



RIVERSPRAY LIFESTYLE ESTATE MASTER PROPERTY OWNERS' ASSOCIATION
(ASSOCIATION INCORPORATED UNDER SECTION 21)

RULES

1. INTRODUCTION

- 1.1. These rules and regulations are designed to ensure a high quality, secure and harmonious environment and lifestyle for the occupants of the property in Riverspray Lifestyle Estate ("**Riverspray**").
- 1.2. In order to attain these objectives it is necessary for each occupant to honour and abide by these Rules.
- 1.3. These Rules have been established in terms of the Memorandum and Articles of Association of Riverspray Master Property Owners' Association ("**Association**"). They are binding upon all owners and occupants of property in Riverspray, as is any decision taken by the directors of the Association in interpreting these Rules.
- 1.4. It is the obligation of all owners of any property in Riverspray ("owner") to ensure that these Rules are abided by the owner, any resident or occupant of the owner's property or present on Riverspray whether such be as family members, employees, tenants, visitors or friends.
- 1.5. These Rules may be changed by the directors of the Association from time to time and are binding on each owner and occupant of property in Riverspray.
- 1.6. Riverspray Lifestyle Estate (Pty) Limited has appointed the Association as the entity to which the powers and duties of the directors have been delegated.

CONDUCT RULES

A relaxed and secure movement of all occupants of property in Riverspray (also herein referred to as “the estate”) whether by mechanical means or on foot is a priority of the Association. The following Rules must be strictly adhered to in order to achieve this objective.

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1. Streets within Riverspray

- 1.1. Speed limit is restricted to a maximum of 30 km per hour.
- 1.2. Save for 1.1 above, all other provisions of any Road traffic Ordinance in force in the Province of Gauteng shall apply to roads in Riverspray.
- 1.3. Unlicensed and under age persons are not allowed to operate any form of motorised vehicle, including motorised scooters within Riverspray. Engine powered vehicles are not allowed to drive anywhere except in the streets of Riverspray. Parks and pavements are off-limits to engine powered vehicles. Parking is not allowed on sidewalks and in the street opposite traffic islands.
- 1.4. Any unauthorised unlicensed vehicle as set out above in 1.3 may be escorted from Riverspray or may be impounded by the security personnel. The Association may also in its discretion procure the vehicle’s removal from Riverspray by such means as it deems fit and recover any costs incurred in this respect from the member concerned. Such costs shall be

deemed to be an additional levy raised against such member and will be recovered against such member in terms of the Articles of Association.

- 1.5. Owners and occupants are responsible for ensuring that their children do not play in the streets.
- 1.6. Owners and occupants are requested to remember that pedestrians will frequently cross streets at designated crossings in Riverspray, and motorists should always approach such crossings with caution.
- 1.7. No helicopter may be landed anywhere on Riverspray without prior written consent from the Association.

2. **River**

- 2.1. Persons making use of the jetties and slipways do so at their own risk.
- 2.2. No objects, bottles, papers, plastic, liquid or any other foreign matter may be deposited in the river.
- 2.3. No diving whatsoever into the river from the jetties is permitted as this could be extremely dangerous.
- 2.4. No swimming is allowed in the riverfront of the estate.

3. **Fishing & Boating**

- 3.1. Fishing is only permitted in demarcated areas. No fishing is permitted from jetties and bridges.
- 3.2. All power driven vessels must endeavour to keep to the starboard (right hand side) of the River.
- 3.3. It is the responsibility of the boat owner to collect a copy of the river rules and familiarise himself therewith.
- 3.4. New government law and legislation will be applicable to all boat owners in the estate and they will adhere thereto.
- 3.5. The Association can stop any boat owner from accessing the river should he not comply with the regulations of the Association.
- 3.6. All motor powered boats must have a *Riverspray* decal displayed on the port and starboard side with the Boat House Reference Number on it. These decals will be supplied by the Association at a cost of R150 (excl. VAT) per boat (2 decals).

- 3.7. No person under the age of twelve may be in control of a power-driven boat.
- 3.8. No vessel of any kind is allowed on the river between sunset and sunrise without displaying the internationally accepted lights as follows:
 - A red light on the port (left) side with $112\frac{1}{2}^{\circ}$ of visibility.
 - A green light on the starboard (right) side with $112\frac{1}{2}^{\circ}$ of visibility.
 - A white stern light with 135° area of visibility.
- 3.9. Loud music, rowdiness and shouting or any other material disturbance from boats are prohibited.
- 3.10. Dinghies and canoes may not be left along the embankment, but must be stored at demarcated areas in the boatyard.
- 3.11. Out of consideration for other Members, revving of engines out of the water is not permitted.
- 3.12. Boat motors may not be serviced or worked on at the jetties, only demarcated areas of the boatyard.
- 3.13. Member's visitors who wish to enter the estate by boat must make prior arrangements with the Gate House security.
- 3.14. Spillage of fuel from boats is extremely harmful to the eco system of the waterways. When filling boats, a spill proof system only, is allowed.
- 3.15. Owners must ensure that their boat engines are environmentally friendly to avoid oil pollution. All boat engines are required to meet the EPA (Environmental Protection Agency) 2006 (or later) standards. All other type engines will not be permitted.
- 3.16. No emptying of toilets in the waterways is permitted.
- 3.17. No person is allowed to jump off the bridges into the river.
- 3.18. If a boat is moored at a jetty, no overnight occupation thereof is permitted.
- 3.19. Fenders at jetties must conform to the mooring system specified by the Association.
- 3.20. Slipways must be kept clear when boats are not being launched/retrieved.
- 3.21. Boats may only be launched and retrieved between sunrise and sunset.
- 3.22. When not in use, boats and trailers must be stored in the boat yard.
- 3.23. No trailers may be left at slipways or on the roadside at any time.

4. **Good Neighbourliness**

- 4.1. No business activity or hobby which could cause aggravation or nuisance to fellow occupants may be conducted, including auctions and jumble sales.
- 4.2. The volume of music or electronic instruments, partying and the activities of domestic help should be tuned to a level so as not to be heard on neighbouring properties.
- 4.3. The mechanical maintenance and use of power saws, lawn mowers, and the like (electrical mowers are preferred), can only take place during the following hours –
- | | |
|--------------------|---------------|
| Monday to Saturday | 08:30 – 18:00 |
| Sundays | 09:30 – 11:00 |
- 4.4. Washing should only be hung on lines screened from the street and neighbouring properties.
- 4.5. Refuse, garden refuse and refuse bags may not be placed on the pavement, except if they are to be removed within a period of 8 hours.
- 4.6. Garden services will be exclusively provided by the Association.

5. **The Streetscape**

- 5.1. Every owner and occupant has a responsibility to Riverspray community as a whole to maintain in a neat and tidy condition the area between the road kerb and the boundary of his property.
- 5.2. Garden fences/walls and outbuildings forming part of the streetscape should be maintained and painted whenever reasonably necessary, otherwise the Association will have the fence repaired or painted and the cost charged to the owner.
- 5.3. No caravans, trailers and boats may be stored on a property and tool sheds, equipment, tools, engine and vehicle parts as well as accommodation for pets, should be sited out of view and screened from neighbouring properties.
- 5.4. No trees, plants or sidewalk lawn may be removed without the permission of the Association. Planting should not interfere with pedestrian traffic or obscure the vision of motorists.
- 5.5. Gardens abutting onto any open space must be kept neat and tidy at all times, failing which the Association will have the right to clean the garden at the cost of the owner.
- 5.6. Wendy houses are only allowed as temporary builders sheds. Immediately after completion of building they are to be removed.

- 5.7. No towels, clothing, blankets, sheets, laundry, etc., may be hung over balcony railings, windows or fences/walls visible from the roads or waterways.
- 5.8. All externally located wash lines, entrances to outside toilets, refuse and waste containers, etc. must be screened from view of the roads and waterways.
- 5.9. Canopies are acceptable in a plain design, without scallops, in a fabric of a single approved colour. Plans must be submitted for approval.

6. **Pets**

- 6.1. The local authority by-laws relating to pets will be strictly enforced.
- 6.2. Without the written approval of the Association no person may keep more than two dogs and two cats on the property.
- 6.3. No poultry, wild animals or livestock may be kept on Riverspray.
- 6.4. The building of pigeon lofts and aviaries must be approved by the Association. Plans must be submitted by owners, together with the consents of their neighbours.
- 6.5. Pets must be walked on a leash in public areas.
- 6.6. Should any excrement be deposited in a public area, the immediate removal thereof will be the sole responsibility of the owner of the pet.
- 6.7. Every pet must wear a collar with a tag indicating the name and telephone number of its owner. Stray pets without identification tags will be apprehended and handed to the Municipal Pound.

7. **Architectural Standards**

- 7.1. All building plans should be in accordance with the Architectural Guidelines applicable to Riverspray and must be approved by the Design Review Committee of the Association. This also applies to any additions and alterations to structures existing from time to time.
- 7.2. All garden walls and fencing must be approved by the Design Review Committee, with regard to both material and dimensions. Particular attention will be paid to high walls screening the entire frontage of properties.
- 7.3. All TV aerials and air conditioning units should be concealed and not externally visible. The position, size and siting of satellite dishes must be approved by the Association.
- 7.4. Lean-to's, temporary carports and "Wendy-type" structures will not be allowed.

- 7.5. Roofing materials for patios, carports and outbuildings must be approved by the Design Review Committee. The use of this material will however be discouraged.
- 7.6. All exterior paint colours must be selected from the approved Riverspray colour palette and colour combinations available on request from the Association.

8. **Environmental Management**

- 8.1. No rubble or refuse should be dumped or discarded in any public area, including parks, lakes, streets and pavements.
- 8.2. A particular appeal is made to owners and occupants to leave open spaces they visit in a cleaner condition than in which they were found. Owners and occupants are requested to develop the habit of picking up and disposing of any litter found in the open spaces.
- 8.3. Picnicking will only be permitted in demarcated areas owned by the Association.
- 8.4. Flora may not be damaged or removed from any public area.
- 8.5. Fauna of any nature may not be chased or trapped in any public areas, be it by people or dogs.
- 8.6. Owners and occupants are responsible for maintaining trees, plants and shrubs planted on their pavements by themselves.
- 8.7. Owners and occupants must ensure that declared noxious flora is not planted or growing in their gardens.
- 8.8. Vacant stands must be kept clean on a regular basis to the satisfaction of the Association, and if not maintained the Association reserve the right to clean the stand at the owner's expense.
- 8.9. The use of the open spaces and water bodies by owners and occupants is entirely at their own risk at all times.
- 8.10. The use of alcohol beverages in or on parks and open spaces owned by the Association or is forbidden and will only be allowed within demarcated areas.

9. **Security**

- 9.1. Every owner and occupant must comply with the security rules and regulations laid down by any security company appointed by the Association.

- 9.2. Every owner and occupant must request their visitors, permanent workers, temporary workers and contractors' representatives to adhere to the security rules and regulations and rules laid down by the appointed security company.
 - 9.3. Owners and occupants are requested to treat the security personnel in a co-operative and courteous manner.
 - 9.4. Every owner or occupant must ensure that contractor in their employ adhere strictly to the security stipulations of the Contractor's Code of Conduct.
 - 9.5. All attempts at burglary or instances of fence jumping must be reported to a member of the security staff.
 - 9.6. All owners and occupants are advised to install a security system/burglar alarm as soon as possible after taking occupation of their properties, and to link the system to the security company appointed by the Association.
10. **Tenants, Visitors, Contractors and Employees**
- 10.1. Should any owner let his property, he will in writing advise the Association in advance of the commencement date of the lease, the name of the Lessee and the period of such lease. The owner will inform the Lessee of all House Rules, contractor's code of conduct and other rules then in existence, and bind the lessee to adhere to such rules.
 - 10.2. The owners and occupants of any property within Riverspray are liable for the conduct of their visitors, contractors and employees and must ensure that such parties adhere to the House Rules.
 - 10.3. Every owner must ensure that contractors in his employ have signed the Contractor's Code of Conduct and adhere to the stipulations of that code.
11. **Letting (generally)**
- 11.1. Members who let their houses to a third party should inform management and the security personnel at the Gate House of the arrangements made.
 - 11.2. Tenants are the responsibility of the Member concerned and Members are therefore liable for any damages or breakages caused by tenants to any homes or amenities of Riverspray.
 - 11.3. Members must ensure that tenants have been made aware of, understand and comply with the rules and regulations set out in this document and in the Articles of Association.
 - 11.4. The number of tenants accommodated in a Member's house shall not exceed more than 2 persons per bedroom.

12. **Reselling and renting (letting) of Property**

- 12.1. Should an owner want to sell or lease his property (hereinafter referred to as "seller" or "lessor"), then only an Estate Agent approved by the Association and whose particulars appear in the Association's list of approved estate agents and/or property brokers, which list may be amended by the directors of the Association from time to time (hereinafter referred to as "accredited agent"), may be selected to manage the sale or lease.
- 12.2. The accredited agent must ensure that the buyer/lessee is informed about and has received a copy of the Architectural Guidelines, list of Permitted Plants to be used in landscaping, Statement of Development Intent and Townplanning Controls, House Rules and Contractor's Code of Conduct as well as any other codes and regulations applicable at the time.
- 12.3. A clearance certificate must be obtained from the Association, prior to any transfer of property in Riverspray at a cost and in accordance with the Association's Articles of Association.
- 12.4. The seller of a property in Riverspray shall ensure that the sale agreement contains the following clauses –

"Riverspray Owner's Association"

1. *No person shall be entitled to sell an erf or a sectional title unit on any erf in Riverspray without -*
- first becoming the registered owner of that erf;*
- first incorporation in the offer document of the agreement of sale ("the sale agreement") in terms of which an erf or sectional title unit in Riverspray is sold, the provisions contained in paragraphs 1 to 3 (inclusive) hereof; and*
- incorporation in the sale agreement a suspensive condition requiring the purchaser to bind himself to become a member of the Association, in the required form to the Association's Articles of Association (as may be amended by the directors of the Association from time to time), with effect from the date of registration of transfer of the said erf or sectional title unit.*
2. *No person shall transfer any erf or a sectional title unit on any erf in Riverspray unless -*
- 2.1 *the Association issues a certificate in which the Association certifies that –*
- 2.1.1 *the member has fulfilled all of his financial obligations to the Association in respect of the period up to and including the date specified in such certificate; and*

- 2.1.2 *the member has complied with all of his other obligations to the Association in terms of these articles and any rules and guidelines issued by the directors of the Association in terms of these articles;*
- 2.2 *in the case of an erf, the proposed transferee has agreed in writing to become a member of the Association, in the form required to the Association's Articles of Association (and as may be amended by the directors of the Association (and as may be amended by the directors of the Association from time to time), and such written agreement has been lodged with the Association;*
- 2.3 *the member also simultaneously transfers the Boat House to another member or to the proposed transferee;*
- 2.4 *the transfer takes place prior to or on the date specified in the certificate issued by the Association.*
- 2.4 *the member has paid an administration fee to the Association in consideration, inter alia, for the Association marketing Riverspray and attending to the management and implementation of the formalities envisaged in the Association's Articles of Association, which administration fee shall, irrespective of the amount of commission paid by a member on any sale of an erf or sectional title unit in Riverspray, be equal to 25% of agent's commission payable on the purchase price of the property sold plus VAT thereon.*
3. *For the purpose hereof the reference to "sale of an erf or sectional title unit" shall include the disposal of the shares and/or claims of loan account against any Association which is the registered owner of an erf or sectional title unit on an erf, the member's interest in any close corporation which is the registered owner of an erf or sectional title unit on an erf or the beneficial interest in any trust which is the registered owner of an erf or sectional title unit on an erf."*
- 12.5. The Seller must personal ensure that the buyer is informed about and receives a copy of the Architectural Guidelines, list of Permitted Plants to be used in landscaping, House Rules and Contractor's Code of Conduct as well as any other codes and regulations applicable at the time.
- 12.6. The owner/lessor of a property in Riverspray shall ensure that a written lease agreement is concluded with a lessee of the property prior to that lessee taking occupation of the property, which lease shall contain the following clauses –

"Riverspray Owners Association"

1. *The lessee hereby acknowledges that he, his employees, representatives and visitors are aware of and will adhere to the Architectural Guidelines, list of Permitted Plants to be used in landscaping, House Rules and Contractors' Code of Conduct as well as other codes and regulations applicable to Riverspray at the time.*
2. *The lessee hereby further acknowledges have received from the owner/lessor a copy of the Architectural Guidelines, list of Permitted Plants to be used in landscaping, House Rules and Contractors' Code of Conduct and any other rules or regulations laid down by the Association and applicable to Riverspray at the time."*

13. **Accreditation of Riverspray Agents**

- 13.1. An estate agent becomes accredited after being approved by the Association and after, if required by the Association, signing an agreement with the Association. Such agent will abide by the stipulated procedures applicable to the sale and/or a lease of any property in Riverspray, and after having been introduced to the concepts, rules and conditions under which a buyer and/or lessee purchases and/or leases any property in Riverspray.
- 13.2. The Association's list of accredited agents may be reviewed by the Association from time to time.
- 13.3. The accreditation policy for estate agents may be reviewed by the Association from time to time.
- 13.4. Accredited agents may only operate on a "by appointment" basis and must personally accompany a prospective buyer or lessee and are not allowed to erect any "for sale" or "to let" signage boards.

14. **Marketing**

All advertising material and marketing signage relating to any sale of an erf or sectional title unit in Riverspray shall bear the logo and the name of "Riverspray" and shall comply with the requirements and specifications of the Association from time to time, and all such advertising material and signage shall be approved by the Association prior to it being used

15. **General**

- 15.1. All Members shall keep their properties free of termites, borer, mice, rats and other vermin and insects.
- 15.2. Hobbies or other activities which produce excessive noise, unpleasant odours and cause any nuisance to other Members are not allowed.

- 15.3. Members must ensure that all drains on their property are kept in a sanitary condition and that no foreign objects are flushed down the toilets.
- 15.4. Members are to ensure that drainage holes(weep holes) in yard walls are open at all times. Blocking them could lead to flooding.
- 15.5. No electricity generating plant, windmill or similar machinery may be used without the consent of the Association.
- 15.6. No boreholes, spikes or wells may be sunk on the property.
- 15.7. No fireworks may be used on Riverspray.