

Sandy Point

BEACH ESTATE

ST HELENA BAY

HOME OWNERS ASSOCIATION

GUIDELINES TO MANAGING DISTURBANCES AND NOISE POLLUTION IN THE ESTATE

As per the CONDUCT RULES of the Estate, it stipulates that noise pollution is to be kept to a acceptable level (6.1 of the Conduct Rules manual). The common law determines that a level of 55dB is an acceptable noise level in residential areas. This covers all types of activity, and in past years was described mostly as music or gardening or construction noise, being general lifestyle activities.

In an estate such as Sandy Point Beach Estate, where boundaries are narrow and homes are built close together, it becomes more important to manage the noise levels to be considerate to one's neighbours.

This document serves to guide home owners in being considerate as well as a guide to the rules of noise management and implementation of corrective action and/or fines for non-compliance. This guideline is compiled by the Board of Trustees with the due authority provided to them in the Constitution and the Conduct Rules and shall be legally binding on all home owners, tenants, contractors, employees and visitors.

Instances of noise disturbance generated by items which include but not limited to:

1. Loud Music or TV:

The playing of music or TV equipment at a maximum level of 85Db will only be allowed between the hours of 8h00 and 22h00 daily. Before or after these times, these items may only be played at a level of 25Db.

2. Musical equipment:

The playing of music equipment at a maximum level of 85Db will only be allowed between the hours of 8h00 and 17h00 daily. Before or after these times, these items may only be played at a level of 25Db.

3. Modified vehicles:

The excessive revving of engines is not allowed. The use of modified exhaust systems to generate an above "factory spec" noise level is not allowed. The use of Motor cycles and quadbikes is not permissible inside the estate.

4. Garden equipment:

The use of garden equipment is permissible between 8h00 and 17h00 on weekdays, between 9h00 and 16h00 on Saturdays and not on Sundays and public holidays

5. Construction tools such as drills, sanders, pumps, etc. :

The use of construction tools is only permissible between 7h00 and 18h00 on weekdays and from 8h00 to 13h00 on Saturday. It is not permissible on Sundays, Public holidays.

6. Generators:

In South Africa we have been forced into the use of generators as an alternative power source to manage our lifestyle requirements when ESKOM go into LOAD SHEDDING. I annex a guideline document from ESKOM which determines the steps and rules to adhere to, when using a generator in a residential area.

- a) **STANDBY GENERATORS** - The laws regarding technical installation of Standby generators apply and a COC is required and to be supplied to the HOA admin office.
- b) **BACKUP GENERATORS** may not be connected in to the house electrical system, but can be plugged to selected appliances as required by the user.
- c) **THE AESTHETICS** of the housing of such equipment must be adhered to and approved by the scrutinising architect.
 1. **External** installation – if the generator is installed outside the house or building of the premises, then it needs to be enclosed in a soundproof unit. This unit must be built of brick and plastered, or hard wood and painted white. Sufficient ventilation must be provided to prevent a build-up of toxic gas/fumes. Your architect and contractor should be of assistance regarding the materials for effective sound proofing. The decibel reading from 2m outside the premises may not exceed 25dB
 2. **Internal** installation – if a generator is installed inside the building (garage or outhouse), then it must be isolated from windows, and contained in sound proof padding to reduce the amplification of noise generated by the room. The reading on the outside of the building and not more than 2m from the building may not exceed 25Db.
 3. It is advised to plan the instalment of this equipment at the time of construction to assist compliance, but if you are unsure, it is advisable to consult with an electrician and our Scrutinising Architect for clarity on compliance and installation. Approval of your installation (whether at time of construction or after) is required by our Contracted Electrician, our Scrutinising Architect and the Estate Manager.
 4. Generators may not be used between 22h00 and 07h00.
- d) **ALTERNATIVE EMERGENCY POWER SOURCES** – the use of solar power is a preferable emergency power source not only for during the off-limit times for generators as mentioned in c)4 above, but as an alternative to generators in general. Please consult your local electrician and architect in this regard.

7. Fireworks:

No fireworks will be permitted on Estate or in the admiralty area. The penalty for such activity will be a R20 000 fine to the owner of the premises and/or criminal charges laid against the person/persons partaking in such activities

8. Incessant dog barking:

Whilst dogs naturally bark in excitement or as a warning of danger, incessant barking can be extremely disturbing. A first warning and request will be made to adjust the dogs behaviour, a second warning will entail a fine and a third warning will request the removal of the animal from the Estate.

9. Air-conditioners:

All mechanical equipment will eventually become old and noisy. It is the owners responsibility to maintain such equipment to remain as quiet as designed.

FAIRNESS:

While this document serves to manage the noise levels in the estate, it also needs to show fairness. The limiting of any or all noise levels in the course of suburban living is extreme and we encourage neighbours to try and resolve complaints amicably before creating a formal complaint. Unnecessary and frivolous complaints will not be entertained.

FINES:

The penalty for non-compliance of any of the above instances (besides no.7) will be;

1. First infraction – warning
2. Second infraction – R500
3. Third infraction – R1 500
4. In the event that a home owner refuses to remedy an infraction, the aggrieved resident may lay a complaint to the local LAW ENFORCEMENT for further action.

There will be additions to this document from time to time as other listed items of noise pollution are identified and managed.

Authorised by

DIRK BAARD
CHAIRMAN OF THE BOARD