

Likwetji



BUSHVELD FARM ESTATE

Reg no: 2007/033417/07

FARM NEROLI, KARINO, 1204
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2 February 2021

Economic Activity Policy

“Business” or “Economic Activity” means the conduct of any non-residential or commercial or business or professional activity, from any stand within the Estate, whether for profit or not, and will **exclude** any manufacturing and/or retail and/or repair service and/or industrial or similar usages and/or any business use which may require a license in terms of the Business Act, 1979, in respect of which businesses consent will not be given. The phrase “Business use” shall have a concomitant meaning.

Irrespective of the duration of any existing Business in operation in Estate, any and all owners conducting any Businesses within the Area shall apply for consent in terms of this policy, before continuing or establishing such Business or Business use.

The Board of Directors reserves the right in terms of the Articles of Association to approve or decline any application.

Application Procedures

- 1.1 All applications for authority to conduct any Business use shall be submitted to the Board of Directors, in writing, prior to the commencement of any Business use and shall contain, and not be limited to the following information:
 - 1.1.1 Name and proposed type of business to be conducted.
 - 1.1.2 Physical address
 - 1.1.3 Number of employees to be employed (Direct and/or indirect)
 - 1.1.4 Description of proposed operations including a site plan indicating the portions of any erf which will be used for a business use, including the size thereof, the position thereof and the number of on-site parking.
 - 1.1.5 Anticipated number of visitors/clients (per month)
 - 1.1.6 Any other information which should reasonably be provided to the Directors for purposes of considering the application.
- 1.2 All Applicants accept that the Board of Directors and/or its employees could inspect the property concerned to verify the particulars so supplied and, each application will be considered, independently of other applications, by the Board of Directors at their formal meetings, which occur from time to time.

DIRECTORS: N ELLIOT, N J VAN ZYL, L A VISAGIE

- 1.3 The Directors shall have an unfettered right to refer any application to any immediate surrounding neighbors of the erf concerned, for comments and, thereafter, the Board of Directors' decision in respect of the application concerned shall be final and binding on all Members of the Likweti Estate Homeowners Association, including such neighbors whether or not they furnished comment, objection or support. It is specifically provided that this decision shall not be subject to arbitration in terms of the Rules of the Likweti Estate Homeowners Association.
- 1.4 Those applications for Business use which have been approved are subject to annual review by the Board of Directors who shall be entitled to revoke such approval or refuse to allow an annual renewal for any reason, whatsoever, within their sole discretion. If an approval is revoked or not renewed, the applicant will receive advice thereof in writing, and the conduct of a Business use on that erf will thereafter be illegal. The Board of Directors reserve the right to report such illegal activity to the Local Authority or take such other action as might be appropriate, including Court action or the imposition of fines and/or penalties in terms of the Articles and the House Rules. The annual renewal date is set at 01 January of each year.
- 1.5. The consent granted by the Board of Directors shall be of indefinite duration, save that the Directors shall be entitled, at any time, and upon reasonable notice, to the party concerned, to withdraw their consent for any reason which they might deem sufficient for such purposes.
- 1,6 No person may commence any Business use in the Area without first obtaining the written consent of the Directors for such Business use in terms hereof.

2. Conditions under which Business uses shall be considered.

The Directors shall apply, but not be limited to, the following principles in considering any application for permission to conduct a Business use:

- 2.1 No Business use, which is not compatible with the surrounding land use, or which may, in the opinion of the Directors, cause an actionable nuisance to fellow residents or interference with the amenities of the neighborhood, may be conducted. The existing character of the area should be maintained.
- 2.2 Without limitation thereto, no erf may be used for any retail purpose, including a shop, nor for a public garage, mechanical workshop, a manufacturing industry (including home industries) or a noxious industry or garden service.
- 2.3 No erf may be used to publicly display goods, whether in a window or otherwise which can be viewed externally.
- 2.4 A maximum of 15% (fifteen percent) of the Floor area of the structures on any erf, including outbuildings, as per approved building plans, may be used for home office purposes.
- 2.5 A maximum of 2 Employees (including "flexi time", "temporary" or "sales representative appointees") can be employed on any Erf within the Area at any one time (excluding persons who ordinarily and permanently reside there).
- 2.6. No person may display any notice or sign relating to the business on the buildings and/or boundary wall of the erf permitted to conduct a Business use.
- 2.7 The employee(s) of any owner who has been granted consent for a Business use shall park their vehicles on the erf concerned.
- 2,8. All employee(s), invitees or visitors to an approved business shall comply with the Likweti Estate Access Control Policy and Procedures, and any directions of the Board of Directors or the General Manager. The Board of Directors reserves the right to limit the number of entrants allowed for any business.
- 2.9. Each member of Likweti Estate Homeowners Association shall be and remain liable and responsible for the conduct of any person, whether client, employee, invitee, or in any other capacity, who enters the Estate for purposes of such business use.
- 2.10. A Business use may not generate any excessive noise of any nature.

- 2.11. If it is necessary to make any alterations to any Erf for purposes of a business use, consent shall be sought for such alterations in terms of the Likweti Estate House Rules and Building Regulations, which application shall be made simultaneously with the application for consent for a business use. Should consent be granted for a business use and an application to authorize any alterations to the Erf is made separately, then upon filing of the application for authority for the alterations, the business use consent shall, *ipso facto*, and without notice whatsoever, lapse and be withdrawn. The Board of Directors shall then consider both the application for business use and the application for authority to perform alterations afresh.
- 2.12 Should a complaint be received regarding the conduct of a Business use; the Board of Directors will investigate the complaint and refer such complaint for action and/or comment and/or decision in terms of the Articles of Association and / or Conduct Rules.

3. Approval Conditions

Should the Board of Directors approve an application for an economic activity, an annual fee of R3 000.00 (Three Thousand Rand) shall become due and payable to the Likweti Estate Homeowners Association. This fee shall be due and payable each year on the renewal of the application, set for the first day of January of each year. Irrespective of the date of the application, the full fee shall be due and payable with approval and no pro rata fee shall be applicable. The Board of Directors reserves the right to amend the fee on an annual basis.

4. Penalties

Should the Board of Trustees establish that a Business use is conducted in contravention of this policy, the procedures as set out in the House Rules and / or Articles of Association may be followed to rectify the situation, without prejudice to the Association's rights in terms of any law.

Approved by the Likweti Estate Board of Directors: