



# ESTATE RULES & REGULATIONS

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Revision Nr: 8

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## INTRODUCTION

1. The primary objective of these Rules and Regulations is to preserve and enhance the security, aesthetics and living environment within Woodlands Lifestyle Estate.
2. The rules have been established in accordance with the Memorandum and Articles of Association of the Woodlands Home Owners' Association (WFOA). They are binding upon all occupants of the Estate, as is any decision taken by the Board of Directors interpreting these rules.
3. The registered owners of the properties at Woodlands are responsible for ensuring that members of their families, their tenants, visitors, friends and employees abide by these rules.
4. Harmonious community living is achieved when residents use and enjoy their private property as well as the public areas of the Estate. General consideration of all residents by and for each other will greatly assist in assuring harmonious relations on the Estate.
5. In the event of annoyance or complaints, the parties involved should attempt as far as possible to settle the matter independently, exercising tolerance and consideration. When a problem cannot be resolved, the matter should be brought to the attention of the Board for further recommendation in terms of these rules. The Board, who meet on a regular basis, will only entertain written submissions. The Board will only advise in disputes and may elect not to be involved in dispute resolution. Guidelines to notify the board are noted in section B of these rules.
6. The decision of the Board is final and binding in respect of the interpretation of these rules.
7. These rules are subject to change from time to time at the discretion of the Board and must be ratified at the next annual general meeting or any special meeting where it is tabled.



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## CONDUCT RULES

### A. USE OF THE STREETS

The streets in the Estate are for the use of all residents, whether it be in/on a vehicle, on foot or any other form of mobility. Please note that vehicles are considered part of the street environment, but not necessarily the determining factor:

All roads in the Estate are public roads and are subject to the relevant road traffic ordinances or bylaws.

1. The speed limit is 30 km per hour, throughout the Estate and 20 km per hour around the Lifestyle Centre. The Board will be authorised to impose appropriate penalties to transgressors of the speed limit and any other traffic or parking offences.
2. Save for the above, the Gauteng Road Traffic Ordinance, and bylaws regarding road and street usage will apply.
3. Parents are responsible for ensuring that their children are made aware of the dangers relating to the use of streets and must take responsibility for their safety.
4. Engine powered vehicles, e.g. cars and motorcycles, are permitted to drive on the streets of the Estate only. Parks, pavements and green areas are off-limits. Only licensed drivers, if licenses are required, may operate and drive engine-powered vehicles in the streets or anywhere else on the Estate.
5. Parking on sidewalks and in the streets opposite traffic islands is prohibited.
6. Pedestrians are given the right of way within the Estate. Motorists are reminded to approach pedestrian crossings with caution.
7. The use of motorcycles or other vehicles with noisy exhaust systems safe for entering or exiting from the Estate is prohibited.



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## **B. GOOD NEIGHBOURLINESS**

1. Any business activity or hobby, which could cause aggravation or nuisance to fellow residents, may not be conducted from any property. This includes auctions and jumble sales.
2. No business may be conducted from home without the prior written consent of the Board. All owners wishing to conduct businesses from home have to apply to the Board in writing, which approval will be at the discretion of the Board. Such business operations must adhere to the criteria and conditions as specified by the Board and the local municipal bylaws and regulations as amended from time to time. The provisions of paragraph R, are applicable.
3. The volume of music or electronic instruments, partying and the activities must be kept at a level so as not to create a nuisance to neighbors.
4. The mechanical maintenance and the use of power saws, lawn mowers, and the like, must only be undertaken between the following hours:

<b>Monday</b>	-	<b>Saturday</b>	
May	-	August	: 07:30 – 18:00
September	-	April	: 07:00 – 19:00

### **NO GARDEN WORK ON SUNDAYS OR PUBLIC HOLIDAY'S**

5. Washing lines must be suitably screened from neighbouring properties, communal greens, walkways and public roads.
6. Refuse; refuse bins (except on official collection days), garden refuse, and refuse bags may not be placed on the pavement. Garden refuse must be removed on the same day. Refuse bins may not be stored where it is visible from the street front.
7. Advertisements or publicity material by post, leaflets or e-mail may not be exhibited or distributed unless the prior written consent of the Board has been obtained, including For Sale boards on houses or any portion of the owner's stand, house or common property.
8. Owners must ensure that domestic workers and other employees do not loiter on the Estate and specifically not at any prominent places such as at the gates, road circles, streets, and communal green and walkways and other communal facilities.
9. Except in the event of an obligatory stipulation or the contrary, compelling the Board in the event of annoyances or complaints, the parties involved should attempt as far as possible to settle the matter between themselves, exercising due tolerance,



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reasonableness and consideration. Where a dispute cannot be resolved, and in particular a dispute between neighbours, the procedure shall be the following:

- 9.1 Written submissions must be made by the parties involved in the dispute to the Board.
- 9.2 The Board may, at their sole discretion, decide as to whether the Board will advise on the matter or not.
- 9.3 In the event that the Board is of the view that they are not prepared to advise in the matter, the Board will inform the parties involved that the Board is not prepared to advise in the matter and the parties will have to resolve the dispute themselves and/or by legal action, as provided for in the **Community Scheme Ombud Service Act, 2011** [Act 9 of 2011).
- 9.4 In the event that alternative dispute mechanisms be introduced by statutory obligations, such procedure will take precedence and will be applicable.
10. No party and/or residents shall have any claim of whatsoever nature for damages against the WHOA as a result of a decision taken by the Board regarding the interpretation of these rules.
11. In the event of a violation of any Municipal bylaw as amended from time to time, the matter should be reported to the local authority or the SAPS and not to the Board.
12. The owners and residents view certain cultural and/or religious practices involving the sacrifice of animals and the preparation of such sacrifices, to be contrary to sensitivity and hygienic interest of residents. The owners and residents veto the planning, execution and associated practices with the sacrifice of animals, under any pretext whatsoever, on the common property and in any section of the Estate.
13. The use, in any manner whatsoever, of fireworks is strictly prohibited within the Estate at all times.
14. No vandalism of whatever nature shall be tolerated and will be treated as a criminal offence.



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## **C. ENSURING A PLEASING STREETScape**

The collective pride of the Estate is dependent upon the contribution of every owner to create a neat and pleasing streetscape.

1. Each stand owner is ultimately responsible for maintaining the area between the kerb and the boundary of his property in a clean and pleasing condition. The Board can compel the owner or tenant to improve the aesthetic appearance of this area when deemed necessary, at the cost of the owner as per landscape plan.
2. Garden fences and/or walls and outbuildings forming part of the streetscape must be regularly maintained and painted where necessary by and at the cost of the relevant stand owner.
3. The Board has the right to effect repairs at the cost of the owner should it be considered necessary, however not before making a written request to the owner to effect such repairs himself/herself, within a specified period.
4. Building material may under no circumstances be dumped on the sidewalks or streets. The owner will be liable for all damages in this regard or costs of removal.
5. No trees, plants or sidewalk lawn may be damaged, removed or planted without the permission of the Board.
6. Planting must not interfere with pedestrian traffic or obscure the vision of motorists.
7. Gardens abutting the green areas must be kept neat and tidy at all times, failing which the Board shall have the right to clean the garden at the owner's cost, after a written request to the owner to clean it himself/herself within a reasonable period.
8. Caravans, trailers, boats, equipment, tools, engine and vehicle parts, as well as accommodation for pets, must be located out of view and screened from neighbouring properties, communal areas and public roads.
9. Homeowners are requested not to park in streets and to adhere to the traffic bylaws as applicable.



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## **D. WOODLANDS DESIGN, MAINTENANCE & CONSTRUCTION RULES**

### **Preamble**

The purpose of Woodlands Design Rules is to ensure, enhance, and preserve the American colonial inspired character of the built cultural environment to the benefit of all residents.

It is envisioned that through rational and responsible application of these rules the stage will be set for individual creativity and expression, whilst maintaining a harmonious environment and streetscape of high architectural quality. Owners are reminded that this freedom comes with the personal, social responsibility towards all residents and special care and consideration must be applied in any endeavour when making changes to the built cultural environment.

The Woodlands Design Rules aim to be as true to the original intent as far as possible with the exception of some critical updates that are intended to complement the current phase in Woodlands. Rules will surely be dynamically revised from time to time to better suit the needs of Woodlands residents.

The rules have been broken up into two distinct parts. The first part, *Planning and Maintenance*, deals with pre-construction phase of planning and sets out the framework for maintenance and future additions. In the second part, the framework for the *construction phase* is dealt with and clearly describes the procedure and conduct of all parties involved during this phase. An attempt was also undertaken to more clearly define the time frame for construction and to find more effective and faster ways of dealing with possible disagreements or disputes resulting from the rules.



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## 1. Planning & Maintenance

All changes to the built cultural environment, must be approved by the Board's aesthetic committee. The applicant must ensure that all proposals are compliant with the Woodlands Design Rules. Applications, samples, details, specifications, etc. must be submitted at the office of the Estate manager during office hours and will come up for review during the aesthetic committee's bi-weekly meetings:

### 1.1. General

- 1.1.1 All work to comply with SANS 10400 national building regulations, or the latest official edition thereof. All illegal construction will be reported to The City of Tshwane Metropolitan Municipality immediately and is subject to a fine imposed by the Board until the proper measures are taken to remedy the situation. The expenses related to the remedial action will not impact the fine already imposed.
- 1.1.2 All work to comply with rules and conditions set out by The City of Tshwane Town Planning Scheme of 2008, or the latest official edition thereof.
- 1.1.3 All cadastral, zoning and sewer connection data as certified by The City of Tshwane Metropolitan Municipality and the Board may request a copy of any or all documents at the applicant's expense. Please note that building lines may differ from zoning certificates and care must be taken to comply with Woodlands Design Rules. No construction or activities in contravention with the conditions stipulated in the title deed will be allowed and the Board may request a copy at the applicant's expense.
- 1.1.4 All paint work to comply with the section under paint and no plans are required for repainting of existing structures. Colour swatches and a rendered copy of proposed new elevations are to be submitted with new structures clearly indicating colour and attributes of all proposed materials.
- 1.1.5 All new applications are subject to plan approval fees as determined by the Board.
- 1.1.6 By submitting any proposal for approval, it is deemed that the owner and his agents are well informed of the Woodlands Estate Rules and have the full intention of complying with the rules and take full responsibility in the case of non-compliance. Owners of sectional title property must furnish proof of Body Corporate pre-approval upon submission of all applications to the Board.
- 1.1.7 All drawings must be prepared by a qualified and competent person registered with the South African Council for the Architectural Profession. The City of Tshwane



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Metropolitan Municipality will consider no applications without proof of membership and qualification.

Owner's may not appoint any members of the WHOA aesthetic committee as agent/s, as this would constitute a conflict of interest. Should a member, family of a member, employee of a member, etc. of the WHOA be the applicant, such member may not vote or partake in the approval of the particular application.

It is in the owner's best interest to ensure that any agent appointed and authorised by him or her, consult with the WHOA aesthetics committee prior to the drafting of any costly plans and also after the first sketch drawings have been made to gauge the viability thereof. It is stressed that no historical precedent will be considered to relax any of these rules and no claims will be considered based on any assumption that may arise there from.

- 1.1.8 One set of construction drawings must be prepared and submitted to the WHOA in the format as prescribed by The City of Tshwane Metropolitan Municipality for approval at the applicant's expense and will be kept for record purposes. The City of Tshwane will not consider any applications for approval without the Woodlands stamp of approval. As many sets of construction drawings as may be required by the City of Tshwane may be submitted to be stamped.
- 1.1.9 All proposed materials must be clearly specified, and to correlate with the construction drawings, it must be rendered in two or three-dimensional coloured format no smaller than A3 and be clearly annotated. As many drawings may be submitted as required to specify the scope of the materials and will be kept for record purposes at the applicant's risk. Any variation from the approved materials must be submitted for written re-consideration by the committee, prior to any changes made on site.
- 1.1.10 Approval or denial of the application will be communicated in writing to the applicant no later than two weeks (14 calendar days) after it has been approved or denied by the committee. Any variation from the approved drawings must be submitted for re-consideration by the committee, prior to any construction commencing on site. No claims for extra time will be considered when such changes are submitted for consideration during construction by means of a variation order. However, the Board's aesthetics committee reserves the right to extend the period of construction time at its sole discretion.
- 1.1.11 The rules are intended to be objective and will serve as a framework for decision making with as little as possible intervention of the Board. However, the Board's aesthetics committee reserves the right not to approve any proposal or part thereof, regardless of its objective compliance with these rules, should the committee in its sole discretion deem the proposal not to be in the best interest of the Woodlands aesthetics



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objectives and built environment. The decision of the committee on the matter will be final, but will not be withheld from the applicant without reasonable cause. The Board's aesthetics committee is democratically elected annually and is deemed to represent the interest of the majority of homeowners. No claims of prejudice or partiality of one or more of its members will be entertained. The applicant will be free to consult with the committee on a mutually agreeable solution to the matter. All approvals or denials of applications will be in writing.

1.1.12 It is the applicant's responsibility that all drawings are submitted and approved by The City of Tshwane Metropolitan Municipality. No construction may commence before plans are approved and the Board may request proof thereof. Failure in this regard will be reported to The City of Tshwane immediately and no claims for extra time whatsoever will be considered as a result thereof. It is in the applicant's best interest to report the day and time on which construction will commence. By default, the date of approval of plans by The City of Tshwane will be considered as the date on which construction commenced.

1.1.13 Any person wishing to review any plans on record at the Estate office must be properly authorised, in writing, to do so by the registered owner of the relevant property.

## **1.2 Design Requirements**

### **1.2.1 Stand**

1.2.1.1 All site boundaries, servitudes, right of way, and the like must be as per surveyor general diagram and clearly indicated on site plans together with the street address, stand size, stand number, adjacent stand numbers and contours.

1.2.1.2 All sewer connection points, position, and depth to be indicated on all plans must be as per sewer certificate. All sewer installations to be shown on plan and elevation with special emphasis on how it is concealed from view.

1.2.1.3 No stand may be used for any other purpose as allowed for in the zoning certificate and conditions set out in the title deed. Home undertakings must comply with the conditions in the town planning scheme and must be registered with the Board. Special care must be taken with signage for home undertakings to comply with the city rules.

1.2.1.4 No amendments or changes to the zoning, surveyor general diagram or conditions in the title deed of any property may take place without the written approval of the Board.

1.2.1.5 No more than one dwelling per stand is allowed unless clearly specified otherwise in the title deed of the specific property. An additional dwelling of not more than 50m<sup>2</sup> will be



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permitted as per 2008 Tshwane Town Planning Scheme and must be designed to match the master house structure.

- 1.2.1.6 Stands may be consolidated with the written consent of the Board. The owner of consolidated stands will be liable for the joint levies of the stands.
- 1.2.1.7 No building may exceed two storeys in height, excluding roofs and loft rooms that will be deemed as part of the first floor.
- 1.2.1.8 Coverage for single storey dwellings may not exceed 60% of the stand size.
- 1.2.1.9 Coverage for double storey dwellings may not exceed 50% of the stand size and the first floor may not cover more than 75% of the ground floor. In all cases, the conditions on the municipal zoning certificate will take prevalence, but may not exceed the values as shown in this document.
- 1.2.1.10 No dwelling may be smaller than 150m<sup>2</sup>, excluding garages and outbuildings. Exceptions to this rule will be considered for duets and group housing projects.
- 1.2.1.11 All building lines and height restrictions as per zoning certificate and Woodlands rules must be clearly indicated on all plans for all levels. Please note that Woodlands building lines may differ from municipal building lines and that the latter will take precedence in cases where Woodlands building lines are closer to site boundaries.
- 1.2.1.12 Lightweight, add-on structures to houses are defined as any structure not encompassed by the definition of a building, or building element, as described in SANS 10400, Part A, 3.3. – 3.6, and not classifiable according to Table 1 of Section A20, of the same regulations and would therefore fall outside the normal scope of the national building regulations; is still subject to approval by the Board.

Examples of such structures, but not limited to, are lightweight clip-on or freestanding gazebos, covered porches, lobbies, covered site gateways, sculptures, ornamentation, etc. that would not normally be considered part of the bulk coverage of the main residential structure under the rules of SAPOA and the national building regulations. These lightweight structures should reflect the style of the main residential structure and contribute positively to the character of the streetscape and estate. These structures may be built up to 2250mm from any site boundary.

- 1.2.1.13 No part of any garage or carport may occupy the space between the main residential street façade and the street. These structures may be flush with the main street façade, but may not go beyond. Designers are encouraged to respect the street boundary with regard to the orientation of the building. The ideal is to have the



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dominant elements of the building facing the street boundary, parallel or perpendicular with the street boundary.

- 1.2.1.14 No staff accommodation may be nearer to the street than the master building and must be contained under the same roof or integrated into the overall design. No garages may be utilized for staff accommodation.
- 1.2.1.15 Staff accommodation and kitchens must open onto screened yards and patios.
- 1.2.1.16 Outbuildings and additions must match the master building design in style, elevation, and material usage. All plans and drawings must indicate at least one enclosed garage and this must be built in conjunction with the original dwelling. No flat roofed carports, other than concrete or louver decks carports will be allowed.
- 1.2.1.17 No garden sheds, Wendy houses, dog kennels and/or covered facilities for caravans, boats, trailers, etc. may be visible from the street or green areas.
- 1.2.1.18 Wendy houses are to be approved by the Board. The dimensions may not exceed 1m x 1,5m x 1.5m high.
- 1.2.1.19 When dealing with side boundaries, special sensitivity must be displayed to the existing private areas of neighbouring properties and the Board may have to consult with the neighbours before approval for open balconies, perpendicular windows, etc. will be given in the interest of harmony between neighbours. The privacy of, and lines of view of surrounding properties, must be considered as a premium.
- 1.2.1.20 Green areas are exceptionally special and sensitive to building lines, as they are considered as part of the cultural environment for all residents, similar to streetscapes. No part of any residence may encroach over building lines parallel to building lines shared with green areas. In the case of lightweight structures, rules 1.2.1.12 will apply.
- 1.2.1.21 Refer to Woodlands Landscaping Rules for landscaping requirements to complement the built environment.

## 1.2.1.22 Building Lines

### Street Boundary

Street Boundary General Ground & First Floor - 5000mm, unless otherwise specified herein

Street Boundary Duets & Other Ground & First Floor - 3000mm, unless otherwise specified herein

Street Boundary Garages, Covered Parking Ground & First Floor - 5000mm, unless specified otherwise herein



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## **Side & Rear Boundaries**

Side & Rear Boundary Ground Floor - 2250mm, unless specified otherwise herein

Side & Rear Boundary First Floor - 3500mm, unless specified otherwise herein

**Green Areas Boundaries** Ground & First Floor - 5000mm, unless specified otherwise herein

1.2.1.23 No building line may be encroached without the written approval of the Board. A consent application for building line encroachment may be submitted, together with a motivating memorandum and an inter party agreement, signed by the owner/s of the neighbouring stand/s involved. No consent for relaxation of building lines will be given closer than 1500mm to the site boundary in the interest of good circulation and surface water draining.

## **1. The following must be clearly shown on all drawings submitted for approval:**

- The area of the existing ground and first floor of all structures.
- The area of all proposed new ground and first floor areas of all structures.
- The area of the stand according to the surveyor general diagram.
- The coverage allowed according to the zoning certificate.
- The coverage of new and proposed structures.
- The coverage ratio of first floor to ground floor.

1.2.1.25 All designs must show a special sensitivity towards existing natural site features such as flora and special topographical conditions. No tree may be removed without the written consent of the board and all existing trees must be clearly indicated on all site plans. These features must also be carefully considered on surrounding properties and integrated into any new design. All issues related to landscaping will be referred to the Woodlands Garden Committee.

1.2.1.26 Excessive cutting and filling is strictly prohibited in favour of terrace work. No retaining wall in any terrace work to exceed 715mm (7 brick courses finished with brick on edge roller course) from natural ground level or next terrace level.

## **1.2.2 Site Boundaries & Yard Walls**

1.2.2.1 No boundary wall may be erected so that it prevents the natural flow of storm water from one stand to the next and provision for drainage openings must be provided for in all boundary designs by installing openings no smaller than 100mmØ at regular and evenly spaced intervals as required by the national building regulations.



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- 1.2.2.2 No storm water flow may be concentrated on any single point and passed from stand to stand without the written approval and agreement of the owners of both stands.
- 1.2.2.3. No part of any boundary fence, wall, or foundation may encroach over any site boundary. Only one boundary wall may be erected between stands in any position.
- 1.2.2.4. Street boundaries may not exceed 750mm from natural ground level in height and the design should be clearly detailed on all drawings. No part of the street boundary may be a continuous wall, but piers may be used at intervals of not more than 3000mm, centre on centre, with white painted steel palisade fence approved by the Board by sample.
- 1.2.2.5 Street boundaries may be left without any fencing.
- 1.2.2.6 Boundary and screen walls must be erected to screen off, plumbing, washing lines, gas installations, etc. and all other private spaces. These walls may not exceed 2100mm in height from the natural ground level and must be designed to integrate with the natural landscaping. No part of the boundary wall may be closer than 5000mm from the street boundary. Boundary walls may extend up to the boundary of green areas. No lattice screens will be allowed as boundary fences
- 1.2.2.7 In cases where a stand has a portion of the Estate perimeter wall on it, the owner of such stand will maintain the surface facing the stand. The owner of such stands will provide access to the WHOA and it is agents for the purpose of maintenance, inspection, security, etc. at all reasonable times. Maintenance of the outside and top surfaces as well as the drainage and electrical installations on such walls will be for the WHOA account.
- 1.2.2.8 Boundaries on green areas may be treated as follow:
- 1.2.2.8.1 Left open.
- 1.2.2.8.2 White painted steel picket fence not exceeding 1200mm in height from natural ground level.
- 1.2.2.8.3 Landscaped screening, as approved by the Woodlands Garden Committee.
- 1.2.2.8.4 Screen walls in segments, not exceeding 1200mm in height from natural ground level.
- 1.2.2.8.5 Any combination of the above.
- 1.2.2.9 All garden walls and palisades are subjected to finishes as per the master structure and to be approved by WHOA aesthetics committee.
- 1.2.2.10 No precast concrete walls, wood panel fencing, or swimming pool type mesh fencing will be allowed in the Estate.
- 1.2.2.11. No electric fencing, razor wire, security spikes, etc. will be allowed in the Estate.



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## 1.2.3 Driveways and Paving

- 1.2.3.1 All driveways must be fully paved with autumn coloured brick pavers or blocks. Samples of the proposed material must be submitted for approval by the Board at the Estate manager's office.
- 1.2.3.2 No part of the driveway may be wider than 5000mm in any direction between the kerb and the street site boundary road reserve. Driveways must be clearly shown on all drawings and site plans.
- 1.2.3.3 No part of any driveway or walkway may be painted.
- 1.2.3.4 All pedestrian walkways to match driveways in material and construction.

## 1.2.4 Structural Walls

### 1.2.4.1 Wall finishes allowed:

- 1.2.4.1.1 Smooth plaster and painted surfaces.
- 1.2.4.1.2 Textured plastered and paint surfaces.
- 1.2.4.1.3 Rough cast plaster and paint surfaces.
- 1.2.4.1.4 Bag washed finished surfaces.
- 1.2.4.1.5 Fibre cement, painted shiplap systems as approved by sample by the Board. The use of shiplap elements are encouraged throughout the Estate as a prominent contributor to the desired cultural ambiance of the built environment. This effect may be achieved through:
  - The use of painted, fiber cement, shiplap systems on timber and/or brick construction.
  - Smooth or roughcast painted, plaster surfaces with horizontally ruled joints in intervals of 170mm or 255mm.
  - Bag finished and painted surfaces with horizontally recessed joints in intervals of 170mm or 255mm.
- 1.2.4.2 Face brick may be used for plinths, columns and walls as approved by sample by the WHOA, in predominantly autumn colours. Plinths must be kept to a maximum height of 340mm (4 brick courses in stretcher bond) from natural ground level, flush with the internal surface bed. Special care must be taken to reduce plinths to a minimum and not to become a dominant part of the wall surface. Face brick in general not to exceed more than 25% of any elevation.
- 1.2.4.3 All utility piping, ducting, cabling, etc. such as plumbing, conduits, air conditioner pipes, etc. must be hidden from view in service ducts, recessed and plastered into walls or



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hidden behind external screen work. Rainwater down pipes from first floor balconies and concrete roofs to be recessed into walls plastered and painted over.

- 1.2.4.4 Each residence will clearly display the street number so that it will be visible from the street. All such numbers will conform to a design and specification, available from the Board and will be installed at the home owner's expense. All existing numbers, currently not conforming to this standard, must comply with this rule when replaced.
- 1.2.4.5 No unpainted plaster, unplastered brick or concrete block walls will be allowed with the exception of bagging finishes and coloured stucco as approved by the WHOA aesthetic committee.
- 1.2.4.6 All pre-cast concrete elements, including fountains and sculptures integrated into the design are subject to the approval of the Board by sample.

## 1.2.5 Paintwork

- 1.2.5.1 The general framework for paint colours in the Estate is set out in the rules below. To guide and assist home owners, a file with pre-approved colours will be permanently kept at the Estate manager's office and may be viewed during normal office hours.
- 1.2.5.2 Hues are limited to the above selection.
- 1.2.5.3 Hues may be tinted by no more than 40% by adding to the Chroma (greyness), with 0% as pure white on the spectrum.
- 1.2.5.4 The value (intensity concentration of colour) of any hue and/or tint may not exceed 40%, by adding pigment to pure white, as 0% on the spectrum. As a rule of thumb, the lighter the colour, the better the chances for being within this range.
- 1.2.5.5 Monochromatic colour schemes (different tints and values of the same hue) may be used to break up large surfaces and accentuate prominent details.
- 1.2.5.6 All door and window surrounding plaster bands, fascias, barge boards, cornices, exposed metal rainwater gutters and down pipes fixed to pitched roof fascias, air vents, medallions, etc. may be pre coloured or painted to an intensity of not more than 10% of the master house structure's bulk colour from 0% as pure white, as approved in 1.2.5.1. – 1.2.5.3.
- 1.2.5.7 All steel surfaces to be painted pure white.
- 1.2.5.8 The proposed new paint must be painted on a 1m<sup>2</sup> area on the applicant's house for approval by the Board's aesthetics committee at the applicant's expense. Prospective



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painters must give written notice of their intention to paint to the Estate manager's office. The paint samples will be inspected within 3 (three) working days. Non-compliance with this rule will result in an immediate dispute. It is in the interest of the applicant to discuss the new paint colour scheme with the aesthetics committee prior to buying any large quantities of paint.

The aesthetics committee reserves the right to reject any proposed colour scheme, regardless of it's compliance with these rules, should the committee in it's sole discretion deem the proposal not to be in the best interest of the Woodlands aesthetics objectives & built environment.

The decision of the committee on the matter will be final. Approval will not be unreasonably withheld from the applicant. The aesthetics committee is democratically elected annually and represents the interest of the majority of homeowners. No claims of prejudice or partiality of one or more of its members will be entertained. The applicant will be free to consult with the committee on a mutually agreeable solution to a denied application. All approvals or denials of colour schemes will be in writing.

1.2.5.9 The Board will notify owners in writing, where the paintwork of structures are deemed to have deteriorated to the detriment of the Estate or aesthetics objectives. Such owners will be obliged to repaint their structures diligently and uninterrupted within 60 (sixty) calendar days of receipt of such notice and in compliance with the conditions set out under this section.

## **1.2.6 Windows, Shutters & Doors**

1.2.6.1. Only natural timber, white painted timber, pure white powder coated aluminum and bronze anodized aluminum windows, doors & louvers will be allowed. No standard type steel windows will be allowed.

1.1.6.2 A plaster band of minimum 100mm and maximum 200mm wide must be placed around all windows and doors and painted as prescribed under paintwork. The use of these fenestrations is encouraged as it contributes greatly to the built cultural environment.

1.1.6.3 All windows must be taller than wide, however square windows will be allowed, unless there is an addition to the property and the original building had windows that did not conform to this rule, then the same windows may be installed.

1.2.6.4 Windows may be joined, but the ratio of taller than wide must be retained.

1.2.6.5 All burglar bars and security doors must be fitted internally and be of simple rectangular design. As far as possible bars must line up with window mullions or made to be as least visible as possible, in the case of full pane windows.



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- 1.2.6.6 Large doors and windows are permitted if they are recessed more than 1500mm behind a pergola, veranda, or screen. This applies especially to where outside under roof areas are to be enclosed.
- 1.2.6.7 Garage doors to be of timber, white painted timber, factory coloured, white metal doors are subject to approval by the WHOA by sample. No standard type painted steel garage doors are allowed.
- 1.2.6.8 Bathroom and/or toilet doors in external walls must be screened off with screen walls.

## **1.2.7 Balconies, Patios & Pergolas**

- 1.2.7.1 Balconies, patios, pergolas and balustrades to have simple, clean, and straight edged lines.
- 1.2.7.2 All columns to be kept simple and designed to be perceived as aesthetically light and made up of steel, brick and/or timber. Heavy brick or concrete support columns should be avoided.
- 1.2.7.3 Steel and timber balustrades may be substituted with balustrade walls to match the master structure in design. All balustrades to be minimum 1000mm from floor level and no part thereof may have openings larger than 100mm in any direction.
- 1.2.7.4 All components to be finished as specified under the section paintwork.
- 1.2.7.5. All balconies to be properly waterproofed and drained with wall recessed rainwater down pipes and over flows.
- 1.2.7.6. No shade netting, louvre awnings, enclosure, covering or similar is allowed, unless, it is not visible from the street, all affected neighbors have approved it and the Aesthetics committee received a detail plan, with sample material for consideration and it is accordingly approved by such a committee.

This is only allowed for ground floor level

## **1.2.8 Roofing**

- 1.2.8.1 All sloped roofs to be at 30 (thirty) and/or 45 (forty-five) degrees.



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- 1.2.8.2 Only Marley Modern, or similar approved, concrete roof tiles will be allowed and must be fitted in strict accordance with the manufacturer's specifications. All colours to be approved by the Board by sample.
- 1.2.8.3 Only natural slate tiles will be considered as an alternative to the specified concrete tiles and must be fitted in strict accordance with the manufacturer's specifications. All colours and blends to be approved by the Board by sample.
- 1.2.8.4 No thatch, sheet metal, fiber glass sheets or fiber cement roofing will be allowed.
- 1.2.8.5 No galvanized gutters and rainwater goods accessories will be allowed. All exposed parts to be factory coloured or painted as specified under paintwork. No roofs to be painted, whatsoever without the written approval of paint colours. Roof paint colours to match Marley Modern's standard colour range such as black, charcoal, grey and brown.
- 1.2.8.6 Roof overhangs at gable ends not to exceed maximum 150mm from outside of parapet wall.
- 1.2.8.7. Roof overhangs at eaves not to be less than 500mm from exterior walls.
- 1.2.8.8. No elaborate gables will be allowed and designs are to be kept simple and clean.
- 1.2.8.9. Roof designs are to be kept simple and symmetrical to express as honestly as possible the underlying plan form of the structure. Properly water proofed, drained and overflowed Flat concrete roofs or similar, will be allowed but must be kept to a minimum and not exceed 25% of the total roof structure. Flat roofs to have a minimum of 170mm high parapet walls and no reflective waterproofing systems will be allowed.
- 1.2.8.10 The ratio of exterior walls to roof structure may not exceed a ratio of 1:1 on a two-dimensional elevation drawing. The ratio of wall to roof must always be greater than roof to wall.
- 1.2.8.11 Skylights, vent stacks, solar panels, awnings, TV aerials, satellite dishes, air conditioner grills, evaporators, and the like will be allowed and must be incorporated into the design so that it will not be visible from the street. Skylights to be flat and flush with the roof line. All such installations are subject to approval by the Board by sample and must be clearly shown on all drawings with emphasis on the concealment strategy thereof.

Air conditioner grills, on the front / street elevation of a house, must be installed at ground level and screened off as not to be visible. On the side elevations it may be visible, neighbors consent to be submitted with the application for approval of installation to the Aesthetics committee if visible to the neighbors.



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Whirlybirds will be allowed on chimneys subject to approval from the Aesthetics committee.

**Note:** An awning is defined as a secondary covering, attached to the exterior wall of a building.

## 1.2.9 External Lighting

1.2.9.1 All external lighting must be indicated on drawings for approval.

1.2.9.2. The light source of all external lighting (except under covered patio or gazebo roofs), wall mounted or otherwise, may not shine on to adjacent properties and be directly visible from the street or clubhouse. The intention is that all site lighting will be subdued and indirect.

## 1.2.10 Carports

1.2.10.1 Carports will be allowed subject to the following:

1.2.10.1.1 This paragraph 1.2.10 is only applicable to carports and does not altered Rules in respect of dwelling.

1.2.10.1.2 All necessary approvals, including but not limited to City of Tshwane, Board, neighbours etc., will have to be obtained by the Home Owner, prior to commencement of erection of the carport.

1.2.10.2 The following aesthetic rules will apply with respect to building and material of the carport:

1.2.10.2.1 Face brick Plinth;

1.2.10.2.2 Plaster & painted columns with white coping;

1.2.10.2.3 Face brick columns with white coping;

1.2.10.2.4 White powder coated steel columns, beans & rafter;

1.2.10.2.5 White painted wood;

1.2.10.2.6 White Chromadek roof sheeting below rafters;

1.2.10.2.7 Louvre deck without fascia & integrated into the design;

1.2.10.2.8 In the event of a tile roof the pitch will have to follow the pitch of the specific dwelling's roof, i.e. 45°, 30° or 15°

## 1.2.11 Solar panels

Solar systems covered by this rule include PV panels/systems, solar hot water (geyser) systems and solar pool heating panels



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If any person wishes to install a system, the application should contain the following:

- A picture of the system to be installed; Only the solar panels (either the vacuum tube-type or Flat panel type) may be visible.
- no external geyser, header tanks or coiled pipes may be visible. No solar pipe mats may be used
- A roof plan and the proposed position clearly marked. The solar panels must be incorporated flush onto the adjoining structure and may not be placed on an elevated structure. The rules require that the system not be visible from the street, or green area. WHOA does understand that these systems should be positioned for optimal efficiency, and it will not always be possible to be hidden from the street.
- If the proposed panel faces a neighbour's property, a letter of consent from such neighbour must accompany the request for approval.
- All piping must be hidden in trunking and the trunking to be painted the same colour as the house. No pipes may be installed over roof surfaces.
- Panels on flat concrete roofs must be installed flush to the roof or no more than 5° elevation, alternatively located in a screened yard and may not be visible from any direction. Details to be provided with the request for approval.

The WHOA recommends that an accredited installer be used, a Certificate of compliance (COC) must be obtained for the installation if there has been any connection to the power grid or distribution board.

- Inspection and Final approval by WHOA Aesthetics committee when installation has been completed.
- Any additions / upgrade to a solar system must follow the same approval process as for a new installation.
- The WHOA Aesthetics Committee foresees that there might be exceptions to the rule. Each application will be dealt with individually evaluating the merit of the application.

## 1.2.12 Generators

### 1.2.12.1 Operating hours for generators

All generators to comply with SABS specifications and Municipal regulations in build-up areas. Generators may only be used during times of area / neighbourhood power outages.

**Generators may only be used during the following hours 05:30 and 22:00**

Should it be needed outside of these hours (for instance medical condition) an application with motivation to be send to the Estate office with the approval of the neighbours for consideration and approval.

### 1.2.12.2 Fixed installations



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Silent generators or low noise generators are preferred.  
Generators to be isolated – sound proofed.  
Not to be visible from the street

Application to be submitted to the Aesthetics committee:

Site plan indicating position of the generator

Photo of the generator & sound proofed box

Should it be in direct sight of a neighbour, the neighbour needs to sign off before application submitted to WHOA for approval.

### **1.2.12.3 Guidelines for portable generators**

Portable generators to be stored indoors – garage / storeroom.  
Not to be visible when not in use

### **1.2.13 Water storage tanks**

Application to contain:

Site plan indicating position of placement. Tanks not to be visible from the street or green area.

Tank colour to be light brown beige/cream/grey.

If in sight of a neighbour, the neighbour must sign off on the application before submitted to WHOA for approval.

If not possible to locate out of view, the Aesthetics Committee can request that the tanks be screened from neighbouring properties, communal areas and public roads.

### **1.2.14 Jungle gyms**

Free standing children's play houses (Doll houses), included but not limited to, or jungle gyms/slides/swings/tree houses, etc. in gardens all require written permission from the Association prior to installation and such items shall only be allowed, provided they are in line with the style and Aesthetics of the Estate and that they will have no detrimental effects on neighbours. Upon applying for the written consent in respect of such installation, the association may issue such directives, requirements and or other guidelines as it may see fit.

## **2. Construction**

### **2.1 Plan Approval & Inspections**

2.1.1 See rules under 1.1. General with emphasis on rule 1.1.12 in regard to approval of plans with The City of Tshwane.



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- 2.1.2 The owner will be solely responsible for inspections by The City of Tshwane building inspectors as stipulated in the plan approval notice. Proof of such inspections may be requested by the Board at any time during the construction. Failure to comply with this rule may result in the immediate suspension of all works until such inspections have been completed and proof thereof supplied. No claims for extra construction time will be granted due to non-compliance with this rule.
- 2.1.3 The Board reserves the right to inspect, open up and/or request that any part of the works deemed as sub-standard be re-executed, at any construction stage and at any reasonable time. The Board may request that any reasonable alterations or additions be executed to ensure that the general design rules, as intended for the development be implemented. This will be done at the owner's expense and no extra time will be granted, should the owner's contractor be in default. All quality control responsibilities remain that of the owner and at no point in time, for whatever reason, will this responsibility be ceded to the Board.
- 2.1.4 The period for inspections will seize upon the issuing of a Board Certificate of Final Completion, in writing.

## 2.2 Construction Performance Deposit

- 2.2.1 No site handover for any construction work, including the installation of pools and ponds, may take place without the payment of a building performance deposit as determined by the Board and payable at the Estate manager's office. This money will be held in trust, free of interest by the Board. The same will apply, should the owner decide not to make use of a contractor and/or subcontractors and effect all construction by him or herself.
- 2.2.2 Failure to comply with this rule will result in the immediate suspension of all works on site and the refusal of entry to the Estate of all contractors, subcontractors, suppliers, and personnel. The owner's levy account will be debited with the value of the performance deposit and construction will only be allowed to commence after the account has been settled. No extra construction time will be granted due to non-compliance with this rule.
- 2.2.3 The performance deposit will be partially or wholly used to repair damages to the Estate infrastructure, damage to landscaping and landscaping infrastructure, non-performance on rubble removal, etc. caused directly or indirectly by the owner's contractors, subcontractors, suppliers, employees or agents. Should a dispute between the owner and the Board in this regard result into agreed upon arbitration, the arbitrator will in his sole discretion attach a value to the damage or expense. The arbitrator's decision will be final.
- 2.2.4 The owner is responsible for any damage and/or fines caused by the conduct or construction methods of his or her contractor, subcontractors, suppliers, employees, or



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agents to Woodlands, The City, neighboring and private property. It is the owner's responsibility to ensure that the proper insurances are in place in the contract between the owner and contractor to cover such unlikely events. The Board will have the sole discretion to determine the value of such damages and to identify the vehicles and persons involved. Special care must be taken to prevent construction vehicles with pneumatic or other devices from damaging the road and road reserve surfaces.

- 2.2.5 The performance deposit will be partially or wholly used to pay for any outstanding spot fines; see rules under contractors conduct.
- 2.2.6 The performance deposit will be used partially or wholly to supply the specified house number if it is deemed necessary in the discretion of the Board.
- 2.2.7 Should the performance deposit be inadequate to cover all damages and expenses, the ensuing balance will be added to the owner's levy account. No WHOA Certificate of Final Completion will be issued prior to the account being settled in full.
- 2.2.8 The performance deposit will be held in trust by the Board interest free, and will be credited to the owner within 14 (fourteen) calendar days, subject to:
- The issuing of a Final Completion Certificate by The City of Tshwane.
  - The issuing of a Final Completion Certificate by the Board. No certificate will be issued without a Final Completion Certificate from The City of Tshwane.
  - The construction site being completely cleared of all rubble, surplus material and left to the satisfaction of the Board.

The Board may prevent occupation of any structure or part thereof; and Withhold all deposits until these conditions are properly adhered to.

## 2.3 Construction Time

- 2.3.1 The maximum time allowed for any continuous construction work is 90 (ninety) calendar days from the date of formal site handover. It is the owner's responsibility to register this date. The date of plan approval by The City of Tshwane to be deemed as the date of site handover.
- 2.3.2 Should sections of the design be built in phases from a single set of approved drawings, the homeowner may lodge such a request with the Board in writing, prior to any construction. The request should clearly state the proposed construction time and the period between constructions. The Board may grant such request at its sole discretion. Each phase must be completed to the satisfaction and approval of the Board and will be given in writing. All Woodlands rules will apply with the exception that a Woodlands completion certificate will be issued for each completed phase.



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2.3.3 Construction time will be from 7:00AM to 17:00PM, Monday to Friday. On Saturdays, construction time will be 7:00AM to 13:00PM. No construction and / or Maintenance contractors, will be allowed on Sundays or public holidays. No exception to this rule will be allowed.

2.3.4 No contractor or any of his personnel will have access to the Estate outside these specified hours. Contractors may arrange for security services on the construction site with the official Woodlands security contractor at the contractor's expense.

The Board reserves the right to escort any contractors and/or personnel off the Estate and refuse future entry due to noncompliance with this rule. No claims for extra time will be granted because of this.

2.3.5 Delivery time for all material, plant, machinery, etc. will be from 7:00AM to 16:00PM, Monday to Friday. No deliveries on public holidays and weekends will be allowed. Contractors are encouraged to co-ordinate delivery times with suppliers to be within this period, as no claims for extra time will be granted as a result of deliveries outside the specified time. No delivery or construction vehicles may park in the communal street area for a period of longer than 1 (one) hour at any time.

2.3.6 Penalties for late completion will be double the current monthly levy on the property for each month, or pro-rata part thereof that the completion date is exceeded, for the period between 91 (ninety one) calendar days to 180 (one hundred and eighty) calendar days.

2.3.7 Penalties for late completion will be four times the current monthly levy on the property for each month, or pro-rata part thereof that the completion date is exceeded, for the period between 181 (one hundred and eighty one) calendar days and the date of issuing of a Board Certificate of Final Completion in writing.

2.3.8 The Board will only consider, at their own discretion, extension of construction time if construction has been delayed for any reason, event, or activity beyond the contractor's reasonable control. It is the owner's responsibility to communicate the delay in writing to the Board within 7 (seven) calendar days of it becoming known.

The owner must inform the Board of the reason and the number of days extension required. The Board will respond within 3 (three) working days stating in writing, the number of extra days granted or refused. No request for extension of time will be considered if lodged after 7 (seven) calendar days from the date that the delay became known. The onus to prove any claim for extension will be the sole responsibility of the owner.

2.3.9 No extra time will be granted because of a dispute between the homeowner and the Board or contractors.



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2.3.10 Should a dispute between the homeowner and the Board results into litigation, the deciding officer, in his sole discretion will grant or refuse a new date for completion. The decision will be final and undisputed.

## 2.4 Contractor's Conduct

The responsibility of the conduct of all contractors, subcontractors, suppliers, employees, agents, etc. resides ultimately with their employer; the homeowner. It is in the owner's best interest to ensure that these rules are communicated to all of his or her direct and indirect employees/contractors and that are stipulated in the building contract. No one but the homeowner will be held responsible for their conduct.

### 2.4.1 Access to the Construction Site

2.4.1.1 The homeowner will ensure that any contractor acknowledges that he or she is aware that Woodlands is a security Estate and will at all times comply with the security regulations and controls of the Estate.

2.4.1.2 Detailed security procedures, which are subject to change from time to time, will be made available to all contractors by the homeowner. This will include authorization and identification measures for access to the Estate regarding all vehicles and personnel.

All labourers must be registered employees of the contractor. The Board and Woodlands Security reserve the right to bar any vehicles or persons from the Estate.

Casual labour will only be allowed at the Board's discretion, subject to a thorough security check, proper identification and prior written approval.

It is the contractor's responsibility to ensure that all personnel and vehicles are registered with the Woodlands security contractor. All registrations will be done at the security control room on weekdays during the hours specified in the section construction time. Personnel will only be registered after producing a valid South African ID Document, South African Passport or South African Driver's Licence.

Upon registration, all personnel will be issued with a permit, which must be worn at all times. Non-adherence will result in the trespasser be given a spot fine, payable by the homeowner.

2.4.1.3 Only authorized vehicles will be allowed into the Estate. A load restriction of 6 (six) tons per axle is in place and all vehicles may be subjected to an axle load test at the homeowner's expense. Written proof thereof must be submitted before access to the



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Estate will be granted. No vehicle may exceed 11 (eleven) meters in length and 4,1 (four comma one) meters high.

- 2.4.1.4 With the exception of roof truss delivery vehicles, no articulated vehicles will be allowed access to the Estate without the prior written approval of the Board. It is the homeowner's responsibility to notify all suppliers of this rule and no extension of time or claims will be granted as a result of non-compliance with this rule.
- 2.4.1.5 The Woodlands security contractor and their authorized agents reserve the right to search all vehicles and personnel upon entering and exiting the Estate.
- 2.4.1.6 A speed limit of 30km per hour will be kept at all times in the Estate and no reckless driving will be tolerated.
- 2.4.1.7 No vehicles may enter any green area whatsoever and must keep to the official roads and traffic regulations. Access to the site will only be through the driveway. The green area in the road reserve will be fenced off by the homeowner. Vehicles may only park on the construction site in designated, screened off parking areas. Construction and delivery vehicles found blocking roads will be given spot fines, payable by the homeowner.
- 2.4.1.8 Tools, equipment, plant, machinery, material, supplies, etc. may only leave the Estate with a written transfer note from the authorized representative of the contractor. A copy of the written authorisation must be submitted to Woodlands security contractor for record purposes. It is the contractor's responsibility and best interest to register and acquaint his authorized representative with the Woodlands security contractor.
- 2.4.1.9 Contractors may only enter the Estate at the official Estate entrance gate. No material, personnel, plant, etc. may be transferred at any point over, through or under the Estate perimeters without the written approval of the Board.
- 2.4.1.10 Non-adherence to the site access rules will immediately be referred to and dealt with by the Woodlands Security Committee. The Board reserves the right to suspend all construction work and bar all access to the contractor and personnel involved for as long as it may take to resolve the security breach. No extra construction time will be granted as a result of this.
- 2.5 Contractor and personnel behaviour in Woodlands and on the Construction Site.**
- 2.5.1 The owner and his contractor are responsible for the behaviour of all personnel and suppliers in the Estate and on the construction site at all times.



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- 2.5.2 No personnel are allowed to move without security supervision from the building site. Contractors may move personnel from to and from the relevant building site and to the Estate gate with a registered and properly identified vehicle. Any personnel found guilty of not adhering to this rule will be given a spot fine payable by the homeowner and/or will be removed from the Estate.
- 2.5.3 All disputes between the homeowner, contractor, and/or his personnel will be settled outside of the Estate.
- 2.5.4 The following will be reason (but not exclusively) for the immediate and/or permanent expulsion of any Personnel and/or contractor from Woodlands. No claims for extra time will be granted as a result of this.
- Disturbing, endangering or killing any Woodlands animal, fish or birdlife.
  - Pilfering, stealing or removing supplies or goods from the site without written authorisation.
  - Engagement in any form of violence.
  - Creating any form of open fire apart from the controlled fires used in construction such as a torch for waterproofing or used by plumbers to seal copper pipes, etc. will be considered an attempt at arson.
- 2.5.5 Contractors are expected to conduct their business in a reasonable and co-operative manner. Should the Board has any concern with the conduct of the contractor, subcontractor or suppliers and any of their personnel, the Board may remedy the situation as deemed necessary. The Board reserves the right to suspend building activity, either indefinitely or until such time as any undesirable conduct is rectified and may do so at any time, without notice and without recourse from the homeowner and/or contractor, subcontractor, supplier or personnel.
- 2.5.6 Noise and dust reduction is essential and contractors shall endeavour whenever possible to limit unnecessary noise, especially that of personnel such as loud talking, shouting, whistling, singing, radio's and other devices, sirens, hooters, etc.
- 2.5.7 No pets or animals of the contractor, subcontractors, suppliers, or personnel will be allowed in the Estate.
- 2.5.8 The building site is to be kept as clean as possible of all building rubble. General cleaning and good housekeeping practice must take place for the duration of the construction period. The contractor is to ensure that the roads and the vicinity of the construction site is always kept neat and tidy. Mud or spoil being driven or dropped on the road or road reserve must be cleaned immediately.



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- 2.5.9 The contractor will provide proper and adequate facilities for the removal and disposal of waste and rubble from the site at regular weekly intervals, no later than every Friday of each week. The contractor will also be responsible to ensure that all personnel make use of these facilities. No debris, rubble and cut offs such as paper, tile cut offs, roof tiles, or the like may be left scattered or piled on the site and but must be properly disposed of. Under no circumstances may fire be used to dispose of any waste in the Estate.
- 2.5.10 No fires for cooking, heating or any other purposes, whatsoever will be permitted in the Estate. Contractors will make alternative arrangements to prepare hot meals.
- 2.5.11 No concrete, mortar, cement, etc. may be temporarily stored, mixed, or prepared on any portion of the adjacent sites, green areas, road reserve or streets.
- 2.5.12 All materials, plant, and supplies shall be neatly piled or stacked, to minimise any inconvenience to neighbours.

The Contractor will be responsible to ensure that no such items are placed in or on the adjacent sites, green areas, road reserve or streets and will move them Immediately to areas within the limits of the building site. This will be applicable to all materials, including materials such as paper, plastic, etc. that may be blown from the site into the Estate.

- 2.5.13 The dams, fountains and water features in Woodlands, as well as the adjoining streams, are particularly sensitive to pollution, and contamination by ground and run-off water. Contractors need therefore to take special care during handling, disposal and clean-up operations, with particular emphasis on the disposal of paint, tile grout and adhesives, cement, rhinolite, chemicals, oils, fuel, etc. Special preventative measures, to the satisfaction of the Board, must be taken to ensure no spillage on waterfront sites.
- 2.5.14 The contractor will ensure that approved portable and/or chemical toilet facilities are available and operational from the first day of site handover to all personnel. Toilets and changing facilities shall be positioned and properly screened off from public view with forest fence and kept in a hygienic condition throughout the construction period.

### **E. ENVIRONMENTAL MANAGEMENT / LANDSCAPING**

The degree of environmental care exercised by a community says much for the level of culture and refinement attained by the said community.

1. No rubble or refuse may be dumped or discarded in any public area, including the green areas, parks, streets, sidewalks, dams, or vacant stands.



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2. Residents and their guests are urged to leave any open space they visit in a cleaner condition than that in which it was found. Residents should also develop the habit of picking up and disposing of any litter encountered in the open spaces.
3. Picnicking will only be permitted in swimming pool area and communal green areas.
4. Flora may not be damaged or removed from any public or green area.
5. Fauna of any nature may not be chased, trapped, or harmed in any way, in any area of the Estate.
6. Residents shall maintain a high standard of garden, green area and pavement maintenance.
7. Residents must ensure that declared noxious flora are not planted or allowed to grow in their gardens. <http://www.invasives.org.za/plants/plants-a-z>
8. The residents' use of any open space areas, including the green areas, clubhouse and swimming pools is entirely at their own risk at all times. The Board will entertain no claims for damages of whatsoever nature or from whatsoever cause arising.
9. No bathing in the dams or fountains is permitted, nor are pets permitted to enter it.
10. Once rehabilitation has taken place, each homeowner will be responsible for maintaining his garden up to the border of the green area. The homeowner may not change the green area adjacent to his property without submitting a plan for approval by the Board. Failing to do so may result in the plants and trees being removed by the Estate and the homeowner will be held responsible for the costs.
11. The watering of gardens after rehabilitation of green areas is the responsibility of the homeowner if the irrigation is not working correctly. Any residents joining large green areas need to submit a letter to Board to request assistance. Homeowners are not allowed to open Estate irrigation valves, taps etc under any circumstances.
12. All damage to the irrigation system, plants, and trees caused by the owner, tenant, contractor, or worker, will be for the account of the owner. Costs will be added to the levy account and is payable at the end of the month. Failing to do so the Board has the right to legal action with costs to the owner.
13. Water features erected in the front garden need to be approved by submitting a plan to the aesthetic committee.



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14. Private gardens must be 50% indigenous and no plants, shrubs or trees on the invasive species regulations may be planted.
15. No fishing is allowed in any of the dams
16. All green areas must, as far as possible, be planted with indigenous plants and trees according to the landscape plan available on request at the Estate office.
17. Grass may not be planted in green areas.
18. A homeowner will be notified by either e-mail, fax or letter of any damages whether to the irrigation system, trees, plants, etc. This includes green areas, which have been re-planted without permission. All costs will be debited for the homeowner's account.
19. No homeowner is allowed to approach any worker of the garden services with any request, or suggestion. All requests, problems and suggestions need to be in writing to the Board.
20. Homeowner's private gardens must be fully developed and maintained at all times. This includes pest and weed control.
21. Under no circumstances will individual owners be permitted to have boreholes on their stands without the prior approval of the Board.
22. Landscaping on sidewalks must be undertaken within the integrated landscape objectives of Woodlands Lifestyle Estate to be approved by the controlling architect with assistance from the appointed landscape architect.
23. The landscaping theme of Woodlands Lifestyle Estate is to encourage the use of indigenous trees and plants as per the landscape design. The green areas are to be planted with indigenous species in accordance with a landscape theme. The portion of all properties that border on the green areas and the portion of all properties between the building lines and the street boundary must be landscaped accordingly and using the tree and plant species as per the landscape architect.
24. The use of hedgerows is recommended and the planting of indigenous trees and shrubs is encouraged where possible. Trees planted in the road reserve must follow the guidelines set for that street.

24.1 Hedgerows heights as follow:

**Green area's** : max height 1.5m



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**Streetfront** : On height of picket fence to a max height of 1.2m

**Curb side hedge** : 600mm

Heights from natural ground level

It is stressed that no historical precedent will be considered to relax any of these rules and no claims will be considered based on any assumption that may arise there from.

Historic approvals cannot be carried over in a transfer of property, it will form part of the conditions in issuing of a clearance certificate.

25. Planting and hedgerows are also encouraged where WHOA approved picket fencing is used. To be read in conjunction with Aesthetic rules D1.2.2.1, D1.2.2.5, D1.2.2.6 and D1.2.2.8
26. Houses erected on the visual slopes of the site will need special attention to reduce the interruption to the horizon line and any other potential visual impact. This will need to be done by, inter alia, additional landscaping, and controls to the scale of the buildings. Where possible, cut, fill to be minimized, and the buildings rather to be “terraced” down the slope of the site. **Note**: The maximum height of face brick plinths above natural ground level will be limited to 680 mm (4 courses) and must therefore step down the slope of the erf where applicable.

## **F. LIFESTYLE CENTRE**

Lifestyle Centre refers to the tennis court, gym, swimming pool, squash court, volleyball court and the entertainment area.

### **1. ACCESS CONTROL**

#### **1.1 After normal working hours.**

Access to and exit from the Lifestyle Centre will only be allowed with a valid access tag. Only the western main entrance next to the swimming pool may be used. The Board may prescribe times for use thereof in order to adhere to good neighbour relations.

#### **1.2 During normal workings hours (08h00 – 17h00, Monday to Friday).**

Peak times refer to 06h00 – 09h00 in the morning and 17h00 - 20h00 in the evening, weekdays only, for the gym, tennis court and squash court.



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## **Hours to access the gym 04:00 – 22:00**

- 1.3 The door next to the change rooms leading to the tennis court will not be locked for the convenience of tennis players. Access to the tennis court may only be gained as in 1.1 or 1.2 above.
- 1.4 Climbing over the entrance gate at the gym is prohibited.
- 1.5 The two doors leading to the jungle gym and the door between the aerobics studio and the tennis court will be permanently locked for security reasons unless during a booked function. The individual who booked the function, is responsible to lock both doors at the close of the function.

## **2. GYMNASIUM**

- 2.1 Suitable attire must be worn at all times. Exercising without shirts or training shoes is not allowed.
- 2.2 A sweat towel must be used at all times while exercising and equipment must be wiped clean immediately after use. Own water bottles must be used.
- 2.3 Weights and equipment must be placed on the stands after use.
- 2.4 Time limits must be adhered to as specified on signboards. Own discretion may be used during off-peak periods.
- 2.5 Faulty or broken equipment must be reported to the Estate Manager.
- 2.6 If unsure about an exercise or the use of equipment, ask the sport therapist for assistance, if available, to avoid injury.
- 2.7 Juniors (under 12 years old) must be accompanied by an adult who will be responsible for any risks of injury and their safety during exercise.
- 2.8 Homeowners, their children and guests train at their own risk. The Board accepts no responsibility for injury or loss of property.
- 2.9 A resident may bring one guest to the gym to train with him/her. Only one guest allowed per household at a time. No guest is allowed to use the gym without the homeowner being present. Homeowners must be considerate when bringing guests during peak periods. For tennis and squash 3 guests will be allowed for doubles games only.
- 2.10 Nobody is allowed in the clubhouse with a wet bathing suit.



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2.11 Damages caused by homeowners, their guests or children to equipment, clubhouse, tennis court, squash court, swimming pool area etc. will be for the responsible homeowner's account.

2.12 No toys, bicycles etc. are allowed in the gym. No children are allowed to play in the gym.

### 3. SQUASH / TENNIS / VOLLEYBALL

3.1 All bookings are to be made online via [www.woodlandsnet.co.za](http://www.woodlandsnet.co.za). Bookings may be made up to two weeks in advance Cancellations are made via the online booking system by the registered user who made the original booking. Bookings for squash or tennis may not exceed one hour during peak times, this is automated within the booking system.

Bookings outside of peak hours may be made for two consecutive hours.

3.2 Suitable attire and non-marking shoes must be worn at all times on the squash court and the aerobics studio.

3.3 Courts are to be kept clean at all times.

3.4 The sport area is available only until 21h00 Monday to Saturday and between 9h00 – 18h00 on Sundays.

### 4. CHANGE ROOMS

4.1 Lockers are provided in the change rooms for use while training. Users are to provide their own locks and must accept sole responsibility for any loss, theft and/or damage to property.

4.2 The change rooms must be kept clean and all visible faults must be reported to the Estate manager.

### 5. ENTERTAINMENT AREA

The entertainment area includes the kitchen, gas braai facility on the veranda, swimming pool area and the jungle gym.

5.1 The entertainment area may only be rented by residents and not used for corporate functions.



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- 5.2 The facilities may be used for birthday parties for residents' children provided that other residents may simultaneously share the facilities. Such parties may not be held on Sundays or public holidays and must finish no later than 20h00. All resident functions must be pre-approved by the Estate Manager and a refundable deposit will be payable for the use of the facilities. The deposit will only be refunded if the premises are properly cleaned after the function and no verified complaints of disorderly behaviour were received from other residents. The refunding of the deposit is totally at the discretion of the Board in consultation with the Estate Manager.
- 5.3 The entertainment area bookings are managed via the resident website and administered by the Estate manager. On approval via the booking system by the Estate manager, the booking will be confirmed with the resident.
- 5.4 Any official function, primarily for the benefit of residents, may be arranged under the auspices of the Board. The Board may apply for a temporary liquor licence for such function(s) which must be finished by no later than 21h00.
- 5.5 Respectable noise levels are to be observed, taking homeowners in the surrounding area into consideration.
- 5.6 No loud music is allowed to be played at the Lifestyle Centre.

## 6. SWIMMING POOL

- 6.1 Suitable bathing suits to be worn in all instances at the swimming pool.
- 6.2 No smoking of cigarettes, e-cigarettes or harmful substances is allowed in the recreation area. Hubbly Bubbly may not be smoked in the recreation area.
- 6.3 No alcohol is allowed in and around the recreation area.
- 6.4 No animals are allowed in and around the recreation area.
- 6.5 No workers' family are allowed in the pool or pool area.
- 6.6 No patio furniture or cushions are allowed to be used in the pool.
- 6.7 The use of the pool is strictly until 21h00.
- 6.8 The swimming pool may not be used by children younger than 12 years old, without adult supervision.

## 7. GENERAL



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- 7.1 Homeowners will be responsible for any damage to Estate property caused either wilfully or negligently by him/herself, dependants and/or guests.
- 7.2 In case of theft or burglary, normal prosecution procedures via SAPS will be followed.
- 7.3 The families or visitors of employees, service providers and contract workers and any persons employed either by homeowners, residents or the Lifestyle Estate may not use the facilities of the Lifestyle Estate. The Board has the right to grant special permission for other use. Terms & conditions will be set by the Board by approval thereof.
- 7.4 No skateboards / roller blades, bicycles or four wheelers are allowed to be used in or around the lifestyle centre. Damages caused will be for the responsible homeowner's account.

### **G. SECURITY**

Estate security is not only the responsibility of the contractors as appointed by the Board from time to time, but that of the residents as well. The following rules outline security protocol and procedure to be adhered to by both residents and security contractors. It is however, confirmed that the Board has an ultimate discretion to implement any procedures for access in order to safeguard the Estate. Without limiting its powers, it is confirmed that the method of entry and operating procedures fall within the absolute discretion of the Board

1. No abuse of security personnel will be tolerated.
2. Security protocol at the gate must be adhered to at all times. Under no circumstances may residents or any person other than the security personnel be allowed into the Gate House.
3. The system decided upon by the Board for permanent and temporary workers must be conscientiously enforced by every owner with respect to people in his/her employ. Workers must be registered on the security system.
4. All owners must request visitors to adhere to security protocol. Residents are responsible for the conduct of their visitors, employees and contractors at all times.
5. All owners must ensure that contractors in their employ adhere specifically to the security stipulations of the Contractors Code of Conduct. For clarity's sake, it is confirmed that no contractor, other than for emergency work, will be allowed access to the Estate after 17.00 during week days, 13.00 on Saturdays and no access on Sundays and Public Holidays.



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6. All attempts at burglary or instances of fence jumping must be immediately reported to a member of the security staff, and/or security director.
7. Any suspicious persons within the Estate must be reported to the security contractor as soon as possible.  
  
**NOTE:** The Board advises all homeowners to install a home security system as soon as possible after taking occupation of their homes, but no display boards related to the alarm or monitoring services may be erected outside the home.
8. The Estate will be manned by security 24 hours a day, and patrolled on a random basis.
9. On arrival at the security gate by a guest, employee or contractor, security personnel will attempt to contact the resident via the security system to obtain access permission. Once permission is granted by the resident, the entering persons become the responsibility of the resident.
10. New occupants (owners/residents) must advise the Estate Manager of their telephone number and address to enable Security to make telephonic contact for permission to allow visitors to their residences.
11. No property may be secured with razor wire or similar fencing during or after the construction period.
12. Residents on the perimeter wall are responsible for keeping any overgrowth clear of the electrified fence. Failure to do so will result in the overgrowth being removed by security at the homeowner's expense.
13. Residents on the perimeter fence must advise any visitors of the dangers pertaining thereto.
14. No residents may issue instructions to security personnel, unless in an emergency situation.
15. Biometric Access will activated for each resident / tenant in possession of a valid drivers licence. An access disc will only be issued to residents who's biometric access does not work. No parcels, or documentation may be left at the gatehouse. Security gates at the main entrance will be closed between 21h00 – 05h00.
16. All domestic and garden workers are to be registered at the main gate.



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**Residents who can not gain access to the Estate for any reason whatsoever, will be required to sign in as a visitor.**

17. Any deviations on the part of security personnel must be reported to the Estate manager.
18. Residents entering the Estate with domestic or garden workers in their vehicle must sign their worker in. Failure to do so may lead to the worker being removed from the Estate.
19. No residents may ask any of the security personnel to protect or watch their property, or to interfere in a domestic dispute. A general watch is in force and will be adhered to.
20. It is not the responsibility of security personnel to guard building materials or other loose items not properly stored.
21. Disputes with neighbours, enforcing of noise levels, etc are standard police matters, and not the responsibility of security personnel. These issues are to be reported to the police – not security.
22. No guests will be allowed in the Estate unless the required access granted via the security access system.
23. Prospective buyers of property will under no circumstances be allowed on the Estate unless accompanied by a Board registered Estate agent. No exceptions will be made.
24. The ultimate responsibility of security within the Estate remains with residents. Any concerns or suspicions must be reported to security personnel.
25. Exit and entrance gates will be monitored by a CCTV camera system with audio



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## **H. TENANTS, VISITORS, CONTRACTORS AND EMPLOYEES**

The responsibility of enforcing these rules rests with the homeowner. All board enforcement of these rules will be dealt directly with the homeowner and not tenants, contractors or employees of homeowners.

1. Should any homeowner let his property, he shall notify the Estate manager in writing in advance of occupation, the name of the lessee, the number of tenants and the period of such lease. A copy of the Lease Agreement and copies of the tenants IDs need to be provided to the Estate Manager, before access will be activated. The homeowner shall inform the lessee of these rules.
2. The occupants of any property within the Estate are liable for the conduct of their visitors, contractors and employees and must ensure that such parties adhere to the rules.
3. All homeowners must ensure that contractors in their employ have signed the Contractor's Code of Conduct prior to commencement of work and that they adhere to the stipulations of the contract at all times.

## **I. LETTING AND RESELLING PROPERTY**

The Estate rules impose certain restrictions on the manner in which Estate agents may operate. New residents must take note of the following rules relating to the re-sale or letting of property:

1. Should a homeowner want to sell or lease a property through an estate agent, only a registered estate agent may be selected to manage the sale or lease. A non-registered estate agent may only be used if that agent completes the estate registration at the Estate office. An estate agent is only registered after signing an agreement to the effect that such estate agent will abide by the stipulated procedures and conditions imposed by the Board. The Board may at any stage revoke the registration of an estate agent, without providing reasons for the decision.
2. The registered agent and the homeowner must ensure that the buyer and/or tenant is informed of and receives a copy of these rules and that they are attached as an annexure to any deed of sale or lease agreement.
3. A clearance certificate must be obtained from the Board at the seller's cost prior to any transfer of the property.



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4. Under no circumstances will granny flats be sub-let without the prior written approval of the Board. Such approval, if granted, may be subject to an additional levy to be determined by the Board.
5. No property may be let or utilised for the purpose of a commune or solely for offices or businesses.
6. Agents may only operate on a “by appointment” basis, and must personally accompany a prospective purchaser or lessee. Agents and private sellers are not permitted to erect any “for sale” or “show house” or “to let” signage boards without the permission of the Board.

## **J. SALE**

1. Woodlands Home Owners’ Association

It is a requirement that the purchaser acknowledges the obligation to become a member of the WHOA upon registration of the property and agrees to do so subject to the Memorandum and Articles of Association or substituting title thereof.

2. Conditions of Title

The seller agrees that, in addition to all other conditions of title and/or subdivision referred to, the conditions of title be inserted in the Deed of which the purchaser takes title to the property:

“The purchaser hereby consents to the registration of the following title conditions against the property, namely:-

### **2.1 THE FOLLOWING CONDITIONS APPLY:**

- 2.1.1 Every owner of the property hereby transferred or of any subdivision thereof or of any interest therein or of any unit thereon as defined in the Sectional Title Act, shall automatically upon registration of the property become a member of the Woodlands Home Owners Association and be subject to its constitution. The buyer acknowledges and accepts the rules of the Woodlands Home Owners Association and agrees that these rules are binding as from the time of property occupation and or registration of property, whichever is sooner.
- 2.1.2 Every owner of the property hereby transferred or of any subdivision thereof or of any interest therein or of any unit thereon as defined in the Sectional Titles Act, shall not be



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entitled to sell, exchange or otherwise alienate or transfer the property or any subdivision thereof without the prior written consent from the Woodlands Home Owners Association which consent the Woodlands Home Owners Association will be entitled to withhold, unless:-

- a) in the deed of sale, donation, exchange or other alienation the party to whom the property is alienated (the “aliened”) is informed of the existence of the Woodlands Home Owners Association and the aliened undertakes in the said deed to become a member of the Association and to be bound by the rules and regulations of the Woodlands Home Owners Association;
- b) all amounts due by the owner to the Woodlands Home Owners Association have been paid to the Association; and
- c) The owner is materially in compliance with the provisions of the articles of association of the Woodlands Home Owners Association.

2.1.3 For purposes of clause 2.1.1 and 2.1.2 (a), (b), and (c) above the term “Woodlands Home Owners Association” is a reference to WOODLANDS HOME OWNERS ASSOCIATION, {Association incorporated under Section 21}, registered in terms of Section 21 of the Companies Act, 1973.

2.1.4 In the event of the Registrar of Deeds requiring the amendment of any of the above conditions in any manner in order to affect registration thereof, the transferee hereby agrees to such amendment.

2.1.5 The transferee or its successors in title will not be allowed to drill boreholes on the property or otherwise extract subterranean water from it without the prior written consent of the Board.

2.2 Building plans shall be provided to the Board for written approval before building plans are submitted to the Tshwane city council.

2.3 For the purpose of clause 2.2.1, 2.2.2, 2.2.3 and 2.3 above the term homeowners association is a reference to Woodlands Home Owners Association (association incorporated under section 21 registered in terms of section 21 of the Companies act, 1973).”

2.4 A copy of the contract of sale and copies of the identity documents of the buyer or interested persons in the buyer, will ne submitted to the Estate Manager, prior to activating access to the Estate.



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## **K. LEASE AGREEMENTS WILL INCLUDE THE FOLLOWING WORDING**

1. “The Lessee acknowledges that, upon occupation of the leased premises, he and his family, his visitors and employees, shall adhere to all rules and regulations as attached to this document.
2. Where tenants continuously breach the rules of the Estate, the homeowners can be requested to terminate the lease agreement and or be held liable for the maximum fine allowed under the WHOA rules.

No tenant will be allowed to approach the Board with complaints. This must be directed to the homeowner.”

## **L. REGISTRATION OF ESTATE AGENTS**

1. An estate agent is registered after signing the WHOA agreement to the effect that such agent will abide by the stipulated procedures applicable to the sale and /or lease of the property on the Estate, and after having been inducted in respect of the concepts, rules and conditions under which a purchaser and/or lessee acquires and/or leases the property in Woodlands.
2. Registration of estate agents may be reviewed by the Board from time to time after which an updated list of accredited agents will be made publically available via the Woodlands website.
3. The registration policy for Estate Agents may be reviewed by the Board from time to time.
4. Should an estate agent not comply with the policy, including but not limited to payment of the fees payable, the homeowner will be liable for the non-compliance with such policy. Should the fees not be paid, the fee will be debited to the levy account of the homeowner, who will be liable for such payment.



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## **M. PETS**

The following guidelines and rules stipulate regulations within the Estate regarding pets and animals.

1. The local authority bylaws relating to pets will be strictly enforced.
2. Homeowners or tenants may not keep more than two (2) animals (dog and/or cat) on a property.
3. Poultry, pigeons, aviaries, wild animals or livestock may not be kept on the Estate.
4. Pets are not permitted to roam the streets or any other part of the Estate (other than the owner's property) and must be kept on a leash in all communal areas at all times, even when accompanied by owner.
5. Should animal excrement be deposited in public areas the dog owner shall be responsible for the immediate removal thereof.
6. Pets are not allowed in the pool area.
7. All dogs, cats and rabbits must wear a collar with a tag indicating the name, telephone number and address of its owner. Stray dogs without identification tags will be apprehended and handed to the SPCA.
8. The Board reserves the right to request the owner to remove his pet should it become a nuisance on the Estate.



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## **N. ADMINISTRATION**

1. All levies are due and payable in advance before the seventh day of each and every month.
2. Interest will be raised on all arrear accounts, at the maximum rate allowed in Law.
3. Further penalties or legal action, to be determined from time to time, will be imposed on homeowners with accounts in arrears for 60 days or longer. The Board shall be entitled to recover all legal costs incurred on the attorney and own client scale. In addition, the Board reserves the right to suspend levy defaulters access to the following facilities until levies are fully paid:
  - Gymnasium, squash court, tennis court and entertainment area.
  - Internet.
  - Access control at the gate.

Defaulters will be given notice prior to suspending their access to the facilities.

4. The Board may amend or add to the Rules from time to time, as may be deemed necessary to ensure harmonious co-existence of residents.
5. The Board reserves the right to fine transgressors where any of the rules as stipulated by the Board from time to time have been broken or infringed upon. Such fines form part of the levy and shall become due and payable on the due date of payment of the levy.
6. No resident should confront any director of the Board regarding Estate matters other than the director designated as per the communication model provided.
7. Residents should note that the Board has specific functions and should only be contacted regarding these and not about issues they are not responsible for. Problems with electricity, water, sewerage and public disorder fall within the responsibility of the municipality and not directors. The appropriate municipal departments must be contacted.
8. Residents are encouraged to contact the Board with any suggestions and comments and not to complain to other residents, as this is not conducive to good neighbourliness.



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## **O. INTERNET ACCESS**

### **1. INTRODUCTION**

This is a reference guide on the Woodlands Internet network. The Estate provides Internet access via an internal network through a proxy server. The mandate of the WHOA is to provide basic Internet connectivity and responsibility of the network up to and including manholes. Connectivity from the manholes in the Estate to the property and within each property is the responsibility of the homeowner.

### **2. OBJECTIVE**

The primary objective of the provision of the internet infrastructure by the Estate is to facilitate easy, access to the internet for the households within the Estate. Limited business use of the facilities, by businesses located within the Estate may be allowed only to the extent that such use does not interfere with or disrupt the primary objective of the facility by causing congestion on the network. The use of this infrastructure for limited business purposes should be considered a privilege and not a right.

### **3. ACCESS**

All residents will be given a specified IP address through the Board appointed supplier. Residents are responsible for their connections with the specified IP address, however the preferred supplier is recommended for installations at the resident's cost.

A Woodlandsnet email address is available to residents and may be applied for via the Board preferred supplier.

Access to the online booking system via the Woodlands website is granted through the Estate office.

Woodlands IT does not take responsibility for resident computer set-up and software installations, these remain the responsibility of the resident. The Board appoints an IT supplier which residents may use at their own cost. Residents are free to use their own IT supplier for in home installations and maintenance, however the network configuration must comply with the Woodlandsnet protocols as determined by the Board appointed IT supplier.'

### **4. IP ADDRESSES**



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IP addresses are allocated to residents connected to the physical network via a fixed IP address as assigned by the Estate.

Computers and/or routers connected to the network that disrupt other residents are subject to a 'tracing and correcting' fee that may be imposed by the Board via the homeowner levy

## 5. NETWORK SECURITY

There is a firewall in place between the Internet and the Woodlands network preventing any user from accessing computers on the Woodlands network.

Please note that ALL computers on the Woodlands network have unrestricted access to one another. This implies that if you share a folder on your computer without a password everybody can look at the documents in that folder and can update it if it was shared with "write access".

## 6. PROXY SERVER

There is a proxy server available at 192.168.0.1 port 8080. The proxy server keeps a local copy of any web pages recently visited and would thus speed up your Internet access. The proxy server provides HTTP (web browsing) and FTP (file transfer) services.

This is a default method of accessing the Internet for those people who do not have direct access to the Internet.

## 7. DIRECT INTERNET ACCESS

By default, homeowners will not have direct access to the Internet. Any access has to go through the proxy server. If a homeowner wishes to access the Internet directly, he should apply on an application form.

## 8. EMAIL ACCOUNTS

Email accounts on the woodlandsnet.co.za domain must be applied for on an application form. A maximum of 4 email accounts will be allowed per household.

In order to receive and send email a user must set up his mail reading applications to use the following settings:

SMTP server: 192.168.0.1 port 25 (for sending mail)

POP server: 192.168.0.1 port 110 (for receiving mail)



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## 9. VIRTUAL PRIVATE NETWORKS

VPN's will be allowed provided that the network is connected and protected by a firewall and the NO traffic from the remote network routed via the Woodlands network.

## 10. PEER TO PEER APPLICATIONS

No peer to peer applications will be allowed on the Woodlands network. This includes file sharing services such as torrents. Direct access to the Internet will be removed from any user found to be running these types of applications.

## 11. PHYSICAL INSTALLATIONS

The resident is responsible for connecting his home to the Woodlands network in the street. Only certified network installers approved by the WHOA will be allowed to connect the house to the Woodlands Network, however any contractor may be used for the networking inside the house.

## 12. VIRUSES

Homeowners should take note that the mail server and firewall do not scan for viruses, nor can it protect a computer on the Woodlands network from a virus attack by another computer. It is the responsibility of the homeowner and a good practice to have a virus scanner installed on his computer.

## 13. HIGH BANDWIDTH USAGE

High bandwidth usage times are from approximately 17h00 to approximately 23h00. Residents are advised to schedule downloads during off peak times.

Woodlands IT reserves the right to limit Internet access to residents who use an excessive amount of bandwidth

Woodlands IT does not monitor website traffic, but bandwidth usage.

## 14. SUPPORT

All problems regarding the Woodlands Network, the Internet access and email problems can be reported by sending an email to [management@woodlandsnet.co.za](mailto:management@woodlandsnet.co.za) or by contacting the Estate manager

Please make use of the email options where possible as it to simplify support.



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The Board will at all times endeavour to keep the network operational as far as is reasonably possible. The Board will not be held responsible for any network downtime.

## **P. ENFORCING THE RULES**

The Board hereby has the right to take all necessary steps or actions to enforce any Rules or regulations contained in this document in present and in future.

The Board or its representative has the right to enter any stand on the Estate and to perform such act as may be required to enforce the Rules, regulations, or decisions of the Board.

In the event of any decision or required action to give effect to such decision involving costs being incurred by the Board such costs will be recovered by the Board by debiting the levy account of the homeowner and holding him responsible for it until date of payment thereof.

These are the only Rules approved by the Board and there are no other addendums to this document.

## **Q. COMMUNICATION**

A community electronic newsletter is published on a regular basis to advise homeowners and residents of news related to the Estate and surrounding areas. Homeowners, residents and advertisers are invited to participate by contributing any newsworthy items by way of editorials. Such should be submitted to the Estate manager for incorporation subject to suitability of content and space availability.

In addition, news may be published on the Woodlands publically accessible website from time to time.

No advertisements by way of leaflets, pamphlets, etc. may be exhibited or distributed at the Gatehouse or within the Estate, but such can form part of or be included in the electronic newsletter.

External advertisers may advertise in the electronic newsletter at a fee payable to the Estate. The rate card for advertising is available via the Estate manager.



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## **R. RULES PERTAINING TO HOME BUSINESSES/ENTERPRISES**

### **Introduction**

Schedule 9 of the Tshwane bylaws defines the City Council conditions pertaining to municipal limitations applicable to home enterprises. The Board can enforce stricter conditions but cannot relax any of the schedule 9 conditions

### **Definitions**

Per said schedule 9: “Home Enterprise means the practice of an activity, business, hobby or occupation in a dwelling- unit excluding a commune, a guest- house, a block of tenements, a boarding house, a hostel and hotel, with the aim of deriving an income there- from subject to Schedule 9.”

Where there is need to define or interpret a term or word herein, the meaning of which cannot be ascertained by ordinary construction, the definitions and meanings of terms and words as contained in the WHOA Rules and Memorandum and Articles of Association (or Memorandum of Incorporation) shall apply, alternatively, the Tshwane Municipal bylaws.

### **Preamble**

The purpose of the Woodlands Home Enterprise Rules is to protect the Woodlands lifestyle to the benefit of all residents.

This includes the following:

#### **1. Road safety and traffic**

The streets were built to fairly narrow cross-sectional designs allowing for two way traffic only on lane widths varying between 3.00 m and 2.50 m for highest to lowest expected traffic volumes. No side-walks were provided, except for the two sections in Rockwood Crescent on both sides of the entrance gate, as well as the area around the clubhouse. The referred sections of Rockwood Crescent carry the highest traffic volumes.

The road reserves between the actual pavement and the adjoining erven have been landscaped and covered with trees, shrubs and flowers to create a pleasing and calming garden environment.

No provision was made for vehicle parking on the streets or sidewalks. Normal parking needs (visitors or deliveries) should be accommodated on the individual driveways.



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It is stated in the first paragraph of Conduct Rules:

## **A. Use of the streets**

The streets in the Estate are for the use of all residents, whether it be in/on a vehicle, on foot or any other form of mobility. Please note that vehicles are considered part of the street environment, but not necessarily the determining factor:

All roads in the Estate are public roads and are subject to the relevant road traffic ordinances or bylaws.

The speed limit is 30 km per hour, throughout the Estate and 20 km per hour around the Lifestyle Centre. The Board will be authorised to impose appropriate fines to transgressors of the speed limit and any other traffic or parking offences.

## **2. Security**

The security in Woodlands is dependent on formal and informal actions.

### **a) Formal Security:**

Formal security is provided by a private security company and is most visible at the Woodlands security gate. By allowing many non-residents to enter the Woodlands security area, strain could be caused in the physical constraints of the gate regarding the available storage length, as well as the capacity of the personnel and security system. The gate is our main security control mechanism and must be allowed to function effectively at all times.

### **b) Informal Security:**

Informal security lies mainly in the fact that neighbours know or are at least acquainted to each other. This is largely achieved by the fact that Woodlands does not allow high street boundary walls, thereby creating an open environment where neighbours will easily detect unusual activity on a particular property.

## **3. Lifestyle and good neighbourliness**

Woodlands is a residential area where residents want to live in a peaceful and safe environment.

Stands are relatively small, thus creating a built environment where residences are situated fairly close to each other.



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Any activity in a residence other than residential, has the potential to affect the surrounding neighbours due to noise, pollution or too much activity.

Certain activities could also have a negative influence on the value of adjoining properties and therefore such activities should not be allowed.

## Guidelines

### 1. Legal effect of these guidelines

- 1.1 These guidelines, referred to in B(2) in the Rules of the WHOA, constitute the aforesaid criteria and conditions. As such the Rules as are applicable from time to time shall include these guidelines in the form of an addendum.
- 1.2 In the event of conflict between these guidelines and the Rules and/or the Memorandum and Articles of Association of the WHOA, the Rules and the Memorandum and Articles of Association shall prevail only with reference to the specific offending term contained in these guidelines, the remainder of the guidelines remaining applicable.

### 2. The following factors will play a role in the Board's decision, but is not meant to be exclusive:

- 2.1 Will the home enterprise cause an influx of visitor's to the Estate?
- 2.2 Will it generate excessive noise?
- 2.3 Have the neighbours approved the application?
- 2.4 Will the home enterprise depend on deliveries from outside the Estate and/or from the Estate and the volume thereof?
- 2.5 Will it have a negative impact on neighbouring stands?
- 2.6 Does it have the potential to attract criminal elements into the Estate?
- 2.7 Will it depend on on-site advertisements and high visibility?
- 2.8 Will it fit in with the general character of the Estate?
- 2.9 Will it enhance or reduce the desirability of the Estate for prospective investors?
- 2.10 What will the effect of the home enterprise be on the general value of units in the Estate?
- 2.11 Will the home enterprise require additional building construction?
- 2.12 Will adequate parking be made available, as to prevent sidewalk parking?
- 2.13 Will the home business be open to conduct business only during normal business hours: 08h00 to 17h00?



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- 3. A home enterprise undertaking from a dwelling unit is restricted to the following:**
- 3.1 All home enterprise operations must adhere to the criteria and conditions as specified by the Board and to applicable local municipal by – laws and regulations. The home enterprise concerned must be properly licensed and authorised to be conducted as such.
  - 3.2 Only the bona fide owner/s of a relevant property who shall also reside permanently in the dwelling upon such property may operate a home enterprise from the property. Only one enterprise shall be allowed per property.
  - 3.3 Only a home enterprise where the owner is self – employed and if necessary, **two** staff members, will be considered.
  - 3.4 An owner cannot let, sublet a home enterprise, nor make over, transfer, sell or dispose of in any way a home enterprise to another person, trustee/s of a trust or any other entity of whatever nature, nor to the next buyer of the property, on the basis that such business may, will be or could be operated within the Estate, or continue to be operated as such. Disposal shall include, but not be limited to mean a transfer to a curator of a deceased estate or trustee/liquidator of an insolvent estate, any subsequent transfer to a third party/beneficiary or legatee, a sale/transfer/disposal/make-over of the majority of shares of, interest in or ownership in the home enterprise or owner thereof, a significant change of trustees if a trust is the owner of the home enterprise. Any change as above or similar will require, if applicable, a fresh application to the Board for the right to conduct a home enterprise within the Estate.
  - 3.5 A maximum of 30% of the gross floor area of the dwelling unit may be utilised for the purpose of conducting a home enterprise, provided that such area does not exceed **60m<sup>2</sup>**.
  - 3.6 The display of a name or advertising and notice boards is prohibited.
  - 3.7 The storage of goods, especially of a hazardous nature and/or which may result in hazardous or toxic waste products or by-products is prohibited.
  - 3.8 The storage and display of allowed goods, reasonably essential for such home enterprise, must be stored and displayed within the dwelling unit and the measurement of the area contemplated in condition 2.4 hereof includes such storage/display area. Such goods may not be visible from outside the dwelling unit, i.e. from the street or from neighbouring properties.



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- 3.9 The loading and off-loading of goods by means of a private or commercial vehicle is prohibited unless the vehicle's loading capacity is less than 1000kg, and the maximum length, width and height of the vehicle may not exceed 5,5m, 1,8m and 2,1m respectively. Only one such vehicle may be parked regularly at the dwelling-unit out of sight from the street. Excessive volumes of deliveries are not allowed.
- 3.10 Visitors' vehicles shall only be parked on the dwelling-unit's premises, within the property's boundary. No parking whatsoever is permitted on the pavement, sidewalks or communal property.
- 3.11 The parking of motor vehicles may not impact on neighbours' premises and on communal property.
- 3.12 No industry or manufacturing enterprise will be permitted.
- 3.13 No home business which causes disturbances, noises, smells or annoying situations that may cause public discomfort will be permitted. Neither will home businesses which produce hazardous products/by-products or waste or potentially hazardous products/by-products or waste be allowed.
- 3.14 No disturbance or pollution through noise, smell, dust, radio – activity, gases or vibrations or other offensive condition, which results in inconvenience to the public, is permitted. Any waste, especially medical waste, shall comply with the Municipality's requirements for the temporary storage and removal from the property.
- 3.15 A maximum of two simultaneous business visitors' vehicles are permitted. The number of visitors to the home enterprise may not adversely affect Woodland's security. Security must be formally notified of visitors to the home enterprise before they report to the main gate. The home undertaking may not generate excessive traffic.
- 3.16 The following undertakings will not be considered or permitted:
- a) An animal boarding place
  - b) Auctioneering business
  - c) Bank agency
  - d) Bakery
  - e) Blasting contractor
  - f) Butchery and /or meat - processing enterprise
  - g) Building society agency
  - h) Call centre
  - i) Car wash
  - j) Escort agency



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- k) Fish – fryer
- l) Funeral undertaker
- m) Hiring and selling of vehicles
- n) Institution
- o) Jumble sales
- p) Light and other industries
- q) Manufacturing businesses
- r) Micro – lender
- s) Motor workshop
- t) Packaging contractor
- u) Panel beater
- v) Parcel delivery services
- w) Pet salon
- x) Place of amusement
- y) Place of childcare
- z) Place of instruction for more than two persons at the same time
- aa) Place of refreshment
- bb) Radio control / telephone exchange
- cc) Selling of liquor
- dd) Shooting range
- ee) Seafood supplies / wholesalers
- ff) Any shops / retail industries
- gg) Spaza shops
- hh) Spray – painter
- ii) Taxi – business
- jj) Tow – in service
- kk) Transport depot
- ll) Travel agency
- mm) Veterinary hospital
- nn) Visitor’s information bureau
- oo) Short term rentals
- pp) Retail industries
- qq) Guest house or similar enterprise
- rr) Boarding house

#### **4. Home enterprise application process**

- 4.1 All homeowners wishing to conduct businesses from home, which are NOT excluded per se by above limitations, have to apply to the Board in writing, which will deal with any such application at the first Board meeting after the submission of the application and only upon such further relevant information being received as may be requested by the Board.



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- 4.2 Any permission granted in terms of the Rules, can be terminated at the sole discretion of the Board, if the homeowner contravenes the Rules that govern business enterprises in the Woodlands Lifestyle Estate.
- 4.3 No business may be conducted from home without the written consent of the Board and then only if such business is permitted in terms of the Estate planning scheme applicable to the unit.
- 4.4 Inputs of the neighbours to conduct the enterprise must be obtained from all neighbours and must accompany a request for the permission to the Board. Neighbours include all properties that border directly and across the street or communal areas. The request for consent/comments will be sent out by the Estate Manager. If the enterprise is subject to a body corporate, the consent/comments from the body corporate must be obtained prior to application to the Board.
- 4.5 The homeowner shall have no claim whatsoever against the Board for damages or other causes in the event of an application being denied or permission as meant above being terminated by the Board.

## S. DISPUTE RESOLUTION

1. Should any difference result into a dispute between the homeowner and the Board as a result of these Rules, it will be referred to arbitration in terms of the provisions of the **Community Scheme Ombud Service Act, 2011** [Act 9 of 2011).
2. Disputes between Members and the Association
  - 2.1 A Member or any person covered under the Community Scheme Ombud Service Act, 2011 (in this clause collectively "Member") who disputes that he has committed a breach of any obligation in terms of the MOI and/or the Rules and associated penalty that accompanies the breach, will Deliver a dispute submission, in Writing, to the Directors within 14 (fourteen) business days from the date of the Notice as contained in the Notice Delivered to the affected Member.
  - 2.2 The written dispute submission must provide reasons for disputing the breach, alternatively provide mitigating circumstances or reasons in mitigation of the breach or for a reduction in the penalty or penalty amount.
  - 2.3 In the event of a member failing to submit a written submission within the 14 business days to the Directors, the Member may within 30 calendar days from the date of the Notice include in the member's submission of dispute a request for condonation of the late submission.



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- 2.4 Failure to deliver such a submission will be deemed that the Member has conceded the facts in the notice and will have accepted the decision of the Association on the matter.
- 2.5 A meeting of the Directors will be convened as soon as reasonably possible after receipt of a submission.
- 2.6 For purposes of the dispute, the Directors will be entitled to delegate any of their powers and/or responsibilities to a committee consisting of not less than 2 (two) Directors, a member of Senior Management, the person appointed by the Association to undertake the administrative functions of the Association to which the penalty relates, and any other person(s) appointed by the Directors.
- 2.7 The proceedings at such a meeting of Directors and other appointees will comply with the principles of Natural Justice and enquire into the dispute.
- 2.8 Following such meeting, the Member will be notified within a reasonable time in writing of the decision of the meeting, which decision will be final and binding on the Member.
- 2.9 Should the affected Member be aggrieved by the decision of the meeting he may, within 14 (fourteen) days after receipt of delivery of written notification of the meeting's decision, refer such a dispute as provided for in the Community Scheme Ombud Service Act, 2011, failing which it will be deemed that the Member has accepted the decision of the Directors.
- 2.10 Neither the Association nor the affected Member will be prevented from seeking any urgent or interim relief from a competent Court.
- 2.11 The provisions of this clause dealing with disputes are severable from the remaining provisions of the MOI and Rules and will continue to apply in circumstances where the affected Member ceases to be a member at any time after receipt of the Written notices referred to in this clause.
- 2.12 The Association reserves the right to apply to any competent court to enforce any of the rights of the Association in terms of the MOI or Rules and all legal and other costs regarding any legal proceedings instituted by the Association against any Member will be recoverable from the Member on an attorney and client scale where such dispute is ruled in favour of the Association.