

# TOUWSBERG PRIVATE GAME & NATURE RESERVE HOME OWNERS ASSOCIATION CONDUCT RULES

## 1. GENERAL

- 1.1 The purpose of the Association is to manage to the development known as the Touwsberg Private Game and Nature Reserve (TPGNR) consisting of the combined property of Touwsberg Nature Reserve 1 (Pty) Ltd Touwsberg Nature Reserve 2 (Pty) Ltd, Touwsberg Plathuis (Pty) Ltd and Wolverfontein (Pty) Ltd. This has been necessitated due to the complex environmental management that is required and the very delicate nature of the property on which the share ownership is to be developed.
- 1.2 The further reason for the establishment of the Home Owners Association is the nature of the development and to ensure compliance with the building rules stipulated in the Standard Purchase Contract for Shareholders Interest and to ensure that all members understand and appreciate the very delicate environment and surroundings of this very prestigious and unique development.
- 1.3 It is imperative for shareholders to hold the Management Committee (appointed by the board of directors) accountable for all decisions made and for this reason the Home Owners Association reports directly to the Management Committee and ultimately to the board of directors and shareholders.
- 1.4 All shareholders will automatically become members of the Home Owners Association upon registration of the shares purchased in one of the companies.
- 1.5 Upon becoming a registered owner of a Company within the boundaries of the Reserve, the member automatically undertakes to adhere to the rules of the Home Owners Association contained in this document.
- 1.6 All residents, cohabitants and entrants to the development shall have consideration to their fellow man and conduct themselves in an orderly manner and not cause any provocation or displeasure to the other inhabitants of the development.
- 1.7 All owners, tenants, family members, employees and guests and any person entering the development are to ensure that they observe the very delicate and unique surrounding to the development and strictly adhere to the conduct rules contained in this document and are requested to take due care not to disturb the fauna and flora in and upon and surrounding the development.
- 1.8 The Management Committee shall be appointed by the shareholders and include; the director of the Touwsberg

Nature Reserve, the Reserve manager and a minimum of two shareholders.

## 2 DISPUTES

Any dissonance between inhabitants of the development is to be resolved justly and responsibly between the parties themselves with due regard to one another. Should these problems not be resolved sensibly then the matter must be referred to the Management Committee. The Management Committee shall be accountable for their actions in accordance with the Standard Purchase Contract for Shareholders Interest

## 3 USE OF THE PROPERTY

All members will have transversal rights over the common property within the Reserve under the following terms and conditions:

### 3.1 COMMON PROPERTY AND OPEN AREAS

- 3.1.1 Private vehicles may only drive on the main and game roads and link roads to and from members' residence.
- 3.1.2 Game drives may be done all hours, keeping fellow residents into consideration.
- 3.1.3 The speed limit on the Touwsberg Private Game and Nature Reserve is 40 km/h.
- 3.1.4 No motor cycles or quad bikes are permitted on the roads of the development and no vehicle is allowed off road on the development or to transverse riverbeds, except for the demarcated roads.
- 3.1.5 Access to the La Grange Game Farm of Dr la Grange may only be obtained by means of a pre-arranged agreement.
- 3.1.6 Due care is to be exercised when driving on the development and game is to be given right of way at all times.
- 3.1.7 No person shall operate any vehicle upon any place within Touwsberg Private Game and Nature Reserve unless they are a holder of a valid driver's license.
- 3.1.8 Operating any vehicle on the Reserve while under the influence of alcohol or drugs, which may impede the driver's ability to control the vehicle, is prohibited.
- 3.1.9 Operating any vehicle in such a manner as to constitute a danger or nuisance to any person, wildlife or property within the Reserve is prohibited.

3.1.10 The use of car hooters within the Reserve to beckon or attract the attention of residents or staff is prohibited.

3.1.11 No picnicking will be permitted upon the common property or any other area within the Reserve, except to the areas designated for this purpose, if any.

3.1.12 Owners are to take care not to introduce any noxious or alien plants to the development area under any circumstances, whether indoors or outdoors.

## 3.2 MEMBERS ARE TO TAKE DUE COGNACANCE OF THE FOLLOWING:

3.2.1 Walking and hiking on the property is permitted within the boundaries Touwsberg Private Game and Nature Reserve.

3.2.2 No hunting, culling, capture or shooting of ANY game by residents will be permitted upon the property under any circumstances whatsoever.

3.2.3 No person may remove soil or extract soil from the development or plant any flora or introduce and cultivate any flora within the boundaries of the development.

3.2.4 No person may cause noise or commotion within the boundaries of the development that would scare or bewilder any of the wildlife within the boundaries of the development.

3.2.5 No person may establish or create a new water hole, or interfere with any of the water holes for wildlife within the development.

3.2.6 No person is permitted to make fires or collect wood from or on the development area. Should any member observe a fire within the development, they are to take immediate steps to alert the Reserve manager on channel ONE of the TPGNR internal radio frequency of such a fire and do all possible to stop the spread of the fire.

3.2.7 No person is permitted to provide housing for staff.

3.2.8 No temporary accommodation will be permitted in any form whatsoever and no camp may be set up, whether of a temporary or a permanent basis within the development area.

3.2.9 No person will be permitted to make a new road within the development and all members are to adhere strictly to the rules relating to the roads as set out above.

3.2.10 The use and storage of caravans within the Reserve will only be permitted on a temporary basis not exceeding a period of two years from the time of purchase. Furthermore, the owner shall be required to camouflage the caravan using camouflage netting. The colour of the netting must blend in with the surrounding area.

3.2.11 No pollution or littering will be permitted within the development.

3.2.12 No self-propelled boats of any description will be permitted on dams or rivers. Only rowing boats are allowed.

3.2.13 No animals of any sort will be permitted to be kept in captivity within the development. No pets or any other domesticated animals may be kept within the premises of the development.

## 3.3 USE AND OCCUPATION OF THE UNIT

The maximum number of persons allowed to occupy a dwelling at any one time shall not exceed the number of the legitimate bedrooms in the dwelling, multiplied by two.

## 3.4 NOISE

3.4.1 The use of any motorised generators or power plants or any noise making object or apparatus on the Portion or the Property is subject to the approval of the Management Committee. The Management Committee is responsible to ensure that noise pollution of generators is kept to a minimum.

3.4.2 The lighting or letting off of fireworks within the Reserve is strictly prohibited.

3.4.3 No member may cause or allow his family, guests or invitees to cause a disturbance to other residents or the wildlife on the property by the playing of loud music, hooting, shouting or the creation of any other disturbing noise whatsoever.

## 4 ENVIRONMENTAL MANAGEMENT

4.1 The following environmental and ecological aspects of the Property are controlled by the Management Committee of the Touwsberg Private Game and Nature Reserve, and no member may make any changes of whatever nature without written approval having first being obtained from the Management Committee and director of the Touwsberg Private Game and Nature Reserve in respect of:

4.1.1 Buildings, landing strips, roads and habitat;

4.1.2 Policing, water control, disease control, bush clearing, veld burning and eradication of noxious and exotic plants;

4.1.3 Hunting, culling and capture of wildlife;

4.1.4 The creation of new waterholes, the supply and pumping of water to existing water holes;

4.1.5 The restriction of pastures licks or other forms of "man-made" feeding supplies;

4.1.6 Planting of trees or other plants except indigenous, endemic trees;

4.1.7 Keeping animals, birds, reptiles, insects, whether wild or domesticated;

4.1.8 Removing or breaking down anything natural including but not limited to rocks, trees, fossils, animals, birds and the like.

4.2 Wood may ONLY be collected from designated stand near the main entrance to the development area.

4.3 Although water is provided FREE for personal consumption, home owners need to appreciate that water is a precious resource and the management thereof is vital. Bearing the above in mind and the source of the TPGNR water supply, swimming pools are not allowed. Only splash pools, limited in size and subject to the approval of the Management Committee may be built. Furthermore, home owners require the consent of the Management Committee to fill swimming pools.

4.4 No refuse shall be disposed of in the Reserve. Refuse may only be disposed of in designated areas on the neighbouring farm of Dr Freddie la Grange.

4.5 The establishment of eco-friendly disposal bins separating various types of waste e.g. glass, plastic and papers etc are to be investigated and erected at the current refuse site.

## 5 STAFF ACCOMMODATION AND CONDUCT

5.1 Member/Shareholder may use his own staff, provided that they are accommodated in his own quarters.

5.2 Staff shall not bring family, friends or children onto the property or portion thereof or permit any unauthorised entry.

5.3 Staff is not permitted to be on foot anywhere within the boundaries of the Reserve.

5.4 Staff shall be bound by all the rules of Touwsberg Private Game and Nature Reserve and the prevailing security protocol.

5.5 Member's staff must utilise their own or their employer's transport to and from their place of employment.

## 6 ACCESS AND SECURITY

- 6.1 No members, including their families, guests, lessees and invitees are NOT required to pay an entry fee
- 6.2 Access and egress to and from the Reserve is controlled and no person may enter the Reserve without agreeing to the rules of the Home Owners Association conduct rules.
- 6.3 Any ID card system for permanent workers, temporary workers, Reserve staff and contractor representatives and their employees must be conscientiously enforced by every member and every person in his employ.
- 6.4 Every member must ensure his visitors; guests and contractors adhere to security protocol. Formalities and rules relating to access by visitors shall be determined by the Home Owners Association from time to time.
- 6.5 Should members require security in their dwelling they shall install their own security system of the type recommended by the Management Committee, if deemed necessary.
- 6.6 Touwsberg Private Game and Nature Reserve security will be manned 24 hours a day, on a basis to be determined from time to time by the Home Owners Association.
- 6.7 Vehicle security permits must be affixed to the right hand corner of the vehicle windscreens to assist responsible people in the performance of their duties.
- 6.8 All members and approved lessees shall be provided with security access cards of a type to be determined and consistent with the central security system selected.
- 6.9 The security on the Reserve will also be responsible for the enforcement of certain rules of the Home Owners Association. They carry the authority to issue the prescribed fines. Should the same member, his visitors, employees, contractors or tenants accumulate three fines, such matter will be referred to the Home Owners Association for the necessary action.
- 6.10 Owners or other residents shall not give instructions to any security personnel. All requests and complaints are to be lodged with the Reserve Manager.
- 6.11 All vehicles and / or persons entering and leaving Touwsberg Private Game and Nature Reserve may be subjected to a search.
- 6.12 No firearms are permitted onto the Reserve. In the event that firearms or any weapons are found, these will be

confiscated and handed over to the police for collection by the owner.

6.13 Owners/shareholders shall be permitted to traverse between the two Reserves (Touwsberg and Wolverfontein), subject to complying with the respective home owners association rules.

## 7 LEVIES

- 7.1 Levy statements will be rendered annually by the Management Committee to the member /owners.
- 7.2 Every member/ owner shall pay monthly levies in advance on the first day of every month commencing on the starting date of any building activity, but not later than two years after purchases of shares.
- 7.3 All late payments will carry a penalty levy as imposed by the Management Committee.
- 7.4 The Management Committee has the right to amend any rules contained in this document in respect of payment of levies, subject to the approval of shareholders at the annual general meeting.
- 7.5 All costs occasioned to collect outstanding levies due to the members' failure to pay the levies will be recoverable against the member on an attorney own client scale and will be added to the levy account for payment.
- 7.6 The Management Committee shall prepare and serve, together with the notice of the annual general meeting of the Home Owners Association, upon every member at the address chosen by him, an estimate (if applicable) in reasonable detail of any amount which shall be required by the Home Owners Association/ shareholder to meet the expenses during the following financial year, including the cost of providing "essential services". The Management Committee shall include in such estimate an amount to be held in Reserve to meet anticipated expenditure not of an annual nature. The above shall only apply if the anticipated expense cannot be met by the Reserves of the levy account.
- 7.7 At every annual general meeting of the Home Owners Association, the members must consider the estimated income and expenses of the Development Scheme prepared by the Management Committee, and having made any amendments they consider necessary to the Management Committee's estimates, the members must at that meeting approve an estimate of income and expenses for the ensuing year, and shall determine the amount estimated to be required to be levied upon the owners during the ensuing financial year.

7.8 Within 14 (fourteen) days after each Annual General Meeting the Management Committee must serve notice to each member specifying the contribution payable by that Member to such approved estimate of expenses and Reserve referred to above. On delivery of such notice, the amount becomes payable.

7.9 The Management Committee may from time to time propose special levies upon the members/ shareholders in respect of any expenses which are not included in any estimate made in terms of paragraph 7.6.

7.10 Any amount due by a member/ shareholder by way of levy and interest shall be a debt due by him to the Management Committee. The obligation of a Member/ shareholder to pay a levy charge and interest shall cease upon his ceasing to be a Member / shareholder without prejudice to the Management Committee to recover arrear levies and interest. No levy or interest paid by member/ shareholder shall under any circumstances be repayable by the Management Committee upon his ceasing to be a member/ shareholder. A member's/ shareholder's successor in title to any share in TPGNR shall be liable from the date upon which he becomes a member/ shareholder pursuant to the transfer of that share to pay the levy an interest attributable to that share.

7.11 No share in the Touwsberg Private Game and Nature Reserve shall be capable of being transferred without a certificate first being obtained from the Management Committee confirming that all levies and interest have been paid up to and including the date of registration of transfer of such share.

7.12 A Member/ shareholder who is the registered owner of more than one share shall be liable to make payments of levies in respect of each share owned by him.

7.13 The Home Owners Association and Management Committee shall not be responsible for the following:

7.13.1 Maintenance of the improvements both inside and outside the buildings on a member's portion;

7.13.2 Gardening, cleaning and maintenance of building area and/or the portion including splash pool cleaning and maintenance of a pool in any; where applicable.

7.13.3 Cleaning of windows of the improvements;

7.13.4 Refuse removal. A refuse site is provided by the developer outside of the Reserve on the Ganskop farm. Arrangements for refuse disposal are to be made with the Management Committee.

7.13.5 Internal maintenance of water installations, electrical installations and any other installation to the improvements on the members portion; and

7.13.6 Provision of a cleaning service before and after visits to the improvements. These services can be arranged individually with the reserve manager.

7.13.7 Regular airing of improvements and pest control.

The Management Committee shall establish a charge list in respect of the optional services that are offered. The Management Committee shall be entitled to amend, add or to repeal such charge list or the optional services from time to time. owners/ shareholders are not required to make use of these services as they are optional.

The charges made to members/ shareholders for optional services they choose to use shall be charged to the members' accounts monthly in arrears, based on their specific utilisation of said services, and payment shall be collected at the time and in the manner payments are made and collected for ordinary levies.

7.14 Should any member's/ shareholder's levy be in arrears at the seventh of the month, he shall pay interest (at 3% above the current prime overdraft rate of the Standard Bank of South Africa), and such interest shall be applied to the full amount overdue, inclusive of 'optional service' charges, from the first day of the month up until the date of payment.

7.15 Owners in arrears after sixty days shall have their overdue account, and the full interest thereon, handed over for collection and possible legal action. Any Costs incurred by these proceedings and all additional interest up to the date of final settlement shall be for the member's account. Any interest on, or collection fees for overdue levies shall be considered to be part of the levy and treated as such.

7.16 Levy amounts may not be reduced to offset against real, perceived, partial or non-provision of services or for any other reason whatsoever.

7.17 The Management Committee have the authority to impose fines against those members who has contravened the Conduct Rules, which fine will be determined by the Management Committee from time to time and may be added to the levy account and be deemed to be payable immediately upon delivery of the account.

## **8 DOMESTIC AND GARDEN REFUSE**

8.1 All domestic refuse shall be put into black plastic bags and kept in an animal-proof bin in a suitable place within the member's/ shareholder's portion and screened from

public or neighbours' view. Members/ shareholders shall be obliged to take all household refuse to the specified dump site as per Section 7.13.4 above.

8.2 No burying or burning of domestic or garden refuse is permitted on the Reserve.

## **9 LAUNDRY**

No garments, household linen or general washing of any nature may be hung out or placed anywhere to dry, except in a screened drying yard or other designated screened area. No laundry may be visible from the roads, the game Reserve or any common property and must be reasonably screened from the direct view of neighbours.

## **10 STORAGE OF INFLAMMABLE AND OTHER DANGEROUS MATERIALS**

No harmful or inflammable substances may be kept on the Reserve. This shall not apply to the keeping of such substances and in such quantities as may be reasonably required for domestic purposes.

## **11 SIGNAGE**

11.1 No signs may be erected or displayed on the member's/ shareholder's portion of the Reserve advertising contractors, estate agents and such like.

11.2 All portion numbers or house names shall conform to the specifications as determined by the Management Committee. Any flagpoles, flags, wind generator poles or radio aerial poles must be camouflaged so as to blend in with the natural environment.

## **12 FENCING**

The perimeter of the Reserve is fenced off by jackal proof game fencing which will be maintained by the Management Committee. Cost of maintenance will be funded by the levies payable by the member/ shareholder.

## **13 BUILDING AND BUILDING OPERATIONS**

13.1 All members/ shareholders are to maintain and repair and keep all improvement on their property in a good order and neat and tidy. Failing to keep this rule may result in the Home Owners Association and/or Management Committee affecting such repairs at the cost and account of the member.

13.2 After completion of the improvements upon the property, no further improvements or material external alterations to

the improvements may be made without the prior written consent of the Management Committee/or Home Owners Association.

13.3 All owners will ensure that their builders adhere to the conduct rules for contractors at all times.

13.4 Owners are to ensure that the architectural guidelines are implemented and strictly adhered to.

### **Enquires:**

*Vilia Reynolds*

*Organisation & Resource Manager*

### **Touwsberg Eco Organisations:**

**Tel: 028 551 2175**

**Cell/Sel: 073 414 2790**

**Fax: 086 527 7976**

**Skype address: touwsberg**

**Please join our group on Facebook:**

**Touwsberg Private Nature and Game Reserve**

**Website: [www.touwsbergproperties.co.za](http://www.touwsbergproperties.co.za)**