



# CERTIFICATE

SECTIONAL TITLE SCHEMES MANAGEMENT ACT, 2011 (ACT 8 OF 2011)  
CERTIFICATE IN TERMS OF SECTION 10 (5) (c)

**Scheme Registration Number: REG/16/GP/001583**

1. I, the undersigned, Thembelihle Mbatha, in my capacity as the Interim Chief Ombud, acting in terms of section 10 (5) (c), of the Sectional Titles Schemes Management Act, 2011 (Act No 8 of 2011), hereby certify that: -
2. At a meeting held on the 11<sup>th</sup> of October 2022, the scheme ratified a special resolution approving the amendments of the conduct rules.
3. The amendments to the Conduct Rules in terms of section 10(5)(a), of the Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011) have been approved.
4. The Conduct Rules are for the regulation and management of the following Community Scheme:

## BUSH WILLOW

DS



Approved and dated at  
Centurion on the 04<sup>th</sup> day of  
May 2023

*Ms. Thembelihle Mbatha*  
Interim Chief Ombud

## **CONDUCT RULES**

**THE BODY CORPORATE OF BUSH WILLOW**

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*Rules established for the Body Corporate Bush Willow in terms of Section 10 of the Sectional  
Titles Schemes Management Act, 8 of 2011 (hereinafter referred to as “the Act”).*

*These rules are effective from date of which the Chief Ombud issues a Section 10 Certificate.  
Owners are to ensure that their residents receive a copy of the Conduct Rules.*

## 1 PREAMBLE

1.1 Mooikloof Ridge Homeowners Association (NPC) Registration Number: 2003/029492/08 (hereafter referred to as “the HOA”) is a pre-existing Non-Profit Company, as defined in the

Companies Act, 2008 and regulated in accordance with its Memorandum of Incorporation (“MOI”) and the Mooikloof Ridge Rules, being schedule 5 of the MOI.

- 1.2 An owner of a section in the Bush Willow Scheme is *ipso facto* also a member of the HOA and is accordingly obligated to comply with the Mooikloof Ridge Rules (as amended from time to time), as well as the Bush Willow Conduct Rules.
- 1.3 These rules are established in terms of the Act and the Mooikloof Ridge Rules.
- 1.4 The principal objective of the Bush Willow Conduct Rules and the Mooikloof Ridge Rules is to preserve and enhance the security, aesthetics and environment for the common good of the Mooikloof Ridge community, whilst at the same time protecting the collective interests of all Homeowners.
- 1.5 The Bush Willow Conduct Rules and the Mooikloof Ridge Rules furthermore specify the minimum requirements to achieve orderly, pleasant, and congenial living conditions and surroundings for all residents.
- 1.6 The Bush Willow Conduct Rules may be added to, amended or repealed by a Special Resolution at a General Meeting of the Body Corporate. Any addition, amendment or revocation shall be of force and effect as soon as the Chief Ombud, in terms of Section 10 of the Act has accepted the addition, amendment or revocation and has issued a Section 10 Certificate.
- 1.7 As the Body Corporate is situated within the Mooikloof Rigde HOA, should any conflict arise between the Bush Willow Conduct Rules and the Mooikloof Ridge Rules, the Mooikloof Ridge Rules will take precedence.
- 1.8 In terms of Section 7 of the Act, all functions and duties of the body corporate are performed by the trustees, subject to the Act, the Rules and/or any restriction imposed or directions given at a General Meeting of the owners of sections or units.
- 1.9 Any reference to body corporate or trustees in these rules, when relating to the application and enforcement of the rules, shall include the Managing Agent, appointed by the trustees in terms of Prescribed Management Rule 28 of the Act and any person carrying out duties on instruction of the trustees.

## **2 INTERPRETATION AND DEFINITIONS**

- 2.1 Words and expressions used shall bear the meaning assigned to them in the Act.
- 2.2 Words purporting the singular shall also include the plural and the converse shall also apply.
- 2.3 Words purporting to the masculine gender shall include the feminine and neuter genders and the neuter gender shall include the masculine and feminine genders.
- 2.4 The headings to the respective rules are provided for convenience of reference only and are not to be considered in the interpretation of the rules.

- 2.5 **“Act”** means the Sectional Titles Schemes Management Act (Act 8 of 2011, as amended), its Annexures and Regulations and any Regulation made and in force thereunder.
- 2.6 **“Body Corporate”** means the Body Corporate of Bush Willow which consists of all registered owners of sections within the Body Corporate.
- 2.7 **“Common property”** means all areas, the land of the scheme and such parts of the building or buildings as are not included in a section.
- 2.8 **“Exclusive Use Area”** means part of the common property allocated for the exclusive use of an owner of a section.
- 2.9 **“HOA”** means the Homeowners Association of Mooikloof Ridge.
- 2.10 **“Occupier”** means the person, or persons to whom right of occupancy has been granted by the registered owner of a particular section in the Scheme.
- 2.11 **“Owner”** means the registered owner of a section within the Body Corporate and a member of the Body Corporate.
- 2.12 **“Residents”** any person, including but not limited to an owner or tenant, who occupies a section and who is bound by these rules and the provisions of the Act.
- 2.13 **“Section”** means a section as shown on the registered sectional plan and registered in an owner’s name.
- 2.14 **“The Trustees”** means the Board of Trustees, as duly elected from time to time.
- 2.15 **“Unit”** means a section together with its undivided share in common property apportioned to that section in accordance with the quota of the section.
- 2.16 Reference to the Mooikloof Ridge Memorandum of Incorporation as well as the Mooikloof Ridge Rules for specific interpretation of matters pertaining to sectional title schemes in the estate.

### **3. DUTIES OF OWNERS**

- 3.1 In terms of Section 13(1) of the Act, an owner must:

- 3.1.1 Permit any person authorized in writing by the body corporate, at all reasonable hours on notice (except in case of an emergency when no notice shall be required), to enter his section or exclusive use area for purpose of inspecting it and maintaining, repairing or renewing pipes, wires, cables and ducts existing in the section and capable of being used in connection with the enjoyment of any other section or common property, or for the purpose of ensuring that the provisions of this Act and the rules are being observed;
  - 3.1.2 Forthwith carry out all work that may be ordered by any competent public or local authority in respect of his section, other than such work as may be for the benefit of the building generally and pay all charges, expenses and assessments that may be payable in respect of his section;

- 3.1.3 Repair and maintain his section in a state of good repair and, in respect of any exclusive use area, keep it in a clean and neat condition;
- 3.1.4 Use and enjoy the common property in such a manner as not to unreasonably interfere with the use and enjoyment thereof by other owners or other persons lawfully on the premises;
- 3.1.5 Not use his section or exclusive use area, or permit it to be used, in such a manner or for such purpose as shall cause a nuisance to any occupier of a section;
- 3.1.6 Notify the body corporate forthwith of any change of ownership or occupancy in his or her section; and
- 3.1.7 When the purpose for which a section or exclusive use area is intended to be used is shown expressly or by implication or by a registered sectional plan, not use nor permit such section to be used for any other purpose: Provided that with the written consent of all owners such section or exclusive use area may be used for that purpose as consented to.

3.2 In terms of Section 13(2) of the Act:

Any owner, who is of the opinion that any refusal of consent of another owner in terms of the proviso 3.1.7 as above is unfairly prejudicial, unjust or inequitable to him, may within six weeks after the date of such a refusal make an application in terms of this subsection to the ombud.

3.3 In terms of Prescribed Management Rule 30 of the Act, Owners must:

- 3.3.1 Not use his section, exclusive use area or any part of the common property, or permit it to be used, so as to unreasonably interfere with other persons lawfully on the premises or so as to cause a nuisance;
- 3.3.2 Not contravene or permit the contravention, of any law, by-law ordinance, proclamation of statutory regulation or the conditions of any license, relating to or affecting the occupation of the building or the common property or the carrying on of business in the building or to contravene or permit the contravention of the conditions of title applicable to his section or any other section or to his exclusive use area;
- 3.3.3 Not make alterations which are likely to impair the stability of the building or the use and enjoyment of other sections, the common property or any exclusive use area;
- 3.3.4 Not do anything to his section or exclusive use area which is likely to prejudice the harmonious and aesthetic appearance of the building;
- 3.3.5 When the purpose of an exclusive use area is intended to be used, is shown expressly or by implication on or by a registered sectional plan, not use, or permit such exclusive use area to be used, for any other purpose: Provided that with the written consent of all the owners such area may be used for another purpose;

3.3.6 Not construct or place any structure or building improvement on his exclusive use area, without the prior written consent of the of the trustees, which shall not be unreasonably withheld;

3.4. The maintenance of any approved structure or building improvement on his exclusive use area will be the responsibility of the owner.

3.5. The owner will be responsible for any additional costs which are incurred by the body corporate through the placement and or maintenance of any approved structure or building improvement in his section.

3.6. An owner has the duty to:

- 3.6.1. Maintain the hot water installation that serves his section;
- 3.6.2. Maintain the garage and other doors of his section and mechanism thereof;
- 3.6.3. Maintain the plastered walls inside of his section and garage.

3.7. An owner of a section shall ensure that no more than two adult persons occupy a bedroom on a permanent basis. Should the maximum number be exceeded, it may place additional strain on services such as water, sewerage, and refuse removal as well as cause possible damage to the common property. In such instances, the trustees will have the right to take the necessary steps to ensure the owner complies.

3.8. Persons causing, in any manner or form whatsoever, damage to the common property shall be held responsible for the repair of such damage as well as fined in terms of Rule 23 of these Rules.

3.9. The use of any alcoholic substance on the common property is **strictly prohibited**.

3.10. An owner of a section is responsible for ensuring that members of their families, their residents, visitors, friends, and employees comply with these rules as well as the Mooikloof Ridge Rules.

3.11. Residents shall, prior to taking occupation of a section, register at the Estate Office in order to obtain access to the Estate. Residents shall, at the time of registration provide a copy of their Identity Document, proof of residence (purchase or lease agreement), body corporate and owners approval to keep a pet in their section, proof of registration of their motor vehicle/s. Residents shall ensure that their vehicles' registration details are always kept up to date at the Estate Office.

#### **4. DOMICILIUM CITANDI ET EXECUTANDI AND REGISTER OF OWNERS**

- 4.1. In terms of Prescribed Management Rule 3, the *domicilium citandi et executandi* of each owner shall be the address of the section registered in his name: Provided that such owner shall be entitled from time to time to change the said domicilium but that any new domicilium selected shall be situated in the Republic of South Africa, that the change shall only be effective on receipt of written notice thereof by the body corporate at the domicilium of the body corporate.
- 4.2. An owner must notify the trustees forthwith of any change of ownership of his section in order to maintain a proper record of registered owners.
- 4.3. A record of registered mortgagees will be maintained of all mortgages of whom the body corporate has been notified in writing.
- 4.4. The *domicilium citandi et executandi* of the body corporate is the address as per the latest Annual General Meeting's minutes.

#### **5. RESIDENTS AND VISITORS**

- 5.1. All residents of sections and other persons to whom right of occupancy has been granted by the owner of a relevant section are obliged to comply with the Bush Willow Conduct Rules as well as the Mooikloof Ridge Rules notwithstanding any provision to the contrary contained in any agreement of lease or any grant of rights of occupancy.
- 5.2. An occupier of a section is responsible for the behaviour, acts and omissions of their visitors and shall ensure that such visitors are made aware of, understand and comply with the Bush Willow Conduct Rules as well as the Mooikloof Ridge Rules.
- 5.3. An owner shall further ensure that any occupier of his section undertakes in writing to abide by the Bush Willow Conduct Rules as well as the Mooikloof Ridge Rules.
- 5.4. Unauthorised entry by any party will result in a fine and action being taken against those parties as laid down in the Mooikloof Ridge Rules.

- 5.5. It is an offence to assist visitors, or any other person to gain unauthorised access into the estate or scheme. Any person found guilty of this offence may be levied with a fine in accordance with the Mooikloof Ridge Rules.
- 5.6. All residents must request visitors to strictly adhere to security protocols and are requested to always treat the security personnel in a respectful and co-operative manner.
- 5.7. All attempts at burglary or instances of fence jumping must immediately be reported to either the Estate Manager or the Security Control Centre at the Main Gate.
- 5.8. A non-resident owner shall:
  - 5.8.1. Furnish full particulars of a residents of his/her section and any change thereof to the trustees prior to occupation by the residents or as soon as possible thereafter via the Managing Agent;
  - 5.8.2. Furnish full particulars of the letting agent, if any, to the managing agent and any change thereto;
  - 5.8.3. Inform such letting agent as to the obligations of the owner with regard to the rules and furthermore instruct the letting agent to include a suitable provision in the rental agreement in which the tenant undertakes to abide by these Rules as well as the Mooikloof Ridge Rules and ensure that the resident signs for receipt of the aforementioned Rules;
  - 5.8.4. Instruct the letting agent to make provision in the rental agreement that a maximum of two persons per bedroom may occupy the section;
  - 5.8.5. Remain fully responsible to the Body Corporate in respect of the behaviour and actions of his/her tenant/occupier.

## **6 NOISE AND NUISANCE**

- 6.1. Reasonable silence must be maintained on common property and within units between the following times:
  - 6.1.1 20H00 to 06H00 on Mondays to Thursdays;
  - 6.1.2 22H00 to 06H00 on Fridays;
  - 6.1.3 22H00 to 08H00 on Saturdays and Non-Religious Public Holidays;
  - 6.1.4 15H00 to 09H00 on Sundays and Religious Public Holidays.

6.2 An owner/resident who does maintenance and repair to his or her unit using any power tools, mechanical or electrical devices e.g., power saws, lawn mowers, drills, vacuum cleaners, etc. will be allowed to do so within the following times:

- 6.2.1 From 07H00 to 18H00 on Mondays to Fridays.
- 6.2.2 From 08H00 to 13H00 on Saturdays and Non-Religious Public Holidays.
- 6.2.3 No maintenance or repair may be conducted on Sundays and Religious Public Holidays.
- 6.2.4 Emergency repairs to power and water supply executed by third party contractor will be exempted from the timings above.

6.3 Radios, car radios, TV sets, musical instruments and Hi-Fi equipment must be used in such a manner as not to disturb other residents or the public.

6.4 Any gathering held in the complex should be always contained within the unit and the area for the exclusive use of that unit.

6.5 No fireworks or crackers are allowed within the complex.

6.6 The security officers are tasked to request residents, who are guilty of creating excessive noise, to keep noise levels within acceptable levels. Non-adherence hereto may result in fines being imposed in accordance with the Mooikloof Ridge Rules.

6.7 Owners/residents shall not cause or permit any person or pet to act in conflict with the Bush Willow Conduct Rules as well as the Mooikloof Ridge Rules, or permit any act or event, which shall constitute or cause a nuisance or any inconvenience to other owners/residents or employees or agents employed by the trustees or any other person being lawfully on the premises of the scheme or the Estate.

6.8 Any resident, their visitors or pet found to be causing a nuisance to other residents are subject to being fined in accordance with Mooikloof Ridge Rules.

6.9 Should residents purchase a burglar alarm system for their section, these alarms are required to be compatible with the scheme's and/or HOA's electronic and security systems. Such burglar alarm systems may not cause inconvenience or nuisance to other residents.

6.10 Types of nuisances include the following but are not limited to: Dogs barking; Excess vehicle idling; Screaming children; Drilling and Hammering into walls at times outside official time for maintenance and repairs; The constant kicking or throwing of balls against boundary and unit walls.

## **7 CHILDREN**

7.1 Children of owners/residents and visitors shall be controlled and supervised to avoid damage to the common property and inconvenience and distress to other residents.

7.2 Residents must ensure that their children do not tamper with electrical switches, taps, name plates, trees, plants, adornments and any other apparatus and fittings including garden items and may not damage plants or flowers.

7.3 Ball games shall not be permitted on the common property, unless in the demarcated play area.

7.4 Children are only permitted to play in the demarcated play area and do so at their own risk.

7.5 Children, under the age of 8 playing in the demarcated play area, **MUST** always be accompanied by an adult.

7.6 Children are not allowed to play near or around motor vehicles parked on the common property, driveways or between the sections of the scheme, **this includes riding of bicycles**.

7.7 Skating or the use of skateboards and similar items on the common property is strictly prohibited.

7.8 No ketties (catapults), cross bows, pellet guns, or paintball guns are allowed to be used in the scheme.

## **8 MOTOR VEHICLES AND PARKING**

8.1 Owners/residents shall ensure that their vehicles and the vehicles of their visitors do not drip oil or brake fluid on the paving of the common property or in any way deface the common property.

- 8.2 Should an owner not clean up the leaked vehicle fluids properly, the Body Corporate will request the owner to clean within 7 days, if the fluids are not cleaned, the Body Corporate will have the oil/brake fluid cleaned and make this cost for the unit owner's account.
- 8.3 Owners/residents shall not be permitted to dismantle or affect major repairs to any vehicle on any portion of the common property or in the confines of a section's garage.
- 8.4 No motor wrecks or broken-down vehicles may be kept on the common property.
- 8.5 No caravans, trailers, boats, etc. may be parked / stored in parking bays on common property.
- 8.6 Parking of vehicles in front of garages, on the grass of the common property or in places that are not specifically demarcated as parking bays by means of white parking lines are strictly forbidden.
- 8.7 Parking areas are exclusively reserved for visitors. Owners/residents may only use the visitors parking areas for a maximum period of 2 hours for loading purposes. Owner / resident vehicles are required to always be parked in the respective section garage.
- 8.8 Any owner/resident not parking their vehicle/s in their section garage without written permission from the Trustees is subject to a fine in terms of Rule 23 of these Rules.
- 8.9 Vehicles not parked in specifically demarcated parking bays may be clamped whereupon a penalty release fine in terms of Rule 23 or such fine as regulated by the Mooikloof Ridge Rules, from time to time, will be imposed.
- 8.10 Vehicles may only be washed in front of the owners'/residents' garages. These areas must be left clean and tidy. Rubbish removed from the vehicle must be placed in the refuse bins provided. Fire hoses or hydrants **may not** be used for washing of cars. A fine may be imposed if a fire hose or hydrant is used for any other purpose than for what it is intended for. Additionally, any cost to repair or service of a fire hose or hydrant due to it being used to wash a car will be for the cost of the section's owner.
- 8.11 Strict adherence to the maximum speed limit of 20 km per hour within the scheme must be complied with.
- 8.12 Only roadworthy vehicles may be driven within the scheme and driven by a licensed driver.

- 8.13 Motor vehicles hooters or other audible warning devices may not be used on the common property or anywhere in the scheme where it may cause a nuisance to other residents.
- 8.14 Garages may only be used for their intended purposes and may not be used as living quarters or as storage facilities.
- 8.15 Garage doors must be kept closed at all times, unless owners are parking or removing their vehicles.
- 8.16 Any music that is played in a motor vehicle must be at a sound level that does not disturb other residents.
- 8.17 Bicycles, motorcycles, tricycles and toys may not be left anywhere on the common property.

## **9 REFUSE DISPOSAL**

- 9.1 Household refuse may only be placed in refuse bins after it has been placed inside a plastic bag and tied securely to prevent refuse from coming loose within the refuse bin.
- 9.2 Other refuse to be disposed of, such as polystyrene or cardboard boxes, must be cut or broken into smaller pieces before being placed inside the refuse bins. Such items may not be placed on top of, or next to, the refuse bins provided.
- 9.3 Any unwanted household items, e.g., domestic appliances, furniture, etc. must be disposed of outside of the scheme. Bin areas may not be used for this purpose.
- 9.4 Refuse bins may not be placed outside front doors, on walkways, or any part of the common property other than the area designated, therefore.
- 9.5 Littering on the common property is strictly prohibited.
- 9.6 No kitchen refuse, food waste, fats or waste of any other kind may be washed down the drainpipes. Clearing of any blocked drains from a unit will be for the account of the owner of the section.

- 9.7 No insoluble items may be flushed down the toilets. Should this be done and cause a blockage, the clearing of the pipes and disinfecting the surrounding areas will be for the account of the unit owner.
- 9.8 Garden refuse may not be placed in the refuse bins. In the event of such refuse having to be removed, arrangements for its removal need to be made by the owner or occupier of the section with the contractor responsible for garden services.
- 9.9 Motor vehicle oil, paint, batteries, globes, or any other chemical that could be considered harmful to the environment as regulated by National Legislation, may under no circumstances be discarded, by any means, on the common property. This includes discarding into any drain and sewerage system, soil or by burning.
- 9.10 Owners/residents shall ensure that contractors attending to maintenance or improvements to their section on their behalf do not litter on the common property.

## **10 PETS**

- 10.1 No occupier of a section shall, without the prior written consent of the trustees, which consent may not be unreasonably withheld, keep any pet in his section or on the common property. Any pets in respect of which no written approval has been obtained from the trustees will be regarded as stray and may be removed from the scheme.
- 10.2 When granting such approval, the trustees may prescribe any reasonable conditions and may withdraw such approval in the event of any breach of any of the conditions stipulated.
- 10.3 Pets are not allowed on the common property unless carried, if small, or on a leash.
- 10.4 Owners of pets are responsible for the cleaning up and removal of excrement or other refuse relating to the pet left on the common property or in private gardens. Failure by a pet owner to clean pet excrement may result in a fine, in terms of Rule 23.
- 10.5 Aviaries and other accommodation for approved pets may not be erected on the common property or in a private garden.

- 10.6 No cats, poultry, pigeons, aviaries, wild animals, livestock, venomous animals/spiders or reptiles are allowed to be kept as pets. All cats (for which permission was granted prior to 2009) must be neutered / spayed and proof provided to the body corporate.
- 10.7 A maximum of 2 pets is allowed per unit except where permission for more pets has been granted prior to the introduction of these rules. Only “small breed” dogs are allowed to be kept, i.e. a full grown small breed dog will not weigh more than 15kg. The size and needs of the pets will be considered when considering requests. **No vicious dogs may be kept.**
- 10.8 Keeping pets for breeding purposes is prohibited.
- 10.9 All pets must have a collar with name tag, which states the name of the pet and the telephone number of the owner. Applications for keeping of dogs shall be accompanied by a recent photo of the dog/s.
- 10.10 Pets are not allowed to cause a nuisance to other residents. Failure to comply may result in permission to keep pets being withdrawn and a fine levied in accordance with the Mooikloof Ridge Rules.
- 10.11 All dogs must be sterilized. Dogs must be immunized against rabies. Certificates evidencing compliance must be produced and submitted when seeking authorisation to keep a particular pet.
- 10.12 Pet owners are required to take full responsibility for their animals, which may under no circumstances be left on the relevant premises for a maximum period exceeding 24 hours without adequate and responsible human supervision.

## **11 EMPLOYEES AND HAWKERS**

- 11.1 The employees or contractors of the body corporate shall not be interfered with. They receive orders from the trustees or the managing agent only.
- 11.2 No hawkers shall be allowed in the scheme.

## **12 DOMESTIC WORKERS AND LABOURERS**

- 12.1 Owners/residents must register their domestic worker/s and labourers with security in order for the domestic worker or labourer to gain access to the scheme.
- 12.2 Owners/residents shall ensure that their workers do not cause noise in their sections or on the common property.
- 12.3 Domestic workers and labourers are not allowed to loiter on the common property or to remain on any part of the scheme after 18:00. Owners or occupiers of sections must ensure that domestic workers and other employees do not loiter within the scheme.
- 12.4 Should domestic workers and labourers contravene any of these rules, the trustees reserve the right, if justified, to refuse entry to the domestic worker or labourer after notifying the employer.

## **13 BUSINESS AND OTHER ACTIVITIES**

- 13.1 No business, profession or trade may be conducted on the common property or from any section.
- 13.2 No auctions or jumble sales may be held on the common property or in any section without the explicit prior written permission of the trustees.
- 13.3 Hobbies causing a disturbance of the peace, or a nuisance are prohibited.
- 13.4 Moving into/out of the Estate/Scheme (when changing residence) may only occur between the following times: Monday to Friday 09h00 to 17h00 and Saturdays 09h00 to 17h00. The Estate Office must be informed a minimum of 48 hours before moving in or out of the estate. No large vehicle or vehicles designed for public carriage, including vehicles for furniture removal purposes, (more than 3 tons) may enter or park in the scheme. (Furniture removal companies must make use of a shuttle service.) Failure to comply may result in a fine in accordance with the Mooikloof Ridge Rules.
- 13.5 Slaughtering of animals is subject to the conditions as contained in the Mooikloof Ridge Rules.

## **14 EXTERNAL APPEARANCE**

- 14.1 An occupier of a section shall not place or do anything on any part of the common property, including private patios, balconies, or gardens which, in the discretion of the trustees is aesthetically displeasing or undesirable when viewed from the outside of the section.
- 14.2 Unless authorized by the trustees in writing, no decorations may be attached to a section. Applications for consent shall be lodged in writing with the trustees containing full details of the intended work. Work may not proceed before the written consent of the trustees has been obtained.
- 14.3 Air-conditioning units, Jacuzzis, lapas, swimming pools and solar panels may not be installed in or at a section unless approved by the trustees in writing.
- 14.4 No obstructions shall be placed on walkways or any portion of the common property.
- 14.5 Awnings are only permitted if a standard specification has been approved by the trustees. These may only be put up once the written approval of the trustees has been obtained. Any awnings installed without the trustees' permission or awnings not conforming to specifications as per Rule 24 of these Rules will be removed at the cost of the section's owner.
- 14.6 Advertisements or publicity material may not be exhibited or distributed unless the consent of the trustees has been obtained in writing.
- 14.7 Owners must have explicit prior written approval from the trustees for any attachment of external structures, including, but not limited to, car ports, louvers, verandas, awnings, solar panels, etc. to the outside of a section and/or common property, including, but not limited to, balconies, patios, verandas and gardens. Any attachment which, in the opinion of the trustees, has an effect on the outside appearance of the section or the aesthetic look of the common property and/or the estate (Mooikloof Ridge) is prohibited, unless approved in writing by the HOA Board, which written approval must be obtained prior to such attachment and/or installation and which written approval must prescribe the nature, design and colour of the apparatus to be attached and/or installed as well as the manner in which it will be attached or installed.
- 14.8 Flood lights or garden lamps must be adequately screened so as not to cause inconvenience or nuisance to neighbours.

- 14.9 It is the occupier of a section's responsibility to ensure that all his private property i.e., hosepipes, hosepipe fittings, braais, umbrellas, children's toys etc. within his garden are neatly stored away. Gardens must be always kept neat and tidy so as not to hamper the garden services from executing their daily tasks.
- 14.10 Residents on the perimeter fence are responsible for keeping any overgrowth clear of the electrified fence and must inform visitors to their section of the dangers pertaining thereto.

## **15     INTERIOR OF SECTIONS**

- 15.1. Owners shall always keep their sections and exclusive use areas in a proper, clean and habitable state and be responsible for the maintenance of the interior paintwork as well as clearing of blocked drains originating from his section, and maintenance of sanitary equipment, all electrical installations and other interior repairs to their sections of whatever nature at their own expense.
- 15.2. The garden of a section is the responsibility of the owner / resident. It is their responsibility to ensure the garden is properly maintained, free of refuse and removal and pruning of any trees / plant that pose a threat to any structure in the complex. Any repairs due to damage will be the owner's responsibility.
- 15.3. On the days that the garden services are to mow the lawns in the exclusive use garden, owners with pets must make appropriate arrangements for the pets to be kept in a safe place so they don't attack the gardeners, get injured or escape from the section or exclusive use garden.
- 15.4. Should an occupier of a section not wish to have the garden service work in their exclusive use garden they must request this in writing from the trustees. That resident will then be required to keep their exclusive use area neat and tidy in the same manner as the garden service would.
- 15.5. Residents, whose garden gate/s permits the only access to other unit's gardens, may not lock their garden gates on the days that the gardeners service those gardens.
- 15.6. The geysers are insured for bursting under the policy of the Body Corporate, should the geyser for your section burst, owners may contact the managing agent/caretaker for assistance with the preferred contractor for the insurer/body corporate. The owner of a section is responsible for the repair, maintenance, and replacement of the geyser and for any excess payment in respect of his or her geyser payable in terms of the contract of insurance entered into by the Body Corporate.

- 15.7. The following specific requirements relate to planting of trees:
  - 15.7.1. Only indigenous trees may be planted.
  - 15.7.2. Only trees with tap roots may be planted.
  - 15.7.3. Trees may only be planted in an area where the tree, when fully grown will not cause any damage to common property walls or building foundations.
  - 15.7.4. Trees when fully grown may not spoil the view from other units.
  - 15.7.5. Trees when fully grown should not exceed a height of four (4) meters. If a tree exceeds the suggested height and valid complaint is received the rule shall be enforced.

## **16. COMMON PROPERTY EQUIPMENT**

Under no circumstances may any person tamper with any equipment on the common property.

## **17. LAUNDRY**

- 17.1. Owners or residents may install washing line after obtaining written permission from the Trustees.
- 17.2. Wall mounted fold away washing lines or other professionally manufactured washing lines may be installed at ground floor sections on condition that the washing lines and washing may not be visible above the boundary wall when viewed from the outside of the unit.
- 17.3. Wall mounted fold away type washing lines may not be installed on the balconied or first floor sections.
- 17.4. No washing lines may be attached to gates, railings of balconies / patio's, trees, windows or burglar proofing or any other common property infrastructure.
- 17.5. No washing, clothing, carpets or any other item may be hung over the railings of balconies / patios, boundary walls of units, the walls of the designated drying areas, placed over walls on the common property or placed on any grass areas or over any vegetation.

## **18. SIGNS AND NOTICES**

No occupier of a section shall place any sign, notice, billboard, or advertisement of any kind whatsoever on any part of the common property or of a section so as to be visible from outside of the section, without the prior written approval of the trustees. No for sale boards may be fixed to any part of the common property.

## **19. ERADICATION OF PESTS**

- 19.1. An owner shall keep his section free from mice, rats, white ants, termites, borer, and other wood destroying insects.
- 19.2. In the event of the owner not adhering to 19.1, he shall permit the trustees, the managing agent and their duly authorised agents or employees to enter his section and taking such action, as may be reasonably necessary to eradicate such pests.
- 19.3. The cost of the inspection and eradicating of any such pests as may be found within the section and exclusive use areas, replacement of any woodwork or other material forming part of such section which may have been damaged by any such pests shall be borne by the owner of the section concerned.

## **20 INFLAMMABLE GOODS AND SAFETY OF PROPERTY**

- 20.1. The owner or occupier of a section must not, without the trustees written consent, store flammable substance in a section or on the common property unless the substance is used or intended for use for domestic purposes.
- 20.2. A resident shall, under no circumstances whatsoever, store any material, commit, or allow to be committed any dangerous act in the section, exclusive use area or on the common property, which will or may increase the risk to the body corporate and may increase the insurance premium payable by the Body Corporate.
- 20.3. No open fires are allowed in any unit, balconies, passages or on the common property.
- 20.4. No fireworks may be discharged, and fireworks are not permitted within the complex.
- 20.5. It is strongly recommended that all owners or residents of a section acquire and keep in an accessible place in their section a fire extinguisher. Owners or Residents are not covered for the contents of their section by the insurance policy covering the buildings and are thus advised to take out suitable insurance to cover themselves.
- 20.6. No pellet guns, bb-guns, which is wind- or gas driven, may be discharged on common property.

## **21. WATER**

- 21.1. Water is a precious resource and must be always used sparingly. Wasteful and excessive usage of water will not be tolerated.
- 21.2. Non-residents are not allowed to wash their cars on the common property or to use water obtained from the scheme for such purposes.
- 21.3. Water leaks must immediately be reported to either the trustees or the managing agent.
- 21.4. A hose pipe may not be run from an exterior connection into a section / unit.
- 21.5. An entire sections garden may only be water for a maximum of 30 minutes per day or as specified by the municipal laws.

## **22. RECREATIONAL ACTIVITIES AND SWIMMING POOL**

- 22.1. The clubhouse may be rented, and bookings must be made at the Estate Office.
- 22.2. The swimming pool and estate recreational areas are under the management control of the HOA.
- 22.3. Occupiers of sections are specifically informed to take the necessary safety precautions when allowing children to either enter the swimming pool area or when using the swimming pools.  
**Using the swimming pools is entirely at the risk of the user thereof.**
- 22.4. Owners, residents, their visitors, guests, and children may not tamper with any equipment, furniture or fittings in the clubhouse, the swimming pool apparatus, or any other part of the estate.

## **23. NON-COMPLIANCE WITH RULES AND IMPLEMENTATION OF FINES**

- 23.1. For the enforcement of any of the Rules of the Body Corporate, the Trustees shall be entitled from time to time, to implement a system of fines and penalties to serve as a deterrent for any contravention of these Rules and to enforce compliance with these Rules.
- 23.2. Any fine imposed by the Trustees are subject to amendment, repeal and/or ratification by the Members in General Meeting.

23.3. In the event of a transgression of any of these Rules, the following procedure shall be followed and implemented by the Trustees and/or the Managing Agent on their behalf:

23.3.1. A letter of demand (first transgression notice) shall be addressed to the owner and/or transgressor and which demand shall convey details of the alleged transgression with reference to the time, date, place, incident and identity of the alleged transgressor(s) and which demand shall require from the owner to remedy any breach or to refrain from transgression the Rules;

23.3.2. Should the owner fail to adhere to the demand letter and/or fail to remedy his breach or to refrain from transgression of the Rule, then and unless written objection has been received from the owner/transgressor concerning the alleged contravention, the prescribed fine will be implemented and levied against the owner's levy account and shall become payable as if such fine is part of the normal levy due by the owner.

23.3.3. If the transgression is disputed and upon receipt of a written objection from the owner/transgressor, a Committee of three persons to be appointed for this purpose and to be chaired by the Chairperson of the Board of Trustees, will convene a meeting with the owner/transgressor within a period of 10 (ten) days from receipt of the written objection in order to adjudicate upon the matter.

23.3.4. The meeting shall take place at the time, date and venue and in accordance with such procedure as may be prescribed by the Chairperson, provided that the Rules of Natural Justice shall be applied and at which meeting the owner/transgressor shall be entitled to raise his objection/defence and to call witnesses.

23.3.5. The decision of the Committee shall be final. Should the owner/transgressor refuse to comply with a decision of the Committee or fail to accept their decision, such dispute can then be referred to CSOS to be adjudicated.

23.3.6. Where a provision of these Rules is contravened and where the owner/transgressor persists to transgress these Rules, the fine as implemented by the Trustees may be applied and levied on a monthly basis for as long as the transgression endures and without the liability to demand compliance in respect of each and every further transgression and without the necessity to repeat the provisions as prescribed in sub-Rule 23.3.

23.4. The owner shall be liable for the payment of any fine imposed in respect of his tenant/occupant of his unit and it shall be the responsibility of the owner to claim the amount of the fine from his tenant/occupant.

- 23.5. For the enforcement of these Rules or in respect of any action to be taken to enforce or implement penalties, the Trustees/Managing Agent shall be entitled to appoint an attorney to execute any of their rights in terms of these Rules.
- 23.6. The Trustees shall be entitled and empowered, and after due first transgression notice to impose a fine on an owner or occupant for any transgressions of these rules, impose a fine to a minimum of R500.00. A fine imposed may not be more than the applicable monthly levy of the owner of the specific section who is found in contravention of these Rules.
- 23.7 All complaints for contravention of the rules must be submitted in writing to the Trustees and the Managing Agent. Details of the incident, unit number, dates and times must be included. Complaints as when requested by the complainant, are to be kept confidential.
- 23.8 The Body Corporate would like to encourage neighbours to endeavour in communicating with each other first to create a harmonious environment and should the matter not be resolved amicably – such complaints can be submitted in the prescribed manner.
- 23.9 Any person who disputes an issued warning or fine can in writing to the Trustees and Managing Agent lodge an appeal. If the declared dispute is corrected in the favour of the aggrieved party the fine will be overturned.

## **24. ALTERATION AND ADDITIONS TO THE COMMON PROPERTY**

### **24.1. General**

1. All improvements are subject to the following:
  - A. Approval by the Trustees.
  - B. Approved design documentation/plans.
  - C. Specifications as laid down by the trustees.
  - D. Neighbour approval where applicable.
2. The following alterations/additions to common property will be allowed on written application to the Trustees:
  - A. DSTV Dishes and similar devices.
  - B. Air Conditioning Units.
  - C. Splash Pools, Jacuzzis, and permanent water features
  - D. Build-in Braai Areas.
  - E. Awnings.

- F. Enclosure of Patios.
- G. Installation of Decks in Garden Areas.
- H. Gutters and Drainpipes.
- I. Door for garage.
- J. Alternative Power Sources.
- K. Indoor Fireplace
- L. Security Gate

3. The following alteration, improvements or structures are not authorised:

- A. Wendy Houses.
- B. Lapas.
- C. Radio amateur masts and antennas.

#### ***24.2. Conditions for additions/alterations to common property.***

The following conditions apply to all additions or alterations to common property:

- 1. All improvements must be done by a reputable establishment.
- 2. Any damages or consequential damages to the common or private property as a direct or indirect result of the improvements will be repaired and the costs thereof will be for the owner's account. These costs will be debited to the owner's levy account.
- 3. The Body Corporate accepts no responsibility whatsoever for any damages, losses, maintenance or for any other event to the installation/improvements, because of malicious damages or natural disasters or any other cause whatsoever. No claims can be instituted against the insurance policy of the Body Corporate whatsoever.
- 4. The Trustees reserve the right to inspect any improvements/alterations done to the common property or to sections and order any alterations/repairs/removal to the alterations/additions as they deem fit. The costs thereof will be for the owner's account.
- 5. Any additions/alterations are not covered by the standard buildings combined insurance policy and must be added by the owner, the additional premium therefore will be for the owner's account.
- 6. No obstructions shall be placed on walkways or any portion of the common property.
- 7. An owner will be held responsible for the maintenance of any alteration or improvement. If any repair or maintenance must be conducted to common property results in the damage of the alteration or improvement the repair cost will be for the owner or resident.

#### **24.3. *DSTV Dishes and Similar Devices***

1. No standard TV antennas may be installed, as this service is provided by the scheme.
2. Each owner may install one DSTV or other satellite dish which size may not exceed the standard size.
3. It must be professionally installed by a registered/certified installer and in such a way to cause no disturbance to other residents.
4. The position, size and placement of TV antennae and satellite dishes must not be unsightly.
5. The bracket, satellite dish and the cable to the unit will remain the property of the section and may not be removed from the common property when an owner/resident decides to move out or sell their unit.
6. DSTV dishes may not be installed on boundary walls or above garages.
7. All installation and maintenance costs are for the owner's account.
8. The cable must be installed on the outside of the building in such a manner that it is as invisible as possible.
9. Any damages or consequential damages to the common or private property or any interference with the existing antenna system or reception as a direct or indirect result of the installation of the satellite dish will be caused to be repaired by the trustees and the costs thereof will be for your account.

#### **24.4. *Air-conditioning units***

1. Only split type air conditioners will be allowed.
2. The installation of the air conditioner is done by a reputable company.
3. The air conditioner must be installed on the outside of the building in such a manner that it is as invisible as possible,
4. Noise from the air-conditioner must not be a disturbance to any neighbouring section.
5. Any damp issues caused to the section as a result of the air-conditioner will be the responsibility of the owner.
6. The air-conditioner will remain a fixture of the section may not be removed, when moving out or selling the section.
7. The air-conditioner shall be maintained in a proper working condition according to manufacturer's standards and shall be removed or replaced if it falls into a state of disrepair.
8. The Body Corporate takes no responsibility for the insurance of any installations caused by an owner.

**24.5. *Splash Pools, Jacuzzis, and permanent water features***

1. Design of the pool or water feature by a reputable pool company should be submitted with the application. The size of the pool may not exceed a 20 000-litre pool.
2. Establish that there are no pipes, wires, etc. running underneath the proposed building site that will be affected.
3. No construction vehicles will be allowed onto the premises.
4. Building will happen to cause the minimum inconvenience to fellow residents. Building should take place during reasonable times.
5. At no time may any building material or rubble stand on the communal property, unless the Trustees have granted special permission.
6. The boundary wall and electric fence must not be damaged during construction, the owner will be held liable for any damages caused to common property.
7. The backwashing or drainage must be diverted to a drain. Should the complex be geographically located in a dolomite area a monitoring system must be installed to detect water leaks.
8. All electrical installations require a compliance certificate.
9. The pump must be placed in such a manner as to not be visual from common property and noise from the pump must not be a disturbance to any neighbouring section. The pump must be in an enclosed unit.
10. The swimming pool/Jacuzzi/water feature must not be accessible from the common property, for safety reasons and must comply with all applicable legislation.
11. Please adhere to the conduct rules with regards to noise management.
12. Any damage to the pavement, gardens, trees, lawn, walls or the common property during installation must be repaired professionally and promptly by the owner.
13. Owner will be responsible for all maintenance of the affected area.
14. If in case of maintenance and repair of common property the pool and surrounding area are damaged, the owner will be responsible for the repair to the pool.

#### **24.6. Build-in Braai Area**

1. Two types of permanent build-in braai areas may be installed.

- A. Open Braai.

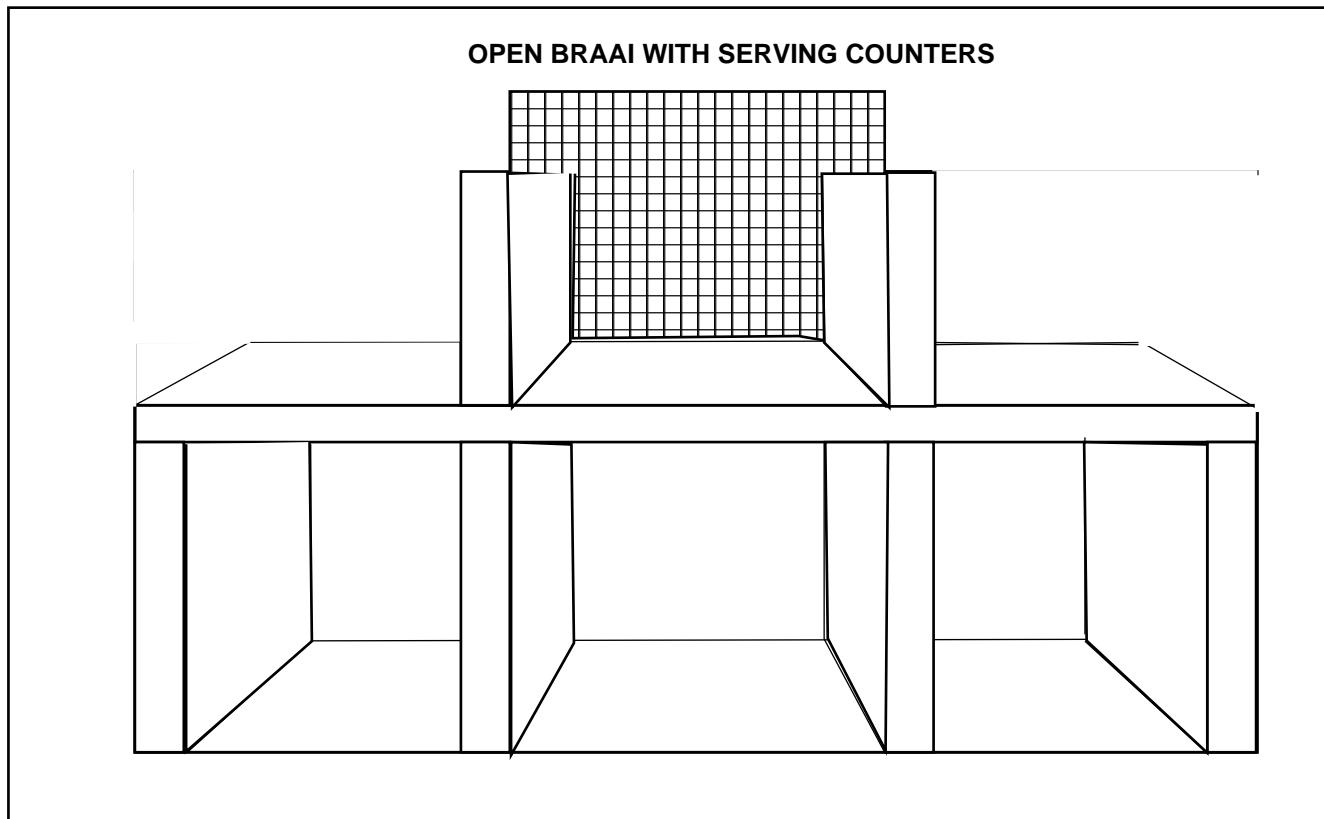


Figure 1: Open Braai Concept

- i. Area behind fire area must be covered with fire retardant tiles or plaster to protect boundary walls.
- ii. Any damage to boundary wall will be for the cost of the owner or resident.
- iii. Braai can be either face brick or plastered.

- B. Enclosed Braai.

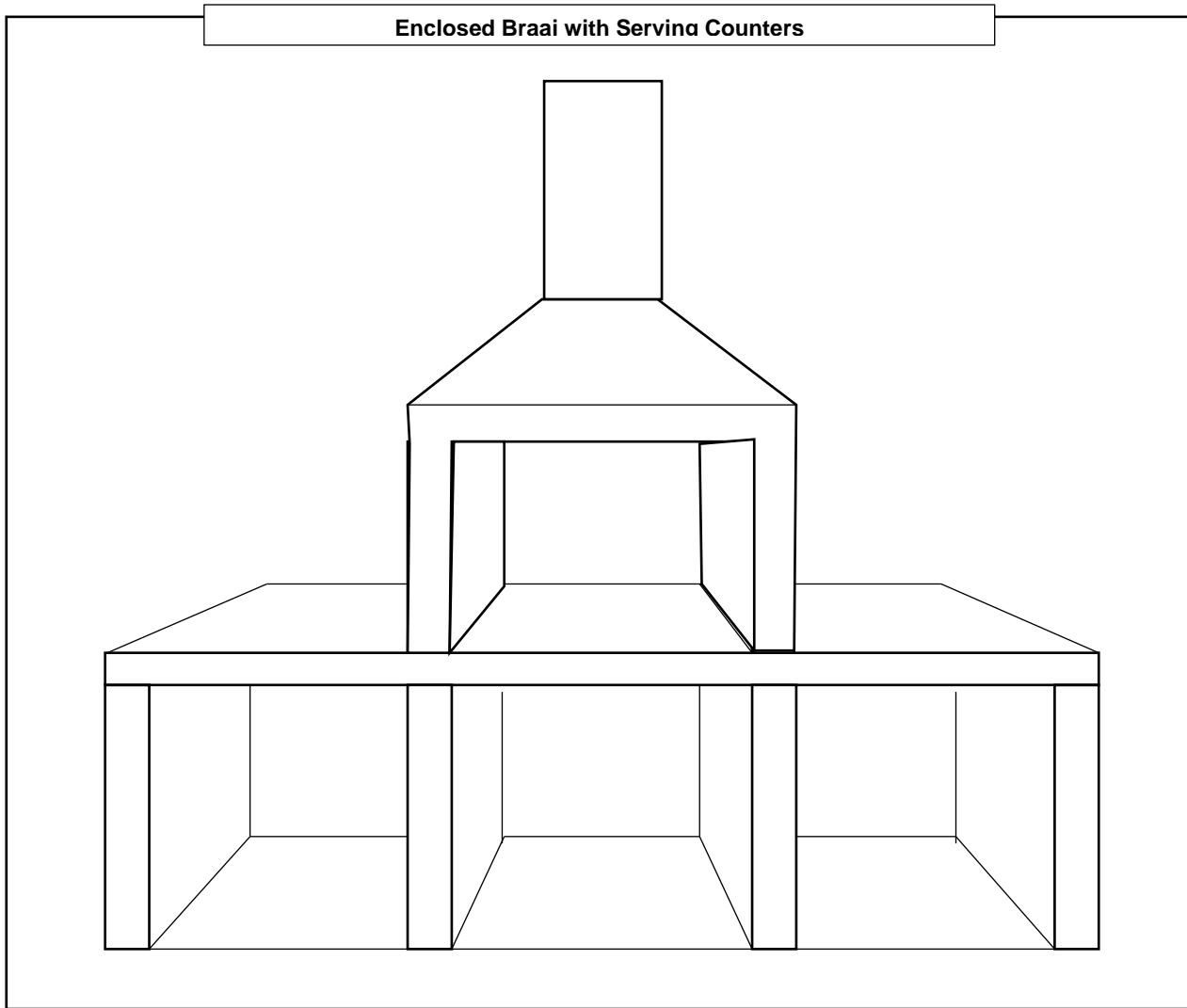


Figure 2: Enclosed Braai Concept

- i. Fire area against boundary wall, if not enclosed in metal box must be covered with fire retardant tiles or plaster.
- ii. Any damage cause by fire will be for the cost of the owner or resident.
- iii. Braai can be either from face brick or plastered.
- iv. Braai must have a chimney and rotating cowl as per manufacturer's specification.

2. General Guidelines and Rules for Braais

A. Permanent fireplace /braai facilities may be erected in the same manner and look as to the rest of the complex.

- i. When using face brick, the brick must be the same colour and design as the brick used on the units and boundary walls.
- ii. If the braai is to be plastered, the plaster must be painted in the same colour as the main unit colour.

- B. The completed braai must look aesthetically pleasing.
- C. A fire extinguisher must be placed next to the braai area for safety precautions.
- D. Gas braai's, Webbers or similar portable braai's may be used in exclusive gardens. Open fires may only be made when the weather permits and if it is on one of the approved devices as mentioned above.
- E. No braaiing with open fires is allowed under patios.
- F. The smoke from braais must not cause a nuisance to another section. To this effect braais must be positioned as to not cause a nuisance.

#### **24.7. Awnings**

- 1. Awnings are permitted if they conform to the specification as stipulated by the Trustees. These may not be removed when vacating the premises. Any awnings not conforming to the specs will be removed at the owners' costs.
- 2. Awnings must be kept in a clean and always maintained condition. Awnings not maintained will be maintained or removed by the Body Corporate at the owner's cost.
- 3. Awnings are only allowed to be fitted at the back doors, 2<sup>nd</sup> storey doors, sliding doors of units and doors leading into the garage of the unit. No awnings are allowed above windows.
- 4. Multi units may be installed next to each other to cover sliding doors.
- 5. The awning must be a Bronze Multiwall Polycarbonate Awning with Black PVC Brackets, see for example Figure 3 below.



Figure 3: Bronze Multiwall Polycarbonate Awning with Black PVC Brackets

#### **24.8. *Gutters & Drainpipes***

1. Gutters and drainpipes may be installed as per the pre-approved specification.
2. Only seamless colour bond zinc alume gutters/aluminium and chormadeck gutters will be allowed.
3. It is a seamless oggee profile gutter. 127 mm with 80 mm round down pipes. The 0.5 mm steel-based gutter is zincalume coated. The colour must be according to current gutter colour.

#### **24.9. *Enclosing of Patios***

1. Only patios that are part of the section and have an existing roof, patios not part of the section that are enclosed must adhere to section 5(1) of the Act.
2. Council approval is required for the enclosure this approval is to be forwarded to the Managing Agents.
3. No extension of the patio/roof is permitted.
4. The intended use of the patio may not be changed.
5. The maintenance of the enclosure is the responsibility of the owner,
6. When selling your section, it must be stipulated in the purchase contract that the new owner must take over the responsibilities of the patio enclosures.
7. Patios may only be enclosed with wooden or aluminium wood look doors and windows. The doors can be either sliding or stack doors. See Figures 4, 5, 6 and 7 for example of installation.

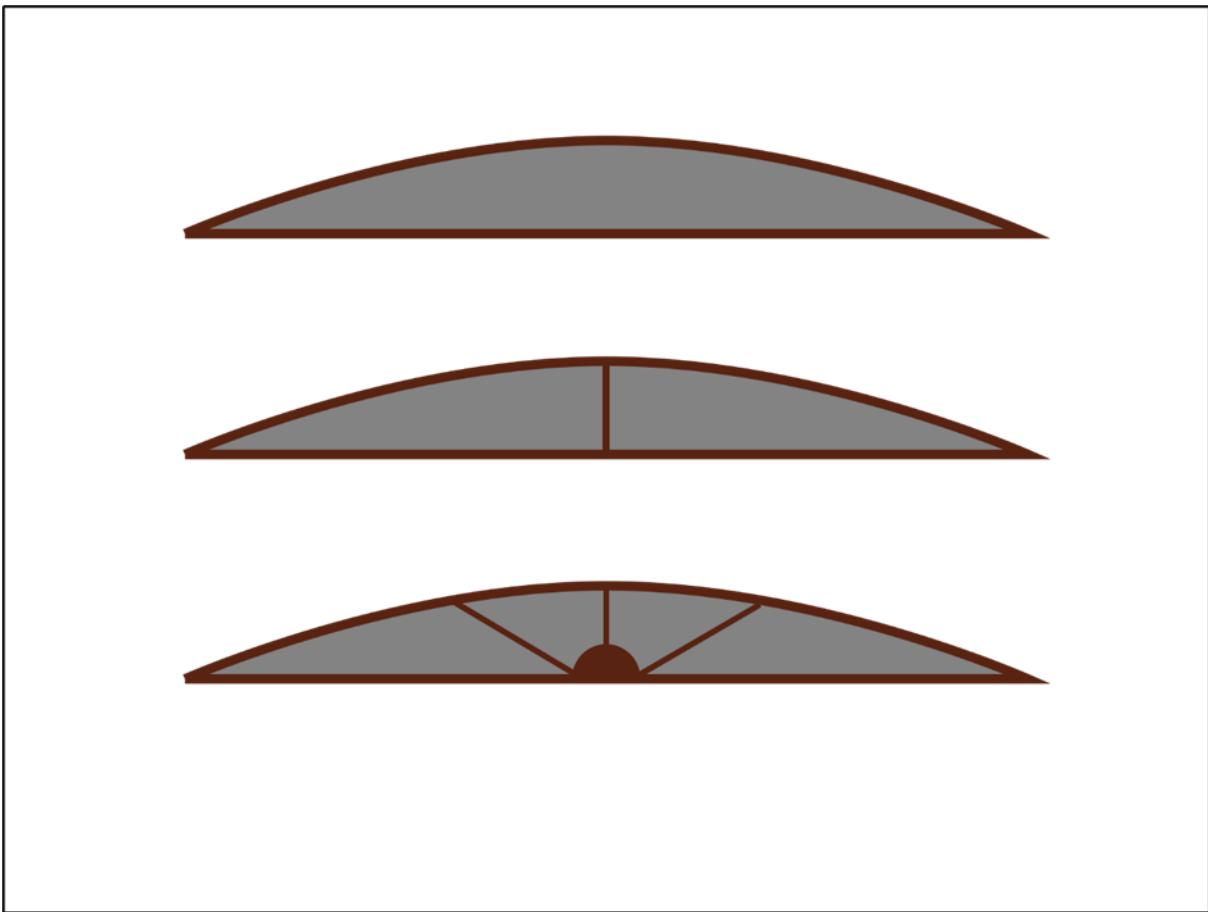


Figure 4: Example of the archway options to enclose patio.

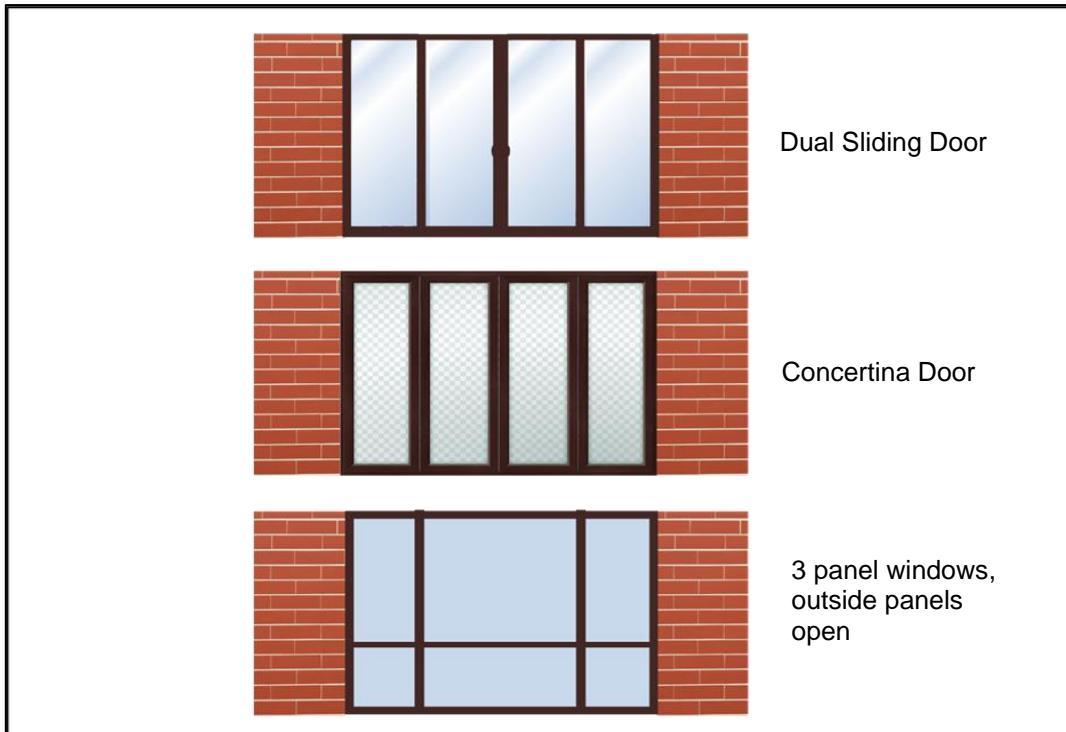
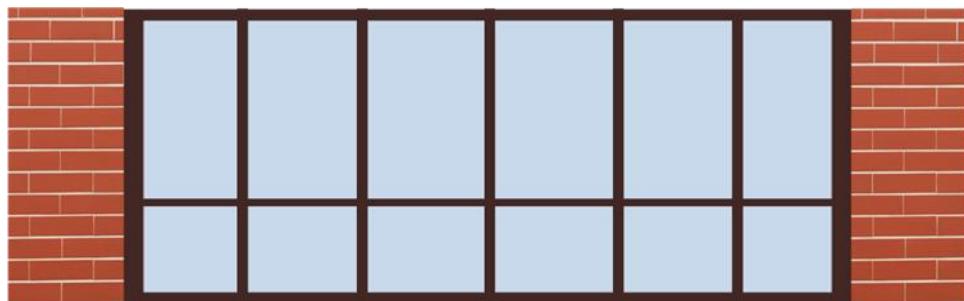
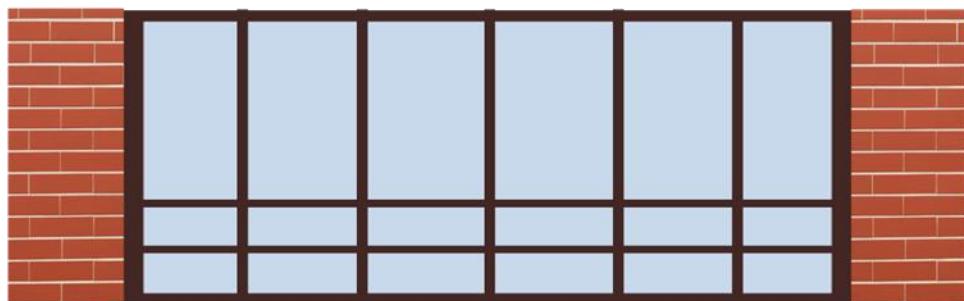


Figure 5: Standard size options front opening examples for patio enclosures.



6 panel window, centre and outside glass panes opening windows



6 panel window, centre and outside glass panes opening windows, 3 section due to patio height.

*Figure 6: Extended size options front opening examples for patio enclosures.*



Double opening door  
with glass window due  
to opening size.



Single sliding door



Double opening door



Double opening door with  
window panel

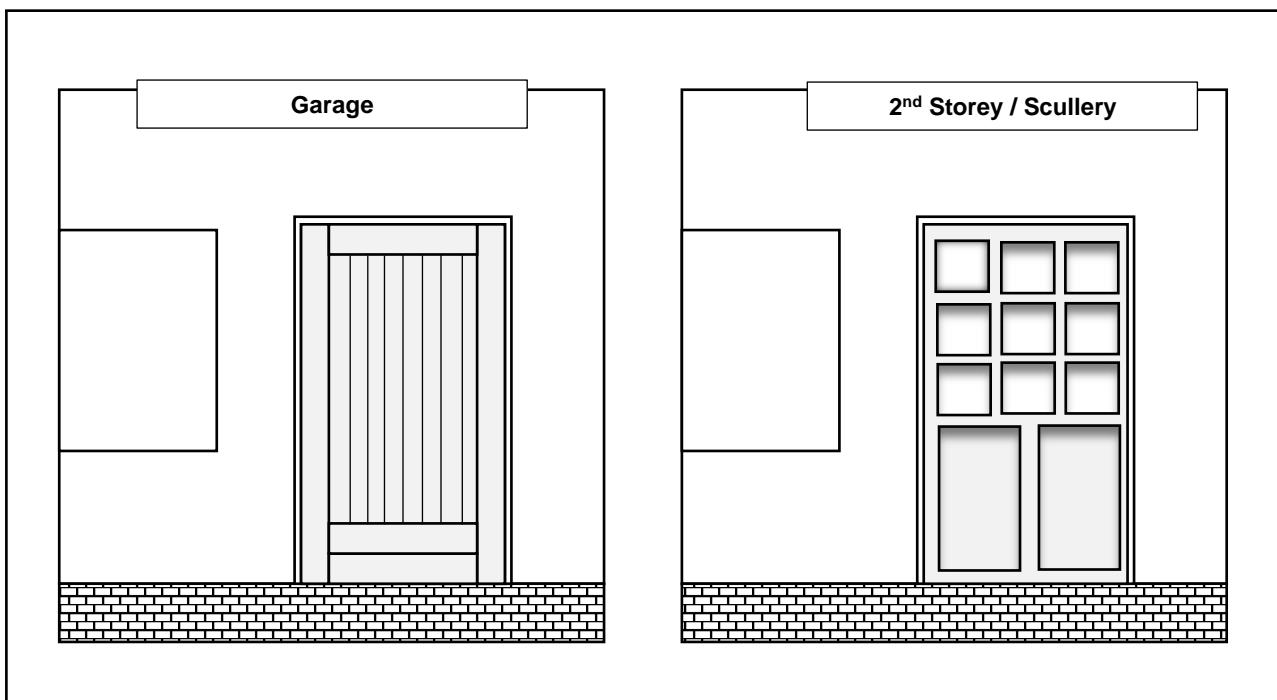
Figure 7: Example of the side opening options to enclose patio.

#### **24.10. Wooden Decking in enclosed gardens**

1. Decking may not be enclosed; this would result in extension of the section and will require Body Corporate & council consent.
2. No decking is allowed outside of the enclosed gardens.
3. Decking requires council approval if it exceeds 2 x 3 m.
4. The maintenance of the deck/patio is the responsibility of the owner,
5. When selling your section, it must be stipulated in the purchase contract that the new owner must take over the responsibilities of the deck.

#### **24.11. Garage and External Doors**

1. An owner or resident may with the approval of the Trustees install a door to provide access to his or her garage from the unit's garden area; or
2. The door must be a wooden door, stained a medium to dark brown colour.
3. Only door designs as showed in figure below may be utilised.



*Figure 8: Garage, Scullery, and 2<sup>nd</sup> storey Door Design Options*

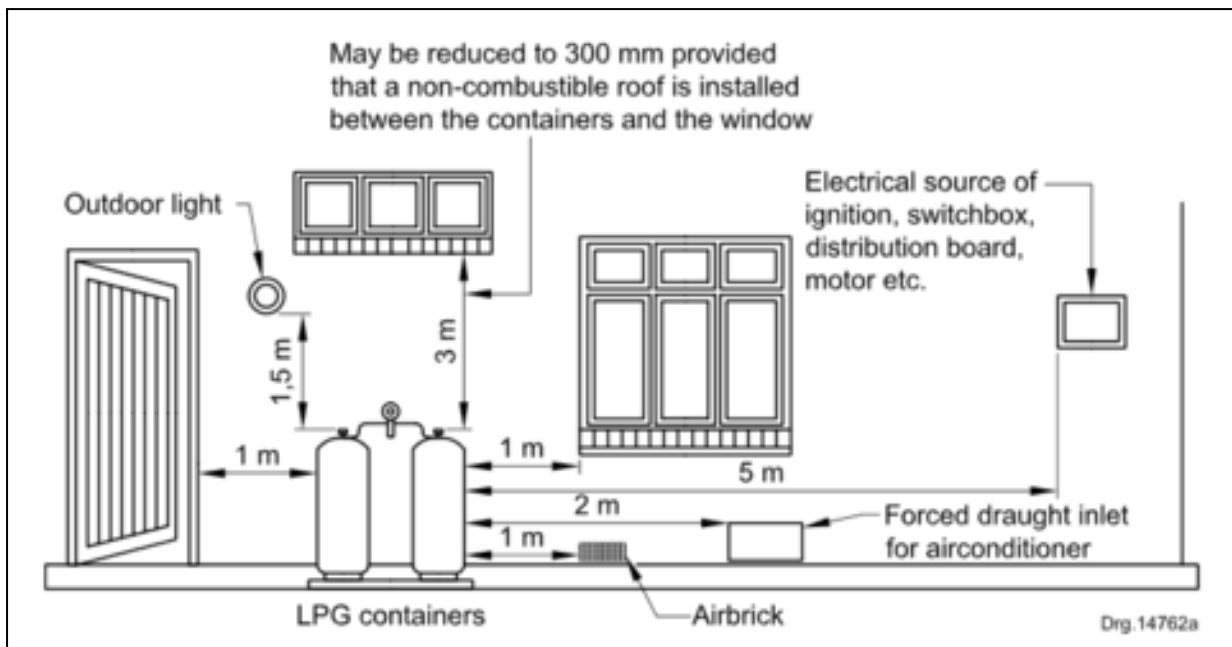
## 24.12. Alternative Power Sources

1. The Rules permits installation of various types of alternative power supply subject to full compliance with specific requirements by owners, residents, and trustees of the body corporate.  
Description of the various types of alternative power supply options that are permitted:
  - A. Gas installation for gas stove / hob and geyser.
  - B. Uninterruptable Power Supply (UPS) - Provides uninterruptable back-up power for specific items plugged into the UPS when supply from the power electricity supply grid fails, typically for critical appliances. This power will last for a limited time, depending on the power consumption and the storage capacity (batteries). UPS is ordinarily used to temporarily power critical loads until the supply from the supply grid is restored. In short, a basic system which will provide limited power for low load demand appliances for a few hours.
  - C. Inverter (Silent) Portable Generators - Can be used to generate power during power outages. The generated power will be at the output of the power output rating of the generator and power will be generated as long as the generator can remain operating (fuel dependent). Dependent on the generator's output some domestic appliances can be powered. The overriding consideration when using a generator would be the noise emitted, therefore, a very low noise level, expressed in decibels, is an imperative. The quietest generators have ratings under 60 decibels. Decibel levels are generally measured at 7 meters away from the unit.
  - D. Geyser Heat Pump - A heat pump works like an inverse air conditioner. It takes heat particles from the atmosphere, compresses them, pumps them into the geyser and circulates the water around.
  - E. Photo voltaic (PV) panels Solar Water Geysers – (**direct system only**) – Solar water geysers rely on warm water rising, better known as convection. The direct system, is where the water to be used in the household (hot water) circulates through the solar collector panels, transferring solar energy into the storage tank of the solar water heater; and
  - F. Photo voltaic (PV) panels for power generation - Solar panels work by absorbing sunlight with photovoltaic cells, generating direct current (DC) energy and then converting it to usable alternating current (AC) energy with the help of inverter technology. AC energy then flows through the home's electrical panel and is distributed accordingly. The components of a home solar power system include, panels, inverter, racking, monitoring system and batteries.

2. **Important Note:** Any UPS/generating device that operates in parallel with the grid may only connect to the grid when it complies fully with the requirements of this part of NRS 097. This includes UPS configurations with or without Embedded Generator. Examples of energy conversion devices are photovoltaic modules, fuel cells, induction generators or synchronous generators. The embedded generator may include storage devices, such as lead-acid batteries.
3. Where integrated or combined systems are used, such as inverters with solar panels, the owner or resident must comply with both, or all sections related to each system that is installed.
4. Liquefied Petroleum Gas
  - A. Owners or residents may install LPG stove hobs, stoves and water geysers after obtaining written permission from the trustees.
  - B. Each gas installation/upgrade must be completed in accordance to the regulations of both the South African National Standard (SANS: 10087) and with the Liquefied Petroleum Gas Safety Association of South Africa (LPGSA) and SAQCC Gas.
  - C. According to the regulations SANS 10087-1:2013, All gas installations must have a Certificate of Conformity according to the Pressure Equipment Regulations that have been promulgated under the Occupation Health and Safety Act (No 85 of 1993).
  - D. The CoC is essentially a certificate that states that the installation has been properly inspected and is determined to be safe and leak free. It is critical that this certificate is also issued by an authorized person who is registered with the Liquefied Petroleum Gas Safety Association of Southern Africa (LPGAS) and SAQCC Gas and submitted to the Managing Agent.
  - E. Owner or resident must also ensure that these appliances and installations are registered with the insurance company. Additional insurance costs will be loaded against the levy of the unit.
  - F. It is mandatory that each unit owner, who has a gas appliance installed, procure an appropriate fire extinguisher for use in cases of emergency.
  - G. Outside Instalment of LPG Cylinders
    - i. 1 m away from any opening (into a building) that is below the level of the container valve e.g., doors, windows, and airbricks,
    - ii. 2 m away from any drain, pit, or manhole,
    - iii. 3 m away from the property boundary, unless the boundary has a firewall, in which case the containers could be next to the firewall and where there are only two containers, the boundary distance can be reduced to 1 m, and

iv. 3 m away from any opening (or window) directly above the containers. The 3 m distance from the top of the cylinder, valve connection or the manifold whichever is the higher, to the bottom of the window(s) may be reduced to a minimum of 300 mm providing that:

- a non-combustible roof (see SANS 10400) is installed between the containers and the roof shall extend beyond the cylinder(s) such that when measured from the valve connection and around the roof to the nearest point of the window a minimum of 1,5 m safety distance shall be obtained, or
- The window frames shall be steel, and the total size of the glazing does not exceed 1 Glazing shall be of wire woven glass not larger than 450 mm x 450 mm per pane. Such windows shall not be open able.
- where a roof is installed over the cylinders there shall be sufficient space above the cylinder valves to facilitate the exchange of Roof structures of concrete shall not be installed above the manifold or cylinder
- 5 m away from a switchable electrical point i.e., plug socket, Inline power isolator, Aircon units, Pool pumps, Water pumps etc. Note, a wall light only needs to be 1.5 m to the left/right of the bottles, or 1.5 m above the bottles.



*Figure 9: Positioning of LPG Cylinders Outside*

## H. LPG Cylinders Cage Requirements:

- i. According to regulations domestic installations do not require that the cylinders be placed in a cage but shall be secured in such a manner so as not to accidentally fall over.

However, where public access to the cylinders is possible, the cylinders and manifold, if fitted, shall be in a locked cage or fenced area that meets the requirements.

- ii. Owners and residents to take note that due to the fact that garden areas are common property and although it is exclusive use areas, access to contractors, garden services and trustees are required, the Body Corporate requires all external installation of LPG Cylinders to be within a LPG Cage. See Figure below for specifications.

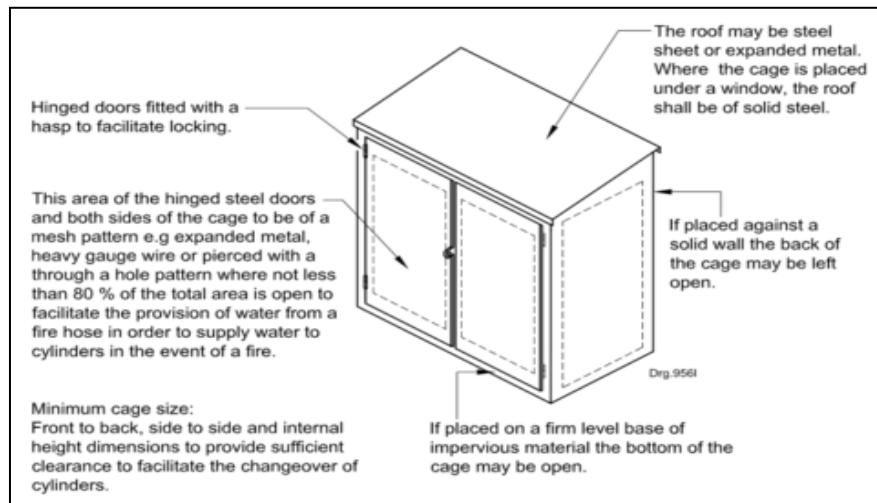


Figure 10: Specification of LPG Cage according to **SANS: 10087**

#### I. LPG Cylinder Placement related to boundary walls

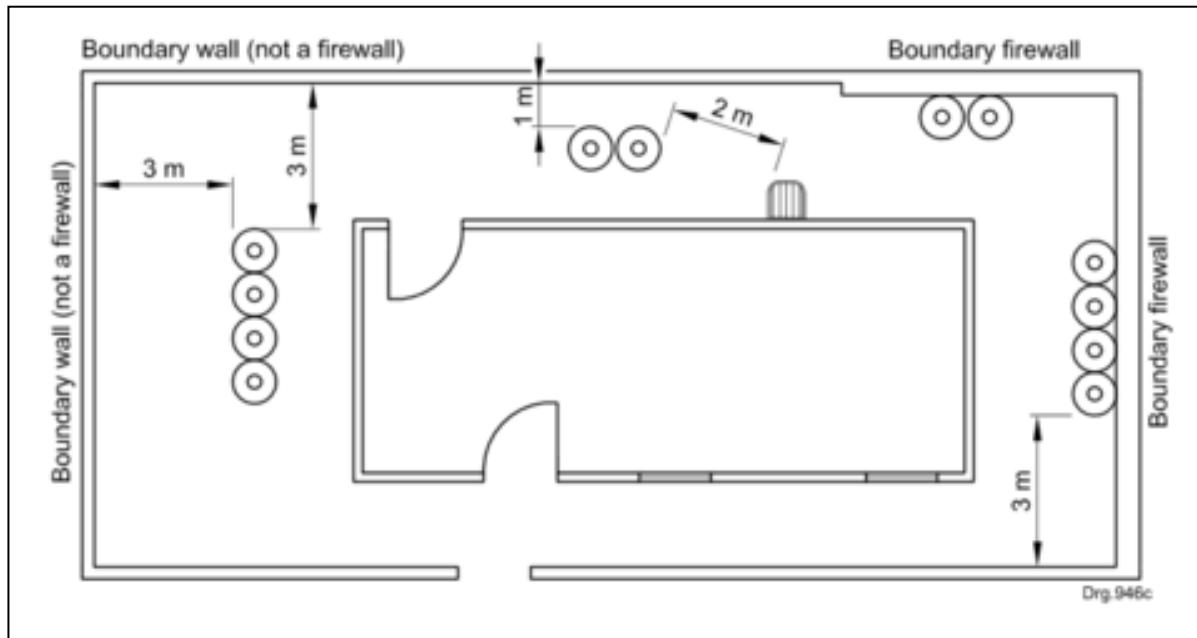


Figure 11: LPG Cylinder placement related to Boundary Walls

## J. Inside Placement of LPG Cylinders

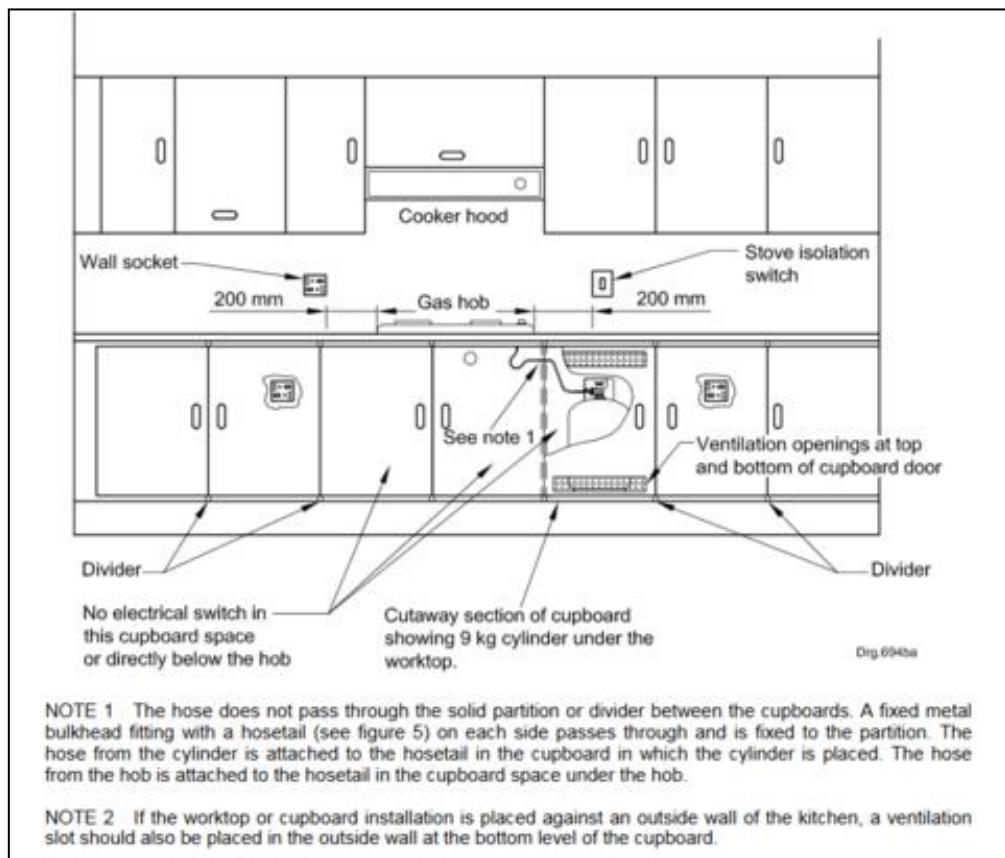


Figure 12: Specifications for the internal installation of LPG Cylinders

## K. LPG Geyser Placement

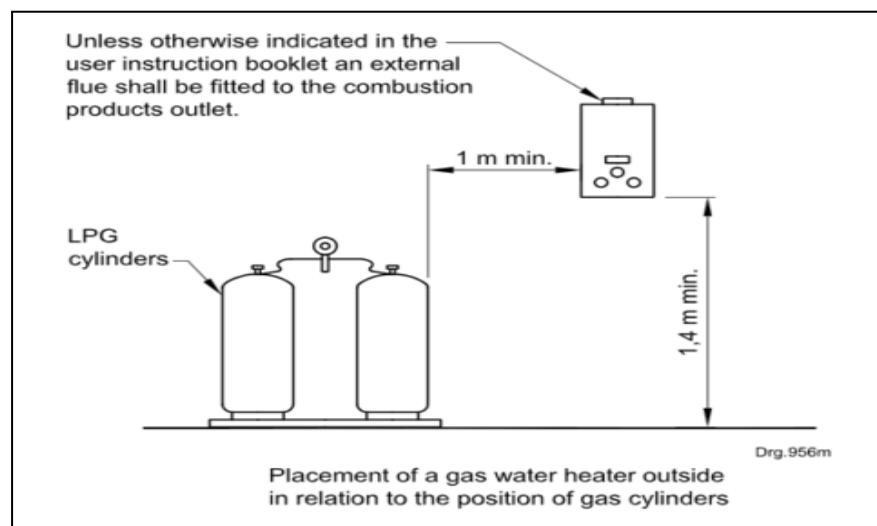


Figure 13: LPG Geyser Placement Specifications

## L. Additional Information and Specifications

- i. If an installation consists of copper, Only Class 1 or 2 gas copper piping is to be used. The copper tubing is required to have markings showing the specs.
- ii. Copper lines are required to be sleeved/protected if it's to enter through a wall, Concrete or underground. This stops the copper from corroding.
- iii. All Pex-Al-pex manufactured to standards accepted for use on LP Gas installations must be sleeved if it is in any contact with Sunlight/UV.
- iv. If a gas line is required to run in a roof where heat is impractical, it is required to use corrugated stainless steel gas pipe that is protected with no joins from entry to exit.
- v. In a domestic installation, it is required to have a shut off valve/Isolation valve for every appliance connected to the gas line.
- vi. Flexible hose may not be more than 2 m and may not go through any partition at all. This includes Wood, Dry walling, Concrete etc.
- vii. Where LPG containers are permanently installed or stored in a building, the type of building (In accordance with SANS 10400-A) and the corresponding size of the container(s) shall be as follows:
  - a. Flats (H3): a maximum of 9 kg per flat;
  - b. Houses (including cluster housing and group housing (not exceeding two storeys, a total of 19 Kg's per unit.

## 5. Uninterruptable Power Supply (UPS)

The utilisation of two types of UPS or inverters are approved by the body corporate:

- A. Plug-and-Play Trolley Inverters; and
- B. Inverters integrated into Electrical Distribution Board of the Section.

### A. Trolley Inverters

- i. The utilisation of Trolley Inverters does not require prior approval by the Trustees.
- ii. Usually these are smaller supply type inverters, 700 W to max 3000 W, and are ideal for TVs, decoders, gaming consoles, Wi-Fi routers, alarm systems, charge mobile devices and freestanding LED lights.
- iii. These systems are plugged directly into a wall socket from where small independent appliances can be powered for a limited time.
- iv. No connection to electrical Distribution Board is allowed.
- v. System can be linked to Solar Panels. Owner or resident must then comply with section 23.12.7 of these rules for the installation of solar panels.

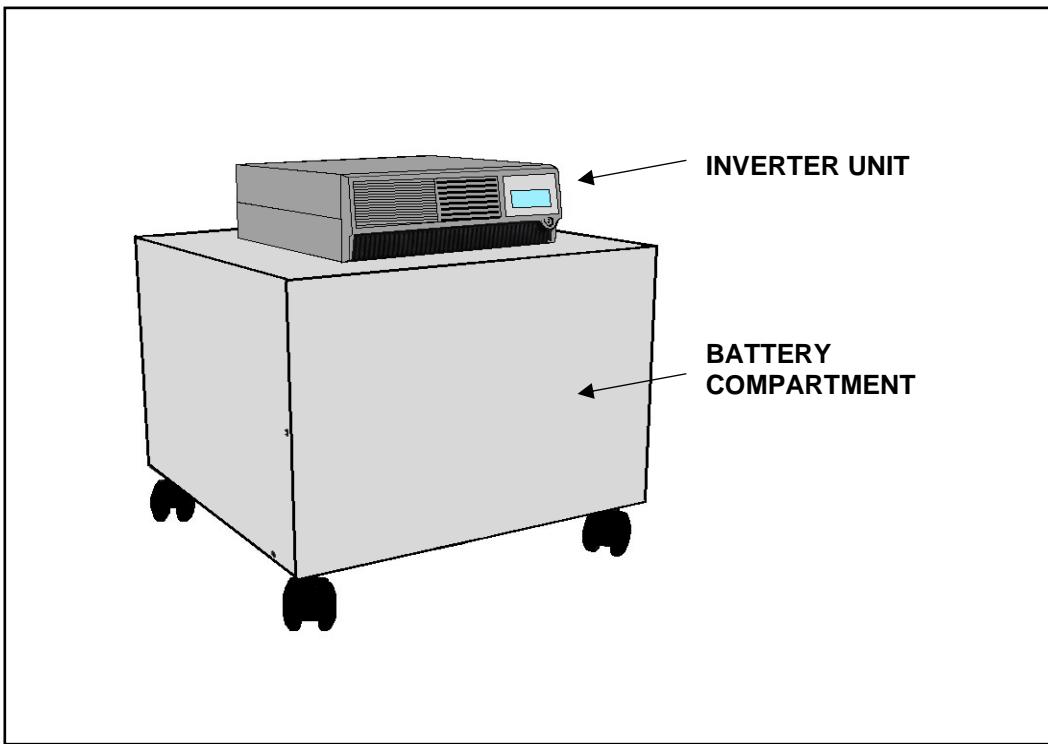


Figure 14: Image of typical Trolley Inverter

- B. Uninterruptable Power Supply (UPS) wired into Section's Electrical DB
  - i. UPS, wired into the electrical distribution board of the Section, **may only** be installed by a duly Authorised Person and a CoC issued to this effect.
  - ii. Only inverters that are on the NRS 097 approved PV inverter list may be used.
  - iii. **Installation must comply with NRS 097-2-1: 2017.** Which include the following basic specifications:
    - a. The inverter **must** incorporate the “*anti-Islanding functionality*” to prevent any form of stored or generated power being fed back into grid during power failure.
    - b. In addition to any other installation requirements and regulations, the installation **must** include appropriate lightning / surge protection and a “Change-over” switch.
  - iv. Owner or Resident will provide Trustees and Managing Agent with the following documentation after Installation.
    - a. Certificate of Conformance in terms of the connection of the Inverter system to the Distribution Board.
    - b. Certificate of Conformance or Formal Declaration that the installation and equipment comply with the specifications as stipulated in NRS 097-02-01: 2017 published in 2020.

- v. Non-compliance to these mentioned requirements or specifications by the owner or resident will result in the trustees removing the installed device at the cost of the owner.

## 6. Portable Generators

### A. General

- i. Portable Generators may only be used or installed on authorisation by the trustees.
- ii. Generators may not exceed 7.2 KVA.
- iii. Portable inverter generators **may only** be operated during the following times:
  - a. Monday to Fridays – 05:00 to 21:00; and
  - b. Saturdays – 06:00 to 21:00 and
  - c. Sundays – 08:00 to 21:00.
- iv. A portable generator **may only be used** if a permanent electrical power supply connection is made into the section's electrical wiring, which installation was done by a duly Authorised Person in full compliance with the Electrical Regulations and a CoC issued to this effect. **A generator may not be connected to a home electrical outlet and may not be directly connected to the circuit breaker panel.**
- v. No more than 5 litres of fuel, which is for the exclusive use for the portable inverter generator, **may be** stored in the Unit's garage at any point in time and for which prior written approval was obtained from the body corporate. No fuel may be stored in the habitable part of the Section.

### B. *Generator Types*

Owners or residents may use one of the following types of generators:

- i. Portable generators that function with petrol or diesel.
- ii. Inverter Generator. (Preferred Option).

### C. *Installation Requirements*

- i. Generator **may not** be enabled for automatic start.
- ii. A generator installation **must** have an emergency Isolator / cut-off switch.
- iii. The installation shall ensure that there is no "back feeding" of electrical power into the power grid.
- iv. Any installation of a generator must comply with Specifications as per NRS 097-2-1:2017.
- v. Portable inverter generators (**Silent type**), which has a noise rating of less than 70 decibels, when measured at 7 meters away from the unit, may be used.

- vi. If portable generator does not comply with the noise rating as specified herein, then the owner or resident must contain the generator in a soundproof container that complies with the specific functioning and specifications of the generator used.
- vii. Owner or resident must provide the trustees with a COC with regards to the installation of the generator related to the power supply of the unit.
- viii. Owner or resident must provide the trustees with a CoC or Formal Statement that the installation complies with the NRS 097-2-1 regulations and specifications.
- ix. If the owner or resident does not comply with these specifications or regulations, the trustees will execute their rights and remove the generator at the cost of the owner or resident.

## 7. Photo Voltaic (PV) Panels for Power Generation

### A. General Installation Rules

- i. Owners or residents must apply for authorisation for the installation of Solar Panels from the trustees via the Managing Agent.
- ii. Owners or residents must take note and comply with Rule **24.2 Conditions for additions/alterations to common property** with the installations.
- iii. Owners or residents installing solar panels must take note of the following:
  - a. The owner or resident will take responsibility for the roof area affected by the solar panel installation in terms of maintenance and repairs to that area.
  - b. The owner or resident will take responsibility for the roof structure, trusses or any other part of the roof structure that is affected by the installation in terms of repair and maintenance.
  - c. Owner or resident will ensure that the panels are maintained in a good state and does not affect the aesthetics of the unit.
  - d. To this regard the owner or resident must take note of Rule 3 of these rules.

### B. Installation of Solar Panels

- i. Owners or Residents must take note of the following technical and statutory regulations and must fully comply with them:
  - a. NRS-097-2-1 Code for Grid Connection of Embedded Generators.
  - b. NRS-052-2-2. Photovoltaic Systems for use in individual homes, schools and clinics.
  - c. SANS-10142-1. The Wiring of Premise – Low Voltage Installations.

- ii. Owners or residents must ensure that cabling from the solar panels to the electric panel is hidden as far as possible within the roof. Where cabling is on the exterior of the building it must be housed on conduit with the colour matching the unit's wall colour.
- iii. The panel structure must be anchored to the roof tile roof hooks. Owner or resident must obtain should obtain a special exemption if this method is not used.
- iv. Only monocrystalline, polycrystalline or thin-film solar panels may be used.
- v. Solar Panels installation may not exceed 16m<sup>2</sup> per unit.
- vi. Solar panels can only be placed on northern slope of the roof of the residential unit. No solar panels may be placed on a roof of garage unless special exception is obtained from the Trustees.
- vii. Solar panels must be installed so that the panels are aligned with the middle of the roof. Panels must be placed and aligned with the bottom of the first row of roof tiles beneath the nock of the roof. Solar panels may not extend beyond the roof tiles. See Figure 15 for graphical sketch of placement of solar panels.

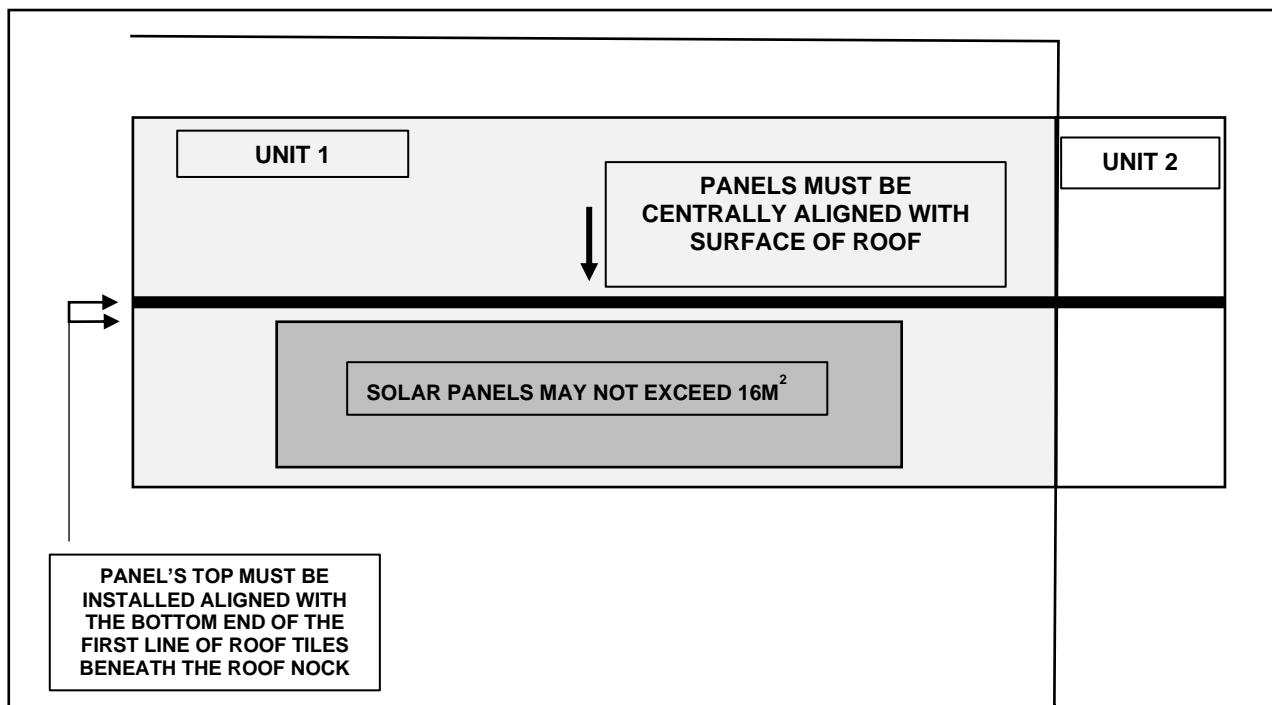


Figure 35: Placement of Solar Panels on Double Storey Unit

- viii. Where the panels must be installed in two locations, two 8m<sup>2</sup> sections should be used. Panels must be placed and aligned with the bottom of the first row of roof tiles beneath the nock of the roof. See Figure 16 for graphical sketch of placement of solar panels.
- ix. Due to the thinness and weight of solar panels owners must ensure not only that panels are properly secured to the roof but also that it is secure from being blown away or

damaged due to wind. See par **23.12.7. B** for securing info. The panels must not be installed more than 15cm above the roof surface.

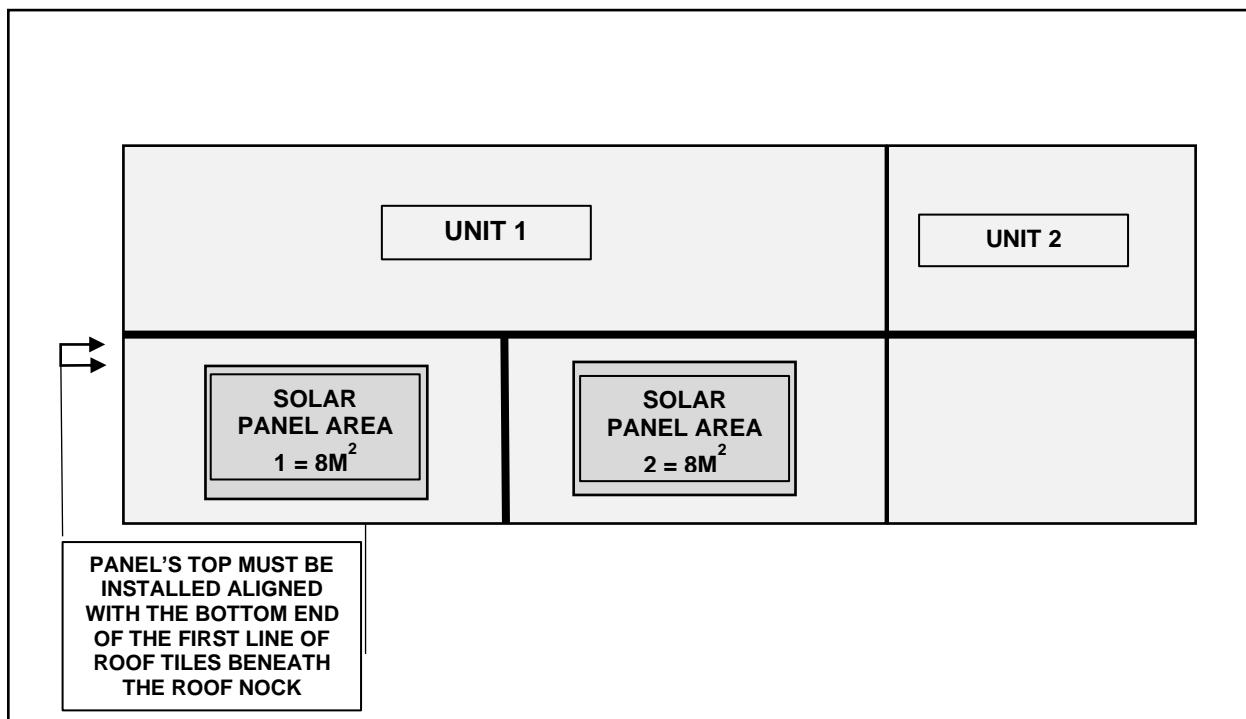


Figure 16: Placement of Solar Panels in two sections.

#### C. Integrated Systems

- i. Since in most cases solar panels will not be used in isolation but will form part of an integrated systems that include inverters, energy storage capability as well as possible connection to generators. The following sections or part of these rules must also be complied with:
  - a. Rule 23.12.5: Uninterruptable Power Supply (UPS) especially with where the UPS is connected to the Distribution Board of the unit.
  - b. Rule 23.12.6: Portable Generators where the generator is utilised as an integrated component to the power supply.

#### D. Certificate of Compliance

- i. The owner or resident will provide the Managing Agent the required certifications as determined by legislation, Municipal by-laws, National Regulatory Bodies, and statutes.
- ii. Inclusive of requirements herein, the owner or resident must provide a CoC to the Managing Agent that should include as per specification the following:
  - a. Certified Installation of the Solar Panels and the connection to the UPS or storage capability.

- b. Certificate of the Installation of the Inverter according to the Specification and connection to the Distribution Box of the Unit.
- iii. The owner must provide an engineer report on the structure of the roof.
- iv. The owner or resident must provide a formal statement to the Managing Agent that he or she accepts the provisions for alterations and amendments to the unit as specified in these rules and that with all rules of the HOA and Body Corporate has been adhered to.
- v. The owner or resident will also provide proof to the Managing Agent that the specific units insurance has been updated to incorporate the additions and installations.

## 8. Geyser Heat Pump

- A. A heat pump **must** be installed in full compliance to the requisite installation requirements. Such installation **may only** be done by a duly Authorised Person in compliance with the prevailing plumbing and electrical regulations, and a CoC issued to this effect. In addition to any other installation requirements and regulations, the installation **must** comply with the following:
  - i. SABS approved wall-mounting of condenser (external unit).
  - ii. All wiring must be SANS 10142 compliant.
  - iii. Certificate of compliance as per SANS 10254 (plumbing).
  - iv. The owner **must** provide the requisite CoC to the Body Corporate, who will be obligated to place same on record and provide the Insurer with a copy.
  - v. Installation of heat pump wall-mounted condenser must not be visible from common property and as far as possible must be placed at back of unit.

## 9. Photo Voltaic (PV) Panels Solar Water Geysers

- A. Only direct water geyser systems are permitted.
- B. A maximum of 2 PV panels (2m<sup>2</sup>) are permitted per unit. These panels are included in the total PV Solar Panels that can be installed per unit. Owner or resident must comply with Rule 23.12.7 of these rules for the installation of Solar Panels.
- C. A solar water geyser system **must** be installed in full compliance to the requisite installation requirements. Such installation **may only** be done by a duly Authorised Person in compliance with the prevailing plumbing and electrical regulations, and a CoC issued to this effect.
- D. In addition to any other installation requirements and regulations, the installation **must** comply with the following:
  - i. Appropriate Lightning / Surge protection.
  - ii. All wiring must be SANS 10142 compliant.
  - iii. Certificate of compliance as per SANS 10254 (plumbing).
  - iv. Thermal cut-off switch (AC and DC elements).

- v. The owner **must** provide the requisite CoC to the Body Corporate, who will be obligated to place same on record and provide the Insurer with a copy.

#### **24.12. Indoor Fireplace**

- A. Owners or residents may install an indoor fireplace after obtaining written permission from the Trustees.
- B. If the fireplace is placed in a position which shares a wall with the neighbouring section, the owners or residents must obtain written permission from the owner or resident of the neighbouring section. This must be submitted when requesting written permission from the Trustees.
- C. The chimney stack must be silver in colour and may not exceed the height of the roof ridge.
- D. The chimney cowl must be silver in colour and must be a Chinese hat or similar cowl approved by the Trustees prior to installation. See figure 17.
- E. The Owner or Resident will provide the Trustees and Managing Agent with a Certificate of Conformance on completion of the installation.
- F. The Owner or Resident must take note of Rule 3 of these rules.



*Figure 17: Chinese Hat Cowl*

#### **24.13. Security Gates**

- A. Prior written approval from the Trustees is required before security gates maybe installed.

- B. Security gates shall be of the design, colour and specification as approved for Bushwillow Scheme for the sake of conformity of appearance. See figure 18.
- C. Security gates may be installed on the outside all exterior opening doors.
- D. No other design or type of security gate will be approved for installation on the exterior of an opening door.
- E. The Owner or Resident must take note of Rule 3 of these rules.

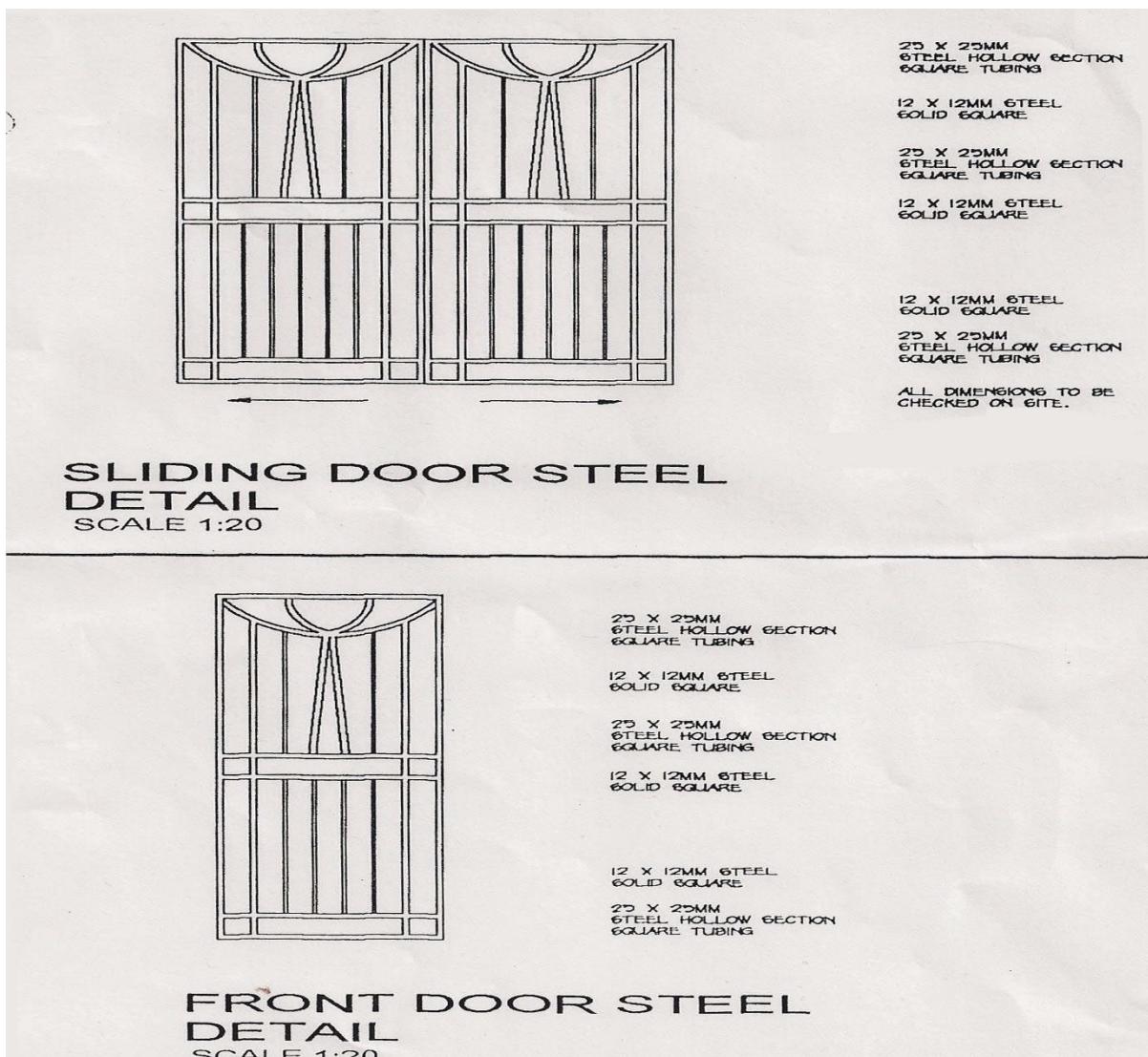


Figure 18: Security gate specifications

**END**

**25. BY ORDER OF THE TRUSTEES**