



Strathearn Hill Estate Conduct Rules

January 2026



STRATHEARN
HILL

Index



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1. Introduction

- 1.1 STRATHEARN HILL ESTATE seeks to preserve a quality and secure lifestyle for all residents, and the rules laid out in this document are applicable to all residents to ensure a harmonious and safe environment for all.
- 1.2 The STRATHEARN HILL ESTATE CONDUCT RULES as well as the ARCHITECTURAL AND LANDSCAPE GUIDELINES, are written within the terms and conditions of the MEMORANDUM OF INCORPORATION of the STRATHEARN HILL ESTATE OWNERS ASSOCIATION, and it is the responsibility of every owner to ensure that he acts in accordance therewith. These rules are binding on all residents.
- 1.3 These ESTATE RULES have been established to protect and reinforce the lifestyle and the owner's capital investment.
- 1.4 Residents are encouraged to settle any disputes/annoyances/complaints between themselves, exercising restraint and good neighbourliness in an attempt to resolve the situation amicably. In the event that the matter cannot be resolved, the matter should be brought to the STRATHEARN HILL ESTATE OWNERS ASSOCIATION in writing , and any decision arising out of this action as well as the interpretation of the rules in this document, shall be final and binding on all parties.
- 1.5 The CONDUCT RULES contained herein shall be revised from time to time.
- 1.6 The CONDUCT RULES do not replace or define any of the conditions laid down in the MEMORANDUM OF INCORPORATION, the ARCHITECTURAL AND LANDSCAPE GUIDELINES, any MUNICIPAL or PROVINCIAL LAWS or BY-LAWS, and is a guide to current and prospective owners and residents and their families and employees, visitors, contractors, estate agents, business owners, or any other organisations or individuals who may at any time own or lease or develop land on STRATHEARN HILL ESTATE.

2. Definitions

- 2.1 AESTHETICS COMMITTEE : All buildings erected in SHE must be approved by the AAC, appointed by the developer, Staresimul (Pty) Ltd, or when Staresimul (Pty) Ltd ceases to be a Member, by the Company.
- 2.2 COMPANY : In terms of the Companies Act of 2008, Strathearn Hill Estate Owners Association (RF) NPC 2025/_____/08 is a registered non-profit company, and will take over all the responsibilities and functions of SHE as laid down in the MOI.
- 2.3 CONDUCT RULES : Rules for communal living, incorporating the architectural guidelines, municipal by-laws and the rules of the STRATHEARN HILL ESTATE Owner's Association.
- 2.4 DEVELOPER : The registered owner of the land who will erect residential or commercial accommodation on the land in accordance with local authority and SHE rules and guidelines, before transferring or taking occupation of such property to purchasers, private, business or any other entity such as sectional title.
- 2.5 AAC : Strathearn Hill Estate Architectural Aesthetics Committee.
- 2.6 ESTATE : Where mentioned, this will refer to STRATHEARN HILL ESTATE, Bloemfontein Ext Portion 2 of the Farm Strathearn 2154.
- 2.7 GUIDELINES FOR IMPOSING PENALTIES : A guideline determined by the COMPANY and the SHEOA, to deal with transgressions of any of the rules and conditions as laid down in all the documents accepted by all members on registration as an owner in the ESTATE. See Appendix A .
- 2.8 LEVIES : The Board of Directors may from time to time and according to the budget, determine levies to be paid by all MEMBERS for the maintenance and other costs as described in the MOI, para 5.2
- 2.9 MEMBER/S : Every owner of an erf (excluding the owners of streets, public and private open spaces).
- 2.10 MOI : Memorandum of Incorporation, registered in terms of the Companies Act, 2008.
- 2.11 OFFICERS : The Board of Directors may appoint any OFFICERS it considers necessary to achieve the objectives of the COMPANY as set down in all the manuals and guidelines.
- 2.12 OWNER : The owner of an erf or sectional title unit, as registered by the Deeds Office, and which may be an individual owner, a body corporate , a trust, or any other registered entity.

- 2.13 PENALTIES : Penalties will be determined by SHEOA from time to time.
See Appendix A.
- 2.14 PR : Participation Ratio. Please refer to the MOI, Definitions 1.11.
- 2.15 RESIDENTS : Owners, tenants, family members, friends and visitors who may be on the Estate permanently or temporarily.
- 2.16 SHE : STRATHEARN HILL ESTATE
- 2.17 SHEOA : STRATHEARN HILL ESTATE Owners Association.
- 2.18 ARCHITECTURAL AND LANDSCAPE GUIDELINES : Rules for erecting any structure on any of the erven on STRATHEARN HILL ESTATE, and for developing any garden or open area within SHE.
- 2.19 VOTING RIGHTS : Prescribed in the MOI.
- 2.20 Before commencing building operations, both the owner and the contractor must sign and submit this document to the official appointed by STRATHEARN HILL ESTATE.

3. Strathearn Hill Estate Owners Association

- 3.1 STRATHEARN HILL ESTATE OWNERS ASSOCIATION is a registered Non-Profit company, in terms of the Companies Act, 2008. All information contained in this manual is fully described in the MOI and the ARCHITECTURAL AND LANDSCAPE GUIDELINES.
- 3.2 BOARD OF DIRECTORS : Four (4) Permanent Directors whom will serve for a term of three (3) years, two of whom will be elected and two of whom will be appointed by Stauresimul (Pty) Ltd (the Developer)
- 3.3 MEMBERSHIP : All OWNERS of ERVEN shall be a MEMBER of the SHEOA upon registration of the erf into his/her name, and shall remain a MEMBER and be required to pay the LEVY until he/she or any entity ceases to own that ERF. Any ERF developed as SECTIONAL TITLE shall remain the OWNER'S responsibility in all respects until the SECTIONAL TITLE SCHEME has been registered, and from which registration date, MEMBERSHIP vests in the BODY CORPORATE which will be required to pay a levy determined according to the number of units registered to the scheme. In the case of more than one MEMBER of any erf/property, the same rule applies as will apply to a SECTIONAL TITLE SCHEME.
- 3.4 MEMBERSHIP PRIOR TO PURCHASE : An application to join SHEOA must be signed before registration of any property at the Deeds Office, is conditional upon the registration, and dates from the date of such registration with acceptance of all the terms and conditions as set out in the ESTATE CONDUCT RULES, the ARCHITECTURAL AND LANDSCAPE ARCHITECTURAL GUIDELINES, read in conjunction with the MOI, all of which are compulsory and non-negotiable as a MEMBER of the SHEOA. A MEMBER may not transfer/occupy his/her property without a CLEARANCE CERTIFICATE issued by the SHEOA management office stating that all financial obligations towards SHEOA have been met, a building AESTHETIC CERTIFICATE issued by AAC stating that the building(s) correspond with approved plans and an OCCUPATION CERTIFICATE issued by Mangaung Metropolitan Municipality stating that all required services have been installed according to municipal standards. Non-compliance with this clause will attract a fine of R500.00 / day should alternative arrangements not be made with the SHE Official .
- 3.5 THE DEVELOPER shall be the MEMBER until such time as the erf is transferred to another party, when his membership will cease.
- 3.6 The current OWNER must ensure that, when letting or selling his property, he/she informs the contractors, estate agents, employees, tenants and/or the new owner about the STRATHEARN HILL ESTATE OWNERS ASSOCIATION, the ESTATE CONDUCT RULES, and the ARCHITECTURAL AND LANDSCAPE GUIDELINES.
- 3.7 Similarly , new OWNERS, prospective buyers, estate agents and tenants are equally liable and responsible to obtain and inform all parties concerned of the contents of this document and all applicable rules.

- 3.8 MEMBERS may not let, sell or temporarily give residence on his ERF to anyone for any reason whatsoever unless the proposed occupier has agreed to be bound by all the provisions of these rules. It will remain the responsibility of the registered owner of the ERF, who is also a MEMBER of the SHE, to ensure compliance with all the rules as set out in this document and any other document as may be circulated from time to time by SHE.
- 3.9 All MEMBERS shall comply with these rules, or any other rules as made or promulgated by SHE at any time, or any agreement concluded by SHE or the DEVELOPER insofar as such agreement may directly or indirectly impose rights or obligations on a MEMBER. All MEMBERS shall also comply with the ARCHITECTURAL AND LANDSCAPE ARCHITECTURAL GUIDELINES and the provisions thereof as incorporated into this agreement.
- 3.10 All MEMBERS are responsible for their own actions as well as that of their family, friends, visitors, tenants, contractors or any person or animal that they bring onto SHE.
- 3.11 The rights and obligations of MEMBERS are not transferrable and MEMBERS must observe all directives made and given pursuant to the provisions of these rules, and be answerable for infringements of such rules.
- 3.12 LEVIES are compulsory and are payable from the date of registration. Payment must be made as soon as monthly invoices have been received up to the first day of the following month whereafter interest will become applicable. MEMBERS are jointly responsible with the other MEMBERS for expenditure incurred in the running of SHE.
- 3.13 ENFORCEMENT OF RULES : The rules are there to ensure a harmonious atmosphere and to protect all residents, their families and their property. Should any owner, developer, entity, be in breach of the ARCHITECTURAL AND LANDSCAPE GUIDELINES, ENVIRONMENTAL MANAGEMENT PLAN, or the ESTATE CONDUCT RULES, the SHEOA reserves the right to resort to means to enforce those rules. Such means will be:
- 13.3.1 Notice of the infringement, with details thereof and the fine to be imposed as well as a notice period to remedy the infringement;
- 13.3.2 After the notice period, the fine, and a further period in which to remedy the infringement;
- 13.3.3 If 3.13.1 and 3.13.2 do not remedy the matter, and the fine is not paid, the SHEOA reserves the right to resort to litigation, and the owner, developer, entity in breach of the rules consents to the jurisdiction of the Magistrate's Court when they sign acceptance of these rules and become a member of the SHEOA.

- 3.13.4 A list of the penalties to be imposed are outlined in Appendix A.
- 3.14 STRATHEARN HILL ESTATE undertakes to comply with all the terms and conditions imposed by the Local and Provincial Authorities in establishing the township comprising SHE, and shall be solely responsible for any non-compliance with such conditions.

4. Building on and Adhering to the Architectural Guidelines of SHE

- 4.1 The Strathearn Hill Architectural Aesthetics Committee (AAC) has been constituted to interpret, guide, and approve all plans for any building or alteration of any building on SHE, and they are empowered to stop building operations at any point if the ARCHITECTURAL AND LANDSCAPE GUIDELINES are not adhered to.
- 4.2 Owners are responsible to arrange with the administrative offices of SHE to collect all relevant documentation which will facilitate their architect/s to abide by all the ARCHITECTURAL AND LANDSCAPE GUIDELINES for SHE.
- 4.3 Over and above the normal Municipal approvals obtained for building or altering any construction within Mangaung Metro, plans must also be approved by AAC to ensure that all buildings adhere to the prescribed guidelines for the protection of all owners on SHE.
- 4.4 AAC requires the same detail as provided to the Local Authority for approval, but engineer drawings are not required for design and architectural approval by AAC.
- 4.5 Only plans drawn by registered architectural practitioners will be accepted See 2.2 in Section A of the ARCHITECTURAL AND LANDSCAPE GUIDELINES. Proof of SACAP registration may be requested by AAC .
- 4.6 The process of obtaining approval is as follows:
- 4.6.1 Before submission of building design concept and drawings to AAC , all outstanding levies and fines must be paid, as well as the Building Deposit and plan submission fees where the latter will be adjusted from time to time.
- 4.6.2 The owner and the architect must ensure that they obtain the latest version of both the ARCHITECTURAL and LANDSCAPE GUIDELINES before finalising submissions for approval of their building design.

- 4.6.3 Detailed plans and conceptual designs, as well as the garden/landscaping layout, together with proof of payment of all the fees, levies and fines detailed above, may be submitted to AAC in order to approve the submission as a whole before submission to the Local Authority for approval. Should the requirements of the Local Authority's building regulations conflict with that of AAC's guidelines, the Local Authority's requirements in terms of building regulations will take precedence.
- 4.7 Before commencing building operations both the owner and the contractor must arrange for a site meeting with the official appointed by SHE to control building operations on the Estate, during which time the required documentation will be provided as well as formalising any other issues as listed below:
- 4.7.1 Indigenous trees that must be retained, or plans discussed to move certain trees.
- 4.7.2 Building rules to avoid abuse or damage to adjacent or common property during construction.
- 4.7.3 Rubble, placement of building material, and other relevant activities on site.
- 4.7.4 Facilities for workers, control of fires on site.
- 4.7.5 NHBRC registration of the builder to be provided, as well as owner's proof of enrolment with NHBRC.
- 4.7.6 Erf pegs and erf boundaries: Confirmation by owner appointed surveyor.
- 4.7.7 Owner/Builder/Contractor: Must apply at council for entrance to the site prior to building/ construction commences, for prevention of damaging curb stones.
- 4.7.8 Owner/Builder/Contractor: Sign and site Boards to be standardized - Specifications to be obtained from Estate Manager.
- 4.8 After building commences the onus lie on owners to ensure that the following inspections and checks are carried out by the relevant professionals or the Local Authority:
- 4.8.1 Water & electricity: Proof of connection for supply thereof, as applicable to both owner and contractor.
- 4.8.2 Foundations: To be checked by the Mangaung Local Authority's building inspector.
- 4.8.3 Neatness of the site: Ensure that papers, packets, or other refuse is contained neatly on site. Any rubble or soil that is not going to be used on site must be removed and the site tidied up at least every fortnight. The ruling of the SHE official is final and binding in matters pertaining to the safety and neatness of the site and owners must ensure that contractors abide by his decisions.
- 4.8.4 Pavements/sidewalks : Must be maintained by the OWNERS and be free of obstruction at all times for pedestrians. Permits for the use of pavements/sidewalks for delivery or storage of building materials must be obtained from Mangaung Metropolitan Municipality which may be requested by the SHE official. Landscaping this area must be strictly in accordance with the prescribed Landscape Master Plan.

- 4.8.5 Screening: After building commences, should there be no boundary wall the site must be screened by a temporary fence at least 1.8m in height from ground level, on all boundaries with the exception of one area facing the street for deliveries. Should the open area present a risk to other properties or persons on the estate, it is within the discretion of the official appointed by SHE to issue a notice to close that area as well, with a reasonable time within which to do so. The SHE official may also give permission to remove the screen when building has progressed to the point where safety and neatness is no longer a problem.
- 4.8.6 Penalties: See penalty list for failing to screen or manage the site by keeping it clean and safe.
- 4.8.7 The SHE official is empowered to regulate the activities of builders and contractors on SHE, and the required documentation and deposits must be paid before builders and contractors are allowed on site.
- 4.8.8 The SHE official is also empowered to order any builder or contractor off site if they fail to adhere to the security and other rules of STRATHEARN HILL ESTATE.
- 4.9 Aesthetic Certificates: AAC will issue one certificate on completion of the building process and another on completion of the landscaping where the latter must be requested from SHEOA within 12 months of occupation . The issuance of an aesthetic certificate is to the sole discretion of AAC.
- 4.10 Terrain deposit: Deposits are payable at registration of a property and may be used for any damage caused by any builder or contractor and/or his employees will be repaired, whereafter the balance will be refunded to the owner. Such deposit will additionally be used to keep vacant erven neat if the registered owner fails to do so in order to enhance the overall aesthetics of the Estate. Refund of this deposit or any portion, or the fact that he has paid a deposit which may not cover all the damages, thereof does not absolve the owner from responsibility for the damages caused by any builder or contractor coming into STRATHEARN HILL ESTATE in the process of any building or repair of anything on site, which will include, but is not limited to household equipment, swimming pools and pumps, irrigation, civil and electrical infrastructure, vehicles and towing of vehicles.
- 4.11 Damages at any time by any contractor to any portion of the infrastructure, irrigation, urban architecture and landscape on the pavements or adjacent properties, and it is within the sole discretion of the SHE official to determine the balance of the deposit repayable to the owner, taking all factors of the building process into consideration.
- 4.12 An owner must commence with building within 24 (twenty four) months from date upon which the property has been registered in the name of the owner. After building has commenced, a period of eighteen (18) months will be granted for the completion of buildings on full title residential properties, and twenty four (24) months per 12 units + 1 month per unit thereafter on sectional title residential properties unless an alternative arrangement has been negotiated with the SHE official prior to the lapse of time.

5. Conduct Rules

These rules do not infringe upon, or replace, or interpret any of the Municipal bylaws, but should be read in conjunction with all the bylaws of the Mangaung Metro Municipality which will still apply to all residents, employees, Body Corporates, contractors or any other person, entity, or animal who may be on STRATHEARN HILL ESTATE for any purpose whatsoever.

5.1 Safety

- 5.1.1 Vehicles: ALL vehicles (this includes bicycles and any petrol/diesel/hybrid vehicle of any size, either belonging to residents or rendering a service to residents) MUST use the roads/streets and do so with due caution for all residents, their children, cyclists or runners on the roads. Riding on the sidewalk or on any public or private open spaces is prohibited.
- 5.1.2 All provisions of the Road Traffic Act of 1996 (or any other traffic legislation) apply, as well as any Municipal bylaws or Free State Traffic Ordinances.
- 5.1.3 Weapons: Weapons of any sort, including but not restricted to firearms, air rifles, crossbow, may not be discharged within the ESTATE, excluding in exceptional circumstances in legitimate defence of any resident and his family/neighbours.
- 5.1.4 Fireworks: Igniting fireworks either on private or public spaces, is strictly prohibited.

5.2 Security

- 5.2.1 All RESIDENTS, their families, tenants, visitors, friends, employees, and contractors must adhere strictly to the SHEOA security procedures, details of which can be obtained from the SHEOA office. Procedures will be revised from time to time.
- 5.2.2 The ESTATE is monitored by security cameras, and all RESIDENTS are responsible for ensuring that their visitors, contractors and employees adhere strictly to the rules.

5.3. Be a Good Neighbour

5.3.1 Noise

- 5.3.1.1 Music volume must be kept at a level that does not annoy your neighbours. This includes car radios, radios, musical instruments of any kind, sound systems, TV's, singing.
- 5.3.1.2 Power tools, including lawn mowers, should only be used during the same times allowed for building operations, which times will be available from the SHEOA, and may be revised from time to time.

- 5.3.1.3 Hobbies/sports/clubs/cultural activities: Any activity of any sort which causes aggravation or nuisance to fellow RESIDENTS may NOT be conducted.
- 5.3.1.4 Permission must be obtained from the SHEOA to advertise, exhibit or distribute material in the ESTATE, including door to door sales, advertising, membership drives.
- 5.4 **Aesthetics**
- 5.4.1 Washing may not be hung on lines that are not screened from the street.
- 5.4.2 Windows may be open or covered by curtains, blinds or other proper interior décor covering.
- 5.4.3 Broken windows/doors/gates/walls/security fencing must be repaired immediately.
- 5.4.4 Roofs, gutters, walls should be maintained in good order.
- 5.4.5 Outside lights/decorations: Permission must be obtained from SHEOA for any special event decoration of your property.
- 5.5 **Environmental Management**
- 5.5.1 Rubble and refuse: Refuse may only be put out on collection mornings. Garden refuse remains the responsibility of the resident to dispose of. Dumping of any garden refuse, rubble or household waste on any private or public open space, parkland or street is strictly prohibited.
- 5.5.2 Refuse containers : Containers may only be placed on the sidewalk for removal on collection day and must be removed within 12 hours thereafter.
- 5.5.3 Recycling: Containers for recycling projects will be strategically placed on SHE and residents are requested to sort and place their recyclable waste in these marked containers.
- 5.5.4 Caravans, trailers, boats, tools, vehicle parts and engines as well as dog boxes and other structures not falling within the ARCHITECTURAL GUIDELINES : These items must be screened and not visible to the street or any neighbouring properties.
- 5.5.5 Freestanding Wendy houses or tool sheds : Not permitted.
- 5.5.6 Parking in the street: Vehicles, boats, trailers and caravans may not stand in the street for periods longer than 24 hours.
- 5.5.7 Residents: are responsible for maintaining trees, plants and shrubs planted on their pavements. Plants anywhere on STRATHEARN HILL ESTATE may not be removed without permission from Estate Management.
- 5.5.8 Open communal spaces: Residents are encouraged to use and appreciate the natural open spaces, and to preserve the clean environment for all residents to enjoy. Picnicking on open spaces is allowed at own risk but fires may only be lit on dedicated braai areas.

- 5.5.9 Flora and fauna: Plants, trees may not be pruned or removed from any open areas. Animals may not be trapped or interfered with in any way whatsoever.
- 5.5.10 Swimming pools: Water from swimming pools may not be channelled into the street or onto any open land. It must be channelled into the sewer system.
- 5.5.11 Estate Agents : Only two “For Sale” sign may be erected on an erf from two different agents within the boundaries of such premises only. Signs directing the public to any properties that are for sale or to rent are not permitted. “On Show” boards may only be erected from Fridays at 17:00 to Mondays at 08:00. A single “Sold” sign may be displayed flush against the fence or wall of the property for a maximum period of two weeks.
- 5.5.12 Vacant erven : OWNERS are responsible for clearing the erf regularly. Management reserves the right to have the land cleared at the OWNER’S expense should this be necessary.
- 5.6 **Pets and Other Animals or Birds**
- 5.6.1 LOCAL AUTHORITY bylaws relating to pets will be strictly enforced.
- 5.6.2 Sectional Title Schemes : When registering their conduct rules, should take note of the SHE rules regarding pets.
- 5.6.3 Free title OWNERS: No person may keep more than two (2) dogs and two (2) cats on the property without written consent from the SHEOA, which consent will not be unreasonably withheld depending on each individual application.
- 5.6.4 Poultry, pigeons, aviaries, apiaries, wild animals or livestock: Not allowed.
- 5.6.5 Reptiles: Only non-venomous reptiles are allowed and must be kept in an enclosure. Venomous reptiles are not allowed.
- 5.6.6 Public areas : Pets are not allowed to roam the streets or any public area. Pets have to be walked on a leash in all public areas.
- 5.6.7 Pet deposits: Pet owners have to remove all pet deposits immediately from all public areas.
- 5.6.8 Stray and nuisance pets : Will be handed to the local SPCA. Owners are encouraged to tag their pets in the event of the pet being lost on SHE.
- 5.6.9 Municipal bylaws apply, which includes the keeping of ferocious animals in the habit of injuring or chasing other animals, or the wild animals on the estate, or anyone living or working or walking on the Estate, and removal of such animals will be automatic.

5.7 Cultural rituals and or slaughtering

- 5.7.1** No animal, bird or reptile may be slaughtered on the Estate unless prior consent is obtained from the BOARD OF DIRECTORS. Application must be made in writing at least 5 (five) days prior to the proposed slaughtering and the following must be adhered to:
- 5.7.1.1** Reasonable notice of the proposed slaughter must be given;
 - 5.7.1.2** All adjacent Residents must be informed in writing of the date and time of the proposed slaughtering and copies of the notices must be attached to the application;
 - 5.7.1.3** A notice from the local authority must accompany the application, confirming that all by-laws regarding the ritual of cultural slaughter have been/will be complied with;
 - 5.7.1.4** A certificate from the SPCA must accompany the application, confirming that an official from the SPCA will be present at the proposed event to ensure that the animal will not suffer during slaughter
 - 5.7.1.5** The slaughtering and removal of the carcass must be done discreetly and out of view of neighbours and the public within 24 (twenty four) hours after the slaughtering;
 - 5.7.1.6** The BOARD OF DIRECTORS may impose such further restrictions and/or conditions as he may deem fit.

5.8 Staff and Employees

Residents are responsible to ensure that any staff or employee in the service of the resident complies with the rules of the estate. Although staff or employees are allowed to sleep over no visitors of any staff or employees are allowed to sleep over.

5.9 Fire

Residents shall at all times adhere to any directive that the SHEOA may issue regarding fire and the management of the risk of fire.

5.10 Formal and Informal Trading

- 5.10.1** Formal trading : Trading/marketing/advertising/sales and services of any sort may not be conducted from any private residence on SHE. Businesses promoting property within SHE may be permitted after written consent from the SHEOA Board of Directors has been obtained, and will be reviewed every 12 months.
- 5.10.2** Informal trading: It will not be permitted for any resident or owner or outside person to trade on any open space/pavement/sidewalk, or at the entrance to SHE.
- 5.10.3** Morning markets : Permission for community projects such as morning markets may be granted with conditions specific to that particular activity or function. However, an influx of traders from outside is not permitted.
- 5.10.4** MUNICIPAL BYLAWS governing all commercial activity in SHE as well as in the designated commercial areas within the ESTATE, will apply.

5.11 Work from Home- and Home-Based Activities

- 5.11.1** SHE is a private residential estate, and no property may be used in a manner that changes its primary residential character. Work-from-home is permitted only to the extent that it remains ancillary to residential use and does not affect neighbours, security, or the community.
- 5.11.2** Work-from-home activities are permitted only where they remain ancillary to the residential use of the property and do not generate noise, nuisance, increased traffic, or security risks.
- 5.11.3** No manufacturing, trading, storage, or sale of goods; no signage; and no client, customer, or employee visits are allowed without the prior written approval of the SHEOA.
- 5.11.4** Any activity that changes the residential character of the property, including but not limited to salons, workshops, tutoring centres or gyms, are prohibited unless expressly authorised by the SHEOA, which may impose conditions or withdraw approval at any time.
- 5.11.5** Any contravention of these rules shall render the resident liable to penalties imposed by the SHEOA, which may include written warnings, fines, the withdrawal of any approval previously granted, and, where necessary, the initiation of legal proceedings.
- 5.11.6** Operating a home-based business without the requisite prior written approval of the SHEOA shall constitute a formal trading violation and will attract escalating fines or any imposed sanctions.

5.12 Enforcement

The GUIDELINES FOR IMPOSING PENALTIES, is a separate document which forms part of the ESTATE CONDUCT RULES, and which is binding on all MEMBERS. See Appendix A.

5.13 Amendment of Rules

- 5.13.1** SHEOA may need to amend these rules from time to time to meet the requirements of the management of STRATHEARN HILL ESTATE.
- 5.13.2** These rules are therefore subject to change from time to time and the SHEOA, in conjunction with the owner's participation, where applicable, are entitled to amend, add or repeal the rules as deemed necessary, in order to protect the interests of the developer, the SHEOA, the common interests of the owners and the integrity of STRATHEARN HILL ESTATE as a whole.
- 5.13.3** Any amendments or additions must be approved by SHEOA Directors and must comply with the MOI.

6. Code of Conduct when Building

(refer to Record of Decision for Environmental management obligations and procedures:
Obtainable from the SHE Manager upon request)

- 6.1 Only one entrance from the street to any given property will be permitted. Entrance approval from Mangaung Metropolitan Municipality may be requested from the Estate Manager if upstand curbs have been removed. No alternate entry to a site via the street or common adjacent property will be allowed. The Owner will be held responsible for the repair of damaged municipal, private and/or estate infrastructure and/or services during construction prior to the issuing of an Aesthetic Certificate. Completed entrances must be constructed according to the Mangaung Metropolitan Municipality specifications with regards to wheelchair ramps and curb stones. Design specifications for said repairs will be made available from the SHEOA office. Non-compliance with this clause will attract a fine of R500.00/Day.
- 6.2 Storage of building materials on adjacent property will not be permitted unless prior written consent by the relevant owner and SHEOA has been obtained.
- 6.3 Building sites must be kept clean and tidy at all times. The estate manager may request a site and/or street to be cleaned at his/her sole discretion.
- 6.4 The Owner is responsible for the Contractor's Employee Register containing key on-site personnel and handed in at the STRATHEARN HILL ESTATE management Office:
 - 6.4.1 Copies of employee ID documents must be attached to the register. Also see Security Procedures.
 - 6.4.2 Random inspections will be carried out by SAPS and Estate Security. Any employee not listed in the Contractors Register will be asked to leave the site immediately. Also see Security Procedures.
 - 6.4.3 The Owner will be issued with a warning after such an incident. Also see Security Procedures.
 - 6.4.4 After a verbal and written warning regarding the above mentioned offence have been issued to the owner, a fine of R500 per illegal employee will be invoiced to the owner. Also see Security Procedures.
- 6.5 Any illegal Immigrants employed by an owner and/or contractor will be reported and handed over to the South African Police Service (SAPS). Also see Security Procedures.
- 6.6 Only one employee will be allowed on site as watchmen/guard after hours. Construction will only be allowed during the following times:
 - 6.6.1 From 06:30 until 17:30 on weekdays;
 - 6.6.2 From 07:00 until 14:00 on Saturdays;

- 6.6.3 No construction will be allowed on Sundays and/or Public Holidays and/or the December Holiday period (15th December to 8th January). Any unauthorised persons found on the site will be asked to leave the site immediately. Written permission to work outside the above-mentioned times may be requested from the SHEOA Board of Directors in extreme circumstances.
- 6.6.3.1 First Offence: An incident report form will be submitted to the owner as a final warning.
- 6.6.3.2 Second Offence: A fine of R500.00 per person/employee found on site.
- 6.6.3.3 Third Offence : A fine of R1000.00 per person / employee found on site.
- 6.7 Any Employee of the Owner, Main Contractor or any Sub-contractor that makes them guilty to any one of the following offences listed below, will be acted against and the owner/contractor will be asked to remove or replace such an employee. In cases where necessary the case will be reported to the SAPS:
- 6.7.1 Acts of violence, theft of any nature, intimidation or offensive behaviour against fellow employees, staff of SHE or the assigned Security Company, owners and employees of other contractors.
- 6.7.2 Any other form of criminal act.
- 6.7.3 Not complying with the rules of STRATHEARN HILL ESTATE as set out in this and other documents available on the website or handed in person to the Owner/ Contractor.
- 6.7.4 Under the influence of liquor or drugs.
- 6.7.5 Possession of drugs.
- 6.7.6 In the possession of any dangerous weapons.
- 6.7.7 Any act that endangers the safety and well-being of any other person.
- 6.8 By signing this document the Owner acknowledges that he/she has read, understand and adhere to the Estate Conduct Rules.
- 6.9 These rules can be added on or modified from time to time.

7. Disclaimer

Neither the SHEOA, its directors, officers, employees or contractors, nor their respective agents, shall be liable for any loss of life, personal injury or damage to property suffered by any person whilst in or on the Estate or any part thereof, and from whatsoever cause arising.

Signed at: _____ on this day of _____ 20 _____

SELLER

PURCHASER

1. Conduct Rules Breach Overview

1.1 Introduction To Penalty Procedures

Residents of STRATHEARN HILL ESTATE are assured that the Estate Conduct Rules will be applied fairly and effectively to ensure a quality and secure lifestyle for all. The Estate Conduct Rules as well as the GUIDELINES FOR IMPOSING FINES, will be revised from time to time as they form only a loose interpretation of the contents and intent of the MOI which should be read in its entirety in support of the rules and any action taken to enforce them.

1.2 Disciplinary Procedure

- 1.2.1 The STRATHEARN HILL ESTATE Manager, in consultation with the STRATHEARN HILL ESTATE Security/Estate Manager (if any) and the Board of Directors, is responsible for ensuring that the STRATHEARN HILL ESTATE Conduct Rules are fairly and effectively applied in the Estate.
- 1.2.2 The MOI as well as the Estate Conduct Rules are available to all owners who are responsible to ensure that they are adhered to. The owners are ultimately responsible for the behaviour of every resident, visitor, animal, employee, or contractor on their property or who may travel to and from their property for any reason whatsoever.
- 1.2.3 Serious transgressions of the rules will only attract a fine, whilst less serious transgressions will follow a process of written warnings.
- 1.2.4 Further legal proceedings will not be hampered by the imposition of fines or the process of consultation and written warnings.
- 1.2.5 Fines are immediately payable, with the levies, and are subject to interest and legal collection, all fees being for the owner's account.
- 1.2.6 Appeals must be submitted in writing within 7 days, and delivered to the office of the Strathearn Hill Estate Manager. Proof of delivery must be obtained.
- 1.2.7 Full details of the offence, the erf number as well as the member's complete contact details, as well as grounds for the appeal (with any supporting documents) must be provided with each appeal.
- 1.2.8 The Fines Committee (STRATHEARN HILL ESTATE Manager and duly appointed representative/s of the Directors) may request further information and may also, within their sole discretion, hear verbal evidence from any party that they wish to call upon.

- 1.2.9 All decisions of the Fines Committee is final and binding on all parties.
- 1.3 **Fines and Disciplinary Procedures**
 - 1.3.1 The list of fines and disciplinary procedures that follow are guidelines, and do not form a comprehensive list of all the rules and procedures that will be implemented to ensure the quality lifestyle that members of Strathearn Hill Estate are offered.
 - 1.3.2 Fines will be adjusted from time to time, and owners/residents are reminded that once the process for issuing fines has been completed, they are binding and payable.

2. Infringement Penalties

- 2.1 Infringement of the rules and action to be taken, REFERENCED TO CONDUCT RULES:
 - 2.1.1 First incident
 - 2.1.2 Second incident/continued failure to comply with a written request to obey a rule
 - 2.1.3 Third/further incident/s or further continued failure to comply with a request to obey a rule
- 2.2 Building on and adhering to architectural guidelines:
 - 2.2.1 AAC. Refusal to interpret or adhere to the guidelines of AAC. Immediate cessation of all building operations R1,000 per day Litigation.
 - 2.2.2 Failure to collect the relevant documentation from the administration offices of SHE which contains all the relevant information as well as contact numbers for approval of plans, adherence to rules. Approval will not be granted for non-complying plans.
 - 2.2.3 Failure to get Municipal and AAC approval to build, remodel or add to existing buildings. Immediate cessation of all building operations and R1,000 per day until approval in place.
 - 2.2.4 Failure to provide the detail required by AAC for approval of plans. Approval will not be granted.
 - 2.2.5 Failure to provide plans drawn by registered professionals. Approval not granted.
 - 2.2.6 Failure to adhere to pre-submission requirements. Plans will not be considered.
 - 2.2.7 Failure to adhere to architectural guidelines. Approval will not be granted for non-complying plans.
 - 2.2.8 Failure to provide detailed plans and conceptual designs, as well as landscaping layout, together with proof of payment of all fees, levies and fines. Warning R1,000 R2,000.

- 2.2.9 Failure to meet with SHE official prior to building. Warning R1,000 R2,000.
- 2.2.9.1 Removal of indigenous trees without written consent of SHE. R10,000 per tree.
- 2.2.9.2 Failure to adhere to arrangements and/or damage to adjacent and common property. Warning and damages to owners account.
- 2.2.9.3 Placing of rubble and building material on common or adjacent property without approval. Warning and damages to owners account.
- 2.2.9.4 Lack of facilities for workers and control of fires. Warning R1,000 per day if building continues.
- 2.2.9.5 Failure to provide builders and project's proof of NHBRC registrations. Warning R1,000 per day if building continues. Immediate cessation of all building operations.
- 2.2.9.6 Failure to have pegs / erf boundaries checked by owner appointed surveyor before initiating any building process. Warning R1,000 per day if building continues Immediate cessation of all building operations.
- 2.2.9.7 Failure to arrange entrance with municipality. Warning R1,000 per day of building continues Immediate cessation of all building operations.
- 2.2.9.8 Failure to standardise and obtain approval for construction board. Warning R1,000 per day if building continues. Immediate cessation of all building operations.
- 2.2.9.9 After building commences:
- 2.2.9.9.1 Using water utilities from other sources on SHE. R1000 per day and any costs Litigation
- 2.2.9.9.2 Neatness of the site : refuse, papers, rubble removed. Warning R1,000 per day.
- 2.2.9.9.3 Failure to preserve and maintain sidewalks. Warning R1,000 per day.
- 2.2.9.9.4 Screening not erected. Warning R1,000 per day.
- 2.2.9.9.5 Failure to manage site as agreed with the SHE official and as set out in these rules. Immediate cessation of all building operations R10,000 per day should they continue.
- 2.2.9.9.6 Failure to adhere to the SHE Official ruling Warning R1000 per day.
- 2.2.10 Aesthetics Certificate will be issued on completion of the building process. Non-complying changes made after the certificate is issued without further application to do so. R1000 per day.
- 2.2.11 Terrain deposit : Failure to pay requested deposit. Warning + R2,000 Interest.
- 2.2.12 Damages: Failure to pay damages caused during construction. Report to local authority. Litigation.
- 2.2.13 Failure to complete building in time: Warning R500 per day Litigation. Infringement of the rules and action to be taken, REFERENCED TO CONDUCT RULES.
- 2.2.13.1 First incident
- 2.2.13.2 Second incident/continued failure to comply with a request to obey a rule Third/ further incident/s or further continued failure to comply with a request to obey a rule.

2.3 Safety

- 2.3.1 Vehicles of any description : Member reckless and dangerous driving, driving on the sidewalks or on any public or private open space. R500.
- 2.3.2 Weapons : Member discharging weapons of any sort. R2,000.
- 2.3.3 Member igniting fireworks on private or public open spaces. R500.

2.4 Security

- 2.4.1 Any owner, resident, employee or contractor, or their employees suspected of breaching the property or personal security of any other resident or property or business owner on the Estate by any means whatsoever, including threats, intimidation, burglary, theft or personal injury. SAPS to investigate SAPS to investigate SAPS to investigate.

2.5 Neighbourliness – Rules for Communal Living

- 2.5.1 Noise : ANY noise as described in par 5.3.1.1 of the Estate Conduct Rules. Warning. Second warning / R500. R500 per incident.
- 2.5.2 Recreational activities: ANY noise as described in par 5.3.1.2 of the Estate Conduct Rules. Warning. Second Warning/R500 per incident.
- 2.5.3 Cultural activities : Any activity/hobby that causes nuisance to other residents. Warning Second warning / R500. R500 per incident.
- 2.5.4 Marketing/advertising of any sort : Failure to comply with par 5.3.1.4 Warning. Second warning / R500. R500 per incident.

2.6 Aesthetics

- 2.6.1 Washing : Must be screened from street and all neighbouring properties. Warning. Second warning / R250 per incident.
- 2.6.2 Windows : No proper window covering. Warning. Second warning / R250 per incident.
- 2.6.3 Broken windows/doors/gates/walls/security fencing : Unsightly and not maintained. Warning. Second warning Urgent maintenance done for owner's account.
- 2.6.4 Roofs/gutters/walls : Unsightly and not maintained. Warning. Second warning Urgent maintenance done for owner's account.
- 2.6.5 Outside lights/decorations : In contravention of Architectural Guidelines and/ or without permission from SHE. Warning. Second warning Removal for owner's account.

2.7 Environmental Management

- 2.7.1** Refuse/rubble/garden refuse dumping : Any garden or domestic refuse dumping. Warning Second warning Removal for owner's account.
- 2.7.2** Refuse containers : Put out other than refuse collection days. Warning Second warning Removal for owner's account.
- 2.7.3** Recycling : Use of designated containers for recycling. Request/information Request/information. Warning.
- 2.7.4** Screening from public view : Par 5.5.4. of the Estate Conduct Rules. Warning Second warning R250 per day.
- 2.7.5** Free standing Wendy houses/ tool sheds: Not permitted. Warning. Second warning / R250 per day.
- 2.7.6** Street parking : Restricted as described in par 5.5.6 of the Estate Conduct Rules. Warning Second warning / R250 per day.
- 2.7.7** Trees/plants on pavements : Owners failing to maintain. Warning Second warning / R250 per day.
- 2.7.8** Open communal spaces : Lighting of fires/littering. R2000 + damages R3000 + damages R5000 + damages.
- 2.7.9** Flora & Fauna : Pruning, removing, damaging plants or trees/trapping, interfering in any way with animals. R2000 + damages R3000 + damages R5000 + damages.
- 2.7.10** Swimming pools/ponds : Channelling water other than in the sewer system. Warning / R500 R1000.
- 2.7.11** Estate Agents : Municipal by-laws – only one for sale sign on an erf. Warning Removal / destroyed.
- 2.7.12** Vacant erven : Failure to clear erf regularly / fire hazard. Warning Cleaning for owner's account.

2.8 Pets and Other Animals or Birds

- 2.8.1** Local authority by-laws regarding pets : Contraventions Report to local authority.
- 2.8.2** Sectional Title Schemes : Failure to adhere to SHE pet rules. Warning / R250 R500 per incident.
- 2.8.3** Free Title Owners : Failure to adhere to SHE pet rules. Warning / R250 R500 per incident.
- 2.8.4** Poultry, pigeons, aviaries, apiaries, wild animals or livestock : Failure to adhere to SHE rules. Warning Removal for owner's account.
- 2.8.5** Public areas : Pets roaming street/ walked not without leash. R100 R250 R500 per incident.
- 2.8.6** Pet deposits : Pet deposits left on public areas. R100 R150 per incident.
- 2.8.7** Stray and nuisance pets : Untagged pets / pets that damage property or injure persons or pets. Warning / Vet or medical and other bills for owner's account.

- 2.8.8 Ferocious animals : Any injury to person's property or other animals Warning / Vet or medical bills for owner's account.
- 2.9 Formal and informal trading
- 2.9.1 Formal trading : Trading/marketing/advertising/sales & services of any sort conducted from a private residence on SHE without the consent of the directors R1000, R2000, R5000.
- 2.9.2 Informal trading : Not permitted on any open space, pavement, sidewalk. Removal in terms of municipal by-laws,
- 2.9.3 Morning markets : Without prior consent on any part of the estate. R500, R750, R1000.
- 2.9.4 Municipal by-laws : Failure to adhere to Municipal by-laws Municipal reaction.
- 2.10 Enforcement: These rules are binding on all residents of Strathearn Hill Estate and penalties will be charged to the owner of the property where they or any member of their family, their guests, tenants, employees, contractors, builders, animals are in breach of any of the rules as contained in this document. The processes as set out in this document will be followed and any costs incurred therefrom will also accrue to the owner of the erf and be payable on presentation of the relevant statement.

3. Failure to Pay Levies and Penalties will result in the Payment of Interest and Legal Fees

First request Hand over for Collection

4. Amendments

Rules and penalties will be revised from time to time, and it is the responsibility of each owner to ensure that he understands the rules in force, and that he obtains the latest document or approaches the SHE management should he be unsure of any of the terms of this or any other document in force at any time that may influence his actions or decisions in any way whatsoever. Current rules and penalties will apply.

5. Non-Payment of Levies

Levies and penalties not paid within 7 days after the end of the month. Interest at prime rate. R250 admin fee for notice of non-payment Collection costs

