

FLEETWOOD ESTATE HOMEOWNERS' ASSOCIATION

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CONDUCT RULES

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1. Introduction

1.1. A harmonious community lifestyle is achieved when residents use and enjoy their private property and the public areas of the Estate in a manner that respects the rights of others. Compliance with these Conduct Rules and mutual consideration among residents will contribute to a positive community atmosphere.

1.2. These Conduct Rules have been established by the Board of Directors under the Memorandum of Incorporation of the Homeowners Association (HOA). They are binding on all residents. Purchasers and Owners are responsible for ensuring that their families, tenants, employees, and visitors comply with these rules.

1.3. The functioning of the Board of Directors and Estate Management is outlined in the Fleetwood Estate HOA Board Charter.

1.4. For any annoyances or complaints, parties involved should attempt to resolve the matter amicably. If resolution is not possible, the issue may be submitted in writing to the Fleetwood Estate HOA Board for arbitration. The outcome of arbitration will be binding on both parties.

1.5. The interpretation of these rules is at the discretion of the Fleetwood Estate HOA Board and is final, subject to the Memorandum of Incorporation.

1.6. In case of disputes arising from these rules, members must exhaust all internal remedies provided for in these rules and the Memorandum of Incorporation before escalating the complaint to the Community Schemes Ombud Service (CSOS).

1.7. Any provision of this Agreement that is or becomes illegal, invalid, or unenforceable shall be ineffective to that extent and severed from the remainder of the Agreement, without affecting the validity of the remaining provisions.

1.8. This Agreement and any matters arising from it shall be governed by and interpreted according to the laws of the Republic of South Africa.

1.9. If CSOS cannot reach a resolution in any disputes, parties consent to the jurisdiction of the Sandton Magistrates Court for any litigation arising from this Agreement.

2. Using the Streets

2.1. The streets of the Estate are for the movement of all residents by foot, bicycle, motorcycle or car. Cars are part of the street environment but should not dominate.

2.2. The speed limit is restricted to 20 km/h to ensure the safety of children and pets.

2.3. Streets within the Estate are public and subject to the Road Traffic Act 29/1989 and local authority bylaws.

2.4. Parents are responsible for their children's conduct within the Estate.

2.5. Engine-powered vehicles are allowed only on streets. Verges, parks, and pavements are off-limits.

2.6. Parking on grassed verges is not permitted unless it is directly outside the resident's own home or with the resident's permission.

2.7. Owners may place white-painted cement balls (not exceeding 40 cm in height) along their verge to prevent parking on the verge.

2.8. Parking that obstructs traffic or the entrance to neighbouring properties is prohibited.

3. Good Neighbourliness

3.1. No business activities or hobbies that cause annoyance or nuisance to other residents are permitted, including auctions and jumble sales.

3.2. Noise from music, parties, domestic help, and pets must be controlled so as not to disturb neighbouring properties. (See Pets.)

3.3. Workshop activities, engine running, and lawn mowing are only permitted between 08:00 and 18:00 on weekdays and between 09:00 and 15:00 on Saturdays and public holidays. No noisy machinery is allowed on Sundays.

3.4. No noise is permitted on Sundays.

3.5. Washing should be hung on screened lines and not on burglar bars, walls, etc.

3.6. Refuse must be placed in Otto bins provided by the council and not on the pavement, except on collection days (Mondays). Bins should not be put out before 18:00 on Sundays.

3.7. Refuse bins should be removed from view of the road after collection. Bins left out for more than 24 hours after collection may be impounded, and fines may be levied.

3.8. Residents are encouraged to use recycling services and should place designated recycling bags outside their unit on Mondays. Refuse bins should not be stored on the verge, driveway, or outside the unit except for collection.

3.9. Advertisements and publicity materials may not be exhibited or distributed without Board consent.

3.10. Contractors may display their boards outside the unit where maintenance is underway but must remove them immediately upon completion, or if objections are raised.

3.11. Car alarms and house alarms should have a cut-off noise level after 2 minutes.

3.12. When watering gardens, avoid soaking neighbouring properties.

3.13. Drones are prohibited from operating above unit perimeter wall height within the estate.

3.14. The use of fireworks is prohibited within the estate.

3.15. Pellet guns, air guns, BB guns, slingshots, catapults, paintball guns, and similar devices are prohibited on common property.

3.16. Hooting within the estate or at the gate is prohibited, except in emergencies or to avoid accidents.

3.17. Car or motorbike engines should not be revved to avoid disturbing neighbours.

3.18. Vehicle washing may be done on the road/driveway. Ensure soapy water is cleared away to avoid damage to neighbours' grass verges.

3.19. South African law prohibits disposing of swimming pool backwash water into the road or stormwater system due to its harmful chemical content. Instead, backwash water must be directed into the sewage system. The easiest way to achieve this is by directing the water to your own runoff area or into the sewage drain, typically located outside the kitchen door. The HOA provides a backwash pipe that you may borrow to facilitate this process.

Please note that discharging pool water backwash, building operations water, or runoff that causes damage or discoloration to the road surface is prohibited. Units responsible for such damage must restore the road to its original condition at their own expense.

3.20. Illegal activities are not tolerated. Suspected illegal activities will be reported to the authorities. If an owner or tenant is convicted of an offense affecting the HOA, the Board may take appropriate action to prevent further occurrences.

3.21. Generators are not permitted in the estate unless they are the 'silent' version'. The noise and the exhaust fumes are against all the rules of 'good neighbourliness'.

4. Ensuring a Pleasing Streetscape

4.1. The pride of the Estate depends on each owner contributing to a neat and pleasing streetscape.

4.2. Every owner is responsible for maintaining the area between the road surface and their property's boundary walls (i.e., their verge).

4.3. If the Directors believe a unit does not meet aesthetic standards, the owner will be notified and given 21 days to respond with a plan to address the issue. Failure to respond or comply may result in the HOA taking remedial action at the owner's expense.

4.4. If grass verges and shrubbery require cutting and maintenance, the owner will be given 7 days' notice. If the work is not done within that time, the HOA will use a contracted garden service, and all associated costs will be charged to the owner's levy account.

4.5. Garden walls and house structures must be maintained and painted as needed. The HOA may repair or paint walls (with 21 days' notice) at the owner's expense. All exterior and garden walls visible from the road must be painted white.

4.6. Paving and driveways must be kept clean and in good condition, free of weeds.

4.7. Paving of grass verges is discouraged. Any intention to do so requires Board approval.

4.8. Electrical and phone boxes on verges must be maintained and painted white. If located outside your unit, they are your responsibility.

4.9. Loose electrical or telephone wires must be affixed to the wall according to municipal and other relevant rules.

4.10. Satellite dishes may be installed conditionally, out of view from neighbouring properties.

4.11. Secondary chimneys (not erected by the original developers) may be installed conditionally out of view of the road. Board approval is required.

4.12. Caravans, trailers, boats, Wendy houses, tool sheds, equipment, and accommodation for pets should be screened from public view and neighbouring properties.

4.13. Building materials may not be dumped on sidewalks except with Board permission. If approved, materials must be contained to prevent them from washing or blowing onto the road or into stormwater systems.

4.14. Solar Panels

4.14.1. Solar panels, their supporting structures, and cabling must not be visible above the parapet walls common to Fleetwood roofs.

4.14.2. Solar converters should be mounted under the panels or in an inconspicuous area, not on common property.

4.14.3. Panels must have a silver frame with white backing.

4.14.4. A design plan must be submitted to ensure compliance with Fleetwood Estate rules.

4.14.5. Recommended installers include:

- Tony: 073 883 2208

- Julian: 076 403 7453

- Mark: 082 601 3550

The Board requests adherence to these rules to maintain a pleasant environment for all residents.

5. Adhering to Architectural Standards

5.1. Adhering to the approved Georgian standards eliminates the need for costly modifications at a later stage.

5.2. All building plans must conform to the architectural style established for the Estate and comply with the approved Estate Plan lodged with the Greater Johannesburg Transitional Metropolitan Council. Plans must be approved in writing by the Board at a properly constituted Board Meeting before any construction begins. This requirement also applies to any additions or alterations to existing structures.

5.2.1. The area covered by structures must not exceed 50% of the stand size.

5.2.2. Approval for proposed plans must be obtained from owners of bordering and adjacent properties.

5.2.3. Multiple-story structures are prohibited, both by these rules and current zoning regulations.

5.2.4. Building Line Relaxation Approval from both the local authority and the Homeowners Association (HOA) is required for any structures located less than 1 meter from any boundary or 2 meters from neighbouring structures.

5.2.5. It is the responsibility of the owner (purchaser) to ensure all buildings comply with HOA and local authority requirements, and to remain liable for any deviations from established standards.

5.3. All garden walls must be approved by the HOA regarding material and dimensions. Precast walls are not permitted.

5.4. Carports and patios must harmonize with the dwelling and be constructed of the same material, specifically Georgian style with a brick-corbelled exterior façade.

5.5. No secondary dwellings may be erected or occupied in violation of Municipal Zoning Provisions or these rules.

5.6. Materials and designs for patios, carports, driveways, and temporary out-buildings must be approved by the HOA. All exterior paintwork must be white to maintain the Georgian style.

5.7. If the Board has reasonable grounds to suspect a violation of building codes or regulations, it is obligated to report the contravention to the competent authority.

5.8. Cottage style bronze aluminium window and doorframes are acceptable as replacement for the wooden cottage pane windows. Please ensure that you maintain the cottage style

6. Environmental Management

6.1. No rubble or refuse may be disposed of in public areas, including parks, pavements, boundary walls, or streets. The HOA may remove such debris, and the cost will be charged to the owner responsible.

6.2. Residents are liable for any damage to road surfaces caused by contractors, including spills of oil or diesel.

6.3. Flora in public areas must not be damaged or removed. Parents are reminded that they are responsible for the behaviour of their children, employees, and visitors. Any costs for replacing damaged flora will be the responsibility of the owner.

6.4. Owners must ensure that contractors adhere to HOA building control and environmental management regulations, particularly concerning start times, workdays, and noise levels.

6.5. Owners are responsible for the upkeep of trees, plants, and shrubs planted on their verges by the municipality or the HOA. Trees planted by these entities may not be removed or aggressively pruned without prior written approval from the HOA Board.

6.6. Residents are expected to maintain a high standard of garden and verge care. (Refer to Section 4.4 above.)

6.7. Residents must ensure that noxious flora is neither planted nor allowed to grow on their verges or entrances.

7. Security

7.1. Security at Fleetwood Estate is crucial for residents' peace of mind, ensuring that children can safely roam the streets. To maintain a secure environment, you are required to participate actively in the security system by reporting any unusual circumstances to the guard and adhering to all security rules.

7.2. Guards must be treated with politeness and respect. If you observe that a guard is not fulfilling their duties, please report the issue to the HOA. The Estate has 24-hour guarding with a security response team.

7.3. The Estate is protected by a perimeter electric fence, which is maintained by the Estate's service providers. Residents must not tamper with the fence. Owners are responsible for ensuring that no foliage touches the fence, as this can trigger false alarms.

7.4. While the Estate has security measures in place, it is the individual resident's responsibility to secure their home against intrusion. The HOA and its Directors are not liable for any incidents of intrusion resulting from failures in security systems.

7.5. Any attempted burglary or fence breach must be reported immediately to the duty guard and within 24 hours to the Board.

7.6. Guards are not authorized to grant entry to owners or residents without valid reason. If a remote is malfunctioning, it should be reported. In the event of a forgotten remote, residents must use the Centronics system to gain access.

7.7. Action will be taken against any resident or visitor who hoots, revs their engine, or abuses the guards.

7.8. Tailgating is strictly prohibited. A boom gate has been installed to prevent tailgating. If the boom is damaged due to tailgating or if video evidence shows that damage was caused by a resident or their visitors/contractors, the cost of repairs will be charged to the responsible unit owner.

7.9. Only one remote will be issued per vehicle per unit. If a remote is lost, please contact the HOA immediately. The lost remote will need to be deprogrammed to prevent unauthorized access to the estate.

8. Access Control

8.1. Access control requests must be submitted by completing the appropriate form on the website. Access will be granted only after verification and approval by the Board, based on the following criteria:

8.1.1. Remote control devices may be issued to drivers of permanent residents (see 7.9 above).

8.1.2. Permanent Residents:

8.1.2.1. Will be issued PIN codes, Accentronix App access, and “missed call” access linked to their cell phone numbers.

8.1.2.2. Can use the Accentronix App to grant temporary visitor access to non-residents.

8.1.3. Visitors are managed by residents:

8.1.3.1. Visitors may enter the estate using a temporary access code issued by the resident via the Accentronix App, or

8.1.3.2. By contacting the resident through the gate intercom.

8.1.4. Contractors may be granted temporary “missed call” access for the duration of their contract.

8.1.5. Staff may be granted time-based or day-based “missed call” access.

8.2. If you are expecting a delivery during your absence, please notify the guard by telephone on the day of delivery. The guard will keep the item at the guardhouse for your collection. Alternatively, the driver can be admitted remotely by the resident.

8.3. Newspaper deliveries should be left at the guardhouse, and residents are responsible for collecting their newspapers.

8.4. Owners must notify the HOA of any planned Show Days and provide details of contracted Estate Agents. The HOA will add the agents’ telephone numbers to the system to facilitate access for potential buyers. If this is not done, the owner or resident must admit potential buyers themselves. Guards are not authorized to admit potential buyers for Show Days.

8.5. Access will be granted to Telkom, meter readers, refuse trucks, and municipal representatives upon presentation of their company ID card or other suitable identification. Private security companies will be allowed access only if they are in clearly marked company vehicles.

8.6. Please notify the HOA in writing of your cellular or telephone number and unit number so that this information can be logged in the intercom system, enabling visitors to communicate with you.

9. Tenants, Visitors, Contractors, and Employees

9.1. Owners are ultimately responsible for the behaviour of their tenants, contractors, and visitors. The HOA has a contractual relationship with the owner, not with the tenant. Therefore, owners must actively manage their tenants. Any fines or actions resulting from the behaviour of a tenant, contractor, or visitor will be charged to the owner's account.

9.2. If an owner wants to lease their property, they must inform the HOA in advance with the following details:

9.2.1. The names of the prospective lessee and the duration of the lease.

9.2.2. Proof of the tenant's identity, a copy of the lease agreement, and evidence of due diligence performed to ensure the HOA is not exposed to undue risk from unidentified or un-vetted tenants. The owner must also ensure the lessee is aware of and agrees to abide by the HOA's Conduct Rules as part of the lease agreement.

9.2.3. For vetting, the assessment will focus solely on potential risks to the estate, specifically criminal records or reports of antisocial behaviour from previous landlords. Vetting must not involve social, racial, or other criteria that could be prejudicial under South African law.

9.2.4. The HOA will approve / decline the lease application whereafter a tenant will only be permitted to take occupation.

9.3. If an owner fails to enforce the HOA's rules, the Association will act against the owner to ensure compliance with the HOA's rules.

9.4. Occupiers are responsible for the conduct of their visitors, contractors, and employees. They must ensure that these parties adhere to the Conduct Rules, including observing speed limits and parking regulations.

9.5. Owners must ensure that contractors they employ comply with any stipulations set by the HOA.

10. Reselling Property

10.1. The Estate imposes specific restrictions on the operation of Estate Agents within its boundaries.

10.2. Owners wishing to sell their property must use an Estate Agent registered with the Estate Agents Board. While private sales by owners are permitted, they are discouraged.

10.3. Estate Agents may only operate on an “appointment only” basis and must personally accompany prospective buyers. Entry to the Estate will be granted if the Estate Agent is registered with the owner and the Estate Agent has signed all the necessary forms.

10.4. It's crucial to be aware of the specific signage rules when selling a property in Fleetwood Estate. Estate agents are prohibited from placing “For Sale” signs, “Sold” signs, or bunting within the estate. Owners have approved that a “For Sale” board may be placed on the verges at the estate's entrance. However, for “Sold” signage, there is a strict timeframe of two weeks maximum following the sale of the property. Agents must comply with these regulations to avoid potential impacts on future sales.

When working with estate agents, please make sure that they are informed of and comply with these rules. This ensures not only adherence to local rules but also helps in avoiding potential conflicts or issues with the Homeowners' Association.

10.5. The seller must ensure that the buyer and Estate Agent are informed of and receive a copy of the Conduct Rules and any other applicable administrative regulations.

10.6. The sale agreement for any property in the Estate must include the following clauses:

10.6.1. The purchaser must acknowledge that, upon registration of the property in their name, they are required to become a member of the HOA and agree to do so in accordance with the HOA's Memorandum of Incorporation and Conduct Rules.

10.6.2. In addition to other conditions of title, the following conditions must be included in the Deed of Transfer:

10.6.3. “The Property shall not be transferred to any person who has not become a member of the Association. Any owner of the property or any interest therein shall become and remain a member of the Association and be subject to its Memorandum of Incorporation and Conduct Rules until they cease to be an owner.”

10.6.4. “The owner of the property shall not be entitled to transfer the property without obtaining a Clearance Certificate from the Association, confirming that all amounts owed by the owner to the Association have been paid.”

11. Pets

11.1. Municipal bylaws relating to pets will be strictly enforced.

11.2. No person may keep more than two (2) dogs on a property without written approval from both the Council and the HOA.

11.3. Dogs are not permitted to roam freely in the streets.

11.4. Dogs must be walked on a leash in public areas. If a dog is found unleashed, with or without its owner, the HOA will impose a fine on the pet owner.

11.5. Residents may walk their dogs off-lead between 20:00 and 22:00, and between 05:00 and 06:00 daily, if owners promptly clean up after their pets.

11.6. Pet owners are responsible for the immediate removal of any excrement deposited in public areas or on private properties by their pets.

11.7. Fouling of verges and common property by dogs is a major source of conflict. Fines will be levied on any pet owner who does not clean up after their dog. Dog-walkers must carry bags or other suitable means to clean up after their pets. If a dog-walker is unable to provide evidence of such means, a similar fine will be imposed on the responsible owner or member.

11.8. Owners must ensure that their dogs are not persistently noisy or a nuisance to neighbours.

11.9. Every dog must wear a collar with a tag displaying the owner's name, telephone number, and address. Stray dogs without identification tags will be apprehended and handed over to the SPCA.

11.10. The HOA reserves the right to request the removal of any pet that becomes a nuisance within the Estate. If the request is not complied with within 21 days, the HOA may have the pet removed at the owner's expense. Nuisance behaviour includes, but is not limited to:

11.10.1. Repeatedly being found off-lead

11.10.2. Excessive noise

11.10.3. Repeated fouling of verges or other public spaces

11.10.4. Dangerous or unsociable behaviour

12. Slaughtering of Animals

12.1. Slaughtering of animals for religious and cultural purposes is permitted only within the confines of a private section, and never on common property. This is subject to the following conditions:

12.2. A written notice of at least two weeks must be submitted to the Board, detailing:

12.2.1. The date and time of the proposed slaughter.

12.2.2. The type of animal to be slaughtered.

12.2.3. The name and qualifications of the person performing the slaughter.

12.2.4. Confirmation that the animal will be brought onto the premises immediately before the ritual slaughter and that the carcass and all remains will be removed from the premises immediately after the slaughter.

12.3. The notice must include confirmation from the local authority that all relevant bylaws concerning ritual slaughter will be adhered to.

12.4. The notice must include confirmation from the health department that all health department specifications for the ritual slaughter will be met.

12.5. A certificate from the Society for the Prevention of Cruelty to Animals (SPCA) must accompany the notice, confirming that an SPCA official will be present to ensure the animal does not suffer unnecessary pain.

12.6. All adjacent units must be notified of the date and time of the proposed slaughter.

13. Administration

13.1. Levies are due and payable in advance on the first day of each month by direct deposit or debit order.

13.2. Interest will accrue on all overdue accounts.

13.3. Visitor gate access may be suspended for Owners or Residents with outstanding payments.

13.4. A penalty, as determined by the HOA, will be imposed on any accounts overdue by more than 60 days.

13.5. The Fleetwood Homeowners Association may amend or add to the Conduct Rules as necessary to ensure the harmonious and orderly coexistence of residents.

13.6. The HOA reserves the right to take appropriate action for repeated rule violations after the expiration of a written notice. This may include rectification by the HOA at the transgressor's expense, imposition of fines, or legal action, with all associated costs charged to the owner.

13.7. Owners are responsible for all costs arising from the enforcement of Conduct Rules.

13.7.1. In the event of legal action, including court proceedings, the HOA will seek to recover costs at the maximum allowable rate.

13.7.2. If costs cannot be recovered through a court award, the HOA will take steps to recover these costs directly from the responsible owner.

13.7.3. For the purposes of recovering costs as outlined in 13.7.2, the HOA may pursue all available legal remedies.

13.8. Damage to Estate Property: Owners are responsible for the costs of repairing any damage to Estate property caused by themselves, their contractors, tenants, or visitors due to negligence or carelessness.

13.9. Householders Public Liability Insurance: All homeowners and tenants are required to maintain sufficient Public Liability Insurance to cover any liabilities arising from events or activities related to their unit. This insurance should include coverage for incidents such as fires that may impact neighbouring properties. Additionally, insurance policies must cover demolition and rebuilding, damage to adjacent properties, and remain valid even when solar panels, inverters, and batteries are installed.

13.10. Fines are imposed to encourage compliance with these rules and may be applied for any transgressions, consistent with Rule 13.5. Fines will start at R250.00 and will be progressive. Decisions to impose fines must be made at a board meeting, with the decision recorded in the minutes.

13.11. Should a dispute between the HOA and an owner not be resolved through normal channels and litigation is necessary, both parties consent to the jurisdiction of the local magistrate's court for resolution.

14. Protection of Personal Information and Promotion of Access to Information Acts

14.1. The Chairperson is designated as the Information Officer and is registered with the Information Regulator.

14.2. The PAIA Manual is available on www.Fleetwoodestate.co.za and through the Human Rights Commission.

14.3. Processing of Personal Information by Fleetwood Estate:

14.3.1. Mailing List: The Board maintains a database (Excel spreadsheet) containing names, telephone numbers, email addresses, and relationships to HOA members (e.g., tenant, owner, family member) for the purpose of communicating with residents and members of the homeowner's association.

14.3.2. Accentronix Access Control System: This system records the names and cell phone numbers of all residents, approved contractors, staff, and non-residents authorized by residents. It is used solely for granting access to the estate.

14.3.3. Processing of Personal Information by Third Parties (Managing Agents): Third parties, such as managing agents, process personal information for billing and communication purposes only, including billing statements and AGM notices.

14.3.4. Management Accounts: When provided to non-board members and other third parties, management accounts will exclude details of individual levies.

15. Conclusion

15.1. The Board members volunteer their time, so please respect their privacy. If you need to speak with them, kindly be considerate of their time.

15.2. A considerate and respectful environment contributes to a happy community. The HOA is committed to maintaining a safe and tranquil environment, which relies on your cooperation and involvement.

CHANGE MANAGEMENT**Most recent on top**

Date	Version	Change
2024	2024	3.15 No one will be permitted to use pellet guns, air guns, BB guns, Slingshots, catapults, paintball guns and other similar devices on common property within the estate 5.8. Cottage style bronze aluminium window and doorframes are acceptable as replacement for the wooden cottage pane windows. 4.14 Solar Panels rules added
June 2021	2021	1.3 – remove management guideline and add Board Charter 1.6. – Dispute resolution and complaints to CSOS 3.7 – Refuse Bins 3.10 – Contractor boards updated 3.16 – use of certain devices prohibited 3.19 – Pool water backwash or runoff damaging roads 4.7 – Paving of verges discouraged 4.11 – Secondary Chimneys 4.13 – Building materials 5.2.4 – Building Line Relaxation 7.6 and 8.1 - Changes related to changes in the security systems implemented 7.8 – Boom gate damages 11.5 – change in times dogs permitted off the lead 14 - Additional of POPI Elements November
2019	2019	General spelling and grammatical corrections insertion of items 5.5 –Secondary dwellings,

		5.7 – Reporting suspected non-compliance to building regulations, 3.10 - Drones prohibited, 3.11 Fireworks prohibited and 1.3 – Estate Management Guideline
June 2016	2016	• Articles of Association Memorandum of incorporation • Removal of Trustees to Board of Directors • Strengthening of language to promote compliance. • Additional responsibilities on owners with respect to the management of their tenants. • Strengthening of recovery of costs in the event of legal action arising from having to enforce any conduct rule, damage to property etc • Addition of requirement for homeowners' public liability insurance
27 February 2014	2014	Strengthening of terms from should to must in certain sections. Addition of: • Slaughtering of animals (12) • Obstruction of roadways (2.8) • Damage to road surface (6.2) • Progressive fines (13.6)
24 February 2011	2011	Updated based on inputs from owners.
2003	2003	Original 1995 Articles of Association Please note these Rules should be read in conjunction with the Articles of Association.