



THE COVES GOVERNING BODY NPC

ASSOCIATION INCORPORATED UNDER SECTION 21 COMPANY
REGISTRATION NUMBER: 2003/010909/08

ESTATE RULES

DEFINITIONS

The owner (which includes but is not limited to: the owner, his tenant, visitor, guest, invitee, employee, contractor or sub-contractor, where applicable) is hereafter referred to as “the owner”. Reference to the masculine shall include the feminine or neuter.

The HOA (home owners association) is - The Coves Governing Body, (Association Incorporated under Section 21) as represented by the Board of Directors, appointed in terms of the articles and any agent or staff appointed by the Board to perform a management or operational role within the Coves. This includes, but is not limited to, the Estate Manager and the appointed staff of the Estate, the Operations Manager and the Security Manager.

DISCLAIMER

The owner hereby acknowledges that the governing bodies of the Coves or any part thereof shall be under no liability for any bodily injury or loss of damage to property howsoever arising, whether due to the negligence of the governing bodies or their officers, servants or agents or any other cause whatsoever and such owner hereby indemnifies the governing bodies, their officers, servants or agents for any claims, costs or expenses arising out of such injury or loss of or damage to property.

The owner’s use of the open space areas is entirely at his own risk at all times.

INTRODUCTION

Owners of units at the Coves enjoy a unique lifestyle in an environmentally rich countryside of mountains and water. The 196-hectare Estate offers a variety of recreational facilities within convenient reach of city infrastructure.

Estate living does however call for certain restraints and owners must at all times consider the rights and privileges of other owners.

These Coves rules are for the protection and reinforcement of this lifestyle. The rules set out the relationship between the owners, *inter alia* their governing bodies and the body corporate of the sectional title developments. The rules are to be regarded as the ultimate authority for the whole of the Coves Estate and cannot be overridden by any other body within the Coves.

Particularly in a developing Estate, rules will need to be added to, amended or repealed in accordance with the evolving needs of the owners and the Estate.

These rules are therefore subject to change from time to time, and the directors of the Coves are entitled to add to, amend or repeal the rules as deemed necessary to protect the interests of the various Home Owners Associations including the Coves Home Owners' Association (HOA), the common interests of the owners and the integrity of the Coves as a whole. Amendments of the rules are undertaken within the framework of the articles of association.

When new residents / tenants come onto the Estate they are to arrange a meeting with the Estate manager, who will guide them through the rules of the Estate.

Penalties are applied for non-compliance with the rules and will be debited to the members levy account – and these will be changed as necessary each year and given for ratification at the AGM. Please refer to Annexure A for details of penalties.

2. NEIGHBOUR RELATIONS

- 2.1 The reduction of noise, especially in this country environment, is an important aspect for all owners. Owners are reminded that their conduct at all times is governed by Madibeng Local Council 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 noises 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 behaviour. Homeowners must take full responsibility for the actions and behaviour of their visitors. The HOA, directors, security, Estate management and their agents are not responsible for "instant policing" of such problems. It is suggested that neighbours and security are notified of imminent parties and social activities and all owners conform to moderate restraints.*
- 2.2 No activity or even hobby, which causes aggravation or nuisance to other owners, may be conducted at the Coves.
- 2.3 No business activity may be conducted at a unit of The Coves, unless the written consent of HOA has been obtained, which consent shall not be unreasonably withheld. The HOA will take into consideration if such activity will cause aggravation or nuisance to other residents. Residents and neighbours input will be taken into consideration by the HOA in considering if permission will be given. In the event of a business requiring a license from any authority such license shall be obtained prior to the granting of the consent.
- 2.4 No fireworks of any kind are permitted at the Coves. Refer to Madibeng Local Council by-laws, which include the following:

"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."
- 2.5 The mechanical maintenance, and the use of power saws, lawn mowers and the like (electric mowers are preferred), should only be carried out between 07H00 – 18H00 and not at all on Sundays.

3. GENERAL CONDUCT

- 3.1 In order to preserve and enhance the residential amenity and lifestyle within the Coves, 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.

3.1.1 Reckless endangerment to persons or property will result in a case being opened with the SAPS and a penalty of R5000.00 imposed.

- 3.2 All owners will take full responsibility for all the actions and behaviour of their visitors, tenants, domestic workers, contractors and anyone else that they may have invited to the Coves. Use of the Coves facilities by guests without the owner being present is not - permitted, unless permission is obtained from the HOA.
- 3.3 A particular appeal is made to owners to leave open spaces they visit in a cleaner condition than in which it was found. Owners are requested to develop the habit of picking up and disposing of any litter encountered in open spaces.
- 3.4 Owners' personal belongings which includes but is not limited to: trampolines, bicycles, children's toys, prams and pushchairs, sporting equipment, water skis, life jackets and ropes may not be left in open public spaces. Such items should at all times be stored in resident's garages and properties. Owners will be requested to remove the items; failure to do so may result in a penalty. If the owner cannot be identified the items will be retained by security for collection. In the event that any costs are incurred from the removal or storage of any such items the owner shall be liable for such costs.
- 3.5 Should an owner wish to hold a function on a common area, then he may do so only provided that he has obtained the written permission of the HOA and such permission, in writing, has been obtained not less than 48 hours before such function. No function with more than 20 adults will be permitted at the waterfront unless agreed in writing by the HOA. No activities in open areas are to cause unreasonable nuisance to other owners.
- 3.6 The tennis courts, squash courts and swimming pools may not be used after 9 p.m. Swimming costumes to be worn at the pools and the correct shoes for the tennis and squash courts.

4. SECURITY AND PROTECTION

- 4.1 Security is an important feature and owners must at all times assist and comply with the security systems and procedures implemented at the Coves, particularly with regard to access control.

Entrance and exit to the Estate is only permitted using the approved procedures which may be amended from time to time. Currently this is by biometric readers, authorised access codes and authorised access cards. Tailgating, multiple entries on the same biometric without exiting, or any other attempt to bypass the procedures are not permitted. Any attempts will attract a fine of R5000.

- 4.2 The perimeter security, patrols, and access controls, serve as both deterrent and detection factors only and do not guarantee an intrusion-free Estate.
- 4.3 Ongoing improved security systems and management will be put in place, and owners informed accordingly. Owners must adhere to security procedures and to respect the security personnel's job role. Security personnel / HOA directors or staff may not be abused nor obstructed from performing their functions. Security is responsible for the enforcement of all rules.
- 4.4 Visitors arriving without the owner obtaining a pre clearance code will be obliged to wait while security contacts the owner concerned, to verify whether or not the owner is

expecting such visitor. Visitors not in possession of a valid driver's license or identity document and motor vehicles license disk may be collected at the gate by residents.

- 4.5 For emergency purposes, the guardhouse may be contacted on 012 207 1561
- 4.6 The Biometric Registration for permanent workers, temporary workers and contractors' representatives as well as domestic workers and gardeners must be conscientiously enforced by every owner with respect to people in their employ. Only people in possession of a South African Identity Document or a valid work permit will be allowed to work on the Estate. Right of admission without any exceptions will be reserved.

No employee is to be brought into the Estate without first following the access control procedures. Employees are to disembark and present themselves at the domestic turnstile for processing.

- 4.7 Every owner must ensure that contractors and sub-contractors in their employ have signed the Builders and Contractors Code of Conduct and adhere to the stipulations of the contract. (See contractors' rules)

No contractor is to be brought into the Estate without first following the access control procedures. Contractor employees are to disembark and present themselves at the domestic turnstile for processing.

Contractors must be registered with security on the access control system if they are on site for more than 5 (five) consecutive days.

- 4.8 A penalty will be levied against any contractor who does not adhere to the Estate rules and contractors' rules. This penalty may be debited to the members account, or deducted from the building deposit. In the event of non-payment of a penalty the contractor will not be permitted on site until full payment has been received. If a contractor has incurred more than 3 penalties the contractor will be requested to attend a meeting with the Estate manager, site manager and the resident who has appointed the contractor, if necessary the security director or another director will be requested to attend.
- 4.9 Random searches of vehicles and persons entering and leaving the Estate will take place.
- 4.10 Residents are to advise security if an employee leaves their employment. If your domestic / gardener arrive at work with their child / children you are to take responsibility for allowing access to the child / children. If you give your domestic worker / gardener a gift please issue a letter to security advising them of the gift, failure to do so will result in the gift being held by security pending confirmation from you.
- 4.11 Where a house alarm is faulty and this results in false alarms necessitating the attendance of security personnel, unless the fault is attended to within a reasonable period of time, the owner will be fined, for incorrect use of security services.
- 4.12 Owners are requested to keep their personal details updated at The Coves administration office.
- 4.13 All residents are to abide by the emergency evacuation procedures, a copy of which is available from The Coves office.

- 4.14 Only owners, residents, tenants, domestics, gardeners and contractors may be registered on the Coves access Biometric data base. Proof of residence may be required, to verify owners' details. Tenants will be required to produce their lease when registering; access will automatically be cancelled at the end of the period, unless a new lease is presented.
- 4.15 Malicious damage to property will carry a fine / prosecution.

5. ROADS AND TRAFFIC

- 5.1 The roads within the Estate are private roads, used by the public and therefore fall under the jurisdiction of The Road Traffic Act. Only licensed drivers in accordance with the road traffic act are allowed on the roads within The Coves.

The Coves is a family Estate where children are encouraged to be outdoors. Their safety and those of all our residents, workers and visitors is of paramount importance.

Speed enforcement will take place and penalties will be imposed on transgressors. The penalties are:

- 5 to 10 km over the speed limit, R 50
- 10 to 19 km over the speed limit, R 100
- 20 km and more, R200 and a case of negligence will be opened with the South African Police Service

Penalties will be escalated for repeat offenders, depending on the speed exceeded.

Failure to adhere to a road sign or disregarding a stop sign will incur a fine of R 50.

Penalties will be escalated for repeat offenders or a case of negligence will be opened with the SAPS. All traffic circles are to be regarded 4-way yields and traffic from the right has the right of way.

- 5.2 We have a unique lifestyle in the Coves where children are able to roam freely. Parents are to assume responsibility for their children's safety when using the roads. No children are to sit on an adults lap whilst the adult is operating a moving vehicle. No adult is to "follow" their child in a motor vehicle while the child is running/walking/playing or riding a bicycle or any other child's toy. Parents are requested to ensure their children understand the rules of the road for their own safety and understand the principles of good neighbour relations.

Roller blading, skate boarding and similar activities shall not endanger traffic or pedestrians. Rollerblading or any other sport is not permitted on the tennis courts, squash courts, clubhouse steps and patios. The use of protective gear is encouraged; cyclists are to wear helmets at all times.

- 5.3 Owners' cars should generally be parked in their garages, and visitors' cars should be confined to an owner's property and sidewalk, and should not obstruct road traffic. Vehicles may not be washed in the street or on any vacant stands or common area.
- 5.4 Maximum axle load of 8 tons is permitted on Estate roads. Contractors are to make use of contractor's roads, no double axle vehicles will be permitted on tar roads. No trucks or delivery vehicles shall be granted access without an escort. All trucks and delivery vehicles are to gain entry through the contractor gate. Furniture removal trucks may use the main gate but are required to have an escort.

- 5.5 Revving of boats, bikes, cars or other engines should be restricted to the absolute minimum necessary and no repairs or reconditioning is permitted in the road or open spaces.
- 5.6 Quad bikes and off-road bikes in their entirety are not permitted to be ridden on the property. Quad bikes and off-road bikes may only be transported into and out of the property on trailers or vehicles and may not be started on the property.
- 5.7 Any driver appearing to be under the influence of alcohol will not be permitted to drive on the Estate, and if necessary the police will be called. Right of access will be exercised in this regard and residents will be requested to walk or be collected at the gate if under the influence. Residents will be requested to collect their guests if the guest is under the influence.
- 5.8 Vehicles are only to be driven on demarcated roads and no unauthorized vehicle is permitted on grassed areas (unless a designated parking area), pivots, contractor's roads and any other area which is not a demarcated road.

6. AIRFIELD AND AIRCRAFT

- 6.1 The airfield is for the sole use of the residents of The Coves and their invited visitors. All visitors will be required to complete the Aviation Visitor Information Registration Indemnity form prior to landing. The form may be requested from the Coves administration office.
- 6.2 All persons actively participating in Aviation activities should be members of The Coves Aero Club. The Coves HOA will look to the Aero Club to advise the board on all aviation related matters due to general complexity and air law restrictions of managing this activity at the Estate.
- 6.3 The airfield is a private, Unlicensed, Unmanned airfield and all applicable Civil Aviation Regulations apply.
- 6.4 Any pilot using the airfield shall be Licensed, Rated and Current.
- 6.5 Any aircraft using the airfield shall be Airworthy and have a valid Authority to Fly or Certificate of Airworthiness.
- 6.6 The Coves runway use is limited to general aviation activities including commuting (in and out), recreational use and other non-commercial use. Aviation training may not be conducted from The Coves runway or to be used for circuit and other repetitive training flying due to the associated noise linked with these activities. Resident aviators may request special approval from The Coves Aero Club to carry out such an activity on a limited and once-off basis. Each request will be considered on its individual merits.
- 6.7 Consideration to other owners must be given at all times when using the airfield.
- 6.8 Engine runs should be done with consideration to other residents.
- 6.9 Flying will only permitted during civil daylight hours. Officially this is from 15 minutes before sunrise to 15 minutes after sunset. Except on Sundays where no take-offs will be allowed before seven o'clock in the mornings.
- 6.10 All aircraft to join overhead The Coves airfield at 5300 ft. and to fly the circuit to the west of the field. The frequency in use is 125.80 and call The Coves.

- 6.11 No high speed fly pasts along the runway will be allowed at any time. Runway inspections for rogue animals on the runway should be done at landing approach speeds, preferably along the western boundary. (Runway inspections are required per air law and insurance for unmanned airfields)
- 6.12 Helicopters and Gyrocopters to follow the same procedures as above.
- 6.13 The preferred runway for take-off is 36 and the preferred runway for landing is 18.
- 6.14 No low level flying (lower than 1000ft) is allowed over the Coves.
- 6.15 No vehicles other than aircraft and vehicles belonging to airfield users are permitted in the airfield area. These vehicles should display the sticker provided by management. On public days like when there is a fly in, no vehicles will be allowed access to the airfield area at all.
- 6.16 No jogging, biking or walking allowed within the airfield boundaries.
- 6.17 Aircraft should be parked in an orderly manner in the designated areas at the owner's full discretion, as far as possible from the runway.
- 6.18 Any person using or entering the airfield area undertakes not to make any claim against and indemnifies and holds harmless the governing bodies, its directors, its officers, servants or agents, against any claims, costs or expenses whatsoever arising from the materializing in any manner whatever of any of the risks aforementioned.

7. RADIO CONTROL (RC) FLYING

- 7.1 All persons doing RC flying should also be members of The Coves Aero Club.
- 7.2 Only electrically powered aircraft are allowed to fly within the boundaries of The Coves.
- 7.3 The designated areas at this stage are RV Lane (Aero Coves taxi way) as well as on any pivot.
- 7.4 All other rules of The Coves, like no mechanical noise on a Sunday should be observed and adhered to.
- 7.5 No overflying of any buildings will be allowed. Special care and consideration should be taken with regards to flying too close to properties and causing any safety hazards.

8. ESTATE APPEARANCE

- 8.1 No trees or plants in open spaces may be damaged or removed.
- 8.2 The main Hartbeespoort Dam water's edge of the residential properties will be maintained by those owners, including reasonable control of the hyacinth weed (specifically stands 1 – 21 Heron Cove. Shoreline planting and remediation is to be developed in accordance with The Coves Shoreline and Buffer Zone Remediation Plan.
- 8.3 Only the owners of private Hartbeespoort Dam waterfront properties may fish from their property. Other residents may make use of the common areas to fish. An appeal is made to those fishing to leave any open space they use in a clean and tidy condition. It is requested that Barbel caught be removed from the dam.
- 8.4 No fires or braais are permitted in open areas or anywhere except in the braai areas provided at the waterfront west of the slipway and at the clubhouse.

- 8.5 No advertising of any kind (billboards etc) is permitted within the Estate. The unauthorised distribution of pamphlets, flyers etc., is not permitted. Unsolicited marketing is not permitted
- 8.6 No camping is allowed within the Estate.
- 8.7 All use of common ground must be approved in writing by the HOA and by the immediate neighbours in writing. Plants must be indigenous and waterwise No permanent structures are permitted. The ground may not be fenced off from the rest of the Estate. Owners are to ensure that plantings do not interfere with the Coves Service areas or farming operations. No sprinkler systems are permitted in these areas. Maintenance of these areas is the owner's responsibility and they must be kept to a standard conducive to the rest of the Estate. Ownership of these areas does not at any stage devolve to the owners and the common ground will always remain part of the HOA. No use by one owner will convey the right for another owner to have the same use as each case must be considered in relation to the aesthetics of the Estate. Request to use common ground will be tabled as part of the aesthetics committee.
- 8.8 Trampolines and other children's equipment may be used on common ground and to be packed away the same day it is used.
- 8.9 To ensure the wise use of recycled water, improved quality of habitat for wildlife and aquatic species and biodiversity of plant species no fishing or swimming is permitted in the Fish Eagle dam area.

9. PROPERTY APPEARANCE AND MAINTENANCE

- 9.1 The planning concept for the Coves is one of openness and visual transparency. Garden areas of any unit are therefore open to viewing, and must be kept clear and uncluttered at all times.
- 9.2 The storage of boats, windsurfers, trailers, caravans, building materials, bird aviaries, motorcycles, inflatable pools and any other unsightly objects is not permitted in gardens or driveways.
- 9.3 In particular, but without limiting the generality of the aforementioned, an owner shall not hang any washing or laundry or any other items that are visible from the road or over any boundary fence.
- 9.4 Owners must keep their garage doors closed whenever possible, for sake of general appearance of the Coves.
- 9.5 In the interests of all owners, each owner is required to carry sufficient building insurance cover for their unit.
- 9.6 Building materials may not be dumped on the sidewalks, common areas or neighbouring properties under any circumstances.
- 9.7 An owner must maintain all aspects of the exterior of his house, upkeep, neatness and tidiness to the satisfaction of the HOA. Garden fences/walls and outbuildings forming part of the streetscape should be maintained and painted where necessary, otherwise the HOA will have the fence/walls repaired or painted and the costs charged to the resident.

10. LANDSCAPING

- 10.1 Each owner shall be responsible for the landscaping and maintenance of the sidewalk of his property. If the owner neglects such maintenance of his sidewalk the HOA will execute the required work and charge owners for such work. Only indigenous and water wise plant species will be permitted. Prior to planting please liaise with the Coves HOA to ensure that no trees are planted in the servitude.
- 10.2 Wendy houses are only allowed as temporary builders sheds.
- 10.3 We encourage the use of controlled / timed water sprinkler systems at freehold stands and sectional title units, as these manage water usage effectively. Therefore it is acceptable to utilize centralized sprinkler systems, as long as this is controlled and managed actively by the freehold and sectional title resident. Water sprinkler systems not controlled on timed device are not to be left unattended. Watering schedules are available from The Coves HOA please comply with the schedule.

11. ANIMALS & PETS

One of the biggest challenges that face our security team is not the investigation of crime – but the resolution of complaints from neighbours. The majority of complaints relate to barking dogs which have become a major problem on our Estate. Another big challenge arises from dogs getting out of the owner's property. A third big problem is roaming cats, attacking other cats and accessing people's homes.

- 11.1 Pets are permitted at the discretion of the HOA, and such permission may be withdrawn at any time, without reason, justification or liability. In the event of no resolution of the pet rules the HOA may take the necessary legal steps to ensure that the member removes or causes the pet to be removed from the Estate.

Action will be taken against the owner of any pet who bites a child, adult, HOA employee or security personnel. A case may be opened at SAPS. The HOA reserves the right to withdraw permission for the pet and have it removed from the Estate for if they consider it to be a risk.

In the event that the HOA takes legal steps required to compel the member to remove the pet from the Estate, the owner shall be liable for the HOA legal costs on an attorney and own client rate.

11.1.1 BARKING DOGS – PROCESS

- a. Speak with the neighbours and ask them to control their animals. Often people are not aware that their dogs are barking continuously (barking may only be occurring when the owner is away).
- b. If the neighbour is unwilling to cooperate (or even worse – becomes abusive) please report this to the Estate office during office hours, unless the behaviour is sufficiently abusive or aggressive as to put you at risk – in which case call security immediately. Please supply the office with a document detailing the hours the dogs barks, how long they have been barking – and if possible even a recording of the noise. This will enable the Estate office to investigate and follow the process further.
- c. The Estate office will issue a warning, if substantiated through an investigation.

- d. As most dogs can be trained to reduce or minimise barking (as suggested and recommended by dog trainers), this option should be considered by owners whose dogs continue to bark and cause nuisance on the Estate. There are dog trainers available and willing to assist owners with this process, with the co-operation and work of the owner. In most instances, the cost of potential fines could fund the training of dogs.
 - e. If there is no improvement after the warning – a fine of R1000.00 will be issued.
 - f. If the noise does not improve, please report this again to the Estate office – a fine of R2000.00 will be issued.
 - g. The third and final warning will culminate in the issuing of a fine of R4000.00 and a recommendation that the owner removes the dog from the Estate will be communicated.
 - h. If the barking still continues and the owner continues not to take action, permission to keep the pet will be withdrawn and the owner shall be obliged to remove the pet causing the nuisance from The Coves. Failing which the HOA may take the necessary legal steps to ensure that the owner removes or causes the pet to be removed from the Estate. In the event the HOA takes legal steps required to compel the owner to remove the pet from the Estate, the owner shall be liable for the HOA legal costs on an attorney and own client rate.
- 11.2 Pets are to be registered with The Coves HOA, every cat and dog must wear an ID tag. The owner is to provide the HOA with a current rabies certificates for all pets, failure to do so within a reasonable time frame, will result in penalties been imposed or the pet being removed by the HOA.
- 11.3 In view of neighbour proximity and open gardens, cats, dogs and other pets need to be strictly controlled by owners, both on and off their property. A maximum of two dogs and two cats per erf is permitted. The sectional title units have their own rules regarding the number of pets allowed. In the absence of any rule The Coves rules will apply.
- 11.4 Pets must be - controlled on a leash in the Estate’s open areas, and must not be allowed to harass other persons, children, cyclists, joggers, or other pets.
- 11.5 The owner must immediately remove dog excrement from paths, roads and sidewalks.
- 11.6 At all times, and particularly at night, pets must not create a disturbance, and should not be left unattended. Incessant barking of dogs is not acceptable and the process described in 11.1.1 above should be followed.
- 11.7 Fauna of any nature is to be encouraged and may not be chased or trapped in any public area be it by people or pets, this includes but is not limited to, illegal netting of the shoreline of Hartebeespoort Dam. No person shall be allowed to use catapults, pellet guns, firearms or traps. The jackals are natural fauna and will be managed through the jackal programme – more information on this is available from the Coves office. No jackal will be chased or trapped. Pet food and left over braai meat left accessible to them will encourage jackals to enter into your space. We request residents to keep leftover food in a secure place. Do not feed any natural fauna on the Estate – this includes monkeys!

- 11.8 A run free zone has been developed at the clubhouse. All dogs entering the zone must be properly socialized before being let off the leash. Please confirm with other owners in the zone that their dog is trained before entering the run. The owner must immediately remove dog excrement and place in the bin provided. This run is used at your own risk.
- 11.9 Roaming pets will be collected by security and kept safely, near the main gate security office until the owner collects the pet. A spot fine of R100 will be imposed, which may be debited to the owners levy account.
Failure to collect the pet within 24 hours will necessitate the pet being taken to HAWS to be cared for and a further cost of R500.00 will be applied for this service.
Each time the pet is collected by security the fine will increase in increments of R100.00
- 11.10 Owners are to apply for permission to keep exotic birds / pets.

12. SWIMMING POOLS

- 12.1 Swimming pools present an obvious danger to non-swimming children, but with many dams, lakes and water features openly accessible, it's recommended that parents take responsibility for their children and fence their property. Parents are to assume responsibility for their children when making use of The Coves swimming pools.
- 12.2 Pools must be protected by fences and/or safety nets or covers at all times.
- 12.3 Swimming pool water must not be discharged into the sewer drain.
- 12.4 Plans for swimming pools must be submitted and approved by the HOA and local Council, as per any other external building works, before work may commence.
- 12.5 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.
- 12.6 Filling or re-filling of swimming pools must be approved by the HOA before commencement.

13. BOATING

- 13.1 Boating is part of the amenities at The Coves. Safety to other users and owners of the boating facilities is paramount and the rules are intended to enhance safety as well as comply with the Maritime Rules as amended from time to time. In the event of non compliance to SAMSA rules and/or reckless endangerment of persons or property the Coves HOA reserves the right to impose a penalty of R5000 and open a case with the SAPS.
- 13.2 Visitors of permanent resident's boats will be allowed at The Coves only with the written permission of the Estate manager, except where a visitor's boat gains access from the dam and the permanent resident has given prior notice to security of his visitor's arrival.
- 13.3 All motorized craft must be registered with The Coves, application to be made at the administration office. Registered craft are to display the Coves identification token, cost of which will be for the owners account. Access to the water from the slipway will not be permitted until proof of SAMSA requirements pertaining to licenses, COF, skipper's competency and buoyancy has been furnished to The Coves offices.

- 13.4 The designated no wake zone must be observed, for safety, to protect the Waterfront environment and to reduce noise. Excessive revving and testing of engines, especially inside the no wake zone must be avoided.
- 13.5 No refuelling is permitted at the jetties to reduce the risk of fire on the water.
- 13.6 Waterfront owners are to respect the extended line of neighbouring properties when positioning jetties and mooring so they do not moor over into neighbouring property or its immediate surrounds. Jetties must be self-anchored and for structural reasons not fixed to the concrete stairs. More specific and detailed rules for the positioning and erecting of jetties will be incorporated within the Architectural and Building Rules to be established from time to time.
- 13.7 No swimming or boating, boards, canoes or any crafts are permitted on Bass Dam. Fishing is permitted at Bass Dam on a catch and release basis only, with the exception of Barbel which should be removed. All fauna is to be protected. Remove all gut, hooks and litter from the area.
- 13.8 The Coves HOA and security reserves the right to deny access to the dam to any skipper who is obviously intoxicated or in contravention of SAMSA rules. The SAPS will be called to intervene if necessary.
- 13.9 Boats may be left in the parking area adjacent to the slipway over weekends and holidays, but when not in use after these periods the boat is to be returned to storage.

14. GOLF CARTS

- 14.1 Although the roads within the Estate are private roads, they still fall under the jurisdiction of The Road Traffic Act, therefore the drivers of golf carts need to adhere to the Act, namely:
 - Drivers of golf carts need to be licensed:
 - Driver to be a minimum of sixteen years (16) and in possession of a Code A1, valid driver's license, issued by the authorities.
 - No more occupants permitted than the golf cart is designed to carry.
- 14.2 Carts must be quiet, non-polluting, in general good condition, neat and tidy.

15. SERVICES

- 15.1 Water and sewerage are privately owned by the HOA, and are accordingly operated and maintained by the HOA. Owners are to inform their tenants and/or guests of the septic tank and the need to use the facility correctly.
- 15.2 Bulk electricity is supplied by Eskom to the boundary fence and all internal electricity supplies are privately owned and maintained by the HOA.
- 15.3 Refuse, including garden bags, may only to be placed on the sidewalk on the morning of refuse collection. In accordance with municipal regulation, wheelie bins must be obtained and used at all times for refuse.
- 15.4 Refuse removal is carried out by The Coves. A refuse removal service is provided on a weekly basis.
- 15.5 Refuse bins must be stored out of sight from the road except on collection days.

- 15.6 No rubble or refuse should be dumped or discarded in any public place area, including parks, streets, lakes, lawn, dam and/or vacant stands. Garden service companies are to remove their own garden refuse.
- 15.7 Despite being on the shores of Hartbeespoort Dam, potable drinking water is, as for the rest of the country, a scarce and precious commodity. An owner's unit has an outside tap, conveying treated water, but an appeal is made to please not waste household and treated water.
- 15.8 Owners are requested to participate in the Coves recycling campaign and place all recyclable materials in a green bag separate from the other refuse.

16. RE-SALES AND LETTING

- 16.1 In order to ensure that prospective purchasers are correctly informed about the Coves, and to avoid the proliferation of unsightly signage, the owner is encouraged to employ an agent duly -approved by the HOA for re-sales and letting. All relevant information relating to this may be obtained from the Coves Estate office.
- 16.2 Any sales agreement must include this statement:

The purchaser acknowledges that he is required, upon registration of the property into his/her name, to become a member of the HOA of the Coves and the individual HOA, if applicable and agrees to do so, subject to the Memorandum and Articles of Association of such HOA and to remain a member for so long as he/she is the registered owner of the property.
- 16.3 In the case where the beneficial ownership or control of a company, close corporation, trust or other association which owns a unit in the Coves is changed or transferred, the transferor must notify the HOA forthwith of the change or transfer and with the full names and address of the new owner.
- 16.4 Should any owner let their property, he will advise the HOA in writing in advance of occupation of the lessee and the period of such lease. The owner shall inform the lessee of all the Conduct Rules and also provide the other rules and bind the lessee to adhere to such rules.
- 16.5 The owner of any property within the Coves is liable for the conduct of their visitors, tenants, contractors and employees, and must ensure that such parties adhere to the Conduct Rules.
- 16.6 "For Sale" or "To Let" signs may only be displayed for Sunday afternoon show house purposes and only on the street side of the property concerned. No pointer or other advertising boards are permitted. Only duly approved Estate agents will be allowed on the Coves. "For Sale" signs may be displayed permanently on vacant stands. A list of the approved Estate agents may be obtained from the HOA.
- 16.7 An Estate agent is approved after signing an agreement with the HOA. Such agent will abide by the stipulated procedures applicable to the sale and/ or lease of the property in the Coves, and after having been inducted with respect to the rules and conditions under which a buyer and/or lessee purchases and/or leases the property in the Coves.

16.8 Approval of the Coves Estate agents may be reviewed by the HOA from time to time.

16.9 Conditions of Title:

The seller shall be entitled to procure that in addition to all other conditions of title, the following conditions of title be inserted in the Deed of Transfer in terms of which the purchaser undertakes to adhere to the following::

“Every owner of the erf, or any subdivision thereof, or any interest therein, or any unit thereof as defined in the sectional Titles Act shall become and shall remain a member of the Home Owners Association and be subject to its constitution until he ceases to be an owner as aforesaid. Neither the erf, nor any subdivision thereof, or any interest therein, nor any unit thereon shall be transferred to any person who has not bound himself to the satisfaction of such association to become a member of the Homeowners Association. The owner of the erf, or any subdivision thereof, or any interest therein or any unit thereon as defined in the Sectional Title Act, shall not be entitled to transfer the erf or any subdivision thereof, or any interest therein, or any unit thereon, without a clearance certificate from the Homeowners Association that the provisions of the Articles of Association of the Homeowners Association have been complied with.” The terms “Homeowners Association” in the aforesaid conditions of title shall mean the Coves Home Owners Associations (incorporated Association not for gain). These terms and conditions will also apply to any subsequent Homeowners Association.”

16.10 In the event of the Registrar of Deeds requiring the amendment of such conditions in any manner in order to effect registration of it, the purchaser hereby agrees to such amendment.

16.11 The seller, through his agent must personally ensure that the purchaser is informed about, and receives a copy of the Conduct Rules, contractors’ Code of Conduct and any other administrative regulations applicable at the time.

17. LEVY PAYMENTS

17.1 Levies are payable in advance on the 1st day of the month, and interest is payable on arrears. Levies may not be withheld for any reason whatsoever. Those who jointly own a property are liable for levies jointly and severally.

17.2 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 resident as determined by the governing body.

17.3 Owners are urged to arrange a debit order with the accounting administrator of the Coves, to ensure prompt and timely payment of levies.

17.4 Failure to pay promptly will result in the owner’s access cards being temporarily suspended. The card will be reinstated when proof of payment or an agreed arrangement regarding payment has been received by the Estate office.

18. LEGAL STATUS

18.1 These rules have been established by the directors in terms of the Memorandum and Articles of the HOA.

18.2 All owners and tenants within the Coves Estate are obliged to comply with the Coves Rules.

- 18.3 The owner is responsible for ensuring that all members of their family, tenants, visitors, employees, contractors, subcontractors, and delivery persons, also comply with the Coves Rules.
- 18.4 The directors shall have the right in the event of a breach of a rule by an owner and without any notice should the directors in their discretion deem that no notice is warranted to take such action against the defaulting owner as they deem fit on behalf of the HOA, including but not limited to remedying of the breach at the defaulting owner's cost, and/or imposing of a fine as the directors deem appropriate.

19. ARCHITECTURAL STANDARDS

- 19.1 All building plans should be in accordance with the Design Standards Guide applicable to each village at the Coves, and must be approved by the Aesthetics Committee. This applies to new buildings as well as any additions and alterations to existing structures. No building or alteration is to commence prior to the approval of the Coves Aesthetics Committee and Madibeng Town Council. Buildings are to be built in accordance with the approved plan. No deviations will be accepted without the prior approval of the Coves HOA aesthetics committee. No "as built" plans will be accepted. Any amendments are to be submitted for approval prior to any changes being made.
- 19.2 All garden walls and fencing must be approved by the Aesthetics Committee with regards to both material and dimensions. Only fences approved by the HOA Architects Committee may be erected.
- 19.3 Fixtures and other items, which include but are not limited to: wash lines, swimming pool pumps, trampolines, jungle gyms and kennels should be sited as discreetly as possible and may only be installed subject to prior written approval of the HOA. If approval in writing is not given, then these items may have to be removed.
- a. All TV aerials are to be contained within the roof space.
 - b. Solar panels are to be flush with the roof and mounted as inconspicuously as possible.
 - c. No heat pumps condenser units or evaporative cooling radiators visible from any street will be permitted unless screened. Air conditioner units are to be screened or placed below boundary height wall and out of sight from neighbouring properties and the street (all subject to committee approval).
 - d. Water tanks in shades of grey and beige are allowed - to be hidden and placed in an inconspicuous position screened from neighbours and street by approved building materials
 - e. Existing air conditioners and heat pumps must be screened or relocated as agreed at the 2014 AGM.
 - f. All future installations of air conditioners and heat pumps must comply with the rules in terms of screening.
- 19.4 Lean-to's and temporary carports will not be allowed.
- 19.5 Roofing materials for patio's, carports and outbuildings must be approved by the HOA.
- 19.6 All construction containing shade cloth will not be allowed by the HOA.

- 19.7 Owners are to ensure and verify that they adhere to the latest issue of Architectural Guidelines and Builders Code of Conduct. These guidelines apply to maintenance and additions as well as to new builds.
- 19.8 Exterior lighting
External or perimeter lighting is to be sited in such a way as to not interfere with the neighbours. The type of fixture and wattage of the lighting is to be considered. External lighting is to be indicated on the plan for approval prior to installation.
- 19.9 Garages
All freehold stands are to have a minimum of 2 garages.
- 19.10 The building deposit will only be refunded upon the completion of the dwelling in accordance with the approved plan. In the event of damage to any property or infrastructure, the HOA will deduct from the deposit the amount to repair the damage caused, or institute legal steps to recover the cost to repair the damage caused.

20. BUILDERS AND CONTRACTORS GUIDELINES

- 20.1 All contractors are to abide by the builder's code of conduct, architectural rules and Estate rules as amended from time to time. It is the owner's responsibility to ensure that the contractor is given access to all documentation. The owner of the property is responsible for the behaviour of and compliance with the rules of the contractors, any penalties imposed may be debited to the owners levy account. This applies to maintenance and additions as well as new builds. Application documents to be obtained from the Estate office.
- 20.2 Spot penalties may be imposed by the Estate manager or security for non-compliance with the contractors rules, penalties will be R500 first offence R1000 second offence and R2000 third offence. The Coves HOA reserves the right of access. If a contractor has incurred more than 3 penalties the contractor will be requested to attend a meeting with the Estate manager, site manager and the resident who has appointed the contractor, if necessary the security director or another director will be requested to attend.
- 20.3 Contractors are permitted on site Monday to Friday 7 am to 6 pm, access at the contractors gate. In the event of an emergency application is to be made to the Estate manager, permission will not be unduly withheld.
- 20.4 Rules included from the builders code & contractors rules and regulations
- 20.4.1 Building sites are to be kept clean and at no time is building material to be accumulated on site or on any adjoining vacant site.
- 20.4.2 The perimeter building fence or net is to be closed off to prevent injury to any person or child walking on site. The fence is to be kept in a good state of repair, neat and tidy at all times.
- 20.4.3 Every building site is required to have a chemical toilet, the toilet is to be provided prior to the building site been opened by the HOA for work to commence. The toilet is to be serviced on a regular basis and kept in a good state of repair and adequately screened.
- 20.4.4 Builders taps are not to be left running when water is not been used. Any water leaks are to be reported to The Coves offices.

- 20.4.5 All contractors are to leave The Coves via the contractor's gate by 18H00
- 20.4.6 All delivery trucks are to be escorted to and from site.
- 20.4.7 Contractors are not permitted to walk from building site to building site nor are they permitted to wander off the building site where they are working.
- 20.4.8 Contractors are to make use of the designated roads as much as possible when moving throughout the Estate.
- 20.4.9 Only Security authorized vehicles will be allowed onto the Estate. All delivery trucks, earth moving equipment TLB's, and tractors are not permitted entry through the Main gate and must use the contractors Gate. Contractor vehicles and delivery trucks are to use the contractor roads provided and all delivery trucks must be escorted by the responsible contractor from and back to the contractors gate entry point. There is a load restriction of 8, 0 Ton G.V.M. (gross vehicle mass) **single axle** on all tar road surfaces where there is no contractor road provided. **Double axle** trucks will not be permitted on tar surface roads, exception to this is made for the delivery of ready mix concrete trucks with the proviso that the contractor protects the road at turning points with crusher dust or similar soft sand to reduce the chance of tearing of the tar surface by the **double axle**. Excepting for roof truss deliveries, no articulated vehicles are permitted in the Estate, unless by special prior authorization of the HOA.

It is the obligation of the Contractor to notify his suppliers of this, and the HOA shall not entertain any claims for losses or damages in this regard.

21. SECTIONAL TITLE RULES

Refer to standard Sectional Title Rules. All sectional title residents and visitors are bound by The Coves HOA rules in addition to the sectional title rules.

23. ESTATE AGENTS RULES

Rules are available upon request

24. PENALTIES

The directors of the HOA will impose penalties for non-compliance with any of the rules as stated in this document. The penalties are reviewed annually and are presented to members at the AGM. Please refer to Annexure A attached.