The use of any firearm, air rifle, pistol, gas-propelled or powered weapon, 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

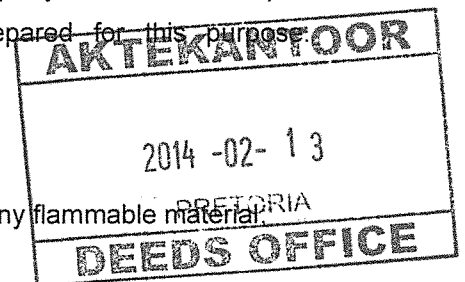
- a) Fire protection on Elements is critical.
- b) Open, unprotected fires may not be lit anywhere on Elements. Fires may only be lit in a braai area, built specifically for that purpose, and must be adequately supervised. No open fire may be left alone. This implies that all fires be properly extinguished 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 Elements. 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)
- 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 fire fighting equipment with funds obtained from the levy fund, but all owners and real right holders are obliged to obtain their own fire fighting equipment as well, at their own cost. Provision has to be made by owners and real right holders for conveniently placed and clearly marked fire fighting equipment, which will include fire extinguishers, sand and fire swats.
- i) All owners and real right holders are encouraged to help when a fire ignites in any area within Elements as well as on neighbouring properties, as fires which are not stopped in time can burn out of control and erase whole districts.
- j) Owners and real right holders are obliged to attend to the making of fire breaks if and when requested by the Trustees or Managing Agent and in terms of the prescribed terms and manner, as issued by the Trustees and/or Managing Agent. The Owners and real right holders will furthermore be responsible to provide notification to the adjacent owners and real right holders before commencing with a planned fire break, if such fire break is made by burning (as opposed to cutting).
- k) Owners and real right holders should strictly follow any fire management plan issued by the Trustees at any time, which fire management plan does not have to be filed at the Deeds Registry to be enforceable.
- l) 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:

- (1) Have a diameter of at least 4 metres which is cleared of any flammable material.
- (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 reasonable relation to the height of the said border.

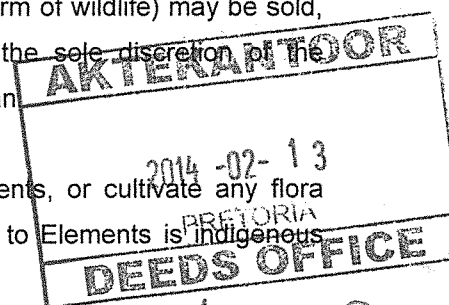
- (3) Have a form of first line fire extinguishing equipment in close proximity. This can be something like a purpose made fire extinguisher, a sand bucket, a tap equipped with a suitable hose or fire swats.

9 Fishing, Boats and Swimming

- a) Fishing is not permitted on Elements.
- b) Exotic fish species may not be stocked in any water bodies.
- c) The use of boats of any description, including the use of radio controlled boats, or other water sports on any dams or rivers in Elements is strictly prohibited.
- d) No bathing by any person shall be allowed in any public water feature.

10 Flora and Fauna

- a) All flora and fauna is 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 Elements or removed from Elements. No animal of any species (including fish or any form of wildlife) may be sold, hunted, culled, captured or shot in Elements, 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 Elements, or cultivate any flora anywhere in Elements, except if the flora to be introduced to Elements 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.

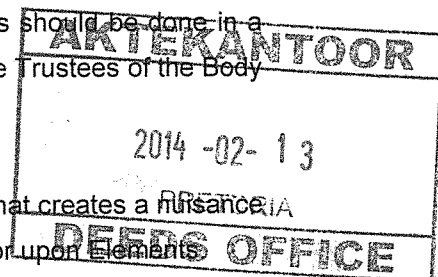
- f) All owners and real right holders are obliged to control alien weeds and invasive exotic plants, existing or establishing due to disturbance from the development, within their exclusive use areas or stands.

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 section (interior and exterior) will be the owner's responsibility and should be attended to at the sole cost of the owner.
- 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) Owners and real right holders should take note of the fact that once the real right holder has exercised his right to erect a section, and the house is registered as a sectional title unit at the Deeds Office, the stand surrounding the house will become common property, owned by the Body Corporate. If a person requires the stand to be registered to him for his exclusive use, he should contact the Trustees to discuss the different options and procedures to follow. If a previously owned real right area is not registered as an exclusive use area in the name of the owner, or if an exclusive use area has not been allocated to an owner in terms of the Rules of the Body Corporate, the other owners in the scheme are encouraged not to enter the real right area which was previously owned by that owner prior to registration of that owners house as a sectional title unit.
- b) Owners and real right holders are respectively obliged to maintain their exclusive use areas and stands at their own cost. Maintenance and repairs should be done in a manner as to comply with these rules and to the satisfaction of the Trustees of the Body Corporate.
- c) The exclusive use area and stands may not be used in any way that creates a nuisance or threatens the safety of the Estate or any person or property in or upon Elements



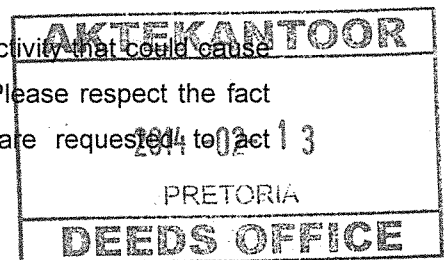
- d) Owners and real right holders may not erect fences or gates, but limited enclosures surrounding their sections may be approved by the Trustees. This will be in the complete discretion of the Trustees to allow or decline the request to erect a limited enclosure.

13 Game and Game viewing

- a) Elements 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 on all roads during daylight, but not later than 17h30 in Winter and 19h00 in Summer, and not before sunrise.
- c) Vehicles may only be driven on designated roads and may not exceed any speed limits. No off road driving will be permitted.
- d) Animals have the right of way at all times and may not be harassed or frightened in any way.
- e) No lights may be shone into the eyes of the animals or into private houses while conducting a game drive.
- f) Animals may not be hunted by the owners and real right holders or their visitors, guests, contractors, subcontractors etc. and a game management plan and rules for culling of game will be in the complete discretion of the Trustees of the Body Corporate.
- g) No slaughtering of animals may be carried out in the Estate.
- h) No wild animals may be removed from the Estate and no new wild animals may be introduced to the estate, except if so approved by the Trustees in writing.

14 General Behaviour

- 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 Elements is also a Nature Reserve and all persons are requested to act accordingly.

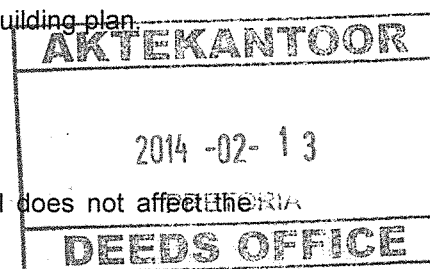


- b) Excessive and unnecessary noise by vehicles, power generators, power tools, appliances, radios, and/or raucous behaviour by individuals constitute a disturbance of the peace under these rules. The use of power tools, lawn mowers grass trimmers and the like should only be undertaken between the daily hours of **8h00 to 16h00**, but is **prohibited on Sundays**. However, Golf Course maintenance, including but not limiting to mowing the course is exempt from the aforementioned times.
- 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.
- e) No fireworks are permitted anywhere in or upon Elements.
- f) No alcohol abuse, shouting, or foul language will be tolerated on the common property. The consumption of alcohol is prohibited in any communal area. Alcohol may be consumed in an orderly fashion at the Club house.
- g) No vandalism of whatsoever nature shall be tolerated.
- h) In order to control the residential density, no owner shall accommodate nor allow the section to be accommodated by more than the maximum number of persons permitted to occupy such section, based on the following :
 - 1 bedroom section – two adults
 - 2 bedroom section – four adults
 - 3 bedroom section – six adults
 - 4 bedroom section – eight adults
 - 5 bedroom section – ten adults (with the 5th bedroom being intended for staff use)

A bedroom shall mean a room so indicated as a bedroom on any building plan.

15 Generators

- a) Generators must be installed in such a way that the noise level does not affect the enjoyment of the property by any other owner or guests.
- b) Generators must be installed in such a manner that it is not audible to the neighbour.

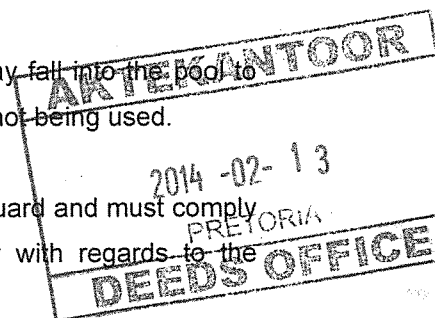


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- c) Generators which are to be installed as a permanent fixture need to be fire-proof and sufficiently sound-proofed/damped.
- d) Proof of the actual db level of a generator is to be provided to the Trustees, at the cost of the owner.
- e) If, in 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 and water meters

- 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.
- c) The use of automatic or manual irrigation systems is not permitted unless approved by estate management. Estate management reserve the right to disconnect any system if water usage is being abused or when availability of water is in short supply.
- d) The size of swimming pools must comply with the rules as set down in the architectural guidelines.
- e) It is not permitted to fill swimming pools without the approval of the Trustees. Compensation filling is allowed but water rotation may only be done per special arrangement with the Trustees and Managing Agent, to ensure sufficient water availability to all at all times.
- f) 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.
- g) All pools should have a net or some other form of approved safeguard and must comply with the National Building Regulations and the Local Authority with regards to the control of access.

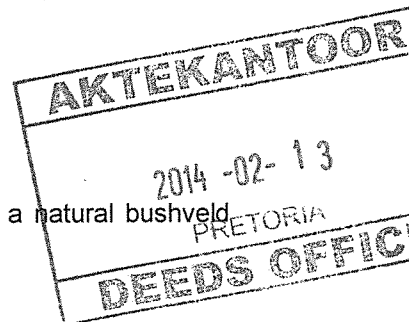


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- h) The owner or real right holder will be liable to maintain the water reticulation on his section and/or exclusive use area and/or his stand.
- i) The owner will be responsible for maintenance of the reticulation road to his section and/or exclusive use area and/or his stand. The route must be submitted to the Trustees for approval before work commences.
- j) All viable water saving devices must be implemented to ensure efficient water utilization.
- k) Owners, real right holders, visitors, guests, contractors, subcontractors must ensure that valves are closed and properly shut when leaving Elements, to ensure that no water is wasted due to a leaking valve.
- l) 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.
- m) Sufficient taps need to be available during construction as bent pipes, being utilised as a water shut-off mechanism, lead to water loss and will be penalised.
- n) Swimming pools, jacuzzi, hot tub, fish pond or fountain water may not be emptied onto the Golf Course or any communal areas.
- o) No person shall sink a well, drill a borehole or extract subterranean water from a Section/stand, except where the extraction of the subterranean water is required to prevent flooding of a Section.
- p) Swimming pool pumps and swimming pool heating apparatus shall be placed and installed in such a way that it will not cause any noise or nuisance to neighbouring residents.

17 Landscaping

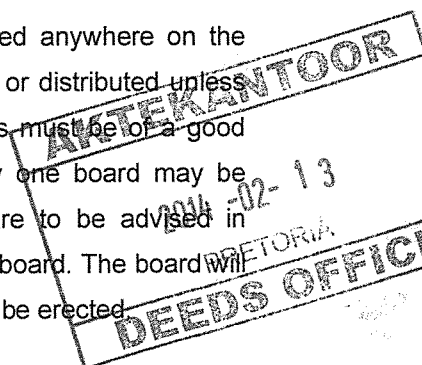
Owners are required to maintain their exclusive use areas or stands in a natural bushveld condition.



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18 Letting and Reselling of Properties and Commercial Activities

- a) Owners shall be responsible to ensure that any guests and/or occupiers are provided with a copy of the Conduct rules and shall furthermore ensure and be responsible for compliance thereof.
- b) Should an owner let any person occupy his property, he shall notify the Estate Manager in writing, in advance, of such occupation.
- c) No owner may in any way utilise his home for the purposes of a commune and/or guesthouse.
- d) Should an owner want to sell his property through an estate agent, only estate agents accredited by the Trustees of the Body Corporate may be used and Estate Agents must personally accompany prospective purchasers who are not members of the body corporate or a real right holder, at all times whilst in the Estate.
- e) The accredited Estate Agent will have to obtain an access permit from the Trustees before he will be allowed to enter the Estate.
- f) 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.
- g) A clearance certificate must be obtained from the Body Corporate or applicable Managing Agent at a cost prior to any transfer of the property.
- h) Owners are to familiarise themselves with any 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.
- i) Only advertising boards approved by the Trustees 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. Advertising boards must be of a good quality in keeping with the general aesthetics of the Estate. Only one board may be erected on the respective stand for sale. Estate management are to be advised in advance of any board to be erected plus provide an example of the board. The board will then be approved as well as the location given where the board may be erected.

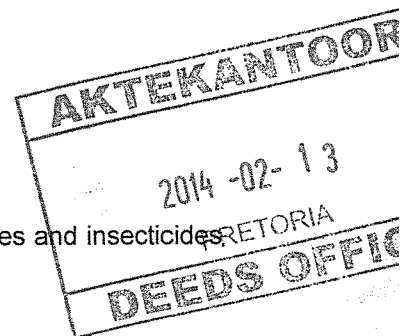


19 Littering and Refuse

- a) All owners, real right holders, guests, visitors, contractors and employees etc. are required to refrain from littering anywhere on Elements.
- 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.
- 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 or real right holder found guilty of littering or failing to maintain their exclusive use area or stand in a tidy state will be penalised.
- f) No rubble or refuse should be dumped or discarded in any place upon the common property, including the veldt.
- g) The removal of domestic refuse, garden and other refuse shall be under the control of the Body Corporate which may, in exercising its functions in this regards, specify the type and size of refuse containers to be used and to give directions in regards to the placing of the refuse for collection and removal.
- h) No refuse may be buried since animals may dig it up. Refuse temporarily stored outside of buildings must be kept out of sight of both roads and open areas in baboon-proof waste cages.
- i) No unauthorised burning of rubbish in the Estate will be tolerated.

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

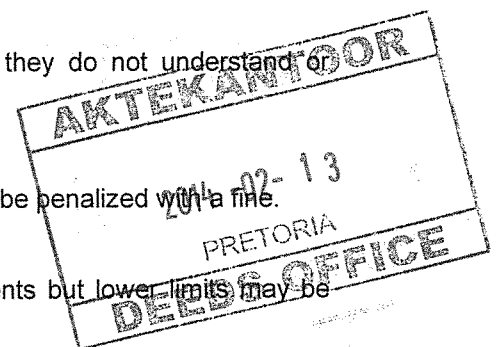
- a) No owner, real right holder, contractor, subcontractor, visitor, guest, employee or any other occupier of the Estate shall, without the written consent of the Trustees, keep any dog, cat, reptile, bird or any other animal on the common property or within his section or on his stand or exclusive use area in the Estate. Such consent may not be unreasonably withheld. The Trustees are authorised to impose such conditions as they deem appropriate when granting consent. This specifically excludes dogs for the sight/hearing impaired and guard dogs contracted for by the Body Corporate as part of the overall security management of the estate.
- b) No poultry, pigeons, aviaries, horses or livestock may be kept in the Estate, with the exception of the nature reserve area where wild animals shall be kept and managed by the Trustees.

22 Signage

Please read and comply with all official signage posted anywhere on Elements. No private signage will be permitted without the express approval of the Trustees. No unauthorised advertising by service providers, visitors and residents will be allowed in the Estate and at its entrances, without the express approval of the Trustees.

23 Rules of the Road and Vehicles and Golf Carts

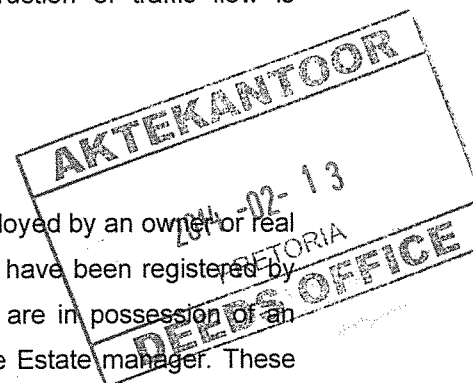
- a) The maximum speed limits permitted must be obeyed at all times. The co-operation of all people driving motor vehicles is required for the benefit and enjoyment by everybody, as the roads in Elements are for the use of all residents. The Trustees are authorised to determine what is appropriate equipment for the policing of speed if necessary.
- b) Drivers are reminded that animals have right of way and they do not understand or respect the rules of the road.
- 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 Elements but lower limits may be imposed in some areas.



- e) The use of all vehicles and bicycles are restricted to the official roads and designated pathways in Elements. Bicycles may not be ridden on the golf course.
- f) All roads in Elements are subject to the normal road traffic ordinances and by-laws.
- g) Only licensed drivers may operate and drive vehicles in Elements.
- h) The use of quad bikes, scramblers, motorcycles, mopeds or other vehicles with noisy exhaust systems is prohibited at Elements. 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 motor cycle 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) The motor cycle may not be excessively noisy.
- i) Only licensed motor vehicles and game viewing vehicles are permitted to enter Elements.
- j) No engine-powered vehicles, except for golf carts, are allowed on the cart paths or on the Golf Course. The driving of golf carts on cart paths on the Golf Course is subject to the Golf Course Code of Conduct. The use of bicycles, scooters, skateboards, rollerblades and the like on the cart paths is prohibited during golf playing times.
- k) All privately owned golf carts shall be registered and issued with permanent identification stickers which must be displayed at all times on the vehicle.
- l) Parking in streets and on pavements resulting in the obstruction of traffic flow is prohibited.

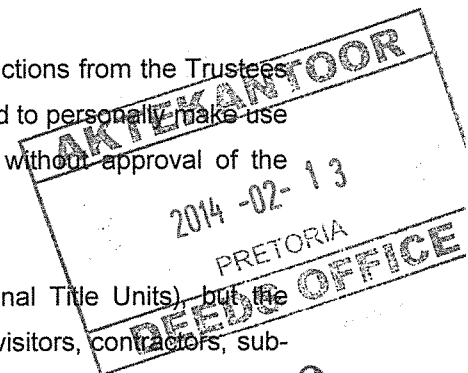
24 Staff, Employees and Contractors employed

- a) No staff member, employee or contractor or sub-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 Estate manager. 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.



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- 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 the Estate, all staff, employees, contractors and sub-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 or real right holders may be requested to take appropriate action, including possible removal of such person from the Estate.
- d) Domestic staff, employees, contractors and sub-contractors are not permitted to use any Estate facilities unless accompanied by the Owner.
- e) Transport of staff, employees, contractors and sub-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 real right holder of the stand, or his nominee. No staff, employees, contractors and sub-contractors may walk unaccompanied on the common property of Elements, whether on the roads or through the bush, except the domestic staff and employees of the Body Corporate, Managing Agent and Golf Club operator, who may do so if they wear valid identification cards.
- f) Any staff members, employees, contractors or sub-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, contractor or sub-contractor employed by an owner or real right holder are permitted to overnight in the Estate, without the owner or real right holder being present. Domestic workers employed by an owner may stay overnight at that owners property subject to the owner getting written permission from the Trustees. This permission may be withdrawn by the Trustees in the event the domestic worker does not adhere to the rules. The owner shall ensure that their domestic worker at all times adheres to the Rules of the Body Corporate.
- h) The Managing Agent 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 or Managing Agent, without approval of the Trustees.
- i) Owners are entitled to have visitors at their dwellings (Sectional Title Units), but the owners and real right holders are liable for the conduct of their visitors, contractors, sub-



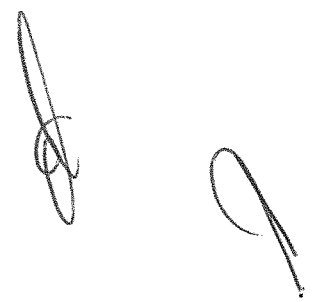
contractors, employees or any person who enters Elements with permission or upon instruction of the said owner or real right holder and it is the sole responsibility of the owner or real right holder to communicate these rules to the aforementioned persons and to ensure that they adhere to these rules.

- j) All owners must ensure that contractors and sub-contractors in their employ have signed these rules prior to commencement of any work in the Estate and that they adhere to the stipulations of these rules at all times.
- k) All guests of owners and persons entering Elements on the authority of the owner or real right holder (including building contractors and all other sub-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, failing which a penalty may be imposed on the owner or real right holder, by the Trustees.

25 Completion of building activities

- a) Real right owners are obliged to erect their houses (sectional title unit) on that portion of the common property demarcated for this purpose, as registered at the Deeds Office. It is of the utmost importance that the real right owner does not encroach onto common property outside the borders of his stand, when erecting his Section.
- b) Once a real right holder has commenced with building activities on his stand, he will be obliged to complete the building (sectional title unit) within 12 (twelve) months from date of commencement of building activities on the stand, Should he fail to do so, the Trustees may impose a penalty, which will be added to the monthly levy.
- c) For all additions and alterations to Sections, which have been approved by the Elements Aesthetics Committee, and the Body Corporate and/or Trustees as prescribed by the Sectional Titles Act and Rules of the Body Corporate, construction shall be completed as stipulated below, failing which penalties may be imposed by the Trustees:
 - i) building area of up to 60 (sixty) square metres, within 3 months;
 - ii) building are of up to 120 (one hundred and twenty) square metres, within 6 months;
 - iii) building area greater than 120 (one hundred and twenty) square metres, within 12 months

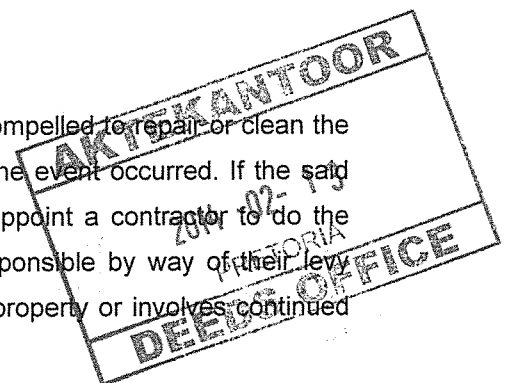
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- d) Where a dwelling as been completed, same has to be formally registered at the Deeds Office as a Sectional Title Unit within 90 (ninety) days from completion, failing which the Trustees may impose a penalty which will be added to the monthly levy.
- e) Where a Sectional Title Unit has been completed and such dwelling remains unoccupied for more than one month, the owner concerned shall ensure that the dwelling is properly locked, ensure pool safety and maintenance, properly control and maintain electrical and water services and properly maintain the garden and pavement. Failure to comply with the foregoing, may at the discretion of the Trustees lead to a penalty being imposed and the appointment by the Trustees of a contractor to remedy any failure identified, to ensure compliance with the Rules. The owner concerned will be responsible for all costs in this regard.
- f) In case of dwellings which have not been completed, the Trustees may at any time assess the situation on the stand from a safety, security, maintenance and aesthetics point of view and at their discretion impose a penalty and/or appoint a contractor to remedy the situation to ensure compliance with the Rules. The owner concerned will be responsible for all costs in this regard.

26 Common Property

- a) Common Property is all the property in Elements apart from the sections registered to the individual owners, situated at Portion 9 (a Portion of Portion 3) of the Farm Elandsfontein 440, Registration Division K.R., Limpopo Province, Local Authority: Bela Bela Local Municipality.
- b) Under no circumstances may residents tamper with or have work done on the electricity or water reticulation which serves the common property.
- c) All faults detected on the common property must be reported to the Trustees or the Managing Agent.
- d) 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 the said work is not to the satisfaction of the Trustees, they will appoint a contractor to do the reparation and charge the cost thereof to the person responsible by way of their levy account. Where such damage holds danger to person or property or involves continued loss of water, such damage shall be repaired immediately.



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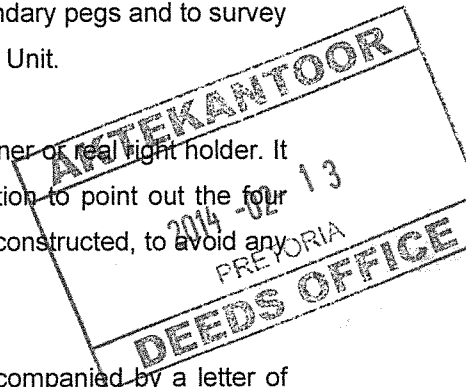
- e) Fire hoses situated on the common property may only be used for the singular purpose that they were installed for. The use of fire hoses for any other purpose is strictly forbidden.

27 Helicopters, Microlights and Aircraft

- a) No low flying will be allowed over the Estate, other than in cases of emergency or as part of game management.
- b) The Trustees will specify a special helicopter landing area which may be used subject to the landing first being cleared in advance with Estate Management.

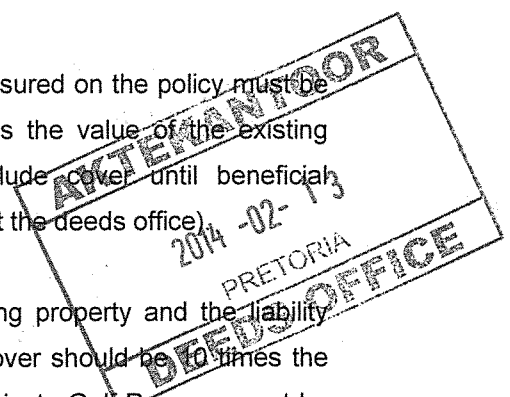
28 Architectural and Building Specifications and Building Regulations

- a) Owners and real right holders are obliged to ascertain themselves of all applicable building restrictions and the guidelines as approved by the Elements Aesthetics Committee. The Elements Aesthetics Committee (as appointed by the Trustees of the Body Corporate from time to time) should be consulted before architectural drawings are prepared.
- b) All Building plans are to be submitted to the Elements Aesthetics Committee and to the Bela Bela Local Municipality for approval before building operations may be commenced with. Approval from the Elements Aesthetics Committee must however first be obtained in writing before handing in plans to the Local Authority.
- c) After approval of the building plans, a copy of the approved plan must be submitted to the Elements Aesthetics Committee before any construction may commence.
- d) Only the professional surveyor appointed by the Trustees of the Body Corporate from time to time, will be allowed to enter Elements to identify the boundary pegs and to survey any extension of the scheme or any extension of a Sectional Title Unit.
- e) All surveyor work to be effected 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.
- f) 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.



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- g) Plans must be prepared by a SACAP registered person and all work must comply with SANS 10400-A:2010: South African National Standard, the application of the National Building Regulations.
- h) A Real Right holder should first obtain permission from the Elements Aesthetics Committee as to where he will be allowed to erect his section within the area of his stand. The impact of the building on the view of the neighbouring stands will be taken into account and buildings should blend into the environment and not protrude prominently.
- i) Elevation plans for all the future sections to be erected have been filed at the Deeds Office with the opening of the Sectional Title Register. A Section should be erected in strict accordance to the elevation plans filed at the Deeds Office and the approved development and resort rights. This excludes roof overhangs and open patios but includes garages and carports.
- j) Bush clearing around houses may take place after consultation and consent by the Elements Aesthetics 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.
- k) Outside lighting must be kept to a minimum. Outside lights must be low wattage down-lights or foot lights, if the owner feels it to be necessary. Spotlights, floodlights, bulk-heads, 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.
- l) The Real right holder will effect the necessary construction risks insurance and will see that the Building Contractor, appointed by the real right holder, takes 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 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 Elements Private Golf Reserve must be



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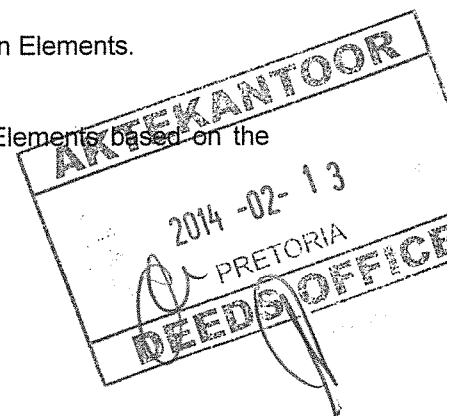
listed as a jointly insured party on the Insurance policy arranged on behalf of the contractor.

- iii. Proof of the above insurance cover must be provided to the Body Corporate prior to the commencement of work.
- m) The owner shall join the Body Corporate insurance scheme once an occupation certificate has been issued by the Local Authority and the insurance premium will be added to his levy account.
- n) 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.

29 Rules governing contractors and sub-contractors and to be enforced against owners and real right holders

- a) Only builders registered with the NHBRC will be allowed to attend to any construction activity within Elements and proof of a valid NHBRC certificate has to be submitted to the Building Aesthetics Committee, before the commencement of construction within Elements.
- b) All building work must be certified by registered professionals of applicable certification.
- 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 29, 30 and 31 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 Elements.
- f) Contractors/Sub-contractors/Deliveries will only have access to Elements based on the following days and times: -

*Monday to Fridays between 7h00 and 17h00

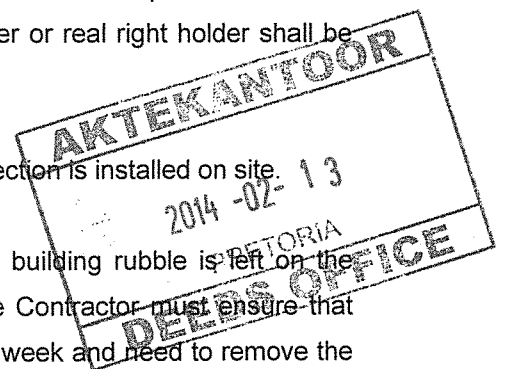


*No Access on Saturdays, Sundays and Public Holidays

*Special deliveries and emergency services (e.g. electrical, water, TV, air conditioning etc.) must carry the approval of the Trustees of the Body Corporate.

*All contractors and workers are obliged to exit Elements by vehicle before 18h00 on any given week day.

- 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 portable or chemical toilet facility, properly screened, 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 fire place for this purpose. Such a fire place 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 Elements or between stands. No pedestrian activity by the Contractor/Sub-contractor and their workers will be tolerated anywhere within Elements and thus no walking between the entrance gate and the building site will be allowed. The aforesaid persons are provided access to Elements 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) Before the Contractor may take possession of any stand in order to commence with works of any nature, the stand must be screened on all sides with the prescribed shade cloth according to specifications of the Trustees. The owner or real right holder shall be liable for all costs regarding such prescribed screening.
- l) No construction shall commence unless a legal water connection is installed on site.
- m) 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



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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.

- n) 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 Aesthetics 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.
- o) 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.
- p) The Contractors and Sub-contractors will only be allowed to erect fencing as a storage area and use cargo containers or temporary storage structures for the storage of building equipment on the specific stand, if same complies with the requirements of the Building Aesthetics Committee. These items/structures need to be removed on completion of the building activity on the stand.

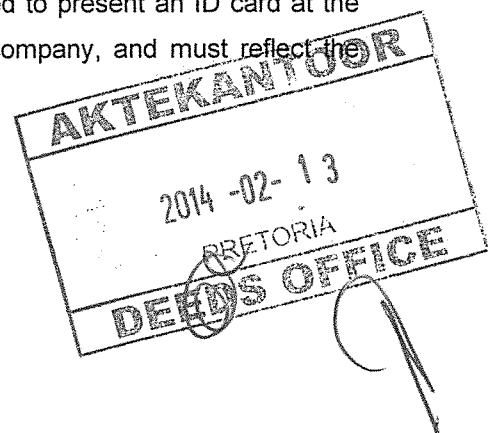
30 Security applicable to Contractors and Sub-Contractors

- a) All Contractors/Sub-contractors' vehicles must be registered with the Body Corporate before entering any section of Elements.
- b) The driver of a vehicle entering Elements 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 24(a) and 24(b) above) issued by the Body Corporate, which should be carried at all times whilst in Elements. 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 Elements. 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 Elements. 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 Elements and those persons whom are not in possession of a valid South African identity document or valid work permit, will be also be denied access to Elements.
- 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 Elements immediately.

31 Estate Facilities (including Golf Course, Clubhouse, Swimming Pool and Tennis Courts)

- a) Persons who use the facilities of the Estate will be subject to the Elements Golf Club Constitution and any Codes of Conduct relating to the Golf Course, Clubhouse, swimming pool and tennis courts.



- b) The Constitution of the Elements Golf Club shall be subject to the approval, from time to time, of the Trustees and shall always comply with and be subject to the Rules of the Body Corporate of Elements Private Golf Reserve. In the event of any conflict between the Constitution of the Elements Golf Club and the Rules of the Body Corporate, the Rules of the Body Corporate shall prevail.

- c) The Trustees may from time to time request the amendment of the Constitution of the Elements Golf Club, as may be required.

32 Transgressions and Penalties

The Trustees have the authority to determine penalties to be imposed in the case of transgressions of the Rules.

