

**THEWATERSKLOOF**  
COUNTRY ESTATE - LANDGOED



## **RULES OF THEWATERSKLOOF COUNTRY ESTATE**

### **1. Introduction**

The Theewaterskloof Country Estate Homeowners' Association is committed to the promotion and protection of standards for community living in a private resort in such a way that members may derive the maximum collective benefit.

The Estate is there for the benefit and enjoyment of all residents, so please respect The Estate's property and the property and rights of other homeowners.

The Estate and all facilities are a part of your investment and therefore all homeowners as members of The Theewaterskloof Country Estate Homeowner's Association (TCEHOA) have a vested interest in The Estate and all its facilities.

The rules contained in this booklet are intended to promote a spirit of good neighborliness between homeowners, as well as between homeowners and tenants, without creating meaningless and unmanageable bureaucracy.

These rules do not contain details of regulations relating to the building of houses, alterations, repainting etc. etc. Such information can be found in the Building Manual and Rules for Builders.

### **2. Access and Security**

Access to the Estate is limited to the following persons:

- All members of the Homeowners' Association.
- Guests and tenants of Homeowners.
- Contractors authorized to work on the Estate, who are wearing an ID card issued at the gatehouse.
- Golf Club members and visitors to the Golf Club (access only to the Clubhouse and Golf Course).
- Accredited estate agents.

#### **Please note**

- The gatehouse is manned 24 hours per day and all residents are obliged to adhere to the access control procedures which security staff are instructed to follow.
- The co-operation of all residents is needed to ensure the successful operation of the access control procedures as all stakeholders are collectively responsible for security on the Estate.
- All members of the Homeowners' Association must display a disc containing the Estate's logo and be able to open the access boom with a remote control unit issued to them,

without which they will be requested to sign in. All other parties, i.e. guests, and visitors to the Golf Club are required to sign the register at the gatehouse.

- Homeowners must always advise the gatehouse of expected visitors prior to their arrival.
- Visitors, contractors or deliveries will not be allowed access to proceed to houses unless the gatehouse receives the homeowner's permission to grant entry.
- The ID card system for permanent workers, temporary workers, contractors or staff must be conscientiously enforced by every owner in respect of people in their employ.
- Casual day visitors or potential property buyers are not allowed access to houses unless accompanied by a homeowner or an accredited estate agent.
- It is the responsibility of each Homeowner to ensure the safety and protection of their private property.
- Any burglary or attempted burglary at a home on the Estate must immediately be reported to security and management.

### **3. Letting of houses to Tenants or Unaccompanied Guests**

- Homeowners are responsible for the behavior of any of their tenants or guests.
- Homeowners must ensure that these Rules are always displayed in a prominent position in the house and brought to the attention of any tenants or unaccompanied guests and visitors.
- Should any homeowner let their property for more than a month, they must notify management in writing of the name and contact details of the tenant who will be occupying their home on the Estate. A copy of the rules must be attached to the Lease Agreement.

### **4. Road safety and usage**

- Drivers of all vehicles including quad bikes, motor cycles, golf carts and other similar recreational vehicles are required to observe all normal rules of the road.
- Only homeowners are allowed to bring quad bikes, recreational motor cycles and similar vehicles onto the Estate.
- All quad bikes, golf carts, recreational motor cycles and similar vehicles must be registered at the gatehouse.
- Homeowners owning or using the above vehicles are required to sign an indemnity covering the Estate and other homeowners against any claim whatsoever for damages, loss or injury.
- No joy riding which causes undue nuisance to other homeowners is permitted on the streets of the Estate.
- The recreational area for quad bikes and motorcycles is from beyond the turnoff to the slipway to the end of the leased property.
- Access to the recreational area is via the shortest route possible on The Estate's tarred road to the clubhouse and the gravel road after that.
- No vehicles are allowed on the beach, sand dunes or on the road between the golf course and the beach.
- No vehicles except golf carts and bicycles are to be driven on or across the golf course or on common property.

## 5. Household Refuse

Refuse bags must **never** be left on a roadside overnight and should be placed on a pavement **ONLY** on Monday mornings (or on the first working day after a Monday public holiday). Alternatively, household refuse can be taken and placed in the receptacle behind the clubhouse when leaving the Estate. Homeowners are encouraged to recycle glass, paper, plastic etc. in separate clear bags.

## 6. Pets

- Pets must be under strict control at all times and not be allowed to roam around the Estate or golf course.
- Only Homeowners and family members are allowed to have pets on the Estate.
- Visitors to homeowners may bring a dog onto the Estate, if the homeowner has given prior permission to the gatehouse. The homeowner takes full responsibility for the dog.
- Short term tenants (weekend or holidays) are prohibited from bringing any pets onto The Estate.
- Owners of houses that let the house for one month or longer may apply in writing to the General Manager for permission to allow the tenant to have pets on the property. Note that this permission is granted at the discretion of the General Manager.
- Any excrement deposited by your dog **MUST** be picked up and disposed of in the appropriate manner.

## 7. Flora and Fauna

The flora and fauna on The Estate **MUST NOT** be chased, trapped or damaged either by people or by dogs.

## 8. Fires and fireworks

- No fires are to be made anywhere on the Estate or on the beach area.
- Fires are only permitted on a Homeowners' own property or in the designated picnic area.
- Fireworks are **strictly prohibited** on the Estate.

## 9. Beachfront areas

The Estate does not own the beachfront area, which includes the road and forest. We lease this area from the Department of Water Affairs under very strict guidelines and the following rules apply:

- No motorised vehicles are allowed on the beach or on the road along the fence of the golf course.
- Lighting of fires is **strictly prohibited**.

Contravention of these regulations may lead to the loss of our right to use the beachfront area. EXCOM reserves the right to report repeated transgressions to the Department of Water Affairs.

## **10. Theewaterskloof Dam - Activity and Water Safety**

- Theewater Sports Club is the Authority appointed by the Department of Water Affairs to monitor water safety on the dam. All persons must strictly follow the guidelines imposed by the Department and the Theewater Sports Club.
- All craft must be correctly registered prior to using the dam and transgressions will be dealt with severely, as non-compliance exposes the Estate to the risk of losing our usage rights and access to the dam.

## **11. Launching and retrieval of boats**

The following rules apply:

- Launching and retrieval by motorized vehicles can only be done via the slipway.
- Launching outside daylight hours is not permitted.
- Craft that require registration as per the definitions of the Theewater Sport Club cannot be used on the dam unless registered.
- In the event of the slipway not being useable, then boats may be launched and retrieved in a designated area.

## **12. Noise / Disturbance**

- No noise which is disturbing to any neighbour shall be allowed after 24h00.
- It is expected that consideration be shown by every resident to any surrounding neighbour regarding undue noise or disturbances at all times.

## **13. The Clubhouse**

The clubhouse is managed by the Theewaterskloof Golf Club. Homeowners, their guests and tenants are expected to abide by the clubhouse rules as are laid down by the Golf Club.

## **14. Use of the swimming pool**

The swimming pool is for the exclusive use of Members of the Homeowners' Association, their families, their guests and tenants as well as full members of the Golf Club and their own children.

**Please note –**

- Members of the Homeowners' Association will have priority at all times.
- Any children under 12 years must be supervised.
- No glassware is allowed in the pool area.
- Bathing is entirely at your own risk.
- Consideration should be shown to any others enjoying the use of this area at the same time.

## **15. Use of the tennis court**

The tennis court is for the use of Members of the Homeowners' Association, their families, their guests and tenants as well as full members of the Golf Club and their own children.

**Please note -**

- Members of the Homeowners' Association will have priority at all times.
- A maximum of four players may play at any one time.
- No glassware is allowed on the court.

## **16. Use of the picnic terrain**

The picnic terrain is for the use of the members of the Homeowners' Association, their families, their guests and tenants.

## **17. Rules for Homeowners on the use of the Golf Course**

- Residents may enjoy the golf course for the purpose of walking and jogging but golfers always have priority right of way during play and anyone crossing the playing paths of golfers must exercise caution.
- The Club will in no way be responsible to members or visitors for any losses or injuries sustained by them of any nature whatsoever, whether occurring on the grounds or property of the Club by its servants, employees or otherwise. Please note further that the liability for the consequences of loss or injury sustained on or near the golf course shall rest with the injured person.
- When purchasing a home all homeowners automatically become social members of the Golf Club and not golfing members.
- All persons wishing to play golf on the course must pay green fees at the Clubhouse and obtain a receipt as evidence of payment.
- Members are responsible for the behaviour and dress of their guests at the Clubhouse and on the golf course.
- The use and parking of vehicles, other than golf cars, on the golf course is not permitted. Permission can be granted by the General Manager under certain circumstances.
- Golf cars are not to be driven on the course by persons younger than 12 years without adult supervision.
- Golf cars hired from the Club are only to be driven by persons older than 18 years.
- Golf cars are not permitted on the course when the course is closed and after sunset.
- Use of golf cars is also prohibited after heavy rain or flooding to prevent damage to the course.
- Golf cars must never be driven closer than 10 meters from the greens.
- Any member wishing to play a few holes after work must communicate with the Clubhouse. Children are never permitted to play, run etc. on any tee boxes, putting greens or bunkers.
- As a rule no dogs are allowed on the course. However, when walking any dogs, they should be kept under strict control as they tend to disturb birds, nests and wild life. Any excrement deposited by your dog **MUST** be picked up and disposed of in the appropriate manner – this must not be placed in the waste bins at the tee boxes.

## **18. Sale of plots and houses**

Members must ensure the following when selling their property:

- That potential buyers are aware of the Homeowners Association Constitution, Building Manual and the Rules of the Estate.
- That copies of the Constitution, Building Manual and the Annexure to abide by the Rules of the Estate are all signed and annexed to an Agreement of Sale.
- That the conveyancing attorneys are instructed and obliged to obtain a Levy Clearance Certificate from the Homeowners Association, prior to registration of transfer.
- Any estate agent appointed by the seller should apply to the Manager for accreditation and obtain relevant information/documentation. This is to ensure that purchasers are well informed in respect of all facts relating to the Estate and that the seller complies with The Consumer Protection Act.
- The General Manager **must be informed immediately after any property is sold.**

**The Management Committee reserves the right to make exceptions or revisions to these Rules under certain circumstances or as may be deemed necessary from time to time.**