

# **CHESTNUT RIDGE HOME OWNERS' ASSOCIATION**

## **CONDUCT RULES**

Revision – 4/07/2012

*AIM: TO ASSIST BOTH NEW & EXISTING RESIDENTS TO APPRECIATE AND ENJOY THE LIFE STYLE THAT THE PRECINCT OFFERS AND TO ENCOURAGE EVERYONE TO RESPECT THE INTERESTS AND WELFARE OF ALL WHO LIVE HERE.*

### **INTENTION OF THE CONDUCT RULES**

To ensure that all residents have a basic understanding of those sections of the Constitution that will lead to a harmonious co-existence with one another. To ensure that high standards of security, safety and housekeeping are achieved which will preserve and enhance the value of our properties.

It is trusted that the information provided by the appointed committee of trustees herein will assist all owners/occupiers to appreciate and enjoy all that the precinct has to offer and to encourage everyone to respect the interests and welfare of all who live here.

Note: None of the rules contained in this document may override or be in conflict with the original Deed of sale, Annexure 1, Constitution, Chestnut Ridge Property Owner's Association document signed by all Chestnut Ridge property owners. In all disputes, the rules contained in the deed of sale will apply. We encourage all property owners to familiarize themselves with the contents of the deed of sale, annexure 1.

### **1. BUILDING, ARCHITECTURAL AND DESIGN REQUIREMENTS**

The following is aimed at preventing deviations from the overall design manual and to maintain the existing ambiance of the precinct. [Refer Annexure hereto for efficient handling of plans.]

#### **1.1 No owner/occupier may without the prior written approval of the Trustees:**

- 1.1.1 Construct, build or in any way erect any new buildings or structures of any form and nature whatsoever (including swimming pools), before submitting properly drafted professional plans and a written motivation for approval by the Trustees;

Further to ensure uniformity of appearance the following items need written approval from the Trustees prior to installation:

Any safety gates, burglar bars or safety devices for the protection of a unit must be in the colour black to match the unit window frames and the burglar bars must be affixed on the inside of the windows of the unit.

A canopy / canopies on a unit

Any structural, decorative or other alteration or addition to a unit internally to the extent that it can be seen externally.

- 1.1.2 • Make any changes to the external colour scheme of the unit. The following paint colours are specified:

- External wall, above plaster band.
  - Make: Plascon (Polvin)
  - Paint colour: Bamboo Beige
  - Paint code: 4 – 10M
- External wall, plaster band:
  - Make: Plascon (Polvin)
  - Paint colour: Canton Cotton
  - Paint code: 513 - 2 (lightened by 50%)

Note: the internal walls were originally painted using the following paint Specification:

Make: Plascon (Polvin)

Paint colour: Birch White Light

Paint code: 47 – 8P

- 1.2. It is recognized that the Trustees of the Home Owners' Association may:
- 1.2.1 • Enforce any condition in order to harmonise the architectural style and design criteria of and the materials and colours to be used in all building or structures erected;
  - 1.2.2 • Appoint such advisors as may be necessary to scrutinize any proposed plans;
  - 1.2.3 • Impose a scrutiny fee, payable by the owner/occupier, to cover the costs of the services mentioned in paragraph 1.2.2. herein above.
- 1.3 In the event that the landscaped area and/or common area have been damaged as a result of the aforementioned building work, the owner/occupier shall have fifteen [15] days from date of notice by the Trustees to remedy the damage.

Should the owner/occupier fail to remedy the damage to the satisfaction of the Trustees, the Trustees shall be entitled to call upon an independent contractor to repair such damage at the costs of the owner/occupier.

Providing the afore-going shall not be interpreted as detracting from the sole and final responsibility of the Council to approve or reject building plans.

## **2. LEVIES**

- 2.1 Levies are due in advance, payable on the first day of each month and within 7 days after which Interest at a rate to be determined by the Trustees, will be payable thereon.

Accounts in arrears of three [3] months will be handed over to a firm of attorneys for collection. All levy account queries should be placed in writing to the Management Services appointed by the Association. Methods of payment could be either in the form of cheque, debit order or telephonic/electronic transfer.

- 2.2 Changes to contact / address details are to be timeously advised to the Management Services and/or Trustees.
- 2.3 No change to ownership on a levy statement will be undertaken until the owner selling his/her unit has obtained a levy clearance to affect transfer to new owner.

## **3. USE OF COMPLEX AND COMMON PROPERTY**

- 3.1 No owner/occupier of a unit may, without the prior consent of the Trustees Committee, use the precinct/unit for any purpose other than residential purposes.
- 3.2 Place or display any object, sign, notice, billboard, sticker/label(excluding security company signage) or advertisement on the common property or unit so as to be visible from inside or outside the precinct.
- 3.3 Remove any shrub, tree or plant on or in the common property.
- 3.4 Erect his/her own washing lines nor hang any washing or other items on any part of any unit or driveway, or the common property so as to be visible from inside or outside the boundaries of the unit or from any other unit and/or common property.
- 3.5 An owner/occupier may not deposit or throw any litter or rubbish onto the common property.
- 3.6 An owner/occupier may not mark or otherwise damage or alter any part of the common property.
- 3.6.1 An owner /occupier may not convert or use any garage for any other purpose than parking a vehicle.

## **4. SECURITY**

- 4.1 Anybody found tampering with any of the below-mentioned security devices, will be totally responsible for the cost of any damage incurred:

- 4.1.1 Electric fence: the electric fence fixed to the perimeter walls is live at all times and monitored on a 24-hour basis. Do not touch the wiring, although it is non-lethal it will give a substantial shock and cause a call-out from the monitoring security company.
- 4.1.2 Entrance/exit gates: be vigilant of any unauthorised persons/vehicles around the gates and ensure that the gates close after entry/exit.
- 4.1.3 Remote Controls [2 issued per unit]: Under no circumstances are owners/occupiers of units to hand these to anyone who does not live in the precinct, e.g. garden services, repair or building persons, or domestic workers [refer item 11]
- 4.1.4 Street Lighting within the precinct is strategically placed and should not be tampered with.
- 4.1.5 Exit code: the code needed for exit from the precinct will be changed on a regular basis. Owners/occupiers will be informed at least a week in advance of a change in the code.
- 4.1.6 Responsibility of owners /occupiers; notwithstanding the presence of any above-mentioned security apparatus, individual owners/occupiers are solely responsible for the security of their individual units.
- 4.1.7 Mircom System – each unit is linked to the Mircom system, if a cellphone number is linked to the Mircom system in place of a land line telephone, a monthly premium will be levied and recovered via the owners monthly statement.
- 4.1.8 Domestic workers: all domestic workers are to be registered with the Managing Agents and a copy of the worker's ID lodged with them

4.2 Visitors / Strangers Access [on foot or by car]:

In the interests of communal security, visitors/strangers should not be given access to the precinct other than by making use of the Mircom telephone system at the Parade Ring Road entrance. If a cell number is to be entered on the Mircom system, a monthly premium will be levied and recovered via the monthly statements.

4.3 Hawkers/Beggars/Job Seekers:

The above are not to be permitted entry into the precinct.

4.4 When a property is sold, the original owner (seller) may not retain any access token that would allow him/her access to Chestnut Ridge.

**5. DISTURBANCE, NOISE, GAMES, etc**

5.1 No owner/occupier shall permit anything to be done in a unit or on common property which constitutes a nuisance or an unreasonable invasion of the privacy of other occupiers or units or permit or make any disturbance or allow their children, guests, or other persons for whom they are responsible, to make any disturbance or noise which in the opinion of the Trustees, in their sole and absolute discretion, would constitute an invasion of the Right of Privacy of the other owners/occupiers.

5.2 Children must be warned to observe road rules and undue invasion of the privacy of other occupiers or homes at all times.

5.3 Should an owner/occupier be planning an acceptable disturbance, in the spirit of good neighbourliness, immediate neighbours should be advised in advanced.

**6. PETS**

Noisy pets or the wandering of pets on the common areas is not permitted. Dogs shall be leashed at all times whilst in the common area. Should a pet foul the common property or any exclusive use area, the owner of the pet concerned is required to remove the excrement and dispose of it in an hygienic manner

All pets are to be registered with the managing agents. All dogs and cats are to have identity discs fixed to their collars giving the name of the owner, contact number and unit number. Any unidentified strays found within the precinct will be removed by the SPCA.

In terms of the municipal by laws, two dogs and four cats per unit is allowed; the Trustees realise this can cause additional problems of loneliness. However, the registration of any additional pets at a unit is at the sole discretion of the Trustees. Dogs should preferably be a of a small breed and it's recommended to have a maximum of two pets per unit.

Owners/occupiers are reminded that all dogs are to be on leads when on common property, whether within the precinct or on public open space in Royal Ascot.

## **7. MAINTENANCE**

7.1 An owner/occupier shall be obliged to maintain all existing building work, woodwork, gates and approved alternations, additions and/or decorations in a state of good order and take all reasonable steps to keep it clean, hygienic, neat and attractive condition. Should the Trustees feel that an owners UNIT needs attention in respect of maintenance/painting, this may be somewhat enforced and a fine will be liable for those who do not adhere to the request.

7.2 Maintenance of front lawns:  
A garden and landscape company has been employed to cut, trim and maintain the communal garden and external perimeter areas.

7.3 In order to maintain the aesthetics of the precinct – without exception all units are to be painted every 5 years (starting from 2010 when last painted).

## **8. HEALTH ASPECTS**

8.1 Household and Garden Refuse:

61 Council bins are provided and stored in the bin rooms adjacent to the main entrance gate. All owners/occupiers to ensure that household and small items of garden refuse are placed in black bags inside the bins, and are placed inside the bin rooms [between Friday and Sunday of each week].

Household and garden rubbish or similar litter may not be dropped or left at the entrance bins rooms or on the common areas or disposed of down the storm water drains.

At present Council collection is on Monday mornings. The bins are cleaned and sanitised each Monday and will be returned to each unit late that afternoon.

Each refuse bin should have the owner's unit number displayed on the front.

At all other times the bins are to be stored out of sight within the boundaries of the respective units.

8.2 The storing of dangerous and inflammable materials in bulk quantity is strictly prohibited. The storage of such material could invalidate building insurance and could result in substantial loss to the precinct for which the responsible owner/occupier shall be liable.

8.3 Ritual slaughter: no ritual slaughter of any animal is permitted within the precinct.

8.4 Hoofed animals: no hoofed animals are permitted within the precinct at any time.

## **9. TRAFFIC AND PARKING**

9.1 Road Vehicles:

Road signs shall at all times be strictly observed by motorists, pedestrians and cyclists. All owners/occupiers shall ensure that their vehicles, and that of their visitors, do not drip oil or brake fluid on the common property or in any other way deface the common property. If dripping occurs, its removal will be for the account of the owner/occupier concerned.

Note that all residents at Chestnut Ridge are expected to obey any water restrictions imposed by the City council; especially as far as the washing of cars are concerned.

9.2 Speed of all Vehicles:

The speed limit within the precinct is maximum 15kms and vehicles should be driven in a safe manner and with due regard to other road users/pedestrians and owners/occupiers of units.

9.3 Parking Areas:

Parking of vehicles by owners/occupiers should be as arranged for in the precinct house designs. Owners/occupiers should not park in a manner that obstructs the flow of traffic, i.e. roadways, obstructing entry/exit of other owners/occupiers, nor park on grass verges or in front of fire hydrants.

If sufficient parking space is not available in designated areas at units, or visitors' bays, suggest visitor's park outside the precinct in Parade Ring Rd.

9.4 The designated visitor's bays on either side of the park are solely for the short-term use of bona fide visitors and may not be used by residents for parking or storage of vehicles/boat/trailers or other items.

9.5 Repairs to vehicles: no major repairs to any vehicle on any portion of common property will be allowed.

9.6 Visitor's parking: the designated visitor's bays are solely for the use of short-term use of bona fide visitors and may not be used by residents for parking or storage of vehicles/boats/trailers or other items. Owners/occupiers must request their visitors to park in the visitor's bays where such cars cannot be accommodated in their own driveways. If sufficient parking space is not available in the designated areas, visitors must be requested to park outside the precinct in Parade Ring Road. Only vehicles owned by owners/occupiers may be washed on common property.

9.7 Removal vans: no articulated, pantechnicon removal vans are permitted in the precinct. Any loading or unloading of these vehicles is to be undertaken in Parade Ring Road. The precinct's employee has strict instructions to deny these vehicles entry to the precinct and to immediately report their presence in the event they gain illegal entry.

**10. INSURANCE**

The Home Owners' Association have no responsibility whatsoever for the Insurance of the contents or structure of any particular unit, which is the sole responsibility of the owner/occupier

The owner/occupier shall not do or permit to be done in his/her section or on the common property, anything which will or may increase the rate of premium payable by the Association on any insurance policy or which may tend to vitiate any such insurance policy.

**11. STORAGE**

The owner/occupier shall not place on any part of the common areas any storage items that in the discretion of the Trustees, is aesthetically displeasing. No visible storage of any item of an unsightly nature will be permitted on garage access paving or elsewhere.

**12. LETTING OF UNITS (OBLIGATION OF TENANTS)**

12.1 All tenants of units and other persons granted rights of occupancy by any owner of the relevant unit are obliged to comply with all the relevant Rules and the Constitution of the Chestnut Ridge Home Owners Association.

12.2 Condition of Lease

Should any owner let his/her unit then he/she shall make it a condition of the lease that any tenant and/or sub-tenant will be bound to comply with all the provisions of the Rules.

Copy of the rules:

It is a requirement that the owner or his/her agent must furnish the tenant [and subsequent

tenant(s)] with a copy of the Rules to form an integral part of the lease to be entered into.

**13. ERADICATION OF PESTS**

An owner/resident shall keep his/her unit free of white ants, borer and other wood destroying insects.

**14. DOMESTIC WORKERS**

Owners/occupiers must take full responsibility for the entrance/exit of their domestic workers/gardeners.

**15. USE OF UNITS**

Except with the express written permission of the Trustees, no owner shall use or permit their section to be used for any purpose other than residential. Owners/occupiers are encouraged to park inside garages to alleviate undue parking of vehicles in roadways.

**16. REPEATED INFRINGEMENT OF RULES**

The Trustees may at their sole discretion, take action against owners/occupiers who repeatedly breach any of the Rules contained herein.

**17. DISCLAIMER**

Neither the CRPOA, its trustees, officers, employees or contractors nor their respective agents shall be liable for any loss of life, personal injury or damage to property suffered by any person whilst in or at Chestnut Ridge or any part thereof and from whatsoever cause arising.

**18. GENERAL APPEARANCE**

Street facing curtains, blinds, burglar bars, etc. should not be in conflict with the external colour scheme and architectural design of Chestnut Ridge.

**ANNEXURE TO BUILDING, ARCHITECTURAL & DESIGN REQUIREMENTS [Item 1]**

**BUILDINGS ETC.**

Plans drawn to scale are required for additions to main house and structures in gardens, i.e. Veranda's, etc.

- 4 detailed drawings are required for submission to the Council, and
- 2 copies of above for the Trustees Committee
  - A short letter of motivation
  - Materials to be used to be clearly stated
  - Scrutiny fees may be applicable in the form of a deposit [to be advised]

**SWIMMING POOLS**

- 3 detailed drawings for submission to Council, and
- 2 copies of above for the Trustees Committee
  - Pool edge to be 1 metre from boundary wall
  - Placing of pump to be shown on plan
  - Back wash: Outlet to be either in own garden or linked to nearest sewerage outlet within the unit. NOT storm water outlet or roadways leading into common areas or outside roadways [Council requirement]

***Note: The City Council will reject plans that do not bear the signatures of both the Chestnut Ridge Property Owners' Association and the Royal Ascot Master Property Owners' Association.***

## **GUIDELINES: UNITS FOR SALE, LEASE OR ON SHOW**

1. The management Company and/or Trustees Committee to be informed in writing of dates/times, before the event, or units to be placed "on show".
2. All signs erected, to be placed in estate agents stands and placed on grass verge of relevant unit and removed at end of day of "show houses".
3. Owner and relevant agent to manage the entry and exit of potential buyers. It is suggested that potential buyers park outside the main gates and taken to the relevant unit by the agent/owner. These persons to be taken to the main gate to exit.
4. The sale or lease of units by the owner: The request to place signs at front door entrances to units, to be in writing to the Management company and/or Trustees. Details of type of notice and placement to be set out.
5. Notice boards placed on common areas of the precinct or buildings will not be permitted.

*6. Agents showing properties must make adequate arrangements in their advertisements giving instructions for access to the precinct. Any estate agent or agency found disarming or interfering with the security entrance gates in any manner will be disbarred from holding subsequent showhouses in the precinct.*