**ANNEXURE C**

### Waterford Body Corporate

###  COMMUNITY PARTICIPATION RULES

**1. INTRODUCTION**

* 1. The main objective of the development is the provision of a high quality lifestyle for residents and the intention of these rules and the powers given thereunder to the Waterford Body Corporate ("WBC") is for the protection of this lifestyle, the natural resources, architectural standards and the preservation of the environment.
	2. Happy and harmonious community living is achieved when members use and enjoy their private property as well as the public areas of the Development in such a manner as to enable other members also to use and enjoy the facilities. General consideration of all members for each other will greatly assist in achieving a harmonious community.
	3. In the event of disputes between members arising from annoyance or nuisance, the involved parties should attempt to settle the matter between themselves, exercising tolerance and consideration. Where the dispute cannot be resolved, the matter should be brought to the attention of WBC for arbitration or settlement.

**2. LEGAL STATUS**

* 1. These rules have been established by the Trustees of WBC.
	2. All owners are obliged to comply with the Community Participation Rules ("CP Rules").
	3. The registered owner or occupier of every property within the Development ("the owner") is responsible for ensuring that all members of his family, tenants, visitors, employees, contractors, contractors' subcontractors, and delivery persons, also comply with the CP Rules.
	4. WBC shall have the right in the event of a breach of a rule by an owner, his family, tenants, visitors, employees, contractors, contractors' subcontractors, and delivery persons, (and without any notice should the Trustees of WBC, in their discretion, deem that no notice is warranted) to take such action against the defaulting owner as they deem fit on behalf of WBC, including but not limited to:
		1. Remedying of the breach at the defaulting owner's cost, and/or
		2. Imposition of a fine as the Trustees deem appropriate; and/or
		3. Removal of the defaulting owner from and the barring of his access to the Development.

**3. AMENDMENTS**

* 1. Particularly in a developing Development, rules will need to be added to, amended or repealed in accordance with evolving needs of owners and the Development.
	2. These rules are therefore subject to change from time to time, and Trustees are entitled to add to, amend or repeal the rules as deemed necessary to protect the interests of the developer, WBC, the common interests of owners and the integrity of the Development as a whole.
1. **PROVISION AND MAINTENANCE OF ESSENTIAL SERVICES**

This being a Development which will not be managed and controlled directly by the Local Authority, all essential services will be under the control of WBC, and thus under the control of its members. These include:

* 1. 4.1 Streets and the services contained therein. WBC will be obliged to maintain the streets and services contained therein as well as the access road which links the Development to the main public road.
	2. 4.2 Water reticulation will be owned by WBC who shall be entitled to charge for consumption. WBC will be obliged to supply and maintain potable water to the buildings, where the home owners can have access thereto. The water supply reticulation will be constructed by the developer and WBC will have the obligation to maintain such water reticulation system in proper working order to ensure a continuous supply of water to homeowners. A praedial servitude will be registered in favour of the property registered in the name of WBC to enable it to pump and convey water from a borehole on a neighbouring property to the Development.
	3. 4.3 The sewerage reticulation system and sewerage treatment plant will be constructed by the developer and owned and maintained by WBC. Such treatment plant will be situated on an adjoining property and WBC will have a praedial servitude over the said property to protect its rights to the sewerage installations.
	4. 4.4 Electricity is supplied by Eskom. WBC will purchase electricity from Eskom and will supply and charge it to home owners by way of prepaid smartcard, which card will be supplied by WBC. The electricity reticulation system will be constructed by the Development Developer and will be maintained by WBC.

4.5 Emergency fire fighting services will be managed and controlled by WBC.

4.6 All other services that may be required to effectively manage and operate the Development, including employees and managing agents, will be employed or appointed by WBC.

**5. SECURITY AND PROTECTION**

5.1 Security is an important feature of Waterford and owners must at all times assist and comply with the security systems and procedures implemented in the Development, particularly with regard to access control.

5.2 WBC will provide and manage a security system for the Development.

5.3 Owners and their visitors and employees must adhere to security procedures and to respect the security personnel's job role.

5.4 It is prohibited to interfere with security guards in the performance of their duties. Members shall treat the security guards courteously and co-operate with them in the performance of their duties. At no time may members require or request guards to perform any duty whatsoever other than those duties for which they are employed and instructed to carry out by the employer.

5.5 Where possible, security at the gate house shall be advised in advance of the pending arrival of visitors. No non-member or his vehicle shall be permitted entry without the consent of the host member at the time at which entry is sought. However, the above restriction will not apply to emergency vehicles. Visitors must register at the gate house and complete the required form prior to access.

**6. ROADS AND TRAFFIC**

6.1 The speed limit in the Development is 40 km per hour. In the event of these limits not being adhered to, the trustees of WBC reserve the right to introduce further speed limit measures.

6.2 The trustees of WBC may, if they consider it necessary, impose a speed limit lower than that referred to in clause 6.1 above on such roads or portions thereof as they may deem fit, either temporarily or permanently.

6.3 Save where inconsistent with these rules, the Free State Province Road Traffic Ordinance applies.

6.4 All vehicles, other than electric golf carts, may only be driven on designated roads within the Development.

6.5 Pedestrians and animals shall have the right of way in all places and at all times within the Development and vehicles shall be brought to a stop whenever necessary to enable such pedestrians or animals to enjoy such right of way.

6.6 No person shall drive any vehicle at any place within the Development unless he is the holder of a valid current license which would permit him to drive such vehicle upon a public road within the Republic of South Africa.

6.7 No vehicle shall enter the Development unless admitted thereon by the guard on duty at the said gate house, provided however, that WBC may issue to its members a device enabling such members to operate the vehicle entrance gate themselves, in which event such provision shall not apply.

6.8 No person shall, within the Development, park or store any caravan, boat, trailer, truck or lorry, except with the consent of and at a place designated for the purpose by WBC.

6.9 A maximum loading of 6 tons per axle is permitted in and on the Development roads.

6.10 Owners' cars should generally be parked in their garages or designated areas elsewhere in the Development, and visitors' cars should be confined to an owner's property and sidewalk, and should not obstruct road traffic.

6.11 Revving of boat, bike, car or other engines should be restricted to the absolute minimum necessary and no repairs or reconditioning is permitted in the road or open spaces.

6.12 Excepting for regular arrival and departure, motorbikes are not permitted to drive around the Development at any time.

6.13 Excepting for bona-fide construction, golf course and Development maintenance requirements, no quad-bikes or similar are permitted in the Development.

6.14 Golf carts must be responsibly driven and in the control of a licensed driver at all times with no more occupants than designed for. Any claims that might arise in relation to the use of a privately owned golf cart in the Development will be the sole responsibility of the licensed driver and the registered owner of the privately owned golf car.

6.15 The riding of horses anywhere within the Development is prohibited.

6.16 Roller skates and skateboards may not be used in the streets.

6.17 Micro-light planes and helicopters are not permitted to land anywhere in the Development. It is planned that helicopters will use a designated helipad, subject to Aviation Authority procedures, and consent by WBC.

**7. LANDSCAPING AND PROPERTY MAINTENANCE**

7.1 All horticultural and landscape aspects of the Development including sidewalks and traffic islands will be managed by WBC.

7.2 Gardens of individual properties will also be maintained by WBC. This includes grass cutting, edging, weeding and turning over of the beds, pruning of excessive shrub growth and removal of cutting and dead plants. There is no provision for supplementary planting or tree removal.

7.3 Pool maintenance will be available at an additional cost to the owner. No pools may be topped up or filled during weekends and public holidays.

7.4 Every owner’s exclusive use area may have an irrigation system installed at the owners cost by an approved WBC irrigation contractor. Such system shall be maintained by WBC. Repairs will be done by WBC at the cost of the owner.

7.5 Although WBC maintains the gardens, an owner is permitted to improve and supplement planting to his exclusive use areas. Such plantings must be in terms of the WBC Design Manual - Landscaping.

7.6 In order to create the desired continuity of landscaping, all landscaping must be in terms of the WBC Design Manual- Landscaping.

7.7 An owner must maintain all aspects of the exterior of his house, fencing, pools and paving etc, to a suitable level of neatness and tidiness to the satisfaction of WBC.

7.8 Residents are forbidden to use a hose pipe connected to the potable water to wash cars, pavements, drive ways and to water gardens. Water is a very scarce commodity and must be preserved wherever possible.

7.9 No boreholes or wells may be sunk on the exclusive use area within the Development.

**8. PROPERTY APPEARANCE**

8.1 The planning concept for Waterford is one of openness and visual transparency. Garden areas on both street and golf course sides of any house are therefore open to viewing, and must be kept clear and uncluttered.

8.2 The storage of materials, Wendy-houses, tool sheds, boats, windsurfers, trailers, caravans, building materials, bird aviaries, motor cycles, inflatable pools and any other unsightly object are not permitted in gardens or driveways. In particular, but without limiting the generality of the aforementioned, an owner shall not hang any washing or laundry or any other items that are visible from the road or the golf course or over any boundary fence or wall. Watercraft must be stored in the boathouse area.

8.3 Owners are encouraged to keep their garage doors closed whenever possible, for the sake of the general appearance of the Development.

8.4 No advertisements or publicity material of any person, including maintenance contractors, may be exhibited or distributed without the consent of WBC who shall have the right to remove any material exhibited or distributed in contravention of this rule.

8.5 No external lighting of any description may be installed on an exclusive use area without the prior written approval of WBC.

8.6 Swimming pool motors, heat pumps and air conditioning compressor motors shall be installed in such a manner as to avoid a disturbance to neighbours.

**9. DEVELOPMENT APPEARANCE**

9.1 Owners are requested to leave the open spaces in a clean condition, and to conscientiously dispose of any litter.

9.2 No trees or plants in open spaces may be damaged or removed. Owners are requested not to plant any noxious flora in their gardens.

9.3 All vacant stands within the Development will be maintained by WBC.

9.4 WBC will maintain the irrigation dam(s) and other dams within Waterford. The river bank will be maintained by WBC, including reasonable control of the reeds along the water’s edge.

9.5 Fishing is permitted from designated areas along the shoreline only. An appeal is made to those fishing to leave any open space they use in a clean and tidy condition.

**10. NEIGHBOUR RELATIONS**

10.1 The reduction of noise, especially in this country environment, is an important criterion for all residents.

10.2 The volume of TV, music, radios, partying, children and power tools, etc. must be moderated in consideration of other owners. It must also be understood that WBC and its Trustees, the Developer, and their agents, are not responsible for "instant policing" of such problems. It is suggested that neighbours and security is notified of imminent parties, or social activities, and that all owners conform to moderate restraints.

10.3 No activity, which causes aggravation or nuisance to other owners, may be conducted in Waterford. Excepting for domestic employees, no staff may be employed by residential homeowners that require daily access to the Estate.

10.4 No activities are permitted in the open areas if they cause unreasonable nuisance to other owners.

10.5 No fireworks of any kind are permitted on the Estate, the only exception being an approved display by WBC.

**11. ANIMALS AND PETS**

11.1 Pets are permitted at the discretion of the trustees of the WBC, and such permission may be withdrawn at any time, without reason, justification or liability. Any pets or dogs which cause a nuisance, or are not on a controlled leash or in a fenced in area (which design placement and specification is to be approved by WBC), must be removed from the Development by the responsible owner.

11.2 In view of neighbour proximity and open gardens, pets need to be strictly controlled by owners, both on and off their property.

11.3 Every cat and dog must wear a tag with owner's name and telephone number. Pets must be on a controlled leash in open areas, and must not harass or be allowed to harass other persons, children, cyclists, joggers, or other pets. Dog excrement must be immediately removed by the owner.

11.4 Dogs are strictly forbidden on the golf course, and in the Development dams, at all times.

11.5 At all times, and particularly at night, pets must not create a disturbance, and should not be left unattended.

11.6 The natural fauna in the Development is to be encouraged and must not be chased or killed by pets, and no catapults, pellet guns, firearms or traps shall be used by any persons in the Development.

**12. STREAMS AND DAMS**

12.1 No persons shall launch upon any stream or dam in the Development any craft of any description whatsoever.

12.2 No person shall fish in the streams or dams.

12.3 No person shall swim in the streams or dams.

12.4 No person shall pollute or permit the pollution of the streams or dams in the Development or of the Vaal River which may, in any manner, be injurious to any plant or animal or which may, in any way be unsightly.

12.5 With many dams and water features openly accessible, parents must take responsibility for the safety of their children.

**13. DOMESTIC REFUSE**

13.1 The removal of domestic refuse shall be under the control of WBC who may, in exercising their functions in this regard from time to time, by notice in writing to all persons concerned:

13.1.1 Lay down the type and size of refuse containers to be obtained.

13.1.2 Give directions in regard to the placing of such refuse for collection.

13.1.3 Require the payment of reasonable charge for the provision of such containers.

13.2 It shall be the duty of every owner or occupier of a unit to ensure that such directions given by WBC, are fully observed and implemented.

13.3 No person shall keep any refuse within or outside his unit except in the containers aforesaid.

13.4 Containers shall not be kept in any place outside any unit except in such places as may be specifically set aside therefore or as may be approved by the trustees of the WBC from time to time.

13.5 Where, in the opinion of the trustees of the WBC, any item of refuse is of such size or nature that it cannot be conveniently removed by the refuse removal services provided or arranged by WBC it may give the person wishing to dispose of such refuse such directions for its disposal as he may deem fit.

13.6 No refuse, garden spoil or rubble may be dumped on vacant units.

13.7 No animal may be slaughtered on a unit in the Development. In the event of slaughtering being legalised by Ordinance or otherwise WBC reserves the right at the expense of the person/s requiring such facilities to erect and maintain slaughtering facilities in an area allocated for this purpose by WBC.

**14. OPEN SPACES**

14.1 No person shall anywhere in the open spaces, disturb, harm, destroy, or permit to be disturbed, harmed or destroyed, any wild animal, reptile or bird.

14.2 No person shall anywhere in the open spaces, disturb, destroy, or collect, any plant material, whether living or dead, save with the consent of or on instructions of WBC.

14.3 No fires shall be lit anywhere in the open spaces except at such place as may be designated for the purpose by the trustees of the WBC, and in a properly constructed fireplace.

14.4 No camping shall be permitted, except at a site which may be specially designated for the purpose by the trustees of the WBC.

14.5 No person shall discard any litter at any place in the open spaces, except in such receptacles and in such places as may be set aside for that purpose and designated by the trustees of the WBC.

14.6 No person shall use any open space within the Development in any manner which may unreasonably interfere with the use and enjoyment thereof by other persons in the Development.

14.7 No person shall use or conduct himself upon any open space within the Development in such a manner as may, in the opinion of the trustees of the WBC, detrimentally affect the open space or any of the amenities thereof.

14.8 No person shall, anywhere in the Development, discharge any firearm, or any airgun or pistol, except in self-defence.

**15. SWIMMING POOLS**

15.1 Swimming pools present an obvious danger to non-swimming children, but with many dams and water features openly accessible, it is recommended that parents take responsibility for their children.

15.2 Plans for swimming pools must be submitted and approved by WBC, as per any other external buildings works, before work may commence. Refer to the WBC Design Manual - Architectural for details regarding the design and construction of swimming pools.

**16. BOATING**

* 1. The trustees of the WBC will manage all aspects of boating

within the Development and in association with the

Department of Water Affairs, Rand Water and any competent Vaal Barrage authority, regarding safety and traffic measures. The trustees of the WBC have the right to limit the number of watercraft launched from Waterford if so required to comply with its town planning obligations.

* 1. All boats and boat trailers must be registered with WBC

and have identification, and be strictly limited to WBC members only. Visitor or guest boats will not be allowed under any circumstances.

16.3 An annual boat registration fee will be levied on every watercraft. This fee will cover the launching, cleaning and covering of the watercraft. No watercraft may be launched by anyone other than WBC employees.

16.4 All trailers must be returned to their storage areas after watercraft launching.

16.5 Boats must use the jetties which are unreserved and Personal Watercraft (PWC) may not use the jetties - only the designated PWC areas.

16.6 Boathouses are available at an extra cost.

16.7 Watercraft and cars may only be washed in the designated area in front of the boathouses.

16.8 The entire section of the river bordering the Development for a distance of 50 metres from the riverbank shall be regarded as a no-wake zone for all watercraft in order to minimise erosion of the river bank. The no-wake zone must be adhered to as a safety measure, to reduce noise, and to protect the water's edge from erosion. Excessive revving and motor testing must be kept to the absolute minimum necessary inside the no-wake zone, especially at the waterfront jetties.

16.9 No boats are to be beached or tied to the water's edge of the fairway along the waterfront.

16.10 More specific and detailed rules for boat users will be established from time to time.

16.11 All watercraft left unattended will be solely at the owner's risk.

**17. GOLF COURSE**

17.1 A Classic Par-3 golf course has been designed and will be developed in a manner that will ensure a pleasurable experience for players, casual strollers and viewers alike and considerable added-value for every property in the Development. More particularly the design philosophy seeks to generate involvement by the family unit. WBC will manage and control all aspects of the golf course.

17.2 Residents shall have a right to the golf course for the purpose of walking and jogging, but should stay on pathways and not interfere with golfing activities. All tees, greens and bunkers are specifically out of bounds to non-players.

17.3 The golf course may not be played by any person until such person has booked and paid the prescribed fees and agrees to abide by the rules of play.

17.4 The playing of games or sports other than golf shall not be permitted on the golf course.

* 1. No dogs are allowed on the golf course at any time.

17.6 The onus shall be on the non-golfer at all times to see to his or her own safety when walking or jogging on, or near, or otherwise using the golf course, and the liability for the consequences of injury sustained on or near the golf course shall rest with the injured person.

17.7 The retrieval of golf balls from any dams and water features shall be the sole responsibility of WBC and players are not permitted to recover golf balls.

17.8 Non-golfers shall not hinder or unreasonably disturb golfers whilst playing.

**18. DOMESTIC WORKERS**

Domestic workers may only be housed in the owner's house and not elsewhere in the Development. A char service will be available at an extra cost.