

**BERG EN DAL ESTATE**

**Homeowners' Booklet:  
Rights and Responsibilities**



**Estate Manager — Mr Tom Stewart**

**021 791 0609; 083 626 7707**

**[Bergendalestatemanager@gmail.com](mailto:Bergendalestatemanager@gmail.com)**

**Gatehouse — 021 791 4614**

**Version 1.8 January 2018**

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

## Document Control

<b>Document Name:</b>	Homeowners' Booklet: Rights and Responsibilities
<b>Requested By</b>	HOA Board of Trustees
<b>Document Author/s:</b>	Oliver Price/Alyce Miller
<b>Document Version:</b>	V1.8
<b>Creation / Update Date:</b>	3 January 2018
<b>Security Level:</b>	Public

## Document Revision History

Revision Date	Author	Revision Number	Change Description
3 June 2015	Alyce Miller	V1.2	
4 June 2015	Sue Freeman	V1.3	Reformatting but maintaining original styles
11 June 2015	Sue Freeman	V1.4	Removal of appendices to avoid duplication. These are available separately on the website or from the estate manager.
19 June 2015	Sue Freeman	V1.5	Alter footer format
18 April 2016	Sue Freeman	V1.6	Section 3 Refuse – replace “next to” with “inside” Wheelie Bins
13 July 2017	Sue Freeman	V1.7	Update sections 8 and 9 to provide more clarity on B&B and Letting as approved at Board meeting on 17 May 2017  Update section 5 regarding business activities as approved by the Board June 2017 (round-robin)  Update refuse and recycling to Thursdays  Add HOA logo to header
3 January 2018	Sue Freeman	V1.8	Update cover with details of current estate manager; and update section 11 with details of current estate consulting architect

## Table of Contents

A.	Introduction .....	4
B.	Membership of the Homeowners Association .....	4
C.	Rights of Homeowners.....	5
D.	Responsibilities of Homeowners: .....	5
E.	Board of Trustees.....	5
F.	Rules and Regulations for all Residents .....	5
1.	Administration / Levies / Management.....	6
2.	Deliveries/ Mail .....	6
3.	Refuse.....	6
4.	Good Neighbourliness .....	7
5.	Business Activities .....	7
6.	Pets.....	8
7.	Use of Streets / Verges / Vacant Erven / Parking .....	9
8.	Occupancy .....	9
9.	Selling / Letting.....	10
10.	Security .....	11
11.	Building / Additions/ Alterations/ Repainting/ Garden Maintenance .....	11
12.	Television Reception .....	12

## A. Introduction

The main purpose of Berg en Dal Estate is to provide a high quality, secure lifestyle for homeowners in a scenic environment.

Berg en Dal is an entity established in terms of Section 29 of the Western Cape Land Use Planning Ordinance, No 15 of 1985. It is a legal, not-for-profit entity that requires a Constitution and the formation of a Homeowners Association. It is governed by a Board of Trustees who volunteer their services and are elected annually by the homeowners. The main business of the Association is the promotion, advancement and protection of the interests of its members as a whole and the administration, enhancement and maintenance of the Estate. This includes control over the design and execution of owners' building work, the use and upkeep of the common property (open spaces and verges) and the security of the Estate<sup>1</sup>.

By virtue of home ownership within the Berg en Dal Estate, Members of the Homeowner Association shall be entitled to and be required to comply with the following:

## B. Membership of the Homeowners Association

When you become a homeowner on Berg en Dal Estate you are required to become a member of the HOA, and are bound by the Constitution of the HOA, and the Rules and Regulations governing the Estate.

As a condition of purchase, your Title Deed or Deed of Transfer should state the owner is required to:

- Become a member of the HOA
- Comply with all Rules and Regulations, including height and building platform restrictions per the most current edition of the Architectural Rules and Regulations
- Remain a member of the HOA while still an owner of the Estate
- Gain clearance from the HOA before effecting a sale of the property or erf. A Clearance Certificate will only be issued if the vendor has no outstanding debts with the HOA (e.g. levies, unpaid fines etc.)

As an HOA member you need to be familiar with the following documents in their most current edition, with which you agree to comply. HOA members are required to sign acknowledgement of these documents, and submit same to the Estate Manager. From time to time these documents are amended, and the Trustees will ensure that these are brought to the attention of members.

- Constitution of the Homeowners Association (HOA) for Berg en Dal Estate (incorporating Mountain-dale Estate)
- Berg-en Dal Estate Homeowners' Booklet: Rights and Responsibilities
- Architectural and Landscaping Regulations
- Regulations governing Building Contractor Activity and Code of Conduct
- Application for Temporary Use of adjacent erf
- Short Guide to New Homeowners and Residents

The latest editions of these documents are available from the Estate Manager and on the Berg en Dal website [www.bergendalestate.co.za](http://www.bergendalestate.co.za). Notification of any amendments and general communications occur via email and our website unless otherwise instructed by written request.

---

<sup>1</sup> This booklet should be read in conjunction with the Constitution. If there are any inconsistencies, the Constitution takes precedence.

## C. Rights of Homeowners

Members have rights as well as responsibilities:

- Effective security measures
- Free enjoyment of the common areas
- Well maintained garden and common areas
- A responsible body of trustees
- To be kept informed of matters relating to the affairs of the estate
- Financial prudence and competent administration
- Fair, unbiased application of rules

## D. Responsibilities of Homeowners:

- Compliance with the Constitution and Estate Rules as set out in this Booklet, and other by-laws of the Association as amended from time to time
- Prompt payment of all levies and charges
- Respect and consideration for the rights of other members.
- Avoidance of any actions which might interfere with other members' quiet enjoyment of their properties, in particular, but not limited to: protecting views, excessive noise, parking which impedes access, untidy plots, proliferation of alien vegetation, construction of jungle gyms and other structures without agreement of neighbours and Trustees. (See section 11 in this Booklet.)
- To settle any disputes between parties in an amicable and conciliatory manner and only to involve the Estate Manager or the Board of Trustees if such measures have failed.
- Take measures for their own security over and above those provided by the Estate.
- To adhere to the rules governing access to the estate

## E. Board of Trustees

This is a committee of elected individuals responsible for governing the HOA. They establish a budget, control the expenditure, collect levies from every member and manage all the affairs of the Estate. They are bound by the Constitution and Trustees' Code of Conduct, which are both available on the website or from the estate manager. Any complaints about them or their activities should be addressed to the Chairman of the Board of Trustees.

## F. Rules and Regulations for all Residents

Harmonious community living is achieved when residents use and enjoy their own properties as well as the many areas of the estate open to all residents (i.e. "Common Property") in such a manner as to enable other residents also to use and enjoy the facilities. General consideration and tolerance of all residents for each other greatly assists in achieving this end.

Owners are reminded that they remain fully responsible for the acts of their tenants, and that such tenants only enjoy rights of occupation as defined in their contracts; owners retain their legal rights and responsibilities whether resident or not. Owners are responsible for bringing these rules and regulations to the attention of their tenants.

The following are the Estate Rules and Regulations for the smooth running of the Estate:

## 1. Administration / Levies / Management

The Constitution of the Association details the conditions under which the Trustees carry out their duties. The Trustees may make or amend rules to promote the harmonious and orderly co-existence of residents. The Trustees have the right to penalise homeowners who act in contravention of the rules, and these penalties will be regarded as income to the Association.

The Association's financial year runs from July to the end of June. Monthly levies and water/sewerage charges are payable by all members to the Managing Agent—Trafalgar Property Management—who is appointed for this purpose by the Trustees on behalf of the Association. Levies are payable in advance on or before the 1<sup>st</sup> day of every month and interest is raised on arrear accounts. The Association will charge all costs and any legal fees incurred to recover amounts owing to the homeowners concerned.

In addition to the collection of the monthly levies and charges, the duties of the Managing Agent include the disbursement of expenses, maintenance of accounting records, production of monthly financial reports and provision of secretarial support at Trustee and General Meetings.

Homeowners are responsible for the installation and maintenance of water meters and associated piping to enable the measurement of water consumption on their properties. The area around the meter should be clear to provide ease of access to the meter-reader.

The Association employs an Estate Manager who supports the Trustees and reports directly to them. The Manager's main duties are the maintenance and security of the Estate. Estate employees and service providers are answerable to the Manager.

Homeowners should email the Estate Manager with any queries to the Trustees or submit them in writing to the Estate Manager and deposit them at the Gatehouse. Telephonic complaints or queries to the Estate Manager should be restricted to normal working hours, Monday through Friday, except when related to a breach of security or in an emergency.

## 2. Deliveries/ Mail

Mail is not delivered to residences. The Post Office delivers directly to the lockable Berg en Dal mailboxes situated at the Gatehouse so residents should use the appropriate address "Unit xxxx, Berg en Dal Estate, Main Road, Hout Bay, 7806." We recommend such use as no fees are charged and it is costly and less convenient to rent a box at the Hout Bay Post Office. The Estate Manager allocates box numbers and can assist with these arrangements.

Residents may have parcels, pharmaceutical supplies, Neighbourhood Watch kits, routine newspapers etc. dropped off at the gatehouse, for later collection by the resident. The guards will allow couriered items and items from retail outlets to be delivered to individual residences.

Owners are earnestly requested to ensure that their mail boxes are regularly emptied; this is particularly important for 'swallows' who may be away for months. There have been cases where mail was put in the wrong box and was not delivered to the intended recipient until many months later.

## 3. Refuse

**Non-recyclable refuse** should be deposited in large plastic bags and placed inside Wheelie Bins. This includes

- Cling wrap or disposable nappies
- Chemicals, paint, toothpaste tubes, motor oil containers, acids or solvents

- Organic waste, food scraps, vegetable peels
- Clothing or shoes
- Wet, dirty or contaminated items

The Municipality will collect refuse, door to door, or at communal locations on a weekly basis. Residents are requested to place their Wheelie Bins at the ends of their driveways by 8 a.m. on Thursday mornings. Where possible, Estate staff will assist with this task. The Municipality will **only** remove non-recyclable refuse from the Wheelie Bin. Residents should organise removal of garden refuse at own expense.

**Recyclable refuse** should be placed in the clear, large plastic bags provided by the Municipality. Residents should place these clear plastic bags next to the Wheelie Bins at the end of the driveway by 8 a.m. on Thursday mornings. They will be collected on a weekly basis by the Municipality's sub-contractor. Estate staff will assist where possible.

What can be recycled?

- Paper: flattened and folded cardboard, any paper, newspapers and magazines
- Glass: rinsed bottles and jars
- Plastic: any bags, rinsed bottles and containers
- Metal: rinsed food tins, cans and scrap metal
- Tetra Pak: foil-lined juice boxes and milk/cream/yoghurt containers
- Printer Cartridges are recyclable but should be placed in a separate bag
- Large cardboard boxes may be deposited out of closed plastic bags, but should be flattened.

In order to keep the Estate tidy, and because of the presence of domestic animals and the resident Guinea Fowl population, please put out refuse only on Wednesday mornings and not overnight.

#### 4. Good Neighbourliness

One of the goals of the HOA is to create conditions that build a strong sense of community among residents. It is hoped that all residents embrace an attitude of being a 'good neighbour'. Such an attitude allows you to live as privately or as sociably as you wish and manifests in behaviours that seek to maintain harmony and goodwill among neighbours. Residents' responsibilities regarding good neighbourliness include:

- Making every attempt to subdue all noise to a level that is not offensive to neighbours.
- Loud music and party level noise is not permitted after 11 p.m. and offended neighbours have the right to complain directly to the South African Police Services. Unless this is a recurrent problem, such complaints should not be referred to the Estate Manager.
- Mechanical maintenance work, including the use of power saws, lawn mowers and similar tools, should not be carried out after sunset or at any time on a Sunday or public holiday.
- No advertisements or publicity material of any description may be exhibited or distributed without the consent of the Trustees. The Trustees will remove any material exhibited or distributed that contravenes this requirement.

The overall request is for all residents to treat others as they would like to be treated. This attitude will pave the way for good neighbourliness and your HOA will thrive.

#### 5. Business Activities

- We are a residential estate and as such we do not allow any business activities that require public access.

- Any exemptions previously granted will be personal to the relevant owner and will not be transferable upon sale of the property.

## 6. Pets

Pets are the responsibility of their owners, and they must not be allowed to create a nuisance. To contain their dogs, owners should fence and gate their properties effectively. Dogs that bark unnecessarily should be confined to a portion of the property such as an enclosed yard or indoors, where they are less sensitive to activities taking place outside their owner's property, or in extreme cases de-barked. Owners who walk their dogs in areas of Common Property must ensure that they are under control at all times and must immediately remove any excrement deposited by their pets. Owners may not keep animals on the Estate that may constitute a danger or nuisance to other residents. Any structures relating to pets (dog kennels, aviaries, etc.) should be discreetly positioned so as not to be visible from neighbouring properties. The following defines the conditions under which residents may keep dogs and other pets on the Estate

- A REGISTER OF DOGS is to be kept by the Estate Manager. No one shall be permitted to keep dogs on the estate unless they are registered. All registered dogs must have a tag indicating the owner's contact details and a photograph on the register. Please complete the pet registration form which is available on [www.bergendalestate.co.za](http://www.bergendalestate.co.za) or from the estate manager.
- New owners and such existing owners as have previously not kept dogs, shall not keep more than two dogs per household. These must be registered.
- Where an existing dog owner has more than two dogs and the number of dogs kept is reduced for whatever reason, such owner shall not be permitted to acquire new dogs in excess of two dogs per household.
- Where dogs are found on the estate that are not registered as described above, it will be assumed they are strays and such dogs will be removed from the estate and taken to an animal sanctuary.
- Except for cats, should an owner wish to have other animals/birds/reptiles as pets (this includes chickens, pigeons, other wild birds, rabbits and any wild animals), special application will need to be made to the Trustee Committee. Approval will not unreasonably be refused, but the Committee's decision will be final.
- Where registered dogs display vicious tendencies likely to represent a danger to visitors, contractors, gardeners, residents or their pets, they will be removed from the register.
- Barking and fouling dogs
- Dogs are not allowed to roam unsupervised around the estate. They should be confined within the owner's property in such a way that they cannot escape.
- When not confined within the owner's property, dogs must at all times be under the control of a person.
- Where dogs cause a nuisance to neighbours by excessive barking, the owner must take measures to stop the offending behaviour. This is in line with Cape Town City regulations which, among other things state that owners may not keep a dog that barks, yelps, howls or whines for more than six accumulated minutes in an hour, or more than three accumulated minutes in a half hour.
- Owners must ensure wherever possible that their dogs do not defecate on the common areas of the estate; where this is unavoidable, the owner or his/her agent is responsible for removing such droppings.
- Failure to abide by the above rules will, after suitable warnings and discussions with the responsible owner, lead to penalties being imposed on the owner. Until such time as the owner rectifies the situation, he/she will be penalised by up to R500 an incident. Continuing failure to rectify the situation will attract further penalties at the discretion of the Trustee Committee. Penalty amounts shall be added to the relevant levy account and the proceeds shall be donated to organisations such as DARG and the SPCA.

## 7. Use of Streets / Verges / Vacant Erven / Parking

The speed limit on the Estate is 20km/h. The "speed bumps" are designed for this top speed, and going faster can endanger the lives of children, pedestrians, and other drivers. Drivers should not use their hooters.

Whilst children should make use of their own properties for play, they are not prevented from playing at the dam, in the ravine or in the streets, provided they are properly supervised and do not cause a nuisance to other residents. The Estate will not be liable for any damage or injuries caused or suffered as a result of such activities. For safety reasons, bicycles, skateboards, scooters, and roller skates may not be used in the proximity of the Gatehouse or on the Estate's main roads, such as Sagewood Drive and Shiraz Boulevard. Children must be told not to ride against the flow of traffic. Diving or swimming in the dam is not permitted.

Ownership of the verges vests with the HOA. The extent of each Homeowner's erf is specified in the Deed of Transfer for each erf. In instances where Homeowners have enhanced the verges bordering their boundaries, they are reminded that they do not own the verge or have sole use of the area outside their properties. If owners wish to landscape a verge or make a parking bay, they should make application to the Board, providing a diagram and indicate the plants / material to be used. The amount of land provided for driveways is limited to 7m along the Estate verge. (See **Architectural Regulations**, items C. 9-12)

The streets and verges may not be used for overnight parking, except in an emergency or for a special function. On-going overnight parking is strictly prohibited on the verge or in a parking bay. Residents should park their vehicles in their garage or driveway. Parked vehicles must not obstruct access for other residents. Cars must be completely off the road. Trailers, caravans, boats and the like may not be parked on the verges.

- Taxis are not allowed on the Estate, unless specifically ordered by a resident.
- Except during building operations, when a verge deposit has been paid, bricks, stones, sand, compost and similar materials must not be dumped on the verges.
- No trees on verges may be removed, nor may trees be planted that obscure the vision of other owners or motorists.
- No garden refuse, whether or not in plastic bags, may be dumped on streets, verges, undeveloped erven or on the common property.
- Wheelie Bins may not be left permanently on verges.
- Vacant erven should *not* be used for parking of vehicles, dumping grounds for refuse, and any other purposes that may represent an eyesore to residents and visitors. Under certain conditions, residents may be granted permission to use an adjacent erf for storage. A **Consent Form to use an adjacent erf for temporary use, storage, etc.** may be obtained from the Estate Manager, completed and submitted to the Trustees for approval before obtaining consent from the relevant owner.

## 8. Occupancy

It is essential for the security of the Estate to control access and the Estate Security Officers have this responsibility. For them to effect this control, each homeowner must advise the Association in writing when there is a change in the occupier of their property or a portion of their property. The Security Officer will only grant visitors' access to the Estate once he has obtained clearance from the relevant owner or resident. Failure to conform to these procedures may put a resident's own security and the security of other residents at risk.

The occupiers of properties are liable for the conduct of their visitors, contractors and employees, and must ensure that such persons adhere to the regulations of the Estate. Occupiers should provide visitors who are staying on the property for an extended period of time with a copy of the Estate Regulations as outlined in this document or in the Welcoming Guide for New Owners and Residents.

Where residents have swimming pools and water features, to exclude danger of accidents—particularly involving children—it is a legal requirement that these must either be inaccessible from the Common Areas of the

estate or be fenced off or covered. Swimming pool or pond pumps must be screened from view. Any noise stemming from the running of pumps should not cause disturbance to neighbours. Pool pumps shall not be run between the hours of 9 p.m. and 7 a.m.

### 8.1 Short Term Letting

Homeowners and residents are not entitled to let "rooms by the night" (i.e., B & B or short-term self-catering operations). However residents may let or swop their properties whilst they are on vacation and not resident on the estate on two separate occasions in the year (such as Christmas and Easter) for a minimum period of 2 weeks on each occasion.

### 8.2 Long Term Letting

Those wishing to sublet rooms or portions of properties in the longer term (periods longer than 2 months) should make such requests in writing to the Board of Trustees. Before granting approval, the Board will consider each case in the light of its potential impact on the Estate community as a whole. Where the Board grants such approval it will be personal to the owner to whom it was granted and will not attach to the land.

### 8.3 Domestic Workers/Employees

Where owners have employees living on the estate, their names and ID details must be provided to the Estate Manager. Homeowners are responsible for monitoring the visitors of their domestic employees. Any person(s) visiting such an employee may only stay overnight with the express permission of the owner and such cases must be notified to the Estate Manager. Otherwise, such visitors must leave the Estate by 10 p.m. Employees of owners, long term or short term tenants, are not permitted to authorise visitor access to the estate unless such owner or tenant has given prior written notice to the Estate Manager; such notice must contain the name of the employee who is to enjoy such authority and if, for a limited period, the duration of the authority. Notwithstanding the above, any such authority will be limited to the hours between 06.00 and 18.00 hours. Outside these hours only the owner or tenant can authorise access, except in an emergency. In special cases (e.g. emergencies) where the owner is absent during these hours, the Estate Manager and/or the security trustee may nevertheless authorise access. The granting of any such authority will not relieve the grantor of liability for the acts and missions of any visitors..

## 9. Selling / Letting

No owner shall let or otherwise part with occupation of their property—whether temporarily or permanently—unless they have obtained a written undertaking from the proposed occupier of the property that they will meet their obligations as described in this Booklet and laid out in the HOA Constitution. The Owner must provide the Occupier with a copy of the most recent editions of the HOA Constitution and this Homeowners' Booklet: Rights and Responsibilities. Estate Agents who are registered with Berg en Dal will enjoy easy access to the Estate by not having to comply with the formalities for visitors. Any Estate Agent acting on behalf of a Homeowner is expected to advise prospective purchasers of their obligations as described in this Homeowners' Booklet and the HOA Constitution, and to give them copies of same.

Estate Agents must accompany prospective buyers to view the property; otherwise the latter will not be admitted to the Estate unless the owner has approved access. Estate Agents may not leave signs erected on verges after a show-house. The Estate Manager will remove any signs that remain after a showing. The Estate Manager has the right—if there are reasonable grounds—to restrain any agent from carrying out any selling or marketing activity on the Estate on behalf of an owner. The owner selling the property shall ensure that the written sales agreement contains the following clause:

"The purchasers acknowledge that they are required, upon registration of the property in their name, to become members of the Homeowners' Association and to meet their obligations as members as laid out in the HOA Constitution and the Homeowners' Booklet: Rights and Responsibilities."

No owner may transfer ownership of his or her property without a clearance certificate issued on behalf of the Trustees certifying that the owner is not indebted to the Association in any way.

## 10. Security

Estate security falls under the control of the Board of Trustees and a Security Sub-Committee, which includes the Estate Manager. From time to time, the Trustees contract with professional Security companies to provide security services. At present SMA Security holds this contract.

The Gatehouse is manned at all times and provides the only entry and exit point to the Estate. Booms and gates operated by the Security Officers protect entry and exit. The Security Officers are responsible to monitor all motor vehicles and human traffic, (residents, domestic workers, service providers, contractors and their workers). Security protocols at the gate must be adhered to at all times. This includes a Licence Plate Recognition system that allows registered homeowners' vehicles automatically to gain entry and exit. Tailgating another vehicle through the booms or gates is not allowed and drivers will be held responsible for any damage caused by this practice.

A Biometrics system is in operation to control access for permanent workers, temporary workers, staff and representatives of contractors. All residents are required to adhere to this requirement and in particular must register their domestic employees on the Biometrics system.

Residents should telephone the Gatehouse on 021 791 4614 and inform them of any pre-arranged appointments with friends, service providers etc. Except where residents do not have landlines, the Security Officers are forbidden to call cell phones. Thus, if not forewarned, the Security Officers may be faced with irate visitors or contractors at the gate who are asked to wait because the resident's phone is busy or faced by irate residents because access is being denied to their visitor or contractor. In the interests of security, our Security Officers have been instructed that under no circumstances will anyone other than those registered on the Biometrics system be permitted into the Estate without approval of the resident. Should you receive an unannounced visitor, please contact the Gatehouse to find out why, before reporting the incident to the Estate Manager. Please do not interfere with the performance of the Security Officers' duties.

Security Officers patrol the Estate day and night. They use golf carts to improve their speed of response to a callout. In addition, the perimeter of the Estate is protected by an electric fence which gives warning of any interference such as an attempted intrusion. Residents occupying boundary properties must therefore keep vegetation clear of the fence. Arrangements can be made to attend to the problem on their behalf, but this might incur an additional cost.

Residents may enter into armed response contracts directly with appropriate service providers.

Any suspected attempts to climb over Estate walls or fences, or burrow underneath, or actual intrusions and burglaries, must be reported as soon as reasonably possible to the Security Officers and the Estate Manager.

## 11. Building / Additions/ Alterations/ Repainting/ Garden Maintenance

The Association lays down **Architectural and Landscaping Regulations**. The guidelines are intended to allow the harmonious development of the Estate by encouraging designs that allow for individual expression while ensuring a measure of consistency in the character of the Estate, and to maximise the value of every property in Berg en Dal. A copy is posted on the Berg en Dal website and is also available from the Estate Manager.

Before proceeding with any building, alterations, additions or re-painting, owners should thoroughly peruse the guidelines and subsequently adhere to them. The Building Compliance Trustees must see and approve external wall colours before painting or re-painting. At an early stage, the building platforms and building lines should be confirmed with the Estate Consulting Architect, currently Mr Dion Walters of Bomax Architects, 27 Pepper St, Cape Town 8001. Tel: 021 422 3259, mobile: 082 822 0833 and email: [dion@bomax.co.za](mailto:dion@bomax.co.za).

Owners should submit building sketches and preliminary plans to the Trustees before proceeding with detailed design. Submissions and communications must be placed in an envelope and addressed to the Estate Manager, Berg en Dal, and deposited at the Gatehouse.

There is also a set of **Regulations Governing Building Contractor Activity and Code of Conduct**, posted on the website and available from the Estate Manager. The homeowner or homeowner's representative and their main contractor must sign this document and lodge a copy with the Association, as well as paying the required verge deposit before any building activity may commence.

No temporary or prefabricated carports, Wendy houses, tool sheds or garden huts may be erected, without formal written approval from the Board. Any structures relating to pets (dog kennels, aviaries, etc.) should be discreetly positioned so as not to be visible from neighbouring properties. Jungle gyms may only be erected with express agreement from all homeowners whose views may be affected.

In line with Government Regulations regarding the control of invasive alien vegetation, Berg en Dal Estate has formulated an **Invasive and Alien Plant Management Plan** to meet the general requirements of National Environmental Management: Biodiversity Act (NEMBA), as applicable to Hout Bay and Berg en Dal Estate, and to be applied to the Public Areas and any Vacant Plots not actively managed by their owners. We call upon all residents to join us in protecting biodiversity and to plant water-wise, indigenous plants and trees and to limit the number of exotic plants in their own gardens. Please view the Berg en Dal Invasive and Alien Plant Management Plan which provides pictures of targeted plants. It is available upon request or viewed on the Berg en Dal website. We invite all residents to participate and implement the plan on their own properties.

Hedges in Owner's properties must be maintained at a height of less than 1.8 metres above natural ground level for the purposes of protecting the views from neighbouring properties. Trees and shrubs that grow to more than 1.8 metres may only be cultivated if located within the building platform and may not exceed the applicable building height restriction.

## 12. Television Reception

Satellite and TV aerials must be located below roof height. For those of you on Honeysuckle Close and further up the mountain, DSTV reception can only be obtained via the Communal Dish. You will need to connect to the fibre optic network that is in place. Further information and costs involved may be obtained from the Estate Manager.

### A warm welcome to you and your family

Thank you for choosing to live in Berg en Dal. We hope you will long enjoy being part of the Berg en Dal community.

With kind regards,

**The Board of Trustees**