

THE BODY CORPORATE OF
POINT BUSINESS PARK

SS NO. 164/2004

CONDUCT RULES

[Section 10(2)(b) of the Sectional Titles Schemes Management Act, No 8 of 2011]

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1. Animals, Reptiles and Birds

- 1.1 An owner or occupier of a section shall not, without the consent in writing of the Trustees of the Body Corporate, which approval may not be unreasonably withheld, keep any animal, reptile or bird in a section, exclusive use area or on the common property.
- 1.2 When granting such approval, the Trustees may prescribe any reasonable conditions.
- 1.3 The trustees may withdraw such approval in the event of any breach of any condition prescribed in terms of sub-rule (1.2).

2. Refuse Removal

An owner or occupier of a section shall:

- (a) maintain in a hygienic and dry condition, a receptacle for refuse within his section, his exclusive use area or on such part of the common property as may be authorised by the Trustees in writing;
- (b) ensure that before refuse is placed in such receptacle it is securely wrapped, or in the case of tins or other containers, completely drained;
- (c) for the purpose of having the refuse collected, place such receptacle within the area and at the times designated by the Trustees;
- (d) when the refuse has been collected, promptly return such receptacle to his section or other area referred to in paragraph (a).

3. Vehicles

- 3.1 No owner or occupier shall park or stand any vehicle upon the common property, or permit or allow any vehicle to be parked or stood upon the common property, without the consent of the Trustees in writing.
- 3.2 The trustees may cause to be removed or towed away, at the risk and expense of the owner of the vehicle, any vehicle parked, standing or abandoned on the common property without the Trustees' consent.
- 3.3 Owners and occupiers of sections shall ensure that their vehicles and the vehicles of their visitors and guests do not drip oil or brake fluid on the common property or in any other way deface the common property.
- 3.4 No owner or occupier shall be permitted to dismantle or effect major repairs to any vehicle on any portion of the common property, exclusive use area or in a section.

4. Damage, Alterations or Additions to the Common Property

- 4.1 An owner or occupier of a section shall not mark, paint, drive nails or screws or the like into, or otherwise damage, or alter, any part of the common property without first obtaining the written consent of the Trustees. The Trustees shall have the right to recover from an owner of a section any costs to repair damages caused by an owner or occupier.
- 4.2 Notwithstanding sub-rule (4.1), an owner or person authorised by him, may install –

- (a) any locking device, safety gate, burglar bars or other safety device for the protection of his section; or
- (b) any screen or other device to prevent the entry of animals or insects;

Provided that the Trustees have first approved in writing the nature and design of the device and the manner of its installation.

5. Appearance from Outside

The owner or occupier of a section shall not place or do anything on any part of the common property, including balconies, patios, stoeps and gardens which, in the discretion of the Trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section.

6. Signs and Notices

- 6.1 No owner or occupier of a section shall place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the common property or of a section, so as to be visible from outside the section without written consent of the Trustees first having been obtained. Signage will be governed by standard design guidelines, the placement of such signs to be governed by the Trustees. Only signage with direct reference to the type of business being conducted on any section will be permitted.
- 6.2 The Developer shall have the right to display signage, billboards, etc., in order to effect the marketing of the scheme until such time as the last section is sold and transfer effected.

7. Littering

An owner or occupier of a section shall not deposit, throw, or permit or allow to be deposited or thrown, on the common property any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever. The Trustees shall be entitled to impose a monetary fine payable by the owner of a section at their sole discretion.

8. Laundry / Screening

An owner or occupier of a section shall not, without the consent in writing of the Trustees, erect his own washing lines, nor hang any washing or laundry or erect a screen or any other items on any part of the building or the common property so as to be visible from outside the building or from any other sections.

9. Storage of Inflammatory Material and other Dangerous Acts

- 9.1 An owner or occupier shall not store any material, or do or permit or allow to be done, any other dangerous act in the building or on the common property, which will or may increase the rate of the premium payable by the Body Corporate on any insurance policy without the permission of the Trustees.
- 9.2 The Trustees shall have the right to collect the increased premium payable from the owner of a section should the Trustees agree to clause 9.1 above.

10. Letting of Units

- 10.1 All tenants of units and other persons granted rights of occupancy by any owner of the relevant unit are obliged to comply with these Conduct Rules, notwithstanding any provision to the contrary contained in any lease or any grant of rights of occupancy. It shall be the owner's responsibility to furnish any tenant(s) with a copy of the Conduct Rules.
- 10.2 The Trustees shall have the right to vet any prospective tenants and other persons that may be granted rights of occupancy by an owner in respect of the image and desirability of the proposed use of a section. The Trustees shall have the right to preclude the granting of such occupancy should they deem fit.

11. Eradication of Pests

An owner shall keep his section free of white ants, borer and other wood destroying insects and to this end shall permit the Trustees, and their duly authorised agents or employees, to enter upon his section from time to time for the purpose of inspecting the section and taking such action as may be reasonably necessary to eradicate any such pests. The costs of the inspection, eradicating any such pests as may be found within the section, replacement of any woodwork or other material forming part of such section, which may be damaged by any such pests, shall be borne by the owner of the section concerned.

12. Parking

Each industrial unit shall have a minimum of 3 (three) allocated parking bays and 1 (one) loading bay.

Each office unit shall have approximately 1 (one) parking bay per 40 square metres of building area.

The Developer shall have the right to allocate the exclusive use parking bays, which allocation shall be recorded on the parking layout plan.

Visitors parking bays shall be available for usage up to a maximum of 3 (three) hours for visitors to the Park only.

13. Fire Regulations

The owner of a section shall ensure that the applicable fire regulations have been complied with, with regard to any occupancy of a section. The owner of a section shall submit a certificate confirming the inspection and servicing of all fire equipment located within a section to the Trustees on an annual basis.

14. Landscaping

The owner or occupant of a section or their visitors shall not be permitted to remove or plant any trees or shrubs on the common property without the written permission of the Trustees.

15. Storage of Materials

No owner or occupier of a section shall utilise any part of the common property for the storage of any materials, whether or not such materials are required during the course of his business, without the written consent of the Trustees.

16. Conditions of Approval for Alterations and / or Renovations to any Section – Development Design Criteria

The conditions set out herein are in the interests of all who have invested in POINT BUSINESS PARK. It is the function of the Body Corporate to see that these conditions are adhered to.

16.1 The following broad definitions will apply:

- a) "Alterations" shall mean any work involving structural alterations or additions to a section or unit including the removal, creation or modification of a wall or any structural part of the building and shall include any alteration, modification or decorative work which affects the exterior appearance of a section or unit.
- b) "Renovations" shall mean any internal redecoration or refurbishment of the existing décor of an interior unit or section including the replacement, removal or creation of internal fittings.

The Trustees will be the sole and final judge as to whether the work proposed constitutes "Alterations" or "Renovations" as referred to herein.

16.2 An owner shall not make any alterations to his section, exclusive use area or the common property, which affects the appearance of the building in any way whatsoever without the written approval of the Trustees.

16.3 An owner shall not make any alterations to his section, exclusive use area or the common property, which are likely to impair the stability of the building or the amenity of other sections of the common property.

16.4 The procedure for obtaining approval is as follows:

16.4.1 **ALTERATIONS:** Where alterations, as defined above, are involved:

- a) This application with sketches (both plan and elevation drawings) of the proposed alterations must be submitted to the Body Corporate for agreement in principle to be obtained from the Board of Trustees, which consent shall not be unreasonably withheld. The costs of preparing such plans shall be borne by the owner of the section.
- b) Thereafter, it is the responsibility of the owner to then see that, if necessary, professionally prepared plans (which may not deviate from the sketches as mentioned in (a) above) are duly approved by the Local Authority.
- c) A copy of the plans as approved by the Local Authority must be submitted to the Trustees – alternatively the Trustees must be supplied with evidence satisfactory to them that such approval is not required.
- d) If the Trustees reasonably consider it necessary, they shall be entitled at the cost of the applicant to seek the advice of an architect (or other professional assistance) as to the acceptability of the proposals.

16.4.2 **RENOVATIONS:** Where only renovations as defined above are proposed, written application should be submitted to the Body Corporate during office hours.

16.5 Confirmation that the work may proceed will be conveyed to the applicant by the Trustees with whom a date for the commencement of the work shall be arranged.

The Trustees will supply information as to when access may be granted to workmen and regarding the maintenance of security within the building.

- 16.6 No work may be started until approval has been conveyed by the Trustees as above and the deposit mentioned below has been paid to them.
- 16.7 The owner accepts responsibility for any damage caused by him or his contractors to common property or to other units or other exclusive use areas in the building and indemnifies other owners against such damage. This includes damage to the movable contents of adjoining units, which can be attributed to the effects of the work being carried out.
- 16.8 Work will only be permitted on the terms stipulated by the Trustees.

The conditions that apply are:

- 16.8.1 Demolition work shall be completed within one working week (5 days) of commencement date, and the entire alteration shall be completed within 2 (two) calendar months. Should additional time be required, application to this effect shall be made to the Trustees for consideration.
- 16.8.2 No demolition, hammering, drilling, sawing or use of power tools or other disturbing noise producing activities may be carried out in such a manner as to cause a disturbance to other section owners.
- 16.9 Jackhammers may only be used during demolition work where no other method is possible. Only 1 (one) jackhammer may be used at any given time.
- 16.10 Proper supervision, particularly during the demolition stage, is essential. Furthermore, the owner or his representative must be available at all times during the alterations should it be necessary for the supervisor or a Trustee to make contact in the event of an emergency or any problem experienced. In the interest of all parties concerned, therefore, the owner shall provide the Trustees with a key for access to the section so that in the event of flooding for example, damage could possibly be minimised.
- 16.11 Any work necessitating a deviation of the building's electricity or water supplies requires detailed drawings to be submitted to the managing agents.
- 16.12 Body Corporate electricity i.e. common area plugs are not to get used except with the written permission of the Trustees, in which latter case a charge will be assessed for the electricity consumed for the account of the owner.
- 16.13 The owner indemnifies the Body Corporate in respect of any damage caused to its common property, either inside or outside the building and will pay the cost of repairing or restoring the damages caused during the course of carrying out any alterations or renovation to the section.
- 16.14 All air vents in the section must be sealed for the duration of the alterations or renovations so as to prevent dust entering other sections.
- 16.15 Rubble must be dumped at the place designated by the supervisor and be removed within 24 hours.

- 16.16 Contractors must clean up common property each afternoon before leaving the site. If this is not done, it is understood that the building's cleaners will do so at overtime rates, at the owner's expense.
- 16.17 Any construction and / or paintwork as seen from the outside must match up with the rest of the building.
- 16.18 All doors and windows being installed must conform in outward appearance with other doors and windows installed in similar positions elsewhere in the building.
- 16.19 A deposit of R8, 000.00 (Eight Thousand Rand) in the case of alterations and R2, 000.00 (Two Thousand Rand) in the case of renovations shall be paid before any work commences, from which the cost of rectifying any damage to common property (e.g. floor coverings, woodwork, paint work, plumbing, etc.) as also any other charges accruing against the owner arising out of paragraphs 16.12, 16.13 and 16.16 will be deducted.

The amount will be deposited in an interest bearing account with the interest for the owner's account. Cheques must be made out and sent to the managing agent.

- 16.20 Any and all charges, expenses and costs accruing against the owner arising from matters contained anywhere in the foregoing, are payable on demand and as stated in paragraph 16.19 will be deducted from the deposit.

However, should the amount of the deposit prove insufficient to meet the whole of such costs, then any deficiency must be paid on demand.

- 16.21 Any balance of the deposit remaining will be repaid to the owner after all charges have been deducted from the initial deposit and accrued interest.
- 16.22 It is the responsibility of the owner to ensure that their contractors and workmen comply herewith.
- 16.23 The Trustees shall ensure that the work undertaken conforms with that approved by them and that all contractors are abiding by all the aforementioned conditions.

17. Servitudes

The owner of a section is obliged to permit any person authorised in writing by the Trustees to enter his section or exclusive use area, to inspect or repair water pipes, electric cables or ducts which effect any other section or the common property; or to make sure that the section is not being used in contravention of the requirements of the Act or Rules; except in an emergency, notice must be given and access must be at a reasonable hour.

18. Precluded Usage

The following uses are precluded and no owner of a section shall allow a section to be utilised for such purposes: -

Panel beating, spray-painting, welding, mechanical repairs to vehicles, engines or heavy machinery.

No loud noise shall be permitted, including machinery and music.