

VICTORIA COURT BODY CORPORATE

APPLICATION TO MAKE ALTERATIONS, RENOVATIONS, OR MINOR-WORKS

Victoria Court is a heritage building and any changes to an interior requires detailed consideration to protect the surrounding architecture and occupants. This application serves as a guide and contract for owners wishing to change their section. It is the point of reference for Owners, the Managing Agent, Trustees, Concierges, and building occupants when planning work and resolving disputes. The Owner of the section concerned should complete the form, and initialise each page.

SECTION NO. _____

OWNER (THE APPLICANT): _____

START DATE: _____

COMPLETION DATE: _____

DESCRIPTION OF WORK TO BE CARRIED OUT: _____

WHAT CHANGES WILL BE VISIBLE FROM THE EXTERIOR OF THE SECTION: _____

I/We the undersigned hereby make application to the Trustees of the Victoria Court Body Corporate, to make ALTERATIONS, RENOVATIONS, OR MINOR-WORKS as described above and I undertake to comply with the conditions set out hereinafter.

NAME: _____

SIGNATURE: _____

PLACE: _____

DATE: _____

Initial (Applicant): _____

CONDITIONS

The conditions set out herein are made in the interests of all who have invested and/or work in the Victoria Court Body complex. Applicants must appreciate that their proposed activities may affect others in the building and it is most important firstly that any detrimental impact is kept to an absolute minimum and secondly that, once started the work is completed expeditiously within the work period applied for. It is the function of the Trustees to ensure that all Applicant/Owners act with reasonable and diligent care and with due and proper consideration for the remaining owners and occupants of the Buildings. These conditions have been framed accordingly - it is the duty of the Trustees and the Managing Agents to see that they are adhered to. Your co-operation with them is earnestly requested.

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 alterations, modifications or decorative work which effects the exterior appearance of a section or unit.
- (b) RENOVATIONS shall mean any internal redecoration or refurbishment of the existing interior of a unit or section including the replacement removal or creation of internal fittings such as kitchen and other cupboards, sanitary-ware, floor tiles, etc.
- (c) MINOR-WORKS shall mean non-damp proofing surface repairs, interior painting, painting exterior burglar bars, plumbing, and electrical works etc.

2. The procedure for obtaining approval is as follows:

- (a) The Applicant to submit this form to the Managing Agent.
- (b) The Trustees will review the form and be the sole and final judge as to whether the work proposed constitutes “ALTERATIONS”, “RENOVATIONS”, or “MINOR-WORKS” as referred to herein.
- (c) If the application is deemed to be an ALTERATION, the following supporting information must also be provided for review:
 - i. This application with a sketch or plan of the proposed ALTERATIONS, must be submitted to the Trustees c/o the managing agents for agreement to be obtained.
 - ii. After approval by the Trustees via the managing agents, it is the responsibility of the Owner to see that, if necessary, professionally prepared plans (which may not deviate from the sketch plan) are duly approved by the Cape Town City Council.
 - iii. A copy of the plans as approved by the City of Cape Town must be submitted to the managing agents or alternatively the Managing Agent must be supplied with evidence satisfactory to them that Council approval is not required.
 - iv. If the Managing Agent/Trustees consider it necessary, they shall be entitled, prior to granting permission, to request the applicant to provide a professional report from an Architect or Engineer at the cost of the applicant.

- (d) For ALTERATIONS and RENOVATIONS, the Applicant will be required to note and/or provide the following:
- i. A notice (Typed or handwritten) is to be placed on the apartment door confirming contact details of the Owner and completion date of the project.
 - ii. An A4 poster (Typed or handwritten) for the concierge kiosk noting the names, identity numbers, and contact telephone numbers of all Contractors and Workmen on site and completion date of the project.
- (e) For ALTERATIONS, RENOVATIONS, OR MINOR WORK, the Applicant will be required to provide the following to the Managing Agent:
- i. The Trustees will specify a deposit that shall be paid before any work commences, from which the costs of rectifying any damage to common property (floor coverings, woodwork, paintwork, plumbing, etc.) as also any other charges accruing against the Owner arising out of non-compliance with this application.
 - ii. The names, identity numbers, and contact telephone numbers of all Contractors and Workmen who will work on the section.
 - iii. Proof of registration with the relevant authorities related to their trade (Plumber, electrician, structural engineer etc.) and contractor all risk policy to cover any damage caused to the common property or any other sections.
- (f) In addition, and regardless of application type,
- (g) Confirmation that the work may proceed will be conveyed to the applicant by the Managing Agents with whom a date for commencement of the work shall be arranged.
- (h) No work may commence until approval has been conveyed by the Managing Agents and the deposit requested has been paid to the Body Corporate c/o the Managing Agents.
- (i) Workmen and/or contractors that can make physical changes to a section, will not be allowed onto the property until the approval process is complete.

3. On approval, the following applies:

(a) Rules:

- i. It is the responsibility of the Owner to ensure that their Contractors and Workmen comply with the Conduct Rules (Download at www.victoriacourt.co.za).
- ii. For Conduct Rule item 31) f) i through vii) such works exclude any “beyond the surface” modifications such as chasing conduits, lifting flooring etc.

(b) Liability:

- i. The Owner shall be responsible for any cost over and above the amount of the deposit held by the Body Corporate and the Owner of the section concerned, from time to time, shall be responsible for all costs that arise from time to time in consequence of the ALTERATIONS, RENOVATIONS, or MINOR WORKS and shall be deemed to have indemnified the Body Corporate against such costs.

- ii. The Owner who makes any ALTERATIONS to his/her section or any part of the common property is deemed to have indemnified the Body Corporate against all costs and expenses arising from any damage caused to its common property and other sections either inside or outside the building and shall pay the cost of repairs and/or restoration required in consequence of any alteration or renovation to his/her flat.
- iii. The Owner shall be responsible to reimburse the Body Corporate any fee charged for time spent by the Managing Agent on any breach of these regulations, which amount may be charged on the levy account. This fee shall be at a rate of R250.00 per hour or part thereof including travelling time until amended by the resolution of the Trustees.

(c) Design considerations:

- i. All doors and windows installed must conform in outward appearance with other doors and windows installed in similar positions elsewhere in the building.
- ii. No door and window are to be changed by Owners. No column, ceiling structural or load bearing wall must be damaged in any way.
- iii. Owners who are installing showers are to contact the Managing Agent who will arrange a Trustee inspection and confirm that suitable waterproofing has been applied to the wall and showers floors before areas are tiled.
- iv. The inter-apartment cabling conduit which is used for communal antenna, satellite, or internet connectivity must not be altered.
- v. For sections on the third floor, no-hot water cylinders are to be placed in the ceiling which is common property.
- vi. Intended usage (Kitchen, bathroom etc) positions must follow original sections layout.
- vii. Sections are not to be subdivided.

(d) Working hours:

- i. No work may be carried out on Saturdays, Sundays, or Public Holidays, or outside normal working hours i.e. 08h00 to 17h00.
- ii. No demolition, hammering, drilling, sawing or use of power tools or other disturbing noise-producing activities may be undertaken between the hours of 13h00 to 14h00.
- iii. Workers are required to sign in and out daily, confirm their identity when requested, and be off-site by 17h00.

(e) Cleaning and safety:

- i. Contractors must clean up common property each afternoon before leaving the site. If this is not done, the Trustees or Managing Agent may arrange for such work at overtime rates and the Owner shall be responsible for and refund the to the Body Corporate such costs
- ii. Contractors and Workmen may not put sand, paint, cretstone or toxic material down the internal or external drains and may not use sinks or common property to clean tools, paint brushes or trays.
- iii. No rubble, building supplies or equipment is to be left in the grounds of the complex overnight.

- iv. No building materials are to obstruct walkways at any time.
- v. Only pneumatic-tyred wheelbarrows may be used.

(f) Electricity:

- i. Passage plugs are not to be used except with the written permission of the Managing Agents/Trustees in which latter case a charge will be assessed for the electricity consumed for the account of the Owner.
- ii. An Owner or occupier of a section shall ensure that any work on an electrical installations or plug point is carried out by a qualified electrician and that thereafter that the work is done in accordance with requirements of authorities.

(g) Water:

- i. Water may not be turned off without the expressed approval of the Trustees or Managing Agent and specific time being given as to the duration of the shut off. Sufficient time is to be allowed for notice to go out inform all Owner of the shut off.
- ii. Water restriction instituted by the City of Cape town must be strictly complied with, and grey water should be provided by Contractors and Workmen.

(h) Amendments:

- i. Any amendment to the original plan or sketch must be applied for.

(i) Staff sections:

- i. Contractors and Workmen may not make use of Victoria Court sections such as the toilet, shower, or fridge.

(j) Parking bay:

- i. The Victoria Court parking bay is not to be used by Owners, Contractors, or Workmen.

(k) Unforeseen:

- i. Owner, Contractors and Workmen to comply with unforeseen legislation such as the COVID-19 wearing of masks in public spaces.

(l) Occupancy:

- i. If a Contractor or Workman is to occupy the section overnight, the Owner is to comply with the Conduct Rules Section 26) Letting of units, and provide relevant documentation to the Managing Agent.

(m) Penalties:

- i. Non compliance with the Conduct Rules will result in penalties contained therein.
- ii. Non compliance with this contract will result in a fine of R150.00 for each transgression by the Owner, Contractors, or Workmen.
- iii. Penalties of R150.00 per day will apply to work that extends beyond the set completion date.
- iv. No warning is provided for non-compliance with this contract, or an Owner having extended past the set completion date.

(n) Deposit:

- i. The Trustees shall have the right to request a refundable damage deposit for ALTERATIONS, RENOVATIONS, AND MINOR WORKS which deposit shall be held in the Body Corporate bank account.
- ii. Any all charges, expenses and costs due by an Owner due in terms the Conduct Rules shall be payable on demand.
- iii. The deposit will only be released by the Managing Agent after the written instructions from the trustees that all damage caused by the said ALTERATIONS, RENOVATIONS, AND MINOR WORKS has been repaired at the cost of the applicant to the satisfaction of the Trustees.