



Dear Homeowner / Tenant

Homeowners / Tenants herewith the Emfuleni Golf Estate Rules.

#### **FAUNA & FLORA**

It is of vital importance that we respect our Fauna & Flora.

We urge each and everyone living on the estate not to damage any Fauna & Flora, but to protect it.

In the event of any homeowner / tenant having a problem with mice or rats, please be so kind to use RACUMEN instead of Rattex or Finale.

Racumen does not pose a secondary threat to the Owls on the Estate, and therefore is safer for Animals.

We also request that you be on the look out, when driving on the roads for the Kiewit's, Guinea-fowls and Ducks. They all form part of the beauty of the Estate, so please take care not to harm any of them.

#### **FIREARMS**

As you all aware, by law no firearm is to be discharged in a residential and buildup area. This includes "pellet guns". In the event of the Estate Management catching anyone discharging a firearm or air rifle (pellet gun), you will be charged according to the law, and legal steps will be taken by the Estate HOA.

## **WATERFRONT RIGHT OF USE**

- a) The use of the waterfront is for the Residents and their guests only.
- b) A Resident must accompany a guest to the waterfront, no guests are allowed at the waterfront without the Resident present.
- c) Residents must ensure that their guests behave themselves in accordance to the Estate Rules at all times.
- d) In the event of an Owner letting his / her unit, the owner forfeits the right of use to the waterfront to his / her tenant as the Resident.
- e) Music must be kept to a minimum and for your ears only. No music will be allowed playing from vehicles.
- f) Guests must be kept to approx 10 visitors. In the event that your guests exceed this limit please notify the Estate Office.
- g) Residents walking animals on the waterfront must be on a leash as per the Estate Rules at all times. Excrement must be picked up.
- h) No vandalism will be tolerated at the waterfront, in the event of a resident or guest being caught the Resident will be held responsible, and the necessary charges will be laid with the SAPS.
- i) No camping or overnight camping, erecting of tents / marques or enclosed gazebos is allowed at the waterfront.
- j) No Open Fires will be allowed at the waterfront, Residents must make use of the build-in braai areas.
- k) No kids under the age of 18 will be allowed at the waterfront without supervision after dark.
- l) Kids under the age of 18 are not permitted to use alcohol or any other substance on the premises at all.
- m) Alcohol must be used sensibly by residents and their guests at all times, as unruly behavior will not be tolerated on the Estate.
- n) The speed limit on the waterfront has been reduced to 10km/h. No speedy will be tolerated.
- o) No littering on the waterfront. Please make sure to take a spare refuse bag for all refuse, and clean up the area used before leaving.

## **LAUNCHING**

- a) Only Residents may launch their licensed watercrafts at the Emfuleni Golf Estate Slipway.
- b) No boats / watercrafts will be able to launch without the necessary SAMSA licenses.
- c) Residents are not permitted to launch a boat / watercraft owned by a guest or any other non resident.
- d) Please ensure that all valid licenses are onboard.

### **LAPA USE**

- a) The rental of the lapa's is for residents only. For further information please contact the Estate Office.
- b) No Corporate Functions will be allowed on the Waterfront at all.
- c) Music at the lapa's must be kept within Municipal regulations.
- d) Functions will only be allowed until 11pm. By 12pm the lapa will be locked by Security.
- e) Any items left in the lapa will be at own risk.

### **DOMESTIC WORKERS / GARDENERS**

- a) Only workers with valid SA ID Books or valid Passports with a valid work and residents permit will be allowed on the Estate.
- b) All Domestic Workers and Gardeners must obtain an access card.
- c) Gardeners will only be allowed on the Estate from Monday to Friday 6am to 6pm and on Saturdays until 1pm only. Gardeners are not allowed on the Estate on Sundays and Public Holidays.
- d) Workers must disembark the vehicle and enter via the turnstile when in possession of an access card or be signed in if not in a possession of an access card.
- e) Workers may not cross the Golf Course they must stay on the tar roads.
- f) Please ensure to notify the Estate Office in the event of a Domestic worker or Gardener's employment being ended in order for the HOA to cancel the Access Cards. Failing to do so allows for unauthorized access to the Estate.

### **OWNERS / TENANTS CHANGE OF CONTACT DETAILS**

- a) All owners must ensure that their latest contact details are provided to the HOA.
- b) Please make sure to notify the Estate Office of any changes in your contact details.
- c) This will ensure that you receive all AGM notices, general notices and newsletter.

## **EMFULENI GOLF ESTATE**

### **ESTATE RULES**

MAY 2005

## **ESTATE RULES**

### **EMFULENI GOLF ESTATE**

#### **HOME OWNERS' ASSOCIATION**

##### **1. INTRODUCTION**

- 1.1 Owners and occupiers of units on Emfuleni Golf Estate enjoy the unique tranquil, lifestyle opportunity on the banks of the Vaal River.
- 1.2 Estate living does however call for certain restraints and owners and occupiers must at all times consider the rights and privileges of other owners and occupiers.
- 1.3 The Estate rules are for the protection and reinforcement of this lifestyle and your capital investment.

##### **2. LEGAL STATUS**

- 2.1 These rules have been established by the Trustees in terms of the Constitution of Emfuleni Golf Estate Home Owners Association ("HOA").
- 2.2 All owners and entrants to the Estate are obligated to comply with the Estate rules.
- 2.3 The registered owner or occupier of every property within the Estate ("the owner") is responsible for ensuring that all members of his family, tenants, guests, visitors, employees, contractors, contractors' subcontractors and delivery persons also comply with the Estate rules.
- 2.4 The Trustees shall have the right, in the event of a breach of a rule by an owner, his family, tenants, guests, visitors, employees, contractors, contractors' subcontractors and delivery persons, to take such action against the defaulting owner as they deem fit on behalf of the HOA, including but not limited to:
  - 2.4.1 Giving notice to the owner concerned requiring him to remedy such breach within such

period as the Trustees may determine; and / or

2.4.2 Taking or causing to be taken such steps as they may consider necessary to remedy the breach at the cost of the defaulting owner; and / or

2.4.3 Taking such action including the imposition of a fine, or proceedings in court, as they may deem fit.

### **3. AMENDMENTS**

3.1 Particularly in a developing estate, rules will need to be added to, amended or repealed in accordance with evolving needs of owners and the Estate.

3.2 These rules are therefore subject to change from time to time, and the Trustees shall endeavor to add to, amend, or repeal the rules as deemed necessary in order to protect the interests of the Developer, the HOA, the owners and the integrity of the Estate as a whole.

### **4. GENERAL CONDUCT**

4.1 In order to preserve and enhance the residential ambience and lifestyle within the estate, all owners shall at all times behave and conduct themselves in a considerate, reasonable and civilized manner, and shall in particular avoid causing inconvenience or nuisance to other owners.

### **5. SECURITY AND PROTECTION**

5.1 Security is an important feature of Emfuleni Golf Estate and owners and their visitors must at all times assist and comply with the security systems and procedures implemented on the Estate, particularly with regard to access control.

5.2 The perimeter security, patrols and access controls serve as deterrent and detection factors only and do not guarantee an intrusion-free Estate.

5.3 Owners and their visitors and employees must adhere to security procedures and respect the security personnel's role. Security guards may under no circumstances be abused or obstructed from performing their functions.

5.4 The guardhouse has emergency contact numbers: 016 932 1218 / 079 328 1576.

5.5 Visitors must register at the entrance gate and complete the required from prior to

access.

- 5.6 Owners are permitted to employ their own domestic assistants. All domestic assistants must however be registered with security.
- 5.7 More specific and detailed rules for security and protection will be established from time to time.

## **6. ROADS AND TRAFFIC**

- 6.1 Extreme care must be taken by drivers when driving on the estate. Golfers, pedestrians and cyclists will be crossing the streets at designated points and drivers should approach these with caution. Golfers, pedestrians and cyclists have the right of way. All intersections are to be regarded as being controlled by a 4-way yield sign, unless otherwise posted with stop signs.
- 6.2 The speed limit is 40km/ hour, and the appropriate regulations of the Road Traffic Ordinances shall apply.
- 6.3 A maximum loading of 5 tons is permitted in and on the Estate roads.
- 6.4 Owner's cars should be parked in garages, and visitors' cars should be confined to an owner's property and sidewalk, and should not obstruct road traffic.
- 6.5 Revving of motorbikes, cars or other engines should be restricted to the absolute minimum and no repairs or reconditioning is permitted on the road or in private areas.
- 6.6 Excepting for purposes of arrival and departure, motorbikes or petrol driven scooters may not drive around the Estate at any time.
- 6.7 Excepting for bona-fide construction purposes, golf course requirements and estate maintenance requirements, no quad-bikes or similar vehicles are permitted on the Estate. From time to time, designated areas will be assigned for use by quad-bikes, so long as space provides.
- 6.8 Golf carts must be responsibly driven and be in the control of a licensed driver at all times with no more occupants than designed for. Any claims that might arise in relation to the use of a privately owned golf cart on the Estate will be the sole responsibility of the licensed driver and the registered owner of the privately owned golf cart.
- 6.9 More specific and detailed rules for roads and traffic will be established from time to time.

## **7. AIRCRAFT LANDING**

- 7.1 Micro-light planes and helicopters are not permitted to land in the Estate or on the Golf Course.

## **8. LANDSCAPING AND PROPERTY MAINTENANCE**

- 8.1 All horticultural and landscape aspects of the Estate including sidewalks, traffic islands and private areas will be managed by the HOA.
- 8.2 Gardens of individual properties will be maintained by the homeowner. This includes grass cutting, edging, weeding and turning over of the beds, pruning of excessive shrub growth and removal of cuttings and dead plants. There is no provision for the supplementary planting or for the removal of trees and garden refuse.
- 8.3 Owners are obliged to establish and complete their gardens, to the required standard within 3 months of the completion of the dwelling.
- 8.4 In order to create the desired continuity of landscaping, all landscaping must be approved by the HOA.
- 8.5 An owner must maintain all aspects relating to the exterior of his house, including but not necessarily limited to fencing, pools and paving, at a level of upkeep, neatness and tidiness to the satisfaction of the HOA.

## **9. PROPERTY APPEARANCE**

- 9.1 The planning concept for Emfuleni Golf Estate is one of openness and visual transparency. Garden areas on both street and Golf Course sides of any house are therefore open to viewing, and must be kept clear and uncluttered.
- 9.2 The storage of materials, wendy-houses, tool sheds, boats, windsurfers, trailers, caravans, building materials, bird aviaries, motorcycles, inflatable pools, tents, marques and any other unsightly objects are not permitted in gardens or driveways. In particular, but without limiting the generality of the aforementioned, an owner shall not hang any flag, washing or laundry or any other items that are visible from the road or Golf Course, or over any boundary fence.
- 9.3 Owners are encouraged to keep their garage doors closed whenever possible in the interest of the general appearance of the Estate.
- 9.4 Fixtures and her items such as wash lines, air-conditioning ducts and units, swimming pool pumps, satellite dishes, solar heating panels, evaporative cooling radiators, kennels, etc should be sited as discretely and out of view as possible, and may only be installed

subject to prior written approval of HOA.

- 9.5 In the interest of all owners, each owner is required to carry sufficient building insurance cover for their house in order that any major mishap may be repaired and made good.

## **10. ESTATE APPEARANCE**

- 10.1 Owners are requested to leave the private areas in a clean and acceptable condition, and to conscientiously dispose of any litter whatsoever same may be found.
- 10.2 No trees or plants in private areas may be damaged or removed.
- 10.3 Swimming pool water must be discharged into a sewer drain, and not into any storm water pipe or drain.
- 10.4 All vacant stands in proclaimed townships within the Estate will be maintained by the HOA.
- 10.5 The Club will maintain the lakes / dams on the Estate.
- 10.6 No fires, braaiing or barbecuing is permitted except on an owner's property or in designated areas.

## **11. ANIMALS AND PETS**

- 11.1 Pets are permitted at the discretion and with written consent of the HOA. Such consent may be withdrawn at any time, without reason, justification or liability. An owner of a pet shall be obliged to immediately remove such pet from the Estate in the event that such pet causes a nuisance, is not on a controlled leash, or displays aggressive behavior.
- 11.2 In the light of neighbor proximity and the openness of gardens, cats and dogs need to be strictly controlled by owners, both on and off their property.
- 11.3 Every cat and dog must be registered and wear a tag displaying the owner's name and stand number. Pets must be on a controlled leash in all private areas, and must not harass or be allowed to harass other persons, children, cyclists, joggers or pets. An owner must immediately remove dog excrement.
- 11.4 Dogs are strictly forbidden on the Golf Course and in the Estate dams.
- 11.5 At all times, and particularly at night, pets must not create a disturbance, and should not be left unattended.



- 11.6 The natural fauna on the Estate is to be protected and must not be chased or attacked by pets.

## **12. NEIGHBOUR RELATIONS**

- 12.1 Noise levels must always be kept to a minimum.
- 12.2 The volume of TV, music, radios, partying, children and power tools, etc, must be moderated in consideration of other owners. It must be understood that the HOA and its Trustees, the Developer and its agents, are not responsible for “instant policing” of such problems. It is suggested that neighbors and security be notified of imminent parties or social activities, and that all owners conform to moderate restraints.
- 12.3 No business activity or hobby, which causes aggravation or nuisance to other owners, may be conducted at Emfuleni Golf Estate. Excepting for domestic workers, no staff that require daily access to the Estate may be employed by owners.
- 12.4 No activities are permitted in the private areas if they cause unreasonable nuisance to other owners.
- 12.5 Owners are reminded that their conduct at all times is governed, in any event, by the Emfuleni Municipality by-laws which include the following:

*“21(1) No persons shall disturb the public peace in a street or public place, or on private premises by making noise or causing them to be made by shouting, quarrelling, fighting, singing or playing any type of musical or noise-creating instrument or gramophone, or by means of a radio, loud speaker or similar device, or by riotous, violent or immoral behavior.*

*21(2) No persons shall, except with the written permission of the Assistant Chief protection Services, discharge any fireworks within the municipal boundaries of the council or allow such fireworks to be discharged”.*

- 12.6 No fireworks of any kind are permitted on the Estate, the only exception being an approved display by the Club or HOA.**

## **13. REFUSE**

- 13.1 The local council provides a refuse removal service on Monday.
- 13.2 No refuse, garden spoil, or rubble may be dumped on vacant stands and is to be removed by the homeowner.
- 13.3 All refuse must be stored in bins and out of sight from the road and Golf Course.
- 13.4 Refuse bins may only be put out on the road verge on the day of collection and must be removed on the same day.

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#### **14. SWIMMING POOLS**

- 14.1 Swimming pools present an obvious danger to young children, but with many dams, lakes and water features openly accessible, it is recommended that parents take responsibility for their children and fence their property.

#### **According to the National Building Regulations:**

*“The owner of any site which contains a swimming pool or swimming bath shall ensure by means of a wall or fence that no person can have access to such pool or bath from any street or public place or any adjoining site other than through a self-closing and self-latching gate with provision for locking in such wall or fence: Provided that where any building forms part of such wall or fence, access may be through such building.*”

Such wall or fence and any such gate therein shall be not less than 1.2m high measured from the ground level, and shall not contain any opening which will permit the passage of 100mm diameter ball”

- 14.2 Plans for swimming pools must be submitted and approved by the HOA and Council, as per any other external building works, before work may commence.
- 14.3 More specific and detailed rules for the planning and construction of swimming pools will be incorporated within the Architectural and Building Rules to be established from time to time.

## **15. GOLF COURSE**

- 15.1 The Club will manage and control all aspects of golf, sport, recreation and social activities of its members, including the clubhouse and recreational facilities.
- 15.2 Although the Golf Course is a major added-value aspect of every owner's property, it is separately owned, private property. Limited access is allowed to the course for those not officially playing golf, by consent of the owner of the Golf Course and the Club, confined to:
  - 15.2.1. After hours, when play on that part of the course is completed; and
  - 15.2.2. The cart and other designated paths and the fringes of the Golf Course; and
  - 15.2.3. Walking or jogging – strictly no practicing of golf.
- 15.3 The recovery of golf balls from an owner's property is not permitted. Home owners' property is "out of bounds" for all golfers.
- 15.4 No games and sports, save for golf, are permitted on the Golf Course. No picnicking or braaiing is allowed on the Golf Course.
- 15.5 No dogs are allowed on the Golf course.
- 15.6 No private carts are allowed on the Golf Course unless used for the purpose of playing golf. No vehicles are allowed on the Golf Course at any time, save and except when used for authorized maintenance or sales promotional purposes. Golf carts must be registered and annual "trial fees" paid.
- 15.7 The retrieval of golf balls from any lakes and water features shall be the sole entitlement of the Club. Owners are not permitted to recover golf balls.
- 15.8 Owners shall not hinder or unreasonably disturb golfers whilst playing.
- 15.9 The owner of the Golf Course, its directors, officers, employees or contractors shall not 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 hereof arising from the flight of golf balls or from any other cause whatsoever relating to the use of the Golf Course.

## **16. GOLF CARTS**

- 16.1 Privately owned carts that are used to commute around the Estate are encouraged, provided they remain on the roads and are in the control of a licensed driver at all times, with no more occupants than designed for. Normal traffic regulations and considerations are applied.
- 16.2 All carts must be registered with the Club, and a registration number (your stand number) must be displayed on the golf cart.
- 16.3 Unless used for playing golf, no carts are permitted on the Golf Course.
- 16.4 Certain designated paths that cross the Golf Course, but that link parts of the Estate, are permitted for cart usage after playing hours, provided due consideration is given to pedestrians, and carts remain on the path route. The Club will review this situation on an ongoing basis and the HOA as the Estate is built out.
- 16.5 It is emphasized that the Golf Course is a separately owned private property and limited access is permitted at the owner's discretion.
- 16.6 Carts must be responsibly driven and in the control of a licensed driver at all times with no more occupants than designed for.
- 16.7 Carts must be in good condition and carts that are used after sunset must have lights.

## **17. WALKING, JOGGING, CYCLING, BLADING ETC**

- 17.1 Walking and jogging are obviously encouraged throughout the Estate, but only after playing hours in respect of the Golf Course.
- 17.2 Dogs may be walked on the Estate whilst on a leash. Dog excrement must be removed immediately. Dogs may not be walked on the Golf Course.
- 17.3 Cycling shall be on the roads, parklands and designated link cart paths, but not on the Golf Course.
- 17.4 Roller blading, skate boarding and similar activities shall be confined to designated recreation areas.

## **18. SERVICES**

- 18.1 Excepting for the water and electricity supplier, Emfuleni Municipality and Telkom, all other completed services and roads of the Estate are privately owned by the Developer or the HOA, and accordingly operated and maintained by the Developer or HOA.
- 18.2 Filling or re-filling of swimming pools must be approved by the HOA before

commencement.

## **19. RE-SALES AND LETTING**

- 19.1 In order to ensure that prospective purchasers are correctly advised of their rights and obligations relative to the Estate, and to avoid the proliferation of unsightly signage, owners are obliged to employ either the Developer's accredited agent and / or an agent duly accredited by HOA for re-sales and letting. "For Sale" board will only be allowed on weekends.
- 19.2 Any sales agreement must include an obligation for the purchaser to become a member of the HOA upon transfer of the property into his name and to remain as a member for so long as he is the registered owner of the property.
- 19.3 In the case where beneficial ownership or control of a company, closed corporation, trust or other association which owns a property in the Estate is changed or transferred, the transferor must notify the HOA forthwith of the change or transfer and with the full names and addresses of the new representatives.
- 19.4 Any lease agreement in respect of a property in the Estate must be in writing and must include an undertaking by tenant to comply with the provisions of both the Emfuleni Golf Estate Golf Club constitution (where applicable) and the HOA Constitution and the rules and regulations made and determined in accordance therewith.
- 19.5 In order to protect the integrity of the permanent residential component on the Estate and ensure exclusivity on the Estate, rental of properties at Emfuleni Golf Estate may only be for minimum periods, which will be determined by the Trustees from time to time.

## **20. LEVY PAYMENTS**

- 20.1 Levies are payable in advance, on the 1<sup>st</sup> day of the month, and interest is payable on arrears. Levies may not be withheld for any reason whatsoever. Those who jointly own property are liable for levies jointly and severally.
- 20.2 In the event of default of payment of levies, the HOA shall be entitled, in addition to any other rights, it has at law, to take such action against the defaulting owner as is contemplated in rule 2.4.
- 20.3 Debit order facilities are available for payment of levies.

- 20.4 Owners are urged to arrange a debit order for the payment of levies in order to streamline this process. Owners should contact Emfuleni Home Owners Association Accounts Office on (016) 932 1809

## 21. DISCLAIMER

- 22.1 Neither the HOA, its trustees, 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.

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### EMERGENCY NUMBERS

Fire Department 10177 / 016-440-1000  
Ambulance 10177 / 016-440-1000  
Police 10111 / 016-910-9046

### OTHER NUMBERS

The Drain Surgeon 016-981-8262 / 083-468-0609  
Dotcom Electrical 016-422-9863 / 084-504-6146

Thanking you in advance.

**Gerda van der Merwe**

GENERAL MANAGER

Emfuleni Golf Estate HOA

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Security & Maintenance Supervisor

Emfuleni Golf Estate HOA