

**CONDUCT RULES
OF THE
WHALE ROCK RIDGE HOMEOWNERS ASSOCIATION**

Adopted 14th July 2020

1. Introduction

- 1.1. The aim of these Conduct Rules is to assist both new and existing residents to appreciate and enjoy the lifestyle that the Whale Rock Ridge Estate (“**Estate**”) offers and to encourage everyone to respect the interests and welfare of all who live here. The Conduct Rules are for the protection and reinforcement of this lifestyle and the capital investment of all owners.
- 1.2. These Conduct Rules have been established in terms of the Constitution of the Whale Rock Ridge Homeowners’ Association (“**WRRHOA**”). They are binding on all residents of the Estate, as is any decision taken by the Trustees in the interpretation of these Conduct Rules.
- 1.3. The registered owners of the properties within the Estate are responsible for ensuring that all members of their families, tenants, visitors, employees, contractors, contractors’ subcontractors and delivery persons are aware of and abide by these Conduct Rules.
- 1.4. These Conduct Rules are subject to change from time to time and the Trustees may add to, withdraw or amend any of these Conduct Rules as they deem necessary. The Estate Manager, as the appointed representative of the Trustees, has the authority of the Trustees in applying these Conduct Rules. Any instructions issued by the Estate Manager regarding the application of these Conduct Rules will carry the authority of the Trustees.

2. Levies

- 2.1. Any levies which the Trustees are entitled to impose in terms of the WRRHOA Constitution are, save where the Trustees determine otherwise, due in advance on the first calendar day of a month and are payable within 7 (seven) calendar days of the first calendar day of the month.
- 2.2. Levy payments may not be withheld for any reason whatsoever.
- 2.3. Fines, legal fees and any other charges owing by a property owner become due immediately when they are charged to the owner’s levy account and are payable within 7 (seven) calendar days of the first calendar day of the month following the month the charges are raised. Payment of fines, legal fees and other charges may not be withheld for any reason whatsoever.
- 2.4. Arrear levy accounts refer to the full amount outstanding including (but not limited to) levies, legal fees, interest, fines and other charges. Interest at the prevailing prime bank overdraft rate plus 4% will be charged on overdue levy accounts.
- 2.5. Levy accounts 21 (twenty-one) days overdue will automatically be handed to a firm of attorneys for collection.

- 2.6. No clearance certificate required by the Deeds Office prior to the registration of transfer of a property will be issued by the WRRHOA before the levy account has been brought fully up to date, alternatively, guarantees acceptable to the Trustees or their legal representatives are obtained from the transferring attorneys undertaking to bring the levy account up to date against registration of transfer.

3. Security and Access Control

- 3.1. The right of admission to the Estate is reserved. Residents, their visitors and/or their contractors are not allowed to issue instructions to security personnel. The security personnel are required to execute and follow a specific set of security procedures and rules that have been formulated to maintain a high level of security and safety for the benefit of all residents in the Estate. Security personnel must be treated respectfully at all times, and any verbal abuse towards security personnel will not be tolerated.
- 3.2. The Estate will be manned by security personnel appointed by the Trustees 24 (twenty-four) hours a day. All residents, visitors and contractors are required to adhere to the access control procedures details of which will be circulated to all property owners and updated as may become necessary from time to time.
- 3.3. No firearms may be discharged on an owner's property or on the common property except by authorised law enforcement officials and the duly authorised and licensed security companies contracted by individual owners or the WRRHOA.
- 3.4. All attempts at burglary or instances of fence jumping must be reported to a member of the security staff.
- 3.5. The access control system currently in place allows all visitors and guests' access using an access code provided by members. The visitor's driver's licence will be scanned before being permitted to enter the Estate. A refusal to allow a scan of the licence for any reason will result in access being denied.
- 3.6. In the event of a visitor or guest not having an access code, the security guard at the entrance gate will contact residents telephonically to obtain permission to allow the person or persons concerned into the Estate. Security guards will not allow access to any visitor without prior permission being given by the resident
- 3.7. Owners are required to provide the selected telephone number and proof of ID of new residents to the Estate Manager so that he can programme this new telephone number into the access control system.
- 3.8. In all cases vehicle registration numbers and the property to be visited will be recorded at the entrance of the Estate. No visitor will be granted access after 10 p.m. without prior arrangement having been made. Unexpected visitors arriving after 10 p.m. will be granted access only after telephonic confirmation is received from the resident to be visited. Whenever possible the security centre at the gatehouse should be advised in advance of the pending arrival of visitors.
- 3.9. The security company of the Estate does undertake vehicle patrols at regular intervals during both day and night. All owners, residents, employees and contractors are expected to comply with any reasonable instructions from these security officers.
- 3.10. Owners or residents must register their *au pairs*, domestic workers, gardeners or other regularly contracted employees with the nominated security official at the main gate. Owners or residents take full responsibility for the actions and behaviour of their privately employed workers and the owner indemnifies the WRRHOA against any injury, loss or damage relating to an employee which may occur within the Estate.

- 3.11. Installation, repairs and maintenance contractors or service providers that will be doing once-off jobs within the Estate on an owner's property may enter the Estate using a visitor pin, issued by owner or resident or by being announced to the resident via the access control system.

4. Letting

- 4.1. All tenants and other persons granted rights of occupancy by an owner are obliged to comply with these Conduct Rules notwithstanding any provision to the contrary contained in any lease or any grant of rights of occupancy. Where there are conflicts, these Conduct Rules will take precedence.
- 4.2. An owner who wishes to rent out his/her/its property shall ensure that the letting agent or if no letting agent is employed then a suitable service provider screens the potential tenant. The owner will be liable to the Estate for any damage caused to property of the Estate by the tenant or any of his party. They also remain liable for the tenant's conduct and behaviour.
- 4.3. No letting periods of less than 7 (seven) continuous days are permitted without the prior written consent of the Trustees.
- 4.4. Any rental/Let will attract a R500 fee to cover the administration of the security system and access control. The owner will be invoiced on the levy account.
- 4.5. Within seven days of concluding a lease agreement in respect of an individual property, the owner or his letting agent must provide the Estate managing agent with the following detail: -
 - 4.5.1. full names, postal address and telephone number of the tenant and other residents of the property.
 - 4.5.2. a copy of the main tenant's identity document.
 - 4.5.3. the start date and duration of the lease.
 - 4.5.4. the number of persons who will be occupying the property.
 - 4.5.5. the vehicle registration number of all the tenants' vehicles; and
 - 4.5.6. confirmation from the tenant that a copy of the latest Conduct Rules has been provided to the tenant.
- 4.6. In the event of an owner not using the services of a letting agent, the responsibility for providing the above information to the managing agent rests upon the owner.
- 4.7. Any lease agreement in respect of an owner's property must include an obligation for the tenant to observe these Conduct Rules.

5. Resales of Individual Properties

- 5.1. An owner who sells a property within the Estate must advise the Estate managing agents in writing within 30(thirty) days of the change of owner and the new owner's names and contact details.
- 5.2. Any sales agreements must include an obligation for the purchaser to become a member of the WRRHOA upon transfer of the property into his name and to remain a member for so long as he is the registered owner of the property. The owner must further ensure that any address chosen by the purchaser for receipt of any notice from the WRRHOA is a South African address so as to ensure South African jurisdiction in the event of any dispute with the WRRHOA.

- 5.3. In the case where the beneficial ownership or control of a company, close corporation, trust or other association which owns a property is changed or transferred, the transferor must notify the managing agent forthwith of the change of transfer and provide the full names and addresses of the new owner.
- 5.4. Should an owner want to sell his property only an accredited estate agent may be appointed. An estate agent is accredited after: -
 - 5.4.1. signing an agreement with the WRRHOA which binds that agent to comply with the stipulated procedures applicable to the sale of a property in the Estate; and
 - 5.4.2. after having been instructed with respect to the rules and conditions under which a purchaser purchases a property in the Estate more particularly the rule relating to the choosing of a South African address for the service of notices upon the prospective owner.
- 5.5. Any estate agent wishing to be accredited may be required to provide written proof of their registration and good standing with the relevant authority.
- 5.6. The accredited agent must ensure that the purchaser is informed about and receives a copy of these Conduct Rules.
- 5.7. The WRRHOA may review accreditation of estate agents from time to time. An updated list of accredited agents will be available on request.
- 5.8. Accredited agents may operate on a “By Appointment” basis only and must personally accompany a prospective purchaser. No “Sold” boards are permitted. Directional boards are only permitted for the one day the house is having an open show day.
- 5.9. A clearance certificate is a pre-requisite for the registration of transfer of a property at the Deeds Registry and must be obtained from the WRRHOA prior to any transfer. A clearance certificate will only be issued to an owner whose levy account is fully paid and who is not in breach of any of the Conduct Rules.

6. Building and Alterations

6.1. Adhering to architectural guidelines

- 6.1.1. Any building works whether it be the initial construction, alterations or renovations must adhere to the guidelines and regulations set out in the “*Whale Rock Ridge Architectural Design Guidelines*”, a copy of which will be made available to every owner upon becoming a member of the WRRHOA and, if not so made available may be obtained from the managing agents at any time. These design guidelines will be updated by the Trustees as advised by the estate architect from time to time.
- 6.1.2. All building plans must be submitted to the estate architects nominated by the Trustees in terms of the WRRHOA Constitution. This applies to the initial construction and to future additions or alterations to existing structures which must all comply with the guidelines and fit in with the architectural style of the Whale Rock Ridge development.
- 6.1.3. All garden walls and fencing, if authorised by the WRRHOA, must be designed in accordance with the provisions of the architectural design guidelines and be approved by the estate architect with regard to both material and dimensions. Particular attention will be paid to high walls screening the entire frontage of properties.

- 6.1.4. The position, size and location of aerials and/or satellite dishes must take into account the effect of the view from neighbouring properties. No ham radio aerials are permitted.

6.2. Contractors and Building Works

It is the obligation of a property owner and his nominated contractor to ensure that all building activity within the Estate occurs with the least possible disruption to residents. To this end: -

6.2.1 All building sites are to be enclosed with green shade cloth to a height of not less than one and a half metres.

6.2.2 To reduce the dust nuisance all sand piles must be covered with green shade cloth, or a similar material, at the end of each day, over weekends and during any builders' holiday.

6.2.3 Contractors must clean up common property each afternoon before leaving the site. If this is not done the Trustees will be entitled to appoint Estate staff to do so at overtime rates, at the owner's expense.

6.2.4. no rubble is to be left on the common property of the Estate overnight.

6.1. It is the responsibility of owners to ensure that their contractors and workmen comply with these rules.

6.2. Save in the event of inclement weather or natural disaster, building construction may not be interrupted for a period of longer than one calendar month and if it is so interrupted a Building Interruption Levy in the same amount as the Late Completion Levy may be imposed by the trustees in accordance with the provisions of the WRRHOA Constitution.

6.2.1. A building deposit of R20,000.00 (twenty thousand Rand) or such other amount as may be determined by the Trustees from time to time, is payable to the managing agent by the owner before any building work can commence. The cost of rectifying any damage to the common property and any other charges which may accrue against the owner in respect of the building operation will be deducted from the building deposit. Any amount so deducted from the building deposit must be repaid by the owner to the managing agent so as to retain a building deposit of not less than R20,000.00 (twenty thousand Rand) at all times.

6.2.2. The provision of an occupation certificate and satisfactory completion of building works as determined by the Estate Manager is required before the return of the building deposit or any remaining part thereof to the owner.

6.2.3. The WRRHOA has the right to suspend any building activity which contravenes any of its rules and to deny entry into the Estate of a contractor guilty of such a contravention. The WRRHOA accepts no liability whatsoever for any losses sustained by an owner/resident/contractor as a result of action taken by the WRRHOA pursuant to a contravention of its rules.

7. Alternate Energy Equipment March 2020.

7.1. The interruption of electricity supply from Eskom, caused by equipment breakdowns or more recently rotational load shedding, has possibly resulted in some Homeowners

considering the installation of alternative energy equipment for their properties. Homeowners need to be aware of and adhere to the guidelines and regulations regarding Alternate Energy Equipment as set out in the “Whale Rock Ridge Architectural Design Guidelines” as referred to in section 8.

7.1.1.1. Homeowners are reminded, this is an Eco –Estate, and as covered later in section 10 “Good Neighbourliness” the installation and type of equipment must conform to our Alternate Energy Equipment Guidelines and Regulations.

7.2. Regulations and Guidelines for New Installations.

- 7.2.1. No **NEW** or **replacement** petrol, diesel or gas generators or wind powered generators will be permitted in the Estate effective 1 March 2020. These types of generators are not allowed due to noise, safety and exhaust emissions. The lowest normal operating noise levels of these types of generators are 65dB, and if located close to a boundary wall, and with adverse wind directions, can be a **real annoyance to the neighbours** in the Estate.
- 7.2.2. Alternative energy sources that are acceptable in the Estate (Effective 1 March 2020) are limited to **UPS and Inverter systems**.
- 7.2.3. UPS systems are generally portable and provide backup power to TV’s, a few standing lights, computers etc. It is not normal to wire such devices into the house’s distribution board, but this can be done by a registered electrician, with only a few low power circuits fed from the UPS in the event of outages.
- 7.2.4. The only other alternative energy system for houses is an **Inverter, often with Batteries to store power** (Effective 1 March 2020) The batteries can either be charged by Eskom power, or they can be partially or fully charged by Solar Panels (**no other form of charging is permitted**)
- 7.2.5. There are two main battery systems currently available for inverters. Lead acid/gel batteries (deep cycle 12V car type batteries or modular battery packs) and the more state of the art Li-ion batteries.
- 7.2.6. Compliance re storage of these types of batteries to the manufacturer’s specifications and guidelines is mandatory.
- 7.2.7. The system must be installed by a competent and registered electrician with experience in such systems. A Certificate of Compliance is required once installation is complete.
- 7.2.8. The positioning of the solar panels and storage areas for the batteries must comply with the “Whale Rock Ridge Architectural Design Guidelines”. New installations require that you notify Estate Management and provide details regarding location of solar panels on your roof (they must be parallel to the roof surface) and where you will be storing your batteries.

8. Existing Generators /Alternate Energy Equipment.

- 8.1. **The generator should be seen as an emergency back-up and may only operate during power failures.**
- 8.2. Owners of existing generators (petrol/diesel turbines) must register with Estate Management to advise that they have /use existing generators of this type.

- 8.3. Homeowners are required to submit details of their **existing** generator to Whale Rock Ridge Management. The details must include the following:
 - 8.3.1. The make, type and specification of the generator installed.
 - 8.3.2. The location of the generator installed on the property.
 - 8.3.3. A registered electrician's Certificate of Compliance.
 - 8.3.4. Noise level output measured in decibels at 7m and a Fire Protection Plan.
- 8.4. No generators are to be located in garages unless the generator exhaust is placed outside as this is safety and health risk. No small portable generators (less than about 1.5kW) are to be connected into the electrical system of any house permanently.
- 8.5. Existing generator installations on the Estate must comply with municipal regulations, SANS 10142-1 and SANS 10131
- 8.6. They must not be a nuisance to neighbours and should have a maximum noise level of 65dB (A) at night at 7m. They must not be located near the neighbour's bedrooms (7m minimum distance away) and must be located within the building line of the property and conform strictly to municipal regulations and fire safety regulations. Large storage tanks of fuel are discouraged and if already in place must comply strictly with storage guidelines as per Municipal and Fire Safety regulations (Community safety By Law Clause 37 Storage/Use Flammable substances).
- 8.7. In cases where a generator has already been installed, the homeowner is to have a sound insulation enclosure manufactured and fitted to the generator and ensure that the above-mentioned maximum noise rating is met.

9. Use of the roads within the Estate.

The roads of the Estate are for the movement of all residents, whether by foot, bicycle, motorcycle, truck, delivery van or car. The speed limit is 30km (thirty kilometres) an hour. Parents are responsible for ensuring that their children do not play in the roads. Engine powered vehicles or cycles may not be driven anywhere except on the roads of the Estate.

10. Good neighbourliness

- 10.1. No business activity or hobby which causes aggravation or nuisance to fellow residents may be conducted. Auctions and jumble sales are prohibited.
- 10.2. The volume of music or electronic instruments, partying and the activities of employees should be kept at a generally acceptable level.
- 10.3. Mechanical maintenance and the use of power saws, lawnmowers and the like (electric motors are preferred) should only be undertaken between the hours of 8.30 am and 4.30 pm. On a Sunday, such activity may only be undertaken between the hours of 8.30 am and 1 pm. No noisy weedeaters permitted on a Sunday.
- 10.4. Washing may only be hung in your own backyard.
- 10.5. Swimming Pool Filter Motors /Pool Heating Motors etc. must be set to operate **only between 9.00am and 5.00pm** (or shorter periods). No pool motors are allowed to be set to operate outside of these times as they are noisy and are a nuisance to fellow residents.

- 10.6. No advertisements or publicity material may be exhibited or distributed without the consent of the WRRHOA.
- 10.7. Planting should not interfere with pedestrian traffic or obscure the vision of motorists.
- 10.8. Gardens situated next to parks/open spaces must always be kept neat and tidy failing which the WRRHOA will maintain the garden at the owner's expense. The WRRHOA is responsible for maintaining trees, plants and shrubs planted on its sidewalks.
- 10.9. Piloted aircraft such as drone's, hovercrafts or any other remote-controlled flying objects may not be used on the Estate.

11. Pets

- 11.1. The following rules apply to the keeping of pets on the property: -
 - 11.1.1. the local authority byelaws relating to pets must be strictly complied with.
 - 11.1.2. no poultry, pigeons, aviaries, wild animals or livestock may be kept on the Estate.
 - 11.1.3. no pets are permitted to roam the streets.
 - 11.1.4. dogs must always be walked on a leash and the dog walker must pick up the faeces. A fine of R1000 will be levied to persons failing to comply.**
 - 11.1.5. should any excrement be deposited on any common property, the owner of the pet is obliged to immediately remove it.
 - 11.1.6. every pet must wear a collar with a tag indicating the name, telephone number and address of its owner.
 - 11.1.7. pets may not be left unattended on a property or in a residence for more than one day. In the event of holidays or extended periods away from home, alternative arrangements must be made.
- 11.2. The WRRHOA reserves the right to request an owner to remove his/her pet should it become a nuisance within the Estate.
- 11.3. No slaughter, killing or maiming of pets or animals within the estate will be permitted at any stage including for religious or cultural reasons.

12. Eradication of pests and alien plants

- 12.1. An owner or resident must keep his individual property free of white ants, borer and other wood destroying insects, alien plant saplings and to this end shall permit the Estate Manager, the managing agent or their duly authorised agents or employees to enter his/her individual property from time to time for the purpose of inspecting his/her individual property and taking such action as may be reasonably necessary to eradicate any such pests.
- 12.2. The costs of the inspection and eradication and the replacement of any woodwork or other material forming part of such property which may be damaged by any such pests shall be borne by the owner of the individual property concerned.

13. Waste Management-Household Refuse & Garden Refuse.

- 13.1. We are an eco-estate and waste management is important. It is extremely important to limit foreign food source within the Estate to assist with the control of Baboons. **The Estate needs to collectively practice good waste management control.**

- 13.2. All properties must use the municipal wheelie bin and it is mandatory that these are **FITTED** with a secure locking device (WRR locking device.) No other types of bins are permitted. **This policy will be strictly enforced as it is an essential component of limiting the foreign food source on the Estate to control the baboons.**
- 13.3. Recycling is mandatory to comply with Municipal by-laws. Only black bags to be used for wet household organic waste. Separate bags which may be either clear yellow or green coloured bags must be used for Plastic, Glass, Paper and Tin.
- 13.4. All refuse and recycling must be placed in wheelie bins that are fitted with a locking device. No storage of waste in backyards/outside areas (wet, or recycling) may take place in an unlocked bin.
- 13.5. No vegetables or wet waste/household waste may be used in compost heaps, organic, worm farms or vermicomposting. **This attracts Baboon's and is not permitted at all.**
- 13.6. Garden refuse must be Bagged and put out on Mondays and Thursdays. Only garden refuse or cuttings which is in plastic bags will be removed by the Estate. It will be incumbent on homeowners to either remove any garden cuttings themselves to the Municipal Dump or arrange to have these collected by an outside service provider.
- 13.7. Refuse may only be put out on the morning of collection before **8am on Mondays and Thursdays**. Bins must be returned to the inside of homes and kept, if possible, out of sight, on the same day.

14. Environmental Affairs.

- 14.1. On the instruction of the Department of Environmental Affairs and Forestry (“**Department**”) the Estate has employed the services of an environmental consultant (“**Consultant**”) who has prepared and submitted an environmental plan to the Department which has in turn approved it and monitors its implementation quarterly. Owners are obliged to comply with any instruction given by the Estate Manager pursuant to any directive issued by the Department or the Consultant in accordance with the environmental plan or in compliance with existing environmental legislation. A failure to do so will render the defaulting owner personally liable for any fine or other expense incurred by the Estate as a result of that failure. The Estate Manager may further take such action as may be reasonably necessary to comply with the directive concerned.

15. Managing of Baboons.

- 15.1. WRR Estate is bordered almost entirely by designated Nature Conservation areas or vast open tracts of land covered in natural vegetation. It is to be expected that a variety of wildlife will be attracted/reside in these areas. The devastating fires of 2017 resulted in a shortage of food source in these open spaces, and placed pressure on wildlife to move closer into the urban/suburban areas not affected. **Baboons are attracted by food and enter suburbs with the sole purpose of hoping to find an easy food source.** If Baboons know they are going to get easy rewards, they will return repeatedly to this source. It is this easy food source, that these Policies and Procedures are designed to limit, and in so doing create an environment where there is “more food source or easy rewards outside the Estate than within” and therefore the Estate becomes less attractive to baboons.
- 15.2. **It is absolutely forbidden to Feed Baboons in any way at all.** Strict action will be taken by management/trustees if anyone is found to be contravening this rule. This

policy must apply to owner's families, friends, guests, staff, workmen, contractors, and people renting owners homes should this be applicable. Nobody on the Estate should feed baboons in any way.

- 15.3. **Pets Food (Dog/Cats) left outside is not permitted at all.** Be aware that leaving food available inside your house in bowls throughout the day for your pet, poses a risk of a visit by a baboon as it is an easy food source.
- 15.4. **Feeding of Wild Birds or other small animals (squirrels/mongoose etc.) in any way be it bird feeders or other types of feeders is not permitted at all.** This also applies to the sprinkling of grain/breadcrumbs etc. on lawn or the surrounds of your property. The bird seed and grains are an attractive easy food source for Baboons.
- 15.5. **No Vegetable Gardens, fruit trees or compost heaps (no composting using wet/household waste,) worm farms, vermicomposting, beehives are permitted.** Management will be taking action to ensure this policy is enforced with immediate effect and all existing Vegetable Gardens/Fruit Trees and Compost Heaps etc. have been removed by homeowners. (March 2020). These attract baboons and are an easy food source.
- 15.6. **All Households must comply strictly with the Waste Management Policies of the Estate** and all waste (wet and recycling) may only be kept in Wheelie Bins with a secure locking device (WRR locking device). Dustbins, containing veggies/household food, leftovers, scrapings from plates or any other waste food is an edible and easy food source for baboons.
- 15.7. **It is strongly recommended that homeowners do not leave Food on Display such as Fruit Bowls/Cakes /Nuts etc.** in windows or where these foods can be easily seen/grabbed by baboons. If Baboons see an obvious and easy food source, they are more likely to enter. Cat flaps/dog flaps should be secured

16. Business activity

- 16.1. An owner or resident may not conduct any business activity: -
 - 16.1.1. which causes aggravation or nuisance to other owners or residents within their properties or on the common property.
 - 16.1.2. which employs people who require daily access to his/her property or the common property.
 - 16.1.3. that involves manual labour and machinery (electrical machinery, lathes, handheld tools etc).
 - 16.1.4. which comprises the business of a bed and breakfast type establishment.
- 16.2. Upon application by an owner and under exceptional circumstances, the Trustees may permit such business activity either on a temporary or on an ongoing basis. However, this permission may also be revoked at any time in the sole discretion of the Trustees.
- 16.3. Owners or residents may conduct business activities under the following conditions: -
 - 16.3.1. it is largely of an administrative or office-based nature.
 - 16.3.2. it causes no disturbance, noise, aggravation or inconvenience to other owners or residents.
 - 16.3.3. it is carried on within an owner's residence.
 - 16.3.4. it is confined to regular business hours.

17. Insurance

- 17.1. The WRRHOA has no responsibility whatsoever for the insurance of the buildings or the contents of any particular property which remains the sole responsibility of the owner or resident in question.
- 17.2. An owner or resident may not do or permit to be done, within his/her individual property or on the common property, anything which will, or may, increase the rate of premium payable by the WRRHOA on any insurance policy which it carries in respect of Estate property or which may tend to invalidate any such insurance policy.
- 17.3. An owner or resident may not store upon the common property or within his/her individual property any inflammable material or other goods (in substantially material quantity) or do or permit or allow to be done any other dangerous act which may invalidate any fire insurance policy held by the WRRHOA or which may increase the premium payable in respect of any such policy.
- 17.4. The decision of the insurance brokers employed by the WRRHOA with regard to the provisions of paragraphs 17.2 above and 17.3 above shall be final and binding on all owners.

18. Disputes and breach of rules

- 18.1. In the event of a complaint against a resident or a dispute between residents, the parties involved should attempt to settle the matter between themselves. In instances where problems cannot be resolved, the Estate rules will apply.
- 18.2. In the event of a breach of a Conduct Rule by an owner, his family, tenants, visitors, employees, contractors, contractors' subcontractors or delivery persons the Trustees have the right in terms of the Constitution of the WRRHOA and without any notice (should the Trustees in their sole discretion deem that no notice is warranted), to take such action against the defaulting owners as they deem fit including but not limited to:-
 - 18.2.1. remedying the breach at the owner's cost; and/or
 - 18.2.2. imposing a fine upon the owner in an amount deemed appropriate by the Trustees; and/or
 - 18.2.3. the institution of legal action.
- 18.3. If the Trustees are notified of any breaches of these Conduct Rules, they will be obliged to investigate the matter fully and assess the impact of the breach on the Estate.
- 18.4. In the interests of building a sense of community, appropriate effort will be made to resolve the breach amicably. However, if the defaulting owner/resident does not remedy the breach and it can still be remedied, a formal first and final warning notice will be sent to them in writing.
- 18.5. In the event that the defaulting member/resident does not then remedy the breach or repeats the breach after the first and final warning has been issued, the Trustees shall take such action as recorded in paragraphs 18.2.1 above, 18.2.2 above and 18.2.3 above, as they deem fit. In the discretion of the Trustees, fines may range from between R500.00 (five hundred Rand) and R1,000.00 (one thousand Rand) for a minor breach and from R1 000.00 (one thousand Rand) to R5 000.00 (five thousand Rand) for a major breach.

19. Disclaimer.

19.1. All persons on the common property or using any of the Estate facilities or services do so entirely at their own risk. No person shall have any claim against the WRRHOA, its Trustees, employees, agents or contractors of whatsoever nature, arising from such use nor for anything which may happen to any person during the course of such use, irrespective of the cause. The WRRHOA shall not be liable for any injury, loss or damage of any description that any person may sustain physically or to their property directly or indirectly and suffered whilst those persons are within the boundaries of the Estate.

INDEX RECORD OF AMENDMENTS/INCLUSIONS

Effective 03 March 2020.

- 1 Security and Access Control. Clause 3.2.1
- 2 Alternative Energy Policy. Clause 7.
- 3 Revision to Pets Policy. Clause 11.1.4 and 11.3
- 4 Amendment to include Pool Motors Operating Times. Clause 10.5.
- 5 Waste Management Policy. Clause 13.
- 6 Baboon Policy Clause 15.

Effective 14th July 2020.

- 1 Letting. Clause 4.4 and 4.5.
- 2 Pets. Clause 11.1.4.
- 3 Waste Management-Household Refuse & Garden Refuse. Clause 13.6.