



THE COVES GOVERNING BODY NPC
REGISTRATION NUMBER: 2003/010909/08

THE COVES RULES AND CODE OF CONDUCT

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1. INTRODUCTION

The Estate has been developed to provide a secure, safe, environmentally friendly lifestyle for its residents. These rules have been created, in accordance with the Memorandum of Incorporation to protect the interests of Members and their investment in the Estate. These rules are administered and managed by the Board of Directors and the Estate management. It is the responsibility of every Member to ensure that all members of their household, and all their invitees (including but not limited to guests, tenants, contractors and employees) abide by these rules.

2. REQUIREMENTS FOR THE RULES AS PER THE MEMORANDUM OF INCORPORATION

Article 8 in the Memorandum of Incorporation contains the following clause 8.1 relating to the rules of The Estate

“Subject to any restriction imposed or direction given at a General Meeting of the Association and subject to any requirements of the Act, the Directors may from time to time make, amend or vary Rules in regard to the use and observance of members and their households, their guests and lessees and any and all occupants of their erven or units, of the Property, including without limitation thereto all units and erven, all common areas and the security infrastructure and all amenities of the Association.”

3. DISCLAIMER

The Coves Governing Body NPC, its Agents, Contractors, Employees and Appointees shall not be liable for any injury, loss, death or damage to any person or property, arising from any cause whatsoever including, without limitation thereto, the negligence of the above persons, The Coves Governing Body NPC or the acts of any of its Agents or Employees or Appointees. Without in any manner derogating from the above, all members and visitors to The Coves, make use of common areas, internal roads, pathways and any of the facilities in the Estate at their own risk.

Whilst every effort is made to secure and monitor The Coves’ property, The Coves Governing Body NPC and its Agents, Employees or Appointees shall not be deemed to have warranted the safety or security of any person or property, whether movable or immovable on The Coves.

4. DEFINITIONS

In these Management Rules the words and expressions defined in the Mol of the Company shall bear the same meaning wherever they appear in these Rules.

5. SERVICES AND INFRASTRUCTURE AT THE COVES

5.1. SEWERAGE SYSTEM

The Coves has two onsite sewerage plants, managed and maintained by the administration office.

- 5.1.1. Only toilet paper and human waste may be flushed;
- 5.1.2. No newspapers, feminine products, condoms, nappies, paint, chemicals, storm water, swimming pool discharge, oils or fats may be disposed into the internal sewerage system;
- 5.1.3. If you can eat it, you can flush it (processed or otherwise);
- 5.1.4. Storm water must not be discharged into the sewerage system (ensure that there is adequate clearance between ground and drains);
- 5.1.5. Swimming pool discharge may not be released into the drains;

5.2. WATER ON THE ESTATE

- 5.2.1. Water originates from boreholes on the Estate and is processed at the water processing plant. Treat it as the scarce resource, it is and adhere to the watering schedules available from the administration office. Water is invoiced on a sliding scale. Penalties will apply for

watering at times other than the watering schedules, unless harvested rainwater is used for irrigation.

5.2.2. No boreholes may be drilled / constructed on any individual erven.

5.3. REFUSE

5.3.1. Collections and Storage

Refuse must be stored in wheelie bins (available from the administration office) out of sight, except on collection days. On collection days, refuse must be placed on sidewalks. A maximum of ten bags will be collected. Large items and excess garden refuse must be taken off site by the owner.

5.3.2. Recycling

The Coves supports recycling. Items must be placed in separate bags on the pavement on collection day. These will be supplied or are available from the administration office. Details of recycling items can be obtained from the administration office.

5.3.3. Dumping

Building materials, grass cuttings, garden refuse, any other refuse may not be dumped on the sidewalks, common areas or neighbouring properties under any circumstances.

5.3.4. Garden Refuse

Green waste initiatives may be introduced by the administration office; and residents will be required to support the initiatives.

5.3.5. Open Fires and Refuse Burning

No member shall burn or permit anyone to burn any materials or rubbish on the stand or anywhere else on the Estate.

No braai coals or ash are allowed to be dumped on common property.

6. LEVY PAYMENTS

6.1. 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.

6.2. In the event of default of payment of levies, The Coves 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 Coves Governing Body.

6.3. Failure to pay promptly will result in the owner's biometric access being suspended. Access will be reinstated when proof of payment or an agreed arrangement regarding payment has been received by the administration office.

7. GENERAL CONDUCT

7.1. To preserve and enhance the residential amenity and lifestyle within The Coves, all residents shall always behave and conduct themselves in a considerate, reasonable and civilized manner, and shall avoid causing inconvenience or nuisance to other residents.

7.2. All owners take full responsibility for all the actions and behaviour of their visitors, tenants, employees, contractors and anyone else that they may have invited to The Coves.

7.3. Residents must ensure that their children as well as the children of members of their household, family, visitors, employees and guests do not pose a safety threat to themselves or to any other person or driver in the Estate.

- 7.4. Reckless endangerment or abuse to persons, whether it be other residents or The Coves employees, or damage to property will not be tolerated.
- 7.5. Persons damaging any of the Company's property and/or facilities will be liable for the costs of repair/replacement/damages and such costs will be billed to the levy account of the member concerned.
- 7.6. Leave our open spaces in pristine condition. Pick up after yourself – and if someone else has not done so assist us all by picking up after them.
- 7.7. Keep your personal belongings on your own property, including but not limited to canoes, trampolines, bicycles, children's toys, prams and pushchairs, sporting equipment, water skis, life jackets and ropes. If the owner cannot be identified the property will be picked up by The Coves and sold for our favourite charity.
- 7.8. Skateboards, roller-skates, bikes or similar are not permitted on the steps or patio of the clubhouse
- 7.9. No camping is allowed within the Estate.
- 7.10. No fires or braais are permitted on common areas except where braai areas are provided at the waterfront and clubhouse.
- 7.11. FACILITIES
 - i. Use of the facilities by guests without the owner being present is not permitted.
 - ii. Young children must be supervised by their parents when using these facilities.
 - iii. No animals are allowed inside the facilities.
 - iv. Should an owner wish to hold a function (20 people or more) on The Coves common property, permission must be obtained from the administration office, 48 hours before the function takes place. Be considerate of other residents' right to use the facilities.
 - v. If the Company is of the opinion that extra security is required for any function hosted by a member, such extra security at the discretion of the Company, will be employed and the costs associated will be billed to the levy account of the member concerned.
 - vi. The communal area as well as the ablution facilities must be left clean and tidy. Additional costs for the cleaning of these areas will be charged to the levy account of the member concerned.
 - 7.11.1. Squash Courts
 - a. The squash courts have no time limits applicable for usage.
 - b. Booking systems might be introduced by the administration office.
 - c. Non-marking shoes are to be used when playing
 - d. No glasses or glass bottles are to be taken into the squash courts.
 - e. The squash courts are to be used for playing and practice of the game. They are not to be used for any other purpose.
 - f. Skateboards, roller-skates, bikes or similar are not permitted in the squash courts.
 - 7.11.2. Tennis Courts
 - a. The tennis courts may not be used between 22:00 and sunrise / 06:00.
 - b. No glasses or glass bottles are to be taken onto the tennis courts.
 - c. The tennis courts are to be used for playing and practice of the game. They are not to be used for any other purpose.
 - d. Skateboards, roller-skates, bikes or similar are not permitted on the tennis courts.
 - 7.11.3. Swimming Pools
 - a. All minor children and non-swimmers using the pool must always be under the control and supervision of a responsible adult.
 - b. The swimming pools may not be used between 22:00 and sunrise / 06:00.

- c. Swimming costumes are to be worn at the pools.
- d. No glasses or glass bottles are to be taken into the swimming pool areas.

7.11.4. Trampolines and other play apparatus

- a. Objects may not be taken onto the trampoline (such as bikes, pogo sticks and other toys).
- b. Shoes may not be worn whilst utilising trampolines.
- c. Other play equipment may be subject to restrictions and will be communicated accordingly.

7.11.5. Restaurant Facilities

- a. The usage of the restaurant is subject to The Coves Rules, as well as the appointed service provider's rules.
- b. The appointed service provider reserves the right of admission.
- c. The allocated areas are for the appointed service provider and their patrons' exclusive use.

8. SAFETY AND SECURITY

The perimeter security, patrols, and access controls serve as both deterrent and detection factors only and do not in any way guarantee an intrusion-free Estate. Owners remain ultimately responsible for their own safety and the security of their possessions in their homes and in the Estate.

8.1 ACCESS CONTROL AND REGISTRATION PROTOCOL

- 8.1.1. All new residents and owners must follow the access procedures – an up to date copy is obtainable from the administration office or helpdesk at the main gate.
- 8.1.2. All employees, permanent workers, temporary workers and contractors must be registered on the security system. Only persons in possession of a valid South African Identity Document or valid work permit will be allowed to work on the Estate.
- 8.1.3. Residents bringing in casual or temporary employees on to the Estate must follow the control procedures. The employee is to disembark and be processed through the pedestrian turnstile.
- 8.1.4. If an employee leaves the employ of a resident, the resident must inform security.
- 8.1.5. Only members, their immediate family, employees and tenants may be registered on The Coves data base. Tenants will be required to produce their lease agreements.
- 8.1.6. Access may be given by owners and tenants to visitors and guests via the security system. Visitors must be in possession of a valid driver's license and the vehicle of the visitor must be duly licensed. If visitors cannot produce valid driver's license or if the visitor's vehicle is not duly licensed, the visitor will need to be collected from the main gate by the resident.

8.2 CONTROL OVER GOODS LEAVING THE ESTATE

The Coves has a right of admission. The Coves has the right to search any person or vehicle whether upon entry or egress from the Estate.

Random searches of vehicles and persons will be carried out. If an employee or contractor is given goods, it needs to be accompanied by a note from the resident.

8.3 ALARMS

It is recommended that residents have their house alarms connected to the main gate or alternative off-site monitoring solution offered by the Estate. If an alarm goes off, security will patrol and inspect.

8.4 BREACH OF ACCESS CONTROL

8.4.1. Any breach of access control, tailgating, using the personal access to permit a visitor to enter and crashing the barrier is strictly prohibited.

8.4.2. If a visitor or guest does not have the correct documentation as per 8.1.6, it is the resident's responsibility to fetch the visitor from the Main Gate (or Contractors Gate).

8.5 EMERGENCY EVACUATION PROCEDURE

A copy of this is available from the administration office. Residents are to follow this process when required.

8.6 USE OF FIREARMS AND TRAPPING DEVICES

8.6.1. No person shall display or discharge a firearm anywhere on the Estate except in self-defence.

8.6.2. Residents who own a firearm must ensure they are well versed with the stipulations of the Criminal Procedure Act, 1977.

8.6.3. No person shall discharge an air rifle (pellet gun), paintball guns, crossbow or any similar weapon that will result in damage to property, injury or death of wildlife or domesticated animals or people.

8.6.4. No trapping devices are allowed to trap any wildlife / birdlife.

9. ROADS AND ROAD TRAFFIC

The roads within the Estate are defined as servitudes granting a right of way exclusively to be used by the members, their visitors, employees and contractors.

9.1. SPEED LIMITS

9.1.1. The speed limit is 30 km/h on all the Estate roads and 20 km/h on all dirt roads used for contractors and deliveries.

9.1.2. Members, residents, their visitors, employees and contractors are required to control the vehicles of which they are operating to keep these vehicles within the allowed speed limit, failing such, penalties will be applied for excessive speed.

9.1.3. The speed limit penalties are listed under the Penalty Structure attached.

9.2. CONTRACTORS ROADS, DIRT ROADS, FOREST AND WALKING TRAILS

9.2.1. No vehicles other than contractor's vehicles, delivery vehicles and residents' vehicles escorting delivery vehicles are allowed on the dirt roads and tracks.

9.2.2. Access to the Boat Lockers via the Contractor's Road is allowed.

9.2.3. Forest and walking trails are to be used by bicycles, pedestrians, push chairs and prams only.

9.3. QUAD BIKES AND OFF-ROAD BIKES

9.3.1. Quad bikes may not be ridden on the Estate and must be transported off the Estate.

9.3.2. An off-road bike (2-wheeler) may be driven at a maximum speed of 20 km/h and minimum noise level to and from the gate for access and egress only.

9.4. GOLF CARTS AND OTHER VEHICLES

- 9.4.1. All Golf Carts must be registered by the owner at the administration office and must display The Coves registration number (costs for the owner's account)
- 9.4.2. Owners of Golf Carts are responsible for the control and safe use of their golf carts at all times.
- 9.4.3. Carts must be quiet, non-polluting, maintained and in general good condition.
- 9.4.4. No children under the age of 16 may drive a golf cart, unless supervised by an adult. The member will be held liable if something should happen or go wrong.

9.5. BICYCLES AND SCOOTERS

- 9.5.1. Children must wear protective gear when riding bicycles and scooters on the road and paths. Make sure they know the rules of the road, ride or walk on the side of the road.
- 9.5.2. No riders will be allowed on the pump track at the clubhouse without a helmet.

9.6. PARKING AND TRAFFIC CONTROL

- 9.6.1. Vehicles must be parked on the resident's property or in the resident's carport.
- 9.6.2. Residents and visitors' cars must be parked on the owner's property or designated area where applicable. They may not be parked in the roads where they restrict flow of traffic.
- 9.6.3. No vehicles may be parked on grassed common areas, pivots or contractor's roads, except where stated (e.g. waterfront)

9.7. RECKLESS AND NEGLIGENT DRIVING

- 9.7.1. No form of reckless driving will be tolerated on the Estate.
- 9.7.2. Any driver appearing to be under the influence of alcohol or illegal substances will not be permitted to drive on the estate.

9.8. ROAD SAFETY

- 9.8.1. Pedestrians, bicycles and animals shall at all times have the right of way within the Estate.
- 9.8.2. Aircraft have right of way at taxiway crossings.
- 9.8.3. The use or operation of a mobile phone are not allowed while driving and operating a vehicle on the Estate.
- 9.8.4. People driving motor vehicles on the Estate must be in possession of a valid driver's license for the type of motor vehicle being driven as stipulated in the National Road Traffic Act of 1996, as amended and its regulations.

10. NEIGHBOUR RELATIONS

One of the biggest challenges with community living is the closeness and potential intrusion of your privacy. This requires courtesy, understanding and tolerance. We urge residents to engage with your neighbours to find a common understanding before engaging with the Estate Manager and Security.

10.1. NOISE REDUCTION

- 10.1.1. Noise carries in the Estate. Moderate the music levels and switch off/or to a very low level after 22h00. Consideration of your neighbours is required when holding parties or entertaining guests. It is easy for noise levels to rise to an intolerable level for your neighbour. Consideration of your neighbours is always required when holding parties or entertaining guests and not be a nuisance.
- 10.1.2. Mechanical maintenance, and the use of mechanical equipment i.e. power saws, power

tools, lawn mowers and the like (electric mowers are preferred), should only be carried out between 07:00 – 18:00 weekdays and Saturday's, work will be permitted 08:00 – 13:00 on Sundays and public holidays.

10.1.3. No activity or hobby, which causes aggravation, nuisance or noise pollution to other owners, may be conducted at The Coves.

10.1.4. Revving of engines, boat engines, motor bikes is not permitted. to be kept to a minimum and only when absolutely necessary.

10.2. FIREWORKS

No fireworks of any kind are permitted at The Coves. It is against Madibeng bylaws and terrifies wildlife and pets.

10.3. GENERATORS

10.3.1. Generators may only be run between the hours of 06h00 and 21h00.

10.3.2. The generator must be silenced to achieve typical target noise levels not greater than 70db at 7 metres from the source – or must be built in such a way to minimise noise to your neighbours.

10.3.3. All generators connected into your DB board must be installed by a qualified electrician and have a Certificate of Compliance issued by a licensed electrician and submitted to the Estate Manager. In the event that such certificate is not submitted to the Estate Manager, it will be assumed that a generator is not compliant.

10.3.4. Any generator that causes a disturbance or pollution for fellow residents, the resident responsible shall be required to remedy the situation and / or re-locate the generator.

10.3.5. Storage of Fuel

10.3.5.1. Fuel must be stored safely to avoid any spillage or pollution.

10.3.5.2. The storage thereof must adhere to the National Health & Safety Regulations.

10.3.6. For built-in generators please refer to the Architectural Guidelines for aesthetic and plan submission requirements.

11. ENVIRONMENT AND LANDSCAPING

The Estate is environmentally conscious and asks residents to manage the Estate accordingly to maintain our naturally perfect ethos.

11.1. WILDLIFE ON THE ESTATE

The Estate has a varied selection of small wildlife and invertebrates' jackals, monkeys, bush babies, leguaans, snakes, birds and various small creatures like hares and mongoose, in addition to our resident game.

11.1.1. No attempt must be made to feed or engage with these animals as this can negatively affect them. No food or water may be provided to the wildlife, feral cats, stray cats.

11.1.2. Residents must ensure that their dogs and other domestic pets do not attack or approach the wildlife on the Estate.

11.2. LANDSCAPING AND GARDENING

11.2.1. The Coves encourages waterwise and indigenous plants. Consult the administration office if in doubt. Residents can be asked to remove plants which are non-compliant.

11.2.2. Controlled/timed water sprinklers may be used but the watering schedules must be adhered to. Uncontrolled sprinklers may not be left unattended. Watering schedules are available from the administration office.

- 11.2.3. Common areas outside your home may be developed where space permits. Refer to the ARAC rules for details. All plans must be approved by ARAC prior to commencement.
- 11.2.4. Treatment and control of alien invader species (AIS) on an erf is the responsibility of the member. If the treatment and control of AIS is not attended to upon notice from the Company, the Company will arrange for treatment and charge any expenses incurred to the member's levy account.

12. ESTATE APPEARANCE

12.1. PROPERTY APPEARANCE AND VISIBILITY FROM THE ROAD

- 12.1.1. The planning concept for The Coves is one of openness and visual transparency. Garden areas of any unit are open to viewing and must be kept clear and uncluttered at all times.
- 12.1.2. All aspects of the exterior of the house, walls and fences of a resident must be maintained. Should this not be done to the satisfaction of the standard of ARAC, arrangements will be made to have the fence/walls repaired or painted and the costs charged to the owner.
- 12.1.3. This includes maintenance of the sidewalks.
- 12.1.4. Boats, windsurfers, trailers, caravans, bicycles, golf carts and motorcycles and similar items may not be left permanently for more than 3 (three) days on driveways or lawns of an erf. The abovementioned items may not be parked on common areas.
- 12.1.5. Washing, laundry or any other items may not be hung over boundary fences and must be screened from the road.
- 12.1.6. Garage doors shall be kept closed at all times, except during normal operating activities or if the owner or occupant is on site attending to work in the garage.

12.2. SWIMMING POOLS

- 12.2.1. With the dams, streams water features and pools openly accessible, residents have to take responsibility for their children on common property and privately- owned stands.
- 12.2.2. Pools must be protected by fences and/or safety nets or covers as required by the National Building Regulations.
- 12.2.3. Filling or re-filling of swimming pools must be approved by the administration office before commencement to ensure optimum water management.
- 12.2.4. Plans for swimming pools must be submitted and approved by ARAC and Local Council, as per any other external building works, before work may commence.

12.3. ADVERTISING, PAMPHLET DISTRIBUTION OR CANVASSING

- 12.3.1. No advertising of any kind (billboards etc.) is permitted within the Estate. The unauthorised distribution of pamphlets, flyers etc., is not permitted.

13. ANIMALS AND PETS

13.1. BIOSECURITY RULE

No animal or animals (including cloven hoofed species) may be introduced to The Coves without permission from Management of the Coves (which shall not be unreasonably withheld)

- 13.1.1. Application must be made to the Administration offices at least two weeks before the planned introduction. Should the application be approved the signed application plus necessary documentation must be presented at the gate before the animal can enter the estate.
- 13.1.2. Pets must have:
 - a. A current vaccination certificate;
 - b. Be microchipped;

- c. Have a veterinary certificate of health
- 13.1.3. Other animals (including but not limited to) cloven hoofed species and small ruminants must have:
 - 13.1.3.1. A health certificate signed by a veterinarian
 - 13.1.3.2. Permanent legal identification in line with movement and transport legislation
 - 13.1.3.3. The district of origin must be clearly stated on the application
 - 13.1.3.4. All animals must be free of external parasites
 - 13.1.3.5. In the case of small ruminants, the health certificate must indicate when the compulsory sheep scab treatment was carried out and is currently valid
 - 13.1.3.6. A vendor declaration must accompany the application stating the disease status of the farm of origin and that it is free from a number of diseases (list obtainable from the office – but including things like Foot and Mouth, Anthrax, TB, Rabies, Brucellosis.)
- 13.1.4. Quarantine

Where the conditions of 13.1.3 are not met the animal must be kept in quarantine for a month in a recognised facility where all the necessary health checks are carried out and a signed veterinary certificate of health is provided.
- 13.1.5. Purpose
 - 13.1.5.1. The purpose of the introduction, as well as where it will be housed
 - 13.1.5.2. It may not create a threat or nuisance to neighbours or our existing wildlife and species
 - 13.1.5.3. The Coves management must inspect the facilities before the approval of the application and the housing must comply with national legislation and municipal by-laws.
- 13.1.6. Penalties
 - 13.1.6.1. Should the animal/pet not comply with all the above it will not be allowed to enter the estate
 - 13.1.6.2. If an animal is introduced to the Estate without the necessary permission being obtained and all the health requirements being in place a penalty of R10 000 will be applicable.

This rule is introduced to protect the estate, (humans, our pets, our existing wildlife and fauna) from disease.

13.2. NUMBER OF PETS

- 13.2.1. The Coves permits a maximum of 2 dogs and 2 cats per erf/unit. Sectional Titles may have more restrictive rules.
- 13.2.2. No other pets (for example monkeys, snakes, rabbits, birds, chickens etc.) are permitted without permission from the administration office. Permission to keep pets may be withdrawn at any time should your pet prove dangerous or a nuisance to other owners.
- 13.2.3. No pet sitting is allowed which results in the number of pets exceeding the permitted number of pets on a stand.

13.3. PET REGISTRATION

- 13.3.1. The pets must be registered at the administration office and current vaccination and inoculation certificates must be produced. These must be updated each year.
- 13.3.2. Every cat or dog must wear an identification tag. Failure to wear a tag may result in the pet being considered a stray or feral.

13.4. CONTROL OF PETS

- 13.4.1. Dogs are to be restricted to the property of the resident. Dogs must be on a controlled leash when off the resident's property. Dogs must be under the control of the owner at all times.
- 13.4.2. Regular or nuisance barking, particularly at night, is not permitted and must be managed by the owner.
- 13.4.3. Any excrement on roads, paths, and sidewalks and the dog run must be collected immediately by the owner, bagged and placed in the bins provided.
- 13.4.4. Cats may not be a nuisance to other residents.

13.5. DOG RUN

A dog run has been created at the clubhouse. Ensure that your dog and any other dog already in the run has been appropriately socialised.

14. BUSINESSES AT THE COVES

- 14.1. No business activity may be conducted at The Coves, unless the written consent of the Directors has first been obtained, which consent shall not be unreasonably withheld. The Directors will take into consideration such facts and or circumstances they may consider which may include if such activity will cause aggravation or nuisance to other residents. Residents and neighbours' input will be taken into consideration in granting permission. In the event of a business requiring a license from any statutory authority such license shall be obtained by the owner.
- 14.2. An application form is available from the administration office and must be completed and approved prior to commencing business.

15. LETTING AND RESALE OF PROPERTIES

The Coves rules apply to and are binding upon all owners and tenants. An owner or tenant (or his agent) who intends to let an erf must apply the following principles.

15.1. LEASE

- 15.1.1. The owner takes full responsibility for his tenant's actions and compliance with the
- 15.1.2. Estate Rules.
- 15.1.3. The owner must furnish a copy of these rules to the tenant.
- 15.1.4. The owner must enter into a written lease agreement with the tenant.
- 15.1.5. The owner must furnish a copy of the relevant signed lease to the administration office prior to the tenant taking occupation of the property.

15.2. PERIOD OF LEASE

- 15.2.1. No lease may be for a period of less than three months.
- 15.2.2. Any form of short term letting or advertising for short term letting is strictly prohibited. Short term letting is defined as any form of letting in which the owner of an erf/unit allows a third party to occupy such erf/unit for a period of less than 3 months, regardless of such consent being in writing or verbally.
- 15.2.3. The following exceptions may be allowed, subject to permission from the Estate Manager;
 - A short-term lease may be entered into as part of a sales agreement (occupational rental).
 - A short-term lease may be entered into with a future resident when delays in building are experienced.

15.3. ESTATE AGENCIES AND THEIR AGENTS

To ensure that prospective purchasers are correctly informed about The Coves, and to avoid the proliferation of unsightly signage, the owner is encouraged to appoint an agent registered with The Coves administration office for re-sales and letting. A list of the registered Estate Agencies may be obtained from the administration office.

15.3.1. An Estate Agency is registered after signing an agreement with The Coves Governing Body. Such agencies and their agents 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.

15.3.2. Rules and process of registration may be obtained from the administration office.

15.3.3. Registration of Estate Agencies and Agents may be reviewed from time to time.

15.3.4. "For Sale" or "To Let" signs may only be displayed by registered estate agencies for Sunday afternoon show house purposes and only on the street side of the property concerned. No pointer or other advertising boards are permitted.

15.4. SALES AGREEMENT

15.4.1. Any sales agreement must include the following obligation upon the purchaser:

"The purchaser acknowledges that he is required, upon registration of the property into his/her name, to become a member of The Coves Governing Body NPC and will be bound by its Memorandum of Incorporation, rules and regulations and the individual Body Corporate, if applicable, and agrees to abide thereby and to remain a member for so long as he/she is the registered owner of the property."

15.4.2. In the case where the beneficial shares or membership and the control of a company, close corporation, trust or other corporate body which owns an erf or unit in The Coves is changed or transferred, the transferor must notify the administration office forthwith of the change or transfer and with the full names, identity number and address of the new shareholder(s) / member(s) or trustee(s).

15.5. CONDITIONS OF TITLE

15.5.1. The seller shall be obliged 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 Home Owners 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 Home Owners Association that the provisions of the Memorandum of Incorporation of The Coves Governing Body NPC have been complied with."

15.5.2. Any resale and issue of a clearance certificate are subject to inspection by the ARAC and/or Estate Manager to verify compliance of the house with its approved plans and

ensure that no illegal alterations or additions have been done. This verification to be provided before The Coves Governing Body issues its levy clearance certificate.

- 15.5.3. In the event of the Registrar of Deeds requiring the amendment of such conditions in any manner to effect registration of it, the purchaser hereby agrees to such amendment.
- 15.5.4. The seller, through his agent must personally ensure that the purchaser is informed about and receives a copy of the Estate Rules and any other administrative regulations applicable at the time.

16. MEMBERSHIPS AND CLUBS

16.1. AVIATION CLUB AND RULES

16.1.1. AIRFIELD AND AIRCRAFT

- 16.1.1.1. The airfield is a private, unlicensed, unmanned airfield and all applicable Civil Aviation Regulations apply.
- 16.1.1.2. Any pilot using the airfield shall be Licensed, Rated and Current.
- 16.1.1.3. Any aircraft using the airfield shall be airworthy and have a valid authority to fly or Certificate of Airworthiness and a valid Release to Service in the case of Type Certified Aircraft.
- 16.1.1.4. The Coves Estate 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.
- 16.1.1.5. All aircraft to join overhead The Coves airfield at 5 300ft. and to fly the circuit to the west of the field. The frequency in use is 125.80 and contact The Coves.
- 16.1.1.6. The preferred runway for take-off is 36 and the preferred runway for landing is 18.

16.1.2. ACCESS

- 16.1.2.1. 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.
- 16.1.2.2. The Aviation Visitor Information Registration Indemnity form may be requested from the administration office.

16.1.3. MEMBERSHIP OF THE COVES AERO CLUB

- 16.1.3.1. All persons actively participating in Aviation activities must be members of The Coves Aero Club. The Coves Governing Body 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.

16.1.4. CONSIDERATION OF OTHER RESIDENTS AND OWNERS

- 16.1.4.1. Consideration to other owners must be given at all times when using the airfield. Engine runs should also be done with consideration to other residents.

16.1.5. HOURS OF OPERATION

16.1.5.1. Flying will only be 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 07h00.

16.1.6. FLYING AND SAFETY RULES

16.1.6.1. No high-speed fly pasts along the runway will be allowed at any time. Runway inspections should only be done when needed at landing approach speeds, preferably along the western boundary. Helicopters and Gyrocopters are to follow this rule as well.

12.1.6.2. No low-level flying (lower than 1 000ft) is allowed over The Coves.

16.1.7. VEHICLES AND PEDESTRIAN SAFETY RULES

16.1.7.1. No vehicles other than aircraft and vehicles belonging to airfield users are permitted in the airfield area. Airfield users can obtain a sticker from the administration office.

16.1.7.2. No jogging, walking, biking is allowed within the airfield boundaries.

16.1.7.3. Penalties apply to people in the airfield area without access as above.

16.1.8. INDEMNITY

16.1.8.1. 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.

16.1.9. RADIO CONTROL (RC) FLYING

16.1.9.1. The Coves Estate is a SAMAA registered site and all RC flyers must be members.

16.1.9.2. All adults doing RC & Drone flying should also be members of The Coves Aero Club.

16.1.9.3. Only electrically powered aircraft are permitted to fly within the boundaries of The Coves.

16.1.9.4. The designated areas at this stage are the northernmost pivot, specifically the area in front of the mound adjacent to the effluent plant and the waterfront from the slipway to the west to Oyster Cove

16.1.9.5. All other rules of The Coves, like no mechanical noise on a Sunday should be observed and adhered to.

16.1.9.6. 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.

16.1.9.7. The overflying of buildings includes public areas being used by other people – for example, the clubhouse and privacy and safety are to be observed.

16.1.10. DRONE FLYING

16.1.10.1. Use of Drones for commercial purposes are subject to the SACAA Regulations. Recreational drone flying is subject to the rules reflected in Radio control flying and may only be used in the designated areas. Using an unlicensed pilot is in breach of the Civil Aviation Regulations.

16.1.10.2. Overflying buildings and public areas are an invasion of privacy and is not permitted.

16.2. BOATING AND WATER USE RULES

Launching a boat from The Coves, in order to enjoy the pleasure of boating on the dam, 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 South African Maritime Safety Authority (SAMSA) / South African Police Service – Waterwing / Department of Water Affairs (Hartbeespoort) terms, conditions & rules as amended from time to time.

16.2.1. VISITORS BOATS

16.2.1.1. Residents' visitors are permitted to bring boats into The Coves and launch from The Coves designated launching site, but only with the written permission of the Estate Manager, except where a visitor's boat gains access to The Coves jetty area, from the dam. Prior notice should have been given to Security (in writing) as to the visitor's arrival time / date.

16.2.2. DENIAL OF ACCESS

16.2.2.1. The Coves Governing Body and its appointed agents reserve the right to deny access to any boat / skipper to the dam, based on the following reasons:

- i. to any skipper who is obviously intoxicated or in contravention of SAMSA rules. SAPS will be called upon to assist, should it be deemed necessary.
- ii. to any boat not having proof of the necessary COF and Buoyancy certificates.
- iii. any skipper not in possession (proof) of a legal COC.
- iv. Unfavourable weather or water conditions
- v. No boating activities will be allowed outside the stipulated hours as per SAMSA and Department of Water Affairs.
- vi. Failing any "spot-check" which Management or its certified representative may carry out.

16.2.3. REGISTRATION

16.2.3.1. All motorised craft with an engine capacity greater than 15 HP must be registered with The Coves' Management.

16.2.3.2. Registered craft are to display The Coves identification token, cost of which will be for the owners account.

16.2.3.3. Access to the water from the slipway will not be permitted until proof of SAMSA requirements pertaining to licenses or certificates such as COF (boat safety certification), COC (skipper's competency) and Buoyancy certificate has been furnished to Management. Where applicable, these must be renewed annually (or as per the d-date on the certification) and be submitted to the administration office.

16.2.4. NO WAKE ZONE

16.2.4.1. The designated "no wake zone", must always be adhered to. Observe it, in order to protect our Waterfront environment and to reduce noise.

16.2.4.2. Excessive revving and testing of engines, especially inside the no wake zone must be avoided.

16.2.5. REFUELLING

16.2.5.1. No refuelling is permitted at the jetties, in order to reduce the risk of fire in and around other boats.

16.2.6. STORAGE OF BOATS

16.2.6.1. Boats may be left in the parking area adjacent to the slipway over weekends and public holidays and during the April and December school holidays. The condition is that no parked boat or vehicle may hinder any other boat/vehicle from launching activities

16.2.6.2. At all other times boats are to be returned to storage.

16.2.7. STORAGE OF KAYAKS/CANOES ETC.

16.2.7.1. A storage area has been created for kayaks, canoes and rowing skiffs. Residents can apply to use these at the administration office at a nominal charge.

16.2.7.2. Only residents that have registered their canoe with the Company are permitted to store their canoe's/kayaks on the racks provided and must ensure that these vessels are stored on the rack allocated.

16.2.8. BASS DAM AND FISH EAGLE DAMS

16.2.8.1. No swimming or boating, boards, canoes, radio control boats or any other crafts are permitted on these dams.

16.2.9. FISHING

16.2.9.1. Fishing is permitted at Bass Dam on a catch and release basis only, except for Barbel, Carp and Bass which should be removed.

16.2.9.2. Fishing is permitted along the shore of Hartbeespoort and at the jetties and slipway when not in use for launching boats.

16.2.9.3. Remove all gut, hooks and litter from the area.

16.2.9.4. No fishing is permitted in Fish Eagle Dams.

16.2.9.5. Heron Cove properties are for use of their owners only.

17. BODY CORPORATES

Body Corporates within The Coves may make their own rules and as per the Sectional Titles Management Act for the governance of their common area. These rules may be stricter than those of The Coves Governing Body – but may not be less restrictive.

18. ARCHITECTURAL GUIDELINES

Each area has a set of architectural guidelines relating to building, wall colours, alterations, fences, roofs. All builds, alterations, repairs which change the appearance of the outside of your property must be approved by ARAC in terms of those guidelines. It is the owner's responsibility to obtain copies of these documents and comply with the requirements.

Members remain responsible for all improvements on their portions and must ensure that their architects and contractors comply with all rules. Each architect submitting plans to the ARAC must (at the end of the build) provide the ARAC with a certificate indicating that the completed project complies with all aspects of the Architectural Guidelines.

19. BUILDERS CODE OF CONDUCT

The owner is responsible for builders and subcontractors performing work at his property. The builders code of conduct is available from the administration office and the builder and owner are required to sign this document.

20. PENALTIES

For the enforcement of any of the Rules made by the Directors in terms hereof and/or for the payment of any debt due to The Coves Governing Body, the Directors may take the following actions:

20.1. NOTICE OF BREACH

Give notice to the member and resident concerned requiring him to remedy the breach thereof or make payment within such reasonable period as the Directors may determine; and/or take or cause to be taken such steps as they may consider necessary to remedy the breach of the Rule of which the member or occupant may be guilty or recover the debt, and debit the cost of so doing to the member's account, which amount shall be deemed to be a debt owing by the member concerned to The Coves Governing Body, and shall be paid together with the monthly levies.

20.2. PENALTY IMPOSITION

Impose a system of penalties. The amounts of such penalties shall be reviewed for the then forthcoming year at each Annual General Meeting of the Association. Such penalties shall be in respect of breaches of the Rules and breaches of the terms of the Memorandum of Incorporation.

Please see penalties for rules transgressions in the attached **Annexure A**.

THE COVES GOVERNING BODY NPC

PENALTY STRUCTURE

1. GENERAL PENALTIES

1.1 SERVICES AND INFRASTRUCTURE AT THE COVES

Sewerage System: The administration office has the right to inspect all houses' external connections, gullies, pool back-wash, etc. Residents will be contacted prior to inspections to ensure the date / time is convenient. Should any breach of requirements listed in the Rules be found, a penalty of R10,000 will be applied.

1.2 GENERAL CONDUCT

Reckless endangerment or abuse to persons, whether it be other residents or The Coves employees, or damage to property may result in a case being opened with the SAPS and a penalty of R5,000 being imposed.

1.3 BREACH OF ACCESS

Any breach of access or abuse of The Coves staff or their appointed agents attracts a penalty of R5 000. The Coves makes use of close circuit camera surveillance.

1.4 RECKLESS AND NEGLIGENT DRIVING

Any reckless or negligent driving attracts a penalty of R5 000.

1.5 SPEEDING PENALTIES

The roads within the Estate are defined as servitudes granting a right of way exclusively to be used by the members, their visitors, employees and contractors.

Penalties for speeding:

- 5 to 10 km/h over the speed limit or failure to adhere to a road sign, a written warning is issued for the first offence thereafter a penalty of R 50.
- to 19 km/h over the speed limit, no warning – penalty R 100.
- 20 km/h and more, no warning – penalty R200.

Penalties will be escalated for repeat offenders. The board may in its discretion impose a higher penalty, or such other legal remedies available to The Coves for repeated offenders.

1.6 GENERATORS

All generators connected into your DB board must be installed by a qualified electrician and have a Certificate of Compliance. The administration office has the right to inspect any generator installation. If a generator is found to be illegally connected and feeding back into our power grid, there is a penalty of R20 000.

1.7 PENALTIES FOR PET AND ANIMALS INFRACTIONS

Pets are to be restricted to resident's own property and on a leash when off the property. Dogs must be under the control of the owner at all times and not be a nuisance to the neighbours.

- First complaint of incessant barking, cat intrusion or roaming dogs- a written warning. This **also**

applies to having more pets than permitted.

- Second complaint R 1 000
- Third complaint R 2 000
- Fourth complaint R 4 000 and request to remove the animal from the Estate.

Failure to comply may result in legal action. A dangerous animal, attacking a person or another dog without provocation will result in a penalty of R5 000 and a request to remove the animal from the Estate.

If an animal is introduced to the Estate without the necessary permission being obtained and all the health requirements being in place a penalty of R10 000 will be applicable.

1.8 BOATING AND WATER USE RULES

- In the event of non-compliance to SAMSA rules and/or reckless endangerment of persons or property The Coves Governing Body reserves the right to impose a penalty of R5 000.
- If the Company receives a fine from the authorities due to reckless behaviour or illegal activities from a skipper and/or boat launched via The Coves slipway, a penalty of R10 000 will be imposed.

1.9 STORAGE OF KAYAKS/CANOES ETC

A storage area has been created for kayaks, canoes and rowing skiffs. Residents can apply to use these at the administration office at a nominal charge. Respect for other peoples' property must be observed. Any resident found taking a craft without permission from the owner will receive a penalty of R2 000.

1.10 BUSINESSES AT THE COVES

Penalty: Business activity to cease while application is made.

1.11 USE OF FIREARMS AND TRAPPING DEVICES

- R 2 000.00 for causing damage to property plus costs.
- R 5 000.00 penalty for injuring wildlife, domesticated animals and people on the Estate.
- R 10 000.00 penalty for killing wildlife or domesticated animals on the Estate.

1.12 CURRENT YEAR PENALTIES

Specific penalties are reflected above. Where no specific penalty is shown the following penalties apply:

- a. Written Warning issued to member.
- b. First penalty: R1 000.
- c. Second penalty: R2 000.
- d. Thereafter: The penalty doubles on every occurrence, or monthly as applicable.
- e. Where the situation is not rectified, The Coves may take legal action to resolve the matter. Any legal costs incurred will be for the owners account on an attorney/client basis.

2. ARCHITECTURAL PENALTIES

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.

2.1. BUILDING TIME – LIMIT

Construction shall be completed within 12 (twelve) months from the date of commencement. Commencement in this context shall incorporate the approval of building plans by the Local Municipality of Madibeng and the payment of the builder's deposit, the amount of which deposit shall be determined by the Directors from time to time.

Penalties in relation to the afore mentioned points:

- Warning
- First penalty R 5 000
- Second penalty R 10 000
- Third penalty R 20 000

2.2. SIGN OFF AND OCCUPATION

Provided that all conditions and requirements have been met, a Certificate of Completion will be issued by The Coves Governing Body.

- a. Unless and until such Certificate of Completion is issued, the Member may not occupy the house or outbuildings, and The Coves Governing Body reserves its rights to take measures against such occupancy; and
- b. For the re-sale of existing or completed houses, the HOA shall inspect and verify compliance of the house with its approved plans, and ensure that no illegal alterations or additions have been done. This verification to be provided before The Coves Governing Body issues its levy clearance certificate.

2.3. EXTERNAL PAINT COLOURS FOR PROPERTIES

Paint colours must be in accordance with the architectural guidelines and approved by ARAC before painting commences. Paint swatches have to be done on the walls applicable.

Penalty: The work to be stopped and the property to be re-painted in an approved colour.

2.4. NON-COMPLIANCE WITH THE ARCHITECTURAL GUIDELINES AND OR APPROVED PLANS

In cases of non-compliance during or after construction a non-compliance certificate will be issued where deemed necessary. Rectifications must be made at the member's cost within the provided time frame.

Should the necessary work not be affected timeously, monthly penalties as determined by the Company may be levied until such work has been carried out to the satisfaction of the ARAC.

2.5. THE BUILDING DEPOSIT

- a. The building deposit will only be refunded upon the completion of the dwelling in accordance with the approved plan.
- b. In the event of damage to any property or infrastructure, The Coves Governing Body 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.

3. GENERAL

The time between penalties and the escalation will depend on the offence and will be imposed by the Estate Manager.

If a further transgression of a specific rule has not occurred within one year of the original event, it is deemed to have expired.

Unpaid penalties will attract interest in the same manner as the Levies. If they are not paid, access via the biometric system may