

AQUAVISTA HOME OWNERS ASSOCIATION (RF) NPC

REG NO. 2001/019065/08

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BOARD OF DIRECTORS:

HC Boshoff
M Wagstaff
GA Gerber
G Chantler
HB du Toit

Estate Manager:
Johannes Landman
082 997 0587

Secretary
Marlene Holder
013 932 1815

1. **DIRECTORS NOTE.**



The old Aqua Vista website has been closed down and a new one created.

*Please access the new website:
www.aquavista-estate.co.za and furnish us with your comments.*

We are short of a few good photos of homes if you have available.

Henri du Toit
Director

Marlene Holder
Editor

Photo of BHS Dam on 16 February 2021



2. ADJUSTED ALERT LEVEL 1 REGULATIONS - CLUBHOUSE FACILITIES.

As of 01 March 2021 the Clubhouse facilities will be available to members on the following conditions:

- A Maximum of 50 persons allowed.
- Covid-19 Level 1 Regulations applicable such as wearing of masks, social distancing, sanitizing, temp. readings etc.
- Names and telephone numbers of persons attending to be furnished to the HOA.
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The HOA would prefer not to play policeman, so the responsibility is squarely on the shoulders of those using the facilities to comply with the prescribed regulations.

3. APPOINTMENT OF A COMMITTEE/PANEL OF ADVISORS.

The appointment of the three committee members and a fourth as an alternative has been approved by the Board in terms of Clause 8.3.1 and Clause 26.13 of the MOI as follows;

1. MG Nthoesane - 193/26
2. A Laher – 123/26
3. SP Naude – 67/24
4. FJ Mare – 111/26 (alternative)

The above members will assist the Board in carrying out its duties in terms of Clause 8.3.1 and Clause 26.13 of the MOI.

Clause 8.3.1 of the MOI:

In the event of any Member disputing the fact that he has committed a breach of any of the rules aforesaid, a panel of 3 (three) Voting Members who are not directors of the Company and appointed by the Chairman for that purpose, shall adjudicate upon the issue at such time and place and in such manner and according to such procedure as the chairman may direct, provide that a Member shall be entitled to assistance from an independent mediator, the costs of whom will be borne by the Member. The decision of such panel shall be final and binding on all parties concerned with such decision.

Clause 26.13 of the MOI:

The Chairman and/or the Board shall be entitled to seek the advice and assistance of advisors and/or consultants to the Board from time to time and as the Chairman or Board, as the case may be, deem fit. For the purpose of providing such advice and assistance such advisors and/or consultants or any of them shall at the request of the Chairman or the Board as the case may be, be entitled to attend meetings of the Board and to participate therein, but not to vote on any issue considered thereat.

I would appreciate it if you could furnish me with the names and contact details of those members who are interested in such an appointment.



4. IMPACT METERS - CONTACT DETAILS FOR PREPAID QUERIES.

For any queries in respect of your prepaid electricity you can send an e-mail to - crm@amps.co.za.

Emergency standby number (available until 21h30) – 072 511 3224.

5. INTEREST - ARREAR LEVIES.

INTEREST



Please note that **8% interest** p.a. is applicable on all arrear accounts. We request all members to keep their levies up to date.

The HOA can't afford to have arrear levies.

See below Clause K – Levies of the Conduct Rules:

K. Levies

1.1 Any amount due by a member by way of a levy shall be a debt due by him to the Association. The obligation of the member to pay a levy shall cease upon his ceasing to be a member of the Association without prejudice to the Association's right to recover arrear levies. No levy paid by a member shall under any circumstances be repayable by the Association upon the member ceasing to be a member. A member's successor in title to an erf shall become liable upon the date upon which he becomes a member pursuant to the transfer of the erf into his name, to pay the levy attributable to that erf. No member shall be entitled to transfer or lease his erf to any transferee or lessee until the Association shall have certified in writing that the outgoing member or lessor has at the date of transfer or the date of the rental contract paid all amounts owned by him to the Association. If the payment of the levy is due, the owner hereby irrevocably cedes his right to collect the rental of the relevant property to the Association. The Association shall be permitted to contact the relevant rental agent/lessee directly to effect the payment and the owner hereby authorizes the agent/lessee to pay the rental directly to the Association up and until the outstanding levies are paid up to date. The owner furthermore agrees that the rental cession be made an order of Court, such order to remain in force until such time as all the arrear levies in respect of the property have been paid in full.

1.2 The sale of shares in a property owning company, the transfer of members' interest in a close corporation, or a change in control of any other legal entity shall be deemed to be a transfer for the purposes of clause 1.1 of this clause K. If a clearance is not obtained in the circumstances outlined above, the natural person nominated in terms of clause 3.2 of the introduction to these Rules and Regulations shall be personally liable to the Association for any arrear levies.

2. In case a member dies any amount due by way of a levy shall be a debit due and payable by his estate. Any person occupying the property after the member's death must inform the Association thereof and will be liable for payment of the monthly levies to the Association until such time as the estate of the deceased member has been

finalized. Failure to inform the Association of his occupation of the property or to pay the monthly levies may result in termination of his access to the estate.

- 3. A member and occupant shall not be entitled to attend or vote at any meeting of members of the Association nor be an officer of the Association nor use any facility of the Association, while any amount due to the Association is in arrear, subject to the MOI.*
- 4. A member shall be liable for and pay all legal costs, including costs as between attorney and client, collection commission, expenses and charges incurred by the Association in obtaining the recovery of arrear amounts due and owing by such member to the Association, or in enforcing compliance with these Rules and Regulations.*
- 5. The Association shall be entitled to charge interest on arrear amounts at such a rate as it may from time to time determine.*

The Association has the right to fine transgressors where any of the rules as stipulated by the Association from time to time have been broken or infringed upon. Such fines will form part of the levy and shall become due and payable on the due date of payment of the levy. The Association shall determine from time to time the fines which may be imposed for various transgressions.

6. SUPPLY OF POTABLE WATER TO THE ESTATE.

- 1. The quality of the water close to the dam wall has deteriorated to such an extent that the following warnings (attached) have been issued by organizations dealing with these matters:
 - Water Info Warning dated 19/02/2021.*
 - Harmful algae or bacteria may be present. No people or pets to enter or use the dam water.*
 - Pollution of Bronkies Dam leading to poor potable water quality at Aqua Vista, Emergency Situation.**
- 2. Activated carbon filtration is presently being used as an effective and practical mitigation method to counter the effect of cyano toxins released into the water by the cyanobacteria. This might not always be 100% effective and it is strongly recommended that a Home Purification System (Carbonated) be installed in all the properties on the Estate.*
- 3. The extremely bad quality of the dam water has necessitated in a drastic reduction in the volume of water that can be effectively purified.*
- 4. We are investigating alternative sources of water which presently looks very promising and of which you will be kept informed.*
- 5. Proposals have been made that we consider linking up to the municipal water supply. On 27/06/2001 a services agreement was finalized with the local municipality which reads as follows:*

- *“It is recorded that the **COUNCIL** is investigating the provision of a regional water supply system which will consist of a connection to the main supply system pipeline(s) of the **COUNCIL**;*

*a supply line to a reservoir, a reservoir with a minimum storage capacity as determined from time to time by the **COUNCIL**, based on normal summer consumption;*

*and a distribution pipe from such reservoir to the most suitable point or points of delivery to the boundary of the **SUBDIVISION**, to which the internal reticulation system of the **SUBDIVISION** may be connected.*

*The **COUNCIL** shall be responsible for all costs in connection with the installation of such an external supply system as referred to hereinbefore. The external supply system herein referred to is as described in the “Guidelines for Human Settlement Planning and Design” as required by the Department of Housing in 2000.”*

6. *For the past 18 years the HOA has failed in all its attempts to have this system implemented. The quality of the potable water provided to Ekangala, Zithobeni and Rethabiseng is extremely poor and that supplied to Bronkhorstspuit not much better, in fact the majority of users have installed home filtration systems. The problem is furthermore that the majority of the municipalities in Gauteng are on the brink of bankruptcy and cannot be relied on. As a last resort the Developer, at the time, was compelled to build a water purification system and reservoirs.*
7. *Laboratory tests carried out on our purified water are attached for your information.*

*Aqua Vista Greetings.
Marlene Holder – Editor.*